

Department of Community Planning and Economic Development - Planning Division
Variance Application
BZZ - 2756

Date: January 5, 2006

Applicant: Greg Huonder

Address Of Property: 127 Cedar Lake Road North

Contact Person And Phone: Greg Huonder 612-381-0267

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

Date Application Deemed Complete: November 22, 2005

End of 60 Day Decision Period: January 21, 2006

Appeal Period Expiration: January 17, 2006

Ward: 5 Neighborhood Organization: Harrison

Existing Zoning: R2B Two-Family Residential District

Proposed Use: New addition to the front of a single-family home

Proposed Variances: A variance to reduce the required front yard setback established by connecting a line between the two front corners of the two adjacent structures from approximately 58 feet to approximately 35 feet.

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

Background: The subject property contains a single family home. The applicant is proposing an approximately 71 square foot addition to the front of the house that would fill in a space at the southwesterly side of the house. The setback is established by the district minimum of 20 feet and also by the established setback of approximately 58 feet at the point of the addition determined by drawing a line from the two front corners of the two adjacent structures on either side of the house. The house to the southwest is an "alley house" setback almost 79 feet from the front property line.

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 to build an addition to the front that fills in a corner at the southwesterly side of the house and that is basically in line with the majority of homes on this side of the street. However, the home to immediately the southwest of the subject property is setback approximately 79 feet. This sets a large established setback of almost 58 feet where the applicant proposes his addition. Requiring the applicant to meet the established setback 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 house to the southwest of the site is setback almost 79 feet from the front property line and is the only structure on this block that is setback this far. 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. Since the applicant proposes to fill in a corner at the front of his house that is basically in line with the majority of houses on the block, the proposed variance should not circumvent the intent of the ordinance. Allowing the new addition should not be out of character with the area.

- 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 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
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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 from approximately 58 feet to 35 feet for a front addition for a property located at 127 Cedar Lake Road North in the R2B Two-family District.