

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 REQUEST FOR MOTOR GROUP**

1. This waiver request came before the City Commission on **April 18, 2017**.
2. The Applicant and City staff presented documentary evidence and testimony to the City Commission pertaining to the waiver request for **Motor Group**, located at 1107 Wallace 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 4.6.9(D)(3)(c), Stacking Distance

Pursuant to LDR Section 4.6.9(D)(3)(c)(1), Stacking Distance, the minimum stacking distance for parking lots with 50 or fewer spaces on a non-local street shall measure at least 20'.

**1. Should the waiver to Section 4.6.9(D)(3)(c), to reduce the stacking distance from 20' to 11' 1" be approved?**

Yes \_\_\_\_\_ No \_\_\_\_\_

3. At its meeting of **March 22, 2017**, the Site Plan Review and Appearance Board considered this waiver request and voted **4 to 0** to recommend approval of the waiver, based upon positive findings.

4. 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.

5. 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.

6. Based on the entire record before it, the City Commission approves \_\_\_\_\_ denies \_\_\_\_\_ this waiver request.

7. Based on the entire record before it, the City Commission hereby adopts this Order this **18<sup>th</sup> day of April 2017**, by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

ATTEST:

\_\_\_\_\_  
Cary D. Glickstein, Mayor

\_\_\_\_\_  
Kimberly Wynn, Acting City Clerk

Approved as to legal form  
And sufficiency:

\_\_\_\_\_  
City Attorney

Department Head:

\_\_\_\_\_  
Timothy Stillings, Planning, Zoning and Building Director