

RESOLUTION NO. R-82-1097

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. 79-82.

WHEREAS, by its Resolution No. 79-82, City of 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 R-1A (Single Family) to allow the petitioner to develop the parcel for single family dwelling unit use; and

WHEREAS, the Comprehensive Land Use Plan recommends medium to medium high (M-MH) residential density for this parcel, which allows multi-family development; 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.79-82, 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

The Chairman thereupon declared the resolution duly passed and adopted this 12th day of October, 1982.

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

JOHN B. DUNKLE, Clerk

By: *Scott A. ...*
Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY.

John Galotti
County Attorney

OCT 12 1982
FILED THIS DAY OF

..... 19
AND RECORDED IN RESOLUTION

MINUTE BOOK NO 267 AT

PAGE 266-328 RECORDED VERIFIED
JOHN B. DUNKLE, CLERK

BY *Patty Bos* D.C.

82 1097

BOOK 267 325

Inter-Office Communication

PALM BEACH COUNTY

TO Robert E. Basehart
Executive Director
FROM Stan Redick *SR*
Planning Director
RE Annexation Resolution 79-82
Delray Beach

DATE September 16, 1982

FILE

The following resolution for annexation/rezoning by the City of Delray Beach has been reviewed by the Planning Division. The following comments are submitted for your consideration:

- 2nd 1. The property is currently [redacted] under County zoning which has a maximum density of twelve (12) units per ac
- 2nd 2. The City [redacted] to rezone the property to [redacted] which has a minimum lot size of 7,500 sq.ft. with an overall gross density of 5.8 units per acre.
- 3rd 3. The subject parcel is a single lot covering 11,200 sq.ft. (.26 acres) The County's RH zone would allow a tri-plex on the parcel while the proposed R-1A zoning classification would limit the [redacted] to a [redacted]
- 4th 4. The County's [redacted] for this area is the [redacted] which allows 8 to 16 units per acre. Add: which allows multi-family developme
5. While the Land Use Plan category (M-MH) would permit higher densities under RH zoning, the existing land use characteristics for Sunny Acre Block "B" is single family and consistent with the proposed R-1A zoning district.

Based upon the Planning Division's analysis, Annexation Resolution 79-82 is found to be consistent with the Comprehensive Plan and the two (2) year time period can be waived.

Attached is a map which depicts parcels involved and the general land use characteristics for the area which can be forwarded to the Board of County Commissioners for their consideration.

RESOLUTION NO. 79-82

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 R-1A (SINGLE FAMILY DWELLING) DISTRICT.

WHEREAS, the City of Delray Beach has received a request for annexation from Simon Yracheta and Esperanza Yracheta, his wife, the owners of the following described property:

The East 80 feet of Lot 7, Block "B", Sunny Acres, according to the plat thereof as recorded in Plat Book 21, Page 63 of the Public Records of Palm Beach County, Florida;

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 R-1A (Single 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) in the County,

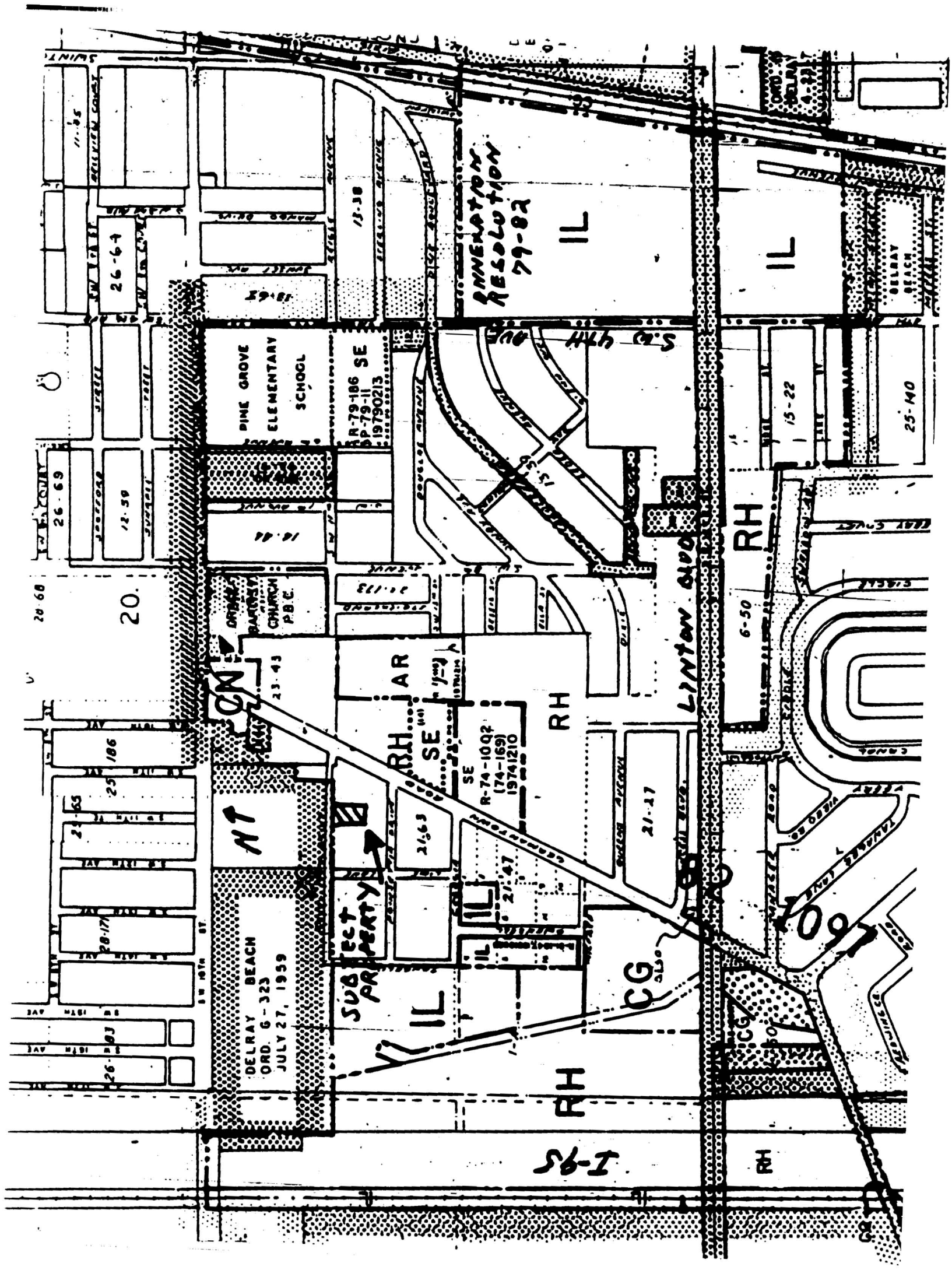
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

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 RH-Residential Multiple Family (High Density) to R-1A (Single 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



REINVESTMENT
RESOLUTION
79-82

PINE GROVE
ELEMENTARY
SCHOOL

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

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

DELRAY BEACH
ORD. G-323
JULY 27, 1959

SUBJECT
PROPERTY

LINTON AVENUE

I-95

1091

SWINT

ORD. 4
DELRAY
9-23

DELRAY
BEACH

15-22

25-140

26-69

12-59

20-68

20

186

23-65

25

28-17

26-103

21-27

21-47

21-63

6-50

15-22

25-140

NT

RH

SE

RH

RH

IL

IL

RH

CG

CG

RH

IL

IL

S.W. 4TH AVE

15-35

21-12

21-27

21-47

21-63

21-81

21-99

22-17

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22-71

22-89

22-107

22-125

22-143

22-161

22-179

22-197

22-215

22-233

22-251

22-269

22-287

22-305

22-323

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22-359

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22-1781

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22-1835

22-1853

22-1871

22-1889

22-1907

22-1925

22-1943

22-1961

22-1979

22-1997

22-2015

22-2033

22-2051

22-2069

22-2087

22-2105

22-2123

22-2141

22-2159

22-2177

22-2195

22-2213

22-2231

22-2249

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22-2285

22-2303

22-2321

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