

STAFF REPORT
October 27, 2005

No. 05VE019 - Vacation of Non-Access Easement

ITEM 20

GENERAL INFORMATION:

PETITIONER	Great Plains Builders
REQUEST	No. 05VE019 - Vacation of Non-Access Easement
EXISTING LEGAL DESCRIPTION	Lot 7, Block 23, Trailwood Village, located in the NW1/4 SE1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .19 acres
LOCATION	At the southeast corner of the intersection of Williams Street and Leola Lane
EXISTING ZONING	Planned Unit Development
SURROUNDING ZONING	
North:	Planned Unit Development
South:	Planned Unit Development
East:	Planned Unit Development
West:	Planned Unit Development
PUBLIC UTILITIES	RVSD water, sewer
DATE OF APPLICATION	9/27/2005
REVIEWED BY	Mike Maxwell / Emily Fisher

RECOMMENDATION:

Staff recommends that the Vacation of Non-Access Easement be approved with the following stipulation

1. Prior to the approval by the City Council, a recorded copy of an access restriction for 54 feet of lot frontage abutting Leola Lane shall be submitted to the Growth Management Department.

GENERAL COMMENTS: The applicant is proposing to vacate 38 feet of an existing non-access easement located along the north lot line of the above legally described property. Pennington County inadvertently issued a building permit for the property with access being taken from the non-access area.

The property is located at the southeast corner of the intersection of Williams Street and Leola Lane. The property was previously platted with access being taken from Leola Lane. A building permit was inadvertently issued by Pennington County on September 19, 2005 for the construction of a single family home with attached garage and access being taken

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from Williams Street.

STAFF REVIEW:

Staff has reviewed the Vacation of Non-Access Easement request and has noted the following considerations:

Street Classification: As noted above, Williams Street is located along the north lot line and Leola Lane is located along the west lot line of the subject property. Williams Street and Leola Lane are classified as a collector streets. The Street Design Criteria Manual requires that access be taken from the lesser order street, or in this case, access may be taken for either street as they are both classified as collector streets. Staff would note that the Street Design Criteria Manual 8.2.1 H allows for only one driveway to any single residence. As such staff would recommend that an access restriction be recorded for the Leola Lane frontage.

Staff is recommending that the Vacation of Non-Access Easement be approved with the above stated stipulation.