Board of Zoning Appeals

JUNE 19TH, 2023

4:00 PM

Requirements for granting a variance

- Unnecessary Hardship
- Unique Property Limitations
- No Harm to Public Interest

2330 MISSISSIPPI ST

2330 MISSISSIPPI ST

- The applicant has applied for a permit to construct a new attached garage at this address.
- \rightarrow Municipal code 115-142(c)(1) Area regulations.

Front yard, side yard and rear yard. Front yard, side yard and rear yard regulations applicable in the Residence District shall apply to the Single Family Residence District.

➤ Municipal code 115-143(c)(2) Front yards.

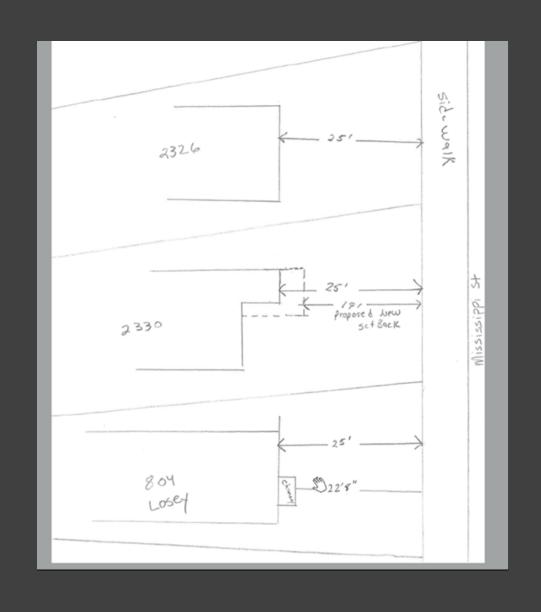
On every lot in the Residence District, there shall be a front yard having a depth of not less than 25 feet, provided that where lots comprising 40 percent or more of the frontage on one side of a block are developed with buildings, the required front yard depth shall be the average of the front yard depths of the two adjacent main buildings, or if there is only one adjacent main building the front yard depth of said main building shall govern; provided further that this regulation shall not be so interpreted as to require a front yard depth of more than 25 feet in any case.

2330 Mississippi St.

The required front yard setback for this property is 25 feet.

The owner proposes a front yard setback of 19 feet.

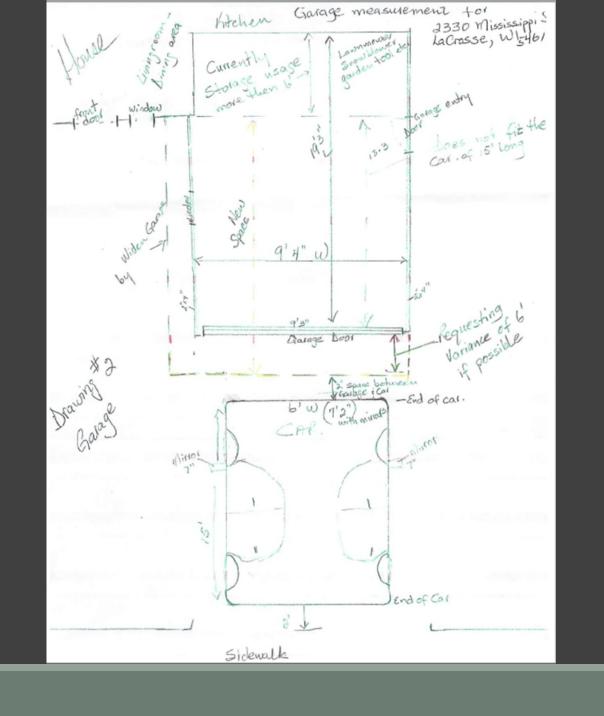
A variance of 6 feet to the required 25 foot setback will be needed for this project to proceed as proposed.











2330 Mississippi St.

There was no hardship stated in the application.

There is a unique property limitation because there is no alley access.

There is no harm to the public interest.

700 WEST AVE S

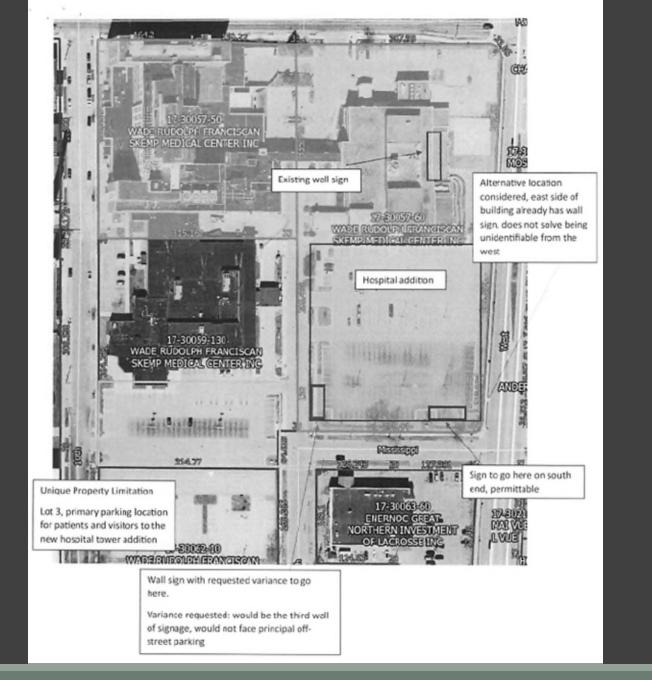
700 WEST AVE S

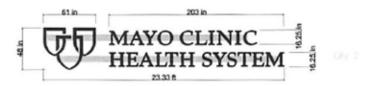
- The applicant has applied for a permit to add a wall sign to a third wall of the building that does not face the buildings principal off-street parking.
- ➤ Municipal code 111-94.-Wall Signs.

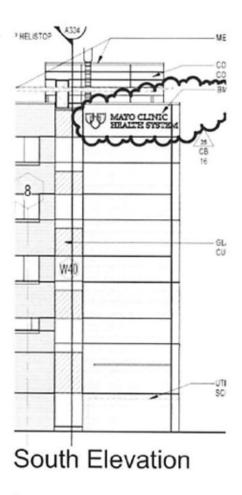
Wall signs may be placed on no more than two separate walls of a building. Such signs may be placed only on walls facing a public street or the principal off-street parking area serving the building. On walls less than 75 feet tall, signage may cover not more than 25 percent of the area of each wall measured at the first 30 feet in height. On walls 75 feet in height or more, signage may take up no more than ten percent of the area of the wall. No wall sign shall exceed 672 square feet.

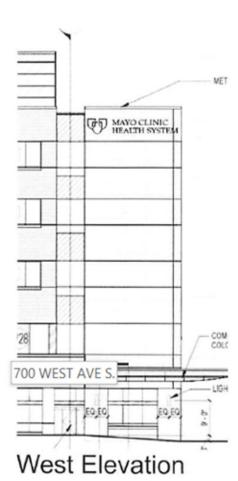
700 WEST AVE S.

- ➤ Wall signs are only allowed on two separate walls of a building and the walls must face a street or principal parking for that building.
- The applicant is proposing to install a wall sign, located on a third wall, which does not face the buildings primary off-street parking or a public street.
- Two variances will be required for this proposal to proceed as submitted. One variance to allow a wall sign on a third wall of the building and a second to allow for that sign to not face the buildings primary off-street parking or a public street.









Approved by:_____

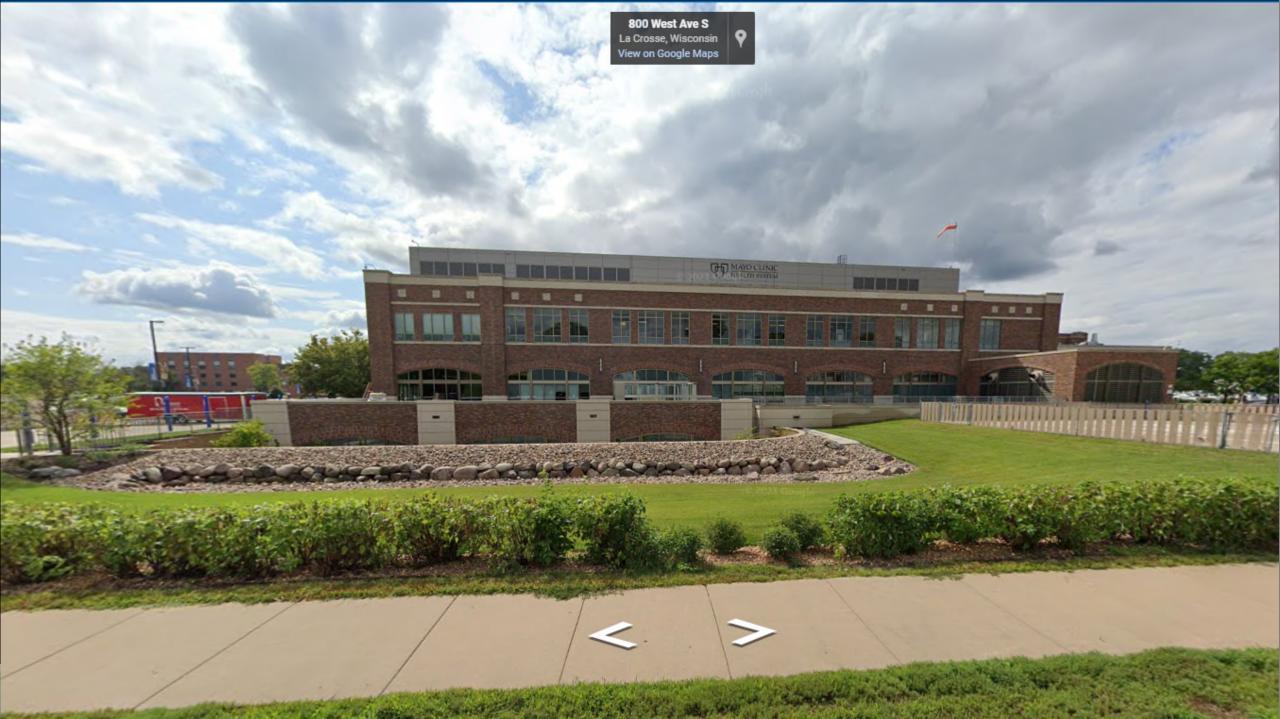
Date:___

Landlord:____

Date:

*Colors on sketch are only a representation, actual color of foodsed product may differ from this sketch.

*To make the best use of standard sized materials and control costs the size of the finished product may vary slightly





700 WEST AVE S

This is a self created hardship.

There is no unique property limitation.
This commercial lot is bigger than most lots in the City.

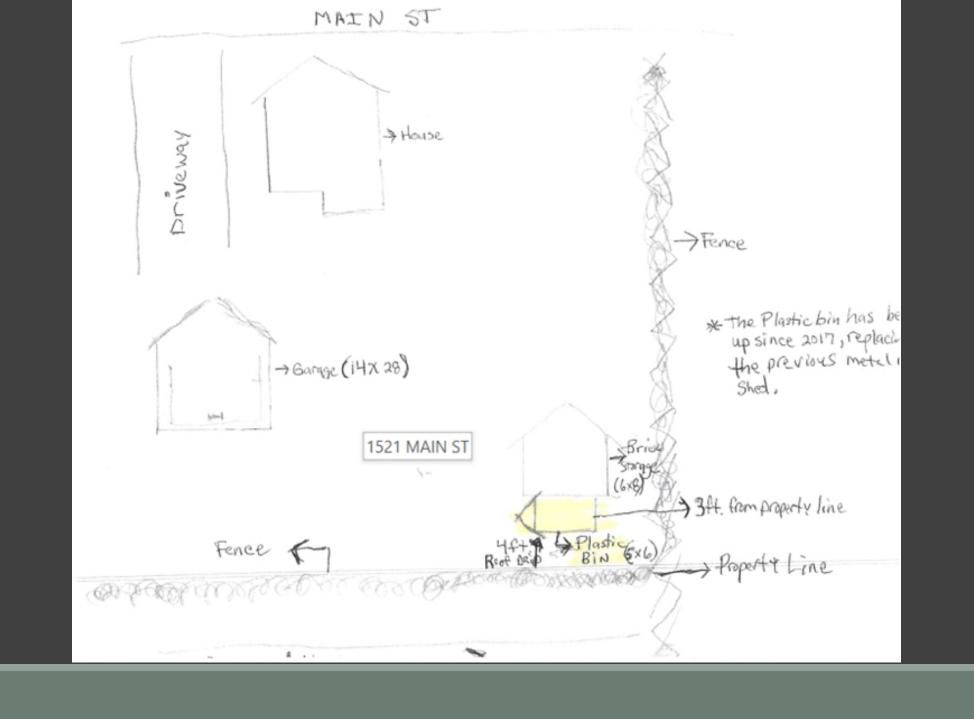
There is no harm to the public interest.

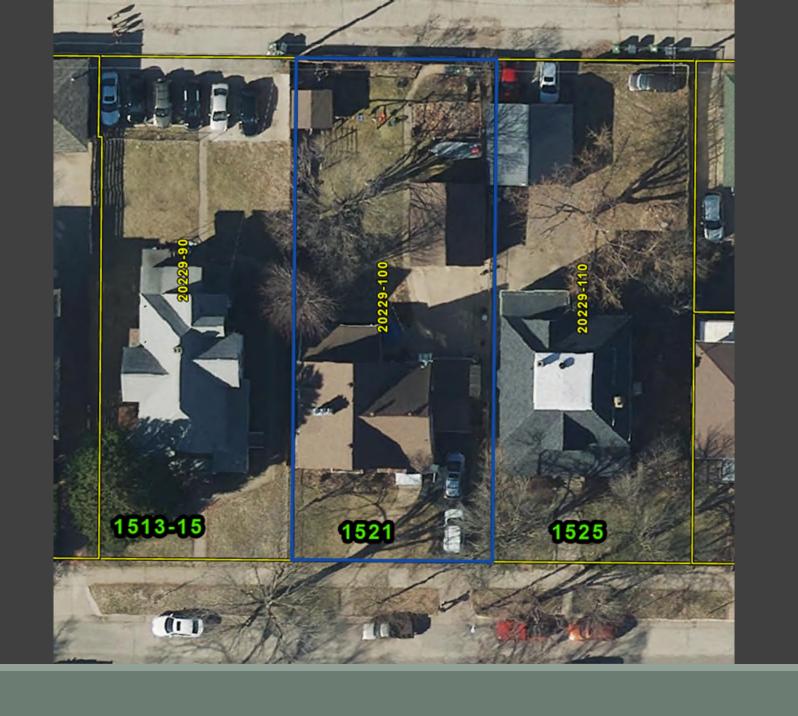
- The applicant has applied for a permit to have a second yard shed installed on the property in addition to the existing yard shed and detached garage.
- ➤ Municipal code 115-390(2)(c).
- In all residential zoning districts the aggregate building area of all detached accessory buildings shall not exceed 35 percent of the area of the rear yard of the parcel upon which they are to be built, up to a maximum 1,000 square feet of aggregate area of detached accessory buildings; provided, however, that the maximum aggregate area of all residential accessory buildings shall in no case exceed the gross finished floor area of the dwelling unit, excluding unfinished basement areas, to which they are accessory. Such detached residential accessory buildings may be placed in the rear, or side yard when not in conflict with any other requirement of this Code. Detached accessory buildings in the rear yard shall maintain minimum rear yard and side yard setbacks of two feet including roof line. In addition, to the requirements set forth above, a property with a tuck under garage shall be permitted to construct an unattached garage provided that the aggregate area of the two garages do not exceed all of the limits set forth above. The term "tuck under garage" means an attached garage which is built into the footprint of the principle structure and located below a habitable area of the house in its entirety. A garage shall be constructed of similar building materials and shall be similar in appearance as the principal structure. For purposes of this section, a shed no larger than 1,70 square test is permitted as an accessory building footprint.

➤ Only a single yard shed is allowed on a parcel.

The applicant is proposing to install a second yard shed on the property.

A variance allowing two yard sheds on a parcel will be needed for this project to proceed as proposed.







- This presentation shall be added to the minutes of this meeting