

STAFF REPORT
June 28, 2005

No. 05FV004 - Fence Height Exception to allow an eight foot high fence in the Public Zoning District

GENERAL INFORMATION:

PETITIONER	Jena McNabb for the Rapid City Softball Association
REQUEST	No. 05FV004 - Fence Height Exception to allow an eight foot high fence in the Public Zoning District
EXISTING LEGAL DESCRIPTION	Lot 4, Dairyland Subdivision, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 58 acres
LOCATION	1625 Sedivy Lane
EXISTING ZONING	Public District
SURROUNDING ZONING	
North:	Light Industrial District - General Commercial District
South:	General Commercial District (Planned Development Designation)
East:	Light Industrial District
West:	Flood Hazard District - General Agriculture District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	5/18/2005
REVIEWED BY	Todd Tucker / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Fence Height Exception to allow an eight foot high fence in the Public Zoning District be approved with the following stipulations:

1. Prior to initiation of construction, a Building Permit shall be obtained for the fencing; and,
2. Prior to installation of any fencing, the applicant shall insure that the fencing does not interfere with any existing utilities located on the subject property.

GENERAL COMMENTS: The subject property is located north of East Saint Patrick Street between Sedivy Lane and Creek Drive and is the location of the Star of the West ball field complex. The subject property is owned by the City of Rapid City. On May 5, 2005, the Planning Commission approved an SDCL 11-6-19 Review to allow the construction of a picnic table shelter and backstop fencing on public property. Stipulation number four of the SDCL 11-6-19 Review stated that the proposed fencing shall have a maximum height of six feet or an exception to the fence height requirements shall be obtained. The applicant is now seeking approval of a Fence Height Exception to allow the construction of eight foot high fences in the Public 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:

Fencing: The applicant is proposing to install eight foot high chain link fence back stops in seven locations within the ball field complex. The back stops will range in length from 40 feet to 80 feet. The applicant has indicated that the proposed fences will provide a safety back stop to prevent errant balls from striking children playing in the area.

Flood Plain: Staff noted that a portion of the subject property is located within the 100 year federally designated flood plain. However, it appears that the proposed construction is not located within the 100 year flood plain. As such, a Flood Plain Development Permit is not required.

Sight Triangles: Staff noted that the applicant's site plan shows the proposed fence is not located within any sight triangles.

Utilities: Staff noted that several of the proposed fences are located in the vicinity of existing light poles. Prior to installation of any fencing, the applicant should insure that the fencing does not interfere with any existing utilities located on the subject property.

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