

STAFF REPORT

October 14, 2003

No. 03VE013 - Vacation of Utility Easement

ITEM

GENERAL INFORMATION:

PETITIONER	Jason Renken
REQUEST	No. 03VE013 - Vacation of Utility Easement
EXISTING LEGAL DESCRIPTION	Lot 12, Eden Gardens Addition, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.28 acres
LOCATION	2709 Eden Lane
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	09/08/2003
REPORT BY	Karen Bulman

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

Engineering Division Recommendations:

1. Prior to City Council approval of the Vacation of Utility Easement, a revised Vacation of Utility Easement shall be submitted to the Engineering Staff for review and approval.

GENERAL COMMENTS: The applicant is proposing to vacate a two foot wide and thirty seven foot long utility easement located along the east boundary of the subject property. An existing garage will be moved to a new location three and one half feet south and two feet east from the current location. An attached garage will be added to the house and located north of the existing garage. This attached garage will encroach two feet into the utility easement on the east boundary of the property. A portable shed is also located within the ten foot utility easement adjacent to the existing garage on the east boundary of the subject property and will be relocated on the property outside of the utility easement. The existing electrical service lines located within the ten foot utility easement on the east boundary of the property will be relocated along the ten foot utility easement on the south boundary of

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the property.

STAFF REVIEW: The applicant mailed the required notification letter to the necessary utility companies and comments have been returned to the Planning Department. The West River Electric Association has stated that the property owner is working with them to relocate the service lines so no utilities will be in the affected easement and they have approved the vacation of utility easement. Staff is requesting that the two foot wide vacation of easement include the entire length of the easement, which is 100 feet, rather than only a portion of the utility easement. The utility companies were contacted to see if they concurred with the two foot wide and 100 foot length vacation of utility easement. This would change the ten foot utility easement to an eight foot utility easement on the east side of the property. The utility companies have expressed no opposition to the proposed revised vacation. The applicant will provide a revised Exhibit A showing the vacation of utility easement to be two feet wide and 100 feet long. Staff has reviewed the request and recommends approval of the two foot wide by 100 foot long request for vacation of utility easement.