



Legislation Details (With Text)

**File #:** ORD 2018-005      **Name:** Leder Hillsboro Vacation of Sewer Easement

**Type:** Ordinance      **Status:** Passed

**File created:** 1/9/2018      **In control:** City Commission

**On agenda:** 3/8/2018      **Final action:** 3/8/2018

**Title:** AN ORDINANCE VACATING, RELEASING, AND ABANDONING A UTILITY EASEMENT FOR THE PROJECT KNOWN AS LEDER HILLSBORO LOCATED AT 4171 WEST HILLSBORO BOULEVARD. (SECOND READING)(PUBLIC HEARING)

**Sponsors:**

**Indexes:** Ordinance, Vacation of Easement

**Code sections:** 13-36.1 - Vacation and Abandonment of Streets and Easements

**Attachments:** 1. ORDINANCE 2018-005-Leder Hillsboro Easement Vacation, 2. EXHIBIT A-Legal Desc-Leder Hillsboro Easement Vacation, 3. MAP-Leder Hillsboro Easement Vacation, 4. MINUTES-2017-1011 P&Z Mtg, 5. MINUTES-2018-0110 P&Z Mtg

Date	Ver.	Action By	Action	Result
3/8/2018	1	City Commission		
2/22/2018	1	City Commission		

AGENDA ITEM REPORT

**TITLE:**

AN ORDINANCE VACATING, RELEASING, AND ABANDONING A UTILITY EASEMENT FOR THE PROJECT KNOWN AS LEDER HILLSBORO LOCATED AT 4171 WEST HILLSBORO BOULEVARD. (SECOND READING)(PUBLIC HEARING)

**BACKGROUND:**

**This item was approved on First Reading at the February 22, 2018, City Commission Meeting.**

The applicant, James Kahn, of Keith and Associates Inc., is requesting the vacation of a 10-foot utility easement (sewer) located within Tract "A," of the LEDER HILLSBORO COMPANY PLAT - PART 1. On October 11, 2017, the property owner received site plan approval by the Planning and Zoning Board for the construction of a self-storage facility and pet lodge with animal boarding. During the site plan review process, the utility easement was identified by the applicant where the proposed self-storage building was to be constructed. City engineering staff concluded that only sewer service exists within the easement and recommended that the entire easement be vacated. The applicant has agreed to remove the utilities in accordance with City Engineering Standards.

**DISCUSSION:**

The City's Development Review Committee (DRC) has reviewed this request in conjunction with the proposed site plan. The City's Utilities and Engineering Department will coordinate with the applicant

on the relocation of utilities and the recordation of any new easement that may be required.

**PUBLIC INVOLVMENT:**

Per Section 13-36.1(e)(1)(c), property owners within 300 feet of the subject property (thirty-nine property owners) were notified by mail of the vacation of easement request and invited to attend the Planning and Zoning Board meeting and the City Commission meeting. To date, staff has not received any public inquiries related to the project.

**RECOMMENDATION:**

The Planning and Zoning Board, at its January 10, 2018, meeting, recommended approval of this application subject to the condition that outstanding DRC comments remain effective throughout the development review process and must be addressed prior to issuance of a building permit. Outstanding DRC comments are included in the Planning and Zoning Board Agenda backup and are available online for review.

**FISCAL IMPACT:** N/A