



Legislation Details (With Text)

**File #:** 20-629      **Version:** 1      **Name:**

**Type:** Request      **Status:** Agenda Ready

**File created:** 8/14/2020      **In control:** City Commission

**On agenda:** 9/10/2020      **Final action:**

**Title:** ITEMS A1, A2, A3, & B1 - ACCEPTANCE OF RIGHT-OF-WAY DEDICATIONS FOR 308 SW 3rd AVE., 312 SW 3rd AVE., AND 1003 NE 9th AVE AND A GENERAL EASEMENT UTILITY AGREEMENT FOR 702 NE 3rd AVE.

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Cover Report, 2. Item (1) - Legal Reviews, 3. Item (A1a) - ROW - 308 SW 3rd Ave., 4. Item (A1b) - Exhibit A - Sketch - 308 SW 3rd Ave, 5. Item (A2a) - ROW - 312 SW 3rd Ave., 6. Item (A2b) - Exhibit A Sketch - 312 SW 3rd Ave., 7. Item (A3a) - ROW - 1003 NE 9th Ave., 8. Item (A3b) - Exhibit A - 1003 NE 9th Ave., 9. Item (B1a)- G.U.E. Agreement - 702 NE 3rd Ave, 10. Item (B1b) - Exhibit A - 702 NE 3rd Ave.

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Public Works Director  
**THROUGH:** Jennifer Alvarez, Interim City Manager  
**DATE:** September 10, 2020

ITEMS A1, A2, A3, & B1 - ACCEPTANCE OF RIGHT-OF-WAY DEDICATIONS FOR 308 SW 3<sup>rd</sup> AVE., 312 SW 3<sup>rd</sup> AVE., AND 1003 NE 9<sup>th</sup> AVE AND A GENERAL EASEMENT UTILITY AGREEMENT FOR 702 NE 3<sup>rd</sup> AVE.

**Recommended Action:**  
**Consideration of the following items:**

**RIGHT-OF-WAY DEED(S)**  
**Items A**

- (A1)** Motion to approve and accept a Right-of-Way dedication by the owner(s) of 308 SW 3<sup>rd</sup> Ave. to the City of Delray Beach.
- (A2)** Motion to approve and accept a Right-of-Way Dedication by the owner(s) of 312 SW 3<sup>rd</sup> Ave. to the City of Delray Beach.
- (A3)** Motion to approve and accept a Right-of-Way Dedication by the owner(s) of 1003 NE 9<sup>th</sup> Ave. to the City of Delray Beach.

**GENERAL UTILITY EASEMENT(S)**

**Items B**

(B1) Motion to approve and accept a General Easement Utility Agreement by the owner(s) of 702 NE 3<sup>rd</sup> Ave.

**Background:**

**RIGHT OF WAY DEDICATION(S)**

**Item A1**

Consider acceptance of a Right-of-Way Dedication located at 308 SW 3<sup>rd</sup> Ave.

The owner(s), JSM Delray, LLC., submitted building permit # 20-188268 on 2/26/20 to construct a new single-family residence. The alley has an ultimate right-of-way width of 20 feet. In accordance with LDR 5.3.1 (D), 4' would be required from this property. As a result, a 4' Right-of-Way dedication was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

**Item A2**

Consider acceptance of a Right-of-Way Dedication located at 312 SW 3<sup>rd</sup> Ave.

The owner(s), JSM Delray, LLC., submitted building permit # 20-188267 on 2/26/20 to construct a new single-family residence. The alley has an ultimate right-of-way width of 20 feet. In accordance with LDR 5.3.1 (D), 4' would be required from this property. As a result, a 4' Right-of-Way dedication was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

**Item A3**

Consider acceptance of a Right-of-Way Dedication of 25' radius located at 1003 NE 9<sup>th</sup> Ave.

The owner(s), LHK Holdings, LLC., submitted building permit # 20-187304 on 1/02/20 to construct a new single-family residence. NE 9<sup>th</sup> Ave Street has been determined to require a 25' radius at the intersection between local streets. In accordance with LDR 6.1.2(C) (2) (e) a 25' right-of-way radius dedication is required to satisfy the requirement.

There is no City cost now or in the future for these items.

**GENERAL UTILITY EASEMENT(S)**

**ITEMS**

(B1) Consider acceptant of a General Easement Utility Agreement located at 702 NE 3<sup>rd</sup> Ave.

The owner(s) QC East Holdings, LLC, submitted permit # 20-00187729 on 1/29/20 for an addition on

a single- family residence. A 10' General Utility Easement is required to accommodate the needs of utilities in this area.

There is no City cost now or in the future for these items.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

NA

**Timing of Request:**

The timing of these requests is of high importance in order to process the project C/Os when completed.