

STAFF REPORT

August 12, 2003

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**No. 03VE007 - Vacation of Utility and Minor Drainage Easements**

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GENERAL INFORMATION:

PETITIONER	Gail Neill
REQUEST	<b>No. 03VE007 - Vacation of Utility and Minor Drainage Easements</b>
EXISTING LEGAL DESCRIPTION	Lot 4 in Block 2 of Twilight Hills Subdivision No. 2, Section 2, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.35 acres
LOCATION	1819 Heart Court
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 Sewer District
DATE OF APPLICATION	07/08/2003
REPORT BY	Jeff Marino

RECOMMENDATION:

Staff recommends that the Vacation of Utility and Minor Drainage Easements be approved for that portion identified on Exhibit A.

GENERAL COMMENTS: The applicant is requesting approval of the vacation of a three foot wide portion of a utility and minor drainage easement along the west side of the property. The portion to be vacated is 7.5 square feet. The proposed vacation is in the shape of a triangle with the legs being 3 feet by 5 feet. The applicant is proposing this vacation of easement at 1819 Heart Court. The property is located outside the City of Rapid City in Pennington County. The applicant has received verification from the affected utility companies that there are no utilities in this portion of the utility easement. In addition, the utility companies have verified that there are no future plans at this time to utilize the area proposed for vacation for utility purposes.

STAFF REVIEW: Letters were submitted by the utility companies serving the subject property

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area. Review of the letters indicates approval of the vacation of easement by all utility companies contacted.

The Pennington County Highway Department staff does not support the vacation of easements; however, they indicated that if the City were to proceed with the vacation, they would recommend approval of the vacation of only the portion of the easement that is identified in "Exhibit A", as submitted by the petitioner. In addition, the Pennington County Highway Department has identified the impacts of the vacation of the small portion of the minor drainage easement.

Based on the information referenced above, Staff recommends approval of the vacation of easement for only the portion of the easement that is identified as "Exhibit A".