

ORDINANCE NO. 30-23

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING 0.4 ACRES OF LAND LOCATED AT 1201 GEORGE BUSH BOULEVARD FROM RESIDENTIAL OFFICE TO MEDIUM DENSITY RESIDENTIAL, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE “CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021”; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, 1201 George Bush Blvd, LLC, (“Owner”) is the owner of 1201 George Bush Boulevard (“Property”), which measures approximately 0.4 acres and is located at 1201 George Bush Boulevard, as more particularly described in Exhibit “A” - Legal Description and shown in Exhibit “B” - “Location Map”; and

WHEREAS, the Owner authorized Neil Schiller, Government Law Group (“Agent”), to submit a request to rezone a 0.4-acre Property ; and

WHEREAS, the Property is shown on the City of Delray Beach Zoning Map, dated July 6, 2021, as being zoned Residential Office (RO); and

WHEREAS, the Applicant requested a rezoning of the 0.4 acre Property to Medium Density Residential (RM) as shown in Exhibit “C”, Proposed Zoning; and

WHEREAS, pursuant to Florida Statutes 163.3174(4)(c), the Planning and Zoning Board for the City of Delray Beach, sitting as the Local Planning Agency, considered this item at a public hearing on August 21, 2023, and voted 7 to 0 to recommend that the Property hereinafter described be rezoned to Medium Density Residential (RM) District, finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and is in the best interest of the City; 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. The recitations set forth above are incorporated herein.

Section 2. The City Commission of the City of Delray Beach finds that Ordinance No. 30-23 is consistent with the Comprehensive Plan, meets the Criteria set forth in the Land Development Regulations, and the designation of Medium Density Residential (RM) District is appropriate for the Property; and

Section 3. The Zoning District Map of the City of Delray Beach, Florida, be and the same, is

hereby amended to reflect a zoning classification of Medium Density Residential (RM) District for the property described in Exhibit “A” – “Legal Description” and shown in Exhibit “B” – Location Map.

Section 4. The City of Delray Beach, Florida Zoning Map, shall, upon the effective date of this Ordinance, be amended to conform to the provisions of Section 3 hereof as reflected in Exhibit “C” – Proposed Zoning.

Section 5. All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 6. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 7. This Ordinance shall become effective immediately, upon approval at second reading. 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 ___ day of _____, 2023.

ATTEST:

Katerri Johnson, City Clerk

Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

First Reading _____

Second Reading _____

EXHIBIT "A"
LEGAL DESCRIPTION

LOT 6 AND THE SOUTHERLY 54.5 FEET OF LOT 7, BLUE SEAS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 185, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

EXHIBIT "B"
LOCATION MAP

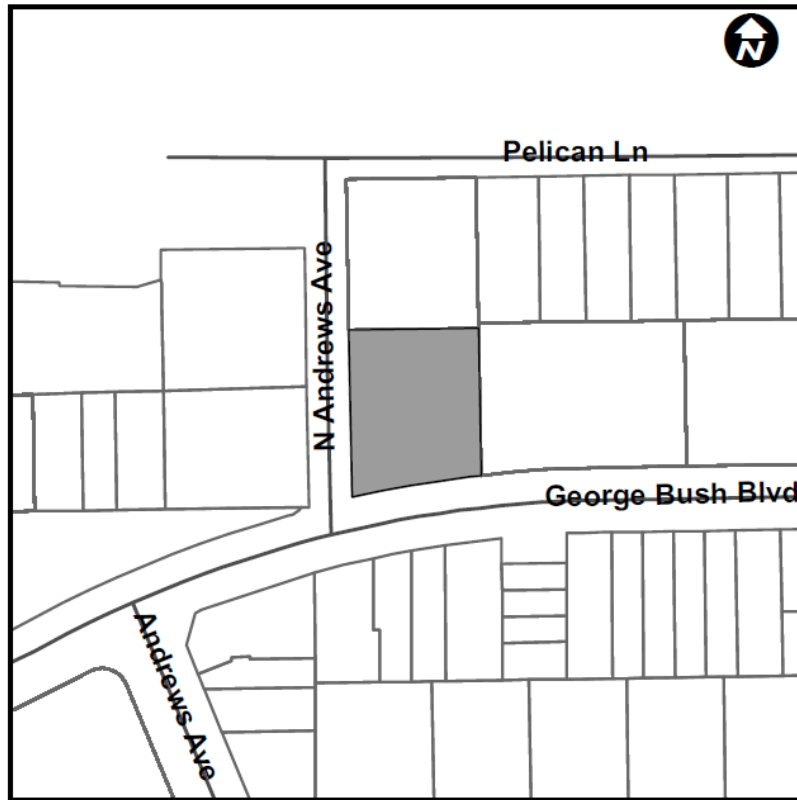


EXHIBIT "C" PROPOSED ZONING



Date: 10/30/2023

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