

# PLANNING AND ZONING BOARD (PZB)

## CITY OF DELRAY BEACH

## ---STAFF REPORT---

**MEETING DATE:** December 19, 2016

**ITEM:** **Beacon Plat** – Recommend to the City Commission certification of the final plat associated with the Beacon subdivision located on the east side of North Swinton Avenue, south of Lakeview Baptist Church and north of St. Joseph's Episcopal School.

**RECOMMENDATION:** Recommend certification of the final plat associated with the 5-lot Beacon subdivision and 40' wide public right-of-way.

### GENERAL DATA:

Owner/Applicant..... Michael J. Sebastian, Jr.

Agent..... Weiner & Thompson, P.A.

Location..... On the east side of North Swinton Avenue, south of Lakeview Baptist Church and north of St. Joseph's Episcopal School

Property Size..... 1.5736 acres (68,544 sq. ft.)

Current FLUM..... LD (Low Density Residential)

Current Zoning..... R-1-AA (Single Family Residential)

Adjacent Zoning.....North: R-1-AA (Single Family Residential)

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

South: CF (Community Facility)

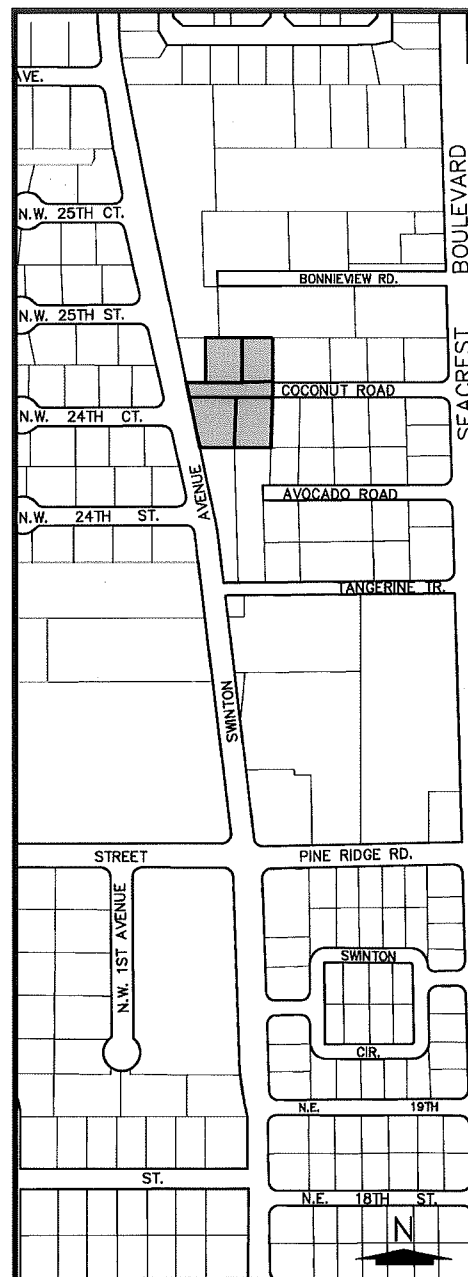
West: R-1-AA (Single Family Residential)

Existing Land Use..... Vacant Land

Proposed Land Use..... 5 single family residential lots with an access road

Water..... Available via an 8" water main within the future Beacon Lane (existing Coconut Road) right-of-way

Sewer..... Available via an 8" sewer main within the within the future Beacon Lane (existing Coconut Road) right-of-way



## ITEM BEFORE THE BOARD

The item before the Board is to recommend to the City Commission certification of the final plat for **Beacon Plat**. The property is located on the east side of North Swinton Avenue, south of Lakeview Baptist Church and north of St. Joseph's Episcopal School.

This plat is being processed pursuant to LDR Section 2.4.5(J), Major Subdivisions.

## BACKGROUND

The subject property consists of portions of Sections 4 and 5, Township 46 South, Range 43 East of the City of Delray Beach, Palm Beach County, Florida and measures 1.5736 acres (68,544 sq. ft.). The site contains existing Parcels 1 through 5 and has a Future Land Use Map (FLUM) designation of LD (Low Density Residential) and is zoned R-1-AA (Single Family Residential). Existing Parcels 1, 2, 3 and 5 are designated for single family detached residences. Parcel 4 (now proposed as Tract "A"/Beacon Lane) is an existing 40' wide water, sewer and access easement which aligns with Coconut Road/Beacon Lane, abutting the site to the east, and continues through the site to connect to North Swinton Avenue on the west. This water, sewer and access easement was also established via separate easement and is recorded in ORB 7990 PG1593. The 5 parcels and Tract "A" are currently vacant/unimproved.

While there is no paved surface for the portion of roadway on this plat, it should be noted that the sanity sewer line is already installed as a continuation from Coconut Road and extends both westward and southward into this Beacon Plat. Additionally, water service is already installed originating from North Swinton Avenue, running eastward in the 40' proposed Tract A" toward Coconut Road.

The existing parcel configuration was recorded by separate instruments by previous private owners in the Official Record Books of Palm Beach County. Thus, no prior plat exists. This is a new plat for the dedication, layout of a street and utilities for public use, and is technically not a replat. The official record book and page number references reflecting the original configuration of all existing 5 parcels vary as follows: Parcel 1 & 2 (ORB24600 PG1961), Parcel 3 (ORB24367 PG1803), Parcel 4 (ORB24547 PG 1144) and Parcel 5 (ORB02278 PG1745). An access easement which runs north-south beginning in Parcel 4 and extending south through Parcel 1 was independently established via separate instrument and that deed is recorded in ORB22991 PG504). Its width varies from 23.2' on the northernmost end to 21.14' on the southernmost end. Along the east boundary line of Parcel 1, a 20' water and sewer easement exists which was recorded by separate instrument, and this is reflected in ORB8045 PG996.

On October 17, 2016, the Planning & Zoning Board made a recommendation of approval to the preliminary plat, subject to conditions which included staff's recommendations and provision of the 40' right-of-way as a public road with traffic calming features.

Now before the Board is to recommend certification of the Final Plat associated with the Beacon Plat which proposes to plat the existing 4 separate single family detached residential lots as 5 lots, with a 40' wide public right-of-way named "Beacon Lane", providing a platted continuation from the existing "Coconut Road" to the east and "North Swinton Avenue" to the west.

## PLAT DESCRIPTION

The 1.5736 acre Beacon Plat will consist of Lots 1-5 and a 40' wide public road extension for Coconut Road (Tract "A"). Lots 1-5 are intended for single family detached residences. A vehicular connection to Coconut Road is proposed that will connect North Swinton Avenue to Seacrest Boulevard.

The plat also includes a 5' sidewalk easement on the north and south sides of the extended Coconut Road right-of-way (Tract "A"). A proposed 10' general utility easement overlaps the sidewalk easement and is also located on the north and south sides of Coconut Road (Tract "A"). Two 10' x 20' access easements are proposed along the east perimeter of the site north and south of Coconut Road. The existing 20' water and sewer easement which runs north and south along the east side of Lot 4 will remain. A new 10' drainage easement is proposed along the western side of Lot 3 which fronts on North Swinton Avenue.

To accommodate the proposed plat, removal of an existing "Sausage Tree" which is centered in the existing Coconut Road right-of-way abutting the Beacon Plat, would be necessary in order to have through access to the proposed Beacon Lane. The cost to remove the tree is estimated at \$1,650 and is included as an attachment to this staff report. The tree is not located within the Beacon Plat boundaries.

## PLAT ANALYSIS

**Pursuant to Section 3.1.1 (Required Findings) of the Land Development Regulations, prior to 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 in the application, the staff report, or minutes. Findings shall be made by the Board to approve or deny the development application. These findings relate to Future Land Use Map, Concurrency and Consistency with the Comprehensive Plan, and Compliance with the Land Development Regulations.**

**Pursuant to LDR Section 3.1.1(A) - Future Land Use Map: The use or structures must be allowed in the zoning district and the zoning district must be consistent with the land use designation.**

The subject property has a Future Land Use Map (FLUM) designation of LD (Low Density Residential) and a zoning designation of R-1-AA (Single Family Residential). The R-1-AA zoning is consistent with the Low Density Residential (LD) FLUM designation. Pursuant to LDR Section 4.4.3(B)(1), Principle Uses and Structures in R-1 Single Family Residential Zoning Districts include conventionally sited single family detached residences. Based upon the above, a positive finding can be made with respect to consistency with the Future Land Use Map (FLUM) designation.

**Pursuant to LDR Section 3.1.1(B) - Concurrency: As defined pursuant to Objective B-2 of the Land Use Element of the Comprehensive Plan, must be met and a determination made that the public facility needs of the requested land use and/or development application will not exceed the ability of the City to fund and provide, or to require the provision of, needed capital improvements for the following areas:**

**Water and Sewer:**

Water service is available via an existing 8" water main within the extended Coconut Road right-of-way (Tract "A"). Sewer service is available via an 8" sewer main within the extended Coconut Road right-of-way (Tract "A"). Pursuant to the City's Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South Central County Waste Water Treatment Plant for the City at build-out. Based upon the above, positive findings can be made with respect to this level of service standard.

**Streets and Traffic:**

A traffic statement was prepared which indicates that the Beacon Plat development will generate an increase of 50 daily trips, 5 am peak trips and 7 pm peak hour trips. The Palm Beach County Traffic Division also issued a traffic concurrency determination letter on June 22, 2016 indicating development proposal compliance with Palm Beach County traffic standards and is valid through build-out on December 31, 2019.

**Parks and Recreation Facilities:**

A park impact fee is collected to offset any impacts that the project may have on the City's recreational facilities. Pursuant to LDR Section 5.3.2, a park impact fee of \$500.00 per dwelling unit will be collected prior to issuance of a building permit for each unit. A total fee of \$2,000 will be required of this development for parks and recreation purposes, prior to building permit issuance.

**Solid Waste:**

For the Beacon Plat, the proposed five single family detached residences will generate a total of 7.96 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 2047.

**Schools:**

The Palm Beach County School District has approved the development proposal for compliance with the adopted Level of Service for School Concurrency. Written verification from the Palm Beach County School District was received on June 3, 2016 and is valid until June 2, 2017. Thus, this standard is met.

**Drainage:**

Preliminary engineering and drainage plans have been submitted with the proposed development. Drainage will be accommodated via exfiltration trenches which will run east-west interior and adjacent to the south boundary and Coconut Road (Tract "A"), and north-south interior and adjacent to the west boundary of Lot 3 and will connect to an existing catch basin in the North Swinton Avenue right-of-way just outside the southwest corner of the site. There are no problems anticipated in accommodating on-site drainage. Thus, this standard is met.

**Section 3.1.1(C) - Consistency:** Pursuant to Section 3.2.1 (Basis for Determining Consistency), the performance standards set forth in Section 3.2.3 (Standards for Site Plan and/or Plat Actions) shall be the basis upon which a finding of overall consistency is to be made.

As described in "Appendix A", a positive finding for consistency can be made as it relates to Standards for Plat Actions.

**Comprehensive Plan - Consistency: Other objectives and policies found in the adopted Comprehensive Plan may be used in making a finding of overall consistency.**

A review of the objectives and policies of the adopted Comprehensive Plan was conducted and the following applicable section was found relevant to this proposal:

**Future Land Use Element - Objective A-1: Property shall be developed or redeveloped in a manner so that the future use and intensity is appropriate and complies in terms of soil, topographic, and other applicable physical considerations, is complimentary to adjacent land uses, and fulfills remaining land use needs.**

The proposed Beacon Plat development will be a welcome addition to the North Swinton Avenue corridor. The proposed five new single family residences will be compatible with the infrastructure of the existing neighborhood and surrounding area. Therefore, the proposed development will be complementary to adjacent community facilities and residential land uses.

**Transportation Element – Goal Area C, Policy C-1.1: Efforts shall be made to limit excessive through-traffic and nonresidential traffic on local roads within residential neighborhoods. Where a problem with such traffic is specifically identified, it should be addressed through the utilization of traffic calming measures, such as roundabouts, medians, and speed humps.**

The proposed plat provides for a continuation from Coconut Road to Beacon Lane. A road connection will require removal of an existing "Sausage Tree" located between the two roads. This matter has prompted several written responses from the public which are attached to this report.

**LDR Section 3.1.1(D) - Compliance with the Land Development Regulations: Items identified in the Land Development Regulations shall specifically be addressed by the body taking final action on the site and development application/request.**

**LDR Section 5.3.1(A)(Plat Required):**

A plat is required for the project, as no existing "platted" lots exist. The proposed Beacon Plat establishes 5 new lots, a 40' private access road, two 5' sidewalk easements, two 10' general utility easements, two 10' x 20' access easements and a 10' drainage easement. Thus, it is considered a major subdivision of land.

**Right-of-Way Dedications:**

**Beacon Plat:** Pursuant to LDR Section 5.3.1(D)(2), the ultimate right-of-way width for local residential streets is 60' where no curb and gutter exists and 50' where curb and gutter exists. The plans do not indicate that curb and gutter is proposed. Therefore, a 60' of width is required. However, on June 9, 2016 the DSMG (Development Services Management Group) recommended a reduction of the required width to fifty feet (50'). Thus, an additional five foot (5') would typically be required on the north and south sides of the proposed "Beacon Lane". However, the City Engineering Department has since confirmed that the forty foot (40') right-of-way is deemed acceptable. Thus, no further action is required.

**Street Improvement Obligations:**

Pursuant to LDR Section 6.1.2(A)(2)(a), when a street or alley is located on a boundary of a project, the project is responsible for providing one-half of the current costs of such improvements along its property line. When access to the project is provided from a local street

and/or alley, then the project must provide appropriate traffic lanes meeting requirements of Section 5.3.1(C) in order to provide continuous paved access from the nearest paved street or alley to the subject property in addition to the improvements on its side of the center line of the right-of-way. The development proposal meets this requirement with the provision of the "Beacon Lane" access road.

**Sidewalks:**

LDR Section 6.1.3(B)(1)(a) requires that a minimum 5' sidewalk is provided within low density residential areas. On June 9, 2016 the DSMG (Development Services Management Group) required the construction of a minimum 5' sidewalk along the north and south sides of Coconut Road (Tract "A"). The plans reflect the intent to construct the sidewalk with the provision of the 5' sidewalk easements. The City Engineering Department has confirmed that this is acceptable.

**Undergrounding of Utilities:**

Pursuant to LDR Section 6.1.8, utility facilities serving the development shall be located underground throughout the development.

**Engineering Technical Items:** Preliminary plans have reviewed by staff and the remaining comments are provided in the attached "Appendix B". These requirements must be met prior to the certification of the final plat. Final engineering comments will be addressed prior to building permit issuance.

<b>REVIEW BY OTHERS</b>
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The development proposal is not located within a geographical area requiring review by the PGMS (Pineapple Grove Main Street), WARC (West Atlantic Development Coalition), HPB (Historic Preservation Board), CRA (Community Redevelopment Agency) or the DDA (Downtown Development Authority).

**Courtesy Notices:**

Courtesy notices have been provided to the following homeowner's associations, which have requested notice of developments in their areas:

- Delray Citizens Coalition
- Lake Ida Park
- Seacrest
- Lainie Lewis
- Raymonda J. Willis
- Douglas W. Hawk
- Kurt G. Lehmann
- David C. Elliott
- Linda F. Oxford
- Daniel C. Lanphere
- Maria & Sebastian Bretones
- Jaime M. Theimer & Charles P. Theimer Jr.
- Ray Allan Pond & Nancy Rivers Pond
- Laurice & Oliver Buckton

**Public Notices:**

Public notice is not required for plat applications. Letters of support and/or objection have been received and are attached to this staff report. Any additional letters of objection or support received after preparation of this staff report will be presented at the Planning and Zoning Board (PZB) meeting.

<b>ASSESSMENT AND CONCLUSION</b>
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The proposed plat is consistent with R-1-AA (Single Family Residential) Zoning and LD (Low Density Residential) Future Land Use Map (FLUM) designation for the subject property. Positive findings can be made with respect to LDR Section 2.4.5(J)(Major Subdivisions), LDR Section 3.1.1 (Required Findings), Section 3.2.3 (Standards for Plat Actions) and the Goals, Objectives and Policies of the Comprehensive Plan.

<b>ALTERNATIVE ACTIONS</b>
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- A. Continue with direction.
- B. Move approval to recommend certification of the Final Plat for the **Beacon Plat**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations Section 2.4.5(J)(Major Subdivisions), Section 3.2.3 (Standards for Plat Actions) and Section 3.1.1 (Required Findings).
- C. Deny the preliminary plat with basis stated.

<b>STAFF RECOMMENDATION</b>
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Move approval to recommend certification of the Final Plat for the **Beacon Plat**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Land Development Regulations Section 2.4.5(J)(Major Subdivisions), Section 3.2.3 (Standards for Plat Actions) and Section 3.1.1 (Required Findings).

*Attachments: Appendix A, Proposed Plat, Boundary Survey and Civil Engineering Plans, Sausage Tree Removal Cost Estimate*

**APPENDIX A  
STANDARDS FOR PLAT ACTIONS**

- A. Building design, landscaping, and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.**

Not applicable   X  

Meets intent of standard \_\_\_\_\_

Does not meet intent \_\_\_\_\_

- B. Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists, and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element.**

Not applicable \_\_\_\_\_

Meets intent of standard   X  

Does not meet intent \_\_\_\_\_

- C. Open space enhancements as described in Policies found under Objective B-1 of the Open Space and Recreation Element are appropriately addressed.**

Not applicable   X  

Meets intent of standard \_\_\_\_\_

Does not meet intent \_\_\_\_\_

- D. The City shall evaluate the effect that any street widening or traffic circulation modification may have upon an existing neighborhood. If it is determined that the widening or modification will be detrimental and result in a degradation of the neighborhood, the project shall not be permitted.**

Not applicable \_\_\_\_\_

Meets intent of standard   X  

Does not meet intent \_\_\_\_\_

- E. Development of vacant land which is zoned for residential purposes shall be planned in a manner which is consistent with adjacent development regardless of zoning designations.**

Not applicable \_\_\_\_\_

Meets intent of standard   X  

Does not meet intent \_\_\_\_\_

- F. Vacant property shall be developed in a manner so that the future use and intensity are appropriate in terms of soil, topographic, and other applicable physical considerations; complementary to adjacent land uses; and fulfills remaining land use needs.**

Not applicable \_\_\_\_\_

Meets intent of standard   X  

Does not meet intent \_\_\_\_\_



- G. Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile, and meet the housing needs identified in the Housing Element. This shall be accomplished through the implementation of policies under Objective B-2 of the Housing Element.**

Not applicable \_\_\_\_\_  
Meets intent of standard   X    
Does not meet intent \_\_\_\_\_

- H. The City shall consider the effect that the proposal will have on the stability of nearby neighborhoods. Factors such as noise, odors, dust, traffic volumes and circulation patterns shall be reviewed 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.**

Not applicable \_\_\_\_\_  
Meets intent of standard   X    
Does not meet intent \_\_\_\_\_

- I. Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.**

Not applicable \_\_\_\_\_  
Meets intent of standard   X    
Does not meet intent \_\_\_\_\_

- J. Tot lots and recreational areas, serving children from toddler to teens, shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.**

Not applicable   X    
Meets intent of standard \_\_\_\_\_  
Does not meet intent \_\_\_\_\_

# Mignano Tree Care Inc.

1127 SOUTH EAST 2ND STREET  
BOYNTON BEACH, FLORIDA 33435  
OFFICE 561-738-2850 FAX 561-738-2801

## Proposal

Date	Estimate #
11/2/2016	12540



Name / Address
CITY OF DELRAY BEACH 100 NW 1ST AVENUE DELRAY BEACH, FL 33444

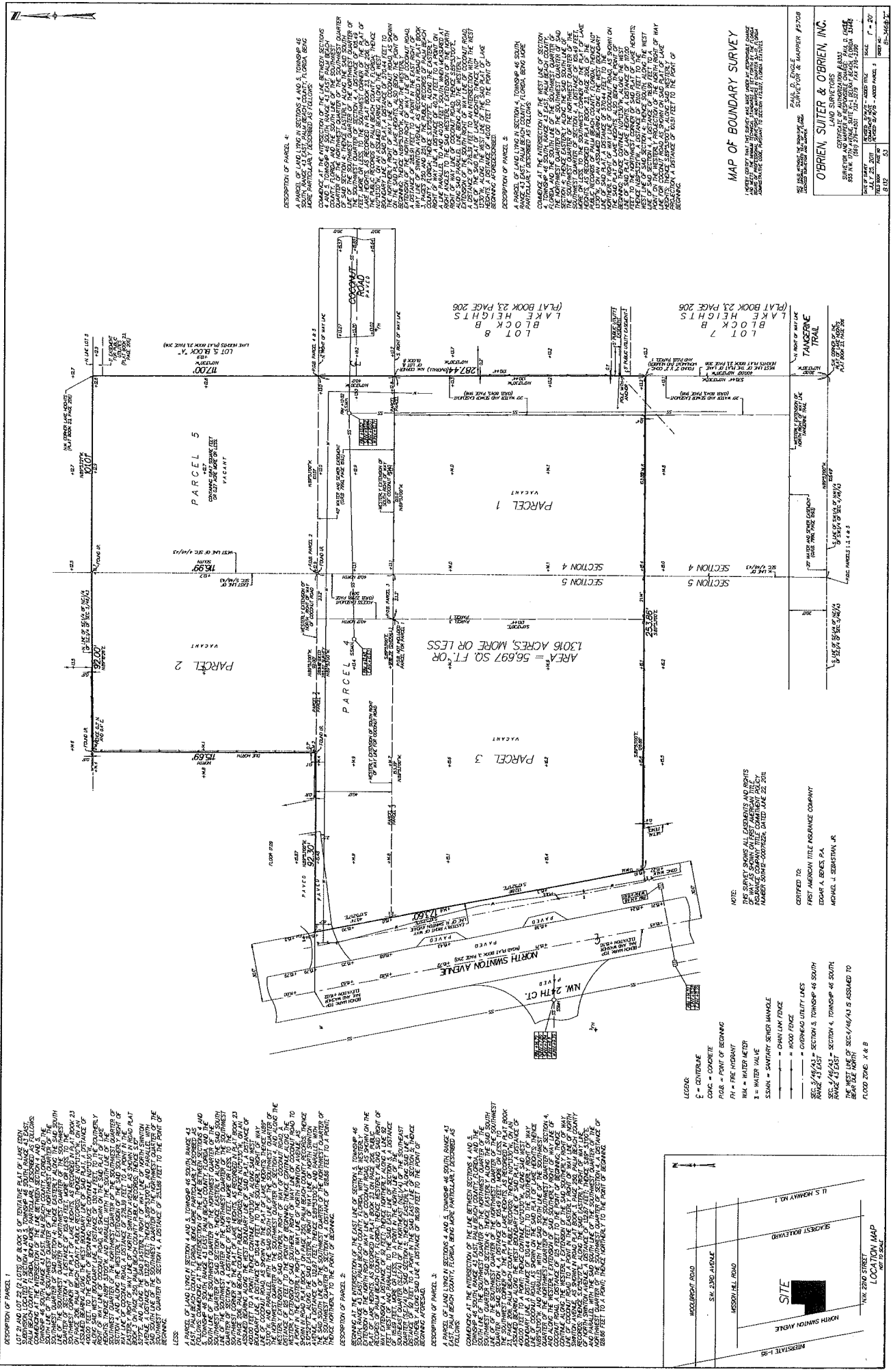
Rep	Customer Phone
JM	243-7214

Description	Qty	Rate	Total
REMOVE AND STUMP GRIND SAUSAGE TREE ON COCONUT ROAD INCLUDES STUMP GRINDING AND ORGANIC DISPOSAL			
TOTAL		1,650.00	1,650.00
PLEASE SIGN TO INDICATE YOUR APPROVAL. SIGNATURE:	<b>TOTAL</b> \$1,650.00		
FOR STUMP GRINDING: WE ARE NOT RESPONSIBLE FOR WIRES, CABLES OR PIPES BELOW THE SURFACE OR SURROUNDING PLANT MATERIAL.			
ALL PRUNING IS TO BE DONE WITHIN THE SCOPE OF THE APPROVED TECHNIQUES AS DESCRIBED IN ANSI A300 - 1995. WORK IS TO BE DONE BY WORKERS TRAINED IN COMPLIANCE WITH ANSI Z 133.1 SAFETY REGULATIONS, AS REQUIRED BY OSHA.			









# PLANNING AND ZONING BOARD (PZB)

## CITY OF DELRAY BEACH

## ---STAFF REPORT---

**MEETING DATE:** October 17, 2016

**ITEM:**

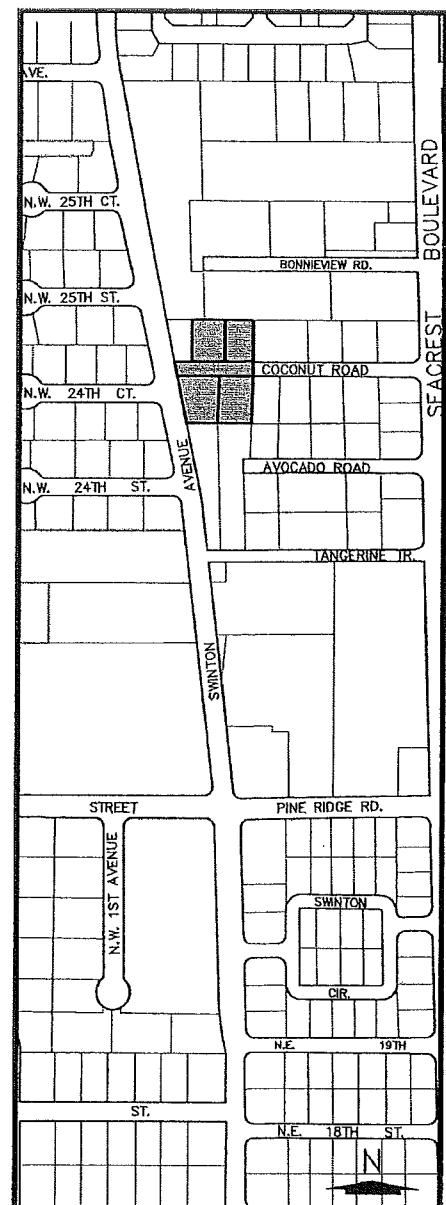
**Beacon Plat** - Consideration of the Preliminary Plat associated with the Beacon subdivision located on the east side of North Swinton Avenue, south of Lakeview Baptist Church and north of St. Joseph's Episcopal School.

**RECOMMENDATION:**

Approve the Preliminary Plat associated with the Beacon subdivision.

**GENERAL DATA:**

Owner/Applicant..... Michael J. Sebastian, Jr.  
Agent..... Weiner & Thompson, P.A.  
Location..... On the east side of North Swinton Avenue, south of Lakeview Baptist Church and north of St. Joseph's Episcopal School  
Property Size..... 1.5736 acres (68,544 sq. ft.)  
Current FLUM..... LD (Low Density Residential)  
Current Zoning..... R-1-AA (Single Family Residential)  
Adjacent Zoning.....North: R-1-AA (Single Family Residential)  
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South: CF (Community Facility)  
West: R-1-AA (Single Family Residential)  
Existing Land Use..... Vacant Land  
Proposed Land Use..... 4 single family detached lots with an access road  
Water..... Available via an 8" water main within the future Beacon Lane (existing Coconut Road) right-of-way  
Sewer..... Available via an 8" sewer main within the within the future Beacon Lane (existing Coconut Road) right-of-way



### ITEM BEFORE THE BOARD

The item before the Board is that of approval of a preliminary plat for **Beacon Plat**. The subject property is located on the east side of North Swinton Avenue, south of Lakeview Baptist Church and north of St. Joseph's Episcopal School.

This plat is being processed pursuant to LDR Section 2.4.5(J), Major Subdivisions.

### BACKGROUND

The subject property consists of portions of Sections 4 and 5, Township 46 South, Range 43 East of the City of Delray Beach, Palm Beach County, Florida and measures 1.5736 acres (68,544 sq. ft.). The site contains existing Parcels 1 through 5 and has a Future Land Use Map (FLUM) designation of LD (Low Density Residential) and is zoned R-1-AA (Single Family Residential). Existing Parcels 1, 2, 3 and 5 are designated for single family detached residences. Parcel 4 (now proposed as Tract "A") is an existing 40' wide water, sewer and access easement which aligns with Coconut Road, abutting the site to the east and continues through the site to connect to North Swinton Avenue on the west. This water and sewer easement was also established via separate easement and is recorded in ORB 7990 PG1593. All 5 parcels are currently vacant/unimproved.

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Now before the Board for consideration is approval of the Preliminary Plat associated with the Beacon Plat which proposes to plat the existing 4 separate single family detached residential lots, with a 40' wide access road named "Beacon Lane" providing a platted continuation from the existing "Coconut Road" to the east and "North Swinton Avenue" to the west. It is noted that no vehicular connection is proposed to connect to the existing Coconut Road. Instead, a hammerhead to allow fire apparatus maneuvering is proposed.

### PLAT DESCRIPTION

The 1.5736 acre Beacon Plat will consist of Lots 1-4 and Tract "A". Lots 1-4 are intended for single family detached residences. Tract "A" is designated for a 40' access road from "North Swinton Avenue" to the four parcels. No vehicular connection to Coconut Road is proposed.

The plat also includes a 5' sidewalk easement on the north and south sides of Tract "A". A proposed 10' general utility easement overlaps the sidewalk easement and is also located on the north and south sides of Tract "A". Two 10' x 20' access easements are proposed along the east perimeter of the site north and south of Tract "A". One access easement is in the



southeast corner of Lot 2. The other access easement is in the northeast corner of Lot 4. The applicant has indicated that this will accommodate vehicular and pedestrian access for the turnaround area designed at the end of the hammerhead (T) of Beacon Lane, given that a future gated entry into the subdivision is proposed which will only allow pedestrians a foot path to enter Coconut Road and walk to North Swinton Avenue along the proposed sidewalks. No vehicular access from the existing Coconut Road to provide a through connection to North Swinton Avenue is proposed. The existing 20' water and sewer easement which runs north and south along the east perimeter of Lot 4 will remain. A new 10' drainage easement is proposed along the western perimeter of Lot 3 which fronts on North Swinton Avenue.

#### PLAT ANALYSIS

Pursuant to Section 3.1.1 (Required Findings) of the Land Development Regulations, prior to 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 in the application, the staff report, or minutes. Findings shall be made by the Board to approve or deny the development application. These findings relate to Future Land Use Map, Concurrency and Consistency with the Comprehensive Plan, and Compliance with the Land Development Regulations.

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##### **Streets and Traffic:**

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**Comprehensive Plan - Consistency:** Other objectives and policies found in the adopted Comprehensive Plan may be used in making a finding of overall consistency.

A review of the objectives and policies of the adopted Comprehensive Plan was conducted and the following applicable section was found relevant to this proposal:

**Future Land Use Element - Objective A-1:** Property shall be developed or redeveloped in a manner so that the future use and intensity is appropriate and complies in terms of soil, topographic, and other applicable physical considerations, is complimentary to adjacent land uses, and fulfills remaining land use needs.

The proposed Beacon Plat development will be a welcome addition to the North Swinton Avenue corridor. The proposed four new single family residences will be compatible with the

infrastructure of the existing neighborhood and surrounding area. Therefore, the proposed development will be complementary to adjacent community facilities and residential land uses.

**Transportation Element – Goal Area C, Policy C-1.1:** Efforts shall be made to limit excessive through-traffic and nonresidential traffic on local roads within residential neighborhoods. Where a problem with such traffic is specifically identified, it should be addressed through the utilization of traffic calming measures, such as roundabouts, medians, and speed humps.

While the proposed plat provides for a continuation from Coconut Road to Beacon Lane, no vehicular connection is proposed. This design was chosen to avoid use of Coconut Road as a short cut between Swinton Avenue and Seacrest Boulevard, which could cause disruption to existing residents. Further, creative design of a roundabout around the existing tree at the terminus of Coconut Road, could impose dedication of additional right-of-way by the westernmost lots on Coconut Road. Otherwise, a road connection would require removal of an existing "Sausage Tree" located between the two roads. This matter has prompted several written responses from the public which are attached to this report.

**LDR Section 3.1.1(D) - Compliance with the Land Development Regulations:** Items identified in the Land Development Regulations shall specifically be addressed by the body taking final action on the site and development application/request.

**LDR Section 5.3.1(A)(Plat Required):**

A plat is required for the project, as no existing "platted" lots exist. The proposed Beacon Plat establishes 4 new lots, a 40' private access road, two 5' sidewalk easements, two 10' general utility easements, two 10' x 20' access easements and a 10' drainage easement. Thus, it is considered a major subdivision of land.

**Right-of-Way Dedications:**

**Beacon Plat:** Pursuant to LDR Section 5.3.1(D)(2), the ultimate right-of-way width for local residential streets is 60' where no curb and gutter exists and 50' where curb and gutter exists. The plans do not indicate that curb and gutter is proposed. Therefore, a 60' of width is required. However, on June 9, 2016 the DSMG (Development Services Management Group) reduced the required width to fifty feet (50'). Thus, an additional five foot (5') would typically be required on the north and south sides of the proposed "Beacon Lane". However, the City Engineering Department has since confirmed that the forty foot (40') right-of-way is deemed acceptable due to the fact that this is a private road in a platted subdivision. Thus, no further action is required.

**Street Improvement Obligations:**

Pursuant to LDR Section 6.1.2(A)(2)(a), when a street or alley is located on a boundary of a project, the project is responsible for providing one-half of the current costs of such improvements along its property line. When access to the project is provided from a local street and/or alley, then the project must provide appropriate traffic lanes meeting requirements of Section 5.3.1(C) in order to provide continuous paved access from the nearest paved street or alley to the subject property in addition to the improvements on its side of the center line of the right-of-way. The development proposal meets this requirement with the provision of the "Beacon Lane" access road.

**Sidewalks:**

LDR Section 6.1.3(B)(1)(a) requires that a minimum 5' sidewalk is provided within low density residential areas. On June 9, 2016 the DSMG (Development Services Management Group) required the construction of a minimum 5' sidewalk along the north and south sides of Beacon Lane (Tract "A"). The plans reflect the intent to construct the sidewalk with the provision of the 5' sidewalk easements. The City Engineering Department has confirmed that this is acceptable.

**Undergrounding of Utilities:**

Pursuant to LDR Section 6.1.8,--utility facilities serving the development shall be located underground throughout the development.

**Engineering Technical Items:** Preliminary plans have reviewed by staff and the remaining comments are provided in the attached "Appendix B". These requirements must be met prior to the certification of the final plat. Final engineering comments will be addressed prior to building permit issuance.

**REVIEW BY OTHERS**

The development proposal is not located within a geographical area requiring review by the PGMS (Pineapple Grove Main Street), WARC (West Atlantic Development Coalition), HPB (Historic Preservation Board), CRA (Community Redevelopment Agency) or the DDA (Downtown Development Authority).

**Courtesy Notices:**

Courtesy notices have been provided to the following homeowner's associations, which have requested notice of developments in their areas:

- Delray Citizens Coalition
- Lake Ida Park
- Seacrest
- Lainie Lewis
- Raymonda J. Willis
- Douglas W. Hawk
- Kurt G. Lehmann
- David C. Elliott
- Linda F. Oxford
- Daniel C. Lanphere
- Maria & Sebastian Bretones
- Jaime M. Theimer & Charles P. Theimer Jr.
- Ray Allan Pond & Nancy Rivers Pond
- Laurice & Oliver & Buckton

**Public Notices:**

Public notice is not required for plat applications. Letters of support and/or objection have been received and are attached to this staff report. Any additional letters of objection or support received after preparation of this staff report will be presented at the Planning and Zoning Board (PZB) meeting.

### ASSESSMENT AND CONCLUSION

The proposed plat is consistent with R-1-AA (Single Family Residential) Zoning and LD (Low Density Residential) Future Land Use Map (FLUM) designation for the subject property. Positive findings can be made with respect to LDR Section 2.4.5(J)(Major Subdivisions), LDR Section 3.1.1 (Required Findings), Section 3.2.3 (Standards for Plat Actions) and the Goals, Objectives and Policies of the Comprehensive Plan, subject to the conditions of approval being met prior to certification of the final plat. All conditions attached to this approval must be satisfied prior to certification of the Final Plat by the Planning and Zoning Board and in advance of scheduling for City Commission review and approval.

### ALTERNATIVE ACTIONS

- A. Continue with direction.
- B. Move a approval of the Preliminary Plat for the **Beacon Plat**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations Section 2.4.5(J)(Major Subdivisions), Section 3.2.3 (Standards for Plat Actions) and Section 3.1.1 (Required Findings), subject to conditions.
- C. Deny the preliminary plat with basis stated.

### STAFF RECOMMENDATION

Move approval of the Preliminary Plat for the **Beacon Plat**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Land Development Regulations Section 2.4.5(J)(Major Subdivisions), Section 3.2.3 (Standards for Plat Actions) and Section 3.1.1 (Required Findings), subject to the following conditions:

- 1. Prior to certification of the Final Plat by the Planning and Zoning Board and in advance of scheduling for City Commission review and approval, the following must be addressed:
  - a. Provide revised notification of utility provider forms from all four agencies (i.e. FPL, FPU, Comcast and AT&T) which provides consent to the proposed 4 residential units design as opposed to the original 5 residential units design.
  - b. All plans shall be oriented the same way on the 24" x 36" sheet. Redraw the boundary survey such that the north arrow is pointing the same direction as the subdivision plat and civil plans.
  - c. Sheet "1 of 2" of the proposed Beacon Plat for the currently proposed 4 units does not appear to provide accurate descriptions for the reconfigured Lots 1-4. The geographic location for Lots 3 and 4 have changed since the original 5 lots proposal, but do not appear to be modified. Also, there is no longer a "Parcel 5".
  - d. Since Sheet "2 of 2" of the Beacon Plat identifies "Lots" 1-4, the terminology on Sheet "1 of 2" should not reference "Parcel" 1-4. Change terminology to "Lots" for consistency.

- e. The Beacon Plat's legal description does not match the geographical reference. The plat shall be redrawn to reflect an accurate legal description which closes.

*Attachments: Appendix A, Proposed Plat, Boundary Survey and Civil Engineering Plans*

**APPENDIX A  
STANDARDS FOR PLAT ACTIONS**

- A. Building design, landscaping, and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.

Not applicable   X  

Meets intent of standard \_\_\_\_\_

Does not meet intent \_\_\_\_\_

- B. Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists, and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element.

Not applicable \_\_\_\_\_

Meets intent of standard   X  

Does not meet intent \_\_\_\_\_

- C. Open space enhancements as described in Policies found under Objective B-1 of the Open Space and Recreation Element are appropriately addressed.

Not applicable   X  

Meets intent of standard \_\_\_\_\_

Does not meet intent \_\_\_\_\_

- D. The City shall evaluate the effect that any street widening or traffic circulation modification may have upon an existing neighborhood. If it is determined that the widening or modification will be detrimental and result in a degradation of the neighborhood, the project shall not be permitted.

Not applicable \_\_\_\_\_

Meets intent of standard   X  

Does not meet intent \_\_\_\_\_

- E. Development of vacant land which is zoned for residential purposes shall be planned in a manner which is consistent with adjacent development regardless of zoning designations.

Not applicable \_\_\_\_\_

Meets intent of standard   X  

Does not meet intent \_\_\_\_\_

- F. Vacant property shall be developed in a manner so that the future use and intensity are appropriate in terms of soil, topographic, and other applicable physical considerations; complementary to adjacent land uses; and fulfills remaining land use needs.

Not applicable \_\_\_\_\_

Meets intent of standard   X  

Does not meet intent \_\_\_\_\_

- G. Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile, and meet the housing needs identified in the Housing Element. This shall be accomplished through the implementation of policies under Objective B-2 of the Housing Element.**

Not applicable \_\_\_\_\_  
Meets intent of standard   X    
Does not meet intent \_\_\_\_\_

- H. The City shall consider the effect that the proposal will have on the stability of nearby neighborhoods. Factors such as noise, odors, dust, traffic volumes and circulation patterns shall be reviewed 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.**

Not applicable \_\_\_\_\_  
Meets intent of standard   X    
Does not meet intent \_\_\_\_\_

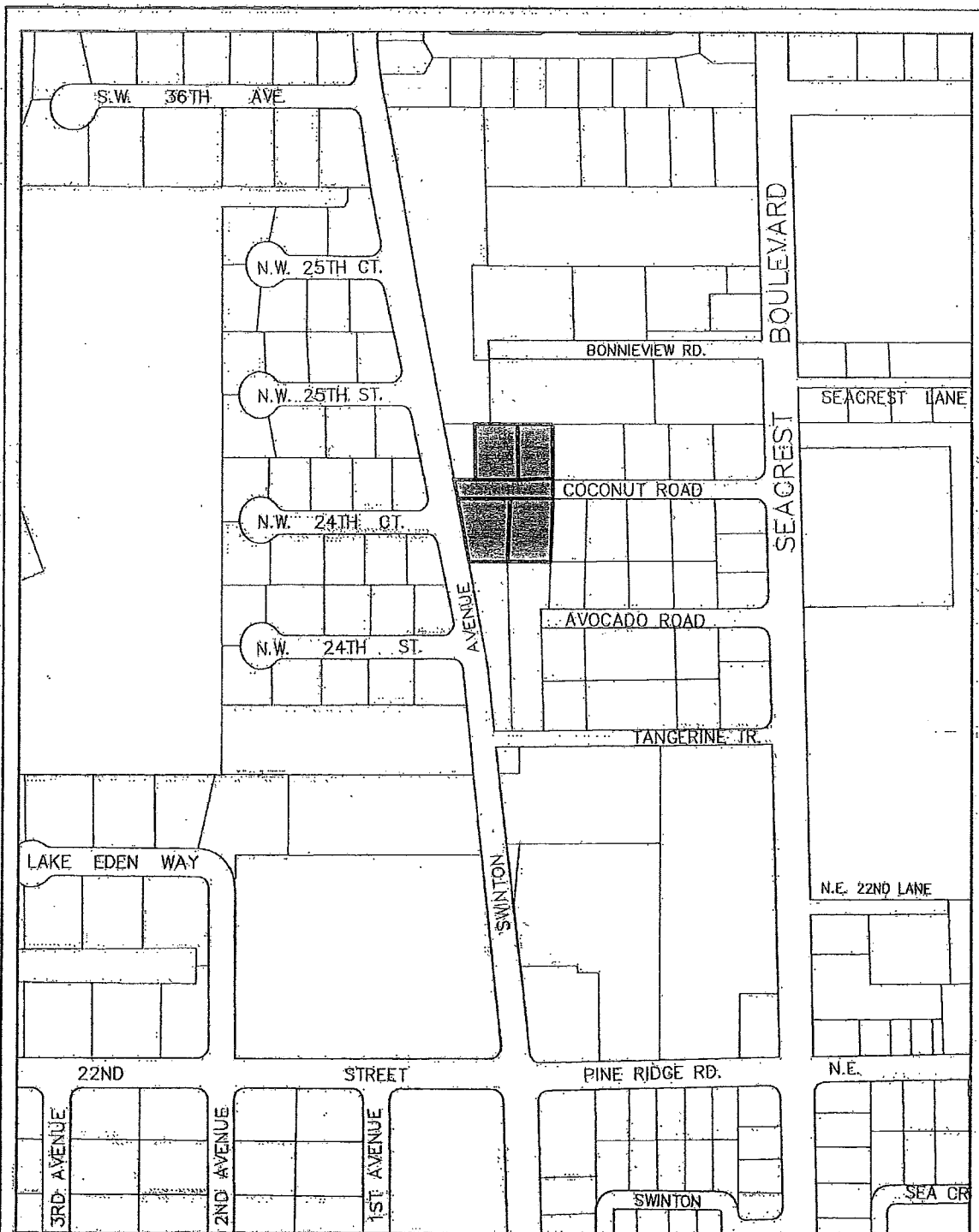
- I. Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.**

Not applicable \_\_\_\_\_  
Meets intent of standard   X    
Does not meet intent \_\_\_\_\_

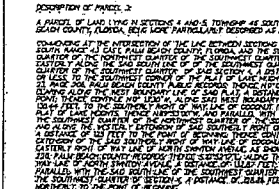
- J. Tot lots and recreational areas, serving children from toddler to teens, shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.**

Not applicable   X    
Meets intent of standard \_\_\_\_\_  
Does not meet intent \_\_\_\_\_





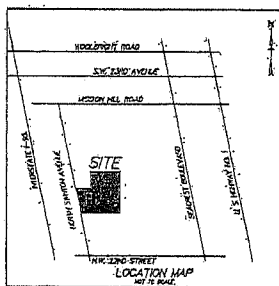
	<p style="text-align: center;">N</p> <p style="text-align: center;">PLANNING AND ZONING DEPARTMENT</p>	<p style="text-align: center;">SUBJECT PROPERTY</p>	<p style="text-align: center; font-size: 1.2em;"><b>BEACON PLAT</b></p> <p style="text-align: center; font-size: 1.1em;"><b>LOCATION MAP</b></p>
<p style="text-align: center;">--- DIGITAL BASE MAP SYSTEM ---</p>			<p style="text-align: right; font-size: 0.8em;">MAP REF: S:\Planning &amp; Zoning\DBMS\File-Cob\Z-LM 1001-1500\LM1521_Beacon Plat</p>



1. THE FIRST PUNCH HOLE: "THE FIRST PUNCH HOLE"
   
 2. THE SECOND PUNCH HOLE: "THE SECOND PUNCH HOLE"
   
 3. THE THIRD PUNCH HOLE: "THE THIRD PUNCH HOLE"
   
 4. THE FOURTH PUNCH HOLE: "THE FOURTH PUNCH HOLE"

DATE: \_\_\_\_\_

PULL D ENCL  
SURVEYOR AND MAPPER NO. 3708  
DERON SUTOT & DERON PC  
33 NW 17TH AVENUE, SUITE 1101  
DELRAY BEACH, FLORIDA 33445

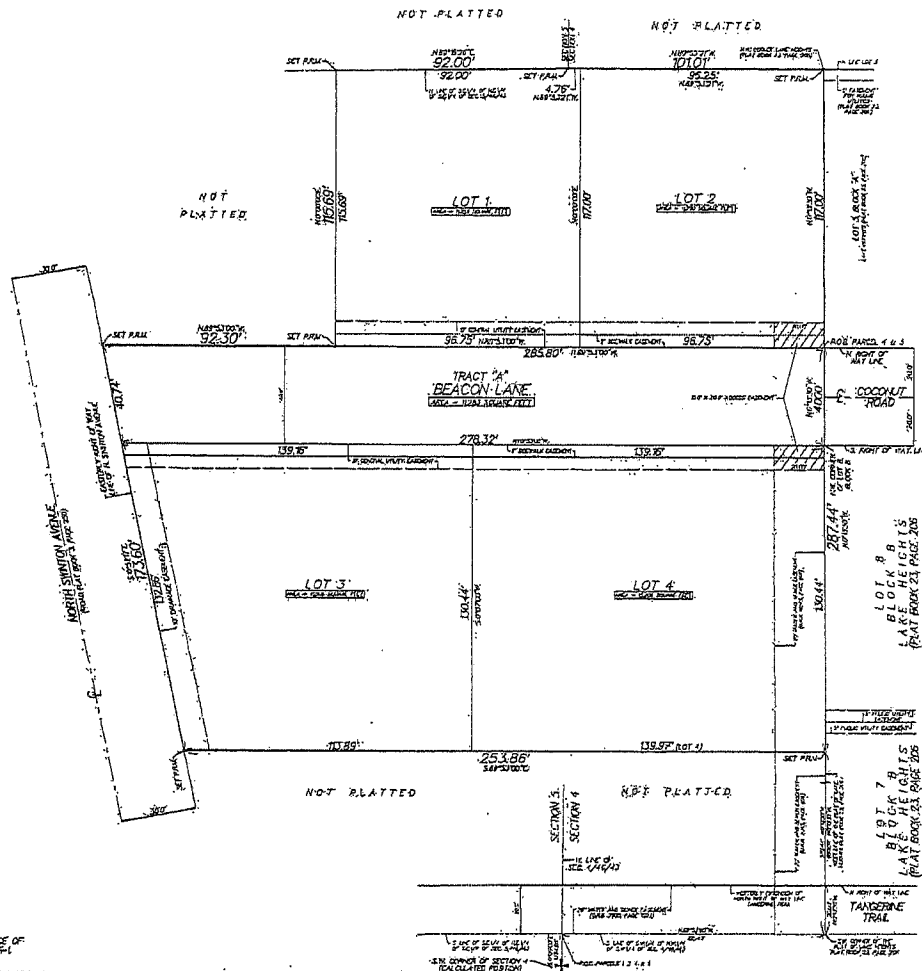


# **BEACON PLAT** BEING A REPLAT OF A PORTION OF SECTIONS 4 AND 5, TOWNSHIP 46 SOUTH, RANGE 43 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA. MAY, 2018 SHEET 2 OF 3

COUNTY OF PALM BEACH  
 STATE OF FLORIDA

THIS PLAT WAS FILED FOR RECORD AT THE  
 TIME OF CITY OF  
 PLAT NO. 10101  
 AND WAS RECORDED IN PLAT BOOK NO. 205  
 PAGE 205  
 SHOWS & RECORDS, ALTHOUGH, WITHOUT CORRECTION

SCALE: 1" = 20'



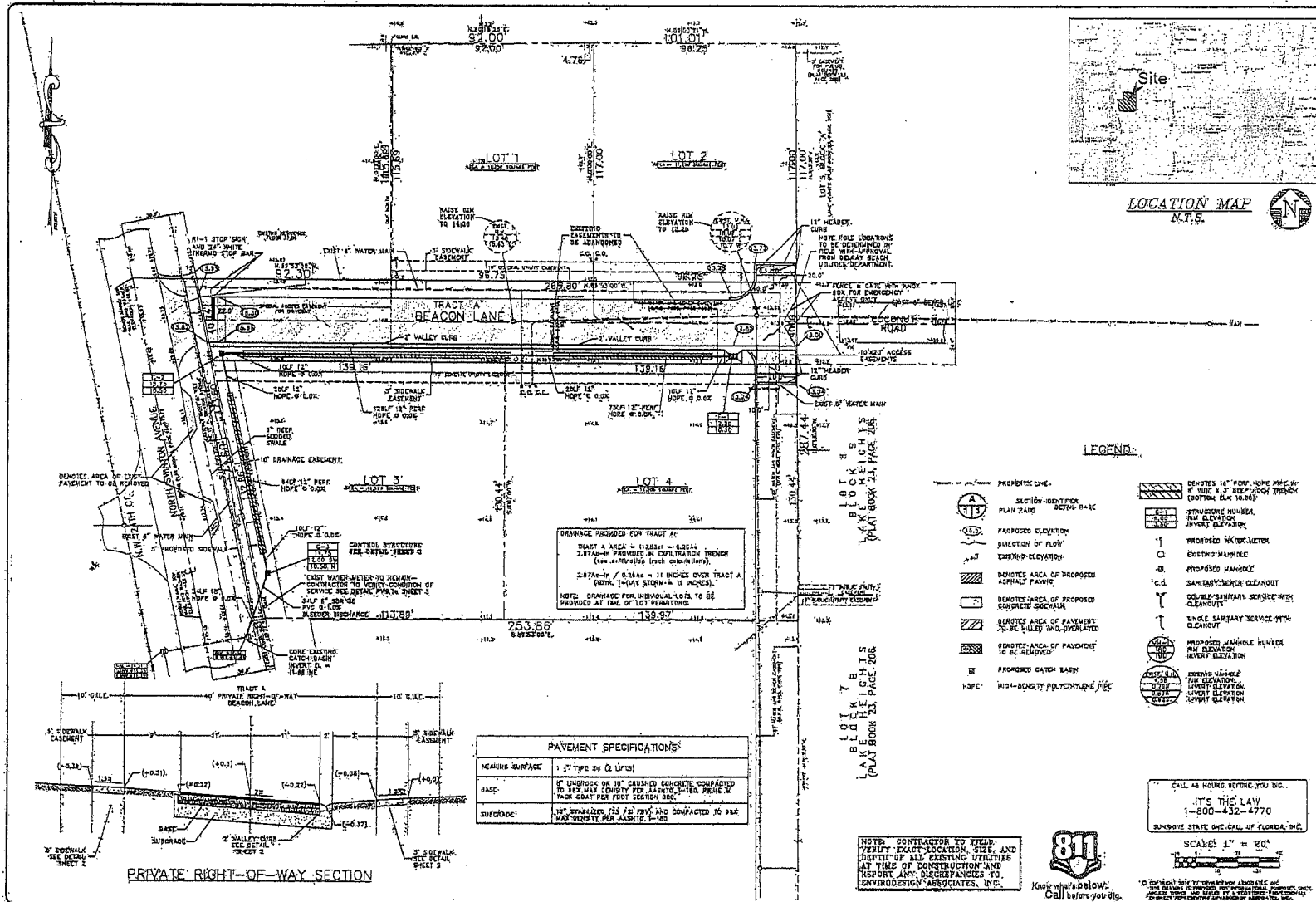
## **LEGEND**

- CL = CENTERLINE
- PAV = 4" x 4" CONCRETE MONUMENT
- STAMPED "10101"
- PRP = PUBLIC RECORDS OF PALM BEACH COUNTY
- CA = CENTRAL ANGLE
- DB = DOUBLE-BEARING
- THE CENTERLINE OF BEACON ROAD IS ASSUMED TO BEAT NORTH 00° 00' 00"
- GR = TYPICAL REVERSE ROAD

## **NOTES**

1. BEACON SHOWN HEREIN ARE RELATIVE TO THE SOUTH LINE OF THE SECTION OF THE REPLAT OF SECTION 4, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PLAT NO. 10101, BEARING 0° 00' 00" 13300'.
2. THIS PLAT IS RECORDED IN ITS GRAPHIC FORM IN THE OFFICIAL RECORDS OF THE CITY OF DELRAY BEACH, FLORIDA, AND WILL IN NO CIRCUMSTANCES BE SUPERSEDED IN AUTHORITY BY ANY OTHER RECORD OR REPLAT OF THE CITY OF DELRAY BEACH, FLORIDA. ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED IN THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE CITY OF DELRAY BEACH, FLORIDA, ARE HEREBY GRANTED THE RIGHT OF ACCESS FOR EMERGENCY AND MAINTENANCE PURPOSES.
3. THIS INSTRUMENT WAS PREPARED BY PAUL G. ENGLISH, IN THE OFFICE OF CORDEN, SUTHERLAND & OPEN, INC., 365 NW 10TH AVENUE, SUITE 401, DELRAY BEACH, FLORIDA 33444 (561) 276-4551.
4. PERMANENT REFERENCE MONUMENTS ARE SHOWN DUE.
5. THERE SHALL BE NO BUILDING OR ANY AND OF CONSTRUCTION, PLACED ON WATER, UNDER OR DRAINAGE, FACILITIES, OR STRUCTURES, SHALL BE PLACED WITHIN A HORIZONTAL DISTANCE OF 25 FEET FROM ANY EXISTING OR PROPOSED CITY OF DELRAY BEACH (MAINTAINED) WATER, UNDER OR DRAINAGE FACILITIES, CONSTRUCTION OR LANDSCAPING, UNDER MAINTENANCE OR MAINTENANCE, ACCESS, EASEMENTS, MUST BE IN CONFORMANCE WITH ALL BUILDING AND ZONING CODES, AND/OR ORDINANCES OF THE CITY OF DELRAY BEACH.
6. THERE SHALL BE NO TREES OR SHOULDER PLACED ON UTILITY EASEMENTS WHICH ARE PROVIDED FOR WATER AND SEWER USE OR UPON DRAINAGE, EASEMENTS, LANDSCAPING, OR ANY OTHER UTILITY. EASEMENTS SHALL BE ALLOWED ONLY AFTER CONSENT OF ALL UTILITY COMPANIES OCCUPYING SAME.

THIS INSTRUMENT WAS PREPARED BY PAUL G. ENGLISH, IN THE OFFICE OF  
 CORDEN, SUTHERLAND & OPEN, INC., 365 NW 10TH AVENUE, SUITE 401,  
 DELRAY BEACH, FLORIDA 33444 (561) 276-4551



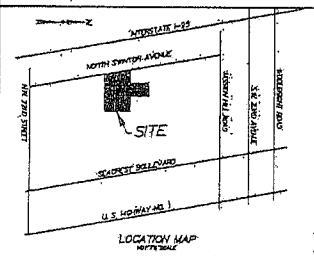
**CIVIL SITE IMPROVEMENTS PLAN FOR:**  
**BEACON - 5-Lot SUBDIVISION**  
 N. SRINIVASA AVE  
 DELRAY BEACH, FLORIDA

**ENGINEERS:**  
 ENVIRONMENTAL ASSOCIATES, INC.  
 385 N. SRINIVASA AVE, SUITE 100  
 DELRAY BEACH, FLORIDA 33444  
 PHONE: (407) 271-1000

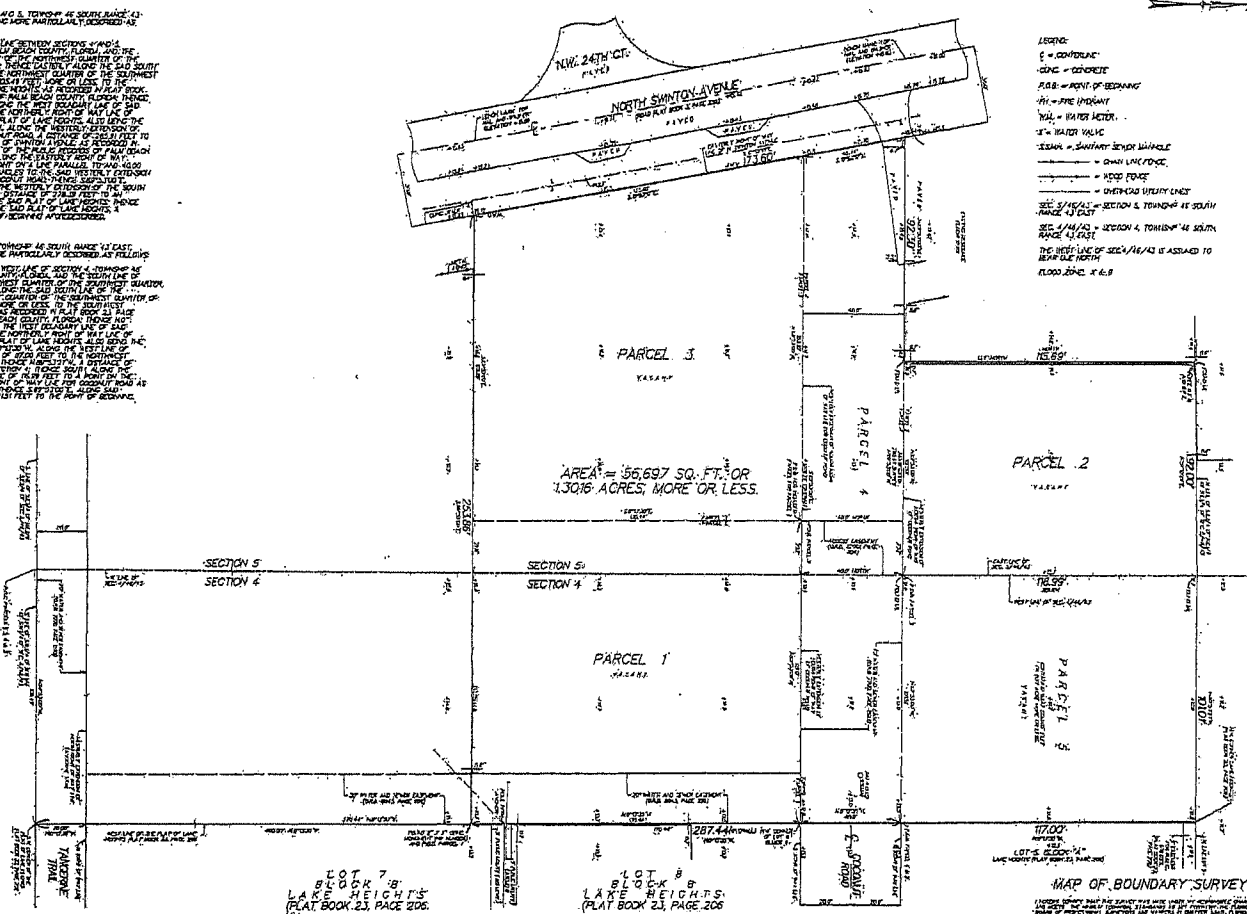
**DATE:** 7/15/10  
**JOB NO.:** 1007-ENG  
**SHEET NO.:** 1 OF 7

[illegible][illegible][illegible]

DESCRIPTION OF PARCELS 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 84

[illegible][illegible]


A hand-drawn sketch of a rectangular building, likely a bank, with a chimney on the right side. The building is labeled "BANK" and "STREET" on the left side. The chimney is labeled "CHIMNEY" and "STREET" on the right side. The drawing is dated "1880" and "1881".



LEGEND:

- = CONTINGENT
- = CO-OPERATE
- △ = POINT OF BEGINNING
- ▽ = END (IMPORTANT)
- = WATER FACTOR
- = WATER VALUE
- △ = SOUTHERN BOUNDARY
- ▽ = CHINA LINE (PORE)
- = RIVER (PORE)
- = OVERFLOW UTILITY LINE

SEC. 5/6/42 = SECTION 5, TOWNSHIP 44 SOUTH, RANGE 41 EAST

SEC. 1/6/42 = SECTION 4, TOWNSHIP 44 SOUTH, RANGE 41 EAST

THE WEST LINE OF SEC. 5/6/42 IS ASSIGNED TO BEAR THE NORTH FLOOD ZONE. IT IS 6.9

### MAP OF BOUNDARY SURVEY

THIS SURVEY SHOWS ALL EASEMENTS AND RIGHTS  
OF WAY AS SHOWN ON FIRST AMERICAN TITLE  
CORPORATION COMPANY TITLE COMMITMENT POLICY  
NUMBER 201412-00070224 DATED JUNE 22, 2014

EXPIRED TO:  
FIRST AMERICAN TITLE ASSURANCE COMPANY  
EDGAR A. SONES, JR.  
MEMPHIS, TENNESSEE 38

[illegible]

**Jefferson, Candi**

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**From:** Linda Oxford <trolo@me.com>  
**Sent:** Saturday, September 24, 2016 6:25 PM  
**To:** Jay Jacobson; Joseph Pike; Joycelyn Patrick; Louis Smith; Mark Krall;  
R.M.Bird@comcast.net; sdmackey@mackindustrial.com  
**Cc:** Stillings; Tim; Miller, Diane; Jefferson, Candi; Kurt Lehmann; Josie Willis; Dan Lanphere;  
Dave Elliott; Olly Buckton; Amy Shuttleworth; Phil Colmon; Nancy & Ray Pond  
**Subject:** Beacon Plat

Dear P&Z Board Members and City Staff

I am writing to you once again regarding the Beacon Plat after having discussions with my neighbors.

First of all, I need to correct something that I said in my email of 9/13 wherein I indicated that there was an error in the location map and committee project overview. I did not realize at the time that Mr. Sebastian had purchased the easement that is depicted as Beacon Lane. Please excuse my oversight.

After conversation with Cynthia Burns of Weiner & Thompson PA on Friday I was advised that the developer does NOT want to join Coconut with the proposed Beacon Lane; however, she said that there would be a gate for emergency vehicles as well as a walk thru gate. This is absolutely unacceptable and I firmly object to the gate. Also, if you require a gate the beautiful sausage tree planted at least 40 years ago by former City Attorney, John Ross Adams would be destroyed.

After further discussions with my neighbors, the majority of which are not in favor of the gate, I believe a good option would be

- Coconut and Beacon be connected on the north side of the tree with a 12' one way road similar to what has been constructed on S. E. 7th Avenue
- The connecting road would go around the rare tree and we would therefore retain the calming affect as well as being esthetic to our street. I realized in my previous letter that I objected to Coconut being a through street however I could live with this compromise
- In addition, it is my personal opinion that sidewalks should not be required by the developer. This is a very small development and it should be noted that the Seagate neighborhood has not been required to install sidewalks. Why pay for something that is not really necessary.

In the event the option as stated above is not acceptable I suggest that in lieu of a gate that the developer be required to (1) place a hammerhead turnaround which is larger than is proposed on the current plat (2) install permanent foliage (similar with what the City has done on N.E 7th Avenue at 3rd and 5th Street) and, (3) not disturb what is in place.

Please note that our neighborhood is very quiet and tranquil; none of the current residents want to lose that.

Thank you for your consideration and I look forward to speaking at the P&Z meeting Monday, September 26th.

Respectfully,

Linda Oxford

**Jefferson, Candi**

---

**From:** Linda Oxford <trolo@me.com>  
**Sent:** Tuesday, September 13, 2016 7:06 PM  
**To:** Jay Jacobson; Joseph Pike; Joycelyn Patrick; Louis Smith; Mark Krall;  
R.M.Bird@comcast.net; sdmackey@mackindustrial.com  
**Cc:** Miller; Diane; Jefferson, Candi  
**Subject:** Beacon Plat  
**Attachments:** Beacon Plat - Revised PZB Staff Report ~09-19-16.pdf, Locatoin Map ~Beacon.pdf

**TO:**

City of Delray Planning and Zoning Board

**FROM:**

Linda Oxford, 148 Coconut Road

**RE:**

Beacon Plat

**DATE:**

September 13, 2016

I received from a friend the recent Special Courtesy Notice regarding the above referenced item that I understand will come before your Board Monday, September 19, 2016.

First of all I am happy to see this property being developed however within the clarification of what the owner wants to do it states

The applicant has indicated that this will accommodate vehicular and pedestrian access for the turnaround area designed at the end of the hammerhead (T) of Beacon Lane, given that a future gated entry into the subdivision is proposed which will only allow pedestrians a foot path to enter Coconut Road and walk to North Swinton Avenue along the proposed sidewalks. No vehicular access from the existing Coconut Road to provide a through connection to North Swinton Avenue is proposed.

What gives me concern is that it indicates that there should be a future gated entry and I would request that that should be mandatory. My fear is that down the road the developer would want to run Beacon Lane into Coconut Road where it would be a through street from Seacrest Boulevard to Swinton Avenue.

I am attaching the Location Map (which was attached to the courtesy email) as well as the Technical Advisory Committee Project Overview. First, the Project Overview contains incorrect information. The property control listed as 12-43-46-040-000-7340 is incorrect and should be 12-43-46-050-000-5030 and this property is not depicted on the Location Map.

Also, it was my understanding that the property 12-43-46-040-000-7330 which currently is fenced in was suppose to be remain as retention property in consideration for St. Joseph's School to increase the parking.

Not knowing what the proper procedure is would you kindly advise me if my concern should be directed to your Board or the Commission?



## Jefferson, Candi

**From:** Stillings, Tim  
**Sent:** Friday, September 23, 2016 9:39 AM  
**To:** McDonnell, Mark; Jefferson, Candi  
**Subject:** Fwd: Beacon Plat

FYI

Timothy R. Stillings, AICP  
City of Delray Beach  
Planning, Zoning and Building Director  
100 NW 1st Avenue  
Delray Beach, Florida 33444  
561-243-7043  
[stillings@mydelraybeach.com](mailto:stillings@mydelraybeach.com)

Begin forwarded message:

**From:** Phil Colnon <[phil@signaturebuildersgroup.com](mailto:phil@signaturebuildersgroup.com)>  
**Date:** September 22, 2016 at 2:30:53 PM EDT  
**To:** "[stillings@mydelraybeach.com](mailto:stillings@mydelraybeach.com)" <[stillings@mydelraybeach.com](mailto:stillings@mydelraybeach.com)>  
**Cc:** Kurt Lehmann <[kurt@thelrt.com](mailto:kurt@thelrt.com)>, Dan Lanphere <[dclanphere@aol.com](mailto:dclanphere@aol.com)>, "Linda Oxford" <[trolo@me.com](mailto:trolo@me.com)>, Nancy <[pondnr@embarqmail.com](mailto:pondnr@embarqmail.com)>  
**Subject:** Beacon Plat

P & Z Staff Members,

I am under contract to purchase the property on the north side of Coconut Road from Ray and Nancy Pond(2 lots). This property adjoins the proposed Beacon Plat. I am **NOT in favor** of the road, sidewalk or gates as proposed by Beacon Plat. The vehicles being allowed to exit at the west end of Beacon Road thru a "private gate" will increase traffic on Coconut, with only negative changes affecting the current residents of Coconut Road. The tree in the right-of-way, at the end of Coconut would need to be removed and would be replaced with a generic gate. This change would eliminate part of the natural beauty of Coconut Road. The city staff should be looking to improve ALL neighborhoods, not just the sole property of a private owner.

LDR's clearly state that the road should be connected (6.1.2(B)(2)). Obviously there is no topographic issues that prevent the connection. The tree that would need to be removed is not located on Beacon Plat property. If gates are installed, the road is not connected. It would be 2 dead-end roads (Coconut Road and Beacon Road) meeting at a gate. Vehicles on both sides of the gate will need to use private property to turn around. If the applicant does not want to connect to the existing Coconut Road, they should be required to build the needed "hammerhead" allowing for emergency vehicles on Beacon Plat land, leaving the tree and our existing neighborhood untouched.

Suggested changes to the plat are as follows:

- 1) Connect the new and existing road using a "traffic calming" layout similar to those built on SE 7<sup>th</sup> Ave, by going around the existing tree to the north side with single lane traffic.
- 2) Change the entrance to Coconut from Seacrest, to that similar to SE 3<sup>rd</sup> St which exits to Federal Hwy. This would allow traffic to exit to Seacrest (south bound only) or Swinton, but only enter from Swinton.

- 3) Eliminate all sidewalks. This is a quiet residential area, that will have less pedestrian traffic than the Seagate area that has NO SIDEWALKS. Swinton only has sidewalks on one side.
- 4) Dedicate the road to the city after completion and eliminate formation of the HOA to maintain the road.

I also received an email from the Pond's stating that as of yesterday 9/21, they have received no notice from the city regarding Beacon Plat.

*Phil Colnon*

**Jefferson, Candi**

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**From:** Stillings, Tim  
**Sent:** Friday, September 23, 2016 9:37 AM  
**To:** McDonnell, Mark; Jefferson, Candi  
**Subject:** Fwd: Coconut Rd (Cocoanut) - Beacon Proposal

Be prepared for this Monday.  
Tim

Timothy R. Stillings, AICP  
City of Delray Beach  
Planning, Zoning and Building Director  
100 NW 1st Avenue  
Delray Beach, Florida 33444  
561-243-7043  
[stillings@mydelraybeach.com](mailto:stillings@mydelraybeach.com)

Begin forwarded message:

**From:** Kurt Lehmann <[kurt@thelrt.com](mailto:kurt@thelrt.com)>  
**Date:** September 22, 2016 at 4:42:54 PM EDT  
**To:** stillings <[stillings@mydelraybeach.com](mailto:stillings@mydelraybeach.com)>  
**Cc:** Phil Colnon <[phil@signaturebuildersgroup.com](mailto:phil@signaturebuildersgroup.com)>, Dan Lanphere <[dclanphere@aol.com](mailto:dclanphere@aol.com)>, "Ms. Linda F Oxford" <[4rol0@me.com](mailto:4rol0@me.com)>, <[pondnr@embarqmail.com](mailto:pondnr@embarqmail.com)>, Lehmann Realty Legal Team <[legal@thelrt.com](mailto:legal@thelrt.com)>  
**Subject:** Coconut Rd (Cocoanut) - Beacon Proposal

Dear Neighbors and P&Z Staff Members,

I've been a highly involved member of the community for well over a decade including serving on numerous boards. I also own a real estate brokerage here in Delray and understand our housing market, planning, and traffic patterns better than most. I've helped to look over the cares and concerns of our city during that time - some that directly affected you and your homes. I appreciate the same care and consideration in advance for mine.

I've owned my home on the end of Coconut (or Cocoanut) Rd for 13 years now, my attraction and value were and are a quiet dead end much like the other streets in my vicinity. I'm sure upon first review you have already determined that the proposed changes to Coconut Rd and Beacon are not in best interest of the existing residents. I'll also air a bit of disappointment at the delayed and/or lack of notice given to myself and my neighbors - most of whom are also highly involved members of the community - so it wasn't something we just missed.

I don't want to stop development but I don't feel I should be overrun either. Being that I am the last house on the street I would now stare at an ugly gate where a beautiful piece of nature currently resides.

I'm sure you will agree that the proper options should be one of the following:

1) Connect the new and existing road using a "traffic calming" layout similar to those built on SE 7<sup>th</sup> Ave, by going around the existing tree to the north side with single lane traffic.

2) No change Coconut Rd - it should be on the developer to create the necessary compliance without disturbing the neighborhood on the land proposed for development. The dead end and the trees stay - nothing obtrusive or disturbing allowed to affect the existing residents.

3) Change the entrance to Coconut from Seacrest, to that similar to SE 3<sup>rd</sup> St which exits to Federal Hwy. This would allow traffic to exit to Seacrest (south bound only) or Swinton, but only enter from Swinton. An increase of left turns to Seacrest from Coconut could prove quite dangerous in a school zone as would an increase in turns from Seacrest to Coconut. This area is prone to many accidents and speeding as it is.

In addition, if the roads are connected it should be dedicated to the city after completion to eliminate the need to form an HOA to maintain the road. I also see no need for sidewalks to be added as this is a quiet residential area.

I truly appreciate your attention and concern to this matter along with your continued commitment to Delray's beauty and safety.

Yours In Delray,

Kurt Lehmann

136 Coconut Rd Delray Beach FL 33444 561-251-2697 [kurt@kurtlehmann.com](mailto:kurt@kurtlehmann.com)

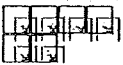


Kurt Lehmann ABR, ePRO, SFR, BPOR, SRES, Licensed Florida Real Estate Instructor, Broker/Owner, Lehmann Realty

Tel: 561-444-8505 | Mobile: 561-926-0146 | Personal: 888-644-3828 | Fax: 561-463-3536

Address: 55 SE 2nd Ave Delray Beach, FL 33444

[kurt@thelrt.com](mailto:kurt@thelrt.com) | [www.TheLRT.com](http://www.TheLRT.com)



[Search Local Home Values Here](#)

**Jefferson, Candi**

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**From:** Nancy <pondnr@embarqmail.com>  
**Sent:** Wednesday, September 21, 2016 12:39 PM  
**To:** sdmackey@mackindustrial.com  
**Cc:** Stillings, Tim; Miller, Diane; Jefferson, Candi  
**Subject:** Proposed Plat west end of Coconut Road

21 September 2016

City of Delray Beach  
Property and Zoning

Please be advised that we have just been made aware of the proposed plat for the west end of our vacant lot property on Coconut Road, Delray Beach. We have not received any notice from the City of Delray Beach with regard to this proposal.

However, let me state, that we are emphatically against this proposal. We resided in the home (136) at the end of this street for approximately 35 years. During that time we realized that it would be a danger to residents (especially if there are children), due to the traffic from the school, if it were extended to Swinton. A goodly number of the residents on this street have resided there for many years and understand the situation.

We do not feel that the gate would serve any purpose and would not aesthetically fit the neighborhood. Gates in gated communities continually have to be replaced or repaired and we feel this would be the same situation.

We hope that you will consider all the information from the residents on Coconut Road and deny this proposal.

Very truly yours,

Ray Allan Pond  
Nancy Rivers Pond  
3052 Hawks Landing Drive  
Tallahassee, Florida 32309  
(850) 878-8171  
[pondnr@embarqmail.com](mailto:pondnr@embarqmail.com)

**Jefferson, Candi**

---

**From:** Nancy <pondnr@embarqmail.com>  
**Sent:** Wednesday, September 21, 2016 12:38 PM  
**To:** R.M.Bird@comcast.net  
**Cc:** Stillings, Tim; Miller, Diane; Jefferson, Candi  
**Subject:** Proposed Plat west end of Coconut Road

21 September 2016

City of Delray Beach  
Property and Zoning

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Very truly yours,

Ray Allan Pond  
Nancy Rivers Pond  
3052 Hawks Landing Drive  
Tallahassee, Florida 32309  
(850) 878-8171  
[pondnr@embarqmail.com](mailto:pondnr@embarqmail.com)

Jefferson, Candi

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From: Nancy <pondnr@embarqmail.com>  
Sent: Wednesday, September 21, 2016 12:37 PM  
To: mlk@listickandrall.com  
Cc: Stillings, Tim; Miller, Diane; Jefferson, Candi  
Subject: Proposed Plat west end of Coconut Road

21 September 2016

City of Delray Beach  
Property and Zoning

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3052 Hawks Landing Drive  
Tallahassee, Florida 32309  
(850) 878-8171  
[pondnr@embarqmail.com](mailto:pondnr@embarqmail.com)

Jefferson, Candi

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From: Nancy <pondnr@embarqmail.com>  
Sent: Wednesday, September 21, 2016 12:35 PM  
To: louisvsmith@gmail.com  
Cc: Stillings, Tim; Miller, Diane; Jefferson, Candi  
Subject: Proposed Plat West end of Coconut Road

21 September 2016

City of Delray Beach  
Property and Zoning

Please be advised that we have just been made aware of the proposed plat for the west end of our vacant lot property on Coconut Road, Delray Beach. We have not received any notice from the City of Delray Beach with regard to this proposal.

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Nancy Rivers Pond  
3052 Hawks Landing Drive  
Tallahassee, Florida 32309  
(850) 878-8171  
[pondnr@embarqmail.com](mailto:pondnr@embarqmail.com)



**Jefferson, Candi**

---

**From:** Nancy <pondnr@embarqmail.com>  
**Sent:** Wednesday, September 21, 2016 12:34 PM  
**To:** joycelyn.patrick@gmail.com  
**Cc:** Stillings, Tim; Miller, Diane; Jefferson, Candi  
**Subject:** Proposed plat west end of Coconut Road

21 September 2016

City of Delray Beach  
Property and Zoning

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[pondnr@embarqmail.com](mailto:pondnr@embarqmail.com)

**Jefferson, Candi**

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**From:** Nancy <pondnr@embarqmail.com>  
**Sent:** Wednesday, September 21, 2016 12:32 PM  
**To:** jpikr@envdesign.com  
**Cc:** Stillings, Tim; Miller, Diane; Jefferson, Candi  
**Subject:** Proposed Plat West end of Coconut Road

21 September 2016

City of Delray Beach  
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Very truly yours,

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3052 Hawks Landing Drive  
Tallahassee, Florida 32309  
(850) 878-8171  
[pondnr@embarqmail.com](mailto:pondnr@embarqmail.com)

**Jefferson, Candi**

---

**From:** Nancy <pondnr@embarqmail.com>  
**Sent:** Wednesday, September 21, 2016 12:30 PM  
**To:** Jaysjacobson@mac.com  
**Cc:** stilling@mydelraybeach.com; Miller, Diane; Jefferson, Candi  
**Subject:** Proposed Plat West end of Coconut Road

21 September 2016

City of Delray Beach  
Property and Zoning

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