

Department of Community Planning and Economic Development – Planning Division**Variance Request
BZZ-2050****Date:** November 18, 2004**Applicant:** Alana Bassin**Address of Property:** 2921 Chowen Avenue South**Contact Person and Phone:** Dave Park of Durabilt Associates, (952) 938-9350**Planning Staff and Phone:** Tanya Holmgren, (612) 673-5887**Date Application Deemed Complete:** October 21, 2004**End of 60 Day Decision Period:** December 20, 2004**End of 120 Day Decision Period:** February 18, 2004**Ward: 7 Neighborhood Organization:** Cedar Isle Dean Neighborhood Association**Existing Zoning:** R1, Single-family Residential District**Proposed Use:** A rear addition to a single-family dwelling.**Proposed Variance:** A variance to reduce the required front yard setback along Chowen Place from 25 ft. to 15 ft. to allow for the construction of a two-story addition to the rear of an existing single-family dwelling.**Zoning code section authorizing the requested variance:** 525.520 (1)**Background:** The subject property is approximately 50 ft. by 87.5 ft. (4,375 sq. ft.) and consists of an existing single-family dwelling and detached garage. The applicant is proposing a rear addition to the northeast corner of an existing single-family dwelling. The addition will allow for the relocation of the stairs and will allow for a second story office. The proposed addition will be located 12.5 ft. from the interior side property line. The adjacent single-family dwelling to the east is setback approximately 25 ft. from the front property line.

The applicant previously applied for a variance to reduce the front yard setback along Chowen Avenue South from the required 25 ft. to 10.5 ft. to allow for the construction of a new porch addition, a variance to reduce the required front yard setback along Chowen Avenue South from the required 25 ft. to 15 ft. and a variance to reduce the required front yard setback along Chowen Place from the required 25 ft. to 3 ft. both to allow for a second-story addition to be added to an existing single-family dwelling located on a reverse corner lot. These variances were approved on February 26, 2003.

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.**

Front yard setback: The applicant has requested a variance to reduce the established front yard setback along Chowen Avenue South to 15 ft. to allow for a rear addition to an existing single-family dwelling. The applicant has received prior approvals to reduce the front yard to 3 ft. to allow for an addition to the south of the dwelling and for a second story addition on the property. Strict adherence to the regulations would not allow for the addition to the rear of the existing single-family dwelling.

- 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.**

Front yard setback: The circumstances upon which the setback variance is requested are unique to the parcel of land due to the location of the adjacent dwelling to the east of the existing single-family dwelling. Additionally, the location of the existing structure on the subject site is not a circumstance created by the applicant. These are existing circumstances that are unique to this parcel and not created by the applicant. The alternative to the variance would cause an undue hardship to the property owner, by not allowing the construction of the proposed rear addition to an existing single-family dwelling.

- 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.**

Front yard setback: Staff believes that the rear addition to the existing single-family dwelling will not be injurious to the use or enjoyment of other property in the vicinity because the addition will be located at northeast corner of the dwelling and will meet the interior side yard setback. Staff believes that the rear addition will not alter the essential character of the surrounding neighborhood because it is consistent with the existing dwelling. Staff believes that the proposed addition meets the intent of the ordinance because it is located at the rear of the dwelling.

- 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.**

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Front yard setback: Granting the front yard setback variance would likely have no impact on the congestion of area streets or fire safety, nor would the rear addition be detrimental to the public welfare or endanger the public safety, as the addition will be to the rear of the dwelling.

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 variance to reduce the required front yard setback along Chowen Place from 25 ft. to 15 ft. to allow for the construction of a two-story addition to the rear of an existing single-family dwelling subject to the following conditions:

1. Review and approval of final site and elevation plans by the Planning Department.
2. That the exterior materials match the existing dwelling.