



## Legislation Text

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File #: 19-990, Version: 1

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**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Director  
**THROUGH:** Neal de Jesus, Interim City Manager  
**DATE:** November 19, 2019

RESOLUTION NO. 175-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A FINAL PLAT REQUEST FOR A MAJOR SUBDIVISION THAT CONTAINS NON-CONFORMITIES FOR A TWO-LOT SUBDIVISION KNOWN AS "COREY ISLE", WHICH CONSISTS OF FIVE EXISTING LOTS OF RECORD DESCRIBED AS LOTS 26-30, BLOCK 8, SUBDIVISION OF LOT 8, TOWN OF DELRAY (FORMERLY LINTON), PLAT BOOK 14, PAGE 58 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, LOCATED ON THE NORTHWEST CORNER OF SW 7TH AVENUE AND SW 4TH STREET.

### **Recommended Action:**

Review and consider Resolution No. 175-19, as presented with consideration of the Final (Major) Plat for Corey Isle Plat, located on the northwest corner of SW 7<sup>th</sup> Avenue and SW 4<sup>th</sup> Street, by adopting that the request and approval thereof is consistent with the criteria set forth in the Land Development Regulations Section 2.4.5 (J)(Major Subdivisions)

### **Background:**

The subject property is located at the northwest corner of the intersection of SW 7th Avenue and SW 4th Street. The parcels are in the R-1-A zoning district and have a Future Land Use Map (FLUM) Designation of Low Density Residential ((LD). The property is made up of 5 parcels consisting of Lots 26-30 of the Block 8 Subdivision, Town of Delray (Formerly Linton) as recorded in Plat Book 14, Page 58, of the Public Records of Palm Beach County and is approximately 0.31 acres. As shown on the survey, Lot 26 is approximately 31.5 feet wide and 102.5 feet deep. Lots 27-30 are 25 feet wide and approximately 102.5 feet deep. The vacant lots are considered lots of record, however, given the narrowness of the existing lots, the applicant is proposing platting five lots into two lots to be utilized for workforce housing.

### **Plat Analysis:**

Pursuant to LDR Section 4.3.1(D), lots created after October 1, 1990, shall meet the minimum requirements established in Chapter 4 unless the City Commission declares, at the time of approval of an associated development application, that it is necessary and appropriate to create such a nonconformity. The applicant's request is to combine five lots into two lots. The proposed replat will not create additional lots, however, action by the City Commission is required as the proposed reconfiguration does not meet the minimum development standards for new lots.

As described in the attached staff report, the proposed lot configurations will decrease all existing nonconformities. The proposed replat will be more in compliance with current code requirements than the existing lot configuration. The neighborhood consists of lot sizes and widths similar to the

proposed lots; therefore, combining the existing lots into one buildable lot of approximately 102 feet wide by 129.5 feet in depth that conforms to the minimum lot size and width would not be consistent with the neighborhood.

A determination of the necessity and appropriateness of the replat application, which contains non-conformities, could be made as the proposed lot layout would be more in conformance with code requirements than the existing lots. The replat will maintain the neighborhood quality and will be consistent with the development pattern.

The request is to combine five existing lots into two residential lots for workforce housing, dedicate 2-feet of alleyway and a 25-foot right-of-way (ROW) intersection radius by a Major Plat. The following items are shown on the plat:

- Lots 1 and 2 are platted for private purposes as allowed pursuant to the Land Development Regulations of the City.
- Tracts R-1 and R-2 are dedicated to the City as public ROW for street and utility purposes.
- A 10-foot General Utility Easement (GUE) along the alleyway is dedicated to any public or private utility.
- Perpetual sidewalk easements located along SW 7th Avenue and SW 4th Street of varying width dedicated by separate instrument in O.R.B. 30758, Page 710.
- An existing GUE along the northern property line of Lot 1 dedicated in Plat Book 14, Page 58, Subdivision of Block 8 Town of Delray (Formerly Linton).

On October 21, 2019, the Planning and Zoning Board approved the preliminary plat and conditional certification of the Final Plat with a vote of 7-0.

With the determination by City Commission that the necessity and appropriateness of the replat application which contains non-conformities can be made per LDR Section 4.3.1(D), the plat can be considered consistent with respect to the Land Development Regulations Section 2.4.5(J)(Major Subdivisions), Chapter 3 (Performance Standards) and the policies of the Comprehensive Plan.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

Building permit cannot be issued until the final plat is recorded.