

STAFF REPORT
October 27, 2011

No. 11PD038 - Major Amendment to a Planned Residential Development to allow an Oversized Garage **ITEM 11**

GENERAL INFORMATION:

APPLICANT	Jay W. White
PROPERTY OWNER	Jay W. White
REQUEST	No. 11PD038 - Major Amendment to a Planned Residential Development to allow an Oversized Garage
EXISTING LEGAL DESCRIPTION	Lot 14 of Block 3 of Terracita Highlights Subdivision located in Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.18 acres
LOCATION	1222 Alta Vista Drive
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development)
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential District (Planned Residential Development)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	9/12/2011
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development to allow an Oversized Garage be approved with the following stipulations:

1. An Exception is hereby granted to allow an oversized garage of 2,048 square feet in excess of the allowed 1,500 square feet;
2. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
3. Prior to issuance of a building permit, the applicant shall file a Covenant Agreement with Register of Deeds indicating that the garage will only be used for residential purposes

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- and a copy submitted to the Community Planning and Development Services staff;
4. The garage shall not be built within the Major Drainage Easement nor the Permanent Access and Utility Easement. The concrete parking pad may be built over the Permanent Access and Utility Easement but no vehicles or other obstructions shall be parked or stored on the concrete parking pad located within the easement. The property owner shall be financially responsible for the concrete parking pad and shall pay for any damage incurred if repairs are needed to underground utilities;
 5. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment or a subsequent Major Amendment;
 6. All applicable provisions of the adopted International Fire Code shall continually be met;
 7. The proposed structure shall conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Major Amendment to the Planned Residential Development; and,
 8. The Major Amendment to the Planned Residential Development 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 applicant has submitted a Major Amendment to a Planned Residential Development to allow an Oversized Garage. In particular, the applicant is proposing to construct an 832 square foot unattached garage for storage of motorcycles, snowmobiles and a third vehicle. The addition of the proposed garage would increase the cumulative square footage of accessory structures beyond the allowed 1,500 square feet. The cumulative square footage of accessory structures on the property would be 2,048 square feet. The garage would have lap siding, roof and shingles consistent in style and color with the existing residence. In addition, an existing shed on the property would be relocated to the rear of the property. There is a Major Drainage Easement and a Permanent Access and Utility Easement on the property.

On September 16, 1985, the City Council approved a Planned Residential Development (File #PD651) with stipulations, including the above property. On June 21, 1999, the City Council approved a Major Amendment to a Planned Residential Development (File #99PD014) to allow 15 foot front yard setbacks to structures, 18 foot setbacks to garages and sidewalks on only one side of Alta Vista Street and City View Drive.

The property is located northwest of the intersection of Alta Vista Drive and City View Drive. Currently, there is a single family home and a shed on the property.

STAFF REVIEW: Staff has reviewed this request for a Major Amendment to a Planned Residential Development as it relates to the applicable provisions of 17.08.030 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 a sample elevation of the proposed garage. The proposed

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garage will be constructed with lap siding, brick facing, roof, and shingles to match the existing residence on the property. The garage will be constructed where the shed is currently located and the shed will be relocated to the rear of the property. The design of the proposed garage appears to be consistent with the residential character of the property.

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

The applicant has indicated that the proposed garage will be used for storage of motorcycles, snowmobiles and a third vehicle. These uses appear to be incidental to the principal residential uses of the property. The applicant should be aware that the garage may not be used for commercial purposes. Prior to issuance of a building permit, the applicant must file a Covenant Agreement with Register of Deeds indicating that the garage will only be used for residential purposes and a copy submitted to the Community Planning and Development Services staff.

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

The proposed garage is located on a private access easement road off of Alta Vista Drive. The proposed garage will be located in the area where the current shed is located. To the north and west of the proposed garage is a 50 foot Major Drainage Easement that is wooded. The existing residence is located to the east. The proposed garage will face the garage of the property to the south. There is an existing screening fence between the proposed garage and Alta Vista Drive. As such, 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 elevations for the proposed garage. The proposed garage will have lap siding, roof and shingles consistent in style and color with 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 Section 17.08.030 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.

Accessory Structures: According to Chapter 17.04.315 of the Rapid City Municipal Code “[t]he maximum cumulative allowable size of all garages or carports shall be 1,500 square feet or 30% of the size of the gross floor area of the dwelling unit(s), whichever is greater.” The applicant is proposing an 832 square foot unattached garage that would bring the total square footage of accessory structures to 2,048 square feet. Staff recommends that an

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Exception be granted to allow an oversized garage of 2,048 square feet in excess of the allowed 1,500 square feet.

Fire Department: The Fire Department recommends that the applicant remove dead and down material from the wooded area located in the Major Drainage Easement and trim the remaining vegetation, to prevent rapid fire spread up the draw to the garage location. Siding materials and garage soffits should be a limited combustible fire resistance material, as well as the shingles which should be a resistant material to exclude wooden shingles. All applicable provisions of the adopted International Fire Code must continually be met.

Easements: There is a 50 foot wide Major Drainage Easement to the rear of the property from the northeast to the southwest. There is also a 30 foot wide Permanent Access and Utility Easement along the southern edge of the property. The garage must not be built within the Major Drainage Easement nor the Permanent Access and Utility Easement. The concrete parking pad may be built over the Permanent Access and Utility Easement but no vehicles or other obstructions may be parked or stored on the concrete parking pad located within the easement.

Design: The applicant has submitted a sample elevation of the proposed garage and has proposed that the design features and colors will match the existing residence. The proposed garage will be 26 feet by 32 feet. The garage will have lap siding, roof and shingles consistent in style and color with the existing residence. The proposed structure must conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Major Amendment to the Planned Residential Development.

Notification Requirement: As of this writing, the white slips and green cards from the certified mailing have not been returned. The required sign has been posted on the property. Staff will notify the Planning Commission at the October 27, 2011 Planning Commission meeting if these requirements have not been met.