

**CITY OF LEBANON  
PLANNING AND ZONING DEPARTMENT**

**CITY OF LEBANON PLAN COMMISSION  
STAFF REPORT  
FEBRUARY 21, 2023 PUBLIC HEARING**

<b>A. Case Number:</b>	<b>Docket # 23-10</b>
<b>B. Applicant:</b>	<b>Clinton McCord (property owner of 517 N West Street) Jennifer Arruda (property owner of 523 N West Street)</b>
<b>C. Location:</b>	<b>The subject property is the unimproved alley right-of-way between 517 and 523 N West Street.</b>
<b>D. Property History:</b>	The original Levi Lane's Subdivision plat for this area of town specifies a 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.
<b>E. Vacation Request:</b>	<b>Vacation of an Unimproved Alley Right-of-Way</b> 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.
<b>F. Vacation Evaluation:</b>	<b>Justification for Vacation Request</b> 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.
<b>G. TAC Review:</b>	<b>TECHNICAL ADVISORY COMMITTEE (TAC) REVIEW</b> <b>City of Lebanon Utilities</b> <b>Sewer and Water Division-</b> Comments were as follows: <ul style="list-style-type: none"><li>• There are currently no sewer/water utilities located in the subject right-of-way that would be impacted by the vacation request.</li></ul> <b>Electrical Division-</b> There are no electric facilities that would be impacted by the vacation request. <b>City of Lebanon Fire Department-</b> The fire department had no issues with the vacation request as they do not typically use 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 right-of-way per the exhibit, Lebanon Planning Staff recommends forwarding the vacation request to the Common Council with a favorable recommendation.