



Board of Zoning Appeals Agenda Item

Meeting Date: 11/9/21
From: Josh White, Principal Planner
Item: 306/308 S 2nd St lot split size variance

Purpose: Hold a public hearing to consider the advisability of granting a variance to the minimum lot size and required side yard setback for a proposed lot split at 308 S 2nd Street.
Motion: To approve/disapprove a variance for a lot split that would result in a lot size of 4,712 square feet and a side yard of 4.3 feet at 308 S 2nd Street

Background:

Brandon Jellings has requested a variance to the minimum lot size regulations. The subject property is located at 306/308 S 2nd Street. The property is currently developed with two homes. The area surrounding the property is residential and commercial. Residential surrounds the property with the exception of a hair salon at the northeast corner. There is a church to the southeast and the college campus is off to the northwest. The applicants are planning a lot split that splits 308 S 2nd from 306. This will result in a lot that does not meet the minimum size requirements for the district. Regulations allow for a minimum lot size of 5,600 square feet. The proposal is for a lot that is only 4,712 square feet. The proposed side yard will also be 4.3 feet which is less than the required 10 feet. The property is approximately 0.44 acres. The distance from the sign to the nearest house is approximately 250 feet away from the sign.

It is the recommendation of staff that a variance for a lot split that would result in a lot size of only 4,712 square feet be approved.

- The strict application of the zoning regulations would cause the applicant to not be able sell the second house separately.
- The granting of the variance will not be opposed to the general spirit and intent of the zoning regulations or Comprehensive Plan objectives.

It is the recommendation of staff that a variance to allow a side yard of 4.3 feet be approved

- The structure is pre-existing and will still be 9.2 feet from the existing garage and more than 10 feet from the other home.
- The granting of the variance will not be opposed to the general spirit and intent of the zoning regulations or Comprehensive Plan objectives.
- The structures were all built previous to the current regulations regarding setbacks.

Action:

Hold a public hearing. After the public hearing is closed, make a motion to approve/disapprove a variance to allow for a lot split that would result in a lot size of 4,712 square feet and a side yard of 4.3 feet at 308 S 2nd Street

Attachments:

Staff report, area map, survey