

Department of Community Planning and Economic Development - Planning Division
Variance Application
BZZ - 2779

Date: January 19, 2006

Applicant: Julie Nelson

Address Of Property: 5221 Ewing Avenue South

Contact Person And Phone: Julie Nelson, (612) 927-8423

Planning Staff And Phone: Shanna Sether, (612) 673-2307

Date Application Deemed Complete: December 15, 2005

End of 60 Day Decision Period: February 13, 2006

Appeal Period Expiration: January 30, 2006

Ward: 13 **Neighborhood Organization:** Fulton

Existing Zoning: R1A Single-Family Residential District

Proposed Use: New addition to the front of a single-family home

Proposed Variances: A variance to reduce the required front yard setback established by connecting a line between the two front corners of the two adjacent structures along Ewing Avenue South from approximately 29 ft. to approximately 24 ft. 6 in to allow for a four season porch addition to an existing single family dwelling in the R1A District.

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

Background: The subject property contains a single family home. The applicant is proposing an approximately 8ft. 6in. by 12ft. 6in. addition to the front of the house that will allow for a four season porch. The addition will project 4ft. 6in. for 12ft. 6in. at the furthestmost point of the existing front façade. The setback is established by the district minimum of 20 feet and also by the established setback of approximately 29 feet at the point of the addition determined by drawing a line from the two front corners of the two adjacent structures on either side of the house. The house to the north is setback 28 ft. and the house to the south is located 30ft. from the front property line.

Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The applicant proposes to build an 8ft. 6in. by 12ft. 6in. four season porch addition to the front of their existing single family dwelling. The neighboring structures have established a setback of 29ft., which is greater than that of the district setback at 20ft. In addition, the applicant has submitted pictures of houses in the neighborhood that similarly have front porches and front entry portico arches that project into the front required yard. Requiring the applicant to meet the established setback would be a hardship because it would not allow her to build a similar structure to those on the surrounding properties. The requested variances will allow 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.**

As previously mentioned the applicant is proposing an addition to their existing single family dwelling and while trying to work within the confines of the code, are unable to construct the four season porch to the front of the house due to the established setback of 29ft., where the district setback is 20ft. This is a circumstance that is unique to the parcel of land and has 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.**

The intent of setbacks is to provide a uniform building line down a block face, to preserve views up and down the street, and to ensure access to light and air. The applicant has submitted pictures of houses in the neighborhood that similarly have front porches and front entry portico arches that project into the front required yard. Based the information submitted by the applicant, the proposed addition will appear to be essentially in line with the majority of houses on the block, therefore, the proposed variance should not circumvent the intent of the ordinance. Allowing the new addition should not be out of character with the area.

- 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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The variance should have no effect on congestion as it will not increase traffic demand at the site. The variance should not be detrimental to the public welfare or safety and will not increase the danger of fire.

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

The Community Planning and Economic Development Department - Planning Division recommends that the Board of Adjustment adopt the above findings and **approve** the variance to reduce the required front yard setback established by connecting a line between the two front corners of the two adjacent structures along Ewing Avenue South from approximately 29 ft. to approximately 24 ft. 6 in to allow for a four season porch addition to an existing single family dwelling in the R1A District.