

Legislation Text

File #: ID 20-0207, **Version:** 1

Fergen Variance Request - 724 Main Avenue - Construct detached garage with 56 square feet over the accessory square footage limit

Summary:

The owner is seeking a variance to construct a 28' x 30' detached garage which would bring the total accessory use square footage on the lot to 1,056 square feet. The ordinance allows for a maximum of 1,000 square feet of accessory use for all buildings and floors combined.

Background:

The property currently has a 216 square foot detached shed and the owner would like to construct an additional 840 square feet two-car garage. The owner would like to ability to construct an over-sized two-car garage and retain the existing shed for storage. The City permitted a 26.5' x 26.5' concrete slab for a detached garage foundation in 2017. The concrete pad was constructed larger and is currently 28' x 30'. The owner would like to use the existing concrete pad for the proposed detached garage.

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 application does not contain enough information to establish a hardship. The garage could be 28' x 28' or constructed to not exceed the remaining 784 square foot of allowable accessory space.

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

There are no unique circumstances that apply to this property that do not apply to other properties in the same vicinity.

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 preservation of a property right in this case. The owner has the ability to construct a slightly smaller detached garage.

4. The variance requested is the minimum variance which would alleviate the hardship.
Not applicable.

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

There is reasonable use of the property as it existing and with the addition of a slightly smaller detached garage.

Staff Recommendation:

Staff recommends denial of the request.

Attachments:

Notice

Application

Site Plan

Aerial Map

Building Permit for Concrete Pad