



Planning Commission Memorandum

To: Planning Commission
From: Justin Fortney, City Planner
Date: June 22, 2015
Item: Variance Review –Size of accessory structures 2015-24 – Philip Vieth – 1516 Eddy Street

Planning Commission Action Requested: The Planning Commission is asked to review the proposed variance and make a recommendation to the City Council.

Background Information:

The applicant is proposing to install 16 solar panels on a ground mounted support that is about 300 square feet in size and up to 10-feet tall on one side. This type of structure is classified as an accessory structure by the Hastings Zoning Code, chapter 155. Residentially zoned properties are allowed up to two accessory structures totaling 1,000 SF or less in combined size. The property currently has a detached garage with a lean-to totaling 907 SF.

Comprehensive Plan Classification

The 2030 Comprehensive Plan designates the property as Low Density Residential.

Zoning Classification

The property is zoned R-2 Medium Density Residence, the following land uses abut the property:

Direction	Existing Use	Zoning	Comp Plan
North	Residential	R-2 MD Res	Low Density Res
East	Residential	R-3 M High D Res	Medium D Res
South	Residential	R-2 MD Res	Low Density Res
West	Residential	R-2 MD Res	Low Density Res

Existing Condition

The property is nearly one acre in size and contains a house and detached garage with lean-to that is 907 SF.

Variance review

Below is a list of variance requirements that must be satisfied prior to approval of a variance with the findings summarized below each item:

- Evidence that practical difficulties in complying with the regulations exist
 - The solar panels cannot be located on the existing structures roofs due to their location. There is too much solar blockage from existing trees on the subject and neighbors property.
 - The applicant is limited to the typical accessory structure size allowance that was based on a typical sized lot. The applicant's lot is more than four times the size of a typical residential lot.
- Circumstances relating to these difficulties may not have been created by the landowner.
 - The existing structures were constructed prior to the owner's purchase of the property in 1975. Many of the trees were also existing and the applicant cannot remove the neighboring trees.
 - The applicant did not subdivide this property.
- The variance may not alter the essential character of the locality
 - The character of the area will remain unchanged, the property is significantly larger than other residential properties. This would allow for more than the allowable 1,000 SF of accessory structures without cluttering the property or creating more stormwater runoff than a typical lot.

Notification

Neighbors were notified of the request and no comments have been received.

Recommended Action:

Staff recommends approval of the variance, subject to the following conditions:

- 1) Conformance with the Planning Commission Staff Report and plans dated June 22, 2015.
- 2) Approval is subject to a one year Sunset Clause; if progress on the proposal is not made within one year of City Council approval, the approval is null and void.

Attachments:

- Aerial Photographs
- Photograph
- Plans





