

STAFF REPORT  
April 29, 2008

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**No. 08VE010 - Vacation of a Minor Drainage and Utility Easement**

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GENERAL INFORMATION:

APPLICANT	Herman Jones
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Herman and Wanda Jones Revocable Trusts
REQUEST	<b>No. 08VE010 - Vacation of a Minor Drainage and Utility Easement</b>
EXISTING LEGAL DESCRIPTION	Lot 1 of Fort Hayes Subdivision and Lot 4 Revised of Lot 4, located in the NE1/4 SE1/4, Section 34, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.28 acres
LOCATION	2255 and 2505 Fort Hayes Drive
EXISTING ZONING	Suburban Residential District - Highway Services District (Pennington County)
SURROUNDING ZONING	
North:	Highway Services District (Pennington County)
South:	Highway Services District (Pennington County)
East:	Highway Services District (Pennington County)
West:	Suburban Residential District - Highway Services District (Pennington County)
PUBLIC UTILITIES	Private well and septic system
DATE OF APPLICATION	3/28/2008
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

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

1. Prior to Public Works Committee approval, a revised exhibit shall be submitted for review and approval.

GENERAL COMMENTS: The applicant is proposing to vacate a portion of an existing Utility and Minor Drainage Easement between Lot 1 of Fort Hayes Subdivision and Lot 4 Revised of Lot 4, located in the NE1/4 SE1/4, Section 34, T1N, R7E, BHM, Pennington County, South Dakota. The property is located southwest of the intersection of Highway 16 and Fort Hayes Drive. Commercial and residential structures are currently located on the property.

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The applicant has also submitted a Layout Plat (#08PL043) to adjust the lot lines between the two properties and a Variance to the Subdivision Regulations (#08SV020).

STAFF REVIEW: The applicant is proposing to vacate a portion of an existing minor drainage and utility easement as shown in Exhibit "A". The easement runs generally north and south through the property.

Revised Exhibit: Staff noted that the submitted exhibit proposes the vacation of both a minor drainage and utility easement and a private access and utility easement. Staff noted that separate exhibits should be prepared for the various easements because different committees are required to review the applications based on the type of easements proposing to be vacated. As such, staff recommends that prior to Public Works Committee approval, a revised Exhibit "A" be submitted for review and approval showing only the vacation of the minor drainage and utility easement.

Grading and Drainage: Staff has reviewed the submitted 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 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 with the above stated stipulation.