

Department of Community Planning and Economic Development – Planning Division Report**Variance Request
BZZ-3292****Date:** November 16, 2006**Applicant:** Jenna Hietala, on behalf of Thor Christensen**Address of Property:** 1721 Mount Curve**Contact Person and Phone:** Jenna Hietala, 763-443-7692**Planning Staff and Phone:** Molly McCartney, 612-673-5811**Date Application Deemed Complete:** October 23, 2006**Hearing Date:** November 16, 2006**End of 60 Day Decision Period:** December 23, 2005**Appeal Period Expiration:** November 27, 2006**Ward:** 7 **Neighborhood Organization:** Lowry Hill**Existing Zoning:** R2 Two-family District**Proposed Use:** Construction of an addition to a single-family dwelling converting a detached garage to attached garage**Proposed Variances:**

- A variance to reduce the required side yard setback from 5 ft. to 2 ft. 3 in. and
- A variance to reduce the required rear yard setback from 5 ft. to 1 ft. 8 in. to allow for a one story addition attaching the dwelling and existing carriage house

Zoning code section authorizing the requested variance: 525.520 (1) (1)**Background:** The subject site is a corner lot at the intersection of Mount Curve Avenue and Knox Avenue South. The property was originally built as a single-family dwelling with a carriage house in 1906 and was converted into a multi-family dwelling in 1988 (C-1097). The applicant is now proposing to renovate and return the property to a single-family dwelling. The proposal includes a single-story kitchen addition that will connect the dwelling to the carriage house. The carriage house currently meets the side and rear yard setbacks for an accessory dwelling. By connecting the dwelling and carriage house by way of the addition, the carriage house is required to meet the side and rear setbacks for the dwelling, in this case, 6 ft. An addition (from 1988) to the north side of the carriage house will be removed and the garage doors will be moved from the east to north elevation of the carriage house. The

driveway from Knox Avenue South will be removed as the applicants are proposing a new driveway and curb cut from Mount Curve Avenue. A new enclosed porch at the rear of the dwelling is also proposed which requires only a building permit.

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.**

Side and rear yard setbacks: Strict adherence to the zoning ordinance prohibits the construction of the addition that connects the dwelling and the accessory structure, the carriage house. The addition is a reasonable use of the property because of the large size of the lot and the removal of the 1988 addition to the carriage house, which is similar in size to the proposed addition.

- 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.**

Side and rear yard setbacks: The conditions upon which the setback variance is requested are unique to the parcel of land and have not been created by the applicant. The dwelling and carriage house were built in 1906. The location of the buildings was not created by the applicant. The addition will be similar in size to the 1988 addition to the carriage house, which the applicant is proposing to remove.

- 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.**

Side and rear yard setbacks: Staff believes that the proposed addition will be keeping with the intent of the ordinance to preserve side and rear yard setbacks and will not alter the character of the property or surrounding area. The addition is proposed to be built between the dwelling and carriage house and will not add bulk to the edges of the property. The applicants are proposing to remove an addition to the carriage house that is similar in size to the proposed addition. The proposed addition will also be compatible with the design of the dwelling, including stone and stucco exterior materials and the roof pitch.

- 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.**

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Interior side yard and rear yard setbacks: Granting the side yard setback variance would likely have no impact on the congestion of area streets or fire safety, nor would the proposed addition to the existing dwelling be detrimental to the public welfare or endanger the public 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 side yard setback from 5 ft. to 2 ft. 3 in. and **approve** the variance to reduce the required rear yard setback from 5 ft. to 1 ft. 8 in. to allow for a one story addition attaching the dwelling and existing carriage house, subject to the following conditions:

1. The addition to the north side of the .carriage house be removed,
2. The addition have similar stone and stucco exterior materials and roof pitch to the dwelling,
3. The curb cut on Knox Avenue South is closed and the driveway is landscaped with turf or other vegetative materials.
4. CPED-Planning Division review and approve building permits for interior renovation.