

STAFF REPORT  
July 30, 2007

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**No. 07VE019 - Vacation of a portion of Utility and Drainage Easement      ITEM**

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GENERAL INFORMATION:

PETITIONER	enVision Design, Inc.
REQUEST	<b>No. 07VE019 - Vacation of a portion of Utility and Drainage Easement</b>
EXISTING LEGAL DESCRIPTION	Lot 3 of Block 2 of Robbinsdale Addition No. 9, located in the NW1/4 NE1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .23 acres
LOCATION	3320 Hemlock Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Light Industrial District
West:	Medium Density Residential District
PUBLIC UTILITIES	Public Water and Sewer
DATE OF APPLICATION	6/20/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Vacation of a portion of Utility and Drainage Easement be approved with the following stipulation.

1. Prior to Public Works Committee approval, documentation from all of the affected utility companies shall be submitted indicating no objection to the vacation.

GENERAL COMMENTS:

The applicant is proposing to vacate a portion of an existing Utility and Drainage Easement. The property is located at 3320 Hemlock Street. A single family residence is currently located on the property. The applicant has indicated that this vacation is needed in order to construct a single stall attached garage. Staff has noted that the Zoning Board of Adjustment granted the applicant a variance to reduce the side yard setback on the south side of the property to six feet on July 17, 2007. The property is currently zoned Medium Density Residential.

STAFF REVIEW:

The applicant is proposing to vacate a 54 square foot portion of an existing eight foot wide

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minor drainage and utility easement as shown in Exhibit "A". The easement runs generally north and south along the entire west property line of the property.

DRAINAGE CALCULATION:

Drainage information was submitted for review in conjunction with this vacation request. Staff reviewed the drainage information and found that the proposed vacation of the Utility and Minor Drainage Easement will not adversely affect the property or any surrounding properties.

UTILITIES:

The Vacation of Easement request requires the permission of all affected utility companies. As of this writing Black Hills Power, Mid Continent, Montana-Dakota and Qwest have approved the applicant's request for vacation of easement. However, the approval of Prairie Wave has not yet been received. This information must be submitted prior to approval of this request.

Staff recommends that the Vacation of a portion of the Minor Drainage and Utility Easement be approved contingent upon all utility companies granting approval prior to review by the Public Works Committee meeting.