

Department of Community Planning and Economic Development – Planning Division

Variance Request
BZZ-3051

Date: July 6, 2006

Applicant: Sussel Corporation

Address of Property: 3142 Arthur Street Northeast

Contact Person and Phone: Mike Russell, 651-645-0331

Planning Staff and Phone: Shanna Sether, 612-673-2307

Date Application Deemed Complete: May 30, 2006

Public Hearing: July 6, 2006

Appeal Period Expiration: July 17, 2006

End of 60 Day Decision Period: July 31, 2006

Ward: 1 **Neighborhood Organization:** Waite Park Community Council

Existing Zoning: R1A Single Family District

Proposed Use: A detached garage.

Proposed Variance: A variance to allow for the construction of a detached garage that is 10% of the lot area and does not match the exterior materials or pitch of the dwelling.

Zoning code section authorizing the requested variance: 525.520 (8)

Background: The subject property is approximately 60 ft. x 125 ft. (7,500 sq. ft.) lot. The subject site consists of an existing single-family dwelling and a detached garage that is 22 ft. by 26 ft. The applicant is proposing to construct an 8 ft. by 22 ft. addition to the existing garage. The total of the proposed detached garage will equal 748 sq. ft.

The ordinance states that detached accessory structures can be increased to 10 percent of the lot area if the primary exterior building materials and roof pitch match that of the dwelling. The applicant has applied for a variance to allow for the construction of a detached garage that does not match the exterior materials of the dwelling. The existing single-family dwelling is white, lap siding with gable roof at a 10/12 pitch. The exterior materials of the existing garage is white, lap siding with a 4/12 pitch and the proposed addition will match the existing garage. The increased size of the detached structure is not

allowed without a variance if it does not match the roof pitch and exterior materials of the principal dwelling on the property.

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 a variance to allow for the construction of a detached garage that does not match the exterior materials or the roof pitch of the dwelling. The applicant could construct a 750 sq. ft. detached garage in the same location with administrative approval, however, they would have to change the pitch and exterior materials of the existing detached garage to match the principal structure, in order to allow for the addition. The proposed addition to the garage will match the exterior materials of the existing detached garage and are similar in material to the principal dwelling. The proposed addition to the existing garage is 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 existing detached garage is a unique circumstance to the parcel of land. The applicant has stated that the existing garage is already built on the site and it would be inappropriate to change the materials of the exterior and to change the roof pitch from 4/12 to 10/12, because it would increase the bulk and height of the garage. The existing materials on the principal structure and detached garage are already very similar in material and match in color. The proposed addition will match the existing exterior materials of the detached garage. Staff believes that the exterior materials will be similar to the principal structure and believes that the shallower pitch allows for reasonable use by not increasing the bulk or height of the garage.

- 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.**

Staff believes that the proposed addition to the existing detached garage will not alter the essential character of the surrounding neighborhood. The applicant has stated that by allowing for the shallower roof pitch of 4/12 on the detached garage, the garage will appear to have less bulk on the site and will not be as tall as if it was constructed with a 10/12 pitch to match the principal dwelling. Staff believes that the proposed addition to the existing garage will not be detrimental to the use and enjoyment of the adjacent dwellings.

- 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 likely have no impact on the congestion of area streets or fire safety, nor would the proposed addition 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 allow for the construction of a detached garage that is 10% of the lot area and does not match the exterior materials or pitch of the dwelling located at 3142 Arthur Street Northeast in the R1A Single-family District subject to the following condition:

1. Review and approval of final site and elevation plans by the Planning Department.
2. The exterior materials of the garage addition match the materials of the existing detached garage.