

**Agenda Item 23-0409 (Tim Acklin & Jenna Dinkel)**

Application of Christopher and Kelly Jo Eberlein for a Conditional Use Permit at 4808 Stanley Court allowing for a detached garage.

**General Location**

Council District 2, not in a Neighborhood Association. Located on Stanley Ct off of County Road B as depicted on attached Map PC23-0409. Surrounding the property is single-family housing.

**Background Information**

The applicant is requesting a conditional use permit to construct a second accessory structure on an adjacent vacant lot. The primary residence is located at 4816 Stanley Ct and the proposed detached garage will be located at 4808 Stanley Ct. There are three potential access points to the garage that include two public rights-of-way and one easement. Part of this property is in the flood plain, so the garage is going to be elevated on a floating slab to bring it out of the flood plain.

The design features of the garage include a roof which will consist of asphalt shingles to match the house. The garage will be sided with LP Smart siding that will have a clapboard siding appearance when installed. The applicant stated to staff that they intend to side the primary house in the same manner within the next few years. The garage is intended to be primarily used for storage of implements and equipment to maintain both properties. Access to the property is primarily used via an existing gravel road along an easement on the property to the south.

**Recommendation of Other Boards and Commissions**

The Heritage Preservation Commission met on April 27, 2023, to recommend approval of the application and plans.

**Consistency with Adopted Comprehensive Plan**

A second accessory structure is permitted on a vacant lot if it does not hinder the development of a principal dwelling or house on the vacant lot in the future.

**Staff Recommendation**

In order to have a second accessory structure on an adjacent lot the applicant must apply for a CUP and meet the following requirements:

(a) *Architectural standards provided for in the carriage house provision of this code.*

- a. The proposed accessory structure is in a neighborhood that is in a rural area of the city, which includes larger lot sizes and newer homes. The carriage house ordinance was intended to permit accessory buildings that are architecturally compatible with the primary structure in older neighborhoods to ensure the structure keeps the historic nature of surrounding properties. The proposed design does have some architectural

features recommended in the carriage house ordinance including overhead garage and service doors with windows, trim board separating the gable and side walls, shakes in the upper gable, and exterior materials that give the appearance of clapboard siding. Please refer to the staff report for the Heritage Preservation Commission that is attached to this legislation for more information.

















- (b) *The vacant lot is a lot of record.*
  - a. The lot was established as a lot of record via a Certified Survey Map.
- (c) *The construction of a new accessory structure or replacement accessory structure does not prevent the building of a principal dwelling or house on said vacant lot in the future.*
  - a. The new accessory structure does not prevent the building of a principal dwelling in the future.
- (d) *The Heritage Preservation Commission and City Plan Commission must review final architectural and design plans prior to issuance of a building permit.*
  - a. Both commissions will review as part of the May Council cycle. Revisions to these plans were discussed and agreed upon between staff and the applicant and reviewed and approved by the Heritage Preservation Commission.
- (e) *The location of said accessory structure or replacement accessory structure shall meet all other requirements of the R-1 Single Family Residence District.*
  - a. Yes, accessory structure meets R-1 requirements. The accessory structure is 28' X 34' making it 952 square feet which is less than the 1000 square feet maximum. It also meets height requirements with a height of 17 feet.

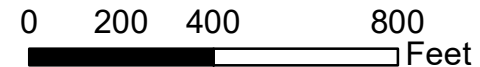
**This item is recommended for approval after meeting all conditions for a conditional use permit for a second accessory structure on an adjacent vacant lot with the condition that trim boards and shakes in the gables are used by the applicant as stated in the Heritage Preservation report.**

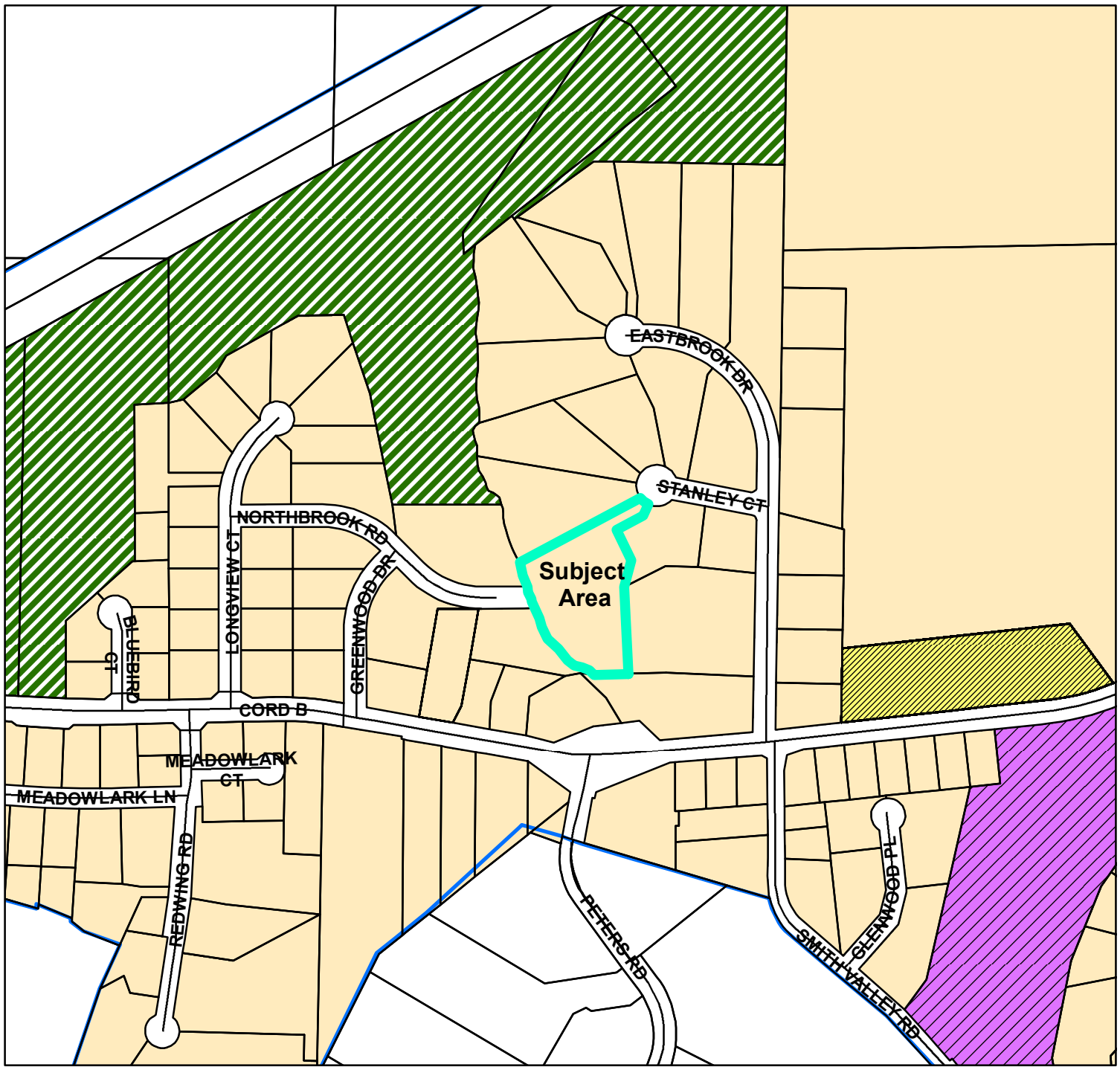
**Routing** J&A 5.2.2023



# BASIC ZONING DISTRICTS

-  R1 - SINGLE FAMILY
-  R2 - RESIDENCE
-  WR - WASHBURN RES
-  R3 - SPECIAL RESIDENCE
-  R4 - LOW DENSITY MULTI
-  R5 - MULTIPLE DWELLING
-  R6 - SPECIAL MULTIPLE
-  PD- PLANNED DEVELOP
-  TND - TRAD NEIGH DEV.
-  C1 - LOCAL BUSINESS
-  C2 - COMMERCIAL
-  C3 - COMMUNITY BUSINESS
-  M1 - LIGHT INDUSTRIAL
-  M2 - HEAVY INDUSTRIAL
-  PS - PUBLIC & SEMI-PUBLIC
-  PL - PARKING LOT
-  UT - PUBLIC UTILITY
-  CON - CONSERVANCY
-  FW - FLOODWAY
-  A1 - AGRICULTURAL
-  EA - EXCLUSIVE AG
-  City Limits
-  SUBJECT PROPERTY





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