

STAFF REPORT  
September 22, 2005

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**No. 05FV010 - Fence Height Exception to allow fence height greater than four feet in front yard setback**      **ITEM**

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GENERAL INFORMATION:

PETITIONER	CETEC Engineering Services, Inc. for the City of Rapid City
REQUEST	<b>No. 05FV010 - Fence Height Exception to allow fence height greater than four feet in front yard setback</b>
EXISTING LEGAL DESCRIPTION	NE1/4 NW1/4, Section 19, T2N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.15 acres
LOCATION	South side of Country Road, 1/2 mile east of intersection of Country Road and West Nike Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	No Use District
East:	Limited Agriculture District (Pennington County)
West:	No Use District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	8/15/2005
REVIEWED BY	Linda Foster / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Fence Height Exception to allow fence height greater than four feet in the front yard setback be approved with the following stipulations:

1. Staff is recommending that a revised site plan be submitted, for review and approval, showing a landscaping buffer between the proposed fence and Country Road and future LaCrosse Street, prior to Public Works Committee approval and;
2. A building permit shall be obtained prior to the start of any construction.

GENERAL COMMENTS: The subject property is located east of W. Nike Road, on the south side of Country Road. The applicant is proposing to construct a six foot high chain link fence within the 25 foot front yard setback along Country Road and Future LaCrosse Street as part of the Country Road Lift Station Project. Currently, the property is void of any structural development.

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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 issues:

As previously indicated, the proposed six foot high fence is located within the required 25 foot front yard setback along Country Road and the proposed LaCrosse Street extension.

Location: Country Road is identified as a principal arterial and the proposed LaCrosse Street extension is identified as a minor arterial on the Major Street Plan.

Landscaping: City Council has approved other Fence Height Exceptions along Sheridan Lake Road, Country Road and West Nike Road with the provision of a landscape buffer. In order to provide an aesthetic buffer between the fence and the right-of-way, the City Council required landscaping on the outside of the fence as it abuts the public right-of-way. As such, Staff is recommending that a revised site plan be submitted, for review and approval, showing a landscaping buffer between the proposed fence and Country Road and the Future LaCrosse Street extension, prior to Public Works Committee approval.

Staff is recommending that the Fence Height Exception be approved with the stated stipulations.