

STAFF REPORT

April 26, 2001

No. 01VE002 - Vacation of Drainage and Utility Easement

ITEM

GENERAL INFORMATION:

PETITIONER	Charles H. Wendling
REQUEST	No. 01VE002 - Vacation of Drainage and Utility Easement
LEGAL DESCRIPTION	Lot 15R, Block 1, Minnewasta Subdivision, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .29 Acres
LOCATION	2302 Harney Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Park Forest District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Vacation of Drainage and Utility Easement be denied.

GENERAL COMMENTS: Currently, a single family dwelling with a 16 foot by 24 foot 2 inch garage is located on the subject property. The applicant is proposing to construct a 4 foot 5 inch by 24 foot 2 inch addition to the east side of the existing garage which will encroach into a ten foot utility and major drainage easement two feet. The applicant has noted that because the home was not built parallel to the side lot lines any addition to the existing garage will result in an encroachment into the major drainage easement.

STAFF REVIEW: Staff has reviewed the request and notes the following:

Utility Company Response: The vacation of drainage and utility easement requires the permission of all affected utility companies. Of the five affected utility companies, four have responded. None of the responding companies have indicated any opposition to the vacation. To date, Black Hills Fibercom has not responded.

Engineering Concerns: Currently, a 30 inch reinforced concrete pipe is located in the major drainage easement. The pipe is an element of the City's storm sewer system. The Engineering Division is concerned that the existing twenty foot easement will not provide

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sufficient room for equipment to maneuver if the concrete pipe ever needed repairs or replacement. A further reduction in the width of the easement would exacerbate the situation. Therefore, staff is recommending denial of this vacation request.