

**Department of Community Planning and Economic Development - Planning Division**  
Variance Application  
BZZ - 2694

**Date:** November 17, 2005

**Applicant:** Robert Roscoe for Powderhorn Community Council

**Address Of Property:** 2626 Plymouth Avenue North

**Contact Person And Phone:** Robert Roscoe 612-317-0989

**Planning Staff And Phone:** Jim Voll 612-673-3887

**Date Application Deemed Complete:** October 13, 2005

**End of 60 Day Decision Period:** December 12, 2005

**Appeal Period Expiration:** November 28, 2005

**Ward: 5      Neighborhood Organization:** Willard Hay (Near North)

**Existing Zoning:** R1A Single-Family Residential District

**Proposed Use:** New single-family home

**Proposed Variances:** A variance to reduce the required front yard setback along Upton Avenue North from the required 20 feet to approximately 11 feet to allow for the construction of a new single-family dwelling on a reverse corner lot.

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

**Background:** The subject property is located at the northeast corner of Plymouth Avenue North and Upton Avenue North and is approximately 118 by 41 feet (4,859 square feet). The applicant is proposing to construct a new single-family home. The lot is a reverse corner lot that has two front yards, but the home will face Plymouth Avenue North.

Staff has reviewed the proposed dwelling for compliance with site plan review for 1-4 unit dwellings and appears it meets the required 15 points (final site plan review approval has not yet been given). It does not meet the minimum required 15 percent windows on the west façade required by the zoning ordinance, so this will be required on the final drawings.

**Findings Required by the Minneapolis Zoning Code:**

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

The applicant proposes an 11 foot setback along Upton. The lot is 41 feet wide. The zoning ordinance does not allow homes to be narrower than 22 feet. It is not possible to build a single-family dwelling on this lot that would meet the 22 foot width requirement, the 20 foot front yard setback and the five foot side yard setback. Requiring the applicant to meet the requirements would be a hardship because it would not allow him to build a similar structure to those on the surrounding properties. The requested variances will allow 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 applicant proposes an 11 foot setback along Upton. The lot is 41 feet wide. The zoning ordinance does not allow homes to be narrower than 22 feet. it is not possible to build a single-family dwelling on this lot that would meet the 22 foot width requirement, the 20 foot front yard setback and the five foot side yard setback. This is a condition that is not generally applicable to other properties in the city.

- 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.**

The intent of setbacks is to provide a uniform building line down a block face, to preserve views up and down the street, and to ensure access to light and air. The house will be set back 11 feet from the property line. While this does not meet the required 20 foot setback it is not necessarily out of character with the area. The house to the north is approximately 18 feet from the property line.

- 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.**

The variance should have no effect on congestion as it will not significantly increase traffic demand at the site. The variance should not be detrimental to the public welfare or safety and will not increase the danger of fire.

**CPED Planning Division Report**  
BZZ-2694

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

The Community Planning and Economic Development Department - Planning Division recommends that the Board of Adjustment adopt the above findings and **approve** the variance application to reduce the required front yard setback on Upton Avenue North from 20 feet to approximately 11 feet for a new single-family dwelling for property located at 2626 Plymouth Avenue North in the R1A Single-family District subject to the following condition:

1. Review and approval of the final site and elevation plans in compliance with site plan review requirements for 1-4 unit dwelling units by Planning Division staff before building permits may be issued.