

RESOLUTION NO. R-84- 231

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY OF
DELRAY BEACH TO REZONE PROPERTY AFTER ANNEXATION,
PURSUANT TO §171 062, FLORIDA STATUTES, AND CITY OF
DELRAY BEACH RESOLUTION NO 108-83

WHEREAS, by its Resolution No 108-83, 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 the City; and

WHEREAS, the property is currently zoned IL (Light Industrial) and is subject to County land use controls, and

WHEREAS, the City proposes to Rezone the property to LI (Light Industrial), and

WHEREAS, the Comprehensive Land Use Plan identifies the subject site as having Industrial Potential "along S W 12 Street (Linton Boulevard) west of the Florida East Coast Railroad" (Area 20, Policy #2), and

WHEREAS, the Intergovernmental Coordination-Element Section of the Palm Beach County Comprehensive Land Use Plan (Ordinance 80-8, as amended by Ordinance 81-27 and 82-26) provides that the Board of County Commissioners may find the proposed waiver request compatible with the Comprehensive Plan if the uses and/or densities proposed will have no significant effect on County systems, or such effect is mitigated by compliance with the Performance Standards, and

WHEREAS, the Planning, Zoning, and Building Department has reviewed the request and has found that the proposed development is consistent with the Comprehensive Land Use Plan designation of IL (Light Industrial) for the subject area and would have no significant impact on County Systems as outlined in the January 31, 1984 memorandum 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

1 The foregoing recitals are hereby affirmed and ratified
2 This Board finds that the Rezoning proposed by the City of
Delray Beach will have no significant impact upon County systems

3 The request of the City of Delray Beach in its Resolution No
108-83, attached hereto and made a part hereof, is hereby approved

The foregoing Resolution was offered by Commissioner WILKEN
who moved its adoption The motion was seconded by Commissioner BAILEY
and, upon being put to a vote, the vote was as follows

| | |
|---------------------|--------|
| KENNETH G. SPILLIAS | AYE |
| DOROTHY H. WILKEN | AYE |
| PEGGY B EVATT | AYE |
| DENNIS P KOEHLER | ABSENT |
| BILL BAILEY | AYE |

The Chairman thereupon declared the Resolution duly passed and
adopted this 14th day of February, 1984

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

JOHN B. DUNKLE, Clerk

By Phyllis A. Howe
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By John B. Dunkle
County Attorney

FILED THIS ... DAY OF
FEB 14 1984 19
AND RECORDED IN RESOLUTION
MINUTE BOOK NO 328 AT
PAGE 489-493 RECORD VERIFIED
JOHN B DUNKLE, CLERK
BY John B. Dunkle DC

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BOOK 328 490

RESOLUTION NO. 108-83

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 ANNEXED TO THE CITY OF DELRAY BEACH, FROM THE COUNTY ZONING CLASSIFICATION IL (LIGHT INDUSTRIAL) TO THE CITY'S CLASSIFICATION LI (LIGHT INDUSTRIAL) DISTRICT.

WHEREAS, the City of Delray Beach received a request for annexation from Josepn Friedes, the fee-simple owner of the following, described property

The South 403 0 feet of the following described parcel to wit That part of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section 20, Township 46 South, Range 43 East, lying west of the Florida East Coast Railroad right-of-way, being that part of the East Half (E½) of Lot 16 in the subdivision of Section 20, Township 46 South, Range 43 East, according to the plat thereof recorded in Plat Book 1, on Page 4, Public Records of Palm Beach County, Florida, less the South 53 feet for the right of way of Southwest 12th Street, and less the West 50 feet thereof, lying and being in Delray Beach, Palm Beach County, Florida.

The subject property is located at the northeast corner of the F.E.C. Railroad and Linton Boulevard.

The above-described parcel contains a 2.79 acre parcel of land, more or less.

and,

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WHEREAS, the City Council has considered this annexation request, approved annexation of the subject parcel and did so by adoption of Ordinance No 86-83; and,

WHEREAS, in order for this parcel to be zoned to the City zoning classification of LI (Light Industrial) District subsequent to its 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 IL (Light Industrial); and,

WHEREAS, the proposed zoning for the subject property is consistent with the City's Comprehensive Land Use Plan, and,

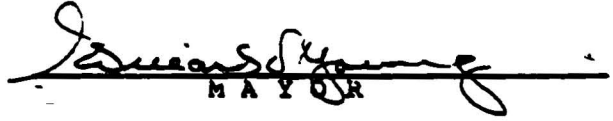
WHEREAS, the City Council has determined that the subject property is compatible with Palm Beach County's Comprehensive Plan, and the proposed uses and designation are compatible with existing patterns in the immediate vicinity of the annexed property,

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 a waiver from the Board of County Commissioners of Palm Beach County to immediately rezone the property described above from IL (Light Industrial) to LI

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 13th day of December, 1983.


MAYOR

ATTEST


City Clerk

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