

**Department of Community Planning and Economic Development – Planning Division**  
Variances  
BZZ 5571

**Date:** July 12, 2012

**Applicant:** Rapson Architects

**Address of Property:** 2429 Franklin Avenue East

**Contact Person and Phone:** Toby Rapson, (612) 333-4561

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

**Date Application Deemed Complete:** June 15, 2012

**End of 60-Day Decision Period:** August 14, 2012

**Ward: 2      Neighborhood Organization:** Seward Neighborhood Group

**Existing Zoning:** C1 Neighborhood Commercial District and PO Pedestrian Oriented Overlay District.

**Proposed Use:** Addition to an existing commercial building to allow for a new coffee shop.

**Concurrent Review:**

- Variance to reduce the west interior side yard setback to allow for a building addition to an existing commercial building.
- Variance to reduce the required off-street parking from 4 spaces to 3 spaces.

**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” and to section 525.520(6) “to vary the applicable minimum... number of required off-street parking spaces...”

**Continuance:** The subject property is approximately 40 feet by 122 feet (4,881 square feet) and has an existing 3,271 square foot building with a grocery store on the first floor and an office use on the second floor. The applicant is proposing to construct a new one-story, 17 foot by 51 foot 8 inch, 580 square foot addition to the existing building to allow for a new coffee shop.

Staff had received a copy of a recorded deed from the attorney representing the adjacent neighbor that indicates there is an existing easement on the subject property that is four feet in width for the length of the property to allow for a sidewalk. With consideration of the new information, the applicant is requesting a continuance of one-cycle to the July 26, 2012, Board of Adjustment public hearing to allow for more time to respond to the new information.

**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 **continue** the variance to reduce the west interior side yard setback to allow for a building addition to an existing commercial building for the property located at 2429 Franklin Avenue East in the C1 Neighborhood Commercial District and PO Pedestrian Oriented Overlay District one-cycle, to the **July 26, 2012**, public hearing.

**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 **continue** the variance to reduce the required off-street parking from 4 spaces to 3 spaces for the property located at 2429 Franklin Avenue East in the C1 Neighborhood Commercial District and PO Pedestrian Oriented Overlay District one-cycle, to the **July 26, 2012**, public hearing.

**Attachments:**

- 1) Zoning map
- 2) Request for continuance from applicant