



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

Date: February 4, 2010

To: Chair, Zoning & Planning Committee and Members of the Committee

Referral to: Zoning & Planning Committee

Subject: Appeal of the decision of the Board of Adjustment to deny the four requested variances to allow for an addition to an existing detached garage accessory to an existing fourplex for the property located at 3020 10th Avenue South in the R4 Multiple-Family District.

Recommendation: The following action was taken by the Board of Adjustment on December 17, 2009 (BZZ-4625):

2. 3020 10th Avenue South (BZZ-4625, Ward 8)

A. Variance: Daniel Lubbers has applied for a variance to increase the maximum floor area of a detached accessory structure to allow for an addition to an existing detached garage accessory to an existing fourplex for the property located at 3020 10th Avenue South in the R4 Multiple-Family District.

ACTIONS: The Board of Adjustment **adopts** the findings and **denied** the variance to increase the maximum floor area of a detached accessory structure to allow for an addition to an existing detached garage accessory to an existing fourplex for the property located at 3020 10th Avenue South in the R4 Multiple-Family District.

B. Variance: Daniel Lubbers has applied for a variance to increase the maximum height of a detached accessory structure to allow for an addition to an existing detached garage accessory to an existing fourplex for the property located at 3020 10th Avenue South in the R4 Multiple-Family District.

ACTIONS: The Board of Adjustment **adopts** the findings and **denied** the variance to increase the maximum height of a detached accessory structure to allow for an addition to an existing detached garage accessory to an existing fourplex for the property located at 3020 10th Avenue South in the R4 Multiple-Family District.

C. Variance: Daniel Lubbers has applied for a variance to reduce the minimum distance between an accessory structure and a dwelling to allow for an addition to an existing detached garage accessory to an existing fourplex for the property located at 3020 10th Avenue South in the R4 Multiple-Family District.

ACTIONS: The Board of Adjustment **adopts** the findings and **denied** the variance to reduce the minimum distance between an accessory structure and a dwelling to allow for an addition to an existing detached garage accessory to an existing fourplex for the property located at 3020 10th Avenue South in the R4 Multiple-Family District.

D. Variance: Daniel Lubbers has applied for a variance to reduce the minimum south interior side yard from 7 ft. to 1 ft. to allow for a detached garage not located entirely in the rear 40 ft. of the zoning lot to allow for an addition to an existing detached garage accessory to an existing fourplex for the property located at 3020 10th Avenue South in the R4 Multiple-Family District.

ACTIONS: The Board of Adjustment **adopts** the findings and **denied** the variance to reduce the minimum south interior side yard from 7 ft. to 1 ft. to allow for a detached garage not located entirely in the rear 40 ft. of the zoning lot to allow for an addition to an existing detached garage accessory to an existing fourplex for the property located at 3020 10th Avenue South in the R4 Multiple-Family District.

Ward: 8

Prepared by: Shanna Sether, Senior Planner (612-673-2307) Approved by: Jason Wittenberg, Planning Supervisor Presenters in Committee: Shanna Sether, Senior Planner

Financial Impact

- No financial impact

Community Impact

- Neighborhood Notification: Powderhorn Park Neighborhood Association was notified of the applications.
- City Goals: See staff report
- Comprehensive Plan: See staff report
- Zoning Code: See staff report
- End of 60/120-day decision period: On December 22, 2009, staff sent a letter to the applicant extending the 60 day decision period to no later than March 13, 2010.

Supporting Information

This appeal was continued from the January 21, 2010, Zoning and Planning Committee meeting due to a lack of attachments received by the Committee members.

Daniel Lubbers has filed an appeal of the decision of the Board of Adjustment to deny the four requested variances to allow for an addition to an existing detached garage accessory to a fourplex for the property located at 3020-10th Avenue South in the R4 Multiple-Family District. At its meeting on December 17, 2009, the Board of Adjustment voted 7-0 to adopt staff findings and deny the four variances requested by the applicant. The appeal (attached) was filed on December 22, 2009. The

appellant's complete statement of the action being appealed and reasons for the appeal are attached. The Board of Adjustment minutes and Planning Division staff report are attached.