

Department of Community Planning and Economic Development – Planning Division**Variance Request
BZZ-3761**

Date: October 11, 2007

Applicant: Thomas and Patricia Gries

Address of Property: 5306 Hampshire Drive

Contact Person and Phone: Thomas Gries, 612-827-3661

Planning Staff and Phone: Carol Ahlgren, 612-673-2439

Date Application Deemed Complete: August 31, 2007

Public Hearing: October 11, 2007

Appeal Period Expiration: October 22, 2007

End of 60 Day Decision Period: October 29, 2007

Ward: 11 **Neighborhood Organization:** Hale, Page, and Diamond Lake Community Association

Existing Zoning: R1 Single-family District

Proposed Use: An 8 by 5 foot one story main entrance portico.

Proposed Variance: A variance to decrease the established front yard setback from 42 feet to 37 feet to allow for the replacement of the front steps and the addition of an open portico over the steps at the main entrance.

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

Background: The subject property is located on an interior irregularly shaped 12,676 square foot lot with a single-family dwelling and detached garage with alley access. The lot measures 45 feet at the rear, 196.4 feet on the north; 200.45 on the south; and 84.5 feet at the front which follows the curve of Hampshire Drive. The owner is proposing to remove the existing 6 by 5 foot concrete and brick front steps and landing and replace it with steps and landing that will measure 8 feet by 5 feet. The owner/applicant also proposes to add a one story gable roofed portico over this main entrance area.

The proposed portico will be located on the main façade of the house and will project five (5) feet into the front yard, reducing the required front yard setback from 42 feet to 37 feet. The proposed construction will not require additional land use approvals. The subject property is a two story, side gable brick house. The main façade of the dwelling features the centrally located entrance, which is

flanked by symmetrically located projecting bay windows. The main entrance, the location of the proposed portico, features sidelights and decorative pilasters, and is topped by a wooden broken pediment flush to the dwelling. The entrance is currently accessed by a cement, brick trimmed landing with two steps that measures 6 feet by 5 feet.

The proposed entrance portico will require removal and replacement of the existing 6 foot by 5 foot step and landing area, and enlarging it to 8 feet by 5 feet. The portico will be located at the main entrance at the landing and step area. The portico will feature a pedimented gable roof with an 8/12 pitch, which will match the existing roof pitch. The portico will have a copper roof, which will match the main roof and two custom made wooden columns with capitals that will match the existing pilasters that flank the entrance. The existing sidelights will be retained.

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.**

Front yard setback for entrance portico: The applicant has requested a variance to reduce the established front yard setback from 42 to 37 feet to allow for the proposed entrance portico. Strict adherence to the code limits the main façade of the building to a setback of 42 feet. Due to the existing location of the house along the curve of Hampshire Drive, there is no other location or alternative to extending the entrance portico into the existing setback. Staff believes that such a portico does not represent an unreasonable use of the property. The established front yard setback presents a hardship.

- 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.**

Conditions upon which the setback variance is requested are unique to the parcel. The subject parcel is 12,676 square feet; it has a unique shape; the rear lot line measures 45 feet and the front lot line on Hampshire Drive measures 82.53 feet; a difference of 39.5 feet. The difference in lot size and configuration is due to the existing city plat which curves along Hampshire Drive. Staff finds that the circumstances that require a variance are due to the parcel of land, the placement of the residence on the property, and have not been 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.**

Front Yard Setback for Entrance Portico: Staff believes that the proposed entrance portico will not alter the essential character of the surrounding neighborhood. Staff believes that the scale, massing, material, design, and location of the proposed entrance portico are compatible with the subject dwelling and will not alter the essential character of the locality.

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.**

Front Yard Setback for Entrance Portico: Granting the setback variance would likely not increase the impact on the congestion of area streets or fire safety, nor would it endanger the public safety. The visual impacts of the proposed entrance portico will not be detrimental to the public welfare of the properties to the north and south of the subject site.

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 established front yard setback to 37 feet to allow for the construction of a main entrance portico with the following condition:

1. All final plans and elevations will be approved by CPED-Planning staff prior to the issuance of construction permits.