

STAFF REPORT  
July 22, 2004

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**No. 04AN006 - Petition for Annexation**

**ITEM 16**

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GENERAL INFORMATION:

PETITIONER	Sperlich Consulting Inc. for Dean and Kimberly Henderson
REQUEST EXISTING LEGAL DESCRIPTION	<b>No. 04AN006 - Petition for Annexation</b> N1/2 SW1/4 SW1/4 of Section 13, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20 acres
LOCATION	South of the intersection of Chalkstone Drive and Auburn Drive
EXISTING ZONING	General Agriculture District (County)
SURROUNDING ZONING	
North:	Medium Density Residential District w/PDD
South:	General Agriculture District (County)
East:	Medium Density Residential District
West:	General Agriculture District (County)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	06/24/2004
REVIEWED BY	Karen Bulman / David L. Johnson

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved contingent on any payment due to the North Haines Fire District being paid.

GENERAL COMMENTS: The process for annexation by petition is provided for under Section 9-4-1 SDCL, which states that by resolution, the City may annex a contiguous area, if the written petition describing the boundaries of the area is signed by no less than three-fourths of the registered voters and by owners of no less than three-fourths of the value of the area to be annexed. This petition appears to meet all requirements for consideration under the provisions for a voluntary annexation.

In addition to the Petition to Annex the subject property, the applicant has submitted a Rezoning from No Use District to Medium Density Residential District (04RZ034) for the subject property.

STAFF REVIEW: This property is located south of the intersection of Chalkstone Drive and Auburn Drive. The property is currently zoned General Agriculture District by Pennington County and one residence is located on the property. Land located north of the subject property is zoned Medium Density Residential District with a Planned Development

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Designation. Land located east of the subject property is zoned Medium Density Residential District. Land located south and west of the subject property is zoned General Agriculture District by Pennington County. The applicant has applied to rezone the subject property from No Use District to Medium Density Residential District in conjunction with this Petition for Annexation. The Future Land Use Committee reviewed this annexation and has recommended that a Planned Development Designation be placed on this property due to potential conflict with likely single family residential development in the area. The applicant has submitted an application for a Planned Development Designation in conjunction with the rezoning request.

The annexation area is presently located in the North Haines Fire Protection District. Under SDCL 31-31A-35 a municipality is obligated to compensate rural fire districts when annexation diminishes their tax base. The North Haines Fire District has been contacted to determine any costs that may need to be reimbursed. As of this writing, the North Haines Fire District has not indicated that any reimbursement is due. Annexation will be contingent on any payment due to the North Haines Fire District being paid by the City of Rapid City.

Staff has not received any adverse comments regarding the requested annexation and as such finds this area appropriate for annexation. Staff is recommending that the annexation be approved contingent on any payment due to the North Haines Fire District being paid.