

Department of Community Planning and Economic Development – Planning Division Report**Variance Request
BZZ-2229****Date:** April 21, 2005**Applicant:** Dan Fowlds**Address of Property:** 3149 Holmes Avenue South**Date Application Deemed Complete:** March 18, 2005**End of 60 Day Decision Period:** May 17, 2005**Appeal Period Expiration:** May 2, 2005**Contact Person and Phone:** Dan Folwds, 651-428-7162**Planning Staff and Phone:** Molly McCartney, 612-673-5811**Ward:** 10 **Neighborhood Organization:** East Calhoun Community Organization**Existing Zoning:** R4 District, Multiple-family District**Proposed Use:** Construction of a detached accessory structure.

Proposed Variance: A variance to increase the maximum size of an accessory structure from 676 sq. ft. to 1,008 sq. ft.; and a variance to reduce the required front yard from 10 ft. to 2 ft. to allow for a detached garage on a property located at 3149 Holmes Avenue South in the R4, Multiple Family District.

Zoning code section authorizing the requested variance: 525.520 (1) (8)

Background: The subject site is approximately 5,835 sq. ft. and consists of a two-story, multiple-family dwelling with four units on a reverse corner lot. There is also a two-stall garage on the property, which the applicant states is not currently being used for parking. The applicant is renovating the apartment building for a condominium conversion and is proposing to demolish the existing garage to build a detached garage of 1,008 sq. ft. to accommodate four parking stalls. The roof pitch of the garage, 6/12, will not match the primary structure's flat roof. However, the proposed garage will have a window on the wall facing 32nd Street West and the primary exterior materials will be stucco.

The proposed garage will also project in to the required front yard along 32nd Street West. The required yard setback for an accessory structure on a reverse corner lot is equal to two-thirds the front yard setback of the adjacent use, which is 10 ft in this situation. The required front yard for a multiple family dwelling is 15 ft. in the R4 District. The adjacent property, a four unit multiple-family dwelling, faces

32nd Street West is setback two ft. from the property line. The dwelling of the subject property is setback 1 ft. from the property line along 32nd Street West. The garage will be setback one ft. from the north interior property line and eight ft. from the rear property line along the alley.

The boulevards and sidewalk at the location along 32nd Street West is larger than a typical block. The boulevard between the street and sidewalk is 6 ft. wide, the sidewalk is 6 ft. wide, and the interior boulevard between the sidewalk and the property line is 8 ft 6 in., for a total of 20 ft. 6 in. of public right of way between the property line and street. The site triangle from the intersection of the alley and 32nd Street West to the corner of the proposed garage will be 23 ft., more than the 15 ft that is recommended required for public safety.

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.**

Maximum permitted floor area: The applicant is seeking a variance to increase the maximum permitted floor area for detached accessory structures from 676 sq. ft. to 1,008 sq. ft. to allow for the construction of a detached accessory structure on the property that is 24 ft. by 42 ft. The applicant states that the four-stall garage will provide one off-street parking space for each of the dwelling units. Strict adherence to the zoning code also requires one off-street parking space per dwelling unit. While the parking requirement does not suggest that all parking be enclosed, staff believes that the inability to provide one enclosed parking space per dwelling unit may constitute a hardship.

Front yard setback: The applicant is seeking a variance to reduce the required front yard setback from 10 ft. to 2 ft. to allow for the construction of a detached accessory structure. Strict adherence requires a 10 ft. setback along 32nd Avenue South. Any parking, including an exposed parking pad, is subject to this 10 ft. setback. The proposed garage would meet the two ft. setback of the primary structure on the subject property, as well as the adjacent property along 32nd Avenue South.

- 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.**

Maximum permitted floor area: The conditions upon which the variance is requested are unique to the parcel and have not been created by the applicant. The zoning ordinance requires one off-street parking space and allows up to 676 sq. ft. of accessory structure on a standard size lot. The applicant states that the garage will house one parking space for each dwelling unit. The circumstances on which the accessory structure is being requested have not been created by the applicant.

Front yard setback: The conditions upon which the variance is requested are unique to the parcel and have not been created by the applicant. Because the subject property is a reverse corner lot, the required front yard setback for an accessory structure is larger than on a corner or interior lot. Because of the 45 ft. width of the property, parking that meets the required four spaces would encroach on the front yard setback along 32nd Avenue South. The platting of the lot is not a circumstance 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.**

Maximum permitted floor area: Granting the floor area variance will not alter the essential character of the surrounding neighborhood and will be in keeping with the spirit and intent of the ordinance. The proposed garage and existing dwelling cover 62 percent of the lot, less than the maximum building coverage of 70 percent. With the proposed garage and driveway, the impervious surface coverage of the lot will be 70 percent, less than the 85 percent maximum coverage. While the garage roof pitch will not match the roof pitch of the primary structure, the exterior materials of the garage will be stucco and include a window on the wall that faces 32nd Avenue South. To minimize the impact that the garage may have on the surrounding area, staff recommends that some brick detailing be included in the design to match the primary structure.

Front yard setback: Granting the floor area variance will not alter the essential character of the surrounding neighborhood and will be in keeping with the spirit and intent of the ordinance. The proposed garage and existing conditions would meet the maximum building coverage and impervious surface limitations. The proposed garage will maintain a 2 ft. setback, similar to the primary dwelling of the subject property and the adjacent dwelling. The public right of way along 32nd Street West is 20 ft., 6 in., larger than typical blocks. The boulevard between the street and sidewalk is 6 ft. wide, the sidewalk is 6 ft. wide, and the interior boulevard between the sidewalk and the property line is 8 ft. 6 in. The garage would therefore be located 10 ft. 6 in. from the public sidewalk and the site triangle from the intersection of the alley and 32nd Street West to the corner of the proposed garage will be 23 ft., more than the recommended 15 ft. While the garage roof pitch will not match the roof pitch of the primary structure, the exterior materials of the garage will be stucco and include a window on the wall that faces 32nd Avenue South. To minimize the impact that the garage may have on the surrounding area, staff recommends that some brick detailing be included in the design to match the primary structure.

- 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.**

Maximum permitted floor area and front yard setback: Granting the variance would likely have no impact on the congestion of area streets or fire safety, nor would the proposed structure be detrimental to the public welfare or endanger the public safety. The applicant states that the four off-street parking spaces would alleviate on-street parking congestion. The site triangle

CPED Planning Division Report
BZZ-1930

from the intersection of the alley and 32nd Street West to the corner of the proposed garage will be 23 ft., more than the 15 ft required in the zoning code.

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 increase the maximum size of an accessory structure from 676 sq. ft. to 1,008 sq. ft.; and to **approve** the variance to reduce the required front yard from 10 ft. to 2 ft. to allow for a detached garage on a property located at 3149 Holmes Avenue South in the R4, Multiple 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 architect or engineering scale;
2. That a window is included on the south elevation of the garage similar to the south window of the existing detached garage; and
3. That brick detailing is included on the garage to match the primary structure.