

STAFF REPORT

March 25, 2004

No. 04SV011 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter and pavement as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 16

GENERAL INFORMATION:

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| PETITIONER | Dream Design International, Inc. |
| REQUEST | No. 04SV011 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter and pavement as per Chapter 16.16 of the Rapid City Municipal Code |
| EXISTING LEGAL DESCRIPTION | Lots 15B and 23R of Enchanted Hills Subdivision No.4 located in the S1/2 NW1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota and Lot 1, Block 1 of Eastridge Estates Subdivision located in the NW1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PROPOSED LEGAL DESCRIPTION | Lots 15BR and 23RA of Enchanted Hills Subdivision No. 4 located in the S1/2 NW1/4 Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1R, Block 1 of Eastridge Estates Subdivision located in the NW1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County South Dakota |
| PARCEL ACREAGE | Approximately 2.5790 acres |
| LOCATION | At the extension of Enchantment Road |
| EXISTING ZONING | Low Density Residential District w/PD |
| SURROUNDING ZONING | |
| North: | Low Density Residential District w/PD |
| South: | Low Density Residential District w/PD |
| East: | Low Density Residential District w/PD |
| West: | Low Density Residential District w/PD |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 02/27/2004 |
| REPORT BY | Vicki L. Fisher |

RECOMMENDATION:

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

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to install curb, gutter and pavement improvements be approved.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter and pavement improvement along the southern 70 feet of Enchantment Road as it abuts the subject property. In addition, the applicant has submitted a Preliminary plat to reconfigure the subject property into three residential lots. (See companion item #04PL013.)

On November 16, 1998, City Council approved a Preliminary and Final Plat creating two of the lots currently known as Lot 15R and Lot 23R, Enchanted Hills Subdivision No. 4. On December 29, 2003, the City Council approved a Preliminary and Final Plat creating the third lot currently known as Lot 1, Eastridge Estates Subdivision.

The subject property is located along the west side of Enchantment Road within a portion of the Enchantment Hills Subdivision No. 4 and the Eastridge Estates Subdivision. Currently, a single family residence is located on two of the lots. The third lot is currently void of any structural development.

STAFF REVIEW:

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

Street Improvements: Curb, gutter and pavement improvements have not been constructed along the south 70 feet of Enchantment Road as it abuts the subject property. However, as noted above, the associated Preliminary Plat proposes to reconfigure existing lots and does not increase the density. The Planning Commission and the City Council have granted similar Subdivision Regulations Variance requests when the associated plat did not increase the existing density. As such, staff is recommending that the Variance to the Subdivision Regulations be approved as requested.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the March 25, 2004 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.