

Planning Commission Agenda Item for March 19, 2013

Case Number 12.056V: Partial Vacate Request of a 50 Foot Wide General Utility Easement
Located on Lots 1A, 1B, 1C and 1D, Block 9, Rolling Hills Subdivision

Applicant/Owner: Michael Chambers

Agent: Doyle Land Surveying

Location: East 7th Street and Church Avenue

Summary:

The property owner requests that the City vacate a portion of a 50 foot wide General Utility Easement located on his property.

Background:

The property is located at the intersection of East 7th Street and Church Avenue on the northeast corner. The four (4) lots are in the Rolling Hills Subdivision.

The purpose of the Vacate Request is to remove a portion of the 50 foot wide General Utility Easement which shows on the plat for the subdivision and which crosses the property in a diagonal manner. The General Utility Easement is no longer needed since City sewer has been abandoned in the easement and placed in the right-of-way of East 7th Street.

A 20 foot wide General Utility Easement runs north-south covering a portion of Lots 1B (5 feet) and Lot 1C (15 feet). The 20 foot wide General Utility Easement intersects with the 50 foot wide General Utility Easement as there are utilities underground in that area. The General Utility Easement on Lots 1B and 1C will then remain in place as utilities are situated within it. City staff has reviewed the proposal and finds it in the best interest of the City to vacate the 50 foot wide General Utility Easement and leave a 20 foot wide General Utility Easement in place.

Planning Requirements:

1. If approved by the City Council, the Ordinance and Exhibit 'A' Map shall be recorded at the Campbell County Courthouse.
2. The 20 foot wide General Utility Easement which intersects the 50 foot wide Sewer Easement shall remain in place.
3. Any further development of the property shall comply with City of Gillette requirements.

Staff Recommendation:

Staff recommends approval of the Easement Vacation for a 50 foot wide General Utility Easement located on Lots 1A, 1B, 1C and 1D, Block 9, Rolling Hills Subdivision as shown on the Exhibit 'A' Map, subject to all Planning requirements.

This case is tentatively scheduled for First Reading by City Council on April 1, 2013 at 7:00 p.m. in the City Council Chambers.

Save: 12.056V PC Case Sheet

Attachments: Aerial and Vicinity Map, Exhibit 'A' Map

Case Manager: Michael Surface

ePlans: 12-819