

STAFF REPORT

May 9, 2002

No. 02SV011 - Variance to the Subdivision Regulations to allow a lot more than twice as long as it is wide **ITEM 24**

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Eng. for Thomas Lee
REQUEST	No. 02SV011 - Variance to the Subdivision Regulations to allow a lot more than twice as long as it is wide
EXISTING LEGAL DESCRIPTION	Lot 2 of Rimrock Ranch Subdivision, located in the NE1/4 of the NE1/4 and the SE1/4 of the NE1/4 of Section 13, T1N, R6E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 2A and 2B of Lot 2 of Rimrock Ranch Subdivision, located in the NE1/4 of the NE1/4 and the SE1/4 of the NE1/4 of Section 13, T1N, R6E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.28 acres
LOCATION	6905 West 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	On-site water and wastewater
DATE OF APPLICATION	02/22/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the **Planning Commission acknowledge the applicant's request to withdraw the** Variance to the Subdivision Regulations to allow a lot more than twice as long as it is wide.

GENERAL COMMENTS:

This item has been continued twice since the March 21, 2002 Planning Commission

STAFF REPORT

May 9, 2002

No. 02SV011 - Variance to the Subdivision Regulations to allow a lot more than twice as long as it is wide **ITEM 24**

meeting at the applicant's request. This Staff Report has been revised as of April 29, 2002. All revised or added text is shown in bold print.

A stipulation of approval of the associated Preliminary and Final Plat request requires that the property be rezoned to Low Density Residential District prior to Final Plat approval. On April 9, 2002, the County Board denied a request to rezone the subject property from Limited Agriculture to Low Density Residential District. As such, on April 26, 2002, the applicant requested that the Variance to the Subdivision Regulations request be withdrawn. The applicant has submitted a Variance to the Subdivision Regulations request to allow a lot more than twice as long as it is wide. On February 21, 2002, the Planning Commission approved Preliminary and Final Plat #02PL008 to subdivide the subject property into two lots. The City Council will hear the Preliminary and Final Plat request at the March 18, 2002 City Council meeting.

The property is a part of the Rimrock Ranch Subdivision located along West S. D. Highway 44. Currently, a single family residence is located on the east half, or proposed Lot 2B, of the subject property.

STAFF REVIEW:

Staff has reviewed the Subdivision Regulations Variance request and has noted the following considerations:

Lot Configuration: The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet, the lot length shall not be greater than twice the lot width". The plat identifies that one of the proposed lots will have a length twice the distance of the width.

A Major Drainage Easement is located along the front lot line of the lots, adjacent to S. D. Highway 44. The easement measures thirty feet in width and will serve to carry drainage to the east of the subject property. The Major Drainage Easement incorporates a large area of the lots in question and constrains the developmental area within each lot. In addition, the lots are characterized by a steep hill sloping severely to the south along the rear of the properties. The terrain also imposes constraints upon the developmental area within the subject property. Based on the constraints imposed by the severe terrain along the southern portion of the subject property and the Major Drainage Easement as shown on the accompanying plat, staff is recommending that the Variance to the Subdivision Regulations to allow a lot more than twice as long as it is wide be approved.

Legal Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the March 21, 2002 Planning Commission meeting if this requirement has not been met. Staff has not received any calls or inquiries regarding this proposal.