

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

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

**IN LIEU PARKING FEE REQUEST FOR
143 SOUTH SWINTON AVENUE**

1. This in lieu parking fee request for the purchase of 1 parking space in lieu has come before the City Commission on December 4, 2018.

2. The Applicant and City staff presented documentary evidence and testimony to the City Commission pertaining to the In Lieu Parking Fee request for HNM Offices located at 143 South Swinton Avenue at the northeast corner of South Swinton Avenue and SE 2nd Street. All of the evidence is a part of the record in this case. Required findings are made in accordance with Subsection I.

I. IN LIEU PARKING FEE:

Pursuant to LDR Section 4.6.9(E)(3), when additional parking is required due to use conversion to an existing building, building additions that result in the requirement to provide new parking or additional parking, and it is impossible or inappropriate to provide such parking, the City Commission may approve the payment of an in lieu fee rather than provide the required parking. A maximum limit of 30 percent of eligible required parking can be provided under this in lieu option.

Does the In Lieu Parking Fee request for the purchase of 1 parking space in-lieu meet the requirements of LDR Section 4.6.9(E)(3) and the conditions noted below:

At \$10,140.00 per space totaling \$10,140.00. The full payment is due prior to issuance of a building permit. That the applicant construct three additional on-street parking spaces adjacent to the subject property, within the South Swinton Avenue and SE 2nd Street rights-of-way.

Yes _____ No _____

3. The City Commission hereby finds that the In Lieu Parking Fee Request meets the requirements of 4.6.9(E)(3) of the Land Development Regulations, with the

condition listed above, if any, and the City Commission has applied the Comprehensive Plan and finds that its determinations set forth in this Order are consistent with the Comprehensive Plan and Land Development Regulations.

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 _____ the in lieu parking fee request as set forth above.

6. Based on the entire record before it, the City Commission hereby adopts this Order this 4th day of December, 2018, by a vote of _____ in favor and ___opposed.

ATTEST:

Shelly Petrolia, Mayor

Katerri Johnson, CMC, City Clerk

Approved as to legal form
And sufficiency:

Lynn Gelin, City Attorney