

STAFF REPORT

July 31, 2002

No. 02VE008 - Vacation of Drainage Easement

ITEM

GENERAL INFORMATION:

PETITIONER	Ivan Kundel
REQUEST	No. 02VE008 - Vacation of Drainage Easement
EXISTING LEGAL DESCRIPTION	Lot 12 of Block 6 of Scenic Valley Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .23 acres
LOCATION	5256 Basswood Drive
EXISTING ZONING	Suburban Residential District
SURROUNDING ZONING	
North:	Suburban Residential District
South:	Suburban Residential District
East:	Suburban Residential District
West:	Suburban Residential District
PUBLIC UTILITIES	Rapid Valley Sanitary Sewer District and water
DATE OF APPLICATION	06/25/2002
REPORT BY	Lisa Seaman

RECOMMENDATION:

Staff recommends that the Vacation of Drainage Easement be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to City Council approval, the Vacation Exhibit shall be revised to reflect the portion of the drainage easement to be vacated; and,
2. Prior to City Council approval of the vacation of the drainage easement, the applicant shall file with the Pennington County Register of Deeds a miscellaneous document identifying the location of the relocated drainage easement.

GENERAL COMMENTS: The applicant has submitted this request to vacate an existing major drainage easement located within the subject property and relocate the major drainage easement to the south property line. Currently, a single family dwelling is located on the subject property. The drainage plans submitted with the plat of this property identified that a drainage ditch would be constructed approximately 70 feet north of the southeast property corner and extend across the subject property to the southwest property corner. The drainage ditch was actually constructed along the south property line because the ditch as

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identified on the original drainage plan made the backyard difficult for the property owner to utilize and landscape. Therefore, the applicant is requesting that the major drainage easement be relocated to coincide with the existing drainage ditch. The property is located in Pennington County, outside of the City limits of Rapid City, but within the City's three mile platting jurisdiction.

STAFF REVIEW: The Pennington County Highway Department and Rapid City Engineering Division Staff has reviewed this request and noted that though not constructed in the location identified on the approved subdivision improvements plan the drainage ditch constructed along the subject property's south property line is sufficient to convey the drainage generated by the subject property as well as the property to the east. The Engineering Division Staff has noted that an exhibit identifying the location of an eight foot wide drainage easement parallel to the south property line of the subject property must be filed with the Pennington County Register of Deeds prior to approval of the requested vacation. In addition, the applicant must submit a revised exhibit identifying the portion of the existing drainage easement that is being vacated.