

STAFF REPORT  
May 30, 2006

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**No. 06VE009 - Vacation of Utility and Drainage Easement**

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GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting for Gary and April Wenzel
REQUEST	<b>No. 06VE009 - Vacation of Utility and Drainage Easement</b>
EXISTING LEGAL DESCRIPTION	Lots 5 and 6 of Block 1 of Enchanted Pines Subdivision, located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.69 acres
LOCATION	4911 Enchanted Pines Drive
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential District (Planned Residential Development)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City water and private sewer
DATE OF APPLICATION	4/26/2006
REVIEWED BY	Travis Tegethoff / Bob Dominicak

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

GENERAL COMMENTS: The subject property is located north of Enchanted Pines Drive in the Enchanted Pines Subdivision at 4911 Enchanted Pines Drive. A single family residence is located on the subject property. The applicant is proposing to vacate the ten foot wide minor drainage and utility easement located on Lot 5 and the ten foot wide minor drainage and utility easement located on Lot 6 as shown on Exhibit "A".

STAFF REVIEW: Staff has reviewed the request for a Vacation of a Minor Drainage and 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

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utility companies. Staff noted that all of the affected utility companies have been contacted and all five affected utility companies have provided written documentation that they do not have existing or proposed services within the easement and have no objections to vacating the utility easement.

Engineering: Staff noted that the minor drainage and utility easement will not be required for future development and concurs with the request to vacate the minor drainage and utility easement as proposed.

Planning: Staff noted that the site plan shows an existing residence across two lots and across the existing minor drainage and utility easement. Staff also noted that a developmental lot agreement was approved on June 6, 2002 for the subject property.

Staff has reviewed the request for the vacation of a minor drainage and utility easement and has determined that the easement is not required for the utility companies and will not effect future development. As such, Staff recommends that the Vacation of the Minor Drainage and Utility Easement be approved.