

AGENDA ITEM SUMMARY

Submitted For: Planning Division

7/26/4
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | <u>2011</u> | <u>2012</u> | <u>2013</u> | <u>2014</u> | <u>2015</u> |
|--|-------------|-------------|-------------|-------------|-------------|
| Capital Expenditures | _____ | _____ | _____ | _____ | _____ |
| Operating Costs | _____ | _____ | _____ | _____ | _____ |
| External Revenues | _____ | _____ | _____ | _____ | _____ |
| Program Income (County) | _____ | _____ | _____ | _____ | _____ |
| In-Kind Match (County) | _____ | _____ | _____ | _____ | _____ |
| NET FISCAL IMPACT | ===== | ===== | ===== | ===== | ===== |
| # ADDITIONAL FTE POSITIONS (Cumulative) | _____ | _____ | _____ | _____ | _____ |

Is Item Included In Current Budget? Yes _____ No _____

Budget Account No.: Fund _____ Agency _____ Org. _____ Object _____

Reporting Category _____

B. **Recommended Sources of Funds/Summary of Fiscal Impact:** No fiscal impact associated with this agenda. Board must approve to continue with annexation request.

C. **Departmental Fiscal Review:** Lat D'Agostino

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

OFMB 7/20/11
7/20/11
7/15/11

Contract Dev. and Control 7/25/11
7-25-11

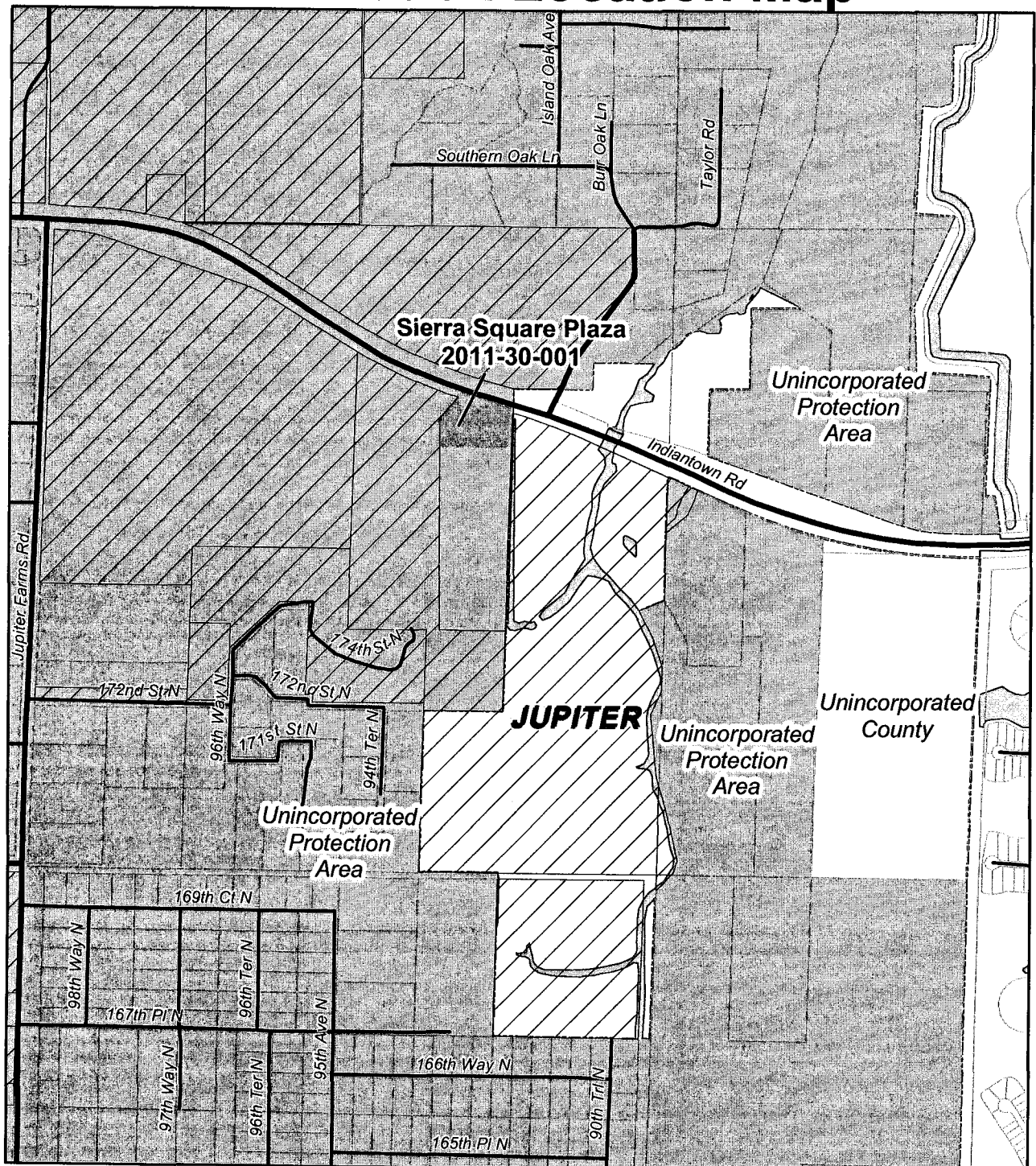
B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

 Department Director

Annexation Location Map



- | | | |
|--------------------------------|---------------------------------|-------------------------------|
| Newly Proposed Annexation | Palm Beach County Owned Parcels | County ROW Maintenance |
| Unincorporated Protection Area | Water | County Maintained |
| Municipality | Unincorporated County | Courtesy Maintained |
| | | Other ROW Maintenance |
| | | State Maintained |
| | | Other |

Updated: 03/14/11
 Contact: Nicole Delsoin
 Filename: N:\Division P\Annex\FY2011
 Note: Map is not official, for informational purposes only
 Source: ROW Maintenance Data PBC Engineering
 Dept 2010 pbcgis1 SDE GEODATA.CENTRILINE_LN

550 0 550 Feet



**Planning, Zoning
 & Building**

2300 N. Jog Rd.
 West Palm Beach, FL 33411
 Phone (561) 233-5300



ORDINANCE NO. 14-11

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, PROVIDING FOR THE VOLUNTARY ANNEXATION OF A 3.4 +/- ACRE PARCEL OF UNINCORPORATED LAND WHICH IS CONTIGUOUS TO THE BOUNDARIES OF THE TOWN OF JUPITER; PROVIDING FOR A REVISION OF THE TOWN'S BOUNDARIES TO INCLUDE THE PARCEL ANNEXED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, S&S Rentals, LLC is the owner (the "Owner") of a 3.4 +/- acre parcel of land which is presently in unincorporated Palm Beach County (the "subject property") the legal description of which is attached hereto and incorporated herein as **Exhibit "A"**; and,

WHEREAS, the subject property is contiguous to the boundaries of the Town of Jupiter; and,

WHEREAS, the subject property is generally located on the south side of Indiantown Road approximately 1.6 miles west of the Florida Turnpike and 1.0 mile east of Jupiter Farms Road as shown on **Exhibit "B"**, which is attached hereto and incorporated herein; and,

WHEREAS, the Owner has petitioned the Town of Jupiter to voluntarily annex the subject property into the Town of Jupiter; and,

1 **WHEREAS**, the Town's Planning and Zoning Commission has
2 considered the Owners' petition for voluntary annexation and has recommended its
3 approval to the Town Council.

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

6 **Section 1.** The whereas clauses are incorporated herein as true and correct
7 and the legislative findings of the Town Council.

8 **Section 2.** The subject property is contiguous to the Town's boundaries, is
9 reasonably compact, urban in character and is in the path of the Town's continuing
10 urbanization and development.

11 **Section 3.** The voluntary annexation does not create enclaves, pockets or
12 finger areas within the boundaries of the Town of Jupiter.

13 **Section 4.** The petition for voluntary annexation of the subject property bears
14 the signature of the legal Owners of the subject property.

15 **Section 5.** This Ordinance is adopted for the purpose of extension of the
16 territorial limits of the Town of Jupiter consistent with the provisions of Section
17 171.044, Florida Statutes. The Town Council hereby authorizes the annexation of the
18 subject property into the Town of Jupiter and the Town's boundaries shall be
19 redefined to include the land so annexed.

20 **Section 7.** Article II of the Charter of the Town of Jupiter, which contains the
21 legal description of the Town' incorporated municipal boundaries is hereby revised
22 to include the subject property. A certified copy of this Ordinance shall be filed as a
23 revision of the Town Charter with the Department of State of the State of Florida
24 within 30 days from the date of effective date of the Ordinance as required by
25 Section 166.044 (3) and 171.091, Florida Statutes.

1 **Section 8.** Upon the effective date of this annexation into the Town, the
2 subject property shall be subject to all laws, ordinances and regulations in force in
3 the Town and shall be entitled to the same privileges and benefits as any other
4 property in the Town.

5 **Section 9.** The Town Clerk is hereby directed to file a certified copy of this
6 Ordinance with the Clerk of the Circuit Court of Palm Beach County, the Palm Beach
7 County Board of County Commissioners, and the Florida Department of State.

8 **Section 10.** This Ordinance shall take effect immediately upon adoption.

9 Attachments:

10 **Exhibit "A" - Legal Description**
11 **Exhibit "B" - Location Map**
12
13

14 K:\Staff\WP51\Annexations\Sierra Square 2011\TC 6-21-11\Ord 14-11 annexation (FINAL).DOC June
15 14, 2011

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (NORTHEAST 1/4 OF SOUTHWEST 1/4 OF NORTHEAST 1/4) OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 42 EAST, BEING SPECIFICALLY DESCRIBED AS FOLLOWS:

FROM AN IRON ROD MARKING THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (SOUTHWEST 1/4 OF NORTHEAST 1/4) OF SAID SECTION 6, BEAR NORTH 1° 37' 09" EAST ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (SOUTHWEST 1/4 OF THE NORTHEAST 1/4) OF SAID SECTION 6, A DISTANCE OF 1146.19 FEET TO THE INTERSECTION THEREOF WITH THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 706 (INDIANTOWN ROAD); THENCE NORTH 74° 56' 13" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 61.69 FEET TO THE POINT OF BEGINNING.

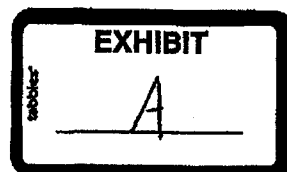
THENCE, CONTINUE NORTH 74° 56' 13" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 184.12 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 3° 38' 03" AND A RADIUS OF 2914.93 FEET; THENCE, NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 184.89 FEET TO THE END OF SAID CURVE; THENCE SOUTH 41° 20' 19" WEST, A DISTANCE OF 224.80 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 41° 30' 00" AND A RADIUS OF 70.58 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 61.12 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 0° 09' 41" EAST, A DISTANCE OF 160.29 FEET; THENCE NORTH 89° 30' 00" EAST, A DISTANCE OF 513.00 FEET; THENCE, NORTH 1° 37' 09" EAST, ALONG A LINE THAT IS 60 FEET WESTERLY OF, PARALLEL AND MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (SOUTHWEST 1/4 OF NORTHEAST 1/4) OF SAID SECTION 6, A DISTANCE OF 260.00 FEET TO THE POINT OF BEGINNING.

LESS PARCEL "A" (ADDITIONAL RIGHT OF WAY FOR STATE ROAD *706)

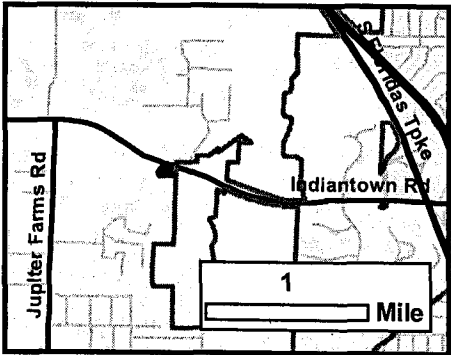
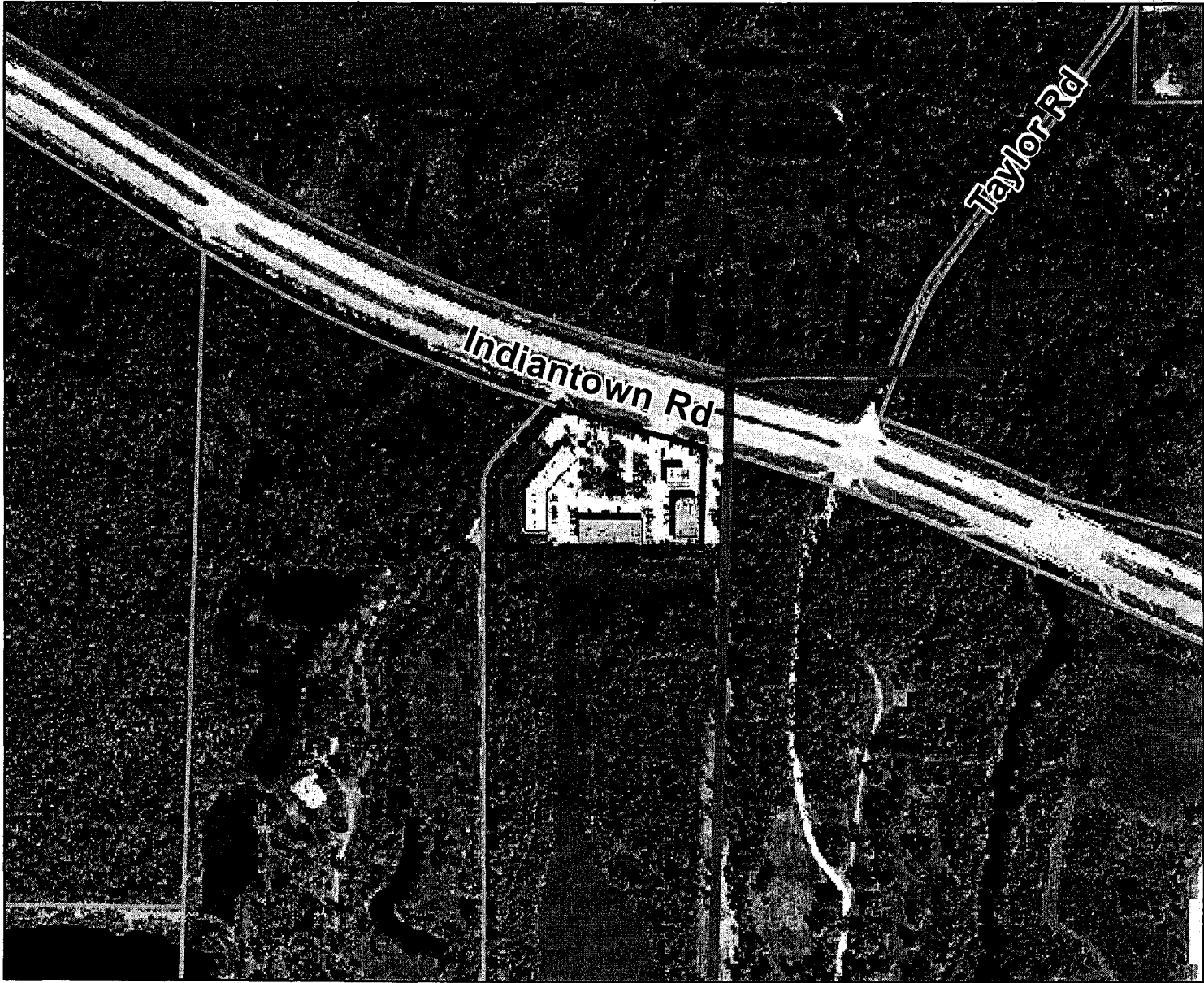
A PARCEL OF LAND IN THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (NORTHEAST 1/4 OF SOUTHWEST 1/4 OF NORTHEAST 1/4) OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 42 EAST, BEING SPECIFICALLY DESCRIBED AS FOLLOWS:

FROM AN IRON ROD MARKING THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (SW 1/4 OF NORTHEAST 1/4) OF SAID SECTION 6, BEAR NORTH 1° 37' 09" EAST ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (SOUTHWEST 1/4 OF NORTHEAST 1/4) OF SAID SECTION 6, A DISTANCE OF 1146.19 FEET TO THE INTERSECTION THEREOF WITH THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 706 (INDIANTOWN ROAD); THENCE NORTH 74° 56' 13" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 61.69 FEET TO THE POINT OF BEGINNING.

THENCE, CONTINUE NORTH 74° 56' 13" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 184.12 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 3° 38' 03" AND A RADIUS OF 2914.93 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 184.89 FEET, THENCE SOUTH 41° 20' 19" WEST A DISTANCE OF 10.83 FEET TO THE ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 2924.93 FEET; THENCE, SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 189.04 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 74° 56' 13" EAST A DISTANCE OF 186.51 FEET; THENCE NORTH 1° 37' 09" EAST A DISTANCE OF 10.28 FEET TO THE POINT OF BEGINNING.



Location Map - Exhibit B
Sierra Square

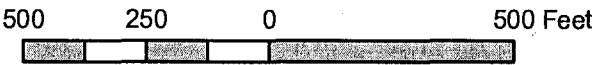


Legend

Subject Property

Town Boundary

Parcels





TOWN OF JUPITER

July 12, 2011

Mr. Lorenzo Aghemo, Director
Division of Planning
Palm Beach County
2300 N. Jog Road
West Palm Beach, Florida 33411

RE: Sierra Square Shopping Plaza Annexation, Future Land Use and Zoning
Map Amendments

Dear Mr. Aghemo:

At the June 21, 2011 public hearing, the Town Council approved (by a unanimous 5-0 vote) on 1st reading the annexation Future Land Use and Zoning Map amendments for the Sierra Square Shopping Plaza property. The adoption hearing for the three amendments is scheduled for the August 16, 2011 Town Council meeting.

Please contact me at your earliest convenience at either (561) 741-2452 or davidk@jupiter.fl.us, if you have any questions pertaining to the three Sierra Square Shopping Plaza applications.

Sincerely,

David M. Kemp, AICP
Principal Planner
Town of Jupiter

Cc: Patricia Behn, Palm Beach County Planning Division

K:\Staff\WP51\Annexations\Sierra Square 2011\Other Docs\07-12-11_PBCLt.doc

210 Military Trail • Jupiter, Florida 33458 • www.jupiter.fl.us
Phone (561) 741-2323 • Fax (561) 744-3116

LOXAHATCHEE RIVER DISTRICT

2500 Jupiter Park Drive, Jupiter, Florida 33458-8964
Telephone (561) 747-5700 Fax (561) 747-9929
E-mail: osprey@loxahatcheeriver.org
Website: www.loxahatcheeriver.org



Preserving Nature by Design

- Award Winning Wastewater Program
- WildPine Ecological Lab
- Busch Wildlife Sanctuary
- The River Center
- Friends of the Loxahatchee River

D. Albrey Arrington, PhD., Executive Director

November 10, 2010

Andrew D. Lukasik, Town Manager
Town of Jupiter
210 Military Trail
Jupiter, FL 33458

Re: Potential Annexation of Sierra Square Shopping Plaza

Dear Mr. Lukasik:

It has been brought to my attention that the owner of Sierra Square Shopping Plaza, 9250 Indiantown Road, will be filing a petition for voluntary annexation into the Town in the near future, as a condition of connecting to the Town's water system which is being extended along Indiantown Road. As you may be aware, Loxahatchee River District ("District") owns a parcel of land adjacent to Sierra Square. A 60 foot wide portion of the District's parcel is located between Sierra Square's eastern boundary and the Town's municipal boundary. This strip of land is occupied by a District-maintained road providing access, ingress, and egress between Indiantown Road and the balance of the District's parcel.

The District's parcel has a Future Land Use Designation of "Utility" and is zoned "PO-Public Ownership" by the County. As such, the entire parcel, including the 60 foot strip, is public utility property.

Please do not hesitate to contact me if you need any further information.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Albrey Arrington", written over a horizontal line.

D. Albrey Arrington, Ph.D.
Executive Director

cc: David Brown, Director of Utilities, TOJ
Thomas J. Baird, Town Attorney

Gordon M. Boggie
Board Member

Joseph O. Ellis
Board Member

Paul J. Whalen
Chairman

Harvey M. Silverman
Board Member

Sawyer Thompson Jr.
Board Member