



Legislation Text

File #: 18-221, **Version:** 1

TO: Mayor and Commissioners
FROM: Patrick Figurella, City Engineer - Program and Project Management
THROUGH: Mark R. Lauzier, City Manager
DATE: April 17, 2018

ACCEPTANCE OF A RIGHT OF WAY DEED FOR 810 N. SWINTON AVE.

Recommended Action:

Motion to Approve and accept 10' of Right of Way Dedication on NW 9th St. and 5' of Right of Way Dedication on N. Swinton Ave. located at 810 N. Swinton Ave.

Background:

Consider acceptance of Right of Way Dedications:

- 10' on NW 9th St.
- 5' on N. Swinton Ave.

On February 2nd, 2018, the property owner (810 N. Swinton LLC.) submitted Building Permit #18-174034 to construct a new single family residence located at 810 N. Swinton Ave. This property is located in the south west corner of N. Swinton Ave. on NW 9th St.

The roadway, NW 9th St. associated with this project is a local street without 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 30 feet on NW 9th St., per the survey, 15 feet would be required from this property. On November 21st, 2017, the City of Delray Beach's (City) DSMG determined that a 10' right of way dedication is acceptable.

The roadway, N. Swinton Ave. associated with this project is a local street without 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 40 feet on N. Swinton Ave., per the survey, 20 feet would be required from this property. On November 21st, 2017, the City's DSMG determined that a 5' right of way dedication is acceptable.

Attachments provided:

- 1) Right of Way Deed and Sketch Description "Exhibit A"
- 2) Survey 810 N. Swinton Ave.
- 3) PAPA Map Location 810 N. Swinton Ave.

- 4) PAPA Page 810 N. Swinton Ave.
- 5) Sun Biz Page 810 N. Swinton Ave.
- 6) 810 N. Swinton Ave. LLC. Operating Agreement
- 7) 11/21/17 DSMG Agenda and Minutes

City Attorney Review:

Approved as to form and legal sufficiency.

Timing of Request:

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