

Department of Community Planning and Economic Development – Planning Division
Variance
BZZ-5388

Date: November 17, 2011

Applicant: Wooden Dreams

Address of Property: 4400 Nawadaha Boulevard

Project Name: 4400 Nawadaha Boulevard Addition

Contact Person and Phone: Howard Theis of Wooden Dreams, (651) 636-7645

Planning Staff and Phone: Aly Pennucci, (612) 673-5342

Date Application Deemed Complete: October 20, 2011

End of 60-Day Decision Period: December 18, 2011

Ward: 12 **Neighborhood Organization:** Longfellow Community Council

Existing Zoning: R1A Single-family District and AP Airport Overlay District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 34

Legal Description: Not applicable for this application

Proposed Use: Addition to a single-family dwelling

Variance: to reduce the required front yard setback along 44th Avenue South to allow for a second story addition to an existing single-family dwelling on a reverse corner lot at 4400 Nawadaha Blvd in the R1A Single-Family District and AP Airport Overlay District.

Applicable Code Provisions: Chapter 525, Article IX, Variances, Specifically Section 525.520 (1) “To vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations.”

Background: The subject property is approximately 50 feet by 130 feet (6500 square feet) and consists of an existing single-family dwelling with an attached garage and a detached garage to the rear. The property is located at the corner of Nawadaha Boulevard and 44th Avenue South. The adjacent property to the north has frontage along 44th Avenue South, making the subject site a reverse corner lot. Because of the reverse corner lot configuration, this lot is subject to two front yard requirements, one along Nawadaha Boulevard and one along 44th Avenue South.

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The applicant is proposing to construct a second story addition over the rear portion of the existing single-family dwelling and a dormer addition on the south (front) elevation. The proposed addition over the rear portion of the dwelling is approximately 20.5 feet by 26 feet and is proposed to be located 17 feet from the property line along 44th Avenue South. The proposed dormer addition to the front of the dwelling is approximately 8 feet by 10 feet and is proposed to be located 14 feet from the property line along 44th Avenue South. The minimum front yard setback in the R1A district is 20 feet. The adjacent property to the north, that has frontage along 44th Avenue S., is located approximately 28 feet to the front property line, which establishes a 28 foot setback along 44th Avenue South for the subject site. Therefore, the applicant has requested a variance to reduce the required front yard setback along 44th Avenue S. from 28 feet to 14 feet to allow for a dormer and second story addition.

As of the writing of this staff report, staff has not received any correspondence from the Longfellow Community Council. Staff will distribute comments, if any are received, at the Board of Adjustment meeting.

Variance to reduce the required front yard setback along 44th Avenue South to allow for a second story addition

Findings Required by the Minneapolis Zoning Code:

- 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 applicant is seeking a variance to reduce the front yard setback along 44th Avenue South to allow for a second story addition to an existing single-family dwelling. The circumstances upon which the variance is requested are unique to the parcel of land due to the location of the adjacent structure to the north that makes the subject site a reverse corner. Approximately half of the existing structure is located within the required front yard setback along 44th Avenue South, therefore a second story addition would be difficult to accommodate without a variance. This circumstance has not been created by the applicant.

- 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 44th Avenue South to allow for a second-story addition. Due to the location of the adjacent structure to the north the zoning code limits the area where an addition can be accommodated on the lot without seeking a variance. Staff believes that a second story addition is a reasonable use for a residential property and will be in keeping with the spirit and intent of the ordinance.

- 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 adjacent structure to the north is located approximately 90 feet from the proposed addition. The roof line of the proposed addition does not increase the overall height of the existing structure and will not further impede views from the adjacent property. 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.

RECOMMENDATIONS:

Recommendation of the Community Planning and Economic Development Department – Planning Division:

The Community Planning and Economic Development Department – Planning Division recommends that the Board of Adjustment adopt the above findings and **approve** the variance to reduce the required front yard setback along 44th Avenue South from the established 28 feet to 14 feet to allow for the second story addition and dormer addition to an existing single-family dwelling on a reverse corner lot at 4400 Nawadaha Blvd in the R1A Single-Family District and AP Airport Overlay District subject to the following condition:

1. Approval of the final site and elevation plans by the Department of Community Planning and Economic Development – Planning Division.

Attachments:

- 1) Statement and findings from applicant
- 2) Correspondence to neighborhood organization and Council Member
- 3) Zoning map
- 4) Site plan & elevation drawings
- 5) Photos
- 6) Aerial Photo