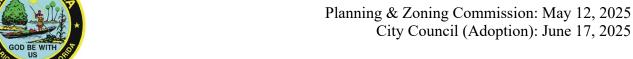


Planning & Zoning Commission: May 12, 2025



**Applicant/Property Owner:** NSC Silver Springs LLC **Project Planner:** Emily W. Johnson, AICP

A request to abrogate a portion of NE 47<sup>th</sup> Court between Block **Applicant Request:** 

> I, Lot 2 and Block F, Lot 17 of Glynnwood Unit 1 as recorded in Plat Book G, Page 91, of the public records of Marion County,

Florida.

**Zoning District:** R-1, Single-Family Residential

**Future Land Use:** Neighborhood

**Associated Applications:** LUC23-45427, PD23-45431

**Parcel Information** 

 $\pm 0.22$  acres Acres:

Parcel#: 2735-0006-017 & 2735-009-002

Location: Approximately 256 feet south of the intersection of E Silver

Springs Boulevard and NE 49<sup>th</sup> Avenue

Existing use: Unimproved right-of-way

N/A Overlay(s):

Figure 1. Aerial Location Map



# **Adjacent Property Information**

Direction	Future Land Use	Zoning District	Current Use
North	Neighborhood	PD, Planned Development	Undeveloped commercial
East	Low Intensity Neighborhood	B-2, Community Business R-1, Single-Family Residential	Drive-through fast food restaurant (Arby's) and undeveloped parcel identified as part of the Chapter 163 Agreement for the Alderbrook development, adjacent to NE 49 <sup>th</sup> Ave
South	Neighborhood	R-1, Single-Family Residential	Undeveloped residential
West	Low Intensity	PD, Planned Development	Undeveloped commercial

#### **Applicant Request**

The applicant is requesting to abrogate a 50-foot-wide right-of-way, lying south of and adjacent to Block I, Lot 2 (PID 2735-009-002), and north of and adjacent to Block F, Lot 17 (PID 2735-006-017) of the Glynnwood Unit 1 Plat, recorded in Plat Book G, Page 91, within the public records of Marion County, Florida.

The applicant intends to incorporate the right-of-way area into the Planned Development proposed by concurrent application PD23-45431 and shift the NE 49<sup>th</sup> Avenue access connection slightly south.

### **Background**

The subject 50-foot-wide right-of-way is depicted on the recorded plat of Glynnwood Unit 1 (PB G, Page 91) as NE 47<sup>th</sup> Court. NE 47<sup>th</sup> Court was identified as part of a conceptual PD Plan for Avatar Properties (PUD14-0002 approved by Resolution 2016-4), providing access between the planned development and NE 49<sup>th</sup> Avenue.

The conceptual PD Plan submitted with a concurrent application (PD23-45431) reflects the PD access relocated from NE 47<sup>th</sup> Court to a proposed road bisecting PID 2735-006-017. Additionally, the PD Plan reflects that an east-west cross access between NE 49<sup>th</sup> Avenue and NE 46<sup>th</sup> Avenue would still be provided. It is noted that this cross-access movement would capture internal trips between the neighboring residential subdivision (Glynnwood Unit 1), the Planned Development, and the shopping center development to the west.

### **Staff Analysis**

The potential abrogation of NE 47<sup>th</sup> Court will not negatively impact any adjacent properties; the applicant, NSC Silver Springs LLC, owns both properties on either side of the right-of-way. If approved, the applicant will become responsible for the maintenance of this strip of land and must provide alternate access to NE 49<sup>th</sup> Avenue, consistent with the corresponding PD Plan. FDOT has indicated they are in support of the provision of cross access between NE 49<sup>th</sup> Avenue and NE 46<sup>th</sup> Avenue, to relieve traffic congestion associated with movement along E Silver Springs Boulevard.

## **Utility Responses**

The utility responses are summarized as follows:

Utility	Date	Response
CenturyLink/Lumen:	4/27/2025	No objection.
Jerry Peacock		
Cox Communications:		Sent for review on 3/17/2025. No response received.
Paul Christopher		
Electric (OEU):	4/28/2025	No objection.
Donnie Fales		
Fiber:	4/28/2025	No objection.
William Weakland		
Public Works:	3/17/2025	No objection.
Darren Park		
TECO:	3/17/2025	No facilities in the highlighted area and no objection.
Landon Meahl		
SECO	4/3/2025	The area is not within SECO territory. No objection.
Idalia Butler		
Transportation Engineering:	4/28/2025	No objections to requested abrogation, a FDOT permit
Noel Cooper		will be required for the proposed SR 40 access.
Water Resources:	3/18/2025	Water resources engineering has no objections. The
Richard Ragosta		utilities infrastructure falls within the right-of-way of
		NE 49 <sup>th</sup> Avenue.
Stormwater Engineering:	4/28/2025	There is an existing storm pipe, which could be within
Payal Panda		NE 49 <sup>th</sup> Ave right of way. This pipe is taking runoff
		from ditch on NE 49 <sup>th</sup> Ave. Just make sure this pipe is
		in City's right of way.
Surveying	4/30/2025	A minor revision to the legal description is necessary to
R. Kelly Roberts		create a tangent condition with no portion of what will
		become the remaining right-of-way of N.E. 49 <sup>th</sup> Avenue
		to be less than the minimum width of 50 feet.
Commercial Sanitation:	3/17/2025	No objection (sent by Darren Park).
Cloretha McReynolds		

### **Staff Findings and Recommendation**

- There are no known utilities located within the subject right-of-way.
- Connectivity and cross access between NE 49<sup>th</sup> Avenue and NE 46<sup>th</sup> Avenue would still be provided via a new roadway proposed by PD23-45431.

Staff recommends approval of the request to abrogate a portion of NE 47<sup>th</sup> Court between Block I, Lot 2 and Block F, Lot 17 of Glynnwood Unit 1 as recorded in Plat Book G, Page 91, of the public records of Marion County, Florida, with the following conditions:

- 1. An alternate cross access between NE 49<sup>th</sup> Avenue and NE 46<sup>th</sup> Avenue shall be provided, consistent with the corresponding PD Plan.
- 2. Utility easements for the existing storm pipe, located parallel to the right-of-way of NE 49<sup>th</sup> Ave shall be provided.

3. The final legal description shall be approved by the City Surveying department.

Staff Recommendation: Approval of ABR23-45418, subject to conditions.
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