

STAFF REPORT

March 25, 2004

No. 04PD007 - Major Amendment to a Planned Residential Development to allow for a reduced front yard setback from 25 feet to 18 feet

ITEM 35

GENERAL INFORMATION:

PETITIONER	Dennis Zandstra for Elks County Estates
REQUEST	No. 04PD007 - Major Amendment to a Planned Residential Development to allow for a reduced front yard setback from 25 feet to 18 feet
EXISTING LEGAL DESCRIPTION	Lot 7 of Block 8 of Elks Country Estates, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.23 acres
LOCATION	Along Hazeltine Court
EXISTING ZONING	Low Density Residential II District
SURROUNDING ZONING	
North:	Low Density Residential II District
South:	Low Density Residential II District
East:	Low Density Residential II District
West:	Low Density Residential II District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	02/20/2004
REPORT BY	Todd Tucker

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development to allow for a reduced front yard setback from 25 feet to 18 feet be approved with the following stipulations:

1. That phasing of the proposed development be reviewed with the submission of each proposed Preliminary Plat;
2. That the specific development plans be reviewed and approved in conjunction with the submission of each proposed Preliminary Plat;
3. That all development meet the setback, height, area and density requirements specified on the approved plan or, if not specified, the standard requirements of the Zoning Ordinance; and,

STAFF REPORT

March 25, 2004

No. 04PD007 - Major Amendment to a Planned Residential Development to allow for a reduced front yard setback from 25 feet to 18 feet **ITEM 35**

4. That any amendment to the approved plan be reviewed and approved under the appropriate minimal or major amendment procedure for a Planned Residential Development.

GENERAL COMMENTS: The applicant is proposing to construct an approximate 2,000 square foot, one story single family residence on Lot 7 of Block 8 of Elks Country Estates. The lot is on the southwest corner of Jolly Lane and Hazeltine Court. This property is part of the Elks Country Estates Planned Residential Development approved with stipulations in 1992 as a Planned Residential Development.

There were four stipulations of approval as part of this Planned Residential Development:

1. That phasing of the proposed development be reviewed with the submission of each proposed preliminary plat;
2. That the specific development plans be reviewed and approved in conjunction with the submission of each proposed preliminary plat;
3. That all development meet the setback, height, area and density requirements specified on the approved plan or, if not specified, the standard requirements of the Zoning Ordinance; and,
4. That any amendment to the approved plan be reviewed and approved under the appropriate minimal, minor, or major amendment procedure for a Planned Residential Development.

The property in question is zoned Low Density Residential II District. The required setbacks in the Low Density Residential II District are 25 feet in the front yard and in a side yard adjacent to a street, eight feet in the side yard, and 25 feet in the rear yard. The proposed structure will encroach into the rear yard setback approximately five feet as shown on the plot plan. The applicant is requesting a reduction in the required 25 foot front yard setback to allow the structure to be constructed on the property and still provide the required rear yard setback.

STAFF REVIEW: Staff has reviewed the proposed Major Amendment to the Planned Residential Development and has noted the following major issues:

Setbacks: Staff noted that the intent of the Zoning Ordinance to ensure adequate open space, and circulation of light and air throughout the City. This intent is met through specific requirements that restrict the minimum distances a structure can be located from lot lines. However, Staff indicated that the City has supported the reduction of front yard setbacks in other Planned Residential Developments with a minimum front yard setback of 18 feet in front of the garage door and a minimum 15 foot setback for the balance of the dwelling unit.

Notification Requirements: The required Major Amendment to a Planned Residential Development sign has not been posted on the property, nor have the receipts from certified mailing have been returned as of the writing of this staff report.

STAFF REPORT

March 25, 2004

No. 04PD007 - Major Amendment to a Planned Residential Development to allow for a reduced front yard setback from 25 feet to 18 feet

ITEM 35

Staff will notify the Planning Commission at the March 25, 2004 Planning Commission meeting if these requirements have not been met.

Staff has reviewed this request with respect to the provisions of the City of Rapid City Municipal Code and Staff believes that the granting of the Major Amendment to a Planned Residential Development would be consistent with the purposes and intent of the Zoning Ordinance. As such Staff is recommending approval of this request.