

Department of Community Planning and Economic Development - Planning Division Report

Variance Request
BZZ-2228

Date: April 7, 2005

Applicant: Helen Voelker

Address of Property: 4136 Abbott Avenue South

Contact Person and Phone: Helen Voelker, (612) 626-9016

Planning Staff and Phone: Tanya Holmgren, (612) 673-5887

Date Application Deemed Complete: March 1, 2005

End of 60 Day Decision Period: April 30, 2005

Ward: 13 **Neighborhood Organization:** Linden Hills Neighborhood Council

Existing Zoning: R1, Single-family District

Proposed Use: A conversion of an open front porch to an enclosed porch on an existing single-family dwelling.

Proposed Request: A variance to reduce the front yard setback established by connecting a line between the front two corners of the two adjacent residential structures along Abbott Avenue South to 23 ft. to allow for the construction of an enclosed porch.

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

Background: The subject property is approximately 58 ft. by 133 ft. (7,714 sq. ft.). The property consists of an existing single-family dwelling with an existing 8 ft. deep open front porch addition that runs the width of the dwelling. The existing dwelling is located 31 ft. from the front property line, which meets the established front setback. The existing open front porch is located approximately 23 ft. from the front property line along Abbott Avenue South. The applicant is applying for a variance to reduce the front yard setback established by connecting a line between the front two corners of the two adjacent residential structures along Abbott Avenue South to 23 ft. to allow for an existing open porch to be enclosed. The applicant has proposed to enclose the existing 8 ft. open porch with windows and knee walls. The applicant states the space is to be enclosed to provide an entry-way and enhance the existing structure. The applicant has included pictures of similar dwellings with enclosed porches in the immediate vicinity.

The applicant is proposing to repair the existing porch and enclose it with glass. The applicant states the dwelling previously had a screened porch, but was converted to an open porch. The applicant states they will be returning the front porch to its original state.

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.**

Front yard setback: The applicant is seeking a variance to reduce the front yard setback established by connecting a line between the front two corners of the two adjacent residential structures along Abbott Avenue South to 23 ft. to allow for the construction of an enclosed porch in the same location as the existing open porch. The existing open porch projects 8 ft. from the front façade of the dwelling. The applicant has proposed to enclose the existing open porch with windows and knee walls. Strict adherence to the regulations would not allow for the proposed enclosed porch. The applicant also states the property cannot be put to reasonable use due to the lack of front entry and the drafty front wall. Staff believes that an enclosed porch in front of the dwelling allows reasonable use of the property in compliance with the regulations.

- 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.**

Front yard setback: The conditions upon which the setback variance is requested are unique to the parcel of land and were not created by the applicant. The applicant has proposed to enclose a porch on the front of an existing single-family dwelling that is located in front of the established front yard setback. The existing open front porch exceeds the front setback and was previously enclosed. Staff believes that the location of the dwelling and front porch is not a circumstance created by the applicant. Although the applicant did convert the existing screened porch to an open porch, staff feels the enclosed porch is in keeping with the structure and was original to the dwelling. Crime prevention through environmental design promotes front porches to encourage pedestrian activity and provide ‘eyes on the street’ as a neighborhood safety strategy. Open front porches are generally encouraged by staff, however the elevation change and existing vegetation prevent good views of the street. Given these existing circumstances staff would support an enclosed porch on this property.

- 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.**

Front yard setback: Staff believes that granting the setback variance will not alter the essential character of the surrounding neighborhood nor be injurious to the use or enjoyment of other property in the vicinity. Staff believes that enclosing the open porch is compatible with the design of the dwelling. The applicant states the existing porch is in need of replacement and wishes to restore the enclosed porch that was original to the dwelling. Staff believes enclosing the open porch is consistent with the existing dwelling and the area. Staff believes porches original to dwellings are constructed in character with the structure.

- 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.**

Front yard setback: Granting the setback variance would likely 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.

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 **approve** the variance to reduce the front yard setback established by connecting a line between the front two corners of the two adjacent residential structures along Abbott Avenue South to 23 ft. to allow for an existing open porch to be enclosed subject to the following conditions:

1. Review and approval of final site and elevation plans by the Planning Division.
2. That exterior building materials used for the addition be compatible to the exterior building materials of the existing dwelling.