

**BOARD OF ADJUSTMENT MEETING MINUTES
THURSDAY, APRIL 17, 5:30 P.M.
CITY COMMISSION CHAMBERS**

A regular meeting of the City of Delray Beach Board of Adjustment was called to order by Chairperson, Allen Kilik, in the Commission Chamber Room at 5:30 p.m. on Thursday, April 17, 2014.

1. ROLL CALL SHOWED:

Present: Mel Pollack Absent: Harvey Starin
 Allen Kilik
 Michael Park
 Brenda Cullinan
 Dale Miller

Also Present: Terrell Pyburn, City Attorney
 Al Berg, Assistant Director
 Steve Tobias, Building Official
 Seaside Builders LLC, Applicant
 Richard Jones Architecture, Agent

At this time, Mr. Kilik reviewed the quasi-judicial rules.

Board Liaison, Yolaina Ruiz, swore in those individuals who wished to give testimony.

There were no ex parte communications by any Board member.

2. APPROVAL OF MINUTES:

Mr. Pollack made a motion to approve the minutes from February 27, 2014, seconded by Ms. Miller. Said motion passed unanimously.

3. PUBLIC HEARING:

PETITION NO. 1027

A. Applicant: Seaside Builders, LLC
 Premises: 110 Macfarlane Drive
 Request: Requesting a variance to reduce the side setback from 30 feet to 16 feet to construct three story townhome units, in addition a dock master/yacht building at the Seagate Yacht Club.

Mr. Berg stated that the applicant is requesting a variance to Section 4.3.4 (K) to allow a side yard setback of 16' where 30' are required for a side yard setback. The applicant proposes to demolish the existing structures and construct three story townhouses (two buildings) and a dock master/yacht club building. The side setback for this land use is 15', but when you add a third (3rd) floor to the building, the zoning matrix requires an additional 15', which is subject of the variance. The existing site is comprised of a clubhouse, pool, a Tiki chickee hut, and parking lot. The existing buildings, and their usage, are dated. The

proposed new townhouses will dramatically change the appearance of the site, as they will be taller than what is currently present but the buildings will be new and updated. They will not be out of character with the surrounding buildings as the four story Delray Beach Yacht Club is located to the north, and, on the south side, there is a parking structure and a 13 story condominium. Both of these structures are more massive than the applicant's proposal for townhouses. Mr. Berg stated approving the variance will dramatically improve the appearance of the site. All of the units will have two (2) car garages, which will provide parking for the residents. The variance will allow symmetry and balance to the building's appearance. It will fit nicely on the site and not be out of character in the neighborhood. The elevator shaft will screen the air conditioners on the roof. The third floor will make the property more appealing and marketable. Landscaping and green space will be added to the site, which will be above code requirements.

Mr. Jones made a presentation and stated that the new project will enhance the property's present condition. He acknowledges that back in 2006 an aggressive project of four (4)-story 41' foot high condominium building; with 10' feet off seawall; twenty (20) dwelling units and a very small dock master facility in the center was approved on this site. Knowing the importance of the new City Commission about smart development compatible with the surrounding communities in 2014, a smarter project was presented. The buildings will be three (3) separate buildings to allow air movement and light and will preserved some view to the marina, it will be ten (10) dwelling units, separate dock facility with amenities, a very contemporary design, and modern architecture. The impact will be in scale with surrounding buildings. Releasing the third floor variance from the Land Development Regulations will allow the resident of the fourth floor of the Seagate Towers to preserve the Atlantic Bridge view.

Mr. Bonfield, a resident from the Seagate Towers, stated that he is very pleased with the proposed project and favors the approval.

Mr. Roger stated that the project would increase the property value of the surrounding area and favors the approval.

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

4. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

- A. Board Members
- B. City Attorney

There being no further business, Chairperson, Mr. Kilik, declared the meeting adjourned at 6:02 p.m.

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 April 17, 2014, which minutes were formally approved and adopted by the Board on May 1, 2014.

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.