



CITY OF DELRAY BEACH

DEPARTMENT OF PUBLIC WORKS

434 S SWINTON AVENUE □ DELRAY BEACH □ FLORIDA 33444 □ (561) 243-7295



TO: DEVELOPMENT SERVICES MANAGEMENT GROUP (DSMG)

FROM: Patrick A. Figurella, P.E., Development Services Engineering Division Manager

DATE: February 13, 2025

REQUEST: Consideration of a reduction to the required alleyway dedication for the north side of 814 SE 2nd Avenue.

PROPERTY INFORMATION

Zoning:

Single-Family Residential (R-1-A);

Prior Use:

Single-Family Residence, ca. 1954

Proposed Use:

Single-Family Residence



BACKGROUND:

The request is associated with the redevelopment of the subject property. The original structure, built in 1954 is still present on-site.

On December 12, 2024, a pre-application meeting was held for the subject project. The applicant was informed that the required Right-of-Way width for the alley on the north side of the project was 20'. That means that the half-width of Right-of-Way for the alley is 10' from each side. The current width of the Right-of-way is 14' and therefore the half-width of Right-of-Way is 7' on the north side of the subject property. A dedication of 3' of Right-of-Way is therefore required. The owner is requesting the DSMG reduce the required Right-of-Way width from 20' to 17' adjacent to their property.

REVIEW OF CITY FACILITIES:

A review of the GIS system for City underground facilities shows that there are no known City underground facilities in the subject area. There appears to be a sewer lateral that serves the existing building.



REVIEW OF REQUEST:

LDR Section 5.3.1 (Right-of-way Dimensions and Dedication required.

Right-of-way dimensions and dedications, whether public or private, shall be consistent with Table MBL-1 "Street Network and Classification and Improvements" of the Mobility Element, providing for coordinated rights-of-way dedications with the Florida Department of Transportation and Palm Beach County. (Ord. No. 23-20, § 38, 9-10-20)

Table MBL-1 Street Network Classification and Improvements:



GOAL MBL 2 INFRASTRUCTURE

Table MBL-1 Street Network Classification and Improvements					
STREET NAME	LIMITS	CLASSIFICATION	JURISDICTION	ULTIMATE RIGHT-OF- WAY	NUMBER OF ULTIMATE THRU LANES
Other streets without curb and gutter		Local	City	50'	2
Other streets		Collectors	City	80'	2 - 5
Other Streets in Tropic Palms		Local	City	60'	2
Andrews Avenue	Atlantic Avenue to Pelican Lane	Local	City	50'	2
Seasage Drive/Venetian Drive	Poinsettia Road to Atlantic Avenue	Local	City	50'	2
Seagate Drive/Gleason Street	Poinsettia Road to Atlantic Avenue	Local	City	50'	2
Miramar Drive	MacFarlane Drive to Gleason Street	Local	City	50'	2
Ingraham Drive	MacFarlane Drive to Venetian Drive	Local	City	50'	2
Vista Del Mar Drive	One-Way	Local	City	30'	1
Bay Street	Gleason Street to A-1-A (One-Way Westbound)	Local	City	30'	1
Other Streets on Barrier Island		Local	City	40'	2
Alleys		Local	City	20'	2

LDR Section 5.3.1(A) (7), Reduction in width. *A reduction in the required right-of-way width may be granted by the body having the approval authority of the associated development application in developments in which new streets are created. For existing streets, reductions in right-of-way width may be granted by the City Engineer upon a favorable recommendation from the Development Management Services Group (DSMG). Reductions in the required right-of-way width may be granted pursuant to the following:*

- (a) The reduction is supported by the City Engineer. Nonsupport by the City Engineer may be appealed to the City Commission.*
- (b) That requiring full dedication would constitute a hardship in a particular instance and that all required improvements will be provided in a manner which will not endanger public safety and welfare.*
- (c) That acceptable, alternative provisions are made to accommodate features which would otherwise be accommodated within the right-of-way e.g. alternative drainage systems, alternative pedestrian walkways, alternative on-street parking, etc.*

STAFF REVIEW:

The subject property is at the southwest corner of the existing unimproved alley and SE 2nd Avenue. There is currently a fence in a state of disrepair blocking the alley on the east and west sides. The east end of the alley is cleared and rocked from the back of the sidewalk on SE 2nd Avenue to the fence.

There are no overhead utility lines in the subject alley. They do run both west of the property and south of the property in the adjacent parts of the alley not located in the subject area.

SITE PHOTOS:



Looking west from SE 2nd Avenue



Close up view of the alley behind the fence on the east side.



The view of the alley from the west looking east toward the subject area. Note the overhead utility lines do not enter the subject area.



Subject alley is blocked by fence and vegetation on the west line.



There is an ATT buried cable of unknown direction in the alley in the area of the west end of the property.

APPLICANT JUSTIFICATION

The applicant's request is provided as an attachment.

FINDINGS

LDR Section 2.4.11(D)(5), Findings, *Prior to granting administrative relief, the administrative official or body shall find:*

- (a) That the relief sought is consistent with the specific authorization provided for in these regulations;*
- (b) That the intent of the affected regulation is preserved;*
- (c) That the action will not be detrimental to the public health, safety, or welfare; and,*
- (d) The relief is consistent with the established character of the surrounding neighborhood.*

REVIEW PROCESS

If the request is approved and no other relief is requested, the Right-of-Way Width Reduction will be considered by the City Engineer and if approved, the request will be granted, and a letter will be sent informing the applicant of the results of the request.

If the request is denied, a letter will be sent informing the applicant of the results of the request and any future development plans must reflect the required 3-foot dedication and the applicant shall be required to provided the dedication prior to the issuance of a Certificate of Occupancy for any building on the site or an appeal can be requested in accordance with LDR Article 2.5, Appeals. Appeals of the DSMG are considered by the City Commission for a final determination.