

RESOLUTION NO 145-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
DELRAY BEACH, FLORIDA, REPEALING RESOLUTION 122-22;  
PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, on August 9, 2022, the City Commission conducted a *de novo* consideration of the MDP application and the four related waivers submitted by G&C Arbors Investors, LLC (“Owner”) for the two parcels of land measuring approximately 12.134 acres located at 1615 and 1625 South Congress Avenue (“the Property”) situated on the east side of South Congress Avenue and south of West Linton Boulevard; and

WHEREAS, pursuant to Section 2.4.7 (E), Procedures for Obtaining Relief from Compliance with Portions of the Land Development Regulations, the City Commission considered the subject of the appeal and set the matter for further consideration before the Planning and Zoning Board (“Board”) due to changes to the application proposed by the Owner’s representative during the August 9<sup>th</sup> hearing that were not previously considered by the Board; and

WHEREAS, a proposed resolution, Resolution 122-22, granting the MDP application and its four related waivers, was submitted as part of the backup to the agenda item; and

WHEREAS, Resolution 122-22 was inadvertently executed and recorded and must be repealed since it does not accurately memorialize the intent of the City Commission.

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. Resolution 122-22 is hereby repealed in its entirety.

Section 3. The City Clerk, or designee, is directed to send a certified copy of this Resolution to Bonnie Miskel, Esq. of Dunay Miskel and Backman, 14 Southeast 4<sup>th</sup> Street, Suite 36, Boca Raton, Florida, 33444.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
Katerri Johnson, City Clerk

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Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

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Lynn Gelin, City Attorney