



Legislation Details (With Text)

**File #:** 17-047      **Version:** 1      **Name:**

**Type:** Request      **Status:** Passed

**File created:** 12/21/2016      **In control:** City Commission

**On agenda:** 2/21/2017      **Final action:** 2/21/2017

**Title:** ACCEPTANCE OF A 5' RIGHT OF WAY DEDICATION ALONG SE 7TH AVENUE, FOR THE PROPERTY LOCATED AT 55 SE 7TH AVENUE

**Sponsors:** Planning & Zoning Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 55 SE 7th Avenue ROW Deed

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Director of Planning, Zoning, and Building  
**THROUGH:** Chief Neal de Jesus, Interim City Manager  
**DATE:** February 21, 2017

ACCEPTANCE OF A 5' RIGHT OF WAY DEDICATION ALONG SE 7TH AVENUE, FOR THE PROPERTY LOCATED AT 55 SE 7TH AVENUE

**Recommended Action:**

Motion to Approve the acceptance of a 5' Right-of-Way Dedication for the property located at 55 SE 7th Avenue.

**Background:**

The subject property is located on the east side of SE 7th Avenue between East Atlantic Avenue and SE 1st Street and consists of Lots 22-25 of Palm Square, an unrecorded Plat. The property is within the Marina Historic District, and is zoned Multi-family Residential Medium Density (RM). At its meeting of October 7, 2015, the Historic Preservation Board (HPB) approved a Certificate of Appropriateness (COA) for additions and alterations to the existing contributing single-family residence, presently under construction. As part of the review for both the COA and the building permit, a 5 foot wide right-of-way dedication was required.

Pursuant to LDR Section 5.3.1(D)(2), and the Transportation Element of the City's Comprehensive Plan, the required right-of-way width for SE 7th Avenue is 60 feet, whereas 40 feet presently exists. However, the Development Services Management Group recommended that the required width be reduced to 50 feet, thereby requiring a five foot right-of-way dedication. The right-of-way agreement is attached with an "Exhibit A" to illustrate the area to be designated.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

Finance recommends approval.

**Funding Source:**

N/A

**Timing of Request:**

Dedication must be accepted and recorded prior to Certificate of Occupancy.