

RESOLUTION 72-09-26

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SPECIAL EXCEPTION USE FOR AN AUTO PAINT AND BODY SHOP FOR THE PROPERTY LOCATED AT 1335 OLD DIXIE HIGHWAY UNITS 18 AND 19; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE SPECIAL EXCEPTION USE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 1335 Old Dixie Highway LLC is the owner (Owner) of the property legally described in Exhibit “A”, which is attached hereto and incorporated herein; and

WHEREAS, the Owner’s property is located at 1335 Old Dixie Highway Units 18 and 19, Lake Park, Florida (the Site); and

WHEREAS, Berlin Autotech LLC (Applicant), as the Owner’s authorized agent has submitted an application to the Town of Lake Park (Town) seeking approval of the special exception use of auto paint and body shop (“the Project”); and

WHEREAS, the Site has a future land use designation of Commercial and Light Industrial; and

WHEREAS, the Site is located within C-4 Business District which allows auto paint and body shops as a special exception use; and

WHEREAS, at a public hearing on August 3, 2026, the Town’s Planning and Zoning Board reviewed the plans for the proposed Project and recommended its approval; and

WHEREAS, the Town Commission conducted a quasi-judicial hearing on September 2, 2026 to consider the Project; and

WHEREAS, at this quasi-judicial hearing, the Town Commission considered the evidence presented by the Town’s Community Development Department (Department), the Applicant, and other interested parties and members of the public, regarding whether the Project meets the criteria for a special exception use; and

WHEREAS, the Town Commission has determined that the Project is consistent with the Town’s Comprehensive Plan, meets the special exception use criteria, and all other applicable Land Development Regulations of the Town Code.

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

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

Section 2. The Town Commission hereby approves the special exception use of auto paint and body shop for 1335 Old Dixie Highway Units 18 and 19, subject to the following conditions:

1. The Applicant shall occupy and only use the Site as set forth in the Special Exception application, justification statement, and the floor plans submitted to the Department.
2. Prior to receiving a Business Tax Receipt, from the Town, the Owner shall obtain a building permit, including the approval of Palm Beach County Fire Rescue for the paint booth.
3. All work associated with the Project's business operations shall be conducted indoors.
4. Vehicles cannot be stored outside of the building on the Site.
5. The approval for this special exception use is limited to and only granted because of the business' representation that it will be operating a low volume luxury repair service, consisting of no more than 3 to 5 customer visits per week. In the event, the Department is advised or determines that the intensity of the use has increased beyond 5 customers per week, the use shall be subject to further review.
6. Cost Recovery. All professional consulting fees and costs, and legal fees incurred by the Town in reviewing the Application and its and the preparation of this resolution shall be paid to the Town within 10 days of the mailing of the invoice from the Town. The failure to reimburse the Town within the 10 days from the date of the invoice shall result in the suspension of any further review of plans or building activities pursuant to the building permit, and may result in the revocation of the this approval.

Section 3: The Owner, Applicant and their successors and assigns shall be subject to the conditions of approval.

Section 4. This resolution shall become effective upon execution.

Exhibit A - Legal Description

KELSEY STATION CONDO UNIT 18 BLDG B (PCN: 36-43-42-20-37-002-0180)

KELSEY STATION CONDO UNIT 19 BLDG B (PCN: 36-43-42-20-37-002-0190)

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