

STAFF REPORT

January 8, 2004

---

**No. 03UR018 - Conditional Use Permit to allow a private garage in excess of 1,500 square feet, in excess of the footprint of the dwelling unit, and greater than 30% of the gross floor area of the dwelling unit**

---

**ITEM 28**

GENERAL INFORMATION:

PETITIONER	Ronald Petty
REQUEST	<b>No. 03UR018 - Conditional Use Permit to allow a private garage in excess of 1,500 square feet, in excess of the footprint of the dwelling unit, and greater than 30% of the gross floor area of the dwelling unit</b>
EXISTING LEGAL DESCRIPTION	Lot A (Also in Section 8), Miracle Place Subdivision, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .740 acres
LOCATION	4349 Miracle Place
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	Private
DATE OF APPLICATION	11/18/2003
REPORT BY	Todd Tucker

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a private garage in excess of 1,500 square feet, in excess of the footprint of the dwelling unit, and greater than 30% of the gross floor area of the dwelling unit be approved with the following stipulations:

Urban Planning Division Recommendations:

1. Prior to Planning Commission approval, a revised site plan shall be submitted showing additional landscaping to provide screening of the garage door from the north, and;
2. Prior to occupancy of the garage, the applicant shall record a notice with the Register of Deeds stating that the garage will not be used for commercial purposes.

## STAFF REPORT

January 8, 2004

---

**No. 03UR018 - Conditional Use Permit to allow a private garage in excess of 1,500 square feet, in excess of the footprint of the dwelling unit, and greater than 30% of the gross floor area of the dwelling unit**

---

**ITEM 28**

GENERAL COMMENTS:

**(Updates to the staff report are shown in bold.) This item was continued from the December 18, 2003 Planning Commission meeting to allow the applicant time to submit the required information.**

The applicant is requesting a Conditional Use Permit to allow oversized garages on this property. On October 28, 2003 a Building Permit was issued for the proposed dwelling and attached garages. The proposed garage area on the north side of the house was identified as a recreational room on the approved construction plans. To accommodate a recreational vehicle the applicant would like to use this area as a garage instead of a recreational room. With the change of this area from a recreational room to a garage, the total square footage of the garages on the property will be larger than 1500 square feet. The three attached garages will have a total of 4,202 square feet. The combined garages footprint will be 4,202 square feet and the footprint of the house is 3,214 square feet. The combined footprint of the garages will be 988 square feet larger than that of the house. The gross floor area of the combined garages will be 65% of the gross floor area of the dwelling unit, which exceeds the 30% allowed by Section 17.04.315 of the Rapid City Municipal Code.

STAFF REVIEW:

Staff has reviewed this request for a Conditional Use Permit as it relates to the applicable provisions of Section 17.54.030 of the Rapid City Municipal Code and has noted the following issues:

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

The exterior of the structure will not change from the original plans except the walk out door will be replaced with a large overhead garage door.

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

The petitioner has indicated that the garage will be used for parking a large recreational vehicle and for storage purposes. These uses appear to be incidental to the principle uses of the property which are residential. The applicant shall file a signed notice with the Pennington County Register of Deeds Office indicating that the garage will only be used for residential purposes.

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

The proposed garage will be located in close proximity to a single family residential home to the north. Due to the proximity of the garage to the adjacent property, evergreen vegetation should

## STAFF REPORT

January 8, 2004

---

**No. 03UR018 - Conditional Use Permit to allow a private garage in excess of 1,500 square feet, in excess of the footprint of the dwelling unit, and greater than 30% of the gross floor area of the dwelling unit**

---

**ITEM 28**

be installed to provide a visual screening of the large garage door from the adjacent property. Prior to Planning Commission approval, a revised site plan shall be submitted showing additional landscaping to provide screening of the garage door from the north.

**As of this writing the required revised site plan has not been submitted; however, the applicant has indicated that a revised site plan showing four evergreen trees located on the north side of the property will be provided prior to the Planning Commission meeting.**

*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. The only change from the approved construction plans is the replacement of the small walkout door with a large overhead garage door. The exterior building materials will remain consistent throughout the dwelling and attached garages. Brick and stucco are used on the garage portion of the house with a large portion of the front facade will be constructed of stone.

*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.*

As per Ordinance 17.10.030 of the Rapid City Municipal Code, the garage may not be used for commercial purposes. Staff is recommending that the notice be recorded prior to the occupancy of the garage.

**The green cards from the required notification of surrounding property owners have been returned and a sign stating that a Conditional Use Permit has been requested is posted on the property. Staff has received two comments regarding the proposed use. The property owner to the north of the subject property has expressed concerns about the size, location, and type of trees required. The property owner to the south of the subject property has also expressed concerns about the location of trees on the property.**

Staff recommends approval of the Conditional Use Permit with the above stated stipulations.