

ORDINANCE NO. 11-2003

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 32-24 OF THE OFFICIAL ZONING MAP OF THE TOWN OF LAKE PARK, REZONING APPROXIMATELY 4.47 ACRES OF LAND, OWNED BY EARL STEWART, LLC, LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF LAKESHORE AND JASMINE DRIVES AS PLANNED UNIT DEVELOPMENT (COMMERCIAL); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Earl Stewart, LLC (the owner) has consented to and authorized the filing of an application by Dodi Glas, Urban Design Studio, (The applicant) to file an application to rezone the subject property; and

WHEREAS, the subject property's legal description is contained in Exhibit A and it's general location as shown in Exhibit B, both of which are attached hereto and incorporated herein; and,

WHEREAS, the applicant proposes to rezone the subject property from C-1, business district to Planned Unit Development District; and,

WHEREAS, the proposed Planned Unit Development District is intended to encourage innovate use and site design in the development of land is often difficult or impossible within the context of conventional zoning regulations; and

WHEREAS, to permit design flexibility and to facilitate the use of contemporary land development techniques, it is advantageous to establish planned unit developments in which development is in harmony with the general purpose and intent of the Town of Lake Park's land use regulations, general planning program and comprehensive plan, but which may differ in one or more respects from the provisions of specific zoning regulations; and

WHEREAS, the planned unit development district allows the Town Commission, at its discretion, waive zoning requirements and use restrictions provided that the spirit and intent of the zoning regulations is complied with in the total development of the Planned Unit Development; and

WHEREAS, the Town Commission, upon the recommendation of the Town Planning and Zoning Commission, may by ordinance authorize the location and development of a Planned Unit Development which may differ in more or respects from the provisions of specific requirements of the Zoning Code of the Town of Lake Park, but which must be in keeping with the general purpose and intent of the Town of Lake Park's land use regulations, Comprehensive Plan and Code of Ordinances in order to provide standards by which flexibility may be accomplished while maintaining and protecting the public's interest; and

WHEREAS, the Lake Park Planning and Zoning Commission has reviewed the Applicant's application and has made its recommendation to the Town Commission regarding the appropriate zoning district for the subject property; and

WHEREAS, the classification of the property as Planned Unit Development District (Commercial) is consistent with the subject property's commercial land use designation under the Town's Comprehensive Plan, and

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

Section 1: The whereas clauses are incorporated herein as true and correct.

Section 2. The Town Commission hereby changes the zoning classification of the subject property; from C-1 Business District to Planned Unit Development (Commercial)

Section 3. The Town's official zoning map is hereby amended to reflect the assignment of the PUD zoning classification to the subject property.

Section 4. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 5. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 6. This Ordinance shall take effect immediately upon passage.

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Upon First Reading this 7th day of May, 2003, the foregoing ORDINANCE was offered by Commissioner Longtin, who moved its approval. The motion was seconded by Commissioner Garretson, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	X	
VICE MAYOR CHUCK BALIUS	X	
COMMISSIONER PAUL GARRETSON	X	
COMMISSIONER JEANINE LONGTIN	X	
COMMISSIONER BILL OTTERSON	X	

Upon Second Reading, this 21st day of May, 2003, the foregoing ORDINANCE was offered by Commissioner Balius who moved its adoption. The motion was seconded by Commissioner Otterson, and upon being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	X	
VICE MAYOR CHUCK BALIUS	X	
COMMISSIONER PAUL GARRETSON	X	
COMMISSIONER JEANINE LONGTIN	X	
COMMISSIONER BILL OTTERSON	X	

The Mayor thereupon declared Ordinance No. 11-2003 duly passed and adopted this 21st day of May, 2003.

TOWN OF LAKE PARK, FLORIDA

BY: *Paul Castro*
Mayor Paul Castro

ATTEST:

Carol Simpkins
Carol Simpkins
Town Clerk

Approved as to form and legal sufficiency

Thomas J. Baird
Thomas J. Baird, Town Attorney

