



## Legislation Details (With Text)

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<b>Type:</b>	Action Item	<b>Status:</b>		Other Business	
<b>File created:</b>	5/5/2020	<b>In control:</b>		Board of Adjustment	
<b>On agenda:</b>	5/21/2020	<b>Final action:</b>		5/21/2020	
<b>Title:</b>	Vincent Variance Request - 117 20th Street South - Construct accessory structure with 16 foot sidewalls				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Notice, 2. Application, 3. Site Plan, 4. Elevation Drawings				

Date	Ver.	Action By	Action	Result
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Vincent Variance Request - 117 20<sup>th</sup> Street South - Construct accessory structure with 16 foot sidewalls

### Summary:

The owners are requesting a variance to construct an accessory structure with 16 foot sidewalls. The ordinance limits the sidewall height in residential districts to 12 feet.

### Background:

The 1.05 acre property is located along 20<sup>th</sup> Street South and is zoned R-1B. The owners would like to construct an accessory building for use as a basketball court. In order to use a regulation basketball hoop, the building will need taller sidewalls that the ordinance allows. The proposed 30'x 45' building will generally be located near the swimming pool. The ordinance allows up to 1,500 square feet of accessory use space as the lot is over an acre in size. The proposed structure will be located over 180 feet from the front 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.**

*In this case, a 16 foot sidewall is necessary to use a regulation basketball hoop.*

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

*The property is over an acre in size and has adequate room to have large setbacks from all property lines.*

**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.**

*There is no direct preservation of a property right.*

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

**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

Site Plan

Elevation Drawings