

Department of Community Planning and Economic Development – Planning Division Report**Variance Request
BZZ-2871****Date:** April 6, 2006**Applicant:** Danald D. Cadmus, on behalf of Dennis Kemp**Address of Property:** 2201 Pillsbury Avenue South**Contact Person and Phone:** Danald D. Cadmus, 952-908-3170**Planning Staff and Phone:** Molly McCartney, 612-673-5811**Date Application Deemed Complete:** March 3, 2006**End of 60 Day Decision Period:** May 5, 2006**Appeal Period Expiration:** April 17, 2006**Ward: 6 Neighborhood Organization:** Whittier**Existing Zoning:** R5 District, Multiple-family District**Proposed Use:** Construction of a detached accessory structure.**Proposed Variance:** A variance application to increase the maximum floor area of accessory structures from 676 sq. ft. to 1,749 sq. ft. to allow for the completion of a 720 sq. ft. detached garage at 2201 Pillsbury Avenue in the R5 Multiple-family District.**Zoning code section authorizing the requested variance:** 525.520 (8)**Background:** The applicant is seeking a variance to build a three-stall, detached garage measuring 24 ft. by 30 ft. (720 sq. ft.). Vehicles will access the proposed garage from the existing alley. The parcel is a corner lot measuring 90 ft. by 165 ft. (14,799 sq. ft.) and has a single-family dwelling and an existing accessory structure, both built in 1910. The variance for accessory structure size is more than 10 percent of the lot area, approximately 12 percent. The property has been a multi-family use for many years, and was recently remodeled from a rectory to a single-family dwelling. The existing accessory structure is 1,029 sq. ft. and consists of mechanical equipment, including the boiler for the principal structure, and work space. There is also an in-ground pool on the property which does not contribute to the maximum accessory structure size, but it does add impervious surface. Currently, there are five outdoor parking spaces in the location of the proposed garage and a curb cut on 22nd Street East. There is also access to the parking spaces from the alley.

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 is seeking to increase the maximum accessory structure size to allow for a three-stall, detached garage. The applicant states that the existing accessory building can not be used for a garage due to the mechanical equipment for the house and due to the age of the structure. In addition to the existing accessory structure, there is also an in-ground pool on the property. The in-ground pool does not contribute to the maximum accessory structure size, but it does add impervious surface and additional development of the property. The historic quality of the existing accessory structure and its mechanical use presents a hardship for the property owner to provide any enclosed parking space in the existing accessory structure. Staff believes that due to the existing accessory structures and uses, the total amount of accessory structure should be limited to 10 percent of the lot, approximately 1,479 sq. ft. The existing structure is 1,029 sq. ft., leaving 450 sq. ft. for a new garage.

- 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 accessory structure was built in 1910 and based on historical permits, has been used for a carriage house, caretaker's house, and has housed mechanical equipment. The applicant has stated that due to the age and use of the structure, this building could not be converted to a garage. The existing accessory structure was not created by the applicant. Using the existing curb cut, the applicant would have to remove the existing swimming pool in order to make the existing accessory structure accessible for vehicles. Modifying the east wall of the existing accessory structure to allow vehicular access to that structure from the alley may negatively impact its character and potential historic value.

- 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 the variance will not alter the essential character of the surrounding neighborhood and will be in keeping with the spirit and intent of the ordinance if the total amount of accessory structure is limited to 10 percent of the lot size, the roof pitch and exterior materials of the new garage match the house and existing accessory structure, the curb cut on 22nd Street East is closed, and the remaining hard cover parking area be landscaped. Matching roof pitch and materials is the required conditions for approving a tall or larger garage per administrative review (537.50 and 537.60). The proposed garage will have a hip roof with a 10/12 pitch and brick exterior that matches the existing structures. The exterior building materials of the primary structure and the existing accessory structure are brick with the following details: concrete sills and double hung

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windows with similar panes (six over one), soffets and fascia, cornice details, quions at the corners of the building, and a concrete base around the building. Staff believes that matching the new and existing building materials and architectural details will be keeping with the intent of the ordinance that allows for larger garages.

Since the doors of the proposed garage will face the alley, staff recommends the curb cut on 22nd Street East be closed to prevent vehicular access to the yard. Due the impervious nature of the two accessory structures and in ground pool, staff recommends that the remaining hard cover parking area be landscaped. While the property meets the maximum impervious surface with the proposed accessory structure, adding green space between the dwelling and the proposed garage will alleviate excessive stormwater runoff.

- 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 the congestion of area streets or fire safety, nor would the proposed structure be detrimental to the public welfare or endanger the public safety. Since the doors of the proposed garage will face the alley, staff recommends the curb cut on 22nd Street East be closed in order to prevent vehicular access to the yard.

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

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and **approve** the variance application to increase the maximum floor area of accessory structures from 676 sq. ft. to **1,479 sq. ft., which allows for a 450 sq. ft. garage**, at 2201 Pillsbury Avenue in the R5 Multiple-family District, subject to the following conditions:

1. That the roof pitch, exterior materials, and architectural detailing of the new structure match the roof pitch, exterior materials, and architectural detailing of the primary and existing accessory structure :
2. That the curb cut on 22nd Street East be closed, and
3. That the applicant will remove the existing parking area between the dwelling and the new garage and landscape the area with turf or other pervious materials.
4. That the Planning Division review and approve the final site and elevation plans that measure to an architectural or engineering scale.