

STAFF REPORT

October 14, 2003

No. 03VE014 - Vacation of Utility and Minor Drainage Easement

ITEM

GENERAL INFORMATION:

PETITIONER	Scott Craig for Jul-Mar Development
REQUEST	No. 03VE014 - Vacation of Utility and Minor Drainage Easement
EXISTING LEGAL DESCRIPTION	Lot 6, Block 1, Skyview North Subdivision, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.157 acres
LOCATION	2237 Minnewasta Drive
EXISTING ZONING	Low Density Residential District w/Planned Residential Development
SURROUNDING ZONING	
North:	Low Density Residential District w/Planned Residential Development
South:	Low Density Residential District w/Planned Residential Development
East:	Low Density Residential District w/Planned Residential Development
West:	Low Density Residential District w/Planned Residential Development
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	09/03/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Vacation of Utility and Minor Drainage Easement be approved.

GENERAL COMMENTS:

The applicant is proposing to vacate an approximate 43 square foot area of an eight foot wide utility and drainage easement. The area to be vacated is triangular in shape and measures approximately 6 feet X 12.65 feet X 14.35 feet. On September 9, 2003, the Planning Commission approved a Major Amendment to the Skyview North Planned Residential Development to allow an eight foot side yard setback for a single story structure and a 12 foot side yard setback for a two story structure in lieu of the originally required 15

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foot side yard setback.

The property is located at the southern terminus of Minnewasta Road and is currently void of any structural development. The applicant has indicated that a single family residence will be constructed on the property and that due to topographic constraints, a portion of the steps leading to the front door will encroach approximately six feet into the eight foot utility and minor drainage easement. Chapter 17.50.250 of the Zoning Ordinance allows for non-enclosed steps leading to a dwelling six feet into the minimum required setback. As such, the applicant is requesting to vacate an approximate 43 square foot area of the easement.

STAFF REVIEW:

Staff reviewed the Vacation of Utility and Minor Drainage Easement request and has noted the following considerations:

Utility Companies: All of the affected utility companies have responded to the proposed vacation request. All of the responses have indicated support of the proposed request.

Drainage: The Engineering Division has indicated that the remaining minor drainage easement can accommodate flows from the subject property. As such, the Engineering Division is recommending approval of the proposed utility and minor drainage easement vacation request.

As indicated above, the utility companies and the Engineering Division support the proposed vacation request. As such, staff is recommending that the Vacation of Utility and Minor Drainage Easement be approved.