Case No. 21VA004

**Legal Description:**

The E1/2 of Lots 1 thru 4 and vacated railroad right-of-way abutting Lot 1 of The Cottonwoods, located in Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
6' cedar solid privacy fence

Materials:
- 2" x 4" x 6' cedar
- 1" x 6" x 6' (5 1/2' actual) dog ear pickets
- 4" x 4" x 96' stained and treated posts
- 1 7/8" aluminum coated nails @ pickets
- 3" aluminum coated nails @ rails

Gaps:
- 1" approx. @ hinge side of gates
- 1" approx. @ latch side of gates
- 2' (± 4") approx. @ bottom of fence
- May be gaps at pickets when dried.

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3616 JACKSON BLVD
Written statement describing the proposed and/or intended use and detailing the Variances(s) being requested:

Privacy fence as a quality of life issue to reduce lights directed into home as well as traffic noise. Also for reduction of damage to property in front yard due to stray golf balls.

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**MAY 10, 2021**

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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:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Applicant Response</th>
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<tbody>
<tr>
<td>1. The granting of the Variance will not be contrary to the public interest;</td>
<td>Fence will not block vehicle or pedestrian view of on coming traffic as it is 8’4” off of backside of side wall.</td>
</tr>
<tr>
<td>2. There are special conditions attached to the property that do not generally apply to other properties in the same district;</td>
<td>Commercial there is a building/business directly across the street from the residence leased by the city/parks dept that delivery vehicles park directly causing both lights to shine into residence.</td>
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<tr>
<td>3. Owing to special conditions, the literal enforcement of this title will result in unreasonable hardship;</td>
<td>Increased traffic volume and noise will be abated by the fence. The current resident has increased noise and lights entering home/residence due to business operation making it difficult to enjoy their main floor of home.</td>
</tr>
<tr>
<td>4. By granting the Variance contrary to the provisions of this title, the spirit of this title and the city’s Comprehensive Plan will be observed; and</td>
<td>Home owners will be able to elevate the current stresses that they are living under.</td>
</tr>
<tr>
<td>5. By granting the Variance, substantial justice will be done.</td>
<td>As the issue of noise, lights and property damage will be greatly decreased or eliminated.</td>
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