

STAFF REPORT

July 31, 2002

No. 02FV008 - Fence Height Exception to allow a six foot fence in the front yard setback **ITEM**

GENERAL INFORMATION:

PETITIONER	Craig Stump for Sheridan Lake Properties, LLC
REQUEST	No. 02FV008 - Fence Height Exception to allow a six foot fence in the front yard setback
EXISTING LEGAL DESCRIPTION	Lot A Revised of Donhiser Addition; Lot B and the vacated Clower Lane of Donhiser Addition; and, Lot 1 of Lot J of Harter Addition all located in the NE1/4 of Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Aproximately 2.02 acres
LOCATION	740 Sheridan Lake Road
EXISTING ZONING	Office Commercial District w/Planned Commercial Development
SURROUNDING ZONING	
North:	Office Commercial District w/Planned Commercial Development
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	National Guard Camp
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	07/02/2002
REPORT BY	Karen Bulman

RECOMMENDATION:

Staff recommends that the Fence Height Exception to allow a six foot fence in the front yard setback be approved with the following stipulation:

Building Inspection Division Recommendations:

1. A building permit must be obtained for the fence prior to construction.

GENERAL COMMENTS: A Planned Unit Development (#1151) was approved by the City Council on February 15, 1993 authorizing the rezoning of the property to Office Commercial District and authorizing the development of future office construction on the site. On

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December 21, 1998, a Major Amendment to the Planned Commercial Development (#98PD035) was approved by the City Council to allow an 8,000 square foot addition and to waive the screening fence requirement adjacent to the abutting residential properties. On July 3, 2002, a Major Amendment to the Planned Commercial Development (#02PD028) was approved by the Planning Commission to add a six foot fence with a wall sign on the west side of the building adjacent to Sheridan Lake Road to hide electric service utilities. The fence would be made of Dry-vit® to match the existing building. Before a building permit can be issued for this added fence, an exception to the Fence Height requirements for a six foot fence in a front yard must be approved by the City Council. The exception is required because the maximum height for a fence in a front yard is four feet. The Rapid City Municipal Code states that the City Council may approve exceptions to the fence 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 subject property at 740 Sheridan Lake Road is located in an Office Commercial Zoning District with a Planned Commercial Development. West of the subject property is the location of the South Dakota National Guard Camp. North of the property is the location of an Office Commercial Zoning District with a Planned Commercial Development. To the east and south is the location of a Medium Density Residential District. The fence and sign would be located on the west side of the property visible from Sheridan Lake Road.

STAFF REVIEW: Staff has reviewed the six foot fence height exception request and recommends approval. The fence will be constructed of the same material as the existing building and will hide the utilities located on the front of the building. The fence will be located near the building and will not intrude into any open space. The fence will be visible only from Sheridan Lake Road. Staff does not feel the fence will create a negative effect 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 July 31, 2002 Public Works meeting if the mailings have not been returned. Staff has not received any comments or concerns regarding this application.