

STAFF REPORT

June 23, 2005

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**No. 05SV035 - Variance to the Subdivision Regulations to allow a lot twice as long as wide and to waive the requirement to install curb, gutter, sidewalk, street light conduit and additional pavement as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 20**

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting for Lifestyle Homes, Inc.
REQUEST	<b>No. 05SV035 - Variance to the Subdivision Regulations to allow a lot twice as long as wide and to waive the requirement to install curb, gutter, sidewalk, street light conduit and additional pavement as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	Lot 7 of Block 18, Trailwood Village Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 7A and 7B of Block 18, Trailwood Village Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .314 acres
LOCATION	Between the east side of Savannah Street and the west side of Reservoir Road
EXISTING ZONING	Planned Unit Development (Pennington County)
SURROUNDING ZONING	
North:	Planned Unit Development (Pennington County)
South:	Planned Unit Development (Pennington County)
East:	Planned Unit Development (Pennington County)
West:	Planned Unit Development (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	5/24/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to allow a lot twice as long as wide be tabled and that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and additional pavement as per Chapter 16.16 of the Rapid City Municipal Code be approved.

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GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter sidewalk, and street light conduit along Reservoir Road as it abuts the subject property and to allow a lot twice as long as it is wide. In addition, the applicant has submitted a Preliminary Plat to subdivide the subject property into two townhome lots. (See companion item #05PL096,)

On November 1, 2004, the City Council approved a Preliminary Plat to create five residential lots which included the subject property. A Final Plat was subsequently approved. In addition, the City Council approved a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Reservoir Road as it abuts the subject property with the stipulation that the applicant sign a waiver of right to protest any future assessments for the improvements.

The property is located west of Savannah Street and east of Reservoir Road. The foundation and building pad for two adjoining townhome units are currently located on the property.

STAFF REVIEW:

Staff has reviewed the Variance to the Subdivision Regulations and has noted the following considerations:

Lot Configuration: As noted above the applicant has submitted a Variance to the Subdivision Regulations to allow a lot twice as long as it is wide. However, this requirement does not apply to townhome lots. As such, staff is recommending that the Variance to the Subdivision Regulations be tabled for this portion of the request.

Reservoir Road: Reservoir Road is located along the west lot line of the subject property. Currently, curb, gutter, sidewalk and street light conduit have not been constructed along this section of Reservoir Road. Requiring the improvements along the street as it abuts the subject property will result in a discontinuous street section. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the construction of a curb, gutter, sidewalk and street light conduit along Reservoir Road be approved. As previously indicated, a similar Variance was granted when the property was originally platted. In addition, the applicant signed a waiver of right to protest any future assessment for the improvements precluding the requirement to sign a subsequent document.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the June 23, 2005 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.