



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, October 22, 2019
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	INFO/ACTION
<b>Subject:</b>	Request for a Variance Adjustment Permit for Charles Hess at 109 8 <sup>th</sup> Street South
<b>Background Information:</b>	<p>The owner wants to subdivide the property and carve a piece out on the northwest side to sell. The property has a public roadway easement along the southwest property line that significantly reduces buildable area. Additionally, some buildings along this easement do have 15 feet yard opposite the easement. Based on the above considerations (uniqueness of a wide easement and fitting into essential character of the locality with other buildings) the staff believes a variance request is justified.</p> <p>The variance regulations and procedures are found in Section 86-29 <a href="https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIADEN_DIVIGE_S86-29VA">https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIADEN_DIVIGE_S86-29VA</a>. A property aerial photo with Hess's parcel 27-485-004-0 shown hatched is attached for reference.</p> <p>At the Planning Commission meeting on October 9, 2019, a motion was made by Knieff, second by Fox to recommend approval to the City Council of the request by Charles Hess for a Variance Adjustment Permit for reduction of the required rear yard from 25 feet to 15 feet as recommended by staff. All voted in favor of the motion.</p>
<b>Fiscal Impact:</b>	None known.
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	that the Council approve the request by Charles Hess for a Variance Adjustment Permit for reduction of the required rear yard from 25 feet to 15 feet.