



**CITY OF MARSHALL
AGENDA ITEM REPORT
COUNCIL 7/14/26**

Presenter:	Ilya Gutman
Meeting Date:	Tuesday, July 14, 2026
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Consider the request of Turkey Valley Farms for a Variance Adjustment Permit for a reduced side yard for new structure.
Background Information:	This is a request from the owner to build a condenser platform five feet off the property line. This platform will be built next to the existing building along the railroad. This lot is a corner lot so rear and side yards may be selected based on convenience. In this case, we may consider a property line along the railroad right of way a side yard since the other one meets the requirements for a rear yard. This is an I-2 general industrial district and minimum side yard is ten feet. 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. Upon review, city staff believe that this application meets all three parts of the test. The lot is unique as it borders the railroad right-of-way, which rules out any buildings next to the property line on adjacent lot, and there are other structures already very close to the railroad in this area. The variance regulations and procedures are found in Section 86-29. A property aerial photo is attached for reference. The Planning Commission conducted a public hearing on July 8, 2026, and unanimously recommended approval.
Fiscal Impact:	None
Alternative/ Variations:	None
Recommendations:	The Planning Commission and staff recommends that the Council approve the request of Turkey Valley Farms for a Variance Adjustment Permit for a reduced side yard for new structure.