

STAFF REPORT  
April 29, 2008

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**No. 08VE009 - Vacation of a portion of six foot wide Utility and Minor Drainage Easement**

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GENERAL INFORMATION:

APPLICANT	Del Vanden Hoek for Lifestyle Homes
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	Lifestyle Homes, Inc.
REQUEST	<b>No. 08VE009 - Vacation of a portion of six foot wide Utility and Minor Drainage Easement</b>
EXISTING LEGAL DESCRIPTION	Lot 11 of Block 4 and Lot 1 of Block 5 of Kateland Subdivision, located in the SE1/4 of the SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.5 Acres
LOCATION	Northwest of the intersection of Country Road and Earleen Street
EXISTING ZONING	Medium Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District
East:	Medium Density Residential District (Planned Residential Development)
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	3/27/2008
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Vacation of a portion of six foot wide Utility and Minor Drainage Easement be approved.

GENERAL COMMENTS: The applicant is proposing to vacate an existing Utility and Minor Drainage Easement. The property is located at the northwest intersection of Country Road and Earleen Street. Multi-family residential structures are currently located on a portion of the property and the applicant is proposing to construct the second phase of the residential

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development. The applicant has indicated that this vacation is needed in order to construct one of the proposed buildings.

On August 10, 2006, Planning Commission approved a Planned Residential Development – Final Development Plan (#06PD053) with stipulations for the property.

STAFF REVIEW: The applicant is proposing to vacate an existing eight foot wide minor drainage and utility easement as shown in Exhibit “A”. The easement runs generally north and south through the property.

Grading and Drainage: Staff has noted that drainage information was previously submitted and approved as part of the Planned Residential Development. The drainage is being directed toward the west end of the property. 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.

Utility Company Approval: The vacation of a utility easement requires permission of all affected utility companies. Staff noted that all of the affected utility companies have been contacted. All five affected utility companies have provided written documentation indicating that they do not have objections to vacating the utility easement.

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