

Case No. 18VA015

**Legal Description:**

A parcel 147 square feet in the SE corner and 3 feet X 147 feet vacated Omaha Street, abutting on the north side; and Lots 1 thru 5 and adjacent vacated alleys less a 20 feet X 35 feet tract in the NW corner of said Lot 1, all located in Block 18 of Gateway Addition, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota

**DEPARTMENT OF COMMUNITY DEVELOPMENT**

City of Rapid City

300 Sixth Street, Rapid City, SD 57701-2724

Phone: (605) 394-4120

Fax: (605) 394-6636

Web: www.rcgov.org

**APPLICATION FOR  
A VARIANCE****Written statement describing the proposed and/or intended use and detailing the Variances(s) being requested:**

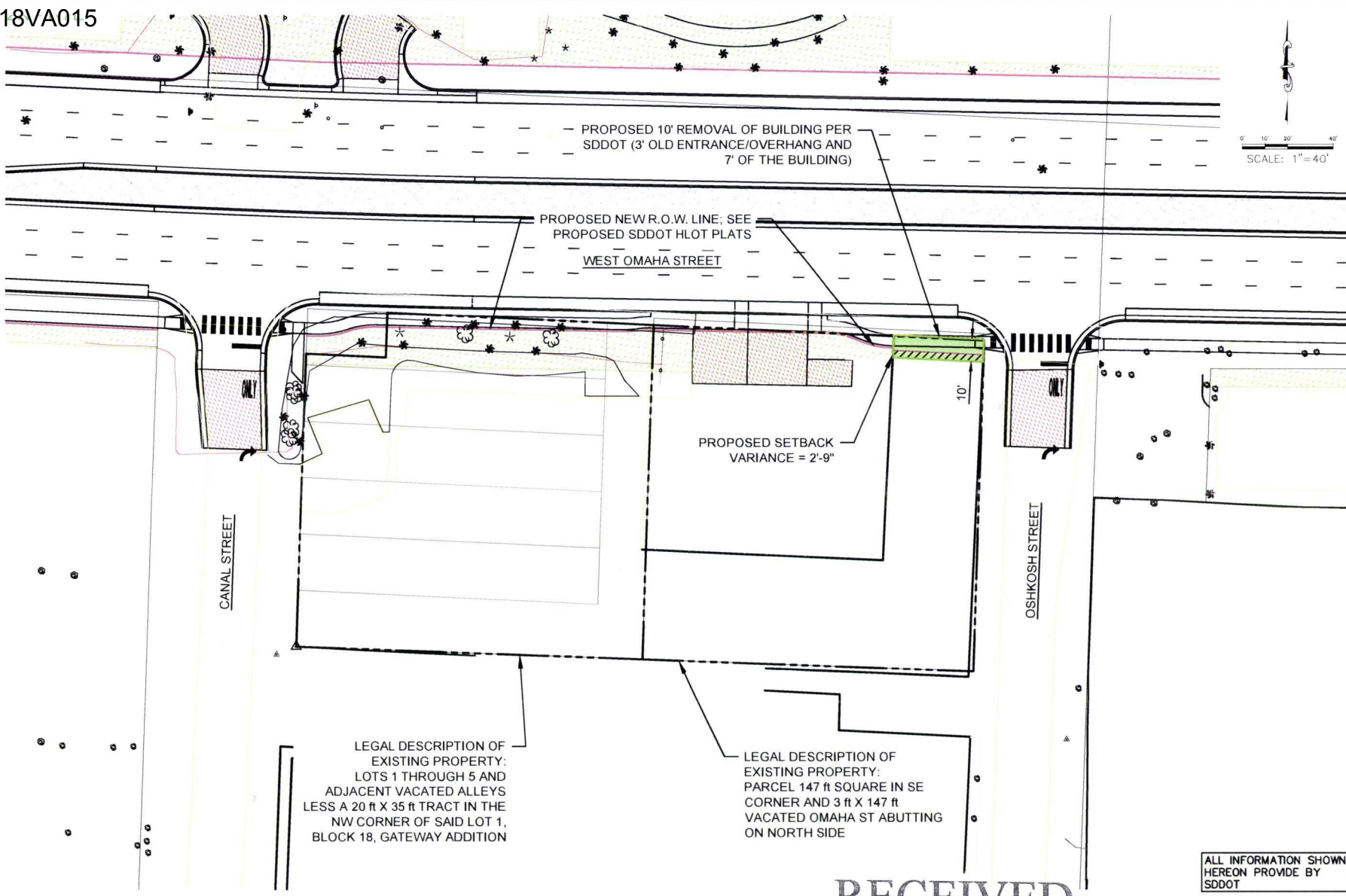
SDDOT is proposing to reconstruct West Omaha Street (Highway 44). SDDOT is purchasing right of way from the subject property and have negotiated for removal of 10' of the existing building as shown on the attached drawings. The current building has a legal non conforming Zero setback from the West Omaha Street right of way. Upon removal of 10' of the building and proposed right of way acquisition the resulting separation from the building and new right of way line, per the SDDOT survey information, will be 3 ft.

The purpose of this Variance is to allow a reduced setback for the building from the required 25'. It is requested a variance be approved to allow a front yard setback from West Omaha of 2' 9". This proposed setback is slightly less than the 3' indicated on the SDDOT drawings to allow for construction and survey tolerances.

**RECEIVED****DEC 14 2018**RAPID CITY DEPARTMENT OF  
COMMUNITY DEVELOPMENT**Applicant's Justification:**

**Pursuant to Chapter 17.54.020.D of the Rapid City Municipal Code, before the Board shall have the authority to grant a Variance, the applicant must adequately address the following criteria:**

<b>Criteria:</b>	<b>Applicant Response:</b>
1. Granting the Variance is not contrary to the public interest;	Variance is need to comply with the proposed right of way agreement with the SD Department of Transportation.
2. Special conditions on the property will result in an unnecessary hardship for the applicant;	Requiring a 25' building setback would not comply with the proposed right of way agreement with the SD Department of Transportation.
3. Granting the Variance is in the spirit and intent of the Zoning Ordinance, and;	Current front setback is zero feet and is grandfathered. Reduced setback as result of removing a portion of the building complies with the proposed right of way agreement with the SD Department of Transportation.
4. Granting the Variance will serve substantial justice.	Proposed setback related to the reduction in building size and the proposed right of way widening are as requested by the SD Department of Transportation.



**FMG ENGINEERING**  
2702 S Maple Road, Rapid City, SD 57702-2017  
fmgengineering.com  
(605) 344-1121

File Number:	130184.01
Location:	SD 14, SECTION 25
Tap, HST, S&B:	
Surveyed By:	
Date:	
Drawn By:	JTB
Checked By:	JTB
DECEMBER 2018	

**PROPOSED SETBACK VARIANCE**  
1401 WEST OMAHA STREET  
RAPID CITY, SD

Revision / Date
Sheet Name:
SETBACK PLAN
Figure Number:
<b>1</b>

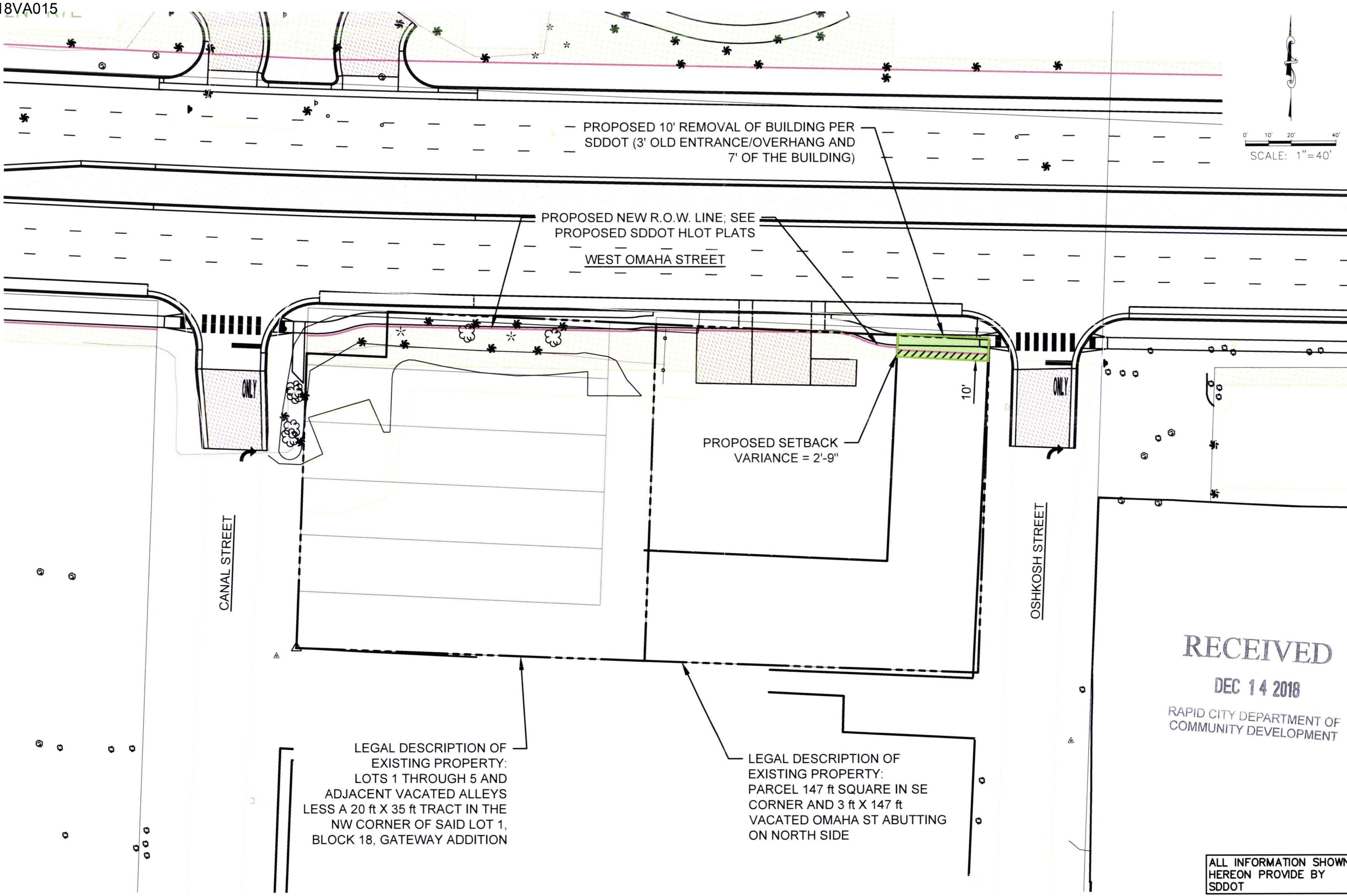
ALL INFORMATION SHOWN  
HEREON PROVIDE BY  
SDDOT

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— PROPOSED 10' REMOVAL OF BUILDING PER  
SDDOT (3' OLD ENTRANCE/OVERHANG AND  
7' OF THE BUILDING)

PROPOSED NEW R.O.W. LINE; SEE  
PROPOSED SDDOT HLOT PLATS

WEST OMAHA STREET

PROPOSED SETBACK  
VARIANCE = 2'-9"

10'

CANAL STREET

OSHKOSH STREET

LEGAL DESCRIPTION OF  
EXISTING PROPERTY:  
LOTS 1 THROUGH 5 AND  
ADJACENT VACATED ALLEYS  
LESS A 20 ft X 35 ft TRACT IN THE  
NW CORNER OF SAID LOT 1,  
BLOCK 18, GATEWAY ADDITION

LEGAL DESCRIPTION OF  
EXISTING PROPERTY:  
PARCEL 147 ft SQUARE IN SE  
CORNER AND 3 ft X 147 ft  
VACATED OMAHA ST ABUTTING  
ON NORTH SIDE

0' 10' 20' 40'  
SCALE: 1"=40'

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COMMUNITY DEVELOPMENT

ALL INFORMATION SHOWN  
HEREON PROVIDE BY  
SDDOT

**PROPOSED SETBACK VARIANCE**  
**1401 WEST OMAHA STREET**  
**RAPID CITY, SD**

Revision / Date

Sheet Name:  
SETBACK  
PLAN

Figure Number:

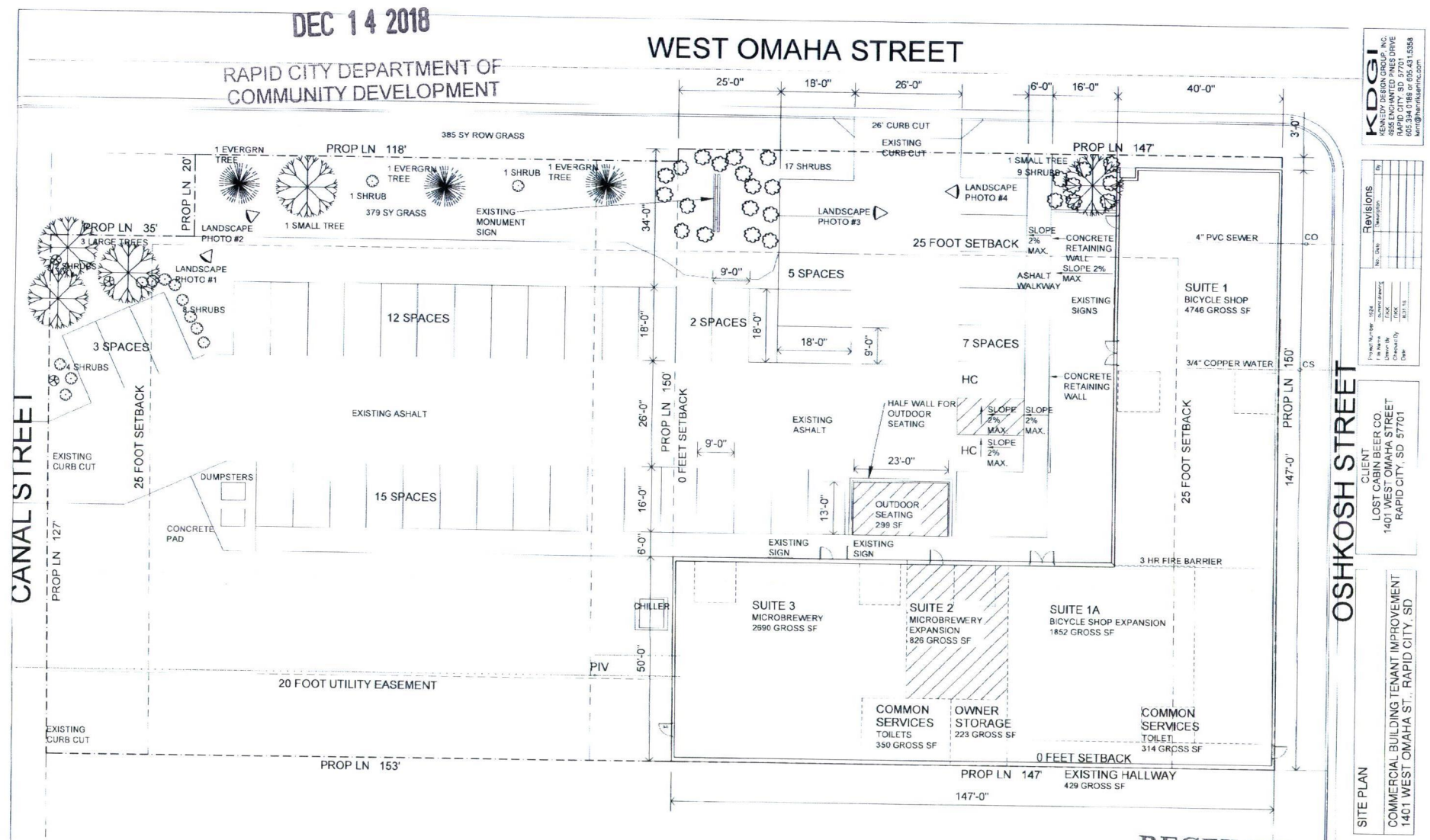


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WEST OMAHA STREET

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COMMUNITY DEVELOPMENT



SITE PLAN WITH LANDSCAPING  
SCALE: 1" = 10'-0"

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OCT 28 2016

RAPID CITY COMMUNITY PLANNING  
& DEVELOPMENT SERVICES

**KDGI**  
KENNEDY DESIGN GROUP, INC.  
1401 WEST OMAHA STREET  
RAPID CITY, SD 57101  
605.334.0186 or 605.431.5358  
kdg@kennedydesign.com

Revisions	
No.	Description
1	ISSUED FOR PERMIT
2	REVISION
3	REVISION
4	REVISION
5	REVISION
6	REVISION
7	REVISION
8	REVISION
9	REVISION
10	REVISION

**CLIENT**  
LOST CABIN BEER CO.  
1401 WEST OMAHA STREET  
RAPID CITY, SD 57101

**SITE PLAN**  
COMMERCIAL BUILDING TENANT IMPROVEMENT  
1401 WEST OMAHA ST., RAPID CITY, SD

DATE: 10.28.16

**A2**  
Drawing Number