

## Inter-Office Communication

PALM BEACH COUNTY

TO Stan Radick, Planning Director DATE February 11, 1985  
FROM John Rupertus, Planner FILE  
RE Annexation/Rezoning - City of Delray Beach  
Resolution No. 1-85

The Planning Division has reviewed the above waiver request under Chapter 171.062 Florida Statutes and County Ordinance 82-26, Amendment to the Intergovernmental Coordination Element of the County's Comprehensive Plan. The following comments are offered.

### Background Information

The City of Delray Beach has recently annexed a .67 acre parcel of land situated north of Allen Avenue, if extended west, between U.S. Highway 1 and Dixie Highway. The request is now for the purpose of rezoning this tract from the County Zoning Classification CG (General Commercial) to the City's Zoning Classification SC (Specialized Commercial) District.

### Land Use Plan Designation and Zoning District

- a) The subject site is presently zoned CG (General Commercial).
- b) The City proposes to rezone the property to SC (Specialized Commercial) District.
- c) The subject property has commercial potential as described in Reference Area 19, #1 of the Comprehensive Plan: U.S.1 from Bamboo Lane to N.E. 9th Street. The City has determined that the proposed use is consistent with its Comprehensive Plan.
- d) The City's proposed rezoning to SC is consistent with the County's Land Use Designation of Commercial Potential for the subject location.

### Recommendation

The Planning Division has determined that the requested SC Zoning by the City of Delray Beach is consistent with the County's Comprehensive Plan. In addition, the project will not have a significant impact on County Systems.

JR:cjs

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SIGNED

*John Rupertus*

# CITY OF DELRAY BEACH

## CERTIFICATION

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. 1-85 which was passed by City Council on the 15th day of January, 1985.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the City of Delray Beach, Florida, on this the 21st day of January, 1985.



Elizabeth Arnau  
City Clerk  
City of Delray Beach

SEAL

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RESOLUTION NO. 1-85

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 CG-GENERAL COMMERCIAL, TO THE CITY'S ZONING CLASSIFICATION SC (SPECIALIZED COMMERCIAL) DISTRICT.

WHEREAS, the City of Delray Beach received a request for annexation from Margaret Hauser, as sole surviving director and trustee of Hauser Construction & Engineering Corporation, a dissolved Florida Corporation, the fee-simple owner of the following described property:

Begin at the intersection of the North line of Lot 38 of MODEL LAND COMPANY Subdivision of Section 9, Township 46 South, Range 43 East, and the East right-of-way line of Old Dixie, said point of intersection being 30 feet Easterly, measured at right angles, from the East 50 foot right-of-way line of the Florida East Coast Railroad, being the Point of Beginning, thence southerly along the East right-of-way line of Old Dixie Highway a distance of 126.6 feet; thence in an Easterly direction and parallel to the South line of said Lot 38 a distance of 231.07 feet more or less, to the West right-of-way line of U.S. Highway #1 (State Road #5); thence in a Northerly direction along said West right-of-way line a distance of 127.20 feet more or less, to the said North line of Lot 38, thence in a westerly direction along the North line of said Lot 38 a distance of 231.07 feet more or less, to the Point of Beginning; said tract being in Palm Beach County, Florida.

The subject property is located north of Allen Avenue, if extended west, between U.S. Highway No. 1 and Dixie Highway.

The above-described parcel contains a 0.67 acre parcel of land, more or less.

WHEREAS, the City Council has considered this annexation request, approved annexation of the subject parcel and did so by adoption of Ordinance No. 1-85; and,

WHEREAS, in order for this parcel to be zoned <sup>85 350</sup> to the City zoning classification of SC (Specialized Commercial) 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 CG-General Commercial; and,

WHEREAS, the proposed zoning for the subject property is consistent with the City's currently existing Land Use Plan designation; and,

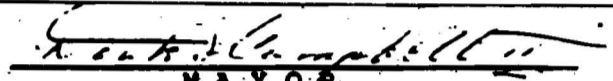
WHEREAS, the City Council has determined that the subject property is compatible with Palm Beach County's Comprehensive Plan, and the proposed uses and designations are compatible with existing patterns in the immediate vicinity of the annexed property,

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 CG-General Commercial to SC (Specialized Commercial) District which would not result in an increase in the density for 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 15th day of January, 1985.

  
MAYOR

ATTEST:

  
City Clerk

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