

STAFF REPORT
April 27, 2004

No. 04VE009 - Vacation of Irrigation Ditch Easement

GENERAL INFORMATION:

PETITIONER

REQUEST **No. 04VE009 - Vacation of Irrigation Ditch Easement**

EXISTING LEGAL DESCRIPTION Lot 4, Block 8, Elks Country Estates, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota

PARCEL ACREAGE Approximately .43 acres

LOCATION Along Hazeltine Court

EXISTING ZONING Low Density Residential II District with Planned Development

SURROUNDING ZONING

North: Low Density Residential II District with Planned Development

South: Low Density Residential II District with Planned Development

East: Low Density Residential II District with Planned Development

West: Low Density Residential II District with Planned Development

PUBLIC UTILITIES City water and sewer

DATE OF APPLICATION 03/26/2004

REPORT BY Todd Tucker

RECOMMENDATION:

Staff recommends that the Vacation of Irrigation Ditch Easement be approved with the following stipulations:

1. Prior to City Council approval, the applicant must confirm that the actual location of the irrigation piping is located within the proposed new easement; and,
2. Prior to City Council approval, a revised exhibit must be submitted showing the new ditch easement is in alignment with the existing ditch easement located on the properties to the north and south of the subject property so as to not create a discontinuous easement.

GENERAL COMMENTS: The applicant is proposing to vacate a 40 foot by 150 foot portion of an existing Cyclone Ditch easement. The easement runs generally north and south along the west property line.

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The property is located between Hazeltine Court and Willowbend Road approximately 20 feet south of Augusta Drive. Currently the property is void of structural development. However, a single family residence is proposed for the property. The actual location of the ditch piping is thought to be located further west than previously indicated. The applicant is now proposing to vacate the Cyclone Ditch easement and relocate it in to be centered over the actual location of the ditch piping.

STAFF REVIEW: Staff has reviewed the Vacation of Easement request and has noted the following issues:

Pipe Location: Staff noted that there is no assurance that the irrigation piping is laid in a straight line from one manhole to the next. Prior to City Council approval, the applicant must confirm the actual location of the irrigation piping is located within the proposed new easement.

Revised Exhibit: Staff noted that the proposed new easement does not line up with the existing ditch easement located on the properties to the north and south of the subject property. Prior to City Council approval, a revised exhibit must be submitted showing the new ditch easement is in alignment with the existing ditch easement located on the properties to the north and south of the subject property so as to not create a discontinuous easement.

Staff is recommending that this item be approved with the above stated stipulations.