



## Legislation Details (With Text)

**File #:** 21-19      **Version:** 2      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 5/21/2019      **In control:** City Council

**On agenda:** 7/18/2019      **Final action:** 7/18/2019

**Enactment date:** 7/25/2019      **Enactment #:** 15-19

**Title:** PROPOSED ORDINANCE NO. 21-19 - VACATION OF RIGHT-OF-WAY 400 BLOCK OF 11TH AVENUE

**Sponsors:** Grover C. Robinson, IV

**Indexes:**

**Code sections:**

**Attachments:** 1. Proposed Ordinance No. 21-19, 2. Vacation of Right-of-Way Application and Supporting Documentation, 11th Avenue, 3. Rendering and Plans, 11th Avenue Right-of-Way Vacation Request, 4. Technical Comments, 11th Avenue Right-of-Way Vacation Request, 5. May 14, 2019 Planning Board Minutes, 6. PROOF OF PUBLICATION - ORD SECOND READING

Date	Ver.	Action By	Action	Result
7/18/2019	2	City Council	Adopted	Pass
7/15/2019	2	Agenda Conference	Placed on Regular Agenda	Pass
6/13/2019	1	City Council	Passed on first reading	Pass
6/10/2019	1	Agenda Conference	Placed on Regular Agenda	Pass

### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

### **SUBJECT:**

PROPOSED ORDINANCE NO. 21-19 - VACATION OF RIGHT-OF-WAY 400 BLOCK OF 11TH AVENUE

### **RECOMMENDATION:**

That City Council adopt Proposed Ordinance No. 21-19 on second reading.

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF THE 400 BLOCK OF 11<sup>TH</sup> 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 Anthony L. Terhaar Enterprises, LLC, to vacate a portion of the 400 Block of 11<sup>th</sup> Avenue between LaRua and Belmont Streets. The applicant has indicated the reason for the request is to attain the highest and best use of the property and to preserve and increase the property values in this area of East Hill. If granted, the additional ten (10) feet will allow the applicant to construct two single family attached structures instead of one single family detached structure. This request is consistent with a previous vacation of 11<sup>th</sup> Avenue to the North and will make the easterly property lines consistent within the southern-most two blocks of 11<sup>th</sup> Avenue.

This request has been routed through the various City departments and utility providers and those comments are attached for your review. Staff has been made aware that utilities are present within this right-of-way area and a full width easement has been included in the proposed ordinance.

On May 14, 2019, the City's Planning Board unanimously recommended approval of this request.

**PRIOR ACTION:**

June 13, 2019 - City Council conducted a Public Hearing on the Request to Vacate Right-of-Way - 400 Block of 11<sup>th</sup> Avenue.

June 13, 2019 - City Council voted to approve Proposed Ordinance No. 21-19 on first reading.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

5/30/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Sherry H. Morris, AICP, Assistant Planning Services Administrator

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 21-19
- 2) Vacation of Right-of-Way Application and Supporting Documentation, 11<sup>th</sup> Avenue
- 3) Rendering and Plans, 11<sup>th</sup> Avenue Right-of-Way Vacation Request
- 4) Technical Comments, 11<sup>th</sup> Avenue Right-of-Way Vacation Request
- 5) May 14, 2019 Planning Board Minutes

**PRESENTATION:** No