

# City of Lee's Summit

## Department of Planning and Codes Administration

August 19, 2016

TO: Planning Commission  
FROM: Robert G. McKay, AICP, Director   
RE: **Application #PL2016-144 – VACATION OF EASEMENT – 2142 NE Todd George Rd.; James & Shelly Breske, applicants**

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### Commentary

This application is for the vacation of a portion of a 10' utility easement that is approximately 205' long located on Lot 1, *Breske Bay, Lots 1 & 2*. The request to vacate this easement stems from the applicants' desire to construct a house. No objection was raised by the City's Public Works, Water Utilities Departments or other utility companies.

### Recommendation

Staff recommends **APPROVAL** of the vacation of easement.

### Project Information

**Vacation of Easement:** a 10' utility easement

**Location:** 2142 NE Todd George Rd. (Lot 1, *Breske Bay, Lots 1 & 2*)

**Zoning:** R-1 (Single-Family Residential)

**Surrounding Zoning and Use:**

**North:** R-1—Single-family residences

**South:** R-1—Single-family residences

**East (across NE Todd George Rd.):** R-1—Single-family residences

**West:** R-1—Single-family residences

### Background

- August 23, 1937 – A plat (Appl. #1937-002) for *George Addition, Lots 1-80 & Tracts A-C* was recorded at the Jackson County Recorder of Deeds Office by Instrument #193710389087.
- December 31, 1964 – The property was annexed into the City of Lee's Summit.
- October 19, 1976 – The City Council approved a rezoning (Appl. #1976-019) from A (now AG) to R-1 for the Prairie Lee Lake area by Ord. #1712.
- April 4, 1995 – The City Council approved a final plat (Appl. #1995-263) for *V-J Ranch, Lots 1 & 2* by Ord. #4117. The plat was recorded with the Jackson County Recorder of Deeds Office by Instrument #199511337409 on April 11, 1995. The 10' easement being vacated was dedicated by this plat.
- April 3, 2013 – A minor plat (Appl. #PL2012-097) for *Breske Bay, Lots 1 & 2* was recorded with the Jackson County Recorder of Deeds Office by Instrument #2013E0032700.

## **Analysis of Vacation of Easement**

The applicant requests to vacate a 10' utility easement that is approximately 205' long located on Lot 1, *Breske Bay, Lots 1 & 2*, in order to accommodate the construction of a proposed house.

No objections were raised by the City's Public Works and Water Utilities Departments. Other utility companies were contacted and no objections were raised. The other utility companies contacted include: KCP&L, Laclede Gas, AT&T, Time Warner Cable, and Comcast.

## **Code and Ordinance Requirements**

*The items in the box below are specific to this development and must be satisfactorily addressed in order to bring the plan into compliance with the Codes and Ordinances of the City.*

### **Planning and Codes Administration**

1. The vacation of easement shall be recorded prior to the issuance of any building permit.

RGM/cs

Attachments:

1. Drawing and legal description of the easement to be vacated, date stamped July 17, 2016—  
2 pages
2. Copy of *Breske Bay, Lots 1 & 2 Minor Plat*
3. Location Map