



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: September 16, 2019

Re: 1500 Highlands Court - Easement Vacation (Case #160-2019)

## Executive Summary

Approval of this request would result in the partial vacation of an existing access and utility easement on the southern property line of Lot 833 of the Highlands Plat 8-B, which is presently improved with a home addressed as 1500 Highlands Court.

## Discussion

Central Counties Surveying, on behalf of Darren and Crystal Wittenberger (owners), request that the City vacate the northern 29.5 feet of an existing 50-foot wide access and utility easement that lies across the southern portion of their lot. The vacation will allow for an expansion of the garage attached to their existing home.

The Wittenberger's property, Lot 833 of the Highlands Plat 8-B, was platted in 1990 with a 50-foot easement denoted on the plat as an "access and utility easement." After researching the easement, staff has determined it was platted to provide maintenance access to the overhead electric line and a safety buffer between structures and the overhead line. The easement, at 50-feet wide, is not practicable to use as road right-of-way due to extreme topographical conditions from Highlands Court east to W. Old Plank Road.

The existing overhead electric line is approximately 5.5 feet from the southern property line. The applicant, the owners, and the owner's architect have worked together with Electric Utility staff to ensure that the garage expansion would ensure safety and maintain adequate access for maintenance trucks to service the existing utility line. The easement vacation would result in a 20.5 foot easement being retained for electric utility maintenance.

As shown in the easement vacation exhibit, no part of the existing 20' sanitary sewer easement which perpendicularly-crosses the access and utility easement is proposed to be vacated. No future utility expansion plans are anticipated to be impacted by the partial easement vacation. The vacation request also does not nullify the 25' perimeter setback shown along the southern property line on the plat which is a requirement of the underlying PD zoning of the site.

Staff supports the requested partial easement vacation. Locator maps and vacation graphic are attached for reference.



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

## Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: None.

## Strategic & Comprehensive Plan Impacts

### Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

## Legislative History

Date	Action
03/04/1991	Ord. No. 12887: Approved "The Highlands Plat 8-B"

## Suggested Council Action

Approve the requested access and utility easement vacation.