

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

**MEETING DATE:** August 17, 2023

**MEETING PLACE:** City Hall Commission Chambers , 100 NW 1<sup>st</sup> Street, Delray Beach, FL.

**1. CALL TO ORDER**

The meeting was called to order by Peter Martinek at 2:01 PM.

**2. ROLL CALL**

A quorum was present.

**Members present** were Anthea Gianniotas, 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 and Keith Tomey, Fire Department Chief

**Staff present** were Lynn Gelin; Elsa Gonzales-Soto; Michelle Hoyland; Alyssa Dalloo; Susana Rodrigues; Alexia Howald; Katherina Paliwoda; Michelle Hewett

**3. APPROVAL OF AGENDA**

**Motion** to APPROVE the August 17, 2023, agenda by Patrick Figurella and seconded by Missie Barletto.

**MOTION CARRIED 7-0**

**4. MINUTES**

**Motion** to APPROVE the July 6, 2023, minutes by Anthea Gianniotas and seconded by Patrick Figurella.

**MOTION CARRIED 7-0**

**5. New Business**

**A. Right-of-way Reduction Request for NE 2<sup>nd</sup> Street (The Maxwell)**

**Applicant Presentation**

Michael Miles, Dynamic Engineering, 100 NE 5<sup>th</sup> Avenue, Delray Beach, FL 33483

**Board Comments**

Anthea Gianniotas outlined the applicant's justification statement, which argued that Ocean City Lofts should not be obliged to provide a Right of Way dedication. She pointed out that her perspective was that the specific stretch of NE 2nd Street under consideration functions more like an alley than a typical street.

Patrick Figurella brought attention to the fact that the applicant was seeking a continuation of the relief previously granted to the neighboring property, Ocean City Lofts, situated to

the south. He also mentioned that, in his view, there were no safety concerns associated with granting the requested reduction, emphasizing that this particular street had limited space and operated at low speeds.

**Motion** to approve a 25-foot-wide right-of-way for Railroad Avenue was made by Anthea Gianniotis and seconded by Sammie Walthour.

**MOTION CARRIED 7-0**

## **B. Right-of-way Reduction Request for SE 1<sup>st</sup> Avenue (Downtown Delray Villas)**

### **Applicant Presentation**

Jeff Costello, JC Planning Solutions; 821 Delray Lakes Drive, Delray Beach FL 33444  
Gary Eliopoulos, GE Architecture; 10 45 E Atlantic Avenue #303, Delray Beach, FL 33483

### **Staff Presentation**

Michelle Hoyland, Principal Planner presented via PowerPoint presentation.

### **Board Comments**

Keith Tomey expressed his concern about the width of the alleyway and sought clarification on how the right-of-way width was being measured. Chief Tomey pointed out that the city code stipulates a 20-foot-wide access requirement but mentioned that a 16-foot width could be acceptable if certain tactical adjustments were made.

Anthea Gianniotis provided an explanation of the dedication requirements outlined in the City's Land Development Regulations. She mentioned that the applicant had confirmed their intention to provide a two-and-a-half-foot dedication in the alleyway along with a 5-foot mountable sidewalk. Ms. Gianniotis also emphasized that setback measurements should be taken from the ultimate right-of-way, and if an easement is granted instead of a right-of-way dedication, setbacks would need to be recalculated from the current property line. She also noted the importance of maintaining a consistent process and raised the concern that granting the request might set a precedent for future applicants who are required to provide a right-of-way dedication.

Missie Barletto noted that a 6-inch curb to be installed in the alleyway and inquired about the possibility of renaming the alleyway, especially since several units would now front it. She also questioned whether granting the requested right-of-way reduction would impact other relief requests associated with the project.

Patrick Figurella clarified that the existing sidewalk serves as the boundary line, marking where the right-of-way ends and noted that in some areas, the sidewalk encroaches onto private property. Mr. Figurella stated that the proposed easement would essentially function as a right-of-way easement and would not affect the actual roadway. He added that if the requested right-of-way reduction is approved and an easement is granted, it would not have a negative impact on the utilities in the area but expressed a preference for obtaining a right of way dedication.

Hassan Hadjimiry inquired about the location of water service lines on the east side of SE 1st Avenue and sought information from the applicant regarding the proposed fire suppression system.

Steve Tobias expressed his concern about whether the proposed easement, as opposed to a dedication, would impede emergency vehicle access.

**Motion** to deny the request to accept a perpetual easement in place of the five-foot dedication on SE 1<sup>st</sup> Avenue was made by Missie Barletto and seconded by Sammie Walthour.

**MOTION CARRIED 7-0**

### **C. FEMA Letter of Map Revision Request for 601 S. Ocean Boulevard**

#### **Staff Presentation**

Alyssa Dalloo, Stormwater Engineer presented via PowerPoint presentation.

#### **Board Comments**

Missie Barletto brought to our attention that the City is planning a beach renourishment project for the fiscal year 2025/2026. To proceed with this project, it's likely that the Army Corps of Engineers will require the City to obtain a perpetual easement from the property owners neighboring the beach. Ms. Barletto has suggested that staff conduct a thorough analysis to understand how this Letter of Map Revision (LOMR) request may impact the upcoming beach renourishment project. She has recommended that we postpone discussion on this matter until further research has been completed.

Steve Tobias initially received this request and emphasized the importance of a close examination, given that the proposed amendment would have a lasting impact on the property. Despite conversations with the property owner and their representatives, he couldn't ascertain whether granting this request would have implications for other beachfront properties. Mr. Tobias also noted that the request extends beyond the boundaries of 601 S Ocean Boulevard, warranting further analysis to determine the additional documentation required before revisiting the request.

Anthea Gianniotis mentioned that this kind of request is unprecedented for the City, and she expressed uncertainty about its alignment with the updated FEMA flood designation. She stressed the need for more justification to support the requested adjustment.

Patrick Figurella requested that a comprehensive justification statement and analysis be presented to the Board. He voiced concerns about the requested LOMR amendment, particularly how it extends beyond the boundaries of 601 S. Ocean Boulevard.

**Motion** to table the item was made by Missie Barletto and was seconded by Anthea Gianniotis.

**MOTION CARRIED 7-0**

**6. COMMENTS FROM DSMG MEMBERS**

Discussion was held where future meeting are to be held.

**7. ADJOURN.**

There being no further business to come before the Board, the meeting was adjourned at 3:38 PM.