



## **Request for City Council Committee Action from the Department of Community Planning & Economic Development - Planning Division**

**Date:** January 5, 2012

**To:** Council Member Gary Schiff, Chair, Zoning & Planning Committee and Members of the Committee

**Referral to:** Zoning & Planning Committee

**Subject:**

**Name of Appellant:** John Varghese and Pramol Mathew

**Name of Original Applicant:** John Varghese and Pramol Mathew

**Property Address:** 2800 Fremont Avenue South

**Ward #:** 10

**Appeal of decision of the Zoning Board of Adjustment:** John Varghese and Pramol Mathew have appealed the decision of the Board of Adjustment to deny the following land use applications to allow for a surface parking area accessory to an existing duplex located at 2800 Fremont Avenue South in the R5 Multiple Family District:

- Variance to reduce the minimum required front yard setback along 28<sup>th</sup> Street West on a reverse corner lot.
- Variance to allow for a parking between the principal structure and the front lot line.
- Variance to reduce the minimum distance between a principal structure and accessory parking area.

**Recommendation:**

The Zoning Board of Adjustment concurred with the recommendation of Planning Staff to deny the requested variances on December 1, 2011, for the property at 2800 Fremont Avenue South, Ward #10, as follows:

**1. 2800 Fremont Avenue South (BZZ-5395, Ward 10)**

**A. Variance:** John Varghese and Pramol Mathew have applied for a variance to reduce the minimum required front yard setback along 28th Street West on a reverse corner lot to allow for a surface parking area accessory to an existing duplex located at 2800 Fremont Avenue South in the R5 Multiple Family District.

**Actions:** The Board of Adjustment **adopted** the findings and **denied** the variance to reduce the required front yard setback along 28th Street West from 15 feet to zero feet to allow for the new parking area located at 2800 Fremont Ave S in the R5 Multiple Family District.

**B. Variance:** John Varghese and Pramol Mathew have applied for a variance to reduce the minimum distance between a principal structure and accessory parking area to allow for a surface parking area accessory to an existing duplex located at 2800 Fremont Avenue South in the R5 Multiple Family District.

**Actions:** The Board of Adjustment **adopted** the findings and **denied** the variance to allow for a parking between the principal structure and the front lot line to allow for the new parking area located at 2800 Fremont Ave S in the R5 Multiple Family District.

**C. Variance:** John Varghese and Pramol Mathew have applied for a variance to reduce the minimum distance between an open parking space and a dwelling from 6 feet to zero feet to allow for the new parking area located at 2800 Fremont Ave S in the R5 Multiple Family District.

**Actions:** The Board of Adjustment **adopted** the findings and **denied** the variance to reduce the minimum distance between an open parking space and a dwelling from 6 feet to zero feet to allow for the new parking area located at 2800 Fremont Ave S in the R5 Multiple Family District.

**Previous Directives:** None

Prepared by: Shanna Sether, Senior City Planner, 612-673-2307 Approved by: Hilary Dvorak, Interim Planning Manager, 612-673-2639 Presenters in Committee: Shanna Sether, Senior City Planner, 612-673-2307
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### **Community Impact**

- Neighborhood Notification: Lowry Hill East Neighborhood Association was notified of the appeal application on December 23, 2011.
- City Goals: See staff report
- Comprehensive Plan: See staff report
- Zoning Code: See staff report
- End of 60/120-day decision period: On December 12, 2011, staff sent a letter to the applicant extending the City's decision period for an additional 60 days, to February 22, 2012.

### **Background/Supporting Information**

John Varghese and Pramol Mathew have appealed the decision of the Board of Adjustment to deny three variances to allow for a surface parking area accessory to an existing duplex located at 2800 Fremont Avenue South in the R5 Multiple Family District. At its meeting on December 1, 2011, the Board of Adjustment voted 6-1 to adopt staff findings and deny the requested variances. The appeal (attached) was filed on December 12, 2011. The appellants' complete statement of the actions and reasons for the appeal are attached. Due to technical difficulties with the recording equipment at the December 1, 2011, Board of Adjustment meeting a taped recording or transcription of the proceedings is not available. The Planning Division staff report is attached.