

AGENDA REPORT

DATE January 6, 2004

ITEM Variance Request 2111 6th Avenue South, L 12, B 11, Huy Addition

INITIATED BY Rodney Beall, Property Owner

ACTION REQUESTED Approve Variance

PREPARED & PRESENTED BY Joe LaForest, Parking & Zoning Supervisor

REVIEWED & APPROVED BY Mike Rattray, Community Development Director

RECOMMENDATION:

The Board of Adjustment recommends that the City Commission **approve** the variance request.

MOTION:

I move that the City Commission approve the variance as recommended by the Board of Adjustment.

SYNOPSIS:

Rodney Beall, owner of the property located at 2111 6th Avenue South, and legally described as L 12, B 11, Huy Addition, has requested a variance to Section 17.45.020. **The variance would reduce the required rear setback from 25' to 21'. The applicant wants to build an addition to the rear of the house.**

BACKGROUND:

Section 17.45.020 of the City Code states that for any property located within an "A" Area district a 25' rear setback is required. Mr. Beall wants to build an addition to the rear of the house and maintain a 21' rear setback. The Board heard the request on Thursday, December 11, 2003. The historical variance file showed several side and front setback variances and one similar rear setback variance (7/7/76 at 2100 4th Ave S - allowed an enclosed patio to w/in 6' of the rear lot line) in the immediate area. In addition, Ordinance 1194 (approved 10/31/55) changed the Use and Area zoning of Block 10, Huy Addition to "B" Area and "B" Use. The "B" Area allows 20' rear setbacks.

Staff reviewed the application, the required setbacks, the similar rear setback variance at 2100 4th Ave S, and noted that Ordinance 1194 changed the Use and Area zoning of Block 10, Huy Addition. Staff also mentioned that neighbor Ron Ukrainitz (2104 5th Ave S) called to voice his support for the variance and that there were no calls opposing the variance. Rod Beall presented his application, described the plan for the structural renovation, and explained the need for the renovation/expansion. There were no opponents present. The Board briefly discussed the application and quickly acknowledged that, given the need for structural renovation, the strict application of the setback standard would unnecessarily, and adversely, affect the necessary repair work. Furthermore, a 21' rear setback is not noticeable and is neither detrimental to the public welfare nor injurious to the property or improvements in the area. Following the discussion, the Board voted unanimously to recommend the approval of the variance.

Mr. Beall's application and site plan are attached for the Board's use.