

STAFF REPORT
September 27, 2005

No. 05FV011 - Fence Height Exception to allow a six foot high chain link fence within the required 25 foot front yard setback **ITEM**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 05FV011 - Fence Height Exception to allow a six foot high fence in a front yard setback
EXISTING LEGAL DESCRIPTION	A Tract of land located in the NW1/4 NW1/4, Section 28, T1N, R7E, BHM, Pennington County, South Dakota, more particularly described as follows: beginning at a point from which the Section corner common to Sections 20, 21, 28 and 29 bears S88°14'01"E, a distance of 1285.76 feet; Thence S00°04'24"W a distance of 38.00 feet; Thence S89°55'37"E, a distance of 114.67 feet; Thence N00°22'22"W, a distance of 48.00 feet; Thence N89°55'37"W, a distance of 104.29 feet; Thence S45°04'22"W, a distance of 14.14 feet to the point of beginning: said Tract containing 0.13 acres, more or less.
PARCEL ACREAGE	Approximately .13 acres
LOCATION	At the northeast terminus of Dunsmore Road
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/9/2005
REVIEWED BY	Karen Bulman / David L. Johnson

RECOMMENDATION:

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

1. A revised site plan indicating that the fence shall be located a minimum 10 feet from the property line shall be submitted for review and approval prior to the issuance of a building permit;
2. A revised landscaping plan shall be submitted for review and approval locating the

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- landscaping on the exterior of the fence shall be submitted for review and approval prior to the issuance of a building permit; and,
3. No privacy slats shall be used in the construction of the chain link fence.

GENERAL COMMENTS: The subject property is located at the northwest corner of Red Rock Meadows Subdivision, Phase II. The subject property is zoned Low Density Residential District. The properties located south, west and east of the subject property are zoned Low Density Residential District. The property located north of the subject property is zoned Suburban Residential District by Pennington County.

A lift station is proposed to be constructed on the subject property. The applicant is proposing to construct a chain link fence around the boundary of the lift station site. The applicant has requested an exception to allow a six foot high chain link fence be located in the front yard setback.

STAFF REVIEW: Section 15.40.040 of the Rapid City Municipal Code states that an exception 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:

Site plan: A site plan has been submitted indicating that the requested six foot high fence will be located on property that surrounds a lift station. In the future, two streets will intersect at the location of the subject property and will therefore have two front yard setbacks. The Fence Height Exception is to allow a six foot fence in lieu of the allowed four foot fence in both front yard setbacks. Setting the fence back from the property line will provide an area for landscaping to be installed improving the appearance of the property. Staff is recommending that the fence be set back ten feet from the property line.

Materials: The applicant has indicated that the fence will be constructed of poly coated earth tone chain link with privacy slats. Over time, the appearance of privacy slats deteriorates and maintenance becomes an issue. As such, staff is recommending that no privacy slats be used. Landscaping to include trees and bushes will be located on the exterior of the fence on the east and west sides. Landscaping within the fence is located on the north side of the subject property. Landscaping will need to be located on the exterior of the fence. The south side of the subject property has a swale and will be landscaped with grass.

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