

**MINUTES  
BOARD OF ADJUSTMENT  
CITY OF DELRAY BEACH**

**MEETING DATE:** August 6, 2020

**MEETING PLACE:** Virtual Meeting – City Hall

**1. CALL**

The meeting was called to order by Christopher Davey, Chairman at 5:21 p.m.  
Resumed the meeting at 5:35pm from technical difficulties.

**2. ROLL**

A quorum was present. Members present were Christopher Davey-Chairman, Robert Cohen, Michael O'Connor-Vice Chairman, Garland Williams-1<sup>st</sup> Vice Chairman, and Vlad Dumitrescu (remote)  
No Board members were absent from meeting.  
Staff present were William Bennett, Assistant City Attorney; Scott Pape, Principal Planner; Rachel Falcone, Planner; and Diane Miller, Board Secretary.

**3. APPROVAL OF AGENDA**

**Motion** to approve the Agenda, was made by Robert Cohen and seconded by Garland Williams.  
**MOTION CARRIED 5-0**

**4. MINUTES**

Motion to approve minutes of 6/22/2020, was made by Robert Cohen and seconded by Garland Williams.  
**MOTION CARRIED 5-0**

**5. SWEARING IN OF THE PUBLIC**

Christopher Davey read the Quasi-Judicial Rules for the City of Delray Beach and because of virtual meeting, the public was previously sworn in by Ms. Miller when they called in to leave their comments via voicemail to give testimony.

**5. COMMENTS FROM THE PUBLIC - None**

NOTE: Comments on items that are NOT on the Agenda will be taken immediately prior to Public Hearing Items. Speakers will be limited to 3 minutes.

## **6. PUBLIC HEARING**

### **A. VARIANCES**

**File Number 2020-185 – 311 SE 3rd Street (2020-185):** Consideration of variance requests from Land Development Regulation (LDR) Section 4.3.4 (K) and LDR Section 4.6.15(G) to allow the structure to encroach within the side street setback and to allow a pool in the front setback.

#### **Exparte**

None at this time.

#### **Applicant Presentation**

James Sandwich – Owner

#### **Staff Presentation**

Rachel Falcone, Planner presented the project through a power point presentation.

#### **Public Comments (Voicemail from the BOA Agenda Comment Line)**

Glen Lury – 309 SE 4<sup>th</sup> Ave

Sarina Lury – 309 SE 4<sup>th</sup> Avenue

Catiana Rettenberger – 244 SE 4<sup>th</sup> Avenue

Leo Weis – 307 SE 3<sup>rd</sup> Street

#### **Rebuttal**

James Sandwich - Replying to Glen Lury – There are swimming pools in front yards of other homes.

Replying to Catiana Rettenberger – That the mailers were not received in time for any research.

#### **Board Comments**

- Robert Cohen – Questioned the lift in the garage.  
Spoke about the fence on the side alley and that there were several other gates? Why so many.  
What does it look like?
- Chris Davey – There are no pictures to review. Also concerned on the abutting property.
- Garland Williams – If this is not approved, would we need to come back to the board? Yes.
- Vlad Dumitrescu – Concerned about the side of the building – square footage.  
The garage lift – Would that be a Condition of Approval?  
How does this work with a under size lot?
- Michael O'Connor – If setbacks are granted and they do not build, what happens at a future time?
- Chris Davey – How does the applicant want to proceed?
  - James Sandwich – To come back. The board has asked for specific details.
- Robert Cohen – We are looking for renderings and the 2<sup>nd</sup> floor.

**Attorney**

William Bennett did not read the six findings as the meeting was postponed to September 3, 2020.

Motion was made to postpone the meeting until September 3, 2020 by Robert Cohen and seconded by Garland Williams

**MOTION CARRIED 5-0**

**8. REPORTS AND COMMENTS**

- ❖ City Staff –
  - a. Next meeting – September 3, 2020
- ❖ City Attorney –
  - a. Please try and arrive a little early so there are no technical difficulties for broadcasting.
- ❖ Board Members – -None

**9. ADJOURN**

There being no further business to come before the Board, the meeting was adjourned at 7:00pm

The undersigned is the Secretary of the Board of Adjustments and the information provided herein is the Minutes of the meeting of said body for **August 6, 2020** which were formally adopted and APPROVED by the Board on \_\_\_\_\_.

**Diane Miller**

Diane Miller

If the Minutes you have received are not completed as indicated above, then this means that these are not the official Minutes. They will become so after review and approval, which may involve some changes.

*(These Minutes are a record of the proceedings of this Board. The full audio and video recording of these proceedings are available at: [www.mydelraybeach.com/city-commission/av](http://www.mydelraybeach.com/city-commission/av) or a digital copy may be purchased at City Hall.)*