



Legislation Text

File #: ID 20-0054, **Version:** 1

Peterson Variance Request - 305 20th Street South - Construct an accessory building

Summary:

Update:

The request was tabled by the Board of Adjustment on February 6, 2020. The applicant has provided a site plan and additional maps have been attached. The property has a 34' wide utility easement as water and sewer connect to Santee Pass to the north. The easement restricts the buildable area of the lot and the construction of a residence would not be feasible as construction is not allowed over an easement.

The applicant is seeking a variance to construct a 1,000 square foot garage on the property. The ordinance allows up to 1,500 square foot of accessory space with both lots combined. The request would allow for approximately 2,440 square feet total of accessory space on the 1.32 acre property.

Background:

The property is located on the north side of 20th Street South just west of Main Avenue South and is zoned R-1B. The vacant property is a separate lot that will be combined with the primary lot where the house is located. The applicant would like to construct a 1,000 square foot garage for personal use and storage. The applicant received a variance in 2009 to construct the existing 1,440 square foot shop on the property. If the variance is granted, the applicant will need to re-plat the property into one (1) lot.

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 property is larger than many others in the R-1B District; however the ordinance allows up to 1,500 square feet of accessory space for lots that are one acre but less than two acres and 2,000 square feet for lots that are two or more acres in size.

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

Staff does not find that the property has unique circumstances.

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.

Staff does not find that a variance is necessary for the preservation of a property right.

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

Staff does not find a 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 denial of the variance as the hardship was not justified in the application.

Attachments:

Notice

Application

Aerial Map

Letter from Neighbor