

STAFF REPORT
May 30, 2006

No. 06FV005 - Fence Height Exception to allow a 25 foot high fence in lieu of a six foot high fence in the Public Zoning District

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 06FV005 - Fence Height Exception to allow a 25 foot high fence in lieu of a six foot high fence in the Public Zoning District
EXISTING LEGAL DESCRIPTION	Lot 2, Block 11, Robbinsdale Addition No. 10, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4 acres
LOCATION	Parkview Softball complex
EXISTING ZONING	Public District
SURROUNDING ZONING	
North:	Public District
South:	Low Density Residential District
East:	Medium Density Residential District
West:	Public District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/5/2006
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Fence Height Exception to allow an 25 foot high fence in lieu of a six foot high fence be approved with the following stipulation:

1. A building permit shall be obtained for all fences over 6 feet in height.

GENERAL COMMENTS: The subject property is located west of Parkview Drive and south of East Minnesota Street, within Parkview Park. The applicant is seeking approval to install a 25 foot high protective netting over common areas of the ball fields in the Public Zoning District. A fence is defined as any barrier constructed of materials other than living shrubbery erected for purpose of protection, confinement, enclosure or privacy.

STAFF REVIEW: Section 15.40.050 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

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applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Building Permit: Staff noted Section 15.40.060 of the Rapid City Municipal Code states that, a building permit is required for all fences over 6 feet in height.

Design Features: The proposed fence will be constructed with multifilament netting. It will be a canopy approximately 25 feet in height. The purpose of the fence is to protect spectators and players from out of bounds balls. The applicant also indicated that the fencing will be removed at the end of each season.

Staff has reviewed the request for an exception to the six foot fence height and has determined that the exception is not contrary to the public interest and will not be injurious to the neighborhood. The increase in fence height will increase the safety of spectators and players. As such, Staff recommends that the Fence Height Exception to allow a 25 foot high fence in lieu of a six foot high fence be approved with the above stated stipulation.