

STAFF REPORT  
August 30, 2005

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**No. 05VE016 - Vacation of Utility and Drainage Easement**

**ITEM**

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GENERAL INFORMATION:

PETITIONER	James Letner
REQUEST	<b>No. 05VE016 - Vacation of Utility and Drainage Easement</b>
EXISTING LEGAL DESCRIPTION	Lots 1 and 2, Block 85, Mahoney Addition, SW1/4 SE1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximaely .48 acres
LOCATION	1304 Wood Avenue and 242 MacArthur Street
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	7/28/2005
REVIEWED BY	Karen Bulman / Bob Dominicak

RECOMMENDATION: Staff recommends that the Vacation of Utility and Drainage Easement be approved as shown on the Revised Exhibit "A".

GENERAL COMMENTS: The subject property is located on the northeast corner of Wood Avenue and MacArthur Street. The subject property is currently void of any structural development. The applicant is proposing to vacate the eight foot wide utility easements along the side lot lines located between Lot 1 and Lot 2 in order to replat the property into three residential lots.

STAFF REVIEW: Staff has reviewed the request for a Vacation of Utility Easement as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Utility Company Approval: The vacation of a utility easement requires permission of all affected utility companies. All of the affected utility companies have been contacted and three of the affected utility companies have indicated that they do not have services located within the easement and have no objections to vacating the easement. Two of the utility companies did have services within the easement along the north boundary line. As such, the applicant

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revised the exhibit to remove an eight foot area along the north boundary of the property where the existing utilities are located. The affected utility companies have indicated that this will allow their services to be located in the remaining easement, and they have no objections to vacating the balance of the utility easement.

Staff is recommending that the Vacation of Utility Easement be approved as shown on the Revised Exhibit A.

STAFF REPORT  
August 25, 2005

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