



Development Services Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: 793 Andrews Avenue
Project Location: 793 Andrews Avenue
Request: Class III Site Plan Modification
Board: Site Plan Review and Appearance Board
Meeting Date: August 28, 2019

Board Action:

Approved (6-0 Price Patton absent) the Class III Site Plan Modification.

Project Description:

The two-story four-unit townhouse development was constructed in 1982, and is located on the southeast corner of George Bush Blvd. and Andrews Avenue in the Medium Density Residential (RM) zoning district. The four townhomes are fee simple and consist of a total of 9,672 square feet. The Class III Site Plan Modification proposal is associated with a 538 sf. second-floor addition to add two new bedrooms and a bathroom to an existing two-bed individual unit, located at 793 Andrews Avenue. Modifications to the existing building footprint is not proposed as the addition will be located above the existing garage.

Board Comments:

The Board comments were supportive.

Public Comments:

No members of the public spoke for or against the project.

Associated Actions:

No associated actions.

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 1ST AVENUE, DELRAY BEACH, FLORIDA 33444

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

SITE PLAN REVIEW AND APPEARANCE BOARD

Meeting: August 28, 2019

File No.: 2019-236-SPM-SPR-CL3

Application Type: Class III Site Plan Modification

General Data:

Agent: Sandra Puerta

Applicant: Harald B. Findlay

Location: Southeast corner of George Bush Blvd. and Andrews Ave.

Address: 793 Andres Avenue

PCN: 12-43-46-09-39-000-0305

Property Size: 0.08

FLUM: Medium Density (MD)

Zoning: Multiple Family Residential (RM)

Adjacent Zoning:

- North: RM
- South: Single Family Residential (R-1-AAA)
- East: RM and R-1-AAA
- West: RM

Existing Land Use: Residential – Multiple-Family

Proposed Land Use: No change.

Item before the Board:

Consideration of a Class III Site Plan Modification associated with site plan and architectural elevation modifications to accommodate a second level expansion of one unit located in a multiple-family residential development, pursuant to Land Development Regulations (LDR) Section 2.4.5 (G)(1)(c).



Optional Board Motions for Action Item:

1. Move to continue with direction.
2. Move approval of the Class III Site Plan Modification (2019-236) for site plan and architectural elevation changes for **793 Andrews Avenue**, (as amended), by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Sections 2.4.5(G)(1)(c), 2.4.5(I)(5), 4.6.18(E), and Chapter 3 of the Land Development Regulations.
3. Move denial of the Class III Site Plan Modification (2019-236) for site plan and architectural elevation changes for **793 Andrews Avenue**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in Sections 2.4.5(G)(1)(c), 2.4.5(I)(5), 4.6.18(E), and Chapter 3 of the Land Development Regulations.

Project Planner:

Debora Slaski, Planner
SlaskiD@mydelraybeach.com
561-243-7348

Review Dates:

SPRAB Board: August 28, 2019

Attachments:

1. Site Plan and Survey
2. Architectural Elevations
3. Floor Plan



Background:

The two-story four-unit townhouse development was constructed in 1982, and is located on the southeast corner of George Bush Blvd. and Andrews Avenue in the Medium Density Residential (RM) zoning district. The four townhomes are fee simple and consist of a total of 9,672 square feet. The subject property is legally described as S/D of 9-46-43 north 40 ft. of south 159.45 ft. of, lot 30 lying easterly of and adjacent to Andrews Ave right-of-way.

At its meeting of November 14, 2014, the Site Plan Review and Appearance Board (SPRAB) approved a request for a second-floor addition to an individual unit, located at 793 Andrews Avenue (subject property). The same request is being presented to the Board as the first approval expired on November 14, 2016.

At its meeting of June 22, 2016, the SPRAB approved a request for a first and second floor expansion and a garage addition to an individual unit in the subject fee simple development located at 797 Andrews Avenue.

Project Description and Assessment:

The Class III Site Plan Modification application is associated with a 538 sf. second-floor addition to add two new bedrooms and a bathroom to an existing two-bed individual unit, located at 793 Andrews Avenue. Modifications to the existing building footprint is not proposed as the addition will be located above the existing garage.

Site Plan Analysis:

The following items identified in the Land Development Regulations shall specifically be addressed by the Site Plan Review and Appearance Board (SPRAB) for final action on the site and development applications/requests, as presented.

COMPLIANCE WITH LAND DEVELOPMENT REGULATIONS:

As described below under the Site Plan Analysis section of this report, a positive finding of compliance with the LDRs can be made with regards to the applicable requirements associated with this request.

Development Standards Matrix:

The following table indicates that the proposal complies with LDR Section 4.3.4(K), as it pertains to the RM (Multiple Family Residential – Medium Density) zoning district:

<u>Zoning</u> RM (Medium Density – Multiple Family Residential)	<u>Required</u> (1&2/3*)	<u>Proposed</u> (1&2/3*)
<i>Building Setbacks (min.):</i> Front (North/George Bush)	25'	31'-6 1/2 "
Side Interior (East)	15'	17'
Side Street (West/Andrews Avenue)	15'	22' 7"
Rear (South)	25'	25' 1"
<i>Building Height (max.):</i>	35'	22' 10"
<i>Minimum Floor Area for a 4 Bedroom unit:</i>	1,500 sf.	3,126 sf.

Architectural Elevation 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 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 proposed architectural elevation modification is associated with a 538 ft. addition on the second floor to accommodate two additional bedrooms and a bathroom. The second-story expansion will completely enclose the existing second level balcony above the garage. A set of three 1/1 single-hung windows is proposed on the west façade that faces Andrews Avenue, and two individual single-hung 1/1 windows are proposed on the east elevation. The proposed façade finish will match the existing wood finish.

Required Findings:

Pursuant to LDR Section 2.4.5(G)(1)(c), Class III Site Plan Modification, a modification to a site plan which represents either a change in intensity of use, or which affects the spatial relationship among improvements on the land, requires partial review of Performance Standards found in LDR Sections 3.1.1, and 3.2.3, as well as required findings of LDR Section 2.4.5(G)(5).

Pursuant to LDR Section 2.4.5(G)(5), a finding that the proposed changes do not significantly affect the originally approved plan must be made concurrent with approval of a Class III modification.

The development proposal involves the 538 square foot 2nd floor addition to the existing residence above the garage of a single unit as part of a four-unit complex. Pursuant to LDR Section 2.4.5(G) (5), this minor modification does not significantly impact the previous findings. However, the applicable Future Land Use Map and Concurrency items as they relate to this development proposal are discussed below.

Pursuant to LDR Section 3.1.1 (Required Findings), 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, written materials submitted by the applicant, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. These findings relate to the following areas:

Section 3.1.1 (B) - 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 Medium Density (MD), and Zoning District Map designation of Multiple Family Residential (Medium Density) (RM). Pursuant to LDR Section 4.4.6(B), within the RM zoning district, multi-family dwelling units 6-12 dwelling units per acre are allowed as a principal use. The request does not include additional units and the expansion of an existing residential dwelling unit is allowed.

Section 3.1.1(B) - CONCURRENCY: Facilities which are provided by, or through, the City shall be provided to new development concurrent with issuance of a Certificate of Occupancy. These facilities shall be provided pursuant to levels of service established within the Comprehensive Plan.

As described in Appendix "A", a positive finding of concurrency can be made as it relates to water and sewer, streets and traffic, drainage, and solid waste.

Section 3.1.1(C) - CONSISTENCY: Compliance with performance standards set forth in Chapter 3 and required findings in Section 2.4.5(F)(5) for the request shall be the basis upon which a finding of overall consistency is to be made. Other objectives and policies found in the adopted Comprehensive Plan may be used in making a finding of overall consistency.

As described in Appendix "A", a positive finding of concurrency can be made as it relates to water and sewer, streets and traffic, drainage, and solid waste.

Section 3.1.1(D) - COMPLIANCE WITH THE LAND DEVELOPMENT REGULATIONS (LDRs): Items identified in the Land Development Regulations shall specifically be addressed by the body taking final action on the site and development application/request.

As described under the Site Plan Analysis section of this report, a positive finding of compliance with the LDRs can be made.



Comprehensive Plan Policies: A review of the objectives and policies of the adopted Comprehensive Plan was conducted and the following objective is noted.

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 property is fully developed and contains a two-story 9,672 square foot four-unit townhouse complex. The proposal involves a 538 sf. addition above the garage of one of the units within the four unit structure. There are no special physical or environmental characteristics of the land that would be negatively impacted by the 2nd floor addition. The following zoning designations and uses are abutting the subject property:

	<i>Zoning Designation:</i>	<i>Current Use:</i>
<i>North:</i>	Special Activities District (SAD)	Offices
<i>South:</i>	Family Residential (R-1-AAA)	Single Family Dwelling
<i>East:</i>	Multiple-Family Residential (RM) and Single Family Residential (R-1-AAA)	4-unit Multiple-Family Residential Development Single Family Dwelling Unit
<i>West:</i>	Multiple-Family Residential (RM))	Multiple-Family Residential Development/Condominium

The adjacent zoning districts and uses are complimentary to the existing residential development. The proposed second-floor expansion will comply with the minimum setback requirements and should not represent a negative impact on the adjacent properties and uses.

Review by Others:

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

Courtesy Notices:

Courtesy notices have been provided as there is not a provided to the following homeowner's associations and/or civic group:

- Delray Beach Property Owner Association
- The four current unit owners in the subject development were notified via mail as an association does not exist for the development:

Jeffrey and Celenia Tobias - 791 Andrews Ave.
 Harald Findlay and Qiong Tand - 793 Andrews Ave.
 Eugene Floyd Greco - 795 Andrews Ave.
 James Khalil and June Adams- 797 Andrews Ave.

Any correspondence received prior to the meeting date will be presented to the Board.



APPENDIX "A" - STANDARDS FOR SITE PLAN ACTIONS Sec. 3.2.3 (A) through (J):

- 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
 - 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
 - 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
 - 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
 - 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
 - Does not meet intent

- F. Property shall be developed or redeveloped 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
 - 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
 - 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
 - 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
- 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
- Meets intent of standard
- Does not meet intent

Appendix "B" Concurrency:

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 and sewer services are existing on-site.

Pursuant to the Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant for the City at build-out. Pursuant to the Comprehensive plan, treatment capacity is also available at the South Central County Regional Waste Water Treatment Plant for the City at Build-out.

Streets and Traffic:

A traffic statement is not required as the proposed expansion will not generate additional residential units; thus, the proposed development will not have any impact with respect to this standard as there will no changes in traffic or street network.

Parks and Recreation Facilities:

Park dedication requirements and fees do not apply as the proposed expansion will not generate additional residential units; thus, the proposed development will not have any impact with respect to this standard.

Solid Waste:

The proposal is not anticipated to generate additional waste as the number of residential units will remain the same; thus, the proposed development will not have any impact with respect to this standard.

Schools:

School concurrency findings do not apply to expansion of existing residential multi-family units; thus, the proposed development will not have any impact with respect to this standard.

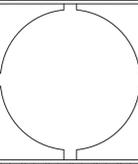
Drainage:

Drainage is accommodated on site. There should be no impact on drainage as it relates to this standard.



SANDRA PUERTA
AR 95385

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DRAWINGS ARE SIGNED AND
SEALED FOR STRUCTURE ONLY

BIDG. DEPT.
PLAN REVISIONS:



A New Residential Addition For:
793 Andrews Ave
Delray Beach, Florida 33483
PCN #: 12 - 43 - 46 - 09 - 39 - 000 - 0305

MANAGED BY: SP
DRAWN BY: FZ
REVIEWED BY: SP

Site Plan and
Notes

DATE:
February 4, 2015

SHEET:
SP-1

OF
10

LEGAL DESCRIPTION

S/D OF 9-46-43 N 40 FT OF S 159.45 FT OF LT 30 LYG ELY OF & ADJ TO
ANDREWS AVE R/W

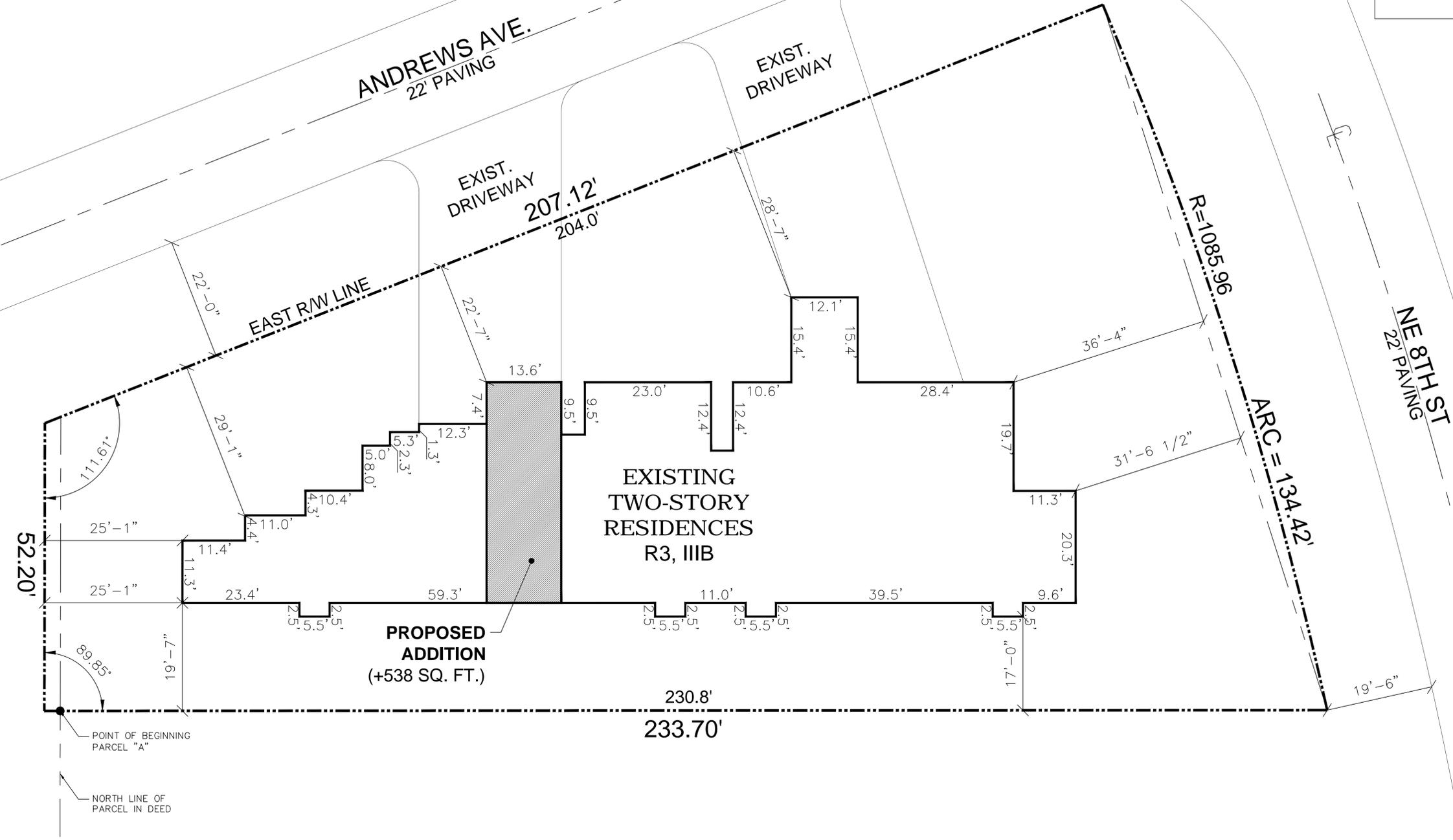
SURVEYOR'S NOTES

PROPERTY SHOWN HEREIN HAS NOT BEEN ABSTRACTED BY SURVEYOR FOR RIGHTS-OF-WAY, AND/OR EASEMENTS OF RECORD; ELEVATIONS SHOWN HEREIN ARE BASED ON N.G.V.DATUM UNLESS OTHERWISE NOTED; ALL PROPERTY CORNERS ARE IRON ROD WITH CAPS, UNLESS OTHERWISE NOTED; FOUNDATION OF EXISTING BUILDINGS LYING BELOW THE SURFACE NOT LOCATED, BEARINGS, AND/OR ANGLES SHOWN HEREON ARE BASED ON RECORD PLAT OR DEED CALLS UNLESS OTHERWISE NOTED. MEASUREMENTS MADE IN ACCORDANCE WITH UNITED STATES STANDARD. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING OR SKETCH IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

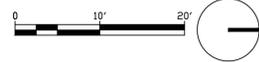
**NO POINT OF ACCESS TO
ADJACENT PROPERTIES.**

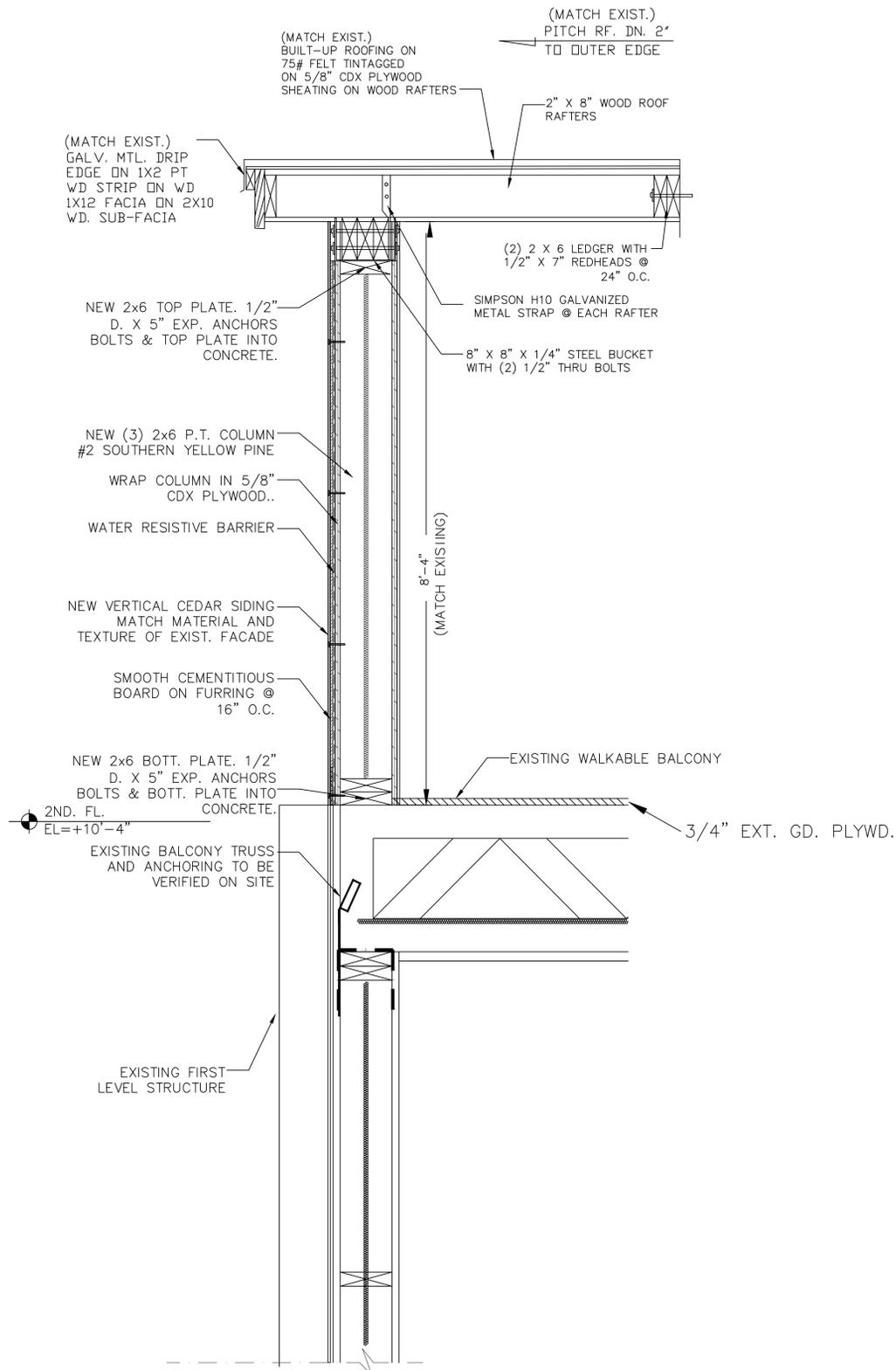
**NO POINT OF ACCESS
GREATER THAN 50 FT**

**NO POINT OF
ACCESS TO
ADJACENT
PROPERTIES.**

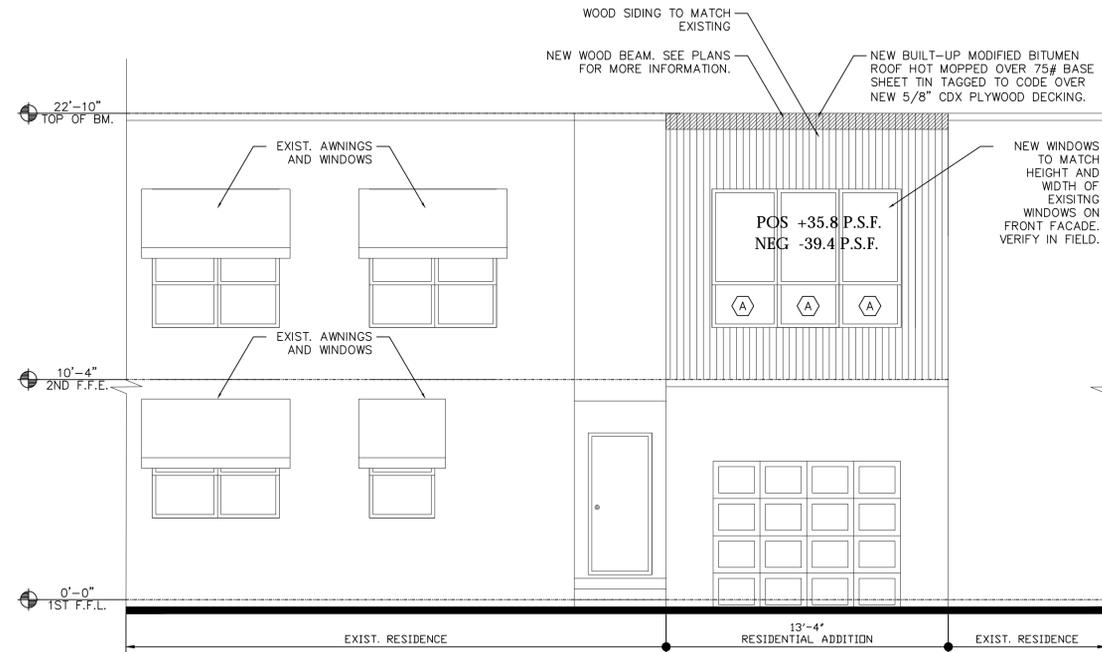


PROPOSED SITE PLAN
SCALE: 1" = 10'-0"

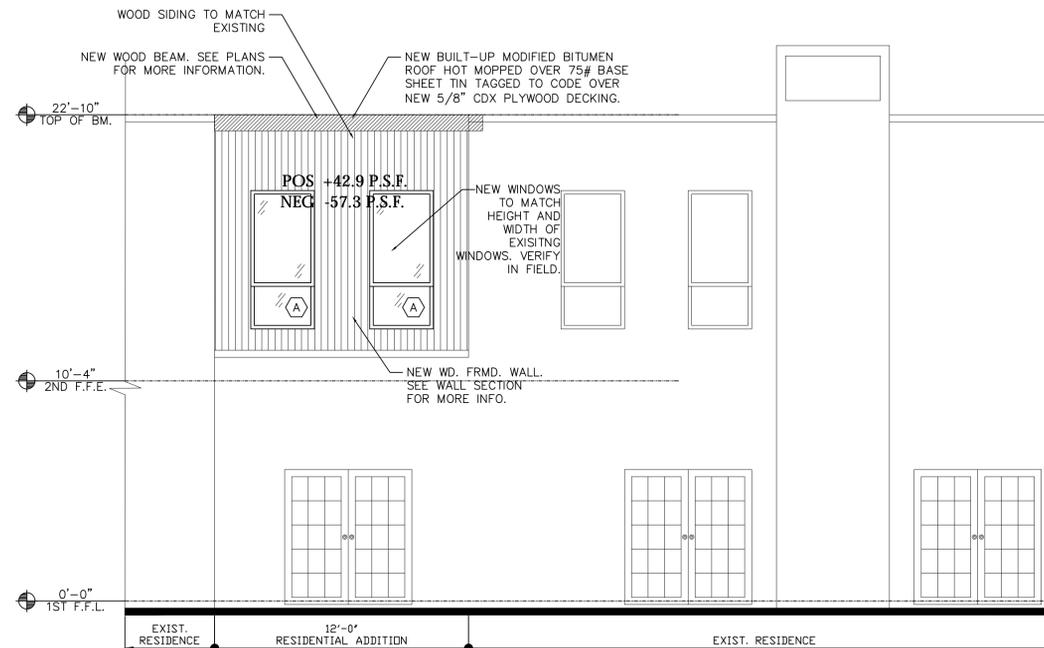




1
A-2 **TYPICAL WALL SECTION**
SCALE: NOT TO SCALE



PARTIAL FRONT ELEVATION
SCALE: 1/4" = 1'-0"



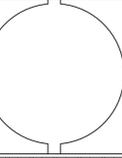
PARTIAL REAR ELEVATION
SCALE: 1/4" = 1'-0"



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AR 95385

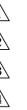
**THE CONSTRUCTION AND
ARCHITECTURE GROUP, INC.**

6476 Masten Way, Lake Worth, FL 33467
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Facsimile | 561.712.8885
: @WV . 55& 888. 81. 5F .) .



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BIDG. DEPT.
PLAN REVISIONS:



A New Residential Addition For:
793 Andrews Ave
Delray Beach, Florida 33483
PCN#: 12 - 43 - 46 - 09 - 39 - 000 - 0305

MANAGED BY: SP
DRAWN BY: FZ
REVIEWED BY: SP

Typical Wall
Section

DATE:
February 4, 2015

SHEET:
A-2

OF 10

RECEIVED
 NOV 20 2014
 PLANNING & ZONING

EXISTING CONDITIONS



EXISTING VIEW

SCALE: N.T.S.

SHEET:	MANAGED BY:	SP
	DRAWN BY:	AC
REND-1	REVIEWED BY:	SP
OF 2	DATE:	October 22, 2014
	EXISTING VIEW	

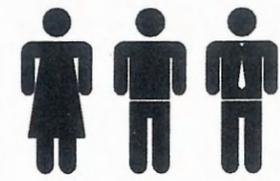
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S. Puerta
 11/20/14

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PROPOSED ELEVATION



PROPOSED VIEW

SCALE: N.T.S.

SHEET: REND-2 of 2	MANAGED BY:	SP
	DRAWN BY:	AC
	REVIEWED BY:	SP
	DATE: October 22, 2014	
	Proposed View	

A New Residential Addition For:
793 Andrews Ave
 Delray Beach, Florida 33483
 PCN#: 12 - 43 - 46 - 09 - 39 - 000 - 0305

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SPuerta
11/20/14

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