

COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Rapid City
300 Sixth Street, Rapid City, SD 57701-2724
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**APPLICATION FOR
A VARIANCE**

Written statement describing the proposed and/or intended use and detailing the Variances(s) being requested:

The original Protective Covenant on the property restricted property to single family dwellings built no less than 25' from the front lot line and 5' from the interior lot lines, with the exception garages may be a minimum of 3' from the interior lot line. The house had a carport over an existing driveway at the 5' setback when foreclosed prior to our purchase. Due to the dangerous and poor condition of carport, mortgage lender required removal. Our intention was to replace carport with a garage to house 2 vehicles upon remodeling the house. In order for us to build a garage, we need a variance on the 8' interior lot line setback to the original 5' setback in order to build the garage the minimum 14' width.

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Applicant's Justification:
Pursuant to Chapter 17.54.020.D of the Rapid City Municipal Code, before the Board shall have the authority to grant a Variance, the applicant must adequately address the following criteria:

Criteria:	Applicant Response:
1. The granting of the Variance will not be contrary to the public interest.	Correct. Most if not all residences in this neighborhood have a garage and/or shed that are within the 8' setback. For example, our neighbor's garage is less than 3' from our west property line. Garages either required a variance or were constructed under the original development setbacks. Addition of a garage to our property will ensure added value and desirability of the neighborhood. It is a norm and reasonable expectation to find a home with a garage. Some south-side W. Chicago homes that appear to have variances include 4009, 4013, 4017, 4025, 4029, 4035, 4105, 4107, 4205, 4209, 4223. Some north-side W.St. Louis include 4010, 4014, 4018, 4022, 4026, 4030, 4036, 4106, 4110, 4114
2. Due to special conditions the literal enforcement of the Zoning Ordinance will result in an unnecessary hardship.	Correct. When purchased in 2014, we planned to replace the dilapidated carport (removed as a condition of financing) with a garage. When applying for a remodel building permit, we were told to apply for a separate garage building permit because a variance would be required due to carport removal. We were told this was a simple formality. If denied: 1) we will be deprived reasonable use of property, 2) we will have a house with less resale potential and value as compared to neighborhood homes, 3) no physical protection of automobiles against weather, vandalism and limestone dust, 4) financial hardship resulting from incurring unreasonable insurance deductibles and higher premiums, 5) no place to store automobile maintenance supplies and fluids which should not be in a home 6) home access for senior citizen/disabled
3. By granting the Variance to the provisions of the Zoning Ordinance the spirit of the Zoning Ordinance will be observed.	Yes, we don't understand why the spirit wouldn't be observed. The granting of the variance would be consistent with the original intent for the neighborhood of single family dwellings and would be consistent with the original clearances of neighboring properties. Our residence would be in character with the neighborhood and other neighborhoods in Rapid City. The increased value and aesthetic would enhance city values. This variance is not injurious or detrimental to the neighborhood or the city.
4. By granting the Variance substantial justice will be done.	Yes. Rapid City is a community that appears to want neighborhoods to keep their attractiveness, safety and comfort of its residents. We have remodeled this home and there would be an unjust mar against this home if it were not permitted a garage. Lots in this neighborhood were historically and originally narrow and did not accommodate future family needs, such as a garage. Absence of a garage is a real estate deal breaker when other homes in the area have garages. Our home should be on equal and fair par with the neighborhood.