

**Department of Community Planning and Economic Development**  
Variance  
BZZ 6236

**Date:** September 26, 2013

**Applicant:** Juliee Oden

**Address of Property:** 1529 Hillside Avenue North

**Contact Person and Phone:** Juliee Oden, (612) 735-3519

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

**Date Application Deemed Complete:** August 30, 2013

**End of 60-Day Decision Period:** October 29, 2013

**Ward: 5      Neighborhood Organization:** Jordan Area Community Council

**Existing Zoning:** R2B Two-Family District

**Existing Overlay District:** Not applicable

**Zoning Plate Number:** 7

**Proposed Use:** Remodeled open front porch to an existing single-family dwelling

**Variance:** to reduce the required front yard setback along Hillside Avenue North from 20 feet to approximately 13 feet to allow for an extension of an existing open front porch accessory to an existing single-family dwelling.

**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”.

**Background:** The subject property is an irregular lot, approximately 50 feet by 108 feet, on average, (5,870 square feet) and consists of an existing two and a half story dwelling constructed in 1910. The single-family dwelling appears to have been constructed with a stone and concrete open front porch and stair. The existing dwelling and open front porch are located approximately 16 feet 7 inches from the front property line. The existing stone and concrete porch and stairs are deteriorating and the applicant is proposing to remodel the porch and bump it out, adding approximately 27 square feet of area. The proposed porch will be replaced in kind and the applicant is proposing to match the same stone pattern as the original open front porch. The adjacent structure to the south has an open front porch located approximately 9 feet 6 inches from the front property line and the adjacent structure to the north is setback 17 feet 2 inches. The minimum front yard setback in the R2B Two-Family District is 20 feet.

Therefore, the applicant has applied for a variance to reduce the required front yard setback along Hillside Avenue North from 20 feet to approximately 13 feet to allow for an extension of an existing open front porch accessory to an existing single-family dwelling.

Staff has not received correspondence from the Jordan Area Community Council. Staff will forward comments, if any are received, at the Board of Adjustment meeting.

**Findings Required by the Minneapolis Zoning Code:**

**VARIANCE:** to reduce the required front yard setback along Hillside Avenue North from 20 feet to approximately 13 feet to allow for an extension of an existing open front porch accessory to an existing single-family dwelling.

**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 setback variance is requested are unique to the parcel of land due to the curvilinear shape of the street and the location of the adjacent neighbors' houses. The established setback along Hillside Avenue North is approximately 15 feet 9 inches; however the minimum front yard setback in the R2B District is 20 feet. Therefore, the proposed porch extension is required to be located 20 feet from the front property line. The existing dwelling is setback further in relationship to the block face, because the property is located along the curvilinear portion of Hillside Avenue North. The applicant is proposing to remodel the existing open front porch and add a curved bump-out to the front, which will increase the size of the porch by approximately 27 square feet. The adjacent structure to the south has an open front porch located approximately 9 feet 6 inches from the front property line and the adjacent structure to the north is setback 17 feet 2 inches. Staff finds that these circumstances have created practical difficulties in complying with the ordinance.

**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 front yard setback along Hillside Avenue North from 20 feet to approximately 13 feet to allow for an extension of an existing open front porch accessory to an existing single-family dwelling. The purpose of yard requirements is to provide for orderly development and use of land and to minimize conflicts among land uses by governing the location of accessory uses and structures. The established setback along Hillside Avenue North is approximately 15 feet 9 inches; however the minimum front yard setback in the R2B District is 20 feet. The existing dwelling is setback further in relationship to the block face, because the property is located along the curvilinear portion of Hillside Avenue North. The applicant is proposing to remodel the existing open front porch and add a curved bump-out to the front, which will increase the size of the porch by approximately 27 square feet. Staff finds 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.**

Granting of these variances would not negatively alter the essential character of the area. The concrete and stone open front porch appears to have been originally constructed with the dwelling and is deteriorating. The applicant is proposing to match the style and material of the existing porch and allow for a 27 square foot rounded bump-out. The total area of the porch is approximately 110 square feet in area. The adjacent property to the south has an open front porch that is located 9 feet 6 inches to the front property line and there are several open front porches on adjacent dwellings on both sides of Hillside Avenue North. 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.

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

The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt staff findings and **approve** the variance to reduce the required front yard setback along Hillside Avenue North from 20 feet to approximately 13 feet to allow for an extension of an existing open front porch accessory to an existing single-family dwelling located at 1529 Hillside Avenue North in the R2B Two-Family District, subject to the following conditions of approval:

1. The materials of the porch shall be replaced in with materials consistent with the existing materials.
2. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development.
3. All site improvements shall be completed by September 26, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

**Attachments:**

1. Written descriptions and findings submitted by the applicant
2. Letters to Council Member Samuels and Jordan Area Community Council
3. Correspondence
4. Zoning map
5. Existing survey
6. Site plan
7. Building elevations
8. Photos