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MEMORANDUM

DATE: January 23, 2003

TO: Council Member Schiff, Chair, Zoning & Planning Committee
Members of the Zoning & Planning Committee

FROM: Jason Wittenberg

SUBJECT: Garage requirement amendment

At the December 17, 2002, meeting of the Zoning & Planning Committee, staff was directed to develop an alternative amendment that would allow an administrative exemption from the proposal to require a garage with construction of every new single-family dwelling. Committee members were concerned about adopting a provision that would authorize a variance from the garage requirement.

Staff had considered language allowing administrative exemptions to the proposed garage requirement where one or more of the following conditions exist:

- 1) The lot does not have access to a public alley and is less than forty (40) feet in width;
- 2) The lot is less than three thousand five hundred (3,500) square feet in area;
- 3) The lot has a steep slope (an average slope of eighteen (18) percent or greater measured over a horizontal distance of fifty (50) feet or more).

However, staff believes that the same conditions that would cause construction of a garage to be impractical would likely also cause installation of an off-street parking space to be impractical. Upon further discussion within the Planning Department, staff believes that the existing section 525.520(6), below, would allow an applicant to request a variance from the garage requirement as it is written, and that adding another authorized variance to the zoning code is not necessary in this instance.

525.520. Authorized variances. Variances from the regulations of this zoning ordinance shall be granted by the board of adjustment only in accordance with the requirements of section 525.500, and may be granted only in the following instances, and in no others:

- ...
- (6) To reduce the applicable off-street parking, stacking or loading requirements by up to twenty (20) percent of the applicable regulations or one (1) space, whichever is greater.