

STAFF REPORT

March 27, 2003

No. 03PL023 - Preliminary and Final Plat

ITEM 7

GENERAL INFORMATION:

PETITIONER	Kent Snow
REQUEST	No. 03PL023 - Preliminary and Final Plat
EXISTING LEGAL DESCRIPTION	Lots 37, 38 and 39, Enchanted Hills No. 4, located in the S1/2 NW1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 37R, 38R and 39R, Enchanted Hills No. 4 Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.2814 acres
LOCATION	639 Enchantment Road
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City Water; Private Septic
DATE OF APPLICATION	2/27/2003
REPORT BY	Tom Kurtenbach

RECOMMENDATION:

Staff recommends that the Preliminary/Final Plat be approved with the following stipulation:

Urban Planning Division Recommendations:

1. Prior to Final Plat approval, a Variance to the Subdivision Regulations shall be obtained to allow a lot length greater than twice the lot width or the plat shall be revised to comply with the length to width requirement.

GENERAL COMMENTS: The applicant is proposing to relocate two common lot lines affecting existing Lots 37, 38 and 39 in the Enchanted Hills No. 4 Subdivision. Currently a residence occupies Lot 37, and another residence is under construction on Lot 39. There is no structural development on Lot 38 at this time. The residence on Lot 37 currently encroaches into the side yard setback along the common lot line with Lot 38. The proposed re-platting will eliminate the structural encroachment into the side yard setback for Lot 37. The Layout

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Plat was approved by the City Council on March 3, 2003.

STAFF REVIEW: Staff has reviewed the request and noted the following considerations:

Septic Systems: The South Dakota Department of Environment and Natural Resources requires that wastewater disposal facilities be located such that they are separated from lot lines and residences by a minimum of ten feet. A stipulation of approval of the Layout Plat stated that upon Preliminary Plat submittal, the applicant shall submit information demonstrating that the existing septic systems meet the required separations from existing residences and proposed lot lines. Documentation submitted by the applicant demonstrates that the South Dakota Department of Environment and Natural Resources wastewater separation requirements are currently met, and will continue to be met with the proposed plat.

Subdivision Improvements: A section line highway abuts the west lot line of Lot 39 and Enchantment Road abuts the north lot lines of Lots 37, 38 and 39. The Subdivision Regulations require that the section line highway and Enchantment Road must be improved to City standards or the applicant must obtain a Subdivision Regulations Variance to waive the requirement for the improvements, or the section line highway shall be vacated. In conjunction with the Layout Plat application, the applicant applied for a Variance to the Subdivision Regulations to waive the requirement for the construction of pavement, curb, gutter, water, sewer sidewalk and street light conduit improvements along the section line highway and dry sewer and sidewalk on one side along Enchantment Road. The Subdivision Regulations Variance was approved by the City Council on March 3, 2003, with a stipulation that the applicant submit a signed Waiver of Right to Protest an assessment district for the required subdivision improvements. The applicant signed the Waiver of Right to Protest on March 11, 2003.

Lot Configuration: The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet; the lot length shall not be greater than twice the lot width". The proposed Preliminary and Final Plat identifies that Lots 37R and 38R will have a length twice as long as wide. Prior to Final Plat approval by the City Council, a Variance to the Subdivision Regulations must be obtained to allow a lot length greater than twice the lot width or the plat must be revised to comply with the length to width requirement.

Staff believes that the proposed plat generally complies with all applicable zoning and subdivision regulations assuming compliance with the stated stipulations.