



REQUEST FOR ACTION

Variance No. CD2026-003VAR by Elias Construction

MEETING DATE:

June 3, 2026

ORIGINATING DEPT:

Community Development

AGENDA SECTION:

Public Hearings

PRESENTER:

Anthony Cicchi

Action Requested:

Approving Variance No. CD2026-003VAR, to allow the reduction of a rear yard setback from 20 feet to 5 feet, based on the findings outlined in the Community Development Memo.

Report Narrative:

The applicant is proposing to construct an attached garage addition to the existing dwelling located at 829 5th Street SW. The subject site is located immediately north of the intersection of 5th Street SW and 9th Avenue SW, and is located within the City's Pill Hill Historic District. According to the Unified Development Code, for properties located within the R-1 zoning district, the minimum rear yard setback is 20 feet. As such, a variance is required to reduce the minimum rear setback requirement.

The applicant appeared before the City's Heritage Preservation Committee (HPC) at their April 28, 2026 meeting date to request a Certificate of Appropriateness (COA) for the proposed addition. This was an additional requirement due to the property being located within the Historic District. The applicant was granted the COA for this proposal on April 28, 2026.

The subject property is a corner lot, with primary access being taken from the 9th Avenue SW side. Functionally, for this site the location of the garage addition appears to be in an interior side yard, as indicated in the applicant's Site Plan Exhibit. Staff are supportive of the reduction in rear setback for this proposal. Staff believe that approval of the variance will align with the intention of the UDC Standards, will be less intrusive to the overall site, while also meeting the applicant's needs for reasonable use of the property. Community Development also confirms that the property has no other zoning violations.

The Community Development Team recommends approval of the variance request. The site currently contains a single detached dwelling and is anticipated to continue operating in a reasonable manner. The granting of the variance is not needed to continue use of the site for Household Living.

Policy Considerations & DEI Impact:

There are no policy considerations or DEI impacts for this item.

Prior Legislative Actions & Community Engagement:

April 28, 2026: Heritage Preservation Committee for Certificate of Appropriateness.

May 22, 2026: Public Notification mailed out for Variance Public Hearing.

Fiscal & Resource Impact:

There are no fiscal and resource impacts for this item.

Prepared By:

Anthony Cicchi

Attachments:

[Community Development Memo - CD2026-003VAR](#)

[Location Map - CD2026-003VAR](#)

[Notification Map - CD2026-003VAR](#)

[Applicant Narrative - CD2026-003VAR](#)

[Site Plan and Variance Exhibit - CD2026-003VAR](#)

[Referral Comments - CD2026-003VAR](#)