

STAFF REPORT

July 31, 2002

No. 02FV007 - Fence Height Exception to allow a six foot six inch (6'6") fence in the front yard setback **ITEM**

GENERAL INFORMATION:

PETITIONER	Dakota Deck and Fence for Jon Brue
REQUEST	No. 02FV007 - Fence Height Exception
EXISTING LEGAL DESCRIPTION	Lot 99 of Woodridge Subdivision, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .225 acres
LOCATION	1124 Woodridge Drive
EXISTING ZONING	Low Density Residential w/Planned Development Residential
SURROUNDING ZONING	
North:	Low Density Residential w/Planned Residential Development
South:	Low Density Residential w/Planned Residential Development
East:	Low Density Residential w/Planned Residential Development
West:	Low Density Residential w/Planned Residential Development
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	06/26/2002
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Fence Height Exception to allow a six foot fence in the front yard setback be approved.

GENERAL COMMENTS: The applicant is proposing to construct a six foot six inch high fence in one of the front yards of the residence located at 1124 Woodridge Drive. The property is located at the intersection of Woodridge Drive and Crestridge Court. The exception is required because the maximum height for a fence in a front yard is four feet. 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

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Residential District with a Planned Residential Development. The surrounding properties to the north, south, east, and west are also located in a Low Density Residential Zoning District with a Planned Residential Development. The property has two front yards: one located adjacent to Woodridge Drive and one located adjacent to Crestridge Court. The applicant has indicated that he wishes to build a six foot six inch high wood fence in the front yard adjacent to Crestridge Court. As Crestridge Court right-of-way curves, the depth of the front yard of the subject property is reduced. It is in this location that the exception to the fence height is requested.

In order to maintain a ten foot sight triangle, the applicant has indicated that the proposed fence would begin one foot from the end of his garage in the front yard and go north to within ten feet of Crestridge Court and the adjacent driveway to the north. The fence would then be located along the north and west side of his property line and connect to the house at the deck on the north side of the house. The fence would be located six inches inside the property line.

The wood fence would be four feet tall at its lowest point and rise to six feet at each post. The proposed six inches above the fence is to add a decorative wood ball on the top of each post.

The Woodridge Homeowners Association has approved the applicant's request for a six foot fence on the property.

STAFF REVIEW: Staff has reviewed the request for a six foot six inch fence height exception and recommends approval of a maximum six foot tall fence. Staff has noted that the lot configuration is unusual in this situation. Due to the unusual lot configuration, the applicant has no significant rear yard area. For that reason, the staff is supporting the request to allow a six foot fence in the front yard. The request by the applicant for a fence in excess of six feet in height exceeds the maximum fence height allowed in rear yards for all other property owners. The granting of a fence height exception in excess of six feet would confer a special benefit upon the applicant that is not commonly enjoyed by other property owners throughout the community. Staff is concerned with the precedent that would be established by granting an exception to allow a fence in excess of six feet. There is no unusual topography that would justify the applicant's request to allow for a fence in excess of six feet in height. For these reasons, the staff recommends approval of the exception to the fence height requirements to allow a maximum fence height of six feet.

As of this writing, the green cards from the required certified mailing have not been returned by the petitioner. Staff will advise the City Council at the July 31, 2002 Public Works meeting if the mailings have not been returned. Staff has not received any comments or concerns regarding this application.

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July 25, 2002

No. 02FV007 - Fence Height Exception

ITEM
