

Legislation Text

File #: ID 21-0401, **Version:** 1

DeeAnn Wolpert Accessory Structure Square Feet Variance Request - 815 3rd Street

Summary:

The applicant is requesting to build a detached garage at 815 3rd Street that will exceed the maximum square feet allowed for accessory structures on a residential lot. The detached garage as planned will be 896 sq.ft. and located adjacent to the rear alleyway. This will be in addition to a 240 sq.ft. detached garage located near the primary structure for a total of 1,136 sq.ft. for all accessory structures. The total square footage of all accessory buildings on a lot used for residential purposes shall not exceed 25 percent of the rear yard area or 1,000 square feet of all floors combined, whichever is less. In this case, 1,000 sq.ft. would be the maximum allowed.

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 lot size allows the maximum square footage for accessory structures in a residential district for lots one acre or less. An existing detached garage is located on the lot and counts towards the maximum square footage. The detached garage is shared along a common wall with the neighboring property. If the applicant were able to demolish their portion of the existing detached garage, the full size of detached garage proposed would be allowed.

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

Finding: The lot includes a detached garage shared along a common wall with a neighboring property. The portion of the shared garage on the applicant's property counts towards the total square footage allowed for accessory structures on a lot.

(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: The applicant already has an existing detached garage. The proposed additional garage is being sought to park a camper. A smaller detached garage could be built within the allowed total square feet for accessory structures on a lot.

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

Finding: The garage could be scaled down to either comply with maximum square footage of

accessory structures allowed or minimize the variance being sought.

(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 the variance requested.

Recommendation:

Staff recommends denial of the variance request.

Attachments:

Notice

Aerial Map

Application

Building Plans