

STAFF REPORT

August 22, 2002

No. 02SV037 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk, dry sewer, curb and gutter along Sun Ridge Road and Wildlife Road and to waive the requirement to install sidewalk, pavement street light conduit, dry sewer, and curb and gutter in the Section Line Right-of-Way as required by Section 16.16 of the Rapid City Municipal Code

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GENERAL INFORMATION:

PETITIONER	Robert Looyenga
REQUEST	No. 02SV037 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk, dry sewer, curb and gutter along Sun Ridge Road and Wildlife Road and to waive the requirement to install sidewalk, pavement street light conduit, dry sewer, and curb and gutter in the Section Line Right-of-Way as required by Section 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lots 37 and 35, Ponderosa Ridge Estates, Section 31, T2N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 37R and 35R, Ponderosa Ridge Estates, Section 31, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.06 acres
LOCATION	6560 Sun Ridge Road and 1107 Wildlife Road
EXISTING ZONING	Suburban Residential District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Suburban Residential District
East:	Suburban Residential District
West:	Suburban Residential District
PUBLIC UTILITIES	Central water system and septic system
DATE OF APPLICATION	07/25/2002
REPORT BY	Lisa Seaman

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to

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install sidewalk, dry sewer, curb and gutter along Sun Ridge Road and Wildlife Road and to waive the requirement to install sidewalk, pavement street light conduit, dry sewer, and curb and gutter in the Section Line Right-of-Way as required by Section 16.16 of the Rapid City Municipal Code be approved.

GENERAL COMMENTS: This request for a Variance to the Subdivision Regulations is the companion request to a Layout Plat request (file #02PL082) to reconfigure the lot lines of two existing lots, Lots 35 and 37 of the Ponderosa Ridge Estates Subdivision. Lot 35 currently has a single family residence located on it; whereas, Lot 37 is currently undeveloped. The proposed reconfiguration of lot lines will increase the size of Lot 35 by moving the common lot line between the two lots west. The property is located north of Sun Ridge Road and Wildlife Road within the Ponderosa Ridge Estates Subdivision. Sun Ridge Road and Wildlife Road are currently paved roads with no curb and gutter, sidewalks or street lights. The property is served by a central water system; however, each lot must have its own septic system. The applicant has submitted a Subdivision Regulations variance request to waive the requirement to install the required curb and gutter, sidewalk, street light conduit and dry sewer along both Sun Ridge Road and Wildlife Road. In addition, the north lot line of the subject property is a section line requiring subdivision improvements be completed within the 66 feet of section line highway. The applicant has also requested that all the required improvements within the section line highway be waived.

STAFF REVIEW:

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

Curb and Gutter: Currently, none of the streets in the area have curb and gutter. A major reason for the requirement for the installation of curb and gutter is to provide adequate facilities for storm water run off and drainage. The Pennington County Highway Department has indicated that the current paved roads with gravel shoulders and a ditch adequately accommodates storm water runoff and drainage. However, any proposed site grading must allow for appropriate elevations to ensure that the existing ditch will adequately handle the storm water.

Sidewalks: None of the roads in this area have sidewalks. Staff supports the variance waiving the requirement for sidewalks as there is no existing sidewalk network in the development. As the property is located outside of the City limits, sidewalks cannot be ordered in. It would not appear viable to require two lots out of the existing 39 lots in the development to provide sidewalks.

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Dry Sewer: The extension of water lines and dry sewers are required by the City's Subdivision Regulations as part of any plat where central water and sewer services are not already available. The proposed subdivision is currently served by a central water system; however, the subject property is located outside of the existing City sanitary sewer service area. Dry sewers are sanitary sewer mains installed as development occurs but in advance of there being central sewer service available to the property. At some future point in time the lines can be "activated" when sanitary sewer service becomes available to the property. The City does not anticipate that there will be City water or sewer available to the property for several years. The proposed subdivision will relocate the common boundary between two existing lots. There will be no increase in the density of development allowed. The Planning Commission and City Council have supported variances to public improvements when there is no increase in the number of developable lots. Therefore, staff supports the variance to waive the requirement for the installation of dry sewer.

Section Line Right of Way: As mentioned previously, the north lot line of the subject property is a section line requiring subdivision improvements be completed within the 66 feet of section line highway. The section line highway is not developed and the applicant has also requested that all the required improvements within the section line highway be waived. As previously noted, there is no proposed increase in development sites. The Planning Commission and City Council have supported variances to road improvements where no increase in the number of developable lots will result. For this reason staff supports the proposed variance to waive the required improvements to the section line highway.