

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

**MEETING DATE:** December 14, 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 Anthea Gianniotis, Development Services Director at 2:03 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; Travis Franco, Assistant Fire Chief; Russ Mager, Police Chief; Sammuel Metott, Parks and Recreation Director

**Staff present** were Lynn Gelin, Jeff Oris, Nan Krushinski, Michelle Hewett and Katherina Paliwoda

**3. APPROVAL OF AGENDA**

Item 5C to become 6AA

**Motion** to APPROVE the amended December 13, 2023, agenda by Samuel Metott and seconded by Patrick Figurella.

**MOTION CARRIED 9-0**

**4. MINUTES**

None

**5. Consent Agenda**

**Motion** to APPROVE the consent agenda by Patrick Figurella and seconded by Missie Barletto.

**MOTION CARRIED 9-0**

**6. New Business**

**AA.** Recommendation of the Development Services Management Group of the City of Delray Beach, Florida, approving the non-impact event known as "An Evening of Black Excellence Under the Stars" to be held on February 3, 2024, on the 100 block of NW 5th avenue.

### **Board Comments**

Patrick Figurella highlighted in the Special Event Permit Application that there is a proposed road closure, yet underscored the absence of a submitted MOT. Nan Krushinski emphasized that in the event of the Board's approval of the application, an MOT application would promptly follow.

Anthea Gianniotis sought clarification on the distinction between impact and non-impact events. It was clarified that the closure of a significant roadway would categorize the Special Event as an impact event, necessitating City Commission approval.

Missie Barletto asked whether NE 5th Avenue, classified as a collector road, would be deemed a major roadway. It was clarified that major roadways were explicitly listed in the Special Events Policy.

**MOTION** to APPROVE the event known as "An Evening of Black Excellence Under the Stars by Missie Barletto and seconded by Sammie Walthour.

**MOTION CARRIED 9-0**

**A. 333 North Swinton Avenue:** Request for a waiver of LDR Section 4.3.4 (J)(2)(a), to allow a reduction of required finished floor elevation from 21.69 feet to 20 feet, whereas the existing structure's finished floor elevation is 21.09 feet.

### **Applicant Presentation**

Pablo Solis, Steve Siebert Architecture Inc, 1010 Gateway Boulevard #103, Boynton Beach, FL 33426

### **Staff Presentation**

Michelle Hewett, Planner, presented via PowerPoint presentation.

### **Board Comments**

Patrick Figurella noted that the Engineer's letter submitted by the applicant emphasized the absence of any history of flooding at the specified address and highlighted the property's location within flood zone X. He pointed out that the City's Land Development Regulations mandated structures to be positioned 18 inches above the center line of the adjacent roadway. For structures below this threshold, the applicant must demonstrate elevation above the 100-year storm elevation. If the FEMA Flood zone is unspecified, a determination of the 100-year storm flood depth would be necessary. Mr. Figurella inquired if the applicant had determined the storm elevation, to which the response indicated that no such study had been conducted.

Anthea Gianniotis sought clarification on the significance of a flood zone designation of X in relation to a 100-year storm elevation. Mr. Figurella explained that Flood Zone X denotes the absence of a specified flood hazard by FEMA. Ms. Gianniotis recommended raising the structure and lowering the floor elevation, noting that the property owner would need a Certificate of Appropriateness from the Historic Preservation Board.

Missie Barletto questioned how the calculations for the exfiltration trenches were conducted without flood routing, with the applicant revealing a pre and post analysis of a 10-year 1-day storm. Ms. Barletto highlighted that the crown of the alleyway was an inch below the proposed finished floor elevation.

Hassan Hadjimiry clarified that if the request were approved, the road's crown would be 3 inches above the proposed finished floor. He inquired about the distance between the structure and North Swinton Avenue, noting that the proposed swimming pool would also be below the crown of the road.

Steve Tobias underscored the importance of preserving the historical integrity of the structure. He emphasized that proposed alterations could compromise the resilience of the structure and suggested exploring alternative options to address the substandard ceiling height while adhering to the Secretary of the Interior's historic guidelines.

**MOTION** to deny the property owners' request to reduce the required finish floor elevation from 21.69 feet to 20 feet was made by Missie Barletto and seconded by Steve Tobias.

**MOTION CARRIED 9-0**

**B. Aura Delray Beach, 2087 West Atlantic Avenue:** Request for a Letter of Map Revision for the multi-family residential development.

#### **Applicant Presentation**

C. Jacob Shotmeyer, Trinsic Residential Group

#### **Public Comment**

Chad Bradshaw commented that removing properties from flood zones may improve the City's Community Rating System.

#### **Board Comments**

Steve Tobias provided a comprehensive overview of the Aura Delray project and explained the nature of the request before the Board. Expressing concerns, Mr. Tobias raised concerns about the potential impact of the request on the Community Rating System rating for the City. He recommended that the applicant explore the submission of a Letter of Map Amendment (LOMA), emphasizing its lower likelihood of jeopardizing the City's Community Rating System. Mr. Tobias expressed reservations about approving the request without obtaining additional information to assess the potential negative effects on the City's Community Rating System.

Patrick Figurella highlighted the significance of the LOMAR-F request, explaining that it would eliminate the residential structures from the specified flood hazard area. He emphasized that the structures now exceed the requirements for the special flood hazard area, with the current elevation standing at 13 feet.

Anthea Gianniotis remarked on the grade's elevation meeting the requirements of flood zone designation AE-9. She noted the uncommon nature of post-construction submissions for LOMAR-F requests.

Missie Barletto directed a question to the applicant regarding whether City approval is a prerequisite before submitting the LOMAR-F to FEMA. The applicant affirmed that City approval is indeed required. Ms. Barletto shared her own experience, noting that, in her understanding, County or City approval was typically not obligatory before submitting such a request to FEMA.

**MOTION** to continue until additional information is provided by Federal Emergency Management Agency so that the City's Flood Plain Manager can make an informed decision was made by Patrick Figurella and seconded by Sammie Walthour.

**MOTION CARRIED 9-0**

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

None

## **8. ADJOURN.**

There being no further business to come before the Board, the meeting was adjourned at 3:02 PM.