

STAFF REPORT

July 26, 2001

No. 01SV017 - Variance to the Subdivision Regulations to waive the requirement for all street improvements including curb, gutter, sidewalk, paving, dry sewer, water, streetlights and conduit **ITEM 28**

GENERAL INFORMATION:

PETITIONER	Randy and Bobbie Greenway
REQUEST	No. 01SV017 - Variance to the Subdivision Regulations to waive the requirement for all street improvements including curb, gutter, sidewalk, paving, dry sewer, water, streetlights and conduit
LEGAL DESCRIPTION	Lot 3R Revised, Lot 5R and Lot 4R Revision #2 in Block 5, all in Canyon Lake Heights, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.432 acres
LOCATION	3204 Falls Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to waive the requirement for all street improvements including curb, gutter, sidewalk, paving, dry sewer, water, streetlights and conduit be approved with the condition that the applicant shall sign a Waiver Of Right To Protest agreement for the required improvements.

GENERAL COMMENTS: The applicant has submitted a Subdivision Regulations Variance request to waive the requirement for sidewalk and curb and gutter on Wonderland Drive and Falls Drive. The applicant has also submitted a Layout Plat to combine three lots into one lot. (See companion item #01PL063) Currently, a single family residence is located on Lot 4R Revision #2 and the applicant wishes to construct a detached garage on Lot 3R.

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

STAFF REPORT

July 26, 2001

No. 01SV017 - Variance to the Subdivision Regulations to waive the requirement for all street improvements including curb, gutter, sidewalk, paving, dry sewer, water, streetlights and conduit **ITEM 28**

Curb and gutter: The Subdivision Regulations require that when platting property all streets are improved to City Minimum Standards including curb, gutter and sidewalks. Falls Drive and Wonderland Drive along the frontage of the subject property are currently paved, but do not have curb and gutter or sidewalks. Currently, none of the streets in the area have curb and gutter. Within the City Limits, property owners can be assessed for these required improvements. However, in the past the Planning Commission and the City Council have supported variances to the Subdivision Regulations when the proposed plat does not increase the overall density of the subdivision. Staff would recommend approval of the Subdivision Regulations Variance with the condition that the property owner sign a Waiver of Right to Protest future assessments for the required improvements.