

Department of Community Planning and Economic Development
Variance
BZZ 6252

Date: October 10, 2013

Applicant: Tea2 Architects

Address of Property: 1023 Mount Curve Avenue

Contact Person and Phone: Dan Nepp, (612) 929-2800

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

Date Application Deemed Complete:

End of 60-Day Decision Period:

Ward: 7 **Neighborhood Organization:** Lowry Hill Neighborhood Association

Existing Zoning: R2 Two-Family District

Existing Overlay District: Not applicable

Zoning Plate Number: 18

Proposed Use: New Detached garage accessory to an existing single-family dwelling

Variance: to increase the maximum height of a detached accessory structure from 12 feet to approximately 16 feet, where the exterior materials do not match the principal structure

Zoning code section authorizing the requested variance: Chapter 525, Article IX Variances, Specifically Section 525.520(4) "...to vary the height requirements for any structure..."

Background: The subject property is an irregular shaped parcel, 11,610 square feet in area. The existing property has a two and half-story dwelling with a detached garage. The applicant is proposing to remove the existing detached garage and construct a new detached garage. The proposed detached garage would be 674 square feet in area and 16 feet to the midpoint of the gable roof. The zoning code allows for administrative approval to increase the maximum height of a detached garage from 12 feet to 16 feet per 537.50(b) of the zoning code:

537.50. Maximum height. (a) *In general.* The maximum height for all accessory structures shall be limited to the maximum height requirements for principal structures in the district in which the accessory structure is located, except as otherwise provided in this zoning ordinance.

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(b) *Accessory structures located in the residence and OR1 Districts.* A detached accessory structure, accessory to a principal use located in a residence or OR1 district shall not exceed the height of the principal structure or twelve (12) feet, whichever is less. The maximum height may be increased to sixteen (16) feet or the height of the principal structures, whichever is less, where the primary exterior materials of the accessory structure match the primary exterior materials of the principal structure and the roof pitch matches the primary roof pitch of the principal structure, and provided the wall height shall not exceed ten (10) feet from the floor to the top plate.

The proposed roof of the garage would match the pitch and roof style of the principal dwelling. However, the original proposal included exterior materials that did not match the existing dwelling. Therefore, the applicant applied for a variance to increase the maximum height of a detached garage from 12 feet to 16 feet accessory to an existing single-family dwelling.

The applicant has decided to redesign the garage and match the exterior materials of the dwelling and has requested to withdraw the application for the variance. A copy of the letter is attached to the staff report requesting the withdrawal. The applicant will instead apply for an administrative review to increase the maximum height of a detached accessory structure.

Recommendation of the Department of Community Planning and Economic Development:

The Department of Community Planning and Economic Development recommends that the Board of Adjustment accept the **withdrawal** of the variance to increase the maximum height of a detached garage from 12 feet to 16 feet accessory to a single-family dwelling located at 1023 Mount Curve Avenue in the R2 Two-Family District.

Attachments:

1. Zoning map
2. Letter requesting the withdrawal