

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



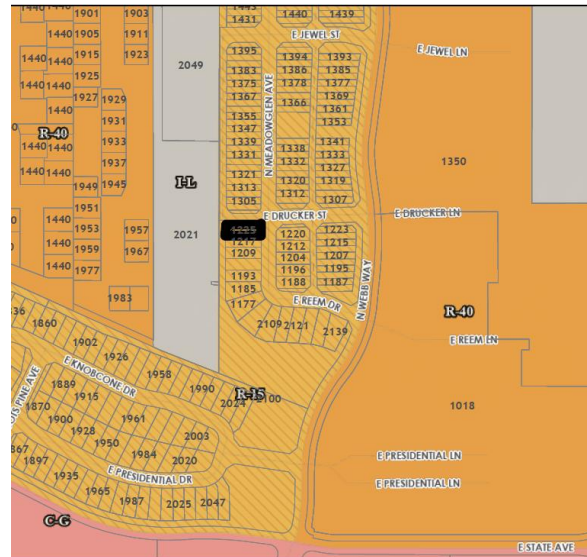
HEARING DATE: 6/11/2023

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-489-0573

SUBJECT: Pine 43 No. 3 (Lot 15, Block 6) - VAC
[H-2023-0067](#)

LOCATION: 1225 N. Meadowglen Ave., in the NW
1/4 of Section 8, T.3N., R.1E.



I. PROJECT DESCRIPTION

Request to vacate the 5-foot wide side yard utility easement along the north side of Lot 15, Block 6, Pine 43 Subdivision No. 3.

II. APPLICANT INFORMATION

A. Applicant:

Keith Morse, J-U-B Engineers – 2760 W. Excursion Lane, Ste. 400, Meridian, ID 83642

B. Owner:

Todd Campbell, Savannah, LLC – PO Box 140298, Boise, ID 83714

C. Representative:

Dan Torfin, C & O Development – 1157 N. Summerbrook Ave., Meridian, ID 83642

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	5/26/2024

Radius notification mailed to
properties within 300 feet

5/24/2024

Next Door posting

5/28/2023

V. STAFF ANALYSIS

The Applicant requests approval to vacate the 5-foot wide side yard utility easement along the north side of Lot 15, Block 6, Pine 43 Subdivision No. 3 depicted on the plat in Section VII.A.

The reason for the request is to remove restrictions to the homebuilder's building footprint as there are no in-ground or overhead utilities in the subject easement.

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

The Applicant submitted [relinquishment letters](#) from all impacted utility companies consenting to the vacation of the easement as proposed. Letters were received from Settlers Irrigation District, Sparklight, Lumen, Idaho Power and Intermountain Gas Co.

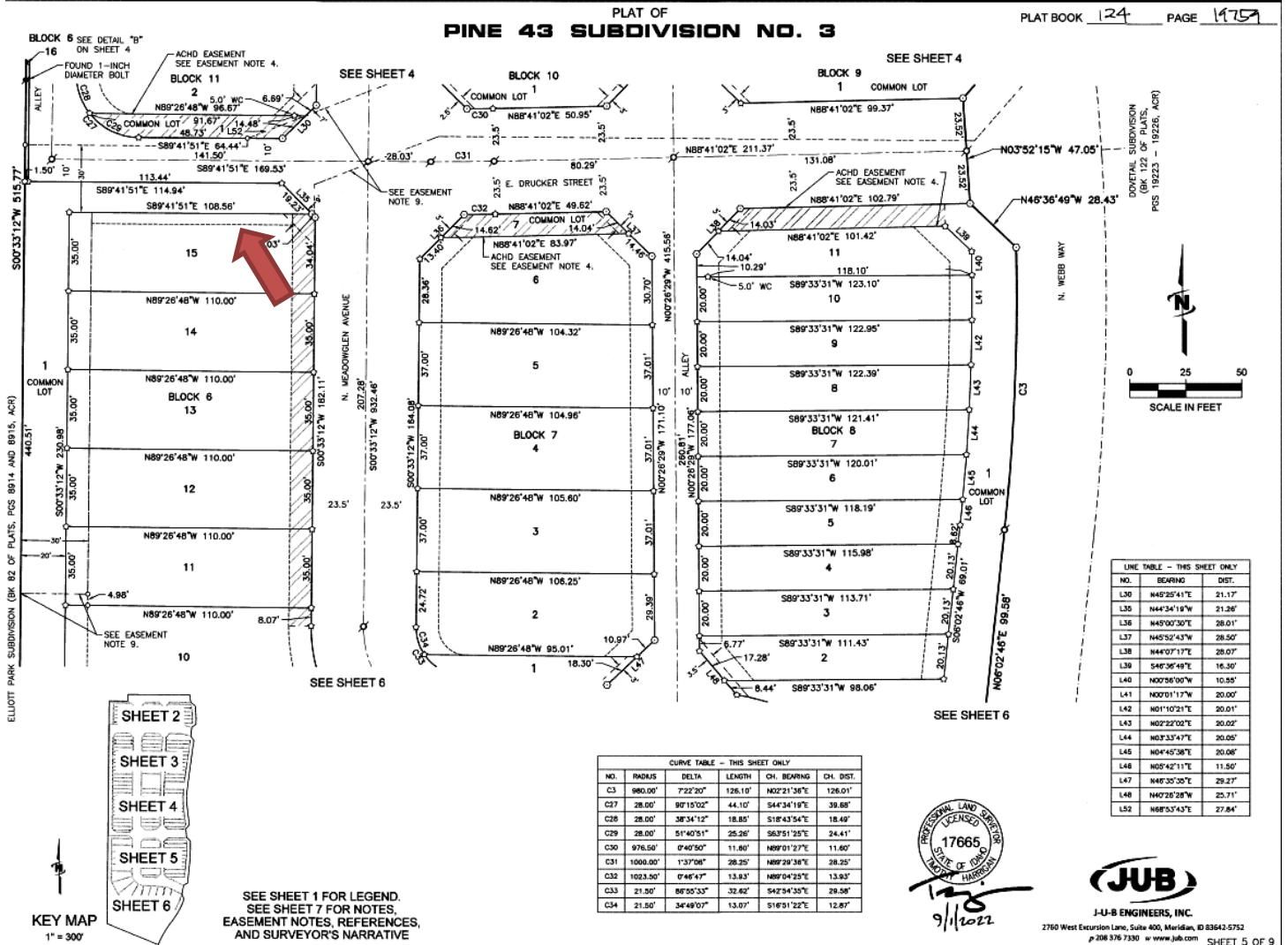
VI. DECISION

A. Staff:

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

VII. EXHIBIT

A. Recorded Plat



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



Exhibit "A"
Pine 43 Subdivision No. 3 – Lot 15, Block 6
Partial Easement Vacation Legal Description
December 7, 2023



J-U-B ENGINEERS, INC.



J-U-B FAMILY OF COMPANIES

A tract of land being a portion of Lot 15 of Block 6 as shown on the Plat of Pine 43 Subdivision No. 3 recorded in Book 124 of Plats at Pages 19755 through 19763, Ada County Records, situate in the east half of the northwest quarter of Section 8 Township 3 North, Range 1 East, Boise Meridian, City of Meridian, County of Ada, State of Idaho, and being more particularly described as follows:

Commencing at 1/2-inch rebar marking the southwesterly corner of said Lot 15; thence from said Point of Commencement, coincident with the respective westerly and northerly lines of said Lot 15, the following two (2) consecutive courses and distances:

1. North 00°33'12" East, a distance of 35.00 feet to a 1/2-inch rebar marking the northwesterly corner of said Lot 15, and
2. South 89°41'51" East, a distance of 10.00 feet to the **Point of Beginning** of this description;

thence from said **Point of Beginning**, continuing South 89°41'51" East, coincident with said northerly line, a distance of 90.00 feet; thence leaving said northerly line, the following three (3) consecutive courses and distances:

1. South 00°33'12" West, a distance of 5.00 feet to a point on a line lying 5.00-feet southerly of and parallel with the northerly line of said Lot 15,
2. North 89°41'51" West, coincident with said parallel line, a distance of 90.00 feet, and
3. North 00°33'12" East, a distance of 5.00 feet to the **Point of Beginning**.

Containing an area of 450 square feet of land, more or less.

The above-described tract of land is shown on Exhibit "B" attached hereto and made a part hereof.

End of Description.

J-U-B ENGINEERS, Inc.

This description was prepared by me or under my supervision. If any portion of this description is modified or removed (including, but not limited to, the graphic portion shown on the attached Exhibit "B") without the written consent of Timothy Harrigan, PLS, all professional liability associated with this document is hereby declared null and void.


Timothy Harrigan, PLS 17665


Date



December 7, 2023

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