

STAFF REPORT

December 5, 2002

No. 02UR029 - Conditional Use Permit to allow a private residential garage/workshop in excess of 1500 square feet **ITEM 31**

GENERAL INFORMATION:

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| PETITIONER | Paul and Carole Tonn |
| REQUEST | No. 02UR029 - Conditional Use Permit to allow a private residential garage/workshop in excess of 1500 square feet |
| EXISTING LEGAL DESCRIPTION | Lot 12 of Enchanted Hills Subdivision, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 1.32 acres |
| LOCATION | 1372 Panorama Circle |
| EXISTING ZONING | Low Density Residential District |
| SURROUNDING ZONING | |
| North: | Low Density Residential District |
| South: | General Agriculture District |
| East: | Low Density Residential District |
| West: | Low Density Residential District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 10/24/2002 |
| REPORT BY | Jeff Marino |

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a private residential garage/workshop in excess of 1500 square feet be **approved with the following stipulations.**

Urban Planning Division Recommendations:

1. **Prior to the issuance of a building permit, the applicant shall file a notice with the Pennington County Register of Deeds indicating that the garage will only be used for accessory residential purposes; and**
2. **All requirements and regulations of the Rapid City Municipal Code shall be met at all times.**

GENERAL COMMENTS: (Updates to the staff report are shown in bold.) This request

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was continued from the November 21, 2002 Planning Commission meeting. The petitioner is proposing to expand the existing 1,500 square foot attached garage to 1,800 square feet. In addition, the applicant is proposing to expand an existing 600 square foot shed to 680 square feet. This results in 2,480 total square feet of garage and storage facilities on the site. The lot is currently zoned Low Density Residential. The maximum amount of square footage allowed without a Conditional Use Permit is 1,500 square feet or 30 percent of the gross floor area of dwelling unit, whichever is greater. The proposed expansion will increase the percentage of square footage for garages on the lot to 59 percent of the gross floor area of the dwelling unit.

STAFF REVIEW: Staff has reviewed this request with regards to the criteria pertaining to private residential garages and as per Section 17.54.030.

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

The proposed garage will be of similar architectural characteristics as the existing structure. The garage doors, the windows, the siding, and the roofing will match existing architectural features on the house. The existing home is a stick built structure with earth tone colors. The garage will be in compliance with other features of the residential area such as setbacks and use.

2. The proposed garage shall be used only for residential purposes incidental to the principle use of the property.

The petitioner has indicated that he will use the garage for hobby and storage purposes. These uses appear to be incidental to the principle uses of the property which are residential. The applicant has not proposed the extension of any plumbing to the attached garage.

3. Landscaping or fencing may be required to screen the garage from the neighboring properties.

The proposed garage is located next to a common access area for the subdivision; in addition, the lot located next to the proposed oversized garage is vacant. The submitted site plan shows landscaping between the proposed garage and the adjacent lot; however, the landscaping is minimal. Due to the topography of the site, additional landscaping may not be needed.

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

The elevations show that the architectural style of the garage will be consistent with the house. In addition, the materials will be consistent with the materials utilized in the

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construction of the house.

5. The applicant shall file a notice with the Pennington County Register of Deeds Office indicating that the garage will only be used for residential purposes before a building permit is used if this request were to be approved.

The garage may not be used for commercial purposes. The petitioner is willing to sign and file the notice with the Register of Deeds. Staff is recommending that the notice be recorded prior to the issuance of the building permit.

In addition, the applicant is showing three access points to the property. The access road located with in the common area is currently paved. Staff is requesting that a revised site plan showing the first 50 feet of the gravel road be paved as per City ordinance or the gravel road must be removed. **The applicant has resubmitted a revised site plan on November 20, 2002 which shows the gravel road removed. The petitioner has identified the area with existing gravel as grass.**

Staff is recommending approval with the stated stipulations based on compliance with the stated criteria.

The green cards from the required notification of surrounding property owners have been returned at the time of writing this report. A sign stating that a Conditional Use Permit has been requested is posted on the property. Staff has not received any comments regarding the proposed use.