



**TOWN OF LAKE PARK
PLANNING & ZONING BOARD
AGENDA
MAY 5, 2014
7:30 P.M.
535 PARK AVENUE
LAKE PARK, FLORIDA**

PLEASE TAKE NOTICE AND BE ADVISED: If any interested person desires to appeal any decision of the Planning & Zoning Board with respect to any matter considered at the Meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate in the Meeting should contact the Town Clerk's Office by calling (561) 881-3311 at least 48 hours in advance to request accommodations.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Chair Judith Thomas	<input type="checkbox"/>
Michele Dubois	<input type="checkbox"/>
Martin Schneider	<input type="checkbox"/>
Erich Von Unruh	<input type="checkbox"/>
Ludie Francois, Alternate	<input type="checkbox"/>

APPOINTMENT OF VICE-CHAIR

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- Planning & Zoning Board Workshop Meeting Minutes of February 3, 2014

PUBLIC COMMENTS

Any person wishing to speak on an agenda item is asked to complete a Public Comment Card located in the rear of the Commission Chambers, and provide it to the Recording Secretary. Cards must be submitted before the agenda item is discussed.

ORDER OF BUSINESS

The normal order of business for Hearings on agenda items is as follows:

- Staff presentation
- Applicant presentation (when applicable)
- Board Member questions of Staff and Applicant
- Public Comments – 3 minute limit per speaker
- Rebuttal or closing arguments for quasi-judicial items
- Motion on floor
- Vote of Board

NEW BUSINESS

- A. AN APPLICATION FOR FOUR (4) PARK AVENUE DOWNTOWN DISTRICT WAIVERS TO THE PARKING SPACE REGULATIONS, APPLIED FOR BY FRED VECCHIONE OF VECCHIONE CONSTRUCTION, ACTING AS THE AGENT FOR SUE-ELLEN MOSLER GAMBLE TRUST (OWNER) FOR THE PROPERTIES LOCATED AT 700 AND 748 PARK AVENUE.**
- B. RE-ZONING EIGHT (8) PARCELS ON THE WEST SIDE OF THE 10TH COURT FROM COMMERCIAL-2 TO COMMERCIAL-4 ZONING DISTRICT.**
- C. CONGRESS AVENUE PROPERTIES REZONING FROM COMMERCIAL-2 (C-2) TO PLANNED UNIT DEVELOPMENT (PUD) AND THE APPROVAL OF A PUD MASTER PLAN.**

(CONTINUED to the JUNE 2, 2014 Planning & Zoning Board Meeting)

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

ADJOURNMENT



**TOWN OF LAKE PARK
PLANNING & ZONING BOARD
WORKSHOP MEETING
MINUTES
FEBRUARY 3, 2014**

CALL TO ORDER

The Planning & Zoning Board Workshop Meeting was called to order by Chair Judith Thomas at 6:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Chair Judith Thomas	Present
Vice-Chair James Lloyd	Absent
Michele Dubois	Present
Martin Schneider	Present
Erich Von Unruh	Present
Ludie Francois, Alternate	Excused

Also in attendance were Nadia Di Tommaso, Community Development Director; Debbie Abraham, Town Planner, and Kimberly Rowley, Recording Secretary.

APPOINTMENT OF CHAIR

Pursuant to the Town Code Sec. 2-111(a) which requires the annual election of a Chair and Vice-Chair, Chair Thomas asked for nominations for the appointment of a Chair for the upcoming year. Board Member Schneider nominated Judith Thomas. There were no other nominations. The nomination was seconded by Board Member Von Unruh and the vote was as follows:

	Aye	Nay
Judith Thomas	X	
Michele Dubois	X	
Martin Schneider	X	
Erich Von Unruh	X	

The Motion carried 4-0 and Judith Thomas was elected to serve as Chair of the Planning & Zoning Board for the upcoming year.

APPOINTMENT OF VICE-CHAIR

Pursuant to the Town Code Sec. 2-111(a) which requires the annual election of a Chair and Vice-Chair, Chair Thomas asked for nominations for the appointment of a Vice-Chair for the upcoming year. Board Member Dubois nominated James Lloyd. There were no other nominations. The nomination was seconded by Board Member Von Unruh and the vote was as follows:

	Aye	Nay
Judith Thomas	X	
Michele Dubois	X	
Martin Schneider	X	
Erich Von Unruh	X	

The Motion carried 4-0 and James Lloyd was elected to serve as Vice-Chair of the Planning & Zoning Board for the upcoming year.

APPROVAL OF AGENDA

Chair Thomas requested a motion for the approval of the Agenda as submitted. Board Member Schneider made a motion for approval of the Agenda, and the motion was seconded by Board Member Von Unruh. The vote was as follows:

	Aye	Nay
Judith Thomas	X	
Michele Dubois	X	
Martin Schneider	X	
Erich Von Unruh	X	

The Motion carried 4-0 and the Agenda was unanimously approved as submitted.

APPROVAL OF MINUTES

Chair Thomas requested a motion for approval of the December 2, 2013, Planning & Zoning Board Meeting Minutes as submitted. Board Member Schneider made a motion to approve, and the motion was seconded by Board Member Von Unruh. The vote was as follows:

	Aye	Nay
Judith Thomas	X	
Michele Dubois	X	
Martin Schneider	X	
Erich Von Unruh	X	

The Motion carried 4-0 and the Minutes of the December 2, 2013, Planning & Zoning Board Meeting were unanimously approved as submitted.

PUBLIC COMMENTS

Chair Thomas explained the Public Comment procedure.

WORKSHOP DISCUSSION ITEM

A. THE FEDERAL HIGHWAY CORRIDOR AND OPPORTUNITIES FOR MIXED-USE DEVELOPMENT THROUGH A MIXED-USE DISTRICT OVERLAY.

STAFF PRESENTATION

Community Development Director Nadia DiTommaso addressed the Board and stated that tonight's Workshop will be on mixed-use development. She explained that this Workshop is the 4th Workshop which Staff has held on the topic of mixed-use development - the first Workshop was held in November, the second Workshop was in December with a select group of business and property owners from along the Federal Highway Corridor, and the most recent on January 15th in front of the Town Commission. Ms. DiTommaso stated the importance of reviewing some common planning theory and terminology in order for the public to understand mixed-use development and, in this regard, she read the following excerpt from the Staff Report:

"Since the 1990's, many cities, towns and villages have been incorporating mixed-use development options within their respective municipalities in order to boost their individual economies. Some benefits of mixed-use development include:

- greater housing variety
- reduced distances between housing, workplaces, retail businesses, and other amenities and destinations
- more compact development, land-use synergy (e.g. residents provide customers for retail which provide amenities for residents)
- stronger neighborhood character, sense of place
- walkable, bike-able neighborhoods, increased accessibility via transit, both resulting in reduced transportation costs

Mixed-use development by definition is:

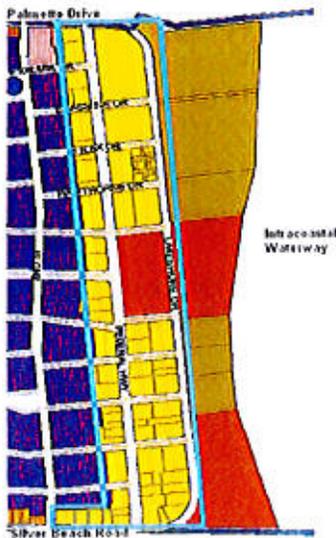
"Any urban, suburban or village development, or even a single building, that blends a combination of residential, commercial, cultural, institutional, or industrial uses, where those functions are physically and functionally integrated, and that provides pedestrian connections"

This means that rather than having neighborhoods develop with residential on one side and commercial on another side, similar to Lake Park's historical layout, mixed-use allows for a combination of residential and commercial within the same development. Naturally, these types of development patterns are not suitable in all areas, therefore Staff will use this Workshop to explain zoning, land-use, and mixed-use development."

Ms. DiTommaso said that the goal of this Workshop is the same goal as all of the previous Workshops, which is to get the P&Z Board engaged in a discussion on a mixed used development option/opportunity in the Town of Lake Park. Ms. DiTommaso stated that Staff's purpose of this Workshop is not to promote any specific type of development, but rather Staff is hoping to create development regulations or development guidelines within the Town Code to promote a mixed use development option.

Ms. DiTommaso presented a Power-Point visual of the Federal Highway Corridor focus area and defined the exact boundaries.

FEDERAL HIGHWAY CORRIDOR (in yellow)



Ms. DiTommaso explained the reason the Federal Highway Corridor includes the specific parcels is that in 2009 the Town Commission felt that it was important to designate the highlighted area as "Commercial-Residential", which meant at that time there was a vision to include some mixed-use development in the Town Code. So, why mixed-use development and why now? Because many neighboring municipalities have already incorporated mixed-use development into their Codes, and the Town of Lake Park needs to remain competitive. Staff feels that in order for Lake Park to remain competitive there is a need to provide for additional options in the Town Code which will allow for a mixed-use development to come into the Town in the future. Ms. DiTommaso turned the floor over to Debbie Abraham, Town Planner, to review zoning and land use terminology.

Ms. Abraham addressed the Board and stated she will explain some basic planning concepts and key terms which will be mentioned throughout the Workshop for those watching at home. Ms. Abraham provided a Power-Point Presentation (a copy of which is attached to these Minutes) and defined key terms such as "land use" and "zoning" and "mixed-use". Ms. Abraham provided an explanation of the Future Land Use Map and the various land designations throughout Town. She stated that the Federal Highway Corridor target area has an existing land use designation as "commercial/residential", meaning that the area is

intended for commercial development with an attached residential component. Ms. Abraham showed the Town's Zoning Map, and explained that the Federal Highway Corridor has two Zoning Districts, "Commercial I-B" or "C1-B", and "Commercial I" or "C-1", both of which allow for uses such as restaurants, retail, banks and professional offices. Ms. Abraham pointed out that none of these uses include commercial with residential component, as previously shown on the Land Use Map. Ms. Abraham gave a brief history of how zoning came about and stated that land use reserves an area for a general purpose, such as commercial or residential, while zoning determines which uses are allowed within those areas and which uses are not allowed.

DISCUSSION

Board Member Von Unruh asked if the building at 801 Park Avenue (One Park Place) is zoned for mixed-use. Ms. Abraham responded that although the building is unoccupied at this time, One Park Place is an example of mixed-use. Mr. Von Unruh asked if the Town is leaving behind the idea of a mixed-use concept on Park Avenue to which Ms. DiTommaso responded no, but that the focus of this Workshop will only be on the Federal Highway Corridor.

Chair Thomas asked about if Federal Highway has an overlay like the Park Avenue/CRA area. Board Member Von Unruh asked if the former Twin City Mall/Publix area could potentially be included in the mixed-use area. Ms. DiTommaso explained that the former Twin City Mall property is actually in the Village of North Palm Beach, but the Publix portion of the property is in the Town of Lake Park, however, the focus at this time is only on property abutting Federal Highway since the land use is currently in place. She stated that in the future there could be an opportunity to extend the mixed-use concept if a land use designation change occurs; however, the focus now is only upon the parcels which already have the land use in place.

Ms. DiTommaso explained the mixed-use concept and showed several visuals of mixed-use properties and architectural styles (included in the Power-Point Presentation attached to these Minutes). Some of the mixed-use examples shown were Boynton Beach, Las Olas Boulevard in Ft. Lauderdale, City Place in West Palm Beach, and One Park Place in the Town of Lake Park.

Board Member Von Unruh inquired about buildings and/or homes located within the focus area which are currently designated as historic. Ms. DiTommaso stated that the Town reverts back to the designation of the property and any building or home with a historic designation would not be demolished.

Chair Thomas asked when was the last time the Town Commission held a visioning session and stated that she feels this is a microcosm viewpoint and questioned why the focus area is only on Federal Highway. She stated that something of such magnitude should be looked at as a vision for the entire Town of Lake Park, since the mixed-use development would not only impact Federal Highway but the whole Town. Chair Thomas asked what the intent is for the Town and stated she would like for the mixed-use concept to be looked at on a broad

base. Chair Thomas stated she would like the Planning & Zoning Board to be comprehensive in their viewpoint as to how they move forward with the mixed-use concept and inquired if the Town has considered holding a Workshop for the entire Town. Board Member Von Unruh stated a concern that if mixed-use is implemented for the Federal Highway Corridor would it affect mixed-use on Park Avenue and 10th Avenue and might it detract from doing mixed-use throughout the Town. Board Member Von Unruh stated that he believes that the Town should look at a bigger and broader vision for Lake Park and how this proposed change might impact the other areas.

Ms. DiTommaso stated that the Town Commission has held two visioning sessions and that the Federal Highway Corridor was chosen as one of the focal points in terms of discussing mixed-use. She stated that visioning has been ongoing for about 1-1/2 half years to the point where the Workshop mixed-use development discussions are being held. Ms. DiTommaso stated that from a Staff perspective the reason Federal Highway was chosen is because of its location. She explained that Federal Highway is a major north-south corridor with natural key features of the Town such as parks and a marina, and its placement in Town makes it an ideal place to incorporate mixed-use development. Ms. DiTommaso stated that there is a mixed-use development potential on Park Avenue and incorporating mixed-use onto Federal Highway should not detract from it, since the mixed-use development option is already available on Park Avenue.

Board Member Von Unruh questioned the general consensus of the property owner's Workshop regarding mixed-use development on Federal Highway. Ms. DiTommaso stated that reactions in the first Workshop were mixed - with some concerns due to the history of the Town; questions about what is the Town's goal; and does the Town already have a developer in mind. She stated that the second Workshop was more positive and the Town Commission Workshop was very positive.

Chair Thomas asked that since these various Workshops have been held, what is the Town's image and vision. Ms. DiTommaso said that she believes that the Town Commission is still working on a vision. Chair Thomas stated that in her opinion the Town should know what its image is before deciding on mixed-use and there should be a bigger picture approach. Ms. DiTommaso stated that the Town of Lake Park is a historic town with predominately single-family neighborhoods surrounded by commercial corridors, and the intent is to try to maximize the potential of the commercial corridors, but in order to achieve that there is a need to maximize development potential. Ms. DiTommaso stated that from a Staff perspective, we are trying to integrate a development option which will not limit development to only two-story commercial buildings. Ms. DiTommaso further stated that Staff is simply beginning the mixed-use development conversation on Federal Highway in order to maximize the potential of Federal Highway and that the intent is not to detract from what we have been, but to offer something that is economically viable for the future, not only for Federal Highway but for all residents.

Board Member Von Unruh inquired about the proposed height range of the mixed-use buildings on Federal Highway. Ms. DiTommaso stated they are considering 10 stories, but so far no language has been drafted since the Workshop phase is on-going. Board Member

Von Unruh expressed concerns regarding the historic buildings located within the area. The Mayor commented that the Vice-Mayor has suggested the possibility of transferring development rights for the historic area.

Ms. DiTommaso invited the Planning & Zoning Board Members to the modeling table to work with the models in order to get an idea of heights, setbacks and landscaping as it relates to mixed-use in the Federal Highway Corridor area.

Ms. Abraham introduced a chart created by Staff which outlined what the existing Code allows, compared to what the Mixed Use Overlay will be proposing (see attached). Ms. Abraham began by discussing the proposed height regulations. She stated that Staff is proposing the west side of Federal Highway be treated as a transition zone, and as a result, Staff recommends permitting a maximum height of 3-4 stories. Ms. Abraham stated that the proposed language would prohibit commercial mixed use development from being constructed along the west side of Lake Shore Drive. Mixed use developments will only be allowed to extend into the west side of Lake Shore Drive if the developer establishes the commercial component on the east side of Federal Highway and extends the residential component to the west side of Lake Shore Drive.

Ms. DiTommaso stated that the Architectural Guidelines are already in place for mixed-use development. She stated that there has been discussion to treat the block with the Marina differently by allowing for different types of guidelines, since there is different type of development potential in that area.

Ms. Abraham stated that Staff is recommending increased landscape buffers along the west side of Federal Highway and the west side of Lake Shore Drive to delineate the mixed use parcels and to protect the privacy of the residential districts. Ms. Abraham discussed setbacks and stated that a mixed use generally proposes a build-to-line for buildings to front a main street. Board Member Von Unruh expressed concern that if the buildings are too close to the street then the front area cannot be utilized for sidewalks, dining outside, etc.

Board Member Schneider asked if there would be a height bonus system and inquired about density. Ms. DiTommaso stated that density is currently 20 units per acre and that density will need to be addressed as a land use text amendment. Board Member Schneider asked about current Parking Regulations and the potential need to utilize shared parking. Ms. DiTommaso stated that the current parking code is outdated and is currently being looked at for revisions for dimensions and parking number requirements. Board Member Schneider asked if the density is increased is the concurrency available along Federal Highway. Ms. DiTommaso stated that regulations are not in place but discussions with Palm Beach County are currently taking place and so they are forthcoming. Board Member Schneider inquired if Earl Stewart Toyota has been involved in any of the Workshops. Ms. DiTommaso stated that they have not participated but they did receive notification of the Workshops. Ms. DiTommaso stated that the historic use for Earl Stewart Toyota is a commercial PUD.

Board Member Von Unruh questioned what Staff is seeking administratively from the P&Z Board with this Workshop Meeting. Ms. DiTommaso responded that the intent of the Workshop is to be informative and generate discussion and comments regarding mixed-use development. Board Member Von Unruh asked if there have been any statistical studies regarding the impact of mixed-use development on the roadways; increase of traffic; or a potential change to Lake Park in any type of economic way. Board Member Von Unruh suggested that Staff could possibly contact the City of Delray Beach and/or the City of Ft. Lauderdale since they have undertaken mixed-use development changes and have most likely conducted statistical studies in order to provide feedback to the Planning & Zoning Board and Town Commission on any positive or negative impacts. Ms. DiTommaso stated that no studies have been done at this point, but that research has been conducted and can be provided as we move forward.

Chair Thomas inquired if it is the intent of the Town Commission to do a redevelopment plan for the Federal Highway Corridor since the mixed-use proposal looks like a 20-year development plan. Ms. DiTommaso stated that this is a Staff initiative simply trying to create an option to stimulate the Federal Highway Corridor by incorporating mixed-use. Chair Thomas said she sees this as planning tool and she doesn't think everything should not be done incrementally. Ms. DiTommaso stated that the mixed-use intent was established with the 2007-2008 Land Use change. Ms. DiTommaso stated that the planning stage actually began at the time of the land use designation change and Staff is currently trying to create the zoning tools to accommodate the land use change.

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

The Community Development Director invited the P&Z Members to contact her with any further questions, comments or suggestions. Ms. DiTommaso stated that the plan moving forward is to continue working at Staff level and to come back in 4-5 months with more substantial guidelines and regulations and to begin working through the Public Hearing process. Chair Thomas recognized the Community Development Director and Planner for their hard work in creating the models and putting this presentation together.

ADJOURNMENT

There being no further business before the Board, the Workshop Meeting was adjourned at 7:48 p.m. by Chair Judith Thomas.

Respectfully Submitted,

Kimberly Rowley
Planning & Zoning Board Recording Secretary

PLANNING & ZONING BOARD APPROVAL:

Judith Thomas, Chair
Town of Lake Park Planning & Zoning Board

DATE:



PLANNING & ZONING BOARD MIXED-USE WORKSHOP

Community Development Department

February 3, 2014

Introduction

Purpose

- To incorporate Development Regulations into the Town's Zoning Code that will allow and encourage Mixed Use Development along the Federal Highway Corridor.

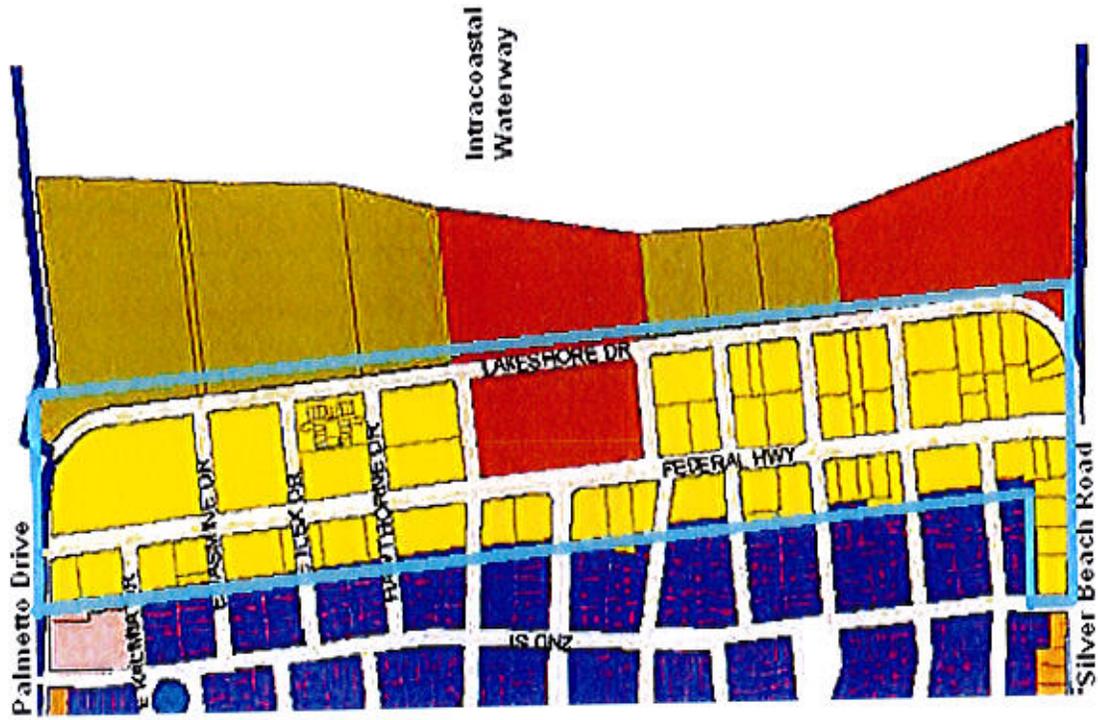
Staff Initiatives

- November 13, 2013: Workshop with Property Owners & Business Owners
- December 12, 2013: Workshop with Property Owners & Business Owners

Focus Area

- West side of Federal Highway to the west side of Lakeshore Drive, from Palmetto Drive to Silver Beach Road

Federal Highway Corridor

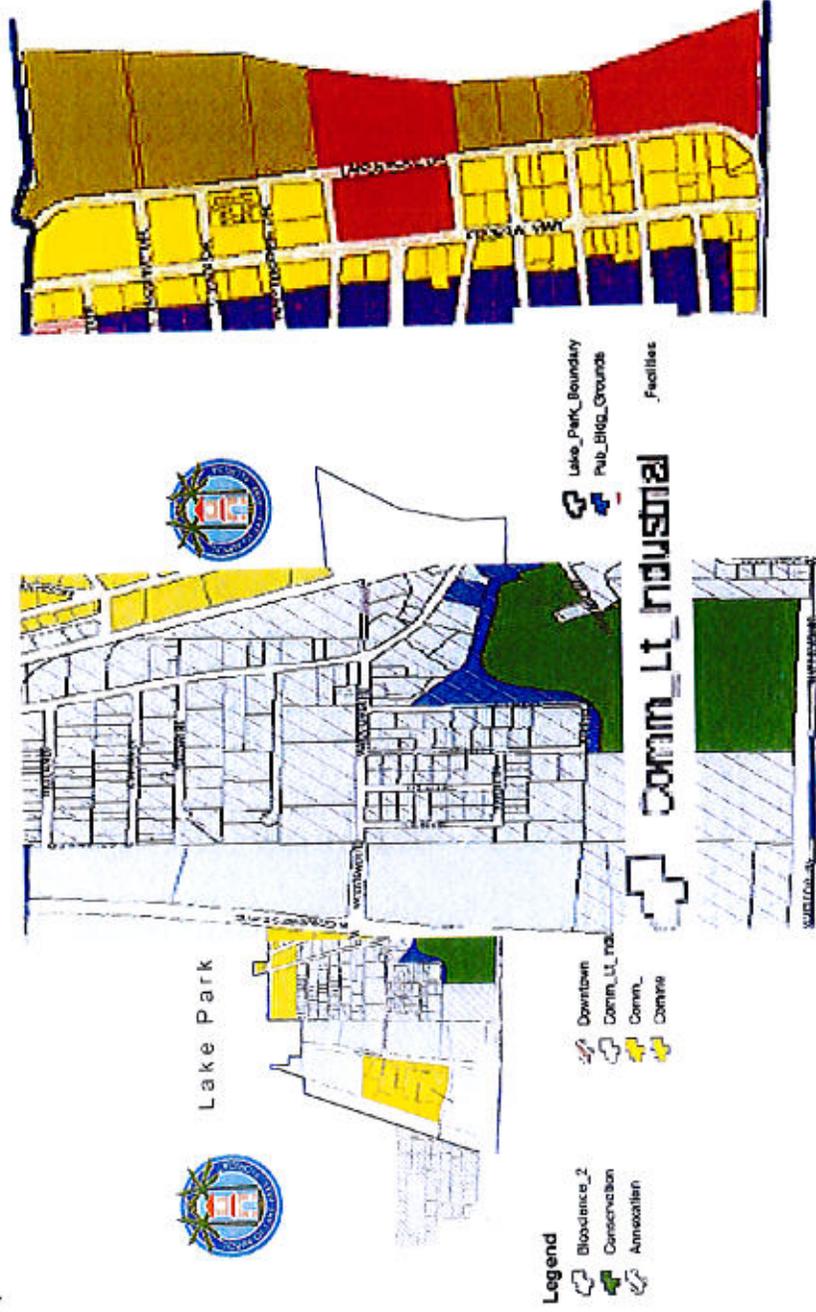


Key Terms & Definitions



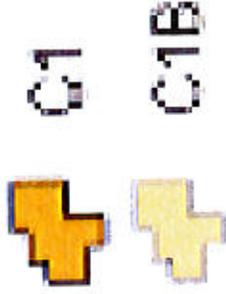
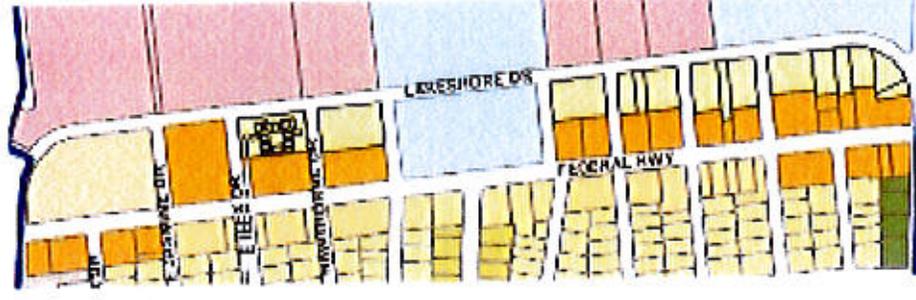
Comm_Residential

LAND USE: The designation of land for a general purpose.
For example, “commercial”, “residential”, or “industrial”.



Key Terms & Definitions

ZONING: Allowing certain activities/uses within a specified area, or district. For example, “retail shops”, or “business offices” in an area with an overarching “commercial” land use designation



- CRA Boundaries
- R1B
 - R1AA
 - R1
 - R1A
- R2A
 - R3
 - R2
 - TND
- C1
 - C1B
 - C2
 - C3
- Public
 - PUD
 - PADD
 - C1/C
- CRA
 - NBOZ overlay
 - C1
 - Lakewood Park Boundary
- Conservation

Key Terms & Definitions

MIXED-USE: The combination of two or more uses within one development, such as commercial with residential.



Residential

Parking Garage

Commercial



* plans available in Community Development at Town Hall *

**TOWN LAKE OF PARK
PLANNING AND ZONING BOARD**
Meeting Date: May 5, 2014

AN APPLICATION FOR FOUR (4) PARK AVENUE DOWNTOWN DISTRICT WAIVERS TO THE PARKING SPACE REGULATIONS, APPLIED FOR BY FRED VECCHIONE OF VECCHIONE CONSTRUCTION, ACTING AS THE AGENT FOR SUE-ELLEN MOSLER GAMBLE TRUST (OWNER) FOR THE PROPERTIES LOCATED AT 700 AND 748 PARK AVENUE, TO AUTHORIZE:

- (1) A REDUCTION OF 9 PARKING SPACES FROM THE ORIGINALLY APPROVED PLANS (73 TO 64) FOR THE PROPERTIES LOCATED AT 700 AND 748 PARK AVENUE.
- (2) A MODIFICATION OF THE PARKING STALLS RESULTING IN A WIDTH OF 9 FEET INSTEAD OF A WIDTH OF 10 FEET AS REQUIRED BY TABLE 78-70-6(B).
- (3) A MODIFICATION OF THE PARKING STALLS RESULTING IN A DEPTH OF 17 FEET INSTEAD OF A DEPTH OF 18 FEET, 6 INCHES AS REQUIRED BY TABLE 78-70-6(C).
- (4) A MODIFICATION OF A ONE FOOT REDUCTION IN THE DRIVE AISLE WIDTH SEPARATION BETWEEN PARKING SPACES RESULTING IN THE DRIVE AISLE BEING REDUCED TO 23 FEET FROM 24 FEET AS REQUIRED BY TABLE 78-70-6(D).

BRIEF HISTORY OF APPLICATION: For many years the properties located at 700-748 Park Avenue (the "Site"), could be accessed from the west off of 8th street or Park Avenue in an easterly direction through the parking lot of the former Park Avenue Barbeque property located at 754 Park Avenue. However, there was no written easement, license, or agreement executed between the subject Site and the neighboring property whereby the property owner of the subject Site was entitled to always be able to rely upon this access as being permanently available access. Last year, the property owner of 754 Park Avenue closed access through its property to the subject Site from west to east. Records indicate that the Town never required a cross access agreement between the property owners, and chose to rely upon an informal access arrangement which allowed for a traffic pattern for the subject Site. Based upon this informal access agreement approach from the west, the Town approved the design of 45 degree angled parking spaces facing eastward for the subject Site.

Because the west to east access to the subject Site was no longer available after the adjacent owner closed off access, the Owner restriped the parking lots of 700

and 748 Park Avenue to change the vehicular access and circulation pattern to and through the subject Site. By doing so, the Owner can no longer comply with the number and the dimensional criteria for parking spaces set forth in the Town Code. The Community Development Department previously issued a "temporary permit" authorizing the Owner's modifications to the parking lot and the dimensions of the parking stalls. In order to receive a "permanent" authorization for the parking lot and stalls, the Owner must secure the approval of waivers to the Code from the Town Commission.

The reconfiguration of the vehicular access and circulation and the dimensions and striping of the parking stalls have been reviewed by the Town's Engineer and Palm Beach County Fire Rescue, and they have no objections. Based upon the use of the parking lot under the configuration approved under the temporary permit during the past year, some minor alterations to the drive aisles and parking areas are recommended. Specifically, the Town Engineer recommends a wider turning radius at the entrance to the subject Site, and modifications to directional signage, existing bollards and to the handicap access spaces. These modifications are reflected on the Applicant's plans and have been approved as to technical requirements by the Town Engineer and the Palm Beach County Fire-Rescue Department.

Staff Recommendation: APPROVAL

BACKGROUND:

Applicant:	Fred Vecchione - Vecchione Construction
Owner:	Sue-Ellen Mosler Gamble Trust
Address/Location:	700-748 Park Avenue
Net Acreage:	700 Park Avenue - 1.2196 748 Park Avenue - 0.1722
Legal Description:	700 Park Ave - KELSEY CITY LTS 1 TO 17 INC BLK 10 748 Park Ave - KELSEY CITY LTS 18, 19 & E 10 FT OF LT 20 BLK 10
Existing Zoning:	Park Avenue Downtown District (PADD)
Future Land Use:	Downtown

Adjacent Zoning

North:	Park Avenue Downtown District (PADD)
South:	Public
East:	R1A- Residence District
West:	Park Avenue Downtown District (PADD)

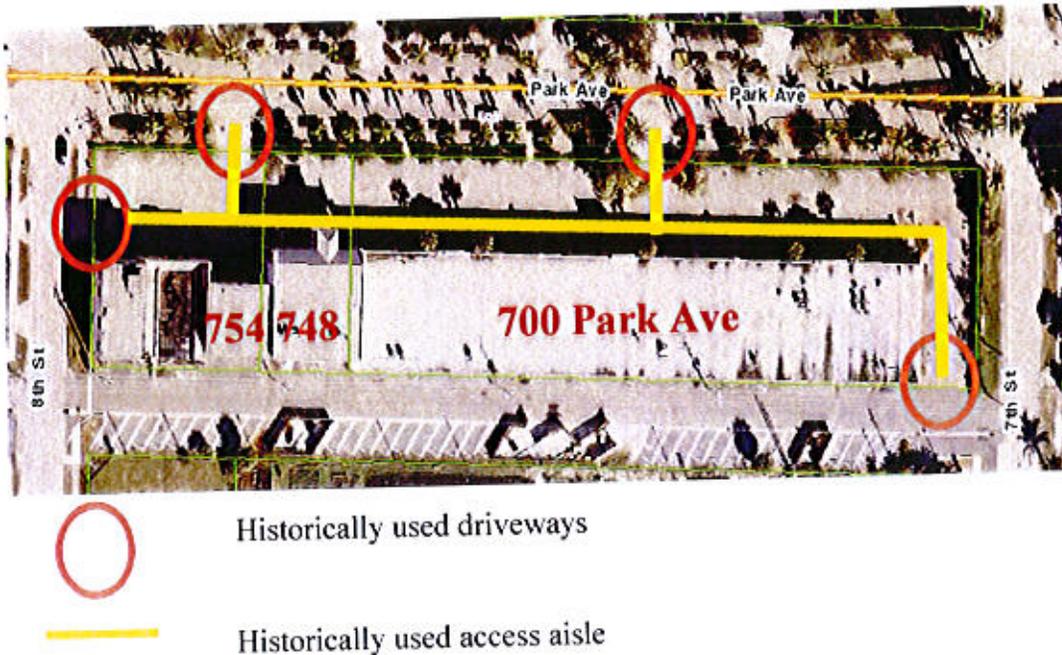
Adjacent Existing Land Use

North:	Downtown
South:	Public
East:	Single-Family
West:	Downtown

I. SUMMARY OF REQUEST

Prior to April 2013, the traffic circulation pattern between the two properties of 700 and 748 (the Site) , and 754 Park Avenue went from 8th Street and Park Avenue, west to east, as shown below.

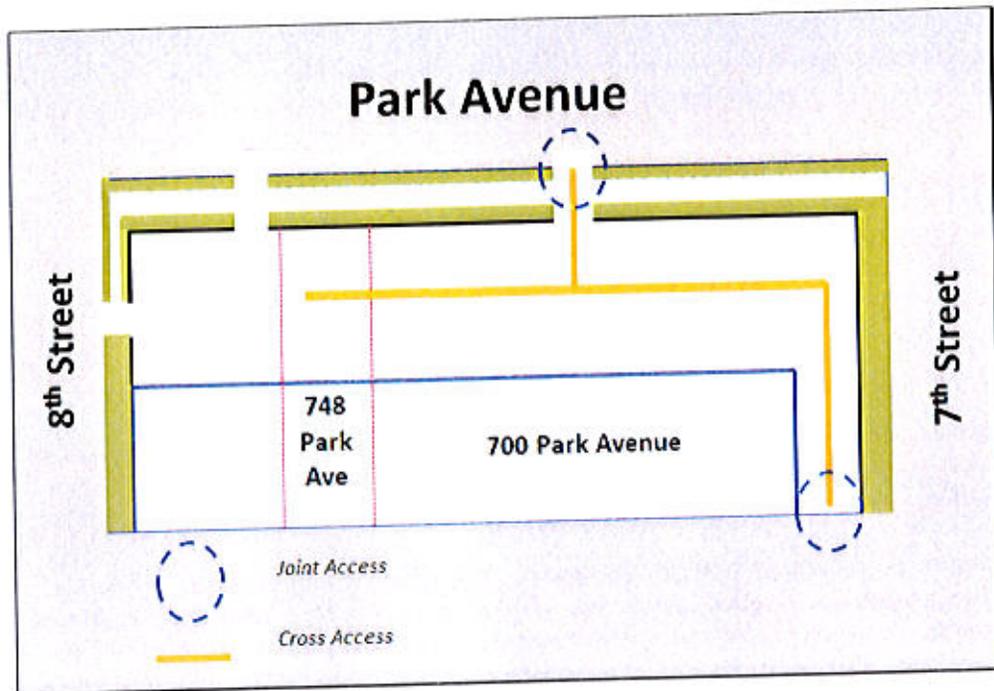
Figure 1. Ariel Image of Property



The Site, which is physically connected to 754 Park Avenue (formerly Park Avenue Barbeque) informally shared the two driveways at 754 Park Avenue which provided two points of ingress and egress to the Site. The Site's traffic circulation and parking configuration was wholly dependent upon the use of the driveways of 754 Park Avenue; however, the two property owners never executed a Cross and Joint Access Easement Agreement upon which the Owner of the Site could rely for legal access.

In April of 2013, the owner of 754 Park Avenue closed the access through his property by placing dividers between his property and the Site. As a result, the traffic circulation for the Site no longer worked. Moreover, because the Site's parking stalls were configured at 45 degree angles to facilitate the flow of traffic into the Site, the parking spaces were striped facing an easterly direction. In order to provide for the efficient flow of traffic and parking on the Site, the Owner proposed a new traffic circulation plan. The Town issued a "temporary permit" authorizing the reconfiguration of the traffic circulation and parking on the Site. The proposed plan required the Site change the direction of the parking stalls nearest to the west property line to 90 degrees and parallel parking. This resulted in a reduction of parking spaces, a reduction of the width and depth of parking stalls, the reduction of the width of the Site's drive aisle, and a slight reduction of the Site's landscaped area. The new traffic circulation and points of ingress and egress to the Site is shown in Figure 2 on the following page.

Figure 2: Image of proposed traffic circulation



The Owner is requesting four waivers, which if approved, would convert the "temporary" plan into a permanent traffic circulation and parking plan. The Town's Community Development Department staff, the Town Engineer, and Palm Beach County Fire Rescue Department have all reviewed and recommend approval of the plans.

II. APPLICANT'S WAIVER REQUEST

The Applicant is requesting four waivers from the Parking Space/Dimensional Requirements as follows:

Variance #	Town Code Section	Requirement	Proposed
1	78-142-1	Overall Site: 151 spaces required using a "retail" parking calculation in our current general parking code Section 78-142, however the originally approved site plan(s) for 700 Park Avenue and for 748 Park Avenue were approved with a total of 73 combined parking spaces. ⁽¹⁾	64 spaces
2	Table 78-70-6(B)	Parking Stall: 10 feet in width for 90 degree parking spaces	9 feet
3	Table 78-70-6(C)	Parking Stall: 18 feet 6 inches in depth for 90 degree parking spaces	17 feet
4	Table 78-70-6(D)	Drive Aisle between 90 degree parking spaces: 24 feet in aisle width	23 feet

⁽¹⁾ Pursuant to Ordinance 27-2001 (enclosed), the Town Commission eliminated the parking requirements in the PADD. While this was done with the intent to promote business growth, it did not reference any elimination to applying Section 78-142 of the Town Code which is the Town's general parking Code applying to ALL Districts. It also did not eliminate the general parking space dimensions in Table 78-70-6 of the PADD District. Therefore, the overall site consisting of 700 and 748 Park Avenue was originally approved with 65 combined spaces with the probable understanding that the parking requirements were eliminated in the PADD. Staff believes the general parking Code in Section 78-142, as it relates to the required number of spaces, still applies, especially since the PADD includes dimensional requirements for these spaces, as well as uses that rely on parking for their everyday operations. It is unreasonable to assume that a 30,000+ square foot building, built as "retail" space could be approved with as little as 1 parking space without any additional Code references to mitigation methods such as valet, public parking, and so on. Right now, Town Code Section 78-142 applies to the PADD as a PADD development regulation, until which time it is properly addressed in the Town Code. Additionally, because both 700 and 748 Park Avenue rely on each other's parking spaces and drive aisle connection, a Cross & Joint Access Easement agreement has also been executed, accepted by the Town Attorney, and will be recorded upon final approval of this request (enclosed).

III. ANALYSIS OF 12 CRITERIA WHICH MUST BE MET FOR WAIVERS

The 12 criteria which must be met for a waiver of the requirements of regulations set forth in the Park Avenue Downtown District (PADD) are set forth in Code Section 78-70(i)(7). An applicant must meet all 12 criteria to receive a waiver.

CRITERIA A: The application is consistent with the comprehensive plan.

STAFF RESPONSE:

The Applicant's proposed modifications align with the Town's goal of ensuring that each parcel has a safe and efficient system of internal traffic circulation. See Policy 1.9 of the Future Land Use Element of the Comprehensive Plan which states,

"At the time of redevelopment and through cross-access and shared access agreements, the Town shall discourage excessive curb cuts including the control of connections and access points of driveways and roads to roadways on arterial and major collector streets within the confines of the Town's roadway network.

Criteria met.

CRITERIA B: The application is consistent with the regulations of the Park Avenue Downtown District.

Section 78-70(a) lists the purpose and intent of the PADD :

- (1) Urban development which is reflective of early master plans for a neighborhood and community commercial area;
- (2) Buildings and structures of a human scale which, in conjunction with public investments, help to create a sense of place;
- (3) Downtown development and redevelopment which offer a mixture of retail, personal service, commercial, office, and residential uses;
- (4) A pedestrian-oriented development pattern;

(5) Concentration of certain types of uses, including live performance theaters, restaurants, arts and crafts, etc., which will attract both residents and nonresidents for specialty shopping and entertainment;

(6) Attracting a variety of uses which serve the needs of residents and nonresidents;

(7) Zoning regulations, consistent with the town comprehensive plan, which support the reestablishment and redevelopment of an urban center;

(8) Limitations on certain uses which do not support or enhance the pedestrian nature of the area;

(9) Uses offering goods and services that will attract both town residents and visitors from outside the town; and

(10) Uses offering goods and services that will possess a family orientation.

STAFF RESPONSE: The Application is consistent with the intent of the PADD.

Criteria met.

CRITERIA C: The application furthers the Town's goal to establish a neighborhood and community-serving urban center

STAFF RESPONSE:

The Site has provided and will continue to provide neighborhood and community-serving commercial goods and services. The location of the Site and the services offered by the Site satisfy the intent of the PADD.

Therefore, approval of the waivers allows the Site to continue to provide neighborhood and community goods and services fulfilling the Town's goal; whereas not approving the requests will deter it by creating an unsafe traffic situation in the heart of the PADD.

Criteria met.

CRITERIA D: The application furthers the Town's goal to create a pedestrian-friendly environment

STAFF RESPONSE:

The approval of the waivers allows the Site to maintain a pedestrian-friendly environment.

Criteria met.

CRITERIA E: The application furthers the architectural and site design elements of the Park Avenue Downtown District.

STAFF RESPONSE:

The Site's architectural features will not change and the proposed parking lot modifications will not impact the degree to which the Site is compatible with the intent of the PADD.

Criteria met.

CRITERIA F: The application demonstrates that special conditions and circumstances exist which are peculiar to the land, structure or building involved or proposed, and which are not applicable to other lands, structures, or buildings in the Park Avenue Downtown District

STAFF RESPONSE:

The special conditions and circumstances are that the Town previously allowed the design of traffic circulation and parking on the Site without first ensuring that the Owner had legal authority to agree to the plan approved by the Town Commission. Since the neighboring owner no longer permits access through his property, the Owner is required to develop a new plan to provide access and parking to the Site.

Criteria met.

CRITERIA G: The application demonstrates that the special conditions and circumstances do not result from the actions of the applicant.

STAFF RESPONSE:

This Application seeks to correct a traffic situation that was not caused by the Applicant. See above.

Criteria met.

CRITERIA H: The application demonstrates that granting the waiver requested will not confer upon the applicant any special privilege that is denied by this section to other lands, buildings, or structures in the Park Avenue Downtown District

STAFF RESPONSE:

The Applicant is seeking the four waivers because the access to the Site upon which the Town relied has been closed.

Criteria met.

CRITERIA I: The application demonstrates that literal application of the provisions of this section would deprive the applicant of rights commonly enjoyed by other properties within the Park Avenue Downtown District

STAFF RESPONSE:

A literal application of the provisions of the Code would require the Owner to remove existing structures. This would unfairly deprive the Owner of some portion of her property.

Criteria met.

CRITERIA J: The application demonstrates that the waiver requested is the minimum waiver that will make possible the reasonable use of the land, building, or structure

STAFF RESPONSE:

The waivers are the minimal deviations as determined by Staff and the Town Engineer. The removal of landscaping is also necessary and can be approved administratively. Only the minimum removal that is required to incorporate the proposed traffic circulation plan is being proposed. To mitigate the impact of the loss of landscaping, the Applicant is relocating some trees and planting new plants into existing landscaped areas.

Criteria met.

CRITERIA K: The application demonstrates the request for waiver is not based solely upon economic reasons.

STAFF RESPONSE:

The application for waivers is not based upon economic reasons.

Criteria met.

CRITERIA L: The application demonstrates the request for waivers will be in harmony with the general intent and purpose of the Park Avenue Downtown District, and that such waiver or waivers will not be injurious to the area involved or otherwise detrimental to the public health, safety, and welfare.

STAFF RESPONSE:

The Applicant's requests are harmonious with the intent and purpose of the PADD. Approval of the waivers will not produce an unsafe area or in any way produce a situation that is detrimental to the public health, safety, and welfare.

Criteria met.

IV. STAFF RECOMMENDATION

Staff recommends that the Planning & Zoning Board recommend **APPROVAL** to the Town Commission of the four PADD waiver requests.

ORDINANCE NO. 27, 2001

AN ORDINANCE OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 32, SECTION 32-50 (PARK AVENUE DOWNTOWN DISTRICT), REMOVING PARKING SPACE REQUIREMENTS FOR BUSINESSES IN THE PADD DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING A CODIFICATION CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, there exists in the zoning of the Town of Lake Park, Florida a zoning district designated the "Park Avenue Downtown District"; and

WHEREAS, the commission of the Town of Lake Park has determined that the elimination of parking requirements in the PADD district will promote business growth in the district;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:

SECTION 1

THAT CHAPTER 32-50 OF THE CODE OF ORDINANCES IS HEREBY AMENDED AND SHALL READ AS FOLLOWS:

Sec. 32-50 Park Avenue Downtown District.

(1) Purpose and intent. It is the purpose and intent of the Park Avenue Downtown District to provide for the following:

- a. Urban development which is reflective of early master plans for a neighborhood and community commercial area;
- b. Buildings and structures of a human scale which, in conjunction with public improvements help to create a sense of place;
- c. Downtown development and redevelopment which offer a mixture of retail, personal services, commercial, office, and residential uses;
- d. A pedestrian-oriented development pattern;
- e. Concentration of certain types of uses, including live performance theaters, restaurants, arts and crafts, etc., which will attract both residents and non-residents for specialty shopping and entertainment.

Marquee means a cantilevered overhead structure projecting from and supported by the exterior wall of a building, and constructed of rigid materials on a supporting framework.

Mechanical equipment means necessary or accessory equipment located on or adjacent to structure, including, but not limited to the following: central air conditioning equipment, ventilation equipment, heating equipment, antennas, satellite dishes, window- or wall-mounted air conditioners, refrigeration equipment, solar and conventional hot water heaters, and elevator machinery and equipment.

Minor improvement means renovation, repair, repainting, restoration, resurfacing, refinishing, overhaul, etc., of the exterior walls or facades of an existing structure or building; installation or replacement of new doors or windows; installation or replacement of HVAC (heating, ventilation, and air conditioning) or other mechanical equipment; installation or replacement of awnings; installation or replacement of signs or sign faces; or similar improvements of a minor nature which affect the exterior appearance of such building or structure.

Novelty shop means a retail establishment which sells new items such as games, gag gifts, magic tricks, magic instruction, and related goods of a humorous nature, and may rent or sell costumes.

Offices, Business and professional mean an establishment providing executive, management, administrative, professional, medical, dental, and medical and dental laboratory services to the public. Such offices include, but are not limited to the following: advertising offices; business offices of private companies; business offices of utility companies, public or nonprofit agencies, and trade associations; employment agencies, excluding day labor and labor pool services; professional or consulting offices for accounting, architecture, design, engineering, landscape architecture, law, planning, and similar professions; property and financial management, and real estate, secretarial and telecommunication services, and travel agencies.

Pawn shop means a business establishment that accepts goods or property owned by an individual in return for paying cash or loaning money for such property, and allowing redemption of such property.

Permitted use means an activity or land use that may be subject to specific standards and criteria which can be established without approval by the town commission or town staff.

Personal services means an establishment providing services of a personal nature that are necessary on frequent or recurring basis, but excluding those services specifically classified as an individual use. Personal services may include the accessory retail sale of items related to the services rendered. Personal services also include informational, instructional, personal improvement or services of a similar nature. Such services include, but are not limited to the following: art and music schools, beauty and barber shops, licensed massage therapists, manicurists, photography studios, etc.

- f. Attracting a variety of uses which serve the needs of residents and non-residents;
- g. Zoning regulations consistent with the Town of Lake Park Comprehensive Plan which support the reestablishment and redevelopment of an urban center;
- h. Limitations on certain uses which do not support or enhance the pedestrian nature of the area;
- i. Uses offering goods and services that will attract both town residents and visitors from outside the town; and
- j. Uses offering goods and services that will possess a family orientation.

(2) Definitions. For the purposes of this section, the following definitions shall apply in the event of a conflict between the definitions in this section, and the definitions contained in section 32-2 of this Code, the definitions of this section shall apply.

Administrative approval means consideration of a development approval application by the town manager or designee.

Antique shop means a shop selling items which are in demand and have a value due to being rare, old, historic, of a collectible nature, or an expectation of increasing value. Antique items include furniture, art objects, housewares, glassware, jewelry, coins, stamps, and decorative objects, at least one hundred (100) years old. Architectural terms as used in this section shall have the meaning as indicated in Dictionary of Architectural and Construction, 2nd Edition, Cyril M. Harris, Ed., 1955, as revised.

Conditional use means an activity or use that may be compatible with other activities or uses permitted in a specific zoning district, but requires a more detailed development review of proposed location, site design, architectural design, setbacks, screening and buffering, vehicular and pedestrian circulation, intensity or density of use, hours of operation, business practices, etc. A conditional use may require development approval to include specific conditions or limitations in order to ensure a use is appropriate at a specific location.

Consignment shop means a retail establishment where the operator receives goods and merchandise, for display and sale, from another individual and will pay that individual only when the goods and merchandise are sold.

Department means the Town of Lake Park Department of Community Development, or successor agency.

Entertainment, indoor means a commercial establishment offering to the public entertainment and games of skill which occur in an enclosed building. Typical uses include billiard parlors, bingo halls, and bowling alleys, but excluding computer or video arcades, fitness centers, and gun ranges.

Planner means an individual who is a member of the American Institute of Certified Planners (AICP) or is eligible for membership in AICP.

Retail and commercial means an establishment providing general retail sales or rental of goods, but excluding those uses specifically classified as an individual use. Typical general retail uses include appliance sales, auto parts stores, boat and marine supply, boutiques, costume shops, mail and package services, train shops, and specialty meat markets.

School, Post-Secondary means an institution offering either or both of the following: (1) academic training leading to an associate, undergraduate or graduate degree, or (2) technical or vocational training of a career nature including administrative and secretarial skills, computer operations and repair, drafting, electronic equipment operations and repair, massage therapy, medical technology, nursing, physical therapy and other personal services.

Sign means a visual communication device used to convey a message to a viewer. A sign shall mean and include every advertising message, announcement, declaration, insignia, mural, surface, or space erected or maintained in view of an observer in order to identify, advertise, or promote any establishment, product, good, service, or the interests of any person or entity. A sign includes banners, flags, pennants, streamers, moving mechanisms, and light.

Sign area means the actual area of a sign, advertisement, individual letters or symbols, graphics, message, logo, announcement, etc., enclosed by a series of straight lines and forming a polygon.

Sign, Awning means a sign painted on, printed on, or otherwise attached against the valance of an awning.

Sign, A-Frame/Sandwich board means a temporary, two-sided sign that generally is hinged at the top, usually placed on a sidewalk or along a public right-of-way.

Sign, Balloon means an inflated, airborne sign used for advertising purposes on a temporary basis, and usually tied down to the ground or a building.

Sign, Banner means any sign constructed of fabric, plastic, or similar material that normally is freely waving, temporary in nature, and displayed outdoors and containing advertising, information, labeling, etc.

Sign, Bench means advertising placed upon the front or back portions of a bench located on public or private property.

Sign, Billboard means any structure or framework for signs which advertises or announces merchandise, goods, services, entertainment, etc., that are sold, manufactured, produced or furnished at a place other than the location on which the structure or framework is located.

Sign, Cabinet means a single faced sign enclosed in wood, plastic, metal or some combination thereof, normally mounted or installed upon a wall or facade, usually with four sides and the single sign face.

Sign, Changeable copy means a sign whose informational content can be changed by manual, mechanical, or electronic means or some combination thereof.

Sign, Electronic message means a sign whose informational content can be changed by electronic means.

Sign, Free-standing means a sign placed in, upon, or supported by the ground, and not attached to any building or structure. Typical free-standing signs include, but are not limited to, ground signs, monument signs, pylon signs, and pole signs.

Sign, General product means a sign which advertises a product commonly available at a variety of commercial or retail establishments, including but not limited to alcoholic and non-alcoholic beverages, tobacco products, food products, candies, auto parts and accessories, clothes, etc.

Sign, Inflatable means an inflated sign that may be airborne or tethered to the ground or portion of a structure, used for advertising purposes on a temporary or permanent basis. An inflatable sign may be representational of a corporate logo, mascot, or advertising campaign.

Sign, Light pole means a sign, banner, steamer, etc., mounted on a light pole or similar structure, approved by the town commission and installed by the town, and providing holiday greetings, promotion for town-sponsored or approved public events.

Sign, Marquee means a sign attached to a marquee.

Sign, Menu means an outdoor display of a restaurant menu or offerings, attached to a wall or facade.

Sign, Neon means an illuminated wall sign, consisting principally of neon figures, which may indicate the name, logo, or similar information regarding the use of property which is advertised.

Sign, Off-premise means a sign which advertises or announces merchandise, goods, services, entertainment, etc. that are sold, manufactured, produced, or furnished at a place other than the location on which the structure or framework is located.

Sign, Painted wall means a sign painted on a wall or facade of a building, visible from any public right-of-way.

Sign, Paper means a temporary sign, normally attached to a window, containing an advertisement or message intended to be viewed from the outside.

Sign, Parapet-mounted means a sign which is mounted or installed upon the parapet

of a building.

Sign, Permanent means any sign constructed of fabric, plastic, or similar material that normally is freely waving, temporary in nature, and displayed outdoors, and containing distinctive colors, symbols, or patterns, and utilized as a means to attract attention.

Sign, Plastic lettering means a sign which consists solely of plastic letters mounted or installed on a wall or facade of a building.

Sign, Political means a sign designed and used for the purpose of soliciting support for or opposition to a candidate or proposition at a public election.

Sign, Projecting means a sign located under a canopy, awning, arcade, or colonnade, which is viewed from overhead, and is attached to and projects perpendicularly from a building wall or facade.

Sign, Roof-mounted means a sign mounted or installed on or above a roof or parapet, and is completely or partially supported by the building.

Sign, Signage means a sign made of any type of material, including but not limited to wood, paper, plastic, cardboard, and metal, which is attached to trees, posts, fences, etc.

Sign, Sign means a sign, mounted on angle iron or similar material, typically placed in the ground along public rights-of-way, announcing or advertising an establishment, goods or service, real estate for sale, real estate development, or political candidate or proposition.

Sign, Special events means a temporary sign advertising or announcing any civic achievement or special event of public interest.

Sign, Streamer means any sign constructed of fabric, plastic, or similar material that normally is freely waving, temporary in nature, and displayed outdoors, and containing distinctive colors, symbols, or patterns, and utilized as a means to attract attention.

Sign, Temporary means a sign installed for a limited period of time, and not constructed or intended for long-term use, including flags, banners, streamers, pennants, etc.

Sign, Wall means a sign installed, attached, painted, or otherwise affixed parallel to the wall or facade of a building, including murals or similar graphics.

Sign, Window means signs painted on or hung inside or adjacent to a window, and intended to be viewed from the outside.

Substantial renovation means either of the following: (a) repair, rehabilitation, restoration, reconstruction, alteration, expansion, or similar improvement, in a calendar year, in excess of fifty (50) percent of the value of the improvements of the property, as

determined by the most recent certified tax roll prepared by the county tax collector, or (b) repair, rehabilitation, restoration, reconstruction, alteration, expansion, or similar improvement, over three (3) calendar years, in excess of fifty (50) percent of the value of the improvements of the property, as determined by the most recent certified tax roll prepared by the county tax collector.

Theater, Indoor means an enclosed building which offers to the public live performances or motion pictures.

Thrift/Used merchandise/junk store means a retail establishment, including a flea market, which sells ordinary used, secondhand, or junk merchandise, including but not limited to vehicular or marine engine and body parts, books, clothes, electronic and mechanical equipment and parts, furniture, household goods, jewelry, shoes, tools of all kinds, toys, etc., that are donated, purchased or otherwise acquired for resale.

Town means Town of Lake Park.

Town Manager means the duly appointed town manager of the Town of Lake Park, or designee.

Waiver means a relaxation in property development regulations or other numeric or dimensional standards, including setbacks, lot coverage, height, number-of-parking spaces, etc., that may be granted by the town commission upon a showing of hardship or unique circumstances.

(3) Consistency with comprehensive plan. All land uses, structures, and related activities associated with property within the Park Avenue Downtown District shall be consistent with the town comprehensive plan.

(4) Applicability. The provisions of this section shall apply in any area zoned Park Avenue Downtown District by the town commission, as indicated on the official zoning map.

(5) Permitted and conditional uses. Permitted and conditional uses within the Park Avenue Downtown District are established by table 32-50-1.

a. Conformance with table 32-50-1. Following the effective date of this section, the use of all new or existing buildings, structures, and properties shall conform with the requirements of table 32-50-1.

b. Prohibited uses. Any use not listed as a permitted or conditional use in table 32-50-1 or not recognized as a similar use is a prohibited use and may not be established in the Park Avenue Downtown District.

c. Similar uses. A use not listed in table 32-50-1, but possessing similar characteristics, such as size, intensity, density, operating hours, business practices, etc., may be established subject to development approval as established by the

section. The determination of the nature of such use shall be made by the town manager. Appeals of such determinations shall be made to the town commission.

d. Utilities required. All uses within the Park Avenue Downtown District shall connect with water and sewer service prior to receiving an occupational license.

e. Accessory uses. Uses customarily incidental and subordinate to the principal uses allowed by table 32-50-1 and located within the same building or lot are permitted. An accessory use shall comply with all requirements applicable to the principal use. If a structure comprises all or part of a permitted accessory use, such structure shall be consistent with the architectural style, color, materials, etc., of the principal structure and use.

f. Applicability of additional standards. The additional standards noted in the right-hand column of table 32-50-1 shall apply to each use as indicated, in addition to any other requirements of this section or this Code.

(6) Regulated activities. The provisions of this section shall apply to all requests for development approval within the Park Avenue Downtown District.

a. Development approvals. The following categories of development approval are established:

1. All requests for development approval to establish a permitted or conditional use.

2. All buildings and structures constructed, expanded or altered following adoption of this section.

3. All land uses, uses of structures and property, and accessory uses established following adoption of this section.

4. All existing land uses, uses of structures and property, and accessory uses legally established prior to adoption of this section as provided by this section and article VII of chapter 32 of the Code, and

5. All substantial renovation of any existing building or structure located within the Park Avenue Downtown District.

b. Appeals. Appeals of any decision by the building official regarding a determination of the exact valuation of any proposed substantial renovation of any existing building or structure shall be made to the board of adjustment subject to section 7-92 of this Code.

c. Development review. Review of all proposed development or establishment of a new use, or change of use within the Park Avenue Downtown District shall occur as provided herein.

d. Authority to file. An application for development approval may be filed by the following:

1. The owner/owners of the property.
2. An individual, corporation, trustee, etc., authorized by the owner to file such application, and
3. The Town of Lake Park.

e. Permitted and conditional uses. Any use classified by table 32-50-1 as a "permitted" or "conditional use" by this section shall be subject to the development review procedure provided herein and shall:

1. Conform to the requirements of this section.
2. Conform to the requirements of this Code.
3. Obtain any necessary development order required by this section.
4. Conform to any applicable requirement of a prior development order issued by the town.
5. Obtain, if necessary, a building permit.
6. Complete all requirements of the building permit.
7. Apply for and obtain any other necessary permits issued by other governmental agencies, and
8. Obtain required occupational licenses from the town and county.

f. Application materials and fees. Application materials required by this section shall be submitted in a form and in such numbers as required by table 32-50-2. Applications shall be accompanied by such fees as determined by the town commission. Fees shall be required for all applications, excluding those applications filed by the town. The content of application materials shall be determined by the town manager.

g. Sufficiency of applications. Upon receipt of an application, the town manager shall determine if an application is sufficient for development review. This determination shall be made within ten (10) days of application filing. If an application is determined to be insufficient, the applicant shall be notified of the deficiencies in writing by the town manager. An application deemed insufficient shall not be processed until all deficiencies are corrected. Absent good faith efforts to correct any deficiencies, an application shall be considered withdrawn when the deficiencies are not corrected within thirty (30) days. If an application is withdrawn, it shall be returned to the applicant.

h. Consolidated applications. Consolidated applications, which request simultaneous consideration of other applicable development approvals from the town, are encouraged.

a. Applications. Applications for administrative approval shall be filed with the community development department.

b. Community development department review. The town manager shall review each application for administrative approval within fourteen (14) days of a determination of application sufficiency pursuant to section 32-50(8)(g). Prior to expiration of the thirty (30) day period, the town manager may approve or deny the application, or approve the application with conditions consistent with the requirements of this section. The town manager's action shall be consistent with all standards and criteria of this section and this Code.

c. Review criteria. An application for administrative approval shall comply with the criteria listed below:

1. Conformance with the requirements of this section, including any standards contained in table 32-50-1, and applicable architectural, landscaping, parking, or supplemental standards.
2. Conformance with the requirements of this Code.
3. Conformance with applicable requirements of a prior development order issued by the town.
4. Conformance with all requirements of any other governmental agencies, and

d. Appeals. Appeals of a decision regarding an administrative approval by the town manager shall be heard by the town commission.

(10) Conditional uses. The provisions of this section shall apply to any use classified by table 32-50-1 or this section as a conditional use.

a. Application. Applications for conditional use approval shall be filed with the community development department.

b. Public notice. Notice of public hearing shall be provided by the community development department pursuant to section 32-105 of this Code.

c. Community development department review. The town manager shall review each application for conditional use approval subject to the applicable criteria and standards of this Code and section . Subject to a determination of application sufficiency pursuant to section 32-50(8)(g), the application shall be scheduled for consideration by the town commission. There shall be at least twenty-one (21) days between a sufficiency determination and consideration by the town commission. The town manager shall provide a report to the town commission recommending approval or denial of the application, or approval of the application with conditions.

d. Town commission public hearing. The town commission shall hold a public hearing to consider the request for conditional use approval. The town commission shall

(7) Agency review. As part of the town's overall development review process, the town manager may distribute the application and supporting materials to such town departments and other governmental agencies as deemed necessary for a complete review. Comments from other departments or agencies shall be solicited and shall be included within any report prepared by the department.

(8) Permitted uses. The provisions of this section shall apply to any use classified by table 32-50-1 as a permitted use.

a. Application. If necessary, an application for a building permit shall be filed with the community development department. If a building permit is required, an application for an occupational license shall be filed with and approved by the community development department prior to issuance of a Certificate of Occupancy. If a building permit is not required, an application for an occupational license shall be filed with and approved by the department of community development, prior to commencement of the use or activity. Occupational licenses shall be filed, reviewed, and approved subject to chapter 13 of the Code.

b. Community development department review. The community development department shall review the application for a building permit or occupational license to ensure compliance with the requirements of this section and this code, and to determine if any other governmental permits are required prior to establishment of a proposed use.

c. Review criteria. An application for establishment of a permitted use shall comply with the criteria listed below:

1. Conformance with the requirements of this section, including any standards contained in table 32-50-1, and applicable architectural, landscaping, parking, or supplemental standards.
2. Conformance with the requirements of this Code.
3. Conformance with applicable requirements of a prior development order issued by the town.
4. Conformance with all requirements of any other governmental agencies, and
5. Conformance with occupational licenses from the town and county.

d. Appeals. Appeals of a decision regarding establishment of a permitted use by the town manager shall be heard by the town commission.

(9) Administrative approval. The provisions of this section shall apply to any use classified by table 32-50-1 as requiring administrative approval.

consider the review criteria of section 32-50(10) of this Code, and approve or deny the application, or approve the application with conditions.

a. Planning and zoning board. The town commission, prior to any final decision, may refer an application for conditional use approval to the planning and zoning board. The planning and zoning board shall provide to the town commission an advisory recommendation subject to the review criteria of section 32-50(10) of this Code. The planning and zoning board recommendation shall be made within forty-five (45) days after the application is referred for review.

f. Review criteria. An application for conditional use approval shall comply with the criteria listed below:

1. Conformance with the requirements of this section, including any standards contained in table 32-50-1, and conformance with applicable architectural, landscaping or parking standards if there is new construction or substantial renovation associated with the application.
2. Conformance with the requirements of this Code.
3. Conformance with applicable requirements of a prior development order issued by the town.
4. Conformance with all requirements of any other governmental agencies, and
5. Conformance with occupational licenses from the town and county.

(11) New construction or substantial renovation. The provisions of this section shall apply to the following: construction of any new building or structure more than two thousand, five hundred (2,500) square feet in size, any substantial renovation of an existing structure, and any new structure or expansion of an existing structure in excess of two (2) stories or twenty-five (25) feet in height. New construction and improvements of the nature shall be classified as a conditional use, subject to town commission approval as provided herein.

a. Application. Applications for development shall be filed with the community development department.

b. Public notice. Notice of public hearing to permit the construction shall be provided by the community development department pursuant to section 32-105 of this Code.

c. Community Development Department review. The town manager shall review each application for development subject to the applicable criteria and standards of this Code and section . Subject to a determination of application sufficiency pursuant to section 32-50(8)(g), the application shall be scheduled for consideration by the planning and zoning board. There shall be at least twenty-one (21) days between a sufficiency determination and consideration by the planning and zoning board. The town manager

shall provide a report to the planning and zoning board recommending the board approve or deny the application, or to approve the application with conditions.

d. **Planning and zoning board public hearing.** The planning and zoning board shall hold a public hearing on the request for development approval. The planning and zoning board shall consider the criteria listed in section 32-50(1)(f), and present an advisory recommendation to the town commission for approval or denial of the application, or approval of the application with conditions.

e. **Town commission public hearing.** Following action by the planning and zoning board, the town commission, at its next available meeting, shall hold a public hearing to consider the request for development approval. The town commission shall consider the review criteria of section 32-50(1)(f) of this Code, and approve or deny the application, or approve the application with conditions.

f. **Review criteria.** An application for development approval shall comply with the criteria listed below:

1. Conformance with the requirements of this section, including any standards contained in table 32-50-1 and any applicable architectural or landscaping engineering standards;

2. Conformance with the requirements of this Code;

3. Conformance with applicable requirements of a prior development order issued by the town;

4. Conformance with all requirements of any other governmental agencies; and

5. Conformance with occupational licenses from the town and county.

(12) **Waivers.** The provisions of this section shall apply to any application to waive parking, signage, landscaping, height, property development regulations, district regulation, and certain other identified standards contained in section 32-50. The intent of this section is to allow the town commission to be the sole decision maker regarding uses and structures within the Downtown District.

a. **Prohibited waivers.** The town commission shall not grant a waiver that would allow a use to be established that is otherwise prohibited by this section. The town commission shall not grant a waiver to the standards required in table 32-50-1.

b. **Application.** Applications for waiver approval shall be filed with the community development department.

c. **Public notice.** Notice of public hearing shall be provided by the community development department pursuant to section of the code.

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10. The application demonstrates that the waiver requested is the minimum waiver that will make possible the reasonable use of the land, building, or structure.

11. The application demonstrates the request for waiver is not based solely upon economic reasons; and

12. The application demonstrates the request for waiver will be in harmony with the general intent and purpose of this section, and that such waiver or waivers will not be injurious to the area involved or otherwise detrimental to the public health, safety, and welfare.

h. Additional waiver criteria for parking. The presence of on-street or off-street parking adjacent to a property may be used as a criterion in justifying revision of on-site parking requirements.

(13) **Property development regulations.** The property development regulations listed in table 32-50-3 shall apply within the Park Avenue Downtown District.

(14) **Supplemental district regulations.** The following regulations shall apply to all uses and structures within the Park Avenue Downtown District.

a. **Screening of dumpsters and similar containers.** Dumpsters and similar containers, including recycling bins, compactors, etc., shall be screened in a manner consistent with the requirements of the town (see Figure 1). Dumpster and container screening enclosures shall be constructed in a manner consistent with the architectural style, color, materials, etc., of the principal use. Dumpsters and similar containers shall be located only at the rear of a building or structure.

b. **Screening of mechanical equipment.** Roof-, wall- and ground-mounted mechanical equipment shall be screened from public view. Mechanical equipment screening enclosures or structures shall be constructed in a manner consistent with the architectural style, color, materials, etc., of the principal use. All mechanical equipment shall be located only at the rear of a building or structure.

c. **Walkways.** All new construction or substantial renovation of existing buildings and structures shall include one or more clearly delineated walkways from the public sidewalk to the private sidewalk, inside, pedestrian way, etc. Walkways shall be constructed in a manner acceptable to the town manager. Walkways shall be constructed of materials consistent with or complementary to the public walkways or sidewalks installed along Park Avenue by the town. Examples of other complementary materials include paver blocks or alternative style or color, new and used brick, and concrete stamped with a pattern.

d. **Awnings, window and door.** Awnings above windows or doors may be constructed of plastic or canvas fabric and be solid or striped, and reflect a variety of colors, including white, black, and light or dark blue, red, green, and brown. Backlit awnings are subject to the approval of the town manager.

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d. **Community development department review.** The town manager shall review each application for waiver approval subject to the criteria of section 32-50(12)(g). Subject to a determination of application sufficiency pursuant to section 32-50(6)(g), the application shall be scheduled for consideration by the planning and zoning board. There shall be at least thirty (30) days between a sufficiency determination and consideration by the planning and zoning board. The town manager shall provide a report to the planning and zoning board recommending the board approve or deny the application, or to approve the application with conditions.

e. **Planning and zoning board public hearing.** The planning and zoning board shall hold a public hearing on the request for waiver approval. The planning and zoning board shall consider the criteria of section 32-50(12)(g), and present an advisory recommendation to the town commission for approval or denial of the waiver.

f. **Town commission public hearing.** Within sixty (60) days following action by the planning and zoning board, the town commission shall hold a public hearing to consider the request for waiver approval. The town commission shall consider the review criteria of section 32-50(12)(g), and approve or deny the waiver, or approve the waiver with conditions.

g. **Review criteria.** An application for waiver approval shall comply with a preponderance of the criteria listed below:

1. The application is consistent with the comprehensive plan;

2. The application is consistent with the intent of this section;

3. The application furthers the town's goal to establish a neighborhood and community-serving urban center;

4. The application furthers the town's goal to create a pedestrian-friendly environment;

5. The application furthers the architectural and site design standards of this section;

6. The application demonstrates that special conditions and circumstances exist which are peculiar to the land, structure or building involved or proposed, and which are not applicable to other lands, structures, or buildings in the Park Avenue Downtown District;

7. The application demonstrates that the special conditions and circumstances do not result from the actions of the applicant;

8. The application demonstrates that granting the waiver requested will not confer upon the applicant any special privilege that is denied by this section to other lands, buildings, or structures in the Park Avenue Downtown District;

9. The application demonstrates that literal application of the provisions of the section would deprive the applicant of rights commonly enjoyed by other properties within the Park Avenue Downtown District.

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e. **Alley screening walls.** All new construction or substantial renovation of existing buildings and structures shall construct or reconstruct a solid masonry or concrete wall eight (8) feet in height. The wall shall be located along the opposite side of that portion of the alley that is coterminous with the rear property line of the parcel being improved. Chain-link and wooden fences are prohibited. Alley screening walls shall be constructed in a manner consistent with requirements adopted by the town. Construction and maintenance responsibilities for the required wall shall be determined by chapter 32, article IV, walls and fences, of this Code.

f. **Security bars, shutters, grilles, and awnings.** The use of security bars, shutters, grilles, awnings, and related equipment visible from a public right-of-way is prohibited. Buildings constructed in the Mediterranean Revival architectural style may install wrought iron window grilles or similar features, subject to approval by the town manager. The town manager may approve security devices which are consistent with an alternative architectural style as permitted by this section.

g. **Storage.** Outdoor storage of goods, materials and equipment is prohibited. Indoor storage of goods, materials, and equipment visible from public or private sidewalks or public right-of-way is prohibited. Indoor storage of goods, materials and equipment is prohibited except as an accessory to the principal use of the structure. This section does not prohibit the display of merchandise in retail businesses.

h. **Underground utilities.** The town commission may require existing overhead utilities to be placed underground when located on property subject to new construction or substantial renovation. The underground installation shall occur in a manner acceptable to the town manager.

i. **Ground floor windows.** The windows of all ground floor businesses open to the public shall remain clear of curtains, shutters, or similar visual barriers which would obscure interior display activities, etc.

j. **Sign triangles.** Land within the Park Avenue Downtown District is exempt from the requirements of section 24-31 of this Code regarding sign triangles for public right-of-way intersecting with Park Avenue.

k. **Alley deliveries.** Deliveries of merchandise and goods shall be limited to the hours of 7:00 a.m. to 7:00 p.m. along all portions of the alley abutting a residential zoning district.

l. **Drive-in/Drive-through facilities.** Drive-in or drive-through facilities are prohibited for any use within the Park Avenue Downtown District.

m. **Outdoor lighting.** Freestanding outdoor lighting shall be installed in a manner consistent with requirements and specifications adopted by the town. Wall-mounted outdoor lighting fixtures shall be consistent with the architectural style of the principal structure. Outdoor lighting shall comply with chapter 7 of this Code, relating to safety and security.

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n. Public telephones. Wall-mounted and free-standing public telephones visible from a public right-of-way shall be fully or partially enclosed in a manner consistent with design requirements adopted by the town.

o. Vending machines. Vending machines dispensing beverages, food, ice, and related consumer products shall not be visible from a public right-of-way. Vending machines may be located in outdoor enclosures, provided such enclosures are constructed utilizing the same architectural style, materials, colors, etc., as the principal structure. All vending machines currently located within the Park Avenue Downtown District shall comply with this requirement within one hundred eighty (180) days of the effective date of this section.

p. Minor improvements. Minor improvements shall be consistent with applicable requirements of this section, and are subject to approval by the town manager.

q. Exterior improvements. Exterior improvements which involve complete or partial removal, renovation, alteration, addition, demolition, etc., to the walls or facades of existing buildings shall be accompanied by architectural elevations. This requirement may be waived by the town manager for projects which are of minimal impact.

r. Enclosed buildings. All principal uses within the Park Avenue Downtown District shall occur within enclosed buildings or structures. This requirement shall not apply to permitted accessory uses such as outdoor seating or outdoor display of merchandise, mechanical equipment, dumpsters and related refuse disposal equipment, or other uses incidental and subordinate to the principal use. All unenclosed principal uses currently within the Park Avenue Downtown District shall comply with this requirement within one hundred eighty (180) days of the effective date of this section.

(15) Off-street parking and loading. Parking and loading requirements for the Park Avenue Downtown District are provided herein.

a. Parking and loading requirements. Parking and loading requirements for all uses within the Park Avenue Downtown District are established by table 32-50-4. As provided in section 23-20(12), the town commission may grant a waiver from the required number of parking and loading spaces.

b. Loading spaces. Loading spaces shall not be located along Park Avenue or other public rights-of-way, including alleys. The town manager may approve a loading space located completely or partially in the public portion of an alley, provided such location will not adversely affect vehicular circulation.

c. Shared parking. The town commission may, as part of an approval of a new or expanded use, new construction, substantial renovation or alteration or expansion of an existing site, approve the use of shared parking to reduce overall parking requirements. The basis for approval of an application to establish shared parking includes the factors listed below.

1. Use of a building or structure for two or more uses which possess complementary, rather than competing, peak hours of usage.

2. Preparation, in a professionally accepted manner, of a shared parking study by a qualified professional engineer, architect, or planner.

3. Execution of an agreement, in a form acceptable to the town, between the owners and tenants of buildings or structures affected by the shared parking. The agreement shall include the following:

(a) Provide the town a means to re-address the shared parking in the event future parking problems or changes in use occur.

(b) Provide a legal description of the land and structures affected.

(c) Provide for a term of at least five (5) years.

(d) Provide a site plan to indicate uses, hours of operation, parking, etc., and ensure the availability of all parking spaces affected by the agreement.

4. The amount of parking provided pursuant to a shared parking agreement shall be determined as follows:

(a) Multiply the individual uses by the minimum required parking percentages per time period as contained in the five (5) vertical columns of table 32-50-4.

(b) Add the sum of the calculations; and

(c) The required parking is the largest number of spaces resulting from the calculations.

d. Off-site parking. The town commission may, as part of an approval of a new or expanded use, new construction, substantial renovation, alteration or expansion of an existing site, approve the use of off-site parking to reduce overall parking requirements. The basis for approval of an application to establish off-site parking approval includes the factors listed below.

1. Location of off-site parking within the Park Avenue Downtown District or any property with the following zoning districts: Business District C1, Business District C2, Business District C3, and Campus Light Industrial & Commercial District CLIC.

2. Off-site parking shall not be permitted in any residential zoning district.

3. Execution of an agreement, in a form acceptable to the town, between the owners and tenants of buildings or properties affected by the parking. The agreement shall include the following:

(1) Clearly identify the number and location of parking spaces included within the agreement.

(2) Provide the town a means to re-address the off-site parking in the event future parking problems or changes in use.

(3) Provide a legal description of the land, structures, and properties affected.

(4) Provide a site plan to indicate how the off-site parking is to be located on the site, landscaping, lighting, etc.

(5) Provide for a term of at least five (5) years.

(6) Ensure the availability of all parking spaces affected by the agreement, and

(7) Provide a survey or other acceptable documentation indicating the off-site parking spaces are within at least six hundred (600) linear feet of the affected use, and

(8) Provide a statement, if necessary, indicating manner in which the off-site parking agreement will not adversely affect the use of parking spaces by the principal use of the property.

NO FURTHER CHANGES IN THE ORDINANCE UNTIL THE FOLLOWING:

Table 32-50-4
Required Parking and Loading Spaces

Use Category	Parking Spaces Required(1)	Loading Spaces Required(2)
Residential	1-25 per unit	None
Business & Professional Offices	1 per 500 SF	1 per 10,000 SF (1)
Personal Services	1 per 400 SF	1 per 10,000 SF
Outdoor Display	None	None
Outdoor Restaurant Seating	None (if less than 25% of total seating area)	None
Restaurants	1 per 3 seats, plus 1 per 2-2.5 seat foot of bar service	1 per 5,000 SF
Retail and Commercial	1 per 600 SF	

Table 32-50-4
Shared Parking Calculations

Use	Weekday Midnight to 5:00 am	Weekday 5:00 am to 4:00 pm	Weekday 5:00 pm to Midnight	Weekend 8:00 am to 4:00 pm	Weekend 5:00 pm to Midnight
Residential	100%	80%	60%	80%	60%
Office	5	100	10	10	5
Commercial and Retail	5	70	90	100	70
Hotel	60	80	100	80	100
Restaurants	10	50	100	50	100
Entertainment	10	40	100	90	100
Other	100	100	100	100	100

SECTION 1

That should any section or provision of this Ordinance or any portion thereof, any variance, paragraph, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part to be declared invalid.

SECTION 2

The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Lake Park, Florida. The Sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "Ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 4

All ordinances of the Town of Lake Park, Florida in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 3

This Ordinance shall take effect immediately upon passage.

COMMUNITY

APR 09 2014

DEVELOPMENT

Prepared By/Return To:
Jared Quartell, Esq.
11770 US Highway 1, Suite 406
North Palm Beach, FL 33408

JOINT ACCESS AND CROSS ACCESS EASEMENT AGREEMENT

This JOINT ACCESS AND CROSS ACCESS EASEMENT AGREEMENT (the "Agreement") is made and entered into as of this 2 day of MARCH 2014, by Sue-Ellen Gamble Mosler, Trustee of the Sue-Ellen Gamble Mosler Living Trust w/a/d October 1, 2008, having an address of P.O. Box 530137 Lake Park, FL 33403 ("Owner").

RECITALS:

WHEREAS, the Owner is the fee simple owner of the two parcels of property located in the Town of Lake Park, Palm Beach County, Florida (as both a geographic location and a governmental entity, the "Town"), described as:

Lots 1 through 17, inclusive, Block 10, Lake Park (f/k/a Kelsey City) According to the plat thereof, as recorded in the office of the Clerk of the circuit court in and for Palm Beach County, Florida in plat Book 8, Page 15 (a.k.a. 700 Park Ave., Lake Park, FL); and

Lots 18 and 19 and the easterly 10 feet of Lot 20, Block 10, Lake Park (f/k/a/ Kelsey City, Florida, according to the Plat thereof, as recorded in the office of the Clerk of the circuit court in and for Palm Beach County, Florida in Plat Book 8, Page 27 (a.k.a. 748 Park Ave., Lake Park, FL)

WHEREAS, the above described properties consist of two (2) tax parcels subject to potential separate conveyance, such parcels bearing Parcel Control Numbers 36-43-42-20-01-010-0010 and 36-43-42-20-01-010-0180 (referred to herein collectively as the "Parcels" or "Properties" and individually as "Parcel").

WHEREAS, the square footage and type of uses of the buildings on each Parcel are such that in order to accommodate same it is necessary to have all ingress and egress ways and parking spaces within the Properties be open for use in connection with both of the Parcels, as required by the Town.

WHEREAS, the Owner in accordance with the requirements of the Town, has agreed to grant and declare access and parking rights to be used in common by occupants of both buildings and their present and future owners, tenants, and visitors and such owners' and tenants' employees, guests, service and supply providers and other invitees (collectively, the "Easement Beneficiaries").

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, and in accordance with the Town's requirements, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

I. Recitals. The foregoing recitals are true and are hereby incorporated by reference and agreed to.

2. Easement Grant.

The Owner does hereby grant and declare that all means of ingress and egress, including driveways, drive aisles, and parking spaces located within and upon each Parcel shall be subject to a perpetual but non-exclusive easement in favor of the other Parcel for such vehicular and pedestrian ingress and egress and vehicular parking as shown on the drawing attached hereto and incorporated herein as Exhibit "A". Such ingress and egress shall consist of external joint access to and from both Parcels to and from Park Avenue and for the internal cross access between the two Parcels.

Neither Owner nor any future owner(s) of the Properties shall erect any curbs, fences, bollards, landscaping or other obstruction of any kind or which would prevent, hinder or interfere in any way with the free flow and passage of vehicular and pedestrian traffic, or the continued availability of parking spaces, without charge, of a sufficient quantity to satisfy applicable Town code requirements, except for temporary interruptions for maintenance, repair or replacement purposes or approved special events.

THE FOREGOING EASEMENTS ARE NOT INTENDED AND SHALL NOT BE CONSTRUED AS A DEDICATION OF THE PROPERTIES FOR PUBLIC USE.

3. Maintenance. In the event that the Parcels shall become separately owned, each owner shall be solely responsible for maintaining its respective Parcel in accordance with all Town requirements and so as to accommodate the uses described herein.

4. Miscellaneous.

A. If any term or provision of this Agreement or the application thereof to any person or circumstance should to any extent be held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of the Agreement and the application of such term or provision to persons or circumstances other than those which have been held invalid or unenforceable shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law. Without limiting the generality of the foregoing, in the event of any actual or claimed invalidity of this Agreement or the easement rights granted herein by virtue of the fact that both Parcels are benefited and burdened by the easements, are presently under one (1) ownership, then said easement rights shall be deemed "springing easements" coming into being upon a severance of ownership of the two Parcels; provided, however, that this Agreement shall immediately constitute a separate covenant and restriction running with the land to the benefit of the Town and the general public which shall come into effect upon its recordation and remain in full force and effect until amended and/or terminated as provided herein.

B. The failure of either party to enforce its rights under this Agreement shall not constitute a waiver of such rights. Any party hereto may waive the benefit of any provision or condition for its benefit contained in this Agreement.

C. The provisions of this Agreement may only be amended or terminated by an instrument signed and acknowledged by the then-owner(s) of the Properties, approved by the

Town and duly recorded in the Public Records of Palm Beach County.

D. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. The venue of any litigation or administrative proceeding shall be exclusively in Palm Beach County, Florida. The enforcement of this Agreement may be by proceedings at law or in equity against any person or persons violating or attempting or threatening to violate any covenant herein, either to restrain or prevent such violation or proposed violation by an injunction, either prohibitive or mandatory, or to obtain any other relief.

E. This Agreement is intended to be and shall constitute a covenant running with the land described herein for the benefit of the Town and the general public and shall be binding on the parties hereto and their successors and assigns.

IN WITNESS WHEREOF, Sue-Ellen Gamble Mosler, Trustee of the Sue-Ellen Gamble Mosler Living Trust u/a/d October 1, 2008 has executed this Agreement as of the date first written above.

Sue Ellen Gamble Mosler, Trustee

Sue-Ellen Gamble Mosler, Trustee of the Sue-Ellen Gamble Mosler Living Trust u/a/d October 1, 2008

Signed in the presence of:

SUE-ELLEN GAMBLE Mosler, Trustee

Print Name:

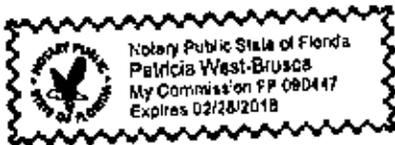
Print Name:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 2 day of March 2014, by Sue-Ellen Gamble Mosler, Trustee of the ~~Sue-Ellen Gamble~~ Mosler Living Trust u/a/d October 1, 2008 on behalf of the corporation, () who is personally known to me OR () who produced _____ as identification.

Patricia West-Brusca
Notary Signature

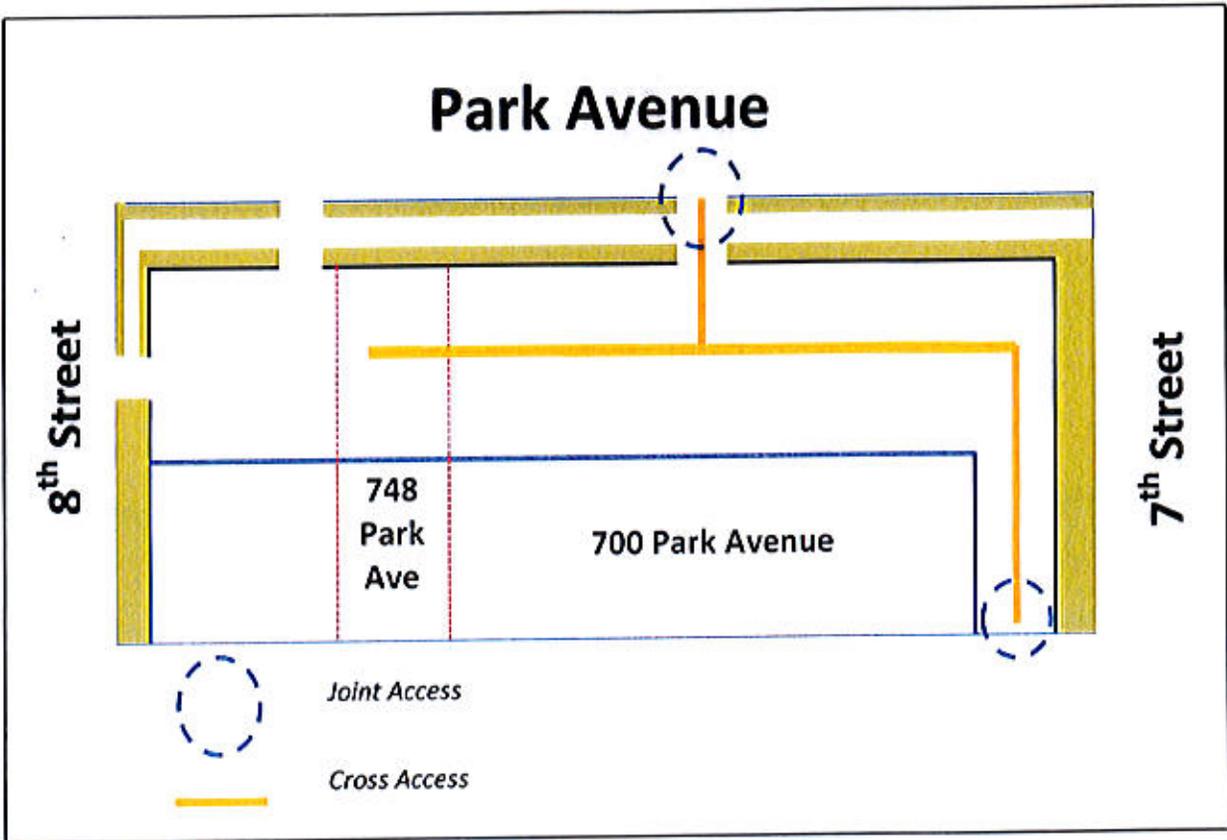
PATRICIA WEST-BRUSCA
Print Notary Name



NOTARY
PUBLIC State of
Florida at Large

My Commission Expires:

Exhibit "A"



Frederick T. Vecchione
Land Development and Construction
1200 Town Center Drive #222
Jupiter, FL 33458
P:(561)252-0177 F:(561)622-2769
E: Vecchioneconstruction@Gmail.com

Feb 18, 2014

Prepared for: Town of Lake Park
535 Park Avenue
Lake Park, FL

Attn: Debbie Abraham

Subject Project: Parking Lot Modifications at 700 Park Avenue

Due to the unexpected west access closing the subject parking lot is to be re-configured to accept 2-way traffic and revised parking plan.

The following waivers are being requested from the Park Avenue Downtown District's Zoning Code:

- The amount of parking spaces was reduced from 73 to 64 spaces
- The 2 way access drive to be reduced 23 feet
- The depth of 90 degree parking to be 17 feet
- The width of 90 degree parking to be 9 feet

Frederick T. Vecchione,

Frederick T. Vecchione Land Development and Construction



The Town of
Lake Park

TOWN OF LAKE PARK
APPLICATION FOR WAIVER REQUEST

Please note: The process to consider a waiver of the Town's zoning code is governed by the Town of Lake Park Code of Ordinances, Section 78-70 - Park Avenue Downtown District, and provisions of other chapters in the Code. It is suggested that applicants schedule a meeting with the Town of Lake Park Community Development Director to discuss the information needed.

DATE Received by Town of Lake Park: FEB 21 2014
development

This application must be completed and returned with all the required information. Staff will review the application and respond with a determination of sufficiency. Once deemed sufficient, the application will be reviewed for satisfaction to the waiver criteria. Sign waiver requests may receive an administrative approval if staff determines that all the explanations provided satisfy the variance criteria. All other waiver requests require a public hearing process.

(Please Print)

Name of Applicant (property owner): SUE ELLEN G MOSLER

Name of Agent (if applicable): GEORGE T VECCHIONE
(Required to attach Town of Lake Park Agent Authorization Form)

Mailing Address 1200 TOWN CENTER DR #227 JUPITER FL 33458
(This is the address to which all letters, agendas and other materials will be sent)

City JUPITER State FL Zip Code 33458

Telephone (561) 252-0177 Fax (561) 672-2769 Email VECCHIONE.CONSTRUCTION@GMAIL

Legal description of property covered by this application:
Lot _____ Block _____ Plat _____ (Attach separate sheet if necessary)

Property I.D. No. _____
Street Address of property covered by this application: 700 PARK BLVE

INFORMATION ABOUT PROPERTY AND REQUEST

- 1 Size of property (square feet or acreage): 60,779 SQ FT
- 2 Highway and street boundaries or address: 700 PARK BLVE

- 3 Existing Zoning District classification: _____
- 4 Waiver(s) Requested PARKING COUNT (REDUCE FROM 73 to 64)
PARKING DIMENSIONS TO 9'x17'
ALISLE WIDTH TO 23' WIDE

5. Describe any structures or uses currently located on the property: _____

EXISTING SHOPPING CENTER

THE INFORMATION/ENCLOSURES LISTED BELOW AND ON THE FOLLOWING PAGE(S) MUST BE SUBMITTED IN CONJUNCTION WITH THIS APPLICATION.

6. Specific Information on Requested Waiver

- Map showing property subject to this application.
4- Ten (10) copies of Site Plan(s), if necessary
 Building plans of structures to be erected *N/A*
 Certified survey of property completed within 1 year of application (signed and sealed) /
 Landscape Plan
 Notarized Town of Lake Park Agent Authorization Form signed by property owner authorizing Agent to act on behalf of owner to submit application for Waiver, if applicable.

7. Applicant's statement of explanation, needs and reasons for the requested changes, which addresses the following items (Attach additional sheets as necessary):

a. Is the application consistent with the comprehensive plan; _____

YES

b. Is the application consistent with the intent of this section; _____

YES

c. Does the application further the Town's goal to establish a neighborhood and community-serving urban center; _____

YES

d. Does the application further the Town's goal to create a pedestrian-friendly environment; _____

YES

e. Does the application further the architectural and site design elements of this section; _____

YES

- f. Does the application demonstrate that special conditions and circumstances exist which are peculiar to the land, structure or building involved or proposed, and which are not applicable to other lands, structures, or buildings in the Park Avenue Downtown District; _____

WALK ACCESS CLOSED BY ADJACENT OWNER
MUST IMPLEMENT A 2-WAY RIGHT-OF-WAY

- g. Does the application demonstrate that the special conditions and circumstances do not result from the actions of the applicant; _____

YES

- h. Does the application demonstrate that granting the waiver requested will not confer upon the applicant any special privilege that is denied by this section to other lands, buildings, or structures in the Park Avenue Downtown District; _____

NO SPECIAL PRIVILEGES

- i. Does the application demonstrate that literal application of the provisions of this section would deprive the applicant of rights commonly enjoyed by other properties within the Park Avenue Downtown District; _____

YES

- j. Does the application demonstrate that the waiver is not based solely upon economic reasons; and _____

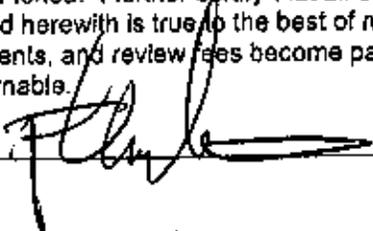
YES - ITS BASED ON SAFETY

- k. Does the application demonstrate the request for waiver will be in harmony with the general intent and purpose of this section, and that such waiver or waivers will not be injurious to the area involved or otherwise detrimental to the public health, safety, and welfare. _____

YES

REQUIRED SIGNATURES

My signature on this document affirms that I understand and will comply with the provisions and regulations of the Town of Lake Park, Florida. I further certify that all of the information contained in this application and all documentation submitted herewith is true to the best of my knowledge and belief. Further, I understand that the application, attachments, and review fees become part of the official records of the Town of Lake Park, Florida and are not returnable.

Signature of Applicant:  Date: 2-13-2014

Signature of property owner(s): _____ Date: _____
(required if Agent Authorization is not attached)

*The Town of Lake Park
Community Development Department*



PLEASE DO NOT DETACH FROM APPLICATION.

SIGNATURE REQUIRED BELOW.

Please be advised that the Town of Lake Park Code of Ordinances under Section 51-6 provides for the Town to be reimbursed, in addition to any application or administrative fees, for any supplementary fees and costs the Town incurs in processing development review requests.

These costs can include, but are not limited to, advertising and public notice costs, legal fees, consultant fees, additional staff time, cost of reports and studies, NPDES stormwater review and inspection costs, all engineering fees and inspection costs, and any additional costs associated with the building permit and the development review process.

For further information and questions please contact the Community Development Department at 561-881-3318.

I, E. Vecchiarelli, have read and understand the regulations above regarding cost recovery.

[Signature]
Signature of Property Owner

2-13-2014
Date

535 Park Avenue, Lake Park, Florida 33403
Phone: (561) 881-3318 Fax: (561) 881-3323
Web Site: www.lakeparkflorida.gov

Consent Form
FEB 14 2014
Deven

Consent Form from Owner and Designation of Authorized Agent:

Before me, the undersigned authority, personally appeared _____ who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting building permit for parking lot renovations @ 700/748 Park Avenue in the Town of Lark Park, Florida.
3. That he/she has appointed FREDERICK T. VECCHIONE to act as authorized on his/her behalf to accomplish the above project.

Name of Owner: SUE ELLEN G. MOSLER

[Signature]
Signature of Owner

OWNER, SEGMP Properties, Inc.
By Name/Title

748-B Park Avenue
Street Address

LAKE PARK FL 33403
City, State, Zip code

530127
P.O. Box

LAKE PARK FL 33403
City, State, Zip code

561-842-0037
Telephone Number

561-842-0306
Fax Number

SEG MOSLER@GMAIL.COM
Email Address

Sworn and subscribed before me this 14th day of February, 2014

[Signature]
Notary Public

My Commission expires:



Property 700 Park Ave. Lake Park, Florida

**Legal Description: Kelsey City Lts. 1 to 17 Inc. Bldg10, Property Control
No. 36-43-42-20-01-010-0010**

Property 748 Park Ave. Lake Park, Florida

**Legal Description: Kelsey City Lts. 18,19 & E 10Ft. of Lt 20 Blk 10.
Property Control No. 36-43-42-20-01-010-0180**



TOWN OF LAKE PARK
PLANNING & ZONING BOARD
May 5, 2014

DESCRIPTION: Rezoning eight (8) parcels on the west side of 10th Court from Commercial-2 to Commercial-4 Zoning District.

REQUEST: This is a Town-initiated application to rezone eight properties consisting of 3.71 acres on 10th Street so that their zoning designations are consistent with amendments to the Town's Comprehensive Plan Future Land Use Map that became effective in 2009. The future land use designations of the eight properties changed from Commercial to Commercial/Light Industrial. The Town Commission at the time initiated this land use change to better reflect the actual commercial and light industrial land uses operating upon the eight properties. Staff recommends that the eight properties be rezoned from C-2 to C-4. The property control numbers of the properties are:

- (1) 36-43-42-20-04-132-0120; (2) 36-43-42-20-04-132-0130; (3) 36-43-42-20-04-132-0140;
- (4) 36-43-42-20-04-132-0160; (5) 36-43-42-20-04-132-0170; (6) 36-43-42-20-04-132-0181;
- (7) 36-43-42-20-04-132-0182; (8) 36-43-42-20-04-132-0210



The acreages of the eight properties are (1) 0.3535 acres, (2) 0.3128 acres, (3) 0.6256 acres, (4) 0.3145 acres, (5) 0.3145 acres, (6) 0.3082 acres, (7) 0.6322 acres, and (8) 0.3145 acres, (totaling 3.1758 acres). The properties are located on the north side of Northern Drive,

approximately 170 feet south of Northlake Boulevard, on the west side of 10th Court. Staff recommends that the properties be rezoned to the C-4 Zoning District to be consistent with the existing future land use designation of "Commercial/Light Industrial" of the Town's Comprehensive Plan. The C-4 zoning district contains a variety of commercial and light industrial uses. In comparison, the existing C-2 zoning district is primarily intended for general commercial uses and not light industrial uses.

STAFF RECOMMENDATION: APPROVAL.

BACKGROUND INFORMATION:

Applicant(s): Town of Lake Park
Owner: Various (see Exhibit "B")
Address : Various (see Exhibit "B")
Lot Size: 3.71 total acres

Parcel Control Numbers: 36-43-42-20-04-132-0120; 36-43-42-20-04-132-0130;
36-43-42-20-04-132-0140; 36-43-42-20-04-132-0160;
36-43-42-20-04-132-0170; 36-43-42-20-04-132-0181;
36-43-42-20-04-132-0182; 36-43-42-20-04-132-0210

Existing Zoning: Commercial-2 (C-2)
Proposed Zoning: Commercial-4 (C-4)
Existing Land Use: Commercial and Light Industrial

Adjacent Zoning

North: Commercial-2 (C-2)
South: Commercial-2 (C-2)
East: Commercial-2 (C-2)
West: Commercial-4 (C-4)

Adjacent Land Uses

North: Auto Repair
South: Warehousing and Auto Repair
East: Restaurants/Dry Cleaning/Storage Warehouse
West: Office/Warehouse

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The assignment of the C-4 Zoning District is consistent with the Comprehensive Plan's Future Land Use Map's (see Exhibit "C") designation of the properties as "Commercial and Light Industrial."

The proposed rezoning is consistent with Policy 1.1 of the Future Land Use Element of the Town's Comprehensive Plan which reads:

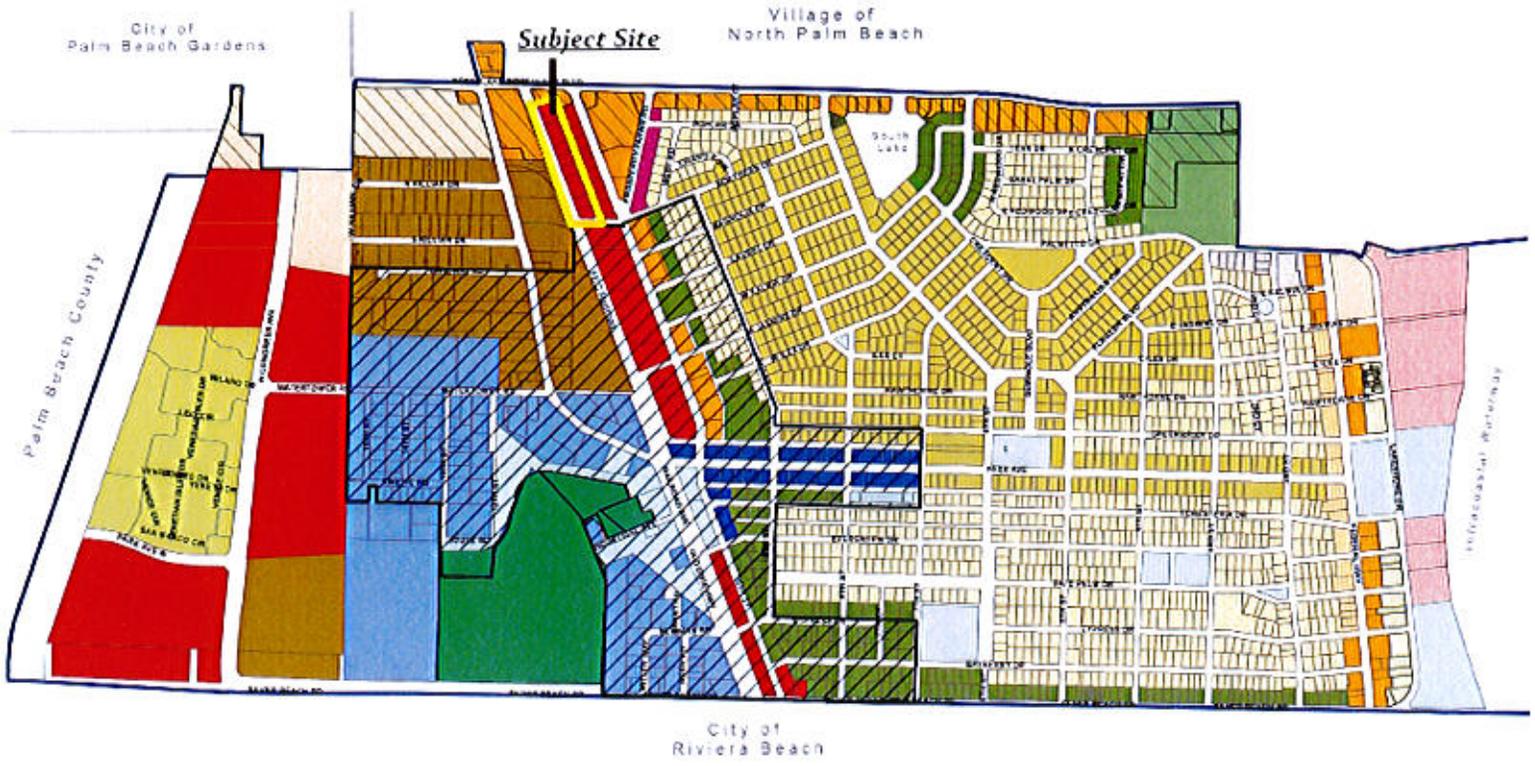
Policy 1.1: Land Development Regulations shall be amended as necessary to contain specific and detailed provisions required to implement the adopted Comprehensive Plan and which as a minimum:

- b. Regulate the use and intensity of land development consistent with this element to ensure the compatibility of adjacent land uses.
- k. Eliminate and/or reduce use of land inconsistent with the Future Land Use Map and the community's character.

STAFF RECOMMENDATION:

Planning & Zoning Board recommend APPROVAL to the Town Commission for the assignment of the C-4 zoning district to the eight properties.

EXHIBIT "A" – Town of Lake Park Zoning Map



Legend

- | | | | | | | |
|----------------|-----|-----|------|--------------------|-----|--------------|
| CRA Boundaries | R1B | R2A | C1 | Public | CRA | Conservation |
| R1AA | R3 | C1B | PUD | NBOZ_overlay | | |
| R1 | R2 | C2 | PADD | C4 | | |
| R1A | TND | C3 | CLIC | Lake_Park_Boundary | | |



EXHIBIT "B" – Property Listings

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#1



Gary R. Nikolits, CFA
Property Appraiser
 Palm Beach County

Homestead Exemption **E-file**



Location Address 1400 10TH CT
Municipality LAKE PARK
Parcel Control Number 36-43-42-20-04-132-0120
Subdivision LAKE PARK ADD NO 2 IN
Official Records Book 04556 **Page** 0490
Sale Date MAY-1985
Legal Description LAKE PARK ADD NO 2 LT 12 BLK 132

Owners
 CATANZARO DENNIS &
 CATANZARO DIANE L

Mailing address
 1402 10TH CT
 LAKE PARK FL 33403 2007

Sales Date	Price	OR Book/Page	Sale Type	Owner
MAY-1985	\$190,000	04556 / 0490	WARRANTY DEED	CATANZARO DENNIS &

No Exemption Information Available.

Number of Units 0 ***Total Square Feet** 5050 **Acres** 0.3535
Use Code 2700 - AUTO SALES **Zoning** C2 - Business (36-LAKE PARK)

Tax Year	2013	2012	2011
Improvement Value	\$187,273	\$173,432	\$170,639
Land Value	\$80,080	\$80,080	\$82,467
Total Market Value	\$267,353	\$253,512	\$253,106

All values are as of January 1st each year

Tax Year	2013	2012	2011
Assessed Value	\$267,353	\$253,512	\$253,106
Exemption Amount	50	50	50
Taxable Value	\$267,353	\$253,512	\$253,106

Tax Year	2013	2012	2011
Ad Valorem	\$6,776	\$6,433	\$6,541
Non Ad Valorem	\$1,502	\$1,502	\$1,512
Total tax	\$8,278	\$7,935	\$8,053

#2



Gary R. Nikolits, CFA
Property Appraiser
 Palm Beach County

Homestead Exemption **E-file** ▶

Location Address 10TH CT
Municipality LAKE PARK
Parcel Control Number 36-43-42-20-04-132-0130
Subdivision LAKE PARK ADD NO 2 IN
Official Records Book 22505 **Page** 1265
Sale Date MAR-2008
Legal Description LAKE PARK ADD NO 2 LT 13 BLK 132

Owners

R & K 10TH COURT LLC

Mailing address

301 52ND ST
 WEST PALM BEACH FL 33407 2723

Sales Date	Price	OR Book/Page	Sale Type	Owner
MAR-2008	\$1	22505 / 1265	WARRANTY DEED	R & K 10TH COURT LLC
JUL-2000	\$10	11951 / 1699	WARRANTY DEED	KAUFF RICHARD L TR
OCT-1991	\$100	06996 / 0962	QUIT CLAIM	
AUG-1982	\$95,000	03783 / 1253	WARRANTY DEED	

No Exemption Information Available.

Number of Units 0 ***Total Square Feet** 0 **Acres** 0.3128
Use Code 2700 - AUTO SALES **Zoning** C2 - Business (36-LAKE PARK)

Tax Year	2013	2012	2011
Improvement Value	\$3,107	\$3,129	\$3,117
Land Value	\$70,855	\$70,855	\$72,967
Total Market Value	\$73,962	\$73,984	\$76,084

All values are as of January 1st each year

Tax Year	2013	2012	2011
Assessed Value	\$73,962	\$73,984	\$76,084
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$73,962	\$73,984	\$76,084

Tax Year	2013	2012	2011
Ad Valorem	\$1,875	\$1,877	\$1,966
Non Ad Valorem	\$210	\$210	\$210
Total tax	\$2,085	\$2,087	\$2,176

#3



Gary R. Nikolits, CFA
Property Appraiser
 Palm Beach County

Homestead Exemption **E-file** ▶

Location Address 1416 10TH CT
Municipality LAKE PARK
Parcel Control Number 36-43-42-20-04-132-0140
Subdivision LAKE PARK ADD NO 2 IN
Official Records Book 22044 **Page** 1577
Sale Date MAY-2007
Legal Description LAKE PARK ADD NO 2 LTS 14 & 15 BLK 132

Owners

1416 10TH COURT LLC

Mailing address1416 10TH CT
LAKE PARK FL 33403 2007

Sales Date	Price	OR Book/Page	Sale Type	Owner
MAY-2007	\$10	22044 / 1577	WARRANTY DEED	1416 10TH COURT LLC
OCT-1991	\$100	06996 / 0954	QUIT CLAIM	KAUFF WALLACE H & HELEN L

No Exemption Information Available.

Number of Units 0 ***Total Square Feet** 8880 **Acres** 0.6256
Use Code 2700 - AUTO SALES **Zoning** C2 - Business (36-LAKE PARK)

Tax Year	2013	2012	2011
Improvement Value	\$395,920	\$360,760	\$358,113
Land Value	\$141,710	\$141,710	\$145,934
Total Market Value	\$537,630	\$502,470	\$504,047

All values are as of January 1st each year

Tax Year	2013	2012	2011
Assessed Value	\$537,630	\$502,470	\$504,047
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$537,630	\$502,470	\$504,047

Tax Year	2013	2012	2011
Ad Valorem	\$13,626	\$12,750	\$13,027
Non Ad Valorem	\$2,669	\$2,669	\$2,687
Total tax	\$16,295	\$15,419	\$15,714

4



Gary R. Nikolits, CFA
Property Appraiser
 Palm Beach County

Homestead Exemption **E-file** ▶



Location Address 1424 10TH CT
Municipality LAKE PARK
Parcel Control Number 36-43-42-20-04-132-0160
Subdivision LAKE PARK ADD NO 2 IN
Official Records Book 11364 **Page** 1253
Sale Date SEP-1999
Legal Description LAKE PARK ADD NO 2 LT 16 BLK 132

Owners
 PRADETTO ALBERT

Mailing address
 7379 154TH CT
 PALM BEACH GARDENS FL 33418 1977

Sales Date	Price	OR Book/Page	Sale Type	Owner
SEP-1999	\$190,000	11364 / 1253	WARRANTY DEED	PRADETTO ALBERT
JUN-1995	\$100	08795 / 1004	QUIT CLAIM	
JUN-1981	\$115,000	03553 / 0816	WARRANTY DEED	

No Exemption Information Available.

Number of Units 0 ***Total Square Feet** 3840 **Acres** 0.3145
Use Code 2700 - AUTO SALES **Zoning** C2 - Business (36-LAKE PARK)

Tax Year	2013	2012	2011
Improvement Value	\$155,197	\$143,363	\$141,871
Land Value	\$71,240	\$71,240	\$73,364
Total Market Value	\$226,437	\$214,603	\$215,235

All values are as of January 1st each year

Tax Year	2013	2012	2011
Assessed Value	\$226,437	\$214,603	\$215,235
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$226,437	\$214,603	\$215,235

Tax Year	2013	2012	2011
Ad Valorem	\$5,739	\$5,446	\$5,563
Non Ad Valorem	\$1,134	\$1,134	\$1,142
Total tax	\$6,873	\$6,580	\$6,705

#5



Gary R. Nikolits, CFA
Property Appraiser
 Palm Beach County

Homestead Exemption **E-file** ▶

Location Address 1430 10TH CT
Municipality LAKE PARK
Parcel Control Number 36-43-42-20-04-132-0170
Subdivision LAKE PARK ADD NO 2 IN
Official Records Book 22734 **Page** 298
Sale Date JUN-2008
Legal Description LAKE PARK ADD 2 LT 17 BLK 132

Owners

GROOT JANE TRUST &
 PARSONS MICHAEL J TR
 PFAFFENBERGER WILLIAM J TR

Mailing address

772 US HIGHWAY 1 STE 200
 NORTH PALM BEACH FL 33408 4418

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUN-2008	\$10	22734 / 0298	DEED OF TRUST	GROOT JANE TRUST & GROOT WILLIAM TR
JUN-1999	\$100	11198 / 0789	WARRANTY DEED	

No Exemption Information Available.

Number of Units 0 ***Total Square Feet** 6784 **Acres** 0.3145
Use Code 2700 - AUTO SALES **Zoning** C2 - Business (36-LAKE PARK)

Tax Year	2013	2012	2011
Improvement Value	\$178,851	\$164,672	\$159,621
Land Value	\$71,240	\$71,240	\$73,364
Total Market Value	\$250,091	\$235,912	\$232,985

All values are as of January 1st each year

Tax Year	2013	2012	2011
Assessed Value	\$250,091	\$235,912	\$232,985
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$250,091	\$235,912	\$232,985

Tax Year	2013	2012	2011
Ad Valorem	\$6,338	\$5,986	\$6,021
Non Ad Valorem	\$1,983	\$1,983	\$1,997
Total tax	\$8,321	\$7,969	\$8,018

#6



Gary R. Nikolits, CFA
Property Appraiser
 Palm Beach County

Homestead Exemption **E-file**



Location Address 1436 10TH CT
Municipality LAKE PARK
Parcel Control Number 36-43-42-20-04-132-0181
Subdivision LAKE PARK ADD NO 2 IN
Official Records Book 22461 **Page** 1780
Sale Date FEB-2008
Legal Description LAKE PARK ADD NO 2 LT 18 /LESS N 1.20 FT/ BLK 132

Owners
 BELLA INVESTORS INC

Mailing address
 PO BOX 32967
 PALM BEACH GARDENS FL 33420 2967

Sales Date	Price	OR Book/Page	Sale Type	Owner
FEB-2008	\$10	22461 / 1780	QUIT CLAIM	BELLA INVESTORS INC
JUN-2007	\$435,000	21876 / 1720	WARRANTY DEED	MANTOVANI KENNETH J JR
AUG-2006	\$550,000	20799 / 1541	WARRANTY DEED	INVESTMENTS OF SOUTH FLORIDA INC
JUN-2006	\$1	20557 / 1234	WARRANTY DEED	CHIRA MARTIN A
JAN-1996	\$100	09089 / 1592	WARRANTY DEED	

12

No Exemption Information Available.

Number of Units 0 ***Total Square Feet** 5940 **Acres** 0.3082
Use Code 4800 - WAREH/DIST TERM **Zoning** C2 - Business (36-LAKE PARK)

Tax Year	2013	2012	2011
Improvement Value	\$190,763	\$179,757	\$176,590
Land Value	\$69,815	\$69,815	\$71,896
Total Market Value	\$260,578	\$249,572	\$248,486

All values are as of January 1st each year

Tax Year	2013	2012	2011
Assessed Value	\$260,578	\$249,572	\$248,486
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$260,578	\$249,572	\$248,486

Tax Year	2013	2012	2011
Ad Valorem	\$6,604	\$6,333	\$6,422
Non Ad Valorem	\$1,752	\$1,752	\$1,764
Total tax	\$8,356	\$8,085	\$8,186

#7



Gary R. Nikolits, CFA
Property Appraiser
 Palm Beach County

Homestead Exemption **E-file**



Location Address 1440 10TH CT
Municipality LAKE PARK
Parcel Control Number 36-43-42-20-04-132-0182
Subdivision LAKE PARK ADD NO 2 IN
Official Records Book 22905 **Page** 772
Sale Date OCT-2008
Legal Description LAKE PARK ADD 2 N 1.20 FT OF LT 18 & LTS 19 & 20 BLK 132

Owners
 LAKE PARK INVESTMENTS INC

Mailing address
 1408 N KILLIAN DR STE 111
 WEST PALM BCH FL 33403 1960

Sales Date	Price	OR Book/Page	Sale Type	Owner
OCT-2008	\$10	22905 / 0770	REP DEED	LAKE PARK INVESTMENTS INC
OCT-2008	\$625,000	22905 / 0772	WARRANTY DEED	LAKE PARK INVESTMENTS INC
AUG-2005	\$100,000	19181 / 1556	WARRANTY DEED	MASSER DAVID &
OCT-2000	\$405,000	12108 / 0688	WARRANTY DEED	MASSER DAVID &
AUG-1989	\$431,800	06155 / 1815	WARRANTY DEED	

1 2

No Exemption Information Available.

Number of Units 0 ***Total Square Feet** 9200 **Acres** 0.6322
Use Code 4800 - WAREH/DIST TERM **Zoning** C2 - Business (36-LAKE PARK)

Tax Year	2013	2012	2011
Improvement Value	\$287,706	\$271,012	\$266,847
Land Value	\$143,192	\$143,192	\$147,461
Total Market Value	\$430,898	\$414,204	\$414,308

All values are as of January 1st each year

Tax Year	2013	2012	2011
Assessed Value	\$430,898	\$414,204	\$414,308
Exemption Amount	50	50	50
Taxable Value	\$430,898	\$414,204	\$414,308

Tax Year	2013	2012	2011
Ad Valorem	\$10,921	\$10,511	\$10,707
Non Ad Valorem	\$2,828	\$2,828	\$2,847
Total tax	\$13,749	\$13,339	\$13,554

#8



Gary R. Nikolits, CFA
Property Appraiser
 Palm Beach County

Homestead Exemption **E-file** ▶

Location Address 1452 10TH CT A
Municipality LAKE PARK
Parcel Control Number 36-43-42-20-04-132-0210
Subdivision LAKE PARK ADD NO 2 IN
Official Records Book 15213 **Page** 546
Sale Date MAY-2003
Legal Description LAKE PARK ADD NO 2 LT 21 BLK 132

Owners

A 1 PAINT & BODY INC

Mailing address

1452 10TH CT
 LAKE PARK FL 33403 2007

Sales Date	Price	OR Book/Page	Sale Type	Owner
MAY-2003	\$390,000	15213 / 0546	WARRANTY DEED	A 1 PAINT & BODY INC
MAY-2002	\$50,000	13771 / 1384	WARRANTY DEED	SIEGEL STANLEY
JUL-2000	\$325,000	11901 / 1469	WARRANTY DEED	DASILVA ALDA
JUN-1985	\$100	04595 / 0193	QUIT CLAIM	
OCT-1983	\$50,000	04053 / 1499	QUIT CLAIM	

No Exemption Information Available.

Number of Units 0 ***Total Square Feet** 4436 **Acres** 0.3145
Use Code 2700 - AUTO SALES **Zoning** C2 - Business (36-LAKE PARK)

Tax Year	2013	2012	2011
Improvement Value	\$190,046	\$176,391	\$175,373
Land Value	\$71,240	\$71,240	\$73,364
Total Market Value	\$261,286	\$247,631	\$248,737

All values are as of January 1st each year

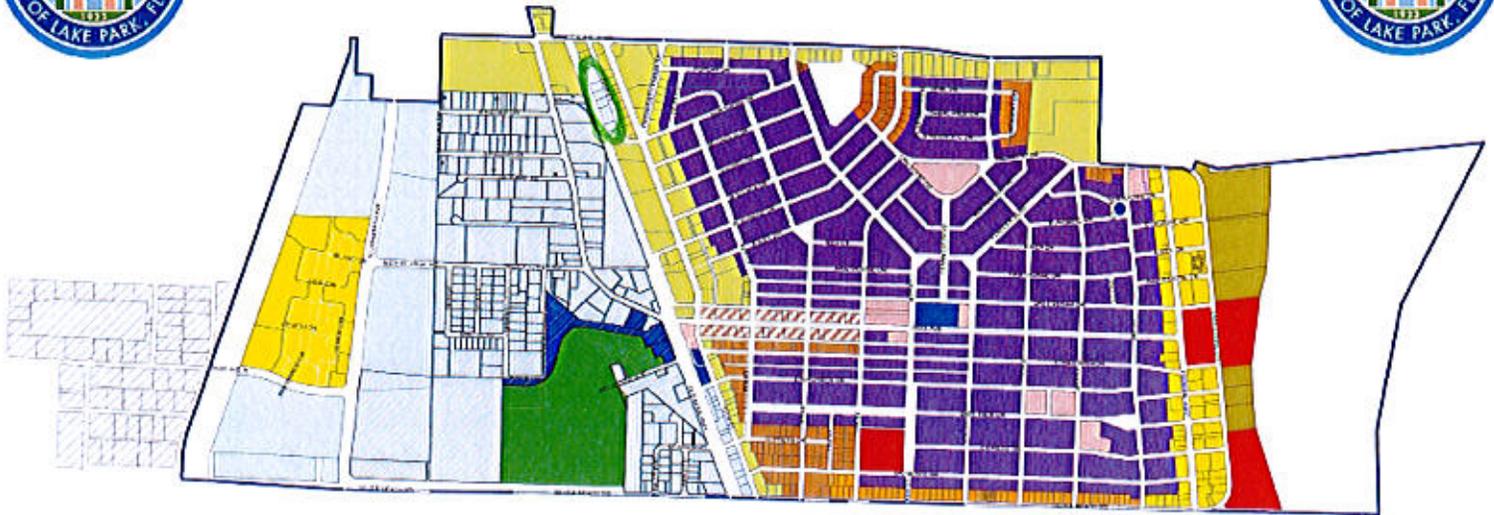
Tax Year	2013	2012	2011
Assessed Value	\$261,286	\$247,631	\$248,737
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$261,286	\$247,631	\$248,737

Tax Year	2013	2012	2011
Ad Valorem	\$6,622	\$6,284	\$6,428
Non Ad Valorem	\$1,368	\$1,368	\$1,377
Total tax	\$7,990	\$7,652	\$7,805

EXHIBIT "C" – Future Land Use Map



Lake Park Future Land Use Map



Legend

- Bioscience_2
- Conservation
- Annexation

- Downtown
- Comm Lt Industrial
- Comm Residential
- Commercial

- Condo_density
- Res_Low_Density
- Res_medium
- Single_Fam

- Lake_Park_Boundary
- Pub_Bldg_Grounds
- Rec_Lands
- Other_Pub_Faciltes

DATE: 11/15/2011
 DRAWN BY: [Name]
 CHECKED BY: [Name]