

STAFF REPORT
October 25, 2007

No. 07SV056 - Variance to the Subdivision Regulations to waive the ITEM 43 requirement to install curb, gutter, sidewalk, water, sewer, street light conduit and pavement as per Chapter 16.16 of the Rapid City Municipal Code

GENERAL INFORMATION:

APPLICANT	Robert Ellis for City of Rapid City
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	City of Rapid City
REQUEST	No. 07SV056 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, water, sewer, street light conduit and pavement as per Chapter 16.16 of the Rapid City Municipal Code

EXISTING
LEGAL DESCRIPTION

A parcel of land located in the S1/2 SW1/4 NE1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the south one-quarter corner of said Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; thence, northerly along the center one-quarter line of said Section 9, N00°06'45"E, a distance of 3312.73 feet more or less to the south 1/64th line of the NE1/4 of said Section 9; thence, easterly along the north line of the S1/2 SW1/4 NE1/4, Section 9, S89°58'14"E, a distance of 279.27 feet more or less to the point of beginning; thence, continuing easterly along the north line of the S1/2 SW1/4 NE1/4, Section 9, S89°58'14"E, a distance of 670.67 feet more or less, to a point on the southerly line of the adjoining railroad right-of-way; thence, southeasterly along the southerly line of said railroad right-of-way, S51°15'21"E, a distance of 38.60 feet more or less; thence, S38°45'09"W, a distance of 17.16 feet more or less; thence, curving to the right on a normal curve with a radius of 227.45 feet, a delta of 29°07'46", and an arc length of 115.64 feet more or less; thence, S67°52'55"W, a distance of 126.32 feet, more or less; thence, curving to the left on a normal curve with a radius of 170.00 feet, a delta of 42°06'45", and an arc length of 124.95 feet more or less; thence, S25°46'10"W, a distance of 32.55 feet more or less; thence, N64°13'50"W, a distance of 60.00 feet more or less; thence, N53°24'13"W, a distance of 403.56 feet more or less to the point of beginning

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PROPOSED
LEGAL DESCRIPTION Lot 1 of Wally Byam Addition and Dedicated Right-of-way, located in the S1/2 SW1/4 NE1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota

PARCEL ACREAGE Approximately 2.18 acres

LOCATION S. D. Highway 44 West and Lytle Lane

EXISTING ZONING General Agriculture District

SURROUNDING ZONING
North: General Commercial District (Planned Commercial Development)
South: General Agriculture District
East: General Agriculture District
West: General Agriculture District

PUBLIC UTILITIES City sewer and water

DATE OF APPLICATION 9/28/2007

REVIEWED BY Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, water, sewer, street light conduit and pavement as per Chapter 16.16 of the Rapid City Municipal Code be withdrawn at the applicant's request.

GENERAL COMMENTS:

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 Lytle Lane as it abuts the property. In addition, the applicant has submitted a Preliminary Plat (#07PL133) to create a 2.18 acre lot leaving an unplatted balance of approximately 103 acres.

The property is located in the southwest corner of the intersection of Lytle Lane and S.D. Highway 44. Currently, the property is void of any structural development.

STAFF REVIEW:

Staff is recommending that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, water, sewer, street light conduit and pavement along Lytle Lane be withdrawn at the applicant's request.