

IN THE CITY COMMISSION
CHAMBERS OF THE CITY OF
DELRAY BEACH, FLORIDA

ORDER OF THE CITY COMMISSION
OF THE CITY OF DELRAY BEACH, FLORIDA

WAIVER REQUESTS FOR 920 SEA SAGE DRIVE

1. These waiver requests came before the City Commission on October 21, 2014.

2. The Applicant and City staff presented documentary evidence and testimony to the City Commission pertaining to the waiver requests for 920 Sea Sage Drive. All of the evidence is a part of the record in this case. Required findings are made in accordance with Subsection I.

I. **WAIVERS:** 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.

A. Waiver to LDR Section 4.3.4(K)

Pursuant to LDR Section 4.3.4(K), lots in an area zoned R-1-AAA must have a minimum frontage of 100 feet and a minimum width of 100 feet.

Under LDR 4.3.1(D), lots or yards created after October 1, 1990 shall meet the minimum requirements established by 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 nonconformity.

i) Waiver for Lot #3

The applicant is requesting a waiver to the requirements set forth in LDR 4.3.4(k) to allow Lot #3 zoned R-1-AAA to have a frontage of 95' and a width of 87'.

Should the waiver to Section 4.3.4(k) for Lot #3 be granted?

Yes 3 No 0

ii Waiver for Lot #4

The applicant is requesting a waiver to the requirements set forth in LDR 4.3.4(k) to allow Lot #4 zoned R-1-AAA to have a width of 96'.

Should the waiver to Section 4.3.4(k) for Lot #4 be granted?

Yes 3 No 0


3. The City Commission has applied the Comprehensive Plan and LDR requirements in existence at the time the original development application was submitted and finds that its determinations set forth in this Order are consistent with the Comprehensive Plan.

4. The City Commission finds there is ample and competent substantial evidence to support its findings in the record submitted and adopts the facts contained in the record including but not limited to the staff reports, testimony of experts and other competent witnesses supporting these findings.

5. Based on the entire record before it, the City Commission approves ✓ denies _____ these waiver requests, subject to the conditions in Exhibit "A".

6. Based on the entire record before it, the City Commission hereby adopts this Order this 21st day of October 2014, by a vote of 3 in favor and 0 opposed.

ATTEST:


Cary D. Gillostein, Mayor

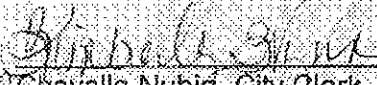

Chevelle Nubin, City Clerk

Exhibit "A"

1. That a survey must be filed with the Engineering Department showing the configuration of Lot 3 and Lot 4; and
2. That a Unity of Title between the two lots remain in place until all structures are demolished, at which time said Unity of Title shall be released upon consent of the City's Chief Building Official.