

STAFF REPORT
December 30, 2008

No. 08VE025 Vacation of a Minor Utility and Drainage Easement ITEM

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Copperfield Land Company, LLC
REQUEST	No. 08VE025 - Vacation of a Utility and Minor Drainage Easement
EXISTING LEGAL DESCRIPTION	Lot 1 of Block 5 of Copperfield Vistas Subdivision, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.19 Acres
LOCATION	West of Copperfield Drive between Eunice Drive and Bar Five Ranch Road
EXISTING ZONING	Medium Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	Medium Density Residential District (Planned Residential Development)
East:	Medium Density Residential District (Planned Residential Development)
West:	Medium Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	9/26/2008
REVIEWED BY	Jared Ball / Ted Johnson

RECOMMENDATION:

Staff recommends that the Vacation of a Utility and Minor Drainage Easement be denied without prejudice at the applicant's request.

GENERAL COMMENTS: The property is located west of Copperfield Drive between Eunice Drive and Bar Five Ranch Road. The property is currently zoned Medium Density Residential District with a Planned Residential Development. The adjacent properties to the north, south, east and west are zoned Medium Density Residential District with a Planned

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Residential Development. The applicant is proposing to vacate seven feet of the eight foot Utility and Minor Drainage Easement on the west property line of the property as shown in Exhibit "A". The applicant has indicated that the vacation of Utility and Minor Drainage Easement is needed because the contractor installed the water service line outside of the property.

STAFF REVIEW: Staff has reviewed the Vacation of a Minor Drainage and Utility Easement request and has noted the following issues:

Minor Plat: On November 10, 2008 staff approved a minor plat for the property. (File #08PL151) The requested Vacation of a Minor Utility and Drainage Easement was vacated as a part of the minor plat. As such, the applicant is requesting that the Vacation of a Minor Utility and Drainage Easement be denied without prejudice.

Staff recommends that the Vacation of a Minor Utility and Drainage Easement be denied without prejudice at the applicant's request.