

RESOLUTION NO. R-83-591

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE TOWN OF JUNO BEACH TO REZONE RECENTLY ANNEXED PROPERTY PURSUANT TO §171.062, FLORIDA STATUTES, AND TOWN OF JUNO BEACH RESOLUTION NO. 83-2

WHEREAS, by its Resolution No. 83-2, the Town of Juno Beach has requested permission from the Board of County Commissioners to rezone the property described therein which has been annexed into the corporate limits of the Town; and

WHEREAS, the property is currently zoned RS (Residential) and is subject to the Palm Beach County Comprehensive Land Use Plan, and

WHEREAS, the City proposes to rezone the property to RS (Residential); and

WHEREAS, the Comprehensive Land Use Plan recommends low to medium density for this parcel, and

WHEREAS, the Planning Division has reviewed the request and has found the proposed rezoning consistent with the Comprehensive Land Use Plan, as outlined in the May 17, 1983 memorandum, attached hereto and made a part hereof; and

WHEREAS, after consideration of the request this Board finds that the uses and densities in the Town's plan for the property will have no significant impact (as defined in the Comprehensive Plan or other adopted ordinances) on County systems; and

WHEREAS, based on the foregoing, this Board finds the proposed rezoning compatible with the Comprehensive Land Use Plan

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the request of the Town of Juno Beach in its Resolution No. 83-2 attached hereto and made a part hereof, is approved.

The foregoing Resolution was offered by Commissioner KOEHLER who moved for its adoption. The motion was seconded by Commissioner WILKEN, and upon being put to a vote, the vote was as follows

PEGGY B. EVATT	- Aye
KENNETH G. SPILLIAS	- Aye
DENNIS P. KOEHLER	- Aye
DOROTHY H. WILKEN	- Aye
BILL BAILEY	- Aye

The Chairman thereupon declared the Resolution duly passed and adopted this 24th day of MAY, 1983.

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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

JOHN B DUNKLE, Clerk

BY *John Cabot*
Assistant County Attorney

BY: *David K. ...*
Deputy Clerk

FILED THIS 21 1983 DAY OF
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269-279 FILED TO VERIFY
JOHN B DUNKLE CLERK
BY *John B Dunkle* DC

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Inter-Office Communication

PALM BEACH COUNTY

*Ok. Send to
Bancroft. JH*

TO Stan Redick -- -- DATE May 13, 1983
Planning Director
FROM Richard Morley FILE
Principal Planner
RE Annexation/Rezoning - Town of Juno Beach MAC Development
Resolution 83-2

The Planning Division has reviewed the above waiver request under Chapter 171.062 Florida Statutes and offers the following comments.

Background Information

The Town of Juno Beach has recently annexed and changed their Comprehensive Plan to reflect the annexation of a 2.3 acre parcel of land. The request is now for the purpose of rezoning the parcel from the County's Zoning Classification of Single Family Residential (RS) to the Town's Zoning Classification Single Family Residential (RS). The subject parcel is located along the east side of the Intracoastal Waterway west of Ellison Wilson Road. (see location map)

Land Use Plan Designation and Zoning Districts

- a) The subject site is presently zoned RS by the County.
- b) The Town proposes to rezone the property to RS
- c) There is little difference in land use density between the County's RS zone and the Town's proposed RS Zoning District
- d) The County's Land Use Plan identifies the subject annexed site as having a low to medium land use designation allowing for 3 units per acre in a standard subdivision and 5 units per acre in a Planned Unit Development.
- e) The proposed rezoning to RS is consistent with the County's Land Use Plan designation of Low to Medium for the site.

In summary, the Planning Division has determined that the requested RS Zoning District by the Town of Juno is consistent with the County's Comprehensive Land Use Plan. The RS Zoning District allowable densities will have no significant impact on County systems.

It is recommended that the waiver of County Zoning be granted to the Town of Juno Beach.



THE TOWN OF JUNO BEACH
 941 OCEAN DRIVE PHONE 626 1122
 PALM BEACH COUNTY
 FLORIDA 33409

April 26, 1983

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Mr. George Swatt
 Chairman, Board of County Commissioners
 Palm Beach County
 Box 1909
 West Palm Beach, Florida 33402

Re: MAC Development Corp. of Florida, Inc - annexation

Dear Mr. Swatt:

On January 14, 1983, the town of Juno Beach requested the county to grant approval to the town to rezone a tract of land upon its annexation. Subsequently, the town was informed of the new procedures for waiver or zoning change by municipalities.

Accordingly, in compliance with the new regulations I am enclosing the following:

Resolution 83-2 requesting the county to approve the rezoning by the town of a parcel of land to be annexed

Ordinance No. 262 annexing the tract of land.

Ordinance No. 263 amending the Land Use map to include the property

A map showing the location of the property in discussion

If anything further is needed to complete the submittal, please let me know. Any questions regarding the property should be directed to our planner, Dr. Thomas F. Kelsey at 626-9933

Sincerely,

Gail E. Nelson

Gail E. Nelson, LNC
 Town Clerk

GRN/asp

cc Mr. John C. Sansbury
 County Administrator, Palm Beach County

Mr. Robert E. Basenart
 Director, Dept. of Planning, Zoning, and Building,
 Palm Beach County

Mr. David Chudnow
 Dr. Thomas F. Kelsey

BOOK 290 272

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RESOLUTION NO. 83-2

A RESOLUTION OF THE TOWN OF JUNO BEACH, FLORIDA, REQUESTING PERMISSION FROM THE BOARD OF COUNTY COMMISSIONERS, PURSUANT TO FLORIDA STATUTES 171.062, TO REZONE LAND TO BE ANNEXED TO THE TOWN OF JUNO BEACH FROM THE COUNTY ZONING CLASSIFICATION RS TO THE TOWN'S ZONING CLASSIFICATION RS.

WHEREAS, the Town of Juno Beach has received a request for annexation from MAC Development Corporation of Florida, Inc ("MAC"), owner of the following property

A parcel contiguous to the western boundary of a tract of land lying in Section 32, Township 41 South, Range 43 East, more particularly described as follows: The approximate south 605 feet of the N E 1/4 of Section 32 which lies East of the easterly boundary of the right-of-way of the Intracoastal Waterway from Jacksonville to Miami, Florida as said right-of-way is shown on a map recorded in Plat Book 17 at Page 8 of the Public Records of Palm Beach County, said parcel bounded on the west by the F.I.N.D. canal, and having an East-West dimension of approximately 165+ feet and a dimension along its eastern boundary of approximately 605 feet, encompassing approximately 2 3 acres.

WHEREAS, the Town Commission at the January 12, 1983 regular meeting considered this annexation request and feels that the proper zoning for this parcel of land would be the Town's Zoning Classification RS; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF JUNO BEACH, FLORIDA, AS FOLLOWS

Section 1. That the Town Commission hereby requests permission from the Board of County Commissioners of Palm Beach County to rezone, when annexed, the property described above from County RS to Juno Beach RS District.

Section 2. That a certified copy of this resolution is being sent to the Board of County Commissioners, the County Administrator and the Director of Planning, Zoning and Building

PASSED AND ADOPTED in regular meeting on this 12th day of January, 1983.

ATTEST,

STATE OF FLORIDA)
COUNTY OF PALM BEACH) ss
TOWN OF JUNO BEACH)

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AN ORDINANCE OF THE TOWN COMMISSION OF JUNO BEACH, FLORIDA, ANNEXING A CERTAIN UNINCORPORATED TRACT OF LAND THAT IS CONTIGUOUS TO THE TOWN LIMITS OF JUNO BEACH WITHIN PALM BEACH COUNTY, WHICH SAID TRACT, UPON ITS ANNEXATION, WILL CONSTITUTE A REASONABLY COMPACT ADDITION TO THE TOWN, THIS ANNEXATION HAVING ORIGINATED BY THE PETITION OF THE OWNER OF SAID TRACT IN ACCORDANCE WITH FLORIDA STATUTES 171.044; PROVIDING THAT SAID PROPERTY SHALL INITIALLY BE ZONED RS, PROVIDING THAT THE TOWN LAND USE PLAN BE AMENDED IN CONFORMITY HEREWITH, REPEALING ALL ORDINANCES IN CONFLICT, PROVIDING A SAVINGS CLAUSE, AN EFFECTIVE DATE, AUTHORITY TO CODIFY, PUBLICATION, AND FOR OTHER PURPOSES.

WHEREAS, MAC Development Corporation of Florida, Inc ("MAC"), the owner of a tract of land described below, has petitioned the Town of Juno Beach for annexation and the Town has determined that Petitioner is the owner of the tract and

WHEREAS, the tract of land is within Palm Beach County and contiguous to the existing Town boundaries and would constitute a reasonably compact addition to the Town, and

WHEREAS, the annexation of said tract is hereby determined to be in the best interest of the Town of Juno Beach and its citizens,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF JUNO BEACH, FLORIDA, AS FOLLOWS

Section 1. That pursuant to Florida Statute 171.044 and the Charter of the Town of Juno Beach, Florida, the following described unincorporated and contiguous tract of land situate, lying and being in Palm Beach County, Florida, to wit

A parcel contiguous to the western boundary of a tract of land lying in Section 32, Township 41 South, Range 43 East, more particularly described as follows: The approximate south 605 feet of the N.E. 1/4 of Section 32 which lies East of the easterly boundary of the right-of-way of the Intracoastal Waterway from Jacksonville to Miami,

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a map recorded in Plat Book 17 at Page 3 of the Public Records of Palm Beach County, said parcel bounded on the west by the F. I. M. D. canal, and having an East-West dimension of approximately 165+ feet, and a dimension along its eastern boundary of approximately 605 feet, encompassing approximately 2.3 acres

is hereby annexed to the Town of Juno Beach, Florida, and such land so annexed shall be and become a part of said Town with the same force and effect as though originally incorporated therein.

Section 2. That upon annexation said property shall be zoned as follows

RS

Section 3. The subject property to be annexed is located in, and only within, the unincorporated area of Palm Beach County, Florida, is contiguous to the incorporated area of the Town of Juno Beach, Florida, and is reasonably compact to such incorporated area. The annexation of the proposed lands will not create an unincorporated enclave of land

Section 4. The territorial boundaries of the Town of Juno Beach, Florida, are hereby redefined so as to include the above-described property

Section 5. The Land Use Plan of the Town of Juno Beach shall be amended in conformity herewith

Section 6. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

Section 7. In the event that any provision or application of this ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected

Section 8. Specific authority is hereby granted to

Section 9. This ordinance shall not be passed until it has been advertised for four consecutive weeks in accordance with Florida Statutes 171.044.

Section 10. This ordinance shall take effect immediately upon its passage.

FIRST READING this 12th day of JANUARY, 1983

SECOND, FINAL READING AND PASSAGE, this 9th day of

MARCH, 1983.

TOWN OF JUNO BEACH, FLORIDA

Mayor

Commissioner

Commissioner

Commissioner

Commissioner

(CORP SEAL)

ATTEST,

Carol F. Nelson
Town Clerk

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STATE OF FLORIDA)
COUNTY OF PALM BEACH) ss
TOWN OF JUNO BEACH)

I, Carol F. Nelson, Town Clerk of the Town of Juno Beach DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of a document the original of which is on file in the Office of the Town Clerk of the Town of Juno Beach Florida

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal this 26th day of APRIL A.D. 1983

AN ORDINANCE OF THE TOWN COMMISSION OF JUNO BEACH, FLORIDA, AMENDING THE LAND USE MAP BY ASSIGNING THE USE "SINGLE FAMILY" TO A PARCEL OF LAND THAT HAS BEEN ANNEXED TO THE TOWN, THIS LAND USE MAP AMENDMENT BEING IN ACCORDANCE WITH FLORIDA STATUTES 163.3187; REPEALING ALL ORDINANCES IN CONFLICT, PROVIDING A SAVING CLAUSE, AN EFFECTIVE DATE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.

WHEREAS, the town of Juno Beach has annexed a tract of land described below and

WHEREAS, the tract of land is within the existing town boundaries and

WHEREAS, the annexation of said tract was determined to have been in the best interest of the town of Juno Beach and its citizens as cited in Ordinance No. 262,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF JUNO BEACH, FLORIDA, AS FOLLOWS

SECTION 1. That pursuant to Florida Statute 163.3107 and the charter of the town of Juno Beach, Florida, the following described tract of land situate, lying and being in the town of Juno Beach, Florida, to wit

A parcel contiguous to the western boundary of a tract of land lying in Section 32, Township 41 South, Range 43 East, more particularly described as follows: the approximate south 605 feet of the N.E. 1/4 of Section 32 which lies east of the easterly boundary of the right-of-way of the Intracoastal Waterway from Jacksonville to Miami, Florida as said right-of-way is shown on a map recorded in Plat Book 17 at Page 8 of the Public Records of Palm Beach County, said parcel bounded on the west by the F.I.N.D. canal, and having an east-west dimension of approximately 100+ feet and a dimension along its eastern boundary of approximately 600 feet, encompassing approximately 2.3 acres

SECTION 2. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

SECTION 3. In the event that any provision or application of this ordinance shall be held to be invalid it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

SECTION 4. Specific authority is hereby granted to codify this ordinance.

SECTION 5. This ordinance shall take effect immediately upon its passage.

FIRST READING THIS 5th DAY OF NOVEMBER, 1923

SECOND, FINAL READING AND PASSAGE, THIS 13th DAY OF

NOVEMBER, 1923

TOWN OF JUNO BEACH, FLORIDA

Mayor

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST

Town Clerk

STATE OF FLORIDA)
COUNTY OF PALM BEACH) ss
TOWN OF JUNO BEACH)

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I Carl F. Nelson, Town Clerk of the Town of Juno Beach DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of a Document the original of which is on file in the Office of the Town Clerk of the Town of Juno Beach Florida.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal this 25th day of April AD 1923
TOWN SEAT.

**JUNO
BEACH** FLORIDA



**BARKER
OSHA &
ANDERSON, INC**

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