

**ORDINANCE NO. 448**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS OFFICIAL ZONING MAP, AS AMENDED, BY REDESIGNATING AN APPROXIMATELY .98 ACRE PARCEL FROM PALM BEACH COUNTY RH – MULTI-FAMILY (HIGH DENSITY) DESIGNATION TO THE TOWN OF HAVERHILL'S R-1 SINGLE FAMILY RESIDENTIAL DESIGNATION AS REQUESTED BY JORGE E. RODRIGUEZ AND ANA L. RODRIGUEZ, OWNERS OF THE PROPERTY AT 1310 PARK LANE, WHICH PARCEL IS LOCATED ON THE EAST SIDE OF PARK LANE APPROXIMATELY 167 FEET NORTH OF THE INTERSECTION OF CYPRUS LANE; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.**

**WHEREAS**, there has been filed with the Town Administrator of the Town of Haverhill, Florida, a Petition by Jorge E. Rodriguez and Ana L. Rodriguez, owners of the property to be annexed located at 1310 Park Lane, ("Petitioners") requesting voluntary annexation to the corporate area of the Town of Haverhill, Florida and requesting to be included therein; and

**WHEREAS**, the Town will consider the annexation of said property concurrent with this application and pursuant to the terms of Ordinance 446 to be adopted; and

**WHEREAS**, the Petitioner is now requesting that the zoning designation for the subject property be changed from RH – Multi Family (High Density) under Palm Beach County's Land Development Code to R-1 – Single Family Residential under the Zoning Code under the Code of Ordinances for the Town of Haverhill, as amended; and

**WHEREAS**, the Town Council of the Town of Haverhill, as the governing body of the Town of Haverhill, pursuant to the authority vested in Chapter 166, Florida Statutes, and the Charter of the Town of Haverhill, is authorized and empowered to consider petitions relating to Zoning;

**WHEREAS**, the notice and hearing requirements as provided in the Zoning Code for the Town of Haverhill have been satisfied; and

**WHEREAS**, the Town Council has considered the evidence and testimony presented by the Petitioner, Town Staff, and other interested parties; and

**WHEREAS**, the Official Zoning Map amendment is consistent with the requirements of the Comprehensive Plan and the Zoning Code; and

**WHEREAS**, the Official Zoning Map amendment is compatible with surrounding land uses and zones and is the appropriate zoning district for the land; and

**WHEREAS**, the Official Zoning Map amendment promotes the public health, safety and welfare and is in the best interest of the Town:

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

**SECTION 1. AMENDMENT TO OFFICIAL ZONING MAP**

That the Petition for rezoning, from RH – Multi Family (High Density) under Palm Beach County’s Land Development Code to R-1 – Single Family Residential under the Zoning Code under the Code of Ordinances for the Town of Haverhill, as amended; is hereby granted and the Official Zoning Map for the Town of Haverhill is hereby amended to indicate the rezoning of the below referenced property from RH – Multi-Family (High Density) to R-1 Single Family Residential which property (shown on the map attached hereto and made a part hereof as Exhibit “A”) is located at 1310 Park Lane, Haverhill, Palm Beach County, Florida, and more particularly described as:

**Beginning at a point 1007.45 feet Easterly and 1615 feet Northerly from Southwest Corner, Section 25, Township 43 South, Range 42 East, palm Beach County, Florida; thence Northerly 137 feet; thence Westerly 313.48 feet; thence Southerly 137 feet; thence Easterly 313.45 feet to Point of Beginning.**

**Also known as Lot 27, of Haverhill Parks, as shown in Deed Book 941, Page 166, of the Public Records of Palm Beach County, Florida.**

PCN: 00-42-43-25-00-000-7250

**SECTION 2.** The Mayor and Town Administrator are hereby authorized and directed to do all things necessary to effectuate this zoning map amendment to the Official Zoning Map; and authority is hereby granted to codify and incorporate this ordinance into the existing Code of Ordinances of the Town of Haverhill.

**SECTION 3.** If any section or portion of a section of this Ordinance is for any reason held or declared to be invalid, unlawful or unconstitutional, it shall not be held to impair the invalidity, force or effect of any other section or part of this Ordinance.

**SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby revoked and repealed.

**SECTION 5.** This ordinance and the official zoning map change shall become effective 21 days after the adoption hereof.

PASSED AND APPROVED ON FIRST READING this 25th day of May, 2017.

THE SECOND AND FINAL READING was held this 8th day of June 2017. Council member REMAR HARVIN offered the foregoing Ordinance, and moved its adoption. The Motion was seconded by Council member LAURENCE GORDON and upon being put to a vote, the vote was as follows:


**Jay G. Foy, Mayor**  
**Lawrence Gordon, Vice Mayor**  
**Mark C. Uptegraph, Council Member**  
**Jo H. Plyler, Council Member**  
**Remar Harvin, Council Member**

AYE  
AYE  
ABSENT  
ABSENT  
AYE

The Mayor thereupon declared this Ordinance approved and duly adopted by the Town Council of the Town of Haverhill, Florida.

**ATTEST:**

**TOWN OF HAVERHILL, FLORIDA**

  
\_\_\_\_\_  
**Janice C. Rutan, Town Administrator**

  
\_\_\_\_\_  
**Jay G. Foy, Mayor**

**PROOF OF PUBLICATION STATE OF FLORIDA**

**PUBLIC NOTICE**

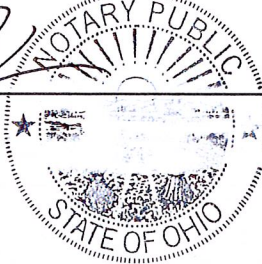
Before the undersigned authority, personally appeared Tiffani Everett, who on oath, says that he/she is a Legal Advertising Representative of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Martin County, and St. Lucie County, Florida; that the attached copy of advertising for a P-Main Legal ROP was published in said newspaper on First date of Publication 05/14/2017 and last date of Publication 05/21/2017. Affiant further says that the said The Palm Beach Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

HAVERHILL, TOWN OF  
4585 CHARLOTTE ST  
WEST PALM BEACH, FL 33417-5911

Invoice/Order Number: 0000141902  
Ad Cost: \$1,400.00  
Paid: \$0.00  
Balance Due: \$1,400.00

Signed \_\_\_\_\_ *Tiffani Everett*  
(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 23rd day of May, 2017 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed \_\_\_\_\_ *Justin Peterson*  
(Notary)  
  
JUSTIN PETERSON, Notary Public  
in and for the State of Ohio  
My Commission Expires July 31, 2019

Please see Ad on following page(s).

Invoice/Order Number: 0000141902  
Ad Cost: \$1,400.00  
Paid: \$0.00  
Balance Due: \$1,400.00

# TOWN OF HAVERHILL TOWN COUNCIL NOTICE OF PUBLIC HEARING TO CONSIDER APPLICATION FOR LAND USE PLAN AMENDMENT AND REZONING

A PUBLIC HEARING will be held on the following proposed Ordinances at the Town Hall, 4585 Charlotte Street, Haverhill, Florida at the following dates and times:

- Thursday, May 25, 2017 @ 7:00 p.m. Local Planning Agency (LPA)  
Town Council First Reading  
(Immediately following  
LPA Hearing)
- Thursday, June 8, 2017 @ 7:00 p.m. Town Council Final  
Adoption Hearing

The applications for Voluntary Annexation, Land Use Plan Amendment and Rezoning may be inspected at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida 33417 between the hours of 7:30 a.m. and 4:00 p.m. Monday thru Friday, except legal holidays. All interested parties are invited to attend and be heard with respect to the proposed applications. The ordinance may be postponed, continued or withdrawn without prior notice.

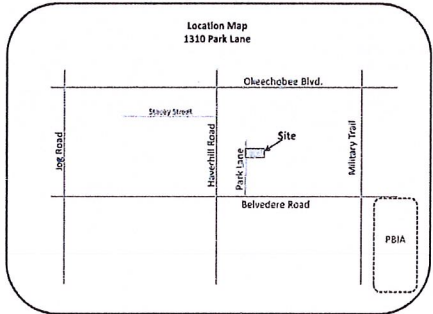
**PLEASE TAKE NOTICE AND BE ADVISED** that if any interested person desires to appeal any decision made by the Town Council with respect to any matter considered at such meeting or hearing, such person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act (ADA), auxiliary aids or services will be provided upon request with at least three (3) working days notice. Please contact Janice Rutan at (561) 659-0370 ext. 24 for information.

### ORDINANCE NO. 447

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS 2009 COMPREHENSIVE PLAN, AS AMENDED, BY AMENDING AND MODIFYING THE FUTURE LAND USE MAP OF ITS LAND USE ELEMENT BY CHANGING AN APPROXIMATELY .98 ACRE PARCEL FROM THE PALM BEACH COUNTY LR 2 - LOW RESIDENTIAL (2 UNITS PER ACRE) DENSITY FUTURE LAND USE DESIGNATION TO THE TOWN OF HAVERHILL'S LOW DENSITY (4 UNITS PER ACRE) AS REQUESTED BY JORGE E. RODRIGUEZ AND ANA L. RODRIGUEZ, OWNERS OF THE PROPERTY AT 1310 PARK LANE, WHICH PARCEL IS LOCATED ON THE EAST SIDE OF PARK LANE APPROXIMATELY 167 FEET NORTH OF THE INTERSECTION OF CYPRUS LANE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

### ORDINANCE NO. 448

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ATTEST: Janice C. Rutan  
Town Administrator

Publish: Palm Beach Post: May 14, 2017  
May 28, 2017

