

MEMORANDUM



TO: Mayor & City Council
 FROM: Mary Lou DeWitt, Comm. Dev. Zoning Specialist
 SUBJECT: Variance for 1701 8th Avenue North
 DATE: June 21st, 2022

Informational only – No Action Required

Background:

R.W. Properties, LLC submitted an application for a variance to allow approximately 4’ feet of the west corner of the twin home garage to be built in the front yard 30’ foot plated setback. The property site is located at 1701 8th Avenue North and zoned R-2, Residential District.

Analysis:

The development of Northfield Commons was platted for twin homes in 2003. At the time, the front yard setback was 30’ feet. Since then, the R-2, Zoning District Ordinance has been amended where the front yard setback is 20’ feet for twin homes. With this being said, the 30’ foot plat setback will be observed in distinction of the placement of utilities. There is a storm main located on the south portion of the lot and runs to the catch basin on 8th Avenue North. The variance request will not make the building site any closer to the water main. This variance is for only the one side of the twin home set where the angle of the lot makes it impossible to build the same design of twin home for this development.

After this set of twin homes, there is one pair left to be built and the development will be complete. The remaining twin home set will not have an issue with meeting the setbacks.

Yard Requirements for R-2 District (Amended 01-12-17; Ord. 745, Amended 3-23-17; Ord. 747)

Current R-2 District Ordinance

	One Family	Two-Family Dwelling	Twin Home	Townhouse	Accessory Use	Other Building
D. Front yard minimum setback (living area)	25	30	20	30	NA	
E. Front yard minimum setback (front porch)	20					



Variance Review Standards:

According to Section 2 of Chapter IV of the Zoning Ordinance, requests may be made for variance from the literal provisions of the Zoning Ordinance in instances when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance. *A variance shall not be granted by the Planning Commission unless it conforms to the following standards:*

1. Is the variance in harmony with the general purposes and intent of the Zoning Ordinance?

Comment: One of the purposes of the Zoning Ordinance is to establish regulations to promote the public health, safety, morals, and general welfare of the residents of Princeton, which is accomplished through regulating the location of structures. The proposed twin home garage west corner will only be 3.63 sq. ft. in the 30' foot setback.

2. Is the variance consistent with the Comprehensive Plan?

Comment: This is consistent with the Comprehensive Plan as residential improvements of neighborhoods and encouragement of residential growth.

3. Does the property owner proposed to use the property in a reasonable manner not permitted by the Zoning Ordinance?

Comment: The focus of this review is whether the request of building a new twin home where the west corner of the attached garage is 3.63 sq. ft. in the 30' foot setback. Staff believes placing the proposed home closer to the front yard setback is reasonable.

4. Are there circumstances unique to this property not created by the landowner?

Comment: The lot layout along with the bend in the road make it difficult to not intrude in the 30' foot setback. Also, this twin home development is in an homeowners association so reducing the garage size would make it difficult for storage and storage sheds are not allowed.

5. Will the issuance of the variance maintain the essential character of the locality?

Comment: The issuance of the variance will maintain the essential character of the locality. This is a twin home development that has the same standard design throughout.

6. Does the alleged practical difficulty involve more than economic consideration?

Comment: Yes, the alleged practical difficulty involves more than economic considerations because of the layout of the lot makes it difficult to build the same twin home design in this development.

Conclusion / Recommendation:

Based on the findings that the variance met the listed Variance Review Standards, the Planning Commission approved the Variance to allow approximately 4' feet of the west corner of the twin home garage to be built in the front yard 30' foot platted setback, subject to the following conditions:

1. A Building Permit and Water & Sewer Permit shall be obtained prior to construction.
2. Sodding or seeding along with driveway completion must be completed prior to issuing a Certificate of Occupancy. If unadvisable, a temporary Certificate of Occupancy may be issued subject to an escrow deposit to assure compliance by no later than July 1st of the following year.

