

**ORDINANCE NO. 09-2017**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA, AMENDING APPENDIX A-ZONING CODE, ARTICLE I, GENERAL PROVISIONS, SECTION 14. FRONT, REAR AND SIDE YARD REGULATIONS OF THE CODE OF ORDINANCES IN ORDER TO AMEND SUBSECTION (D) TO REVISE THE FRONT AND SIDE YARD SETBACK REQUIREMENTS FOR SINGLE STORY RESIDENCES FOR LOTS 195, 201, 212, 213 AND 214; BY FURTHER AMENDING SECTION 14 TO AMEND SUBSECTION (E) IN ORDER TO PROVIDE THAT A WALKWAY SHALL NOT BE INSTALLED IN A SIDE YARD ADJACENT TO AN AREA WHERE A PATIO, DECK, OR POOL DECK EXTENDS INTO A SIDE YARD AREA; BY FURTHER AMENDING SECTION 14 TO CREATE A NEW SUBSECTION (G) IN ORDER TO AMEND THE FRONT YARD SETBACK PROVISIONS FOR SINGLE STORY RESIDENCES FOR LOTS 25-28, INCLUSIVE, 31-47, INCLUSIVE, 52, 55-69, INCLUSIVE, 204, 205, 210, 219 AND 235; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

NOW, THEREFORE, BE IT ENACTED 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 14.**

Front, Rear and Side Yard Regulations. of the Code of Ordinances of the Town of Jupiter Inlet Colony, Florida is hereby amended to read as follows:

**Section 14. Front, Rear, and Side Yard Regulations.**

Except as set forth in subsections (D), (E), (F) and (G), the following minimum front, rear and side yard setbacks shall be observed, as measured from the lot line to the finished surface of the foundation.

- (A) Front yards shall not be less than twenty-five (25) feet in depth measured from the front lot line to the nearest point of any structure.
- (B) Rear yards shall not be less than ten (10) feet in depth.
- (C) Side yards shall be provided on each side of every structure of not less than ten (10) feet, except that any side yard for lots with an area of 11,000 square feet or less abutting a street shall have a minimum width of fifteen (15) feet.

- (D) Minimum yard setbacks for Lots 44, 45, 46, 47, 52, 55, 182, 195, 201, and 210, 212, 213 and 214 for a single story residence when conforming to Sections 10 and 10.1 of Appendix A-Zoning Code shall be as follows: front yard 23 feet; side yard 9 feet and rear yard 10 feet.
- (E) A non-elevated walkway of no greater than three (3') feet in width may be installed in a side yard area; provided, no walkway shall be installed in a side yard area adjacent to where a patio, deck or pool deck extends into the side yard area as permitted by Section 14(F). For purposes of this provision, the side yard area shall include only the side yard area between the front and rear setback lines. Except as provided herein and in Section 14(F), and also excepting equipment pads, no other structure or improvement of any nature shall be constructed or placed in a side yard area.
- (F) Non-elevated patios, decks and pool decks may extend no more than three (3') feet into rear and side yard areas. ~~For purposes of this provision, the rear yard area shall include only the rear yard area between the side setback lines.~~ Except as provided herein and in Section 14(E), no other structure or improvement of any nature shall be constructed or placed in a rear or side yard area.
- (G) The front setback for Lots 25 through 28, inclusive, 31 through 47, inclusive, 52, 55 through 69, inclusive, 204, 205, 210, 219 and 235 for a single story residence when conforming to Sections 10 and 10.1 of Appendix A-Zoning Code shall be as follows:
- 1.) For east facing lots: The front setback shall be calculated as a line extending from a point 25 feet from the front property line on the south property line to a point 22.5 feet from the front property line on the north property line.
  - 2.) For west facing lots: The front setback shall be calculated as a line extending from a point 25 feet from the front property line on the north property line to a point 22.5 feet from the front property line on the south property line.
  - 3.) The front setback for Lot 235 shall be calculated as a line extending from a point 22.5 feet from the front property line on the west property line to a point 25 feet from the front property line on the east property line.

Rear and side setbacks shall remain as set forth in Section 14(B) and (C).

SECTION 2. Specific authority is hereby granted to codify and incorporate this ordinance into the existing Code of Ordinances of the Town of Jupiter Inlet Colony.

SECTION 3. That all ordinances or parts or ordinances, in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 4. 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 upon its passage and adoption.

FIRST READING this 10<sup>th</sup> day of October, 2017.

SECOND READING and FINAL PASSAGE this 13<sup>th</sup> day of November, 2017.

TOWN OF JUPITER INLET COLONY, FLORIDA

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MAYOR DANIEL J. COMERFORD, III

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VICE-MAYOR THOMAS M. DISARNO

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COMMISSIONER JEROME A. LEGERTON

\_\_\_\_\_  
COMMISSIONER MILTON J. BLOCK

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COMMISSIONER RICHARD D. BUSTO

ATTEST:

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TOWN CLERK JUDE M. GOUDREAU