

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

MEETING DATE: August 1, 2019

MEETING PLACE: Commission Chambers, City Hall

I. CALL

The meeting was called to order by Jess Sowards, Chairman at 5:01 P.M.

II. ROLL

A quorum was present. Members present were Jess Sowards, Robert Cohen (Alternate), Mark Gregory and Christopher Davey. Absent was Alex DeAngelis. Staff present were Lynn Gelin, City Attorney; Scott Pape, Principal Planner, Debora Slaski, Planner; Steve Tobias, Building Official 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 – May 16, 2019

Motion to **APPROVE** the minutes of April 4, 2019 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 2019-170 – 324 Harmon Court** - Consideration of a variance to allow a swimming pool to encroach 16.97 feet into the required 35-foot front setback.

Debora Slaski, Planner, entered the project into the record.

Exparte - None

Applicant Presentation

Thomas Carney – Attorney

Kenneth Kaltman - Applicant

Staff Presentation

Debora Slaski presented the projects thru a power point presentation.

All (6) findings must be met.

Public Comments

None

Board Comments

Mark Gregory-Would like to see a picture of the house.

-Tom Carney (comment) He shared a photo from his phone. Tom will supply the picture to the City.

Christopher Davey-The findings were all met.

Robert Cohen-Survey does not show the fence.

-Kenneth Kaltman (comment) Fence is not shown on the survey. He will get a permit when necessary.

Attorney Comments

Lynn Gelin read the findings and they were **ALL** approved.

Motion to approve the Variance request BOA (2019-170) to LDR Section 4.6.15(G)(1) to allow the swimming pool to encroach in the required 35-foot front setback (16.97 feet is proposed) located at 24 Harmon Ct. by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the findings set forth in the Land Development Regulations Section 2.4.7(A)(5) made by Christopher Davey and seconded by Mark Gregory.

Motion was approved unanimously 4-0

IX. REPORTS AND COMMENTS

❖ City Staff –

-Presentation of Certificates to Jess Sowards and Mark Gregory for appreciation of service.

-Scott Pape – Reminded the board to please continue to use your City emails.

❖ City Attorney – None

❖ Board Members – None

X. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 5:26 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 **August 1, 2019**, which were formally adopted and **APPROVED** by the Board on **NOVEMBER 7, 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.)