



# 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:** July 24, 2005

**REQUEST:** Consideration of a reduction to the required alleyway dedication for the west side of 2004 North Federal Highway.

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### PROPERTY INFORMATION

**Zoning:**

General Commercial (GC)

**Prior Use:**

Commercial Building, ca. 1951

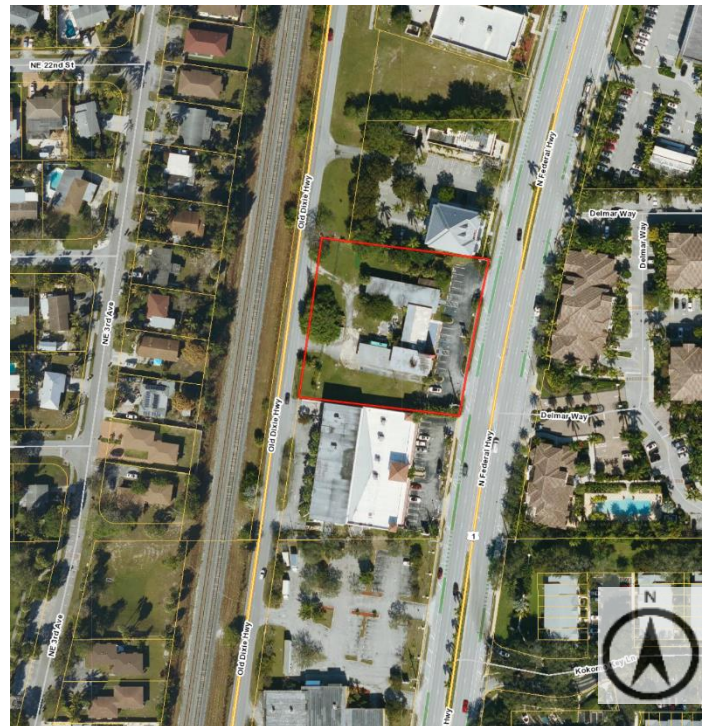
**Proposed Use:**

Commercial Building

**BACKGROUND:**

The request is associated with the redevelopment of the subject property. The original structure, built in 1951 is still present on-site.

On February 19, 2025, a pre-application meeting was held regarding the subject property. One of the items discussed was the requirement for Right-of-Way dedication on Old Dixie Highway. The applicant was informed that the required Right-of-Way width for Old Dixie Highway on the west side of the project was 50'. The current width of the Right-of-way is 30' but it is off-center to the east because of the proximity of the FEC Railroad Right-of-Way on the west side of Old Dixie Highway. The existing roadway is roughly 4' west of the Old Dixie Highway Right-of-Way line and into the FEC Railroad Right-of-Way. The subject property would be responsible for ½ of the required Right-of-Way. The current ½ width of the Right-of-Way is 15'. A dedication from the subject property of 10' would be required to make the total ½ width of 25'. The owner is requesting the DSMG reduce the required Right-of-Way ½ width from width from 25' to 15' adjacent to their property.



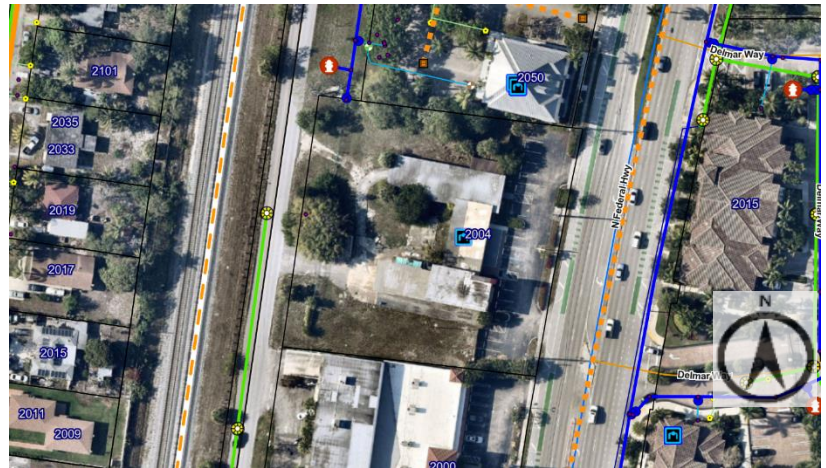
# REVIEW OF CITY FACILITIES:

Currently Old Dixie Highway is a two-lane road. A review of the GIS system for City underground facilities shows that there is a sewer main located in Old Dixie Highway. The water main is located in Federal Highway.

# 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 the 7<sup>th</sup> property north of NE 14<sup>th</sup> Street between Old Dixie Highway and North Federal Highway. Both Old Dixie Highway and Federal North Federal Highway are improved. There is a power line running north from the south property line to middle of the property.



**SITE PHOTOS:**



**Looking at the north entrance on Old Dixie Highway from the north.**





Looking at the north entrance on Old Dixie Highway from the south.





The utility pole near the middle of the property.





Looking north from the south end of the property. Note the overhead utility lines.





Looking at the north side of the south entrance.





The south side of the south entrance on Old Dixie Highway.





Looking east from the north side of the property on Old Dixie Highway.





Looking south from the north side of the property on Old Dixie Highway.



## 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 100ft dedication and the applicant shall be required to provide 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 final determination.