

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
for 143 South Swinton Avenue**

1. The consideration of a Waiver for property located at 143 South Swinton Avenue has come before the City Commission on March 12, 2019.

2. The Applicant and City staff presented documentary evidence and testimony to the City Commission pertaining to the Waiver for property located at 143 South Swinton Avenue. All the evidence is part of the record in this case. Required findings are made in accordance with Subsection I.

I. Land Development Regulations (LDR):

a. Pursuant to **LDR Section 2.4.7(B)(5): Waivers**, the approving body must make a finding that the granting of a Waiver:

1. Shall not adversely affect the neighboring area;
2. Shall not significantly diminish the provision of public facilities;
3. Shall not create an unsafe situation; and,
4. 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.

Are the requirements of LDR Section 2.4.7(B)(5) met?

Yes_____No_____

3. The City Commission has applied the LDR requirements in existence at the time the application for the Waiver was submitted.

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 ____ the Waiver for property located at 143 South Swinton Avenue, and hereby adopts this Order this **12th** day of March 2019, by a vote of ____ in favor and ____ opposed.

ATTEST:

Shelly Petrolia, Mayor

Katerri Johnson, City Clerk

Approved as to legal form
And sufficiency:

Lynn Gelin, City Attorney