

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



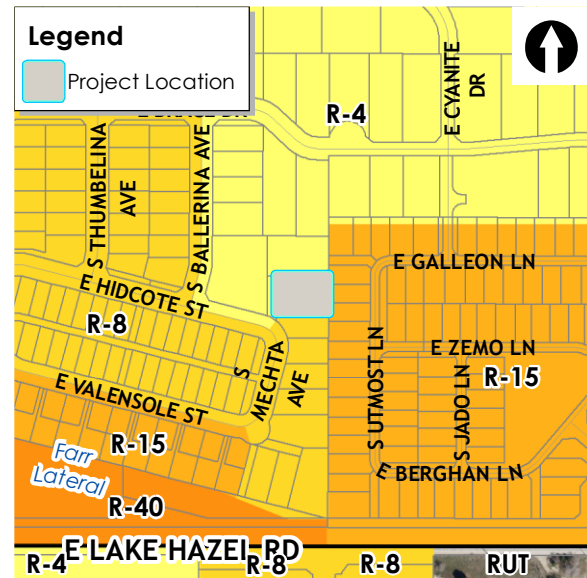
HEARING 7/18/2023
DATE:

TO: Mayor & City Council

FROM: Linda Ritter, Associate Planner
208-489-0573

SUBJECT: H-2023-0028
Lavender Heights No. 2 - VAC

LOCATION: 6256 S. Mechta Avenue, in the SE ¼ of
Section 32 T.3N. R.1E.



I. PROJECT DESCRIPTION

Request to vacate the southerly 1.2-feet of the 5-foot wide public utility, drainage and irrigation (PUDI) easement along the northern boundary of Lot 11, Block 9, of Lavender Heights Subdivision No. 2.

II. APPLICANT INFORMATION

A. Applicant:

Clint Hansen, PLS, Land Solutions, PC – 231 E. 5th Street, Ste. A, Meridian, ID 83642

B. Owner:

Travis Perry, Core Building Co. – 152 Ketrel Avenue, Eagle, ID 83616

C. Representative:

Same as Applicant

III. UNIFIED DEVELOPMENT CODE

Per UDC [Table 11-5A-2](#), vacation of a utility easement falls under “all others”, which requires approval from City Council at a public hearing.

IV. NOTICING

	City Council Posting Date
Newspaper Notification	7/2/2023
Radius notification mailed to properties within 300 feet	6/30/2023
Next Door posting	6/29/2023

V. STAFF ANALYSIS

The Applicant requests approval to vacate the southerly 1.2-feet of the 5-foot wide side yard PUDI easement along the northern boundary of Lot 11, Block 9, Lavender Heights Subdivision No. 2.

A property boundary adjustment ([PBA-2022-0027](#)) was recently approved that shifted the northerly side property line 1.2-feet to the north to account for the existing home that was inadvertently constructed within the easement area and the required 5-foot wide side yard setback.

A legal description and exhibit map of the portion of the easement proposed to be vacated is included in Section VI below.

The Applicant states there are no underground or overhead utilities in the subject easement area. [Relinquishment letters](#) were received from Sparklight (former Cable One), Intermountain Gas, CTC Telecom Inc., Boise Project, New York Irrigation District and Idaho Power for the portion of the easement proposed to be vacated.

VI. DECISION

A. Staff:

Staff recommends approval of the partial vacation of the public utility easement as proposed by the Applicant and as agreed upon by the easement holders.

VII. EXHIBIT

Legal Description & Exhibit Map of the Portion of the Utility Easement Proposed to be Vacated

Legal Description
Easement Vacation
Parcel B, Record of Survey No. 13726
Lavender Heights Subdivision No. 2

A portion of an existing Public Utility, Pressure Irrigation and Lot Drainage easement over a portion of Parcel B as shown on Record of Survey No. 13726, records of Ada County, Idaho, being also over a portion of the platted Lot 11, Block 9, of Lavender Heights Subdivision No. 2, as shown in Book 122 of Plats on Pages 19344 through 19346, records of Ada County, Idaho; being located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 32, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the southeast corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 32, from which a Brass Cap monument marking the northeast corner of said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ bears N 0°12'02" E a distance of 1334.18 feet;

Thence N 0°12'02" E along the east boundary of said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, being partially along the easterly boundary of said Lavender Heights Subdivision No. 2 a distance of 737.33 feet to the northeasterly corner of said Parcel B;

Thence along the northerly boundary of said Parcel B N 89°47'24" W a distance of 10.00 feet to a point on a line 10.00 feet westerly of and parallel to the easterly boundary of said Parcel B;

Thence along said parallel line S 0°12'02" W a distance of 4.87 feet to the **POINT OF BEGINNING**;

Thence continuing along said parallel line S 0°12'02" W a distance of 1.20 feet to a point on the southerly boundary of an existing 5.00 foot wide Public Utility, Pressure Irrigation and Lot Drainage easement as shown on the plat of said Lavender Heights Subdivision No. 2 adjacent to the northerly boundary of the said Lot 11, Block 9;

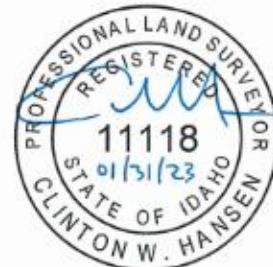
Thence leaving said parallel line and along said existing southerly easement boundary N 89°47'24" W a distance of 126.89 feet to a point on a line 5.00 feet easterly of and parallel to the westerly boundary of said Parcel B;

Thence along said parallel line N 0°12'02" E a distance of 1.20 feet to a point;

Thence leaving said parallel line S 89°47'24" E, parallel to the northerly boundary of said Parcel B, a distance of 126.89 feet to the **POINT OF BEGINNING**.

This easement vacation parcel contains 152 square feet (0.003 acres) and is subject to any other easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
January 31, 2023



Easement Vacation
Lavender Heights 2 LLA
Job No. 22-68
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LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 32, T.3N., R.1E., B.M.
MERIDIAN, ADA COUNTY, IDAHO



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