

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-02

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR THE REZONING OF LAND CONSISTING OF 6.55 ACRES, MORE OR LESS, LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND LOXAHATCHEE AVENUE, LOXAHATCHEE GROVES, FLORIDA (REZ 2013-03), LEGALLY DESCRIBED AND AS DESIGNATED ON THE MAP ATTACHED AS EXHIBIT "A" TO THIS ORDINANCE, FROM TOWN OF LOXAHATCHEE GROVES ZONING DESIGNATION AGRICULTURAL RESIDENTIAL (AR) TO THE TOWN'S ZONING DESIGNATION COMMERCIAL LOW (CL) IN ACCORDANCE WITH A SMALL-SCALE LAND USE PLAN AMENDMENT APPLICATION BY NANCY C. DRYSDALE, THE APPLICANT AND PROPERTY OWNER THROUGH ORDINANCE 2014-01; PROVIDING FOR THE APPROPRIATE REVISIONS OF THE ZONING DISTRICT MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 16, 2010, the Town adopted Ordinance 2010-009, which adopted the Town's Unified Land Development Code (ULDC), including the designation of zoning districts in the Town, consistent with the Town's Comprehensive Plan; and,

WHEREAS, the Property Owner, Nancy C. Drysdale (Applicant), owner of the property, has petitioned the Town to approve a Small-Scale Land Use Amendment and a the proposed rezoning of certain property located at the Northwest corner of Southern Boulevard and Loxahatchee Avenue, Loxahatchee Groves, Florida, totaling approximately 6.55 acres, more or less, legally described and as designated on the map in Exhibit "A", attached hereto (the "Property"), to change the Town of Loxahatchee Groves zoning designation on the property from Agricultural Residential (AR) to the Town's zoning designation of Commercial Low (CL), as the property is being proposed for commercial development; and,

WHEREAS, the Town's Planning Consultant recommends approval of the Rezoning Application on Applicant's Property from the Agricultural Residential (AR) Zoning Category to the Commercial Low (CL) Zoning Category, subject to Ordinance 2014-01 being approved and becoming

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effective, as further set forth in a report to the Town Council, setting forth recommendations and conditions, which report is incorporated herein; and,

WHEREAS, at its meeting of December 12, 2013, the Town's Local Planning Agency, considered the request to rezone the Property, and recommended approval to the Town Council; and

WHEREAS, the notice and hearing requirements for adoption of rezoning ordinances contained in the Florida Statutes and the Town's Code of Ordinances have been satisfied; and

WHEREAS, the Town Council of the Town of Loxahatchee Groves has conducted a quasi-judicial hearing and considered the petition for rezoning, the recommendation of the Town's Planning Consultant and Local Planning Agency, and the comments from the public.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AS FOLLOWS:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct, and are hereby made a specific part of this Ordinance.

Section 2. The rezoning of the property located at the Northwest corner of Southern Boulevard and Loxahatchee Avenue, Loxahatchee Groves, Florida (REZ 2013-03, totaling approximately 6.55 acres, more or less legally described, and as designated on the map, in Exhibit "A", attached hereto, from Town of Loxahatchee Groves zoning designation Agricultural Residential (AR) to the Town's zoning designation of Commercial Low (CL) is hereby Approved, subject to Ordinance 2014-01 being approved and becoming effective, as further set forth in a report to the Town Council, setting forth recommendations and conditions, which report is incorporated herein.

Section 3. The Town Administration is hereby authorized and directed to make appropriate changes on the zoning map of the Town, to effectuate the purpose of this ordinance.

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Section 4. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered eliminated and so not affecting the validity of the remaining portion or applications remaining in full force and effect.

Section 5. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

Section 6. This Ordinance shall take effect upon Ordinance 2014-01 becoming effective.

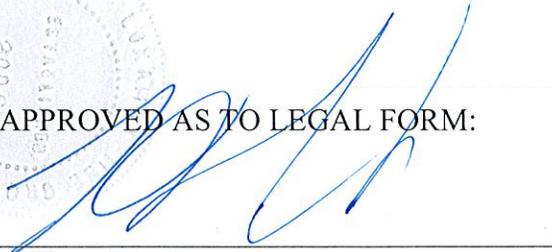
PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 14th DAY OF JANUARY, 2014.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 4th DAY OF March, 2014.

ATTEST:


TOWN CLERK

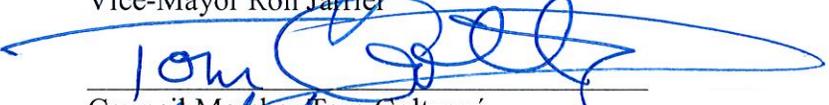
APPROVED AS TO LEGAL FORM:

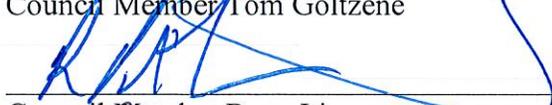

Office of the Town Attorney

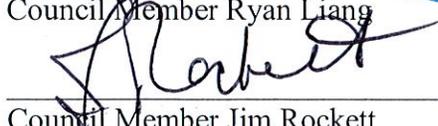
**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**


Mayor David Browning


Vice-Mayor Ron Jarrick


Council Member Tom Goltzené


Council Member Ryan Liang


Council Member Jim Rockett

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EXHIBIT A – REZONING 2013-03

- 1. Legal Description**
- 2. ZONING MAP Amendment**

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1. LEGAL DESCRIPTION

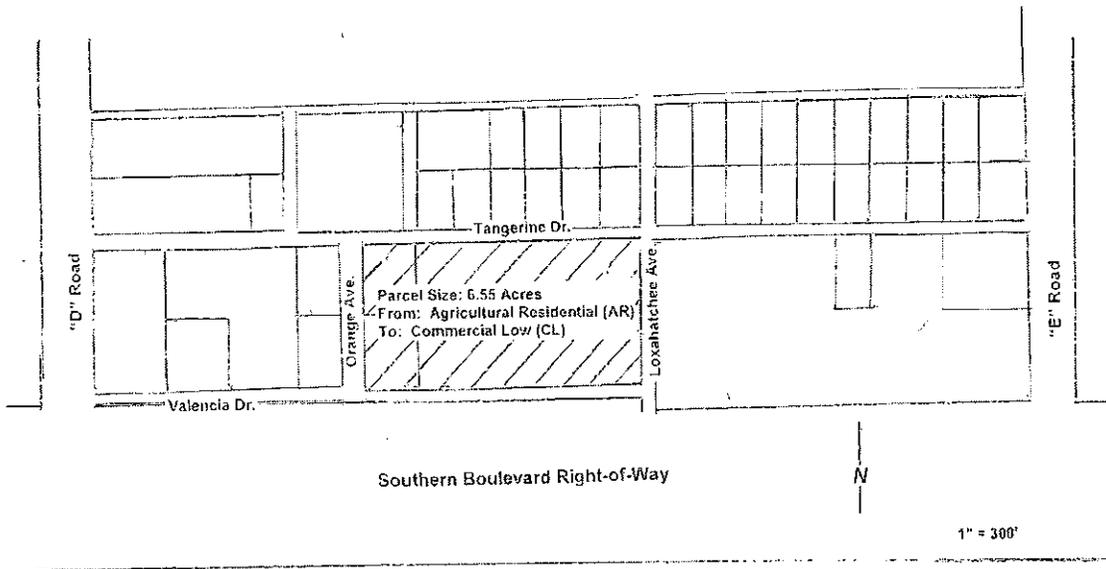
LOT 208, LOT 209, LOTS 210 – 215, INCLUSIVE, PLAT ONE LOXAHATCHEE HOMES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 22, PAGE 55, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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2. ZONING MAP AMENDMENT REZ 2013-03

ATTACHMENT A2
ZONING MAP AMENDMENT REZ 2013-03:
DRYSDALE PROPERTY



Drysdale Property
CPA 2013-02(SS) and REZ 2013-03 Applications
December 4, 2013