



**CITY OF MARSHALL  
AGENDA ITEM REPORT  
COUNCIL 5/14/24**

<b>Presenter:</b>	Ilya Gutman
<b>Meeting Date:</b>	Tuesday, May 14, 2024
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	ACTION
<b>Subject:</b>	Adoption of Ordinance - amending Section 86-162 Yard Modification
<b>Background Information:</b>	<p>The last variance application staff had to process was a request for a reduced front yard for a garage addition. The house was located at the corner of a street and cul-de-sac, which effectively cut out a back corner out of the lot. This is not an uncommon situation for similarly located lots throughout the city, so the Council denied the request following staff recommendations, because the lot was not sufficiently unique, which is one of the conditions for “practical difficulty” test for granting a variance.</p> <p>However, during the Planning Commission meeting, one of the members questioned the general applicability of the typical front yard requirement to similar situations. During the following internal discussion, staff reviewed other circles and came to the conclusion that reducing front yard for curved portions to 15 feet instead of otherwise required 25 feet is not going to be detrimental to the neighborhoods. In fact, most likely, for all practical purposes, this reduction will only be pertinent to some corner lots at the cul-de-sac entries, since other, pie-shaped lots will not have long enough frontage to utilize reduced yard.</p> <p>An aerial photo to illustrate this common condition is attached.</p> <p>The Planning Commission conducted a public hearing on April 10, 2024, and unanimously recommended approval.</p> <p>At its March 26, 2024, meeting, Legislation and Ordinance committee also reviewed this change and recommended approval.</p> <p>The Ordinance Amending Section 86-162 Yard Modification was introduced at the April 23, 2024, City Council meeting.</p>
<b>Fiscal Impact:</b>	None.
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	Planning Commission and staff recommend that the Council adopts the Ordinance amending Section 86-162 Yard Modification and authorize its summary publication.