



## Cover Memorandum/Staff Report

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**File #:** 25-1545

**Agenda Date:** 12/8/2025

**Item #:** 7.D.

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**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** December 8, 2025

RESOLUTION NO. 239-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A LEVEL 4 SITE PLAN, ARCHITECTURAL ELEVATIONS, AND LANDSCAPE PLAN AND APPROVING A WAIVER TO SECTION 4.4.12(F)(2) OF THE LAND DEVELOPMENT REGULATIONS TO REDUCE THE MINIMUM FLOOR AREA OF 6,000 SQUARE FEET TO 2,578 SQUARE FEET, FOR THE PROJECT KNOWN AS FIFTH THIRD BANK, LOCATED AT 1820 SOUTH FEDERAL HIGHWAY, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

### **Recommended Action:**

Review and consider Resolution No. 239-25, approval of a Level 4 Site Plan Modification, with Architectural Elevations and Landscape Plan, for Fifth Third Bank to demolish the existing building at 1820 South Federal Highway and construct a one-story standalone branch bank with a drive-thru and a waiver to reduce the minimum floor area.

### **Background:**

The subject property is 0.87 acres, located on the west side of South Federal Highway. The existing development consists of a one-story 3,397 square-foot structure with a drive-thru, formerly occupied by Burger King (the restaurant ceased operations in 2024).

The proposed development includes the demolition of the existing structure and the construction of a one-story 2,578 square-foot freestanding bank for Fifth Third Bank, with two drive-thru ATM lanes located on the west side of the site. The site provides a total of 15 parking spaces, including one accessible space, which exceeds the minimum requirement of 11 spaces. The internal circulation layout accommodates safe vehicular movement with defined ingress and egress points on South Federal Highway, an access easement west of the property leading towards Old Dixie Highway, and the stacking capacity of 100 feet for two drive-thru lanes. The site proposes additional landscaping incorporating two stormwater dry retention areas designed to address existing drainage issues and retain on-site runoff, and a landscape buffer along all the entire property, specifically a 20-foot special landscape setback along Federal Highway to enhance visual character and pedestrian comfort.

The applicant has also requested the following:

- Waiver Relief from **LDR Section 4.4.12(F)(2)**, to reduce the minimum required floor area for free standing structures in the PC zoning district from 6,000 square feet to 2,578 square feet.
- Determination for the Height Exception pursuant to **LDR Table 4.3.4(J)(3)** to exceed the maximum allowed parapet height of four feet by one foot and 11 inches.

**LDR Section 2.4.11(B)(5), Waiver: Findings, Prior to granting a waiver, the granting body shall make findings that granting of a waiver:**

- a. Shall not adversely affect the neighboring area;*
- b. Shall not significantly diminish the provision of public facilities;*
- c. Shall not create an unsafe situation; and*
- d. Does not result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner.*

Waiver: Relief from **LDR Section 4.4.12(F)(2)**, to reduce the minimum floor area of 6,000 square feet for freestanding structures within the PC zoning district to 2,578 square feet.

The intent of the PC zoning district is to encourage the development of retail, office, and other commercial activities on large sites, typically greater than five acres, in a well-planned, functional, and aesthetically pleasing manner to preserve the character of certain specialty retail and office centers and ensure certain high visibility areas are developed with coordinated design and appropriate intensity.

The site is 0.87 acres and is surrounded by similar smaller sites developed with structures under 6,000 square feet, including Chick-fil-a, Verizon, and Truist Bank. The southwest corner of Linton Boulevard and Federal Highway is characterized by a series of individual freestanding commercial buildings that serve nearby residential neighborhoods and the traveling public. Although the property is smaller than what was envisioned for the PC district, the proposed structure is consistent in scale, function, and design with surrounding development.

Determination: Height Exception pursuant to **LDR Table 4.3.4(J)(3)** to exceed the maximum allowed parapet height of four feet by one foot and 11 inches, to have a parapet height of five feet 11 inches.

The height of the building includes a parapet that ranges from one foot to five feet and 11 inches to effectively screen roof equipment. The parapet exceeds the maximum allowed height of 4 feet pursuant to LDR Table 4.3.4(J)(3) by one foot and 11 inches; however, it does not exceed the maximum allowed building height of 48 feet within the PC zoning district. Pursuant to LDR Table 4.3.4(J)(3), parapets between four to 10 feet requires board action by the approving body. The architectural elevations demonstrate the necessity of the parapet for screening purposes and its integration into the overall building design.

The Board must determine whether the height exception maintains the intent of the regulation, preserves the visual quality of the surrounding area, and does not result in adverse impacts on the local environment.

On November 17, 2025, the PZB voted 7 to 0 to recommend approval of the application. Overall, the Board supported the request noting the height exception as an appropriate solution to provide adequate screening for the rooftop equipment, and that the overall building design is harmonious with the surrounding area and an improvement to the current condition of the site. The Board agreed on the preference of a smaller structure on the site and deemed the request to reduce the minimum floor area appropriate and compatible for the area.

**City Attorney Review:**

Resolution is approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

Not applicable.

**Timing of Request:**

Approval of the Level 4 Site Plan, Architectural Elevations, and Landscape Plan with waiver, and height exception determination for the parapet, is required prior to site plan certification.