



Legislation Text

File #: 18-726, **Version:** 1

TO: Mayor and Commissioners
FROM: Timothy R. Stillings, Development Services Director
THROUGH: Mark R. Lauzier, City Manager
DATE: December 4, 2018

A WAIVER REQUEST TO LDR SECTION 4.6.7(F)(i)(1), TEMPORARY IDENTIFICATION SIGNS, TO ALLOW SIGNAGE TO BE PLACED ON THE SCREENING FENCE LOCATED ON THE SE 4TH AVENUE AND SE 5TH AVENUE ON THE 4TH AND 5TH DELRAY (AKA IPIC). (QUASI-JUDICIAL HEARING)

Recommended Action:

Motion to Approve the waiver to Land Development Regulation Section 4.6.7(F)(i)(1), Temporary Identification Signs, to allow signage to be placed on the screening fence along sections of SE 5th Avenue and SE 4th Avenue.

Background:

The proposal is allow two signs, 40 feet in length on screening which will span 640 feet on SE 5th Avenue and 480 feet on SE SE 4th Avenue in sections and be visible from the public right-of-way as illustrated in the plans included with this item. The signs are made out of mesh material with grommets to attach to the fence and anticipated to remain until the final certificate of occupancy.

Waiver Analysis:

Pursuant to LDR Section 2.4.7(B)(5), prior to granting a waiver, the approving body shall make a finding that the granting of the waiver:

- (a) Shall not adversely affect the neighboring area;
- (b) Shall not significantly diminish the provision of public facilities;
- (c) Shall not create an unsafe situation; and,
- (d) Does not result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner.

The granting of this waiver will not adversely affect the neighboring area, will not significantly diminish the provision of public facilities, and is not creating an unsafe situation. The waiver is similar to that which was granted for temporary signage on construction fencing in 2015 and 2017. Positive findings with respect to LDR 2.4.7(B)(5) are made.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

N/A

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Timing of Request:

The waiver is required for the proposed signage to be installed.