

STAFF REPORT

June 12, 2002

---

**No. 02FV005 - Fence Height Variance to allow a six foot fence in the front yard setback**      **ITEM**

---

GENERAL INFORMATION:

PETITIONER	Gerald and Lisa Brown
REQUEST	<b>No. 02FV005 - Fence Height Variance to allow a six foot fence in the front yard setback</b>
EXISTING LEGAL DESCRIPTION	Lot 10P revised, Chapel Lane Village, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .16 acres
LOCATION	3202 Ponderosa Place
EXISTING ZONING	Low Density Residential w/PDD
SURROUNDING ZONING	
North:	Low Density Residential w/PDD
South:	Low Density Residential w/PDD
East:	Low Density Residential w/PDD
West:	Low Density Residential w/PDD
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	05/06/2002
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Fence Height Variance to allow a six foot fence in the front yard setback be denied.

GENERAL COMMENTS: The applicant is proposing to construct a six foot high fence in the front yard of the residence located at 3202 Ponderosa Place. The property is located at the intersection of Chapel Lane and Ponderosa Place. The variance is required because the maximum height for a fence in a front yard is four feet. The applicant has indicated that he wishes to build the six foot solid wood fence for privacy and to reduce the noise of cars traveling on Chapel Lane. The Rapid City Municipal Code states that the City Council may approve exceptions to the 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.

A single-family residential structure located on the subject property is zoned Low Density Residential District with a Planned Development District. The surrounding properties to the

## STAFF REPORT

June 12, 2002

---

**No. 02FV005 - Fence Height Variance to allow a six foot fence in the front yard setback**      **ITEM**

---

north, south, east, and west are also located in Low Density Residential Zoning Districts with Planned Development Districts. The house was built in Pennington County before the Chapel Valley area was annexed into the City in 1978. The Rapid City Long Range Transportation Plan classifies the 60 foot wide Chapel Lane as a collector street.

The applicant has indicated that the requested six foot fence would be located on the lot line in the front yard setback on Chapel Lane and continue on the side yard, connecting to the existing fence. Currently, this existing four foot wood fence is located from the deck to the garage and will remain in place.

STAFF REVIEW: Rapid City Municipal Code 15.40.08 states that “a twenty-five foot sight triangle is required at a corner formed by the intersection of two or more public rights-of-way”. The site plan identifies that a sight triangle at the corner of Chapel Lane and Ponderosa Place is being provided. The applicant has stated that the required 25 foot sight triangle at that location will be met.

A solid wood fence is located in the front yard of the property located across the street to the southwest at Chapel Valley and Ponderosa Place. This fence is approximately seven feet in height at the corner of Chapel Valley and Ponderosa Place, and then reduced to five feet in height and then to four feet in height as it continues on Chapel Valley. There are no other houses located within view of the subject house on Chapel Valley that have fences in the front yard. The lack of fences in the front yards gives the appearance of open space. The solid wood fence creates a vision of solidarity and enclosure. The height of this proposed fence would appear to create a barrier, which is not appropriate in the front yard in a residential neighborhood.

Staff has reviewed the fence height variance request and cannot recommend approval due to the negative impact of a barrier on the surrounding neighborhood. As of this writing, the green cards from the required certified mailing have not yet been returned by the petitioner. Staff will advise the City Council at the June 12, 2002 Public Works meeting if the mailings have not been returned. Staff has not received any comments or concerns regarding this application.