



CITY OF DELRAY BEACH

DEPARTMENT OF PUBLIC WORKS

434 S Swinton AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7295



TO: Grisel Rodriguez, Senior Planner

FROM: Patrick A. Figurella, P.E., City Engineer

ISSUE DATE: September 17, 2024

RE: Abandonment of Old Palm Grove Pedestrian Ingress and Egress Utilization of Tracts OS 3, OS 4, OS 5, OS 10, OS 12 and OS 13
TAC ID-1173

Pursuant to Land Development Regulation (LDR) Section 2.4.9 (C) (4) (c) a recommendation of the City Engineer to the Planning and Zoning Board is required for abandonment of rights-of-way. The subject property owners are requesting the abandonment of the Utilization of Pedestrian Ingress and Egress Utilization of Tracts OS 3, OS 4, OS 5, OS 10, OS 12 and OS 13 as shown on the Plat of Old Palm Grove in Plat Book 99 Page 63 of the public records of Palm Beach County. The

The recommendation of the City Engineer is to deny the request for abandonment of the public ingress and egress based on the following analysis:

1. The purpose of the Pedestrian Ingress and Egress shown on the plat of Old Palm Grove is to provide for public non-vehicular access from Federal Highway through La Hacienda Gardens Park to Palm Trail. The provision of this access in the Old Palm Grove plat was a replacement of the access originally granted by the plats of Estuary – Plat Book 86 Page 75 and Estuary 2 – Plat Book 93 Page 129. The City Commission, by Resolution 24-03, as recorded in the Official Records of Palm Beach County in ORB 15161 PG 261 and Resolution 25-03, as recorded in the Official Records of Palm Beach County in ORB 15161 PG 267 abandoned portions of the public access provided by the two Estuary plats. The backup materials of both resolutions state that the reason the access was able to be abandoned was that Old Palm Grove plat had created the public access anew. All 3 plats referenced were approved providing for the provision of public non-vehicular access from Federal Highway to the park and Palm Trail. The public purpose for this access is still valid – La Hacienda Gardens Park and Palm Trail are still there and the non-vehicular travelling public still can get to them.
2. The City Commission is required per LDR Section 2.4.9 (C) (6) to make a finding that the abandonment will not result in a detriment for the provision of utility services to the adjacent properties or the general area. This request for abandonment of public ingress and egress will not impact the provision of utility services to this area.

SERVICE • PERFORMANCE • INTEGRITY • RESPONSIBLE • INNOVATIVE • TEAMWORK