

STAFF REPORT
July 7, 2005

No. 05SV040 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, sidewalks, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code

ITEM 34

GENERAL INFORMATION:

PETITIONER	D.C. Scott Co. for William Morrison
REQUEST	No. 05SV040 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, sidewalks, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Parcel B, Lot 3, located in the SW1/4 SW1/4, Section 14, T1N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1, Lot 2, Lot 3, Lot 4 and Lot 5, Morrison Subdivision, located in the SW1/4 SW1/4, Section 14, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.32 acres
LOCATION	Adjacent to the north side of Green Valley Drive between Reservoir Road and Green Field Drive
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	Limited Agriculture District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	6/9/2005
REVIEWED BY	Todd Tucker / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, sidewalks, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code be denied without prejudice.

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GENERAL COMMENTS: The subject property is located north of Green Valley Drive and east of Reservoir Road. The subject property is located within Pennington County but within the three mile platting jurisdiction. The applicant is requesting approval of a Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalks, street light conduit, water and sewer along Green Valley Drive. The applicant has also submitted a Preliminary Plat (05PL110) to subdivide approximately 5.32 acres into five residential lots.

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

Zoning: The subject property is currently zoned Limited Agriculture in the County. The Limited Agriculture Zoning District requires that lots have a minimum lot size of ten acres. The proposed lots have a maximum size of 1.319 acres. The Pennington County staff noted that the applicant requested that the subject property be rezoned from Limited Agriculture to Suburban Residential District. The Pennington County Planning Commission recommended that the County zoning request be denied without prejudice to allow the applicant to submit a request to rezone the property from Limited Agriculture to Planned Urban Development with a maximum of three lots. Staff is recommending that the associated Preliminary Plat (05PL110) be denied without prejudice to allow the property to be rezoned and to allow time for the applicant to submit a revised Preliminary Plat in compliance with the zoning regulations of Pennington County. As such, staff is recommending that the Variance to the Subdivision Regulations be denied without prejudice so it can be heard in conjunction with the revised Preliminary Plat application when it is submitted.