



# CITY OF MARSHALL AGENDA ITEM REPORT COUNCIL 3/26/24

<b>Presenter:</b>	Ilya Gutman
<b>Meeting Date:</b>	Tuesday, March 26, 2024
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider the request for a Variance Adjustment Permit for a reduced front yard setback at 608 Adobe Road
<b>Background Information:</b>	<p>This is a request from the property owner to construct a 20-foot garage addition to an existing garage, which will result in only about 12-foot front setback, or a reduction of about 50% from required. Constructing a 14-foot-wide addition will provide an almost 17-foot setback to the garage corner, about a 30% reduction. Required setback is 25 feet on all public streets, including circles.</p> <p>By State Statutes and City Ordinance, granting of a variance may be permitted only if the request meets the “practical difficulties” test, which requires that proposed use is reasonable, that the problem is caused by conditions that are unique to this property, and that granting the variance will not change the character of the area.</p> <p>Upon review, city staff believes that the argument could be made that this proposal generally meets first and third parts of the test: Extending garage is a reasonable idea and, since only a corner of the proposed addition will stick into required front yard, the character of the area will not change; however, there seems to be nothing unique in this property, as there are many other similar cul-de-sac lots in town.</p> <p>The Planning Commission conducted a public hearing and recommended denial.</p> <p>The variance regulations and procedures are found in Section 86-29. A property aerial photo and a drawing are attached for reference.</p>
<b>Fiscal Impact:</b>	None known.
<b>Alternative/ Variations:</b>	Approve the request by Randy VanLeeuwe for a Variance Adjustment Permit for a reduced front yard setback to 16 feet in lieu of required 25 feet with the condition that the new garage addition is 14 feet wide.
<b>Recommendations:</b>	Deny the request by Randy VanLeeuwe for a Variance Adjustment Permit for a reduced front yard setback.