

**Department of Community Planning and Economic Development – Planning Division**

Variance Request  
BZZ-4363

**Date:** May 7, 2009

**Applicant:** Twin Cities Habitat for Humanity

**Address of Property:** 2359 Logan Avenue North

**Contact Person and Phone:** Chad Dipman, 612-305-7172

**Planning Staff and Phone:** Brad Ellis (612) 673-3239

**Date Application Deemed Complete:** April 2, 2009

**Public Hearing:** May 7, 2006

**Appeal Period Expiration:** May 17, 2006

**End of 60 Day Decision Period:** June 2, 2006

**Ward: 5**      **Neighborhood Organization:** Jordan Area Community Council

**Existing Zoning:** R2B Two Family District

**Proposed Use:** Construction of a new single-family dwelling with detached garage.

**Proposed Variance:** A variance to reduce the required front yard setback along 24<sup>th</sup> Avenue North from 20 feet to 13 feet to allow for the construction of a detached accessory structure (garage) on a through lot at 2359 Logan Avenue North in the R2B Two Family District.

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

**Background:** The subject property is located on Logan Avenue North and is approximately 45 feet by 146 feet (5,288 square feet). The subject property is currently vacant. The applicant is proposing to construct a new single-family dwelling with a detached garage on the subject property as part of the redevelopment of the former Lowell School Site. The detached garage would be in the required front yard facing 24<sup>th</sup> Avenue North.

The subject property is a through lot created by the platting of the parcels (BZZ-2394 and PL-171) during the August 1, 2005 meeting of the City Planning Commission. The proposed dwelling would meet the required side yard setbacks of the district, as well as the front yard setback along Logan Avenue North. The setback along 24<sup>th</sup> Avenue North is the district setback of 20 feet, and the applicant is request a reduction of seven (7) feet.

**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 reduce the required front yard along 24<sup>th</sup> Avenue North from 20 feet to 13 feet to allow for the construction of a new single-family dwelling with a detached garage on a through lot. The proposed dwelling meets the district front yard setback facing Logan Avenue North. Strict adherence to the regulations would require that the garage be constructed behind the district front yard setback, causing the property to have virtually no rear yard and an unnecessarily long driveway. Not granting the variance would cause an undue hardship on the property. A single family home with a detached garage is a reasonable use in the R2B Two Family District.

- 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 subject property is a through lot, which means a front yard setback is required along both 24<sup>th</sup> Avenue North and Logan Avenue North. This is a circumstance that is unique to this parcel. There are four properties along this block facing both Logan Avenue North and 24<sup>th</sup> Avenue North, and all dwellings face or are proposed to face Logan Avenue North, with the garages off 24<sup>th</sup> Avenue North. This through lot was created as a result of a variance from the subdivision standards as noted above. However, the shape of the original Lowell School property necessitated the creation of this through lot, since the property narrows sharply on the eastern edge where the through lots are located. The shape of the original property was not 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.**

Staff believes the new single-family dwelling and the location of the garage will not alter the essential character of the surrounding neighborhood. The area is zoned R2B Two Family District and consists primarily of single and two family dwellings. The houses along 24<sup>th</sup> Avenue North on the west side of the block will all have the rear of the house face 24<sup>th</sup> Avenue North. Staff believes that the new single-family dwelling with a detached garage will not be injurious to the use or enjoyment of other property in the vicinity.

- 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.**

**CPED Planning Division Report**  
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Granting the setback variances would have no impact on the congestion of area streets or fire safety.

**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 to reduce the required front yard setback along 24<sup>th</sup> Avenue North from 20 feet to 13 feet to allow for the construction of a new single-family dwelling with a detached garage on a through lot, subject to the following conditions:

1. Review and approval of final site and elevation plans by the CPED Planning Division.
2. Final review and approval of the final site and elevation plans in compliance with site plan review requirements for 1-4 unit dwelling units by Planning Division staff before building permits may be issued.

**Attachments:**

1. Applicant’s Statement and Findings
2. Letters to Neighborhood Group and Council Member
3. Map of Area
4. Site Plan and Floor Plans for the Proposed Dwelling
5. Photographs