

## Request for Committee Action

**To:** Zoning & Planning  
**Date:** 10/29/2015  
**From:** Community Planning & Economic Development  
**Prepared by:** Janelle Widmeier, Senior City Planner  
**Presented by:** Janelle Widmeier, Senior City Planner  
**File type:** Action  
**Subcategory:** Land Use Application

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**Subject:**

Parking area variances appeal: Bryan Walters, 3515 2nd Ave S

**Description:**

Considering an appeal by Bryan Walters, on behalf of Silver Tree, LLC, of the Zoning Board of Adjustment decision to deny the following applications for the property located at 3515 2<sup>nd</sup> Avenue South to allow a parking area:

1. Variance to reduce the minimum drive aisle requirement from 12 feet to 11.5 feet.
2. Variance to allow 0 feet of separation between a parking area and habitable space of a dwelling.
3. Variance to reduce the interior side yard requirement from 5 feet to 0 feet to allow a parking area.

**Previous Actions:**

**3515 2<sup>nd</sup> Avenue South, Ward 9**

**Staff report by [Janelle Widmeier](#), BZZ-7189**

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the applications by White Tree LLC for the property located at 3515 2nd Avenue South:

**A. Variance of the drive aisle width requirement.**

Action: The Board of Adjustment **denied** the variance to reduce the minimum drive aisle requirement from 12 feet to 11.5 feet.

**Aye:** Cahill, Finlayson, Johannessen, Perry, Thompson

**Nay:** Drescher, Ogiba, Sandberg, Saufley

**Motion passed**

**B. Variance to allow a surface parking space to be located less than 6 feet from habitable space of a dwelling.**

Action: The Board of Adjustment **denied** the variance to allow 0 feet of separation between a parking area and habitable space of a dwelling.

**Aye:** Cahill, Finlayson, Johannessen, Perry, Thompson

**Nay:** Drescher, Ogiba, Sandberg, Saufley

**Motion passed**

**C. Variance to reduce the minimum interior side yard requirement.**

Action: The Board of Adjustment **denied** the variance to reduce the interior side yard requirement from 5 feet to 0 feet to allow a parking area.

**Aye:** Cahill, Finlayson, Johannessen, Perry, Thompson

**Nay:** Drescher, Ogiba, Sandberg, Saufley

**Motion passed**

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**Ward/Neighborhood/Address:**

Ward 9

Central Area Neighborhood Development Organization

3515 2nd Ave S

**Background/Analysis:**

On October 9, 2015, Bryan Walters filed an appeal of the decision of the Zoning Board of Adjustment decision to deny the aforementioned variances to allow a parking area. The reason for appeal is attached to this report.

End of 120-day decision period: October 28, 2015

The applicant granted an additional extension to the decision period on August 5, 2015 to December 4, 2015.

**Financial Review:**

**No financial impact.**

**Attachments:**

1. Statement for reason of appeal
2. Excerpt from the October 1, 2015, Zoning Board of Adjustment meeting
3. Original CPED staff report including attachments
4. Additional public comments received