

(03:18)

2. [LN-489](#)

NE 26TH AVE RIGHT OF WAY ABANDONMENT

Request:	Right of Way Abandonment
P&Z#	23-18000003
Owner:	City of Pompano Beach
Project Location:	N.E. 26th Avenue
Folio Number:	Multiple Folios
Land Use Designation:	Residential (L)
Zoning District:	Residential (RS-2)
Commission District:	1 (Andrea McGee)
Agent:	Maggie Barszewski
Project Planner:	Maggie Barszewski

Ms. Maggie Barszewski, Project Planner, introduced herself to the Board and stated this is a City-initiated request to abandon a right-of-way shown on the Avalon Garden Estates 1st Addition Plat. She noted the Avalon Garden Estates 1st Addition was first platted in 1957 and simply extended the width of Hidden Harbor Drive. The subject right-of-way consists of swale area located along the east and west sides of NE 26th Avenue north of NE 13th Street. After researching the request, the Development Services Department made the determination that this segment of NE 26th Avenue is wider (70-foot width) than the typical residential Street (50-foot width). The request originated with Rodney Mackenburg, whose property lies along the eastern side of NE 26th Avenue (1320 NE 26th Avenue). The original request included the ROW in front of eight houses along the segment but a door-to-door survey of the property owners, two property owners decided not to be included to receiving the additional property. There were no objections to the abandonment. Since the property owners along this segment of the avenue have expressed a desire to have the width of NE 26th Avenue be the same as any typical residential street, the Development Services Department determined that a City initiated request should be made. The request had to be adjusted to accommodate a utility line running along the eastern side of NE 26 Avenue. As a result, only 5 feet can be abandoned along the east side and 10 feet can be abandoned along the west side. Utility easements will be retained over the entire area being abandoned.

Given the information provided to the Board, staff provides the following alternative motions for the Board's review:

Alternative Motion 1:

Recommend approval to the City Commission as the Board finds that the right-of-way abandonment meets the standards of Section 155.2431D.1. & 2. With the following condition:

1. A utility easement will be retained over the entire area being abandoned.

Alternative Motion 2:

Table this abandonment request to allow time for the Applicant to address any objections raised by the affected parties or to get additional information.

Staff recommends alternative motion number I.

Chair Coleman asked the Board if there were any questions for staff. There were none.

Sept. 27, 2023
P&Z Minutes Continued

Chair Coleman opened the public hearing. No one came forth to speak. Chair Coleman closed the public hearing.

(07:00)

MOTION by Derek Lewis and seconded by Tundra King that the Board finds that competent, substantial evidence has been presented for the Right of Way Abandonment that satisfies the review criteria, and move approval of the item, subject to the one (1) condition provided by staff, as amended. All voted in favor. The motion was approved.

(07:56)