

ORDINANCE NO. 07-2019

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA AMENDING APPENDIX A-ZONING CODE, ARTICLE I-GENERAL PROVISIONS OF THE CODE OF ORDINANCES OF THE TOWN OF JUPITER INLET COLONY, FLORIDA AS FOLLOWS: BY AMENDING SECTION 10.1. DEVELOPMENT STANDARDS FOR SINGLE FAMILY RESIDENCES IN ORDER TO PROVIDE REGULATIONS FOR SECOND STORY WINDOWS, DECKS, TERRACES AND BALCONIES; BY AMENDING SECTION 12. CONDITIONAL USES TO PROVIDE THAT DRIVEWAY GATES ON RESIDENCIAL LOTS SHALL REQUIRE CONDITIONAL USE APPROVAL; BY AMENDING SECTION 13. BUILDING AND WALL HEIGHT REGULATIONS IN ORDER TO PROVIDE REGULATIONS FOR ROOFTOP DECKS AND TERRACES; BY AMENDING SECTION 17. GENERAL PROVISIONS AND EXCEPTIONS TO PROVIDE THAT DRIVEWAY GATES ARE ALLOWED ON RESIDENTIAL LOTS SUBJECT TO CONDITIONAL USE APPROVAL: PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA, AS FOLLOWS:

SECTION 1. APPENDIX A-ZONING CODE, Article I-General Provisions, Section 10.1. *Development standards for single family residences* of the Code of Ordinances of the Town of Jupiter Inlet Colony, Florida is hereby amended as follows:

(A) Mass and Volume Distribution. Because lots within the town are limited in size, the massing and volume of any new residential building or addition should be sensitive to the profiles of adjacent buildings and should locate second stories adequately to reduce the apparent overall scale of the building. Second story windows, decks, terraces, and balconies for new construction shall be designed and located to ensure privacy for adjacent properties to the extent possible.

Subsections B through F are unchanged.

SECTION 2. APPENDIX A-ZONING CODE, Article I-General Provisions, Section 12. *Conditional Uses* of the Code of Ordinances of the Town of Jupiter Inlet Colony, Florida is hereby amended as follows:

(A) The following conditional uses may be permitted by the Town Commission:

(1) Unchanged.

- (2) Unchanged.
- (3) Unchanged
- (4) Driveway gates on residential lots.

Subsections B through E are unchanged.

SECTION 3. APPENDIX A-ZONING CODE, Article I-General Provisions, Section 13. *Building and Wall Height Regulations.* of the Code of Ordinances of the Town of Jupiter Inlet Colony, Florida is hereby amended as follows:

Subsections A through C are unchanged.

(D) Rooftop decks and terraces. Unenclosed roof top decks and terraces on back-to-back lots shall only be permitted in the Town as follows:

- (1) The finished slab or deck on which a person could walk is a minimum ten (10) feet below the maximum height allowed for the structure, measured from the average finished grade; or
- (2) The deck or terrace is below a fully enclosed roof or roof extension of the residence.
- (3) Existing rooftop decks and terraces shall be considering nonconforming and may continue to exist and be maintained in the manner that they were permitted, but shall not be expanded or replaced unless they meet one of the standards above.

SECTION 4. APPENDIX A-ZONING CODE, Article I-General Provisions, Section 17. *General Provisions and Exceptions* of the Code of Ordinances of the Town of Jupiter Inlet Colony, Florida is hereby amended as follows:

Subsections A through F are unchanged.

G) *Utility Poles, Fences, and Walls Used as Fences.*

- (1) Unchanged
- (2) Unchanged

(3) Driveway gates are allowed on residential lots, subject to Section 12. - Conditional Uses. Driveway gates are required to open on the property and not infringe on the road right of way. Maximum height of the gate is allowed per section 17(G)(2) as noted above.

Subsections H through J are unchanged.

SECTION 5. Specific authority is hereby granted to codify and incorporate this Ordinance into the existing Code of Ordinances of the Town of Jupiter Inlet Colony, Florida.

SECTION 6. That all Ordinances or parts or Ordinances, in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 7. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

SECTION 5. This Ordinance shall become effective immediately upon its passage and adoption.

FIRST READING this 9th day of December 2019.

SECOND READING and FINAL PASSAGE this 13th day of January 2020.

TOWN OF JUPITER INLET COLONY, FLORIDA

Mayor- Daniel J. Comerford, III

Vice-Mayor Milton J. Block

Commissioner Michael A. Armato

Commissioner Saeed A. Khan

Commissioner Richard D. Busto

ATTEST:

Town Clerk Jude M. Goudreau