History

- 1985
  - *House built*

- 2013
  - *Building permit #13-0005 issued*
  - *Garage built 4-feet into setback without owner’s knowledge*

- 2016
  - *Code Enforcement issued letter to tear down garage*
Current Conditions

None of surrounding neighbors have complained about the garage
Abandonment Request

- To abandon a maximum 4-foot wide strip of the “bulb”
  - Recommended to the applicant by Planning Department
  - Would bring garage into compliance and stop Code Enforcement actions
  - Building permit could be signed-off and finalized
Exhibit

Shows 4-foot maximum width of abandonment

Rest of cul-de-sac bulb remains untouched

Public Use Easement to be granted (No physical change or limitation on public use)
Another Perspective
Engineering Concerns

- “The Engineering and Capital Projects staff have concerns about abandoning a portion of the right-of-way that serves a public good. Engineering staff concludes that the loss of the public right-of-way would be a detriment to the public good.” (Page 9 of Staff Report)
  - Small portion of a cul-de-sac that will never be extended
  - Public Use Easement will be recorded on the abandoned portion
    - To include repairs, snow removal, utility work, etc.

- Engineering would prefer a Variance for the property
  - Variance findings cannot be made
Hypothetical
Conclusion

- Abandoning a very small area
- Public Use Easement to be granted
- No physical change to property
- Property owner willing to pay maintenance fee if needed
- Property owner agreeable with reducing the abandoned area to portion directly in front of driveway
Questions?