

STAFF REPORT
February 23, 2010

No. 10VE002 - Vacation of a portion of a Minor Drainage and Utility Easement **ITEM**

GENERAL INFORMATION:

APPLICANT	Paul Stroud
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Paul A and Julieta Stroud
REQUEST	No. 10VE002 - Vacation of a portion of a Minor Drainage and Utility Easement
EXISTING LEGAL DESCRIPTION	Lot 3 of Block 17 of Valley Heights Estates Subdivision, Section 12, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.464 acres
LOCATION	23005 Morninglight Drive
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Box Elder water, septic tank and drainfield
DATE OF APPLICATION	1/22/2010
REVIEWED BY	Ali DeMersseman / Ted Johnson

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 Easement request to vacate a portion of the 8 foot Minor Drainage and Utility Easement located along the south lot line of Lot 3, Block 17 of the Valley Heights Estates Subdivision, located west of Radar Hill Road.

The site plan submitted with the application identifies that footings for a proposed garage

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were constructed within a portion of the existing easement. The proposed garage has not been constructed as of this writing. Pennington County Planning has indicated that the applicant has applied for a Variance from the Pennington County Board of Adjustment to reduce the side yard setback from 8 feet to 5.5 feet along the south lot line to allow for the construction of an attached garage.

The property is located approximately 700 feet south of the intersection of Morninglight Drive and Sunlight Drive. The property is developed with a single family home. The surrounding properties are developed with single family homes.

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 that demonstrates that the proposed vacation of 2.5 foot by 39.5 foot portion of the existing 8 foot wide Minor Drainage and Utility Easement along the property's south lot line will not adversely impact existing drainage patterns. The applicant has indicated that 8 foot wide Utility and Minor Drainage Easements are provided along all lot lines for lots within the Valley Heights Subdivision. In particular, the drainage report states that the lot, as well as the adjacent lot to the south, utilize cross-lot swales along their northern lot lines to carry street and front lot drainage to the drainage swale at the rear of the lots. Staff has reviewed and approved the drainage report.

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