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The wisdom to win.
REPLY TO: RAPID CITY OFFICE

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August 8, 2017

Via email to cpweb@rcgov.org

Community Planning & Development Services
300 6th Street
Rapid City, SD 57701

Re: Rezoning Request File Number 17RZ024

To whom it may concern:

This letter is written on behalf of Calvin Lee Havorka and Sharon Rose and the Calvin Havorka and Sharon Rose Trust (“Havorka-Rose”) the residents and owner, respectively, of 6105 Covenant Drive, more particularly described as Lot 1 of Potts Subdivision located in Section 22, Township 1 North, Range 7 East, Black Hills Meridian, Rapid City, Pennington County, South Dakota.

Havorka-Rose objects to the proposed rezoning request of KTM Design Solutions for Dakota Hills Trailer Sales, LLC, of Lot 2 of Potts Subdivision, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, street address 6061 Covenant Drive, (“subject property”) from Park Forest District to Low Density Residential, file number 17RZ024.

The Havorka-Rose property (Lot 1 of Potts Subdivision) abuts the subject property (Lot 2 of Potts Subdivision). The Havorka-Rose property is roughly 3.6 acres. The subject property is roughly 9.88 acres. Minimum lot size of Park Forest District is 3 acres, so Lot 2 would be limited to 3 residences under its current zoning. Havorka-Rose is informed that as many as 20 residences are planned for development if the request for rezoning is granted. That proposed density is not consistent with the current density of neighboring properties. Property to the west and south of the Havorka-Rose property is pasture. Rezoning the subject property as LDR would result in a tiny isolated tract with density/use that differs in potentially significant ways from that of its neighbors – that zoning result does not promote the intent and purpose of the zoning ordinances of the City.

Havorka-Rose is also skeptical that current or planned roadways can safely accommodate the increased traffic generated by as many as 20 new residences in this small 9.88 acre parcel.

In 2015, Havorka-Rose made an application to rezone its property as LDR to accommodate a proposed bed-and-breakfast but was advised by the Planning Department that the application

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Kenneth E. Barker and Michael A. Wilson are Board Certified in Civil Trial Advocacy by the National Board of Trial Advocacy

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would never be approved. The Planning Department suggested that the application be withdrawn and it was withdrawn. Later in 2015, bed-and-breakfast was added as a conditional use of the Havorka-Rose property due to a change in the ordinances governing the Park Forest District, at least according to the information provided to Havorka-Rose by the Planning Department.

Havorka-Rose submits that the conditions near the subject property have not substantially changed since 2015, and are not currently substantially changing, so as to necessitate the request for rezoning the subject property.

Havorka-Rose also submits that the rezoning and much smaller lot sizes and increased density in the adjacent subject property would negatively affect the value of the Havorka-Rose property.

Havorka-Rose respectfully requests the Planning Commission to deny the request for rezoning.

Very truly yours,

BARKER WILSON LAW FIRM, LLP

A handwritten signature in black ink, appearing to read "Michael A. Wilson". The signature is fluid and cursive, with a large initial "M" and "W".

Michael A. Wilson

MAW