



## Legislation Details (With Text)

**File #:** 17-747      **Version:** 1      **Name:**  
**Type:** Request      **Status:** Passed  
**File created:** 9/14/2017      **In control:** City Commission  
**On agenda:** 10/3/2017      **Final action:** 10/3/2017  
**Title:** REQUEST FOR A WAIVER TO LDR SECTION 4.6.7(E)(7) TO ALLOW A WALL SIGN ON THE WEST ELEVATION WHICH DOES NOT FACE A DEDICATED STREET FRONTAGE FOR CUBESMART SELF-STORAGE LOCATED AT 3185 S. CONGRESS AVENUE. (QUASI-JUDICIAL HEARING)  
**Sponsors:** Planning & Zoning Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Sign One, Two, and Three, 2. Sign Three - Requested Waiver, 3. 3185 S. Congress Board Order, 4. Justification letter

Date	Ver.	Action By	Action	Result
10/3/2017	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Timothy R. Stillings, Director of Planning, Zoning and Building  
**THROUGH:** Chief Neal de Jesus, Interim City Manager  
**DATE:** October 3, 2017

REQUEST FOR A WAIVER TO LDR SECTION 4.6.7(E)(7) TO ALLOW A WALL SIGN ON THE WEST ELEVATION WHICH DOES NOT FACE A DEDICATED STREET FRONTAGE FOR CUBESMART SELF-STORAGE LOCATED AT 3185 S. CONGRESS AVENUE. (QUASI-JUDICIAL HEARING)

**Recommended Action:**

Motion to Approve the waiver request to LDR Section 4.6.7(E)(7) for CubeSmart located at 3185 S. Congress Avenue, as presented.

**Background:**

The Applicant, CubeSmart, applied for signage for the newly constructed building located at 3185 S. Congress Avenue. The applicant was approved for a monument sign and a sign on the east elevation which all have been installed. One of the requested signs is 7' x 22.58' for a total of 158 square feet and faces the west elevation which does not face a dedicated street frontage. It faces a parking lot between the self-storage building and the Kaufman Lynn office building.

Pursuant to LDR 4.6.7(E)(7) Design Standard Matrix; one wall sign per business facing a dedicated street frontage is allowed. Therefore a waiver for the proposed west elevation sign is required. 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.

The granting of this waiver will not adversely affect the neighboring area, diminish the provision of public facilities nor create an unsafe situation. The applicant states the signage is necessary to market the branding in an effort to enhance public visibility and the business' overall success. The signage will compliment the rest of the proposed signage on the building. The sign would not be considered a special privilege in that similar signage has been approved for other businesses in Delray Beach as recently as ROK BRGR in May 2017.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

N/A

**Funding Source:**

N/A

**Timing of Request:**

N/A