

**Department of Community Planning and Economic Development – Planning Division**  
Variances  
BZZ-5410

**Date:** December 15, 2011

**Applicants:** Martin and Catherine Von Euw

**Address of Property:** 4740 Wentworth Avenue

**Contact Person and Phone:** Martin and Catherine Von Euw, (612) 824-3792

**Planning Staff and Phone:** Shanna Sether, (612) 673-2307

**Date Application Deemed Complete:** November 1, 2011

**End of 60 Day Decision Period:** December 31, 2011

**Ward:** 11      **Neighborhood Organization:** Tangletown Neighborhood Organization

**Existing Zoning:** R1A Single-Family District

**Zoning Plate Number:** 31

**Legal Description:** Not applicable

**Proposed Use:** A remodel and addition to the existing enclosed porch, a new open front porch and a new walkway

**Variance:** to reduce the required front yard setback along Wentworth Avenue to allow for the remodel and addition of the existing enclosed porch, a new open front porch, and allow for a 6-foot wide walkway to an existing single-family dwelling.

**Zoning code section authorizing the requested variance:** Chapter 525, Article IX Variances, Specifically Section 525.520(1) “to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations”.

**Background:** The subject property is approximately 42 feet by 92 feet (3,864 square feet) and consists of an existing one and a half story structure that was constructed in 1919. The existing dwelling is located approximately 22 feet 6 inches from the front property line. The existing enclosed front porch is 13 feet 6 inches wide and 8 feet deep. The existing enclosed porch is structurally compromised, due to a support column that has detached from the roof. The applicant is proposing to remodel the existing enclosed front porch and complete an addition to convert the space into a new sitting area and vestibule. The applicant is also proposing to add a new 5 foot by 10 foot open front porch with stairs and a new 4 foot wide walkway. The applicant had originally proposed a 6 foot walkway and has

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modified the project to have a 4 foot wide walkway, which meets the zoning requirements and no longer requires a variance.

The adjacent structure to the north is located 12 feet 6 inches to the front property line along Wentworth Avenue. The adjacent structure to the south is located on a reverse corner lot and is approximately 8 feet from the front property line. The established setback created by connecting the two corners of the adjacent structures is approximately 9 feet to the front property line. The minimum front yard setback in the R1A District for a single-family dwelling is 20 feet. However, the required front yard shall be the greater of either the established or district setback. In this case, the greater front yard setback is 20 feet. The proposed remodel and addition of the existing enclosed porch and new open front porch are not permitted obstructions in the required front yard, in this case, based on their location and dimension. Therefore, the applicant is seeking a variance to reduce the required front yard setback from 20 feet to 18 feet for the proposed building addition and from 20 feet to 9 feet to allow for the proposed open porch addition.

Staff has not received correspondence from the Tangletown Neighborhood Organization. Staff will forward comments, if any are received, at the Board of Adjustment meeting.

**Findings Required by the Minneapolis Zoning Code:**

**VARIANCE:** to reduce the required front yard setback along Wentworth Avenue from 20 feet to 18 feet for the proposed building addition and from 20 feet to 9 feet to allow for the proposed open porch addition.

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

The circumstances upon which the setback variance is requested are unique to the parcel of land due to the location of the house, the substandard lot area and the lot depth. The existing structure was constructed in its present location in 1919. The applicant is proposing to remodel the existing enclosed front porch, add on to it and add a new open front porch. Given the placement of the subject house on the lot and the two adjacent structures any modification to the front of the property would require a variance. Further, an addition to the rear of the structure would most likely require an additional variance to allow for the principal structure to be located within 6 feet of the existing garage. Staff believes that these circumstances have created practical difficulties in complying with the ordinance.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The applicant is seeking a variance to reduce the required front yard setback along Wentworth Avenue from 20 feet to 18 feet for the proposed building addition and from 20 feet to 9 feet to allow for the proposed open porch addition. The existing structure was built in 1919 in its present location. The purpose of yard requirements is to provide for orderly development and use of land and to minimize conflicts among land uses by governing the location of accessory uses and structures. The closest adjacent neighbor to the proposed structure is located 12 feet 6

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inches to the front property line and the entire project area will be located behind the established setback of 9 feet. Staff believes that the applicant is proposing to use the property in a reasonable manner.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

Staff believes that the granting of this variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The applicant is proposing to remodel the existing enclosed porch, add on to it and add an open front porch. The porch will have a roof, fascia and soffit to match the exterior of the dwelling. The exterior materials will be 6 inch cement board siding to match the existing dwelling. Further, granting of the variance will not increase the danger of fire safety or 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 front yard setback along Wentworth Avenue from 20 feet to 18 feet for the proposed building addition and from 20 feet to 9 feet to allow for the proposed open porch addition to an existing single-family dwelling located at 4740 Wentworth Avenue in the R1A Single-Family District.

### **Attachments:**

- 1) Copy of letters sent to Tangletown Neighborhood Organization and CM Quincy with written descriptions and findings submitted by the applicant
- 2) Correspondence
- 3) Zoning map
- 4) Site plan
- 5) Floor plans
- 6) Elevations
- 7) Photographs

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