

RESOLUTION NO. 10-06-12

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SPECIAL EXCEPTION USE FOR A MOTOR VEHICLE SALES BUSINESS TO BE LOCATED AT 1430 10TH COURT IN THE C-2 ZONING DISTRICT; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE USE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Robert Richardson, (“Applicant”) is the owner of a motor vehicle repair business which is located at 1430 10th Court (“subject property”) in the Town of Lake Park, Florida; and

WHEREAS, the Applicant leases the subject property from the Jane Anderson Groot Marital Trust (“Property Owner”); and

WHEREAS, the subject property is within the C-2 zoning district, and

WHEREAS, the Applicant has submitted an application for approval of a special exception use to allow for a motor vehicle sales business (“Application”) to be operated in conjunction with its motor vehicle repair business upon the subject property ; and

WHEREAS, the Town of Lake Park’s Planning and Zoning Board has reviewed the Application and has made its recommendation to the Town Commission; and

WHEREAS, the Town Commission has conducted a quasi-judicial public hearing to consider the Application; and

WHEREAS, at this hearing, the Town Council considered the evidence presented by the Town Staff, the Applicant, and other interested parties and members of the public, regarding the Application’s consistency with the Town’s Comprehensive Plan, the special exception criteria as set forth in Section 78-184, and other provisions of the Town’s Land Development Regulations which are applicable, and

WHEREAS, at the hearing the Town Commission determined that certain conditions are necessary in order for the Application to meet the special exception criteria of Section 78-184 and the Town’s Land Development Regulations; and

WHEREAS, the Applicant, the Property Owner, and their successors and assigns shall be subject to the conditions contained in Section 2.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:

Section 1: The whereas clauses are incorporated herein as the findings of fact and conclusions of law of the Town Commission.

Section 2. The Town Commission hereby approves the request for a special exception use of motor vehicle sales on the subject property subject to the following conditions:

- (1) The front yard of the subject property shall be paved and striped in accordance with the Town's requirements. The Applicant/Property Owner shall obtain a permit from the Town's Community Development Department and complete the work within 14 days of the effective date of this Resolution.
- (2) Due to accessibility constraints, the rear side of the building shall only be used for vehicle storage purposes and shall be screened from public view in accordance with the requirements of the Town Code .
- (3) All required parking shall be in the front of the building and shall meet the parking requirements of the Town Code .
- (4) Given the current building configuration whereby a maximum of four employees; two service bays and a total of 1,000 square feet is set aside as customer service area in both units located within 1430 10th Court, a maximum of one display space is permitted within the nine available spaces.
- (5) Foundation planting shall be provided along the east side façade that directly abuts the front parking area (excluding entryways, doorways or other building access points). Planting selections shall be included with the paving/stripping permit requirement in condition #1 above.

Section 3: This Resolution shall become effective upon adoption.

The foregoing Resolution was offered by Vice-Mayor Rumsey, who moved its adoption. The motion was seconded by Commissioner Hockman and upon being put to a roll call vote, the vote was as follows:

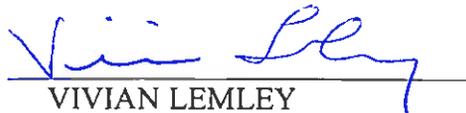
	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	___
VICE-MAYOR KENDALL RUMSEY	<u>/</u>	___
COMMISSIONER STEVEN HOCKMAN	<u>/</u>	___
COMMISSIONER JEANINE LONGTIN	<u>/</u>	___
COMMISSIONER TIM STEVENS	<u>/</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 10-06-12 duly passed and adopted this 6 day of June, 2012.

TOWN OF LAKE PARK, FLORIDA

BY: 
JAMES DUBOIS
MAYOR

ATTEST:


VIVIAN LEMLEY
TOWN CLERK



Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIED
TOWN ATTORNEY