

STAFF REPORT

October 10, 2001

No. 01VE011 - Vacation of Drainage and Utility Easement

GENERAL INFORMATION:

PETITIONER	Complete Home Builders Inc.
REQUEST	No. 01VE011 - Vacation of Drainage and Utility Easement
LEGAL DESCRIPTION	Lot 2, Block 1, Valleyridge Subdivision, Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .33 acres
LOCATION	5443 Solitaire Drive
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Rapid Valley Water and Sewer
REPORT BY	Blaise Emerson

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

GENERAL COMMENTS: The applicant is proposing to vacate a portion of minor drainage and utility easement. In the construction of the residence and attached garage, the structure encroach 1.5 feet into the easements. In July, the Pennington County Zoning Board of Adjustments granted a variance reducing the minimum side yard setback for the structure. The applicant is only proposing to vacate the portion of the easement or a 1.5 foot by 30 foot area. This is located that the structure was constructed in the easement.

STAFF REVIEW: Staff has reviewed the vacation of the utility and minor drainage easement and has noted the following considerations:

All the effected utilities companies have been contacted regarding the proposed vacation. The utility companies have respond to the request and no utilities are located within the easement nor do they object to the vacation of the easement.

Both the Engineering Division and Pennington County Highway Department have stated concerns regarding vacating minor side and rear lot line drainage easements. Side and rear lot line minor drainage easements provide for the conveyance of storm runoff between neighboring properties. Reducing these easement can cause problems with drainage flows

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in the future. In reviewing this case, Staff has noted that there appears to be adequate area to handle the drainage needs for the property and adjoining lot. The Engineering Staff has noted that it is the responsibility of the applicant/home owner to assure that adequate provisions or improvements to carry the run off in the easement are in place.