



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

## PLANNING AND ZONING BOARD STAFF REPORT

### Delray Ridge Plat

Meeting	File No.	Application Type
December 13, 2021	2020-237-FSP-CCA	Major Subdivision
Applicant	Property Owner	Authorized Agent
Delray Ridge, LLC / Ron Elish	Delray Ridge, LLC / Ron Elish	Allan Hendricks, RLA

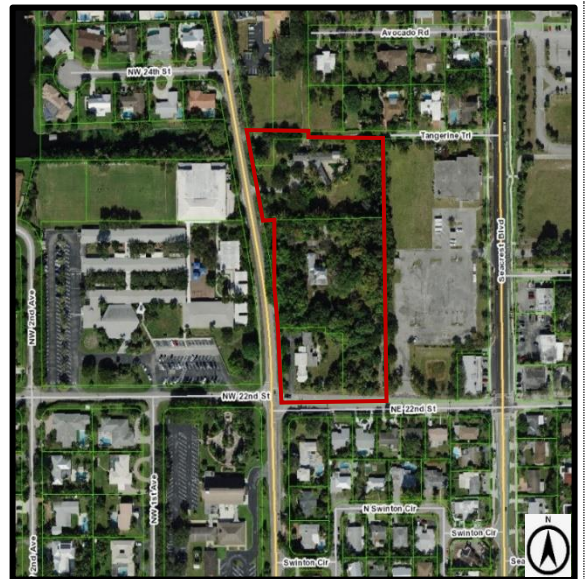
### Request

Consideration of the Preliminary Plat and recommendation to the City Commission for the certification of the Final Plat, "Delray Ridge", associated with the creation of 14 fee-simple lots, for the properties currently addressed as 2201, 2275, and 2315 North Swinton Avenue and an unaddressed vacant parcel, located at the northeast corner of North Swinton Avenue and NE 22nd Street.

### Background Information

The subject properties are generally located at the northeast corner of North Swinton Avenue and NE 22nd Street. Three of the properties (2201, 2275, & 2315) each contain a single-family residence; the Palm Beach County Property Appraiser's website indicates that the three structures were built in 1933, 1955, and 1999. The fourth property has never been individually developed, and therefore, has not been assigned an address. The four properties were annexed into the municipal boundaries of Delray Beach via Ordinance No. 111-88. Since their annexation in 1988, the zoning designation has been Single-family Residential, R-1-AA. The designation on the Land Use Map is Low Density (LD) for all four properties.

As part of the technical review for the Delray Ridge plat, it was determined that right-of-way dedications would be required from the project for Tangerine Trail, for both the existing, narrow portion and the un-dedicated portion of the road. Tangerine Trail, which is a 20-foot wide public right-of-way that extends from Seacrest Boulevard and deadends at the vacant lot in the proposed subdivision, provides paved access to two homes on the north side of the road and unpaved access to another undeveloped parcel also located on the north side.



On April 6, 2021, the City Commission approved a waiver to Section 5.3.1(A) of the Land Development Regulations (LDR) to allow for the reduction of the required right-of-way dedication from 25 feet to 15 feet for the portion of Tangerine Trail adjacent to the project, resulting in an ultimate 35-foot wide right-of-way. At the same City Commission meeting, approval was granted to provide a 20-foot wide public access easement (for bike-ped travel) in lieu of providing a 45-foot wide right-of-way dedication for the connection of Tangerine Trail to North Swinton Avenue.

At its meeting of September 22, 2021, the Site Plan Review and Appearance Board (SPRAB) reviewed the Tree Removal, Disposition, and Mitigation Plan ("Plan") associated with the Delray Ridge development. A recommendation of approval to the Planning and Zoning Board of the subject plat was made based on the review of the Plan. The purpose of reviewing the Plan in conjunction with the Plat is to ensure that viable vegetation is not removed through lot clearance in preparation for the new construction (lot clearance is not permitted until the plat is recorded), and that the new subdivision lines are also not placed in an inappropriate location, such as through the middle of a tree required to be maintained in location.

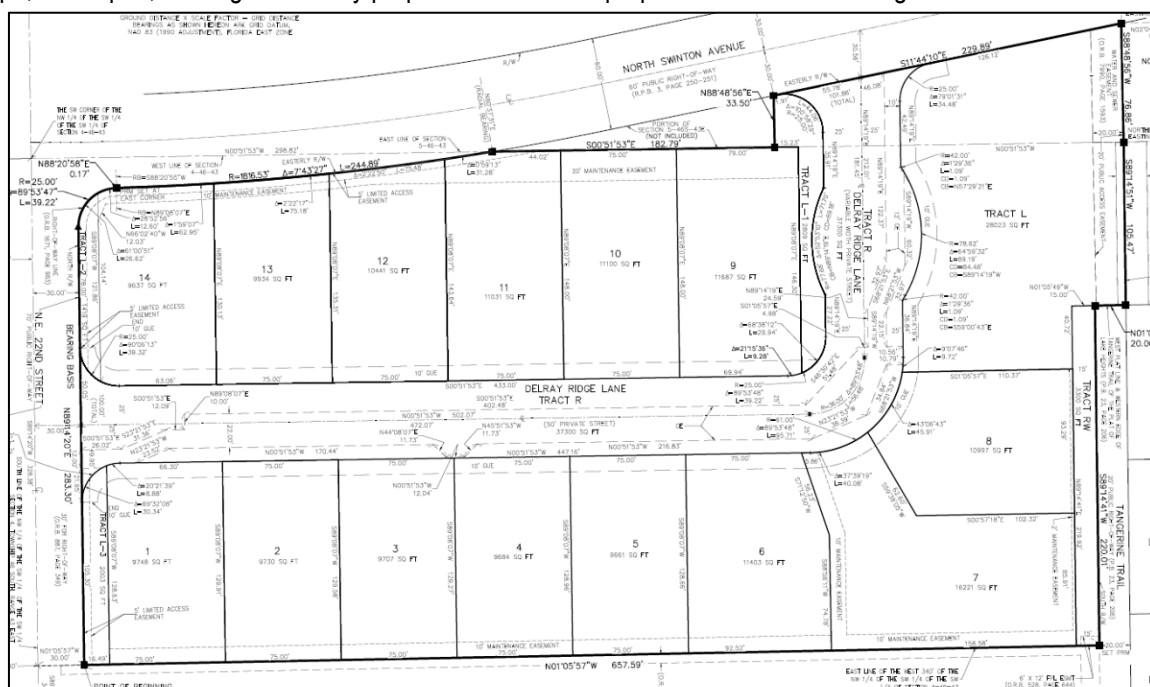
At the October 18, 2021, Planning and Zoning Board meeting, the Board tabled the subject request to allow the applicant an opportunity to address the concerns expressed during the Board's discussion. The request included waivers to reduce the minimum lot width and frontage required for three corner lots and one interior lot (Lot 6). The prior plat configuration classified Lots 1 and 14 as corner lots. The applicant has responded to the concerns by adjusting the proposed property lines to meet the minimum frontage and width requirements, while dedicating additional tracts for open space and landscaping (Tracts L-2 and L-3) that reclassify Lots 1 and 14 as interior lots. Lot 9 was erroneously identified as a corner lot during the prior review; it is located between Tract L-1 and Lot 8 and qualifies as an interior lot.

The Board also expressed concerns regarding the impact on the existing tree canopy as just five trees were proposed to be kept on site, with one of those being relocated to a common area within the development. The applicant has revised the proposal to further mitigate the impact from the canopy removal. See "Plat Description" section below.

## Plat Description

The proposed plat consists of 5.18 acres of land that is established through a metes and bounds legal description as it has never been officially recorded by a plat. The proposed major subdivision includes the following components:

- Dedication of Lots 1 through 14 for the fee-simple development of a detached single-family residence on each lot; and
- Dedication of a Residential Access Street (Delray Ridge Lane), identified as Tract R, reserved for the Delray Ridge Homeowner's Associations, Inc. as a private street for drainage, ingress, and egress; and
- Dedication of public right-of-way, Tract RW, a public right-of-way (Delray Ridge Lane) and for utility purposes; and
- Dedication of open space tracts for open space, drainage, and utility purposes:
  - Tract L: Located north of Delray Ridge Lane at the northwest corner of the plat area and containing 28,023 square feet;
  - Tract L-1: Located between Lot 9 and Delray Ridge Lane and containing 2,809 square feet;
  - Tract L-2: Located south of Lot 14 and containing 1,419 square feet; and
  - Tract L-3: Located south of Lot 1 and containing 2,003 square feet.
- Provision of easements for emergency and maintenance purposes for the City of Delray Beach, a public access easement for non-vehicular ingress and egress, general utility easements, a limited access easement, and maintenance easements.
- The proposed Plat includes Tract RW as a public right of way, therefore, a landscape maintenance is required with the City. According to the proposed Plat, the maintenance easements are reserved for Delray Ridge Homeowners' Association, Inc. for landscape, wall repair, drainage and utility purposes and are the perpetual maintenance obligation of the HOA.



The landscape mitigation chart displays the calculations of trees and palms with condition ratings above 50%, between 25%-50%, and below 50%. Trees and palms with a condition rating above 50% that are proposed for removal are required to be replaced with new tree planting using a caliper per caliper-inch basis, a palm for palm of the same height, or using an in-lieu fee. Trees and palms with a condition rating below 50% are required to be replaced at a one for one basis. The in-lieu fees for trees are determined by LDR Section 4.6.19(E)(5)(d), which is calculated per Diameter Breast Height (DBH) inch for each tree that cannot be mitigated by replacement. While the Plan illustrates the removal of a significant number of trees and palms from the properties, the proposed landscape plan mitigates for the trees and palms proposed for removal, as required by the LDR.

The landscape mitigation chart below, also provided on page L-1 of the attached Landscape Plans, provides a comparison of the existing trees to be removed and how the applicant proposes to meet the tree preservation and mitigation requirements. The chart includes the data from the prior proposal reviewed by the Board in October 2021.

Landscape Mitigation			
Condition Rating	Amount Removed	Prior Proposal (October 2021)	Current Proposal
<b>50% Or Greater</b>			
Trees	316.8 DBH inches removed	326.5 caliper inches	570.5 caliper inches
Palms	97 removed	122 palms on-site 7 palms in-lieu fee <sup>4</sup>	192 palms on-site 7 palms in-lieu fee <sup>3</sup>
<b>25% to 50%<sup>1</sup></b>			
Trees	44 removed	44 trees	44 trees
Palms	8 removed	8 palms	8 palms
<b>Below 50%<sup>2</sup></b>			
Trees	112 removed	112 trees	112 trees
Palms	1 removed	1 palms	1 tree
<b>Totals</b>	316.8 DBH inches (21 trees) 156 trees 106 palms	704 caliper inches via 229 trees 131 palms, plus in-lieu fee	946.5 caliper inches via 300 trees <sup>4</sup> 201 palms, plus in-lieu fee <sup>5</sup>
<u>Replacement Requirements</u> <sup>1</sup> 1 for 1 replacement; or via in-lieu fee (50%) <sup>2</sup> 1 for 1 replacement; no in-lieu fee option <sup>3</sup> in-lieu fee of \$16,425.00 due prior to issuance of the building or tree removal permit. See page L-1. <sup>4</sup> 153 trees within the common areas and 147 trees provided on the individual lots. <sup>5</sup> 131 palms within the common areas and 70 palms provided on the individual lots.			

A Class II Site Plan Modification, which requires approval by the SPRAB after approval of the Plat, is also required as part of the development request. The modification will include the Landscape Plan and Site Plan for all common areas (L Tracts, maintenance easement areas, and Tract R-Delray Ridge Lane), and the public access easement area, as well as all common elements, such as the entry gates, walls, street lighting, etc. Once approved, any further modifications to the landscape plan's number of trees, palms, etc, will also be required to be approved by SPRAB. It is noted that the current draft of the attached landscape plans are not part of the plat consideration and review; the final draft will be part of the Class II Site Plan Modification considered by SPRAB upon a determination of compliance with the applicable LDR.

In addition to the landscaping review included with the Class II Site Plan Modification, each building permit for the individual single-family residences will be reviewed for compliance with the LDR; the tree mitigation calculations provided as part of the tree disposition plan; and, other applicable requirements.

## Review and Analysis

### Plat Analysis

Pursuant to **LDR Section 2.4.5(J) Major Subdivision**, the Planning and Zoning Board must make findings pursuant to Chapter 3 on a preliminary plat. The City Commission must make a finding that the Final Plat is consistent with the findings associated with the preliminary plat.

The proposed plat qualifies as a Major Subdivision as it creates more than three lots and involves right-of-way dedication, per the definitions of "Major Subdivision" and "Minor Subdivision" in the LDR. Major subdivision plats require the certification of a preliminary plat by the Planning and Zoning Board, and a recommendation to the City Commission regarding the Final Plat.

#### **Required Findings: LDR Section 3.1.1**

*Prior to the approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information on the application, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application.*

**(A) Land Use Map.** *The resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Land Use Map.*

The subject property has a Land Use Map (LUM) designation of LD (Low Density) and a zoning designation of R-1-AA (Single-family Residential). The zoning district is consistent with the Land Use Map designation, as it is a preferred implementing zoning district in the Always Delray Comprehensive Plan. Detached single-family residences are a permitted use in the R-1-AA zoning district.

**(B) Concurrence.** *Concurrence as defined by Objective NDC 3.1 of the Neighborhoods, Districts, and Corridors Element of the adopted Comprehensive Plan must be met and a determination made that the public facility needs, including public schools, of the requested land use and/or development application will not exceed the ability of the City and The School District of Palm Beach County to fund and provide, or to require the provision of, needed capital improvements in order to maintain the Levels of Service Standards established in Table CIE, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach.*

Compliance with utilities, traffic, impact fees, solid waste and schools is described below:

#### Water and Sewer:

Water and sewer services are existing on-site but will be modified to accommodate the proposed development. Pursuant to the Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South-Central County Wastewater Treatment Plant for the City at build-out.

#### Drainage:

Drainage and water run-off will be addressed through the on-site retention at the northwest corner of the property dedicated as Tract L. A swale and French drain system is also proposed throughout the site to assist in accommodating on-site drainage. There should be no impact on drainage as it relates to this level of service standard.

#### Traffic:

The applicant has provided a traffic statement stating the addition of the proposed 14 residential units will generate approximately 140 Daily Trips (10 am peak hour trips, and 15 pm peak hour trips). It is important to note that the development is located within the Coastal Residential Exception Area, and is, therefore, exempt from the Traffic Performance Standards of Palm Beach County.

#### Parks and Recreation:

Pursuant to LDR Section 5.3.2(C), Impact Fee Required, *whenever a development is proposed upon land which is not designated for park purposes in the Comprehensive Plan, an impact fee of \$500.00 per dwelling unit (including hotel rooms) will be collected prior to issuance of building permits for each unit.* Based on the 14 new residential dwelling units and providing a credit for the three existing residences, an impact fee of \$4,900 will be required of this development.



Solid Waste:

The 14 new residential dwelling units will generate approximately 27.86 tons of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2054.

Schools:

In October 2021, the Applicant received a School Capacity Availability Determination (SCAD) from the Palm Beach County School District (see attached SCAD form) that determined the development will generate three students at the elementary level, two students at the middle school level, and two students at the high school level. The SCAD review indicates no negative impact on the public school system.

**(C) Consistency.** *A finding of overall consistency may be made even though the action will be in conflict with some individual performance standards contained within Article 3.2, provided that the approving body specifically finds that the beneficial aspects of the proposed project (hence compliance with some standards) outweighs the negative impacts of identified points of conflict.*

**LDR Section 3.2.2, Basis for Determining Consistency**

*The performance standards set forth in this Article either reflect a policy from the adopted Comprehensive Plan or a principle of good planning practice. The performance standards set forth in the following sections as well as compliance with items specifically listed as required findings in appropriate portions of Section 2.4.5 shall be the basis upon which a finding of overall consistency [Section 3.1.1(C)] is to be made. However, exclusion from this Article shall not be a basis for not allowing consideration of other objectives and policies found in the adopted Comprehensive Plan in the making of a finding of overall consistency.*

The following Objectives and Policies from the Always Delray Comprehensive Plan are applicable to the subject request.

**Neighborhoods, Districts, and Corridors Element**

Policy NDC 1.2.5 *Use the Low Density Residential land use designation to create and maintain low density residential neighborhoods up to five dwelling units per acre with high quality amenities.*

The proposed development maintains the desired low density in this section of Delray Beach as the proposed density is 2.7, whereas the LD land use designation allows a maximum of 5 du/ac. The low number of units and proximity of the development to the downtown area does not require that development specific amenities be provided. Residents will have easy, connected access to area parks, the downtown, and the municipal beach.

**Housing Element**

Policy HOU 1.1.6 *Promote good design in new housing construction and rehabilitation that highlights beauty, flexibility, and innovation, and respects existing neighborhood character.*

Policy HOU 1.1.7 *Foster growth without substantially and adversely impacting existing residential neighborhood character.*

Policy HOU 1.1.12 *Require that proposals for new development illustrate compatibility with adjacent neighborhoods with respect to noise, odors, dust, traffic volumes and circulation patterns in terms of their potential to negatively impact the safety, habitability and stability of residential areas. If it is determined that a proposed development will result in a degradation of any neighborhood, the project shall be modified accordingly or denied.*

Building design for the single-family residences is not reviewed for compliance with any specific design standards as the properties are not located within an overlay or historic district. However, the developer's architect should consider the existing neighborhood character when developing the overall architectural scheme for the new residences to provide compatibility. The development, which will include controlled access, is largely surrounded by an established, non-gated single-family neighborhood. Although the addition of a controlled access for a larger development is not found in this area, there are several examples of individual single-family lots facing North Swinton Avenue with controlled access as part of the property's fence or wall.

### **Open Space, Parks, and Recreation Element**

Policy OPR 3.2.3 *Require new developments provide central focal points at entries and landscape buffers along the external (arterial, collector) streets that service them. Back-lotting of individual homes along such streets should be allowed only when special landscape buffers are provided between the rear yard walls or fences and the right-of-way.*

Policy OPR 3.2.5 *Provide consistent wall and fence treatments for all new developments when the rear of lots faces the right-of-way without any separating green space.*

Landscaping will be provided along NE 22<sup>nd</sup> Street and North Swinton Avenue to continue beautification efforts along North Swinton Avenue and includes a mix of palms, green and silver buttonwoods, and gumbo limbos. While the lots adjacent to North Swinton Avenue are back-lotted, there is a landscaped buffer area at least 5 feet in depth provided along the privacy wall that will line the sidewalk. The privacy wall design, which requires approval by the SPRAB, will be required to be consistent throughout the perimeter of the development.

**LDR Section 3.2.3(A) – (K), Standards for Site Plan and/or Plat Actions**, specifies the Standards required for site plans. The following standards are applicable to the review of the subject plat.

- B. *All development shall provide pedestrian, bicycle, and vehicular interconnections to adjacent properties, where possible, and include accessible routes from the entry points of publicly-accessible buildings to the sidewalk network in accordance with the Americans with Disabilities Act (ADA).*

A new sidewalk will be installed around the perimeter of the development, adjacent to North Swinton Avenue and NE 22<sup>nd</sup> Street, with a connection to the crosswalk at the intersection. An internal sidewalk system is also provided within the development. Additionally, the pedestrian access easement to the north of the development will provide a non-vehicular connection to Tangerine Trail then Seacrest Boulevard. The new pathways will provide a safer pedestrian environment for the surrounding residents; they will be particularly helpful for local students from the surrounding neighborhood seeking a safer route to school.

- C. *Open space enhancements and recreational amenities shall be provided to meet Objective OPR 1.4 and other requirements of Goals, Objectives and Policies, as applicable, of both the Open Space, Parks, and Recreation Element and Conservation Element.*

The site will be landscaped to enhance the open space areas located along NE 22<sup>nd</sup> Street, adjacent to the development's entrance from North Swinton Avenue, and throughout the development. The landscape plan, which will be reviewed by SPRAB as part of a Class II Site Plan Modification subsequent to plat approval and recordation, illustrates that the perimeter of the development will contain a mix of shade trees and palm trees, accented by shrubs and ground cover plantings. In addition to the common areas, each individual single-family residence lot will be required to provide landscaping in compliance with the minimum requirement. The draft landscape plans for Lots 1 – 14 indicate that the minimum requirements for each lot will be exceeded. To ensure that this occurs, the applicant has indicated that the specific landscape requirements for the individual lots will be included in the Delray Ridge HOA documents.

- F. *Property shall be developed or redeveloped in a manner so that the use, intensity, and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.*

The proposed use (detached single-family residences) and density (2.7 du/ac) are consistent with the area and adjacent land uses. While the units are not intended to address affordable or workforce housing needs, the new dwellings will provide more housing in the city.

- G. *Development shall provide a variety of housing types that accommodates the City's growing and socio-economically diverse population to meet the Goals, Objectives, and Policies the Housing Element.*

The property is not located within a workforce housing overlay district where there are incentives, such as additional density, to provide a variety of housing types to accommodate the city's socio-economically diverse population. The plat does include differing lot sizes. As a result, there may be variations in the floor plans and number of bedrooms that can accommodate different family types.

- H. *Consideration shall be given to the effect a development will have on the safety, livability, and stability of surrounding neighborhoods and residential areas. Factors such as but not limited to, noise, odors, dust, and traffic volumes and circulation patterns shall be reviewed and if found to result in a degradation of the-surrounding areas, the project shall be modified accordingly or denied.*

The development provides both ingress and egress for residents from NE 22<sup>nd</sup> Street and North Swinton Avenue. Both rights-of-way are classified as City Collectors, and create a busy intersection, particularly in the morning during the school year. Both roads are used by residents and non-residents to travel through the city to get to the surrounding private and public schools. However, the dual access for residents should alleviate any impact on the current traffic volumes. Otherwise, the development is not anticipated to have a negative impact on the safety, livability, or stability of the surrounding neighborhoods.

- K. *Development shall not exceed the maximum limits established in the Table NDC-1, Land Use Designations: Density, Intensity, and Implementing Zoning Districts, of the Neighborhoods, Districts, and Corridors Element or specific standards established in the zoning districts that limit density (dwelling units per acre) or intensity (floor area ratio) and must adhere to whichever limit is lower. Development in areas included in density or incentive programs (i.e. workforce housing programs specified in Article 4.7-Family/Workforce Housing) may exceed the Standard density limit, up to the specified Revitalization/Incentive density established for the program: development in all other areas shall not exceed the Standard density.*

The single-family residential zoning district does not have a density amount assigned to it, as just one detached single-family residence is allowed per each lot. The land use designation of LD has a maximum density of 5 du/ac; the proposed density for the overall development is 2.7 du/ac. A maximum of 25 units would be permitted based on the total lot area of 5.18 acres for the entire development.

**(D) Compliance with the LDRs.** *Whenever an item is identified elsewhere in the LDRs, it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.5 and in special regulation portions of individual zoning district regulations.*

Pursuant to **LDR Section 4.4.3(F), Single-family Residential Districts, Development standards**, the development standards set forth in Section 4.3.4 shall apply. The applicable development standards identified in **LDR Section 4.3.4(K), Development Standards Matrix**, are indicated in the following chart, which indicates that the minimum requirements have been met.

R-1-AA Development Standards			
	Lot Size (Square feet)	Lot Width & Frontage: Interior (Feet)	Lot Depth (Feet)
<b>Required</b> (Minimum)	9,500	75	100
<b>Provided</b>			
<b>Lot 1</b>	9,748	75.18	128.63 - 129.91
<b>Lot 2</b>	9,730	75.00	129.91 - 129.58
<b>Lot 3</b>	9,707	75.00	129.58 - 129.27
<b>Lot 4</b>	9,684	75.00	129.27 - 128.96
<b>Lot 5</b>	9,661	78.00	128.63 - 128.66
<b>Lot 6</b>	11,403	Frontage: 75.00 Width: 75.00 - 92.52	128.66 - 131.01
<b>Lot 7</b> (fronting onto the curve)	16,221	Frontage: 45.94 <sup>1</sup> Width: 158.58	131.01+/-
<b>Lot 8</b> (fronting onto the curve)	10,997	Frontage: 45.91 <sup>1</sup> Width: 93.29	110.37+
<b>Lot 9</b>	11,687	79.22	146.30 - 148.00
<b>Lot 10</b>	11,100	75.00	148.00
<b>Lot 11</b>	11,031	75.00	143.64-148.00
<b>Lot 12</b>	10,441	75.00	143.64 - 135.31
<b>Lot 13</b>	9,934	75.00	135.31 - 130.13
<b>Lot 14</b>	9,637	75.51	121.86 - 130.13

<sup>1</sup> Per LDR Section 4.3.4(E), Front and Frontage, on curving streets and cul-de-sacs the frontage may be reduced by 40 percent provided the centerline radius of the street is 100 feet or less.

Pursuant to **LDR Section 4.3.4(E), Front and frontage**, the following are applicable in determining frontage:

- (1) *Each lot is required to have frontage.*
- (2) *On curving streets and cul-de-sacs the frontage may be reduced by 40 percent provided the centerline radius of the street is 100 feet or less.*
- (3) *The front of a lot is the side with frontage on a street. For corner lots, the side having the least street frontage shall be the front for setback purposes. Where a corner lot or through lot has frontage on an arterial or collector street, the front shall be the side with frontage on the arterial or collector. For lots with frontage on both an arterial and a collector, the front shall be the arterial frontage.*
- (4) *Notwithstanding the previous description, if a limited access easement or limited access right-of-way runs the length of the frontage on a street, then the front of the lot shall be on a frontage without such access restrictions.*

Each of the 14 lots provides frontage onto Delray Ridge Lane. Lots 7 and 8 front onto the curved portion of the street, thereby allowing a 40% reduction of the minimum 75-foot width, which calculates to a minimum frontage requirement of 45 feet. Both lots provide meet the minimum frontage requirement with the reduction. Given the classification of NE 22<sup>nd</sup> Street and North Swinton Avenue as City Collector roads, the applicant has provided a Limited Access Easement along the south portion of Lots 1 and 14 and the western portions of Lots 11 - 14, so that the front is clearly determined to be along Delray Ridge Lane. The Limited Access Easement also ensures that no additional vehicular access will be allowed from the individual lots on either North Swinton Avenue or NE 22<sup>nd</sup> Street.



Compliance with the setbacks, open space, and building height are reviewed during the time of building permit for single-family residences. All 14 lots will be required to meet the applicable development standard requirements, as follows:

- Open Space (non-vehicular): 25% minimum
- Height (maximum): 35 feet
- Setbacks (minimum)
  - Front: 30 feet
  - Side-interior: 10 feet
  - Side-street: 15 feet
  - Rear: 10 feet

In addition to the above, it is necessary to note that there are other standards and requirements that are also applicable depending upon the type of structure or appurtenance on the property, such as a fence, wall, or swimming pool.

#### Alternative Actions

- A. Continue with direction.
- B. Move approval of the preliminary plat and recommendation of approval to the City Commission for the certification of the Final Plat, "**Delray Ridge**", associated with the creation of 14 fee-simple lots, for the properties currently addressed as 2201, 2275, and 2315 North Swinton Avenue and an unaddressed vacant parcel, finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- C. Move denial of the preliminary plat for "**Delray Ridge**", associated with the creation of 14 fee-simple lots, for the properties currently addressed as 2201, 2275, and 2315 North Swinton Avenue and an unaddressed vacant parcel, finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in the Land Development Regulations.

#### Public and Courtesy Notices

☒ Courtesy Notices are not applicable to this request.

☒ Public Notices are not required for this request.