



Legislation Details (With Text)

File #: 21-050 **Version:** 1 **Name:**
Type: Request **Status:** Passed
File created: 1/7/2021 **In control:** City Commission
On agenda: 2/2/2021 **Final action:** 2/2/2021
Title: ITEM(S) A1, A2 AND A3- ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION FOR 218 NW 9th St.;
ACCEPTANCE OF TWO RIGHT-OF-WAY DEDICATIONS FOR 200 NE 7TH AVE.
Sponsors: Public Works Department
Indexes:
Code sections:
Attachments: 1. Agenda Cover Report, 2. Item (1) Legal Review ROW Deed for 218 NW 9th St, 3. Item (1a) ROW -
218 NW 9th St, 4. Item (1b) Exhibit A -Sketch - 218 NW 9th St., 5. Item (A2) ROW - 200 NE 7th Ave.,
6. Item (A3) ROW - 200 NE 7th Ave.

Date	Ver.	Action By	Action	Result
2/2/2021	1	City Commission	approved	

TO: Mayor and Commissioners
FROM: Missie Barletto- Public Works Director
THROUGH: Jennifer Alvarez, Interim City Manager
DATE: February 2, 2021

ITEM(S) A1, A2 AND A3- ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION FOR 218 NW 9th St.;
ACCEPTANCE OF TWO RIGHT-OF-WAY DEDICATIONS FOR 200 NE 7TH AVE.

Recommended Action:
Consideration of the following items:

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

Item A1 - Motion to approve and accept a Right-of-Way dedication by the owner(s) of 218 NW 9th St.
to the City of Delray Beach.

Item A2 - Motion to approve and accept a Right-of-Way dedication by the owners of 200 NE 7th Ave.
to the City of Delray Beach.

Item A3 - Motion to approve and accept a Right-of-Way dedication by the owners of 200 NE 7th Ave.
to the City of Delray Beach

RIGHT OF WAY DEDICATION(S) **Item A1**

Consider acceptance of a Right-of-Way Dedication located at 218 NW 9th St.

The owner(s), Christopher J. Brown, submitted building permit #20-191250 on 8/10/20 for the subject

property. The property is at the intersection of NW 9th Street and NW 3rd Avenue. In accordance with LDR 6.1.2 (C)(2)(e), there must be a 25' radius at the intersection of two road right-of-ways. There is currently only a 20' radius. As a result, a 25' radius 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 200 NE 7th Ave.

The owner(s), JD Realty Holdings, LLC, submitted building permits #18-179506, 18-179508 and 18-179510 for the subject property. The adjacent roadway has an ultimate right-of-way width of 50 feet. In accordance with LDR 5.3.1 (D), 5' would be required from this property. As a result, a 5' 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 located at 200 NE 7th Ave.

The owner(s), JD Realty Holdings, LLC, submitted building permits #18-179506, 18-179508 and 18-179510 for the subject property. The adjacent alleyway has an ultimate right-of-way width of 20 feet. In accordance with LDR 5.3.1 (D), 2' would be required from this property. As a result, a 2' Right-of-Way dedication was requested to satisfy the requirement.

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 Certificates of Occupancy when completed.