

## STAFF REPORT

September 25, 2003

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**No. 03UR012 - Conditional Use Permit to allow a private residential garage in excess of 30% of the gross floor area of the dwelling unit and greater than 1500 square feet in area**

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**ITEM 41**

### GENERAL INFORMATION:

PETITIONER	Ron J. Stevens
REQUEST	<b>No. 03UR012 - Conditional Use Permit to allow a private residential garage in excess of 30% of the gross floor area of the dwelling unit and greater than 1500 square feet in area</b>
EXISTING LEGAL DESCRIPTION	Lot 37 Revised, Ridge Park Estates Subdivision No. 4, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.192 acres
LOCATION	1202 Flormann Street
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Low Density Residential District/Park Forest District
South:	Low Density Residential District w/Planned Residential Development
East:	Park Forest District
West:	Park Forest District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	08/29/2003
REPORT BY	Jeff Marino

### RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a private residential garage in excess of 30% of the gross floor area of the dwelling unit and greater than 1500 square feet in area 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;

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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;

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 build a detached garage with a footprint of 630 square feet. There is currently 2,200 square feet of garage and storage space already located on the site. The proposed total square footage of garage/storage space is 2,830 square feet. The gross square footage of the principal structure at the site is 5,447 square feet. The percentage of private residential garage space compared to the gross square footage of the principal dwelling unit is 52 percent, which exceeds the maximum allowable 30 percent. One of the detached accessory structures was previously used as a carriage house, and the other detached accessory structure was previously used as a well house. The submitted application states that there will be no water or sewer utilities extended to the proposed detached accessory structure.

The site is located at 1202 Florman street, and the parcel is 3.192 acres in size. The parcel is currently zoned Park Forest. The lot coverage at the site is six percent.

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. The applicant has stated the colors of the proposed garage will be different than the house; however, the applicant is proposing to match the colors of the house to the proposed garage in the future.

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

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The petitioner has indicated that he will use the garage for parking vehicles and for 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 will be located in a heavily landscaped area. The deciduous and coniferous trees at the site provide a sufficient buffer from neighboring properties.

*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 submitted application states the materials will be consistent with the materials utilized in the 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 as required by the Rapid City Municipal Code.

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.