

RESOLUTION NO. R-82- 1136

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. 105-82.

WHEREAS, by its Resolution No. 105-82 the 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 City; and

WHEREAS, the property is currently zoned AR (Agriculture) 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 SAD (Special Activities District) to allow the petitioner to develop the parcel for the expansion of the IBM facility; and

WHEREAS, the Comprehensive Land Use Plan identifies potential commercial in the annexation area, i.e., Germantown Road and Congress Avenue; 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 October 18, 1982 memo of the Principal Planner, 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 the City of Delray Beach, in its Resolution No. 105-82, attached hereto and made a part hereof, is hereby approved.

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

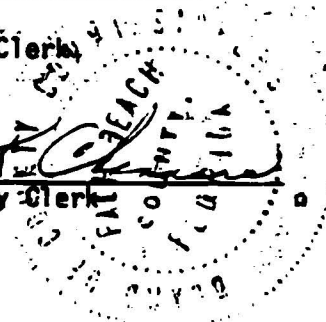
NORMAN R. GREGORY	NAY
PEGGY B. EVATT	AYE
FRANK H. FOSTER	AYE
DENNIS P. KOEHLER	AYE
BILL BAILEY	AYE

The Chairman thereupon declared the resolution duly passed and adopted this 26th day of October, 1982.

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

JOHN B. DUNKLE, Clerk

By: Louis A. Bennett
Deputy Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY

John Bennett
County Attorney

FILED THIS 26th DAY OF October 1982
AND RECORDED IN RESOLUTION
MINUTE BOOK NO. 268 AT
PAGE 365-370 RECORD VERIFIED
JOHN B. DUNKLE, CLERK
BY Sam Bennett D.C.

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RESOLUTION NO. 105-82

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 AG (AGRICULTURAL) TO THE CITY'S ZONING CLASSIFICATION SAD (SPECIAL ACTIVITIES DISTRICT).

WHEREAS, the City of Delray Beach has received a request for annexation from Leo A. Blair and Joan M. Blair, his wife, the owners of the following described property:

A parcel of land lying in the Northeast quarter (NE $\frac{1}{4}$) of Section 30, Township 46 South, Range 43 East, Palm Beach County, Florida, said parcel being more particularly described as follows:

Commence at the Northeast corner of said Section 30; thence Westerly, along the North line of said Section 30, 569.52 feet to the West right of way line of S.A.L. Railroad; thence Southerly, forming an angle of 89°48'47" as measured from East to South, along said West right of way line, 989.37 feet to the intersection with the Easterly prolongation of the South right of way line of Germantown Road; thence Westerly, forming an angle of 110°35'30" as measured from North to West, along the said Easterly prolongation, 562.62 feet to a line 53.0 feet West of and parallel with the centerline of Congress Avenue; thence continue Westerly, along the said South right of way line of Germantown Road, 560.12 feet to a line 400 feet East of and parallel with the West line of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 30; thence Southerly, forming an angle of 109°56'52" as measured from East to South, along said parallel line, 510.65 feet to a line 480 feet South of, as measured at right angles, and parallel with the said South right of way line of Germantown Road to the Point of Beginning; thence Easterly, forming an angle 70°03'08" as measured from North to East, 554.01 to the said line 53.0 feet West of and parallel with the centerline of Congress Avenue; thence Southerly, forming an angle of 69°24'30" as measured from West to South, along said parallel line 397.51 feet to an intersection with the Easterly boundaryline of the Lake Worth Drainage District; thence Southwesterly, forming an angle of 129°19'46" as measured from North to Southwest, along the said boundary of the Lake Worth Drainage District, a distance of 895.72 feet to an intersection with the South line of the said Northeast quarter (NE $\frac{1}{4}$) of Section 30; thence Westerly, forming an angle of 141°11'30" as measured from Northeasterly thru North to West, along said South line of the Northeast quarter of Section 30, a distance 117.52 feet to the Southeast corner of the West 100 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) of said Section 30; thence North-erly, forming an angle of 90°07'22" as measured from East to North and along the East line of the said West 100 feet, a distance 666.40 feet to the Northeast corner of the said West 100 feet of the Southeast quarter (SE $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) of Section 30; thence Easterly, forming an angle of 89°39'35" as measured from South to East and, along the

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North line of the said Southeast quarter (SE $\frac{1}{4}$) of the Southwest quarter (~~SW $\frac{1}{4}$~~) of the Northeast quarter (NE $\frac{1}{4}$) of Section 30 a distance of 300 feet to an intersection with the said line 400 feet East of and parallel with the West line of the Northeast quarter (NE $\frac{1}{4}$) of the Southwest quarter (~~SW $\frac{1}{4}$~~) of the Northeast quarter (NE $\frac{1}{4}$) of Section 30; thence Northerly, forming an angle of 89°39'35" as measured from West to North, and along said parallel line, a distance of 103.46 feet to the Point of Beginning.

The West 100 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 30, Township 46 South, Range 43 East, Palm Beach County, Florida, less the North 40 feet of the West 60 feet thereof.

AND

The East 165 feet of the Southwest Quarter (SW $\frac{1}{4}$) of the ~~Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$)~~ of Section 30, Township 46 South, Range 43 East, Palm Beach County, Florida, less the North 40 feet thereof.

AND

That part of the East 165 feet of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 30, Township 46 South, Range 43 East, Palm Beach County, Florida lying outside of the Lake Worth Drainage District as originally established.

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 AG (Agricultural) 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 AG (Agricultural) to SAD (Special Activities District) which would result in an increase 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.

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PASSED AND ADOPTED in regular session on this the 12th day
of October, 1982.

Malden R. R.
VICE MAYOR

ATTEST:

Elizabeth Green
City Clerk

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D-10

SC

SAD

SAD

SABAL-PINES
RM-15
BK. 30 PG. 1

RM-10

LI

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INTERSTATE

The Terraces at Centre
Delray

1" = 500'



LWDD

CANAL

REPLAT

82

