

Department of Community Planning and Economic Development - Planning Division
Vacation
Vac-1498

Date: September 18, 2006

Applicant: Steve Holt

Address Of Property: 1401 29th Avenue NE

Contact Person And Phone: Steve Holt, 612-788-2678

Planning Staff And Phone: Michael Wee, 612-673-5468

60 Day Review Decision Period: Not applicable

Ward: 1 **Neighborhood Organization:** Audubon Park

Existing Zoning: R1A Single-Family District

Existing Overlay Districts: None

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 6

Legal Description: A six (6) foot section of Buchanan Street NE as follows: beginning at the southwest corner of Lot 16, Block 5, Pochahontas Heights Addition to Minneapolis, thence west 6 feet on a line extended from the south line of said Lot 16, then north 80 feet, then east 6 feet to the northwest corner of Lot 17, said addition, then south to the point of beginning.

Proposed Use: To provide land to the applicants for their proposed expansion of a one-car garage that currently has about 5 foot encroachment to Buchanan Street right-of-way. A two-car garage (28'x20') is proposed at the same location that extended 5 feet to the public right-of-way along Buchanan Street.

Concurrent Review: No other applications are required at this time, but a two-car garage is proposed at the same location. Variances for the proposed garage expansion on the same site had been approved by the Board of Zoning Appeals on June 19, 2006.

Background: The property is located at 1401 29th Avenue NE and zoned R1A Single-family District. It is a reverse corner lot with a significant grade change towards the rear from Buchanan Street. The lot is 45 feet wide along 29th Avenue and does not have an alley access from the rear. The house, with its front door facing 29th Street, sits on a hill with its attached garage extending 5 feet over to the Buchanan Street right-of-way.

The applicant proposes the vacation so that the attached garage at 1401 29th Avenue NE will no longer be in the right-of-way, and to allow an expansion that is not in a public right-of-way. Variances for the proposed attached garage to reduce front yard setbacks from 20' to 0' in an R1A district, extending

CPED Planning Division Report
Vac-1488

more than 5 feet from the façade line of a habitable space, and increasing the garage wall facing the front lot line at Buchanan Street from 60 percent to 80 percent were all approved by the Board of Adjustment on June 1, 2006. A copy of the Board action is attached.

Development Plan: The development plan is attached.

Responses from Utilities and Affected Property Owners: There are no concerns from various utility companies and from the neighborhood group at the time of writing this staff report.

Findings: While this vacation will make the right-of-way on this block different than the rest of the parcels on the same block face of Buchanan Street, staff can not identify a public use for this right-of-way at this time based on comments received from various agencies. Public Works has provided a letter in support of the vacation. Public Works and the CPED – Planning Division finds that the area proposed for vacation is not needed for a public purpose and it is not part of a public transportation corridor. The vacation would allow the applicant to expand an existing attached one-car garage to a two-car garage that will no longer be in a public right-of-way if the vacation is approved. Existing curb cut will be widened to accommodate two driveways directly to the two-car garage. The Board of Adjustment had given the applicant their variance approval.

RECOMMENDATION

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

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the vacation.

Attachments:

1. Map and Aerial photo.
2. Plans