

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
515 NW 1ST AVENUE**

1. This waiver request came before the City Commission on June 5, 2018.
2. The Applicant and City staff presented documentary evidence and testimony to the City Commission pertaining to the waiver request for the residential property located at 515 NW 1st Avenue. 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 4.4.3(F)(2)(d):

Pursuant to LDR Section 4.4.3(F)(2)(d), multi-story structures located within the R-1-AA zoning district in the Lake Ida Neighborhood Overlay are subject to a minimum front setback of 25 feet and a minimum rear setback of 15 feet. A waiver to reduce the front setback to 15 feet 1 inch and the rear setback to 10 feet is requested.

- 1. Should the waiver to LDR Section 4.4.3(F)(2)(d) to allow the proposed building addition to the existing home with a 15 feet 1 inch front setback and a 10 foot rear setback be granted?**

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 June 5, 2018, by a vote of _____ in favor and _____ opposed.

ATTEST:

Shelly Petrolia, Mayor

Katerri Johnson, City Clerk

Approved as to legal form
And sufficiency:

R. Max Lohman, City Attorney