

MINUTES OF THE
RAPID CITY ZONING BOARD OF ADJUSTMENT
April 26, 2017

MEMBERS PRESENT: Erik Braun, Karen Bulman, Racheal Caesar, Mike Gollither, John Herr, Galen Hoogestraat, Curt Huus, Mike Quasney, Kimberly Schmidt, Justin Vangraefschepe and Vince Vidal.

MEMBERS ABSENT: John Roberts, Council Liaison

STAFF PRESENT: Ken Young, Vicki Fisher, Fletcher Lacock, Tim Behlings, Ted Johnson, Ted Peckosh, Carla Cushman and Andrea Wolff.

Braun called the meeting to order at 7:00 a.m.

1. Approval of March 22, 2018 Zoning Board of Adjustment Meeting Minutes.

Bulman moved, Hoogestraat seconded and the Zoning Board of Adjustment unanimously approved the minutes from the March 22, 2018 Zoning Board of Adjustment Meeting. **(9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Huus, Quasney and Vangraefschepe voting yes and none voting no)**

2. No. 18VA004 - Granite Subdivision

A request by FMG Engineering for Nooney and Solay LLP to consider an application for a **Variance to reduce the minimum required front yard setback from 25 feet to 0 feet for an existing structure** for Lot 2 of Eastbrooke Subdivision located in Government Lot 3 of Section 6, T1N, R8E, BHM, and the SE1/4 of the SW1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 414 E. Omaha Street.

Lacock presented the application and reviewed the associated slides. Lacock noted that the applicant has previously submitted a Preliminary Subdivision Plan for future subdividing of the property that requires additional right-of-way for Racine Street. Lacock stated that the applicant has agreed to a Covenant Agreement with the City stating that should the right-of-way be needed in the future for Racine Street that the structure within the right-of-way will be removed leaving the remaining building with a zero foot setback. Lacock reviewed the revised language of approval, which states that should the structure be removed in its entirety or be damaged by 50 percent or more of its value a 25 foot setback will be required and stated that staff recommends that the Variance to reduce the minimum required front yard setback from 25 feet to 0 feet for an existing structure be approved with the stipulation.

In response from a question from Herr why the road is not moved to the east, Fisher clarified that half the additional right-of-way is required from both of the adjacent property owners upon platting. Requiring that all of the right-of-way be dedicated from the property to the west requires that it be purchased. Fisher

explained that the City has allowed structures to remain until the right-of-way is needed on other similar properties.

Bulman stated that she feels this is a reasonable request and moved to approve on the basis that the intent of the zoning ordinance will not be injurious to the neighborhood or detrimental to the public welfare.

Bulman moved, Quasney seconded and the Zoning Board of Adjustment approved the Variance to reduce the front yard setback from 25 feet to 0 feet be approved for the existing structure. A minimum 25 foot front yard setback shall be provided for any new development or redevelopment of the property. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Huus, Quasney and Vangraefschepe voting yes and none voting no)

3. Discussion Items
None

4. Staff Items
None

5. Zoning Board of Adjustment Items
None

There being no further business, Caesar moved, Quasney seconded and unanimously carried to adjourn the meeting at 7:12 a.m. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Huus, Quasney and Vangraefschepe voting yes and none voting no)