

STAFF REPORT

June 22, 2006

No. 06FV006 - Fence Height Exception to allow a six foot fence height in the front yard setback **ITEM**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 06FV006 - Fence Height Exception to allow a six foot fence height in the front yard setback
EXISTING LEGAL DESCRIPTION	A portion of the unplatted portion of the NW1/4 NW1/4, Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more specifically described as follows: a portion of the unplatted portion of the NW1/4 NW1/4, Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more specifically described as follows: Beginning at a point from which the section corner common to Sections 20, 21, 28 and 29; Thence along the Section line at a bearing of S89°55'38"E, a distance of 1170.90 feet; Thence S00°04'22"W a distance of 48.00 feet to the point of beginning; Thence S00°04'24"W a distance of 43.00 feet along the west proposed property line of Lot 21, Block 2; Thence S89°55'37"E a distance of 114.67 feet along the south proposed property line of Lot 21, Block 2; Thence N00°19'51"W a distance of 53.00 along the east proposed property line of Lot 21, Block 2; Thence N89°55'37"W a distance of 104.29 feet along the north proposed property line of Lot 21, Block 2; Thence S45°04'22"W a distance of 14.14 feet to the point of beginning: said Tract containing 0.14 acres more or less
PARCEL ACREAGE	Approximately .14 acres
LOCATION	At the northern terminus of Dunsmore Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Low Density Residential District
East:	General Agriculture District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/30/2006

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REVIEWED BY

Karen Bulman / Emily Fisher

RECOMMENDATION:

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

1. The maximum height of the fence shall not exceed six feet;
2. A Building Permit shall be obtained prior to construction of the fence; and,
3. The landscaping located on the exterior of the fence shall be maintained in a live vegetative state.

GENERAL COMMENTS: The subject property is located at the northern terminus of Coghill Lane. Currently, a lift station building and equipment are located on the property. The applicant is requesting approval of a Fence Height Exception to allow a six foot high fence in lieu of a four foot fence located within the required 25 foot front yard setback.

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:

Design Features: On September 22, 2005, a SDCL 11-6-19 Review was approved by the Planning Commission for a lift station with a chain link fence around the lift station that would be four feet high on the front yard and six feet high on the rear and side yards. The current fence detail identifies a six foot high chain link fence surrounding the property. The site plan indicates that the gate will be a sliding cantilever gate. The property is zoned Low Density Residential District which allows a maximum four foot high fence in the front yard and a maximum six foot high fence in the side and rear yards. The applicant has submitted a request for a fence height exception for the six foot high fence in the front yard. Due to the safety and security of the equipment, staff recommends approval of the fence height exception for the six foot high chain link fence surrounding the property.

Staff is recommending that the proposed fence conform to the proposed elevations and design plans submitted.

Right-of-way: The Major Street Plan indicates that a collector road will be located north of the lift station. As such, the site plan indicates that the fence is located five feet from the property line to allow for the right-of-way for the dedicated collector street.

Landscaping: In order to provide an aesthetic buffer between the fence and the right-of-way, landscaping is located on the outside of the fence as it abuts the public right-of-way. An irrigation system is indicated on the site plan in order to maintain the landscaping.

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 security of the lift station.

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As such, Staff recommends that the Fence Height Exception to allow a six foot high fence in the front yard setback be approved with the above stated stipulations.