

Department of Community Planning and Economic Development - Planning Division
Variance Application
BZZ - 2331

Date: May 19, 2005

Applicant: Minneapolis Public Library – North Regional Library

Address Of Property: 1315 Lowry Avenue North

Contact Person And Phone: Peter Sussman – KKE Architects 612-339-4200

Planning Staff And Phone: Jim Voll 612-673-3887

Date Application Deemed Complete: April 22, 2005

End of 60 Day Decision Period: June 21, 2005

Ward: 4 **Neighborhood Organization:** Jordan

Existing Zoning: R2B Two-family and R4 Multiple-Family Residential Districts

Existing Use: Public Library

Proposed Variances:

- 1) To increase the maximum allowable width of stairs in a setback from 4 feet to 16 feet.
- 2) To allow a landing that is greater than 16 square feet to encroach into the corner yard setback.
- 3) To allow patios that exceed 50 square feet to encroach in the corner yard setback.
- 4) To reduce the required corner yard setback from 8 feet to 5 feet for a canopy.

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

Background: The Minneapolis Public Library is renovating the North Regional Library. As a part of this renovation the front of the building is being remodeled including the addition of a canopy and reorganization of the entrance walks and stairs. The renovation will remove some existing stairs and replace them with new stairs at the front of the building. The front (north side) of the building is actually a corner yard and the east and west sides are front yards. The new stairs will encroach into the 8 foot corner yard. Stairs in required setbacks for institutional uses are limited to 4 feet in width. The new stairs will be approximately 16 feet. On the east and west sides of the stairs there will be two patios of approximately 100 square feet each. Patios are not permitted obstructions in yards if they exceed 50 square feet. The landing at the top of the stairs encroaches into the setback. Landings are not permitted obstructions if they exceed 16 square feet. The canopy above the front entrance extends into the 8 foot corner yard approximately 3 feet, so a variance down to 5 feet is required. The applicant is required to improve the site landscaping and screening to meet zoning code requirements at the site plan approval stage. Please see the attached letter of support from the Jordan neighborhood.

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 building is existing and currently encroaches into the setback. The applicant proposes the changes to improve access to the site, but while specific elements are changing the overall condition of the entrance feature being located in the setback is not changing. Requiring the applicant to meet the requirements would be difficult due to the existing conditions and would be a hardship. 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.**

The building is existing and encompasses the entire frontage along Lowry Avenue North. This is a condition that is not generally applicable to other properties in the area.

- 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. Since the building and entrance features are already encroaching in the setback that is uniform for along the block face the proposed variances do not circumvent the intent of the ordinance.

- 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 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 application to increase the stair width in the corner yard from 4 feet to 16 feet; **approve** the variance to allow the landing to encroach into the corner yard setback; **approve** the variance to allow the patios to encroach in the corner yard setback; and **approve** the variance to reduce the corner yard setback for the canopy from 8 feet to 5 feet for property located at 1315 Lowry Avenue North.