



Request for City Council Committee Action from the Department of Community Planning & Economic Development

Date: July 16, 2015

To: Council Member Lisa Bender, Chair, Zoning & Planning Committee and Members of the Committee

Referral to: Zoning & Planning Committee

Subject: Appeal of the Board of Adjustment decision to deny the variance request to reduce the required corner side yard setback from 8 feet to 5 feet 8 inches for the construction of a new single-family dwelling.

Recommendation: The following action was taken by the Board of Adjustment on June 11, 2015 (BZZ-7183):

I. 5857 Washburn Avenue South, Ward 13

Staff report by [Andrew Liska](#), BZZ-7183

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application(s) by Nick Reimler for the construction of a new single-family dwelling located at 5857 Washburn Avenue South:

A. Variance to reduce the required corner side setback along West 59th Street from 8 feet to 5 feet 8 inches.

Action: Notwithstanding staff recommendation, the Zoning Board of Adjustment **denied** the application, based on the following findings:

Finding #1: No practical difficulties exist. The zoning code allows the construction of a new single-family dwelling on the subject property without a variance.

Absent: Cahill, Saufley

Aye: Drescher, Finlayson, Johannessen, Thompson

Nay: Ogiba, Sandberg

Motion passed

Ward: 13

Prepared by: Andrew Liska, City Planner

Approved by: Jason Wittenberg, Planning Manager and Steve Poor, Interim Development Services Director

Presenters in Committee: Andrew Liska, City Planner (612.673.2264)

Community Impact

- Neighborhood Notification: The Armatage Neighborhood was notified of the application.
- City Goals: See staff report
- Comprehensive Plan: See staff report
- Zoning Code: See staff report
- End of 60/120-day decision period: On June 22, 2015, staff sent a letter to the applicant extending the 60-day decision period to no later than August 29, 2015.

Supporting Information

On June 19, 2015, the applicant, Nick Reimler, filed an appeal of the decision of the Board of Adjustment to deny the variance of the corner side yard setback from 8 feet to 5 feet 8 inches for the construction of a new single-family dwelling at 5857 Washburn Avenue South. His reason for appeal is attached to this report.