

RESOLUTION NO. 176-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING A WAIVER REQUEST TO LDR SECTION 4.6.7(E)(7) PURSUANT TO LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES AND THE COMPREHENSIVE PLAN FOR THE INSTALLATION OF A MONUMENT SIGN AT 1311 W. LINTON BLVD (PCN 12-43-46-20-83-001-0000); PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, Jennifer Ronnenburger (“Agent”), on behalf of Auto Company XXVII Inc (“Applicant/Property Owner”), submitted a development application (2020-001-WAI-CCA) seeking approval of a waiver request for the installation of a monument sign 40 feet in height and 370 square feet in sign area; facing I-95 located at 1311 W. Linton Blvd, Delray Beach, on November 19, 2019; and

WHEREAS, the subject property is located on the north side of Linton Blvd and abuts I-95, consists of 10.5 acres, and is zoned Automotive Commercial (AC); and

WHEREAS, the proposal consists of a requested waiver of the Design Standard Matrix to Land Development Regulation (LDR) Sections 4.6.7(E)(7)

WHEREAS, LDR section 4.6.7(E)(7) states that a monument sign may be permitted in the AC zoning district as follows:

- (a) One per frontage
- (b) Not to exceed 160 SF of sign area including both sides
- (c) Not to exceed a 14-foot height

WHEREAS, LDR Section 2.4.7(B)(5) *Waiver*; 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; and

WHEREAS, the Waiver for the monument sign at 1311 W. Linton Blvd (2020-001-WAI-CCA) was presented to the City Commission at a quasi-judicial hearing conducted on November 19, 2019; and

WHEREAS, the City Commission reviewed the waiver request for the installation at 1311 W Linton Blvd of a monument sign 40 feet in height with 370 square feet in sign area with respect to LDR Sections 4.6.7(E)(7) and has considered the respective findings for each as set forth in the Land Development Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the foregoing recitals are hereby incorporated by this reference.

Section 2. The City Commission makes positive findings that the requested waiver (1) do not adversely affect the neighboring area, (2) do not significantly diminish the provision of public facilities, (3) do not create an unsafe situation, and (4) do not result in the grant of a special privilege in that the same waiver would be granted under a similar circumstances on other property for another applicant or owner for granting approval of the installation of the monument sign at 1311 W. Linton Blvd, Delray Beach, incorporated herein as Exhibit "A" and Exhibit "B".

Section 3. All resolutions or parts of resolutions in conflict herewith shall be and hereby are repealed.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the \_\_\_\_ day of \_\_\_\_\_, 2019.

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Shelly Petrolia, M A Y O R

ATTEST:

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Katerri Johnson, City Clerk

Approved as to form and legal sufficiency:

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Lynn Gelin, City Attorney

**Exhibit “A”**  
1311 W. Linton Blvd  
Site Plan

**Exhibit “B”**  
1311 W. Linton Blvd  
Monument Sign