



Legislation Text

File #: 16-012, Version: 1

TO: Mayor and Commissioners
FROM: Timothy Stillings, Director of Planning and Zoning
THROUGH: Donald B. Cooper, City Manager
DATE: January 5, 2016

ACCEPTANCE OF A RIGHT OF WAY DEED FOR 101 S.E. 7TH AVENUE

Recommended Action:

Motion to Approve acceptance of a Right of Way Deed for a 5' wide right of way along S.E. 7th Avenue for the property located at 101 S.E. 7th Avenue, within the Marina Historic District.

Background:

The subject property measures 0.29 acres (12,818 square feet), and is zoned RM (Medium Density Residential). The property, which is located within the Marina Historic District, contains a two-story, two-unit building was constructed on the site in 1950 and is classified as a contributing. At its meeting of June 3, 2015, the Historic Preservation Board approved a Class IV Site Plan Modification for the conversion of the existing, contributing two-unit building to a single-unit, construction of a two-car garage associated with the historic building, construction of two additional units to the south. The approval included a condition of approval for the dedication of 5 feet of right of way along SE 7th Avenue.

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. Currently 40 feet of right of way exists for SE 7th Avenue. The Development Services Management Group (DSMG) and waived the 60 feet requirement, but required the right-of-way to expand to 50 feet. Therefore, a 5 feet wide dedication (half the distance of the difference) is required. Installation of a 5 feet wide sidewalk is not required as it exists and spans the entire length of the property. The right-of-way deed submitted includes "Exhibit A" which identifies the geographic area of the right-of-way dedication.

City Attorney Review:

Approved as to form and legal sufficiency.