

Department of Community Planning and Economic Development – Planning Division Report

Variance Request
BZZ-2538

Date: September 15, 2005

Applicant: David Adams

Address of Property: 5950 Grass Lake Terrace

Date Application Deemed Complete: August 3, 2005

End of 60 Day Decision Period: October 2, 2005

Appeal Period Expiration: September 26, 2005

Contact Person and Phone: David Adams, 612-370-2631

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

Ward: 13 **Neighborhood Organization:** Kenny Neighborhood Association

Existing Zoning: R1 Single-family District, SH Shoreland Overlay District

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

Proposed Variance: A variance to reduce the front yard setback from the setback established by the two adjacent residential structures to 25 ft. to allow for the construction of an addition to a single-family dwelling on property located at 5950 Grass Lake Terrace in the R1 Single-family District and SH Shoreland Overlay District.

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

Background: The subject property is 8,062 sq. ft. (58 ft. by 139 ft.) and consists of a two-story, single-family dwelling with attached garage. The front yard setback of the eastern portion of the dwelling is 29 ft. and the setback of the western portion of the dwelling is 41 ft.; this change is a result of the house not being located parallel to the road. In fact, the eastern portion of the existing dwelling is in the required front yard setback. The corner of the dwelling to the east is setback 43 ft. and the corner of the dwelling to the west is setback 28 ft. Most of the dwellings on Grass Lake Terrace have a similar orientation to the front property lines in which the east portion of the structure is setback further from the front than the western portion of the structure. The street pattern on this block is not a typical grid found in many areas of Minneapolis, but is curvilinear, in part because the street is adjacent to Grass Lake.

The applicant is proposing to construct an addition to the front of the single-family dwelling that will reduce the front yard setback to 25 ft. on the eastern portion of the building and will reduce the front

yard setback to 31 ft. on the western portion of the building. The proposed renovations include expanding the front entry and adding space to the front of the garage in order to create a mud room in the rear of the garage and additional interior renovations.

The subject site is also located in the SH Shoreland Overlay District because it is within 1000 ft. of Grass Lake, but the proposed project is not on or within 40 ft of a steep slope.

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 has requested a variance to reduce the required front yard setback from the setback established by connecting a line between the front corners of the two adjacent residential structures to 25 ft. to allow for the construction of an addition to a single-family dwelling in the R1 District. The R1 District requires a 25 ft. front yard setback or an established front yard setback created by a line joining the nearest front corners of the adjacent residential structures. In this case, the established setback is greater than the district setback and is approximately 36 ft on the east side of the property and 26 ft. on the west side of the property. Without the requested variance, the zoning code would prevent the applicant from constructing an addition to a single-family dwelling that meets a similar setback that other dwellings on the block have. Staff believes the single-family dwelling with a setback similar to other dwellings on the block is a reasonable use of the property.

- 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 setback variance is requested are unique to the property due to the design of the street, the orientation of the structure to the front property line and the location of adjacent dwellings. The R1 District requires a 25 ft. setback or an established setback created by the adjacent residential structures. In this case, many of the dwellings on the block have a larger setback on the east side of the dwellings because of the dwellings are not located parallel to the street. The original platting of the block, location of the subject dwelling and adjacent dwellings and increased setback are not a circumstances 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.**

Staff believes that the proposed addition will be keeping with the spirit and intent of the ordinance and will not alter the essential character of the surrounding neighborhood because the proposed addition will meets a setback similar to the majority of dwellings on the blocks. The

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application states that the addition will add architectural features similar to Prairie and craftsman style.

- 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 front yard setback variance would likely have no impact on the congestion of area streets or fire safety, nor would the proposed dwelling 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 **approve** the variance to reduce the front yard setback from the setback established by the two adjacent residential structures to 25 ft. to allow for the construction of an addition to a single-family dwelling on property located at 5950 Grass Lake Terrace in the R1 Single-family District and SH Shoreland Overlay District.

1. That the Planning Division review and approve the final site and elevation plans that measure to an architectural or engineering scale.