

Attachment A

Maplewood Subdivision is a proposed major subdivision in Yellowstone County. The applicant is requesting a variance from Section 4.6.B.1 which requires a connection to undeveloped land from this subdivision every 600 feet.

1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties.

The applicant is proposing to provide two (2) future connections to the vacant land to the south. The Yellowstone County Subdivision Regulations requires one (1) connection every 600 feet maximum. With this requirement the applicant would be required to have three (3) connections but none of them would be 600 feet apart. As outlined in the variance request the proposed two connections are 707 feet from 72nd Street to 71st Street. From 68th Street to Maple Leaf Trail is 743 feet. With 874 feet between Maple Leaf Trail and 71st Street. With one less connection than what is required will not have a strong negative impact of future movements between this subdivision and development to the south.

2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced.

There are no topographical conditions that would impact the ability to make connections to the south. The land has been used as a farm field and this development only uses half of the land for the project.

3. The variance will not result in an increase in taxpayer burden.

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4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or Growth Policy.

The proposed development is outside of the Yellowstone County zoning jurisdiction and so will not create any non-conformance with zoning.

5. The subdivider must prove that the alternative design is equally effective, and the objectives of the improvements are satisfied.

The proposed connections to the south will meet the intent of the regulations, to have connections for future development and not create subdivision islands.