

STAFF REPORT
June 23, 2011

No. 11FV005 - Fence Height Exception to allow a six foot high fence in lieu of a four foot high fence in the front yard setback

GENERAL INFORMATION:

APPLICANT	Lisa Jean White
PROPERTY OWNER	Lisa Jean White
REQUEST	No. 11FV005 - Fence Height Exception to allow a six foot high fence in lieu of a four foot high fence in the front yard setback
EXISTING LEGAL DESCRIPTION	Lots 14 and 15 of Block 9 of West Boulevard Addition located in Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .16 acres
LOCATION	829 Saint Cloud Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/8/2011
REVIEWED BY	Fletcher Lacock / Ted Johnson

RECOMMENDATION:

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

1. The fence adjacent to the driveway on the southwest corner of the property shall be setback 10 feet from the edge of the driveway and/or sidewalk to provide a Clear Pedestrian Sight Triangle as per Chapter 17.50.335(H) of the Rapid City Municipal Code or the height of the fence shall remain at 4 feet;
2. The fence height shall not exceed 6 feet in height; and,
3. The fence shall meet the design elements as submitted in the Elevation View and shall be painted to match the existing residence.

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GENERAL COMMENTS:

On June 8, 2011 the applicant submitted a Fence Height Exception to allow a 6 foot high fence in lieu of a maximum 4 foot high fence in the front yard setback on property zoned Medium Density Residential. The applicant requests a 6 foot high fence to prevent vandalism, to enhance design and to provide privacy and security. The applicant has provided an elevation view of the proposed wood fence that will be painted to match the existing residence.

Chapter 15.40.020(A) stipulates that for property located in a residential zoning district no fence or wall over 4 feet in height shall be constructed or maintained in any front yard. As per Chapter 15.40.050 the City Council may approve exceptions to the fence and wall 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.

The property is located on the southeast corner of the intersection of 9th Street and Saint Cloud Street. The residence and garage of Lisa Jean White are located on the property.

STAFF REVIEW:

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:

Sight Triangles: The proposed fencing located in the front yard setback adjacent to the existing driveway on the southwest corner of the lot blocks the pedestrian sight triangle as defined in Chapter 17.50.335(H) of the Rapid City Municipal Code. This situation will create a pedestrian safety hazard. As such, staff recommends that the fence be setback 10 feet from the edge of the driveway and/or sidewalk or the fence height must remain at 4 feet.

Drainage Easement: Staff review has noted that there is no drainage easement located in the rear yard of the property. As such, the proposed fence will not encroach into a designated drainage area.

Fence Height/Design: The applicant has submitted details of the proposed fence with the request. The submitted fence details indicate that the fence will be a 6 foot tall wood fence painted to match the existing structure. The proposed fence height shall not exceed 6 feet in height. Staff recommends that the fence be constructed in compliance with the design elements submitted with this application.

Staff recommends that the Fence Height Exception be approved with the stipulations as identified above.