

STAFF REPORT

February 22, 2001

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**No. 01SV002 - Variance to the Subdivision Regulations to waive the requirement for all improvements to Section Line and Access Easement**

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**ITEM 5**

GENERAL INFORMATION:

PETITIONER	Gary Renner for Suzanne Gabrielson
REQUEST	<b>No. 01SV002 - Variance to the Subdivision Regulations to waive the requirement for all improvements to Section Line and Access Easement</b>
LEGAL DESCRIPTION	Tract L of Gray's Subdivision, Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 39.791 Acres
LOCATION	At the western terminus of City Springs Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District (County)
East:	Low Density Residential District
West:	General Agriculture District (County)
PUBLIC UTILITIES	City Water
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to waive the requirement for all improvements to Section Line and to the Access Easement be continued to the March 8, 2001 Planning Commission meeting.

GENERAL COMMENTS: The applicant is proposing to split a 39.79 acre lot into two lots with both being 19.895 acres in size. The property is located west of City Spring Park. The two (2) lots will access a road that will be built in the adjacent section line right of way. The section line right of way intersects with the terminus City Spring Road. City water has been extended to serve the properties and waste-water disposal will be by means of an on-site waste water system.

In 1994, the City approved a Layout and Preliminary Plat for the subject property with the following stipulations:

1. Street construction plan be reviewed and approved;
2. Water utility plans be reviewed and approved;

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3. Drainage plans be reviewed and approved.

The applicant has changed the original plat slightly from the approved Preliminary Plat. In 1994, the applicant proposed the development of two lots that were 22.67 acres and 16.768 acres in size. The current plat splits the property equally in half.

In the 1994 Preliminary Plat review, a number of issues were not addressed. The issues are in regard to the development of the section line right of way west of the private access easement and the development of the private access easement. The applicant has paved the section line right of way from the intersection of City Spring Road to a point approximately 800 feet to the west. That would leave approximately 900 feet of section line right-of-way as undeveloped.

The applicant has identified a forty foot wide access and utility easement that follows the common lot line. In the Preliminary Plat review, this easement was not identified needing improvements. However, the Street Design Criteria Manual does require this easement to be constructed to City Standards. The easement provides a drive way to the residence constructed on Lot 1.

This request is to waive the remaining improvements to the section line right-of-way and to waive all improvements to access easement.

The applicant has submitted a lot size variance for the subject property. The variance will be heard by the Rapid City Zoning Board of Appeals at the March 6, 2001 hearing. Staff has stated will support the lot size variance because the minimal adjustment necessary for the subject property. Staff is recommending the Final Plat be continued to the March 8, Planning Commission meeting to allow the Zoning Board of Adjustment to hear the Variance request. The Planning Commission requested that the variance be heard before they take action on a request. Staff recommends that the Subdivision Variance request be continued to be heard in association with the Plat request.