

George F. Dunham  
3133 Heidiway Lane  
Rapid City, SD 57702-5296

RECEIVED

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Rapid City  
Planning Department

August 14, 2003

Rapid City Planning Department  
300 6<sup>th</sup> Street  
Rapid City, SD 57701

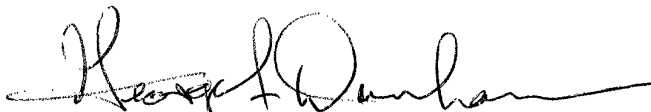
Re: File no. 03SV030  
Sidewalk variance

Dear Sir:

I have been notified of a request for variance regarding sidewalks at the proposed development. As a neighboring property owner, I must object to the request and ask that it be denied. I believe that the denial should be based on several objections:

1. The subdivision regulations specifically require sidewalks on both sides of the streets in the subdivision. The land in question is zoned medium density residential and the particular location is inhabited by many residents who walk regularly. If any location needed an abundance of sidewalks for the convenience of the residents, this is one.
2. When sidewalks are allowed on only one side of a street, the pedestrians are encouraged to walk in the street.
3. Title 16 of the municipal code states that a variance should issued only when the sub divider can show hardship (see 16.24.010) The notification which I received made no mention of any reason for the variance request, much less any listing of the hardship which may be associated with the request. Certainly, there are no topographical or site reasons for the request.
4. Although the Council regularly allows similar sidewalk variances, I believe that the practice is improper. Pedestrian safety dictates the need for sidewalks. Eliminating or delaying them is a statement against pedestrian safety. When a sidewalk variance is granted, it is a simple guarantee that the sidewalk will never be built. Although the subdivision regulations require construction surety, I am not aware that surety is EVER held until sidewalks are completed. A waiver of protest may be required so future sidewalk construction and landowner participation in the cost will not be argued. However, the simple fact is that if a sidewalk is not built when a development is constructed, the probability is that the sidewalk will never be built. This fact is especially true in a medium density development.
5. If sidewalks are nearly always going to be deleted, then the code should be changed to delete the requirement for sidewalks altogether. However, I personally oppose such a change.

Sincerely,



George F. Dunham