

Legislation Text

File #: ID 20-0143, **Version:** 1

Todd Voss - 126 6th Ave. S. - Construct a garage 6' into the front yard setback

Summary:

The applicant is seeking a variance to construct an attached garage in line with the existing house.

Background:

The property is located on the northwest quadrant of 6th Avenue South and 2nd Street South. The property is a corner lot and the house was built in 1914, prior to the City implementing zoning. The house is constructed 14 feet from the south property line. As this is a corner lot, it has two front yards, to the east and south, with each having a 20 foot setback.

The applicant would like to construct an attached garage and keep the front and rear walls of the garage in line with the existing house.

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 proposed garage addition will stay in line with the existing house and will not intrude any farther into the front yard setback than already exists for the house.

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

The lot is 50 feet wide (north to south). The buildable area after applying the setbacks would be 23 feet.

- 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 variance requests preserve the property right to have a garage on a residential property.

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

The request seems to be the minimum amount 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 without the variance, as the applicant could construct a detached garage, re-orientate the garage, or reduce the size of the proposed garage.

Recommendation:

Staff recommends approval of the variance as presented as it does not protrude any farther into the required setbacks as what already exists with the house.

Attachments:

Notice
Elevations
Foundation
Main Floor