

The lot was an original 66 foot wide by 132 foot deep lot with a detached garage in the rear yard. The garage that used to go with the property has since been split off from land now deeded to the adjoining property to the southwest, 416 2nd St. SW. He is asking for relief of the required 25 foot front yard setback to match the proposed front of his garage with the existing setbacks established on this side of the block for housing along 4th Ave. NW. Mr. Peth is asking for relief of the required 5 foot side yard setback to allow for a 4 foot wide walkway space between the proposed garage and existing house, instead of a resulting 3 foot space with the 5 foot side yard setback enforced. He noted the garage, as proposed, is the minimum necessary to house one vehicle.

Chairperson Lampe stated the property to the east, at 109 4th Ave. NW, had a front yard variance issued to allow for the construction of a front porch to match the setback of the subject property and a precedent along this block is in place.

Member Shea confirmed with Mr. Peth placing the garage in the rear yard would not allow for much open space left in the rear yard. Member Charlson confirmed with Mr. Peth that moving the house further into the back to meet the required 25 foot front yard setback would result in the garage being in close proximity to the rear side of the house at 416 2nd St. NW. In addition, he continued, allowing the front-yard variance as presented would provide more space between these buildings. Vice-Chairperson Brown and Ms. Shea stated they find by allowing the front yard proposal, this would be in conformance with the front yard setbacks currently found along this side of the block along 4th Ave. NW. They continued that reducing the side yard setback from 5 feet to 4 feet, however, may not be desirable to the west property owner, as this is their rear yard and no hardship has been demonstrated for this side yard variance request. Member Gidley stated the lack of space in the rear yard resulting from placing a garage with the required front yard setback requirements in this case may be unreasonable as this would prevent a garage being able to be placed on other properties in this area.

e) *Motion by the Board:*

Motion By: Charlson

Seconded By: Shea

Move that a variance to allow the proposed detached garage to be 15 feet, or equal to the front of the house limits, whichever is less, from the front (north) property line be granted.

Yes: 5

No: 0

Absent: 0

E. Old Business:

None

F. New Business:

Secretary Kohout indicated a meeting has been scheduled for Monday, January 11, 2010 at 7pm in the Waverly Civic Center and inquired if the members would entertain a 6pm start time. The members agreed to the 6pm start time.

G. Adjournment:

Motion By: Shea

Seconded By: Gidley

That the Board of Adjustment meeting be adjourned.

Yes: 5

No: 0

Absent: 0