

CITY OF DELANO



REQUEST FOR ACTION

<u>Department Head</u>	<u>City Council Date</u>	<u>Agenda Item</u>
Marlene E. Kittock, City Clerk	April 13, 2009	

Consider a request from Laurence and Joan Rieder of 600 Buffalo Street requesting guidance regarding the construction of an accessory structure in excess of 1200 square feet.

ACTION REQUESTED

Consider a request from Laurence and Joan Rieder of 600 Buffalo Street requesting guidance regarding the construction of an accessory structure in excess of 1200 square feet.

BACKGROUND

Laurence and Joan Rieder own two adjacent parcels along Buffalo Street. Their residential home exists on the parcel addressed as 600 Buffalo Street. The adjoining lot was an administrative subdivision that was approved on October 26, 2006 when it was under the previous ownership of Jeff Vanderlinde and subsequently then sold to Mr. Rieder. At the time of the sale the southern lot had both a residential home and detached accessory 380 square foot structure located on it. The resident unit has since been demolished and the accessory garage has been restored with a new roof, siding and some minor wall straightening. Mr. Rieder intends on consolidating the two lots into one 1.5 acre lot thus making the southern lot conforming as accessory structures are not allowed without a principal structure on the parcel.

Mr. Rieder has a 630 square foot attached garage unto the home on the northern lot. Mr. Rieder would like to construct an addition unto the old shed of 530 square feet with roof tresses for storage on the second floor and car port type lean-to storage area of 250 square feet. Mr. Rieders first design included an interior stair well for access to the second storage area. Mr. Rieder has agreed to change the second floor access to a shipman's ladder, thus insuring that the second floor will remain as a storage area and would not be converted to a living space in the future.

The issue is that the properties are currently zoned R-4 and only allow for a total of 1200 square feet of total garage space. On R-1 Zoning district allows for 1500 square and the R-E allows for 2000 square feet of garage area.

These parcels were part of comprehensive rezoning that occurred in November of 2007 in which staff anticipated that these lots and some of the surround area would be re-subdivided into smaller single to two-family parcels.

Mr Rieder's options are to pursue one of the following application options:

- 1) Pursue a variance to exceed the total allowable square footage for the an accessory structure of 1200 to 1500 square feet of accessory area.
- 2) Pursue a rezoning of the consolidated parcel to an R-1 residential zoning district and remove the 250 square foot lean to car port area to. The maximum square footage would be 1500 square feet.
- 3) Or pursue a rezoning of the consolidated parcel to an R-E. larger lot residential zoning district thus allowing up to 2000 square feet of total garage floor area.

Alan Brixius has provided brief synopsis of the issues and suggested that the Planning Commission provide some direction as to which application would best be pursued.

The consolidation of the two lots would be a condition of any of the aforementioned options. Staff has advised Mr. Rieder that based on the aerial photo as depicted on the County's Web Site "Beacon" that an issue may exist regarding the recording of the original 2006 minor subdivision. It appears from reviewing that Mr. Rieder owns the entire southern parcel of land and not the smaller subdivided parcel. Mr. Rieder and staff have already discussed this issue with the previous owner Mr. Vanderlinde. They have agreed to resolve this potential property line/ownership issue.

Mr. Rieder understands that will each of these options and formal public hearing process will need to be applied for. He is simply looking for a preliminary opinion from the City and the Planning Commission in order to minimize the application and related design fees.

ATTACHMENTS

- Exhibit A. Mr. Rieder's Request for direction
- Exhibit B smaller garage with interior Ladder system
- Exhibit C Larger garage with shipman ladder system
- Exhibit D Alan Brixius' email dated March 31, 2009
- Exhibit E County Aerial printed on March 31, 2009
- Exhibit F Zoning / site map
- Exhibit G. Finding of Fact for minor subdivision dated October 26, 2006