



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, August 25, 2020
Category:	NEW BUSINESS
Type:	INFO/ACTION
Subject:	Request for a Variance Adjustment Permit by Steven W Mohwinkel and Jacki D Knigge at 310 West Redwood Street
Background Information:	<p>The property owner desires to add a new four-season porch to the corner of the house located at the intersection of West Redwood Street and North 4th Street. Currently, the existing front yards are 10 feet off N. 4th Street and 12 feet off West Redwood Street, so the house is already projecting into required 25-foot front yards. The new addition is proposed to project even more leaving just 5 and 8 feet between the proposed addition and sidewalks. This location will also interfere with the visibility triangle defined by 25-foot legs along the property lines starting at the property corner.</p> <p>To grant a variance, City Ordinance would require the presence of practical difficulties. The term "practical difficulties," as used in connection with the granting of a variance means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality.</p> <p>Based on the above information and considering that there are no houses nearby that are close to the street corners, staff does not believe that there are practical difficulties in this case and therefore recommends that the variance be denied.</p> <p>At the meeting, Mr. Mohwinkel presented a drawing showing wide boulevards which, in his mind, allowed for unobstructed sight of view at the intersection.</p> <p>The variance regulations and procedures are found in Section 86-29 https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIADEN_DIVIGE_S86-29VA. A property aerial photo and the owner's sketch are attached for reference.</p> <p>At the Planning Commission meeting on August 12, 2020, a public hearing was held and a motion was made by Fox, second by Knieff to recommend approval to the City Council of the request by Steven W Mohwinkel and Jacki D Knigge for a Variance Adjustment Permit for construction of a four-season porch within required front yard. All voted in favor of the motion.</p>
Fiscal Impact:	None known.
Alternative/Variations:	Deny the request as recommended by staff.
Recommendations:	The Planning Commission recommends that the Council approve the request by Steven W Mohwinkel and Jacki D Knigge for a Variance Adjustment Permit for building a porch within required front yard as shown on the drawing