

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-07

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR THE REZONING OF LAND CONSISTING OF THREE ADJOINING PARCELS, TOTALING APPROXIMATELY 2.1879 ACRES, MORE OR LESS, LOCATED AT OR NEAR 15003 AND 14955 SOUTHERN BOULEVARD, EAST OF "C" ROAD, LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT "A" TO THIS ORDINANCE, FROM PALM BEACH COUNTY ZONING DESIGNATION COMMERCIAL GENERAL (CG) TO THE TOWN'S ZONING DESIGNATION COMMERCIAL LOW (CL); 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, Ordinance 2010-009, did not rezone properties in the Town to assign the Town's zoning designation; instead the Ordinance provided that properties would rezone at the time of development or redevelopment; and,

WHEREAS, the Property Owner (Gasper Morello) has consented to the proposed rezoning of certain property located on Southern Boulevard, east of "C" Road, at or near 15003 and 14955 Southern Boulevard, Loxahatchee Groves, Florida, totaling approximately 2.1879 acres, more or less, the legal description of which is set forth in Exhibit "A", attached hereto (the "Property"), from Palm Beach County zoning designation Commercial General (CG) to the Town's zoning designation of Commercial Low (CL), as a portion of the property is being considered for redevelopment for a retail sales operation of hay and related products of an agricultural nature; and,

TOWN OF LOXAHATCHEE GROVES
79 SOUTHERN BLVD., #2
LOXAHATCHEE GROVES, FL 33470

08-22-12P01:20 RCVD

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-07

WHEREAS, at its meeting of June 14, 2012, the Town’s Planning and Zoning Board, 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 Planning and Zoning Board, 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 zoning of the property located on Southern Boulevard, east of “C” Road, at or near 15003 and 14955 Southern Boulevard, Loxahatchee Groves, Florida, totaling approximately 2.1879 acres, more or less, the legal description of which is set forth in Exhibit “A”, attached hereto, from Palm Beach County zoning designation Commercial General (CG) to the Town’s zoning designation of Commercial Low (CL) is hereby approved.

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.

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

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-07

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.

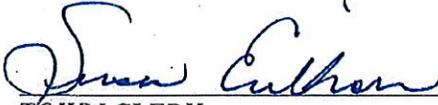
Section 6. This Ordinance shall take effect as provided by law.

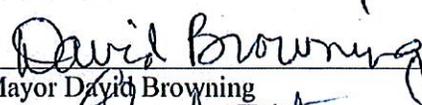
PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 26th DAY OF JUNE, 2012.

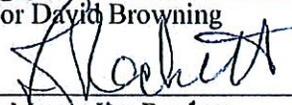
PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 21ST DAY OF AUGUST, 2012.

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:


TOWN CLERK


Mayor David Browning

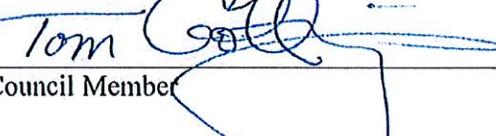

Vice Mayor Jim Rockett


Council Member

APPROVED AS TO LEGAL FORM:


Office of the Town Attorney


Council Member


Council Member

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2012-07

EXHIBIT A

LEGAL DESCRIPTION

The Town Council of the Town of Loxahatchee Groves, Florida, will hold a Quasi-Judicial Public Hearing regarding the rezoning of real property owned by you, comprised of three (3) parcels east of "C" Road, on Southern Boulevard, at or near 15003 and 14955 Southern Boulevard, Loxahatchee Groves, Florida, and legally described as follows:

Parcel Control Number: 41-41-43-17-01-807-0120
LOXAHATCHEE GROVES W 130.20 FT OF TR 7 LYG N OF & ADJ TO SR
80 R/W

and

Parcel Control Number: 41-41-43-17-01-807-0070
LOXAHATCHEE GROVES S 300 FT OF E 206.5 FT OF W 336.7 FT OF THE
PT OF TR 7 LYG N OF & ADJ TO ORIG R/W SR 80 (LESS S 120 FT ADDL
R/W SR 80) BLK 1

and

Parcel Control Number: 41-41-43-17-01-807-0110
LOXAHATCHEE GROVES S 300 FT OF E 193.38 FT OF W 530.08 FT OF
THE PT OF TR 7 LYG N OF & ADJ TO ORIG R/W SR 80 (LESS S 120 FT
ADDL R/W SR 80) BLK 1

(collectively, the "Property")

