

STAFF REPORT

January 30, 2002

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**No. 02VE001 - Vacation of Utility and Minor Drainage Easement**

**ITEM**

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GENERAL INFORMATION:

PETITIONER	Roger Opp
REQUEST	<b>No. 02VE001 - Vacation of Utility and Minor Drainage Easement</b>
EXISTING LEGAL DESCRIPTION	Lot 12, Block 23, Robbinsdale Addition No. 10, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .265 acres
LOCATION	4021 Windslow Place
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/26/2001
REPORT BY	Lisa Seaman

RECOMMENDATION:

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

GENERAL COMMENTS: Currently, a stick built home with a deck is located on the subject property. The Building Inspection Department denied the applicant's request for a Building Permit to extend the roof of the residence to cover the deck because the existing deck encroaches approximately three feet into the minor drainage and utility easement. The applicant is proposing to vacate a portion of the eight foot wide utility and minor drainage easement located along the south lot line to allow the deck to remain as it is currently constructed.

STAFF REVIEW: Staff has reviewed this request and is recommending approval of the vacation of a portion of the minor drainage and utility as shown on the applicant's exhibit. The Engineering Department observed during a site visit that the grading between the applicant's residence, the south property line and in the rear yard may not be adequate to

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divert storm water runoff from the residence. The grading of the lot to accommodate on-site drainage is not a part of the scope of this review, but is a discretionary maintenance responsibility of the property owner. The existing lot grading does not affect runoff to other properties and will not be affected by the easement vacation. The affected utility companies have indicated that they have no objections to the proposed vacation.