

STAFF REPORT

July 3, 2002

No. 02SV030 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk on Stoney Creek Court and Winterset Drive as regulated by Section 16.16 of the Subdivision Regulations

ITEM 23

GENERAL INFORMATION:

PETITIONER	James Heald, Registered Land Surveyor for Robert & Rosemary Christol, Philip and Carolie Zacher, Mark and Shannon Ballard and the Autumn Hills Homeowner's Association
REQUEST	No. 02SV030 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk on Stoney Creek Court as regulated by Section 16.16 of the Subdivision Regulations
EXISTING LEGAL DESCRIPTION	Lots 10, 11, and 17 and Outlot M of Block 7 of Autumn Hills Subdivision, located in the W1/2 of NW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 10R, 11R, and 17R of Block 7 of Autumn Hills Subdivision, located in the W1/2 of NW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.02 acres
LOCATION	West of Winterset Drive and south of Stoney Creek Court
EXISTING ZONING	Low Density Residential District w/Planned Residential Development
SURROUNDING ZONING	
North:	Low Density Residential District w/Planned Residential Development
South:	Low Density Residential District w/Planned Residential Development
East:	Low Density Residential District w/Planned Residential Development
West:	Low Density Residential District w/Planned Residential Development
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	06/07/2002

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REPORT BY

Lisa Seaman

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk on Stoney Creek Court where proposed Lots 11R and 17R abut the Stoney Creek right of way be approved and that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk where proposed Lot 10R abuts Winterset Drive be denied.

GENERAL COMMENTS: This Subdivision Regulations Variance request is the companion item to the Preliminary and Final Plat request (file #02PL063) and the Major Amendment to a Planned Residential Development (file #02PD029) to incorporate a .15 acre outlot into three existing lots in the Autumn Hills Subdivision. The property is located along the southern border of the Autumn Hills Subdivision. Two of the proposed lots abut Stoney Creek Court and one lot abuts Winterset Drive. The applicant is seeking to waive the requirement to install sidewalk where the subject property abuts Stoney Creek Court and Winterset Drive.

STAFF REVIEW: Staff has reviewed the proposed Subdivision Variance request and is recommending approval of the request to waive the requirement of sidewalk where proposed Lots 17R and 11R abut Stoney Creek Court. Staff is, however, recommending denial of the variance to the requirement for the installation of sidewalk where Lot 10R abuts Winterset Drive.

Currently, Stoney Creek Court is a paved cul-de-sac with curb and gutter and no sidewalks. Sidewalks do exist along Winterset Drive south of the subject property within the Stoney Creek Subdivision. However, no sidewalk has been constructed along the frontage of the lots located to the north of proposed Lot 10R. The construction of the sidewalk where proposed Lot 10R abuts Winterset Drive will provide an extension of the existing sidewalk in the area.

The proposed plat does not increase the overall density of the subdivision; it merely reconfigures the lot lines of three existing lots to eliminate a .15 acre outlot. In the past, the City Council has supported variances to the Subdivision Regulations when the proposed plat does not increase the overall density of the subdivision and the construction of the sidewalk improvements would result in a section of discontinuous sidewalk. Staff finds that the construction of sidewalks along the Stoney Creek Court frontage would result in discontinuous sidewalk; however, the construction of sidewalk along the Winterset Drive frontage would be a continuation of the existing sidewalk. Staff recommends approval of the request to waive the requirement of sidewalk where proposed Lots 17R and 11R abut Stoney Creek Court and denial of the variance to the requirement for the installation of sidewalk where Lot 10R abuts Winterset Drive.