

STAFF REPORT
December 9, 2004

No. 04SV064 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Radar Hill Road as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 19

GENERAL INFORMATION:

PETITIONER	Jeffrey L. Glanzer
REQUEST	No. 04SV064 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Radar Hill Road as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	S1/2 of Government Lot 3, located in S1/2 NW1/4 SW1/4 of Section 7, T1N, R9E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1A and Lot 1B, Section 7, T1N, R9E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.6 acres
LOCATION	23070 Radar Hill Road
EXISTING ZONING	Limited Agriculture District (County)
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Limited Agriculture District (County)
East:	General Agriculture District
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	10/8/2004
REVIEWED BY	Vicki L. Fisher / David L. Johnson

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Radar Hill Road as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulations:

1. Upon submittal of a Preliminary Plat, the plat document shall be revised to show the

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2. dedication of 17 additional feet of right-of-way along Radar Hill Road; and, Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessments for the improvements.

GENERAL COMMENTS:

(Staff Report Update – November 29, 2004.) This item was approved at the November 24, 2004 Planning Commission meeting with the above stipulations. However, the certified mailing requirement was not met as required. As such, the applicant has mailed a revised letter of notice with the correct meeting dates. Staff is recommending that the Variance to the Subdivision Regulations be approved with the stipulations as identified above. Please note that no other part of this Staff Report has been revised. The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Radar Hill Road as it abuts the subject property. In addition, the applicant has submitted a Layout Plat to subdivide the subject property into two lots. (See companion item #04SV064.)

The property is located approximately one-quarter mile north of the Long View Road and Radar Hill Road intersection on the east side of Radar Hill Road. Currently, a single family residence is located on proposed Lot 1A.

STAFF REVIEW:

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

Radar Hill Road: Radar Hill Road is located along the west lot line of the subject property. The road is classified as a principal arterial street requiring that it be located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, street light conduit, water and sewer. Currently, Radar Hill Road is located in a 66 foot wide right-of-way with an approximate 22 foot wide paved surface. Requiring the improvement of Radar Hill Road as it abuts the subject property will result in a discontinuous street section. As such, staff is recommending that the Variance to the Subdivision Regulations to waive the improvements along Radar Hill Road be approved with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvement. In addition, the plat document must be revised dedicating an additional 17 feet of right-of-way.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the November 24, 2004 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.