

RESOLUTION NO. 171-24

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW PET GROOMING SERVICES AT 507 EAST ATLANTIC AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Jo Jo Realty, LLC, (“Owner”) is the owner of a parcel of land measuring approximately 0.3055 acres located at 507 East Atlantic Avenue (“Property”), as more particularly described in Exhibit “A”; and

WHEREAS, the Property is zoned Central Business District (“CBD”), Central Core Sub-district; and

WHEREAS, Owner designated Mike Covelli of Covelli Design Associates, Inc. (“Applicant”), to act as its agent; and

WHEREAS, Applicant submitted a conditional use application (File No. 2024-184-USE) to allow pet grooming services at a 990-square foot commercial space at the Property, as shown in Exhibit “B”; and

WHEREAS, pursuant to Table 4.4.13(A), Allowable Uses and Structures in the CBD Sub-Districts, of the Land Development Regulations of the City of Delray Beach (“LDR”), pet services are permitted as a conditional use, subject to LDR Section 4.3.3(W), within the CBD Central Core Sub-district; and

WHEREAS, LDR Section 2.4.6(A)(5) requires the approving body to make findings establishing the conditional use will not:

- (a) Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located; nor
- (b) Hinder development or redevelopment of nearby properties; and

WHEREAS, LDR Section 4.3.3(W) establishes conditional use criteria for domestic animal services, requiring the conditional use to adhere to the following:

- (a) Hours of operation are limited to 7:00 a.m. to 8:00 p.m., except for veterinary clinics providing emergency services; and

- (b) Domestic animal service facilities shall be fully enclosed with solid core doors and walls sufficiently insulated to minimize noise and odor detection from outside the facility. If frequent, habitual, or long continued animal sounds are plainly audible from adjacent properties, the building is not considered sufficiently insulated; and
- (c) Outside activities and services are limited to drop-off and necessary outdoor walks of animals in direct control of a person by means of a leash or cord. Pursuant to Section 4.6.6, any other outside use requires approval through the conditional use process specifically determining the outside aspects of the use are appropriate; and
- (d) Pet services that are limited as an accessory use by the zoning district must be accessory to an approved domestic animal service; and
- (e) On-site disposal of carcasses is prohibited; and
- (f) *Parking Requirements.* The minimum number of parking spaces required shall be determined by the gross floor area. Facilities offering a mix of domestic animal services shall provide parking spaces based on the cumulative use designation of each area.
 - (1) Pet services and veterinary clinics shall provide 4.5 spaces per 1,000 square feet.
 - (2) Pet hotels and animal shelters shall provide one space per 300 square feet.
 - (3) Common areas within a facility offering a mix of domestic animal services shall calculate parking spaces based on the use requiring the least amount of parking spaces.

WHEREAS, on September 17, 2024, the Planning and Zoning Board voted 6 to 0 to recommend approval of the conditional use to the City Commission; and

WHEREAS, on October 15, 2024, the City Commission considered the conditional use request, and the respective criteria and findings as set forth in the Land Development Regulations.

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 the requested conditional use will not have a significantly detrimental effect upon the stability of the neighborhood within which it will be located and will not hinder development or redevelopment of nearby properties.

Section 3. The City Commission approves the conditional use request to allow pet grooming services at the Property.

Section 4. The City Clerk, or designee, is directed to send a certified copy of this Resolution to Mike Covelli of Covelli Design Associates, Inc., at 7050 West Palmetto Park Road, Suite 15-274, Boca Raton, Florida 33433.

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 _____, 2024.

ATTEST:

Alexis Givings, Interim City Clerk

Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION

Lot 19, less the West 10 feet; Lot 20; and the West 10 feet of Lot 21, Block 108, City of Delray Beach (formerly Linton), as per plat on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 1, Page 3, LESS any portion of said property comprising the right-of-way of Atlantic Avenue and the Southbound right-of-way of U.S. Highway #1. .

EXHIBIT "B"
LOCATION IN SUBJECT PROPERTY – 507 EAST ATLANTIC AVENUE

