

RESOLUTION NO. 130-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING A MODIFICATION OF STANDARDS FOR APPROVAL TO SECTION 7.9.5(A) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A DOCK TO EXTEND BEYOND SEVEN FEET FROM THE FACE OF THE SEAWALL INTO THE INTRACOASTAL WATERWAY FOR THE PROPERTY LOCATED AT 1020 SEASAGE DRIVE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Reg Realty Holdings, LLC (“Owner”), is the owner of 1020 Seasage Drive, measuring approximately .70 acres and located in the residential zoning district (R-1-AAA) within the North Beach/Seagate Overlay District (“Property”), as more particularly described in Exhibit “A”; and

WHEREAS, Owner designated Lauren Schramek (“Applicant”) to act as their agent for the Property; and

WHEREAS, Applicant submitted an application for a modification of standards for approval to allow a dock to extend more than seven feet from the face of the seawall into the intracoastal waterway (File No. 2025-183-WAI); and

WHEREAS, Article 7.9, “Docks, Dolphins, and Finger Piers, and Boat Lifts,” of the City of Delray Beach Land Development Regulations (“LDR”) provides specific regulations to permit construction in and upon certain waterways of docks, dolphins, finger piers, and boat lifts for residentially zoned property that do not cause a hazardous interference with navigation, endanger life or property, or deny the public reasonable visual access to public waterways; and

WHEREAS, pursuant to LDR Section 7.9.5(A)(3), the maximum distance a dock may project into a waterway is seven feet measured from the face of the seawall; and

WHEREAS, the proposed dock will extend 33 feet six inches from the face of the seawall; and

WHEREAS, LDR Section 7.9.4(A), allows the City Commission, upon the recommendation of the Building Official, to authorize a modification to the standards for approval as set forth in Article 7.9, if compliance with the requirement would not be feasible or would constitute a hardship in the particular instance, and provided that a modification would not endanger public safety and welfare; and

WHEREAS, the Building Official has determined the request does not constitute an unsafe situation or endanger the public safety; and

WHEREAS, the City Commission has reviewed the requested modification to the standards of approval to LDR Section 7.9.5(A)(3) and has considered the respective findings as set forth in the Land Development Regulations and Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The City Commission makes positive findings that compliance with the requirements of LDR Section 7.9.5 is (1) not feasible and (2) does not endanger public safety and welfare.

Section 3. The City Commission approves the construction of a dock that extends 33 feet six inches from the face of the seawall for the Property.

Section 4. The City Clerk, or designee, is directed to send a certified copy of this Resolution to Lauren Schramek, 601 North Congress Avenue Suite 109, Delray Beach, Florida 33445.

Section 5. All resolutions or parts of resolutions in conflict herewith shall be and hereby are repealed.

Section 6. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the _____ day of _____, 2025.

ATTEST:

Alexis Givings, City Clerk

Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

Exhibit “A”

Lot 11 and Lot 12, Block 5 of Seagate Extension, according to the Plat thereof as recorded in Plat Book 24, Page(s) 67, of Public Records of Palm Beach County, Florida.