

RESOLUTION NO. R-85-42

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE TOWN OF JUPITER TO REZONE PROPERTY AFTER ANNEXATION, PURSUANT TO §171.062, FLORIDA STATUTES, AND TOWN OF JUPITER RESOLUTION NO. 41-84.

WHEREAS, by its Resolution No. 41-84, the Town of Jupiter has requested permission from the Board of County Commissioners of Palm Beach County to Rezone the property described therein after Annexation of same into the Corporate Limits of the Town; and

WHEREAS, the property is currently zoned AR-Agricultural Residential and is subject to County Land Use Controls; and

WHEREAS, the Town proposes to rezone the entire parcel to I-1 Industrial Park Zoning District; and

WHEREAS, the Comprehensive Land Use Plan identifies the subject site as having a Very Low to Low Residential Land Use Designation, allowing for two dwelling units per acre in a standard subdivision and three dwelling units per acre in a Planned Unit Development. Neither Commercial nor Industrial potential is recognized for the subject property; and

WHEREAS, through a joint effort between the Town of Jupiter, Palm Beach County, and the owner of the property many of the impacts from the previously approved 95 acre Industrial Development have been offset by a significant roadway improvement program imposed upon the Developer by the Town of Jupiter and the subject 6.4 acres of outparcels associated with the Industrial Development will not significantly add any additional impacts to the roadway system; and

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WHEREAS, the Planning, Zoning, and Building Department has reviewed the request and has determined that the proposed rezoning is inconsistent with the Comprehensive Land Use Plan designation of AR-Agricultural Residential for the subject site, it will not have a significant impact upon County systems, as outlined in the December 3, 1984 memorandum from the Planning Division, attached hereto and made a part hereof, which states that the subject property is to be included as outparcels within the overall Jupiter Industrial Park previously granted

WHEREAS, the Planning Division recommends approval of the granting of the waiver of County Zoning; and

WHEREAS, the Intergovernmental Coordination Element Section of the Palm Beach County Comprehensive Land Use Plan (Ordinance 80-8, as amended by Ordinances 81-27 and 82-26) provides that the Board of County Commissioners may find the proposed waiver request compatible with the Comprehensive Plan if the uses and/or densities proposed will have no significant impact upon County Systems, or such effect is mitigated by compliance with the Performance Standards; and

WHEREAS, Florida Statutes, §171.062, requires that when a City desires to rezone property which was previously subject to County Land Use Controls, 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:

1. The foregoing recitals are hereby affirmed and ratified.
2. This Board finds that the rezoning proposed by the Town of Jupiter will have no significant impact upon County Systems.
3. The request of the Town of Jupiter in its Resolution No. 41-84, attached hereto and made a part hereof, is hereby approved.

The foregoing Resolution was sponsored by Commissioner Wilken who moved for its adoption. The motion was seconded by Commissioner Owens, and, upon being put to a vote, the vote was as follows:

KEN SPILLIAS	AYE
DOROTHY H. WILKEN	AYE
KAREN T. MARCUS	ABSENT
JERRY L. OWENS	AYE
KEN ADAMS	AYE

FILED THIS..... DAY OF
JAN 8 1985
AND RECORDED IN RESOLUTION
MINUTE BOOK NO. 382 AT
PAGE 480-497 RECORD VERIFIED
JOHN B. DUNKLE, CLERK
BY Darlene Harris..... D.C.

The Chairman thereupon declared the Resolution duly passed and adopted this 8th day of January, 1985.

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APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

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

JOHN B. DUNKLE, Clerk