

Department of Community Planning and Economic Department – Planning Division**Variance Request
BZZ - 2918****Date:** April 20, 2006**Applicant:** Olaf Medhus, on behalf of Andex Pivec**Address Of Property:** 2102 Cedar Lake Parkway**Contact Person And Phone:** Olaf Medhus, (612) 875-1092**Planning Staff and Phone:** Shanna Sether, (612) 673-2307**Date Application Deemed Complete:** March 28, 2006**Public Hearing:** April 20, 2006**Appeal Period Expiration:** May 1, 2006.**End of 60 Day Decision Period:** May 27, 2006**Ward: 7 Neighborhood Organization:** Bryn Mawr**Existing Zoning:** R1 Single Family District and SH Shoreland Overlay District**Proposed Use:** A new single-family dwelling.**Proposed Variance:** A variance to reduce the required front yard setback along 21st Street West from 25 ft. to 10 ft. to allow for the construction of a new single-family dwelling on a reverse corner lot at 2102 Cedar Lake Parkway in the R1 Single Family and SH Shoreland Overlay Districts.**Zoning code section authorizing the requested variance:** 525.520 (1)**Background:** The subject property is a reverse corner lot located at the southeast corner of Cedar Lake Parkway and 21st Street West. The adjacent property to the west fronts on Cedar Lake Parkway and adjacent property to the north fronts on 21st Street West, requiring the subject property to maintain two front yards as a reverse corner lot.

The applicant proposes to construct a new single-family dwelling located at 2102 Cedar Lake Parkway. The proposed dwelling would be located 10 ft. from the front property line along 21st Street West and approximately 72 feet from the front property line along Cedar Lake Parkway. The adjacent property to the north fronts on 21st Street West and maintains an 8.2 ft. setback. The required setback along the front property line for the R1 district is 25 ft. Thus, a variance is required for the front yard along 21st Street West from 25 ft. to 10 ft.

The proposed single family home is subject to Administrative Site Plan Review. It appears that the current design for the proposed structure would receive 13 points for the following: Providing a basement, a concrete exterior, 10% windows on the sides and rear elevations, and multiple deciduous trees in the front yard. However, the applicant has not yet met the minimum points required for Administrative Site Plan Review of 15 points. The applicant will be required to make revisions to the proposed structure and apply for Administrative Site Plan Review.

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 variance to reduce the required front yard setback along 21st Street West from 25 ft. to 10 ft. to allow for the construction of a new single-family dwelling at 2102 Cedar Lake Parkway on a reverse corner lot. The applicant is proposing to construct a new single family dwelling, which is a reasonable use of a property zoned R1 District. Strict adherence to the regulations requires that the dwelling be constructed behind the established front yard setback along Cedar Lake Parkway, approximately 72 ft. from the front property line and 25 ft. from the front property line along 21st Street West, which strictly minimizes the location for the new single family home to be developed.

- 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 dwellings and the configuration of the lots. The location of the existing structures and the configuration of the lots are not a circumstance created by the applicant and causes an undue hardship on the property by not allowing the construction of a new 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 the construction of a new single-family dwelling will not alter the essential character of the surrounding neighborhood, because the proposed dwelling is in character with the two-story single-family dwellings in the area. The R1 District requires a minimum of a 25 ft. front setback, the applicant is proposing to maintain a 10 ft. setback, which is approximately 2 ft. further from 21st Street West than the front setback of the adjacent property to the north. Staff believes that the proposed construction meets the intent of the

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ordinance, but is concerned that by the proposed dwelling not meeting the design standards the dwelling is not meeting the intent of the ordinance and would recommend that additional measures be taken to meet this code requirement.

- 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.**

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.

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

The Community Planning and Economic Development Department - Planning Division recommends that the City Council adopt the above findings and **approve** the variance to reduce the required front yard setback along 21st Street West from 25 ft. to 10 ft. to allow for the construction of a new single-family dwelling at 2102 Cedar Lake Parkway on a reverse corner lot subject to the following conditions:

- 1) Review and approval if the final site and elevation plans by CPED-Planning.
- 2) Compliance with Administrative Site Plan Review requirements for 1-4 unit dwelling units by CPED-Planning before building permits may be issued.