

STAFF REPORT  
July 1, 2008

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**No. 08FV006 – Fence Height Exception to allow a fence over eight feet in height**      **ITEM**

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GENERAL INFORMATION:

APPLICANT	Justin Schaefer for Menard Inc.
AGENT	Scott Mueller for Menard Inc.
PROPERTY OWNER	Menards Inc.
REQUEST	<b>No. 08FV006 - Fence Height Exception to allow fence over eight feet in height</b>
EXISTING LEGAL DESCRIPTION	Lots 1, 2, 3 and 6, all of Tract A, Menard Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.358 acres
LOCATION	East of the intersection of Elgin Street and Anamosa Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	5/21/2008
REVIEWED BY	Jared Ball / Karley Halsted

RECOMMENDATION:

Staff recommends that the Fence Height Exception to allow a 10 foot high fence and a 14 foot high fence in lieu of an eight foot high fence be approved.

GENERAL COMMENTS: The property is located at 4777 Menard Drive at the southeast corner of East North Street and East Anamosa Street. The property in question is zoned General Commercial and is part of a Planned Commercial Development. The properties to the north, south, east, and west are zoned General Commercial. The applicant is requesting a Fence Height Exception to allow the construction of two wooden screening fences around the new truck staging area and the truck loading and unloading area. One fence will be ten feet in height and the other will be 14 feet in height. The maximum fence height allowed in General

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Commercial Zoning District is four feet in any required front yard set back and eight feet in any side or rear yard. Because the proposed fence will be taller than eight feet the applicant has submitted this fence height exception request.

On May 5, 2008 an application was approved for a Major Amendment to a Planned Commercial Development to expand the Menard's development. One of the stipulations of approval was that prior to the issuance of a building permit the applicant must obtain a fence height exception or the site plan must be revised to identify a fence height not exceeding eight feet in height.

STAFF REVIEW: Section 15.40.040 of the Rapid City Municipal Code states that an exception to the fence height requirements may be granted by the City Council if the exception is not contrary to the public interest and the exception will not be injurious to the surrounding neighborhood. Staff has reviewed the proposed Fence Height Exception as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Public Interest: The proposed 10 and 14 feet high fences will provide screening of outdoor storage, heavy equipment and trucks. The applicant has indicated that they will be using the areas for storage of large equipment and materials that may be up to 10 and 14 feet in height. As the project is located along the entry way into Rapid City, the exception to allow a screening fence of up to 14 feet in height is in the public interest.

Effects on Neighborhood: The proposed fences will work as a screening buffer between the public and the loading and unloading area. Without the large fence people in the Menards parking lot and those on adjacent properties would be able to see the loading and unloading of material. The proposed fences will be approximately 700 feet from the adjacent street. By including a large wooden fence as a visual barrier Menards will improve the aesthetics and buffer adjacent uses. As such, it does not appear that the exception will be injurious to the surrounding neighborhood.

Staff recommends that the Fence Height Exception to allow a 10 foot high fence and a 14 foot high fence in lieu of an eight foot fence be approved.