

STAFF REPORT

August 29, 2001

No. 01VE009 - Vacation of utility and minor drainage easement

ITEM

GENERAL INFORMATION:

PETITIONER	Ron Sjodin for Jim's Plumbing & Heating
REQUEST	No. 01VE009 - Vacation of utility and minor drainage easement
LEGAL DESCRIPTION	A portion of the minor drainage and utility easement in Lot 6, Block 11, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .179 acres
LOCATION	1346 Degeest Street
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Rapid Valley water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Vacation of the utility and minor drainage easement be approved.

GENERAL COMMENTS: The applicant has submitted this request to vacate a portion of the existing twenty foot wide major drainage easement and utility easement located along the south lot line. Currently, a single family dwelling is located on the subject property. The property is located in Pennington County, outside of the City limits of Rapid City, but within the City's three mile platting jurisdiction. The applicant's site plan identifies that the house encroaches 2.5 feet into the twenty foot major drainage easement and .5 feet into the 8 foot utility easement.

STAFF REVIEW: The Engineering Division Staff has reviewed this request and noted that the approved subdivision improvements plan for the Big Sky Subdivision included the installation of a storm sewer discharge pipe within the twenty foot major drainage easement located on the applicant's south property line. A topographic map submitted by the applicant indicates that the storm sewer discharge pipe was not installed in the center of the major drainage easement in accordance with the approved subdivision improvement plans. The pipe was actually installed entirely on the property to the south of the subject property. The Engineering Division has notified the developer of this error and is requesting that either the storm sewer discharge pipe be moved to the center of the major drainage easement as

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identified in the approved plans or that additional easement be obtained to provide a twenty foot easement that is centered on the existing storm sewer discharge pipe. Engineering Division Staff has indicated that the developer is responsible for correcting this error and supports vacating the portion of the easement that is occupied by the building foundation.

All of the affected utilities have been notified of the vacation request. All affected utilities companies have stated that they have no utilities in the affected easement and they do not object to the vacation of the portion of the easement.