

STAFF REPORT  
August 31, 2004

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**No. 04FV015 - Fence Height Exception to allow a six foot fence in the front yard setback**

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GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	<b>No. 04FV015 - Fence Height Exception to allow a six foot fence in the front yard setback</b>
EXISTING LEGAL DESCRIPTION	Tract B, Block 18, Big Sky Subdivision located in the S1/2 SW1/4 NE1/4 Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.07 Acres
LOCATION	Southeast corner of Homestead Street and Aurora Drive
EXISTING ZONING	Medium Density Residential District (PRD)
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Suburban Residential District (Pennington County)
East:	Medium Density Residential District (PRD)
West:	Medium Density Residential District (PRD)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	07/16/04
REVIEWED BY	Todd Tucker / David L. Johnson

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

1. The fence will have a maximum height of six feet; and,
2. Prior to City Council approval, a revised site plan shall be submitted showing the exact distance the proposed fence will be setback from the property lines.

GENERAL COMMENTS: The subject property is located at the southeast corner of Homestead Street and Aurora Drive. On June 21, 2004 the City Council approved a Planned Residential Development – Initial and Final Development Plan for the subject property. The approved site plan showed a six foot high fence located around the proposed swimming pool. One of the stipulations of approval required that prior to construction of the fence, a Fence Height Exception to allow a six foot high fence located within the required front yard setback be obtained. The applicant is now requesting an exception to the fence height requirements to allow a six foot high fence within the front yard setback in the Medium Density Residential Zoning District.

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STAFF REVIEW: Section 15.40.040 of the Rapid City Municipal Code states that, a variance to the fence height requirements can 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:

Location: Homestead Street is identified as a collector and Aurora Drive is identified as a sub-collector on the Major Street Plan. Previously the City Council has approved similar Fence Height Exceptions along Sheridan Lake Road with the provision that the fence be setback from the property line to accommodate future widening of the street and to insure that the fence does not encroach into the sight triangle. The applicant's site plan shows the proposed fence does not encroach into any sight triangles. The applicant's site plan shows the fence to be located approximately five feet from Aurora Drive and 13 feet from Homestead Street. Staff is recommending that a revised site plan showing the exact distance the proposed fence will be setback from the property lines be submitted prior to City Council approval.

Landscaping: Previously the City Council approved similar Fence Height Exceptions along Sheridan Lake Road with the provision of a landscape buffer. In order to provide an aesthetic buffer between the fence and Sheridan Lake Road, the City Council required landscaping on the outside of the fence as it abuts Sheridan Lake Road. The approved landscape plan for the Planned Residential Development shows numerous shrubs located on the exterior of the fence providing an adequate landscape buffer.

Staff is recommending that the Fence Height Exception be approved with the above stated stipulations.