

RESOLUTION NO. 34-09-05

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING A SITE PLAN FOR A 12 UNIT MULTI-FAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT, CONSISTING OF 14,276 SQUARE FEET, OWNED BY 10TH AVE, LLC, TO BE KNOWN AS "VILLA LIANA" LOCATED ON LOTS 17 TO 28 OF BLOCK 47, ON THE EAST SIDE OF 10TH STREET, SOUTH OF PARK AVENUE AND APPROXIMATELY 211 FEET SOUTH OF EVERGREEN DRIVE, IN THE TOWN OF LAKE PARK; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission, as the governing body of the Town of Lake Park, Florida, is authorized and empowered to approve or deny, in whole or in part, petitions for development orders; and

WHEREAS, 10th Avenue, LLC, ("Applicant/Owner") is the owner of real property, located on the east side of 10th Street, Lake Park, Florida, also described as Lots 17 to 28, Block 47, more particularly described in **Exhibit "A"** ("subject property") attached hereto and incorporated by reference; and

WHEREAS, Applicant/Owner has submitted an Application ("Application") to the Town for a Site Plan for a project consisting of twelve (12) residential units to be known as "Villa Liana"; and

WHEREAS, on August 2, 2004, the Town's Planning & Zoning Board recommended approval of the Application to the Town Commission; and

WHEREAS, the subject property is zoned, R-2 Multi-family Residential; and

WHEREAS, The Town Commission has considered the evidence presented by staff, Applicant/Owner, and members of the public, regarding the Application's consistency with the Town's Comprehensive Plan, and whether it meets the Town's Land Development Regulations; and

WHEREAS, the Town Commission has determined that certain conditions as set forth herein, are necessary for the Site Plan to be consistent with the Town's Comprehensive Plan, and to meet the Town's Land Development Regulations; and

WHEREAS, the Applicant/Owner, its successors and assigns shall be subject to the conditions contained in Section 2 herein.

NOW THEREFORE, be it resolved by the Town Commission of the Town of Lake Park;

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

Section 2. The Town Commission hereby approves the Application authorizing the subject property, to be developed as a 14,276 square foot, twelve unit (12) residential multi-family condominium building (the Project) including, but not limited to the architectural elevations for the building, subject to the following conditions:

1. Within 90 days of the effective date of this Resolution, the Applicant/Owner shall submit revised development plans to include the items listed below. Said development plans shall be approved administratively by staff as long as: (1) all items listed below are included on the development plans to the satisfaction of the Community Development Director, and (2) any exterior building modification(s) is architecturally consistent with the approved buildings. Should any of the aforesaid not be adequately satisfied, the revised development plans shall be reviewed and approved by the Town Commission by way of an amendment to the site plan. No building or land clearing permits shall be issued until revised plans have been approved.
2. Upon approval of the Site Plan by the Town Commission, the Applicant/Owner shall have one (1) year to secure a building permit from the Town's Community Development Department. If the Applicant/Owner fails to secure a building permit in said one (1) year time period, this approval shall become null and void.
3. Prior to the issuance of the first building permit, the proposed paint schemes and finishes for all exterior surfaces shall be submitted to the Town, and shall be clearly reflected on the construction plans and color board, and shall be subject to Staff's approval.
4. The Town Engineer has required that the minimum opening dimension for the dumpster gates shall be 12 feet wide.
5. Prior to the issuance of the first building permit, the Applicant/Owner shall provide lighting details with specifications. The lighting detail and specifications shall be subject to the Staff's review and approval.
6. Supplemental buffer planting, including shrubs, shall be provided along the eastern and northern property lines as shown on Landscape Plan.
7. Section G-G grade and sod shall be to the top of curb along this section to minimize tripping hazards.

8. The Applicant/Owner shall obtain a building permit for fencing and shall repair the 6 foot fence at the rear of the subject property.
9. The final Landscape Plan shall indicate clustered Sabal Palms at differing heights at the east side of the building and at the building's entrance.
10. The Applicant/Owner shall repeat the quoin in at least two (2) places on the east elevation.

Section 3: This Resolution shall become effective upon adoption.

The foregoing RESOLUTION was offered by Commissioner Daly, who moved its approval. The motion was seconded by Commissioner Balius, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	<u>X</u>	---
VICE MAYOR PAUL GARRETSON	<u>X</u>	---
COMMISSIONER CHUCK BALIUS	<u>X</u>	---
COMMISSIONER ED DALY	<u>X</u>	---
COMMISSIONER JEFF CAREY	<u>X</u>	---

PUBLISHED IN THE PALM BEACH POST THIS 9 DAY OF October, 2005

The Mayor thereupon declared Resolution No. 34-09-05 duly passed and adopted this 19 day of October, 2005.

Attachments: "A" - Legal Description

TOWN OF LAKE PARK, FLORIDA

BY: Paul Castro
Mayor Paul Castro

ATTEST:

Stephanie Thomas
Stephanie Thomas Town Clerk

Approved as to form and legal sufficiency

Thomas J. Bard
Thomas J. Bard, Town Attorney



EXHIBIT A
Legal Description of Subject Property

Lots 17-28 of Block 47, Kelsey City, now known as Lake Park, according to the map of plat thereof as recorded in Plat Book 8, Page 34, Public Records of Palm Beach County, Florida.

Together with:

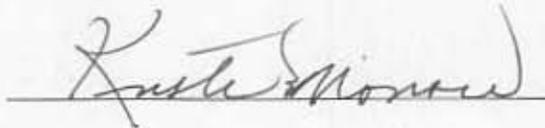
Lot 23, Block 47, Kelsey City, now known as Lake Park, according to the map of plat thereof as recorded in Plat Book 8, page 34, Public Records of Palm Beach County, Florida, for Detention Area

THE PALM BEACH POST
Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

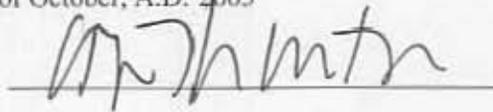
PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared **Kristi Morrow**, who on oath says that she is **Customer Service Supervisor** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter of **Resolution 34-09-05** was published in said newspaper in the issues of **October 9, 2005**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before 10th day of October, A.D. 2005



Personally known XX or Produced Identification _____
Type of Identification Produced _____



Karen M. McLinton
Commission # DD359566
Expires: NOV. 15, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

NO. 437270
TOWN OF LAKE PARK
NOTICE OF
QUASI-JUDICIAL
PUBLIC HEARING
PLEASE TAKE NOTICE and be advised that the Town Commission of the Town of Lake Park, Florida will conduct a Public Hearing on Wednesday, October 19, 2005 at 7:30 p.m., or as soon as thereafter the subject matter can be heard, at the Lake Park Town Hall, Commission Chambers, 535 Park Avenue, Lake Park, Florida 33403. The foregoing Resolution:
RESOLUTION No. 34-09-05
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING A SITE PLAN FOR A 12 UNIT MULTI-FAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT, CONSISTING OF 14,276 SQUARE FEET, OWNED BY 10TH AVE. LLC, TO BE KNOWN AS "VILLA LIANA" LOCATED ON LOTS 17 TO 28 OF BLOCK 47, ON THE EAST SIDE OF 10TH STREET, SOUTH OF PARK AVENUE AND APPROXIMATELY 211 FEET SOUTH OF EVERGREEN DRIVE, INCLUSIVE, BLOCK 47 IN THE TOWN OF LAKE PARK; AND PROVIDING FOR AN EFFECTIVE DATE.
PLEASE TAKE NOTICE AND BE ADVISED that if any interested party wishes to appeal any decision made by the Town Commission with respect to any matter considered at this public hearing, such interested persons will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be based.
In accordance with the Americans with Disabilities Act and Section 266.26, Florida Statutes, persons with disabilities needing special accommodations in order to participate in this proceeding are entitled to the provision of certain assistance at no cost. Please call the Office of the Town Clerk at 561-881-3311 no later than 5 days prior to the hearing if this assistance is required. For hearing impaired assistance, please call the Florida Relay Service Numbers: 800-955-8771 (TDD) or 800-955-8770 (VOICE).
Stephanie Thomas,
Town Clerk
PUB: The Palm Beach Post
October 9, 2005

PALM BEACH NEWSPAPERS, INC.

The Palm Beach Post
2751 S. Dixie Hwy., West Palm Beach, FL 33405
Phone: (561) 820-3106 Fax: (561) 820-4340
FED ID # 58-1633719
legals@pbpost.com

Legal Advertising Invoice

Account #: 291006

Advertising Deadlines

Ad # 4327270

<u>Publish</u>	<u>Deadline</u>
Monday	Friday 3PM
Tuesday	Friday 3PM
Wednesday	Monday 3PM
Thursday	Monday 3PM
Friday	Wednesday 3PM
Saturday	Thursday 3PM
Sunday	Thursday 3PM

Description: Not: Resolution 34-09-05

Size: 7.25 "

Amount: \$195.75

Published: October 9, 2005

**Town of Lake Park
Town Clerk's Office
535 Park Avenue
Lake Park, FL 33403**

