

STAFF REPORT

December 30, 2002

No. 02VE014 - Vacation of Utility and Minor Drainage Easements

ITEM

GENERAL INFORMATION:

PETITIONER	Rick Harter
REQUEST	No. 02VE014 - Vacation of Utility and Minor Drainage Easements
EXISTING LEGAL DESCRIPTION	Lot 19 of Block 4 of County Heights Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .210 acres
LOCATION	4906 Butte Circle
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	Water and Sewer: Rapid Valley Sanitary District
DATE OF APPLICATION	09/27/2002
REPORT BY	Tom Kurtenbach

RECOMMENDATION:

Staff recommends approval of the vacation easement for only the portion of the easement that is occupied by the residential structure.

GENERAL COMMENTS:

The applicant intends to construct an attached garage at this location. Before a building permit can be issued by Pennington County, the encroachment of the existing single family residential structure into the building setback must be resolved (Companion Item No. 02VE025). Additionally, the existing dwelling occupies approximately one foot by 24 feet of an existing eight foot wide utility and drainage easement located along the northeast lot line of the subject property. The applicant is proposing to vacate a strip of the easement along the northeastern property line. This is the area where the existing residence encroaches into the easement.

STAFF REPORT

December 30, 2002

No. 02VE014 - Vacation of Utility and Minor Drainage Easements

ITEM

The applicant has indicated that the Pennington County Planning Department Staff will issue the variance to the building setback requirement if this application and the aforementioned companion item are approved by the City Council.

STAFF REVIEW:

Letters were submitted by the applicant to utility companies serving the subject property area. Review of the letters returned to City Planning indicates approval of the vacation easement by all utility companies contacted.

The Pennington County Highway Department staff does not support the vacation of easements; however, they indicated that if the City were to proceed with the vacation, they would recommend approval of the vacation of only the portion of the easement that is occupied by the existing residence.

Based on the information referenced above, staff recommends approval of the vacation of easement for only the portion of the easement that is occupied by the residence.