



CPED STAFF REPORT

Prepared for the Board of Adjustment

BOA Agenda Item #4
June 5, 2014
BZZ-6558

LAND USE APPLICATION SUMMARY

Property Location: 325 Ridgewood Avenue
Project Name: 325 Ridgewood Avenue Addition
Prepared By: [Shanna Sether](#), City Planner, (612) 673-2307
Applicant: Ray Kasemkhani and Naya Dubanaeva
Project Contact: Ray Kasemkhani and Naya Dubanaeva
Request: To remodel an existing single-family dwelling to add one single story-addition to allow for an attached garage

Required Applications:

Variance	To reduce the front yard setback along Ridgewood Avenue from approximately 26 feet 6 inches to approximately 16 feet to allow for a 95 square foot, one-story addition for an attached garage to an existing single-family dwelling located on a reverse corner lot.
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SITE DATA

Existing Zoning	ORI Neighborhood Office Residence District
Lot Area	8,180 square feet / .188 acres
Ward(s)	7
Neighborhood(s)	Stevens Square Community Organization
Designated Future Land Use	Mixed Use
Land Use Features	Not applicable.
Small Area Plan(s)	Not applicable.

Date Application Deemed Complete	May 12, 2014	Date Extension Letter Sent	
End of 60-Day Decision Period	July 11, 2014	End of 120-Day Decision Period	

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject property is approximately 8,120 square feet in area and the existing land use is a single-family dwelling. The structure was originally constructed as a single-family dwelling in 1946. There have been numerous additions and modifications made to the structure since the original construction. In 1980, a building permit was issued to allow for the conversion of the dwelling to an office. The building was used as an office until 2012, when it was vacated. The new owners purchased the property in 2012, in order to convert it back to a single-family dwelling. The existing dwelling is two-stories tall and is located on a reverse corner lot.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. There is a mix of land uses surrounding the subject property. There are three congregate living facilities, seven multiple-family apartment buildings ranging from 4 to 96 dwelling units, several 1-4 unit dwellings and one office structure.

PROJECT DESCRIPTION. The applicant is proposing to construct a one-story addition, beneath the existing cantilever on the front of the existing dwelling to allow for an attached garage.

RELATED APPROVALS.

Planning Case #	Application	Description	Action
BZZ-6317	Petition to rezone the property from OR2 High Density Office Residence District to OR1 Neighborhood Office Residence	Conversion from office building to a single-family dwelling on a reverse corner lot.	The City Council approved the rezoning on December 13, 2013 .

PUBLIC COMMENTS. Staff has not received correspondence regarding the requested variances. Any correspondence received prior to the public meeting will be forwarded on to the Board of Adjustment for consideration.

ANALYSIS

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to reduce the front yard setback along Ridgewood Avenue from approximately 26 feet 6 inches to approximately 16 feet to allow for a 95 square foot, one-story addition for an attached garage to an existing single-family dwelling located on a reverse corner lot, based on the following findings:

- I. *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 variances are requested are unique to the parcel of land due to the platting of the land and the location of the existing structure. The applicant is proposing to

construct an addition on the first floor, under an existing cantilever. The increase in the building area is 95 square feet. The platting of the parcel requires a minimum 26.5 foot setback along Ridgewood Avenue and a 15 foot setback along Pleasant Avenue, because the property is located on a reverse corner lot. Adhering to the minimum front, interior side and rear yard setbacks would reduce the area to build an addition to approximately 35% of the lot. Staff finds that these circumstances create a practical difficulty that was not created by the applicant.

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 first floor addition under an existing bump out to the 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. The neighboring dwelling to the west is located approximately 55 feet to the closest proposed addition. Staff finds that the applicant is proposing to use the property in a reasonable manner consistent with the spirit and intent of the ordinance and the comprehensive plan.

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 finds that the granting of these variances would not be injurious to the use or enjoyment of other property in the vicinity. As previously mentioned the adjacent home on the neighboring lot to the west is located approximately 55 feet away from the closest of the point of the proposed addition. The building was originally constructed as a single-family dwelling in 1942. The building was then converted to an office building in 1980. In 2012, the new owners proposed to convert the use back to a single-family dwelling. The proposed addition is intended to allow for adequate space to provide enclosed parking, accessed via an existing curb cut and driveway. The proposed addition will have compatible materials and color to the existing siding on the dwelling.

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. In addition, the proposed addition will be required to receive a building permit prior to construction.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development for the Variance:

The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt the above findings and **approve** the application for a variance to reduce the front yard setback along Ridgewood Avenue from approximately 26 feet 6 inches to approximately 16 feet to allow for a 95 square foot, one-story addition for an attached garage to an existing single-family dwelling located on a reverse corner lot at 325 Ridgewood Avenue in the ORI Neighborhood Office Residence District, subject to the following conditions:

- I. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development.

2. All site improvements shall be completed by June 5, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The exterior materials used for the addition shall be consistent with the exterior materials of the principal structure on the property.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site survey
4. Plans
5. Building elevations
6. Renderings
7. Photos
8. Oblique aerials
9. Correspondence