



## Legislation Details (With Text)

**File #:** 18-486      **Version:** 1      **Name:**  
**Type:** Request      **Status:** Passed  
**File created:** 7/26/2018      **In control:** City Commission  
**On agenda:** 8/21/2018      **Final action:** 8/21/2018  
**Title:** REPORT OF APPEALABLE LAND USE ITEMS FROM JUNE 18, 2018 THROUGH JULY 20, 2018.  
**Sponsors:** Planning & Zoning Department  
**Indexes:**  
**Code sections:**

**Attachments:** 1. Agenda Cover Report, 2. Appealable\_Items\_Map, 3. A. 202 NE 5th Terrace\_Appealable Report with Attachments, 4. B. 212 Seabreeze Avenue\_Appealable Report with Attachments, 5. C. 115 North Dixie Boulevard\_Appealable Report with Attachments, 6. D. 228 North Dixie Boulevard\_Appealable Report with Attachments, 7. E. 227 NE 1st Avenue\_Appealable Report with Attachments, 8. F. 705 Bond Way, 9. G. 950 SE 5th Avenue, 10. H. 290 E. Atlantic Avenue, 11. I. Juice Buzz - 2 & 6 NE 5TH Avenue, 12. J. Delray Shopping Center - 3001 S Federal Highway, 13. K. Wineroom - 411 E Atlantic Avenue, 14. L. Calvary Chapel - 200 Sterling Avenue, 15. M. Chick-Fil-A - 4823 W Atlantic Avenue

Date	Ver.	Action By	Action	Result
8/21/2018	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Planning, Zoning and Building Director  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** August 21, 2018

REPORT OF APPEALABLE LAND USE ITEMS FROM JUNE 18, 2018 THROUGH JULY 20, 2018.

### 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 (HPB) and the Site Plan Review and Appearance Board (SPRAB) considered the project noted below. For the item 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 18, 2018

#### **Item A. 202 NE 5<sup>th</sup> Terrace**

**Request:** Consideration of a Certificate of Appropriateness for the installation of a pergola on

the northwest corner of the property.

**Board Action:** Approved on a 6 to 0 vote.

**Item B. 212 Seabreeze Avenue**

**Request:** Consideration of a Certificate of Appropriateness for the demolition of two noncontributing additions.

**Board Action:** Approved on a 6 to 0 vote.

**Item C. 115 N. Dixie Blvd**

**Request:** Consideration of a Certificate of Appropriateness for construction of a new one-story, courtyard style, single-family residence with an attached two-car garage on an existing vacant lot.

**Board Action:** Approved on a 5 to 1 vote.

**Item D. 228 N. Dixie Blvd**

**Request:** Consideration of a Certificate of Appropriateness for a 3,364 square foot addition to the existing 1,240 square foot residential structure, new pool and associated landscaping and hardscaping, Variance to reduce the side interior setback from the required 7'-6" to 5'-1", and Waiver for enclosure of the existing carport for use as a one-car garage.

**Board Action:** Approved on a 5 to 1 vote.

**Item E. 227 NE 1<sup>st</sup> Avenue**

**Request:** Consideration of a Certificate of Appropriateness for renovations, additions and Variance to reduce the side interior setback from the required 7'-6" to 5'-2".

**Board Action:** Approved on a 6 to 0 vote.

**Site Plan Review and Appearance Board**

**June 20, 2018**

**Item F. 705 Bond Way**

**Request:** Color change from beige to Sterling flat and charcoal flat.

**Board Action:** Approved on a 7 to 0 vote.

**Item G. 950 SE 5<sup>TH</sup> Avenue**

**Request:** Color change from tan with yellow trim to Ceiling Bright White, Lazy Grey, and Morning Fog.

**Board Action:** Approved on a 7 to 0 vote.

**Item H. 290 E Atlantic Avenue**

**Request:** Color change on the awnings from blue and white to beige.

**Board Action:** Approved on a 7 to 0 vote.

**Item I. 2 & 6 NE 5<sup>TH</sup> Avenue - Juice Buzz**

**Request:** Color change on wall from light purple to Extra White and the awnings from grey and white to black and off-white.

**Board Action:** Approved on a 5 to 0 vote.

**Item J. 3001 S Federal Highway - South Delray Shopping Center**

**Request:** Class I Site Plan Modification associated with minor changes to building elevations.  
**Board Action:** Approved on a 7 to 0 vote.

**June 27, 2018**

**Item K. 411 E Atlantic Avenue - Wineroom**

**Request:** Class I Site Plan Modification associated with architectural elevation changes to the north and south elevations to accommodate a new tenant.  
**Board Action:** Approved on a 7 to 0 vote.

**Item L. 200 Sterling Avenue - Calvary Chapel**

**Request:** Class III Site Plan Modification associated with a change of use from a child care center and private school to church, construction of a new parking lot, and related site improvements.  
**Board Action:** Approved on a 7 to 0 vote.

**Item M. 4823 W Atlantic Avenue - Chick-Fil-A**

**Request:** Class IV Site Plan Modification, Architectural Elevations and Landscape Plans associated with a proposed restaurant and associated improvements at Delray Square.  
**Board Action:** Approved on a 7 to 0 vote.

Attachments:

202 NE 5<sup>th</sup> Terrace  
212 Seabreeze Avenue  
115 N. Dixie Blvd  
228 N. Dixie Blvd  
227 NE 1<sup>st</sup> Avenue  
705 Bond Way  
950 SE 5<sup>TH</sup> Avenue  
290 E Atlantic Avenue  
Juice Buzz - 2 & 6 NE 5<sup>TH</sup> Avenue  
South Delray Shopping Center - 3001 S Federal Highway  
Wineroom - 411 E Atlantic Avenue  
Calvary Chapel - 200 Sterling Avenue  
Chick-Fil-A - 4823 W Atlantic Avenue

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

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