



FISK LAND SURVEYING & CONSULTING ENGINEERS, INC.
1022 Main Street • P.O. Box 8154 • Rapid City, SD 57709
Phone (605) 348-1538 • Fax (605) 341-1112 • E-mail: info@fisklandsurveying.com
www.fisklandsurveying.com

April 14, 2017

Mayor Allender and Members of the Common Council
City of Rapid City
300 Sixth Street
Rapid City, SD 57701

RE: Variance From The Requirement to Install Sidewalks

Lot 3 of Madison Subdivision (aka North Haines Avenue)
Owner – Muth Holdings, LLC (Joe and Jeremy Muth)
joemuth@rapidnet.com and jeremymuth@live.com

RECEIVED

APR 17 2017

**ENGINEERING
SERVICES**

Mayor Allender and Council Members:

On behalf of owners and developers Joe and Jeremy Muth we are submitting this Variance request to waive the requirement to install sidewalks on the west side of Haines Avenue as it abuts their proposed development.

The project consists of four residential 12-plex units to be located on a 2.42 acre parcel on the west side of Haines Avenue – north of Auburn Drive and south of Cobalt Drive.

At this location, the adjoining Haines Avenue right-of-way is outside of the municipal limits of the City of Rapid City and under the jurisdiction of Pennington County.

The existing right-of-way is 100' wide and consists of 24' wide asphalt driving lane, 13' wide gravel shoulders on each side and then roughly 25' wide ditch sections on each side. The depth of the ditch at this location varies between 4' and 6'. We are including a site plan showing the existing road and contour information as well as portions of the proposed improvements, and a Profile Cross-Section which demonstrates the standard sidewalk location in relation to the ditch, shoulder, driving surface, and drainage improvements.

The standard location for sidewalk is "property line sidewalk" which is typically located 1' from the property line. The cross sections demonstrate that in this instance a property line sidewalk would be located at the bottom of the ditch and which would create an unsafe pedestrian condition. The sidewalk will be inundated during storm events as the ditch carries drainage and runoff from the roadway and adjoining developments. Additionally at the location of Section 2, there is an existing 30" reinforced concrete pipe (RCP) that carries the drainage easterly under Haines Avenue. The sidewalk would be directly in the path of this drainage element. In the winter, the ditches would typically fill with snow which would make use and maintenance

difficult, and there is no physical barrier (curb, etc.) that would protect pedestrians and control traffic in the event of a vehicle leaving the road and entering the ditch. Due to the depth of the ditch section, it would be difficult to see pedestrians using the sidewalk. And lastly, the nearest connecting sidewalks are 820+ feet' north at Cobalt Drive and 770+ feet south at Auburn Drive.

The other option would be placement of the sidewalk at a non-standard location up from the ditch section (what would typically be referred to as curb-side sidewalk). Unfortunately, and as mentioned previously, there is no curb along this portion of Haines Avenue. The absence of curb would create a hazardous condition for pedestrians as there would be no barrier to separate vehicles and pedestrians.

Until the County might choose to re-construct Haines Avenue with more typical urban improvements (piped storm sewer, curbing, etc.) neither of the possible locations for sidewalk would be safe or desirable at this time and location.

This variance request is submitted as allowed for by Section 12.08.060C of the Rapid City Municipal Code.

Sincerely,
FISK LAND SURVEYING & CONSULTING ENGINEERS, INC.



Janelle L. Finck
President

jlf
encl

Rapid City-Pennington County
Parcel Report

Parcel ID: 2013326001

Report generated 1/31/2017 3:44:03 PM

Parcel Information

Parcel ID: 2013326001

Tax ID: 5527

Property Address:

Legal: LOT 3

Block:

Subdivision: MADISONS SUBD

Section: 13

Township: 2 N

Range: 07 E

Acres: 2.42

Owner Last Name: MUTH HOLDINGS LLC

First Owner:

Second Owner:

Mailing Address: 2700 W MAIN ST

Mailing City: RAPID CITY

State: SD

Zip Code: 57702-8126

Land Value: 56900

Non-ag Structure Value: 0

Ag Structure Value: 0

Total Value: 56900

Land Use Code: N

Land Type Code: D

Commercial Use Code:

Improvements Code: 0

Subdivision Code: 3580

Fire Department: RC

Ambulance District:

Fire District:

Civil District: Rapid City

Road District:

Sanitary Sewer District:

Water District: West Dakota Water District

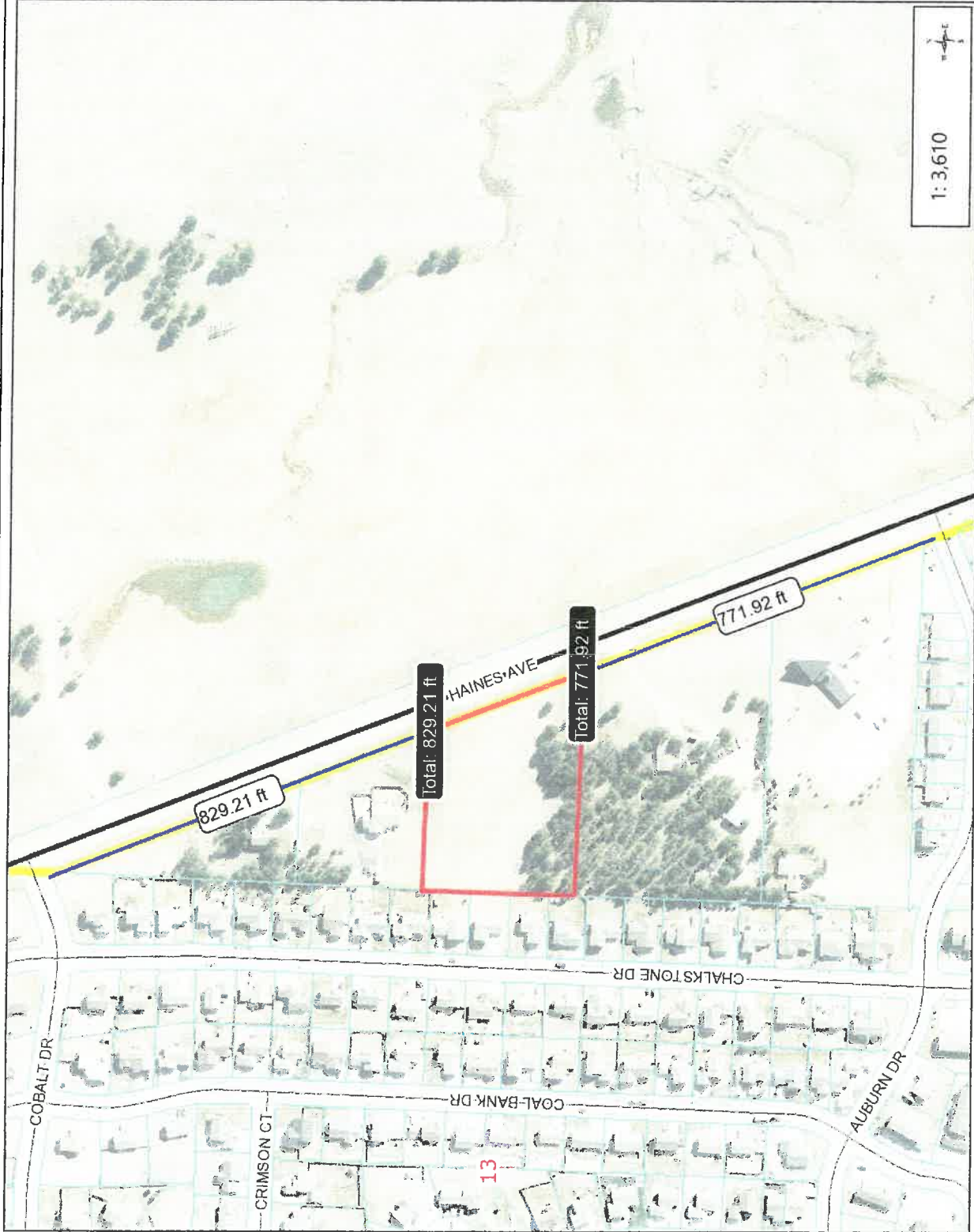
Deed Filing Date (mm/dd/yy): 121616

Deed Type: WD

Deed Book:

Deed Page:

Deed Document Number: 201617707



1: 3,610

Legend

- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Unimproved road
 - Trail
 - Airport Runway
 - Not yet coded

Section Lines 0-25k

- 0
- 7

Tax Parcels

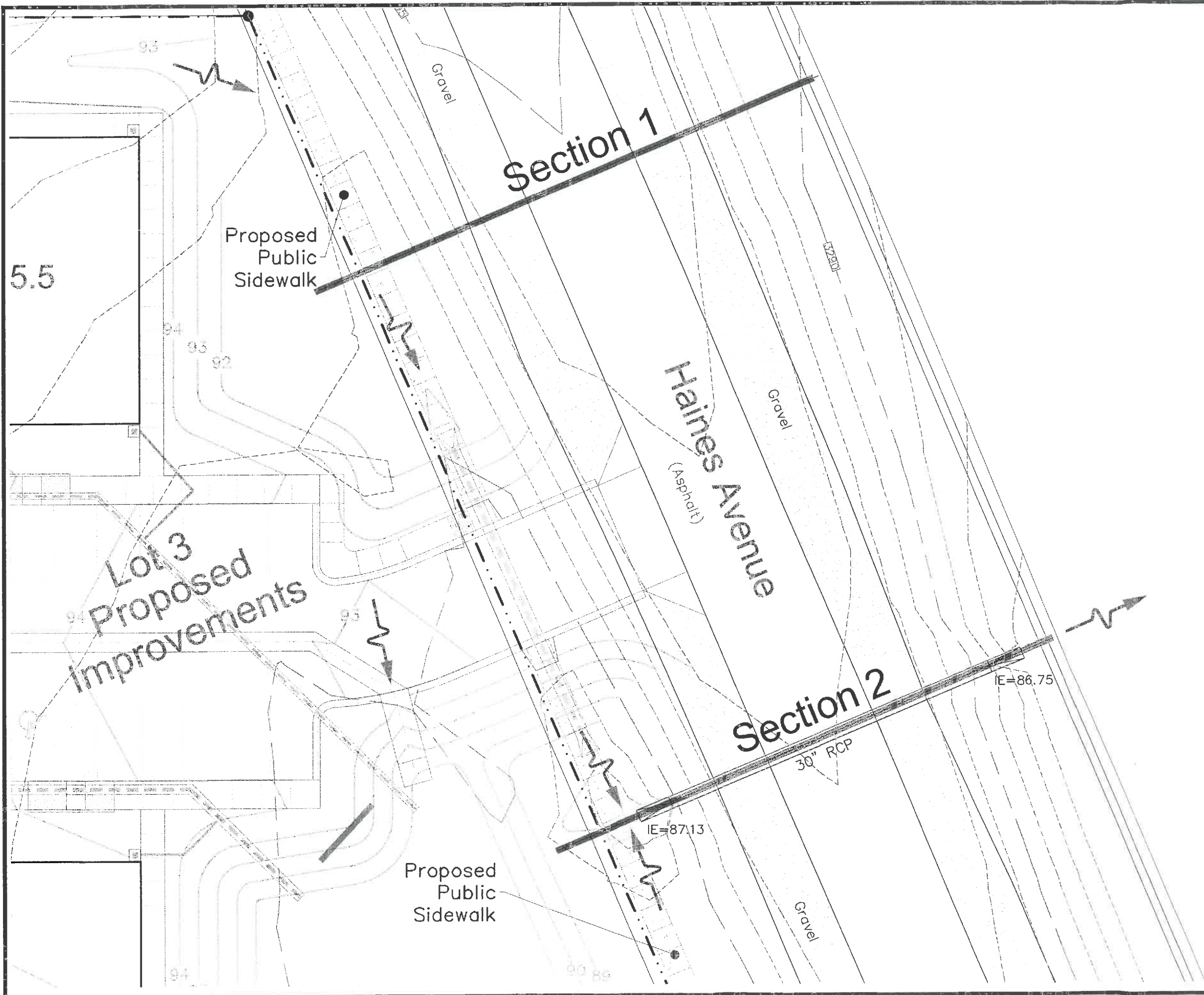
- Lot Lines**
- <Null>
 - Lot Line
 - Parcel Line

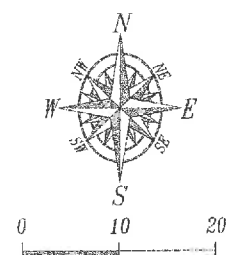
Map Notes:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

601.6 Feet
300.82
0




 1" = 20'
 February 23, 2017
 Basis of Bearings
 GPS Observation

PRELIMINARY

Fisk Land Surveying
 & Consulting, Inc.
 1022 Main Street (P.O. Box 8154)
 Rapid City, South Dakota 57709
 (605) 348-1538 (fx)
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Proposed Site Improvements
 Lot 3 of Madison's Subdivision
 Muth Properties
 TBD Haines Avenue
 Rapid City, Pennington County, South Dakota

Surveyed by:
 CD/JH

Date
 11/6/16

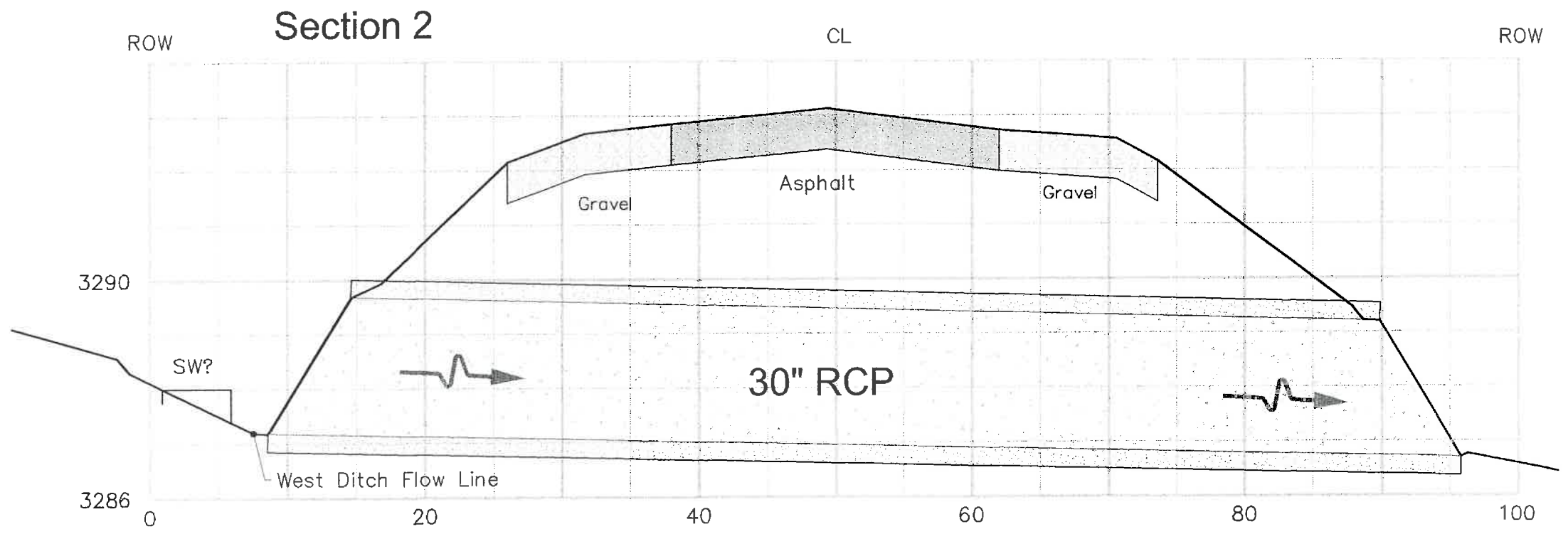
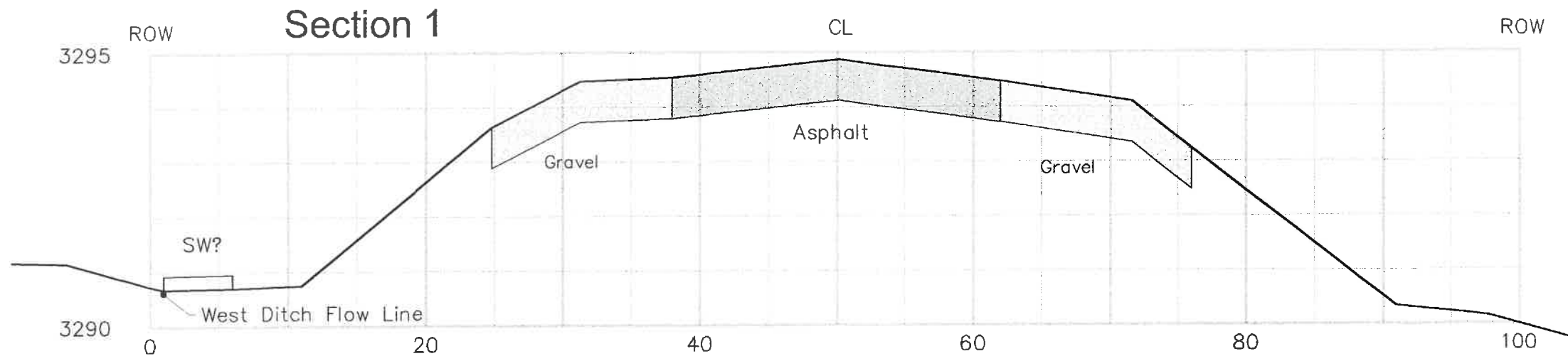
Drawn by:
 RWF

Checked by:
 JF/SOT

Revisions

Site Plan
 1
 of
 2

Project No.
 16-11-01



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Revisions

Profile
Cross Sections
2
of
2

Project No.
16-11-01