



Legislation Text

File #: 17-038, Version: 1

TO: Mayor and Commissioners
FROM: Timothy Stilling, Planning, Zoning and Building Director
THROUGH: Chief Neal deJesus, Interim City Manager
DATE: January 10, 2017

CERTIFICATION OF THE FINAL PLAT FOR BEACON PLAT

Recommended Action:

Motion to Certify the Final Plat for the **Beacon Plat**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Land Development Regulations Section 2.4.5(J)(Major Subdivisions), Section 3.2.3 (Standards for Plat Actions) and Section 3.1.1 (Required Findings).

Background:

The subject property consists of portions of Sections 4 and 5, Township 46 South, Range 43 East of the City of Delray Beach, Palm Beach County, Florida and measures 1.5736 acres (68,544 sq. ft.). The site contains existing Parcels 1 through 5 and has a Future Land Use Map (FLUM) designation of LD (Low Density Residential) and is zoned R-1-AA (Single Family Residential). Existing Parcels 1, 2, 3 and 5 are designated for single family detached residences. Parcel 4 (now proposed as Tract "A"/Beacon Lane) is an existing 40' wide water, sewer and access easement which aligns with Coconut Road/Beacon Lane, abutting the site to the east, and continues through the site to connect to North Swinton Avenue on the west. This water, sewer and access easement was also established via separate easement and is recorded in ORB 7990 PG1593. The 5 parcels and Tract "A" are currently vacant/unimproved.

While there is no paved surface for the portion of roadway on this plat, it should be noted that the sanitary sewer line is already installed as a continuation from Coconut Road and extends both westward and southward into this Beacon Plat. Additionally, water service is already installed originating from North Swinton Avenue, running eastward in the 40' proposed Tract "A" toward Coconut Road.

The existing parcel configuration was recorded by separate instruments by previous private owners in the Official Record Books of Palm Beach County. Thus, no prior plat exists. This is a new plat for the dedication, layout of a street and utilities for public use, and is technically not a replat. The official record book and page number references reflecting the original configuration of all existing 5 parcels vary as follows: Parcel 1 & 2 (ORB24600 PG1961), Parcel 3 (ORB24367 PG1803), Parcel 4 (ORB24547 PG 1144) and Parcel 5 (ORB02278 PG1745). An access easement which runs north-south beginning in Parcel 4 and extending south through Parcel 1 was independently established via separate instrument and that deed is recorded in ORB22991 PG504). Its width varies from 23.2' on the northernmost end to 21.14' on the southernmost end. Along the east boundary line of Parcel 1, a 20' water and sewer easement exists which was recorded by separate instrument, and this is

reflected in ORB8045 PG996.

On October 17, 2016, the Planning & Zoning Board made a recommendation of approval to the preliminary plat, subject to conditions which included staff's recommendations and provision of the 40' right-of-way as a public road with traffic calming features.

On December 19, 2016, the Planning & Zoning Board recommended certification of the Final Plat associated with the Beacon Plat which proposes to plat the existing 4 separate single family detached residential lots as 5 lots, with a 40' wide public right-of-way named "Beacon Lane", providing a platted continuation from the existing "Coconut Road" to the east and "North Swinton Avenue" to the west.

Plat Analysis:

The 1.5736 acre Beacon Plat will consist of Lots 1-5 and a 40' wide public road extension for Coconut Road (Tract "A"). Lots 1-5 are intended for single family detached residences. A vehicular connection to Coconut Road is proposed that will connect North Swinton Avenue to Seacrest Boulevard.

The plat also includes a 5' sidewalk easement on the north and south sides of the extended Coconut Road right-of-way (Tract "A"). A proposed 10' general utility easement overlaps the sidewalk easement and is also located on the north and south sides of Coconut Road (Tract "A"). Two 10' x 20' access easements are proposed along the east perimeter of the site north and south of Coconut Road. The existing 20' water and sewer easement which runs north and south along the east side of Lot 4 will remain. A new 10' drainage easement is proposed along the western side of Lot 3 which fronts on North Swinton Avenue.

To accommodate the proposed plat, removal of an existing "Sausage Tree" which is centered in the existing Coconut Road right-of-way abutting the Beacon Plat, would be necessary in order to have through access to the proposed Beacon Lane. The cost to remove the tree is estimated at \$1,650 and is included as an attachment to this staff report. The tree is not located within the Beacon Plat boundaries.

The proposed plat is consistent with R-1-AA (Single Family Residential) Zoning and LD (Low Density Residential) Future Land Use Map (FLUM) designation for the subject property. Positive findings can be made with respect to LDR Section 2.4.5(J)(Major Subdivisions), LDR Section 3.1.1 (Required Findings), Section 3.2.3 (Standards for Plat Actions) and the Goals, Objectives and Policies of the Comprehensive Plan.

City Attorney Review:

Approved as to form and legal sufficiency.

Finance Department Review:

N/A

Funding Source:

N/A

Timing of Request:

N/A