

## Community Planning and Economic Development - Planning Division Report

Variance Request  
BZZ-1856

**Date:** August 5, 2004

**Applicant:** Lisa Ide

**Address of Property:** 3424 Zenith Avenue South

**Date Application Deemed Complete:** July 12, 2004

**End of 60 Day Decision Period:** September 12, 2004

**Contact Person and Phone:** Lisa Ide, (612) 374-3795

**Planning Staff and Phone:** Tanya Holmgren, (612) 673-5887

**Ward:** 13      **Neighborhood Organization:** West Calhoun Neighborhood Association

**Existing Zoning:** R1, Single-family Residential District

**Proposed Use:** Two-story addition to the front of an existing single-family dwelling.

**Proposed Variance:** A variance to reduce the required front yard setback along Zenith Avenue South from the setback established by the adjacent residential structure to 48 ft. to allow for the construction of a new front entrance and trellis addition to an existing single-family dwelling.

**Zoning code section authorizing the requested variance:** 525.520 (1)

**Background:** The subject property is approximately 90 ft. by 195.5 ft. (17,7595 sq. ft.) and consists of an existing single-family dwelling with an attached garage. The applicant is seeking a variance to reduce the front yard setback along Zenith Avenue South from the setback established by the adjacent residential structure from 110 ft. to 48 ft. to allow for the construction of a new front entrance and trellis addition to an existing single-family dwelling. The addition consists of a 12 ft. first floor entry, a 12 ft. second story office, and a patio with a trellis constructed above it. The applicant states the addition is to allow a functional front entrance and will not block the neighbors views. The current front yard setback of this property is approximately 66 ft. The addition will maintain a greater setback than the district setback of 25 ft.

**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 is seeking a variance to reduce the established front yard setback to allow the construction of a two story front entrance and pergola addition to an existing single-family dwelling. The property cannot be put to reasonable use due to the setback of the adjacent property to the south. The established front yard setback is behind the entire property and makes existing home on the subject property in front of the established setback. Strict adherence to the regulations would not allow for the construction of anything on this property.

- 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 circumstance upon which the setback variance is requested is unique to the parcel of land due to the location of the adjacent structure. The R1 district allows for single-family homes to have a 25 ft. setback, however the adjacent residential property is setback 110 ft. The proposed addition will maintain a 48 ft. setback. The location of the adjacent dwelling is not a circumstance that was created by the applicant, it is an existing condition.

- 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:** The addition will not be injurious to the use or enjoyment of other properties in the vicinity and will be in keeping with intent of the ordinance. The intent of the established front yard setback is to maintain a consistent alignment of principal structures along a block face when principal structures are setback further than the district requirement. In this case, the subject site is located immediately adjacent to one principal structure on the same block face that is setback approximately 110 ft. setback which is primarily covered in vegetation and the dwelling is not visible from the street. The property to the North is across a street and on a steep hill. Staff believes that the addition could alter the essential character of the surrounding neighborhood, as design will alter the front façade of the dwelling. The proposed addition is not in scale with the existing structure. A design that maintains the same overall height of the existing structure with the same sized ceiling height as the existing structure would be more consistent with the architecture.

- 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 variance would likely have no impact on congestion of area streets or fire safety, nor would the proposed second story addition 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 variance to reduce the required front yard setback along Zenith Avenue South from the setback established by the adjacent residential structure to 48 ft. to allow for the construction of a new front entrance and trellis addition to an existing single-family dwelling subject to the following conditions:

1. Review and approval of final site and elevation plans by the Planning Department.