Meeting Date: 8/26/2019

Prepared by: Stephen Mayer

Title of Item: FIRST READING: MOLLY'S HOUSE ROW ABANDONMENT (QUASI-JUDICIAL)(RC):

ORDINANCE No. 2414-2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO PROVIDE FOR THE ABANDONMENT OF CERTAIN PUBLIC RIGHT-OF-WAY WITHIN THE CITY BEING THAT CERTAIN 12-FOOT PORTION OF RIGHT-OF-WAY, AS SET FORTH ON THE PLAT OF STYPMANN'S SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 82, MARTIN COUNTY, FLORIDA PUBLIC RECORDS RUNNING EAST TO WEST THROUGH THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO; PROVIDING FOR PAYMENT OF A PRIVILEGE FEE: PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

This is the First Reading of Ord 2414-2019. The applicant, owner of real property at 430 SE Osceola (Known as Molly's House), have requested the abandonment of 12 feet of unutilized public Right of Way. That is behind the main house and between the house and a shed on Lot 5 of Block 1 of the Stypmann's subdivision. The 12' right of way is located generally as a discontinued alley between SE Osceola Street and SE Ocean Boulevard. The City's Public Works Department has determined that the use of the Right of Way is no longer in the public's best interest and does not object to the abandonment of the City's interest.

A fair market appraisal of the real property has determined that the market value of the property is $1,175. As provided in Section 36-2 of the City's Code of Ordinances, staff recommends payment of a privilege fee in the amount of 100% of the market value, or $1,175, prior to the abandonment of the City's interest. The applicant is requesting a waiver from the payment of the privilege fee, which the City Commission could waive per Section 36-2., in matters of public interest.

Funding Source:

N/A

Recommended Action:

Move approval of Ordinance 2414-2019 on First Reading and move to hear the item on Second Reading on Sept 9, 2019.