

STAFF REPORT
July 14, 2009

No. 09FV010 - Fence Height Exception to allow an 8 foot high fence in lieu of a 6 foot high fence and to allow an 8 foot high fence in lieu of a 4 foot high fence in the front yard in the General Commercial Zoning District **ITEM**

GENERAL INFORMATION:

APPLICANT	SWS, LLC
AGENT	Scott Goble for SWS, LLC
PROPERTY OWNER	Joan Love
REQUEST	No. 09FV010 - Fence Height Exception to allow an 8 foot high fence in lieu of a 6 foot high fence and to allow an 8 foot high fence in lieu of a 4 foot high fence in the front yard in the General Commercial Zoning District
EXISTING LEGAL DESCRIPTION	Block 20 less the south 8.5 feet of the Airport Addition, located in Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.4 acres
LOCATION	232 Wright Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Low Density Residential District
East:	Low Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/28/2009
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Fence Height Exception to allow an 8 foot high fence in lieu of a 6 foot high fence and to allow an 8 foot high fence in lieu of a 4 foot high fence in the front yard in the General Commercial Zoning District be approved with the following stipulations:

1. Prior to Public Works Committee approval, a revised landscape plan shall be submitted for review and approval; and,
2. The fence shall be constructed in conformance with the architectural plans and

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elevations and color palette submitted as part of this Fence Height Exception.

GENERAL COMMENTS:

The applicant has submitted a Fence Height Exception to allow an 8 foot high fence in lieu of a 6 foot high fence and to allow an 8 foot high fence in lieu of a 4 foot high fence in the front yard in the General Commercial Zoning District. In addition, the applicant has submitted a SDCL 11-6-19 Review (File #09SR064) to allow a communication tower and an equipment shed to be constructed on the property.

The property is located in the northeast corner of the intersection of Wright Street and Wood Avenue. Currently, the property is void of any structural development.

STAFF REVIEW:

Staff has reviewed the Fence Height Exception and has noted the following considerations:

Fence: The applicant is proposing to construct an eight foot high cedar fence, natural brown in color and sealed with a clear water proofing sealer. The applicant has indicated that the fence is being constructed to provide security around the proposed flagpole communication tower and equipment shed. In particular, the fence is located outside of the 25 foot front yard setbacks with the exception of that portion of the fence located along Wood Avenue, which is located 20 feet from the front lot line. The applicant has also submitted a landscaping plan showing a row of existing deciduous streets between Wood Avenue right-of-way and the fence.

Staff has noted that the proposed fence is not located within any sight triangles, nor will it obstruct any drainage ways. The height and design of the fence is also a typical design used around communication facilities. Staff recommends that the fence be constructed in conformance with the architectural plans and elevations submitted as part of this Fence Height Exception.

Please note that approval of the Fence Height Exception does not indicate approval of the associated SDCL 11-6-19 Review to allow a communication tower and an equipment shed on the property.

Landscaping: The applicant has submitted a landscape plan showing a row of existing deciduous trees along the west side of the fence, two coniferous trees along the north side of the fence and four coniferous shrubs along the northeast corner of the fence. However, there are large portions of the fence that are visible from the adjacent properties. Since single family residences are located south of the property and a church is located east of the property, additional landscaping must be provided to minimize the impact of the proposed fence on the adjacent properties. The additional landscaping will also provide additional screening between the adjacent properties and the proposed communication tower. The applicant has indicated that a revised landscape plan will be submitted for review and approval providing evergreen trees around the balance of the fence. As such, staff recommends that prior to Public Works Committee approval, the revised landscape plan be

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submitted for review and approval.

Staff is recommending that the Fence Height Exception be approved with the stipulations of approval as identified above.