

MEMORANDUM

TO: Minneapolis Zoning Board of Adjustment

FROM: [Janelle Widmeier](#), Senior City Planner, (612) 673-3156

DATE: July 16, 2015

SUBJECT: 1407 Emerson Avenue North (BZZ-7196, Ward 5)

At its meeting of June 25, 2015, the Zoning Board of Adjustment denied a requested variance application for the property located at 1407 Emerson Avenue North. When such requests are denied, the Board must adopt written reasons for denial at its next regularly scheduled meeting. Notwithstanding the staff recommendation, the Board of Adjustment denied the variance of the accessory dwelling unit standards to allow an exterior stair as the principal access to an accessory dwelling that is internal to the single-family dwelling at the property located at 1407 Emerson Avenue North.

I. 1407 Emerson Avenue North, Ward 5
Staff report by [Janelle Widmeier](#), BZZ-7196

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application(s) by John Fena and Edwin Schumacher to allow an exterior stair as the principal access to an accessory dwelling unit that is internal to the single-family dwelling located at the property of 1407 Emerson Avenue North:

A. Variance of the accessory dwelling unit standards.

Action: Notwithstanding staff findings, the Zoning Board of Adjustment **denied** the application for a variance of the accessory dwelling unit standards to allow an exterior stair as the principal access to an accessory dwelling that is internal to the single-family dwelling, based on the findings 1 and 2:

1. Practical difficulties are not met by the fact that they can build the enclosed space. There are no unique circumstances to the property. There is no reason they could not comply with the enclosure requirement.
2. The spirit and intent of the ordinance is clear that an enclosed staircase is desired when attached to a primary dwelling. Proposed use of the property runs against the spirit and intent of the ordinance and therefore is an unreasonable use. It would also affect the safety and use of the property itself.

Aye: Cahill, Drescher, Finlayson, Johannessen, Saufley, Thompson

Nay: Ogiba, Sandberg

Motion passed