



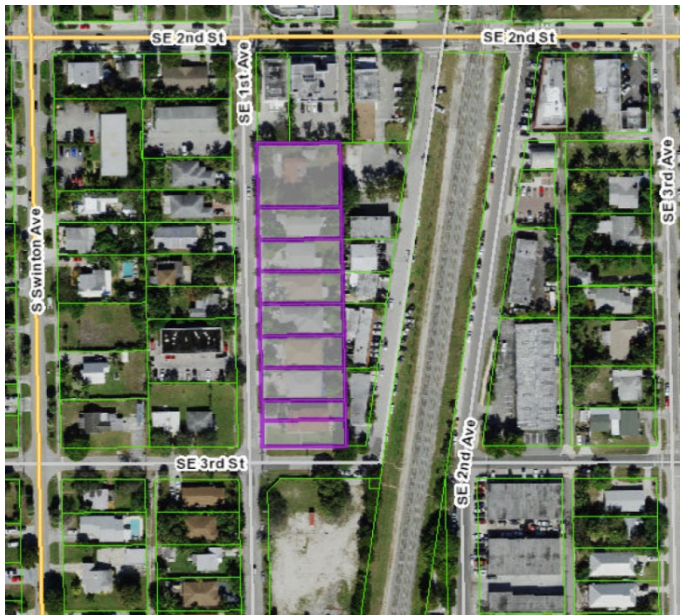
# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

## PUBLIC NOTICE

**RE: LAND USE MAP AMENDMENT AND REZONING REQUEST FOR 215, 219, 223, 227, 231, 237, 243, 251, AND 253 SE 1<sup>ST</sup> AVENUE**

Pursuant to the Land Development Regulations of the City of Delray Beach, you are hereby notified that the **CITY COMMISSION**, will conduct a **PUBLIC HEARING** on **TUESDAY, MAY 4, 2021 at 4:00 PM** to consider a privately-initiated request for Land Use Map Amendment (LUMA) (Ordinance No. 09-21), and a separate rezoning request (Ordinance No. 10-21) for nine properties totaling 1.41 acres located at 215, 219, 223, 227, 231, 237, 243, 251, and 253 SE 1<sup>st</sup> Avenue.



The applicant is requesting a LUMA from Medium Density (MD) land use to Commercial Core (CC) land use, and a rezoning from Medium Density Residential (RM) to Central Business District (CBD) (see attached map). The nine properties currently have a mix of single-family residences and duplexes.

If you would like further information as to how the request may affect your property, please contact the Development Services Department at City Hall, 100 NW 1<sup>st</sup> Avenue, Delray Beach, Florida 33444, at (561) 243-7040 or [pzmail@mydelraybeach.com](mailto:pzmail@mydelraybeach.com).

Members of the public wishing to view City Commission meetings may attend in person at 100 NW 1<sup>st</sup> Avenue, Delray Beach, FL 33444 or view the meeting through the City's website at <https://www.delraybeachfl.gov/i-want-to/watch/city-meetings>, where it will be live-streamed for the public.

Any member of the public wishing to comment publicly on any matter, including public comment or public hearing items, may comment in-person during the presentation of the item, submit their comments in writing to the Development Services Department prior to the start of the meeting, or call 561-243-7555 and leave a voicemail message prior to the meeting that will be played during the Commission meeting and made a part of the public record. Voicemail messages will be no longer than 3 minutes and shall include the caller's full name and address.

The files are available for review at the Development Services Department/Planning and Zoning Division or on the City's website. If you would like to obtain additional information on this project, please contact the Development Services Department 561-243-7040. Written comments may be

submitted by e-mail to [pzmail@mydelraybeach.com](mailto:pzmail@mydelraybeach.com) or by regular mail at 100 NW 1st Avenue, Delray Beach, FL 33444.

Please be advised that if the action taken on this request is appealed, the appellant may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. The City does not provide nor prepare such record pursuant to F.S. 286.0105.

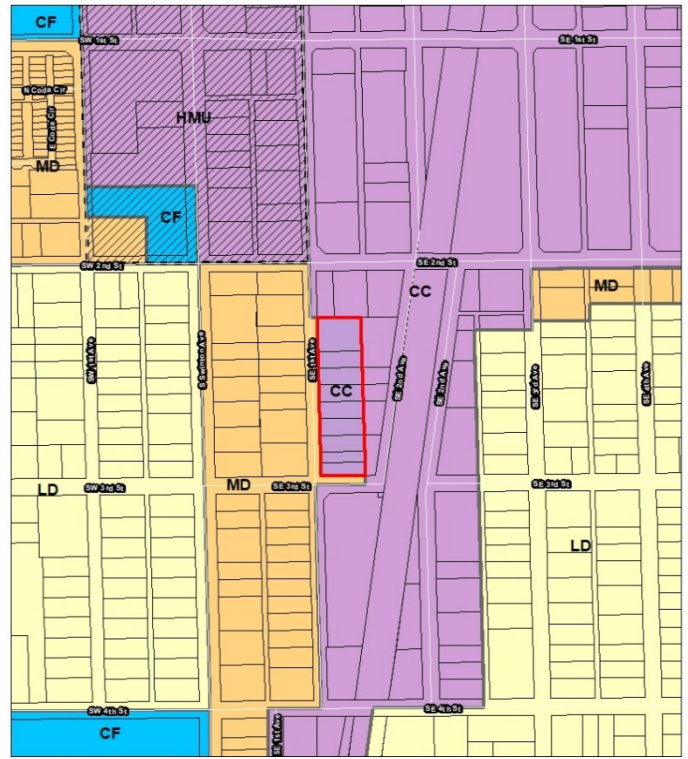
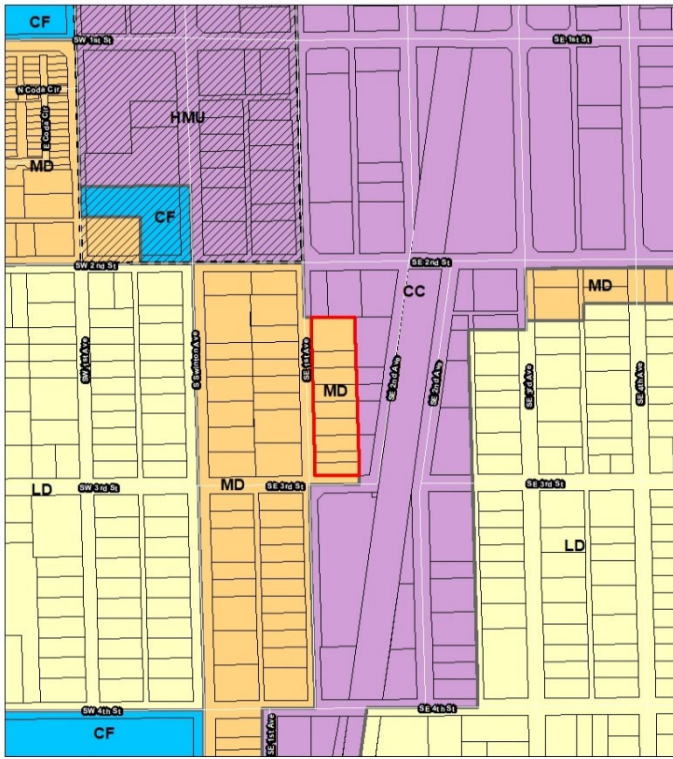
# Delray Swan

## Land Use Map Amendment and Rezoning

### 215, 219, 223, 227, 231, 237, 243, 251, and 253 SE 1<sup>st</sup> Avenue

**Existing Land Use Designation: MD**

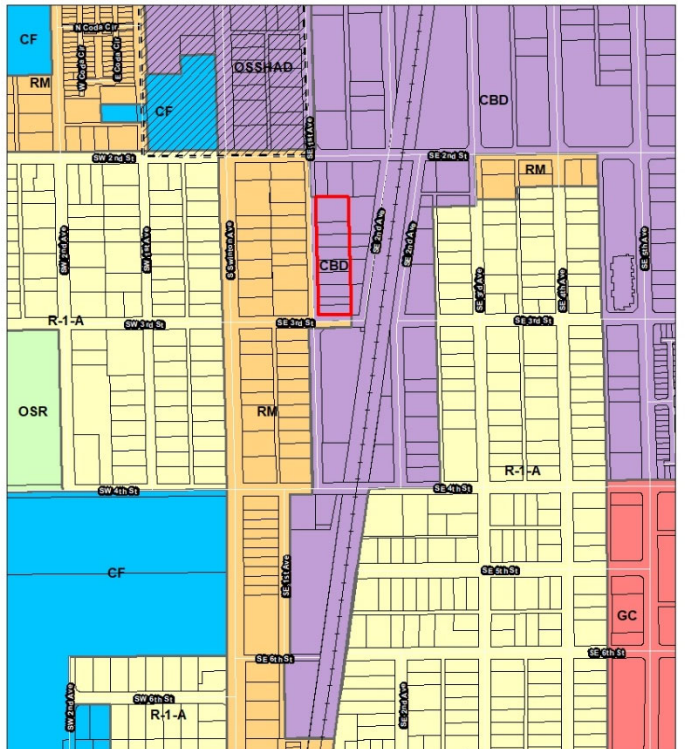
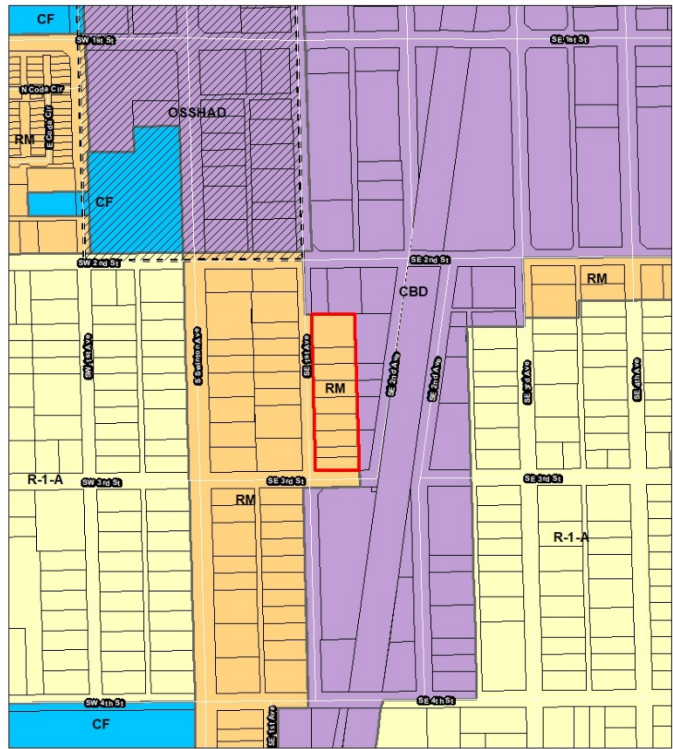
**Proposed Land Use Designation: CC**



**KEY:** MD: Medium Density CF: Community Facilities CC: Commercial Core LD: Low Density

**Existing Zoning: RM**

**Proposed Zoning: CBD**

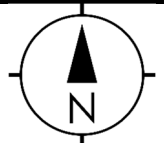


**KEY:** OSHAD: Old School Square Historic Arts District CF: Community Facilities CBD: Central Business District R-1A: Low Density Residential RM: Medium Density Residential



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING



Date: February 1, 2021



ORDINANCE NO. 09-21

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT FOR PARCELS OF LAND LOCATED AT 215 SE 1<sup>ST</sup> AVENUE, 219 SE 1<sup>ST</sup> AVENUE, 223 SE 1<sup>ST</sup> AVENUE, 227 SE 1<sup>ST</sup> AVENUE, 231 SE 1<sup>ST</sup> AVENUE, 237 SE 1<sup>ST</sup> AVENUE, 243 SE 1<sup>ST</sup> AVENUE, 251 SE 1<sup>ST</sup> AVENUE, AND 253 SE 1<sup>ST</sup> AVENUE, WHICH MEASURES APPROXIMATELY 1.41± ACRES AS MORE PARTICULARLY DESCRIBED HEREIN, RE-DESIGNATING SAID LAND FROM MEDIUM DENSITY (MD) TO COMMERCIAL CORE (CC), PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach ("City") exercised the authority granted pursuant to the provisions of Florida Statutes Sections 163.3161 through 163.3248, inclusive, known as the "Community Planning Act"; and

WHEREAS, in passing Ordinance No. 82-89, the City Commission adopted the "Comprehensive Plan - Delray Beach, Florida"; and

WHEREAS, HMHI, LLC, is the fee simple owner of 215 SE 1<sup>ST</sup> Avenue, which measures approximately 0.298 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and has designated Delray Swan, LLC to act as its agent; and

WHEREAS, Aglantine Lafond and Alies Lafond are the fee simple owners of 219 SE 1<sup>ST</sup> Avenue, which measures approximately 0.15 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and have designated Delray Swan, LLC to act as their agent; and

WHEREAS, Marie C. Desrosiers and Onance Seme are the fee simple owners of 223 SE 1<sup>ST</sup> Avenue, which measures approximately 0.150 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and have designated Delray Swan, LLC to act as their agent; and

WHEREAS, Avilus Pierre is the fee simple owner of 227 SE 1<sup>ST</sup> Avenue, which measures approximately 0.150 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and has designated Delray Swan, LLC to act as his agent; and

WHEREAS, Jean B. Seme and Marie K. Seme are the fee simple owners of 231 SE 1<sup>ST</sup> Avenue, which measures approximately 0.150 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and have designated Delray Swan, LLC to act as their agent; and

WHEREAS, Cinelia Joseph is the fee simple owner of 237 SE 1<sup>ST</sup> Avenue, which measures approximately 0.150 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and has designated the Delray Swan, LLC to act as her agent; and

WHEREAS, TAH 2017 2 BORROWER, LLC, is the fee simple owner of 243 SE 1<sup>st</sup> Avenue, which measures approximately 0.150 acres ± and is located east of SE 1<sup>st</sup> Avenue between SE 2<sup>nd</sup> Street and SE 3<sup>rd</sup> Street, and has designated the Delray Swan, LLC to act as its agent; and

WHEREAS, Richard Reading is the fee simple owner of 251 SE 1<sup>st</sup> Avenue, which measures approximately 0.150 acres ± and is located east of SE 1<sup>st</sup> Avenue between SE 2<sup>nd</sup> Street and SE 3<sup>rd</sup> Street, and has designated the Delray Swan, LLC to act as his agent; and

WHEREAS, Rodney Karstetter is the fee simple owner of 253 SE 1<sup>st</sup> Avenue, which measures approximately 0.12 acres ± and is located east of SE 1<sup>st</sup> Avenue between SE 2<sup>nd</sup> Street and SE 3<sup>rd</sup> Street, and has designated the Delray Swan, LLC to act as his agent; and

WHEREAS, the nine (9) parcels described above (collectively referred to as the “Properties”) measuring approximately 1.41± acres combined, as more particularly described in Exhibit “A”, Legal Descriptions, Parcel by Parcel, and Exhibit “B”, Proposed Land Use, have a Land Use Map designation of Medium Density (MD); and

WHEREAS, Delray Swan, LLC, acting as agent for the collective owners referenced above, requested a rezoning of the Properties from Medium Density Residential (RM) to Central Business District (CBD); and

WHEREAS, the City determined Central Business District (CBD) zoning is more appropriate for the Properties; and

WHEREAS, Central Business District (CBD) zoning is not a preferred or compatible implementing zoning district in the Medium Density (MD) land use designation, the City has determined that Commercial Core (CC) is the most appropriate land use; and

WHEREAS, the City held all duly required public hearings; both prior to submission of the proposed amendment of the plan to the State Land Planning Agency of the Florida Department of Economic Opportunity (DEO), in accordance with Chapter 163.3184, *Florida Statutes*, for a small scale comprehensive plan amendment; and

WHEREAS, pursuant to Florida Statutes 163.3174(4), the Planning and Zoning Board for the City of Delray Beach, sitting as Local Planning Agency, considered this item at a public hearing on February 22, 2021, and voted 3 to 2 to recommend that the Land Use Map designation be changed for the Properties hereinafter described, finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations; and

WHEREAS, the City Commission of the City of Delray Beach finds that Ordinance No. 09-21 is consistent with the Comprehensive Plan, meets the criteria set forth in the Land Development Regulations, and is in the best interests of the City; and

WHEREAS, it is appropriate that Commercial Core (CC) is hereby deemed the Land Use Map designation on the Land Use Map of the City of Delray Beach, Florida.

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 City Commission of the City of Delray Beach, Florida, hereby declares its intent to exercise the authority granted pursuant to the provisions of Florida Statutes Sections 163.3161 through 163.3248, Florida Statutes, inclusive, known as the "Community Planning Act."

Section 3. The Land Use Map of the City of Delray Beach, Florida, be and the same, is hereby amended to reflect a Land Use Map designation of Commercial Core (CC) for the Properties described in Exhibit "A", Legal Descriptions, Parcel by Parcel, and shown on the map in Exhibit "B", Proposed Land Use.

Section 4. The Land Use 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 3 hereof.

Section 5. All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 6. 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 7. This Ordinance shall become effective thirty-one (31) days after adoption, unless the Comprehensive Plan amendment is timely challenged. If timely challenged, the effective date of this Ordinance shall be the date a final order is issued by the State Land Planning or the Administration Commission, finding the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED in regular session on second and final reading on this \_\_\_ day of \_\_\_\_\_, 2021.

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 DESCRIPTION, PARCEL BY PARCEL**

**215 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0060 - (ORB 28865, PAGE 1774):**

Lots 6 and 7, Block 79, Subdivision of Block 79, Town of Linton (now Delray), Florida, according to the plat thereof as recorded in Plat Book 10, Page 1, Public Records of Palm Beach County, Florida.

AND

**219 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0080 - (ORB 11706, PAGE 762):**

Lot 8, Block 79, Subdivision of Block 79, Town of Linton (now Delray), Florida, according to the plat thereof as recorded in Plat Book 10, Page 1, Public Records of Palm Beach County, Florida.

AND

**223 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0090 - (ORB 10145, PAGE 1208):**

Lot 9, Block 79, Subdivision of Block 79, Town of Linton (now Delray), Florida, according to the plat thereof as recorded in Plat Book 10, Page 1, Public Records of Palm Beach County, Florida.

AND

**227 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0100 - (ORB 9777, PAGE 1533):**

Lot 10, Block 79, Subdivision of Block 79, in Town of Linton (now Delray), Florida, according to the Plat recorded in Plat Book 10, Page 1, as recorded in the Public Records of Palm Beach County, Florida; said land situate, lying and being in Palm Beach County, Florida.

AND

**231 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0110 - (ORB 10482, PAGE 1999):**

Lot 11, Block 79, Subdivision of Town of Linton (now Delray), Florida, according to the Plat recorded in Plat Book 10, Page 1, Public Records of Palm Beach County, Florida.

AND

**237 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0120 - (ORB 13888, PAGE 0203):**

Lot 12, Block 79, of the City of Delray Beach, (f/k/a/ Linton) according to the plat thereof recorded in Plat Book 10, Page 1, Public Records of Palm Beach County, Florida.

AND

**243 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0130 - (ORB 29546, PAGE 898):**

Lot 13, Block 79, Town of Linton (now Delray), Florida, according to the map or plat thereof, as recorded in Plat Book 10, Page(s) 1, of the Public Records of Palm Beach County, Florida.

AND

**251 SE 1<sup>ST</sup> Avenue - PCN 12-43-46-16-01-079-0141 - (ORB 20754, PAGE 0720):**

Lot 14, Block 79 Less the South 41 feet thereof, Town of Delray, Florida, resurvey of Block 79 according to the plat thereof, recorded in Plat Book 10, Page 1, of the Public Records of Palm Beach County, Florida.

AND

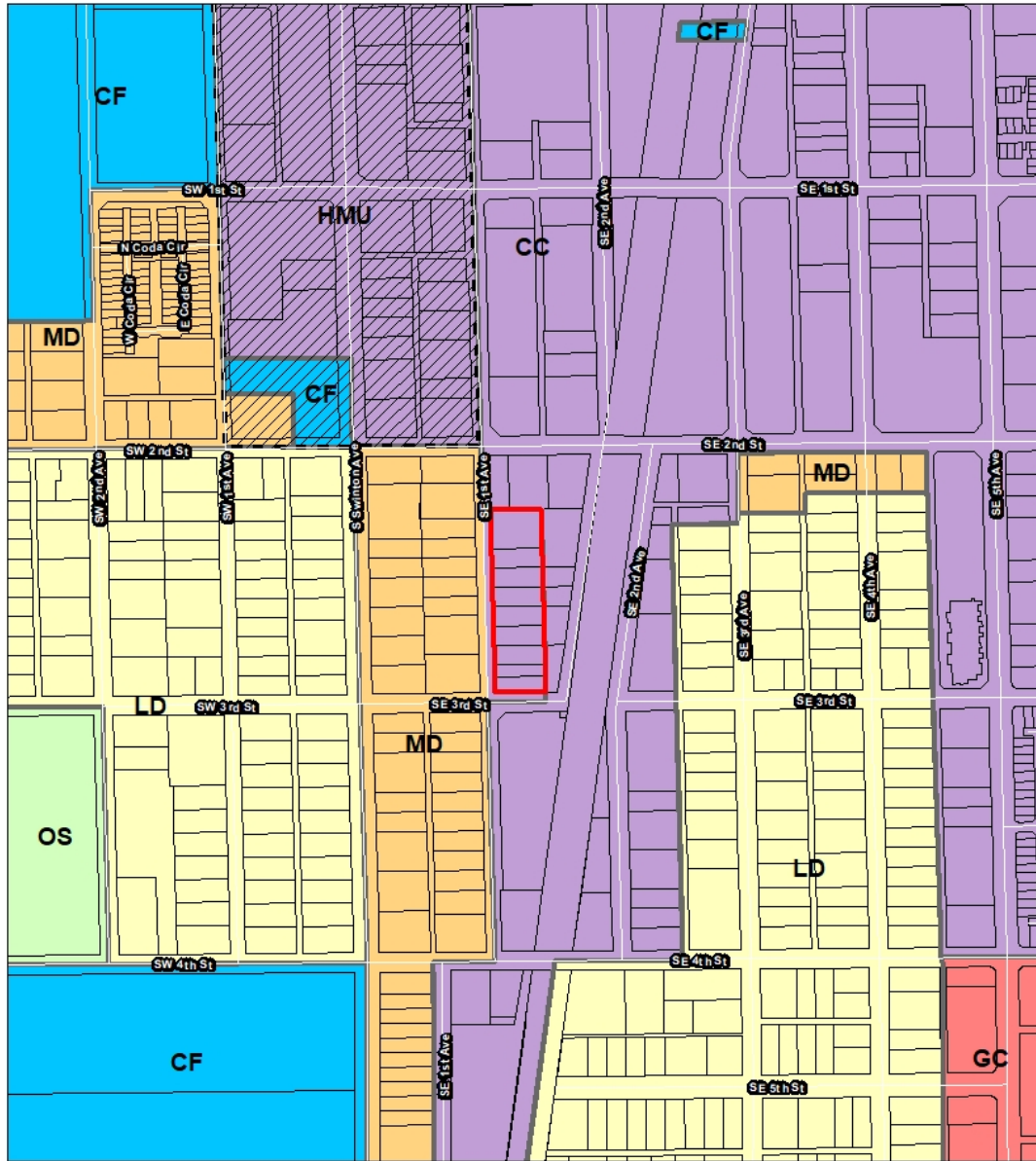
**253 SE 1<sup>ST</sup> Avenue - PCN 12-43-46-16-01-079-0142 - (ORB 20754, PAGE 0781):**

The South 41 feet of Lot 14, Block 79, Town of Delray, Florida, resurvey of Block 79, according to the plat thereof, recorded in Plat Book 10, Page 1, of the Public Records of Palm Beach County, Florida.

Said land situated in the City of Delray Beach, Palm Beach County, Florida and contains 1.41 acres, more or less.



## EXHIBIT "B" PROPOSED LAND USE



<b>Proposed Land Use</b>	Subject Site Historic Districts Single Family Residential	Multiple Family Residential Commercial Mixed Use	Open Space / Recreation Institutional	
	CF - Community Facilities HMU - Historic Mixed Use LD - Low Density Residential	CC - Commercial Core MD - Medium Density Residential	 0 100 200 Feet	

Date: 2/9/2021

Document Path: S:\Planning & Zoning\OBMS\GIS\GIS Projects\2021\03\_Map\_Requests\2021\_0111\_215\_SE\_1ST\_Avenue\01\_Mxd\215\_SE\_1st\_Ave\_FLUM.mxd

ORDINANCE NO. 10-21

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING AND RE-DESIGNATING LAND ZONED MEDIUM DENSITY RESIDENTIAL (RM) TO CENTRAL BUSINESS DISTRICT (CBD) FOR NINE PARCELS OF LAND LOCATED AT 215 SE 1<sup>ST</sup> AVENUE, 219 SE 1<sup>ST</sup> AVENUE, 223 SE 1<sup>ST</sup> AVENUE, 227 SE 1<sup>ST</sup> AVENUE, 231 SE 1<sup>ST</sup> AVENUE, 237 SE 1<sup>ST</sup> AVENUE, 243 SE 1<sup>ST</sup> AVENUE, 251 SE 1<sup>ST</sup> AVENUE, AND 253 SE 1<sup>ST</sup> AVENUE, WHICH MEASURE APPROXIMATELY 1.41± ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING “CITY OF DELRAY BEACH, ZONING MAP, JUNE 29, 2017” AND FURTHER AMENDING FIGURE 4.4.13-7, “RAILROAD CORRIDOR SUB-DISTRICT REGULATING PLAN” AND REGULATING MAP IN SECTION 4.4.13, “CENTRAL BUSINESS (CBD) DISTRICT,” OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, HMH I, LLC, is the fee simple owner of 215 SE 1<sup>ST</sup> Avenue, which measures approximately 0.298 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and has designated Delray Swan, LLC to act as its agent; and

WHEREAS, Aglantine Lafond and Alies Lafond are the fee simple owners of 219 SE 1<sup>ST</sup> Avenue, which measures approximately 0.15 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and have designated Delray Swan, LLC to act as their agent; and

WHEREAS, Marie C. Desrosiers and Onance Seme are the fee simple owners of 223 SE 1<sup>ST</sup> Avenue, which measures approximately 0.150 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and have designated Delray Swan, LLC to act as their agent; and

WHEREAS, Avilus Pierre is the fee simple owner of 227 SE 1<sup>ST</sup> Avenue, which measures approximately 0.150 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and has designated Delray Swan, LLC to act as his agent; and

WHEREAS, Jean B. Seme and Marie K. Seme are the fee simple owners of 231 SE 1<sup>ST</sup> Avenue, which measures approximately 0.150 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and have designated Delray Swan, LLC to act as their agent; and

WHEREAS, Cinelia Joseph is the fee simple owner of 237 SE 1<sup>ST</sup> Avenue, which measures approximately 0.150 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and has designated the Delray Swan, LLC to act as her agent; and

WHEREAS, TAH 2017 2 BORROWER, LLC, is the fee simple owner of 243 SE 1<sup>ST</sup> Avenue, which measures approximately 0.150 acres ± and is located east of SE 1<sup>ST</sup> Avenue between SE 2<sup>ND</sup> Street and SE 3<sup>RD</sup> Street, and has designated the Delray Swan, LLC to act as its agent; and

WHEREAS, Richard Reading is the fee simple owner of 251 SE 1<sup>st</sup> Avenue, which measures approximately 0.150 acres ± and is located east of SE 1<sup>st</sup> Avenue between SE 2<sup>nd</sup> Street and SE 3<sup>rd</sup> Street, and has designated the Delray Swan, LLC to act as his agent; and

WHEREAS, Rodney Karstetter is the fee simple owner of 253 SE 1<sup>st</sup> Avenue, which measures approximately 0.12 acres ± and is located east of SE 1<sup>st</sup> Avenue between SE 2<sup>nd</sup> Street and SE 3<sup>rd</sup> Street, and has designated the Delray Swan, LLC to act as his agent; and

WHEREAS, the nine (9) parcels described above (collectively referred to as the “Properties”) measuring approximately 1.41± acres combined, as more particularly described in Exhibit “A”, Legal Descriptions, Parcel by Parcel, and shown on Exhibit “B”, Proposed Zoning, are shown on the City of Delray Beach Zoning Map, dated June 29, 2017, as being zoned Medium Density Residential (RM); and

WHEREAS, Delray Swan, LLC, acting as agent for the owners referenced above, requested a rezoning of the Properties from Medium Density Residential (RM) to Central Business District (CBD); 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 February 22, 2021 and voted 3 to 2 to recommend that the Properties hereinafter described be rezoned to Central Business District (CBD), 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, the City Commission of the City of Delray Beach finds the designation of Central Business District (CBD) zoning is appropriate for the Properties and in the best interest of the City; and

WHEREAS, the City Commission of the City of Delray Beach finds the Properties should be incorporated into the Railroad Corridor Sub-district; 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; and

WHEREAS, it is appropriate that the Railroad Corridor Sub-district and Regulating Plan maps in Section 4.4.13 of the Land Development Regulations be amended, as shown in Exhibit “C”, Figure 4.4.13-7 Railroad Corridor Sub-District Regulating Plan, to be consistent with the revised zoning classification and to designate SE 1<sup>st</sup> Avenue between SE 2<sup>nd</sup> Street and SE 3<sup>rd</sup> Street as a Primary Street.

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 Central Business District (CBD) for the Properties described in Exhibit “A” – Legal Description, Parcel by Parcel and as shown on the map in Exhibit “B” – Proposed Zoning,

attached hereto and incorporated herein.

Section 3. That the Railroad Corridor Sub-district Regulating Plan, as shown in Figure 4.4.13-7, in Section 4.4.13, "Central Business (CBD) District," of the Land Development Regulations, shall, upon effective date of this Ordinance, be amended as shown in Exhibit "C" to conform with the provisions of Section 2 hereof.

Section 4. 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 5. All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 6. 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 7. This Ordinance shall become effective concurrent with the effective date of Ordinance 09-21, 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 \_\_\_\_\_, 2021.

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 DESCRIPTION, PARCEL BY PARCEL**

**215 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0060 - (ORB 28865, PAGE 1774):**

Lots 6 and 7, Block 79, Subdivision of Block 79, Town of Linton (now Delray), Florida, according to the plat thereof as recorded in Plat Book 10, Page 1, Public Records of Palm Beach County, Florida.

AND

**219 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0080 - (ORB 11706, PAGE 762):**

Lot 8, Block 79, Subdivision of Block 79, Town of Linton (now Delray), Florida, according to the plat thereof as recorded in Plat Book 10, Page 1, Public Records of Palm Beach County, Florida.

AND

**223 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0090 - (ORB 10145, PAGE 1208):**

Lot 9, Block 79, Subdivision of Block 79, Town of Linton (now Delray), Florida, according to the plat thereof as recorded in Plat Book 10, Page 1, Public Records of Palm Beach County, Florida.

AND

**227 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0100 - (ORB 9777, PAGE 1533):**

Lot 10, Block 79, Subdivision of Block 79, in Town of Linton (now Delray), Florida, according to the Plat recorded in Plat Book 10, Page 1, as recorded in the Public Records of Palm Beach County, Florida; said land situate, lying and being in Palm Beach County, Florida.

AND

**231 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0110 - (ORB 10482, PAGE 1999):**

Lot 11, Block 79, Subdivision of Town of Linton (now Delray), Florida, according to the Plat recorded in Plat Book 10, Page 1, Public Records of Palm Beach County, Florida.

AND

**237 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0120 - (ORB 13888, PAGE 0203):**

Lot 12, Block 79, of the City of Delray Beach, (f/k/a/ Linton) according to the plat thereof recorded in Plat Book 10, Page 1, Public Records of Palm Beach County, Florida.

AND

**243 SE 1<sup>st</sup> Avenue - PCN 12-43-46-16-01-079-0130 - (ORB 29546, PAGE 898):**

Lot 13, Block 79, Town of Linton (now Delray), Florida, according to the map or plat thereof, as recorded in Plat Book 10, Page(s) 1, of the Public Records of Palm Beach County, Florida.

AND

**251 SE 1<sup>ST</sup> Avenue - PCN 12-43-46-16-01-079-0141 - (ORB 20754, PAGE 0720):**

Lot 14, Block 79 Less the South 41 feet thereof, Town of Delray, Florida, resurvey of Block 79 according to the plat thereof, recorded in Plat Book 10, Page 1, of the Public Records of Palm Beach County, Florida.

AND

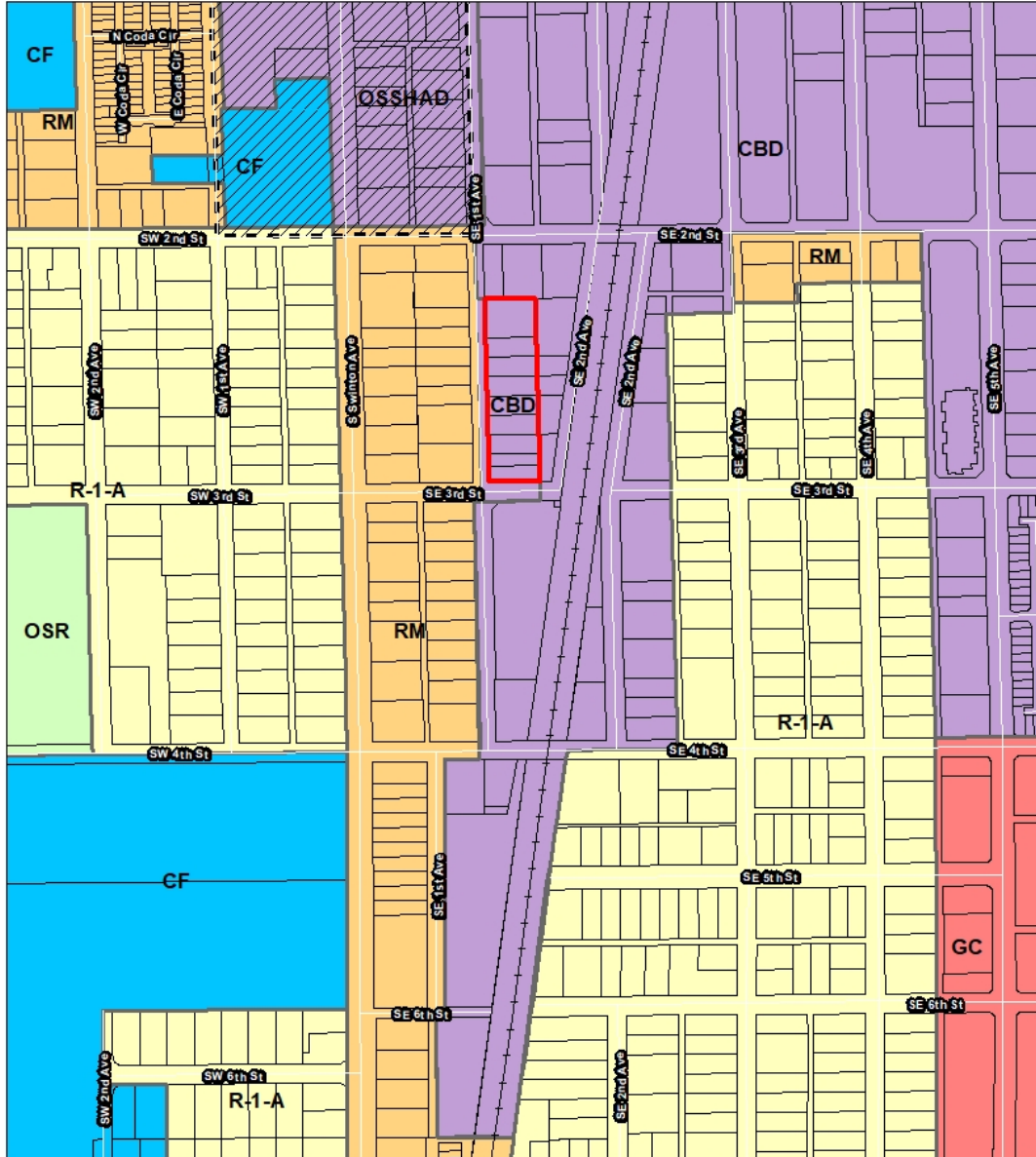
**253 SE 1<sup>ST</sup> Avenue - PCN 12-43-46-16-01-079-0142 - (ORB 20754, PAGE 0781):**

The South 41 feet of Lot 14, Block 79, Town of Delray, Florida, resurvey of Block 79, according to the plat thereof, recorded in Plat Book 10, Page 1, of the Public Records of Palm Beach County, Florida.

Said land situated in the City of Delray Beach, Palm Beach County, Florida and contains 1.41 acres, more or less.



## EXHIBIT "B" PROPOSED ZONING



<h3>Proposed Zoning</h3>	Subject Site Historic Districts Single Family Residential	Multiple Family Residential Commercial Mixed Use	Institutional Open Space / Recreation	 0 100 200 Feet
	CF - Community Facilities R-1-A - Single Family Residential OSR - Open Space and Recreation RM - Medium Density Residential	CBD - Central Business District GC - General Commercial OSSHAD - Old School Square Historic Arts District		

Date: 2/9/2021

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**EXHIBIT "C"**  
**FIGURE 4.4.13-7 RAILROAD CORRIDOR SUB-DISTRICT REGULATING PLAN**

