



Legislation Text

File #: ID 20-0430, **Version:** 1

Maize Variance Request - 241 34th Avenue - Construct a third access drive onto 34th Avenue

Summary:

The applicant is seeking a variance to construct a third access drive onto 34th Avenue. The ordinance limits the number of access drives in a business and industrial district to two for interior lots on an arterial street. The Major Street Plan map identifies 34th Avenue as an arterial street.

Background:

The property is located on the west side of 34th Avenue in the Telkamp Industrial Park. The property is considered an interior and per the ordinance, interior lots with 200 feet or more of frontage width are restricted to two access drives. The applicant has 1,008 linear feet of frontage along 34th Avenue and two existing access drives. The applicant is proposing a third access drive at the south end of the lot and would be approximately 390 feet south of the existing access drive serving the middle of the 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 lot is an interior lot with over 1,000 feet of street frontage on 34th Avenue.

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

The lot is larger than most other lots in the 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.**

Other properties in the vicinity have multiple access drives.

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

An alternative is available to subdivide the property, thereby creating the addition of another access drive by right.

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

In this case, reasonable use of the property exists without the third access drive, however, it does create issues with larger vehicle movements internal to the site.

Recommendation:

Staff recommends approval of the variance request.

Attachments:

Notice

Aerial Map

Site Plan