

located between two commercial buildings just north of 22nd Street, east of Seacrest. The property has on-site parking in the front of the building along Seacrest. The applicant's proposal for setback reduction appears to be excessive as an adjustment from 30' side yard to 10' is substantial. However, the width of the property in the rear is only 78'. A setback of 30' on each side would leave only 18' for development in the rear. On the adjacent sites in the front, both the north and south properties have buildings that have been built on the property lines. These were probably permitted by the county, which may have allowed zero setback lines for commercial buildings at the time of their construction. The applicant proposes no changes in the building on the south side, but is requesting a side yard setback on the north and proposes to step the building back an additional 5' on the second floor on the north side. A three-car carport is proposed for the rear, which will also require a side yard setback variance, as will the reflecting pool that is also proposed. Additional parking is planned for the rear. As noted previously, development of this area would be virtually impossible without the variance, as two-side yard (60') would leave only 18' for development. Therefore, a side yard variance would allow a modest development as proposed.

Mr. Cope made a presentation and stated that the new addition will enhance the property's present condition; they will remove several non-conforming structures in the rear and will provide better parking and a trash removal/dumpster area that complies with code. A setback variance will allow an improvement to a neighborhood commercial area that has been neglected. Additional landscaping will also be added to enhance the site and the proposed development will be subject to review by the Site Plan Review and Approval Board.

Ms. Miller asked how deep the pool is going to be as there is concern for the elementary schools located on the same block.

Mr. Cope stated the pool is going to be one and half (1½) feet deep and that is an enhancement fixture and it would not be accessible.

Mr. Pollack moved to approve the request for the variance based upon positive findings pursuant to Section 4.3.4 (K) in the Land Development Regulations for the City of Delray Beach. The motion was seconded by Mr. Park and passed 5-0.

4. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. Board Members

Ms. Miller suggested keeping the meetings at 5:30 p.m. all members agreed.

B. City Attorney

There being no further business, Chairperson, Mr. Kilik, declared the meeting adjourned at 5:45 p.m.

Yolaina Ruiz, Executive Assistant/Board Liaison

The undersigned is the Secretary of the Board of Adjustment of Delray Beach and the information provided herein is the minutes of the meeting of said Board on February 27, 2014, which minutes were formally approved and adopted by the Board on _____.

Yolaina Ruiz, Executive Assistant/Board Liaison

NOTE TO READER: If the minutes you have received are not completed as indicated above, this means they are not the official minutes of the Board of Adjustment. They will become official minutes only after review and approval, which may involve some amendments, additions or deletions.