

Department of Community Planning and Economic Development – Planning Division

Variance Request
BZZ-4131

Date: August 14, 2008

Applicant: Mike Russell, on behalf of Celestina Venturing

Address of Property: 1104 Vincent Avenue South

Contact Person and Phone: Mike Russell, 651-645-0331

Planning Staff and Phone: Molly McCartney, 612-672-5811

Date Application Deemed Complete: July 24, 2008

Publication Date: August 8, 2008

Hearing Date: August 14, 2008

Appeal Period Expiration: August 25, 2008

End of 60 Day Decision Period: September 22, 2008

Ward: 7 **Neighborhood Organization:** Bryn Mawr

Existing Zoning: R1 Single Family Residence District and SH Shoreland Overlay District

Proposed Use: New detached garage

Proposed Variances:

- A variance to reduce the distance of a detached garage to a dwelling from 6 ft. to 4 ft., and
- A variance to allow for a detached garage located not entirely to the rear of the residential structure to allow for a detached garage in the front yard at 1104 Vincent Avenue South in the R1 Single-family District and SH Shoreland Overlay District.

Zoning code section authorizing the requested variance: 525.520 (8) (8)

Background: The subject property is a single-family home with a detached garage (approximately 16 ft. by 20 ft.). The applicant is proposing to demolish the existing garage and replace it with a new garage, measuring 20 ft. by 22 ft. The proposed garage would meet the setback requirements for the rear and sideyard setback; however, the proposed garage does not meet the distance from a dwelling requirement of 6 ft. as well as the requirement that the garage be located entirely to the rear of the property.

The proposed garage is in a location much like the existing garage; however the new garage is large enough for two-stalls. The garage will be 4 ft. to the nearest point of the house. In addition, the proposed garage, much like the existing garage, will not be location entirely to the rear of the property. The lot measures 62 ft. by 89 ft. (5,697 sq. ft.) and the lot depth of 89 ft. is much smaller than a standard Minneapolis lot that typically measures 125 ft. deep. The home is setback from the front property line 32 ft. and at the closest point in the backyard is 9 ft. to the rear property line. The proposed garage would be set back 65 ft. from the front property line and be 2 ft. off the rear property line.

The proposed garage is designed similar to the home; in that the exterior material is proposed to be stucco and the roof pitch is 5/12, which is a bit shallower than the home (6/12). The surrounding neighborhood has a mix of detached and attached garages; with the homes to the south on Vincent having either attached or detached garages much closer to the front property line than the subject property.

Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

A variance to reduce the distance of a detached garage to a dwelling from 6 ft. to 4 ft.

Due to the shallow depth of the lot and the location of the home to the rear of the property, the property does not have the backyard space required by the zoning code to build a two-car garage in that meets the 6 ft. setback to the home. Off-street parking is a reasonable use of a residential property, and most single-family properties in Minneapolis have space to park at least two vehicles.

A variance to allow for a detached garage located not entirely to the rear of the residential structure

Due to the shallow depth of the lot and the location of the home to the rear of the property, the property does not have the backyard space required by the zoning code to build a two-car garage entirely to the rear of the home. Standard sized residential properties typically have a quite a bit of distance between the rear of the home and the rear property line to build a reasonably sized garage. In this situation, the size of the property and location of the home prevents the two-car garage.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

A variance to reduce the distance of a detached garage to a dwelling from 6 ft. to 4 ft.

Due to the shallow depth of the lot and the location of the home to the rear of the property, the property does not have the backyard space required by the zoning code to build a two-car garage

in that meets the 6 ft. setback to the home. These circumstances were not created by the applicants.

A variance to allow for a detached garage located not entirely to the rear of the residential structure

Due to the shallow depth of the lot and the location of the home to the rear of the property, the property does not have the backyard space required by the zoning code to build a two-car garage entirely to the rear of the home. These circumstances were not created by the applicants.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

A variance to reduce the distance of a detached garage to a dwelling from 6 ft. to 4 ft.

The intent of the ordinance that requires a certain distance between the home and garage helps to split up the massing of the two structures, as well as provide for safety issues that may arise from vehicles close to the home. In this situation, the proposed garage is very similar in location to the existing garage, so the massing will not necessarily have a substantial change. The proposed 4 ft. distance between the home and garage leave room for access.

The surrounding neighborhood has a mix of detached and attached garages; with the homes to the south on Vincent having either attached or detached garages much closer to the front property line than the subject property. The proposed garage would have little impact on the surrounding properties

A variance to allow for a detached garage located not entirely to the rear of the residential structure

The intent of the ordinance the requires that a detached garage be located entirely to the rear of a home helps to split up the massing of the two structures as well as keep the views of a garage secondary to the home. Because the proposed garage is replacing a similarly sized garage in a similar location, the impact of the garage not being located entirely to the rear of the home would be minimal.

The surrounding neighborhood has a mix of detached and attached garages; with the homes to the south on Vincent having either attached or detached garages much closer to the front property line than the subject property. The proposed garage would have little impact on the surrounding properties

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

A variance to reduce the distance of a detached garage to a dwelling from 6 ft. to 4 ft. and a variance to allow for a detached garage located not entirely to the rear of the residential structure

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Granting the variances would likely have an impact on the congestion of area streets because the proposed garage would relieve on-street parking pressure. There is no alley on the block, and all the homes have driveway access and curb cuts from the street, which leaves little on-street parking. Across the street from the home are two intersections, further reducing the amount of on-street parking in the area.

The proposed garage would not be detrimental to fire safety or be detrimental to the public welfare or endanger the public safety.

Recommendation of the Department of Community Planning and Economic Development - Planning Division:

The Department of Community Planning and Economic Development – Planning Division recommends that the Board of Adjustment adopt the findings above and **approve** the following variances:

- A variance to reduce the distance of a detached garage to a dwelling from 6 ft. to 4 ft., and
- A variance to allow for a detached garage located not entirely to the rear of the residential structure to allow for a detached garage in the front yard at 1104 Vincent Avenue South in the R1 Single-family Residential District and SH Shoreland Overlay District, subject to the following conditions,
 1. CPED–Planning Division review and approve the final site plan, elevation plans, and landscaping plan.