

STAFF REPORT
June 7, 2007

No. 07VE010 - Vacation of a Note on a Plat

ITEM 13

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers, Inc. for Dennis Selting
REQUEST	No. 07VE010 - Vacation of a Note on a Plat
EXISTING LEGAL DESCRIPTION	Lot C of Lot 3 of Dairyland Subdivision located in the SW1/4 SE1/4, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.0 acres
LOCATION	2330 E. St. Patrick Street
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District (Planned Commercial Development)
East:	Light Industrial District
West:	Public District
PUBLIC UTILITIES	City
DATE OF APPLICATION	5/11/2007
REVIEWED BY	Loren Fuhrmann / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Vacation of a Note on a Plat be approved with the following stipulation:

1. Notation on "Exhibit A" of the vacation document, prepared by the Registered Professional Engineer, should note (Plat Book 18 Page 39) rather than (Book 18 Page 39).

GENERAL COMMENTS:

The applicant has submitted a request to vacate a front yard building setback note on a plat.

The subject property is located at the Northwest corner of the intersection of St. Patrick Street and Sedivy Lane. The subject property is located within the municipal boundaries of the City of Rapid City. Current zoning of the subject property is Light Industrial District. Westar Motors Trailer Sales and Westar Motors Storage Units are currently located on the subject property, which is a permitted use in a Light Industrial District.

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STAFF REVIEW:

The original plat document known as Lot C of Lot 3, Dairyland Subdivision located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, identifies a front yard building setback of 25 feet along the South lot line and a side yard setback of 25 feet along the West lot line of the subject property.

The applicant is requesting to vacate a note on the plat requiring a 25 foot front yard building setback along the South lot line and a 25 foot side yard building set back along the West lot line of the subject property. The applicant has submitted a vacation document prepared by a Registered Professional Engineer, identified as "Exhibit A", which identifies the subject lot and the proposed note vacation.

The subject property is currently zoned Light Industrial District by the City of Rapid City.

Existing buildings on the subject property, as shown on site plan submitted by the applicant, meet current setback requirements.

The subject property is an interior lot. Rapid City Zoning Ordinance currently requires a minimum 25 foot front yard setback and a 25 foot side yard setback. The applicant would be required to obtain a variance to the dimensional requirements in a Light Industrial District if any future structure did not meet the minimum 25 foot setback.

As such staff is recommending that the Vacation of Note on the Plat be approved.