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ORDINANCE NO. 24-15

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING SECTION 27-373 WHICH ADOPTS AND INCORPORATES THE TOWN'S OFFICIAL ZONING MAP AS PART OF THE TOWN ZONING CODE; PROVIDING FOR THE ASSIGNMENT OF THE INDIANTOWN ROAD OVERLAY ZONING (IOZ) PINE GARDENS DISTRICT TO THE 24.6+/- ACRES OF LAND SHOWN ON THE MAP ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owners of the various properties (the subject properties) whose properties, including the legal descriptions thereof are being rezoned to the Pine Gardens District of the IOZ are identified in Exhibit "A" which is attached hereto and incorporated herein; and

WHEREAS, the subject properties which have been identified in Exhibit "A" total 24.6+/- acres of real property; and

WHEREAS, the general location of the subject properties along Indiantown Road, between Military Trail and Old Dixie Highway are shown on Exhibit "B"; and

WHEREAS, the subject properties currently have a zoning designation of Indiantown Overlay Zoning (IOZ) "Parkways" zoning district, with an underlying General Commercial (C-2) zoning; and

1 **WHEREAS**, the Town Council has previously adopted Ordinance No. 45-14,
2 creating a new zoning district entitled the "Pine Gardens" district within the IOZ; and

3 **WHEREAS**, the Town's Planning and Zoning staff has recommend the subject
4 properties be assigned the IOZ "Pine Gardens" zoning district, with an underlying C-2
5 zoning; and

6 **WHEREAS**, at a public hearing, the Jupiter Planning and Zoning Commission
7 reviewed the proposed assignment of the IOZ "Pine Gardens" zoning district which is to
8 be assigned to the subject properties; and

9 **WHEREAS**, at a public hearing of the Town Council the Council considered the
10 recommendations of the Town's Planning and Zoning Commission and the Planning and
11 Zoning Department regarding the proposed rezoning of the subject properties; and

12 **WHEREAS**, the Town Council determined that the subject properties should be
13 assigned the IOZ "Pine Gardens" zoning district, with an underlying C-2 zoning; and

14 **WHEREAS**, the Town Council finds that the assignment of the IOZ "Pine
15 Gardens" zoning district, with an underlying C-2 zoning to the subject properties is
16 consistent with the "Commercial" Future Land Use designation of the Town's
17 Comprehensive Plan.

18 **NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE**
19 **TOWN OF JUPITER, FLORIDA:**

20 **Section 1.** The whereas clauses are incorporated herein and represent the
21 legislative findings of the Town Council.

22 **Section 2.** The Town Council hereby assigns the IOZ "Pine Gardens" zoning
23 district, with an underlying C-2 zoning to the subject properties. The assignment of the
24 IOZ "Pine Gardens" District to the subject properties shall be incorporated into the

1 Town's Official Zoning Map as shown in **Figure "1"**, a copy of which is attached hereto
2 and incorporated herein.

3 **Section 3.** Section 27-373 of the Zoning Code, the Town's Official Zoning
4 Map shall be amended to reflect the assignment of the IOZ "Pine Gardens" District to the
5 subject properties shown in the attached Figure 1.

6 **Section 4.** The Town Council has determined that the assignment of the IOZ
7 "Pine Gardens" District to the subject properties is consistent with the "Commercial"
8 Future Land Use designation assigned to the subject properties pursuant to the Town's
9 Comprehensive Plan.

10 **Section 5.** Severability. If any section, paragraph, sentence, clause, phrase
11 or word of this Ordinance is for any reason held by a court to be unconstitutional,
12 inoperative, or void, such holding shall not affect the remainder of this ordinance.

13 **Section 6.** Repeal of Laws in Conflict. All ordinances or part of ordinances in
14 conflict herewith are hereby repealed to the extent of such conflict.

15 **Section 7.** The provisions of this Ordinance shall become effective upon
16 adoption.

17
18 Attachments: Exhibit "A" - Legal Descriptions
19 Exhibit "B" - Location Map
20 Figure 1 - Proposed Zoning Map (depicting the properties to which the
21 IOZ "Pine Gardens" zoning district, with an underlying C-2
22 zoning has been assigned)
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IOZ Pine Gardens District Properties - Legal Descriptions**Exhibit A**

PBC Property Control #	Address	Owner Name
30-42-41-01-03-007-0010	201 W INDIANTOWN RD	KATS PAW HOLDINGS LLC
30-42-41-01-03-007-0070	219 W INDIANTOWN RD	BENNETT HAROLD B &
30-42-41-01-03-007-0110	229 W INDIANTOWN RD	CELESTIAL PROPERTY HOLDINGS LLC
30-42-41-01-03-007-0130	W INDIANTOWN RD	FISH INN LLC
30-42-41-01-03-007-0150	243 W INDIANTOWN RD	DOLPHIN STATIONS LLC
30-42-41-01-03-007-0210	21 N HEPBURN AVE 10	HOLMES PROPERTIES LLC
30-42-41-01-03-007-0270	200 HIBISCUS ST	SHAH PARIKH INV INC
30-42-41-01-03-008-0010	26 N OLD DIXIE HWY	JAAHL JUPITER LLC
30-42-41-01-03-008-0080	14 N OLD DIXIE HWY	14 NORTH LLC
30-42-41-01-03-008-0120	W INDIANTOWN RD	14 NORTH LLC
30-42-41-01-03-008-0120	W INDIANTOWN RD	14 NORTH LLC
30-42-41-01-03-008-0220	145 W INDIANTOWN RD	TROMBONE REALTY LLC
30-42-41-01-03-008-0280	29 N ORANGE AVE	STAMPAR RAINER
30-42-41-01-03-009-0010	100 W INDIANTOWN RD	EPTER JACK L &
30-42-41-01-03-009-0050	50 S OLD DIXIE HWY 1	C S & FIGLIE CORP
30-42-41-01-03-009-0130	114 W INDIANTOWN RD	H L MARTHENS LLC
30-42-41-01-03-009-0150	126 W INDIANTOWN RD	CIRCLE K STORES
30-42-41-01-03-009-0220	W INDIANTOWN RD	CIRCLE K STORES INC
30-42-41-01-03-009-0260	150 W INDIANTOWN RD	CIRCLE K STORES INC
30-42-41-01-03-009-0290	151 ORANGE AVE	CIRCLE K STORES INC
30-42-41-01-03-009-0300	143 1ST ST	CIRCLE K STORES INC
30-42-41-01-03-009-0350	115 1ST ST	SEGUE INV LLC
30-42-41-01-03-010-0010	240 W INDIANTOWN RD 101	PROMENADE PROPERTIES OF JUPITER LLC
30-42-41-01-07-012-0081	411 W INDIANTOWN RD	411 WEST
30-42-41-01-07-012-0220	403 W INDIANTOWN RD	GREENE INVSTMNT
30-42-41-01-07-013-0010	454 W INDIANTOWN RD	FAST FOOD
30-42-41-01-07-013-0051	426 W INDIANTOWN RD	BRIAN GERARD
30-42-41-01-07-013-0080	420 W INDIANTOWN RD	CROUSE ARTHUR F &
30-42-41-01-07-013-0090	400 W INDIANTOWN RD	ST LUCIE ENTERPRISES LLC
30-42-41-01-07-013-0160	437 1ST ST	439 1ST STREET LAND TRUST
30-42-41-01-07-013-0170	433 1ST ST	OPPOSING TRENDS LLC
30-42-41-01-07-013-0190	425 1ST ST	OPPOSING TRENDS LLC
30-42-41-01-07-013-0201	417 1ST ST	WARD JOSEPH G III
30-42-41-01-07-013-0221	405 1ST ST	UHL DAVID M
30-42-41-01-07-013-0222	409 1ST ST	HRISTOV HOLDINGS LLC
30-42-41-01-07-028-0010	360 W INDIANTOWN RD	INDIANTOWN ROAD ASSOCIATES LLC
30-42-41-01-07-028-0020	350 W INDIANTOWN RD	GREENE GARY L
30-42-41-01-07-028-0030	348 W INDIANTOWN RD	HENDRICKS LARRY D &
30-42-41-01-07-028-0040	336 W INDIANTOWN RD	GOMEZ PEDRO F FAMILY TRUST
30-42-41-01-07-028-0070	324 W INDIANTOWN RD	CAR PROPERTIES LLC
30-42-41-01-07-028-0090	300 W INDIANTOWN RD	ADAMS & ADAMS LLC
30-42-41-01-07-028-0130	351 1ST ST	DUBOIS JOHN S
30-42-41-01-07-028-0150	337 1ST ST	DENNY PAMELA J
30-42-41-01-07-028-0180	311 1ST ST	KIDZ EXPLORATION CENTER FOR

PBC Property Control #	Address	Owner Name
30-42-41-01-07-028-0221	18 S HEPBURN AVE	HOLMES DANIEL T
30-42-41-01-07-029-0011	21 N LOXAHATCHEE DR	GUNN K D & CHARLOTTE N TRS
30-42-41-01-07-029-0012	340 HIBISCUS ST	CARTIER G WAYNE TR
30-42-41-01-07-029-0040	326 HIBISCUS ST	BRAME JEAN K
30-42-41-01-07-029-0060	320 HIBISCUS ST 1	HIBISCUS STREET REAL ESTATE LLC
30-42-41-01-07-029-0070	312 HIBISCUS ST	WEHAGE TIMOTHY
30-42-41-01-07-029-0090	308 HIBISCUS ST	B & B EQUITIES LLC
30-42-41-01-07-029-0120	359 W INDIANTOWN RD	WEISS PETROLEUM INC
30-42-41-01-07-029-0151	341 W INDIANTOWN RD	BISCHOFF FREDERICK &
30-42-41-01-07-029-0161	337 W INDIANTOWN RD	BISCHOFF FREDERICK &
30-42-41-01-07-029-0162	335 W INDIANTOWN RD	JUPITER 335 LLC
30-42-41-01-17-000-0010	311 W INDIANTOWN RD	B & B EQUITIES LLC
30-42-41-01-18-000-0010	24 N LOXAHATCHEE DR, #1	PROFILES ORAL & FACIAL SURGERY REAL ESTATE
30-42-41-01-18-000-0020	24 N LOXAHATCHEE DR, #2	PROFILES ORAL & FACIAL SURGERY REAL ESTATE
30-42-41-01-18-000-0030	24 N LOXAHATCHEE DR, #3	CORY P MILLER & LAUREN P MILLER
30-42-41-01-18-000-0040	24 N LOXAHATCHEE DR, #4	KING DR ROY K
30-42-41-01-18-000-0050	24 N LOXAHATCHEE DR, #5	DR ROY K KING PA
30-42-41-01-18-000-0060	24 N LOXAHATCHEE DR, #6	LOXAHATCHEE CONDO LLC
30-42-41-01-30-000-0010	228 HIBISCUS ST, #1	CAPITELLO FREDERICK F & MARIA
30-42-41-01-30-000-0020	228 HIBISCUS ST, #2	CRAFT MASTER KITCHENS INC
30-42-41-01-30-000-0030	228 HIBISCUS ST, #3	LIDONNI JOANNE & NESTOR
30-42-41-01-30-000-0040	228 HIBISCUS ST, #4	COSTON DANIEL L & DAVID L
30-42-41-01-30-000-0050	228 HIBISCUS ST, #5	PETTENGILL RICHARD C
30-42-41-01-30-000-0060	228 HIBISCUS ST, #6	HAJEK DOBROSLAV
30-42-41-01-30-000-0070	228 HIBISCUS ST, #7	7 HIBISCUS LLC
30-42-41-01-30-000-0080	228 HIBISCUS ST, #8	HIBISCUS ENTERPRISES LLC
30-42-41-01-30-000-0090	228 HIBISCUS ST, #9	SERRANO SHARON & WILLIAM