



architecture, planning & design

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June 11, 2024  
September 27, 2024 (Revised)

City of Delray Beach  
Development Services Division  
100 N. W. 1st Avenue  
Delray Beach, Fl. 33444

Re: Dorfman Residence  
319 Andrews Avenue  
Delray Beach FL 33483

To Whom It May Concern:

Please accept this letter to request a wall height waiver from the City Commission for the proposed single-family residence at the above referenced property. We are requesting the following waiver:

**Item #1:** Request for a wall height waiver from the allowable maximum wall height of 6'-0" within the front and side street setbacks to 10'-0" as per LDR Section 4.6.5(C). We feel this is justified for the following reason:

The property is situated on the northeast corner of Andrews Avenue and Laing Street. Per LDR Section 4.3.4(E)(3) – Base District Development Standards, frontage is measured from Laing Street, not from Andrews Avenue– which is considered a side street setback. This is becoming a more common situation in which the FEMA State Regulations require homes to have a much higher finish floor elevation than the surrounding street elevations. Along the south side of the subject property, the elevation of Laing St. ranges from 2.52' NAVD to 4.40' NAVD.

The existing FEMA Flood Plain for this property is AE 6.0' NAVD with the Florida Building Code requiring one additional 1'-0" higher for a finish floor to be at 7.0' NAVD. FEMA Pending Flood Plain is 7.0' NAVD; for that reason, our client decided to have the new home to be built with a 8.0' NAVD, to comply with the pending flood plain elevation and the Florida Building Code.

Coming out the side of the proposed house (which is at 8.0' NAVD), the structure will have (1) step down to the proposed grade, which is relatively flat with the elevation at 7.0' NAVD - but there is still a drop off down to Andrews Avenue of approximately 1'-2". Therefore, we are

requesting the privacy wall (*it should be noted that this is actually a retaining wall, but code does not specifically address the height of retaining walls*) to be constructed at the allowable height of 6'-0" and have a decorative 36" aluminum guardrail (inserts), installed on top (to prevent people from falling off down to the street). We are also proposing to have the wall shifted 2'-0" onto the property to allow for a continuous hedge along the property to soften the look of the wall / guardrail. Therefore, we are requesting that the wall be allowed to be increased an additional 4'-0" from 6'-0" to 10'-0".

We also believe that raising the proposed house and grade with a retaining wall, will actually help reduce the rain "runoff" from the above referenced property to the streets / neighbors because we are creating underground storage on site.

The property is located in R-1-AAA zoning with the following required setbacks:

Front setback: 35'-0" (off Laing Street)

Side setback: 12'-0"

Side street setback: 17'-0" (off Andrews Avenue)

Rear setback: 12'-0"

Please see the attached survey, proposed site plan, exterior elevation and photos. Should you have any questions, please feel free to contact me at our office (561) 276-6011.

Sincerely yours,



Gary P. Ellopoulos, AIA, NCARB  
President