



December 21<sup>st</sup>, 2016

## Planning and Zoning

City of Delray Beach

Attn: Jennifer Buce

**Re: Waiver from the 40' Sight Visibility Triangle**  
**Project: 912 Palm Trail Townhomes**

Dear Jennifer:

This letter is a waiver request pursuant to Section 2.4.7(B)(5) of the Delray Beach Land Development Regulations ("LDRs") involving the granting of relief from LDR Section 4.6.14(B)(6) to allow for a reduction in the required 40' sight visibility triangle from 40'x40' to 25'x25'.

To support a waiver, LDR Section 2.4.7(B)(5) requires that the governing body make a finding that granting a waiver:

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

This project meets or exceeds the requirements of LDR Section 2.4.7(B)(5) for this waiver request. By granting this waiver, a superior product will be achieved.

The waiver will not adversely affect the neighboring area, significantly diminish the provision of public facilities, create an unsafe situation and/or result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner. Thus, this waiver request should be approved.

The location of this project is adjacent to a Single-Family Zone where sight triangle requirements are 25'-0". In fact, one of the corners we are requesting the reduction of the Sight Visibility Triangle is at the intersection of Palm Trail and Mc Keen Lane which has currently on corner with a 25' Sight Visibility Triangle.

The project contains only 5 (each property) fee simple townhouse units with garages equally dispersed on (3) ROW's so there will be very little impact with additional vehicular traffic. The structures being proposed within the requires 40' sight triangle are garden walls to enclose the pool area with the top portion being horizontal railing, which also makes them more transparent.

In addition, it is important to note that if the sight triangles were measured from this defined edge of road instead of the property line they would be +/-58'.

Consequently, a positive finding with respect to LDR Section 2.4.7(B)(5) Waiver Findings, can be made. Therefore, for the reasons enumerated above, we respectfully request that this waiver be approved.

If you should have any additional questions or comments, please contact me at (561) 274-9186.

**Richard Jones Architecture Inc.**  
Richard Brummer Project Manager