

STAFF REPORT
December 29, 2009

No. 09VE017 - Vacation of a portion of a Minor Drainage and Utility Easement **ITEM**

GENERAL INFORMATION:

APPLICANT/AGENT	K1 Construction, Inc.
PROPERTY OWNER	Jeff and Diana Penney
REQUEST	No. 09VE017 - Vacation of a portion of a Minor Drainage and Utility Easement
EXISTING LEGAL DESCRIPTION	Lot 10 of Block 7 of Red Rock Meadows Subdivision, located in the SW1/4 NW1/4, Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.23 acres
LOCATION	6515 Seminole Lane
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development)
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential District (Planned Residential Development)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	12/4/2009
REVIEWED BY	Ali DeMersseman / Mary Bosworth

RECOMMENDATION:

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

GENERAL COMMENTS:

The applicant has submitted a Vacation of a Minor Drainage and Utility request to vacate a portion of the easement located along the north lot line of the property. The site plan submitted with the application indicates that the existing single family residence is located within this area of the easement. In addition, the applicant has submitted a Major

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Amendment to a Planned Residential Development (No. 09PD106) to reduce the side yard setback from 8 feet to 4.2 feet along the north lot line of the property.

The property is located approximately 200 feet north of the intersection of Cog Hill Lane and Seminole Lane on the south side of Seminole Lane. The property is developed with a single family home.

STAFF REVIEW:

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

Utilities: The affected utility companies have indicated concurrence with the request to vacate the utility easement.

Drainage: The applicant has submitted a Drainage Report for review and approval. The Drainage Report and site plan demonstrate that the encroachment will not impact the adjacent property and that the remaining easement can accommodate the anticipated drainage flows.

Staff recommends approval of the Vacation of Minor Drainage and Utility Easement request.