


City of Lee's Summit

Development Services Department

January 6, 2017

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director 
RE: Application #PL2016-202 – VACATION OF EASEMENT – 1710 NE Ozark Dr.;
Trent & Christy Yager, applicant

Commentary

This application is for the vacation of a 7.5' x 65' of a larger 7.5' x approximately 358' long utility easement located at 1710 NE Ozark Drive. The request to vacate this easement stems from a conflict between the easement and a proposed renovation of an existing boat house that is located within this easement. No objection was raised by the City's Public Works, Water Utilities Department or other utility companies.

Recommendation

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

Project Information

Vacation of Easement: a 7.5' x 65' portion of a utility easement

Location: 1710 NE Ozark Drive (Lot 6A, *Holloway Gardens*)

Zoning: R-1 (Single-Family Residential)

Surrounding Zoning and Use:

North: R-1(Single-Family Residential)—vacant lot and Prairie Lee Lake

South: R-1(Single-Family Residential)—vacant lot

East (across NE Ozark Drive): R-1(Single-Family Residential)—single-family residence

West: R-1(Single-Family Residential)—vacant lot

Background

- August 23, 1937– The final plat *George Addition* (Appl. #1937-002) was recorded in the Jackson County Recorder's Office.
- July 19, 1966 – The City Council approved the final plat (Appl. #1966-041) *Holloway Gardens, Lots 1-7* by Ord. #954. The subject easement was dedicated as part of this plat. The plat was recorded at the Jackson County Recorder's Office on September 16, 1966 by Doc. #894870.
- May 26, 1994 – The minor plat for the *Replat of Lots 6 and 7, Holloway Gardens and part of Tract A, George's Addition* (Appl. #1994-160), was recorded at the Jackson County Recorder's Office.

Analysis of Vacation of Easement

The applicant requests a vacation of a 7.5' x 65' of a larger 7.5' x approximately 358' long utility easement vacation of a located at 1710 NE Ozark Drive. The request to vacate this easement

stems from a conflict between the easement and a proposed renovation of an existing boat house that is located within this easement.

No objection was raised by the City's Public Works, Water Utilities Department or other utility companies.

Code and Ordinance Requirements

The items in the box below are specific to this application and must be satisfactorily addressed in order to be in 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 a building permit for the renovation of the boat house.

RGM/jmt

Attachments:

1. Drawing and legal description of the easement to be vacated, date stamped November 3, 2016—2 pages
2. Location Map