

## STAFF REPORT

January 10, 2002

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**No. 01SV024 - Variance to the Subdivision Regulations to waive the requirement for curb, gutter, street light conduit, sidewalk, dry sewer and water on Reservoir Road and S.D. Highway 44** **ITEM 10**

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### GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	<b>No. 01SV024 - Variance to the Subdivision Regulations to waive the requirement for curb, gutter, street light conduit, sidewalk, dry sewer and water on Reservoir Road and S.D. Highway 44</b>
LEGAL DESCRIPTION	Lot 1 of Lamb Subdivision, Section 15, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.156 Acres
LOCATION	At the southwest corner of the intersection of Reservoir Road and S.D. Highway 44
EXISTING ZONING	Limited Agriculture District (County)
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Limited Agriculture District (County)
East:	Limited Agriculture District (County)
West:	Limited Agriculture District (County)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	7/25/2001
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to waive the requirement for curb, gutter, street light conduit, sidewalk, dry sewer and water on Reservoir Road and S.D. Highway 44 **be denied without prejudice.**

GENERAL COMMENTS: **This item has been continued several times since the August 23, 2001 Planning Commission meeting to be heard in conjunction with the associated plat. This Staff Report has been revised as of December 20, 2001. All revised or added text is shown in bold print.** The applicant has submitted a Variance to the Subdivision Regulations to waive the above referenced subdivision improvement. The applicant has also submitted a Preliminary and Final Plat to create a 1.156 acre lot leaving an approximate 66 acre unplatted balance. (See companion item #01PI038.)

The property is located at the southwest corner of the intersection of S. D. Highway 44 and

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Reservoir Road. Other than a wooden entrance along Reservoir Road, the property is void of structural development.

STAFF REVIEW: The property is located in Pennington County, outside of the City limits of Rapid City and is currently zoned Limited Agriculture District by the County. The Limited Agriculture District requires a minimum lot size of 10 acres. On June 19, 2001, the County Board of Commissioners denied without prejudice a request to rezone the subject property from Limited Agriculture District to General Commercial District. **Subsequently, the applicant submitted a Planned Unit Development request to Pennington County to allow a convenience store to be located on the property. On October 16, 2001, the Planned Unit Development request was denied without prejudice by the County Board of Commissioners. The applicant indicated that a revised Planned Unit Development request would be submitted to the County for their review. To date, the County has not received a revised Planned Unit Development request. As such, Staff is recommending that the Variance to the Subdivision Regulations request be denied without prejudice allowing the applicant to resubmit a Preliminary and Final Plat and a Variance to the Subdivision Regulations request after addressing the zoning issues with the County.**