

STAFF REPORT
June 21, 2012

No. 12UR014 - Conditional Use Permit to allow an oversized garage

ITEM 3

GENERAL INFORMATION:

APPLICANT	Gary T. Mahan
PROPERTY OWNER	Gary T. Mahan
REQUEST	No. 12UR014 - Conditional Use Permit to allow an oversized garage
EXISTING LEGAL DESCRIPTION	Lot 20 of Block 7 of Robbinsdale Addition No. 10 located in Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.21 acres
LOCATION	3914 Hampton Court
EXISTING ZONING	Low Density Residential District
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Medium Density Residential District
East:	Low Density Residential District - Medium Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	May 17, 2012
REVIEWED BY	Robert Laroco / Nicole Lecy

RECOMMENDATION:

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

1. Prior to issuance of a building permit, a covenant agreement shall be submitted to the Register of Deeds stating that the carport shall be used solely for residential purposes. A copy of the agreement shall be submitted to Community Planning and Development Services for review and approval; and,
2. The proposed carport shall comply with the designs and elevations submitted as a part of this Conditional Use Permit. Changes to the design of the structure which the Director of Community Planning and Development Services determines are consistent with the original approved plans shall be permitted as a Minimal Amendment to the Conditional Use Permit.

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GENERAL COMMENTS: The applicant has submitted a request to allow an oversized garage to be located on approximately 0.21 acres of land. Specifically, the applicant has requested that a 528 square foot carport be constructed on their property in addition to an existing 720 square foot detached garage. The total square footage of garage space is 1,248 square feet. The footprint of the existing residence is 960 square feet. Rapid City Municipal Code Chapter 17.04.315 states that for a private garage, in no event shall the size of the building footprint of the garage(s) or carport(s) exceed the footprint of the dwelling unit. As such, the applicant has submitted this Conditional Use Permit to allow an oversized garage.

The property is located at 3914 Hampton Court, approximately 160 feet north of the intersection of Hampton Court and East Minnesota Street. The property is developed as a single-family residence with a detached garage.

STAFF REVIEW: Staff has reviewed the Conditional Use Permit to allow an oversized garage/carport according to the requirements of Rapid City Municipal Code and have noted the following considerations:

Criteria of Approval: The following criteria per the Rapid City Municipal Code Chapter 17.10.030.N are considered when reviewing an oversized garage:

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

The property is located at 3914 Hampton Court in the southeast section of the City. The proposed carport measures 22 feet by 24 feet and is 14 feet tall. The proposed carport will be attached to the existing 960 square foot single-family residence and constructed of similar materials and color palette to the existing home. A 720 square foot detached garage is currently located on the property and is constructed of materials and color palette similar to the existing single-family residence. The surrounding properties are a mix of single-family residences and multifamily residences. The proposed carport is consistent with the residential character of the existing home and surrounding neighborhood.

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

A garage/carport is a permitted accessory use to a single-family residence in the Low Density Residential District. The cumulative square footage of garage/carport space proposed by the applicant is more than the building footprint of the existing single-family residence and, as such, requires a Conditional Use Permit. The applicant has indicated that the proposed carport will be used to protect vehicles in the event of hailstorms and will not be used for commercial purposes.

3. *The landscaping or fencing may be required to screen the garage from neighboring properties;*

The applicant's submitted plans show that the proposed carport will be an open structure with a roof approximately one foot lower than the existing single-family residence. The lack

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of structured walls will serve to mitigate any increase in the bulk of the structure, decreasing the impact the additional structure will have on neighboring properties. It does not appear that additional landscaping or fencing is required to screen the proposed carport from neighboring residences.

4. *The applicant submits a site plan and elevation drawings in addition to information what types of building materials will be used for the garage;*

The applicant's submitted plans include a site plan and materials showing the location and design of the proposed carport. In addition, the applicant has indicated that the carport will be constructed with lumber and with asphalt shingles and a color palette to match the existing residence. The proposed carport does not impact public utilities or drainage on the property. Staff recommends that the carport comply with the designs and elevations submitted as a part of this Conditional Use Permit. Changes to the design of the structure which the Director of Community Planning and Development Services determines are consistent with the original approved plans may be permitted as a Minimal Amendment to the Conditional Use Permit.

5. *The applicant shall file a notice with the register of deeds indicating that the garage only be used for residential purposes;*

Rapid City Municipal Code Chapter 17.10.030.N states that a garage that does not meet the definition of a private garage requires the applicant to file a notice with the register of deed indicating that the garage will only be used for residential purposes. As such, prior to issuance of a building permit, a covenant agreement must be submitted to the Register of Deeds stating that the carport will be used solely for residential purposes. A copy of the agreement must be submitted to Community Planning and Development Services for review and approval.

Summary: The applicant has indicated the carport will be used for residential purposes only and meets all the requirements of the Rapid City Municipal Code. Staff recommends that the proposed carport comply with the designs and elevations submitted as a part of this Conditional Use Permit. Changes to the design of the structure which the Director of Community Planning and Development Services determines are consistent with the original approved plans may be permitted as a Minimal Amendment to the Conditional Use Permit. Staff recommends that the Conditional Use Permit to allow an oversized garage/carport be approved with the stipulations outlined above.

Notification Requirements: As of this writing, the required notification sign has been posted on the property. The white receipts from the certified mailing have been returned to Community Planning and Development Services. The green cards from the certified mailing have not been returned to Community Planning and Development Services. Staff will notify the Planning Commission at the June 21, 2012 Planning Commission meeting if these requirements have not been met. As of this writing, there has been one inquiry into the proposed carport.