

MINUTES OF THE
RAPID CITY ZONING BOARD OF ADJUSTMENT
May 27, 2021

MEMBERS PRESENT: Kelly Arguello, Erik Braun, Karen Bulman, Racheal Caesar, Mike Gollhofer, Eirik Heikes, John Herr, Haven Stuck, Eric Ottenbacher, and Vince Vidal. Bill Evans, Council Liaison was also present.

MEMBERS ABSENT: Mike Quasney

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Karl Bauer, Kip Harrington, Sarah Hanzel, Brad Staton, Todd Peckosh, Wade Nyberg and Andrea Wolff.

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

1. Approval of the April 22, 2021 Zoning Board of Adjustment Minutes

Bulman moved, Caesar seconded and the Zoning Board of Adjustment approved the April 22, 2021 Zoning Board of Adjustment Minutes. **(9_ to 0 with Arguello, Braun, Bulman, Caesar, Gollhofer, Herr, Ottenbacher, Stuck and Vidal voting yes and none voting no)**

2. No. 21VA002 - Garden Lane Subdivision

A request by Renner Associates, LLC for Evergreen Real Estate, LLC to consider an application for a **Variance to reduce the minimum required front yard setback from 20 feet to 8 feet** for Lot B of Lot 2, less the south 175 feet of Lot B of Lot 2 in the SW1/4 of the NW1/4 of Section 9, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 2905 Garden Lane.

Lacock presented the applicant and reviewed the associated slides stating that the applicant has submitted a Preliminary Subdivision Plan to split the lot into two buildable lots and as part of platting the property, 16 feet of right-of-way is required to be dedicated for Garden Lane. As such, the applicant is requesting the Variance to allow an 8 feet setback in lieu of the required 20 feet front yard setback. Lacock noted that the Variance is specifically for the existing structure and is a public benefit and that staff is recommending approval of the Variance. Lacock explained that if the property is redeveloped or new development is done on Lot 2 it would need to comply with all setbacks. Lacock noted that there is no new construction being proposed with this request and that should the applicant not move forward with the plat no changes would be required. Lacock noted that approval could be based on either Criteria #1 for reasonable use of the lot or Criteria #2 being the platting of the lot creates special circumstances. Fisher reiterated that the Variance is specific to the existing structure.

Stuck moved, Gollhofer seconded and the Zoning Board of Adjustment approved the Variance to reduce the minimum required front yard setback from 20 feet to 8 feet based on Criteria # 1 and #2. (9 to 0 with Arguello, Braun, Bulman, Caesar, Gollhofer, Herr, Ottenbacher, Stuck and Vidal voting yes and none voting no)

3. No. 21VA003 - Sunnyvale

A request by Fisk Land Surveying & Consulting Engineers, Inc for James and Charlette Steele to consider an application for a **Variance to reduce the rear yard setback from 25 feet to 4.8 feet and the side yard setback from 8 feet to 5 feet** for Lot 10 of Tract D of Sunnyvale, located in Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1605 Sunnyvale Drive.

Lacock stated that the applicant has requested that the Variance to reduce the rear yard setback from 25 feet to 4.8 feet and the side yard setback from 8 feet to 5 feet be continued to the June 24, 2021 Zoning Board of Adjustment Meeting.

Vidal moved, Gollhofer seconded and the Zoning Board of Adjustment continued the Variance to reduce the rear yard setback from 25 feet to 4.8 feet and the side yard setback from 8 feet to 5 feet to the June 24, 2021 Variance Board of Adjustment Meeting.

4. Discussion Items

5. Staff Items

6. Zoning Board of Adjustment Items

Bulman noted that the Zoning Board of Adjustment Agenda included the approval the April 22, 2021 Zoning Board of Adjustment Minutes. Braun called for motion on the item and action was taken.

There being no further business Caesar moved, Bulman seconded and unanimously carried to adjourn the meeting at 7:08 a.m. (9 to 0 with Arguello, Braun, Bulman, Caesar, Gollhofer, Herr, Ottenbacher, Stuck and Vidal voting yes and none voting no)