

## STAFF REPORT

May 24, 2001

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**No. 01UR022 - Use on Review to allow a private garage in excess of 1000 square feet** **ITEM 15**

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**GENERAL INFORMATION:**

PETITIONER	James Frie
REQUEST	<b>No. 01UR022 - Use on Review to allow a private garage in excess of 1000 square feet</b>
LEGAL DESCRIPTION	Lot 39, Pinedale Heights, Section 5, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	1.1
LOCATION	5444 Pinedale Heights
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING North: South: East: West:	Low Density Residential District Low Density Residential District Low Density Residential District Low Density Residential District
PUBLIC UTILITIES	Central water and septic system
REPORT BY	Lisa Seaman

**RECOMMENDATION:** Staff recommends that the Use on Review to allow a private garage in excess of 1000 square feet be approved with the following stipulations:

**Engineering Division Recommendations:**

1. Prior to Certificate of Occupancy, the applicant shall complete all drainage improvements as identified on the approved drainage plan;

**Building Inspection Division Recommendations:**

2. A building permit shall be obtained prior to any construction and a Certificate of Completion shall be obtained prior to occupancy;
3. That prior to issuance of a Certificate of Completion, the applicant shall pave the first fifty feet of the driveway from the street or curb line;

**Urban Planning Division Recommendations:**

4. A statement declaring that the garage cannot be used for commercial purposes must be signed by the property owner and filed with the Register of Deeds prior to issuance of a building permit;
5. That the garage shall be constructed of the same materials and the same color(s) as the existing residence; and,

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6. That no plumbing shall be allowed in the garage.

**GENERAL COMMENTS:** A single family residence with an attached 603 square foot garage is currently located on the subject property. The petitioner is requesting Use on Review approval to construct a 960 square foot detached garage approximately 22 feet northeast of the existing residence. The garage will be located 27 feet from the front property line and 37 feet from the nearest side lot line. The site plan submitted by the petitioner shows that a separate driveway will be constructed to access the proposed garage. The petitioner has noted that the garage will be constructed of the same materials as the existing residence. A Use on Review is required when the cumulative square footage of all garages and/or carports exceeds 1000 square feet or exceeds 30 % the size of the gross floor area of the dwelling unit, whichever is greater.

**STAFF REVIEW:** 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 provision of siding, shingles and a pitched roof identical to the existing residence will ensure that the garage will be consistent with the residential character of the property and the surrounding 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 this garage is for the storage of normal household goods, yard tools and a 1956 Chevy. As discussed in #5 below, a statement declaring that the garage cannot be used for commercial purposes will need to be signed by the petitioner and filed at the Pennington County Courthouse prior to the issuance of a building permit.

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

The petitioner's lot, as well as the adjacent properties, is covered with pine trees providing adequate screening between the proposed garage and neighboring structures. Therefore, staff does not believe that landscaping or fencing is needed to help 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 site plan indicates that the proposed garage will meet all other building setback requirements. The garage will have the same type and color of siding as the existing residence. The pitch of the garage roof will be the same as the existing residence.

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- 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 has noted the following concerns:

Driveway: The Off-Street Parking Ordinance requires that the first fifty feet of the driveway be paved at the time that the garage is constructed. Staff is requiring that the applicant submit a revised site plan identifying that the first fifty feet of the proposed driveway will be paved.

Drainage: The Engineering Staff has expressed concern that storm water drainage from the proposed garage will impact the adjacent property. The applicant submitted a drainage plan that has been reviewed and approved by the Engineering Staff.

As of this writing, documentation of completion of the certified mailing has been submitted by the petitioner. The required Use on Review sign has been posted on the property.