

MINUTES OF THE
RAPID CITY ZONING BOARD OF ADJUSTMENT
April 22, 2021

MEMBERS PRESENT: Kelly Arguello, Erik Braun, Karen Bulman, Eirik Heikes, Eric Ottenbacher, Mike Quasney and Vince Vidal. Bill Evans, Council Liaison was also present.

MEMBERS ABSENT: Rachal Caesar, Mike Gollhofer, John Herr, Haven Stuck.

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Marty Gillies, Kip Harrington, Sarah Hanzel, Tim Behlings, Todd Peckosh, Wade Nyberg and Andrea Wolff.

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

1. Approval of the April 8, 2021 Zoning Board of Adjustment Minutes.

Bulman moved, Quasney seconded and the Zoning Board of Adjustment approved the April 8, 2021 Zoning Board of Adjustment Minutes. (7 to 0 with Arguello, Braun, Bulman, Heikes, Ottenbacher, Quasney and Vidal voting yes and none voting no)

2. No. 21VA001 - Brookside #2

A request by Sam Deschamp to consider an application for a **Variance to reduce the front yard setback from 20 feet to 13.1 feet and to reduce the side yard setback from 8 feet to 0.3 feet** for Lot 15 of Block 12 of Brookside #2, located in Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 628 43rd Court.

Lacock presented the application noting that the item had been continued from the April 8, 2021 Zoning Board of Adjustment to allow staff to meet with the applicant to discuss options. Lacock stated that they had met and it was decided that if the applicant could provide a 5 foot side yard setback and the Zoning Board of Adjustment determined that the location of the house on the lot preventing vehicular access to the backyard creates a special circumstance staff could support the Variance request. As such, staff recommends approval of the Variance request to reduce the front yard setback from 20 feet to 13.1 feet and the side yard setback from 8 feet to 5 feet with stipulation set out in the Project Report.

Vidal asked about any fire preventative options were being implemented, Fisher noted that providing a minimum of 5 foot, setback eliminates the need to provide fire protection materials. Fisher clarified that the special circumstance would allow the variance to be granted.

Bulman and Arguello congratulated both staff and the applicant for working together to attain a viable solution.

Bulman moved, Vidal seconded and the Zoning Board of Adjustment determined that topographic constraints created by the location of the

house on the lot creates a special circumstance, staff recommends approval of the Variance request to reduce the front yard setback from 20 feet to 13.1 feet and the side yard setback from 8 feet to 5 feet with the stipulation that prior to issuance of a Building Permit the 25-foot setback line shall be vacated. (7 to 0 with Arguello, Braun, Bulman, Heikes, Ottenbacher, Quasney and Vidal voting yes and none voting no)

3. Discussion Items
4. Staff Items
5. Zoning Board of Adjustment Items

There being no further business Vidal moved, Bulman seconded and unanimously carried to adjourn the meeting at 7:09 a.m. (7 to 0 with Arguello, Braun, Bulman, Heikes, Ottenbacher, Quasney and Vidal voting yes and none voting no)