

Justification For Granting A Waiver

From Section 7.10.5(D)

Scope of Work – Elevation of the Historic home and moving approx. 11 feet to the North and 10 inches to the East **on the same lot**. The contributing structure to be moved consists of approx. 899 square feet after the demo of the non-contributing and fire damaged sections.

Structural Moving Company – Brownie Structural Movers (Est. 1922)

Points of Fact –

1. Executing the above scope of work will have no adverse effect to the neighboring area. This home is not being relocated off of the existing site. All movement will take place on my land and not city land.
2. There are no city services or public facilities of any kind required to execute the scope of work.
3. Brownie Moving Company and this project is licensed with the State of FL and this project specifically is fully insured (see attached policy) Brownie has been in business since 1922 and has moved Museums, Relocated homes miles away and even relocated homes on a barge down the Intracoastal Waterway. There will be no unsafe situation created by this “on lot” move all necessary precautions have and will be taken to ensure safety.

I am requesting this waiver because I have been unable through diligent efforts to secure a surety bond or a letter of credit from my insurance company and financial institution. (See documents attached)

This ordinance has created an *Impossibility of Performance* as no insurance carrier will provide such coverage and my bank where my assets are Bank of America/Merrill Lynch no longer provide letters of credit.

As such, I believe, no special privilege exists in my case that any other future applicant or owner in this situation would encounter given the same circumstances.

In conclusion, if it satisfies the city I will include the City of Delray Beach as an additional insured on the insurance policy already in place for Brownie Structural Movers, LLC. I have included documentation from the insurance company whose policy covers all possible scenarios.