

STAFF REPORT
March 30, 2009

No. 09VE009 - Vacation of a portion of a Major Drainage Easement ITEM

GENERAL INFORMATION:

APPLICANT/AGENT	Ron Davis for Davis Engineering
PROPERTY OWNER	Courtney Klein and Terry and Monica Leitheiser
REQUEST	No. 09VE009 - Vacation of a portion of a Major Drainage Easement
EXISTING LEGAL DESCRIPTION	Lots 8 and 9 of Block 6 of Murphy Ranch Estates, located in the NE1/4 NW1/4, Section 14, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 15.522 square feet
LOCATION	6187 Flintlock Court
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	7/31/2009
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Vacation of a portion of a Major Drainage Easement be approved with the following stipulation:

1. The drainage channel located along the common lot line of Lots 8 and 9, Block 6 of Murphy Ranch Estates shall be reconstructed as a concrete drainage channel in compliance with the approved plans.

GENERAL COMMENTS:

The applicant is proposing to vacate a portion of a Major Drainage Easement located along the common lot line of Lots 8 and 9, Block 6 of Murphy Ranch Estates. The applicant has also submitted a site plan identifying that a small portion of the single family residence located on Lot 8 has been constructed within an existing Major Drainage Easement located along this same lot line. The applicant is proposing to vacate that portion of the easement

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encroached upon by the residence.

On May 9, 2008, the City approved a Final Plat (File #08PL067) creating nine residential lots as a part of the Murphy Ranch Subdivision. The Final Plat included these lots.

The property is located at the eastern terminus of Flintlock Court. Currently, a single family residence is located on each of the lots.

STAFF REVIEW:

Staff has reviewed the Vacation of a portion of a Major Drainage Easement request and has noted the following considerations:

Drainage: As a part of the Final Plat application to create the nine lots as identified above, the applicant submitted construction plans showing a grass drainage channel constructed along the common lot line of Lots 8 and 9. Due to the encroachment of the structure into the Major Drainage Easement, the drainage channel could not be constructed per the approved construction plans. As such, the applicant has submitted revised construction plans showing the reconstruction of the channel as a concrete drainage channel in order to accommodate the drainage flows. The revised construction plans were approved by the Planning Commission on September 9, 2009. The applicant is currently completing the construction of the concrete drainage channel.

With the redesign of the drainage channel from a grass channel to a concrete channel, the balance of the Major Drainage Easement will accommodate the drainage flows. As such, staff recommends that the Vacation of the Major Drainage Easement for the area of the structural encroachment be approved with the stipulation that the drainage channel be constructed as per the approved construction plans.