

Case No. 16PD043

**Legal Description:**

the north 80 feet of Lots 25 thru 32 of Block 118 of Original Town of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

**IMPROVEMENT LOCATION SURVEY**  
 LOTS 25-32, BLOCK 118, ORIGINAL TOWN OF RAPID CITY,  
 SECTION 1, T1N, R7E, B.H.M.,  
 RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA

**RECEIVED**

SEP 08 2016

RAPID CITY COMMUNITY PLANNING  
& DEVELOPMENT SERVICES

The subject property is zoned Park Forest District and said zoning has setbacks stated as follows:

When the subject parcel abuts an Arterial street right-of-way Front Yard setback are as follows:

Main Building: 25'  
 Accessory Building: 35'  
 Detached Garages: 25'

When the subject property abuts a Collector street rights-of-way setbacks are as follows:

Main Building: 20'  
 Accessory Buildings: 35'  
 Detached Garage: 25'

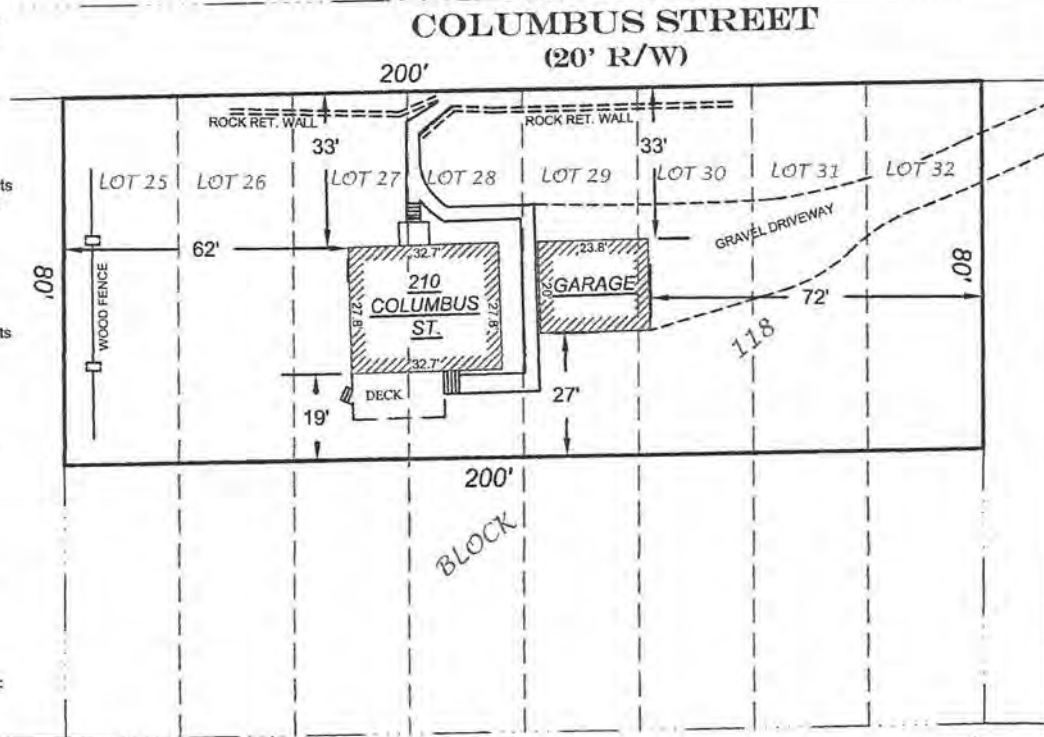
When the subject property abuts a Subcollector street rights-of-way or lane/place street rights-of-way, setbacks are as follows:

Main Buildings and Detached Garages: 25'  
 Accessory Building: 35'  
 Detached Garage: 25'

Side yard setbacks:

Single story Structures: 30'  
 Unattached Accessory Buildings: 40'

Rear yard Setbacks:  
 Main Buildings: 50'  
 Unattached Accessory Building: 20'



We, Howe Land Surveying, do hereby declare that we have performed a "Improvement Location Survey" of the conditions that were found at the time of the survey of the property shown hereon on August 30, 2016.

This document DOES NOT constitute a boundary survey and is subject to any inaccuracies that a subsequent property survey may disclose. No property corners were set and this drawing may not be used to establish any fence, structure or any other improvements. property dimensions shown hereon are based upon unverified record information.

Howe Land Surveying is not extending any intent or warranty to the present or future owners or occupants. This property is SUBJECT TO ALL easements, conditions, restrictions, reservations and right-of-ways of record and those not of record.



ADDRESS:	210 COLUMBUS STREET
JOB #:	16081
DESC:	IMPROVEMENT LOCATION EXHIBIT
DATE:	AUGUST 31, 2016
DRAWN BY:	JNH



1830 Hartland Court  
 Rapid City, SD 57702  
 (605)839-4833  
 www.howelandsurveying.com

*Raising expectations.*



September 13<sup>th</sup>, 2016

Attn: Members of the Rapid City Planning Commission

Re: Letter of Intent for the requested Planned Development application and exceptions

Dear Members of the Planning Commission:

I am writing this letter of intent in regards to 210 Columbus Street. I am acting as the agent of the owner of the property, Sandra Berendes.

The subject property is currently zoned park forest. The house is approximately 1600sf total over two levels, built in 1947, and the parcel of land is about 1/3<sup>rd</sup> of an acre.

The house has recently been for sale and is under contract for purchase. A standard requirement in the current lending market is for a rebuild letter to be issued by the city, or authority having jurisdiction. The rebuild letter is a simple document which gives the lender some surety that if the subject dwelling was to be destroyed that the authority having jurisdiction would allow the home to be rebuilt.

When the lender of the purchaser requested the rebuild letter it was found that the City of Rapid City could not issue a rebuild letter, as the subject property is considered "legal non-conforming". It has been given this title because the current zoning applied to the parcel is Park Forest. At what time this zoning was applied is unknown, but it is known that it was some time after the construction of the home.

In the Park Forest zoning jurisdiction the parcel is required to be 3 acres, the rear yard setback is to be 50', and the dwelling is to abut a public street for a distance not less than 50'. This parcel does not meet these criteria.

The applicant is asking for the following exceptions so that it can be considered "legal-conforming" and can obtain a rebuild letter:

1. to grant an exception to allow a dwelling in park forest zoning on a parcel less than 3 acres, or in this case approximately 1/3<sup>rd</sup> acre
2. to reduce the minimum rear yard setback to 19' rather than the 50' required

*Raising expectations.*

**Scull**  
**CONSTRUCTION SERVICE, INC.**

3. to allow the dwelling unit to not abut a public street for 50'. This stretch of Columbus street is considered an alley and not a public street.

The applicants justification for these items are as follows:

1. the zoning was applied after the home was built and therefore arbitrarily received the park forest designation
2. The city designates Columbus as an alley, not a public street in this area. This designation is out of the owners control.
3. the home is built into the side of the hill (as you can see from the pictures), and therefore a reduced rear yard setback would not create any blight or issue for the undeveloped neighboring property.
4. it has been determined that it is more appropriate to request the following exceptions rather than rezone the property.

I thank you for your consideration of this item.

Sincerely,



Andrew J. Scull