

STAFF REPORT
May 27, 2004

No. 04UR006 - Conditional Use Permit to allow a private residential garage greater than 1500 square feet in area and greater than 30% of the gross floor area of the dwelling unit

ITEM 21

GENERAL INFORMATION:

PETITIONER	Henry and Marsha Yantzer
REQUEST	No. 04UR006 - Conditional Use Permit to allow a private residential garage greater than 1500 square feet in area and greater than 30% of the gross floor area of the dwelling unit
EXISTING LEGAL DESCRIPTION	Lot 21 of Kingswood Addition, Section 29, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.4 acres
LOCATION	1512 North Cedar Crest Court
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	Private water and sewer
DATE OF APPLICATION	04/20/2004
REVIEWED BY	Todd Tucker / Sig Zvejnieks

RECOMMENDATION: Staff recommends that the Conditional Use Permit to allow a private residential garage greater than 1500 square feet in area and greater than 30% of the gross floor area of the dwelling unit be approved with the following stipulations:

1. Prior to initiation of construction, a Building Permit must be obtained, and a Certificate of Occupancy must be obtained prior to occupancy of the garage;
2. Prior to issuance of a Building Permit, a statement declaring that the garage cannot be used for commercial purposes shall be signed by the applicant and filed at the Pennington County Courthouse;
3. The garage shall be constructed of the same materials and the same color(s) as the existing residence; and,
4. Any additional garage or storage space to be constructed on the lot shall require a Major Amendment to the Conditional Use Permit.

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GENERAL COMMENTS: The applicant is requesting a Conditional Use Permit to allow an oversized garage on his property. In 1991, a Building Permit was issued for the existing house and attached garage. The existing single family residence is 4,350 square feet with a 586 square foot attached garage. The applicant is now proposing to construct a 1,134 square foot addition onto the existing attached garage. The proposed addition plus the existing attached garage will total 1,720 square feet which is greater than the allowed 30% of the gross floor area of the residence, and larger than the allowed 1,500 square feet for accessory structures.

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 applicant has submitted a materials list and building elevation plans for the proposed addition. The applicant has indicated that the exterior of the addition will be constructed out of lap cedar siding to match the existing siding on the house and attached garage. The applicant has also indicated that three tab, black asphalt shingles will be used on the addition to match the existing house and attached garage. The provision of siding, shingles and a pitched roof identical to the existing residence will ensure that the garage will be consistent with the residential character of the property and the surrounding neighborhood.

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

The applicant has indicated that the garage will be used for parking personal vehicles and for storage purposes. These uses appear to be incidental to the principle uses of the property which are residential. As discussed in #5 below, a statement declaring that the garage cannot be used for commercial purposes shall be signed by the applicant and filed at the Pennington County Courthouse prior to the issuance of a Building Permit.

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

The proposed garage addition will be located 26 feet, nine inches from the front property line adjacent to Kingswood Drive, which meets the minimum required front yard setback of 25 feet. The proposed garage addition will also meet all other building setback requirements. The proposed addition is not located in close proximity to any other structures or adjacent properties. As previously indicated, the proposed garage addition will have the same type and color of siding as the existing residence. The height of the proposed addition will be 14 feet and the pitch of the garage roof will be the same as the existing residence.

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Due to the location of the proposed garage addition and the provision that it will match the existing residence, no additional landscaping or fencing will be required to screen the garage from the 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.

As previously noted, the applicant has submitted a materials list and building elevation plans for the proposed addition. The applicant has indicated that the exterior of the addition will be constructed out of lap cedar siding to match the existing siding on the house and attached garage. The applicant has also indicated that three tab, black asphalt shingles will be used on the roof of the addition to match the existing house and attached garage. Staff noted that the garage shall be constructed of the same materials and the same color(s) as the existing residence.

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 a statement declaring that the garage cannot be used for commercial purposes shall be signed by the applicant and filed at the Pennington County Courthouse prior to the issuance of a Building Permit.

The green cards from the required notification of surrounding property owners have not been returned nor has a sign stating that a Conditional Use Permit has been requested been posted on the property. Staff will notify the Planning Commission at the May 27, 2004 meeting if these requirements have not be completed. Staff has not received any comments or complaints for this request.

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