

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

MEETING DATE: November 3, 2022

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

The meeting was called to order by William Bennett, Asst. City Attorney at 5:04 p.m.

2. ROLL CALL

A quorum was present.

Members present: Robert Cohen Chair, Garland Williams Vice Chair, Carol Fredericks 2nd Vice Chair, Mike Miles, Alek Hayes and Vlad Dumitrescu.

Member absent: Scott Clark.

Staff Present: William Bennett, Asst. City Attorney, Scott Pape, Development Permit Manager, Susana Rodriguez, Planner and Diane Miller, Board Secretary.

3. APPROVAL OF AGENDA

Motion to approve the agenda of November 3, 2022, was made by Carol Fredericks and seconded by Vlad Dumitrescu.

MOTION CARRIED 6-0

4. MINUTES

Motion to approve the amended minutes for July 7, 2022, was made by Alek Hayes and seconded by Carol Fredericks.

MOTION CARRIED 6-0

Motion to approve the amended minutes for October 6, 2022, was made by Mike Miles and seconded by Vlad Dumitrescu.

MOTION CARRIED 6-0

5. SWEARING IN OF THE PUBLIC

Robert Cohen read the quasi-Judicial Rules for the City of Delray Beach and Ms. Miller swore in all who wished to give testimony.

6. 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.

7. VARIANCE

A. 342 Snyder Residence (2022-255): Consideration of a Variance request to allow the dock to extend beyond 25 feet from the property for a total of 28 feet and six inches and the boatlift to extend more than 20 feet into the waterway for a total of 32 feet and 10 inches.

Address: 1715 Del Haven Dr C PCN: 12-43-46-21-36-000-0030

Applicant/Agent: Christina Bilenki, Esq.; cbilenki@dmbblaw.com

Planner: Susana Rodrigues; rodriguess@mydelraybeach.com

Susana Rodrigues entered the file 2022-255 into the record.

Exparte

Robert Cohen- No

Carol Fredericks- No

Vlad Dumitrescu – No

Mike Miles-Worked with Ms. Bilenki

Garland Williams-No

Alek Hayes-No

Applicant Presentation

Christina Bilenki-Representing the applicant.

Garland Williams asked if there was a letter from the Army Corp of Engineers to confirm their approval. Ms. Bilenki said that permits will be obtained.

Alek Hayes asked if all the residence were involved in this project and Ms. Bilenki said that the HOA is small, consisting of 12 units and they are responsible for this.

Mr. Bennett reminded the board that this is quasi-judicial hearing, and the questions need to be heard during board discussion and to allow staff to give their presentation.

Staff Presentation

Susana Rodrigues, Planner presented the project by means of a PowerPoint presentation.

Public Comments

None

Rebuttal/Cross

None

Board Comments

Mike Miles asked staff regarding setbacks for the dock, how is this measured? Mr. Bennett said that based on the diagram shown, the measurement seems to be taken from the edge of the seawall.

Robert Cohen had a concern about the dock that would be 15 feet from the adjacent property. There seem not to be any double pilings to support the north end of the boat lift. Ms. Bilenki clarified that there is 15 feet for the neighbor's boat from the edge of their dock to the pilings. This information has been confirmed since the last meeting.

MOTION to move approval of the variance request for Snyder Residence (2022-255 VAR-BOA) from LDR Section 7.9.7(C), to allow the dock to extend beyond 25 feet from the property for a total of 28 feet and six inches, and LDR Section 7.9.11(A), to allow the boatlift to extend more than 20 feet into the waterway for a total of 32 feet and 10 inches, by finding that the request is consistent with the findings set forth in the Land Development Regulations Section 2.4.7(A)(5). was made by Carol Fredericks and seconded by Alek Hayes.

MOTION APPROVED 6-0

*Pursuant to LDR Section 2.2.4(D)(8), all decisions of the Board of Adjustment are final. Based on the entire record before it, the Board of Adjustment **approves** X the variance solely for the purposes as presented at the meeting. The Board of Adjustment adopts this Order this 3rd day of November 2022.*

8. Reports and Comments

A. Staff Comments

Next meeting is December 1, 2022

B. Attorney Comments

Always be aware of your city email as they release the agenda through this email and also asking for your attendance.

C. Board Comments-None

9. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 6:00 PM

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 **November 3, 2022**, which were formally adopted and **APPROVED** by the Board on **June 15, 2023**.

ATTEST:



CHAIRMAN



BOARD SECRETARY

NOTE TO READER: If the Minutes you have received are not completed as indicated above, then this means that these are not the official Minutes of the Board of Adjustments. They will become official minutes only after review and approval, which may involve some amendments, additions or deletions.