



CITY OF DELRAY BEACH
 DEPARTMENT OF DEVELOPMENT SERVICES
 100 N.W. 1ST AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7040



TO: DEVELOPMENT SERVICES MANAGEMENT GROUP (DSMG)

FROM: Charlie Landsrom, Planner

DATE: March 26, 2026

REQUEST: Consideration of a request to reduce the front setback from the minimum requirement of 25 feet to 20 feet and a request to reduce the rear setback from the minimum requirement of 10 feet to 8 feet associated with redevelopment of the property located at **333 SW 1st Avenue.**

PROPERTY INFORMATION

PCN: 12-43-46-17-12-000-0130

Legal Description:

LOT 13, BLOCK 64, OF SUBDIVISION OF BLOCK 64 DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 39, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

Zoning:

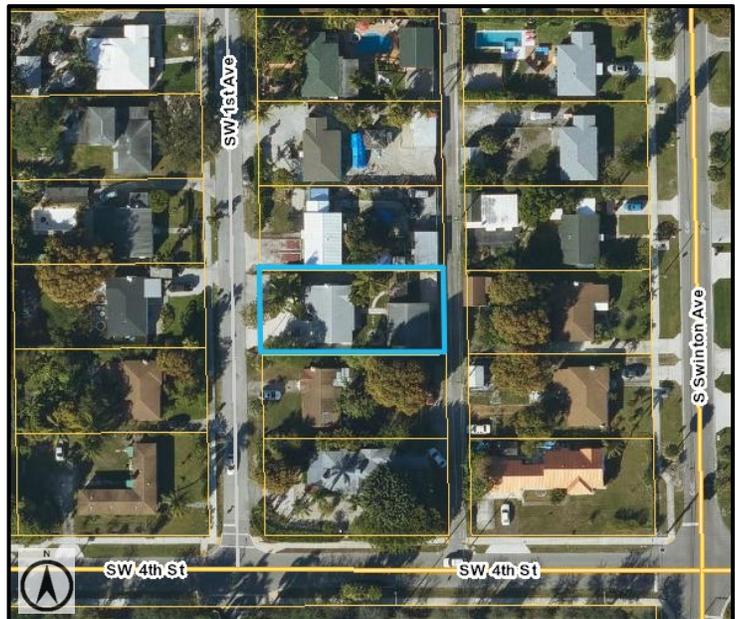
Single-family Residential (R-1-A)

Existing use:

Single-Family Residence, ca. 1945.

Proposed Use:

Single-Family Residence (New Construction)



BACKGROUND:

The request is associated with the redevelopment of the property. The original structure, built in 1945, will be demolished and replaced with a new, multi-story single-family residence. In 1944, the Florida Homes Inc. Plat created the lot with a width of 60 feet and a depth of 131.6 feet. The Plat dedicated 1st Avenue as a public right-of-way at a width of 40 feet and the rear Alley at a width of 16 feet.

Pursuant to **LDR Section 5.3.1(A), Right-of-way Dimensions and Dedication required**, *Right-of-way dimensions and dedications, whether public or private, shall be consistent with Table MBL-1 "Street Network and Classification and Improvements" of the Mobility Element, providing for coordinated rights-of-way dedications with the Florida Department of Transportation and Palm Beach County.* Furthermore, **LDR Section 5.3.1(A)(3)**, *when development is adjacent to an existing or planned street, the development shall be responsible for providing one-half of the ultimate right-of-way or such portion of the ultimate right-of-way which is yet undedicated and which is on that development's side of the ultimate right-of-way center line. In situations where there are unusual topographic features, greater or lesser dedications may be required.*

Per the Comprehensive Plan Mobility Element, Table MBL-1 specifies 50 feet as the required ultimate right-of-way width for other streets without curb and gutter classified as "Local" and specifies 20 feet as the required ultimate right-of-way width for Alleys. Given the redevelopment of the property, a right-of-way dedication of five feet is required for 1st Avenue and a right-of-way dedication of two feet is required for the Alley.

REQUEST:

Pursuant to **LDR Section 4.3.4(K), Development Standards Matrix**. The front setback requirement for the R-1-A Zoning District is 25 feet. The rear setback requirement R-1-A Zoning District is 10 feet.

The request to reduce the front setback along 1st Avenue from the required 25 feet to 20 feet associated with the redevelopment of the property and offsets the amount of right of way required to be dedicated along 1st Avenue.

The request to reduce the rear setback along the Alley from the required 10 feet to 8 feet associated with the redevelopment of the property and offsets the amount of right of way required to be dedicated along Alley.

STAFF REVIEW:

A review of the existing conditions adjacent to the subject property (outlined in blue) indicates that 333 SW 1st Ave. will be the first to redevelop within the immediate area. Thirteen of the fourteen surrounding properties were developed in 1945, prior to the current right-of-way standards established in the City's Comprehensive Plan and Land Development Regulations. However, two properties located to the east across South Swinton Avenue were redeveloped in 2024; while these projects included the dedication of right-of-way along the alley, they did not request setback reductions.



Pursuant to LDR Section 4.3.4(K), Development Standards Matrix, the minimum lot size for the R-1-A zoning district is 7,500 SF and the minimum required width and depth for an interior lot is 60 feet by 100 feet. The subject property's current lot size is 7896 SF. Prior to the right of way dedications, the property is compliant with the minimum lot size applicable to the zoning district.

However, the required right-of-way dedication of five feet for 1st Avenue and two feet for the Alley reduces the depth of the property by seven feet. **The required right-of-way dedications will reduce the overall lot size to 7476 SF. Although the lot complies with the required width of 60 feet and 124.6 feet of depth, the resulting lot does not maintain compliance with the minimum lot size required for the R-1-A district.**

Due to the required right-of-way dedications associated with redevelopment, the buildable area of the property is reduced below the minimum required lot area. As the requested reduction of the front setback from 25 feet to 20 feet along 1st Avenue and the rear setback from 10 feet to 8 feet along the Alley corresponds directly with the amount of right-of-way required to be dedicated, the setback reductions are minimal in nature and are directly attributable to the right-of-way dedication required by the City's adopted mobility standards.

APPLICANT JUSTIFICATION:

The applicant's request is provided as an attachment.

FINDINGS:

Pursuant to **LDR Section 2.1.2(B)**, the Development Services Management Group (DSMG) has the authority to grant administrative relief to adjustments to setback requirements for detached single-family and duplex structures resulting from right-of-way dedications, equal to the amount of the dedication, but no more than five feet.

LDR Section 2.4.11(D)(5), Findings, Prior to granting administrative relief, the administrative official or body shall find:

- (a) That the relief sought is consistent with the specific authorization provided for in these regulations;
- (b) That the intent of the affected regulation is preserved;
- (c) That the action will not be detrimental to the public health, safety, or welfare; and,
- (d) The relief is consistent with the established character of the surrounding neighborhood.

Front Setback Reduction – SW 1st Avenue

The request to reduce the required front setback from 25 feet to 20 feet along SW 1st Avenue is directly associated with the five-foot right-of-way dedication required along the property frontage. The requested reduction is consistent with the authority granted under LDR Section 2.1.2(B), as the relief requested is equal to the amount of right-of-way being dedicated and does not exceed five feet. The intent of the front setback requirement is to provide adequate spacing between structures and maintain an appropriate streetscape within the neighborhood. The requested reduction preserves the intent of the regulation while accommodating the required right-of-way dedication necessary to achieve the ultimate right-of-way width identified in the City's Comprehensive Plan Mobility Element. Granting the requested relief will not be detrimental to the public health, safety, or welfare and remains consistent with the established character of the surrounding single-family residential neighborhood.

Rear Setback Reduction – Alley

The request to reduce the required rear setback from 10 feet to 8 feet along the rear Alley is directly associated with the two-foot right-of-way dedication required along the alley frontage. The requested reduction is consistent with the authority granted under LDR Section 2.1.2(B), as the relief requested corresponds directly with the amount of right-of-way being dedicated and does not exceed five feet. The intent of the rear setback requirement is to provide appropriate separation between structures and maintain functional access from the alley. The requested reduction preserves the intent of the regulation while accommodating the required right-of-way dedication necessary to achieve the ultimate alley right-of-way width identified in the City's Comprehensive Plan Mobility Element. Granting the requested relief will not be detrimental to the public health, safety, or welfare and remains consistent with the established character of the surrounding single-family residential neighborhood.

REVIEW PROCESS:

Front Setback Reduction – SW 1st Avenue:

If the request is approved and no other relief is requested, the property owner may proceed with the submittal of a building permit application illustrating a front setback of 20 feet along 1st Avenue.

If the request is denied, the plans must be updated to reflect the minimum required front setback of 20 feet, or an appeal can be requested in accordance with LDR Article 2.5, Appeals. Appeals of the Development Services Management Group (DSMG) are considered by the City Commission for final determination.

Rear Setback Reduction – Alley

If the request is approved and no other relief is requested, the property owner may proceed with the submittal of a building permit application illustrating a rear setback of 8 feet along the Alley.

If the request is denied, the plans must reflect the minimum required rear setback of 10 feet or an appeal can be requested in accordance with LDR Article 2.5, Appeals. Appeals of the Development Services Management Group (DSMG) are considered by the City Commission for final determination.