

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

MEETING DATE: April 4, 2019

MEETING PLACE: Commission Chambers, City Hall

I. CALL

The meeting was called to order by Jess Sowards, Chairman at 5:02 P.M.

II. ROLL

A quorum was present. Members present were Jess Sowards, Mark Gregory, Ryan Hnatiuk, Alessandro DeAngelis and Christopher Davey. No one was absent. Staff present were Lynn Gelin, Assistant City Attorney; Jennifer Buce, Assistant Planner; and Diane Miller, Board Secretary.

III. APPROVAL OF AGENDA

Motion to approve the Agenda, was made by Christopher Davey and seconded by Mark Gregory.

ALL IN FAVOR

IV. MINUTES – December 6, 2018

Motion to **APPROVE** the minutes of December 6, 2018 was made by Christopher Davey and seconded by Mark Gregory.

ALL IN FAVOR

V. SWEARING IN OF THE PUBLIC

Jess Sowards read the Quasi-Judicial Rules for the City of Delray Beach and Ms. Miller swore in all who wished to give testimony.

VI. 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.)

IX. PUBLIC HEARING

VARIANCES

- A. File Number 2019-127 – 3011 Jasmine Terrace** - Consideration of a variance to allow a boat lift to extend 4'9.5" further into the waterway from the property line where 20' is the maximum allowed. In addition, the applicant is also seeking a variance for the side setbacks to encroach (7'0.7") on the northern side and (6'5.6"); southern side; 10' is required.

Jennifer Buce, Assistant Planner, entered the project into the record.

Exparte

Mark Gregory – Spoke to neighbors

Christopher Davey – Looked at information on PAPA

Applicant Presentation

David Nutter – Representing the owner.

Mr. Nutter presented for both projects.

Staff Presentation

Jennifer Buce presented both the projects thru a power point presentation.

Building Official does not agree with the proposal or findings.

All the findings (6) must be met.

Public Comments

None

Cross Examination

David Nutter – Wanted to say that the angles are going to be the same.

Christopher Davey – Owner needs to know that there is a lack of frontage.

Board Comments

Jess Sowards – Can have a 25' pier, add a lift and that would change the pier.

Christopher Davey – On 2019-127, the view would be obstructed. On 2019-128 this would cause a difficult approach.

Mark Gregory – The pier would make a tight situation.

Jess Sowards – This project will make it hard to meet the (6) standards.

Christopher Davey – Agrees with Jess Sowards statement.

Attorney Comments

Lynn Gelin read the findings and they were not approved.

Motion to APPROVED the variance request for (3011 Jasmine Terrace) by Christopher Davey and seconded by Mark Gregory. Said motion was **denied** unanimously 5-0

Motion to **APPROVED** the variance request for (3021 Jasmine Terrace) by Christopher Davey and seconded by Ryan Hnatiuk. Said motion was **denied** unanimously 5-0

IX. REPORTS AND COMMENTS

- ❖ City Staff – None.
- ❖ City Attorney – None
- ❖ Board Members – None

X. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 5:50 p.m.

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 **April 4, 2019**, which were formally adopted and approved by the Board on **May 16, 2019**.

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 or a digital copy may be purchased at City Hall.)