

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 7-ELEVEN,
16000 S. MILITARY TRAIL**

1. This waiver request came before the City Commission on **July 10, 2018**.
2. The Applicant and City staff presented documentary evidence and testimony to the City Commission pertaining to the waiver request for the **7-Eleven** development located at **16000 S. Military Trail**. 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 Land Development Regulations (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 4.4.12(F)(2), Development Standards, any free-standing structure shall have a minimum floor area of 6,000 square feet.

1. Should the waiver to LDR Section 4.4.12(F)(2) be approved to permit a free-standing building less than 6,000 square feet?

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 **10th day of July 2018**, by a vote of ____ in favor and ____ opposed.

ATTEST:

Shelley Petrolia, Mayor

Katerri Johnson, City Clerk

Approved as to legal form
And sufficiency:

R. Max Lohman, City Attorney

Department Head:

Timothy Stillings, Planning, Zoning and Building Director