

STAFF REPORT

July 26, 2001

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**No. 01UR038 - Use on Review to allow a private residential garage in excess of 1000 square feet and more than 30% of the residence**

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**ITEM 36**

GENERAL INFORMATION:

PETITIONER	Tom and Judy Lien
REQUEST	<b>No. 01UR038 - Use on Review to allow a private residential garage in excess of 1000 square feet and more than 30% of the residence</b>
LEGAL DESCRIPTION	Lot 2 of Lot A of NE1/4 NW1/4 of Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.67 acres
LOCATION	4940 S Highway 16
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	General Agriculture District/General Commercial District
PUBLIC UTILITIES	Septic and city water
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Use on Review to allow a private residential garage in excess of 1000 square feet and more than 30% of the residence be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to issuance of a Building Permit, a storm water drainage plan shall be submitted for review and approval;

Fire Department Recommendations:

2. Prior to City Council approval, a wildland fire mitigation plan shall be submitted for review and approval;
3. Prior to issuance of a Certificate of Completion, the wildland fire mitigation plan shall be implemented;
4. That concrete tiles shall be installed on the roof of the proposed garage as indicated on the applicant's site plan;

Building Inspection Department Recommendations:

5. Prior to any construction, the applicant shall obtain a Building Permit and prior to

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occupancy, the applicant shall obtain a Certificate of Completion;

Urban Planning Division Recommendations:

6. That no plumbing shall be allowed in the garage;
7. 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 used only for residential purposes; and
8. That prior to issuance of a Certificate of Occupancy, additional landscaping shall be installed along the south property line behind the proposed garage to approximately 10 feet east of the proposed garage.

GENERAL COMMENTS: The applicant is requesting Use On Review approval to construct a 1,286 square foot detached garage approximately 93 feet south of the existing residence located on this property. The existing driveway from US Highway 16 will be extended to the south to provide access to the new garage. According to the Rapid City Municipal Code, a Use On Review is required when the cumulative size of all garages or carports on a residential property exceeds 1000 square feet. The applicant's existing garage is 1,330 square feet and the proposed detached garage will be 1,286 square feet for a total of 2,616 square feet of garage space.

Based upon information submitted by the applicant, the proposed garage will measure 42 feet wide by 32 feet long. The building will have three overhead garage doors, one walk through door, and three windows. Brick and concrete roof tiles to match the existing residence are being proposed for the detached garage.

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 brick siding and concrete roof tiles to match the existing residence will help to maintain the residential character of the property as well as 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.*

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.

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

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The applicant's lot is approximately 10.6 acres and has a significant number of pine trees on the lot. However, the site plan submitted with this request identifies that the proposed garage will be constructed 10 feet from the south lot line. The closest neighboring structures are located south and east of the proposed garage in an area where few trees exist. Though the proposed garage will be approximately 300 feet from the nearest neighboring structure, staff is recommending that the existing line of trees on the south property line be extended east to approximately 10 feet east of the proposed garage to provide a buffer between the proposed garage and the neighboring property.

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. As mentioned, the garage will have brick siding with a pitched concrete tile roof.

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