

ORDINANCE NO. 24-20

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING AND RE-DESIGNATING PORTIONS OF LAND PRESENTLY ZONED GENERAL COMMERCIAL DISTRICT (GC) TO AUTOMOTIVE COMMERCIAL (AC), FOR PARCELS OF LAND AT 2419, 2507, 2515, 2519, 2601, 2605 NORTH FEDERAL HIGHWAY ON THE EAST SIDE OF NORTH FEDERAL HIGHWAY APPROXIMATELY 900 FT. SOUTH OF GULF STREAM BOULEVARD, AND MEASURES APPROXIMATELY 3.85± ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING “CITY OF DELRAY BEACH, ZONING MAP, JUNE 29, 2017”; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Adoodledoo, LLC (Owner) is the fee simple owner of a parcel of land located at 2419, 2507, 2515, 2519, 2601, 2605 North Federal Highway (the “Property”) which measures approximately 3.85± acres and is located on the east side of North Federal Highway approximately 900 ft. south of Gulf Stream Boulevard; and

WHEREAS, Dunay, Miskel & Beckman, LLP (Designated Agent) on behalf of Owner and James O’Neil (Applicant) requested a rezoning of the Property from General Commercial (GC) to Automotive Commercial (AC), amending the regulations for the Property; and

WHEREAS, the City has determined that Automotive Commercial (AC) zoning is a more appropriate zoning designation for the Property and in the best interest of the City, and the Owner has agreed to rezone the property as such; and

WHEREAS, pursuant to Florida Statutes 163.3174(4)(c), the Planning and Zoning Board for the City of Delray Beach, sitting as Local Planning Agency, considered this item at a public hearing on March 16, 2020 and voted **x to x** to recommend that property hereinafter described be rezoned to Automotive Commercial (AC), finding that the request and approval thereof is consistent with the Comprehensive Plan, 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 Zoning District Map of the City of Delray Beach, Florida, be and the same, is hereby

amended to reflect a zoning classification of Automotive Commercial (AC) for the property described in Exhibit A – “Legal Description” and shown on the map in Exhibit B – “Proposed Zoning Map”:

Section 3. The Zoning District Map of the City of Delray Beach, Florida, shall, upon the effective date of this ordinance, be amended to conform to the provisions of Section 2 hereof.

Section 4. All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 5. 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 6. This Ordinance shall become effective concurrent with the effective date of Ordinance 24-20, amending the Comprehensive Plan, and 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 _____, 2020.

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 DESCRIPTIONS

2419 N. Federal Hwy. (PCN:12-43-46-04-08-000-0351)

East 80. Ft. of Lot 35, Delray Beach Estates Subdivision, according to the Plat thereof, recorded in Plat Book 21, Page 13, Public Records of Palm Beach County, Florida.

TOGETHER WITH

2507 N. Federal Hwy. (PCN:12-43-46-04-08-000-0352)

Lot 35 less East 80 ft., Delray Beach Estates Subdivision, according to the Plat thereof, recorded in Plat Book 21, Page 13, Public Records of Palm Beach County, Florida.

TOGETHER WITH

2515 N. Federal Hwy. (PCN:12-43-46-04-08-000-0340)

Lot 34, Delray Beach Estates Subdivision, according to the Plat thereof, recorded in Plat Book 21, Page 13, Public Records of Palm Beach County, Florida.

TOGETHER WITH

2519 N. Federal Hwy. (PCN:12-43-46-04-08-000-0330)

Lot 33, Delray Beach Estates Subdivision, according to the Plat thereof, recorded in Plat Book 21, Page 13, Public Records of Palm Beach County, Florida.

TOGETHER WITH

2601 N. Federal Hwy. (PCN:12-43-46-04-08-000-0320)

Lot 32, Delray Beach Estates Subdivision, according to the Plat thereof, recorded in Plat Book 21, Page 13, Public Records of Palm Beach County, Florida.

TOGETHER WITH

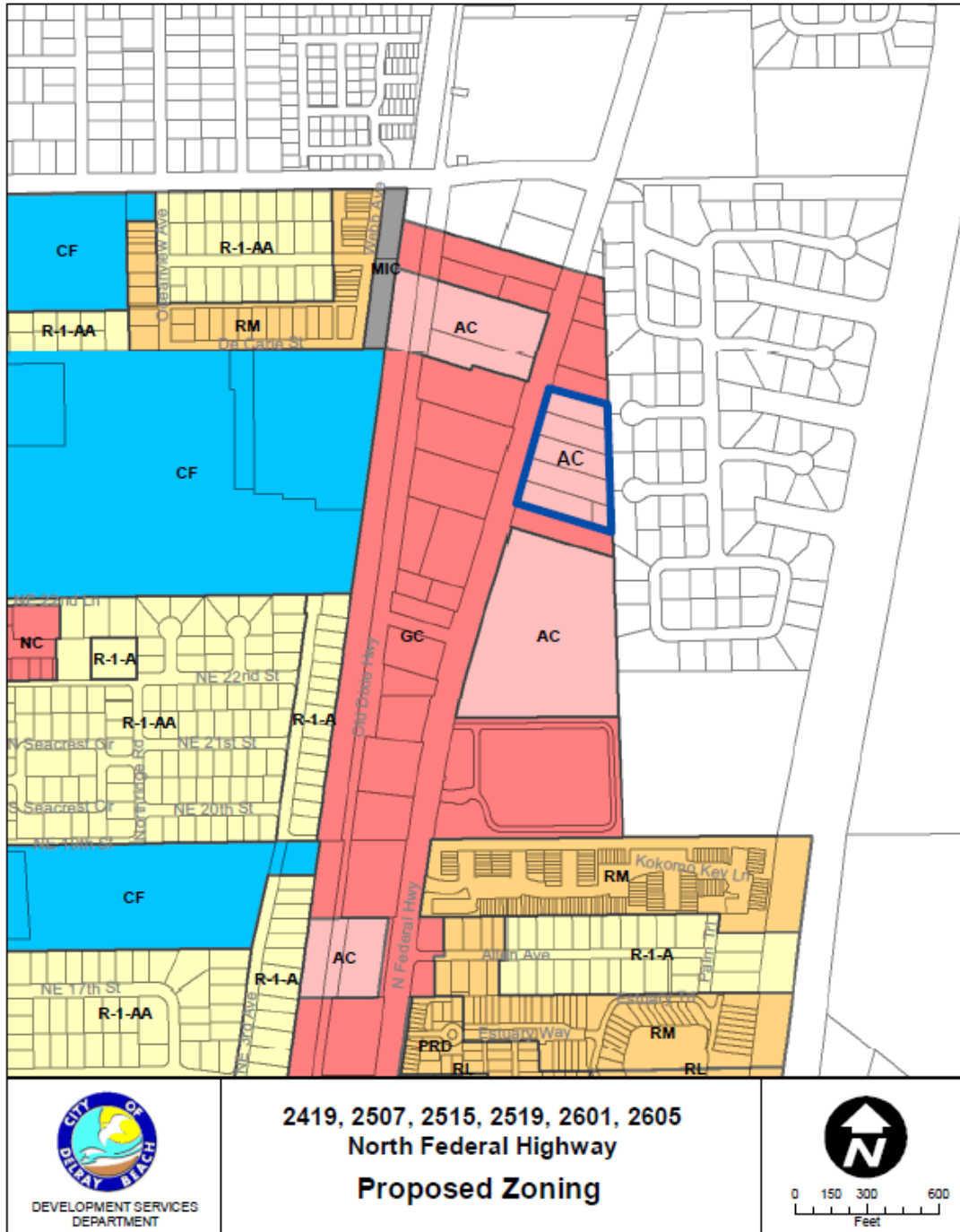
2605 N. Federal Hwy. (PCN:12-43-46-04-08-000-0310)

Lot 31, Delray Beach Estates Subdivision, according to the Plat thereof, recorded in Plat Book 21, Page 13, Public Records of Palm Beach County, Florida.

Said land situated in the City of Delray Beach, Palm Beach County, Florida and contains 3.85 acres, more or less.

EXHIBIT B – PROPOSED ZONING MAP

ADDRESS: 2419, 2507, 2515, 2519, 2601, 2605 NORTH FEDERAL HIGHWAY
PCN: 12434604080000310, 12434604080000320, 12434604080000352, 12434604080000340,
 12434604080000351, 12434604080000330



Date: 3/4/2020

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