



AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting of February 12, 2019
Second Reading Ordinance for the City Council Meeting of February 19, 2019

DATE: January 11, 2019

TO: Keith Selman, Interim City Manager

FROM: Nina Nixon-Mendez, FAICP, Director of Development Services
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<p>Partial Easement Closure Located at 13982 Binnacle Street</p>

CAPTION:

Ordinance abandoning and vacating 62.9 square feet of an existing utility easement on Lot 1, Block 712, Padre Island-Corpus Christi, Barataria Bay Unit 3, located at 13982 Binnacle Street.

PURPOSE:

The purpose of this ordinance is to close, abandon and vacate a portion of an existing utility easement due to house foundation encroaching into the easement.

BACKGROUND AND FINDINGS:

Newcastle Construction, LLC (Owner) is requesting the closing, vacation and abandonment 62.9 SQ. FT. of the existing utility easement on Lot 1, Block 712, Barataria Bay Unit 3, located at 13982 Binnacle Street. This abandonment and vacation of the utility easement is being requested by the owner due to their house foundation encroaching into the easement. All public and franchised utilities were contacted and none of the City departments or franchised utility companies stated objections regarding the proposed partial utility easement closure for the foundation encroachment.

ALTERNATIVES:

Denial of the proposed partial utility easement closure, abandonment and vacation will adversely impact the Owner. The newly constructed house will have to be rebuilt.

OTHER CONSIDERATIONS:

The owner did pass both the Property Setback and Foundation Inspections without notification of this encroachment.

CONFORMITY TO CITY POLICY:

These requirements are in compliance with the City Code of Ordinances Section 49-13.

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

All public and franchised utilities were contacted. None of the City departments or franchised utility companies stated objections regarding the proposed utility easement closure. No utilities are located in the proposed partial easement closure.

FINANCIAL IMPACT:

Operating Revenue Capital X Not Applicable

Fiscal Year: 2018-2019	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments:

RECOMMENDATION:

Staff recommends approval of the easement closure.

LIST OF SUPPORTING DOCUMENTS:

Ordinance with Exhibits