

RESOLUTION NO. R-81-425

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE TOWN OF JUPITER TO REZONE PROPERTY AFTER ANNEXATION PURSUANT TO s. 171.062, FLORIDA STATUTES, AND TOWN RESOLUTION NO. 12-81.

WHEREAS, by its Resolution No. 12-81, the Town of Jupiter has requested permission of the Board of County Commissioners to rezone the property described therein after annexation of same into the corporate limits of the Town; and

WHEREAS, the property is currently zoned RS-Single Family Residential which would allow up to five dwelling units per acre (5 du/ac) with a Planned Unit Development Special Exception; and

WHEREAS, the Town of Jupiter's Resolution No. 12-81 does not state the zoning or density that would be applied to the subject property; however, pursuant to discussions with the owner and Town officials, R-3, Multiple Family Zoning, with a planned unit development, allowing up to eight dwelling units per acre (8 du/ac) is indicated for the property; and

WHEREAS, the property is subject to the Palm Beach County Land Use Plan which recommends Low to Medium Density Residential having a density range of 3.0 du/ac to 5.0 du/ac and up to 8 du/ac with transfer of development density bonuses; and

WHEREAS, the Planning Department of Planning, Zoning and Building has reviewed the request and has found that the R-3, Planned Unit Development, zoning indicated by the Town would be compatible with the County's Land Use Plan Recommendation but would request that the Town consider limiting the density of the subject property to less than the maximum allowable density of the R-3 classification, as more fully set out in its memo of March 23, 1981, attached hereto and made a part hereof; and

WHEREAS, Florida Statutes 171.062 requires that when a city desires to rezone property which was previously subject to county land use control, that the city must request and receive permission for such change from the Board of County Commissioners of the respective county;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the request of the Town of Jupiter as presented in its Resolution No. 12-81, attached hereto and made a part hereof, to rezone the property described therein after annexation is granted subject to the following limitations:

1. That the density of the property be limited to no more than 8 du/ however, the Town is respectfully requested to consider limiting the densi to less than the maximum allowed under the R-3, multiple family classifica and,

2. That in determining the density, the Town consider environmental site related factors such as the secondary coastal sand dune and muck depre sions.

The foregoing resolution was offered by Commissioner Evatt moved its adoption. The motion was seconded by Commissioner Gregory upon being put to a vote, the vote was as follows:

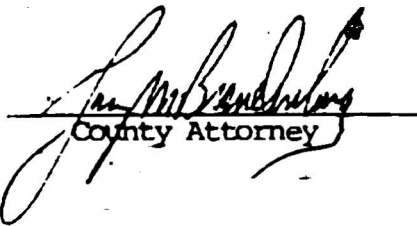
FRANK H. FOSTER	AYE
NORMAN R. GREGORY	AYE
PEGGY B. EVATT	AYE
DENNIS P. KOEHLER	AYE
BILL BAILEY	AYE

The Chairman thereupon declared the resolution duly passed and adopte this 31st day of March, 1981.

PALM BEACH COUNTY, FLORIDA, BY
ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney

By: 
Deputy Clerk

FILED THIS 31st DAY OF
March 1981
AND RECORDED IN RESOLUTION
MINUTE BOOK NO. 214 AT
PAGE 167 RECORD VERIFIED
BY JOHN B. DUNKLE, CLERK
Kathryn S. Miller D.C.