

Department of Community Planning and Economic Development – Planning Division**Variance Request
BZZ-2818****Date:** March 2, 2006**Applicant:** Patrick Clancy, on behalf of Mary Bergs-Cruse**Address of Property:** 2620 Colfax Ave S**Contact Person and Phone:** Patrick Clancy, (763) 533-1544**Planning Staff and Phone:** Paul Mogush, (612) 673-2670**Date Application Deemed Complete:** February 3, 2006**End of 60 Day Decision Period:** March 26, 2006**Appeal Period Expiration:** March 13, 2006**Ward:** 10 **Neighborhood Organization:** Lowry Hill East**Existing Zoning:** R2B Two Family District**Proposed Use:** A 288 sq. ft. addition to an existing 484 sq. ft. garage**Proposed Variances:** A variance to increase the maximum floor area of a detached accessory structure from 676 sq. ft. to 772 sq. ft. for the property located at 2620 Colfax Ave S in the R2B Two Family District.**Zoning code section authorizing the requested variance:** 525.520 (3)**Background:** The subject property consists of an existing single-family home and a detached garage on a 40 ft. by 129 ft. (5,150 sq. ft.) interior lot. The detached garage, located in the northwest corner of the property, is 22 ft. by 22 ft. (484 sq. ft.). The applicant proposes a 288 sq. ft. addition on the east side of the garage to be used as an art studio. The addition would result in an accessory structure with 772 sq. ft. of floor area. The zoning code limits accessory structures to 676 sq. ft. on lots of less than 1,000 sq. ft.**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.**

CPED Planning Division Report
BZZ-2818

The applicant is seeking a variance to increase the maximum floor area of a detached accessory structure from 676 sq. ft. to 772 sq. ft. to allow for an art studio. Strict adherence to the regulations of the zoning ordinance would not prevent the applicant from constructing an art studio, which is a reasonable use. The existing garage is 484 sq. ft., leaving 192 sq. ft. for additional floor area without a variance. The applicant could also construct a substantial addition to the rear of the principal structure without a variance. The house is 41 ft. from the existing garage, allowing ample room for a rear addition.

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 subject property consists of an existing single-family home and a detached garage on a 40 ft. by 129 ft. (5,150 sq. ft.) interior lot. The detached garage, located in the northwest corner of the property, is 22 ft. by 22 ft. (484 sq. ft.). The lot size, lot orientation, building configuration, and use of the parcel are very typical of Minneapolis neighborhoods. Staff does not identify any circumstances unique to this parcel of land.

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 zoning code limits accessory structures to 676 sq. ft. in part to minimize the impact of buildings that are often constructed with less attention to aesthetics than the homes to which they are accessory. For cases in which the code allows garages larger than 676 sq. ft. (lots larger than 1,000 sq. ft.), the accessory structure is required to match the roof pitch and primary exterior materials to those of the principal structure. The proposed garage does not meet either of these conditions and is therefore not in keeping with the spirit and intent of the ordinance. The 2600 block of Colfax Ave S, like most Minneapolis neighborhoods, is characterized by one- and two-car garages located along the alley. The proposed 772 sq. ft. structure would appear from the outside to be a three-car garage and would therefore alter the essential character of the locality.

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 would likely have no impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to the public welfare or public safety.

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

CPED Planning Division Report
BZZ-2818

The Department of Community Planning and Economic Development – Planning Division recommends that the Board of Adjustment adopt the findings above and **deny** the variance to increase the maximum floor area of a detached accessory structure from 676 sq. ft. to 772 sq. ft. for the property located at 2620 Colfax Ave S in the R2B Two Family District.