



Planning Commission Memorandum

To: Planning Commission
From: Justin Fortney, City Planner
Date: July 17, 2016
Item: Variance/ OHDS Review – Rear Setback for Garage – 317 3rd Street West – Daniel Milligan

Planning Commission Action Requested

Review and make a recommendation on the proposed setback variance and OHDS review.

Background

The existing house was built in 1875 and does not have a garage. The applicant is proposing to build a 672 SF garage at the rear of the property. The property itself is very narrow at only 36-feet wide. The zoning code requires a 20-foot setback along property lines that front a public right-of-way. This is presumably to allow for the parking of vehicles in front of a garage without blocking traffic or sidewalks.

New construction and improvements over 10% of building value in the OHDS (Original Hastings Design Standards) district requires Planning Commission and City Council review. The purpose of the district is to preserve and enhance traditional neighborhood design by reflecting the general characteristics of buildings dating from 1845 to 1940. The garage would be located in the back of the home and not highly visible.

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	Low Density Res
East	Residential	R-2	Low Density Res
South	Residential	R-2	Low Density Res
West	Residential	R-2	Low Density Res

Existing Condition

The lot is substandard in width and total size. The minimum lot width is 50 feet and the existing lot is only 36 feet wide. The minimum lot size is 7,000 SF and the subject lot is only 5,040 SF. The lot is developed with a house and no other structures.

Variance review

A garage could be built on the property and meet the zoning setback requirements, which are as follows:

The building setbacks are as follows:

	Minimum	Proposed
North	6'	20'
East	5'	5'
West	5'	5'
South - Alley	20'	13'

The applicant believes the required setbacks would preclude him from having a back yard as other residents have. His yard between the house and detached garage would only be 13-foot deep. He would like build the garage 20-feet from the house to have a small area to enjoy.

There has been an interest from property owners in the past to build garages closer than 20-feet from the alley, but they have been able to turn the garage and enter in from the side, which is not possible with such a narrow lot.

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 uncommonly small lot does not provide enough property to have a garage and usable back yard.
 - The uncommonly narrow lot does not allow a side loaded garage.
- Circumstances relating to these difficulties may not have been created by the landowner.
 - The property was subdivided, and built many years before the applicant purchased it.
- The variance may not alter the essential character of the locality
 - The character of the area will remain unchanged, as the proposed setback is not uncommon in the area.
 - The house directly across the street has a garage facing the alley at a distance of 12-feet from the alley.
 - There are other garages along the alley that are as close to zero feet from the alley, although they are side loaded.

OHDS Review

The proposed garage should be of similar size and design of the main structure and of other garages in the immediate area. The average size of garages in the immediate area are 700 SF. The proposed garage is 672 SF. The sketch drawing of the proposed garage looks similar to surrounding garages and the home on the site. The garage will have white vinyl siding to be similar to the home. Garages shall be prohibited from fronting on a public street when an alley exists. Maximum setback for all garages is 25 feet from an alley.

The garage appears to fit in with the existing home and other garages in the area.

Notification

Neighbors within 350 feet were notified of the request and no comments have been received.

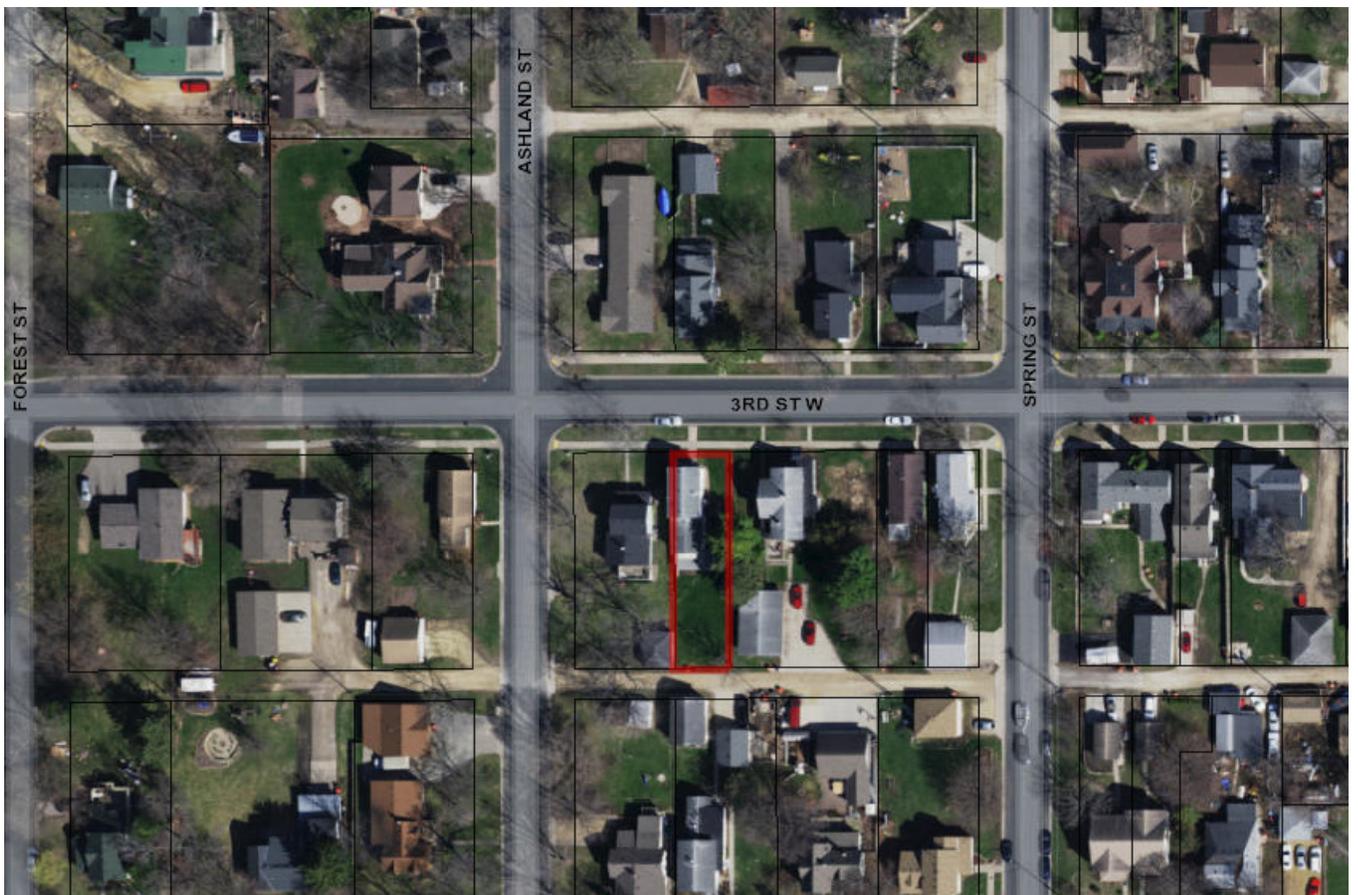
Recommended Action:

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

- 1) Conformance with the Planning Commission Staff Report and plans dated November 13, 2017.
- 2) No vehicles may be parked on the property in a way that impedes alley traffic.
- 3) 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 Photograph
- Photographs
- Plans



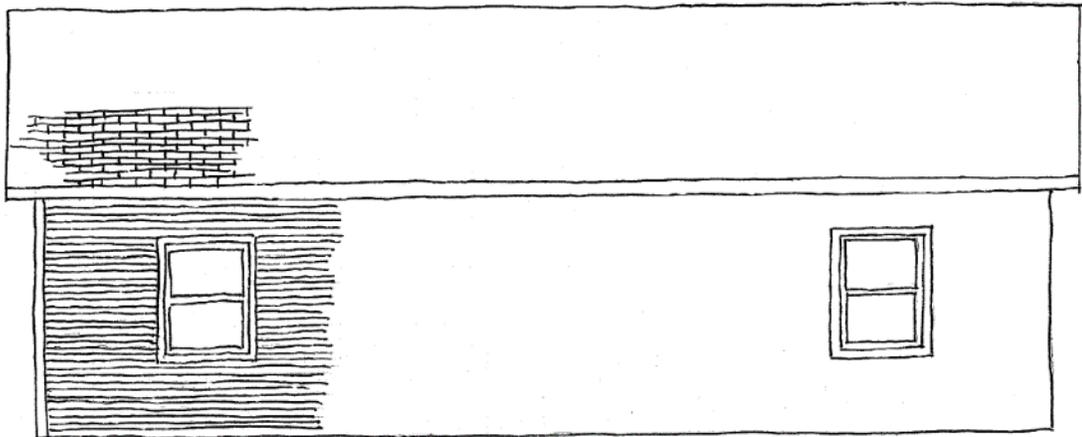




Villaume Industries, Inc. SOUTH ELEVATION



NORTH ELEVATION



EAST / WEST ELEVATIONS