

Department of Community Planning and Economic Development – Planning Division

Variance Request
BZZ-4265

Date: December 28, 2008

Applicant: Bruce Colon

Address of Property: 4024 Aldrich Avenue South

Contact Person and Phone: Bruce Colon, 612-388-7610

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

Date Application Deemed Complete: November 30, 2008

Publication Date: December 12, 2008

Hearing Date: December 18, 2008

Appeal Period Expiration: December 29, 2008

End of 60 Day Decision Period: January 30, 2009

Ward: 10 **Neighborhood Organization:** East Harriet Neighborhood Association

Existing Zoning: R1A Single Family Residence District

Proposed Use: Rear, two-story addition and new detached garage

Proposed Variances: A variance to reduce the minimum driveway width from 10 ft. to 8 ft. 6 in. to allow for a new driveway at 4024 Aldrich Avenue South in the R1A Single-family Residence District.

Zoning code section authorizing the requested variance: 525.520 (14)

Background: The subject property is a two and one-half story, single-family home, built in 1909, on a lot that measures 42 ft. by 134 ft. (5,628 sq. ft.). The property does not have off-street parking. There is no alley on the block and the property does not have a curb cut or driveway. The home is 30 ft. wide and there is a 3 ft. north sideyard and an 8 ft. 10 in. south sideyard. The applicant would like to install a curb cut and driveway on the south side of the house and construct a detached garage in the rear of the property.

The zoning code allows for variances to reduce the width of residential driveways from 10 ft. to 8 ft., provided that there is no alley or alternative public access to the lot.

525.520 Authorized variances. (14) To reduce the minimum required width of parking aisles or to increase the maximum width of driveways in any zoning district, as regulated in Chapter 541, Off-Street Parking and Loading, or to reduce the minimum required width of driveways in the residence and OR1 Districts from ten (10) feet to eight (8) feet, provided there is no alley or alternative public access to the lot.

In this situation, there is no alley on this block or other public access. The neighbors to the north have a driveway along the shared property line, but the applicant has stated that a shared driveway was not pursued. Six of the adjacent residential blocks do not have alleys, and most homes access their rear parking spaces or garage by a private curb cut and driveway.

The curb cut and driveway will meet the minimum 10 ft. for a portion of the driveway, however, driveway is proposed to become narrower along the home. The curb cut is proposed to be a width of 10 ft. The proposed driveway will also be 10 ft. at the curb, but become narrower along the home. Behind the home, the driveway widens to 10 ft. again and into the parking area in front of the proposed 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.**

The property can continue to be used as residential home, even without off-street parking. The property has existed at the site since 1909 without off-street parking. Compliance with off-street parking requirements of the zoning code requires that some type of access is granted to 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.**

The property is unique in that there is no vehicular access to parking. There is no alley on the block. Most of the surrounding homes have a curb cut and driveway from the street leading to rear, detached garages. There is not 10 ft. on either side of the home to allow for a driveway that meets the minimum width. These conditions have not been created by the applicant.

- 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.**

Granting the variance will be keeping with the intent of the ordinance and will not alter the character of the neighborhood. The six surrounding residential blocks do not have alleys and most of the neighborhood homes have a curb cut and driveway from the street leading to rear, detached garages.

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.**

Granting the variance will reduce the congestion of the public streets by providing a minimum of two off-street parking spaces in the rear, detached garage. The proposed site plan shows that there is enough room for vehicles to turn so that vehicles can exit driving forward. The property will still meet the minimum impervious surface coverage of 65 percent with the increased hard surface.

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 minimum driveway width from 10 ft. to 8 ft. 6 in. to allow for a new driveway at 4024 Aldrich Avenue South in the R1A Single-family Residence District, subject to the following conditions:

1. Final site, elevation, and floor plans for the garage and curb cut are approved by CPED-Planning staff.