

TO: Sycamore Plan Commission

FROM: Bill Nicklas
City Manager

DATE: December 8, 2010

RE: December 13, 2010 Plan Commission Meeting

The Plan Commission has one action item.

I Action Items

A. Consideration of a Petition from Jonathan Miller to Vacate a Portion of the Utility Easement Located Along the North Side of the Property Located at 1167 Penny Lane in the Townsend Woods Subdivision in Sycamore, Illinois.

Jonathan Miller, owner of the property at 1167 Penny Lane, has requested the vacation of the utility easement located along the north side yard of his property in the Townsend Woods subdivision. Mr. Miller purchased a duplex recently and, upon receipt of the plat of survey, discovered that the north side of the duplex encroaches upon a side-yard utility easement by approximately 1 foot. (See plat of survey attached). It is clear that the encroachment was a result of either staff error at the time the building was originally staked out on the lot or contractor error at the time the site was excavated.

In order to ensure legal ownership of his duplex, Mr. Miller has petitioned for the vacation of a 5 foot portion of the utility easement. There are no underground utilities in the easement, and now that the subdivision is completed there is not likely to be any utilities in that easement. All affected utility providers have been contacted and have supported the proposed vacation (see attached letters). A similar 7.5 foot utility easement exists to the north of the property line, so a utility easement that is 10 feet in total width rather than 15 feet as originally platted would remain (see revised plat of survey, attached). This width is agreeable to all parties involved and also affords adequate room for side yard drainage.

Building & Engineering Director John Sauter has reviewed this petition and has recommended the Commission's support. A favorable Plan Commission recommendation in behalf of the vacation of five (5) feet of the utility easement is recommended.