

STAFF REPORT  
November 20, 2008

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**No. 08SV054 - Variance to the Subdivision Regulations to waive the requirement to install water as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 62**

GENERAL INFORMATION:

APPLICANT	Joe Muth for Doeck, LLC
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	Lawrence J. Seltz. S.R.
REQUEST	<b>No. 08SV054 - Variance to the Subdivision Regulations to waive the requirement to install water as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	Lot 1R of Block 3 of Rainbow Ridge Subdivision, located in the SE1/4 NE1/4, and a portion of the NE1/4 NE1/4, Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1R-2 of Block 3 of Rainbow Ridge Subdivision, located in E1/2 NE1/4, Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.571 acres
LOCATION	At the northwest terminus of Bunker Drive
EXISTING ZONING	Low Density Residential District - Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential II District
West:	General Agriculture District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/24/2008
REVIEWED BY	Travis Tegethoff / Mary Bosworth

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RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install water service as per Chapter 16.16 of the Rapid City Municipal Code be denied without prejudice.

GENERAL COMMENTS: The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install water service as per Chapter 16.16 of the Rapid City Municipal Code. The applicant has also submitted a Preliminary Plat (#08PL143) to create one lot approximately 2.6 acres in size and leave the remaining portion of the property as an unplatted balance. The property is located at the northern terminus of Bunker Drive. The property is currently zoned Low Density Residential District and a single family residence is located on the property.

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

Water: Staff noted that the plat document demonstrates a 30 foot wide water main easement along the east property line. As previously note, the applicant has submitted a Variance to the Subdivision Regulations (#08SV054) to waive the requirement to install water as per Chapter 16.16 of the Rapid City Municipal Code. However, staff has noted that the water main is needed in this location to serve future development to the north. In addition, the applicant's master plan identifies the water main extending along the east edge of this property to serve future residential development. The City Council and the Planning Commission have routinely required that the construction plans for utilities be submitted as a part of the review and approval of a plat. Constructing the utilities as required at the time the property is subdivided precludes the taxpayers from having to incur those costs when it is needed in the future. As such, staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install water service as per Chapter 16.16 of the Rapid City Municipal Code be denied without prejudice.