

STAFF REPORT

October 29, 2002

No. 02VE006 - Vacation of Utility Easement

ITEM

GENERAL INFORMATION:

PETITIONER	Kirby Ruenholl
REQUEST	No. 02VE006 - Vacation of Utility Easement
EXISTING LEGAL DESCRIPTION	Lot 5 of Block 2 of Meadow Ridge Subdivision located in the W1/2 of the SW1/4 Section 2, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .17 Acres
LOCATION	1810 Ennen 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 Sanitary Services
DATE OF APPLICATION	05/09/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the vacation of a 26 foot by four foot section of an eight foot side yard utility easement located on the above legally described proeprty be approved.

GENERAL COMMENTS:

The applicant is proposing to vacate a 26 foot by four foot portion of an eight foot side yard utility easement on the above legally described property. The subject property is located in Pennington County, outside of the City limits of Pennington County. A deck has been constructed within the side yard easement and encroaches as identified above. The applicant has indicated that he is aware that a Variance must also be obtained from the Pennington County Board of Adjustment to allow the deck to remain in the eight foot side yard setback as required by the Pennington County Zoning Ordinance.

STAFF REVIEW:

Staff has reviewed the request and notes that the vacation for the utility easement requires the permission of all affected utility companies. All five (5) affected utility companies have responded and have indicated no opposition to the proposed vacation request. City

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Engineering staff has reviewed the request and indicated that only that portion of the easement occupied by the deck should be vacated. The applicant's vacation exhibit reflects the Engineering Division's request. As such, staff is recommending that the Vacation of Utility Easement request be approved.