ORDINANCE NO 05-17

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, DESIGNATING THE CLINT MOORE HOUSE, LOCATED AT 1420 NORTH SWINTON AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, AS A LOCAL HISTORIC SITE; AMENDING LAND DEVELOPMENT REGULATIONS (LDR) SECTION 4.5.1, HISTORIC PRESERVATION: DESIGNATED DISTRICTS, SITES, AND BUILDINGS, SUBSECTION (I), LOCAL REGISTER OF HISTORIC PLACES, TO ADD THE CLINT MOORE HOUSE TO THE LOCAL REGISTER OF HISTORIC PLACES; PROVIDING FOR THE AMENDMENT OF THE "ZONING MAP OF DELRAY BEACH, FLORIDA, JUNE 2016"; AND PROVIDING A GENERAL REPEALER CLAUSE, A SAVING CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, Section 4.5.1 of the Land Development Regulations of the Code of Ordinances of the City of Delray Beach provides for the designation and protection of historic sites; and

WHEREAS, Blaine M. Minton, as property owner, has nominated the property described herein to be designated as a local historic structure; and

WHEREAS, the property at 1420 North Swinton Avenue has local historic significance for its architectural and cultural importance; and

WHEREAS, the Historic Preservation Board of the City of Delray Beach held a duly noted Public Hearing in regard to the designation of the property as a local historic structure; and

WHEREAS, on August 3, 2016, the Historic Preservation Board of the City of Delray Beach recommended 7 to 0 that the property described herein be designated a local historic structure; and

WHEREAS, the City Commission of the City of Delray Beach adopts the findings in the Historic Preservation Board Memorandum Staff Report; and

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

WHEREAS, the City Commission of the City of Delray Beach has conducted a duly noticed Public Hearing in regard to the designation of the property structure located on the property described herein as a local historic structure.

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 structure on the described property is hereby designated as a local historic structure in accordance with and under the provisions of Section 4.5.1 of the Land Development Regulation of the City of Delray Beach, Florida, to-wit:

Section 3 That Section 4.5.1, "Historic Preservation: Designated Districts, Sites, and Buildings," Subsection 4.5.1(I), "Local Register of Historic Places" Subsection 4.5.1(E)(6), "Relocation," of the Land Development Regulations of the City of Delray Beach, Florida, be amended to read as follows:

[No changes to (1) – (41)]

(42) THE CLINT MOORE HOUSE, located at 1420 North Swinton Avenue, Delray Beach, more particularly described as the North Half of the Northeast Quarter of Lot 7, less the West 189.7 feet thereof and also less the East 33 feet thereof for road right-of-way of Swinton Avenue, of Section 8, Township 46 South, Range 43 East, Map Showing Subdivisions of Portions of Townships 45 and 46 South, Range 43 East, according to the map or plat thereof as recorded In Plat Book 1, Page 4, Public Records of Palm Beach County, Florida. Together with a sewer easement 6 feet in width on the South 6 feet or the South 100.24 feet of the West 189.7 feet of the North Half of the Northeast Quarter of Lot 7, of Section 8, Township 46 South, Range 43 East, less the West 25 feet for dedicated right-of-way as in O.R. Book 1443, Page 586, corrected in O.R. Book 1778, Page 268, Public Records of Palm Beach County, Florida.

Section 4 That the Planning and Zoning Director of said City shall, upon the effective date of this Ordinance, amend the Zoning Map of the City of Delray Beach, Florida, to show the historic designation, in an overlay manner.

Section 5 That all Ordinances or parts of Ordinances in conflict herewith be, and the same are hereby repealed.

Section 6 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 7 That this ordinance shall become effective immediately upon passage on second and final reading.

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

_____

ATTEST: M A Y O R

_____

City Clerk

First Reading_____

Second Reading_____