Staff Report

Case No. ABR23-45418
Planning & Zoning Commission: May 12, 2025
City Council (Adoption): June 17, 2025

Applicant/Property Owner:	NSC Silver Springs LLC
Project Planner:	Emily W. Johnson, AICP
Applicant Request:	A request to abrogate a portion of NE 47th 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.
Zoning District:	R-1, Single-Family Residential
Future Land Use:	Neighborhood
Associated Applications:	LUC23-45427, PD23-45431
Parcel Information	
Acres:	±0.22 acres
Parcel#:	2735-0006-017 & 2735-009-002
Location:	Approximately 256 feet south of the intersection of E Silver Springs Boulevard and NE 49th Avenue
Existing use:	Unimproved right-of-way
Overlay(s):	N/A

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 49th 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 49th 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 47th Court. NE 47th 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 49th Avenue.

The conceptual PD Plan submitted with a concurrent application (PD23-45431) reflects the PD access relocated from NE 47th Court to a proposed road bisecting PID 2735-006-017. Additionally, the PD Plan reflects that an east-west cross access between NE 49th Avenue and NE 46th 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 47th 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 49th Avenue, consistent with the corresponding PD Plan. FDOT has indicated they are in support of the provision of cross access between NE 49th Avenue and NE 46th 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: Jerry Peacock	4/27/2025	No objection.
Cox Communications: Paul Christopher		Sent for review on 3/17/2025. No response received.
Electric (OEU): Donnie Fales	4/28/2025	No objection.
Fiber: William Weakland	4/28/2025	No objection.
Public Works: Darren Park	3/17/2025	No objection.
TECO: Landon Meahl	3/17/2025	No facilities in the highlighted area and no objection.
SECO Idalia Butler	4/3/2025	The area is not within SECO territory. No objection.
Transportation Engineering: Noel Cooper	4/28/2025	No objections to requested abrogation, a FDOT permit will be required for the proposed SR 40 access.
Water Resources: Richard Ragosta	3/18/2025	Water resources engineering has no objections. The utilities infrastructure falls within the right-of-way of NE 49th Avenue.
Stormwater Engineering: Payal Panda	4/28/2025	There is an existing storm pipe, which could be within NE 49th Ave right of way. This pipe is taking runoff from ditch on NE 49th Ave. Just make sure this pipe is in City's right of way.
Surveying R. Kelly Roberts	4/30/2025	A minor revision to the legal description is necessary to create a tangent condition with no portion of what will become the remaining right-of-way of N.E. 49th Avenue to be less than the minimum width of 50 feet.
Commercial Sanitation: Cloretha McReynolds	3/17/2025	No objection (sent by Darren Park).

Staff Findings and Recommendation

- There are no known utilities located within the subject right-of-way.
- Connectivity and cross access between NE 49th Avenue and NE 46th 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 47th 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 49th Avenue and NE 46th 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 49th 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.***