

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
Solid Image Tattoo Co.
306 NE 4th St**

1. This waiver request came before the City Commission on February 20, 2018.
2. The Applicant and City staff presented documentary evidence and testimony to the City Commission pertaining to the waiver request for Solid Image Tattoo Co. located at 306 NE 4th St. All of the evidence is a part of the record in this case. Required findings are made in accordance with Subsections 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 4.3.3(ZB)(6)

Prohibition by frequency. Whether allowed as a principal use, tattoo establishments and/or tattooing shall be located no more than one per block or within 750 feet of another such use, as measured from lot line to lot line in a straight line.

- 1. Should the waiver to Section 4.3.3(ZB)(6) to allow a minimum separation of 750' from property line to property line for a tattoo establishment Solid Image Tattoo be approved?**

Yes _____ No _____

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 _____ this waiver request.

6. Based on the entire record before it, the City Commission hereby adopts this Order this 20th day of February, 2018, by a vote of _____ in favor and _____ opposed.

ATTEST:

Cary D. Glickstein, Mayor

Katerri Johnson, CMC., City Clerk

Approved as to legal form
And sufficiency:

City Attorney

Department Head:

Timothy Stillings, Director of Planning & Zoning