

STAFF REPORT
August 7, 2008

No. 08SV038 - Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer as per Chapter 16 of the Rapid City Municipal Code

ITEM 17

GENERAL INFORMATION:

APPLICANT	Allan L. and Leah J. Dewald
AGENT	Hadcock Construction Inc.
PROPERTY OWNER	Allan L. and Leah J. Dewald
REQUEST	No. 08SV038 - Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer as per Chapter 16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Located in the SW1/4 NE1/4 NW1/4 and a portion of the W1/2 NW1/4, Section 12, T1N, R6E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot B of DeWalds Subdivision, located in the SW1/4 NE1/4 NW1/4 and a portion of the W1/2 NW1/4, Section 12, T1N, R6E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.0 acres
LOCATION	6790 Nameless Cave Road
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General 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 septic
DATE OF APPLICATION	7/11/2008
REVIEWED BY	Travis Tegethoff / Karley Halsted

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RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer as per Chapter 16 of the Rapid City Municipal Code be approved with the following stipulation:

1. A minimum 20 foot wide gravel road shall be provided.

GENERAL COMMENTS: The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer as per Chapter 16 of the Rapid City Municipal Code for the property. In addition the applicant has submitted a Preliminary Plat (#08PL106) to subdivide the property creating one 10 acre parcel and leaving the remaining property as an unplatted balance.

The property is located north of the terminus of Nameless Cave Road and northeast of Cavern Road. The property is currently zoned General Agricultural District in Pennington County and void of structural development.

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

Access Easement: The applicant is proposing an access easement to be extended west from an existing private access easement on the adjacent lot to serve the proposed lot. The access easement is classified as a lane/place street 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. The applicant has requested a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement as per Chapter 16 of the Rapid City Municipal Code. Since the existing access easement is a gravel road approximately 20 feet in width requiring the installation of pavement, curb, gutter, sidewalk and street light conduit would create a discontinuous street section. Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and sewer be approved with the stipulation that a minimum 20 foot wide gravel surface be provided.

Water: The existing lots in the area are currently served by on-site wells and the applicant is proposing to serve the additional lot with an on-site private well. The property is located in the Tier 2 Service Area of Rapid City and to date no Master Utility Plan has been established for that area. As such, staff recommends that the Variance to the Subdivision Regulations waving the requirement to install water as per Chapter 16.16 of the Rapid City Municipal Code be approved.

Sewer: The existing lots in the area are currently served by on-site wastewater disposal

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systems and the applicant is proposing to serve the additional lot with an on-site wastewater disposal system. The property is located in the Tier 2 Service Area of Rapid City and to date no Master Utility Plan has been established for that area. In addition, the applicant has demonstrated that the soils of the property are suitable for on-site wastewater disposal systems. As such, staff recommends that the Variance to the Subdivision Regulations waving the requirement to install sewer as per Chapter 16.16 of the Rapid City Municipal Code be approved.