

STAFF REPORT
September 22, 2011

No. 11FV008 - Fence Height Exception to allow a six foot fence in lieu of a four foot fence in the front yard setback

GENERAL INFORMATION:

APPLICANT	Timothy L. Clarke
PROPERTY OWNER	Timothy and Linda Clarke
REQUEST	No. 11FV008 - Fence Height Exception to allow a six foot fence in lieu of a four foot fence in the front yard setback
EXISTING LEGAL DESCRIPTION	Lots 38 and 39 of Block 35 of Nowlin & Wood Replat located in Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.29 acres
LOCATION	532 E. Van Buren Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	General Commercial District
West:	Medium Density Residential District
PUBLIC UTILITIES	City/ City
DATE OF APPLICATION	9/1/2011
REVIEWED BY	Robert Laroco / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Fence Height Exception to allow a six foot fence in lieu of a four foot fence in the front yard setback be approved with the following stipulation:

1. The proposed fence shall be 6 feet in height and consist of wood construction similar to existing fence on the property. Additionally, the fence shall be located as specified on the submitted site plans.

GENERAL COMMENTS: On September 1, 2011, the applicant submitted a request for an exception for the height and location of a fence. Specifically, the applicant is requesting an exception to allow construction of a 6 foot tall privacy fence within the front setback of the property.

The property is comprised of approximately 0.29 acres of land zoned Medium Density

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Residential District, and is located at 532 E. Van Buren Street located in northeast Rapid City. A single-family residence is currently located on the property.

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: The proposed fence is a 16 foot long extension of an existing 6 foot tall wood fence located approximately 27 feet from the sidewalk on LaCrosse Street and approximately 39 feet from the sidewalk on Van Buren Street. The proposed extension will extend the existing fence 16 feet south, leaving it approximately 23 feet from the sidewalk on Van Buren Street. The proposed fence will not be located in the pedestrian or vehicle site triangles.

The applicant has indicated that the proposed extension of the fence is to reduce the noise and nuisance of traffic on LaCrosse Street. LaCrosse Street is a Principal Arterial Street on the Major Street Plan. The neighborhood is zoned Medium Density Residential District. It does not appear that the proposed fence is injurious to the surrounding neighborhood.

Staff recommends that the fence be 6 feet in height and consist of wood construction like the existing fence and as it is proposed in the submitted site plan. The fence must also be located as specified in the site plan.

Staff recommends that the Fence Height Variance be approved with the stipulation as noted above.