

STAFF REPORT
August 23, 2007

No. 07SV040 - Variance to the Subdivision Regulations to waive the requirement that no new half-streets shall be permitted as per Chapter 16.12.050 of the Rapid City Municipal Code along the adjacent section line highways

ITEM 35

GENERAL INFORMATION:

APPLICANT	Joe L. Ratigan
AGENT	Janelle Fink for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Joe Ratigan
REQUEST	No. 07SV040 - Variance to the Subdivision Regulations to waive the requirement that no new half-streets shall be permitted as per Chapter 16.12.050 of the Rapid City Municipal Code along the adjacent section line highways
EXISTING LEGAL DESCRIPTION	The NE1/4 NE1/4 NE1/4 and the SE1/4 NE1/4 NE1/4 of Section 14, T1N, R6E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Ratigan Subdivision, located in the NE1/4 NE1/4 NE1/4 and the SE1/4 NE1/4 NE1/4 of Section 14, T1N, R6E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20.08 acres
LOCATION	8115 West Highway 44
EXISTING ZONING	General Agriculture District - Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District - Limited Agriculture District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	General Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	7/17/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

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RECOMMENDATION:

A recommendation for will be provided at the Planning Commission meeting.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement that no new half-streets shall be permitted as per Chapter 16.12.050 of the Rapid City Municipal Code along the abutting section line highways.

A Preliminary Plat application (#07PL079) to re-configure two (2) ten acre parcels into a three acre lot and a 17 acre lot, was approved with stipulations by the Planning Commission on August 9, 2007. However the Preliminary Plat has not been approved by City Council.

A Variance to the Subdivision Regulations (#07SV006) to waive the requirement to install curb, gutter, pavement, sidewalk, street light conduit, water, and sewer along the section line highway was approved by the City Council on March 8, 2007. On July 17, 2007 a Lot Size Variance to allow a three acre lot, in lieu of the ten acre minimum lot size in a Limited Agriculture District was approved by the Pennington County Commissioners for proposed Lot 1. Proposed Lot 2 was rezoned from General Agriculture District to Limited Agriculture District on July 17, 2007. The Lot Size Variance and rezoning on the property were needed because the proposed lot sizes associated with the Preliminary Plat did not meet the minimal lot size standards set forth by the Pennington County Zoning Ordinance.

Currently a single family residence is located on each of the proposed lots. The property is located south of the intersection of Cavern Road and South Dakota Highway 44. The property does not lie within the municipal boundaries of the City of Rapid City; however, the property is located within the City of Rapid City's Three Mile Platting Jurisdiction.

STAFF REVIEW:

Staff is currently reviewing the request particularly as it relates to the adjoining property. Staff has not completed this review as of this writing. For this reason staff will provide a recommendation at the August 23, 2007 Planning Commission meeting.