

STAFF REPORT

October 9, 2003

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**No. 03PD046 - Major Amendment to a Planned Residential Development to reduce the front yard setback**      **ITEM 16**

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GENERAL INFORMATION:

PETITIONER	Tom and Cheryl Johnson
REQUEST	<b>No. 03PD046 - Major Amendment to a Planned Residential Development to reduce the front yard setback</b>
EXISTING LEGAL DESCRIPTION	Lot 17, Block 7, Chapel Valley Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .22 acres
LOCATION	4913 Copperhill Court
EXISTING ZONING	Low Density Residential District w/Planned Residential Development
SURROUNDING ZONING	
North:	Low Density Residential District w/Planned Residential Development
South:	Low Density Residential District w/Planned Residential Development
East:	Low Density Residential District w/Planned Residential Development
West:	Low Density Residential District w/Planned Residential Development
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	09/07/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development to reduce the front yard setback be approved with the following stipulations:

Urban Planning Division Recommendations:

1. The proposed expansion shall conform architecturally to the plans and elevations submitted as part of the Major Amendment to the Planned Residential Development;
2. The front yard setback shall be reduced from 25 feet to 18 feet for the proposed foyer wall expansion and the front yard setback shall be reduced from 25 feet to 10 feet for the

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- existing porch;
3. The porch shall not be enclosed and/or expanded; and,
  4. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Residential Development or a subsequent Major Amendment.

#### GENERAL COMMENTS:

The applicant has submitted a Major Amendment to the Chapel Valley Planned Residential Development to reduce the front yard setback from 25 feet to 18 feet for a proposed foyer wall expansion and to reduce the front yard setback from 25 feet to 10 feet for an existing porch on the above legally described property.

The property is located at the southern terminus of Copperhill Court. Currently, a single family residence is located on the property.

#### STAFF REVIEW:

Staff has reviewed the Major Amendment to the Planned Residential Development and has noted the following considerations:

Foyer Wall: The applicant has submitted a site plan showing the expansion of the front entry wall seven feet into the front yard setback. The applicant has indicated that the expansion is proposed in order to provide additional space between the front door and a stairway leading to the lower level of the home. The applicant has indicated that providing additional space at this location will reduce possible falls down the stairway. The Engineering Division has indicated that no utilities and/or easements exist within this area. As such, staff is recommending that the request to reduce the front yard setback from 25 feet to 18 feet for the proposed foyer wall be approved contingent upon the wall being constructed in compliance with the plans and elevations submitted as part of the Major Amendment to the Planned Residential Development.

Porch: Currently, a non-enclosed porch is located on the front of the house, ten feet from the front lot line, or 15 feet into the 25 foot front yard setback. Chapter 17.50.250 of the Zoning Ordinance states that non-enclosed porches may extend six feet into a required setback. The Engineering Division has indicated that the existing porch does not interfere with utilities nor is it located in any easements. As such, staff is recommending that the request to reduce the front yard setback from 25 feet to 10 feet for the existing porch be approved contingent upon the porch not being enclosed and/or expanded.

Legal Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the October 9, 2003 Planning Commission meeting if this requirement has not been met. Staff has not received any calls or inquiries regarding this proposal.