

Department of Community Planning and Economic Development – Planning Division**Variance Request
BZZ-2939****Date:** April 25, 2006**Applicant:** Project for Pride in Living, Inc.**Address of Property:** 1916 Willow Avenue North**Contact Person and Phone:** Matt Soucek, (612) 455-5215**Planning Staff and Phone:** Brad Ellis (612) 673-3239**Date Application Deemed Complete:** April 4, 2006**Public Hearing:** May 4, 2006**Appeal Period Expiration:** May 15, 2006**End of 60 Day Decision Period:** June 4, 2006**Ward: 5 Neighborhood Organization:** Northside Residents Redevelopment Council**Existing Zoning:** R2B Two Family District**Proposed Use:** Construction of a new single-family dwelling with detached garage.**Proposed Variance:** Variance to decrease the required front yard from 38 feet to 33 feet for the construction of new single family home with a detached garage at 1916 Willow Avenue North in the R2B Two Family District.**Zoning code section authorizing the requested variance:** 525.520 (1)**Background:** The subject property is located toward the south end of the 1900 block of Willow Avenue North near Logan Avenue North and is approximately 41 feet by 124 feet (5,069 square feet), with a notch out of the southeast corner for the alleyway. It is part of a larger development known as “Lowell Curve” in which the former Lowell School site is being redeveloped into 14 new single family homes. This parcel was platted on August 1, 2005 under BZZ-2394 and PL-171.

The front yard setback for the property is established by the home at 1922 Willow Avenue North, which is set back 38 feet from the property line. The applicant is proposing to construct a new single-family home with a detached garage on the subject property, and would like to set the house back 33 feet to better blend the reverse corner lot at 2321 Logan Avenue North into the neighborhood. The district setback is 20 feet.

Staff has reviewed the proposed dwelling for compliance with the required Administrative Site Plan Review. The proposed design of the structure would exceed the minimum requirements for site plan review by having a detached garage, a basement, 20 percent windows on the front façade, an open front porch, and a deciduous tree in the front yard. The proposal currently meets the minimum window requirements.

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 applicant has requested a variance to reduce the required front yard setback along Willow Avenue North from 38 feet to 33 feet to allow for the construction of a new single-family dwelling. The nearest dwelling on the block is to the northwest, and has a 38 feet front yard setback along Willow Avenue North. The proposed single-family dwelling would have front yard setback along Willow Avenue North of 33 feet, well above the 20 district setback. The proposed dwelling meets the required side and rear yard setbacks of the district. The applicant has proposed a single-family dwelling on the reverse corner lot to the south (2321 Logan Avenue North) and is attempting to stagger their houses backward from the rear of 2321 Logan Avenue North, with 1916 Willow Avenue North at 33 feet, then 1918 Willow Avenue North at 36 feet, and then the existing house at 1922 Willow Avenue North. This is to better blend the new houses with the existing neighborhood. Please see attached diagram to see location of houses. A new single family home with a detached garage is a reasonable use of the 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 location of the house to the north that is establishing the setback is unique to the parcel of land, and has not been created by the applicant. The house to the south will face Logan Avenue North. Should the required setback be based off this house, there would be no need for a variance. The applicant created the lots with the City, but received variances from the subdivision standards as noted above, and has no control over structures outside their property.

- 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.**

Staff believes the new single-family dwelling will not alter the essential character of the surrounding neighborhood, except perhaps to improve it with new investment on a vacant lot. The area is zoned R2B and consists primarily of single and two family dwellings. Staff believes that the new single-family dwelling will not be injurious to the use or enjoyment of other property in the vicinity.

- 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 setback variance would have no impact on the congestion of area streets or fire 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 Willow Avenue North from 38 feet to 33 feet to allow for the construction of a new single-family dwelling with a detached garage, subject to the following conditions:

1. Review and approval of final site and elevation plans by the CPED Planning Division.
2. Final review and approval of the final site and elevation plans in compliance with site plan review requirements for 1-4 unit dwelling units by Planning Division staff before building permits may be issued