2021 Board of Zoning Appeals

Commissioners
Richard Orenstein, Chair (2022)
Sophia Ginis, Vice Chair (2022)
Chris Carlson, Vice Chair (2022)
Nancy Nelson (2022)
Kade Arms-Regenold (2022)

Rotating Planning Commission Representative
Kade Arms-Regenold (Youth Representative, 2021)

Note: Terms run May 1-April 30

Council Liaison
Larry Fonnest

City Staff
Marc Nevinski, Physical Development Director
Jason Zimmerman, Planning Manager

Myles Campbell, Planner
Amie Kolesar, Planning Assistant

Purpose, Mission, And Prescribed Duties
Code, which is Chapter 113 of the Golden Valley City Code. The BZA consists of five members that meet once a month if there are any petitions pending for action. A Planning Commissioner serves as the fifth member of the BZA.

Criteria for Analysis
A variance may be granted when the petitioner for the variance establishes that there are practical difficulties in complying with this Chapter. “Practical difficulties,” as used in connection with the granting of a variance, means:

- the property owner proposes to use the property in a reasonable manner not permitted by this Chapter
- the plight of the property owner is due to circumstances unique to the property not created by the property owner
- the variance, if granted, will not alter the essential character of the locality

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. The BZA may not grant a variance that would allow any use not allowed for property in the Zoning District where the affected person’s land is located. The BZA may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
Table Of Contents

2021 Overview ................................................................. page 4

Five-Year Summary: 2017-2021 ........................................ page 6
2021 Overview

Variance Considered
23
In R-1 Residential Zoning District
16

2021 Variance Requests by Type
Five-Year Summary: 2017-2021

Variance Considered
102

In R-1 Residential Zoning District
79
In R-2 Residential Zoning District
6
In Commercial Zoning District
6
In Mixed-Use Zoning District
2

In Institutional Zoning District
0
In Industrial Zoning District
1
In Light Industrial Zoning District
4
In Office Zoning District
4

2017-2021 Variance Requests By Type

Front Setback
Side Setback
Rear Setback
Height
Building Envelope
Articulation
Shoreland Setback
Average Grade
Accessory Structure Location
Accessory Structure Size
Paved Area
Accessory Structure Height
Fence Height
Impervious Surface
Garage Width
Minimum Parking
Outdoor Lighting
Roadway Width
Additional Curb Cut
<table>
<thead>
<tr>
<th>Variance Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard Setback</td>
<td>Requests to build structures within 35 feet of the front yard property line in R-1, R-2, and Institutional Districts. Institutional Districts also require that at least 25 feet be landscaped and maintained as a buffer zone.</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>Requests to build structures within the side yard setback area, which ranges from 5 feet to 50 feet depending on the type of structure and the Zoning District.</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>Requests to build structures within the rear yard setback area, which ranges from 5 feet to 50 feet depending on the type of structure and the Zoning District.</td>
</tr>
<tr>
<td>Articulation</td>
<td>Requests to waive articulation requirement, which requires inward or outward articulation of 2 feet in depth and 8 feet in length for every 32 feet of side wall on homes in the R-1 and R-2 Zoning Districts.</td>
</tr>
<tr>
<td>Height</td>
<td>Requests to build principal structures over the maximum height requirement, which ranges from 25 to 28 feet depending on the type of roof and the Zoning District.</td>
</tr>
<tr>
<td>Fence Height</td>
<td>Requests to build fences over the maximum height requirements, which ranges from 4 to 12 feet depending on the location on the property (front yard or side/rear yard) and the Zoning District.</td>
</tr>
<tr>
<td>Building Envelope</td>
<td>Requests to build a structure beyond the maximum building envelope, which is defined for properties within the R-1 and R-2 Zoning Districts. This includes the 2:1 or 4:1 slope requirement when the structure is taller than 15 feet at the side yard setback line.</td>
</tr>
<tr>
<td>Accessory Structure Location</td>
<td>Requests to build a garage, shed, or other accessory structure in a location that is not completely to the rear of the principal structure or in a location that is not at least 10 feet from the principal structure.</td>
</tr>
<tr>
<td>Accessory Structure Size</td>
<td>Requests to build a garage, shed, or other accessory structures above the allowable limit of 1,000 square feet in R-1, R-2, and Institutional Zoning Districts.</td>
</tr>
<tr>
<td>Accessory Structure Height</td>
<td>Requests to build a garage, shed, or other accessory structures above the maximum height requirements, which is 10 feet in the R-1, R-2, and Institutional Zoning Districts.</td>
</tr>
<tr>
<td>Garage Width</td>
<td>Request to build a garage in the R-2 District that is wider than 65 percent of the width of the front façade.</td>
</tr>
<tr>
<td>Average Grade</td>
<td>Requests to change the average grade of a property by more than 1 foot.</td>
</tr>
<tr>
<td>Shoreland Setback</td>
<td>Requests to build a structure within the minimum shoreland setbacks, which are larger than standard front, side, and rear setbacks.</td>
</tr>
<tr>
<td>Impervious Surface</td>
<td>Requests to construct additional impervious surface beyond the maximum allowable, which is 50 percent of the lot in R-1 and R-2 and 60 percent in R-3 and R-4 Zoning Districts.</td>
</tr>
<tr>
<td>Minimum Parking</td>
<td>Request to build or use an existing parking lot or garage with a number of parking spaces that is less than the minimum required based on the use of the property.</td>
</tr>
<tr>
<td>Variance Type</td>
<td>Description</td>
</tr>
<tr>
<td>---------------------</td>
<td>------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Outdoor Lighting</td>
<td>Request regarding the total amount of foot candles of light produced by lighting systems, the amount of allowed light trespass, or other issues relating to lighting systems.</td>
</tr>
<tr>
<td>Roadway Width</td>
<td>Requests to build a private roadway or drive aisles above or below the maximum and minimum required widths respectively.</td>
</tr>
<tr>
<td>Added Curb Cut</td>
<td>Requests to allow additional access from public rights of way then what is typically allowed by code.</td>
</tr>
</tbody>
</table>
Variance Requests

Requests by Type, 2017-2021

- Accessory Structure Height
- Accessory Structure Location
- Accessory Structure Size
- Articulation
- Grading/Average Grade
- Building Envelope
- Curb Cut
- Drive Aisle Width
- Fence Height
- Front Setback
- Garage Width
- Height
- Impervious Surface
- Outdoor Lighting
- Parking
- Parking Setbacks
- Rear Setback
- Roadway Width
- Side Setback

Print Date: 3/2/2022
Source:
- Hennepin County Surveyors Office for Property Lines (2022)
- City of Golden Valley for all other layers.