

STAFF REPORT
July 26, 2007

No. 07SV034 - Variance to the Subdivision Regulations to waive the requirement to install sewer as per Chapter 16 of the Rapid City Municipal Code

ITEM 54

GENERAL INFORMATION:

PETITIONER	Mike Hanson for Tyz Thurston
REQUEST	No. 07SV034 - Variance to the Subdivision Regulations to waive the requirement to install sewer as per Chapter 16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	Lot 13 of Flannery Subdivision No. 2, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 13A and 13B of Flannery Subdivision No. 2, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .5561 acres
LOCATION	3825 Corral 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	Existing private well and septic system for existing lot Proposed City water and sewer for proposed lot
DATE OF APPLICATION	6/7/2007
REVIEWED BY	Travis Tegethoff / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sewer as per Chapter 16 of the Rapid City Municipal Code be denied.

GENERAL COMMENTS: **This staff report has been revised as of July 18, 2007. All revised and/or added text is shown in bold print. This item was continued at the July 5, 2007 Planning Commission to allow staff to review South Dakota Department of Environment and Natural Resources requirements for on-site waste water systems.**

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The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install sewer as per Chapter 16 of the Rapid City Municipal Code. In addition, the applicant has submitted a Preliminary Plat application to create one 2.8 acre lot and one 0.6 acre lot respectively (See associated item #07PL083).

The property is located east of Ireland Place and south of Corral Drive. Currently, a single-family residence is located on the property.

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

Sewer: The applicant indicated that the existing residence is connected to a private septic system. The applicant is requesting this variance to allow the existing residence to continue to be served by the private septic system. The residence on the proposed lot will be connected the Rapid City sewer system.

As per Chapter 16.16.050(B) of the Rapid City Municipal Code any subdivision located within 500 feet of the Rapid City sewer system shall be required to hook up to that system. Staff also noted that the South Dakota Department of Environment and Natural Resources prohibits on-site waste water systems when the sewer collection system of the public entity exists within 400 feet of the home per Chapter 74:53:01:07. The existing residence is located approximately 250 feet from the Rapid City sewer system. Preliminary staff review indicates that it appears viable to install a pump in the existing residence to lift the wastewater to the existing sanitary sewer system. As such, staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sewer as per Chapter 16 of the Rapid City Municipal Code be denied.

This item was continued at the July 5, 2007 Planning Commission to allow staff to review South Dakota Department of Environment and Natural Resources requirements for on-site waste water systems. Chapter 74:53:01:07 of the South Dakota Department of Environment and Natural Resources rules states that a public wastewater system is considered available to premises when the structure or wastewater system is located within the jurisdictional boundaries of a municipality or sanitary district, the sewer collection system of the public entity exists within 400 feet of the home, trailer court, commercial establishment, business, park, or institution, and the municipality or sanitary district requests to provide service to the premises.

Preliminary staff review indicates that it appears viable to install a pump in the existing residence to lift the wastewater to the existing sanitary sewer system. As such, staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sewer as per Chapter 16 of the Rapid City Municipal Code be denied.