



**DUNAY
MISKEL
BACKMAN** LLP

Gary Dunay

Bonnie Miskel

Scott Backman

Eric Coffman

Melanie Brill

Hope Calhoun

Dwayne Dickerson

Ele Zachariades

Matthew H. Scott

Christina Bilenki

Lauren G. Odom

November 11, 2020

Anthea Gianniotis, Director, AICP
Development Services Department
City of Delray Beach
100 NW 1st Ave.
Delray Beach, FL 33444

RE: Minor Plat / Subdivision Application on Behalf of Banyan House Condominium, Inc.
1225 South Ocean Boulevard

Dear Ms. Gianniotis:

Banyan House Condominium, Inc. ("Applicant") is the owner of a 0.51 acre parcel generally located on the west side of South Ocean Boulevard between Brooks Lane and White Drive and addressed at 1225 South Ocean Boulevard in the City of Delray Beach ("Property"). The Property is located within the R1-AA zoning district (Single Family Residential), with a land use designation of LD (Low Density 0-5 du/acre) on the City's Future Land Use Map. The Property is currently developed as a parking lot for the Banyan House Condominiums located across South Ocean Boulevard to the east. This parking lot is not needed for the condominium as ample parking is provided on the site where the building is located. Therefore, the Applicant is requesting a plat-minor subdivision application to allow the parcel to be subdivided into two separate lots to facilitate the development of two single family homes on the Property.

The proposed plat, Banyan 2020, will create two lots which will allow for the sale and future development of two single family homes. Lot 1, located on the north end of the Property, will consist of 12,085 square feet and lot 2, located on the south end of the Property, will consist of 11,172 square feet. This meets the minimum lot size requirement of 9,500 square feet for properties located within the R1-AA zoning district. With this request, the Applicant is dedicating a sufficient portion of the southeast corner of lot 2, at the intersection of White Drive and South Ocean Blvd, to comply with the Code's 25' radii dedication requirement. This land is being dedicated to the City to be used for right-of-way purposes.

The proposed lot dimensions for the parcels are 77.50' x 150.73' for Lot 1 and 77.50' x 140' for Lot 2. The Code requires a minimum lot width of 75' and a minimum depth of 100' for interior lots and a minimum lot width of 95' and a minimum depth of 100' for corner lots. Lot 1 is an interior lot, exceeding the minimum width and depth requirements of 75' x 100'. Lot 2 is a corner

lot and exceeds the required depth at 140', but does not meet the required lot width, providing 77.50' rather than 95' as required by Code. Therefore, the Applicant is requesting relief regarding the minimum lot width for Lot 2 (the corner lot).

The relief request is necessitated by the restraints of the width of the existing parcel. The parcel measures 155' in length which is abnormally wide for a lot in a single family zoning district. It is not feasible or consistent with the area to develop one home on such a large lot. Rather, the Applicant has proposed the maximum length that can be provided to create two buildable lots on the parcel by dividing the parcel in half and creating two lots measuring 77.50' each. These lot dimensions are required to develop two lots with two single family homes rather than utilizing the existing parcel as one lot and developing one larger single-family home.

Furthermore, these proposed dimensions are consistent with the scale and character of the neighborhood and other developed lots within the area. For example, less than three blocks north of the Property there are four lots located along South Ocean Boulevard that contain single-family homes and provide a lot width of around 75'. These include the two parcels located directly adjacent to the Property, 1230 and 1220 S. Ocean Blvd., measuring around 72' and 79' in width. Two blocks north of this are two parcels that have been recently developed and measure about 76' in width each. These parcels are located at 1040 and 1044 S. Ocean Blvd. Additionally, the two parcels located directly west of the Property are developed with single-family homes and measure approximately 75' in width each. Heading north on S. Ocean Blvd., five recently developed lots have been created along Del Harbour Drive, measuring around 45' in width each. Aerial images showing the location of each of these lots is attached to this narrative.

Given the foregoing, granting relief for this minor deviation from the lot width requirement for the corner lot will not negatively impact the area or allow for an inconsistent development pattern. To the contrary, the proposed lot dimensions are consistent with the lot dimensions of the surrounding neighborhood and will be compatible with the surrounding residential developments. The relief requested herein is necessary due to the odd dimensions of the Property and to allow for development of two single family homes on this otherwise underutilized parking lot.

Thank you in advance for your consideration of this request. Please contact the undersigned should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. H. Scott', is written over a horizontal line.

Matthew H. Scott, Esq.

Dunay, Miskel & Backman, LLP

Properties Measuring
Around 75' in Width
Along S. Ocean Blvd.
Within 3 Blocks of the Property



**Properties Measuring
Around 75' in Width
Directly West of the Property**



Properties Located Along
Del Harbour Dr.

