



CPED STAFF REPORT
Prepared for the Board of Adjustment

BOA Agenda Item #2
September 11, 2014
BZZ-6749

LAND USE APPLICATION SUMMARY

Property Location: 4328 14th Avenue South
Project Name: Chicken Coop Variance
Prepared By: Shanna Sether, Senior City Planner, (612) 673-2307
Applicant: April Trudeau
Project Contact: April Trudeau
Request: To allow for a chicken coop accessory to a single-family dwelling.
Required Applications:

Variance	Of the specific development standards that require a chicken coop and run to be located entirely to the rear of the principal dwelling. The dwelling on the subject property is located at the rear of the lot.
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SITE DATA

Existing Zoning	RIA Single-Family District AP Airport Overlay District
Lot Area	4,250 square feet / .01 acres
Ward(s)	11
Neighborhood(s)	Field, Regina, Northrop Neighborhood Group
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable
Small Area Plan(s)	<u>Urban Agriculture Policy Plan</u>

Date Application Deemed Complete	August 13, 2014	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	October 12, 2014	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject property is approximately 33 feet by 128 feet (4,250 square feet) and has an existing single-family dwelling with a shed. The existing dwelling was permitted for construction in 1917 and is located at the back of the lot.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding properties are predominately single-family dwellings. St. Mary's Cemetery is directly to the south and west of the subject property.

PROJECT DESCRIPTION. The applicant is proposing to have a chicken coop with an animal run accessory to the single-family dwelling. The zoning code allows both chicken coops and animal runs subject to section 537.110:

Animal coops, pens or other structures used to house small animals or fowl, such as a chicken, turkey, duck or pigeon. Animal coops, pens or other structures used to house small animals or fowl, such as a chicken, turkey, duck or pigeon shall be allowed accessory to a dwelling subject to the following:

- (1) The use shall be located not less than twenty (20) feet from any habitable building on an adjacent property.
- (2) The use shall be visually screened from any adjacent residential use.
- (3) The use shall be constructed of durable materials and shall be compatible with the principal structure and adjacent residential properties.
- (4) The use shall be located entirely to the rear of the principal residential structure.
- (5) The use shall comply with the requirements of Chapter 70, Fowl, Pigeons and Other Small Animals, of the Minneapolis Code of Ordinances.

Animal runs. Animal runs used to exercise small animals or fowl, such as a chicken, turkey, duck or pigeon. Animal runs shall be allowed accessory to a dwelling subject to the following:

- (1) The use shall be located not less than twenty (20) feet from any habitable building on an adjacent property.
- (2) The use must be fenced or otherwise enclosed to keep the animals confined to the designated area.
- (3) The use shall be located entirely to the rear of the principal structure.
- (4) The use shall comply with the requirements of Chapter 70, Fowl, Pigeons and Other Small Animals, of the Minneapolis Code of Ordinances.

The proposed chicken coop and animal run will comply with all of the required ordinances with the exception of being located not entirely to the rear of the principal structure and the applicant is seeking a variance.

PUBLIC COMMENTS. Staff has received public comments that are attached to the staff report. Any additional 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 of the specific development standards that require a chicken coop and run to be located entirely to the rear of the principal dwelling, based on the following findings:

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.*

Staff finds that practical difficulties exist in complying with the ordinance due to the existing location of the dwelling. This circumstance has not been created by the applicant. The applicant is proposing to add a chicken coop with an enclosed animal run to the dwelling. The existing dwelling was permitted for construction in its present location in 1917. There is no other location on the subject property that would allow for the proposed structure without requiring additional variances. The structure will be located behind the existing shed and will not be viewed from the public street.

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 add an enclosed chicken coop and run to the front of their existing dwelling located at the rear of the lot. The purpose of having the animal coop and run entirely to the rear of the principal dwelling is to screen it from view from the public. The property has a significant change in grade from the public sidewalk and street and the proposed structure will be attached to the dwelling and located behind the existing shed. Therefore, the proposed structure will not be viewed from the public street. The zoning code was amended in 2013 in response to the Urban Agriculture Policy Plan and the Homegrown Minneapolis movement to expand our community's ability to grow, process, distributes, eat and compost healthier, sustainable, locally grown foods. Homegrown Minneapolis brings together key partners from local government, area businesses, community organizations, non-profits, and residents to build a healthy, local food system. Therefore, staff finds that the proposed variance will be consistent with the spirit and intent of the ordinance 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 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. The applicant is able to meet the remainder of the zoning code provisions, including locating the proposed structure at least 20 feet from the adjacent residential structures on both sides of the lot. As previously mentioned, the proposed structure will be attached to the dwelling and will not be visible from the public street or sidewalk. There is an existing 6-foot tall fence along the south property line from the rear of the adjacent structure and this proposed chicken coop and run will not be visible. The proposed use must also comply with all requirements of Chapter 70, Fowl, Pigeons and Other Small Animals, of

the Minneapolis Code of Ordinances. Therefore, 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.

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 of the specific development standards that require a chicken coop and run to be located entirely to the rear of the principal dwelling. The dwelling on the subject property is located at the rear of the lot. The property is located at 4328 14th Avenue South in the R1A Single-Family District and AP Airport Overlay District, subject to the following conditions:

1. Approval of the final site plan by the Department of Community Planning and Economic Development.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site plan
4. Plans
5. Photos
6. Correspondence

Proposed Use and Description of the Project

Matthew & April Grabanski

4328 14th Ave South, Minneapolis, MN 55407

Use: Chicken Coop

Description: The coop and run will be 6' x 10'. The coop itself will be 6' by 5' and sit inside the run. The structure will be 7' high.

The coop will be similar in design to this picture. Since it will be on top of a patio, we will build a bottom which will allow for easy cleaning and will preserve the patio stones.



August 4, 2014

To Whom it May Concern,

As per zoning requirements, I am writing to inform you of a proposed project requiring a variance from the City of Minneapolis. I purchased my house 11 years ago. We are urban gardeners, and it has been my life-long dream to also own chickens. We love that Minneapolis has many beautiful gardens and that chickens are allowed in this city. This spring we purchased seven day-old chickens. However, when we went to the zoning office to get approval for our chicken coop, we discovered that our coop plans did not fit with the ordinance because we have a house at the back of the lot. The ordinance states: "The use shall be located entirely to the rear of the principal residential structure." Unfortunately, we have no back yard at all in which to put a chicken coop. After working with the zoning office, we were able to come up with plan which we will be bringing forward for a variance. We plan to put the coop as close to the back of the lot as possible, up against our house. It is in a secluded area of the yard that will not be visible from the street or adjacent properties. This plan will meet the spirit of the "back of the lot" language and will also meet all other aspects of the ordinance. Our coop will also meet the requirements of animal control regarding the space needed for chickens. The coop will be approximately 4 feet x 8 feet, will be on wheels and easy to move if we ever sell the house, and will have an attached run for the chickens to have some outside space. We take pride in our yard and gardens and believe our cedar chicken coop will add to the charm of our property.

Our neighbors enjoy the chickens and are in full support of our plans. They are looking forward to the sharing of eggs.

For this variance we will be filling out the General Land Use Application. We will not need a building permit.

Please let me know if you have any questions or concerns about this variance.

Sincerely,

April Grabanski

4328 14th Ave South

Minneapolis, MN 55407

612-432-4567

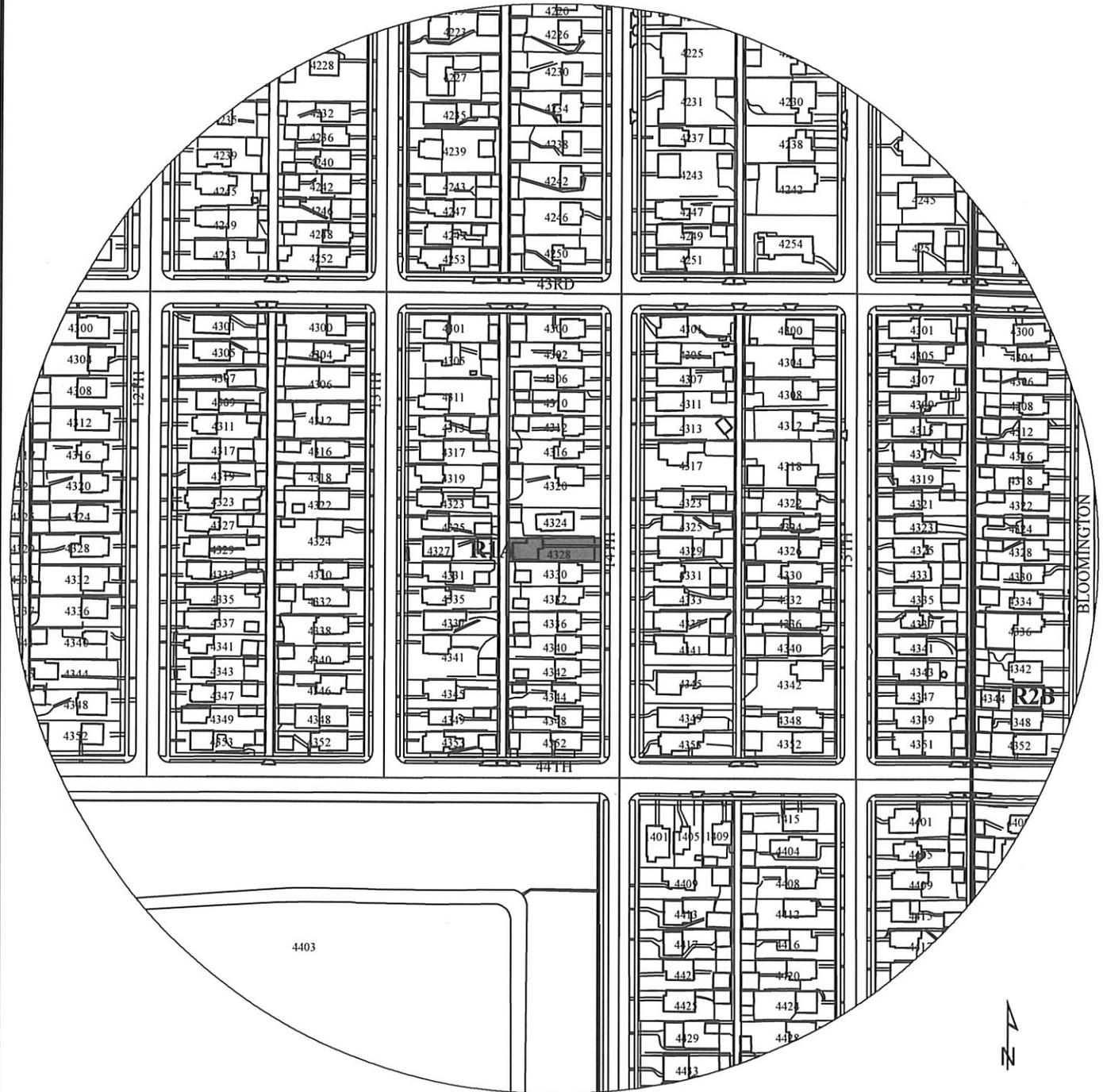
MrsGrabanski@aol.com

April Trudeau

11th

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

4328 14th Avenue South

FILE NUMBER

BZZ-6749

7-11-14

Re: Chicken coop

With the trust that I will
not smell it in my house, I
am completely ok with the
chicken coop at the Grabanskis
being at 15 feet from my
house.

I ♥ chickens

Christina Wheeler
Christina Wheeler
4330 14th Ave So
Mpls MN 55407
612 827 5158

09/02/2014

To whom it may concern

My name is Bret Shogren

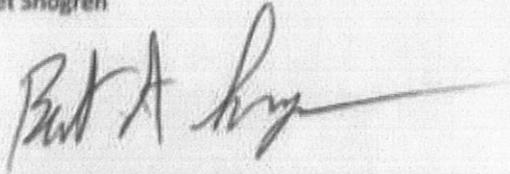
I reside at 4310 14th Ave South Minneapolis MN 55407

I have no problem with Matt and April Grabanski having chickens on their property.

If you have any questions regarding this please feel free to contact me at 612-825-6689

Thank you

Bret Shogren

A handwritten signature in black ink that reads "Bret Shogren". The signature is written in a cursive style with a long horizontal line extending to the right.

Uncle Sam Expects You To Keep Hens and Raise Chickens



Two Hens in the Back Yard for Each Person in the House Will Keep a Family In Fresh Eggs

EVEN the smallest back yard has room for a flock large enough to supply the house with eggs. The cost of maintaining such a flock is small. Table and kitchen waste provide much of the feed for the hens. They require little attention—only a few minutes a day.

An interested child, old enough to take a little responsibility, can care for a few fowls as well as a grown person.

Every back yard in the United States should contribute its share to a bumper crop of poultry and eggs in 1918.

In Time of Peace a Profitable Recreation

In Time of War a Patriotic Duty

For information about methods of Back-Yard Poultry Keeping suited to your location and conditions, write

Your State Agricultural College

or

The United States Department of Agriculture

Washington, D. C.

This Space Reserved for the Publisher



Proposed location for the chicken coop and run against the house – also the adjacent fence between the subject property and south neighbor shown



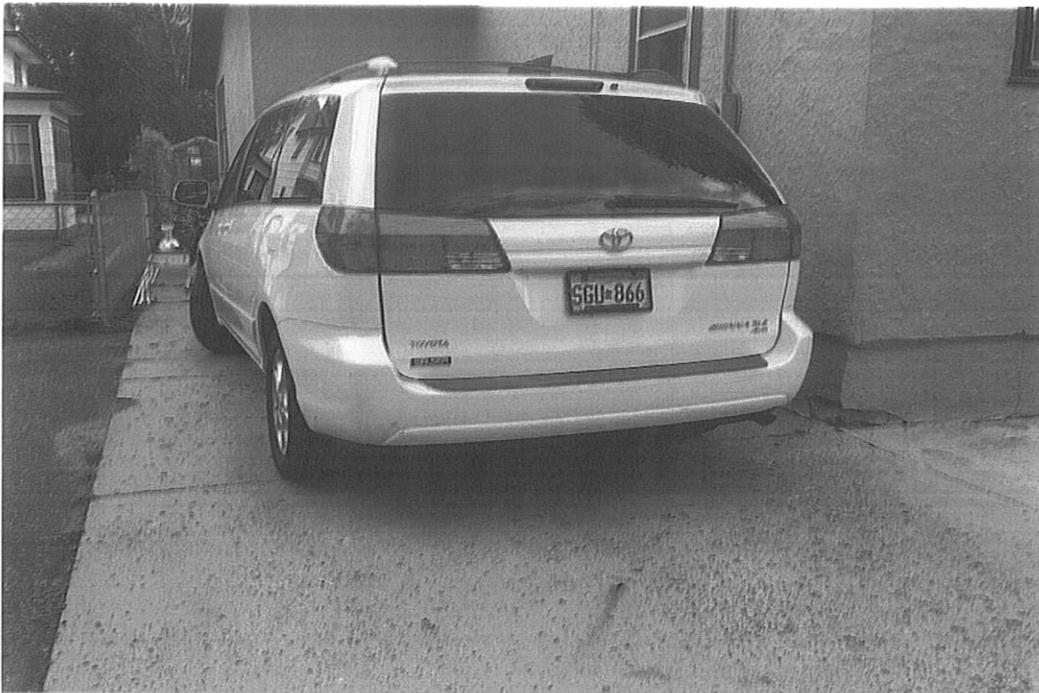
Proposed location for the chicken coop and run



South property line and screen fence shown



Rear of dwelling at the alley



Northwest corner of the property – parking area for the subject property