

STAFF REPORT

June 5, 2008

No. 08UR008 - Conditional Use Permit to allow the construction of an oversized garage

ITEM 71

GENERAL INFORMATION:

APPLICANT	William Curran
AGENT	Vaughn Smith for A-1 Construction
PROPERTY OWNER	William Curran
REQUEST	No. 08UR008 - Conditional Use Permit to allow the construction of an oversized garage
EXISTING LEGAL DESCRIPTION	Lot 24 of the NE1/4 NE1/4, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.12 acres
LOCATION	3375 Corral Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	5/9/2008
REVIEWED BY	Jared Ball / Karley Halsted

RECOMMENDATION:

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

1. Prior to the issuance of a building permit the applicant shall file notice with Register of Deeds indicating that the garage will only be used for residential purposes;
2. Prior to initiation of construction, a Building Permit shall be obtained, and a Certificate of Occupancy shall be obtained prior to occupancy;
3. All applicable provisions of the current accepted International Fire Code shall be continually met;
4. Prior to Planning Commission approval, the applicant shall submit revised plans showing that the garage shall be constructed and maintained of the same general materials and the same color(s) as the existing residence;

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5. Any additional garage or storage space to be constructed on the lot shall require a Major Amendment to the Conditional Use Permit;
6. Prior to Planning Commission approval, the applicant shall obtain an exception to allow a circular driveway which will provide two driveways to one residential lot;
7. Prior to Planning Commission approval the applicant shall revise the plans to identify a building in compliance with the minimum height requirement or obtain a variance to allow an accessory structure that exceeds 15 feet in height; and,
9. The Conditional Use Permit shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

GENERAL COMMENTS:

The property is located at 3375 Corral Drive which is west of Sheridan Lake Road, south of Corral Drive and east of Easy Street. A single family dwelling is located on the property. The property is currently zoned Low Density Residential District. According to the Pennington County records the existing 1,269 square foot house and 528 square foot garage were built in 1967.

The applicant is proposing to construct a 1,800 square foot detached garage. The applicant has also applied for variances to the Zoning Board of Adjustment to allow a garage height in excess of 15 feet. The Zoning Board of Adjustment will hear this request on June 3, 2008

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 considerations:

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 building elevation plans for the proposed garage. It appears that the color and materials proposed for the construction of the proposed addition will be consistent with the existing single family residence located on the property.

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 storing personal items. These uses appear to be incidental to the principle uses of the property which are residential. The applicant should be aware that the garage may not be used for commercial purposes. A Covenant Agreement declaring that the garage cannot be used for commercial purposes shall be signed by the applicant and filed at the Pennington County Courthouse.

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

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The proposed garage addition will be located 30 feet from the front property line. The proposed garage will also meet all other building setback requirements. The proposed garage will be located approximately 300 feet from any other structures on adjacent properties. Due to the location of the proposed garage and the provision that it will be of the same general character of the existing structure, no additional landscaping or fencing is necessary 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 building elevation plans for the proposed garage. Staff noted the types of building materials to be used for the garage were not included with the elevations. Prior to Planning Commission approval, the applicant must submit revised plans showing the same general materials and the same color(s) as the existing residence for review and approval.

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. A Covenant Agreement declaring that the garage cannot be used for commercial purposes must be signed by the applicant and filed at the Pennington County Register of Deeds Office prior to the issuance of a Building Permit.

Notification Requirement: As of this writing, the green cards from the required notification of surrounding property owners have not been returned. The sign stating that a Conditional Use Permit has been requested has been posted on the property. Staff will notify the Planning Commission at the June 5, 2008 Planning Commission meeting if the mailing notification requirement has not been completed.