

STAFF REPORT

August 9, 2001

No. 01SV022 - Variance to the Subdivision Regulations to waive the requirement for sidewalk, curb and gutter and street light conduit

ITEM 36

GENERAL INFORMATION:

PETITIONER	Polenz Land Surveying for Rose Schimke
REQUEST	No. 01SV022 - Variance to the Subdivision Regulations to waive the requirement for sidewalk, curb and gutter and street light conduit
LEGAL DESCRIPTION	Lot 5R and 6R of Schimke Subdivision formerly Lot 5 and 6 of Schimke Subdivision all located in the S1/2 of the SW1/4 of Section 3, T1N, R8E, B.H.M., Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.6257 acres
LOCATION	1650 Sweetbriar
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
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to waive the requirement for sidewalk, curb and gutter and street light conduit be approved with the following stipulations:

Pennington County Drainage Engineer Recommendation:

1. Prior to City Council approval, a drainage ditch shall be constructed along Sweetbriar Street, or surety shall be posted for the improvement; and,

Urban Planning Division Recommendation:

2. Prior to City Council approval, a waiver of right to protest an assessment district for Lot 5R and 6R of Schimke Subdivision shall be signed.

GENERAL COMMENTS: The applicant has submitted a Subdivision Regulations Variance request to waive the above referenced subdivision improvements. The applicant has also submitted a Preliminary and Final Plat to reconfigure two existing lots (See companion item

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01PL069.) The subject property is located approximately 600 feet north of the intersection of Sweetbriar Street and Twilight Drive, along the east side of Sweetbriar Street. Currently, a single family residence is located on proposed Lot 5R. Lot 6R is void of any structural development.

STAFF REVIEW: Sweetbriar Street is classified as a local road requiring a minimum 52 foot wide right-of-way and a 27 foot wide paved surface. Currently, Sweetbriar Street is located within a 60 foot wide right-of-way with an approximate 24 foot wide paved surface. The accompanying Preliminary and Final Plat to reconfigure two existing lots will not result in an increase in density from that currently existing on the property. The Pennington County Highway Department has indicated that a portion of Sweetbriar Street, including that portion located adjacent to the subject property, will be rebuilt in the near future by the Pennington County Highway Department. However, the Pennington County Drainage Engineer has indicated that the applicant must construct a drainage ditch along Sweetbriar Street as it abuts the subject property. Staff is recommending that the Variance to the Subdivision Regulations to waive the street improvements along Sweetbriar Street be approved contingent upon the drainage ditch being constructed as requested by the Pennington County Drainage Engineer. In addition, the applicant must sign a waiver of right to protest a future assessment Lot 5R and 6R of Schimke Subdivision. Upon annexation of the property, the waiver of right to protest a future assessment will hold the property owner responsible for their share of the street improvements at such time as the street improvements are made.