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ORDINANCE NO. 17-18

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING THE TOWN'S OFFICIAL ZONING MAP WHICH IS INCORPORATED BY REFERENCE BY SECTION 27-373 OF THE TOWN CODE TO ASSIGN THE SINGLE FAMILY RESIDENTIAL (R1A) ZONING DISTRICT TO A 8.5+/- ACRE PARCEL OF LAND LOCATED AT 6262 AND 6270 ROEBUCK ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florence Kuschel and David Kuschel are the owners (the "Owners") of a parcel of land consisting of 8.5+/- acres of real property (the "Subject Property") the legal description of which is attached hereto and incorporated herein as **Exhibit "A"**; and,

WHEREAS, the subject property is coterminous with the Town's boundary; and,

WHEREAS, the Subject Property's addresses are 6262 and 6270 Roebuck Road; and,

WHEREAS, the subject property is located on the south side of Roebuck Road approximately 750 feet east of Central Boulevard as shown on the attached **Exhibit "B"**, which is incorporated herein; and,

1 **WHEREAS**, the subject property was recently annexed into the Town of
2 Jupiter (Town) from Palm Beach County, and pursuant to 163.3202, F.S. following
3 annexation, the Town hereby assigns the R-1A, Residential Compact Single Family
4 Zoning District (R-1A Zoning District) to the subject property to implement the future
5 land use assigned to the subject property pursuant to the Town's Comprehensive
6 Plan; and,

7 **WHEREAS**, the Town Council of the Town has previously assigned a Future
8 Land Use designation of "Medium Density Residential" to the subject property
9 pursuant to the Town's Comprehensive Plan and hereby finds that the assignment of
10 the R1-A Zoning District to the Subject Property would be consistent with this future
11 land use designation; and,

12 **WHEREAS**, the Town's Planning and Zoning Department has recommended
13 that the Subject Property be assigned the R-1A Zoning District; and,

14 **WHEREAS**, the Jupiter Planning and Zoning Commission has reviewed the
15 Planning and Zoning Department's recommendation and has recommended that the
16 Town Council assign the R-1 A Zoning District to the Subject Property; and,

17 **WHEREAS**, a public hearing was held by the Town Council, at which time the
18 Council considered the testimony of the Owners, members of the public, and the
19 recommendations of the Town's Planning and Zoning Commission and the Planning
20 and Zoning Department regarding the appropriateness of assigning the R-1A Zoning
21 District to the Subject Property; and,

22 **WHEREAS**, based upon all of the testimony and evidence presented, the
23 Town Council hereby determines that it is appropriate to assign the R-1A, Zoning
24 District to the Subject Property.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF JUPITER, FLORIDA:

Section 1. The whereas clauses are incorporated herein.

Section 2. The Town Council hereby assigns the R-1A Zoning District to the Subject Property as legally described attached Exhibit A which is incorporated herein. The assignment of the R-1A Zoning District to the Subject Property is as shown in **Figure "1"**, a copy of which is attached hereto and incorporated herein.

Section 3. Codification. The Town's Official Zoning Map, is hereby amended to reflect the assignment of zoning of the R-1A, Residential, Compact Single Family Zoning District to the Subject Property.

Section 4. Severability. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

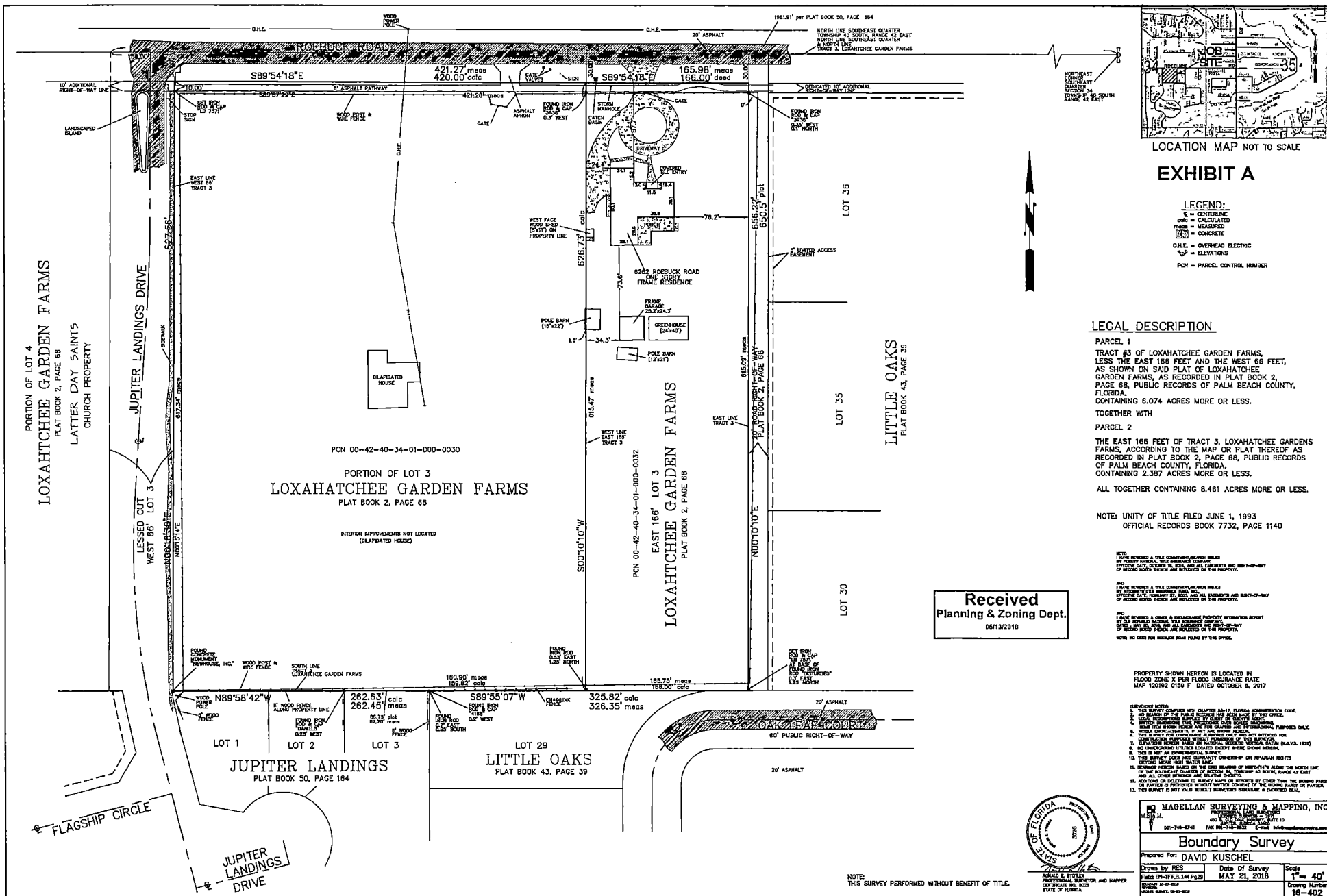
Section 5. Repeal of Laws in Conflict. All ordinances or part of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective date. This Ordinance shall take effect immediately upon its execution.

Attachments: **Exhibit "A" - Legal Description**
 Exhibit "B" – Location Map
 Figure "1" – New Zoning Map

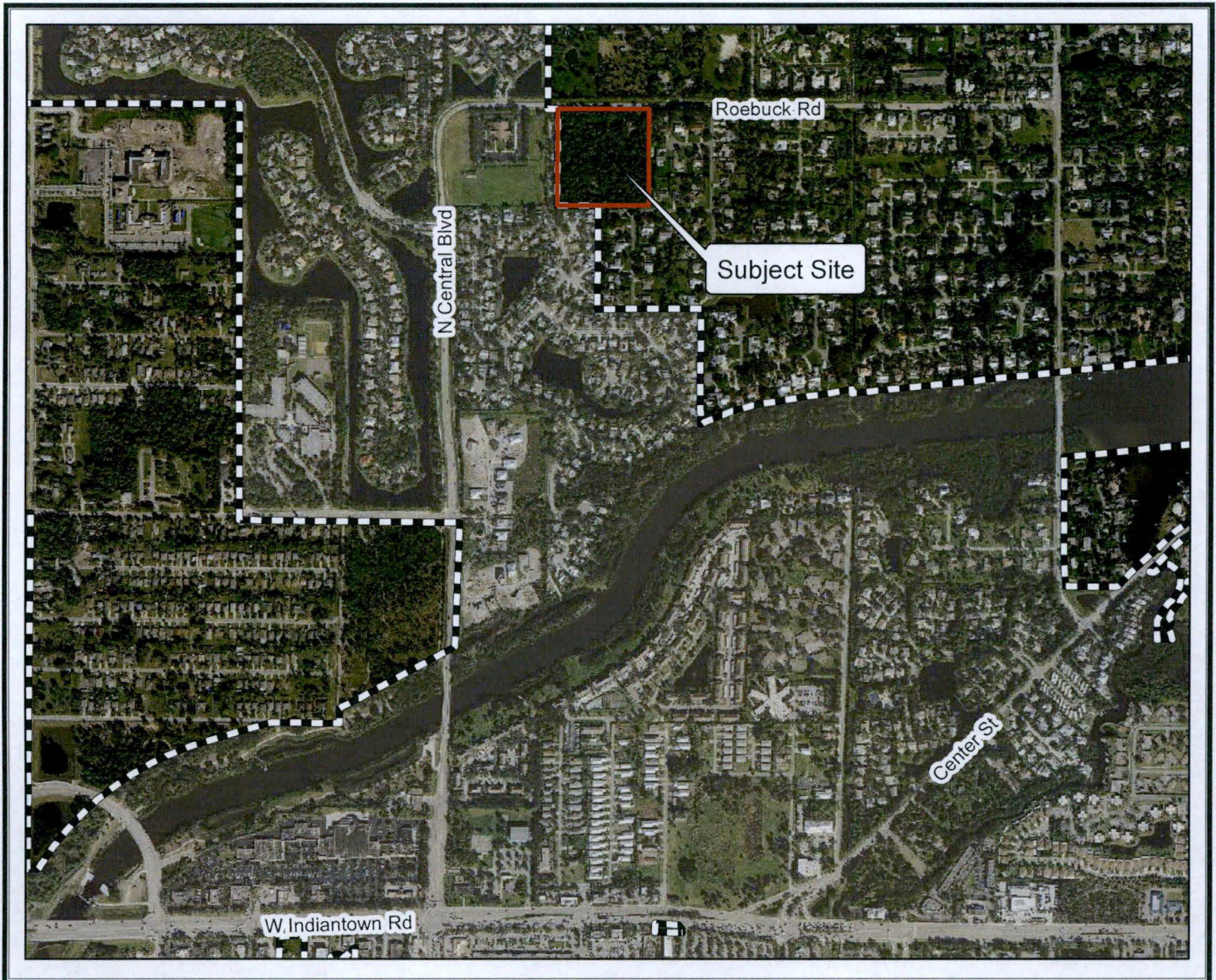
V:\PlanningZoning\Staff\WP51\Annexations\Kuschel (PZ 18-3437)\Ordinances\Ordinance 17-18 (Rezoning).doc

November 20, 2018





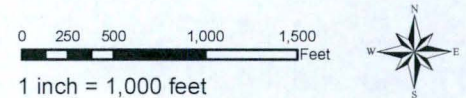
NOTE:
THIS SURVEY PERFORMED WITHOUT BENEFIT OF TITLE

Exhibit B Location Map - Kuschel Property



Legend

-  Subject Site
-  Town of Jupiter Boundary



Document:
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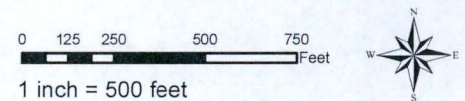
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Figure 1
Proposed Zoning Map - Kuschel Property



Legend

- Subject Site
- Town of Jupiter Boundary



PBC Zoning Districts

- AR- Agriculture Residential
- AR- Agriculture Residential
- RH- Residential High
- RS- Residential Single Family
- RTS- Residential Transitional

Town of Jupiter Zoning

- NZ- Not Zoned
- PI- Public Institutional
- R1- Residential, Single-Family
- R1-A- Residential, Compact Single Family

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Upon First Reading this 6th day of November, 2018, the foregoing Ordinance was offered by Vice-Mayor Ron Delaney, who moved its adoption. The motion was seconded by Councilor Ilan Kaufer, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR TODD R. WODRASKA	X	
VICE-MAYOR RON DELANEY	X	
COUNCILOR ILAN KAUFER	X	
COUNCILOR JIM KURETSKI	X	
COUNCILOR WAYNE R. POSNER	X	

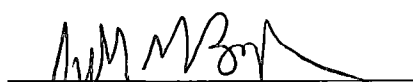
Upon Second Reading this 6th day of December, 2018 the foregoing Ordinance was offered by Councilor Wayne R. Posner, who moved its adoption. The motion was seconded by Councilor Ilan Kaufer, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR TODD R. WODRASKA	X	
VICE-MAYOR RON DELANEY	X	
COUNCILOR ILAN KAUFER	X	
COUNCILOR JIM KURETSKI	X	
COUNCILOR WAYNE R. POSNER	X	

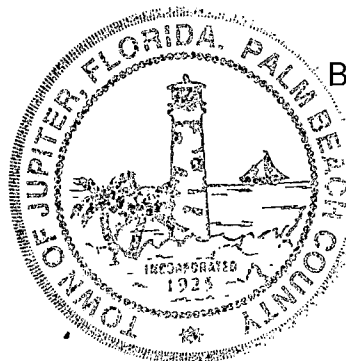
The Mayor thereupon executed Ordinance 17-18 on this 10th day of December, 2018.

TOWN OF JUPITER, FLORIDA


ATTEST:



SALLY M. BOYLAN, MMC
TOWN CLERK

(TOWN SEAL)



BY:


TODD R. WODRASKA
MAYOR


THOMAS J. BAIRD, ESQ.
Approved as to form and
legal sufficiency