

STAFF REPORT

September, 20 2001

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**No. 01UR047 - Use On Review to allow a private residential garage in excess of 1000 square feet in the Medium Density Residential Zoning District**

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**ITEM 17**

GENERAL INFORMATION:

PETITIONER	Terrell Adams
REQUEST	<b>No. 01UR047 - Use On Review to allow a private residential garage in excess of 1000 square feet in the Medium Density Residential Zoning District</b>
LEGAL DESCRIPTION	Lot 10, Madison's Subdivision, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5 acres
LOCATION	4385 Haines Avenue
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	General Agriculture District (County)
PUBLIC UTILITIES	Well and septic
REPORT BY	Lisa Seaman

RECOMMENDATION: **Staff recommends that the Use On Review to allow a private residential garage in excess of 1000 square feet in the Medium Density Residential Zoning District be approved with the following stipulations:**

Fire Department Recommendations:

1. **The first fifty feet of the existing driveway shall be paved and the remainder of the existing driveway shall be continually maintained with a minimum 20 foot wide all weather surface;**

Building Inspection Department Recommendations:

2. **Prior to any construction, the applicant shall obtain a Building Permit and prior to occupancy, the applicant shall obtain a Certificate of Completion;**

Urban Planning Division Recommendations:

3. **No plumbing shall be allowed in the garage; and,**
4. **Prior to issuance of a Building Permit, the applicant shall file a notice with the Pennington County Register of Deeds Office indicating that the garage shall be**

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**used only for residential purposes.**

GENERAL COMMENTS: A single family residence with an attached garage and a storage shed is currently located on the subject property. The petitioner is requesting Use On Review approval to construct a 2,800 square foot detached garage approximately 120 feet south east of the existing residence. The applicant has indicated that the 40 foot by 70 foot metal pole barn will be light gray to match the existing residence and used to store a motor home and provide space for a shop for the applicant's personal use. A Use On Review is required when the cumulative square footage of all garages and/or carports exceed 1,000 square feet or exceed 30% the size of the gross floor area of the dwelling unit, whichever is greater.

STAFF REVIEW: The site plan submitted with this request indicates that a drainage ditch is located approximately 20 feet west of the proposed garage. The Engineering Division has concerns with the applicant's request to locate a building in close proximity to the drainage ditch and is requesting that the applicant provide an engineered site plan identifying the location of the proposed garage with respect to property boundaries and the existing drainage ditch. In addition, a drainage study must be submitted verifying that the proposed structure will be located at an elevation where little or no flood potential exists. **A detailed site plan including the drainage information requested by the Engineering Division has been submitted and reviewed.**

**Staff has reviewed this request with respect to the five criteria established in Section 17.12.030:**

- 1. That the proposed garage is consistent with the residential character of the property on which it is located and with the surrounding neighborhood.***

The applicant has indicated that the building will have gray metal siding and a gray steel roof. The proposed garage will be located approximately 190 feet east of the existing residence and approximately 835 feet from the front property line. The applicant is proposing to construct the garage in close proximity to the south property line however, the applicant owns the property to the south. The provision of siding the same color as the existing residence and the large front yard will help to alleviate any adverse impacts on the neighborhood.

- 2. That the proposed garage shall be used only for residential purposes incidental to the principal use of the property.***

The applicant has indicated that the intended use of the garage will be to store a motor home, various yard and outdoor tools and a shop for the owners personal use. As discussed in #5 below, a statement declaring that the garage cannot be used for commercial purposes will need to be signed by the applicant and filed at the Pennington County Courthouse prior to issuance of a Building Permit.

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- 3. *That landscaping or fencing may be required to screen the garage from neighboring properties.***

The applicant's lot is approximately five acres. The existing residence and proposed garage will be located close to the rear of the lot, more than 800 feet from Haines Avenue. Staff does not believe that additional landscaping or fencing is needed to buffer this structure.

- 4. *That the applicant submits a site plan and elevation drawings in addition to information on what types of building materials will be used for the garage.***

The applicant has submitted the required site plan and elevation drawings.

- 5. *That the applicant shall file a notice with the Register of Deeds indicating that the garage only be used for residential purposes.***

Staff will ensure that this notice is filed prior to the building permit being issued for the structure.

Staff has also reviewed this Use On Review request with respect to all other applicable requirements and finds it to be in general compliance with those requirements. The applicant has indicated that the existing gravel driveway will be utilized for the proposed garage. Staff has noted that the first fifty feet of the existing driveway is currently paved as required by the Off-Street Parking Ordinance. The Fire Department has noted that the applicant must maintain the remainder of the driveway with a minimum 20 foot wide all weather surface to insure that emergency vehicles will be able to access the existing residence and garage.

As of this writing, the receipts from the certified mailings have been returned. The Use On Review sign has been posted on the property. Staff has not received any calls or inquiries regarding this request.