RESOLUTION NO. 126-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING WAIVERS TO THE MINIMUM LOT SIZE REQUIREMENT FOR TWO NEW LOTS LOCATED AT 14 GEORGE BUSH BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Continuum At Del Ida Park, LLC ("Owner"), is the owner of a parcel of land measuring approximately 0.41 acres located at 14 George Bush Boulevard ("Property"), as more particularly described in Exhibit "A"; and

WHEREAS, the City of Delray Beach, Florida ("City") received applications for a Minor Subdivision Plat (File No. PZ-00795-2026) and Certificates of Appropriateness (File No. HP-00293-2025 & HP-00298-2025), seeking to subdivide the Property into two buildable lots, as more particularly described in Exhibit "B"; and

WHEREAS, the Property is zoned Single-Family Residential (R-1-AA) within the Del-Ida Park Historic District; and

WHEREAS, the Minor Subdivision Plat application requests waivers from Section 4.3.4(K), "Development standards matrix" of the Land Development Regulations (LDR) to allow for two lots with lot sizes of 9,000 square feet whereas the lots are required to be 9,500 square feet; and

WHEREAS, LDR Section 4.3.1(D) establishes that no yard or lot existing at the time of the passage of this chapter shall be reduced in area or dimensions below the minimum requirements and that lots or yards created after October 1, 1990, shall meet the minimum requirements, unless the City Commission declares at the time of approval of an associated development application that it is necessary and appropriate to create such a nonconformity; and

WHEREAS, the Property currently contains a single-family residence located across the proposed lot lines; and

WHEREAS, LDR Section 4.5.1(F)(1), requires that no structure within a historic district or on a historic site shall be demolished before a Certificate of Appropriateness has been issued; and

WHEREAS, LDR Section 4.5.1(F)(2), requires that the application for a Certificate of Appropriateness for demolition must be accompanied by an application for a Certificate of Appropriateness for alterations to the structure or the redevelopment of the property; and

WHEREAS, LDR Section 4.5.1(F)(3), requires that demolition shall not occur until a building permit has been issued for the alterations or redevelopment as described in the applicable Certificate of Appropriateness; and

WHEREAS, LDR Section 2.4.11(B)(5) requires the approving body to make findings that the granting of a waiver:

(a) Shall not adversely affect the neighboring area;

(b) Shall not significantly diminish the provision of public facilities;

(c) Shall not create an unsafe situation; and

(d) Does not result in the granting of a special privilege in that the same waiver would be granted under similar circumstances on other property; and

WHEREAS, the Historic Preservation Board considered the request at a public hearing on August 5, 2026, and voted 6 to 0 to recommend approval of the requested waivers.

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 incorporated herein by this reference and are approved and adopted.

Section 2. The City Commission makes positive findings that the requested waivers (1) do not adversely affect the neighboring area, (2) do not significantly diminish the provision of public facilities, (3) do not create an unsafe situation, and (4) do not result in the granting of a special privilege in that the same waiver would be granted under similar circumstances on other property.

Section 3. The City Commission makes positive findings that the creation of two nonconforming lots with lot sizes of 9,000 square feet is necessary and appropriate.

Section 4. The City Commission approves the waivers to the minimum lot size requirements for the Minor Subdivision Plat.

Section 5. The City Clerk, or designee, is directed to send a certified copy of this Resolution to Continuum at Del Ida Park LLC, 109 Dixie Blvd Delray Beach, FL 33444.

Section 6. All resolutions or parts of resolutions in conflict herewith shall be and hereby are repealed.

Section 7. This Resolution shall be effective upon the issuance of the Certificate of Completion associated with the demolition permit for the Property. Upon issuance of the Certificate, the Director of Development Services shall execute the Minor Subdivision Plat on behalf of the City.

PASSED AND ADOPTED in regular session on the __ day of _____, 2026.

ATTEST:

_____ _____

Alexis Givings, City Clerk Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

_____

Lynn Gelin, City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION

LOTS 20, 21, AND 22, BLOCK 1, DEL IDA PARK, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE(S) 52, OR THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.