



Legislation Text

File #: 18-799, **Version:** 1

TO: Mayor and Commissioners
FROM: Patrick Figurella, City Engineer - Development Services Engineering
THROUGH: Mark R. Lauzier, City Manager
DATE: December 11, 2018

ITEM (A)-(B) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AND RIGHT OF WAY DEED FOR 450 N. SWINTON AVE.

ITEM (C-D) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AND ALLEYWAY DEDICATION FOR 138 SW 11th AVE.

ITEM (E) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT FOR 114 NE 9TH ST.

ITEM (F) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT FOR 509 OLEANDER LANE.

ITEM (G) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT FOR 1021 BROOKS LANE.

ITEM (H) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENTS FOR 880 NE 7th AVE., 870 NE 7th AVE., 860 NE 7th AVE., 850 NE 7th AVE., 840 NE 7th AVE., 830 NE 7th AVE., AND 816 NE 7th AVE.

ITEM (I) - ACCEPTANCE OF ALLEYWAY DEDICATION FOR 131 NE 1ST AVE.

ITEM (J) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT FOR 512 LAKE DR.

Recommended Action:

Item A-B

(A) Motion to approve and accept 4' of sidewalk easement on N. Swinton Ave. located at 450 N. Swinton Ave.

(B) Motion to approve and accept 5' of right of way dedication on N. Swinton Ave. located at 450 N. Swinton Ave.

Items C-D

(C) Motion to approve and accept 5' of sidewalk easement on SW 11th Ave. located at 138 SW 11th Ave.

(D) Motion to approve and accept 2' of alleyway dedication on SW 11th Ave. located at 138 SW 11th Ave.

Item E

(E) Motion to approve and accept 5' of sidewalk easement on NE 9th St. located at 114 NE 9th St.

Item F Motion to approve and accept 5' of sidewalk easement on Oleander Lane located at 509 Oleander Lane.

Item G

Motion to approve and accept 5' of sidewalk easement on Brooks Lane located at 1021 Brooks Lane.

Item H

Motion to approve and accept 5' of sidewalk easements on NE 7th Ave. located at 880 NE 7th Ave., 870 NE 7th Ave., 860 NE 7th Ave., 850 NE 7th Ave., 840 NE 7th Ave., 830 NE 7th Ave., and 816 NE 7th Ave.

Item I

Motion to approve and accept 2' of alleyway dedication on NE 1st Ave. located at 131 NE 1st Ave.

Item J

Motion to approve and accept 5' of sidewalk easement on Lake Dr. located at 512 Lake Dr.

Background:

Item A-B

Consider acceptance of sidewalk easement **(A)** and right of way deed **(B)** located at 450 N. Swinton Ave.

On August 9th, 2018, the owners, Frank Guerrieri and Jody Guerrieri, submitted building permit #18-178326 to construct a new single family residence addition located at 450 N. Swinton Ave.

This property resides north of Lake Ida Rd., south of Lake Ct., and is located on the west side of the roadway.

The roadway, N. Swinton Ave. associated with this project is a local street without a curb and gutter which has an ultimate right of way width of 60 feet. In accordance with LDR 5.3.1(D), the existing right of way width is 18 feet on N. Swinton Ave. per the survey; 12' feet would be required from this property. As a result, a 12' right of way dedication was requested to satisfy the 60' requirement.

In addition, a 4' perpetual sidewalk easement was requested for additional sidewalk width that isn't contained in the right of way.

There is no City cost now or in the future for this item.

Item C-D

Consider acceptance of sidewalk easement **(C)** and 2' of alleyway dedication **(D)** located at 138 SW 11th Ave.

On July 26th, 2018, the owner, Habitat for Humanity of South Palm Beach County, Inc., submitted building permit #18-177978 to construct a new single family residence located at 138 SW 11th Ave.

This property resides west of S. Swinton Ave. on SW 2nd St., north on SW 11th Ave., and is located on the west side of the roadway.

The roadway, SW 11th Ave. associated with this project is a local street without a curb and gutter which has an ultimate right of way width of 60 feet. In accordance with LDR 5.3.1(D), the existing right of way width is 50 feet on SW 11th Ave. per the survey; 5' feet would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the 60' requirement.

In addition, the alleyway pursuant to LDR Section 5.1.3 (D) (2), the required minimum width of an alleyway is 20 feet. The current dedicated alley right of way is 16 feet therefore; a dedication equivalent to one-half the additional right of way (2') would be required to satisfy the requirement.

There is no City cost now or in the future for this item.

Item E

Consider acceptance of sidewalk easement on NE 9th St. located at 114 NE 9th St.

On August 27th, 2018, the owner MJZ Properties LLC., submitted building permit #18-178663 to construct a new single family residence located at 114 NE 9th St.

This property resides east of N. Swinton Ave. on NE 9th St., located on the south side of the roadway.

The roadway, NE 9th St. associated with this project is a local street without a curb and gutter which has an ultimate right of way width of 60 feet. In accordance with LDR 5.3.1(D), the existing right of way width is 50 feet on NE 9th St. per the survey; 5' feet would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the 60' requirement

There is no City cost now or in the future for this item.

Item F

Consider acceptance of sidewalk easement on Oleander Lane located at 509 Oleander Lane.

On October 3rd, 2018, the owner 509 Oleander LLC., submitted building permit #18-179367 to construct a new single family residence located at 509 Oleander Lane.

This property resides west of S. Ocean Blvd. on Bucida Rd., south on Oleander Lane, located on the east side of the roadway.

The roadway, Oleander Lane associated with this project is a local street without a curb and gutter which has an ultimate right of way width of 60 feet. In accordance with LDR 5.3.1(D), the existing right of way width is 50 feet on Oleander Lane per the survey; 5' feet would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the 60' requirement

There is no City cost now or in the future for this item.

Item G

Consider acceptance of sidewalk easement on Brooks Lane located at 1021 Brooks Lane.

On August 17th, 2018, the owner Lendalk Properties LLC., submitted building permit #18-178508 to construct a new single family residence located at 1021 Brooks Lane.

This property resides west of S. Ocean Blvd. on Brooks Lane, located on the north side of the roadway.

The roadway, Brooks Lane associated with this project is a local street without a curb and gutter which has an ultimate right of way width of 60 feet. In accordance with LDR 5.3.1(D), the existing right of way width is 50 feet on Brooks Lane per the survey; 5' feet would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the 60' requirement

There is no City cost now or in the future for this item.

Item H

Consider acceptance of sidewalk easements on NE 7th Ave. associated with the 7 on 7th Ave. townhome project located at 880 NE 7th Ave., 870 NE 7th Ave., 860 NE 7th Ave., 850 NE 7th Ave., 840 NE 7th Ave., 830 NE 7th Ave., and 816 NE 7th Ave.

On May 17th, 2018, the owner MJH Busch LLC., submitted a townhome project (7 on 7th) to construct new single family residences located at 880 NE 7th Ave., 870 NE 7th Ave., 860 NE 7th Ave., 850 NE 7th Ave., 840 NE 7th Ave., 830 NE 7th Ave., and 816 NE 7th Ave.

These properties reside east of N. Federal Highway on George Bush Blvd., north on NE 7th Ave., located on the west side of the roadway.

The roadway, NE 7th Ave. associated with this townhome project is a local street without a curb and gutter which has an ultimate right of way width of 60 feet. In accordance with LDR 5.3.1(D), the existing right of way width is 50 feet on NE 7th Ave. per the survey; 5' feet would be required from these properties. As a result, a 5' perpetual sidewalk easement for each property was requested to satisfy the 60' requirement

There is no City cost now or in the future for this item.

Item I

Consider acceptance of 2' of alleyway dedication located at 131 NE 1st Ave.

On May 25th, 2018, the owner 131 Investors LLC., submitted building permit #18-176613 to construct a new single family residence located at 131 NE 1st Ave.

This property resides east of N. Swinton Ave. located on the south east side of NE 2nd St. and NE 1st Ave.

The alleyway pursuant to LDR Section 5.1.3 (D) (2), the required minimum width of an alleyway is 20 feet. The current dedicated alley right of way is 16 feet therefore; a dedication equivalent to one-half the additional right of way (2') would be required to satisfy the requirement.

There is no City cost now or in the future for this item.

Item J

Consider acceptance of sidewalk easement on Lake Dr. located at 512 Lake Dr.

On July 18th, 2018, the owners Michael C. and Cari Lynn Flaherty, submitted building permit #18-177773 to construct a new single family residence located at 512 Lake Dr.

This property resides west of NW 4th Ave. on Lake Dr., located in the south east corner of Lake Dr. and Pine Lane.

The roadway, Lake Dr. associated with this project is a local street without a curb and gutter which has an ultimate right of way width of 60 feet. In accordance with LDR 5.3.1(D), the existing right of way width is 50 feet on Lake Dr. per the survey; 5' feet would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the 60' requirement

There is no City cost now or in the future for this item.

Attachments provided:

- 1) Item (A) PSE 450 N. Swinton Ave.
- 2) Item (B) R.O.W Deed 450 N. Swinton Ave.
- 3) Item (A-B) Exhibit (A) Sketch and Description 450 N. Swinton Ave.
- 4) Item (A-B) Survey 450 N. Swinton Ave.
- 5) Item (A-B) PAPA Page 450 N. Swinton Ave.
- 6) Item (A-B) PAPA Map Location 450 N. Swinton Ave.
- 7) Item (C) PSE 138 SW 11th Ave.
- 8) Item (C) Exhibit (A) Sketch and Description 138 SW 11th Ave.
- 9) Item (D) R.O.W Deed 138 SW 11th Ave.
- 10) Item (D) Exhibit (A) Sketch and Description 138 SW 11th Ave.
- 11) Item (C-D) Survey 138 SW 11th Ave.
- 12) Item (C-D) PAPA Page 138 SW 11th Ave.
- 13) Item (C-D) PAPA Map Location 138 SW 11th Ave.
- 14) Item (C-D) Sun Biz Page 138 SW 11th Ave.
- 15) Item (E) PSE 114 NE 9TH St.
- 16) Item (E) Exhibit (A) Sketch and Description 114 NE 9TH St.

- 17)Item (E) Survey 114 NE 9TH St.
- 18)Item (E) PAPA Page 114 NE 9TH St.
- 19)Item (E) PAPA Map Location 114 NE 9TH St.
- 20)Item (E) Sun Biz Page 114 NE 9TH St.
- 21)Item (F) PSE 509 Oleander Lane
- 22)Item (F) Exhibit (A) Sketch and Description 509 Oleander Lane
- 23)Item (F) Survey 509 Oleander Lane
- 24)Item (F) PAPA Page 509 Oleander Lane
- 25)Item (F) PAPA Map Location 509 Oleander Lane
- 26)Item (F) Sun Biz Page 509 Oleander Lane
- 27)Item (G) PSE 1021 Brooks Lane
- 28)Item (G) Exhibit (A) Sketch and Description 1021 Brooks Lane
- 29)Item (G) Survey 1021 Brooks Lane
- 30)Item (G) PAPA Page 1021 Brooks Lane
- 31)Item (G) PAPA Map Location 1021 Brooks Lane
- 32)Item (G) Sun Biz Page 1021 Brooks Lane
- 33) Item (H) PSE 880 NE 7th Ave., 870 NE 7th Ave., 860 NE 7th Ave., 850 NE 7th Ave., 840 NE 7th Ave., 830 NE 7th Ave., and 816 NE 7th Ave.
- 34) Item (H) Exhibit (A) Sketch and Description 880 NE 7th Ave., 870 NE 7th Ave., 860 NE 7th Ave., 850 NE 7th Ave., 840 NE 7th Ave., 830 NE 7th Ave., and 816 NE 7th Ave.
- 35) Item (H) Survey 880 NE 7th Ave., 870 NE 7th Ave., 860 NE 7th Ave., 850 NE 7th Ave., 840 NE 7th Ave., 830 NE 7th Ave., and 816 NE 7th Ave.
- 36) Item (H) PAPA Page 880 NE 7th Ave., 870 NE 7th Ave., 860 NE 7th Ave., 850 NE 7th Ave., 840 NE 7th Ave., 830 NE 7th Ave., and 816 NE 7th Ave.
- 37) Item (H) PAPA Map Location 880 NE 7th Ave., 870 NE 7th Ave., 860 NE 7th Ave., 850 NE 7th Ave., 840 NE 7th Ave., 830 NE 7th Ave., and 816 NE 7th Ave.
- 38) Item (H) Sun Biz Page 880 NE 7th Ave., 870 NE 7th Ave., 860 NE 7th Ave., 850 NE 7th Ave.,

840 NE 7th Ave., 830 NE 7th Ave., and 816 NE 7th Ave.

39)Item (I) R.O.W Deed 131 NE 1st Ave.

40)Item (I) Exhibit (A) Sketch and Description 131 NE 1st Ave.

41)Item (I) Survey 131 NE 1st Ave.

42)Item (I) PAPA Page 131 NE 1st Ave.

43)Item (I) PAPA Map Location 131 NE 1st Ave.

44)Item (I) Sun Biz Page 131 NE 1st Ave.

45)Item (J) PSE 512 Lake Dr.

46)Item (J) Exhibit (A) Sketch and Description 512 Lake Dr.

47)Item (J) Survey 512 Lake Dr.

48)Item (J) PAPA Page 512 Lake Dr.

49)Item (J) PAPA Map Location 512 Lake Dr.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

These items have no fiscal impact on the City.

Timing of Request:

The timing of this request is of high importance in order to process the residence C/O when completed.