



Cover Memorandum/Staff Report

File #: 25-809

Agenda Date: 7/15/2025

Item #: 7.B.

TO: Mayor and Commissioners
FROM: Anthea Giannotes, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: July 15, 2025

RESOLUTION NO. 134-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A MAJOR SUBDIVISION FOR A FINAL PLAT WITH WAIVERS FOR A SUBDIVISION KNOWN AS SOUTHWEST 4TH AND 7TH HOMES," TO REPLAT OF A PORTION OF LOT 1, WITHIN BLOCK 20 OF THE SUBDIVISION OF TOWNSHIP 46, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 1, PAGE 4 OF THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Recommended Action:

Consideration of Resolution No. 134-25, approving "Southwest 4th and 7th Homes", a Major Plat with waivers, a replat of a portion of Lot 1, within Block 20 of the Subdivision of Township 46, Range 43 East, as recorded in Plat Book 1, Page 4 of the Public Records of Palm Beach County.

Background:

The 0.45-acre subject property, currently addressed as 704 SW 7th Avenue, is vacant and located on the southeast and southwest corners of the intersection of SW 7th Avenue and SW 4th Street. The subject property is zoned Single Family Residential (R-1-A) District and has a Land Use Map Designation (LUM) of Low Density (LD). The property is within the Delray Beach Community Redevelopment Agency (CRA) redevelopment area and owned by the CRA. The area is also subject to the West Atlantic Redevelopment Plan. The lots are part of Lot 1, within Block 20 of the Subdivision of Township 46, Range 43 East, which was recorded in 1910. Like many of the lots in the northwest and southwest neighborhoods in Delray Beach, the subject properties were never formally platted. The Delray Beach CRA intends to dispose of the lots through a request for proposal process for the development of affordable/workforce housing units within the CRA District. The proposed plat qualifies as a Major Subdivision.

Pursuant to **LDR Section 2.4.8(B), Major Subdivision (Platting)**

(1) **General.** *The major subdivision process, which generally involves the creation of more than three individual lots, shall involve both the Planning and Zoning Board and the City Commission. The City Commission shall be the final authority in the subdivision review process. The City Commission may approve or deny a plat.*

(5) **Findings.** *The City Commission must make a finding that the Final Plat is consistent with the Performance Standards in Chapter 3.*

The following waivers are requested for each of the lots, pursuant to **LDR Section 2.4.11(B)**:

Lot 1		
Lot Area	Required	7,500 sf
	Provided (Waiver)	7,351 sf
Lot Width	Required	60.00 feet
	Provided	70.01 feet
Lot 2		
Lot Area	Required	7,500 sf
	Provided (Waiver)	7,350 sf
Lot Width	Required	80.00 feet
	Provided (Waiver)	70.00 feet
Lot 3		
Lot Area	Required	7,500 sf
	Provided (Waiver)	4,900 sf
Lot Width	Required	80.00 feet
	Provided (Waiver)	46.67 feet

Each of the three lots request relief. Lots 1 and 2 are slightly smaller in area than required. Lot 3 is much narrower than the code requires and, as a result, can only be developed for workforce house (which is consistent with the CRA's intention). To grant a waiver, the following findings must be made, pursuant to **LDR Section 2.4.11(B)(5)**:

- (5) **Findings.** *Prior to granting a waiver, the granting body shall make findings that the granting of the waiver:*
- (a) *Shall not adversely affect the neighboring area;*
 - (b) *Shall not significantly diminish the provision of public facilities;*
 - (c) *Shall not create an unsafe situation; and*
 - (d) *Does not result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner.*

The attached Planning and Zoning Board (PZB) staff report provides the full history of the property and an analysis of the required standards and findings.

The PZB voted 4 to 0 to approve the preliminary plat and 4-0 to recommend approval of the final plat at its May 19, 2025 meeting.

City Attorney Review:

Resolution No. 134-25 is approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

The plat will be effective upon recordation.