

STAFF REPORT

July 10, 2002

No. 02FV006 - Fence Height Exception to allow a six (6) foot fence in the front yard setback **ITEM**

GENERAL INFORMATION:

PETITIONER	Lynn Ketelsen
REQUEST	No. 02FV006 - Fence Height Exception to allow a six (6) foot fence in the front yard setback
EXISTING LEGAL DESCRIPTION	Lot 8 of Block 10 of Country Club Heights, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .25 acres
LOCATION	3208 County Club Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District w/Planned Residential Development
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	05/09/2002
REPORT BY	Karen Bulman

RECOMMENDATION:

Staff recommends that the exception to the fence height requirements of Section 15.40 of the Rapid City Municipal Code to allow a six (6) foot fence in the front yard setback be approved with the following stipulations:

Traffic Engineering Division Recommendations:

1. Prior to City Council, a revised site drawing must be provided showing that the fence will not encroach into the sight triangle as defined in City Ordinance; and,

Urban Planning Division Recommendations:

2. The fence must be similar in color and design to the existing adjacent fence north of the subject property.

GENERAL COMMENTS: The applicant is proposing to construct a six foot high fence in one

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of the front yards of the residence located at 3208 Country Club Drive. The property is located at the intersection of Country Club Drive and Sheridan Lake Road. The exception is required because the maximum height for a fence in a front yard is four feet. The applicant has indicated that he wishes to build a six foot high wood fence to reduce the noise of cars traveling on Sheridan Lake Road. The Rapid City Municipal Code states that the City Council may approve exceptions to the fence height requirements if it is determined that the exception is not contrary to the public interest and the exception will not be injurious to the surrounding neighborhood.

The single-family residential structure located on the subject property is zoned Low Density Residential District. The surrounding properties to the north, south, and west are also located in Low Density Residential Zoning Districts. The property to the east is located in a Low Density Residential Zoning District with a Planned Residential Designation. The property has three front yards including Sheridan Lake Road, Country Club Drive, and Country Club Drive. The Rapid City Long Range Transportation Plan classifies Sheridan Lake Road as a Principal Arterial street which carries major traffic flows of 9,000 daily vehicles per lane.

The applicant has indicated that the requested six foot fence would be located six inches inside the property line. The fence would be located adjacent to the six foot fence on the property located to the north and would extend south to the 25 foot setback line on the south side of the property. The fence would not be located in the required site triangle.

STAFF REVIEW: Rapid City Municipal Code 15.40.08 states that "a twenty-five foot sight triangle is required at a corner formed by the intersection of two or more public rights-of-way". The applicant has stated that the required 25 foot sight triangle at the corner of Sheridan Lake Road and Country Club Drive will be met. Staff has requested that the applicant meet with the City Traffic Engineer to verify the location of the sight triangle. Prior to the City Council meeting, staff has requested a revised site plan showing the sight triangle.

A solid wood fence is located along Sheridan Lake Road on the adjacent property to the north of the subject property. A majority of the homes along Sheridan Lake Road currently have six foot fences or screening from the road. Staff has requested that the proposed fence be of similar color and design as the existing fence located adjacent and north of the subject property so as to be compatible with the surrounding neighborhood.

Staff has reviewed the fence height exception request and recommends approval due to the heavy traffic from Sheridan Lake Road and the need for screening at this location. Staff does not feel the fence will create a negative effect on the surrounding neighborhood. As of this writing, the green cards from the required certified mailing have not yet been returned by the petitioner. Staff will advise the City Council at the July 10, 2002 Public Works meeting if the mailings have not been returned. Staff has not received any comments or concerns regarding this application.