

STAFF REPORT

April 29, 2003

No. 03FV003 - Fence Height Exception to allow a six foot fence in lieu of a four foot fence in the twenty-five foot front yard

GENERAL INFORMATION:

PETITIONER	Chandra Geranen
REQUEST	No. 03FV003 - Fence Height Exception to allow a six foot fence in lieu of a four foot fence in the twenty-five foot front yard
EXISTING LEGAL DESCRIPTION	Lot 18, Block 4, Robbinsdale Subdivision, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .16 acres
LOCATION	2128 Birch Avenue
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	05/20/2003
REPORT BY	Tom Kurtenbach

RECOMMENDATION:

Staff recommends that the Fence Height Variance to allow a six foot privacy fence in a front yard be denied.

GENERAL COMMENTS: The applicant has requested a fence height exception to allow an existing six foot wood privacy fence in a front yard at the single family residence located at 2128 Birch Avenue. The property includes Lot 18, a corner parcel which abuts East Meade Street on the south and Birch Avenue on the west. The subject property and surrounding properties to the north, east and west are zoned Medium Density Residential District. Properties to the south are zoned Low Density Residential District.

Currently, a portion of the subject property is bounded by a six foot wood privacy fence which exists in the front yard along East Meade Street, and the back and side yards. A

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small portion of the fence is of chain link construction. The applicant is requesting the fence height exception to allow the existing six foot high privacy fence to remain. The applicant indicated that she had purchased the subject property with the existing fence to serve as a barrier between pedestrians and her large dog.

The existing privacy fence begins near the southwest corner of the existing residence, and then continues south approximately 20 feet. From this point, the fence continues to the east approximately 50 feet along the East Meade Street property line to the approximate southeast corner of the subject property. From this point, the fence continues to the north through the East Meade Street front yard into the back yard to the approximate northeast corner of the subject property. The fence then continues to the west through the side yard where it terminates.

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.

STAFF REVIEW: The absence of fences in excess of four feet in front yards gives the appearance of unconfined, open space. The existing six foot wood privacy fence appears to create a barrier, reducing the open space appearance in a residential neighborhood. Staff has reviewed the fence height variance request and cannot recommend approval due to the effect on open, unconfined space in a residential district.

As of this writing, the green cards from the required certified mailing have been returned by the petitioner.