

# CHARLES PUTMAN & ASSOCIATES, LLC

LAND PLANNING SERVICES  
PLANNING | ZONING | PERMITTING

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May 12, 2025

**PATRICK FIGURELLA**

**DEVELOPMENT SERVICES ENGINEERING DIVISION MANAGER**

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**RECEIVED BY**

**JUN - 2 2025**

City of Delray Beach  
Development Services Dept.  
Planning & Zoning Div.

**SUBJECT: REQUEST FOR ROW REDUCTION – 2004 N. FEDERAL PROJECT**

This transmittal relates to a property located at 2004 N. Federal Highway. On February 19<sup>th</sup>, the applicant and staff held a pre-application meeting to discuss the overall details of the project. One of the issues discussed had to do with the ROW status of Dixie Highway which borders the property on the west. The basic issue had to do with what, if any, additional ROW the applicant might need to dedicate for the future expansion of the road. The staff noted the following in that regard:

*Required ROW* – Under current policies, the required ROW needed for Dixie Highway is 50' and each adjacent property owner is responsible for providing half the ROW – or 25'.

*Current ROW Provided* - The existing ROW in place for Dixie Highway (not including a 4' encroachment into the FEC Railroad ROW) measures 30'. See attached survey.

*Additional ROW needed from the Subject Property* - Per the City's criteria it would appear that the applicant would be responsible for dedicating an additional 10' of ROW based on the following: See *Exhibit # 1*.

*Existing ROW in Place for Dixie Highway* .....30'

*ROW required for Dixie Highway* .....50'

*Applicant's Portion of Current Requirement* .....25'

*ROW Currently Provided* .....15'

*Additional Dedication Required by City Criteria* .....10'

### ***REQUEST FOR ADMINISTRATIVE APPROVAL OF ROW REDUCTION:***

Pursuant to LDR Section 5.3.1 (A)(7) of the City code, the applicant is herein requesting that the ROW dedication requirement for his portion of Dixie Highway be reduced from 25' to 15'. This reduction will eliminate the need for him to dedicate an additional 10' of his site for the future expansion of the roadway.

The applicant feels that the approval of this request would be justified for the following reasons:

#### ***Compliance with Criteria for Administrative Relief criteria:***

*a) The relief sought is consistent with the specific authorization provided in these regulations:*

Section 5.3.1(A)(7) of the LDR indicates that a property owner may request approval of a reduction in a required right-of-way width.

*b) That the intent of the affected regulation is preserved:*

The intent of the dedication requirement would be to ensure that sufficient ROW will be available to meet the future expansion needs for Dixie Highway. Currently there is sufficient ROW in place to allow for the full functioning of the road and it is the applicant's understanding that there are no plans for the future expansion of the roadway. Given this, the current right of way that is in place for Dixie Highway adjacent to the applicant's property would appear to be adequate to serve the current and future needs without further dedication. Thus, the approval of this request for a 10' reduction in the amount of ROW needed from the subject site would not have an impact on the current operation of the highway or the plans for future expansion.

*c) The action will not be detrimental to the public health, safety or welfare.*

The approval of the proposed ROW reduction will not have an impact on the health, safety or the welfare of the neighborhood that the project is in or the City in general.

*d) The relief is consistent with the established character of the surrounding neighborhood.*

The granting of the request for ROW reduction will be consistent with the policies established for other properties along the Dixie Highway corridor in this area of the City.

### ***ADDITIONAL REVIEW CRITERIA***

Section 5.3.1(A)(7) asks that the following criteria be addressed when considering a request for the reduction of ROW:

*(a) The reduction is supported by the City Engineer.*

By this submission, the applicant is requesting approval of the ROW reduction by the City Engineer.

*(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 health and welfare.*

The dedication of the additional 10' of ROW for the expansion of Dixie Highway would significantly impact the applicant's ability to construct the proposed project in the following way. See Exhibit # 2 and Exhibit # 3.

- Per City code, the applicant is already required to provide an additional 10' of right-of-way on the east side of the project for the future expansion of Federal Highway.
- Exhibit # 2 shows the potential impact on the applicant's development plan if he were required to dedicate an additional 10' of ROW on the west side of the property for the expansion of Dixie Highway along with the 10' required on the east side of the property for Federal Highway.
- The dedication of the 10' for Federal Highway expansion is essential for the future plans for that corridor and the applicant can likely amend his plans to reflect that adjustment. However, dedicating the additional ROW for Dixie Highway, which is unlikely to ever be used, would seriously impact the viability of the project.

*(c) That acceptable alternative provisions are made to accommodate features which would otherwise be accommodated within the Right-of-way eg, alternative drainage systems, alternative walkways, alternative street parking, etc.*

The approval of this request for a ROW reduction will not impact any of the existing drainage features for Dixie Highway or any existing parking. However, it should be noted that the proposed plan currently provides for the construction of a sidewalk within the existing ROW along the Dixie Highway corridor.

### **Summary**

I hope that this transmittal provides you with sufficient justification for the approval of the applicant's formal request for a 10' reduction in the ROW requirement for Dixie Highway as it relates to the proposed development. If further information is needed or if there are any questions, please feel free to call or email. My cell phone is 561-866-3362 and my email is [chasputman@gmail.com](mailto:chasputman@gmail.com).

Regards,

**CHARLES PUTMAN AND ASSOCIATES**



Charles Putman