RESOLUTION NO. R-82-1095

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. 77-82.

WHEREAS, by its Resolution No. 77-82, 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 propertyto R-1A (Single family) to allow the petitioner to develop the parcel for single family purposes; and

WHEREAS, the Comprehensive-Land-Use-Plan recommends medium_to_____ medium high residential density for this parcel, which allows multi-family development.

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. 77-82, 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 PEGGY B. EVATT	2	AYE	
FRANK H. FOSTER		AYE	
DENNIS P. KOEHLER		AYE	•
RTH RATIEY		AVF	

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 1. T. S. JOHN B. DUNKLE, Clerk By:)ebut\ APPROVED AS TO FORM AND LEGAL SUFFICIENCY County Attorney OCT 1 2 1382 FILED THIS DAVICE , 19 NO RECORDED IN RESOLUTION - 267 AT MINUTE BOOK NO ... PAGE 315-319 RECORD VERIFIED BY Patty Boo D.C. BOOK 267 316

Inter-Office Communication

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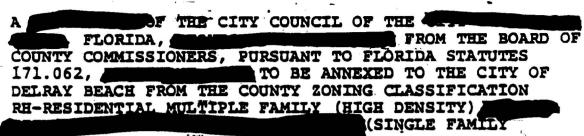
PALM BEACH COUNTY

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۱.	TO Robert E. Basehart DATE September 16, 1982 Executive Director FILE FROM Stan Redick FILE Planning Director FILE Planning Director FILE Delray Beach Delray Beach
	The following resolution for App exation/rezoning by the City of Delray Beach has been reviewed by the Planning Division. The following comments are submitted for your consideration:
rd	1. The property is currently maximum density of twelve under County zoning which has a maximum density of twelve (12) units per acre.
2nd	2. The difference to rezone the property to definition of the set of the s
	3. The difference in density between the County's RH zone and the City's R-lA zone on the 8.2 acres involved will mean a potential reduction in dwelling units from 98 to 47 . units.
4#	4. The County's Country and the Country's Country and the Cou
30	5. While the Land Use Plan category (M-MH) would permit higher densities, the existing land use characteristics east of S.W. 8th Avenue is and consistent with the proposed R-LA zoning district.
	Based upon the Planning Division's analysis, Annexation Resolution 77-82 is found to be consistent with the Comprehensive Plan and the two (2) year time period can be waived.
u	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.
	SR:RLL:cb Attachment BOOK 267 317 - 82

RESOLUTION NO. 77-82



DWELLING) DISTRICT.

WHEREAS, the City of Delray Beach has received a request for annexation from California Designs, Inc., the owner of the following described property:

> Lots 1 through 12, Block 13; Lots 1 through 6, Block 15; Lots 1 through 12, Block 16; Lots 1 through 18, Block 18; Lots 1 through 13, Block 19, Southridge Plat No. 2, according to the Plat thereof, as recorded in Plat Book 13, Pages 38 and 39 of the Public Records of Palm Beach County, Florida;

and,

WHEREAS, the City Council upon the favorable recommendation of the Planning and Zoning Board 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-LA (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 will 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.

