

**CORRECTIVE MINUTES
DEVELOPMENT SERVICES MANAGEMENT GROUP
CITY OF DELRAY BEACH**

MEETING DATE: February 8, 2024

MEETING PLACE: City Hall First Floor Conference Room, 100 NW 1st Street, Delray Beach, FL 33444.

1. CALL TO ORDER

The meeting was called to order by Anthea Gianniotas at 2:01 PM.

2. ROLL CALL

A quorum was present.

Members present were Anthea Gianniotas, Chair; Steve Tobias, Vice Chair; Hassan Hadjimiry; Jason Kaufman; Patrick Figurella; Sammie Walthour; Keith Tomey; Russ Mager and Sammuel Metott.

Absent: None

Staff Present were Lynn Gelin, Clinton Williams, Nan Krushinski and Allison Behrman

3. APPROVAL OF AGENDA

Item 6C was removed from the Agenda.

Motion to APPROVE the amended February 8, 2024, agenda, was made by Sammuel Metott and seconded by Keith Tomey.

MOTION CARRIED 9-0

4. MINUTES

Motion to APPROVE the December 14, 2023, minutes was made by Patrick Figurella and seconded by Sammuel Metott.

MOTION CARRIED 9-0

5. ADOPTION OF BYLAWS AND ELECTION OF OFFICERS

Motion to APPROVE the Bylaws was made by Russ Mager and seconded by Sammuel Metott.

MOTION CARRIED 9-0

Anthea Gianniotas announced the next item on the agenda to be the Election of the Officers.

Motion was made by Keith Tomey to nominate Anthea Gianniotas as Chair and seconded by Sammie Walthour.

MOTION CARRIED 9-0

Motion was made by Sammie Walthour to nominate Steve Tobias as Vice Chair and seconded by Keith Tomey.

MOTION CARRIED 9-0

6. CONSENT AGENDA

A. Approval of the Non-Impact event known as "Bike MS Breakaway to the Palm Beaches" to be held on April 6, 2024, at Anchor Park; and to authorize the special events manager to take all actions necessary to effectuate the special event permit.

B. Approval of the Non-Impact event known as "Delray Beach Bed Races" to be held on October 5, 2024, at 166 SE 2nd Avenue; and to authorize the special events manager to take all actions necessary to effectuate the special event permit

C. Approval of the Non-Impact event known as "Annual St. Patrick's Day Celebration" to be held on March 16, 2024, at Tin Roof Delray; and to authorize the special events manager to take all actions necessary to effectuate the special event permit.

D. Approval of the Non-Impact event known as "O'Connor's Pub Street Paddy's Parade Party" to be held on March 16, 2024, at O'Connor's Pub back parking lot; and to authorize the special events manager to take all actions necessary to effectuate the special event permit.

Motion to APPROVE the consent agenda as amended, was made by Sammuel Metott and seconded by Patrick Figurella.

MOTION CARRIED 9-0

7. NEW BUSINESS

A. 308 SW 3rd Street: Consideration of a right-of-way reduction from 20 feet to 16 feet, whereas 12 platted feet exist, for an unimproved alley within Block 40, Town of Linton, associated with the new construction of a single-family residence by the Delray Beach Community Land Trust (DBCLT).

Applicant: Evelyn Dobson, DBCLT, dobson@mydelraybeach.com; Gary Eliopoulos, GE Architecture, Inc., Gary@eliarch.com; Chuck Halberg, Stuart & Shelby Development, Inc., chuckh@stuartandshelby.com

Staff Contact: Amy Alvarez, Asst. Development Services Dir.; alvarez@mydelraybeach.com

Applicant Presentation

Gary Eliopoulos, GE Architecture, Inc; 1045 E Atlantic Ave #303, Delray Beach, FL 33483
Chuck Halberg, Stuart & Shelby Development, Inc.; 1116 SW 10th Ave SUITE C, Delray Beach, FL 33444

Board Comments

Anthea Gianniotis highlighted that the applicant has presented a request aimed at ensuring necessary access through an easement while preserving the dimensions of the lot in question. She acknowledged the uncommon nature of the request, emphasizing that

the applicant seeks a reduction in the right of way width by means of providing an alleyway access easement. Ms. Gianniotis underscored that the current width of the lot stands at 40 feet, emphasizing that any further reduction would prohibit the development of the parcel.

Patrick Figurella pointed out that the adjacent alleyway currently is unimproved and operates as a two-way one-way traffic route. He noted the City's approval of similar easement dedications in lieu of traditional right-of-way dedications in other locations. Mr. Figurella also mentioned the potential paving of the alleyway during the forthcoming comprehensive Southwest neighborhood project.

Steve Tobias clarified that after dedicating an alleyway easement and the 5-foot side setback, the structure would be limited to a maximum width of 26 feet.

Hassan Hadjimiry confirmed that only the portion of the alleyway adjacent to 308 SW 3rd Street would be affected by the proposed easement. He noted that properties neighboring the alleyway would need to provide dedication in the event of future development.

Jason Kaufman sought clarification on the distinction between providing a right-of-way reduction versus providing an alleyway easement. Staff explained that a dedication would result in the lot width falling below the minimum width established in the City's Land Development Regulations, rendering the property undevelopable.

Motion to approve a right of way reduction of the ultimate width from 20 feet to 16 feet with the condition that a 4-foot perpetual alleyway easement to be provided prior to the issuance of any Certificate of Occupancy for any development at 308 SW 3rd Street , was made by Patrick Figurella and seconded by and Samuel Metott.

MOTION CARRIED 8-1

DISSENTING Hassan Hadjimiry

B. FPL Early Start Request: Provide a recommendation to the City Commission on a request to deviate from the work hour limitations in the Code of Ordinances, Section 99.03(A)(4), Loud and Unnecessary Noises Prohibited: Construction.

Board Comments

Clinton Williams provided an overview of the request, indicating that Florida Power and Light seeks to conduct construction activity outside the allowable construction hours specified in the City's Code of Ordinances. The early start request proposes overnight work between the hours of 9PM and 5AM for the installation of concrete power poles to replace existing utility poles. Given the heavy machinery required for the installation, a full road closure is necessary, with the upgrades expected to span three months.

Russ Mager sought clarification from staff regarding the anticipated noise level from the machinery. He confirmed that the City's Noise Ordinance permits construction between the hours of 7AM and 6PM Monday to Friday and recommended scheduling the proposed activity between the hours of 6PM and 9PM.

Patrick Figurella voiced concern about the potential noise impact of the construction activity and noted that a partial or full road closure would be necessary to carry out the proposed work. He highlighted that this request would require presentation and approval by the City Commission, as the requested closure exceeds 14 days.

Anthea Gianniotis highlighted that a portion of the proposed work would occur within an alleyway adjacent to residential properties. She suggested that a full closure of the alleyway during daytime working hours would have minimal impact on traffic in the area. Gianniotis opposed the early start request, citing its potential unnecessary impact on residents in the proposed work area.

Steve Tobias noted that the early start request would necessitate approval from both the City Commission and the City Manager.

Motion to deny, was made by Sammuell Metott and seconded by Keith Tomey.
MOTION CARRIED 9-0

C. EASTER SUNRISE SERVICE: Recommendation of the Development Services Management Group of the City of Delray Beach, Florida, to the City Commission for an Impact Event known as "Easter Sunrise Service" to be held on March 31, 2024, on the pavilion at Atlantic and A1A between East Atlantic Avenue and Miramar Drive.

Board Comments

Allison Behrman delivered an overview of the request.

Sammuel Metott noted that notwithstanding the closure of A1A, a major street, the event's impact on the community itself is relatively minor.

Motion to recommend approval of the impact event known as The Easter Sunrise Service, was made by Keith Tomey and seconded by Russ Mager.
MOTION CARRIED 9-0

7. COMMENTS

Steve Tobias highlighted that the Building Department regularly processes Public Records Requests pertaining to sensitive infrastructure such as plans for infrastructure, schools, and churches. He requested clear guidance on handling sensitive records while adhering to the provisions provided within Florida Statute 119.

Lynn Gelin emphasized that the City Attorney's staff conducts thorough reviews of all Public Records Requests responses to ensure compliance with relevant state statutes and will conduct redactions when statutorily required.

8. ADJOURN.

There being no further business to come before the Board, the meeting was adjourned at 2:47 PM.

The undersigned is the Board Clerk of the Development Services Management Group and the information provided herein is the Minutes of the meeting of said body **February 8, 2024**, which were formally adopted and **APPROVED** by the Board on **May 9, 2024**.

ATTEST:



CHAIR



BOARD SECRETARY

NOTE TO READER: If the Minutes you have received are not completed as indicated above, then this means that these are not the official Minutes of the Development Services Management Group. They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.