

STAFF REPORT  
September 6, 2007

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**No. 07SV045 - Variance to the Subdivision Regulations to reduce the easement width from 49 feet to 20 feet for a common access easement and to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and additional pavement along the common access easement as per Chapter 16 of the Rapid City Municipal Code**

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**ITEM 36**

GENERAL INFORMATION:

APPLICANT/AGENT	Shannon Schad
PROPERTY OWNER	Shannon Schad, Courtney Schad, Lawrence W. Haley and Tim and Sara Wishard
REQUEST	<b>No. 07SV045 - Variance to the Subdivision Regulations to reduce the easement width from 49 feet to 20 feet for a common access easement and to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and additional pavement along the common access easement as per Chapter 16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	Lots 1R, 2R and 3 in Block 2 of Skyview North Subdivision, located in the NE1/4 of the SE1/4, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1R2, 2R2 and 3R in Block 2 of Skyview North Subdivision, located in the NE1/4 of the SE1/4, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.10 acres
LOCATION	2038, 2050 and 2064 Harney Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District (Planned Residential Development)
East:	Park Forest District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/10/2007
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

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**ITEM 36**

RECOMMENDATION:

Staff recommends that the Planning Commission acknowledge the applicant's request that the Variance to the Subdivision Regulations to reduce the easement width from 49 feet to 20 feet for a common access easement and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along the common access easement as per Chapter 16 of the Rapid City Municipal Code be withdrawn.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to reduce the easement width from 49 feet to 20 feet for a common access easement and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along the common access easement as it abuts the property. In addition, the applicant has submitted a Preliminary Plat (#07PL105) to reconfigure the three lots.

The property is located east of Sheridan Lake Road along the north side of Harney Drive. Currently, a single family residence is located on proposed Lot 1R2 and Lot 2R2, respectively. Proposed Lot 3R is currently void of any structural development.

STAFF REVIEW:

On August 24, 2007, the applicant requested that this item be withdrawn. As such, staff is recommending that the Planning Commission acknowledge the applicant's request that the Variance to the Subdivision Regulations be withdrawn.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the September 6, 2007 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.