



MEMORANDUM

TO: Zoning Board of Adjustment

FROM: [Joseph Giant](#), City Planner, (612) 673-3489

DATE: October 29, 2014

SUBJECT: Item #6: Continuance of variance at 4831 Thomas Ave S (BZZ-6814)

The subject of this variance is to increase the height of an accessory structure at 4831 Thomas Ave S. The need for this variance arose from a City inspection of the garage which revealed that it had been built higher than is allowed. According to the site plan provided by the applicant, which was based upon pin locations discovered by a licensed land surveyor, the garage appeared to meet the required 1-foot setback.

On Friday, October 3, Staff received a land survey of the property commissioned by a neighbor. The new survey was also prepared by a licensed land surveyor. This survey showed the location of the garage to be 0.6 feet from the property line. Based upon the information in the second survey, the applicant would need a setback variance in addition to the height variance.

On October 9, 2014, the Board of Adjustment continued this item to the November 6th hearing to give both parties time to reconcile the surveys. Unfortunately, a resolution between the two parties has not occurred, so the item needs to be continued a second time.

Staff has requested that the item be **continued** until the December 11th Board of Adjustment meeting in order for the discrepancies between the two surveys to be addressed and/or to give the applicant time to modify his plans.

The application was deemed complete on September 23, so the first 60-day clock would expire on November 23, 2014. On Wednesday, October 29, 2014, a 60-day extension letter was sent to the applicants because this continuance would extend beyond the first 60-day cycle.

Below is the modified staff recommendation for the item.

Thank you,

Joe Giant

6. 4831 Thomas Avenue South (BZZ #6814, Ward 13) (Joe Giant)

Rick Severson, on behalf of Dave and Megan Gerlach, has applied for a variance to increase the height of an accessory structure from 12 feet to approximately 13.5 feet, measured to the midpoint, for the garage located at 4831 Thomas Avenue South in the R1 Single-Family district.

Staff Recommendation: The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt staff findings and continue the application for variance to increase the height of an accessory structure from 12 feet to approximately 13.5 feet, until the December 11th Board of Adjustment meeting.