

**CITY OF MARSHALL
AGENDA ITEM REPORT
COUNCIL 4/14/26**

Presenter:	Ilya Gutman
Meeting Date:	Tuesday, April 14, 2026
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Consider the Request of Jeff Greenwood for a Variance Adjustment Permit for an enlarged garage with reduced side yard.
Background Information:	<p>This is a request from the property owner to build an addition to an existing detached garage in the back yard. The existing garage is 1,080 SF and was built in 1993 with a variance to allow for two feet side yard instead of required five feet. The owner wants to add a 600 SF addition on the south side of the garage and change garage access point from Church Street to the alley.</p> <p>Zoning Ordinance requires that detached garages do not exceed 1,000 SF and do not occupy more than 25% of the rear yard of the property. This garage will have an area of 1,680 SF and occupies about 38% of the rear yard. Additionally, this addition will align with existing garage, which means that it will also have only a two-foot setback.</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 believe that this application does not meet the second and third parts of the test. The lot is very ordinary and no different from other lots in the area and there are no other garages of this size in the neighborhood.</p> <p>The owner asserts that changing access to the alley instead of the street will enhance safety at a busy street, especially when church across the street is in session. The owner also states that he intends in the future to combine this lot with an adjacent lot, which he also owns; this lot combination will eliminate a need for variance for the Ordinance provision requiring that an accessory building would not occupy more than 25% of the rear yard, because such combination will at least double the rear yard size; however, the garage would still be larger than permitted 1,000 SF, and a variance would still be required.</p> <p>The variance regulations and procedures are found in Section 86-29. A property aerial photo is attached for reference.</p> <p>The Planning Commission conducted a public hearing on April 8, 2026, and unanimously recommended denial.</p>
Fiscal Impact:	None.
Alternative/ Variations:	None recommended.
Recommendations:	Planning Commission and staff recommend that the City Council deny the request of Jeff Greenwood for a Variance Adjustment Permit for an enlarged garage with reduced side yard.