



*Storm Water Utility*

**July 9, 2020**

**Utility Easement Encroachment Recommendation**

1176 East Apple Lake Drive

The owners' of 1176 East Apple Lake Drive are seeking a partial encroachment, 2-foot, into the rear easement for the purposes of placing a fence

**Existing Conditions**

The property at 1176 East Apple Lake Drive has a 20-foot easement located at the rear of the property. The plot plan indicates that this property is "limited common area". There is a slight drainage swale within this easement and approximately 4 feet from the proposed fence location.

**Recommendation**

After review the size, shape and infrastructure constructed with in the easement, I can not give a positive recommendation to encroach the easement and place a fence in such close proximity to the construct drainage swale. The location of the fence in that close proximity will limit the city's ability to maintain that swale. In addition, this system, has been worked on for failures on numerous occasions in the last several years. As this is the only access into this easement, especially where multiple failures have occurred, it may limit our ability to access those problem areas.

In addition to the above. As the plot plan lists the property as "Limited Common Area", the owner should be made aware that other approvals from any HOA or adjacent property owners may be required.

Negative Recommendation

Thank You,

Daniel Miller