

Department of Community Planning and Economic Development – Planning Division Report

Variance Request
BZZ-2577

Date: September 15, 2005

Applicant: Scott and Laurie Knutson

Address of Property: 5100 Columbus Avenue South

Date Application Deemed Complete: August 19, 2005

End of 60 Day Decision Period: October 18, 2005

Appeal Period Expiration: September 26, 2005

Contact Person and Phone: Scott Knutson, 612-869-5194

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

Ward: 12 **Neighborhood Organization:** Hale, Page, Diamond Lake Community Association

Existing Zoning: R1A, Single-family District

Proposed Use: Construction of a first and second story addition.

Proposed Variance: A variance to reduce the required front yard setback along Columbus Avenue South from the setback established by the adjacent residential structure to 18 ft. to allow for a first story addition and second story addition to a single-family dwelling on a reverse corner lot located at 5100 Columbus Avenue South in the R1A Single-family District and SH Shoreland Overlay District.

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

Background: The subject property is 6,545 sq. ft. (55 ft. by 120 ft.) and consists of a single-story, single-family dwelling and an attached garage on a reverse corner lot. The adjacent residential uses both have front yards along 51st Street East and Columbus Avenue. The applicant is proposing to add a second story and small addition on the first floor, which will be approximately 100 sq. ft. (5ft by 20 ft). The existing dwelling is setback 18 ft 6 in. ft. from the property line along Columbus Avenue, but is in the established setback created by the adjacent dwelling to the south. The adjacent dwelling is set back 27 ft 7 in. from the property line along Columbus Avenue as are many of the dwellings on this block. The proposed second story will follow the face of the structure, and will not project closer into the front yard than the existing façade. The small addition on the first floor will fill in a portion of the first floor that is recessed from the eastern most wall.

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 established setback created by the adjacent uses to 18 ft. 6 in. to allow for the construction of small first story addition and a second story in the R1 Single-family District. In this case, property is a reverse corner lot the dwelling to the south has a greater setback than the subject site and the property to the east. Without the requested variance, the zoning code would prevent the applicant from constructing a second story that follows the line of the first floor up and a small first floor addition that does not project any further into the required yard than the existing structure. Second stories are permitted in all residential districts and staff believes the proposed first and second story additions are 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 original platting of the block and location of subject and adjacent dwellings. The applicants state that the first floor addition will not be closer to the property line along Columbus than the existing structure and the second story addition will be within the existing footprint of the existing dwelling. The original platting of the block and location of the existing structure is not a circumstance not 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 addition will be keeping with the spirit and intent of the ordinance and will not alter the essential character of the surrounding neighborhood. The proposed addition will maintain the existing setback as well as the scale of dwellings in the surrounding area. The subject dwelling is a single-story rambler and the proposed design will be similar to surrounding properties that are one-and-a-half and two story dwellings. The addition will not block sight lines to Minnehaha Creek because the addition will not project any closer to the Columbus Avenue than the existing dwelling.

- 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.**

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Granting the front yard setback variance would likely have no impact on the congestion of area streets or fire safety, nor would the proposed addition to the existing 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 required front yard setback along Columbus Avenue South from the setback established by the adjacent residential structure to 18 ft. to allow for a first story addition and second story addition to a single-family dwelling on a reverse corner lot located at 5100 Columbus Avenue South in the R1A Single-family District and SH Shoreland Overlay District, subject to the following conditions:

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