

MEMORANDUM

TO: Members of the Board of Zoning Appeals  
FROM: Richard A. Hayward, City Manager *RAH*  
SUBJECT: Request for Variance - Eldor and Fern Cordes.  
DATE: April 30, 1987

*BZA87-09*

RECOMMENDATION

It is recommended that the Board of Zoning Appeals approve a Variance for Eldor and Fern Cordes to allow the construction of a garage within the rear yard setback at 1132 Willard Street.

BACKGROUND

A petition has been received from Eldor and Fern Cordes, 1140 Lagrange Street, requesting a Variance to Section 151.33(B)(1) of the City of Napoleon, Code of Ordinances to allow the construction of a garage within the rear yard setback on their property located at 1132 Willard Street. The request is to construct a 20 foot by 24 foot detached garage on the property. This would put the garage approximately 2.5 feet into the rear yard setback, and 4 feet into the side yard setback. The setbacks in the "A" Residential Zoning District are 5 feet in the rear and 10 feet on the side for accessory buildings.

The lot in question is a triangle which makes the construction of any building difficult. In fact, part of the house already on the lot is in the alley right-of-way. As such, this does make the situation rather exceptional.

The request meets the Standards for Variation in the following manner:

- 1) The configuration of the lot makes building to the standard of the zoning code difficult is not impossible. This makes the request exceptional in nature.
- 2) The Variance is necessary to allow construction on this property which is a right enjoyed by others in the district.
- 3) Granting the Variance will not be materially detrimental to the public welfare.
- 4) Granting the Variance will not alter the land use characteristics of the district.

RAH:skw