

MINUTES OF THE
RAPID CITY ZONING BOARD OF ADJUSTMENT
July 6, 2017

MEMBERS PRESENT: Erik Braun, Karen Bulman, Mike Golliher, Curt Huus, Mike Quasney, Kimberly Schmidt and Gerald Sullivan. Darla Drew, Council Liaison was also present.

MEMBERS ABSENT: Rachel Caesar, John Herr, Galen Hoogestraat, Steve Rolinger

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Tim Behlings, Ted Johnson, Kinsley Groote and Andrea Wolff.

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

1. Approval of the June 22, 2017 Zoning Board of Adjustment Minutes.

Bulman moved, Golliher seconded to approve the June 22, 2017 Zoning Board of Adjustment Minutes.

2. No. 17VA007 - Red Rock Estates

A request by Fisk Land Surveying and Consulting Engineers, Inc for Mark and Kelli Jobman to consider an application for a **Variance to reduce the side building setback from 8' to 5'2" for proposed garage** for Lot 15 of Block 22 of Red Rock Estates, located in Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 6517 Bandon Lane.

Lacock said that the applicant has requested that the Variance be continued to the July 27, 2017 Zoning Board of Adjustment meeting.

Bulman moved, Quasney seconded and unanimously carried to continue the Variance to reduce the side building setback from 8' to 5'2" for proposed garage be continued to the July 27, 2017 Zoning Board of Adjustment meeting. (7 to 0 with Braun, Bulman, Caesar, Golliher, Herr, Hoogestraat, Huus, Quasney, Rolinger, Schmidt and Sullivan voting yes and none voting no)

3. No. 17VA008 - Robbinsdale Addition No. 7

A request by Natalie Knudtson to consider an application for a **Variance to reduce the minimum required side yard setback** for Lot 13 (also in Section 12) of Block 4 of Robbinsdale Addition No. 7, located in Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3407 E. Anaconda Road.

Lacock presented the application and reviewed the associated slides. Lacock noted that the existing garage is currently unattached and has a 4 foot side yard setback and the request to attach the garage to the house via a breezeway and complete the upper floor as dwelling space would require a 12 foot setback. Lacock stated that as the existing garage is non-conforming and that there is

reasonable use of the property without the granting of the variance, staff recommends that the Variance Request be denied.

Natalie Knudtson, 3407 E. Anaconda Road, stated that currently the upper floor of the garage is usable only as storage and she is hoping to use the space as additional rooms for guests. Knudtson says she hates to see the space wasted.

In response to a question from Huus whether there was a previous Variance to allow the existing setback violation, Lacock stated that review of records does not show one. Fisher further clarified that the existing discrepancy for the detached structure is less than that for an attached extension of the dwelling.

Bulman stated that she believes that there is reasonable use of the property currently and that it could be utilized without the proposed breezeway.

Discussion followed regarding the types of uses and the completion of the space noting that the space could not be used as a second dwelling or for commercial uses such as a rental.

Bulman moved, Quasney seconded to approve the Variance to allow a 4 feet side yard setback in lieu of the required 5 feet side yard setback for a separate structure with stipulation identified by staff and specifying that the removal of a foot or more of the structure would create a hardship.

Behlings requested that an additional stipulation be added to require that the structure be fire sprinkler protected.

Bulman moved, Quasney seconded to approve the Variance to allow a 4 feet side yard setback in lieu of the required 5 feet side yard setback for a detached structure with the following stipulations, citing that the removal of a foot or more of the property would create a hardship.

1. That the second floor of the garage shall not be converted into a second dwelling or used for commercial purposes, and
2. That the structure shall be fire sprinkler protected. (6 to 1 with Braun, Bulman, Gollither, Huus, Quasney and Schmidt voting yes and Sullivan voting no)

4. Discussion Items -None
5. Staff Items - None
6. Zoning Board of Adjustment Items - None

There being no further business, Schmidt moved, Quasney seconded and unanimously carried to adjourn the meeting at 7:17 a.m. (7 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Huus, Quasney, Rolinger, Schmidt and Sullivan voting yes and none voting no)