

STAFF REPORT
September 21, 2006

No. 06VE021 - Vacation of a Note on a Plat

ITEM 12

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers for Robert P. Johns
REQUEST	No. 06VE021 - Vacation of a Note on a Plat
EXISTING LEGAL DESCRIPTION	Lot 8, Eisenbraun Subdivision, located in Section 26, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	
PARCEL ACREAGE	Approximately 1.50 acres
LOCATION	6701 Southside Drive
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Planned Unit Development (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	8/22/2006
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Vacation of a Note on a Plat be approved.

GENERAL COMMENTS:

A note on the plat identifies a 25 foot front and rear yard setback and eight foot side yard setbacks. The applicant is requesting the removal of the note from the plat as they conflict with the Pennington County Zoning requirements for the Suburban Residential Zoning District. The Pennington County Zoning Ordinance states that unattached accessory structures shall not be located closer than five feet to the rear lot line and the note on the plat requires a 25 foot rear yard setback. The property is located at 6701 Southside Drive and single family residence and detached garage are currently located on the subject property.

STAFF REVIEW:

Staff has reviewed the proposed vacation of note on the plat as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

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Setbacks: As previously stated, there is an existing single family residence and detached garage located on the subject property. The plat notes a 25 foot rear yard setback and a portion of the existing garage is constructed within that setback. The existing residence and detached garage meet the minimum rear yard setback requirements of the Pennington County Zoning Ordinance by providing a minimum 25 foot rear yard setback to the residence and a minimum 5 foot setback to the detached garage. A building permit was issued for the structures in 2001 based on the Zoning Regulations.

Staff recommends approval of the Vacation of Note on Plat.