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March 26, 2021

City of Delray Beach
Planning and Zoning Department
100 N. W. 1st Avenue
Delray Beach, Fl. 33444

Re: 1031 Seaspray, LLC
1031 Seaspray 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 required maximum wall height of 6'-0" within the front and side setbacks to 9'-0" as per LDR Section 4.6.5(C). We feel this is justified for the following reason:

The property is situated on a lot between Seaspray Avenue and Beach Drive. Per LDR Section 4.3.4(E)(3) – Base District Development Standards, frontage is measured from Seaspray Avenue, not from Beach Drive – 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 north side of the subject property, the elevation of Beach Drive ranges from 1.56' NAVD to 2.59' 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 8.0' NAVD; for that reason, our client decided to have the new home to be built with a 9.0' NAVD, to comply with the pending flood plain elevation.

Coming out the side of the proposed house (which is at 9.0' NAVD), we have (4) steps 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 Beach Drive of approximately 5.33' NAVD. 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 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.

This area is prone to extremely heavy flooding during the rainy season; by raising the proposed house and grade with a retaining wall, it will actually help reduce the rain "runoff" from the above referenced property 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" (along Seaspray Avenue)

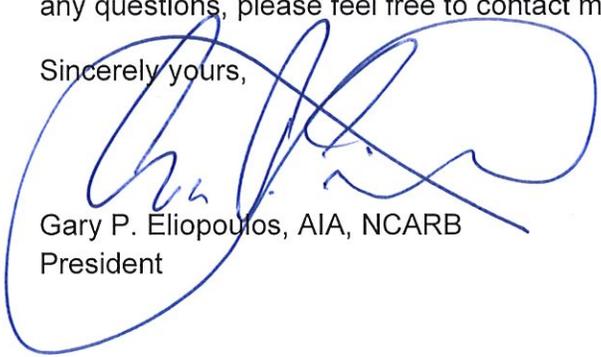
Side setback: 12'-0"

Side street setback: 17'-0" (along Beach Drive)

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. Eliopoulos, AIA, NCARB
President