

**RESOLUTION NO. 2013-09**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA CONFIRMING APPROVAL OF LAND DEVELOPMENT APPLICATION NO. SR 2013-01 PERTAINING TO A SITE PLAN FOR PROPERTY LOCATED AT 1120-1126 48<sup>TH</sup> STREET, MANGONIA PARK, FLORIDA 33407, PROPERTY CONTROL NOS. 44-43-43-05-08-000-0120 AND 44-43-43-05-08-000-0140; AND PROPERTY LOCATED AT 1121 47<sup>TH</sup> STREET, MANGONIA PARK, FLORIDA 33407; PROPERTY CONTROL NO. 44-43-43-05-08-000-0330; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town Council of the Town of Mangonia Park, Florida ("Town"), as the governing body, pursuant to the authority vested therein as set forth in the State of Florida Constitution, Chapter 163 and Chapter 166, *Florida Statutes* and the Town Code of Ordinances, is authorized and empowered to consider applications relating to site planning, zoning and land development; and

WHEREAS, the notice and hearing requirements provided for in the Town Code of Ordinances have been satisfied where applicable; and

WHEREAS, Application No. SR 2013-01 was granted preliminary site plan approval by the Town Council on June 4, 2013 at a Regular Town Council Meeting; and

WHEREAS, the Town Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendation of the various Town consultants, review agencies, boards, and commissions, where applicable; and

WHEREAS, this final site plan approval is subject to all applicable Zoning Code requirements including but not limited to the requirement that development commence in a timely manner.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA AS FOLLOWS:**

Section 1: Application No. SR 2013-01, the application of EBH Acquisition Subsidiary, Inc. (DBA The Recovery Place), Applicant, and Ashwin & Pragna Bhatt, Trustees of the Bhatt Family Living Trust, Owner, for property located at 1120-1126 48<sup>th</sup> Street, Mangonia Park, Florida; Property Control Nos. 44-43-43-05-08-000-0120 and 44-43-43-05-08-000-

0140; and for property located at 1121 47<sup>th</sup> Street, Mangonia Park, Florida; Property Control Number 44-43-43-05-08-000-0330 is hereby approved, subject to the following conditions:

1. All building plans for the site shall be submitted to the Building Department for review and approval upon final site plan approval.
2. All signage plans for the site shall be submitted to the Building Department for review and approval upon final site plan approval.
3. Any and all proposed amendments to the building site plans shall be filed with the Office of Administration, Building Department, for review by the Building Official; Amendments proposed to the approved site plan must be submitted to the Town Council for approval prior to initiation of the change/revision/amendment. Any amendments to the approved plans must be accompanied by 5 sets of signed and sealed plans, as amended.
4. Full restoration shall be provided for any areas disturbed by the construction, including all road rights-of-way, prior to the issuance of the Certificate of Occupancy.
5. Traffic control shall be provided in accordance with all applicable Federal, State, and County, and local regulations. Traffic control and access to surrounding facilities shall be maintained at all times by the applicant.
6. All stormwater shall be contained on site and all measures necessary to ensure that construction water and erosion materials do not leave the site or inundate drainage systems or abutting properties shall be taken by the Applicant and the Contractor. The SFWMD / DEP documentation of site drainage permit is self-certification by the Applicant's engineer, which is acceptable.
7. The Applicant has obtained an NOI from FDEP which is acceptable.
8. Parking lot striping shall be in accordance with the approved site plan.
9. There shall be no vehicle queuing on the roadways at the gated southern entrance to the site. There shall be no vehicle queuing on the roadways at the northern entrance to the site which is designated as exit only.
10. Previously approved variances for this site, BA 2013-10, were based upon an incorrect survey. Said variance approvals must be revised by the Board of Adjustment prior to the issuance of any building permit. Upon approval, the Applicant shall comply with any conditions of approval imposed by the Board of Adjustment. Further, the Applicant shall comply with all conditions of approval for Special Exceptions 2013-01 and 2013-02.

11. Prior to final inspection of the site by the Town for Certificate of Occupancy, the following materials shall be submitted for review and for the Town's files:
- a. Letter of certification signed and sealed by the engineer of record indicating that site improvements are in accordance with plans and calculations based upon his inspections and test data received, etc.
  - b. Copies of all required site test data (i.e. sub-grade and base densities, concrete strength, etc.)
  - c. Copies of any and all other permits and/or releases to install and operate all infrastructure systems that have not already been submitted to the Town.
  - d. As-built/record drawing for all site improvements - signed and sealed by a Florida Registered Surveyor.
  - e. A submittal of bill(s) of sale, required easements, proof of RPZ tests, etc., as applicable to the Utility systems being turned over to the Town.
  - f. Copies of all abandoned and new utility easements.
12. The Applicant shall comply with all conditions of approval from the June 4, 2013 Preliminary Site Plan Approval, and all submitted drainage calculations as approved by the Town Engineer.

Section 2: This Resolution shall take effect immediately upon adoption.

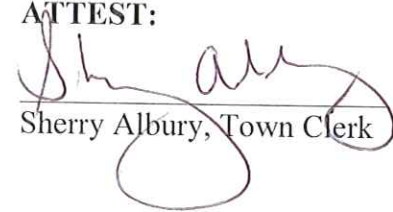
**PASSED AND ADOPTED** this 1<sup>st</sup> day of October, 2013.

**TOWN OF MANGONIA PARK**

  
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**WILLIAM H. ALBURY, III, MAYOR**

(SEAL)

**ATTEST:**

  
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Sherry Albury, Town Clerk