

STAFF REPORT

January 9, 2003

No. 02SV006 - Variance to the Subdivision Regulations to allow sidewalks on one side of the street as per Chapter 16.16 of the Subdivision Regulations

ITEM 22

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers for Larry Lewis and Kenneth Kirkeby
REQUEST	No. 02SV006 - Variance to the Subdivision Regulations to allow sidewalks on one side of the street as per Chapter 16.16 of the Subdivision Regulations
EXISTING LEGAL DESCRIPTION	Lot 19R2 of Fairway Hills PRD and a portion of Tract SB of Springbrook Acres located in the SW1/4 NE1/4, NW1/4 SE1/4, and SE1/4 NW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Parcel A of Tract SB of Springbrook Acres Addition and Lot 19R3 of Fairway Hills PRD located in the SW1/4 NE1/4, NW1/4 SE1/4, and SE1/4 NW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 41.91 acres
LOCATION	East of Fairway Hills and Sandstone Ridge Subdivision
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Medium Density Residential District/Planned Residential Development
South:	Park Forest District
East:	Park Forest District
West:	Medium Density Residential District/Planned Residential Development
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/25/2002
REPORT BY	Vicki L. Fisher

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RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to allow sidewalks on one side of the street be **denied without prejudice at the applicant's request.**

GENERAL COMMENTS:

This item has been continued several times since the February 21, 2002 Planning Commission meeting at the applicant's request. On December 6, 2003, the applicant requested that this item be denied without prejudice. As such, staff is recommending that the Variance to the Subdivision Regulations be denied without prejudice at the applicant's request. No other part of this Staff Report has been revised.

The applicant has submitted a Variance to the Subdivision Regulations to allow a sidewalk along half of the cul-de-sac extending east from Holiday Lane. In addition, the applicant has submitted a Preliminary and Final Plat to subdivide the subject property into two lots leaving an approximate 24 acre non-transferable balance. (See companion item #02PL006.) The proposed lots will be 14.91 acres and 27 acres in size, respectively. Currently, a single family residence and a stable are located on the proposed 27 acre lot. The balance of the property is void of any structural development.

STAFF REVIEW:

During the review of the Variance to the Subdivision Regulations, staff identified the following considerations:

Road Design: As identified in the associated Preliminary and Final Plat review, a Variance to the Subdivision Regulations was previously granted to allow a sidewalk along one side of Holiday Lane. Allowing a sidewalk along half of the cul-de-sac is consistent with the established design standards for Holiday Lane. The existing sidewalk is located along the north side of Holiday Lane. As such, the Engineering Division has indicated that the sidewalk must be located along the north half of the cul-de-sac.

Legal Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the February 21, 2002 Planning Commission meeting if this requirement has not been met. Staff has not received any calls or inquiries regarding this proposal.