

STAFF REPORT

April 5, 2001

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**No. 01UR011 - Use On Review to allow a garage in excess of 1000 square feet and thirty percent of the size of the gross floor area of the dwelling unit**      **ITEM 17**

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GENERAL INFORMATION:

PETITIONER	Lee A. Keeney
REQUEST	<b>No. 01UR011 - Use On Review to allow a garage in excess of 1000 square feet and thirty percent of the size of the gross floor area of the dwelling unit</b>
LEGAL DESCRIPTION	Lot 22, Enchanted Hills Subdivision No. 3, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.13 Acres
LOCATION	1025 Enchantment Road
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	City water and septic system
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Use On Review to allow a garage in excess of 1000 square feet and thirty percent of the size of the gross floor area of the dwelling unit be approved with the following stipulations:

Engineering Division Recommendations:

1. No separate access to the detached garage from Enchantment Road shall be allowed;

Building Inspection Division Recommendations:

2. A building permit shall be obtained prior to any construction and a Certificate of Completion shall be obtained prior to occupancy;

Urban Planning Division Recommendations:

3. A statement declaring that the garage cannot be used for commercial purposes must be signed by the petitioner and filed with the Register of Deeds prior to issuance of a building permit; and,

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4. That the garage shall be constructed of the same materials and the same color(s) as the existing residence.

GENERAL COMMENTS: A single family residence with an attached 914 square foot garage is currently located on the subject property. The petitioner is requesting Use on Review approval to construct a 336 square foot detached garage. The applicant has indicated that the proposed garage will be constructed on an existing concrete pad that was poured in 1997. The pad is located approximately 70 feet south of the front property line, 42 feet from the west property line and 320 feet from the rear property line. The proposed detached garage will be located approximately four feet south of the southwest corner of the existing residence and will be accessed from the existing driveway. The applicant has noted that the garage will be constructed of the same materials as the existing residence and the pitch of the proposed garage roof will be the same as the existing house. A Use on Review is required when the cumulative square footage of all garages and/or carports exceeds 1000 square feet or exceeds 30% the size of the gross floor area of the dwelling unit, whichever is greater.

STAFF REVIEW: Staff has reviewed this request with respect to the five criteria established in Section 17.12.030:

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

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

The applicant has indicated that the intended use of this garage is for the storage of normal household goods, yard tools and a canoe. As discussed in #5 below, a statement declaring that the garage cannot be used for commercial purposes will need to be signed by the petitioner and filed at the Pennington County Courthouse prior to the issuance of a building permit.

- 3) *That landscaping or fencing may be required to screen the garage from neighboring properties.*

As previously mentioned the proposed garage will be constructed of the same materials as the existing residence and will be located 52 feet from the nearest neighboring structure. In addition, the elevation of the proposed garage is lower than the nearest neighboring structure and will not significantly obstruct their view. Therefore, staff does not believe that landscaping or fencing is needed to help buffer this structure.

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

The petitioner has submitted this information. The garage will have the same color of "Color Lok" siding with white metal fascia, soffits and gutters as the existing residence. The pitch of the garage roof will be the same as the existing residence.

*5) That the applicant shall file a notice with the Register of Deeds indicating that the garage only be used for residential purposes.*

Staff will ensure that this notice is filed prior to the building permit being issued for the structure.

Staff has also reviewed this Use on Review request with respect to all other applicable requirements and has noted the following concerns:

Driveway: The Off-Street Parking Ordinance requires that the first fifty feet of the driveway be paved at the time that the garage is constructed. The driveway to the proposed garage has already been paved.

As of this writing, documentation of completion of the certified mailing has not yet been submitted by the petitioner. Staff will notify the Planning Commission in the event this documentation is not received by the April 5, 2001 Planning Commission meeting. The required Use on Review sign has been posted on the property.