

STAFF REPORT  
August 30, 2011

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**No. 11VE020 - Vacation of Utility Easement**

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GENERAL INFORMATION:

APPLICANT	William L. Murner
PROPERTY OWNER	William L. Murner
REQUEST	<b>No. 11VE020 - Vacation of Utility Easement</b>
EXISTING LEGAL DESCRIPTION	Lot A of Lot 13 of Block 1 of Chapel Valley Subdivision located in Section 17, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .2 acres
LOCATION	4604 Steamboat Circle
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:	Park Forest District (Planned Residential Development)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	Chapel Valley Water, Rapid City Sewer
DATE OF APPLICATION	8/4/2011
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Vacation of Utility Easement be approved with the following stipulations:

1. Prior to the Public Works Committee meeting, written documentation shall be obtained from Qwest and Black Hills Power indicating concurrence with the proposed vacation of easement request; and,
2. Prior to Public Works Committee meeting, written documentation shall be submitted indicating that private individual service lines for Chapel Valley water for properties to the west do not run through the proposed easement to be vacated or the applicant shall provide a site plan showing the relocation of individual service lines.

GENERAL COMMENTS:

The applicant has submitted a Vacation of Utility Easement request to vacate a six foot by

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38 foot electrical easement. The area of vacation extends from the northwest corner of the property 38 feet to the east and six feet deep. The building located on the property is located over the easement.

On April 13, 1978 the property was effectively annexed (Annexation File #153) into Rapid City. The residence on the property was built prior to annexation. The Pennington County Planned Residential Development Ordinance did not require setbacks.

The property is located approximately 170 feet northeast of the intersection of Chapel Valley Road and Steamboat Circle. There is a one-story residence located on the property.

**STAFF REVIEW:**

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

**Utility Companies:** All of the utility companies have indicated concurrence with the Vacation request with the exception of Qwest and Black Hills Power. As such, prior to the Public Works Committee meeting, written documentation must be obtained from Qwest and Black Hills Power indicating concurrence with the proposed vacation of easement request.

Chapel Valley Water identifies that no water or sewer mains are located in the easement. However, Chapel Valley Water has indicated that they are not aware whether individual service lines are located in the easement. As such, written documentation must be submitted indicating that private individual service lines for Chapel Valley water for properties to the west do not run through the proposed easement to be vacated or the applicant must provide a site plan showing the relocation of individual service lines.

Staff is recommending that the Vacation of Utility Easement request be approved with stipulations as noted above.