

Department of Community Planning and Economic Development – Planning Division Report

Variance Request
BZZ-3656

Date: July 12, 2007

Applicant: Cynthia Harles

Address of Property: 1714 – 2nd Avenue North

Contact Person and Phone: Cynthia Harles, 612-282-2398

Planning Staff and Phone: Molly McCartney, 612-673-5811

Date Application Deemed Complete: June 20, 2007

End of 60 Day Decision Period: August 19, 2007

Appeal Period Expiration: July 22, 2007

Ward: 5 **Neighborhood Organization:** Harrison Neighborhood Association

Existing Zoning: R2B Two-family Residential District

Proposed Use: Construction of a rear, one and one-half story addition to an existing single family dwelling

Proposed Variance: A variance to reduce the minimum corner side yard setback from 8 ft. to 1 ft., 8 in. to allow for a rear one and one-half story addition to an existing single-family dwelling

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

Background: The subject property is an existing one and one-half story single family dwelling on a corner lot at the intersection of 2nd Avenue North and Logan Avenue North built in 1940. The applicant is proposing to construct a rear, one and one-half story addition to the home. The existing home is setback from the west property line along the corner side by only 1 ft., 8 in. The property is 40 ft. by 110 ft. (4,400 sq. ft.), and the lot size is smaller than the standard Minneapolis lot area of 5,000 sq. ft.

The proposed rear addition has building walls at two different setbacks from the property line along the west elevation. The first portion of the addition would be setback 3 ft. from the west property line for a distance of 8 ft. and the second portion would be in line with the existing home, 1 ft., 8 in. from the west property line for a distance of 16 ft. The proposed addition will house a bedroom and bathroom and is 24 ft. deep and 17 ft. wide. The addition will be more than 20 ft. from the adjacent east interior property

CPED Planning Division Report

BZZ-3656

line. The addition meets the zoning requirement for a minimum of 15 percent windows for a building wall that faces the public right of way.

The subject site is located on the corner of 2nd Avenue North and Logan Avenue North. At the intersection of Logan Avenue North and the alley to the north of the subject site, the right of way expands from 41 ft. to 60 ft. from curb to curb. The subject site and the corner property to the north of the subject site are not in line and the property to the north projects more west than the subject site.

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.**

Strict adherence to the zoning code prevents the proposed addition which will add a rear addition to the property. The addition is not possible under the zoning code due to the required corner side yard setback. A rear addition to a single family house is a reasonable use for residential districts.

- 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 circumstances are unique to parcel of land due to the building layout on the lot. The home was built 1 ft. 8 in. from the west property line in 1940, prior to ownership by the current homeowners. The applicant has stated that the location of the addition is needed because it the efficiency in working with the interior layout of the home. The location of the home and is not a circumstance 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 in keeping with the spirit and intent of the ordinance. The increased setback for corner lots prevents buildings from encroaching into the corner side yard setback and to ensure consistently in residential setbacks. Because of the change in width of Logan Avenue North at the intersection of the alley north of the subject site, the home to the north is not in line with the subject site. The proposed addition will be in line with the existing home and will not project any further west than the home to the north.

The location and design and of the proposed addition reduces the impact on adjacent properties as well as pedestrians in the right of way. The location of the proposed addition on the west side of the lot ensures adequate distance between this home and the home adjacent to the east. The

CPED Planning Division Report

BZZ-3656

west elevation of the proposed addition has a portion of the addition recessed away from the existing building wall. This recess helps to break up the continuous wall along the Logan Avenue North side, which also has a public sidewalk. The proposed addition also meets the zoning requirements for a minimum of 15 percent windows on a residential building wall that faces the public right of way.

- 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.**

The proposed 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.

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 corner side yard setback from 8 ft. to 1 ft., 8 in. to allow for a rear one and one-half story addition to an existing single-family dwelling at 1714 – 2nd Avenue North in the R2B Two-family District, subject to the following conditions:

1. CPED–Planning Division review and approve the final site plan, floor plans, and elevation. All drawings will be measured to an architect or engineer’s scale.