

STAFF REPORT
January 31, 2006

No. 05FV012 - Fence Height Exception to allow a ten foot high fence in lieu of a four foot high fence around the Basketball and Volleyball Courts

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 05FV012 - Fence Height Exception to allow a ten foot high fence in lieu of a four foot high fence around the Basketball and Volleyball Courts
EXISTING LEGAL DESCRIPTION	Tract G of Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.94 acres
LOCATION	At the southwest corner of the intersection of Homestead Street and Aurora Drive
EXISTING ZONING	Medium Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Low Density Residential District
South:	No Use District
East:	Medium Density Residential District (Planned Development Designation) - Low Density Residential District - No Use District
West:	Medium Density Residential District (Planned Residential Development) - No Use District
PUBLIC UTILITIES	City water, sewer
DATE OF APPLICATION	12/9/2006
REVIEWED BY	Mike Maxwell / Emily Fisher

RECOMMENDATION:

Staff recommends that the Fence Height Exception to allow a ten foot high fence in lieu of a four foot high fence around the Basketball and Volleyball Courts be **Denied without prejudice at the applicant's request.**

GENERAL COMMENTS: (Update, January 18, 2006. All revised and/or added text is shown in bold print.) The applicant has requested that the application for the Fence Height Exception to allow a ten foot high fence in lieu of a four foot high fence around the basketball and volleyball courts be denied without prejudice.

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The applicant is seeking approval of a ten foot high fence in a Medium Density Residential Zoning District. The proposed fence will be located at the Homestead Gardens Apartments and will serve as perimeter fencing around the basketball and tennis courts for a portion of the Big Sky Subdivision Planned Residential Development. The proposed fence will be ten feet in height and will be constructed of chain link.

STAFF REVIEW: In residential zoning districts a screening fence with a maximum height of six feet are allowed in side and rear yards. Exceptions to the height requirements may be approved by the City Council. The applicant is requesting an exception to allow a ten foot high chain link fence to be located around the basketball and tennis courts of Homestead Gardens Apartments.

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.

Location: The proposed location of the fence is within 8 feet of the lot line between lots 5 and 6 of the Big Sky Subdivision Single Family Residential District. Staff is concerned that the location of the basketball court in relation to the single family residences may create noise that will be injurious to the surrounding neighborhood. Prior to Public Works approval, a revised site plan must be submitted showing that the proposed basketball court has been relocated away from the single family residence or that it has been removed from the site.

Design: As previously indicated the proposed fence will be constructed of chain link. Construction of the fence must comply with the description and elevations submitted with the application.

Staff recommends that the request for a Fence Height Exception be denied without prejudice at the applicant's request.