

HASTINGS BOARD OF ADJUSTMENT

A meeting of the Hastings Board of Adjustment has been scheduled for Thursday, October 24, 2024 at 4:00 PM at the Hastings Municipal Airport 3300 W 12th St, Hastings NE 68901.

AGENDA:

1. Call to Order
2. Roll Call
3. Approval of Minutes
 - a. **2024-238.** Meeting of July 25, 2024
4. Motion to adopt the current agenda for the Board of Adjustment meeting.
5. Public Notice -Official Notice of the Regular Meeting was published in the Hastings Tribune on Saturday, October 12, 2024. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.
6. New Appeals or Requests
 - a. A Variance request, filed by Andrew and Abigail Vrbas, to allow a garage to be constructed on the site that reduces the rear yard setbacks on the south side of the property from 10.2 feet to 4 feet. Additionally, the setback on the east side of the property would be reduced from 10 feet to 4 feet. The Variance is for property at 500 E 9th Street, City of Hastings, Adams County, Nebraska.
7. Adjournment

CITY OF HASTINGS,
NEBRASKA MINUTES OF
BOARD OF ADJUSTMENT
THURSDAY, JULY 25, 2024

Pursuant to due call and notice thereof, a meeting of the Hastings Board of Adjustment was conducted in the Hastings Municipal Airport, 3300 W 12th Street, Hastings, Nebraska on July 25, 2024.

The meeting was called to order at 4:00 p.m. in Regular Session by Chair Byron Jorgensen, with the following members present Ann Hinton, Byron Jorgensen, Dan Schwartzkopf, and Nic Dowling.

City Officials present were Jesse Oswald, City Attorney, Lee Vrooman, Director of City Engineering, Chad Bunger, Director of Development Services, Ember Batelaan, City Planner, Lily Teeple, Planning Intern, and Melissa Woodard, Administrative Assistant.

Chair Jorgensen led the Commission in the recital of the Pledge of Allegiance to the United States of America.

Chair Jorgensen called for a motion to adopt the current agenda for the July 25, 2024, meeting. Moved by Hinton, seconded by Dowling, to adopt the current agenda. Voice Roll Call: Ayes: Jorgensen, Schwartzkopf, Hinton and Dowling. Nays: None. Motion carried: 4-0.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Saturday, July 6, 2024. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material, which will be discussed at today's meeting is available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

APPROVAL OF MINUTES

Meeting of January 11, 2024

Chair Jorgensen called for a motion to approve the January 11, 2024, minutes. Moved by Hinton to approve the January 11, 2024, minutes, with one correction. Seconded by Schwartzkopf. Voice roll Call: Ayes: Jorgensen, Schwartzkopf, Hinton and Dowling. Nays: None. Motion Carried: 4-0.

Public Hearings

a. A Variance request, filed by Andrew and Abigail Vrbas, to allow a garage to be constructed on the site that reduces the rear yard setbacks on the south side of the property from 10.2 feet to 4 feet. Additionally, the setback on the east side of the property would be reduced from 10 feet to 4 feet. The Variance is for property at 500 E 9th Street, City of Hastings, Adams County, Nebraska. The applicant had requested, via email, that the item be tabled to August 22nd, 2024, because they could not attend. Staff recommends the item be tabled. Hinton moved to table the Vrbas Variance until August 22nd, 2024. Seconded by Dowling. Ayes: Jorgensen, Schwartzkopf, Hinton and Dowling. Nays: None. Motion Carried: 4-0.

Chair Jorgensen opened the Public Hearing.

b. A Variance request, filed by Jacque Cranson-Small Town Famous, to allow for a projecting sign in the C-2, Central Business District, to be larger than the allowed 12 square feet. The proposed sign is to be 40 square feet. The Variance is for the property at 705 W 2nd Avenue, City of Hastings, Adams County, Nebraska. Bunger provided a summary of the Staff Report. Staff recommended approval of the Variance by the Board of Adjustment for the proposed sign to be 40 square feet for the property at 705 W 2nd Avenue, City of Hastings, Adams County, Nebraska.

Dave Rippe at 701 W 1st Street, representing the applicant, explained the request is about the proportionality of the sign and the building. Rippe described how the applicant has worked with the National Historic Office and the Parks Office to maintain the historical character of the building. Both agencies wanted consistency and suggested a projecting sign as being more appropriate.

Terence Miller, Sign Doctor, 619 S Hastings Ave, described a recent Board of Adjustment application for a Variance that was similar to the proposed request. Miller stated that they designed the sign permit and variance application. Miller asked the Board to be consistent or to update the sign regulations to address the repeated issue.

Jorgensen asked why this variance request was different from the stated example.

Bunger said that the example was before his time with the City. Bunger stated that staff has reviewed the sign codes, agrees the sign regulations need updating and is proposing changes that would address both issues.

Jorgensen and Bunger discussed how best to handle the past example and if the owner or sign contractor could reapply for another variance. Bunger stated that the best route would be to update the regulations, which should occur soon. Bunger said he would be in touch with the sign contractor to discuss the proposed regulations.

Jorgensen and Miller discussed whether his clients would be interested in that solution.

Jorgensen asked Bunger if the sign code would allow bigger signs. Bunger said it is still being drafted and reviewed, but in some cases, it would allow for signs that are appropriate for the building and zoning district. The new codes should be approved in the next few months.

Craig Hubbard, 2100 E 12th Street, was also denied a sign permit and it appears the Board is choosing who they approve, hoping that is not the case and agrees they should update the codes. He feels this sets precedence and should be approved on merit. They all discussed sending a letter when the code is being looked at or when it is updated and sending letters to businesses.

Hinton recalled discussing the previous example, and the code was already being looked at then and asked what the code was before the 10 square feet.

Bunger, Hinton, and Schwartzkopf discussed how it was 60 square feet, which Bunger said makes sense if you look at the layouts. The signs downtown, the older ones are larger than 10 square feet and closer to 60 square feet. Hinton appreciated Bunger showing the different signs downtown, as some are much larger than 10 square feet.

Schwartzkopf asked Hubbard if he applied for a variance. Hubbard had not.

Schwartzkopf agreed with Hubbard, maybe it would or wouldn't have been approved, but he appreciates Hubbard's comments. Bunger noted that staff had called a voluntary meeting for downtown business in April to discuss the sign code and several business owners showed up. Bunger said hopefully in the next couple of months, we can get the new codes out to the business community for review and discussion.

Discussion continued about the city code, height restrictions, lighted signs, and making the codes more appropriate.

Jorgensen said the sign codes update needs to get done and move in a new direction to continue being Pro Hastings, Pro-Growth, and Pro Businesses.

Chair Jorgensen closed the Public Hearing. Dowling called for a motion to consider the Variance Request to allow a projecting sign in the C-2, Central Business District, to be larger than the allowed 10 square feet. Seconded by Schwartzkopf. Voice Roll Call: Hinton, Jorgensen, Schwartzkopf and Dowling. Nays: None. Motion carried: 4-0.

Adjourn

Chair Jorgensen called for a motion to adjourn at 4:49 p.m. Moved by Dowling to adjourn, seconded by Hinton. Voice Roll Call: Ayes: Hinton, Jorgensen, Schwartzkopf and Dowling. Nays: None Motion carried: 4-0.

Chair Byron Jorgensen



City of Hastings Planning Commission

STAFF REPORT

Variance: For a garage to be constructed on the site that would reduce the rear yard setbacks on the south side of the property from 10.2 feet to 4 feet. Additionally, the setback on the east side of the property would be reduced from 10 feet to 4 feet.

File No. 2024-200

Applicant Andrew and Abigail Vrbas

Property Location: 500 E 9th Street

Lot Size: 0.23 Acres

Date of Public Hearing: July 25, 2024

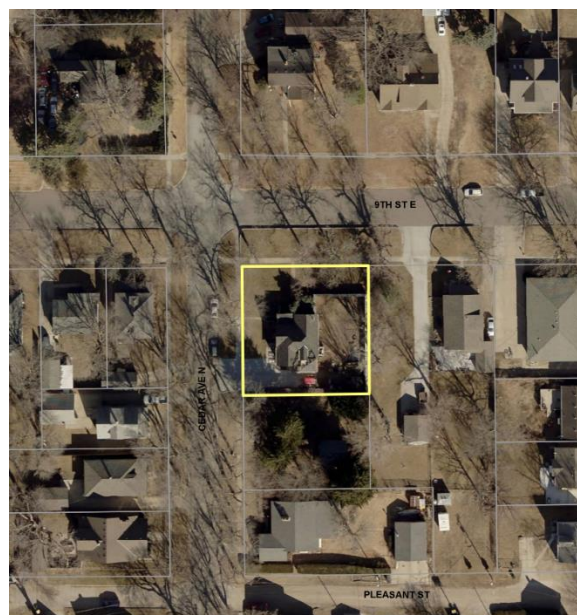
Zoning R-3 Multiple-Family Residential District

Adjacent Zoning and Land Uses: North: R-3 District; multiple residences

East: R-3 District and CMP, Campus Institutional District; residences and campus buildings (Stone health building)

South: R-3 District and R-1; multiple residences

West: R-3 District; multiple residences



SECTION AND REQUIREMENT OF HASTINGS CODE OF ORDINANCE REQUESTED FOR VARIANCES:

- **Sec. 34-206(4)(a)(ii):** Side yard—There shall be a side yard on each side of a building not less than ten percent of the width of the lot; except, that such side yard shall not be less than seven feet and need not be more than 25 feet. In single-family dwellings with lots less than 50 feet in width, a side yard setback may be reduced to five feet on each side of the building.

Buildings on corner lots shall provide a side yard on the street side of not less than 15 feet, or a side yard on the street side of not less than ten feet on any lot less than 50 feet in width provided that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership on August 26, 1968, to less than 35 feet.

- **Sec. 34-206(4)(a)(iii):** Rear yard—The depth of the rear yard shall be at least 20 percent of the depth of the lot, but such depth need not be more than 30 feet, except that for a corner lot, the rear yard setback shall be the same as for the interior side yard.

DESCRIPTION OF VARIANCE REQUESTED: The applicant, Andrew and Abigail Vrbas, have proposed the construction of an attached garage on their property. This garage would be 36 feet long on the North and South sides, 26 feet on the East and West side with the west side being attached to the house by 12 feet 6 inches with the remaining 13 feet 6 inches extending off the house.

The house on the property was built in 1890 near the center of the property 37 feet in from the North, 17.6 feet from the South and 40- and 26.5-foot East to West, respectively, with the house being about 1,110 square feet.

City of Hastings Chief Building Inspector looked over the plans and did not have any concerns or necessary building requirements to enforce upon the project.

The proposed development requires a variance, as proposed.

1. The garage would encroach on the minimum setbacks on the south side of the property, reducing the setback from 10.2 feet to 4 feet. Additionally, the setback on the east side of the property would be reduced from 10 feet to 4 feet.

In summary, the reasoning by the applicant to allow the garage to encroach into the required setbacks are due to the central location of the house, building a garage within the setbacks would be difficult to achieve. Additionally, it would not disrupt the integrity of the neighborhood.

More details from the applicant are provided in the application materials.

Property Description: The subject site is .23-acres within a historic residential neighborhood. The site is relatively flat with some trees on the north side of the property

The house on the property was built in 1890 near the center of the property 37 feet in from the North, 17.6 feet from the South and 40- and 26.5-feet East to West, respectively, with the house being about 1,110 square feet.

STANDARDS FOR VARIANCE:

Pursuant to [Sec. 34-706\(4\)](#) of the City Code of Ordinance, No such variance shall be authorized by the Board unless it finds that all four of the following conditions have been found to exist and the merits of the situation support such authorization:

(a) The strict application of the zoning regulations would produce undue hardship.

Sec. 34-206(4)(a)(iii): States that the depth of the rear yard shall be at least 20 percent of the depth of the lot, but such depth need not be more than 30 feet, except that for a corner lot, the rear yard setback shall be the same as for the interior side yard. 500 E 9th St is a corner lot so referring to Sec. 34-206(4)(a)(ii): it states that the minimum setback on a side yard should not be less than ten percent of the width of the lot. The width of the lot is 100 feet so the minimum setback would be 10 feet

Owners proposed that the garage be set on the southeast side of the house to maintain the historical look of the home, and keep the garage from being too visible from the main thoroughfare of 9th St. There is also a driveway currently leading up to the location on the southeast side so there would not be a need to put in a new driveway. The reason for the proposed decreased setbacks is due to the general placement of the house near the center of the property. Due to the size of the existing house and its location, any alternate placement of the garage at any part of the property would likely encroach the front yard setback requirements along Cedar Avenue or E. 9th Street, or the rear yard setback.

Additionally, the location of the proposed garage was selected because it connects to the home's kitchen. Placing the garage to the north or west of the home may impact bedrooms, bathrooms, or living rooms, which would not be customary connections to a garage. Additionally, according to the International Residential Code, the entrance of a garage cannot connect to a bedroom or bathroom.

In this case, the strict application of the zoning regulations would produce undue hardship because they would be unable to build a garage on their property.

(b) Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

The setback requirement is equally applied throughout all R-3 districts. As mentioned, the preferred setback for this use is no less than 10 percent of the lot width.

This hardship is not generally shared by other properties in the same zoning district, as lots are often large enough to accommodate both a house and a garage within the required setbacks. However, there are several lots with detached garages that encroach upon the required setbacks, so it would not be out of character of the neighborhood to have the addition of the garage extending slightly into the setbacks.

(c) The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.

Allowing the decrease of setbacks from 10 feet to 4 feet would not be of immediate detriment to the adjacent property to the South as it is currently a vacant lot. When that lot develops in the future, it should be assumed that new development will conform to any required setbacks, as there are currently no constraints on that vacant land. With the required setbacks for the new development, any separation requirements for fire protection should be met. With these considerations, there would be no detriment to the property to the East.

In addition, the character of the district would not be changed by the granting of this variance as many of the surrounding properties have an attached or detached garage. Several of these properties in the immediate area have existing structures within the required setbacks. Neighboring houses at 514 E 9th St and 414 E 9th St have detached garages that encroach on property setbacks. The House at 514 E 9th St was built in 1920 with the garage being built in 1940. The house at 414 E 9th St was built in 1953 with the garage being built around the same year. Many of the neighboring houses and garages have similar designs.

The placement of the proposed garage on the southeast section property allows it to be hidden slightly from the neighborhood view to not disrupt the design or integrity of the neighborhood. Many of the surrounding houses also have garages behind the house or placed out of direct line of sight from the street, so this would still be in character for the neighborhood.

(d) The granting of such variance is based upon reasons of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit or caprice. In no instance shall a variance be granted which would allow the use of land or a building which is not permitted within the zoning use district in which the property is located. No variance shall be authorized unless the Board finds that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the zoning regulations.

Many of the surrounding properties have either an attached or detached garage on their property and with the layout of their property there is not a reasonable way for them to

implement a garage without encroaching on existing setbacks. Additionally, there are several properties in the surrounding neighborhood that have garages that encroach on required setbacks. So, the addition of a garage on this property that encroaches into the existing setbacks would fit the character of the neighborhood.

With the midwestern weather conditions, a garage is not a matter of convenience more as it is a way to protect assets from weather damage.

STAFF COMMENTS:

Staff recommends the Board of Adjustment **APPROVE** the **VARIANCE** request to allow the construction of a garage that encroaches on the existing 10.2-foot setback on the south side of the property and 10-foot setback on the east side of the property, reducing those setbacks to 4 feet on both the south and east sides of the property, with the following condition of approval:

1. All applicable permits shall be applied for and issued.
2. The Variance request is valid for 180 days. A building permit must be issued within the validation period.

Possible Motion

Approve the Variance to reduce the setbacks on the south side of the property from 10.2 feet to 4 feet and on the east side of the property from 10 feet to 4 feet for the property at 500 E. 9th Street, in the R-3, Multiple Family Residential District as recommended in the staff report.

PREPARED BY: Lily Teeple, Planning Intern

DATE: July 17, 2024

ATTACHMENTS:

1. Application Materials



Permit #: 23083

Permit Date: 06/21/24

Permit Type:

GROUP:

Permit Type: Variance

Title: Vrbas Variance

Site Address: 500 E 9th St

Parcel Number: 010011677

Owner Name: Andrew & Abigail Vrbas

Owner Address: 500 E 9th St

City State Zip: Hastings, NE 68901

Owner Phone: 785-626-4395

Owner Email: andrew@pachasoap.com

Applicant Name: Andrew Vrbas

Applicant Address: 500 E 9th St

City, State, Zip: Hastings, NE 68901

Phone Number: 785-626-4395

Applicant Email: andrew@pachasoap.com

Proposed Use: Garage

Description:

Number of Cases: 0

Project Cost: 0

Square Feet: 2

Within City Limits: Yes

Current Zoning:

Current Zoning Explained:

Proposed Zoning:

Conditions:

Conditions Defined:

1st PN & Agenda Send By (11:30):

1st PN & Agenda Due Date: 07/11/2024

1st PN & Agenda Sent:

2nd PN & Agenda Send By (11:30):

2nd PN & Agenda Due Date:

2nd PN & Agenda Sent:

Sign / Website Posting - Post By:

Sign / Website Posting - Posted:

APO Letter - Send By:

APO Letter - Sent:

PC Approval - Date Approved:

PC Outcome Letter - Due:

PC Outcome - Completed:

CRA Approval - Meeting Date:

CRA Approval - Approved:

CC Packet - Goal Load Date:

CC Packet - Due Date: 07/17/2024

CC Out/Admin Due Date:

CC Packet - Completed:

Stage: In Review

CC Out/Admin - Completed:

ENG Meeting:

ENG Email:

Plat Track Review Email:

Communication Preferences: call or email

Status: Open

Assigned To: Chad Bunger

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
010011677	500 E 9TH ST		VRBAS ANDREW & ABIGAIL		

Fees

Fee	Description	Notes	Amount
Appeal/Variance - Construction Without Building Permit, but not in conformance therewith			\$350.00
Total			\$350.00

Attached Letters

Date	Letter	Description
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06/21/2024

[Web Form - Zoning Application](#)

Payments

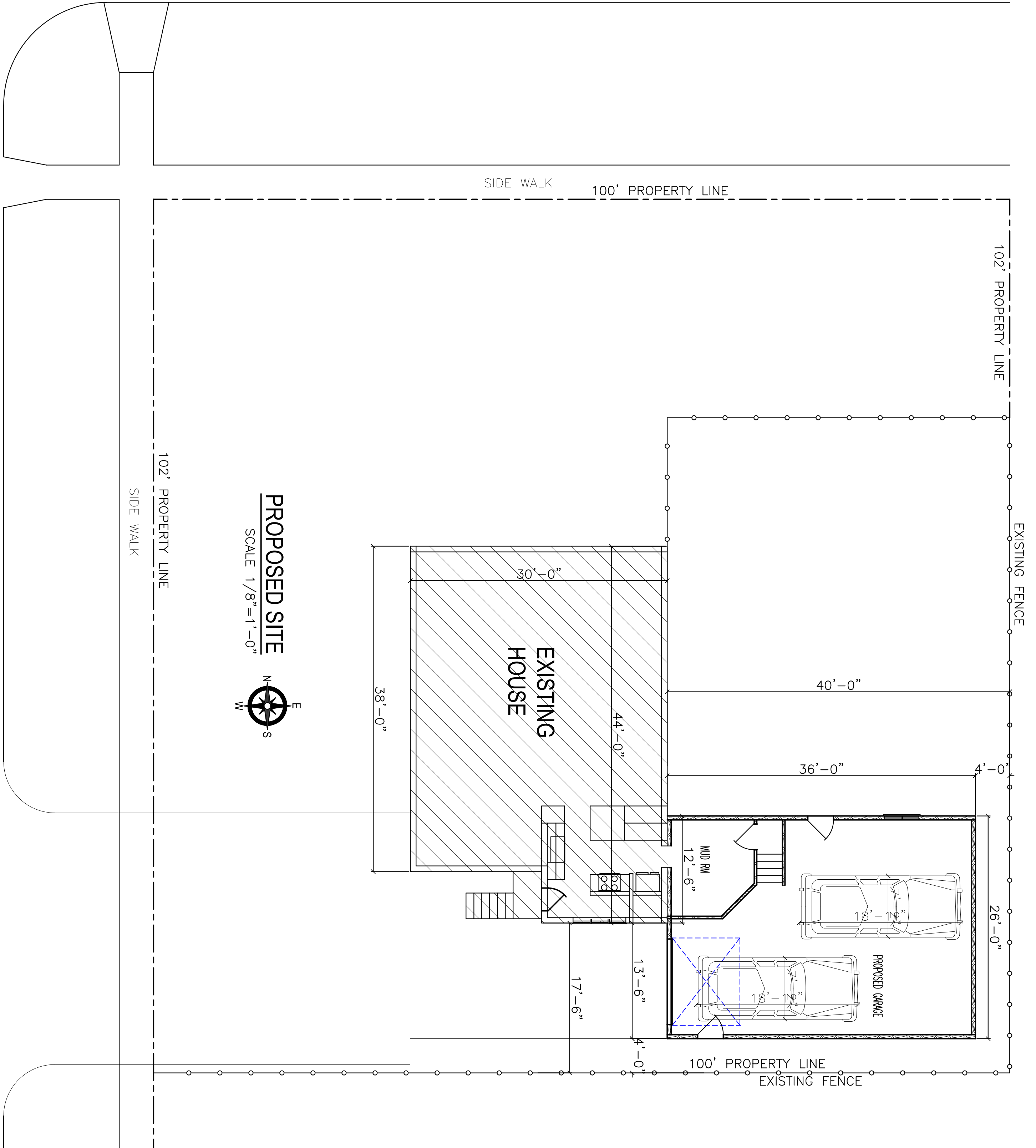
Date	Paid By	Description	Payment Type	Accepted By	Amount
07/02/2024		Ck #0051791481 Variance Permit #23083	Check	Melissa Woodard	\$350.00
Outstanding Balance					\$0.00

Uploaded Files

Date	File Name
06/21/2024	1370f07bf5ee9c312fbb83c7594c0617_24vrbas_87_.pdf

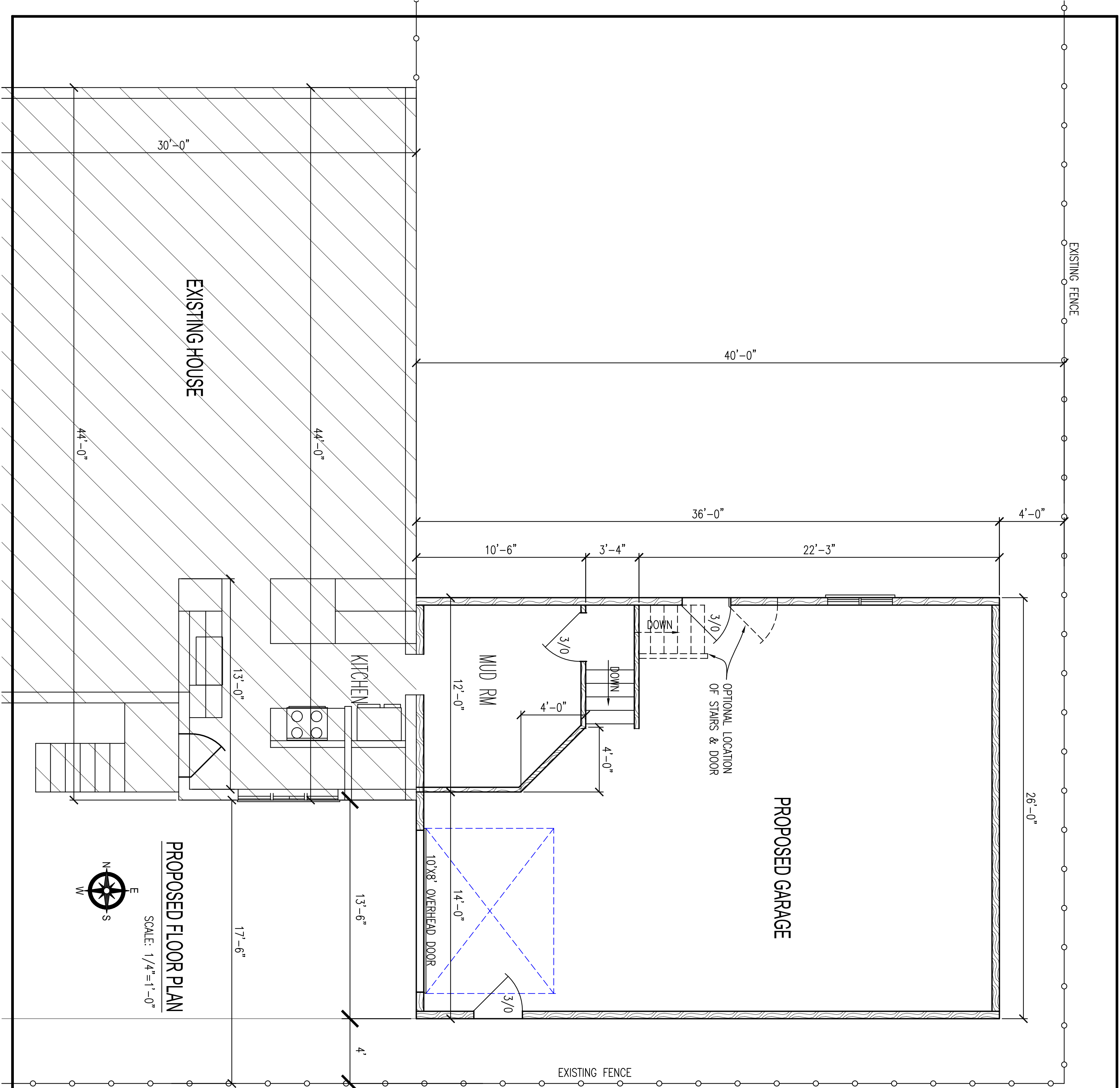
EAST 9TH STREET

CEDAR STREET



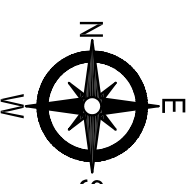
PROPOSED SITE
 SCALE 1/8" = 1'-0"

NEW GARAGE ADDITION FOR:		ANDREW & ABI VRBAS 500 EAST 9TH ST HASTINGS NE andrew@pachasoap.com 785-626-4395	
SCALE:	APPROVED BY:	REFERENCE NO:	DRAWN BY: B BUMGARDNER
DATE: 6/09/24			REVISED:
PROPOSED SITE PLAN		DRAWING NO:	1 OF -



PROPOSED FLOOR PLAN

SCALE: 1/4"=1'-0"



NEW GARAGE ADDITION FOR:		ANDREW & ABI VRBAS 500 EAST 9TH ST HASTINGS NE andrew@pochosoop.com 785-626-4395	
SCALE:	APPROVED BY:	REFERENCE NO.:	DRAWN BY:
DATE: 6/09/24	24VRBASFL		B. BUNKARDNER
PROPOSED FLOOR PLAN		REVISED:	DRAWING NO.:
			20F-

Re: Inquiry Regarding Garage Variance for 500 E 9th Street Project

Lily Teeple <LTeeple@cityofhastings.org>

Wed 7/17/2024 2:31 PM

To: Andrew Vrbas <andrew@pachasoap.com>

Yes, thank you!

From: Andrew Vrbas <andrew@pachasoap.com>

Sent: Wednesday, July 17, 2024 11:26 AM

To: Lily Teeple <LTeeple@cityofhastings.org>

Subject: Re: Inquiry Regarding Garage Variance for 500 E 9th Street Project

Hi, the additional benefit the garage would add to our property would be the ability to park inside a garage preventing damage to vehicles and in the wintertime to be able to go from a heated building right in to the home instead of walking on slippery ice to get inside.

Another benefit would be for property values/tax revenues to increase given the increase in value on the property.

The factors that influenced our decision to put the garage on the southeast side versus northeast was to try and maintain the historical look of our home by have the garage not be too visible from the main thoroughfare of 9th st. Also, our driveway is currently leading up to the location that's on the southeast side, so we wouldn't have to go through a further process of cutting in to the north side from 9th st which would need more permitting.

Does this help?

Get [Outlook for iOS](#)

From: Lily Teeple <LTeeple@cityofhastings.org>

Sent: Wednesday, July 17, 2024 10:31:38 AM

To: Andrew Vrbas <andrew@pachasoap.com>

Subject: Re: Inquiry Regarding Garage Variance for 500 E 9th Street Project

I hope this message finds you well. I am writing to follow up on the previously sent email regarding the upcoming submission of the staff report to the Board of Adjustments. We are aiming to finalize the report within the next few days.

Your input on the following questions would be greatly appreciated:

1. What specific benefits would the addition of a garage on this property provide?
2. Could you please elaborate on the decision to locate the garage on the Southeast side of the house? What factors influenced this choice over the Northeast side?

Thank you for your attention to this matter.

Lily Teeple

From: Lily Teeple

Sent: Monday, July 15, 2024 2:19 PM

To: andrew@pachasoap.com <andrew@pachasoap.com>

Cc: Chad Bunger <CBunger@cityofhastings.org>

Subject: Inquiry Regarding Garage Variance for 500 E 9th Street Project

Dear Andrew,

I hope this message finds you well. My name is Lily Teeple, and I am currently serving as the City Planning Intern for the summer term. I am actively involved in preparing the variance proposal for the garage at 500 E 9th Street that will be presented to the Hastings City Planning Commission.

I have a few questions regarding the project that will assist us in presenting a comprehensive case:

1. What specific benefits would the addition of a garage on this property provide?
2. Could you please elaborate on the decision to locate the garage on the Southeast side of the house? What factors influenced this choice over the Northeast side?

Your insight would be valuable in preparation for the upcoming commission meeting.

Best regards,

Lily Teeple
City Planning Intern



HASTINGS

Nebraska



File No. 2024-200

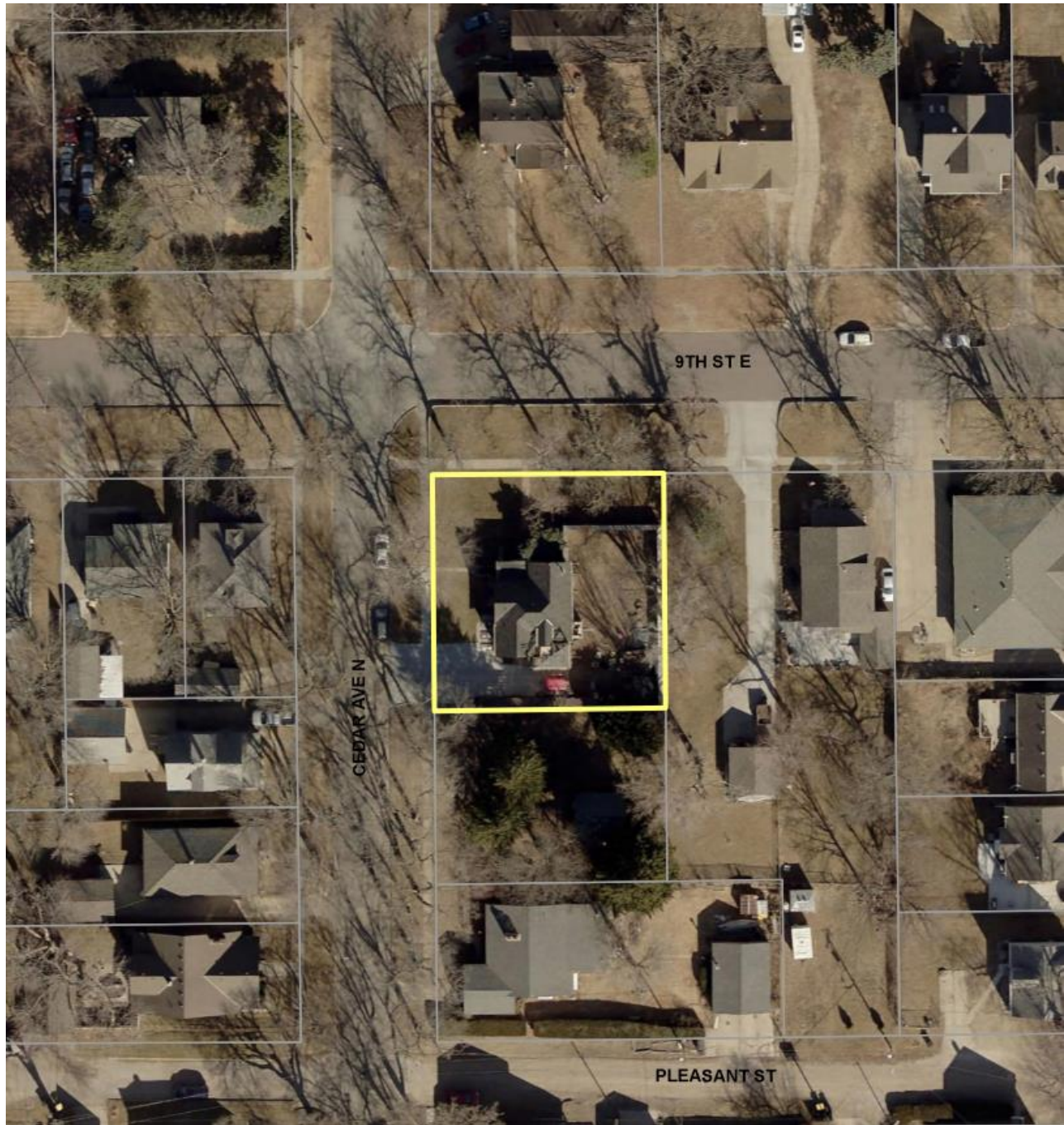
Project Variance to reduce setbacks to construct a garage

Applicant/
Property Owner Andrew and Abigail Vrbas

Details:

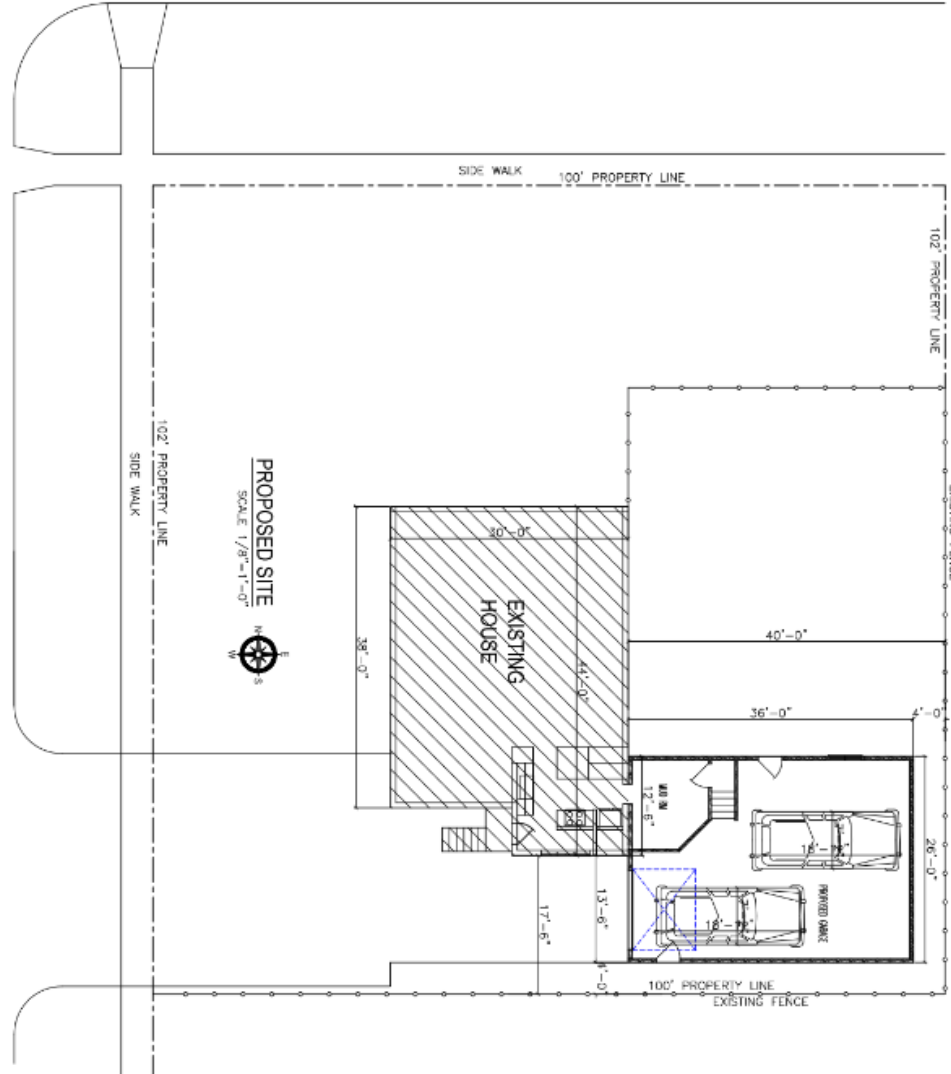
- .23-acre site
- Relatively flat
- R-3 Multiple-Family Residential District
- Lot to the South is empty
- Lot to the East has buildings way within setbacks





EAST 9TH STREET

CEDAR STREET



NEW GARAGE ADDITION FOR:		ANDREW & ABI VRGAS 500 EAST 9TH ST HASTINGS NE andrew@pachaseop.com 785-626-4395	
SCALE:	APPROVED BY:	REFERENCE NO.:	DRAWN BY: J. SWANWICK
DATE: 6/09/24			REVISED:
PROPOSED SITE PLAN		DRAWING NO. 1 OF -	

Proposal

- Construct an attached garage
- 36 feet long on north and south sides
- 26 feet on east and west sides
- West side attached by 12 feet 6 inches with remaining 13 feet 6 inches extending off the house.
- South and east side will be approximately 4 feet from property line





Findings Summary

Sec. 34-706(4). No such variance shall be authorized by the Board unless it finds that all four of the following conditions have been found to exist and the merits of the situation support such authorization

- (a) The strict application of the zoning regulations would produce undue hardship.
- Historic house placed near the center of the property.
 - Any alternative placement of the garage would likely encroach on front or rear yard setbacks.
 - Placement of the garage to the southeast connects to the home's kitchen.
 - Strict application would cause them to be unable to build a garage on their property.

Staff Findings Summary (continued)

- (b) Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- Lots are often large enough to accommodate both a house and a garage within the required setbacks
 - Several other properties in the neighborhood have detached garages that encroach upon the required setbacks

Staff Findings Summary (continued)

(c) The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.

Property to the South

- Vacant lot
- Setback requirements for the new development should meet any separation requirements for fire protection

Property to the East

- No detriment

Placement on southeast section

- Garage hidden slightly from neighborhood view
- Consistent throughout the neighborhood

Staff Findings Summary (continued)

(d) The granting of such variance is based upon reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit or caprice. In no instance, shall a variance be granted which would allow the use of land or a building which is not permitted within the zoning use district in which the property is located. No variance shall be authorized unless the Board finds that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the zoning regulations.

- Many surrounding properties have an attached or detached garage
- With the layout of the property there is not a reasonable way for them to implement the garage without encroaching on existing setbacks
- With midwestern weather conditions a garage is not a matter of convenience, more as it is a way to protect assets from weather damage

Staff Recommendations

Staff recommends the Board of Adjustment **APPROVE** the **VARIANCE** request to allow the construction of a garage that encroaches on the existing 10.2-foot setback on the south side of the property and 10-foot setback on the east side of the property, reducing those setbacks to 4 feet on both the south and east sides of the property, with the following condition of approval:

1. All applicable permits shall be applied for and issued.
2. The Variance request is valid for 180 days. A building permit must be issued within the validation period.

Note: If the Board of Adjustment is inclined to not take the recommendations of City staff, and/or add conditions of approval, they should clearly and specifically articulate the findings of their decision and any conditions of approval.





HASTINGS

Nebraska