



CITY OF DELRAY BEACH
DEPARTMENT OF DEVELOPMENT SERVICES
100 N.W. 1ST AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7040



TO: DEVELOPMENT SERVICES MANAGEMENT GROUP (DSMG)

FROM: Rolland Bogacz, Planner

DATE: April 24, 2025

RE: 402 PALM TRAIL – FRONT SETBACK REDUCTION

PROPERTY INFORMATION:

Zoning: Single-Family Residential (R-1-AA)

Existing Use: Single-Family Residence and Guest Cottage, ca. 1936 (demolished in 2024)

Proposed Use: New Two-story Single-Family Residence

BACKGROUND:

An application was submitted on April 2, 2025, to reduce the front setback requirement by 5 feet for the property at 402 Palm Trail, Lots 26 and 27, Las Palmas Sub-division.

LDR Section 5.3.1(A), Right-of-way Dimensions and Dedication required. *Right-of-way dimensions and dedications, whether public or private, shall be consistent with Table MBL-1 "Street Network and Classification and Improvements" of the Mobility Element, providing for coordinated rights-of-way dedications with the Florida Department of Transportation and Palm Beach County.*



Table MBL-1 establishes 50 feet as the ultimate right of way width for other streets with curb or/and gutter.

Table MBL-1					
Street Network Classification and Improvements					
STREET NAME	LIMITS	CLASSIFICATION	JURISDICTION	ULTIMATE RIGHT-OF- WAY	NUMBER OF ULTIMATE THRU LANES
Other streets without curb and gutter		Local	City	50'	2
Alleys		Local	City	20'	2

LDR Section 5.3.1(A)(3), *When development is adjacent to an existing or planned street, the development shall be responsible for providing one-half of the ultimate right-of-way or such portion of the ultimate right-of-way which is yet undedicated and which is on that development's side of the ultimate right-of-way center line. In situations where there are unusual topographic features, greater or lesser dedications may be required.*

REQUEST

Pursuant to **LDR Section 4.3.4(K), Development Standards Matrix**, properties located within the R-1-AA zoning, require a 30-foot front setback.

The existing right-of-way width is 45 feet. The required right-of-way width for Palm Trail is a minimum of 50 feet, which requires a dedication of 5 feet. As such, the Applicant is requesting a reduction of the front setback requirement by 5 feet through the administrative DSMG approval process to reduce the front setback to 25 feet, whereas 30 feet is required (chart at right).

R-1-AA DEVELOPMENT STANDARDS			
SETBACKS	REQUIRED	PROPOSED	RELIEF
Front:	30 feet	25 feet	5 feet
Side Street	15 feet	15 feet	---
Side Interior	10 feet	10 feet	---
Rear	10 feet	10 feet	---

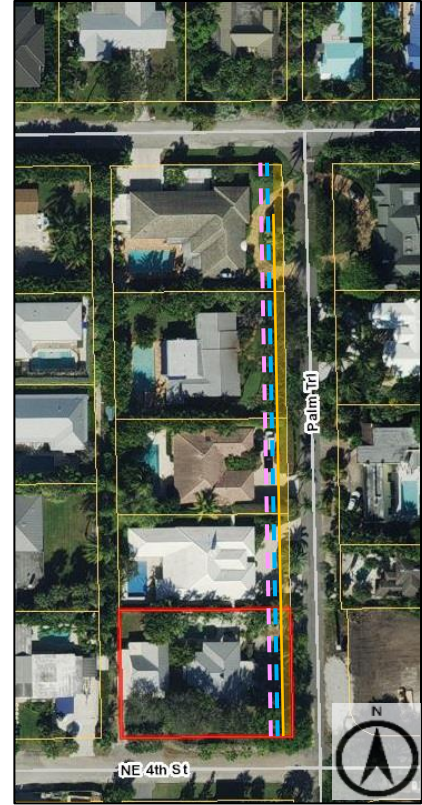
The applicant also requested relief from the alleyway dedication, but due to the abandonment of 1.5 feet of alley right of way granted by City Commission in 1996 (Resolution No. 19-96) to accommodate site nonconformities, Utilities will not be pursuing the dedication, and relief is not needed.

STAFF REVIEW:

Pursuant to **LDR Section 2.1.2(B), The Development Services Management Group (DSMG)** has the authority to grant administrative relief to *adjustments to setback requirements for detached single-family and duplex structures resulting from right-of-way dedications, equal to the amount of the dedication, but no more than five feet.*

Currently, the subject property is vacant. The request would allow the new single-family residence to have a 25-foot front setback from Palm Trail.

Staff conducted an analysis of the current right of way width of Palm Trail in relation to the current setback distance of existing structures on the block (as shown to the right). A 5-foot right-of-way dedication from this property is required for Palm Trail, which would increase the ultimate right-of-way from 45 feet to 50 feet as required for streets with a Local Road classification. Staff has outlined the proposed property line (yellow) after all required dedication have been provided, and from the new property lines, the required front setback (pink) is depicted and can be compared to the current setback line (blue). The existing developments to the north either line up with the existing front setback pre-dedication or extend past the front setback and are non-conforming.



FINDINGS

LDR Section 2.4.11(D)(5), Findings, Prior to granting administrative relief, the administrative official or body shall find:

- (a) That the relief sought is consistent with the specific authorization provided for in these regulations;
- (b) That the intent of the affected regulation is preserved;
- (c) That the action will not be detrimental to the public health, safety, or welfare; and,
- (d) The relief is consistent with the established character of the surrounding neighborhood.

APPLICANT JUSTIFICATION

The applicant's request is provided as an attachment.

REVIEW PROCESS

If the request is approved, the building permit review process may proceed if the plans are consistent with the outcome of the request. Compliance with any other applicable regulations not related to or impacted by the subject request is also required.

If the request is denied, an appeal can be requested by the applicant that will be considered by the City Commission for a final determination.