

STAFF REPORT

December 18, 2003

No. 03SV040 - Variance to the Subdivision Regulations to allow lots twice as long as wide as per Chapter 16.16 of the Rapid City Municipal Code **ITEM 15**

GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Bill Freytag
REQUEST	No. 03SV040 - Variance to the Subdivision Regulations to allow lots twice as long as wide as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	The S1/2 NW1/4 NW1/4 less Tyler Knue Subdivision, Section 24, T2N, R7E, unplatted, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota and a tract of land located in the NW1/4 of NW1/4 of Section 24, T2N, R7E, BHM, Pennington County, South Dakota, more particularly described as follows: Commencing at a point which is a 5/8" rebar with survey cap LS 6119 marking the northwest corner of Lot 9 of Block 1 of Tyler Knue Subdivision in the NW1/4 of NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, Thence, N00°16'55"E a distance of 77.12 feet, more less, to a point; Thence N13°44'34"W a distance of 107.66 feet, more less, to a point; Thence S66°12'08"W a distance of 303.51 feet, more less, to a point; Thence N89°32'23"W a distance of 279.98 feet, more less, to a point; Thence N00°27'37"E a distance of 121.67 feet , more or less, to a point; Thence N45°26'14"E a distance of 159.30 feet, more or less, to a point; Thence S44°33'46"E a distance of 12.36 feet, more or less, to a point; Thence southeasterly on a curve to the left with a radius of 226.00 feet and an arc length of 57.47 feet, more or less, to a point; Thence N45°57'12"E a distance of 54.45 feet, more or less, to a point; Thence southeasterly on a curve to the left with a radius of 174.00 feet and an arc length of 47.61 feet, with a cord bearing S71°38'36"E and a distance of 47.46 feet, more or less, to a point; Thence N14°08'42"E a distance of 198.01 feet, more or less, to a point; Thence N04°06'06"E a distance of 200.01 feet, more or less, to a point, said point being on the north line of Section 24, T2N, R7E, BHM: Thence N89°40'38"W a distance of 403.23 feet, more or less, to a point, said point being a 2" pipe marking the northwest corner of Section 24, T2N, R7E, BHM; Thence S00°27'40"W a distance of 664.08 feet, more or less, to a point, said point being the

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northwest 1/16 corner of Section 24, T2N, R7E, BHM; Thence S89°43'05"E a distance of 676.34 feet, more less, to the Point of Beginning

PARCEL ACREAGE	Approximately 13.936 acres
LOCATION	Located along Nicole Street
EXISTING ZONING	Mobile Home Residential District
SURROUNDING ZONING	
North:	Low Density Residential II District
South:	Mobile Home Residential District
East:	General Agriculture District (County)
West:	
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	09/26/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to allow lots twice as long as wide as per Chapter 16.16 of the Rapid City Municipal Code be **approved**.

GENERAL COMMENTS:

This item has been continued twice since the October 23, 2003 Planning Commission meeting to allow the applicant to submit additional information for an associated Layout, Preliminary and Final Plat. All added and/or revised text is shown in bold print. This Staff Report has been revised as of December 6, 2003. The applicant has submitted a Variance to the Subdivision Regulations to allow a lot twice as long as it is wide. In addition, the applicant has submitted a Layout, Preliminary and Final Plat to subdivide the subject property into six residential lots as a part of the Tyler Knue Subdivision. The applicant has also submitted two Rezoning requests to change the zoning designation of the property from No Use District and Mobile Home District to Low Density Residential District II. In addition, the applicant has submitted an annexation petition to annex the northern portion of the subject property into the City limits of Rapid City. (See companion items #03PL099, 03RZ043, 03RZ044 and 03AN011.)

The subject property located at the western terminus of Nicole Street and is currently void of any structural development.

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STAFF REVIEW:

Staff has reviewed the Variance to the Subdivision Regulations 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 proposed Preliminary and Final Plat identifies that two of the lots will have a length twice the distance of the width.

The lots are located at the western terminus of a cul-de-sac. Due to the design of a cul-de-sac street, there is limited lot frontage along the roadway. The subdivision design as shown on this plat is reasonable for the site. In addition, the lot configuration does not create any significant difficulties for use or maintenance. As such, staff is recommending that the Variance to the Subdivision Regulations to allow a lot twice as long as it is wide be approved.

Legal Notification Requirement: The receipts from the certified mailings have been returned. Staff has received three telephone calls inquiring about the request. None of the callers voiced opposition to the Variance to the Subdivision Regulations request.