

**Department of Community Planning and Economic Development – Planning Division**  
Variance  
BZZ-5627

**Date:** July 26, 2012

**Applicant:** Frank and Anne Taylor

**Address of Property:** 1961 Kenwood Parkway

**Contact Person and Phone:** Frank and Anne Taylor, (612) 377-7022

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

**Date Application Deemed Complete:** June 22, 2012

**End of 60-Day Decision Period:** August 21, 2012

**Ward: 7 Neighborhood Organization:** Kenwood Isles Area Association

**Existing Zoning:** R1 Single-Family District

**Proposed Use:** New 32.5 square foot addition to an existing single-family dwelling

**Variance** to reduce the required front yard setback along Queen Avenue South from approximately 28 feet to approximately 17 feet 6 inches to allow for a one-story, rear addition to an existing single-family dwelling on a reverse corner lot

**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 13,380 square feet in size and is a reverse corner lot, located at the southeast corner of Queen Avenue South and Kenwood Parkway. The property consists of an existing two-and-a-half -story dwelling that was constructed in 1897. The dwelling is currently under construction for a series of additions to the rear of the property. A building permit was issued for the current construction in February of 2012 and was approved administratively, due to compliance with the zoning code. While the structure has been undergoing the remodel and construction, the property owners have decided to connect the existing kitchen to the sunroom. In order to allow for the necessary circulation, a new 32.5 square foot addition is being proposed at the northeast corner of the dwelling. The adjacent property to the south has frontage along Kenwood Parkway and the adjacent structure to the east has frontage along Queen Avenue South and is setback 28 feet from the front property line. Due to the platting of the land and the location of the adjacent structure to the east, the subject parcel has a required front yard setback of 28 feet along Queen Avenue South. The proposed addition would be located approximately 17 feet 6 inches from the front property line along Queen Avenue South and therefore requires a variance for the proposed location.

Previous land use approvals include a variance to construct a 315 square foot ground level patio of blue stone within the footprint of an existing 3 foot tall wall to the front of the dwelling in 2010.

As of the writing of this staff report, staff has not received any correspondence from the Kenwood Isles Area Neighborhood Association. Staff will forward comments, if any are received, at the Board of Adjustment meeting.

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

**VARIANCE:** to reduce the required front yard setback along Queen Avenue South from approximately 28 feet to approximately 17 feet 6 inches to allow for a one-story, rear addition to an existing single-family dwelling on a reverse corner lot

**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.**

The circumstances upon which the variance is requested are unique to the parcel of land due to the platting of the land and the location of the existing dwelling to the east. These circumstances have not been created by the applicant. The applicant is proposing to construct a 32.5 square foot, one-story addition, to the rear of the existing dwelling. The platting of the parcel and the location of the adjacent dwelling to the east would require a variance for any addition to the existing single-family dwelling within 28 feet of the north property line.

- 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 proposing to construct a one-story, 32.5 square foot addition on an existing dwelling on a reverse corner lot. 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. There is an existing public alley between to the properties and the adjacent neighbor to the east would be located over 75 feet away from the proposed addition. Further, the east property line of the subject property is densely landscaped and the proposed addition would most likely not be visible. 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 these variances would not alter the essential character or be injurious to the use and enjoyment of others in the area. As previously mentioned the proposed addition is 32.5 square feet in area and will be located at the rear of the dwelling behind an existing lattice fence. Further, the applicant is proposing to utilize the same exterior materials as the existing dwelling, which include a limestone foundation and shingle siding. If granted, the proposed variance 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.

**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 required front yard setback along Queen Avenue South from approximately 28 feet to approximately 17 feet 6 inches to allow for a one-story, 32.5 square foot rear addition to an existing single-family dwelling on a reverse corner lot located at 1961 Kenwood Parkway in the R1 Single-Family District, subject to the following conditions:

1. The exterior materials used for the addition shall complement and be similar to the exterior materials of the principal structure on the property.
2. Approval of the final site and elevation plans by the Department of Community Planning and Economic Development – Planning Division.
3. All site improvements shall be completed by July 26, 2013, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

**Attachments:**

1. Written descriptions of findings submitted by the applicant
2. Copies of letters dated June 13, 2012, to Council Member Goodman and Kenwood Isles Area Association
3. Correspondence
4. Zoning map
5. Survey/site plan
6. Floor plans
7. Building elevations
8. Photos