



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701

Public Works Department

Engineering Services Division

300 Sixth Street

Telephone: (605) 394-4154 FAX: (605) 355-3083

Web: www.rcgov.org

TO: Public Works Committee

FROM: Nicole Lecy, Engineering Project Engineer

DATE: 8/29/2012

RE: Request for Exception to waive the requirement to install sidewalk along Tower Road and US Highway 16 per City Ordinance 12.08.060

3840 Tower Road

Lot 1 of Thompson Tower Subdivision Section 14, T1N, R7E, BHM,
Rapid City, Pennington County, South Dakota

A request was received on August 28, 2012 requesting the requirement to install sidewalk per City of Rapid City Ordinance 12.08.060 be waived for the property located at 3480 Tower Road. The request is associated with a building permit to construct a satellite dish and site improvements. A minimum four (4) foot wide sidewalk is required to be constructed one foot from the property line along the property frontage along Tower Road and a minimum five (5) foot wide sidewalk is required along the property frontage along US Highway 16. Currently, there is no sidewalk along either Tower Road or US Highway 16, as they front the property.

The City of Rapid City Code of Ordinances, 12.08.060 Sidewalk Construction and Repair New and Existing Developments, section (A) states:

"The construction of a permanent sidewalk fronting or abutting all streets, highways and avenues shall be accomplished by the builder, owner or developer of all new or existing residential or commercial buildings within the city..."

Section (C) states:

"Application for variance. Any person aggrieved by any decision of the Building Official under this section may apply in writing to the Common Council for an exception from the requirements of this section."



EQUAL HOUSING
OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER

Request for Exception
3480 Tower Road
Lot 1 of Thompson Tower Road
August 29, 2012
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Therefore, as allowed by ordinance, see the attached written request for exception to the sidewalk ordinance. The requested exception will allow the satellite dish and site improvements to be constructed without the installation of sidewalk along the streets adjacent to the property.

The subject property is located on Tower Road, just north of the Skyline Drive intersection. The portion of Tower Road that the property is located on is a rural street section with no curb and gutter, utilizing ditches on both sides of the pavement for drainage. Significant earthwork is required to install sidewalks per City standards due to the existing ditches. The nearest sidewalk is located approximately 1,500 feet north of the property along Tower Road. US Highway 16 is a state highway in which pedestrian traffic is discouraged. The subject property has approximately 525 feet of frontage on Tower Road and 525 feet of frontage on US Highway 16. There appears to be no City utilities that would complicate the installation of a property line sidewalk, however topographical conditions complicate the installation.

This request is associated with Building Permit Application No. 2012CIBP0362.

Staff Recommendation: Staff recommends that the request to waive the requirement to install sidewalk along Tower Road and US Highway 16 be approved.



EQUAL OPPORTUNITY EMPLOYER

Lecy Nicole

From: Janelle Finck [janelle.fiskls@midconetwork.com]
Sent: Tuesday, August 28, 2012 4:54 PM
To: Lecy Nicole
Subject: GOLDEN WEST -SIDEWALK VARIANCE

Nicole:

On behalf of Golden West, we are requesting a variance to the requirement to install sidewalk on Tower Road and US Highway 16 as required by their building permit.

Per the submitted map and cross-sections, the roadway is not centered within the Tower Road right-of-way and there is insufficient room to accommodate a sidewalk with the existing ditch section.

On US Highway 16, there is no inter-connecting sidewalk and pedestrian traffic is generally not encouraged along a highway.

Please confirm your receipt of this request and advise when this item will be scheduled for Public Works and City Council meetings.

Thank you for your assistance.

Janelle Finck
President
Fisk Land Surveying & Consulting Engineers, Inc.
1022 Main Street,
P.O. Box 8154
Rapid City, SD 57709
(605) 348-1538
(605) 341-1112 fax
janelle.fiskls@midconetwork.com

REQUEST FOR EXCEPTION TO
RAPID CITY DESIGN STANDARD / CRITERIA / REGULATIONS

PROJECT Golden West – 3840 Tower Road

DATE: 8-23-12 SUBMITTED BY: Fisk Land Surveying & Consulting Engineers, Inc.

PIN #: 3714178001 PO Box 8154, Rapid City, SD 57709

LEGAL DESCRIPTION: Lot 1 of Thompson Tower Subdivision
Section 14, T1N, R7E, BHM, Rapid City, Pennington County, SD

EXCEPTION REQUESTED: SECTION 2.15.4 STD / CRITERIA / REG _____

DESCRIPTION OF REQUEST: To waive the requirement to install sidewalk
as part of the building permit for this property

JUSTIFICATION: _____
(Please use back of sheet if additional room is needed) Per the attached map and site plan, the
existing road is not centered within the right-of-way. The driving area is located
on the westerly portion of the right-of-way such that there is insufficient room
to accommodate a sidewalk with the existing road and ditch profile.

SUPPORTING DOCUMENTATION: Yes No

PROPERTY OWNER'S SIGNATURE**:



DATE: 8/24/12

**Or Agent, if previously designated by the Owner in writing.

-----FOR STAFF ONLY-----

STAFF RECOMMENDATION: _____

REVIEWED BY: _____

DATE: _____

AUTHORIZATION:

APPROVED

DENIED

COMMUNITY PLANNING DIRECTOR

APPROVED

DATE

DENIED

PUBLIC WORKS DIRECTOR*

DATE

FILE #: _____

Revised 08/3/12

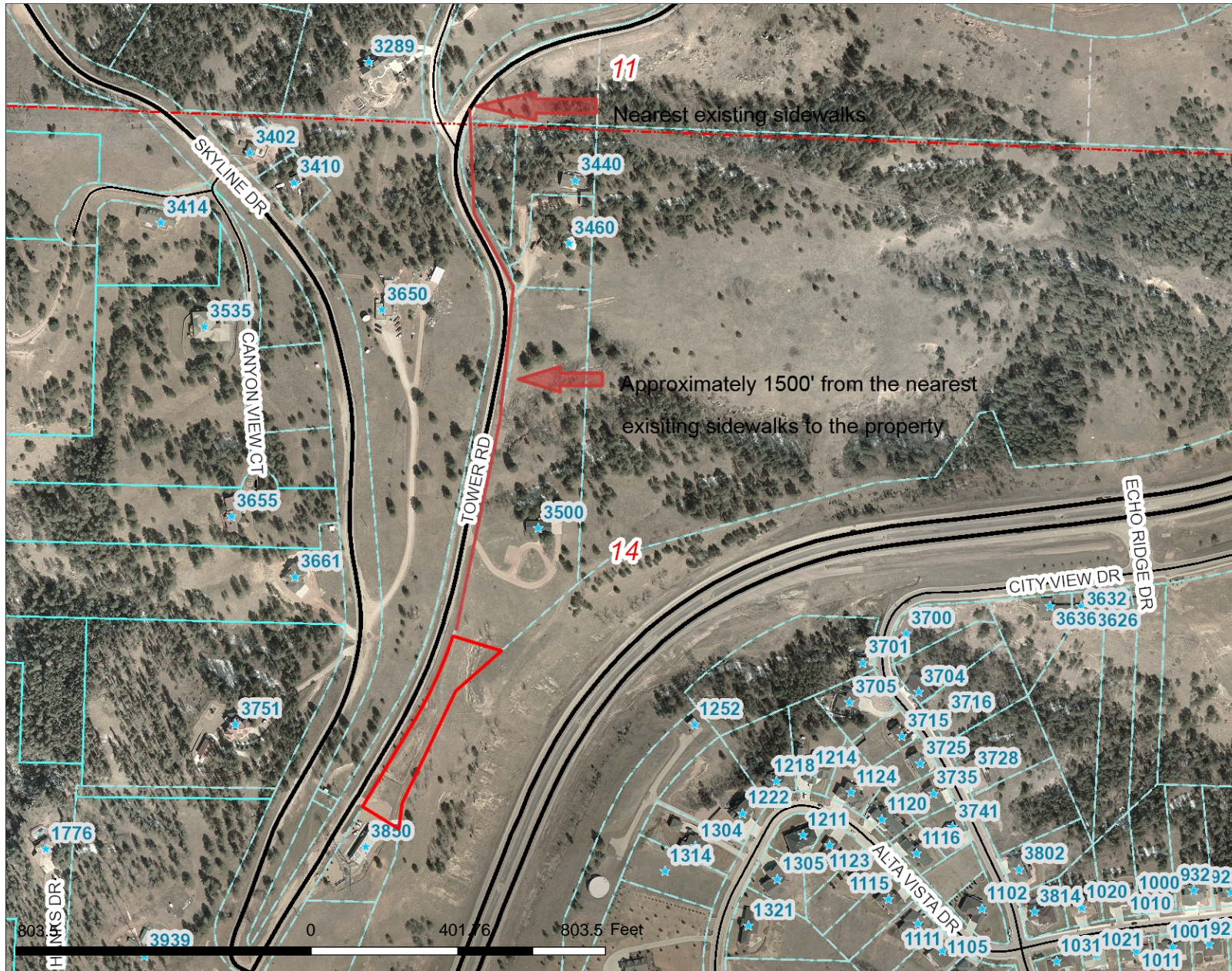
ASSOCIATED FILE#: _____

*Public Works Director's signature is not required for Lot Length to Width Exceptions, Ordinance No. 5434.

Rapid City-Pennington County GIS

Legend

- Roads
 - Not classified
 - Interstate
 - US Highway
 - SD Highway
 - County Highway
 - Main Road
 - Minor Arterial
 - Collector
 - Ramp
 - Paved Road
 - Unpaved Road
 - FS Unpaved Road
 - Driveway
 - Paved Alley
 - Unpaved Alley
 - Unimproved Road
 - Trail
 - Not yet coded
- Address Points
- Township/Section Lines
 - 0
 - 7
- Tax Parcels
- Lot Lines
 - <all other values>
 - Lot Line
 - Parcel Line
- County Line



Map Notes:

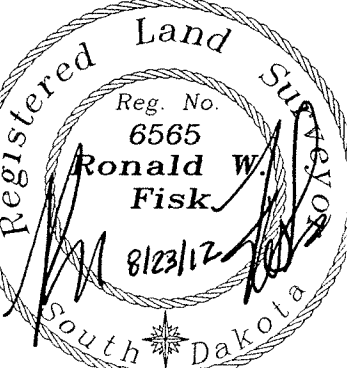
DISCLAIMER: This map is provided 'as is' without warranty of any representation to accuracy, timeliness, or completeness. The burden for determining accuracy, completeness, timeliness, merchantability, and fitness for or the appropriateness for use rests solely on the user. Rapid City and Pennington County make no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The user acknowledges and accepts the limitations of the map, including the fact that the data used to create the map is dynamic and is in the constant state of maintenance, correction, and update. This document does not represent a legal survey of the land. There are no restrictions on the distribution of printed Rapid City/Pennington County maps, other than the City of Rapid City copyright/credit notice must be legible on the print. The user agrees to recognize and honor in perpetuity the copyrights and other proprietary claims for the map(s) established or produced by the City of Rapid City or the vendors furnishing said items to the City of Rapid City.

RECEIVED

AUG 24 2012

ENGINEERING SERVICES

Fisk Land Surveying & Consulting Engineers, Inc.
1022 Main Street - P.O. Box 8154
Rapid City, South Dakota 57709
(605) 348-1538 (oh) (605) 341-1112 (fx)
fisks@midconetwork.com



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Topographic Map - Cross Section Data
Portions of Lot 1 of Thompson Tower Subdivision located in NW1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

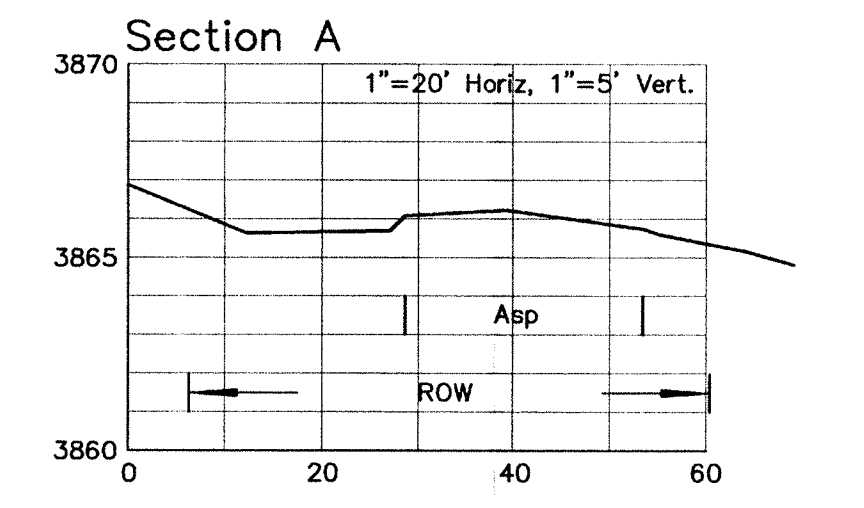
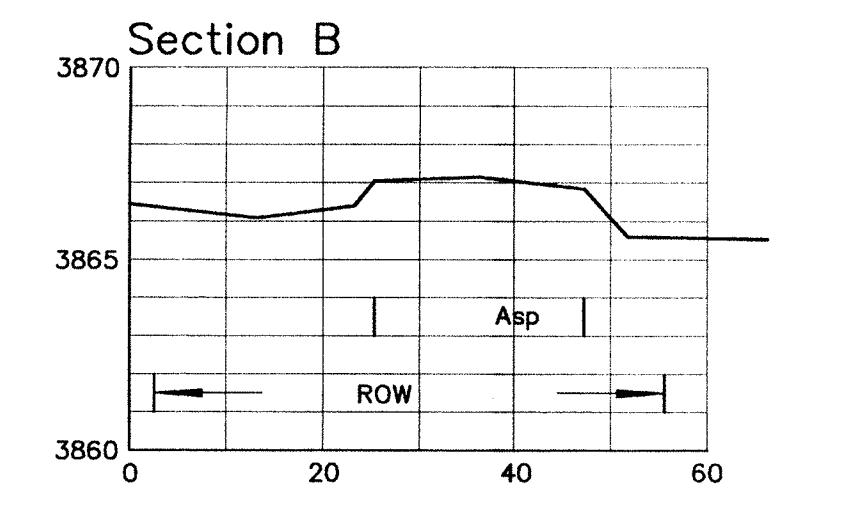
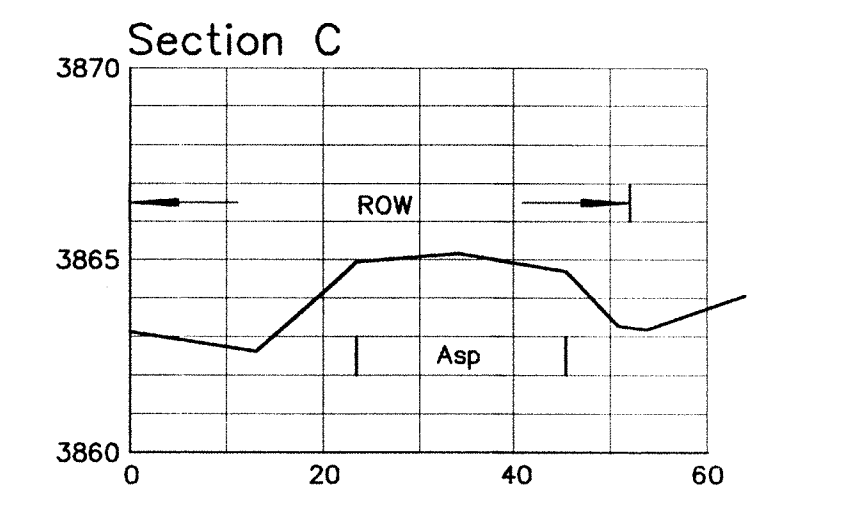
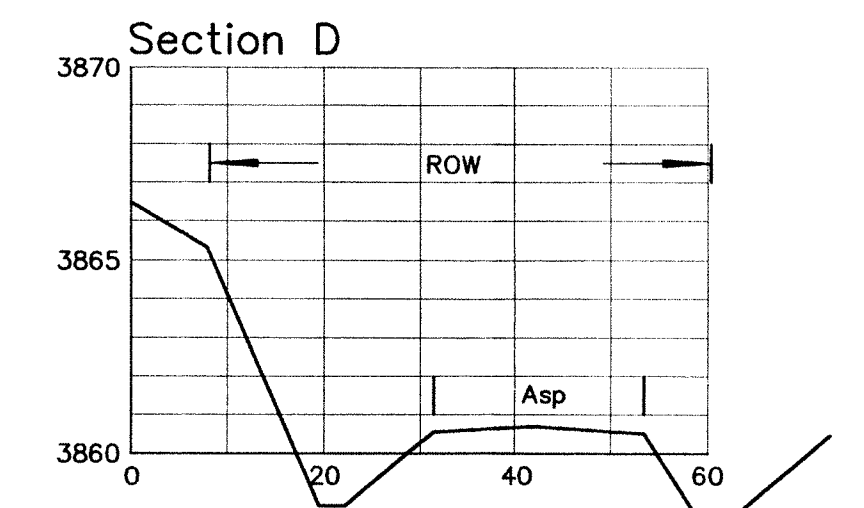
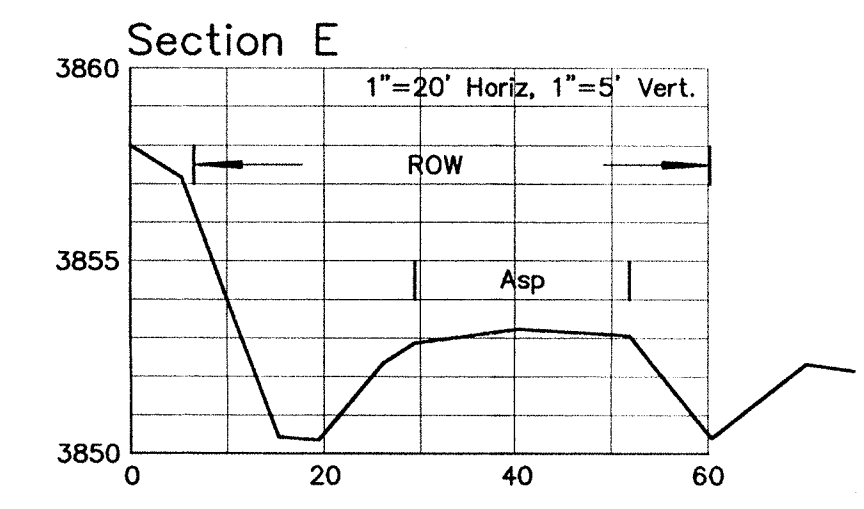
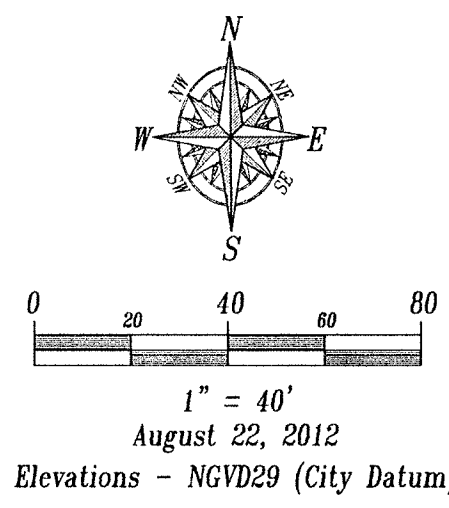
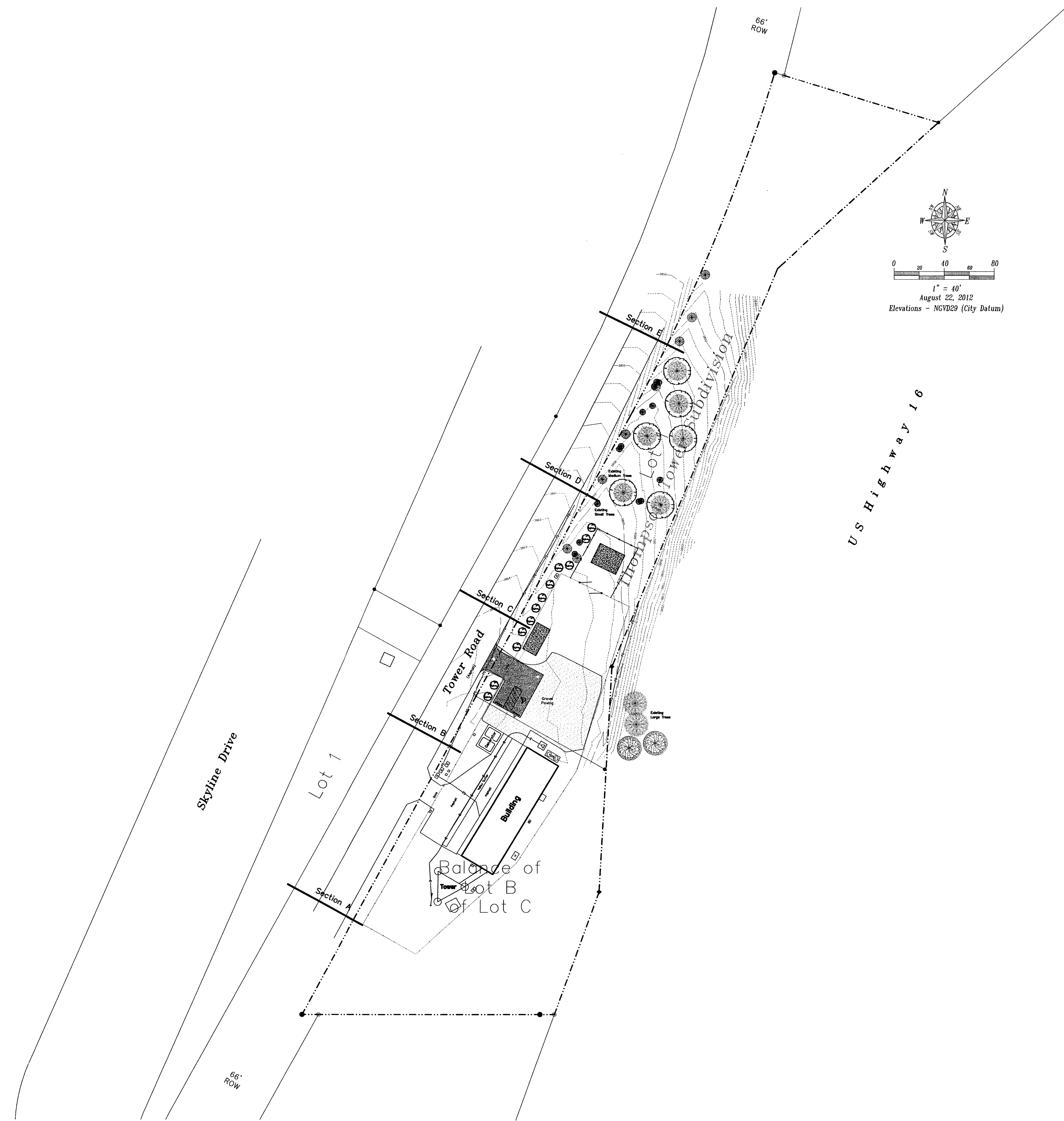
Surveyed by: ML
Date: 6/12
Drawn by: RWF
Date: 8/22/12
Checked by: JF

Revisions

Project No. 11-11-03

Cross Sections

Addendum 1



ONE CALL BEFORE DIGGING 1-800-781-7474