

RESOLUTION NO. R-82-1096

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING CITY-OF DELRAY BEACH TO REZONE PROPERTY AFTER ANNEXATION PURSUANT TO s.171.062, FLORIDA STATUTES AND CITY OF DELRAY BEACH RESOLUTION NO. 78-82.

WHEREAS, by its Resolution No. 78-82, City Delray Beach has requested permission from the Board of County Commissioners to rezone the property described therein after annexation of same into the corporate limits of the City; and

WHEREAS, the property is currently zoned RH (High Density Residential) and is subject to the Palm Beach County Comprehensive Land Use Plan; and

WHEREAS, the City of Delray Beach proposes to rezone the property to RM-10 (Multiple Family) to allow the petitioner to develop the parcel for multi-family units; and

WHEREAS, the Comprehensive Land Use Plan recommends medium to medium high (M-MH) residential density for this parcel; and

WHEREAS, the Planning, Zoning and Building Department has reviewed the request and offers no formal objections to same as more fully outlined in the September 16, 1982 memo of the Planning Director, attached hereto and made a part hereof; and

WHEREAS, Florida Statutes 171.062, requires that when a city desires to rezone property which was previously subject to county land use control that the city must request and receive permission for such change from the Board of County Commissioners of the respective county;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the request of City of Delray Beach in its Resolution No.78-82, attached hereto and made a part hereof, is hereby approved.

The foregoing resolution was offered by Commissioner Evatt, who moved its adoption. The motion was seconded by Commissioner Koehler, and upon being put to a vote, the vote was as follows:

NORMAN R. GREGORY	AYE
PEGGY B. EVATT	AYE
FRANK H. FOSTER	AYE
DENNIS P. KOEHLER	AYE
BILL BAILEY	AYE

adopted this 12th day of October, 1982.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

BY:

Frank Chavira
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

John Cortlett
County Attorney

OCT 12 1982

FILED THIS DAY OF
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AND RECORDED IN RESOLUTION
MINUTE BOOK NO. 267 AT
PAGE 320 - 323 RECORD VERIFIED
JOHN B. DUNKLE, CLERK
BY *Patty Boo* D.C.

82 1096

BOOK 267 321

RESOLUTION NO. 78-82

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 RH-RESIDENTIAL MULTIPLE FAMILY (HIGH DENSITY) TO THE CITY'S ZONING CLASSIFICATION RM-10 (MULTIPLE FAMILY DWELLING) DISTRICT.

WHEREAS, the City of Delray Beach has received a request for annexation from Roger C. Boos, President of R.C. Boos Construction, Inc., the owner of the following described property:

Lots 1 to 24 inclusive, Block 11 and Lots 1 to 11 inclusive Block 12 of Southridge, according to the plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 13, Pages 38 and 39, and also the north two (2) acres (approximate) further described as the north two-fifths (2/5) of the following described property: north east one-quarter (1/4) of Lot 8, Delray Beach, a subdivision of Section 20, Township 46 South, Range 43 East, containing 7.3 acres more or less;

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 RM-10 (Multiple Family Dwelling) 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 RH Residential Multiple Family (High Density),

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

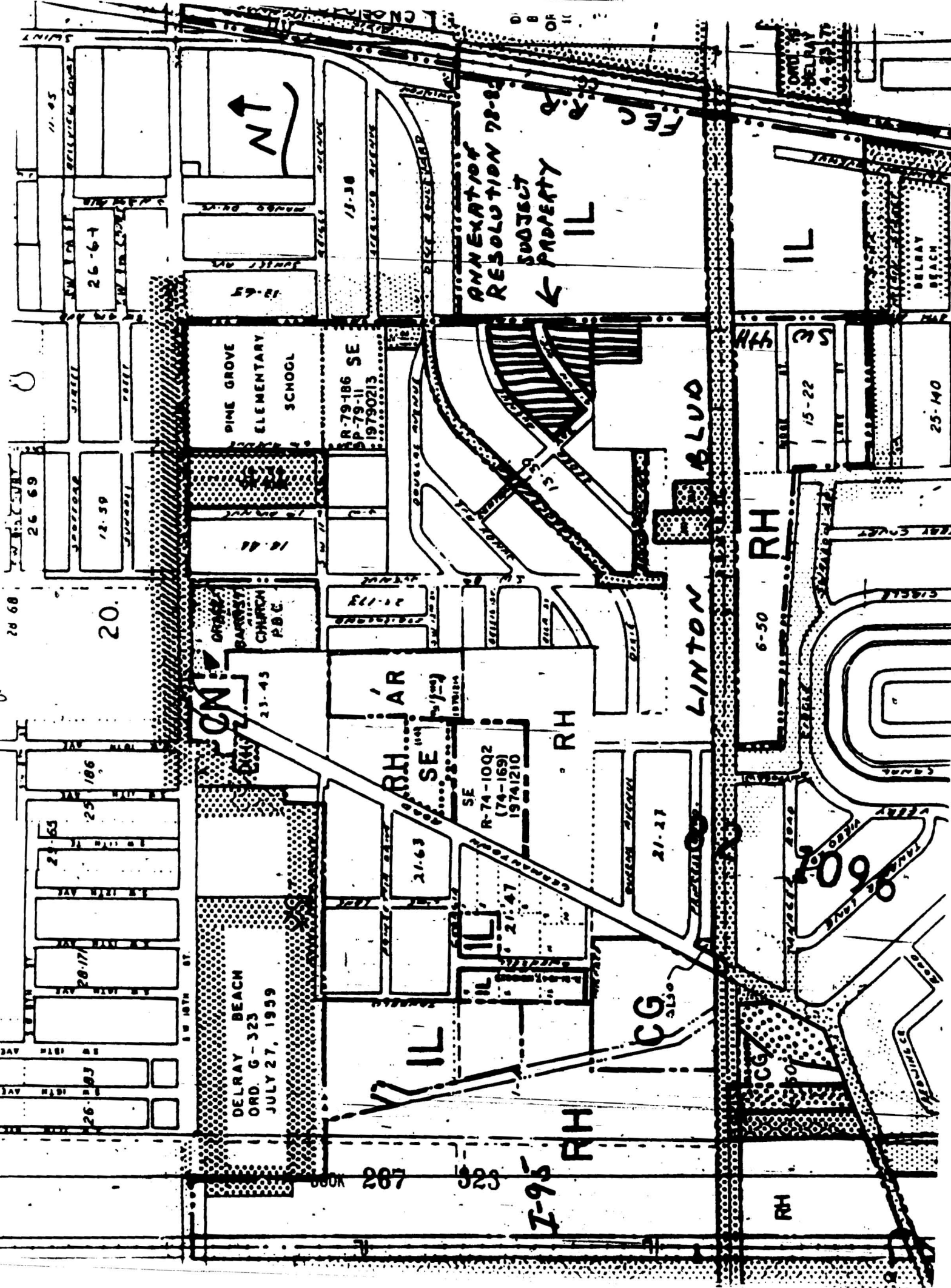
Section 1. That the City Council hereby requests permission from the Board of County Commissioners of Palm Beach County to rezone, when annexed, the property described above from RH-Residential Multiple Family (High Density) to RM-10 (Multiple Family Dwelling) District which would result in a decrease in the density allowed in such land.

Section 2. That a certified copy of this resolution is being sent to each member of the Board of County Commissioners, the County Administrator and the Director of Planning, Zoning and Building.

PASSED AND ADOPTED in regular session on this the 24th day of August, 1982.


VICE MAYOR

ATTEST:



ANNEXATION OF
RESOLUTION 78-82
SUBJECT
PROPERTY

IL

PINE GROVE
ELEMENTARY
SCHOOL

R-79-186 SE
P-79-11
19790213

DELRAY BEACH
BAPTIST
CHURCH
P.B.C.
23-43

DELRAY BEACH
ORD. 6-323
JULY 27, 1959

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