

**BOARD OF ADJUSTMENT MEETING MINUTES
THURSDAY, DECEMBER 20, 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 City Commissioner Chambers at 5:31 p.m. on Thursday, December 20, 2012.

1. ROLL CALL SHOWED:

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

Also Present: Brian Shutt, City Attorney
 Al Berg, Assistant Director
 Steve Tobias, Building Official
 Mr. Gary Eliopoulos, Architect
 Joseph Larue, Resident

2. APPROVAL OF MINUTES:

Mr. Pollack made a motion to approve the minutes from September 20, 2012, seconded by Mr. Park. Said motion passed unanimously.

3. PUBLIC HEARING:

Board Liaison, Venice Cobb, swore in those individuals who wished to give testimony.

There were no ex parte communications reported by any Board member.

PETITION NO. 1018

A. Applicant: LINTCO, INC.
Premises: NW Corner of Linton Blvd. & SW 4th Avenue (Vacant Lot)
Request: Requesting a variance to the 30 ft. special landscape setback requirement and is seeking approval for a setback varying from 17'9" to 30' where 30' are required.

Mr. Berg stated that the applicant is appealing Section 4.3.4(H)(6)(b)(4) to allow a reduction of the special landscape requirements. The applicant is requesting a variance to the 30 ft. special landscape setback requirement and is seeking approval of a setback varying from 17'9" where 30' are required. The property is 7.09 acres located on the corner of Linton Blvd and SW 4th Avenue. The applicant is requesting approval to build a 51,412 square foot set of three commercial buildings. There will be a landscape buffer along the property with nine (9) 25' royal palms, eight (8) jatropha trees and fifty eight (58) silver buttonwoods. Staff recommends approval of the variance request.

Mr. Eliopoulos stated the site is unique as it has an office building and a residential structure that carves into the site. He noted that all the parking requirements have been met. The

applicant wants to make the project successful with enough parking. The County made requests for a turn lane and an additional 5 feet on top of the requested 12 feet. The property meets the landscape requirements and the parking requirements even if parking is lost in the front. Mr. Eliopoulos pointed out the landscape buffer of 17'2" and 30' to the east and 18' 9" at the far west side. The Code states that a minimum of 10' is required.

Mr. Kilik asked about the entrance.

Mr. Eliopoulos stated that there are three entrances and exit ways.

Mr. Larue stated he supports the applicant's request.

Ms. Miller moved to adopt the Board order and approve the request for the variance based upon positive findings pursuant to Sections 2.4.7. (a)(5)(A-F) in the Land Development Regulations for the City of Delray Beach. The motion was seconded by Mr. Pollack and passed 4-0.

4. ELECTION OF OFFICERS:

Deferred until the next meeting due to the absence of Mr. Starin.

5. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. Board Members

None

B. City Attorney

None

There being no further business, Chairperson, Mr. Kilik, declared the meeting adjourned at 5:51 p.m.

Venice Cobb, 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 December 20, 2012, which minutes were formally approved and adopted by the Board on _____.

Venice Cobb, 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.