

ORDINANCE NO. 33-17

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING AND PLACING LAND PRESENTLY ZONED SPECIAL ACTIVITIES DISTRICT (SAD) DISTRICT IN PART, GENERAL COMMERCIAL (GC) DISTRICT IN PART, NEIGHBORHOOD COMMERCIAL (NC) DISTRICT IN PART, AND MULTIPLE FAMILY RESIDENTIAL-MEDIUM DENSITY (RM) DISTRICT IN PART TO AUTOMOTIVE COMMERCIAL (AC) DISTRICT; SAID LAND LYING BETWEEN SOUTH FEDERAL HIGHWAY AND FREDERICK BOULEVARD, AND BETWEEN AVENUE F (FLADELL WAY) AND LAMAT AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE "CITY OF DELRAY BEACH, ZONING MAP, JUNE 29, 2017"; PROVIDING A CONFLICTS CLAUSE; AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the property hereinafter described is shown on the City of Delray Beach Zoning Map, dated June 29, 2017, as being zoned Special Activities District (SAD) District in part, General Commercial (GC) District in part, Neighborhood Commercial (NC) District in part, and Multiple Family Residential-Medium Density (RM) District in part; and

WHEREAS, Grieco Motors, LLC, is the fee simple owner of the subject property lying between South Federal Highway and Frederick Boulevard, and between Avenue F (Fladell Way) and LaMat Avenue; and

WHEREAS, at its meeting of August 21, 2017, the Planning and Zoning Board for the City of Delray Beach, sitting as the Local Planning Agency, considered this item at a public hearing and voted 5 to 0 to recommend that the property hereinafter described be rezoned, based upon positive findings; and

WHEREAS, pursuant to Florida Statutes 163.3174(4)(c), the Planning and Zoning Board, sitting as the Local Planning Agency, has determined that the changes are consistent with and further the objectives and policies of the Comprehensive Plan; and

WHEREAS, the City Commission of the City of Delray Beach adopts the findings in the Planning and Zoning Staff Report; and

WHEREAS, the City Commission of the City of Delray Beach finds the ordinance is consistent with the Comprehensive Plan; and

WHEREAS, it is appropriate that the Zoning District Map of the City of Delray Beach, Florida, be amended to reflect the revised zoning classification.

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

Section 1. That the recitations set forth above are incorporated herein.

Section 2. That the Zoning District Map of the City of Delray Beach, Florida, be, and the same is hereby amended, to reflect a zoning classification of Automotive Commercial (AC) District for the following described property:

All of Blocks 24 and 25, Del Raton Park, according to the Plat thereof, as recorded in Plat Book 14 at Pages 9 and 10 of the Public Records of Palm Beach County, Florida, as more particularly described as follows:

Lots 1 through 24, Block 24, less the West 38 feet of Lots 1 through 10, Block 24, Del Raton Park, according to the Plat thereof, as recorded in Plat Book 14 at Pages 9.

Together With:

The two 10.00 foot wide alleys within Block 24, as shown on said Plat of Del Raton Park, as abandoned per Official Records Book 4053 at Page 744, Official Records Book 1754 at Page 610 and Official Records Book 10015 at Page 685, all of the Public Records of Palm Beach County, Florida.

Together With:

Lots 1 through 11, the West one-half of Lot 12, and Lots 25 through 27, Block 25, less the West 38 feet of Lots 1 through 9, Block 25, Del Raton Park, according to the Plat thereof, as recorded in Plat Book 14, at Pages 9 and 10 of the Public Records of Palm Beach County, Florida.

Together With:

The 10.00 foot wide alley, lying between said Lots 10 and 27 and said Lots 1 through 9, Block 25, as shown on said Plat of Del Raton Park, as abandoned per Official Records Book 4138 at Page 20 and Official Records Book 4883 at Page 1334, all of the Public Records of Palm Beach County, Florida.

Together With:

The East one-half of Lot 12, Block 25, together with all of Lots 13 through 24, Block 25, Del

Raton Park, according to the Plat thereof, as recorded in Plat Book 14 at Pages 9 and 10 of the Public Records of Palm Beach County, Florida.

Together With:

The 10.00 foot wide alley, lying between said Lots 14 and 24 and said Lots 15 through 23, Block 25, as shown on said Plat of Del Raton Park, as abandoned per Official Records Book 5084 at Page 879, of the Public Records of Palm Beach County, Florida.

Section 3. That the Planning, Zoning and Building Director of the said City shall, upon the effective date of this ordinance, amend the City of Delray Beach Zoning Map, to conform with the provisions of Section 2 hereof.

Section 4. That all ordinances or parts of ordinances in conflict herewith be, and the same are hereby repealed.

Section 5. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 6. That this ordinance shall become effective upon the effective date of Ordinance No. 32-17. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ADOPTED in regular session on second and final reading on this the ____ day of _____, 2017.

ATTEST

MAYOR

City Clerk

First Reading_____

Second Reading_____