

MINUTES OF THE
RAPID CITY ZONING BOARD OF ADJUSTMENT
January 27, 2022

MEMBERS PRESENT: Kelly Arguello, Erik Braun, Karen Bulman, Racheal Caesar, Mike Gollither, Eirik Heikes, Haven Stuck, Mike Quasney and Vince Vidal. Ron Wiefenbach, Council Liaison was also present.

MEMBERS ABSENT: John Herr, Eric Ottenbacher. Ron Wiefenbach, Council Liaison was also absent.

STAFF PRESENT: Vicki Fisher, Kelly Brennan, Kip Harrington, Sarah Hanzel, Tim Behlings, Chip Premus, Todd Peckosh, Kinsley Groote and Andrea Wolff.

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

1. No. 21VA010 - Deadwood Avenue Tract

A request by Matt Neibauer of Prairie Supply to consider an application for a **Variance to reduce the side yard setback from 25 feet to 8 feet** for Lot 6 of Tract E of Deadwood Avenue Tract, located in Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located 2801 Plant Street.

Hanzel presented the application and reviewed the associated slides stating that the applicant is requesting to build a storage building on the southwest side of the property and are trying to maintain a turnaround in the center of the property which is why they are requesting the Variance to side yard setbacks. Hanzel noted that although staff understands the reason for the request they do not believe there are any special circumstances or that all options have not been reviewed. Hanzel also noted that staff would like to see separation maintained between the neighboring structures and are not sure this is the minimal adjustment and as such are recommending the Variance to reduce the side yard setback from 25 feet to 8 feet be denied.

In response to a question from Stuck on other buildings within the setback, Hanzel noted that there other buildings were possibly constructed prior to current setback requirements and are therefore identified as legal non-conforming.

In response to a question from Braun regarding options, Hanzel deferred the option question to the applicant, but reviewed the topography noting there is a drop off to the west of the lot and that it is important that drainage be maintained and lot coverage considered.

Matt Neibauer, representing Prairie Supply, stated they are hoping to maintain separation from their neighbors and maintain distance from the drop at the back of the lot. Neibauer stated they still need to complete their soil report, but wanted to have the Variance completed before completing. Neibauer is looking to have more storage, expand their operation, and to allow them to be self-sustaining and to reduce freight cost.

Responding to Quasney's question whether there was an option to adjust the

building and still retain the turning radius, Neibauer noted that they could, but that they this layout takes into consideration work flow area that will be needed once they have the proposed fabricated rebar equipment, which will necessitate room to handle the 20 foot bundles. Quasney stated that he believes they have options that should be considered.

Braun suggested the item be continued to allow options to be reviewed.

Fisher stated that staff supports continuing this request and suggests that the applicant review the size of the proposed building as they are close to overbuilding the site.

Meeting dates were discussed, with the applicant requesting a continuation of two months. Fisher stated that would put the item to the March 24, 2022 Zoning Board of Adjustment meeting. The applicant was in agreement with this date.

Caesar asked that the applicant provide additional information to assist the Zoning Board of Adjustment in reviewing the options.

In response to a question from Heikes on lot coverage, Hanzel reviewed lot coverage in Light Industrial District allows for 75 percent, noting that coverage does include paved areas. Heikes commended the applicant for growing his business locally.

Bulman stated that the closer the applicant can get to the 25 foot setback, the easier it is for the Zoning Board of Adjustment to approve the request.

In response to a question from Neibauer whether the location of the structures on the neighboring property effects the requirement for setbacks on his property, Fisher stated that it does not in regards to Variance criteria. Fisher further noted the less adjustment requested the better for securing approval of a Variance and should they reduce the adjustment to less than 20 percent, the request could be handled administratively and this application would be withdrawn.

Vidal moved, Quasney seconded and the Zoning Board of Adjustment carried to continue the Variance to reduce the side yard setback from 25 feet to 8 feet to the March 24, 2022 Zoning Board of Adjustment. (9 to 0 with Arguello, Braun, Bulman, Caesar, Gollither, Heikes, Quasney, Stuck and Vidal voting yes and none voting no)

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

There being no further business Vidal moved, Caesar seconded and unanimously carried to adjourn the meeting at 7:21 a.m. (9 to 0 with Arguello, Braun, Bulman,

Caesar, Golliher, Heikes, Quasney, Stuck and Vidal voting yes and none voting no)