

Department of Community Planning and Economic Development – Planning Division
Variance
BZZ-5538

Date: May 3, 2012

Applicant: Tim Stremel

Address of Property: 1927 Washington Street NE

Project Name: 1927 Washington Street NE Front Porch

Contact Person and Phone: Tim Stremel, (612) 419-1549

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

Date Application Deemed Complete: April 10, 2012

End of 60-Day Decision Period: June 9, 2012

Ward: 1 Neighborhood Organization: Holland Neighborhood Improvement Association

Existing Zoning: R2B Two-Family District

Proposed Use: Two-story open front porch

Concurrent Review:

- Variance to reduce the minimum required front yard setback along Washington Street NE from 20 feet to approximately 8 feet 6 inches.
- Variance to reduce the minimum required front yard setback along 20th Avenue NE from 20 feet to approximately 15 feet.

Applicable zoning code provisions: 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 54 feet 8 inches by 87 feet (4,763 square feet) and is a reverse corner lot, located at the southeast corner of Washington Street NE and 20th Avenue NE. The property consists of an existing two-and-a-half story dwelling constructed in 1909. The existing duplex has an enclosed porch on the front façade, facing Washington Street NE that is original to the construction of the dwelling. In September of 2010, a small fire resulted in damage to the exterior and the enclosed porch. The applicant is proposing to remove the existing enclosed porch and construct a new open front porch on the first floor, with a deck and guardrail on the second floor. The adjacent structure to the south has frontage along Washington Street NE and is setback approximately 15 feet from the front property line. The adjacent property to the east has frontage along 20th Avenue NE and is setback approximately 10 feet from the front property line. Due to the platting of the land, the subject parcel is required to meet a minimum required front yard of 20 feet along both Washington Street NE and 20th Avenue NE, the minimum required front yard in the R2B District. Due to the required setbacks,

a variance is required to reduce the front yard setback along both Washington Street NE and 20th Avenue NE to allow for the proposed porch expansion.

Staff has not received any correspondence from the Holland Neighborhood Improvement Association. Staff will forward comments, if any are received, at the Board of Adjustment public hearing.

VARIANCES: To reduce the minimum required front yard setback along Washington Street NE and 20th Avenue NE to allow for a new two-story open front porch

Findings as Required by the Minneapolis Zoning Code for a Variance:

- 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.**

Both variances: The circumstances upon which the variances are requested are unique to the parcel of land due to the platting of the land, the size of the lot and the location of the existing dwelling. These circumstances have not been created by the applicant. The applicant is proposing to remove the enclosed porch and construct an open porch at exactly the same location and on the existing foundation, but add a deck above for the second floor dwelling. The increase in height to allow for the guardrail in the required front yards has triggered the need for the variances.

- 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.**

Both variances: The applicant is seeking variances to allow for the reconstruction of an existing porch located within the required front yards along Washington Street NE and 20th Avenue NE on a reverse corner lot. The proposed porch will now be open, with less bulk and in the same location as the previous porch. The purpose of required yards is to provide for orderly development and use of land and to minimize conflicts among land uses by providing adequate light, air, open space and separation of uses. 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.**

Both variances: Staff believes that the granting of these variances would not negatively alter the essential character of the area. Many of the dwellings in the area have porches, both open and enclosed, in the surrounding area. The proposed open porch will have the same footprint, but less bulk and will be similar in scale to the existing enclosed porch. In 2009, the City of Minneapolis adopted a text amendment to require specific design guidelines for open front porches. The zoning code requires that an open front porch not be enclosed with windows, screens or walls, but may include handrails not more than three (3) feet in height and not more than 50 percent opaque. Further, the finish of the porch shall match the finish of the dwelling or the trim on the dwelling and not be raw or unfinished lumber.

If granted, the proposed variances will not be detrimental to the health, safety or welfare of the public or those utilizing the property as long as it is constructed to current building codes. The proposed porch will be required to receive a building permit prior to construction.

RECOMMENDATION

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 Zoning Board of Adjustment adopt the above findings and **approve** the variance to reduce the minimum required front yard setback along Washington Street NE from 20 feet to approximately 8 feet 6 inches to allow for a new open front porch located at 1927 Washington Street NE in the R2B Two-Family District, subject to the following condition:

1. The second floor of the porch shall have guardrails only, not to exceed 3 feet in height or be more than 50 percent opaque.
2. The finish of the porch shall match the finish of the dwelling or the trim on the dwelling.
3. Raw or unfinished lumber shall not be permitted on an open front porch.

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 Zoning Board of Adjustment adopt the above findings and **approve** the variance to reduce the minimum required front yard setback along 20th Avenue NE from 20 feet to approximately 15 feet to allow for a new open front porch located at 1927 Washington Street NE in the R2B Two-Family District, subject to the following condition:

1. The second floor of the porch shall have guardrails only, not to exceed 3 feet in height or be more than 50 percent opaque.
2. The finish of the porch shall match the finish of the dwelling or the trim on the dwelling.
3. Raw or unfinished lumber shall not be permitted on an open front porch.

Attachments:

1. Written descriptions of findings submitted by the applicant
2. Copies of e-mails and letters sent to CM Reich and the Holland Neighborhood Improvement Association
3. Zoning map
4. Site plan
5. Building elevation with proposed porch
6. Photos