

MINUTES OF THE
RAPID CITY ZONING BOARD OF ADJUSTMENT
September 23, 2021

MEMBERS PRESENT: Kelly Arguello, Erik Braun, Karen Bulman, Racheal Caesar, Mike Golliher, Eirik Heikes, John Herr, Haven Stuck, Eric Ottenbacher and Vince Vidal.

MEMBERS ABSENT: Mike Quasney

STAFF PRESENT: Vicki Fisher, Karl Bauer, Kip Harrington, Sarah Hanzel, Tim Behlings, Chip Premus, Todd Peckosh, Wade Nyberg, Kinsley Groote and Rebel VanLoh.

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

1. Approval of the September 9, 2021 Zoning Board of Adjustment Minutes

Caesar moved, Bulman seconded and the Zoning Board of Adjustment unanimously approved of the September 9, 2021 Zoning Board of Adjustment Minutes. (9 to 0 with Arguello, Braun, Bulman, Caesar, Golliher, Herr, Ottenbacher, Stuck and Vidal voting yes and none voting no)

Eirik Heikes joined the meeting at 7:03am.

2. No. 21VA004 - The Cottonwoods

A request by Jerald and Patricia Driver to consider an application for a **Variance to allow a 6 foot high fence in lieu of a maximum 4 feet high fence in the front yard with a 0 foot front yard setback in lieu of a minimum 25 foot front yard setback** for 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, more generally described as being located at 3616 Jackson Boulevard.

Hanzel presented the application materials and reviewed the associated slides. She noted that a portion of the fence is already constructed and the applicant would like to expand that portion of the fence for the purpose of blocking headlights that are pointed in their direction from Marco's Pizza located to the south. Hanzel added that the purpose of the fence is to reduce traffic noise and limit the effect of the occasional stray golf ball coming from Meadowbrook Golf Course.

Discussion was had regarding fence height and setback regulations.

Patricia Driver, 3616 Jackson Boulevard, spoke regarding the fence and the reasons why they feel it is necessary for their quality of life and clarified where the fence would sit on the subject property.

Discussion was had regarding alternatives to the fence using bushes or other vegetation, the parking situation and headlights of delivery drivers from Marco's Pizza shining into adjacent properties.

Fisher stated that because the property to the south is City owned property, staff

will work with the director of the Parks and Recreation Department to address the concerns with parking in anticipation of a Conditional Use Permit the City will request at the next meeting.

Vidal moved, Ottenbacher seconded and the Zoning Board of Adjustment Denied the Variance request to allow a 6 foot high fence in lieu of a maximum 4 feet high fence in the front yard with a 0 foot front yard setback in lieu of a minimum 25 foot front yard setback based on Criteria #1. (9 to 0 with Arguello, Braun, Bulman, Caesar, Golliher, Herr, Ottenbacher, Stuck and Vidal voting yes and none voting no)

3. Discussion Items
4. Staff Items
5. Zoning Board of Adjustment Items

There being no further business Bulman moved, Caesar seconded and unanimously carried to adjourn the meeting at 7:40 a.m. (9 to 0 with Arguello, Braun, Bulman, Caesar, Golliher, Herr, Ottenbacher, Stuck and Vidal voting yes and none voting no)