

STAFF REPORT
July 22, 2004

No. 04SV040 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 38

GENERAL INFORMATION:

PETITIONER	Daniel P. Wegner
REQUEST	No. 04SV040 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lot 4 of Tract 2 Revised, Cavern Crest Subdivision, Section 11, T1N, R6E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 4A and 4B of Tract 2 Revised, Cavern Crest Subdivision, Section 11, T1N, R6E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 14.14 acres
LOCATION	2680 Cavern Road
EXISTING ZONING	Limited Agriculture District
SURROUNDING ZONING	
North:	Limited Agriculture District
South:	Limited Agriculture District
East:	Limited Agriculture District
West:	Low Density Residential District
PUBLIC UTILITIES	Private water and wastewater
DATE OF APPLICATION	06/21/2004
REVIEWED BY	Renee Catron-Blair / Sig Zvejnieks

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code be denied without prejudice to allow the applicant time to rezone the property through the Pennington County Planning Department.

STAFF REPORT
July 22, 2004

No. 04SV040 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 38

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement along Cavern Road as it abuts the subject property. In addition, the applicant has submitted a Layout Plat to subdivide a 14 acre lot into two lots ranging in size from six acres and eight acres. (See companion item #04PL091.) The applicant has also submitted a Special Exception to allow more than four lots to access via an easement and a Special Exception to allow an approximate 2,500 foot long cul-de-sac without any intermediate turnarounds in lieu of a maximum 1,200 foot long cul-de-sac with intermediate turnarounds at intervals not exceeding 600 feet.

The property is located off west S.D. Highway 44 on Cavern Road. There is currently a structure on the property.

STAFF REVIEW:

Because the density of development allowed on the property may significantly affect the development plan and ultimately the review of the requested variances, staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code be denied without prejudice. This will allow the applicant time to rezone the property through the Pennington County Planning Department. The above items will be addressed once Pennington County has approved the rezoning of the property.

Rezoning Request: Currently the property is zoned Limited Agriculture District. The Limited Agriculture District requires a minimum lot size of ten acres. As such, the subject property must be rezoned to allow the proposed six acre and eight acre lot sizes. Staff is recommending that the Layout Plat be denied without prejudice to allow the applicant time to rezone the property through the Pennington County.

Fire Hazard Rating: The Fire Department staff has indicated that the property is located in an extreme wild fire hazard area. As such, prior to submittal of a Final Plat application, a Wild Fire Mitigation Plan must be submitted for review and approval. In addition, the Wild Fire Mitigation Plan must be implemented.