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ORDINANCE NO. O-1516-16

ITEM NO. 11

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT

Greenwave, L.L.C.

REQUESTED ACTION

Partial closure of the north five-foot (30' from center) right-of-way running east and west adjacent to Lots 27 through 30, Block 5, Norman Heights Addition.

**BACKGROUND:** The plat for Norman Heights Addition was filed of record on April 19, 1921 with a total of sixty-foot (60') rights-of-way (streets). The owner is interested in closing and vacating the north five-feet (5') of the Iowa Street right-of-way adjacent to Lots 27 through 30, Block 5. Apparently in the 1930's, a house was built over the right-of-way line. As a result of closer scrutiny by the title companies, a cloud has been raised on the title of the property.

If this property were platted under the current Subdivision Regulations and Engineering Criteria, the required right-of-way for Iowa Street would be fifty-foot (50'). Staff, in considering this item, focused on the fact that Iowa Street is not proposed to be physically closed and eliminated. Also, the five-feet (5') will not interfere with existing utilities, drainage or street paving or any future improvements.

**DISCUSSION:** All franchised utilities were notified to assess the impact on their facilities if the right-of-way was closed; there were no objections. The utility companies and City staff are not opposed to the partial closure of the right-of-way (street).

**RECOMMENDATION:** Staff recommends approval of the request to close the north five-feet (5') of an overall sixty-foot (60') width right-of-way located adjacent to Lots 27 through 30, Block 5, of the Norman Heights Addition.

**ACTION NEEDED:** Recommend approval or disapproval of the request to close the north five-feet (5') of a sixty-foot (60') width right-of-way located adjacent to Lots 27 through 30, Block 5, Norman Heights Addition.

**ACTION TAKEN:** \_\_\_\_\_