

Resolution 2021-29

A Resolution Approving an Encroachment for Stairs at 107 The Strand

WHEREAS, Warren and Mary Grace Flowers (“Owners”) have applied to the City of New Castle for authorization to construct a front porch and stairs that will encroach on The Strand right of way to provide access to a building to be located at 107 The Strand, known as tax parcel number 21-015.00-172 (the “Property”); and

WHEREAS, The Historic Area Commission has approved the preliminary plans for the proposed structure including the front yard setback; and

WHEREAS, it is the City's understanding that the proposed encroachment of the front porch and steps will extend 6 feet +/- onto The Strand as illustrated on that certain Lines and Grades Sediment and Erosion Control Plan prepared by The Pelsa Company, attached hereto as Exhibit A; and

WHEREAS, the applicant has agreed to waive any damages arising from the removal of the entire encroaching portion of the structure, including the dwelling and porch, required for the use and maintenance of The Strand right-of-way by the City;

NOW, THEREFORE, BE IT RESOLVED, that the application of Owners Warren and Mary Grace Flowers to maintain the above-described encroachments of a porch and stairs at property located at 107 The Strand, known as Tax Parcel No. 21-015.00-172, is approved, subject to due execution and recording of a License Agreement in form acceptable to the City Administrator and City Solicitor; and

IT IS FURTHER RESOLVED, that the City Administrator is authorized to execute and record such License Agreement with recording fees paid for by the property owners.

PASSED this 9th day of November, 2021.

Michael M. Platt, City Council President

Joseph F. Day, III, Councilperson

Valarie W. Leary, Councilperson

Russell P. Smith, Councilperson

Suzanne M. Souder, Councilperson

Attest:

Kathleen M. Walls, City Clerk