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September 11, 2020

Ms. Anthea Gianniotis
Director, Development Services
City of Delray Beach
100 NW 1st Avenue
Delray Beach, FL 33444

Re: Formal Letter of Request of Conditional Use

Dear Ms. Gianniotis:

Please accept this letter as a formal request for Conditional Use pursuant to Section 2.4.5(E), Delray Beach Land Development Regulations (“LDR”). We request the Conditional Use for the property located at 10 S, Congress Avenue, Delray Beach, Florida (the “Property”).

The Property is Zoned Planned Commercial (PC). LDR Section 4.4.12(D)(1) specifies that all conditional uses allowed as such within the General Commercial (GC) District are allowed as conditional uses in the PC District. LDR Section 4.4.9(D)(8) allows “Gasoline Stations or the dispensing of gasoline directly into vehicles” as a Conditional Use in the GC District. Accordingly, Gasoline Stations are an allowed Conditional Use at the Property.

We are submitting simultaneous applications for the Conditional Use and Site Plan Approval. The documents submitted as part of this Site Plan review process show the details of the proposed Gasoline Station Use, as required under LDR Section 2.4.5(E)(2).

Establishment of the proposed Conditional Use is consistent with the required findings specified in LDR Section 2.4.5(E)(5) as follows.

Establishment of the proposed Gasoline Station will not have a significantly detrimental effect upon the stability of the neighborhood within which it will be located. The proposed use fits within the neighborhood. The neighborhood contains a variety of commercial uses, including other automotive uses. The proposed use will not negatively impact the neighborhood.

In addition to the above, it is also true that establishment of the proposed Gasoline Station will not hinder development or redevelopment of nearby properties. The redevelopment on this site will in fact present a new development that will help rather than hinder other development.

If I can provide any additional information, please contact my office.

Very truly yours,

SACHS SAX CAPLAN

/s/ Michael S. Weiner

Michael S. Weiner