



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: February 26, 2026

REQUEST: Consideration of a reduction to the required Right-of-Way dedication for the south side of 102 NE 6th Avenue.

PROPERTY INFORMATION

Zoning:

Central Business District (CBD)

Prior Use:

Office Building, ca. 1926

Proposed Use:

Mixed Use Building with Office and Residential

BACKGROUND:

The request is associated with the redevelopment of the subject property. The original structure, built in 1926, is still present on-site.



On September 10, 2024 and January 23, 2025, pre-application meetings were held regarding the subject property. One of the items discussed was the requirement for Right-of-Way dedication on NE 1st Street. The applicant was informed that the required Right-of-Way width for NE 1st Street on the west side of the project was 50'. The current width of the Right-of-way is 50'. The subject property would be responsible for ½ of the required Right-of-Way. The current ½ width of the Right-of-Way is 25'. A dedication from the subject property of 2.5' would be required to make the total ½ width of 27.5'. The owner is requesting the DSMG reduce the required Right-of-Way ½ width from width from 27.5' to 25' adjacent to their property.

REVIEW OF CITY FACILITIES:

Currently NE 1st Street is a two-lane road. A review of the GIS system for City underground facilities shows that there is an 8" water main located in NE 1st Street and an 8" water main and an 8" gravity sewer main along the alley on the west side of the property. There is also a 60" drainage pipe in SE 1st Street running under the curb on the north side of the roadway.



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
SE 10 th Street	Swinton Avenue to Federal Highway (S.E. 6th Avenue)	Collector	City	60'	4 - 2
George Bush Boulevard	Swinton Avenue to NE 3 rd Avenue	Collector	City	50'	2
George Bush Boulevard	NE 3 rd Avenue to NE 5 th Avenue (Federal Highway)	Collector	City	66'	2
George Bush Boulevard	NE 5 th Avenue to NE 6 th Avenue (Federal Highway)	Collector	City	80'	2
George Bush Boulevard	NE 6 th Avenue (Federal Highway) to Andrews Ave	Collector	City	66'	2
George Bush Boulevard	Andrews Avenue to A-1-A	Collector	City	60'	2
Lowson Boulevard	Military Trail to Congress Avenue	Collector	City	80'	2
N.E. 1st Street	Swinton Avenue to Federal Highway (N.E. 6th Avenue)	Collector	City	55'	2
S.E. 1st Street	Swinton Avenue to Federal Highway (S.E. 6th Avenue)	Collector	City	55'	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 property located at the northwest corner of the intersection of NE 6th Avenue and NE 1st Street. Both NE 1st Street and NE 6th Avenue are improved. There is a power line running north along with west property line.

SITE PHOTOS:



Looking east along NE 1st Street from the west.



Looking at the west end of the property from the south. Note the power line.



Looking at the existing building from the south.



Looking from the southeast to the northwest in the intersection.



Looking west along the south property line.

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 2.5 foot 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.