

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

Variance Request  
BZZ-3871

**Applicant:** Dick & Linda Mabbs

**Address of Property:** 4727 27<sup>th</sup> Avenue South

**Contact Person and Phone:** Dick & Linda Mabbs, (612) 724-1531

**Planning Staff and Phone:** Brian Schaffer, (612) 673-2670

**Date Application Deemed Complete:** November 15, 2007

**Publication of Staff Report:** December 6, 2007

**Public Hearing:** December 13, 2007

**Appeal Period Expiration:** December 24, 2007

**End of 60 Day Decision Period:** January 14, 2008

**Ward:** 12      **Neighborhood Organization:** Standish Ericsson Neighborhood Association

**Existing Zoning:** R1A Single Family District & the SH Shoreland Overlay District

**Proposed Use:** An addition to a single family dwelling

**Proposed Variance:** A variance to reduce the required off-street parking from 1 to 0 spaces to allow for an addition to a single family dwelling.

**Zoning code section authorizing the requested variance:** 525.520 (7)

**Background:** The size of the subject site is 43 feet by 122 feet (5,246 square feet) and consists of a single family dwelling. The subject dwelling was built in 1922 and has second story addition that was constructed in 1981. The home has a nonconforming south side yard setback and, 7 feet from the rear property line and 68 feet from the front (west) property line. The south side yard setback is nonconforming as the required setback is 5 feet.

The applicant is proposing to construct a 10 by 12 addition in the rear of the dwelling which will follow the existing east and south building walls. The proposed addition will also result in the conversion of an existing single-car attached garage into living space. The existing garage is 8 feet wide and has a height of roughly 6 feet. The proposed addition and conversion of the garage space results in the loss of the

one required off-street parking space for the property. A variance is required to reduce the minimum off-street parking spaces from one to zero.

**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 request a variance to reduce the required off-street parking spaces from one to zero spaces to allow for an addition to a single family dwelling. The zoning ordinance requires that one off-street parking space be provided per dwelling unit. The subject dwelling has a one-car attached garage that satisfies the off-street parking requirement. However, the applicant has indicated that the garage is unusable for the storage of automobiles. The garage width is 8 feet and it is nearly 20 feet deep. The minimum parking stall dimensions required for commercial parking uses is 8 feet 6 inches in width and 18 feet in depth. The garage is located 3 feet from the south property line and there is no room to expand its width to make it functional. Staff believes that the dimensions of the garage make it very difficult for the garage to function as intended.

The driveway leading to the garage is in the location of the proposed addition and is proposed to be removed. The driveway is 17 feet long with 5 feet of the driveway located in the required rear yard setback, leaving only 12 feet. The driveway could not be used as a legal parking area.

The only alternative location to provide parking on the site would be to place the parking in front of the dwelling which is not feasible. This design would likely require numerous variances and would be detrimental to the character of the neighborhood. Staff believes that no feasible alternative designs are available due to the design and location of the home to provide parking on-site and believes the addition 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 variances are sought are requested are unique to the parcel. The location of the subject dwelling 7 feet from the rear property line leaves no room to allow for a parking area. The dwelling is 3 feet from the south property line and 5 feet from the north property line and does not allow enough space to allow for a parking space or driveway on either side of the dwelling. The existing garage does not have enough space to accommodate a vehicle. The applicant purchased the home in 1990 in its present configuration. These are conditions that are 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.**

The proposed setback variance will not alter the essential character of the neighborhood since the applicant states that they have never parked a car in the driveway and only rarely used the driveway. Staff believes the variance is in keeping with the spirit and intent of the ordinance since the existing garage cannot be used to park a vehicle.

- 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 not likely increase congestion in the area or increase the danger of fire safety, nor would the parking variance be detrimental to welfare or 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** a variance to reduce the required off-street parking from 1 to 0 spaces to allow for an addition to single family dwelling located at 4727 27<sup>th</sup> Avenue South in the R1A Single Family District and the SH Shoreland Overlay District with the following condition:

1. The creation of a parking area in front of the dwelling shall not be allowed.
2. CPED-Planning review and approve final site plan, floor plans, and elevations.

**Attachments**

1. Applicant's Statement
2. Map of Site
3. Survey
4. Plans for addition
5. Photos