

STAFF REPORT

January 10, 2002

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**No. 01SV026 - Variance to the Subdivision Regulations to waive the requirement for water, sewer, curb, gutter, sidewalks, and street light conduit and to allow lots more than twice as long as they are wide**

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**ITEM 35**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 01SV026 - Variance to the Subdivision Regulations to waive the requirement for water, sewer, curb, gutter, sidewalks, and street light conduit and to allow lots more than twice as long as they are wide</b>
LEGAL DESCRIPTION	S1/2 NW1/4 NE1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20.309 acres
LOCATION	At the northern terminus of Enchanted Pines Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	City Water
DATE OF APPLICATION	9/28/2001
REPORT BY	Blaise Emerson/Marcia Elkins

RECOMMENDATION: **Staff recommends that the Variances to the Subdivision Regulations be continued to the January 24, 2002 meeting to be considered in conjunction with the Preliminary and Final Plat as previously directed by the Planning Commission.**

GENERAL COMMENTS: **(All changes are shown in bold.) Staff recommends that the request be continued to the January 24, 2002 meeting to allow the applicant to submit the required information and necessary revisions.**

The subject property is a twenty (20) acre tract and is located north of Enchanted Hills Subdivision. The property was annexed into Rapid City in 1997 and was subsequently rezoned from No Use District to General Agriculture District. The use of the property is a

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single family residence and pasture land. The applicant has submitted an associated Rezoning request, Planned Residential Development plan, and Preliminary and Final Plat applications for the property. The South Robbinsdale Future Land Use Plan shows this area as appropriate for development as a Planned Residential Development with a density of one dwelling unit per acre. Both the plat and the Planned Residential Development identifies twenty (20) residential lots.

The applicant is requesting variances to waive the requirement to construct two private access easements to City street standards and a variance to allow lots twice as long as they are wide. The western private access easement provides access to one parcel. The eastern access easement provides access to two parcels.

STAFF REVIEW: Staff has reviewed the request and has noted the following considerations:

Lot Configurations – The property is situated on a ridge with the street located approximately in the middle of the ridge. The lots have a relatively flat area near the street and then drop off into ravines that are located on the north and south side of the property. Due to the terrain, half of the lot area is not suitable for building. The applicant could either incorporate this area into the lots or maintained as common open space. Staff has seen cases in the past that unusable common areas are often neglected and the taxes are not paid. The applicant has proposed to incorporate these unbuildable areas into the lots, resulting in the lots being twice as wide as they are long. In the past, the City has supported a variance to this requirement when the terrain is similar. Staff is recommending approval of the variance to allow lots twice as long as they are wide.

Private Streets – As noted, two private access easements provide access to land located to the north of the subject property. These easements are currently minimally improved with a gravel/dirt surface. The City has not supported the development of property without the existing street, public or private, being paved. A twenty-foot paved street section is the minimum standard for these streets. Staff supports the variance to the waiving of the requirements for curb, gutter, sidewalks, and street light conduit for these streets due to the minimal usage of the streets.

Utilities - Staff is also recommending approval of the variances waiving the requirements for the extension of the water and sewer mains along these private streets. The properties to the north of the proposed subdivision are significantly lower than Enchanted Pines Road requiring the construction of a force main or grinder pump system to service these properties in the future. It would be extremely difficult to design a system at this time that would work for the neighboring properties in the future. Staff is requiring that the mains in Enchanted Pines Road have stub-outs installed for future connection of these utilities.

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