

**Department of Community Planning and Economic Development - Planning Division Report**

Variance Request  
BZZ-4346

**Date:** May 7, 2009

**Applicant:** St. Maron Catholic Church

**Address of Property:** 600 University Avenue NE

**Contact Person and Phone:** Lauren Huynh, ESG Architects, 612-373-4675

**Planning Staff and Phone:** Chris Vrchota, (612) 673-5467

**Date Application Deemed Complete:** April 9, 2009

**Publication Date:** May 1, 2009

**Public Hearing:** May 7, 2009

**Appeal Period Expiration:** May 18, 2009

**End of 60 Day Decision Period:** May 20, 2009

**Ward: 3      Neighborhood Organization:** St. Anthony West Neighborhood Organization

**Existing Zoning:** R2B- Two Family Residential

**Proposed Use:** One story storage addition.

**Proposed Variances:**

- Reduce the south side yard setback from 5 feet to 1 foot to allow for a building addition.
- Increase the allowed floor area ratio from .5 to .72 to allow for a building addition.
- Increase the maximum allowed lot coverage from 50% to 63% to allow for a building addition.
- Increase the maximum allowed impervious surface coverage from 65% to 74% to allow for a building addition.

**Zoning code section authorizing the requested variance:** 525.520 (1) (3) (15) (15)

**Background:** The subject property, 600 University Avenue NE, is zoned R2B. It measures 165.90 ft. x 264.40 ft. (43,869 square feet). The lot contains a two story church with an attached reception hall, kitchen and classrooms, built in 1999.

CPED Planning Division  
BZZ-4317

**Proposal:** The applicant is proposing to build an 8'-10"x 65'-6" (578.58 square foot) addition to the building to allow for additional on-site storage. They are also proposing to construct a new trash enclosure on the end of the addition as part of the project.

**Analysis:** The table shown below presents the requirements for the R2B zoning district, the existing conditions on the site, and the proposed conditions for the site. As shown in the table, the existing conditions on the site already exceed a number of requirements for the R2B district.

	<b>R2B Requirement</b>	<b>Existing</b>	<b>Proposed</b>
<b>Side Yard Setback</b>	5 Feet	9'-10"*	1'
<b>Floor Area Ratio</b>	.5	.71	.72
<b>Lot Coverage</b>	50%	61.6%	63.2%
<b>Impervious Coverage</b>	65%	72%	74%

\* The building is setback 9' 10" in the location for the proposed variance. However, a portion of the building is built up to the property line at the SW corner. (See Appendix C-3)

**Public Comment:** Staff has not received any public comments.

**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 variances to reduce the side yard setback and increase the allowed floor area ratio, lot coverage, and impervious surface coverage to allow for an addition to the existing building. The existing building already exceeds all of these requirements. Because the applicant has already been permitted to use the lot more intensely than normally permitted in the R2B district, CPED does not recognize a hardship on the lot for the variance requests.

- 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 existing structure was built on the site by the applicant in 1999. It was built beyond the current requirements of the R2B zoning district. These circumstances are not unique, and were 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 of the variance would be keeping with the spirit and intent of interior side yard provision and will not be injurious to the enjoyment of the neighboring properties. The spirit and intent of the interior side yard setbacks includes trying to provide adequate privacy, desirable

and safe visibility, and buffering between buildings. The adjacent site is owned by St. Maron's Church. The Maronite House, currently under construction, is set back 16 feet from the property line. The space between the proposed addition and Maronite House would be landscaped, creating a buffer between the two sites.

The lot coverage, floor area ratio, and impervious surface coverage requirements were put in place to keep properties from being used more intensely than considered appropriate for low density residential areas. However, the existing building already exceeds these requirements, and the proposed addition would not substantially increase the non-conformity.

The proposed location would have the least impact on the surrounding area- it is located away from both adjacent streets, and is adjacent to a parking lot and another property owned by the applicant.

- 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 of the variance would have no impact on the congestion of area streets or fire safety, nor would the variance be detrimental to the public welfare or endanger the public safety. The addition is setback significantly from the adjacent streets. It would be used for storage and would not create more traffic to the site. The addition would still leave sufficient spacing between the subject building and the adjacent building to allow for fire separation.

#### **Recommendation of the Department of Community Planning and Economic Development:**

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment **adopt** the findings above and **deny** the variances to reduce the south side yard setback from 5 feet to 1 foot, increase the allowed floor area ratio from .5 to .72, increase the maximum allowed lot coverage from 50% to 63%, and increase the maximum allowed impervious surface coverage from 65% to 74% to allow for a building addition in the R2B Two Family district.

#### **Attachments:**

Appendix A: Zoning map

Appendix B: Statement of proposed use and request of variance statements- Submitted by Applicant

Appendix C: Site Plan, Building Plans and Elevations

Appendix D: Photographs Submitted by Applicant