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December 1, 2023

Ms. Katerri Johnson (via email and overnight mail)  
City Clerk  
Delray Beach, FL  
100 N.W. 1st Avenue, Delray Beach, FL 33444  
Email: [Johnsonk@mydelraybeach.com](mailto:Johnsonk@mydelraybeach.com)

*Re: Appeal of administrative decision in regard to an interpretation the Land Development Code of Delray Beach, Florida as to whether a parking lot allowing for the parking of new car inventory could be utilized at 551 W. Linton Boulevard, Property Control Number 12-43-46-20-80-001-0000 (the "Parking Lot")*

Dear Ms. Johnson:

As to the above captioned appeal, a November 21, 2023, date had been originally proposed by me in the appeal letter to the City. I was later informed by Ms. Amy Alvarez that the above captioned appeal could be placed on the agenda of the City Commission for December 12, 2023, but unfortunately, I am unable to attend on that date. A date of January 4, 2024, was proposed by Ms. Alvarez and for that date, I could be in attendance. We express our appreciation for the cooperation.

However, Section 2.5.(C)(4), recently replacing Section 2.4.7(E)(3)(c), states that a hearing for an appeal shall be held no more than 60 calendar days from date of the City Clerk's receipt of the request to appeal unless both the appellant and the City Commission mutually agree to postpone the hearing. Accordingly, since January 4, 2023, is more than 60 days from the submission date, we are requesting that on December 5, 2023, the matter be placed on the agenda which would consider this request to postpone to January 4, 2024. Please consider this letter to be that formal request.

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Copies of this letter have been given to Ms. Alvarez as well as Ms. Gianniotis. Once again, thank you for your considerations and cooperation in regard to scheduling matters and we do realize the importance of following proper procedures and the need for deliberations on December 5, 2023.

Very truly yours,

SACHS SAX CAPLAN

*Michael S. Weiner*

MICHAEL S. WEINER

MSW/

Cc: Ms. Anthea Gianniotis, via email

Cc: Ms. Amy Alvarez, via email

Cc: Ms. Lynn Gelin, Esq.