

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

**MEETING DATE:** November 9, 2023

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

**1. CALL TO ORDER**

The meeting was called to order by Peter Martinek at 2:06 PM.

**2. ROLL CALL**

A quorum was present.

**Members present** were Anthea Gianniotis, Development Services Director; Hassan Hadjimiry, Utilities Director; Missie Barletto, Public Works Director; Patrick Figurella, City Engineer; Steve Tobias, Chief Building Official; Sammie Walthour, Neighborhood and Community Services Director; Keith Tomey, Fire Department Chief; Russ Mager, Police Chief; Samuel Metot, Parks and Recreation Director

**Staff present** were Lynn Gelin, Amy Alvarez and Michelle Hoyland

**3. APPROVAL OF AGENDA**

**Motion** to APPROVE the November 9, 2023, agenda by Missie Barletto and seconded by Keith Tomey.

**MOTION CARRIED 9-0**

**4. MINUTES**

**Motion** to APPROVE the August 17, 2023, minutes by Patrick Figurella and seconded by Anthea Gianniotis.

**MOTION CARRIED 9-0**

**5. New Business**

**A. FEMA Letter of Map Revision for 601 S Ocean Boulevard**

**Applicant Presentation**

None

**Board Comments**

Steve Tobias presented a synopsis of the request, highlighting his reservations. Mr. Tobias emphasized that the specified area on the request surpassed the property boundaries and underscored the fact that the proposed letter of map revision, if approved, would result in a permanent adjustment of the flood zone designation.

Missie Barletto pointed out the absence of a City point of entry in a situation where the property owner is seeking FEMA's revision. She emphasized that the City is being asked to provide concurrence and suggested denying the request due to the LOMAR encompassing an area that exceeds the property limits.

Supporting Missie's concerns, Anthea Gianniotis echoed the worry about the request surpassing the property boundaries and possibly circumventing FEMA's role.

**Motion** to deny the property owners' request for the Letter of Map Revision was made by Missie Barletto and seconded by Anthea Gianniotis.

**MOTION CARRIED 9-0**

## **B. Waiver Request of LDR 2.4.7 (B)(5) for 501 NW 8<sup>th</sup> Avenue**

### **Applicant Presentation**

Albert C. Scartabello Jr., Property Owner

### **Staff Presentation**

Amy Alvarez, presented via PowerPoint presentation.

### **Board Comments**

Anthea Gianniotis outlined the request and apprised the Board of the recently implemented provision in Chapter 2 of the City's Land Development Regulations. This provision empowers the Board to grant an administrative setback waiver when deemed appropriate, contingent upon the applicant satisfying the three findings outlined in Land Development Regulation 2.4.7(B)(5).

Steve Tobias inquired if the frontage will be along Sunshine Drive and whether the administrative waiver would impact parking arrangements.

Patrick Figurella clarified that if approved, the requested waiver would align the front of the building with the existing structure on that block. He highlighted the procedural shift, noting that before the amendment to Chapter 2, applicants would have had to appear before the Board of Adjustment. Mr. Figurella expressed support for the waiver, citing precedents where the Board of Adjustment had granted similar relief.

Missie Barletto affirmed that other property owners along Sunshine Drive would be obligated to provide a right-of-way dedication in the event of extensive renovations or new construction.

Hassan Hadjimiry voiced no objection to the requested waiver and affirmed that all properties on Sunshine Drive would need to submit a request for a setback waiver to the Board.

**Motion** to approve the waiver request to reduce the front setback from 30 feet to 25 feet for 501 NW 8<sup>th</sup> Avenue was made by Patrick Figurella and seconded by Missie Barletto.

**MOTION CARRIED 8-1**

**DISSENTING** Hassan Hadjimiry

**C. Right of way reduction request to maintain the existing width of 50 feet, whereas 55 feet is required, for SE 1<sup>st</sup> Street, associated with Sundy Village and Adjacent to the Block 69 & Black 70 portions of the Development.**

**Applicant Presentation**

Michael Covelli, Covelli Design Associates Inc; 1209 S Swinton Avenue, Delray Beach, FL 33444

**Staff Presentation**

Michelle Hoyland, Principal Planner, presented via PowerPoint presentation.

**Board Comments**

Anthea Gianniotis noted that structures in the Central Business District need to be set back 15 feet, providing a minimum 6-foot pedestrian clear zone. She emphasized that approval of the requested right-of-way reduction would not impact the prescribed dimensions of the pedestrian clear zone or the 15-foot setback for the structures. Additionally, the presence of existing power lines necessitates an extra building distance separation.

Patrick Figurella pointed out that the Sundy Village project received prior approval with a 50-foot right-of-way width for the eastern sections, as opposed to the western sections. No documentation has been found noting a reduction to the approved 50-foot right of way. Mr. Figurella emphasized that the Comprehensive Plan mandates a 55-foot right of way along NE 1st and SE 1st Street, spanning from Linton Boulevard to Federal Highway.

Missie Barletto acknowledged the absence of documentation regarding the approval of a 50-foot right of way but suggested that it can be inferred that the approval was intentional.

**Motion** to approve the right of way request to maintain the existing width of 50 feet associated to Sundy Village and adjacent to Lots 69 and 70 was made by Missie Barletto and seconded by Steve Tobias.

**MOTION CARRIED 9-0**

**6. Special Events Permit Requests**

Lynn Gelin noted that, in light of the amendments to Chapter 2 of the City's Land Development Regulations, the Board is set to deliberate on private Special Event Permit requests. These items are slated to be placed on the consent agenda, but the option remains to move them for individual consideration if any Board member deems it necessary.

Samuel Metott pointed out that certain high-impact events would be subject to individual consideration and would not be included on the consent agenda.

Anthea Gianniotis suggested hearing special events permits on the consent agenda prior to hearing new business items.

Steve Tobias recommended the enforcement of submission deadlines for special events permits to ensure ample time for thorough review of the requests.

Hassan Hadjimiry inquired about the definition of a special event in the City's Land Development Regulations. It was clarified that special events are those necessitating City services beyond the norm, and they can occur on either public or private property.

#### **7. COMMENTS FROM DSMG MEMBERS**

None

#### **8. ADJOURN.**

There being no further business to come before the Board, the meeting was adjourned at 3:09 PM.

The undersigned is the Secretary of the Development Services Management Group and the information provided herein is the Minutes of the meeting of said body for November 9, 2023, which were formally adopted and **APPROVED** by the Board on November 30, 2023.

ATTEST:

  
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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.