



# City of Delray Beach

100 N.W. 1st Avenue  
Delray Beach, FL 33444

## Advisory Board Agenda Board of Adjustment

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Thursday, September 7, 2023

5:01 PM

City Commission Chambers

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### 1. CALL TO ORDER

### 2. ROLL CALL

### 3. APPROVAL OF AGENDA

### 4. MINUTES

August 3, 2023

Attachments:     [Minutes \(DRAFT\)](#)

### 5. SWEARING IN OF THE PUBLIC

### 6. COMMENTS FROM THE PUBLIC

NOTE: Limited to comments on items that are NOT on the Agenda. Speakers will be limited to 3 minutes.

### 7. QUASI-JUDICIAL HEARING ITEMS

- A. 942 Evergreen Drive (2023-228):** Consideration of a variance request from Section 7.9.11 (A) and (B) of the Land Development Regulations (LDR), to allow a boatlift to project more than 20 feet into the waterway from the seawall and to allow a boatlift to be located so that the vessel in its raised position extends closer than 10 feet to the adjacent (west) property line.

**Applicant/Property Owner:** Troy Gagliardi & Desiree Cook

**PCN:** 12-43-46-28-03-000-2720

**Authorized Agent:** Neil Schiller; nscheiller@govlawgroup.com

**Project Planner:** Anthea Gianniotis, Development Services Director

**Attachments:**      [942 Evergreen Dr - Staff Report](#)  
                              [942 Evergreen Dr - Applicant Justification Statement](#)  
                              [942 Evergreen Dr - Boundary Survey](#)  
                              [942 Evergreen Dr - Applicant Site Photos](#)  
                              [942 Evergreen Dr - Site Photos](#)  
                              [942 Evergreen Dr - Bldg Permit Application](#)  
                              [942 Evergreen Dr - DEP Letter](#)  
                              [942 Evergreen Dr - DEP Plan](#)  
                              [942 Evergreen Dr - City Dock Permit](#)  
                              [942 Evergreen Dr - Site Plan for City Dock Permit](#)

- B. 809 NW 2nd Street (2022-040):** Consideration of a variance request from Land Development Regulations (LDR) Section 4.3.4(K) Development Standard Matrix, to allow a 13-foot side street setback, whereas a minimum of 15 feet is required, and LDR 4.6.15(G)(1) to allow the swimming pool to encroach into the front setback at 15 feet, whereas a minimum of 25 feet is required.

**Address:** 809 NW 2nd Street

**PCN:** 12-43-46-17-25-002-0172

**Property Owner:** 7 SW 9th Street, LLC.

**Authorized Agent:** Thomas F. Carney, Jr. Esq., tfc@carneystanton.com

**Attachments:**      [809 NW 2nd Street - Staff Report](#)  
                              [809 NW 2nd Street - Site Plan](#)  
                              [809 NW 2nd Street - Boundary Survey](#)  
                              [809 NW 2nd Street - Proposed Elevations](#)  
                              [809 NW 2nd Street - Side Street Justification Letter](#)  
                              [809 NW 2nd Street - Pool Justification Letter](#)

## 8. REPORTS AND COMMENTS

A. City Staff

B. Board Attorney

## C. Board Members

**9. ADJOURN**

The City shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the City. Please contact the City Manager at (561) 243-7015 at least 24 hours prior to the program or activity for the City to reasonably accommodate your request. Adaptive listening devices are available for meetings in the Commission Chambers. If a person decides to appeal any decision made by the Board of Adjustment with respect to any matter considered at this meeting or hearing, such persons will need a record of these proceedings, and for this purpose such persons may need to ensure that a verbatim record of the proceedings is made. Such record includes the testimony and evidence upon which the appeal is to be based. The City does not provide or prepare such record. Two or more City Commissioners may be in attendance.