

RESOLUTION NO. 165-24

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A REQUEST TO UTILIZE THE MASONRY MODERN ARCHITECTURAL STYLE FOR THE PROPERTIES LOCATED AT 142 AND 152 SE 5TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Fifth Avenue Delray, LLC ("Owner"), is the owner of two abutting parcels of land measuring approximately 0.3502 acres located at 142 and 152 SE 5th Avenue, as more particularly described Exhibit "A" (the "Property"); and

WHEREAS, the Property is zoned Central Business District ("CBD"); and

WHEREAS, the adopted "Delray Beach Central Business District Architectural Design Guidelines," as amended, identifies architectural styles as appropriate for downtown Delray Beach, based on historical precedent, climate, and building scale; and

WHEREAS, the City of Delray Beach, Florida ("City") received a Level 2 Site Plan Modification application from the Owner seeking to utilize the Masonry Modern architectural style (the "Project"); and

WHEREAS, Section 4.4.13(F)(3)(e) of the Land Development Regulations of the City of Delray Beach ("LDR") states, for properties zoned CBD, the use of Masonry Modern or Art Deco architectural styles requires City Commission approval finding the proposed building design implements the selected style; and

WHEREAS, on July 24, 2024, the Site Plan Review and Appearance Board voted 6 to 0 to recommend approval of the request to the City Commission; and

WHEREAS, on August 19, 2024, the City Commission considered the request to use Masonry Modern architectural style as well as the respective findings as set forth in the Land Development Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The City Commission makes positive findings that the request implements the Masonry Modern style as defined by the Delray Beach Central Business District Architectural Design Guidelines.


Section 3. The City Commission approves the use of the Masonry Modern architectural style for the building design of the Project.

Section 4. All resolutions or parts of resolutions in conflict herewith shall be and hereby are repealed.

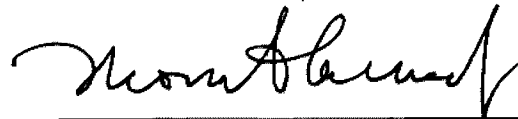
Section 5. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the 19th day of August, 2024.

ATTEST:

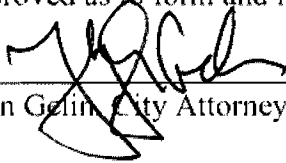


Katerri Johnson, City Clerk



Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:



Lynn Gain, City Attorney



EXHIBIT "A"
LEGAL DESCRIPTION

LOT 15, LESS THE EAST 10 FEET THEREOF, BLOCK 102, OF TOWN OF DELRAY (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 1, PAGE 3,

AND

LOT 16, LESS THE EAST 10 FEET THEREOF, BLOCK 102, OF TOWN OF DELRAY (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 1, PAGE 3