

STAFF REPORT
January 26, 2006

No. 05SV090 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit along Bonnie Lane as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 52

GENERAL INFORMATION:

PETITIONER	Davis Engineering, Inc. for John Slagle
REQUEST	No. 05SV090 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit along Bonnie Lane as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lot 7 of Lot 4 of Plateau Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots A and B of Lot 7 of Lot 4, Plateau Subdivision; formerly Lot 7 of Lot 4 of Plateau Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .5 acres
LOCATION	4978 Bonnie Lane
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	12/30/2005
REVIEWED BY	Mike Maxwell / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit along Bonnie Lane as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation;

1. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment for the improvements.

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GENERAL COMMENTS: The applicant has submitted a request for a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement width along Bonnie Lane.

This Subdivision Variance has been submitted in conjunction with a request by the applicant for a Preliminary Plat approval to split one lot into two lots. The proposed plat will create a .35 acre lot and a .15 acre lot, respectively. (See companion item #05PL250).

The property is located at the eastern terminus of Bonnie Lane in the Plateau Subdivision. Currently there is a single family residence, a mobile home and a garage located on the property.

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

Bonnie Lane; Bonnie Lane is located along the southern lot line and is classified as a lane/place requiring that the street be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Bonnie Lane is located in a 40 foot wide right-of-way and constructed with an approximate 20 foot wide paved surface. Bonnie Lane is a road culminating in a dead end. To require the improvements on Bonnie Lane would create a discontinuous road section. Staff is recommending that the Variance to the Subdivision Regulations to waive the improvements as requested be approved with the stipulation that the applicant sign a Waiver of Right to Protest any future assessments for the improvements.

Right-of-Way: Staff has noted that an additional 4.5 feet of right-of-way along Bonnie Lane as it abuts the proposed property has been dedicated by the applicant on the companion Preliminary Plat (#05PL250).

Legal Notification Requirement: The receipts from the certified mailings have not been returned as of this writing. Staff will notify the Planning Commission at the January 26, 2006 Planning Commission meeting if this requirement is not met.