



CITY OF DELRAY BEACH

DEPARTMENT OF PUBLIC WORKS

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TO: Alexis Rosenberg, Senior Planner

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

ISSUE DATE: July 29, 2025

RE: Abandonment of 27.04' of NW 2nd Avenue north of the north line of NW 3rd Court
TAC ID-1300

Pursuant to Land Development Regulation (LDR) Section 2.4.9 (B) (4) (d) a recommendation of the City Engineer to the Planning and Zoning Board is required for abandonment of rights-of-way. The subject property owner is requesting the abandonment of the 27.04' of NW 2nd Avenue north of the north right-of-way line of NW 3rd Court. This is a dead-end portion of NW 2nd Avenue that terminates at private property known as Tract "C" of Grove Place and does not connect to any other roadway. The recommendation of the City Engineer is to approve the request for abandonment of the 27.04' of NW 2nd Avenue north of the north line of NE 3rd Court based on the following analysis:

1. The City Commission is required per LDR Section 2.4.9 (B) (6) to make 3 positive findings to grant an abandonment. They are:
 - *That there is not, nor will there be, a need for the use of the right-of-way for any public purpose;* The proposed abandonment is of a dead-end section of roadway where there will be no property taking access from it. Access to the property that fronted this section of NW 2nd Avenue will be from Grove Place, the private road in the Grove Place development
 - *That the abandonment does not, nor will not, prevent access to a lot of record;* The abandonment would not prevent access to a lot of record as the affected property is adjacent to a private road right-of-way on the north side and an alley on the west side.
 - *That the abandonment will not result in detriment to the provision of access and/or of utility services to adjacent properties or the general area.* The provision of access for utility services will be required to be maintained in perpetuity in this area. The creation of a Water and Sewer Utility Easement over a portion the abandonment area can satisfy this requirement.
2. If the City Commission makes the three positive findings that are required to grant the abandonment request, conditions may be imposed upon the abandonment. Per LDR Section 2.4.9 (B) (5) (d): *Require replacement easements and/or relocation of existing utilities, as may be appropriate.* The City shall require the creation of a Water and Sewer Utility Easement over a portion of the abandoned area. The easement agreements should be prepared and reviewed prior to the abandonment. The easements must be recorded after the abandonment.

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