



Legislation Details (With Text)

File #: 12-18 **Version:** 2 **Name:**

Type: Ordinance **Status:** Passed

File created: 6/26/2018 **In control:** City Council

On agenda: 8/9/2018 **Final action:** 8/9/2018

Enactment date: 8/16/2018 **Enactment #:** 10-18

Title: PROPOSED ORDINANCE NO. 12-18 - VACATION OF RIGHT-OF-WAY 1600 BLOCK OF NORTH 18TH AVENUE

Sponsors: Ashton J. Hayward, III

Indexes:

Code sections:

Attachments: 1. Proposed Ordinance No. 12-18 Revised, 2. Vacation of Right-of-Way Application, 18th Avenue, dated May 11, 2018, 3. Right-of-Way Map, 18th Avenue Right-of-Way Vacation Request, 4. June 12, 2018 Planning Board Minutes, 5. Technical Comments, 18th Avenue Right-of-Way Vacation Request, 6. Citizen Comments, 18th Avenue Right-of-Way Vacation Request, 7. Neighbor Petition, 18th Avenue Right-of-Way Vacation Request, 8. EMAIL FROM JODY BRAXTON FOLLOWING 1ST READING, 9. EMAIL FROM STEPHEN DUNN MOODY, 10. LETTER IN OPPOSITION FROM EAST HILL NEIGHBORHOOD ASSOCIATION, 11. VARIOUS HANDOUTS PROVIDED AT CC MTG, 12. PROOF OF PUBLICATION

Date	Ver.	Action By	Action	Result
8/9/2018	2	City Council	Adopted as Amended	Pass
8/6/2018	2	Agenda Conference	Placed on Regular Agenda	Pass
7/19/2018	1	City Council	Passed on first reading	Pass
7/16/2018	1	Agenda Conference	Placed on Regular Agenda	Pass

LEGISLATIVE ACTION ITEM

SPONSOR: Ashton J. Hayward, III, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 12-18 - VACATION OF RIGHT-OF-WAY 1600 BLOCK OF NORTH 18TH AVENUE

RECOMMENDATION:

That City Council adopt Proposed Ordinance No. 12-18 on second reading, as amended (based on action taken at the Public Hearing on 7/19/18).

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF THE 1600 BLOCK OF NORTH 18TH AVENUE RIGHT OF WAY; IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: No Hearing Required

SUMMARY:

The City has received a request from Jonathon and Ryan Wiggins, in conjunction with Michael Callaghan and Galen Nase, to vacate a 34.8 foot portion of the 1600 Block of North 18th Avenue adjacent to the properties located at 1771 E. Mallory and 1774 E. Moreno Streets. Mr. and Mrs. Wiggins have indicated that the purpose for their request is to be able to construct a garage and small attached guest house. Mr. Callaghan and Mr. Nase have indicated the purpose for their request is to acquire the land where their semi-circular driveway is located.

On June 12, 2018, the City's Planning Board unanimously recommended approval of the request with several stipulations. The Planning Board approved the right-of-way vacation request with the stipulation of a 5 foot landscape strip, 5 foot sidewalk, total right-of-way to be maintain at no less than 60 feet, sidewalk to be constructed within 90 days, sidewalk to be built to the road and to City of Pensacola and ADA standards. The June 12, 2018 Planning Board minutes are attached as well and reflect the discussion which led to the motion.

PRIOR ACTION:

Public Hearing held on July 19, 2018 with City Council approving to vacate the western 29.4 feet of the right-of-way with no requirement to rebuild the existing sidewalk.

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

7/10/2018

STAFF CONTACT:

Keith Wilkins, City Administrator
Sherry H. Morris, AICP, Planning Services Administrator
L. Derrik Owens, Director of Public Works & Facilities/City Engineer

ATTACHMENTS:

- 1) Proposed Ordinance No. 12-18, Revised
- 2) Vacation of Right-of-Way Application, 18th Avenue, dated May 11, 2018
- 3) Right-of-Way Map, 18th Avenue Right-of-Way Vacation Request
- 4) June 12, 2018 Planning Board Minutes
- 5) Technical Comments, 18th Avenue Right-of-Way Vacation Request
- 6) Citizen Comments, 18th Avenue Right-of-Way Vacation Request
- 7) Neighbor Petition, 18th Avenue Right-of-Way Vacation Request

PRESENTATION: No