

ORDINANCE NO 44-20

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING SECTION 4.5.1. "HISTORIC PRESERVATION: DESIGNATED DISTRICTS, SITES, AND BUILDINGS", SUBSECTION (I), "LOCAL REGISTER OF HISTORIC PLACES", TO PROVIDE FOR THE HISTORIC DESIGNATION OF THE WELLBROCK HOUSE; BY ADDING A NEW PARAGRAPH (44) TO ADD THE WELLBROCK HOUSE TO THE LOCAL REGISTER OF HISTORIC PLACES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY, AND PROVIDING 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, the Community Redevelopment Agency, as property owner, has nominated the property described herein to be designated as a local historic structure; and

WHEREAS, the property at 20 & 22 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 July 1, 2020, the Historic Preservation Board of the City of Delray Beach recommended 7 to 0 that the property described herein be designated as 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 regarding 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 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, shall be amended to add a new Paragraph (44) to read as follows:

(1) – (43) (These paragraphs shall remain in full force and effect as previously adopted]

(44) The Wellbrock House, located at 20 & 22 North Swinton Avenue, Delray Beach, more particularly described as: Lot 12, LESS the South 4 feet thereof, Block 60, TOWN OF DELRAY, Florida as recorded in Plat Book 1, Page 3, of the Public Records of Palm Beach County, Florida.

Section 3. That should any section or provision of this ordinance or any portion of 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 4. That all Ordinances or parts of Ordinances in conflict herewith be, and the same are hereby repealed.

Section 5. 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Shelly Petrolia, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

First Reading\_\_\_\_\_

Second Reading\_\_\_\_\_

Approved as to Form and Legal Sufficiency:

\_\_\_\_\_  
Lynn Gelin, City Attorney