

**MINUTES  
PLANNING AND ZONING  
BOARD CITY OF DELRAY  
BEACH**

**MEETING DATE:** May 15, 2023

**MEETING PLACE:** City Commission Chambers

**1. CALL TO ORDER**

This meeting was called to order by Chris Davey, Chair at 5:01 PM.

**2. ROLL CALL**

A quorum was present at call to order.

**Members Present:** Chris Davey, Chair; Joy Howell, Vice Chair; Julen Blankenship, 2<sup>nd</sup> Vice Chair; Allen Zeller; Christina Morrison; Gregory Snyder and Chris Brown

**Members Absent:** None

**Staff Present:** William Bennett, Assistant City Attorney; Rebekah Dasari, Principal Planner; David Glover, Senior Landscape Planner and Diane Miller, Board Secretary.

**3. APPROVAL OF AGENDA**

**Motion to APPROVE** the May 15, 2023, agenda was made by Christina Morrison and seconded by Joy Howell.

**MOTION CARRIED 7-0**

**4. MINUTES**

**Motion to APPROVE** the minutes of the March 20, 2023, meeting was made by Christina Morrison and seconded by Julen Blankenship.

**Motion Carried 7-0**

**5. SWEARING IN OF THE PUBLIC**

Diane Miller Board Secretary swore in all who wished to give testimony.

**6. COMMENTS FROM THE PUBLIC**

None.

**7. PRESENTATIONS**

None.

**8. QUASI-JUDICIAL HEARING ITEMS**

**A. 3900 Sherwood Boulevard, Corrective Land Use Map Amendment (2023-124):**

Provide a recommendation to the City Commission on Ordinance No. 24-23, a City-initiated request to amend the Land Use Map from Low Density (LD) to Community Facilities (CF) for 1.07 acres of the 10.97-acre parcel located at 3900 Sherwood Boulevard in correction of a mapping error.

**Planner:** Rebekah Dasari, [dasarir@mydelraybeach.com](mailto:dasarir@mydelraybeach.com)

Rebekah Dasari, Principal Planner, entered File 2023-124 into the record.

**Exparte Communication**

Chris Davey-None.

Julen Blankenship-None.

Allen Zeller-Visited the site.

Christina Morrison-Spoke with staff.

Gregory Snyder-Spoke with residents and visited the site.

Chris Brown-None.

Joy Howell- Spoke with staff and residents of the community.

**Applicant Presentation**

**Staff Presentation**

Rebekah Dasari, Principal Planner, presented the request from a Microsoft PowerPoint presentation.

**Rebuttal/Cross**

None.

**Public Comment**

Jean Matthews, 3225 Lakeview Boulevard- Ms. Matthews thanked the Board for the denial of the previous request to construct a nursing facility and Ms. Matthews requested that the Board table the item to allow a future owner of the property to file for a land use amendment change.

Mark Kelly, 3501 Lakeview Boulevard- Mr. Kelly asked the Board to not make the land use correction as the most appropriate zoning designation should be residential and not Community Facilities.

**Board Comments**

Chris Davey noted that the Board has an obligation to make the correction as the Low Density land use designation was assigned in error.

Christina Morrison was uncertain why the item was being presented before the Board as it appears the subsequent owner of the parcel will likely make a request to change the land use of the parcel to a single-family land use designation.

Joy Howell asked for clarity as to the history of the land use designation for this property and shared Ms. Morrison's concerns why the correction was being presented before the Board.

Allen Zeller inquired if the land use error deprived the current owner of some development rights.

Gregory Snyder was supportive of the corrective land use amendment and inquired from staff about the land use designation of the adjacent parcel to the west.

**MOTION** to recommend approval of Ordinance No. 24-23, a City initiated request to amend the land use map from Low Density (LD) to Community Facilities (CF) for a 1.07-acre portion of the 10.97-acre the property located at 3900 Sherwood Boulevard, finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations was made by Julen Blankenship and seconded by Gregory Snyder.

**MOTION CARRIED 7-0**

## **9. LEGISLATIVE ITEMS**

**A. Artificial Turf (2023-095).** Provide a recommendation to the City Commission on Ordinance No. 11-23, a City-initiated request to amend Section 4.6.16, "Landscape regulations" and Appendix A - "Definitions" of the Land Development Regulations to adopt regulations governing the use of artificial turf.

**Planner:** Rebekah Dasari, [dasarir@mydelraybeach.com](mailto:dasarir@mydelraybeach.com); David Glover, [gloverd@mydelraybeach.com](mailto:gloverd@mydelraybeach.com)

Rebekah Dasari, Principal Planner, entered File 2023-095 into the record.

### **Staff Presentation**

Rebekah Dasari, Principal Planner and David Glover, Senior Landscape Planner presented the request from a Microsoft PowerPoint presentation.

### **Public Comment**

Alice Finst, 707 Place Tavant- Ms. Finst inquired how a corner lot would be impacted by the proposed regulations.

### **Board Comments**

Julen Blankenship inquired if properties located within a historic district, or an individually designated historic property would be subject to the same regulations.

Allen Zeller asked staff if properties containing a zero-lot line have special considerations and what the enforcement methods could be utilized to enforce the provisions contained within the proposed Land Development Regulation.

Christina Morrison asked staff about the status of properties that have installed artificial turf prior to the enactment of this Land Development Regulation.

Chris Davey was in support of the proposed artificial turf regulations and noted that the improper placement of artificial turf can cause flooding to adjacent properties.

**MOTION** to recommend approval to the City Commission of Ordinance No. 11-23, amending Section 4.6.16, "Landscape regulations" and Appendix A, "Definitions" of the Land Development Regulations to adopt regulations related to the use of artificial turf, by finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulation amended to include commercial uses was made by Julen Blankenship and seconded by Christina Morrison.

## **MOTION CARRIED 7-0**

**B. Duplex Setbacks (2023-153).** Provide a recommendation to the City Commission on Ordinance No. 25-23, a City-initiated amendment to Section 4.3.4, "Base District Development Standards," Subsection (K), "Development Standards Matrix," of the Land Development Regulations (LDR) to amend the setbacks for duplex structures in Low Density Residential (RL) and Medium Density Residential (RM) zoning districts.

**Planner:** Rebekah Dasari, [dasarir@mydelraybeach.com](mailto:dasarir@mydelraybeach.com)

Rebekah Dasari, Principal Planner, entered File 2023-153 into the record.

### **Staff Presentation**

Rebekah Dasari, Principal Planner, presented the request from a Microsoft PowerPoint presentation.

### **Public Comment**

None.

### **Board Comments**

Christina Morrison asked staff what "duplex type developments" refers to. She expressed support for this increased setback requirement.

**MOTION** to recommend approval to the City Commission of Ordinance No. 25-23, a City-initiated amendment to Section 4.3.4, "Base District Development Standards," of the Land Development Regulations (LDR) to amend the setbacks for duplex structures, by finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations was made by Julen Blankenship and seconded by Christina Morrison.

## **MOTION CARRIED 7-0**

**C. Alley Naming (213-151).** Provide a recommendation to the City Commission on Resolution No. 94-23, naming the unimproved City-owned right-of-way (alley) located west of Palm Trail between Bond Way and Witherspoon Lane ("Subject Area") as Kenmont Lane.

**Planner:** Rebekah Dasari, [dasarir@mydelraybeach.com](mailto:dasarir@mydelraybeach.com)

Rebekah Dasari, Principal Planner, entered File 2023-151 into the record.

### **Staff Presentation**

Rebekah Dasari, Principal Planner, presented the request from a Microsoft PowerPoint presentation.

### **Public Comment**

None

### **Board Comments**

Allen Zeller asked staff what portion of the alley way would be named.

Christina Morrison objected to the naming of the alleyway as a lane as the alleyway does not meet the definitions of a lane. Ms. Morrison recommended that the name should be Kenmont Alley.

Chris Davey inquired if the alleyway in question was going to be improved.

**MOTION** to recommend approval to the City Commission on Resolution No. 94-23, to designate the unnamed, unimproved public alley right of-way located between Bond Way and Witherspoon Lane as Kenmont Lane, finding that the request meets the applicable criteria in the Land Development Regulations was made by Julen Blankenship and seconded by Gregory Snyder.

**MOTION CARRIED 6-1**

**DISSENTING** Christina Morrison

## **10. REPORTS AND COMMENTS**

### **A. CITY STAFF**

The next meetings will be held on June 19, 2023, and July 17, 2023.

An amendment to the Land Development Regulations will be presented at the June or July meeting regarding the consolidation of the Site Plan Review and Appearance Board, per City Commission direction.

The Commission Workshop regarding the Congress Avenue study will be held on May 16, 2023, along the presentation of the Central Business District architectural styles in the Land Development Regulations.

### **B. BOARD ATTORNEY**

William Bennett informed the Board as to the definition of inadequate attendance which is defined as three consecutive missed meetings or an absence of 30% or more of the regularly scheduled meetings of the 12 months period preceding the most recent absence. Mr. Bennett noted that the City is considering implementing a policy requiring Board members must respond at least 48 hours prior to the meeting if the member is able to attend the upcoming meeting.

### **C. BOARD MEMBERS**

Allen Zeller requested clarification regarding the attendance requirements.

Joy Howell asked about the timing of the consolidation of the Planning and Zoning Board and the Site Plan Review and Appearance Board.

## **11. ADJOURN**

There being no further business to come before the Board, the meeting was adjourned at 6:30 pm.



The undersigned is the Board Secretary of the Planning and Zoning Board and the information provided herein is the Minutes of the meeting of said body for **May 15, 2023**, which were formally adopted and **APPROVED** by the Board on **July 17, 2017**.

**ATTEST:**

  
Chair

  
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 Planning and Zoning Board. They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.