

**RESOLUTION NO. 32-09-15**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN AND THE SPECIAL EXCEPTION USE FOR AN AUTO PAINT AND BODY SHOP TO BE LOCATED AT 1145 WATERTOWER ROAD IN THE C-4 BUSINESS DISTRICT; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE USE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Khaled Grayeb is acting as the Agent and Applicant for (Agent or Applicant) for Watertown LLC, the owner (Owner) of the property at 1145 Watertower Road (Subject Property) in the Town of Lake Park, Florida (Town); and

**WHEREAS**, the Applicant has submitted an application seeking the approval of a site plan and special exception use for an Auto Paint and Body Shop upon the Subject Property (the Application); and

**WHEREAS**, the Subject Property is within the C-4 Business District; and

**WHEREAS**, an Auto Paint and Body Shop establishment is a special exception use within the C-4 Business District; and

**WHEREAS**, the Town'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 Commission considered the evidence presented by the Town staff, the Applicant, and members of the public, regarding the Application's consistency with the Town's Comprehensive Plan; and

**WHEREAS**, at this hearing, the Town Commission considered the evidence presented by the Town staff, the Applicant and members of the public regarding whether the Application meets the special exception criteria as set forth in Section 78-184, and the Town's Land Development Regulations; and

**WHEREAS**, at this hearing the Town Commission determined that certain conditions are necessary in order for the Application to be consistent with the Town's Comprehensive Plan, and to meet the special exception criteria of Section 78-184 and the Town's Land Development Regulations; and

**WHEREAS**, the Applicant, the Owner, and their successors and assigns shall be subject to the conditions contained in Section 2 of this Resolution.

**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 a Site Plan and the application for the special exception use of Auto Paint and Body Shop on the Subject Property, subject to the following conditions:

1. The Owner is required to improve the site pursuant to Site Plan SP-1 and the Interior Floor Plan A prepared by Khaled Grayeb and received by the Community Development Department on July 22, 2015 and August 28, 2015, respectively, for the location of landscaping, indoor and outdoor parking, and screening.
2. The Owner shall keep the two east garage bay doors closed at all times except when it is necessary for vehicles to enter or exit the building.
3. The Owner is required to implement best practices to mitigate any odors produced from painting vehicles.
4. All painting and repairs of vehicles shall be conducted indoors.
5. The Owner shall operate with a waterless vehicle washing system for cleaning the vehicles being repaired on the Subject Property. Should the Owner propose the use of a different washing system that system shall be subject to the review and approval of the Town Commission and shall be permitted through the Seacoast Utility Authority and the Department of Environmental Protection.

**Section 3:** This Resolution shall become effective immediately upon adoption.

The foregoing Resolution was offered by Commissioner O'Rourke who moved its adoption. The motion was seconded by Commissioner Flaherty and upon being put to a roll call vote, the vote was as follows:

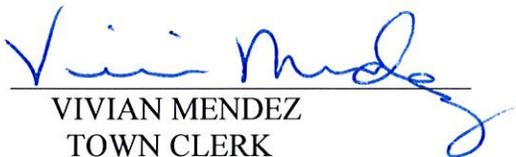
|                                 | AYE          | NAY       |
|---------------------------------|--------------|-----------|
| MAYOR JAMES DUBOIS              | <u>  /  </u> | <u>  </u> |
| VICE-MAYOR KIMBERLY GLAS-CASTRO | <u>  /  </u> | <u>  </u> |
| COMMISSIONER ERIN FLAHERTY      | <u>  /  </u> | <u>  </u> |
| COMMISSIONER MICHAEL O'ROURKE   | <u>  /  </u> | <u>  </u> |
| COMMISSIONER KATHLEEN RAPOZA    | <u>  /  </u> | <u>  </u> |

The Town Commission thereupon declared the foregoing Resolution NO. 32-09-15 duly passed and adopted this 16 day of September, 2015.

TOWN OF LAKE PARK, FLORIDA

BY:   
JAMES DUBOIS  
MAYOR

ATTEST:

  
VIVIAN MENDEZ  
TOWN CLERK

(TOWN SEAL)

Approved as to form and legal sufficiency:

BY:   
THOMAS J. BAIRD  
TOWN ATTORNEY