



*Development Services Department*

**BOARD ACTION REPORT – APPEALABLE ITEM**

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**Project Name:** The Heart of Delray  
**Project Location:** 1440 N. Federal Hwy  
**Request:** Approval of a Class I Site Plan Modification  
**Board:** Site Plan Review and Appearance Board  
**Meeting Date:** January 9, 2019

**Board Action:**

Approved (6-0 Annie Adkins Roof absent) the mural as presented

**Project Description:**

The property consists of lots 1 thru 12 and lots 16 thru 19 (less E 35 feet N Federal Hwy R/W) Blk A & W ½ of 16 Ft Abnd Alley of & Adj to Lts 1 thru 12 & E ½ of 16 Ft abdn Alley Lyg W o & Adj to Lots 16 and 19 and is zone General Commercial and is located within the North Federal Highway Redevelopment Area.

The mural was painted by the owner of the building, Dan Ciancioti. The mural on the north elevation consists of a face of Marilyn Monroe in black and red and faces a public right-of way. The mural on south elevation consists symmetrical shapes of different colors and faces an interior parking lot.

**Staff Recommendation:**

Approve

**Board Comments:**

none

**Public Comments:**

none

**Associated Actions:**

N/A

**Next Action:**

The SPRAB action is final unless appealed by the City Commission.



# SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

## DEVELOPMENT SERVICES DEPARTMENT

100 NW 1<sup>ST</sup> AVENUE, DELRAY BEACH, FLORIDA 33444

PLANNING & ZONING DIVISION: (561) 243-7040 • BUILDING DIVISION: (561) 243-7200

### SITE PLAN REVIEW AND APPEARANCE BOARD

Meeting: January 9, 2019

File No.: 2019-065  
Class I

Application Type: Class I Site Plan Modification

**Applicant** Daniel Cianciott

**Location:** 1440 N. Federal Highway

**PCN:** 12-43-46-09-11-001-0010

**Property Size:** 1.3 Acres

**FLUM:** GC (General Commercial)

**Zoning:** GC (General Commercial)

**Adjacent Zoning:**

- (North) GC
- (West) R-1-A (Single Family Residential)
- (South) GC
- (East) GC

**Existing Land Use:** Art Gallery



#### Item before the Board:

The action before the Board is for the approval of a Class I Site Plan Modification associated with a mural on the north and south elevations.

#### Recommendation:

Move approval of the Class I Site Plan Modification for 1440 N. Federal Highway, by adopting the findings of fact and law contained in the staff report and finding that the request and approval thereof meets criteria set forth in LDR Section 2.4.5(G)(1)(a) and Section 4.6.18.

#### Background:

The property consists of lots 1 thru 12 and lots 16 thru 19 (less E 35 feet N Federal Hwy R/W) Blk A & W ½ of 16 Ft Abnd Alley of & Adj to Lts 1 thru 12 & E ½ of 16 Ft abdn Alley Lyg W o & Adj to Lots 16 and 19 and is zone General Commercial and is located within the North Federal Highway Redevelopment Area which was adopted by the City Commission on March 16, 1999.

The property contains two existing buildings with a total of 9, 517 square feet. The eastern building was constructed in 1980 as retail and the western building was constructed in 1972 as a storage warehouse. In 2004 A Class III Site Plan Modification was approved for the addition of 510 square foot building addition, reconfiguration of parking façade improvements and landscaping improvements.

Now before the board is approval of a mural on the north and south elevations.

#### Project Description:

- A mural of Marilyn Monroe on the north elevation
- A mural of symmetrical shapes in different colors on the south elevation

#### Site Plan Analysis:

**LDR Section 4.6.18(E) – Criteria for Board Action:** The following criteria shall be considered, by the Site Plan Review and Appearance Board (SPRAB), in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved:

1. The plan or the proposed structure is in conformity with good taste; good design, and in general contributes to the

#### Project Planner:

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561-243-7138

#### Review Dates:

SPRAB Board: 12/19/18

#### Attachments:

1. Elevation changes



image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas, and high quality.

2. The proposed structure, or project, is in its exterior design and appearance of quality such as not to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.
3. The proposed structure, or project, is in harmony with the proposed developments in the general area, with the Comprehensive Plan, and with the supplemental criteria which may be set forth for the Board from time to time.

The mural was painted by the owner of the building, Dan Ciancioti. The mural on the north elevation consists of a face of Marilyn Monroe in black and red and faces a public right-of way. The mural on south elevation consists symmetrical shapes of different colors and faces an interior parking lot. The proposed elevations changes are compatible and harmonious with the surrounding properties and an enhancement to the area. Based upon the above, positive findings can be made about the criteria listed in LDR Section 4.6.18(E).

#### Alternative Actions:

- A. Continue with direction.
- B. Move approval of the request for a Class I site plan modification, and elevation changes for **1440 N. Federal Hwy**, 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 LDR Section 2.4.5(G)(1)(a) and Section 4.6.18 of the Land Development Regulations.
- C. Move denial of the request for a Class I site plan modification, and elevation changes for **1440 N. Federal Hwy**, by adopting the findings of fact and law contained in the staff report, and finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in Section 2.4.5(G)(1)(a) and Section 4.6.18 of the Land Development Regulations













