



CITY OF DELRAY BEACH
 DEPARTMENT OF DEVELOPMENT SERVICES
 100 N.W. 1ST AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7040



TO: DEVELOPMENT SERVICES MANAGEMENT GROUP (DSMG)
FROM: Amy Alvarez, Assistant Development Services Director
DATE: February 8, 2024
RE: RIGHT-OF-WAY (ALLEY) REDUCTION REQUEST FOR 308 SW 3rd Street

PROPERTY INFORMATION

Zoning: Single-family Residential (R-1-A)

Use: Vacant

Proposed Use: Single-family residence; affordable / workforce housing provided by the Delray Beach Community Land Trust (DBCLT)



BACKGROUND DETAILS:

Upon review of a building permit for the construction of a new single-family residence, it was determined that a two-foot dedication from the property to the alley right-of-way would be required. Given that the existing width of the property is 40 feet, which is the smallest width allowed to develop a property within the R-1 zoning districts, the dedication of four-feet from the property would reduce the width down to 36 feet, rendering it undevelopable. Therefore, the DBCLT is requesting that the alley right-of-way be reduced from the ultimate minimum width of 20 feet to 16 feet, whereas the original platted 12-foot width remains. It is important to note that properties that measure less than 50 feet but no less than 40 feet in width must be used for workforce housing and comply with the applicable restrictions or limitations, such as a recorded covenant.

Platted (Existing) Alley Width	12 feet
Required Alley Width	20 feet
Reduction Request	16 feet

Pursuant to Land Development Regulation (LDR) Section 5.3.1(A)(3), *“when development is adjacent to an existing or planned street, the development shall be responsible for providing one-half of the ultimate right-of-way or such portion of the ultimate right-of-way which is yet undedicated and which is on that development's side of the ultimate right-of-way center line.”*

Pursuant to LDR Section 5.3.1(A)(7), *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.

The property owner has requested that the Development Services Management Group issue a recommendation to the City Engineer that a right-of-way reduction is appropriate under the circumstances.

APPROVAL PROCESS:

If the request is approved, the DSMG can require that a public easement be required that is equivalent to the amount that would be required to dedicate.

If the reduction request is denied by the Development Services Management Group, an appeal can be requested by the applicant that will be considered by the City Commission for a final determination.