

MINUTES OF THE  
RAPID CITY ZONING BOARD OF ADJUSTMENT  
July 25, 2019

MEMBERS PRESENT: Erik Braun, Karen Bulman, Racheal Caesar, Mike Gollither, Galen Hoogestraat, Curt Huus, Eric Ottenbacher, Mike Quasney, Justin Vangraefschepe and Vince Vidal. John Roberts, Council Liaison was also present.

MEMBERS ABSENT: John Herr

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, John Green, Tim Behlings, Todd Peckosh, Ted Johnson, Wade Nyberg and Andrea Wolff.

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

1. Approval of the June 20, 2019 Zoning Board of Adjustment Meeting Minutes.

**Caesar moved, Bulman seconded and the Zoning Board of Adjustment approved the June 20, 2019 Zoning Board of Adjustment Meeting Minutes.**

2. No. 19VA005 - The Cottonwoods

A request by Larry Wright to consider an application for a **Variance to reduce side yard setback from 8 feet to 5 feet** for Lot 24 thru 26 of Block 7, of The Cottonwoods, located in Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2109 6th Avenue.

Green presented the application and reviewed the associated slides. Green indicated that in reviewing the application it was identified that there are options for the garage to be shifted to allow the requested size, relocated to allow the requested size or to build a smaller garage. Green stated that based on these reasons, staff recommends that the **Variance to reduce side yard setback from 8 feet to 5 feet** be denied as it is not the minimal adjustment needed to allow reasonable use of the property.

Bulman noted that in viewing the information presented that there are numerous options so she would not be able to support this request.

In response to a question from Hoogestraat if it could be rebuilt as a carport. Fisher clarified that any structure, including a carport, would be required to meet setbacks.

Larry Wright, 2109 6<sup>th</sup> Avenue, reviewed the reasons for the placement of the garage noting that there is a stump in the back yard that would deter the construction of the garage in that area. He stated that this is the only place he can build the garage and that he needs the garage to be the size requested to allow him reasonable use of the land. Wright stated he works on cars and the additional space would allow him that use. Wright also spoke to his knowledge of construction and the work he has already done to improve the property.

Ottenbacher stated that appreciates the applicant's desire to build in the same location as the previous structure, but he noted that there does not appear to be a hardship since there are other options available.

Wright spoke to the need for the specific placement of the garage and the size requested.

Hoogestraat stated that he would tend to support the request as the applicant is attempting to improve the property.

Vangraefschepe stated that a foundation with piers would be required in order to construct the garage and that the existing parking pad is non-relevant as a new foundation would still be required. Vangraefeschepe stated that the requirement for the new foundation would allow the garage to be built in another location.

Wright stated that the only stable location to build the garage is on the existing parking pad.

Huus stated that he believes the garage could be shifted since the foundation would be required anyway.

Wright reviewed the reasons he believes the Variance should be granted noting that it is the only place to build.

**Bulman moved, Vidal seconded and the Zoning Board of Adjustment denied the Variance request to reduce the required side yard setback from 8 feet to 5 feet for an accessory structure based on the criteria that it is not the minimum adjustment necessary to allow reasonable use of the property. (8 to 1 with Braun, Bulman, Caesar, Golliher, Huus, Quasney, Vangraefschepe and Vidal voting yes and Hoogestraat voting no).**

3. Discussion Items  
None
4. Staff Items  
None
5. Zoning Board of Adjustment Items  
None

**There being no further business, Golliher moved, Caesar seconded and unanimously carried to adjourn the meeting at 7:55 a.m. (9 to 0 with Braun, Bulman, Caesar, Golliher, Hoogestraat, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no).**