

ORDINANCE NO 15-19

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, DESIGNATING THE HARDEN-HART HOUSE, LOCATED AT 516 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 HARDEN-HART HOUSE TO THE LOCAL REGISTER OF HISTORIC PLACES; 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, David and Andrea Harden, as property owners, have nominated the property described herein to be designated as a local historic structure; and,

WHEREAS, the property at 516 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 February 6, 2019, the Historic Preservation Board of the City of Delray Beach recommended 5 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" of the Land Development Regulations of the City of Delray Beach, Florida, be amended to read as follows

[No changes to (1) – (42)]

(43) THE HARDEN-HART HOUSE, located at 516 North Swinton Avenue, Delray Beach, more particularly described as: The North 80 feet of the South 253 feet of the East 183 feet of the Southeast Quarter of Lot 11, Section 8, Township 46 South, Range 43 East, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 1, Page 4, less the East 33 feet thereof as conveyed to the City of Delray Beach as recorded in Deed Book 557, Page 269.

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 immediately upon passage on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this the ____ day of _____, 2019.

Shelly Petrolia, Mayor

ATTEST:

City Clerk

First Reading _____

Second Reading _____

Approved as to Form and Legal Sufficiency:

Lynn Gelin, City Attorney