



## Legislation Details (With Text)

**File #:** 17-656      **Version:** 1      **Name:**  
**Type:** Request      **Status:** Passed  
**File created:** 7/24/2017      **In control:** City Commission  
**On agenda:** 8/15/2017      **Final action:** 8/15/2017  
**Title:** REPORT OF APPEALABLE LAND USE ITEMS FROM JULY 10, 2017 THROUGH JULY 28, 2017  
**Sponsors:** Planning and Zoning Board  
**Indexes:**  
**Code sections:**

**Attachments:** 1. Location Map, 2. 799 NE 2nd Avenue\_Appealable Report with attachments, 3. 49 Palm Square\_Appealable Report with attachments, 4. 601 N Swinton Ave\_Appealable Report with Attachments, 5. 20 W Atlantic Ave\_Appealable Report with attachments, 6. 20 N Swinton Ave\_Appealable Report with Attachments, 7. 302 SE 2nd Street, 8. 700 West Atlantic Avenue, 9. Kentucky Fried Chicken

Date	Ver.	Action By	Action	Result
8/15/2017	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, AICP, Planning, Zoning and Building Director  
**THROUGH:** Chief Neal de Jesus, Interim City Manager  
**DATE:** August 15, 2017

REPORT OF APPEALABLE LAND USE ITEMS FROM JULY 10, 2017 THROUGH JULY 28, 2017

### **Recommended Action:**

By motion, receive and file this report.

### **Background:**

Section 2.4.7(E), Appeals, of the Land Development Regulations applies. This is the method of informing the City of Delray Beach ("City") City Commission of the land use actions which may be appealed to the City Commission.

During the specified period, the Historic Preservation Board and the Site Plan Review and Appearance Board considered the projects noted below. For the items below, a project report including the Board Staff Report is attached. No other Boards took action on any appealable applications during this period.

## HISTORIC PRESERVATION BOARD JULY 19, 2017

### ITEM A. 799 NE 2<sup>ND</sup> AVENUE, Del-Ida Park Historic District

**Request:** Class II Site Plan Modification for a Landscape Plan

**Board Action:** Approved the Landscape Plan on a 6 to 0 vote (Andrea Harden absent).

**ITEM B. 49 PALM SQUARE, Marina Historic District**

**Request:** Certificate of Appropriateness request for elevation changes to a contributing structure.

**Board Action:** Approved the Certificate of Appropriateness on a 6 to 0 vote (Andrea Harden absent).

**ITEM C. 601 NORTH SWINTON AVENUE, Del-Ida Park Historic District**

**Request:** Certificate of Appropriateness request for the construction of a new two-story single family residence.

**Board Action:** Approved with conditions, the Certificate of Appropriateness request on a 6 to 0 vote (Andrea Harden absent).

**ITEM D. 20 WEST ATLANTIC AVENUE, Old School Square Historic District**

**Request:** Certificate of Appropriateness and Class III Site Plan Modification, for a change of use from retail/commercial to restaurant for Subculture Coffee.

**Board Action:** Approved the Certificate of Appropriateness and Class III Site Plan Modification on a 6 to 0 vote (Andrea Harden absent).

**ITEM E. 20 NORTH SWINTON AVENUE, Old School Square Historic District**

**Request:** Certificate of Appropriateness, Class IV Site Plan Modification, Landscape Plan and Architectural Elevation Plan for a 1,400 square foot, one-story addition to an individually designated structure known as "The Monterey House", and associated site improvements such as lighting and landscaping.

**Board Action:** Approved with conditions, the Certificate of Appropriateness, Class IV Site Plan Modification, Landscape Plan and Architectural Elevation Plan on a 6 to 0 vote (Andrea Harden absent).

**SITE PLAN REVIEW AND APPEARANCE BOARD  
JULY 26, 2017**

**ITEM F. 302 SE 2<sup>ND</sup> STREET**

**Request:** Color change from white and black to custom green and white.

**Board Action:** Approved the Color Change request on 4 to 0 vote (Shannon Dawson, Fred Kaub and Laura Sullivan absent).

**ITEM G. 702 WEST ATLANTIC AVENUE**

**Request:** Color change to Topiary Tint, Easy Green and the fascia and trim Concord Buff.

**Board Action:** Approved the Color Change request on 4 to 0 vote (Shannon Dawson, Fred Kaub and Laura Sullivan absent).

**ITEM H. KENTUCKY FRIED CHICKEN, 360 West Linton Boulevard**

**Request:** Class I Site Plan Modification associated with minor architectural elevation changes.

**Board Action:** Approved with conditions the Class I Site Plan Modification on 4 to 0 vote (Shannon Dawson, Fred Kaub and Laura Sullivan absent).

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

N/A

**Funding Source:**

N/A

**Timing of Request:**

Action must be taken by the City Commission at the next available meeting following the Board's actions.

**Attachments:**

Location Map

799 NE 2<sup>nd</sup> Avenue

49 Palm Square

601 North Swinton Avenue

20 West Atlantic Avenue

20 North Swinton Avenue

302 SE 2<sup>nd</sup> Street

702 West Atlantic Avenue

Kentucky Fried Chicken