

MINUTES OF THE
RAPID CITY ZONING BOARD OF ADJUSTMENT
April 20, 2017

MEMBERS PRESENT: Erik Braun, Karen Bulman, Rachel Caesar, John Herr, Galen Hoogestraat, Curt Huus, Mike Quasney, Steve Rolinger and Gerald Sullivan. Darla Drew, Council Liaison was also present.

MEMBERS ABSENT: Michael Gollither and Kim Schmidt

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Ted Johnson, Carla Cushman and Andrea Wolff.

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

1. Approval of March 9, 2017 Zoning Board of Adjustment Meeting Minutes

Rolinger moved, Galen seconded and unanimously carried to approve the March 9, 2017 Zoning Board of Adjustment Minutes

2. No. 17VA002 - Robbinsdale Addition No. 9

A request by Durrell Davidson to consider an application for a **Variance to allow a 6 foot fence in the second front yard** for Lot 20 of Block 1 of Robbinsdale Addition No. 9, located in Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1000 Fir Drive.

Lacock presented the application and reviewed the associated slides. Lacock noted that the fence encroaches into the sight triangle on an uncontrolled T-intersection and any obstructions may interfere with traffic. Lacock said based on those criteria staff does not support the application for a **Variance to allow a 6 foot fence in the second front yard**.

Durrell Davidson, 100 Fir Drive stated that he is willing to work with the City to allow a fence in the requested area stating that he had submitted additional fencing option.

In response to a question from Braun regarding previous requests where sight triangles were involved where they had been able to reach a compromise with graduating fence height to avoid impeding the sight triangle and if that was possible with this instance, Johnson stated that Engineering had reviewed the options submitted by the applicant but did not see that any of the options would eliminate the sight triangle issue in this specific instance.

Bulman moved to deny the Variance based on sight triangle issues.

Bulman moved, Sullivan seconded and unanimously carried to deny the Variance to allow a 6 foot fence in the second front yard based on the sight triangle issues.

3. No. 17VA003 - Skyline Pines Subdivision

A request by Sperlich Consulting, Inc for Kent and Cynthia Guthrie to consider an application for a **Variance to reduce minimum required lot size** for Lot 1 of Block 2 of Skyline Pines Subdivision, located in the SW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Skyline Drive and Pevans Parkway.

Lacock presented the application noting that there is an associated Preliminary Subdivision Plan (File #17PL027) to create two individual lots that is also before Planning Commission for review. Lacock noted that staff had received two calls in opposition to the request with one of those callers noting that this would set a precedent to reduce the lot size in the area where the lots are generally three acres or larger, changing the character of the area. Lacock noted that there appears to be an illegal access off of Skyline Drive on this property that must be abandoned. Lacock stated that Skyline Drive is identified as a Collector Street and a South Dakota State Scenic Byway. The Park Forest District is intended to preserve open space, natural beauty and open character. Reducing the lot size and increasing the density changes those attributes. Lacock presented staff's recommendation that the request be denied.

In response to a question from Herr, Lacock stated that there is City water and noted that the pressure for this area is very low.

Kale McNaboe, Sperlich Consulting, Inc, stated that the layout of most of the other lots in the area are deep with little street frontage. McNaboe noted that the proposed lot is different than the others in the area as it has significant street frontage and that subdividing it would not create a significant difference in density in the area. He noted that the issue of water pressure and access can be addressed through the platting process so that should not be considered as an obstacle for this request.

Isaac Almanza, neighboring property owner, spoke in opposition to the request stating that he believes that the action would reduce the value of property in the area.

Glenda Williams, 2627 Skyline Drive, spoke to her objections to the request. She noted that the recent changes including the overlook have increased traffic in the area and that the open areas are an attribute to the beauty of the area which was a major contributing reason for purchasing their property. She noted that the additional lot would create a more cluttered look as the property owner already has a number of vehicles and other equipment on the existing lot and to divide it would further contribute to that crowded look.

Dennis Groff, 2740 Skyline Drive, stated that he regretted being here to have to speak against the request of a neighbor. Groff stated that he feels lucky to live in the area and reviewed the history of the subdivision listing some of the reasons for the larger lots including the views and the open feeling stating how important

he feels that retaining these maintains the value of the area and he hopes that the request is not granted.

Kent Guthrie, applicant, spoke to his request stating that he has owned the lot since the development was created and has maintained it and improved it and feels that subdividing the lot would not detract from values or views and requests that the variance be approved. He noted that if subdivided, access for the proposed lot would be a shared access from Pevans Parkway.

In response to a question from Herr regarding covenants, it was clarified that the City is not party to nor do they enforce covenants in general. It was also clarified that the subject property is not a part of the neighborhood covenants.

Rolinger stated that he recalls that the original plans for the Skyline area was to have five and ten acre lots so he does not agree with the subdivision of the existing lots which further deteriorates the open area and reducing the lot sizes.

In response to a question from Bulman on the second access that is located along Skyline, Fisher clarified that the applicant has agreed to discontinue the use as this is a non-access easement located on Skyline Drive.

In response to question from Caesar, Fisher stated that the Rapid City Municipal Code does not allow a second residence on a single lot.

Hoogestraat moved, Quasney seconded and unanimously carried to deny the requested Variance based on sited criteria.

4. Discussion Items
None

5. Staff Items
None

6. Zoning Board of Adjustment Items
None

There being no further business, Bulman moved, Rolinger seconded and unanimously carried to adjourn the meeting at 7:53 a.m. (9 to 0 with Braun, Bulman, Caesar, Herr, Hoogestraat, Huus, Quasney, Rolinger and Sullivan voting yes and none voting no)