

Department of Community Planning and Economic Development – Planning Division Report

Variance Request
BZZ-2511

Date: August 18, 2005

Applicant: Janet Lederle, on behalf of Matthew and Michelle Welch

Address of Property: 923 West Minnehaha Parkway

Date Application Deemed Complete: July 22, 2005

End of 60 Day Decision Period: September 20, 2005

Appeal Period Expiration: August 29, 2005

Contact Person and Phone: Janet Lederle, 612-339-5093

Planning Staff and Phone: Molly McCartney, 612-673-5811

Ward: 13 **Neighborhood Organization:** Lynnhurst Neighborhood Association

Existing Zoning: R1 District, Single-family District

Proposed Use: Construction of an addition to a single-family dwelling

Proposed Variance: A variance to reduce the front yard setback from the established setback created by the two adjacent residential structures to 32 ft. to allow for the construction of an addition to a single-family dwelling at the property located at 923 West Minnehaha Parkway in the R1 Single-family District and the SH Shoreland Overlay District.

Zoning code section authorizing the requested variance: 525.520 (1)

Background: The subject site is approximately 7,925 sq. ft. and consists of a single-story, single-family dwelling and detached garage. The applicant is proposing to construct a single-story addition measuring 6 ft. by 30 ft. to the front of the dwelling that will encroach on the setback established by the two adjacent residential structures. The applicant is also proposing a rear addition that will not require a variance. The proposed addition will add approximately 6 ft. to the front of the dwelling and will be in line with the dwelling to the west. The dwelling to the east is set back 38 ft. from the front property line.

The subject site is located on West Minnehaha Parkway and the subject dwelling is located on top of hill that slopes down in the front and the rear of the property. The slope in the front is more pronounced in the front than in the back, but is not considered to be a steep slope. Many of the dwellings on this block are similarly situated on top of the hill.

Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The applicant is seeking a variance to reduce the front yard setback from the setback established by the two adjacent residential uses to 32 ft. to allow for the construction of an addition. The applicant states that the front yard setback is required because there is limited space to construct a larger addition in the rear due to the change in elevation and the existing size of the rear yard. While there is a grade change and retaining wall in the rear of the property, there is more than 24 ft. between the dwelling and the detached garage, much more than the required 6 ft. setback of dwelling and detached garage. Staff believes that an addition that meets the setbacks established is reasonable.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The conditions upon which the variance is requested are not unique to the parcel. While the subject site does have unique elevation changes, there exists space on the property to expand the dwelling by constructing an addition in the rear. In addition, the dwellings to the east of the subject site are all set back to the front property line similarly to this dwelling, approximately 38 ft. The property to the west have varying setbacks and the road curves northwesterly, which alters the front yard setback further on the western portion of the block. The circumstances on which the accessory structure is being requested have been created by the applicant.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

Granting the variance will alter the essential character of the surrounding area and will not be keeping with the spirit and intent of the ordinance by interrupting the pattern of relatively consistent setbacks on the block.. The dwellings on this block are at an elevated location in comparison to the street and proposed addition will not block sightlines or views of Minnehaha Creek. The proposed addition will increase the amount of windows on the façade and the door will be relocated so that it does not face on front of the dwelling, rather it will be located on the side of the proposed addition. While the proposed addition will be in line with the dwellings to the west, these dwellings are located on the portion of the block that curves northwesterly and had an altered setback than the portion of the block that is located on a more linear part of the block.

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- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

Granting the variance would likely have no impact on the congestion of area streets or fire safety, nor would the proposed structure be detrimental to the public welfare or endanger the public safety.

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

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and **deny** a variance to reduce the front yard setback from the established setback created by the two adjacent residential structures to 32 ft. to allow for the construction of an addition to a single-family dwelling at the property located at 923 West Minnehaha Parkway in the R1 Single-family District and the SH Shoreland Overlay District.