



## Legislation Details (With Text)

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<b>Title:</b>	Olson Variance Request - 2405 6th Street - Construct a structure in the side yard setback				
<b>Sponsors:</b>					
<b>Indexes:</b>					
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<b>Attachments:</b>	1. Notice, 2. Application, 3. Site Plan, 4. Aerial Map, 5. Elevation Drawings, 6. Renderings, 7. Building Plan				

Date	Ver.	Action By	Action	Result
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Olson Variance Request - 2405 6<sup>th</sup> Street - Construct a structure in the side yard setback

### Summary:

The applicant is seeking a variance to construct a structure for washing mats, which is proposed to be located 11 feet from the side property line. The B-4 District requires a 25-foot side yard setback.

### Background:

The property is located at the northeast corner of Sunrise Ridge Road and 6<sup>th</sup> Street. The Blue Wave Car Wash is currently under construction on the lot. The owner is proposing to add an automatic vehicle mat washing station in a separate building. The property has three (3) front yards and a side yard for setback purposes. The street construction along Sun Rise Ridge Road created a smaller parcel by adding right-of-way along the north and west property boundary.

The proposed structure will be low-profile with the height being 10 foot to the top of the brick façade. The applicant has considered other locations on the site; however, the proposed location is the only option that is suitable to ensure proper traffic circulation. The Board of Adjustment approved a variance on March 7, 2019 to construct a canopy 25 feet from the west property line.

### 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.**

*The size, shape, and location of the property should be considered as the parcel has a significant amount of street frontage. The property is unique as a significant portion of land is contained within the setbacks.*

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

*The location, size, and shape of the parcel is unique from other parcels in the same district.*

**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.**

*Many other parcels in the same district have less setback area as a percentage of the overall lot.*

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

*The request is reasonable and appears to be the minimum amount necessary. The building is designed to be low-profile which will mitigate negative impacts on abutting properties.*

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

*There is reasonable use of the property without the variance; however, the variance request is reasonable.*

**Staff Recommendation:**

Staff recommends approval of the variance request.

**Attachments:**

Notice

Application

Site Plan

Aerial Map

Elevation Drawings

Renderings

Building Plan