

STAFF REPORT

June 26, 2003

No. 03UR008 - Conditional Use Permit to allow an oversized garage

ITEM 41

GENERAL INFORMATION:

PETITIONER	James E. Hanley
REQUEST	No. 03UR008 - Conditional Use Permit to allow a garage in excess of the maximum square footage permitted and in excess of the maximum floor area of the dwelling unit
EXISTING LEGAL DESCRIPTION	Lot C of Copperhill Ridge Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.04 acres
LOCATION	5140 Copperhill Ridge
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District/Planned Residential Development
West:	Low Density Residential District
PUBLIC UTILITIES	Community Sewer and Water
DATE OF APPLICATION	05/15/2003
REPORT BY	Jeff Marino

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow an oversized garage be approved with the following stipulations:

Engineering Division Recommendations:

1. The applicant shall maintain the first 50 feet of access to the garage as a paved access way at all times;

Building Inspection Division Recommendations:

2. The applicant shall obtain a building permit prior to the initiation of construction of any development associated with the Conditional Use Permit;

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Urban Planning Division Recommendations:

3. 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 prior to the issuance of a building permit;
4. Any additional garage or storage space to be constructed on the lot shall require a Major Amendment to the Conditional Use Permit, and
5. The construction of all additional structures shall be constructed to match architectural standards including style, color, and materials of the existing structure.

GENERAL COMMENTS: The applicant is proposing to construct a structure which will exceed the maximum cumulative square footage for the allowable size of all garages or carports on one lot as defined by Section 17.04.315 of the City of Rapid City Municipal Code for private residential garages. The applicant is proposing to construct a garage which is 18 feet by 22 feet which results in a total of 396 square feet. The submitted site plan shows an existing 1,500 square foot garage at the site, and the additional proposed 396 square foot structure will bring the total square footage of accessory buildings or main buildings primarily used for storage at the site to 1,896 square feet. The City of Rapid City Municipal code states, "The maximum cumulative allowable size for all garages or carports shall be 1,500 square feet or thirty percent of the size of the gross floor area of the dwelling unit(s), whichever is greater."

The gross floor area of the dwelling unit appears to be 4,866 square feet which exceeds the gross square footage of the garages by 2,970 square feet. However, the gross square footage of the garage structures appears to be 38.9 percent of the square footage of the house. Furthermore the footprint of the dwelling unit appears to be 2,168 square feet, while the footprint of the garage appears to be 1,896 square feet.

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 characteristics as the existing structure. The applicant has stated garage roof shingles, siding, and doors will be built to match the existing architectural features on the house. The garage will be consistent with the residential architectural features of the surrounding neighborhood. In addition, 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 applicant does not appear to be extending any sewer or water utilities to the proposed garage. The applicant has stated that the proposed structure would be a single car garage, and the applicant has not indicated the structure would be used for any purposes other than those uses incidental to a residential use.

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

The proposed garage is adequately screened from the side yard with mature trees and shrubs, and the front yard is screened with landscaping through coniferous trees to the south.

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 site plan indicates that the residence and garages will meet all building setbacks and lot coverages. The garage will be one story, and will be eight feet from the side yard which is the minimum side yard setback in the Low Density Residential Zoning District. The applicant has stated the construction materials will match the materials used to construct the dwelling unit, and the applicant has stated the architectural style of the garage will be consistent with 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 applicant shall file the notice with the Register of Deeds to verify that the proposed garage shall be used for residential purposes in the future as well as in the present times. Staff is recommending that the notice be recorded prior to the issuance of the building permit.

Staff is recommending approval with the stated stipulations based on compliance with the five stated criteria. The green cards from the required notification of surrounding property owners have not 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 at the time of writing this report.