

STAFF REPORT
March 1, 2011

**No. 11FV001 - Fence Height Exception to allow an 8 foot high fence
in lieu of a maximum 6 foot high fence in the Park Forest District**

GENERAL INFORMATION:

APPLICANT	Keith Johnson - Public Works Department - City of Rapid City
AGENT	CETEC Engineering Services, Inc.
PROPERTY OWNER	City of Rapid City
REQUEST	No. 11FV001 - Fence Height Exception to allow an 8 foot high fence in lieu of a maximum 6 foot high fence in the Park Forest District
EXISTING LEGAL DESCRIPTION	Tract J in the SW1/4 NW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .52 acres
LOCATION	Skyline Drive at Flormann Street
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District (Planned Residential Development)
South:	Low Density Residential District (Planned Residential Development)
East:	Park Forest District (Planned Residential Development)
West:	Park Forest District (Planned Residential Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/11/2011
REVIEWED BY	Jim Flaaen / Karley Halsted

RECOMMENDATION:

Staff recommends that the Fence Height Exception to allow an 8 foot high fence in lieu of a maximum 6 foot high fence in the Park Forest District be approved with the following stipulation:

1. A Building Permit shall be obtained prior to the construction of the fence.

GENERAL COMMENTS: The applicant has submitted a Fence Height Exception request to allow an 8 foot tall fence in the Park Forest Zoning District in lieu of the maximum allowable 6 foot fence. In particular, the applicant has proposed to install an 8 foot tall chain link fence surrounding a proposed municipal water reservoir on the property. The applicant has

STAFF REPORT
March 1, 2011

**No. 11FV001 - Fence Height Exception to allow an 8 foot high fence
in lieu of a maximum 6 foot high fence in the Park Forest District**

submitted a Planned Residential Development – Initial and Final Development Plan (#11PD009) to allow for the construction of the water reservoir.

The property is located west of the intersection of Skyline Drive and Flormann Street, on the west side of Skyline Drive. The property is currently undeveloped except for an existing chain-link fence and a valve pit.

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:

Rezoning: The applicant has submitted a request to rezone the property from Park Forest District to Low Density Residential District (#11RZ001). In addition, the applicant has submitted an Amendment to the Comprehensive Plan request (#11CA002) to change to the future land use designation from Park Forest District to Low Density Residential District. Chapter 15.40.020 identifies that the maximum allowable fence height in the Park Forest and Low Density Residential District is 6 feet along side and rear yards and 4 feet along front yards. As such, the rezoning of the property will not affect the maximum allowable height of the proposed fence.

Fence Location: The fence is proposed to be located in the northwest portion of the lot, set back approximately 22 feet from the west and north property lines. The fence will encompass an area of 3,600 square feet with each side of the fence being 60 feet long. The eastern edge of the fence will be located approximately 80 feet from the east property line and approximately 34 feet from the south property line. As such, the proposed fence will not be located within any of the required front, side or rear yard setbacks.

Design Features: The applicant has submitted details of the proposed fence with the request. The submitted fence details indicate that the fence will be an 8 foot tall black chain link fence. No slats are proposed for the proposed chain link fence. The fence is proposed to include one access point. A 10 foot wide vehicular gate will be installed on the southeast side of the fence near the parking lot.

Utility Easement: Staff review has noted that the proposed location of the fence is not within any utility or drainage easements.

Sight Triangles: The fence is not located within the pedestrian or vehicular sight triangle.

Building Permit: Section 15.40.060 of the Rapid City Municipal Code requires that a Building Permit be obtained for all fences over six feet in height. As such, a Building Permit for the fence(s) must be obtained prior to construction and/or installation of any fence.