



## Legislation Details (With Text)

<b>File #:</b>	21-0086	<b>Version:</b>	1	<b>Name:</b>	Resolution to Approve an Encroachment Agreement
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	2/9/2021	<b>In control:</b>	City Council Legislative Session		
<b>On agenda:</b>	2/24/2021	<b>Final action:</b>	2/24/2021		
<b>Title:</b>	Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Raymond Lee Wiesen to Allow an Encroachment Into a Portion of City of Hampton Drainage Easement for the Installation of a Black Aluminum Fence and Gate				

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2021-01-27\_Signed by owner, 2. Presentation

Date	Ver.	Action By	Action	Result
2/24/2021	1	City Council Legislative Session	approved	Pass

Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Raymond Lee Wiesen to Allow an Encroachment Into a Portion of City of Hampton Drainage Easement for the Installation of a Black Aluminum Fence and Gate

### **PURPOSE/BACKGROUND:**

Raymond Lee Wiesen, ("Licensee") owns the property located at 14 Adriatic Avenue (LRSN 10000874) ("Licensee's Parcel"). The City of Hampton has a five (5) foot wide drainage easement along the western property line of Licensee's Parcel ("City Easement"). Licensee requests permission to encroach into a 31.25+/- square foot area of the City Easement to install a black aluminum fence with a six (6) foot double entry gate, as requested in his encroachment application, and as further illustrated on Exhibit "A" attached to the Encroachment Agreement presented to Council for approval. The Licensee will allow access to the City and others to the City Easement area through the double entry gate.

The request was routed to City staff and local utility companies, and none had any objections, but some recommend certain conditions that are included in the attached Encroachment Agreement. Therefore, pursuant to Hampton City Code § 34-86, City staff recommend approval of the Encroachment Agreement.

### **Discussion:**

See Purpose/Background above.

### **Impact:**

See Purpose/Background above.

**Recommendation:**

Approve the Resolution

WHEREAS, Raymond Lee Wiesen, ("Mr. Wiesen") owns property in Hampton, Virginia, referred to as 14 Adriatic Avenue, Hampton, Virginia 23664, LRSN 10000874 (the "Licensee's Parcel");

WHEREAS, the Licensee's Parcel is burdened with a five (5) foot existing drainage easement along the western property line ("City Easement") being for the benefit of the City of Hampton ("City");

WHEREAS, Mr. Wiesen has requested permission to encroach into a 31.25 +/- square foot area of the City Easement; and

WHEREAS, City staff have reviewed the request and recommend granting Mr. Wiesen a non-exclusive revocable license, subject to certain terms and conditions and the execution of the Encroachment Agreement attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hampton, Virginia, as follows:

1. That the Encroachment Agreement between the City of Hampton and Mr. Wiesen is hereby approved; and
2. That the City Manager, or her authorized designee, is hereby authorized to execute the Encroachment Agreement, in substantially the same form as set forth in this Resolution, and to take any and all actions necessary to carry out the purposes of this Resolution, subject to approval by the City Attorney.