

**CITY OF LEBANON
PLANNING AND ZONING DEPARTMENT**

**CITY OF LEBANON PLAN COMMISSION
STAFF REPORT
MARCH 20, 2023 PUBLIC HEARING**

A. Case Number:	Docket # 23-10
B. Applicant:	Clinton McCord (property owner of 517 N West Street) Jennifer Arruda (property owner of 523 N West Street)
C. Location:	The subject property is the unimproved alley right-of-way between 517 and 523 N West Street.
D. Property History:	The original Levi Lane’s Subdivision plat for this area of town specifies a 16.5-foot right-of-way for an alley between the two subject lots. This alley right-of-way was never improved for use as an alley and is not used to serve this area with utilities. Currently, this right-of-way is essentially used by the adjacent property owners as part of their lot. The applicant is requesting to vacate the entirety of the right-of-way adjacent to his property, which would result in splitting the right-of-way between the two applicants.
E. Vacation Request:	Vacation of an Unimproved Alley Right-of-Way The property owners adjacent to the subject unimproved alley right-of-way have filed an application seeking to vacate said right-of-way formally returning this area to the adjacent property owners for personal use.
F. Vacation Evaluation:	Justification for Vacation Request The applicants are seeking to vacate the subject right-of-way to reflect the fact that this area was never improved for use as an alley and is not used as a method to deliver utilities. The vacation would formally transfer this area to the adjacent property owners, who already use this area for personal use. Because this portion of alley right-of-way does not currently, and will never in the future, operate as an alley for vehicular traffic, the 16.5-foot vacation will have no negative impact on City services or neighboring properties.
G. TAC Review:	TECHNICAL ADVISORY COMMITTEE (TAC) REVIEW City of Lebanon Utilities Sewer and Water Division- Comments were as follows: <ul style="list-style-type: none">• There are currently no sewer/water utilities located in the subject right-of-way that would be impacted by the vacation request. Electrical Division- There are no electric facilities that would be impacted by the vacation request.

City of Lebanon Fire Department-The fire department had no issues with the vacation request as they do not typically use even improved alleys to access properties.

City of Lebanon Street – The Street Department had no issues with the vacation request.

**H: Staff
Recommendation:**

Staff Recommendation:

In review of the submitted request for the vacation of the subject unimproved 16.5-foot right-of-way per the exhibit, Lebanon Planning Staff recommends forwarding the vacation request to the Common Council with a favorable recommendation.