

**Department of Community Planning and Economic Development**  
Variance  
BZZ 5787

**Date:** January 17, 2013

**Applicant:** Paul Gates Architect

**Address of Property:** 17 East 24<sup>th</sup> Street

**Contact Person and Phone:** Paul Gates, (612) 822-8878

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

**Date Application Deemed Complete:** December 20, 2012

**End of 60-Day Decision Period:** February 18, 2013

**Ward: 6      Neighborhood Organization:** Whittier Alliance

**Existing Zoning:** R4 Multiple Family District

**Zoning Plate Number:** 20

**Proposed Use:** A new trash enclosure accessory to an existing multiple family dwelling

**Variance:** to reduce the south interior side yard setback from 9 feet to approximately 1 foot 4 inches to allow for a new trash enclosure

**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”.

**Continuance:** The subject property is approximately 91.25 feet by 125 feet (11,501 square feet) and contains a multiple family residential structure with 3 off-street parking spaces at the rear of the property. There are existing trash dumpsters at the rear of the property that are not enclosed. Refuse and recycling storage containers are required to be enclosed on all four sides in accordance with section 535.80 of the zoning code.

The applicants are proposing to enclose the trash and recycling containers at the rear of the site, approximately 1 foot 4 inches from the south interior side and rear yards. Containers for the removal of household refuse are a permitted obstruction 1 foot from the rear property line; however, they must meet the minimum setback required in the zoning district along the interior side yard. The minimum interior side yard setback for the subject property is 9 feet. Therefore, the applicant is requesting a variance to reduce the south interior side yard setback from 9 feet to approximately 1 foot 4 inches to allow for a new trash enclosure.

The applicant is scheduled to meet with the Whittier Alliance Board on Thursday, January 24. Therefore, the applicant has requested a continuance for one-cycle to the January 31, Board of Adjustment public hearing.

**RECOMMENDATION**

**Recommendation of the Department of Community Planning and Economic Development:**

The Department of Community Planning and Economic Development recommends that the Board of Adjustment **continue** the application for the variance to reduce the south interior side yard setback from 9 feet to approximately 1 foot 4 inches to allow for a new trash enclosure accessory to an existing multiple-family dwelling located at 17 East 24<sup>th</sup> Street in the R4 Multiple-Family District one-cycle to the **January 31, 2013**, Board of Adjustment public hearing.

**Attachments:**

1. Zoning map