

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

Variance Request  
BZZ-2313

**Date:** May 19, 2005

**Applicant:** Myles Johnson

**Address of Property:** 4741 Washburn Avenue South

**Date Application Deemed Complete:** April 15, 2005

**End of 60 Day Decision Period:** June 14, 2005

**Appeal Period Expiration:** May 31, 2005

**Contact Person and Phone:** Myles Johnson, 612-922-9132

**Planning Staff and Phone:** Molly McCartney, 612-673-5811

**Ward:** 13      **Neighborhood Organization:** Fulton Neighborhood Association

**Existing Zoning:** R1A, Single-family District

**Proposed Use:** Construction of an enclosed front porch.

**Proposed Variance:** A variance to reduce the required front yard setback along Washburn Avenue South from the setback established by connecting a line between the front corners of the two adjacent residential structures to 20 ft. to allow for an 8 ft. deep enclosed porch on a property located at 4741 Washburn Avenue South in the R1A, Single-Family District

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

**Background:** The subject property is 5,670 sq. ft. (42 ft. by 135 ft.) and consists of a single-family dwelling and a detached garage. The applicant is proposing to add an enclosed screened front porch that is setback 20 ft. from the front property line, but does not meet the established setback created by the adjacent two dwellings. The front yard setback in the R1A District is 20 ft. The enclosed porch will be 8 ft. deep and 26 ft. 6 in. long. The proposed porch will be in line with enclosed front porch of the adjacent dwelling to the south. The property to the north is setback 26 ft. from the front property line, thus creating a greater established setback than the R1A District requires.

**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 setback from established setback created by the adjacent uses to 20 ft. to allow for the construction of an enclosed screened front porch in the R1A, Single-family District. In this case, the dwelling to the north has a greater setback than the district requirement of 20 ft. Without the requested variance, the zoning code would prevent the applicant from constructing an enclosed front porch that is in front of the established setback, which staff believes 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 conditions upon which the setback variance is requested are unique to the property due to the location of adjacent dwellings and reduced setback created by the adjacent dwellings. The subject dwelling and adjacent dwellings were built in the 1920's. The location of the adjacent structures and the subsequent increased established setback is a circumstance 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 that the addition will be keeping with the spirit and intent of the ordinance and will not alter the essential character of the surrounding neighborhood. The applicant states the proposed front porch is characteristic of the surrounding area. There are a number of enclosed porches on this block, including the adjacent dwelling to the south. In addition, the house to the north with the increase setback is setback from the front property line more than most dwellings on this block. Currently, the subject dwelling has an open vestibule entrance. The design of the front porch is in character of the surrounding area.

- 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 front 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.

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**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 Washburn Avenue South from the setback established by connecting a line between the front corners of the two adjacent residential structures to 20 ft. to allow for an 8 ft. deep enclosed porch in the R1A, Single-Family District, subject to the following conditions:

1. That the Planning Division review and approve the final site and elevation plans that measure to an architectural or engineering scale.