

Minutes

Zoning Board of Adjustment

April 7, 2015

The Rapid City Zoning Board of Adjustment met on April 7, 2015. The following members were present: Steve Rolinger, Peter Neumann, Steve Malone, John Herr, and Erik Braun.

Staff Present: Brad Solon, Fletcher Lacock, Nicole Lecy, Carla Cushman, Ted Johnson, and Serenna Zeisler.

Others Present: Garry McKinnon and Curt Polkart

Rollinger opened the meeting at 7:00 a.m.

1. Appeal No. CIVAR15-0007

Solon read the variance request and showed videos of the lot. Solon presented the video from April 6, and from the original 2014 appeal. Solon read staff comments at the request of Rolinger. Garry McKinnon presented his request. McKinnon said that the dwelling was built in 1946. He has owned the rental house next to it since 1976. McKinnon stated the dwelling has been for 2 families always, and the proposal was to follow the same footprint with the capability of going farther to the west side, and that all he is asking is to allow the duplication of the footprint from the prior building and to allow the front variance to allow the front entry and roof.

Curt Polkart from 7th Street, stated we don't see why it was determined to build a structure on this small lot only to find the proposed is the same size. We don't believe there is a hardship, and there needs to be a bigger lot. Leon Fenhaus, 702 St Cloud, stated that the neighbors agreed with the summary and that the Board should say no to the request. Fenhaus stated that a new house would be great, but the proposed plan is not supported. Neuman asked McKinnon where is the area being expanded. McKinnon said to the west. Neuman said then, the application is for a bigger house. McKinnon showed the Board the proposed setbacks on his site plan. He said the lot is capable of supporting the construction with a bigger living room and kitchen. And that the west side is not part of the variance. Lacock showed possibly a less than 20' setback on the east and cars would over hang on the sidewalk and that staff was not in support of that setback. McKinnon said that if you look at the plot plan it is correct. Lacock pointed out a discrepancy. McKinnon said then it was a mistake. Lacock reiterated the short setback. Rollinger identified a letter from 4 neighbors. Solon read the letter and it was entered into the record. Braun identified the 2 approaches. Ted Johnson explained that a SFD can only have one driveway. Braun stated that the approaches are not part of this application. McKinnon stated that people in Rapid City want a 2 car garage. McKinnon stated he can't fit 2 garages because of the sloped lot. Rollinger said he could understand the least variance possible, 2 garages won't fit, but the overhang or addition wouldn't be a problem. McKinnon said if he could modify the garage to be detached, but

that wouldn't work. Solon stated the setbacks for a detached garage. Solon stated the question again about 2 approaches and that it was not part of this application. McKinnon described the poor condition of the previous dwelling on the lot and that he is simply trying to put the same size house back on the lot as it was in 1946. It was a 2 bedroom house, but small. In today's market the house has to be larger. Neuman stated that when McKinnon bought the lot he knew the parameters. McKinnon said he did not. Neuman moved to deny the variance based upon staff comments, and to put the same footprint back on the lot and that a detached garage was possible. Seconded by Braun. Herr said the layout could change. McKinnon disagreed and explained the proposal again. Neuman said there was criteria that had to be followed and everything presented here is self-imposed.

Motion to deny CIVAR15-0007 by Neuman with a second by Herr passed 5-0.

Motion to approve the March 3, 2015 minutes by Neuman with a second by Braun.

Motion to approve the March 3, 2015 minutes by Neuman with a second by Braun passed 5-0.

Rollinger adjourned the meeting at 7:11 AM.

Cushman briefed the Board on the new procedure and explained about the Planning Commission membership becoming the Zoning Board.