

RESOLUTION NO R-84-1860

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 86-84.

WHEREAS, by its Resolution No 86-84, the City of Delray Beach has requested permission from the Board of County Commissioners of Palm Beach County to Rezone the property described therein after Annexation of same into the Corporate Limits of the City, and

WHEREAS, the property is currently zoned AR-Agricultural Residential and is subject to County Land Use Controls, and

WHEREAS, the City proposes to rezone the entire parcel to PO1 (Professional, Office, and Institutional District), and

WHEREAS, the Comprehensive Land Use Plan identifies the subject site as having a Medium to Medium High Residential Land Use, and

WHEREAS, the Zoning proposed by the City of Delray Beach is consistent with the County's Specialized Commercial District, and

WHEREAS, the the subject parcel does not have a designation of commercial potential under the Comprehensive Land Use Plan, and

WHEREAS, the Planning, Zoning, and Building Department has reviewed the request and has determined that although the proposed rezoning is inconsistent with the Comprehensive Land Use Plan designation for the subject site, it will not have a significant impact upon County systems, as outlined in the November 16, 1984 memorandum from the Planning Division, attached hereto and made a part hereof, and

WHEREAS, the Intergovernmental Coordination Element Section of the Palm Beach County Comprehensive Land Use Plan (Ordinance 80-8, as amended by Ordinances 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 impact upon County Systems, or such effect is mitigated by compliance with the Performance Standards, and

WHEREAS, Florida Statutes, §171 062, requires that when a City desires to rezone property which was previously subject to County Land Use Controls, 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 86-84, attached hereto and made a part hereof, is hereby approved
- The foregoing Resolution was sponsored by Commissioner Wilken who moved for its adoption. The motion was seconded by Commissioner Adams, and, upon being put to a vote, the vote was as follows

KEN SPILLIAS	AYE
DOROTHY H WILKEN	AYE
KAREN T. MARCUS	AYE
JERRY L OWENS	AYE
KEN ADAMS	AYE

The Chairman thereupon declared the Resolution duly passed and adopted this 11th day of December, 1984

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Andy Spigone
COUNTY ATTORNEY

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

JOHN B DUNKLE, Clerk
By *Donna McWilliams*
DEPUTY CLERK

FILED THIS DAY OF
 DEC 17 1984 19
 AND RECORDED IN RESOLUTION
 MINUTE BOOK NO 379 AT
 PAGE 447-451, RECORD VERIFIED
 JOHN B DUNKLE, CLERK
 BY *PAC* DC

84 1860

BOOK 79 PAGE 448

C E R T I F I C A T I O N

I, ELIZABETH ARNAU, City Clerk of the City of Delray Beach, Florida, do hereby certify that the attached is a true and correct copy of Resolution No. 86-84 which was passed by City Council on the 23rd day of October, 1984.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the City of Delray Beach, Florida, on this the 25th day of October, 1984

RECEIVED
OCT 26 1984
PLANNING DIVISION

Elizabeth Arnau
Elizabeth Arnau
City Clerk
City of Delray Beach

SEAL

84 1860

BOOK 379 PAGE 449