

STAFF REPORT
September 27, 2005

No. 05FV008 - Fence Height Exception to allow a six foot high fence 266 feet long to be placed on the property line between Interstate 90 and the subject property **ITEM**

GENERAL INFORMATION:

PETITIONER	Wendel Pstratz of ProGroup, Inc. for Jim Keohler of JPK Hospitality
REQUEST	No. 05FV008 - Fence Height Exception to allow a six foot high fence 266 feet long to be placed on the property line between Interstate 90 and the subject property
EXISTING LEGAL DESCRIPTION	Tract D, Marshall Heights Subdivision No. 2, located in SW1/4 of NE1/4; SE1/4 of NW1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.325 acres
LOCATION	625 East Disk Drive
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	NA
DATE OF APPLICATION	7/18/2005
REVIEWED BY	Karen Bulman / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Fence Height Exception to allow a six foot high fence 206 feet long to be placed on the property line between U.S. Interstate 90 and the subject property be **denied without prejudice at the applicant's request.**

GENERAL COMMENTS: **This staff report has been revised as of September 15, 2005.**

All revised and/or added text is shown in bold print. The subject property is located east of LaCrosse Street and north of Interstate 90. An existing motel is located on the subject property. The subject property is zoned General Commercial District. All the properties surrounding the subject property are also zoned General Commercial District.

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The applicant has requested a fence height exception to construct a six foot high fence on the front property line between U.S. Interstate 90 and the subject property.

STAFF REVIEW: 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. 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 concerns:

Department of Transportation: Currently, a chain link fence provided by the South Dakota Department of Transportation is located between Interstate 90 and the subject property. The proposed six foot fence would be constructed adjacent and north of the chain link fence. The Department of Transportation staff requests that the proposed fence not be placed where there will be a maintenance issue and that the property owner be responsible for maintenance. The applicant and the Department of Transportation are discussing the option of allowing the Department of Transportation's chain link fence to be replaced by the applicant's proposed fence. The applicant is requesting that this Fence Height Exception be continued to the September 13, 2005 Public Works meeting to allow the applicant to further review this option with the Department of Transportation staff. This item was continued at the August 30, 2005 Public Works meeting to allow the applicant to work with the Department of Transportation staff. The applicant is continuing their discussions with the Department of Transportation staff and requests that this application be continued to the September 27, 2005 Public Works meeting.

Elevations and materials: A site plan delineating the elevations and materials for the requested fence indicates that the fence will be a solid vinyl fence.

Landscaping: The proposed fence is located within the 500 foot landscaping corridor along U.S. Interstate 90. The applicant's landscaping plan indicates that landscaping will be located adjacent to the east end of the proposed fence.

The applicant has stated that the owner has placed this project on hold and does not plan to proceed in the near future. As such, staff recommends that this item be denied without prejudice. (Revised 9-15-05)