



To: BZA/PRC
From: Michaela Grant, Community Development Administrator
Date: November 14, 2024
Subject: Staff Report for BZA 24-04: 44 North West Street (McWilliams)

Summary of the Request

The applicant, Bradley McWilliams, is requesting approval for variances of Zoning Code section 18.05A to allow the construction of an accessory structure at 44 North West Street, measuring approximately 2.376 acres. The accessory structure is proposed to be 1,680 square feet (42 feet by 40 feet) with a side wall height of 16 feet and a roof pitch of 4":12"—total height not to exceed 25 feet (two variances of 18.05A total). The main building material is planned to be metal with two garage doors, two pedestrian doors, five double-hung windows, and an attached lean-to/porch measuring 160 square feet (20 feet by 8 feet). The flooring material is concrete. The location of the proposed accessory structure is in the rear yard facing east, with access from the driveway on North West Street. The structure's attached lean-to/porch is proposed on the left side of the structure facing south, and the garage doors are proposed to face east. Drainage is planned to be adequate to the building size with gutters and downspouts.

Zoning Code for reference (with applicable portions to the request bolded):

18.05A Accessory Buildings

In a residential zone, no garage or other accessory building shall be erected within a required side yard or front yard.

When located at least sixty (60) feet from the front property line and completely to the rear of the main dwelling, the accessory building may be erected not less than eight (8) feet from the side or rear lot lines. Provided that when access to a garage is from an alley, such garage shall be located not less than ten (10) feet from the alley.

When located less than sixty (60) feet from the front property line and not completely to the rear of the dwelling, garages shall be constructed as a part of the main building or connected thereto by a covered breezeway.

Corner lot accessory buildings must be placed within the boundaries of the required rear yard as governed by Article 7, Sec. 7.10, Yard and Lot Requirements.

*No detached accessory building measuring up to three hundred (300) square feet in Residential and B-1 Districts shall exceed one (1) story or twelve (12) feet in height and **no detached accessory building in Residential and B-1 Districts measuring from 301-600 square feet shall exceed one (1) story or 15' in height.***

Detached accessory buildings (including garages) constructed on a one family lot shall not exceed, in the aggregate, six hundred (600) square feet.

Applicant Information

Bradley McWilliams, Applicant

Mary Lou McWilliams, Owner

Current Zoning District

R-1A, One-Family Residential

Parcel Identification

L35000100020006600

Additional Actions or Next Steps to be taken by the City

The Board of Zoning Appeals will make a final decision on the variance requests at the November 19, 2024, meeting.

Applicant's Reason for the Request

The applicant wishes to construct the accessory building at the requested size and height to accommodate recreational vehicle storage.

The applicant's statement regarding the request is included in the packet.

Surrounding Land Use within 1,000 Feet

The surrounding land uses within 1,000 feet include various Residential (R-1B, R-1A, R-3, PD-1), Office Building (O-1), Central Business District (B-4), and Agricultural (A-1).

Previous Related Development Decisions in the Immediate Area (3-5 Years)

In October 2014, a Village Review Board work session was held to discuss options for the property (demolition and rebuild, addition, driveway relocation). The details of this meeting are included in the packet.

Comprehensive Plan Applied to the Geographical Area

The Comprehensive Plan encourages development in the Old Village District.

Existing Public Utilities

Existing public utilities include water, storm, sanitary sewer, gas, and electric.

Soil Survey Data

N/A

Classification of Streets, Traffic Volumes & Direction, Planned Improvements

N/A

Floodplain Information

The property is not in the floodplain.

Comments from City and County Agencies

The Village Review Board formally recommended approval of the request as submitted at their November 6, 2024, meeting. As a point of clarification, where the original submittal listed the accessory structure height at 16 feet, it was understood at that time that this was the total height from the roof apex to the foundation; however, that figure was for the side wall height. The building's roof pitch is 4":12" and will exceed the originally submitted 16-foot accessory structure height (not to exceed 25 feet).

Supporting Maps & Graphics

Supporting documents are attached.

Staff Recommendation

Staff recommends that the Village Review Board consider the request.