

STAFF REPORT

September 6, 2001

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**No. 01UR048 - Use On Review to allow a garage(s) in excess of 1000 square feet in the Medium Density Residential Zoning District**      **ITEM 22**

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GENERAL INFORMATION:

PETITIONER	Ed and Julie Hericks
REQUEST	<b>No. 01UR048 - Use On Review to allow a garage(s) in excess of 1000 square feet in the Medium Density Residential Zoning District</b>
LEGAL DESCRIPTION	Lot 2 of Lot A, Lot 3 of Lot A less the south 20' and Lot A of Lot 4 of Lot A, E.E. Taylor Tract, Section 5, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.15 acres
LOCATION	4950 Berry Pine Heights Drive
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	Private well and septic
REPORT BY	Lisa Seaman

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

Engineering Division Recommendations:

1. Prior to issuance of a Building Permit, a revised site plan shall be submitted identifying the location of the existing septic system and documentation shall be provided identifying that the existing septic system is adequate for the residential use of the property;

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. That no plumbing shall be allowed in the garage;

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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 used only for residential purposes; and,
5. That the garage shall be constructed of the same materials and painted the same color as the existing residence.

GENERAL COMMENTS: The applicant is requesting Use On Review approval to construct a 26 foot by 30 foot attached garage to the west side of the existing residence located on this property. Currently, a 22.2 foot by 24.2 foot detached garage is located approximately 70 feet northwest of the existing residence. The existing paved driveway will be utilized 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 detached garage is 537 square feet and the proposed attached garage will be 780 square feet for a total of 1,317 square feet of garage space.

Based upon information submitted by the applicant the building will have two overhead garage doors, two walk through doors and no windows. The addition will have the same style and color of siding and shingles as the existing residence.

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 shingles and siding 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.*

The applicant has indicated that the intended use of the garage will be to store vehicles, various yard and outdoor tools, a workbench and other personal items. 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.*

The applicant's lot is approximately 3.15 acres and has a significant number of pine trees on the lot. The nearest neighboring structure is approximately 120 feet south of the proposed

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garage. The existing residence and proposed garage are centrally located on the subject property and the pine trees provide a buffer to all properties abutting the subject property. 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 applicant has submitted the required site plan and elevation drawings. As mentioned, the garage will have the same siding, shingles and pitched roof as the existing residence.

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. 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.