

## Legislation Text

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**File #:** ID 20-0384, **Version:** 1

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Anderson Variance Request - 1204 Christine Avenue - Construct a garage addition 12.5 feet from rear property line

### **Summary:**

The applicant is seeking a variance to construct a garage addition 12.5 feet from the rear property line in an R-1B District. The ordinance requires a 25 foot rear yard setback.

### **Background:**

The property is located at the southwest corner of 12<sup>th</sup> Street South and Christine Avenue in the Camelot Square Addition. The Camelot Square Addition is zoned R-1B, however, the setbacks approved for the subdivision are the R-2 regulations. The house was constructed in 1980 with a garage added in 1983 and an addition to the west of the garage added in 2006.

The owner is proposing a garage addition on the west side of the existing garage. The proposed addition is 14 feet wide by 20 feet long. The proposed addition would be 12.5 feet from the rear 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 lot is corner lot and thus has two front yards with each having a 25 foot setback. Having two front yard setbacks lessens the buildable area on a corner lot.

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

Corner lots have two front yards which differs from interior lots within the R-1B 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.**

The Camelot Square Addition consists predominantly of one and two car garages.

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

The proposed addition is in the rear yard which minimizes the impact on the front yard setbacks, visibility at intersections, and driveway expansions in the front yard.

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

In this case, the property is useable without the garage addition. A driveway off of 12<sup>th</sup> Street South would be permitted as the driveway would lead to the rear yard and a parking pad on the west side of the garage would be permitted without a variance.

### **Staff Recommendation**

Staff recommends denial of the variance request as presented.

### **Body2**

#### **Attachments:**

Notice  
Site Plan  
Aerial Map