



City of Grand Island

Tuesday, July 08, 2003
Special Mtg/Council Session

Item H1

Request of Brett and Cindy Pier for License Agreement at 703 South Kimball

The owners of the property asked the Building Department about the location of the property corners in March. A building inspector visited the property to locate and flag the property pins. A subsequent inquiry was made in May about the installation of a fence. A sketch of the property was prepared and given to the property owners. The sketch showed the proper location for a fence to be installed on their property.

The Right of Way on Kimball is 80' wide. The Street is a 37' wide concrete curb and gutter roadway with curb sidewalk. The distance from the back side of the sidewalk to their property line is approximately 17 1/2'. The distance from their Property line to the house is 10' to 12'. The owners did not want to install a fence that far away from the sidewalk only 10' to 12' from the house.

The property owners thought they could install the fence on City Right of Way along Kimball by receiving a License Agreement from the City. They proceeded with installation of the fence posts and stopped at Public Works to get a License Agreement application. They were told that their application would probably be denied by staff and they would have to appeal the License Agreement to Council.

The Piers believe their License Agreement should be approved because other fences, some in their neighborhood, are located in the Right of Way. Staff recommends against the License Agreement because the Right-of-Way should be clear of obstructions.

A motion is in order. If Council passes a motion to approve the License Agreement, staff will prepare and file the Agreement at the Register of Deeds. If Council passes a motion to deny the License Agreement, staff will work with the Piers to move the fence off of city Right-of-Way.

Staff Contact: Steve Riehle, City Engineer/Public Works Director