

STAFF REPORT
September 29, 2009

No. 09VE015 - Vacation of a portion of a Drainage Easement

ITEM

GENERAL INFORMATION:

APPLICANT	Steve Kalkman
AGENT	Jerry Foster for FMG, Inc.
PROPERTY OWNER	Steve Kalkman
REQUEST	No. 09VE015 - Vacation of a portion of a Drainage Easement
EXISTING LEGAL DESCRIPTION	Lot 5 of Block 8 of Country Club Heights Subdivision, located in the SW1/4, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.26 acres
LOCATION	2926 Stockade Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Park Forest District
West:	Low Density Residential District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	8/31/2009
REVIEWED BY	Patsy Horton / Karley Halsted

RECOMMENDATION:

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

1. Prior to City Council approval, the proposed Exhibit A shall be signed and sealed by a registered land surveyor.

GENERAL COMMENTS: The property is located at 2926 Stockade Drive south of Tomahawk Drive and east of Stockade Drive. The property is currently zoned Low Density Residential District. The adjacent properties to the north, south, and west are currently zoned Low Density Residential District. The adjacent property to the east is currently zoned Park Forest District. The applicant is proposing to vacate a portion of a Drainage Easement on the east side of the property as shown in Exhibit "A". The applicant has indicated that the Vacation of a Drainage Easement is needed to construct an elevated deck with support posts and stairs

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for access to the 16 foot by 20 foot residential addition.

On August 3, 2009, the City Council approved vacating a portion of the drainage easement (09VE007) to construct a 16 foot by 20 foot addition to the existing residence; however, the vacation did not incorporate the area necessary for all of the support posts. As a result, the applicant has submitted this request to vacate an additional portion of the major drainage easement.

STAFF REVIEW: Staff has reviewed the Vacation of a Drainage Easement and noted the following considerations:

Drainage Plan: The applicant has submitted a revised drainage plan and hydraulic study and report for the proposed vacation of the drainage easement. The drainage information indicates that the proposed vacation of the Drainage Easement will not adversely affect the property or any surrounding properties.

Utility Company Approval: The easement proposed to be vacated is only a drainage easement. No utilities are affected by the proposed vacation.

Flood Plain: Staff noted that a portion of the proposed addition is located within the 100 Year Federally Designated Flood Plain. As such, the applicant should be aware that prior to issuance of a building permit the applicant must obtain a Flood Plain Development Permit.

Registered Land Surveyor: The proposed exhibit must be signed and sealed by a registered land surveyor prior to the applicant recording the document with the Register of Deeds. As such, the applicant should be aware that the exhibit submitted with the application is not signed and sealed by a registered land surveyor.

Staff recommends that the Vacation of a portion of a Drainage Easement be approved with the stipulation that prior to City Council approval, the proposed Exhibit A shall be signed and sealed by a registered land surveyor.