

Department of Community Planning and Economic Development – Planning Division Report**Variance Request
BZZ-2594****Date:** October 6, 2005**Applicant:** Jim Dowds**Address of Property:** 1014 East 25th Street**Date Application Deemed Complete:** September 2, 2005**End of 60 Day Decision Period:** November 1, 2005**Appeal Period Expiration:** October 17, 2005**Contact Person and Phone:** Jim Dowds, 612-328-4444**Planning Staff and Phone:** Shanna Sether, 612-673-2307**Ward: 6 Neighborhood Organization:** Midtown Phillips Neighborhood Association**Existing Zoning:** R2B Two-Family Residential District**Proposed Use:** Move an existing duplex onto the subject property**Proposed Variance:** Jim Dowds has applied for a variance to reduce the required front yard setback along 25th Street East from 20 ft. to 5 ft. to allow for an existing duplex to be moved onto the lot at 1014 East 25th Street in the R2B Two-Family Residence District.**Zoning code section authorizing the requested variance:** 525.520 (1)**Background:** The subject property consists of two and one-half combined platted lots at 1012, 1014-16 and the west 15 feet of 1018 East 25th Street, purchased from CPED, that total 82.15 ft. by 82 ft. The applicant is proposing to move an existing duplex and detached garage located at 2527 Columbus Avenue onto the subject site. The duplex that is currently located at 2527 Columbus was constructed in 1900. The previous structure on the subject site was a duplex that was originally constructed on the lot at 1014-16 East 25th Street, prior to 1900 and demolished in 1999.

The applicant has applied for a variance to reduce the required front yard setback along 25th Street East from 20 ft. to 5 ft. to allow for an existing duplex and detached garage to be moved onto the lot at 1014 East 25th Street. The duplex has a gambrel roof and design that are complementary to the existing homes on the street facing East 25th Street. The enclosed area of the front façade of the proposed duplex

will match the location of the front façade of the neighboring dwelling to the east. The proposed duplex meets the required side and rear yard setbacks of the district.

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.**

Front yard setback: The applicant has requested a variance to reduce the required front yard setback along 25th Street East from 20 ft. to 5 ft. to allow a duplex and detached garage to be moved onto the lot at 1014 East 25th Street. The adjacent duplex to the east of the subject property is setback 5 ft. from the front property line and the single-family dwelling to the west of the subject property is setback 0 ft. from the front property line. The proposed location of the duplex will match the existing setback to the duplex to the east at 5ft. to the front property line from the Strict adherence to the regulations requires that the entire dwelling is constructed behind the district front yard setback of 20 ft., which is inconsistent with the adjacent dwellings.

- 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.**

Front yard setback: The circumstances upon which the front yard setback variance is requested are unique to the parcel of land due to the location of the adjacent dwellings on the lot and the applicants desire to maintain the existing established setback. The location of the adjacent structures and the configuration of the lots are not 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.**

Front yard setback: Staff believes the new duplex on the lot will not alter the essential character of the surrounding neighborhood. The area is zoned R2B and consists primarily of single and two family dwellings. Staff believes that the new duplex on the lot will not be injurious to the use or enjoyment of other property in the vicinity because it is located to the in the same location as the previous duplex.

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.**

Front yard setback: Granting the setback variance would likely have no impact on the congestion of area streets or fire safety, nor would the rear addition 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 East 25th Street from 20 ft. to 5 ft. to allow for a duplex to be moved on to the lot subject to the following conditions:

1. Review and approval of final site and elevation plans by the Planning Department.