

## Legislation Text

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**File #:** ID 21-0400, **Version:** 1

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### DeeAnn Wolpert Accessory Structure Height Variance Request - 815 3<sup>rd</sup> Street

**Summary:** 815 3<sup>rd</sup> Street is a one-story single-family home with a detached garage shared along a common wall with the neighboring property. The applicant wishes to construct an additional detached garage adjacent to the alleyway for camper parking. The preferred size of the garage would require a height greater than that of the single-family home. Accessory structures are limited in height to no greater than the height of the principal structure.

#### **Findings of Fact:**

(1) Due to special conditions, a literal enforcement of the provisions of the 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 variance.

**Finding:** The single-family home on the lot is a one-story structure. Homes in this area of the community vary in height, however, it is more typical to find two-story homes in this vicinity. Because the home is only one story, the height of accessory structures is significantly limited compared to similar lots with two-story homes.

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

**Finding:** The principal structure on the lot is a one-story home which limits the height of accessory structures. The home shares a detached garage along a common wall with the neighboring property.

(3) The variance is necessary for the preservation of a property right that is substantially the same as that possessed by owners of other property in the same district.

**Finding:** More common two-story homes are able to allow accessory structures with higher height.

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

**Finding:** The variance seems to be minimum needed, however, the total size of the garage could be reduced which may lower the overall height.

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

**Finding:** Reasonable use of the property is permitted regardless of the issuance of a variance.

**Recommendation:**

Staff recommends approval of the height variance request.

**Attachments:**

Notice

Aerial Map

Application

Building Plans