



## Legislation Details (With Text)

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|-----------------------|--|----------------------|---|---------------------|--|
| <b>File #:</b>        | ID 20-0050   | <b>Version:</b>      | 1 | <b>Name:</b>        |  |
| <b>Type:</b>          | Action Item  | <b>Status:</b>       |   | Other Business      |  |
| <b>File created:</b>  | 1/23/2020  | <b>In control:</b>   |   | Board of Adjustment |  |
| <b>On agenda:</b>     | 2/6/2020   | <b>Final action:</b> |   | 2/6/2020            |  |
| <b>Title:</b>         | Lakota Limited Variance Request - 1001 Onaka Trail - Variance for parking requirements                                       |                      |   |                     |  |
| <b>Sponsors:</b>      |  |                      |   |                     |  |
| <b>Indexes:</b>       |  |                      |   |                     |  |
| <b>Code sections:</b> |  |                      |   |                     |  |
| <b>Attachments:</b>   | 1. Notice, 2. Application, 3. Aerial Map, 4. Vehicles & Occupancy, 5. Parking Lot Photos, 6. Playground Photo, 7. Floor Plan |                      |   |                     |  |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Lakota Limited Variance Request - 1001 Onaka Trail - Variance for parking requirements

### Summary:

The applicant is seeking a variance from the parking regulations as they are planning to construct one (1) additional dwelling unit. The apartment complex currently has approximately 50 parking spaces and the ordinance requires a total of 65 spaces with the additional dwelling unit.

### Background:

The apartment complex was constructed in 1978 and was originally constructed as an income-based housing project. Due to the type of housing and the changes in the parking requirements over time, the apartment complex does not meet the current parking requirements. In order to add one (1) additional unit, the ordinance requires to parking to be brought into conformance. The current regulations require a total of 65 spaces and there are 50 spaces available.

The applicant has provided parking photos, current occupancy rates, and a list of tenant vehicles to help justify the request as they feel the current parking is sufficient to add a one (1) bedroom unit. There are 40 vehicles owned by tenants within the entire complex and the units are fully occupied. The unit will be constructed in the former laundry area as individual hook-ups have been installed in each unit. There is a tenant playground area on the south side of the property that could be converted into additional parking if necessary.

### Variance Criteria:

**1. Due to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship, and the variance shall not violate the spirit of the ordinance and substantial justice may be achieved as a result of the variance.**

*In this case, the apartment was constructed many years ago with different parking requirements. Parking could be added to the site, but it would require taking out the tenant playground area which is a nice amenity.*

**2. Unique circumstances apply to the property which do not apply to other properties in the same vicinity or district.**

*The property is somewhat unique as it was constructed years ago as an income-based housing project.*

**3. The variance is necessary for the preservation of a property right that is substantially the same as that possessed by other owners of other property in the same district.**

*The City's goal is to have adequate parking for residents. The applicant has submitted information justifying the variance request. Should the parking become problematic, the playground area could be converted into a parking lot.*

**4. The variance requested is the minimum variance which would alleviate the hardship.**

*The variance requests seem to be the minimum variance necessary to alleviate the hardship.*

**5. Reasonable use of the property is not permitted under the terms of this chapter.**

*There is reasonable use of the property.*

**Staff Recommendation:**

Staff recommends approval of the variance request.

**Attachments:**

Notice

Application

Aerial Map

Vehicles & Occupancy

Parking Lot Photos

Playground Photo

Floor Plan