

**Department of Community Planning and Economic Development – Planning Division Report**

Variance Request  
BZZ-2130

**Date:** January 6, 2005

**Applicant:** Mitchell Blatt and Michele Lepsche

**Address of Property:** 2761 Ewing Avenue

**Date Application Deemed Complete:** December 7, 2004

**End of 60 Day Decision Period:** February 5, 2005

**End of 120 Day Decision Period:** April 6, 2005

**Appeal Period Expiration:** January 18, 2005

**Contact Person and Phone:** Michele Lepsche, 612-920-1527

**Planning Staff and Phone:** Carrie Flack, 612-673-3239

**Ward:** 7      **Neighborhood Organization:** Cedar Isles Dean

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

**Proposed Use:** Construction of an addition

**Proposed Variance:** A variance to reduce the required interior side yard setback from 6 ft. to 3.5 ft. to allow for an addition to a single family dwelling.

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

**Background:** The subject site is approximately 50 ft. x 128 ft. (6,400 sq. ft.) and consists of a 2.5-story single family dwelling with an attached garage. The applicant is proposing to construct a 16 ft. x 4 ft. 9 inch addition onto the north side of the dwelling. The addition will match the 4 ft. 9 inch width of the existing side entry on the dwelling and maintain the existing 3.5 ft side yard setback from the north property line. The addition will extend east from the side entry 16 ft. to provide interior access to the attached garage. Currently, the property owners must walk out the side entry and then into the side entry for the garage.

**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.**

**Interior side yard setback:** The applicant's are seeking a variance to reduce the north interior side yard setback from the required 6 ft. to 3.5 ft. The applicant's state that the new addition will allow interior access to the attached garage and provide utility room space. Strict adherence to the regulations would not allow for the addition. Based on the submitted information, the request seems reasonable.

- 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.**

**Interior side yard setback:** The conditions upon which the setback variance is requested are unique to the parcel due to the orientation of the dwelling on the property. The existing side entrances to both the kitchen and attached garage are located on the north side of the house. Locating the entrances to another side of the house would not achieve the intent of providing an interior access to the attached garage from the kitchen and utility space adjacent to the kitchen. In addition, the existing side entry is located 3.5 ft. from the north property line. The new addition will not encroach any closer to the north property line than currently exists.

- 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.**

**Interior side yard setback:** Staff believes that the new addition will not alter the essential character of the surrounding neighborhood and will not be injurious to the use or enjoyment of other property in the vicinity. Staff believes that the design of the new addition is in keeping with the design of the dwelling and increases the efficiency of accessing the attached garage.

- 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.**

**Interior side yard setback:** Granting the variance would likely have no impact on congestion of area streets or fire safety, nor would the proposed addition be detrimental to the public welfare or endanger the public safety.

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**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** variance to reduce the required interior side yard setback from 6 ft. to 3.5 ft. to allow for an addition to a single family dwelling subject to the following conditions:

1. That the Planning Department review and approve the final site and elevation plans.
2. That the exterior building materials used for the addition shall be compatible to the exterior building materials of the house.