

RESOLUTION NO. 84-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA, REQUESTING PERMISSION FROM THE BOARD OF COUNTY COMMISSIONERS, PURSUANT TO FLORIDA STATUTES 171.062, TO REZONE LAND TO BE ANNEXED TO THE CITY OF DELRAY BEACH FROM THE COUNTY ZONING CLASSIFICATION CG (GENERAL COMMERCIAL) TO THE CITY'S ZONING CLASSIFICATION SAD (SPECIAL ACTIVITIES) DISTRICT.

WHEREAS, the City of Delray Beach has received a request for annexation from Samuel J. Acquilano, applicant; of the following described property:

All of the South half (S $\frac{1}{2}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of the northeast quarter (NE $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of Section 21, Township 36 South, Range 43 East, in Palm Beach County, Florida, less and excepting therefrom right-of-way for U.S. Highway No. 1 (formerly State Road No. 5) as described in Right-of-Way Deed dated June 9, 1955, recorded in Deed Book 1100, Page 165, and right-of-way for U.S. Highway No. 1 as described in Right-of-Way Deed dated November 1, 1960, recorded in Official Record Book 568, Page 288, Palm Beach County, Florida, Public Records. (Excluding any portion of subject parcel lying east of right-of-way of U.S. Highway No. 1.

The above described premises are more particularly bounded and described as follows: Beginning at an iron pipe in the West line of U.S. No. 1, (formerly State Road No. 5), being also in the North line of Tract 1, LAMBERT TRAILER COURT, according to the Plat thereof, recorded in Plat Book 22, Page 41, Public Records of Palm Beach County, Florida; thence in a Southwesterly direction 239.38 feet along the North line of Tract 1 to a pipe; thence Northwesterly at an interior angle of 89°12' 44", 330.96 feet to a concrete monument; thence Northeasterly at an interior angle of 90°41'48", 289.61 feet to an iron pipe in the West line of said road; thence Southeasterly on a curve to the right having a radius of 2836.93', and arc length of 335.35' along the West line of said highway to the place of beginning. Being the same premises described in a deed to O.A. Sutton from Southern Federal Savings and Loan Association of Broward County, recorded in the Public Records of Palm Beach County, Florida concurrently herewith;

and,

WHEREAS, the City Council has considered this annexation request and approves annexation of the subject parcel; and,

WHEREAS, in order for this parcel to be zoned to the City zoning classification of SAD (Special Activities) District upon annexation, it is necessary under Chapter 171.062 of the Florida Statutes for the City to request permission from the Board of County Commissioners of Palm Beach County, Florida, for the change in zoning of this parcel which is currently zoned CG (General Commercial) in the County.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the City Council hereby requests permission from the Board of County Commissioners of Palm Beach County to rezone, when annexed, the property described above from CG (General Commercial) to SAD (Special Activities) District which would result in a reduction in the types of commercial uses which may be utilized on the subject property.

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