

## Minneapolis Board of Adjustment:

Ms. Debra Bloom  
Mr. David Fields  
Mr. John Finlayson  
Mr. Paul Gates  
Ms. Marissa Lasky  
Mr. Peter Rand  
Ms. Gail Von Bargen  
Mr. Richard White

The Board of Adjustment of the City of Minneapolis meets at **2:00 p.m.**, on **Wednesdays** in **Room 220 City Hall**, Minneapolis, Minnesota, to consider requests for increasing the maximum heights of accessory structures. These are the results for the years 2000 and 2001:

### **1. 3117 W. 43<sup>rd</sup> St. (V-4588, 13<sup>th</sup> Ward).**

Application of Gerald G. Heinonen to increase area of detached garages from 676 sq. ft. to 1128 sq. ft. to permit a new 28 ft. x 26 ft. garage in addition to the existing 20 ft. x 20 ft. garage and to increase the height of the proposed garage at midpoint of rafter from 12 ft. to almost 13 ft.

#### **Action:**

The Board of Adjustment adopted the findings and **denied** the application.

### **2. 4638 Fremont Av. S (V-0242) 13<sup>th</sup> Ward**

Cynthia and Timothy Slater have made application for the following variances from the requirements of the city zoning code:

1. To vary the maximum allowable size of a detached accessory structure from 676 sq. ft. to 992 sq. ft.
2. To vary the maximum allowed height for a detached garage from 12 ft. to 13 ft.
3. To vary the north side yard setback from the required 6-ft. to 2 ft., all to permit construction of a new, detached garage which is not in the rear 40 ft. of the property.

#### **Action:**

The Board of Adjustment **approved** the garage height to 13'. **Approved** setback reduction for garage from 6' to 3'. **Approved** variance to increase maximum square footage of garage to area not exceeding square footage of existing garage and existing chicken coop. Staff calculation of this square footage on June 29, 2000 is 818.75 square feet.

### **3. 4608 Camden Avenue N (V-0263, 4<sup>th</sup> Ward)**

Dan Puumala has applied for a variance to vary the following:

- 1) The south side yard setback from the required 5 ft. to 1 ft. to permit a 21-ft. by 21-ft. deck on the southeast corner of the existing dwelling.
- 2) The maximum permitted fence height from 6 ft. to 8 ft. along the south side yard and extending from the garage to the north property line.
- 3) The maximum permitted garage height from 12 ft. to 12 ft. 9 in. to permit construction of a new detached garage measuring 21 ft. x 24 ft. with a 21 ft. x 8 ft. patio.

**Action:**

The Board of Adjustment adopted the findings and **approved** the variance to reduce the required south side yard; **denied** the application for the variation to increase the maximum permitted fence height; **approved** the variance to increase the maximum permitted garage height from 12 ft. to 12 ft. 9 in.

**4. 2524 Humboldt Av. S. (V-0272, 7<sup>th</sup> Ward)**

Christine Blehl and Adam Fesenmaier have applied for a variance to vary the garage height from 12 ft. at the midpoint of the roof, to 16 ft. at the midpoint of the roof, 22 ft. overall in height, to allow a new 30 ft. x 22 ft. detached garage at 2524 Humboldt Avenue South.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application on the consent agenda subject to the following condition:

1. As required by section 535.280 of the zoning code, the entire accessory structure shall be located in the rear 40 ft. of the property unless a 5 ft. side yard is maintained.

**5. 1928 Humboldt Av. S. (V-0274, 7<sup>th</sup> Ward)**

Nancy Engh has applied for a variance to vary the maximum height of a garage roof from 12 ft. to 14 ft. (midpoint of rafters) total height 19.6 ft. to peak, to allow a 24 ft. x 26 ft. garage at 1928 Humboldt Av. S.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application subject to the following condition:

1. The exterior of the garage matches the exterior stucco of the primary dwelling.

**6. 3123 2<sup>nd</sup> Av. S. V-0286 8<sup>th</sup> Ward R2B**

Ambrose Von Erkel has applied for a variation of the height of a proposed detached garage (at midpoint of rafter) from 12 ft. (maximum permitted) to 18 ft. to permit a new 24 ft. x 21 ft. detached garage with 12/12 pitch roof and storage space.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application on the consent agenda subject to the following condition:

1. The garage is subject to all conditions of approval by the Heritage Preservation Commission.

**7. 3700 – 24<sup>th</sup> Ave. S. (V-0428, 9<sup>th</sup> Ward)**

Michael and Betty Pastir have applied for a variance to increase the maximum permitted area of an accessory structure from 676 sq. ft. to 952 sq. ft., a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 15 ft., and a variance to reduce the west side yard setback from 5 ft. to 1 ft. all to allow a 34 ft. x 28 ft. detached garage. Also a variance to increase the maximum permitted width of a driveway from 25 ft. to 34 ft. at its widest point. This is a reverse corner lot.

**Action:**

The Board of Adjustment adopted the findings and **denied** the square ft. increase from 676 sq. ft. to 952 sq. ft., **approved** the increase of accessory structure height from 12 ft. to 12 ½ ft., **denied** the reduction of the west side yard setback from 5 ft. to 1 ft. and notwithstanding the staff

recommendations **approved** the increase of maximum permitted width of a driveway from 25 ft. to 30 ft. subject to the following conditions:

- 1) The Planning Department shall approve the final site and elevation plans.
- 2) The exterior materials shall match the materials of the primary structure.

**8. 169 Orlin Ave. SE (BZZ-350, 2<sup>nd</sup> Ward)**

Rebecca Strauchon has applied for a variance to increase the maximum permitted height of a detached garage from the required 12 ft. to 16 ft. to allow a new detached garage.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application on the consent agenda.

**9. 3357 E. Calhoun Pkwy. (BZZ-313, 10<sup>th</sup> Ward)**

Rosemary McMonigal has applied for a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 16 ft. to allow a new 28 ft. x 24 ft. detached garage.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application on the consent agenda.

**10. 1952 Penn Av. S. (V-4571 7<sup>th</sup> Ward)**

Randy Levy has applied for a variance to reduce the north side yard setback from the required 5 ft. to 3 ft. to allow a 890 sq. ft. garage and a studio building in approximately the rear 60 ft. of the lot, a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 14 ft. at the midpoint of the rafter of the proposed garage and studio, a variance to increase the maximum permitted floor area of an accessory structure from 676 sq. ft. to 890 sq. ft.

**Action:**

The Board of Adjustment adopted the findings and **approved** the north side yard from 5 ft. to 3 ft., the maximum height 12 ft. to 14 ft. and notwithstanding staff recommendations **approved** the maximum floor area 676 sq. ft. to 890 sq. ft. subject to the following condition:

1. Final plan shall be submitted for the planning department approval showing the matching roof pitch of the garage, paint structure and the window placement.

**11. 1095 13<sup>th</sup> Av. SE (V-0196, 1<sup>st</sup> Ward)**

Application of Daniel Kordiak for a variance to increase the height of an accessory structure from the maximum 12 ft. at the median height of the roof to 16 ft. with a flat roof.

**Action:**

Notwithstanding staff recommendations The Board of Adjustment **approved** the application subject to the following conditions:

1. The two french doors on each side of the garden house shall not exceed 7 ft. in height and 6 ft. in width.
2. The upper port is to be glass enclosed.
3. There shall be no use as a garage without a further variance.
4. The planning department shall approve the final plan.

**12. 1843 Quincy St. NE (V-0215) 3<sup>rd</sup> Ward**

Application of Joe C. Busch for the following variances.

1. Variation of the interior south side yard from 5 ft. to 1 ft. for a new 32 ft. x 24 ft. detached garage in approximately the rear 72 ft. of the lot.
2. Variation of the maximum floor area of an accessory structure from 676 sq. ft. to 768 sq. ft. to allow the 32 ft. x 24 ft. detached garage.
3. Variation of the maximum permitted height of an accessory structure from 12 ft. to 14 ft. to allow 6/12 pitch on the proposed detached garage.

**Action:**

The Board of Adjustment adopted the findings and **denied** the variance #2, and **approved** the variance #1 and #3 subject to:

1. The pitch of garage match the pitch of the house and the detailing of the garage shall match the detailing of the house.

**13. 4226 Pillsbury Ave. S. (Z-167, 10<sup>th</sup> Ward)**

Mike Lloyd has applied for a variance to increase the maximum area of an accessory structure from 676 sq. ft. to 1,050 sq. ft., and a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 15 ft. for the construction of a new 30 ft. x 35 ft. detached garage.

**Action:**

The Board of Adjustment adopted the findings and **denied** the variance to increase the maximum sq. ft. of an accessory structure from 676 sq. ft. to 1,050 sq. ft. and notwithstanding the staff recommendation the Board of Adjustment **approved** the variance application to increase the maximum height of an accessory structure from 12 ft. to 15 ft. for a 30 ft. x 35 ft. detached garage to allow the pitch of the accessory structure to match the pitch of the primary dwelling.

**14. 224 Sheridan Av. S. (BZZ-158, 7<sup>th</sup> Ward)**

Michael Papke has applied for a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 13 ft. 6 in. to permit a 22 ft. x 24 ft. detached garage.

**Action:**

The Board of Adjustment **approved** the application on the consent agenda.

**15. 2431 Humboldt Ave. S. (Z-131, 7<sup>th</sup> Ward)**

Dawn and Whitney Tope have applied for a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 15 ft., measured to the midpoint of the roof, to allow a new 24 ft. x 24 ft. detached garage.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application on the consent agenda.

**16. 5629 2<sup>nd</sup> Ave. S. (Z-30, 11<sup>th</sup> Ward)**

Vern Olson has applied for a variance to increase the maximum permitted area of an accessory structure from 676 sq. ft. to 792 sq. ft.; a variance to increase the maximum height of an accessory structure from 12 ft. to 14 ft. 6 in.; and a variance to reduce the south side yard setback from 6 ft. to 3 ft. all to allow a 24 ft. x 28 ft. detached garage.

**Action:**

The Board of Adjustment adopted the findings and **denied** the variance to increase the maximum area of an accessory structure and **approved** the variance to increase the maximum height of an

accessory structure from 12 ft. to 14 ft. 6 in. and **denied** the variance to reduce the south side yard setback from 6 ft. 3 ft. subject to the conditions:

1. Final drawings be submitted to Planning staff.
2. The exterior materials of the garage match those of the primary structure.
3. The percentage of fenestration for the new garage shall match that of the existing garage.

**17. 5828 Clinton Ave. S. (Z-31, 11<sup>th</sup> Ward)**

Scott Soderstrom has applied for a variance to increase the maximum permitted area of an accessory structure from 676 sq. ft. to 800 sq. ft., a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 14 ft. (measured to the midpoint of the roof), a variance to reduce the north side yard setback from 6 ft. to 3 ft., and a variance to reduce the front yard setback from the line created by connecting the nearest corners of the two adjacent homes to approximately 60 ft. all to construct a 40 ft. x 20 ft. detached garage.

**Action:**

The Board of Adjustment adopted the findings and **approved** the reduction north side yard setback from 6 ft. to 3 ft., **approved** the variance to decrease the maximum permitted front yard setback from the established setback (as determined by connecting a line from the nearest corner of the two adjacent homes) to approximately 60 feet to allow a detached garage and **denied** the variance to increase the maximum square footage of an accessory structure from 676 square feet to 800 square feet; **denial** of the variance to increase the maximum height of an accessory structure from 12 feet to 14 feet; subject to the following conditions:

- 1) The Planning Department shall approve the final site and elevation plans.
- 2) The exterior materials of the detached garage match those of the principal structure.

**18. 1815 Humboldt Ave. S. (Z-22, 7<sup>th</sup> Ward)**

Jane A. Feicht WYROBEK has applied for a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 19 ft. measured to the midpoint of the roof, which would be 26 ft. to the peak of a 3 ft. 6 in. x 3 ft. cupola, to allow a second story studio space addition above a 20 ft. x 24 ft. detached garage.

**Action:**

Notwithstanding the staff recommendation, the Board of Adjustment **approved** the application based on the fact that the proposed project would be in character with other accessory structures in the neighborhood that exceed the maximum permitted height under the current zoning code.

**19. 4122 Linden Hills Blvd. (V-0434, 13<sup>th</sup> Ward)**

William and Jennie Witcraft have applied for a variance to increase the maximum permitted area of all attached and detached accessory structures from 676 sq. ft. to 903 sq. ft. to allow a 24 ft. by 28 ft. detached garage and a 11 ft. by 21 ft. attached carport; a variance to reduce the north side yard setback from 6 ft. to 2 ft. 6 in. for the carport; a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 13 ft. 6 in. for the detached garage; and a variance to increase the maximum permitted width of a driveway from 25 ft. to 40 ft. at the widest point.

**Action:**

Notwithstanding the staff recommendation, the Board of Adjustment **approved** the application to increase the maximum permitted area of all attached and detached accessory structures from 676 sq. ft. to 903 sq. ft. for a 24 ft. by 28 ft. detached garage and an 11 ft. by 21 ft. attached carport; **approval** of a variance to reduce the north side yard setback from 6 ft. to 2 ft. 6 in. for the carport; **approval** of a variance to increase the maximum permitted height of an accessory structure from 12

ft. to 13 ft. 6 in. for the detached garage; and **approval** of a variance to increase the maximum permitted width of a driveway from 25 ft. to 38 ft. at the widest point subject to:

1. No parking be allowed in the area that previously was a garage.

**20. 5412 Newton Ave. S. (BZZ-159, 13<sup>th</sup> Ward)**

David Mattson has applied for a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 13 ft. 6 in. to permit a 32 ft. x 21 ft. detached garage.

**Action:**

Notwithstanding the staff recommendation, the Board of Adjustment **approved** the application based on allowing the garage roof pitch to match the 6/12-roof pitch of the house and water drainage being kept from draining onto neighbor's yard.

**21. 2417 W. 21<sup>st</sup> St. (BZZ-170, 7<sup>th</sup> Ward)**

David Feig has applied for a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 16 ft. to permit a 30 ft. x 22 ft. 6 in. detached garage.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application.

**22. 2303 Dupont Ave. N. (Z-195, 3<sup>rd</sup> Ward)**

Kathleen Welch has applied for a variance to increase the maximum height of an accessory structure from 12 ft. to 15 ft. 6 in., measured to the midpoint of the roof; and a variance to increase the maximum permitted area of an accessory structure from 676 sq. ft. to 864 sq. ft., both to permit a 24 ft. x 36 ft. detached garage. Also a variance to increase the maximum permitted width of a driveway from 25 ft. to 36 ft. to allow the replacement of the apron and to allow the existing driveway to remain.

**Action:**

The Board of Adjustment adopted the findings and **approved** the variance to increase the maximum permitted height of an accessory structure from 12 ft. to 15 ft. 6 in., measured to midpoint of roof, **approved** a variance to increase the maximum permitted width of a driveway from 25 ft. to 36 ft. to allow the replacement of the apron and allow the existing driveway to remain and notwithstanding the staff recommendation **approved** the variance to increase the maximum permitted area of an accessory structure from 676 sq. ft. to 864 sq. ft. to permit a 24 ft. by 36 ft. detached garage based on restoring the historic elements and nature of the original carriage house.

**23. 3235 Cleveland St. NE (Z-231, 1st Ward)**

Gregory Gooch has applied to appeal the decision of the Zoning Administrator not to accept a variance to increase the height of an accessory structure from 12 ft. Also, appeal to increase the maximum permitted sq. ft. of an accessory structure (detached garage) from 676 sq. ft. to 768 sq. ft. at 3235 Cleveland Street NE.

**Action:**

The Board of Adjustment **denied** the application.

**24. 4501 Zenith Ave. S. (BZZ-194, 13<sup>th</sup> Ward)**

Eric Hansen has applied for a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 16 ft. for a new 22 ft. x 25 ft. detached garage.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application on the consent agenda.

**25. 3404 26<sup>th</sup> Ave. S. (Z-196, 9<sup>th</sup> Ward)**

David Greenwood has applied for a variance to increase the maximum permitted area of an accessory structure from 676 sq. ft. to 792 sq. ft. and a variance to increase the maximum height of an accessory structure from 12 ft. to 16 ft. to the midpoint of the roof, both to permit a 22 ft. x 36 ft. detached garage; also a variance to increase the maximum permitted width of a driveway from 25 ft. to 28 ft.

**Action:**

The Board of Adjustment adopted the findings and **denied** the variance to increase the maximum permitted area of an accessory structure from 676 square feet to 792 square feet; **approval** of the variance to increase the maximum height of an accessory structure from 12 feet to 16; and **approval** of the variance to increase the maximum permitted width of a driveway from 25 feet to 28 feet – at its widest point subject to the following conditions:

- 1) The existing garage shall be demolished and used for green space.
- 2) The existing driveway shall be removed and used for green space.
- 3) The exterior buildings materials used for the new garage shall be similar to those of the existing house.

**26. 4308 Drew Avenue South (V-0201, 13<sup>th</sup> Ward)**

Beth Hannan has applied for a variance to increase the maximum height of an accessory structure from 12 ft. to approximately 14 ft. to permit a new 21 ft. x 32 ft. garage with a roof pitch to match the roof pitch of the house.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application on consent agenda, subject to the following conditions:

1. The roof pitch of the garage shall closely match the roof pitch of the principal dwelling, as indicated in the elevations that have been submitted.
2. The garage shall maintain a distance from the principal dwelling of not less than six (6) feet, as indicated on the site plan and as required by section 537.80 of the zoning code.

**27. 2404 35<sup>th</sup> Ave. S. (Z-183, 2<sup>nd</sup> Ward)**

Sid Tincher and Heide Gross have filed an appeal of the Zoning Administrator's decision that an increase in the maximum permitted height of an accessory structure from 12 ft. to 19 ft. 7 in. to permit a 2-story detached garage with studio space above is not allowed; A variance (section 520.520 (4) of the zoning code) would allow a maximum height of 16 ft.

**Action:**

This application has been **withdrawn**.

**28. 2706 W. Lake of the Isles Pkwy. (Z-193, 7<sup>th</sup> Ward)**

Patrick and Lisa Denzer have applied for a variance to increase the maximum total area of an accessory structure and a structure for the parking of vehicles from 676 sq. ft. to 1,125 sq. ft. to allow a new 672 sq. ft., 24 ft. x 28 ft. detached garage in addition to attached garage; also a variance to increase the maximum permitted height of the detached garage from 12 ft. to 16 ft. measured to the midpoint of the roof.

**Action:**

The Board of Adjustment adopted the findings and **denied** the variance to increase the maximum permitted area of an accessory structure and a structure for the parking of vehicles from 676 square

feet to 1,125 square feet to allow a new 672 square foot (24 feet by 28 feet detached garage in addition to attached garage and **approved** the variance to increase the maximum height of the proposed detached garage from 12 feet to 16 feet measured at the midpoint subject to the following conditions:

**29. 3020 Garfield Ave. S. (V-0236, 10<sup>th</sup> Ward)**

Julius Deroma has made application for variation of: (1) the maximum permitted garage height from 12 ft. to 15 ft. 9 in. in order to allow construction of a roof on a 22 ft. x 34 ft. garage whose floor area was previously approved under the former Zoning Code; (2) the front yard along Garfield Avenue from the required 20 ft. to 0 ft.; and (3) the location requirements for on-site parking in order to allow existing parking between the dwelling and the front lot line.

**Action:**

The Board of Adjustment adopted the findings and **approved** the maximum permitted garage height to increase from 12 ft. to 14 ft. and **denied** the variance of the front yard setback and **denied** the variance of (2 parking spaces) the parking location requirements of chapter 541.

**30. 3911 Upton Av. S. (V-0316, 13<sup>th</sup> Ward)**

Kevin Johnson has applied to vary the height of proposed detached garage at midpoint of rafter from 12 ft. (maximum permitted) to 15 ft. to permit a new 24 ft. x 24 ft. garage with a 12/12 pitch roof.

**Action:**

The Board of Adjustment adopted the findings and **denied** the application.

**31. 2412 Chicago Avenue South V-0329**

David J. Halverson has applied for a variation of the size of a detached garage from 676 sq. ft. to 832 sq. ft. and variation of the height of the garage at the midpoint of the rafter from 12 ft. to approximately 16 ft. to allow a new 32 ft. x 26 ft. three-stall garage with a 12/12 pitch roof.

**Action:**

Notwithstanding the staff recommendations, the Board of Adjustment approved a **32 ft. x 24 ft., 768 sq. ft. garage** with a 12/12-pitch roof based on the congestion of the street being in close vicinity to a hospital and the need for off street parking and subject to:

The final elevations shall being reviewed by Planning Department staff for historic compatibility with the existing home.

**32. 4817 Oliver Av. S. (V-0347) 13<sup>th</sup> Ward**

Gary Aulik (for James R. Peterson) has applied for a variance to increase the maximum permitted size of an accessory structure from 676 sq. ft. to 950 sq. ft. to allow a new 38 ft. x 25 ft. (three car garage); also to vary from the maximum allowed height from 12 ft. to 12 ft. 6 in., measured to the midpoint of the roof, for a detached garage.

**Action:**

The application was **withdrawn**.

**33. 3916 Ewing Av. S. (V-0353, 13<sup>th</sup> Ward)**

Robert and Amy Vose have applied for a variance to increase the maximum permitted height of a detached garage from 12 ft. to 14 ft., when measured at midpoint, to permit a new 22 ft. x 22 ft. detached garage with a 12/12 pitch roof.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application on consent.

**34. 4033 Ewing Av. S. (V-0350, 13<sup>th</sup> Ward)**

Jeffry and Tamara Meyer have applied for a variance to increase the maximum allowable height for a detached garage from 12 ft. to 13 ft., measured to the midpoint of the roof, to allow for a 22 ft. x 28 ft. detached garage.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application on consent.

**35. 2407 Lake Pl. (V-0305, 7<sup>th</sup> Ward)**

Jonathan and Talia Pierce have applied for a variance to increase the maximum allowable height of an accessory structure from 12 ft. (at midpoint of roof) to 14 ft. 9 in. to permit a new 24-ft. x 26-ft. garage with a 10/12 pitch roof.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application on consent.

**36. 2741 Bryant Av. S. (V-0345, 10<sup>th</sup> Ward)**

Jeffrey Krull has applied for a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 15 ft. 6 in., (measured to the midpoint of the rafter, halfway between the top plate and peak) to permit a new 22 ft. x 24 ft. detached garage with studio space above the detached garage.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application on consent subject to the following condition:

- 1) The Planning Department shall review the final elevations, site plan and floor plan prior to issuance of a building permit for the proposed structure.

**37. 2227 Dupont Ave. N. (V-0361, 3<sup>rd</sup> Ward)**

Dan Kelty has applied for a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 14 ft. 6 in. to allow the construction of a 30 ft. x 22 ft. detached garage with a 10/12 pitch roof. Also, variation of the maximum permitted floor area of all accessory structures from 676 sq. ft. to 830 sq. ft. to allow both the existing 17 ft. by 10 ft. garage and the 30 ft. by 22 ft. garage that is currently under construction.

**Action:**

The Board of Adjustment adopted the findings and **approved** the variance to increase the maximum height from 12 ft. to 14 ft. 6 in. and, notwithstanding the staff recommendations, the Board of Adjustment **approved** the variance to increase the maximum permitted floor area of all accessory structures from 676 sq. ft. to 830 sq. ft. based on the fact that the result of denying the variance would be the loss of the historically significant garage, subject to the following conditions:

- 1) The driveway connecting Dupont Avenue with the historic garage shall be removed within 12 months.
- 2) The exterior of the garage shall be sided with wood siding similar to the wood siding materials on the house.

**38. 1408 – 12<sup>th</sup> Ave. NE (V-0368, 1<sup>st</sup> Ward)**

David Grider has applied for a variance to increase the maximum permitted height (measured to the midpoint of the roof) of an accessory structure from 12 ft. to 14 ft.; a variance to reduce the (east) side yard setback from 5 ft. to 1 ft.; and a variance to reduce (west) side yard setback from 5 ft. to 3 ft. 1 in. all to permit a 1310 sq. ft. detached garage accessory to a four-unit building.

**Action:**

The Board of Adjustment adopted the findings and **denied** of the application to increase the maximum permitted height of an accessory structure and **approved** the application to reduce the east and west side yard setbacks.

**39. 5533 Aldrich Ave. S. (V-0386, 13<sup>th</sup> Ward)**

Jeremy Rath has applied for a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 13 ft. 4 in. (measured to the midpoint of the roof) to permit a 22 ft. x 22 ft. 8 in. detached garage with a 10/12 pitch roof.

**Action:**

The Board of Adjustment adopted the findings and **approved** the application on the consent agenda.

**40. 1217-19 8<sup>th</sup> St. SE (BZV-0382, 2<sup>nd</sup> Ward)**

Susan L. Schneiderhan has applied for a variance to increase the maximum permitted height of an accessory structure from 12 ft. to 13 ft. 7 in. to permit a new 22 ft. x 20 ft. detached garage with 11/12 pitch roof at 1217-19 8<sup>th</sup> Street SE.

**Action:**

The Board of Adjustment, notwithstanding the staff recommendation, **approved** the variance application based upon the hardship of topography and preservation of an existing tree and existing landscaping, subject to the following condition:

- 1) That the garage is constructed consistent with plans submitted at the public hearing.