



CPED STAFF REPORT

Prepared for the Board of Adjustment

BOA Agenda Item #7
November 6, 2014
BZZ-6890

LAND USE APPLICATION SUMMARY

Property Location: 2201 49th Street West
Project Name: 2201 49th Street West Detached Garage
Prepared By: [Janelle Widmeier](#), Senior City Planner, (612) 673-3156
Applicant: James Christiansen
Project Contact: Lang Laumbach, Ronel Builders
Request: Add a one-story rear addition to a single-family dwelling.
Required Applications:

Variance	To reduce the front yard requirement adjacent to Oliver Avenue South on a reverse corner lot from 27 feet to approximately 7.5 feet to allow a one-story rear addition to a single-family dwelling.
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SITE DATA

Existing Zoning	RIA Single-Family District SH Shoreland Overlay District
Lot Area	7,500 square feet
Ward(s)	13
Neighborhood(s)	Lynnhurst Neighborhood Association
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable.
Small Area Plan(s)	Not applicable.

Date Application Deemed Complete	October 15, 2014	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	December 14, 2014	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject property is an irregular shaped parcel, approximately 7,500 square feet in area. The existing use is a single-family dwelling with an attached garage accessed from the alley. The existing dwelling was permitted for construction in 1924 with the attached garage. The subject property is a reverse corner lot with frontage along 49th Street West and Oliver Avenue South. The property is south of Lake Harriet and is located in the SH Shoreland Overlay District. However, the property is not located within 40 feet of a steep slope.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding properties are predominately single-family dwellings, with a one two-family dwelling in the immediate area. The property is one block south of Lake Harriet.

PROJECT DESCRIPTION. The proposed addition will replace the existing basement level garage with a larger basement level garage and extend the first floor out over the new attached garage. The subject property has a minimum front yard setback along Oliver Avenue South of 27 feet, which is created by the established setback of the adjacent property to the south. The proposed addition would be located approximately 7.5 feet to 10.5 feet from the lot line and requires a variance.

PUBLIC COMMENTS. As of the writing of this report, staff has not received any correspondence from the neighborhood group. Any correspondence received prior to the public meeting will be forwarded on to the Board of Adjustment for consideration.

ANALYSIS

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to reduce the front yard requirement adjacent to Oliver Avenue South on a reverse corner lot from 27 feet to approximately 7.5 feet to allow a one-story rear addition to a single-family dwelling, based on the following [findings](#):

1. *Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.*

Practical difficulties exist, which were not created by the applicant. The circumstances upon which the variances are requested are unique to the parcel of land due to the platting of the land, the irregular shape of the parcel and the location of the adjacent and existing dwelling. The required yards cover over 70 percent of the subject site. The applicant is proposing to construct an addition to the rear of the existing dwelling on the basement and first floor levels. The minimum corner side yard setback in the R1A District is 8 feet, but is increased to approximately 27 feet along Oliver Avenue because the subject property is a reverse corner lot. The lot line along Oliver Avenue is curved. The addition will extend straight back from the existing structure, in line with the east wall. Because the lot line curves, the proposed setback is 10.5 feet to 7.5 feet, where only a very small corner of the addition would be closer than 8 feet.

2. *The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.*

The purpose of required yards is to provide for orderly development and use of land and to minimize conflicts among land uses by providing adequate light, air, open space and separation of uses. The proposed addition will replace the existing basement level garage with a larger basement level garage and extend the first floor out over the new attached garage. The addition will extend straight back from the existing structure, in line with the east wall. Only a very small corner of the addition would extend closer than 8 feet from the front lot line, which is the minimum corner side yard requirement in the RIA district. The neighboring dwelling to the south is located over 80 feet from the proposed addition. The applicant is proposing to use the property in a reasonable manner consistent with the spirit and intent of the ordinance and the comprehensive plan.

3. *The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.*

The granting of these variances would not be injurious to the use or enjoyment of other property in the vicinity. As described above, the adjacent home on the neighboring lot to the south is located over 80 feet away from the proposed addition. The existing exterior material is stucco, which will also be used for the addition. If granted, the proposed variance will not be detrimental to the health, safety or welfare of the public or those utilizing the property provided the proposed addition is constructed to current building codes.

FINDINGS REQUIRED BY THE MINNEAPOLIS CODE FOR DEVELOPMENT IN THE SHORELAND OVERLAY DISTRICT

1. *Prevention of soil erosion or other possible pollution of public waters, both during and after construction.*

The site is located one block from Lake Harriet and slopes away from the lake. Also, the property is not located within 40 feet of a steep slope. The subject site will not be significantly altered to adversely affect the water quality of Lake Harriet.

2. *Limiting the visibility of structures and other development from protected waters.*

The area between Lake Harriet and the subject property is developed with single-family dwellings and park land. The proposed addition will not be visible due to the existing development, topography and natural vegetation.

3. *The suitability of the protected water to safely accommodate types, uses and numbers of watercraft that the development may generate.*

This standard is not applicable for the proposed development.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development for the Variance:

The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt the above findings and **approve** the application for a variance to reduce the front yard requirement adjacent to Oliver Avenue South on a reverse corner lot from 27 feet to approximately 7.5 feet to allow a one-story rear addition to a single-family dwelling located at 2201 49th Street West in the R1A Single-Family District and SH Shoreland Overlay District, subject to the following conditions:

1. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development.
2. All site improvements shall be completed by November 6, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The exterior materials used for the addition shall be consistent with the exterior materials of the principal structure on the property.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site survey
4. Site plan
5. Building elevations
6. Proposed and existing floor plans
7. Photos

Widmeier, Janelle A.

From: Liska, Andrew
Sent: Tuesday, October 14, 2014 2:21 PM
To: Widmeier, Janelle A.
Subject: FW: Application for Variance for 2201 West 49th Street, Minneapolis 55317

From: Christiansen, James (RIS-MIN) [<mailto:jim.christiansen@lexisnexis.com>]
Sent: Thursday, October 09, 2014 4:14 PM
To: info@lynnhurst.org
Cc: Liska, Andrew
Subject: Application for Variance for 2201 West 49th Street, Minneapolis 55317

To: Lynnhurst Neighborhood Group
Attn: Jessica Reinhardt, President

Subject: Application for Variance for 2201 West 49th Street, Minneapolis 55317

Type of Variance:
Addition on a Reverse Corner Lot
Shoreland Overlay District

We are requesting a variance from the city to allow an addition to a reverse corner lot located at 2201 West 49th Street in Minneapolis. The property is located within the Shoreland Overlay District, requiring additional variance consideration. The addition will replace an existing attached garage with a new garage at basement level with a one story addition above the garage. The addition will contain a mainfloor bedroom, bath and laundry room. There is currently no bath or bedroom on our main floor, and the laundry is in the basement. The addition will be no wider than the existing structure, and will be one story above the basement level.

The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety or welfare of the general public or of those utilizing the property or nearby properties.

We make this request to ensure that this property will meet our residential need for one floor living as we age. We intend to live in this house as long as we are able, and the proposed addition should significantly extend that timeline.

If you have any concerns, please contact us.

Thank you.
James Christiansen
Jennifer Freij

Property Address:
2201 West 49th Street
Minneapolis, MN 55317

Phone: 612-716-0622
Email: Jim.Christiansen@lexisnexis.com

Property Location:
2201 49th Street West
Minneapolis, MN 55317

Owners:
James Christiansen
Jennifer Freij

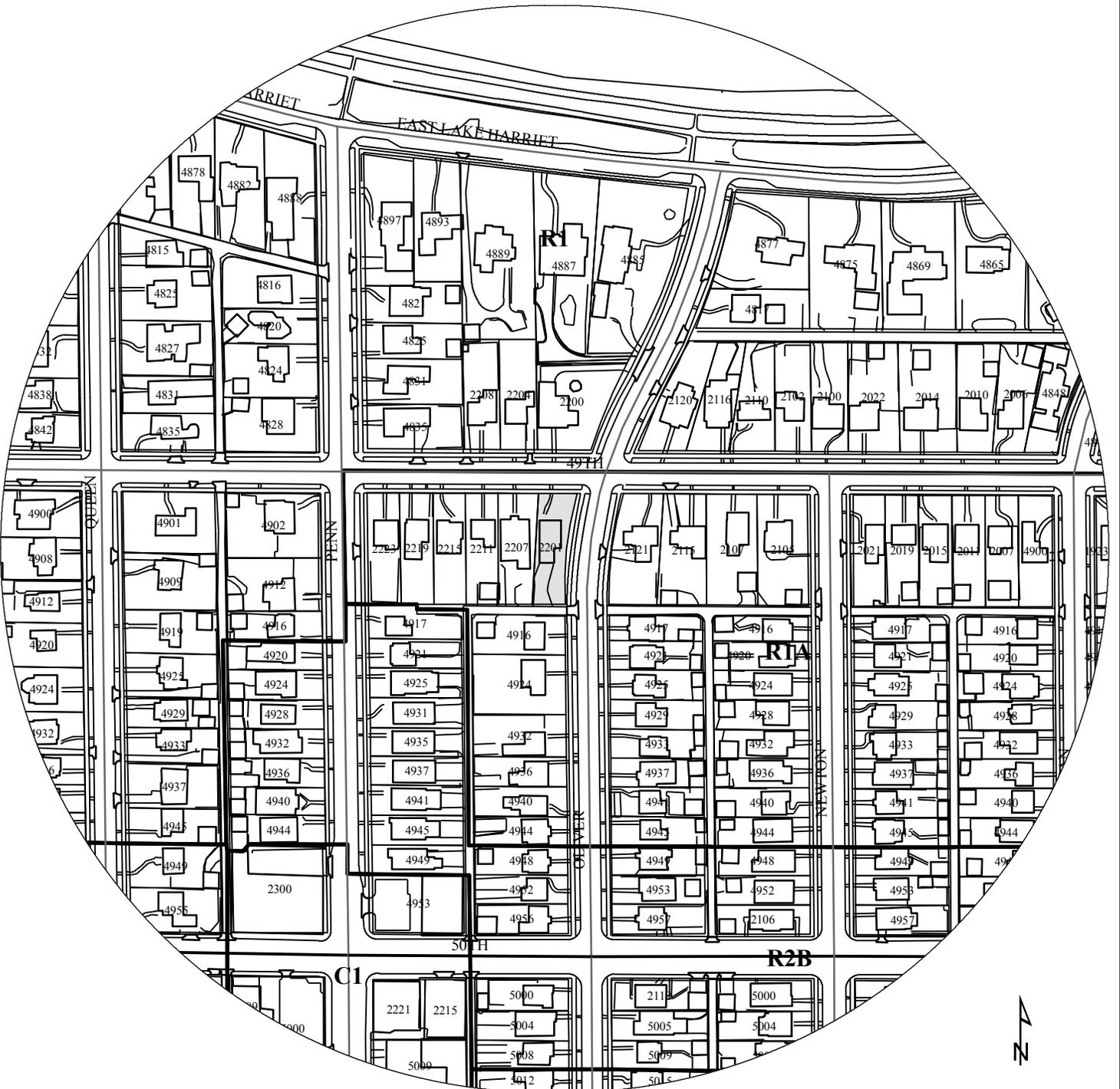
Reverse Corner Lot Variance – Statement of Findings

- 1) As a result of the shape of our lot and the curve of Oliver Street between 49th Street South and 50th Street South, it is impossible to make any addition to the rear of our house which would comply with reverse corner lot setback requirements. The existing house was built in 1924 with the current setback and we believe the existing garage was subsequently added. We bought the property in December 2011.
- 2) This property will be used as a single family dwelling and our primary residence. The proposed addition will replace an existing attached garage with a new garage at basement level and a one story addition above the garage. The addition will contain a mainfloor bedroom, bath and laundry room. There is currently no bath or bedroom on our main floor, and the laundry is in the basement.
- 3) The proposed addition will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The proposed addition will be no wider than the existing house. The total length of the house and garage will go from 58 feet to 60 feet. The current garage is covered by a deck at approximately main floor level. The proposed addition will include a single story addition above the garage that will be level with the main floor. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

Shoreland Overlay District Variance – Statement of Findings

- 1) The existing lot slopes enough to allow a walkout garage at the rear of the house. The existing back yard is generally level. The property does not slope toward the lakeshore, and will not result in soil erosion or other possible pollution of public waters either during construction or after.
- 2) The proposed addition will not be visible from Lake Harriet or any protected waters.
- 3) There will be no impact to watercraft usage as a result of the proposed addition.

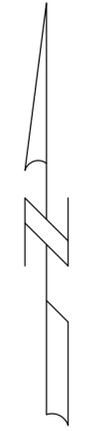
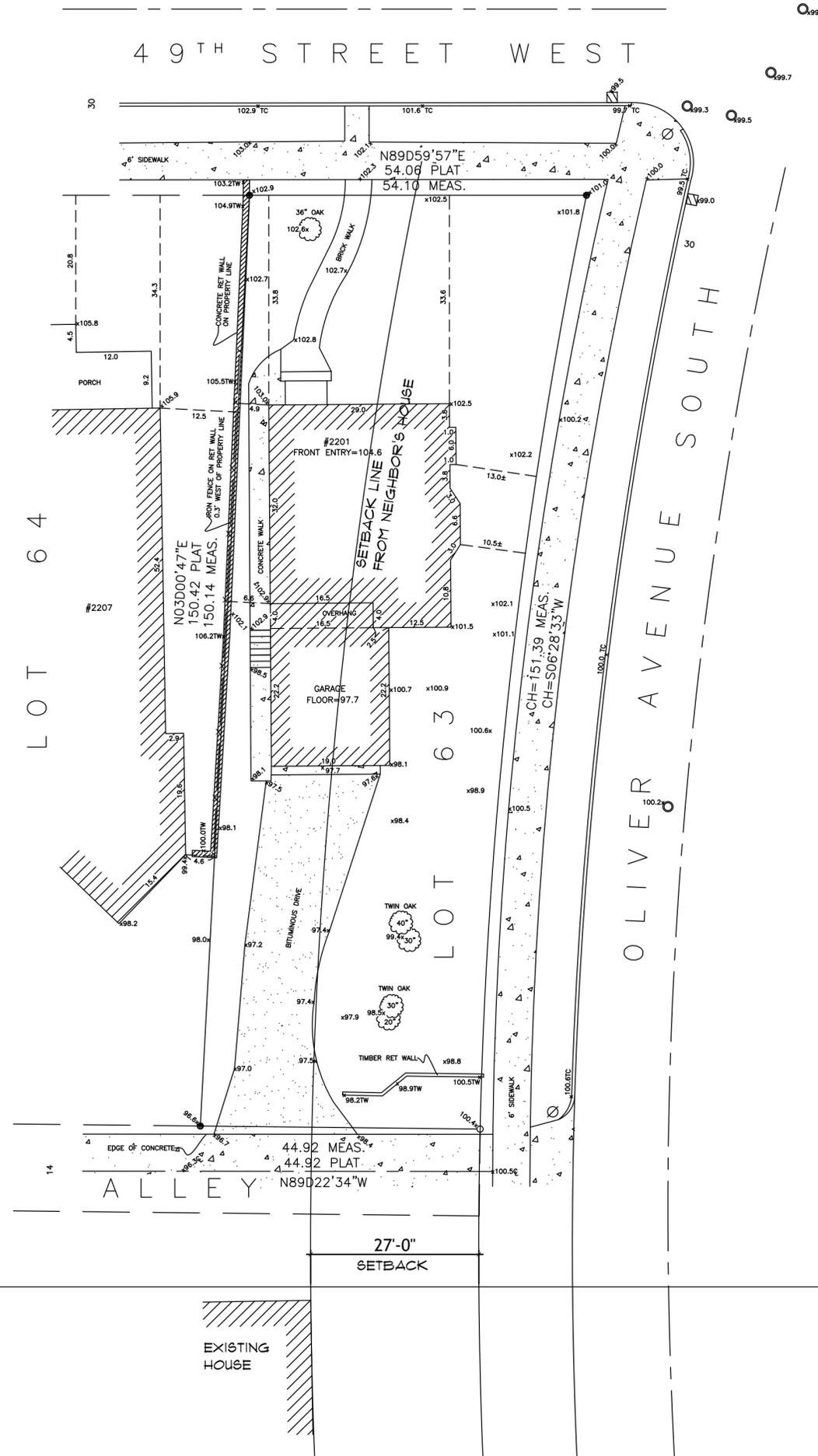
We make this request to ensure that this property will meet our residential need for one floor living as we age. We intend to live in this house as long as we are able, and the proposed addition should significantly extend that timeline.



SURVEY FOR: JENNIFER FREIJ

Legend

- Fence
 - Square Catchbasin
 - Manhole
 - Power Pole
 - Deciduous Tree
 - Concrete
 - Concrete Curb
 - Existing Spot Elevation
 - Top of Curb Spot Elevation
 - Top of Wall Spot Elevation
 - Existing Contour
- Denotes Iron Monument Found
○ Denotes Set, 1/2" x 14" Iron Pipe w/ plastic cap inscribed R.L.S. 15230.



SCALE: 1 INCH = 10 FEET

PROPERTY DESCRIPTION: Lot 63, HARRIET HEIGHTS MPLS, Hennepin County, Minnesota.

NOTE: No Search Was Made For Any Easements

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly registered Land Surveyor under the laws of the State of Minnesota.

W. BROWN LAND SURVEYING, INC.

Woodrow A. Brown, R.L.S. MN REG 15230

Dated: _____

W. BROWN LAND SURVEYING, INC.
8030 Cedar Avenue So., Suite 228.
Bloomington, MN 55425
Bus: (952) 854-4055
Fax: (952) 854-4268

Drawing: 3-12	Date: 01-12-2012	Scale: 1 Inch = 10 Feet
		1 of 1



LEFT ELEVATION 1/8" = 1'-0"

REAR ELEVATION 1/8" = 1'-0"

RIGHT ELEVATION 1/8" = 1'-0"

FRONT ELEVATION 1/4" = 1'-0"

TRUSS MFR. TO VERIFY ALL ROOF PITCHES, OVERHANGS, & ENERGY HEELS

*ALL DOOR & WINDOW HEADERS TO BE S.P.F. #2 OR BETTER

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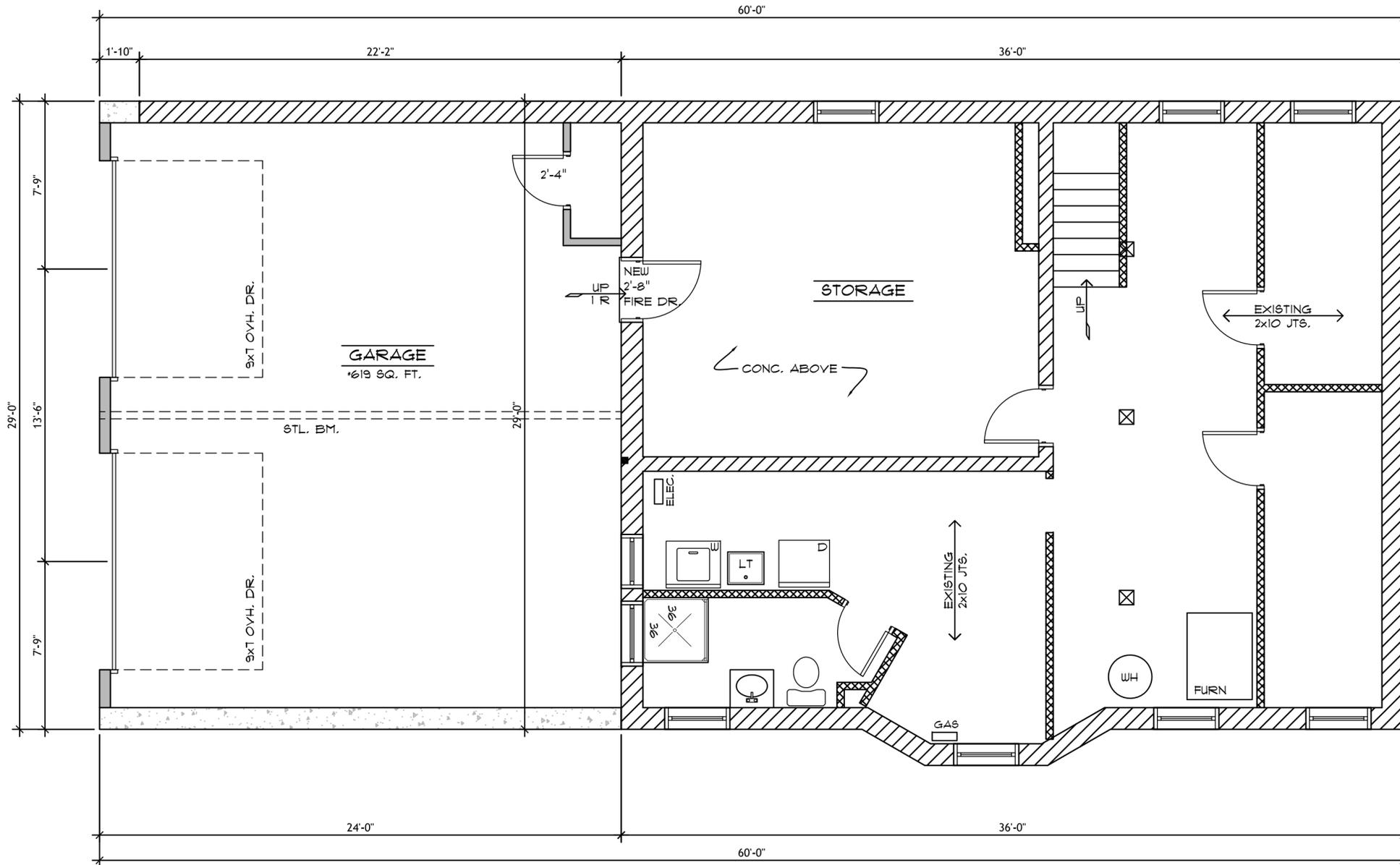
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PLANCO
MINNESOTA, INC.
Complete Residential
Drafting & Design Services
3435 Washington Drive Eagan, MN 55122 651-452-0724

FINAL 9-30-14

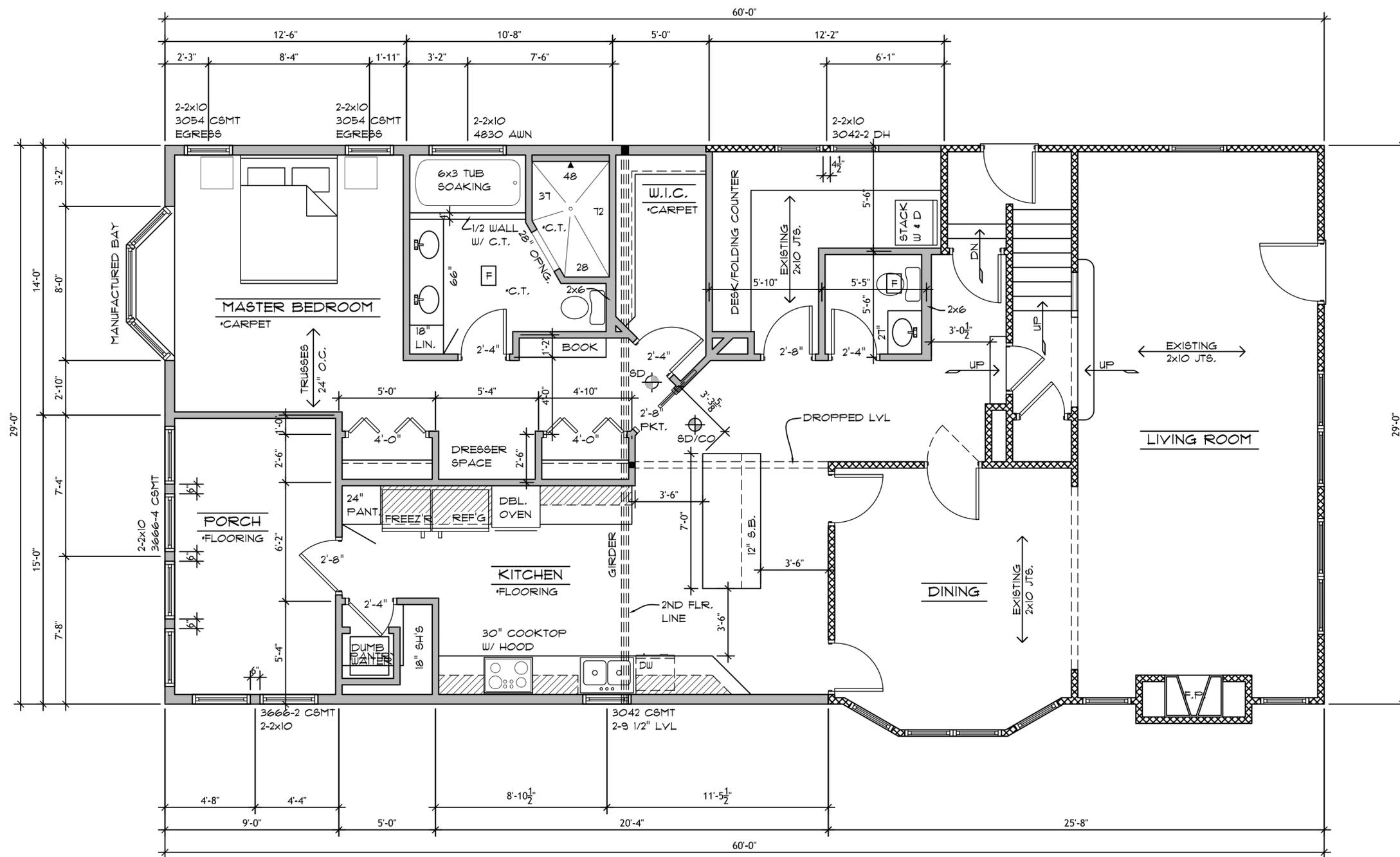
RESIDENCE FOR:
JIM & JENNIFER CHRISTIANSEN
RONEL BUILDERS

1/9



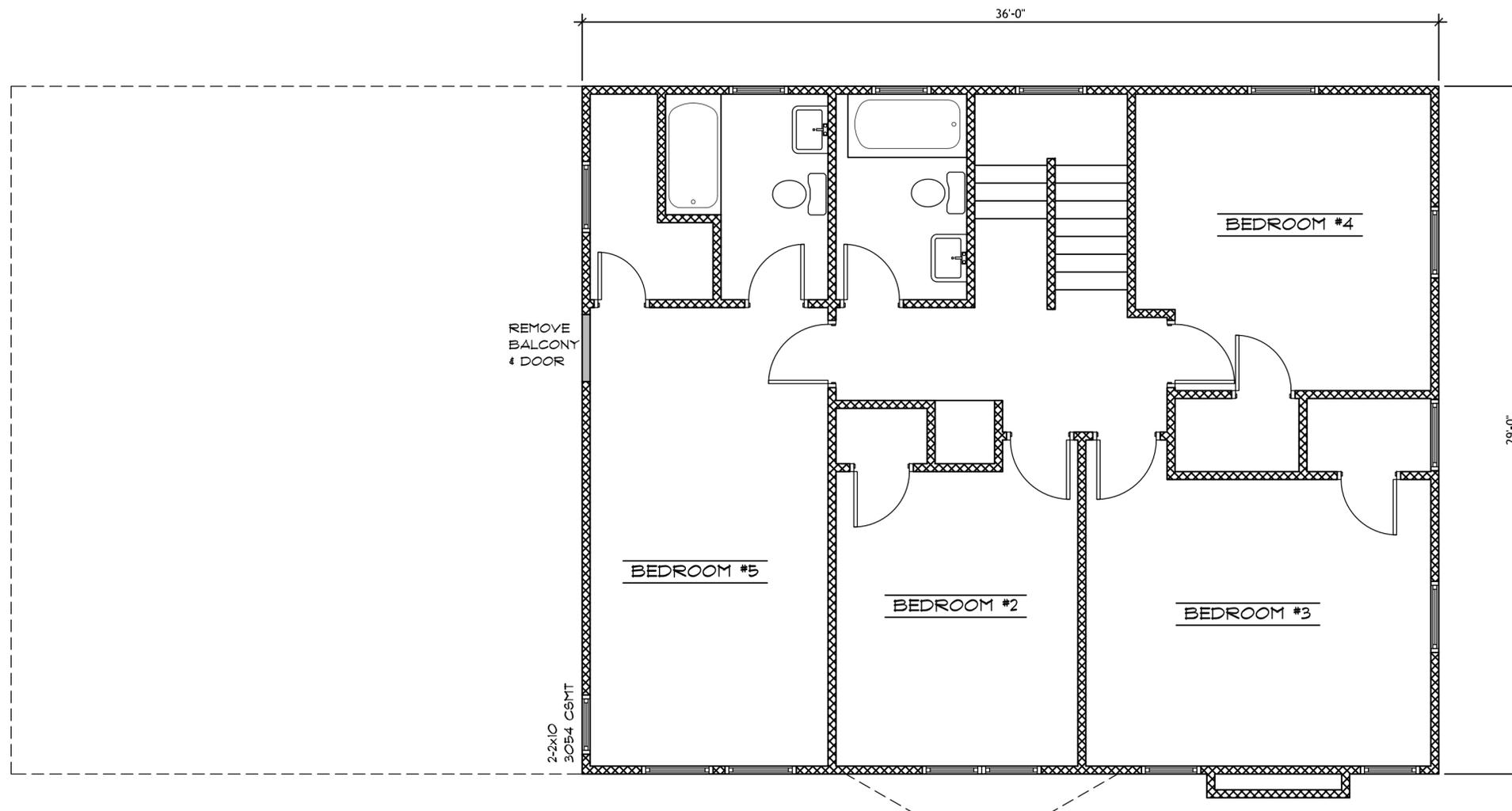
-  NEW WALLS
-  EXISTING WALLS
-  NEW FOUNDATION
-  EXISTING FOUNDATION

BASEMENT PLAN 1/4" = 1'-0"



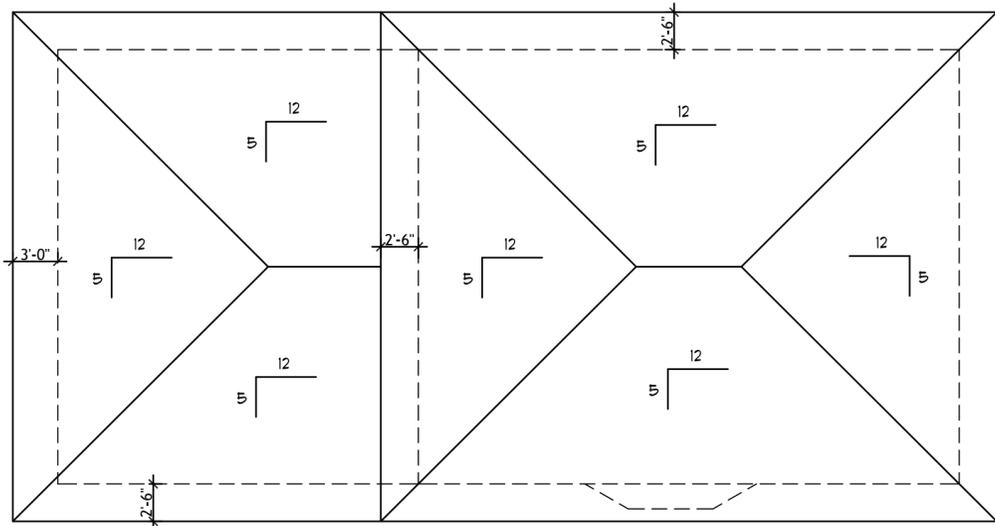
FIRST FLOOR PLAN 1/4" = 1'-0"

- NEW WALLS
- EXISTING WALLS



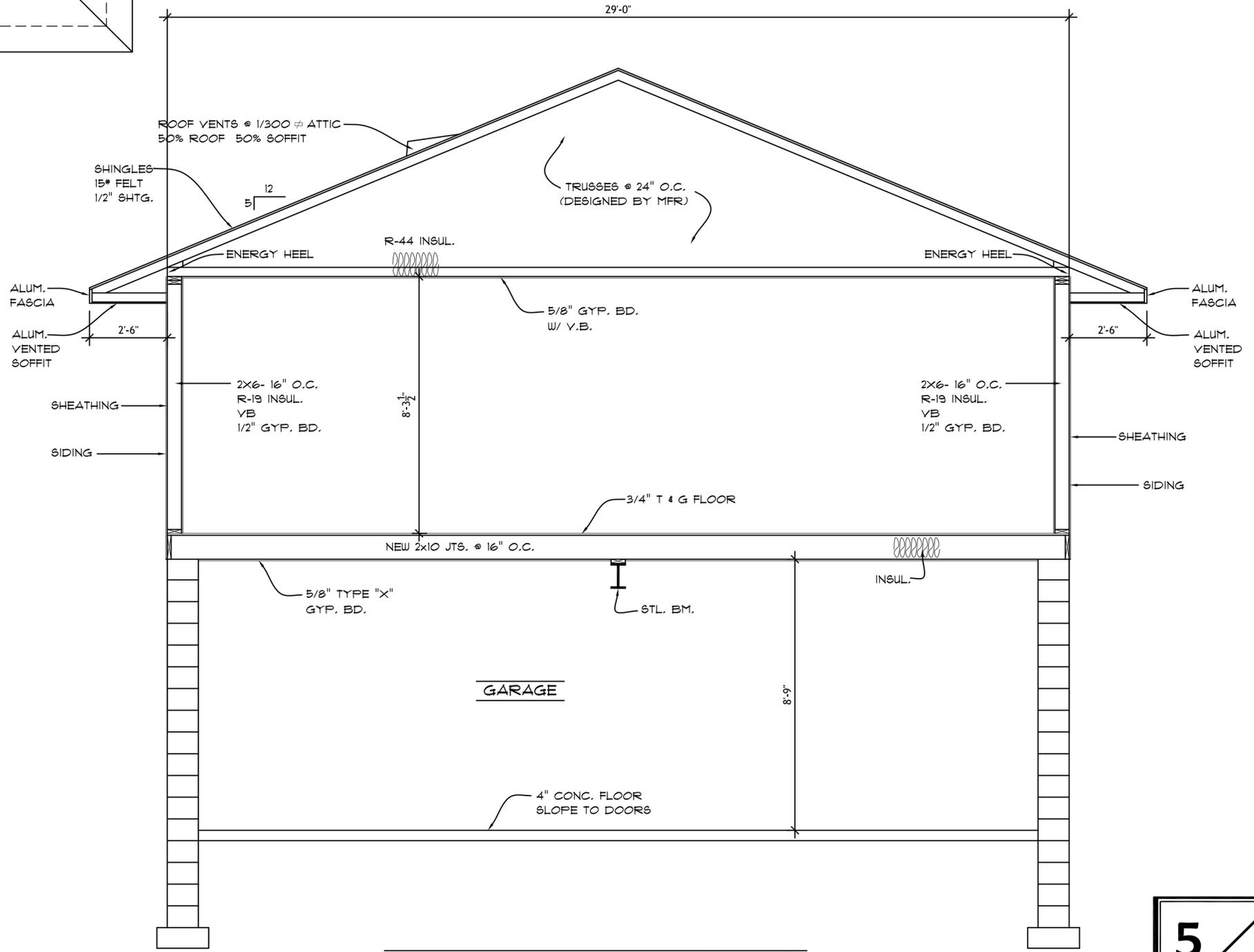
SECOND FLOOR PLAN 1/4" = 1'-0"

- NEW WALLS
- EXISTING WALLS

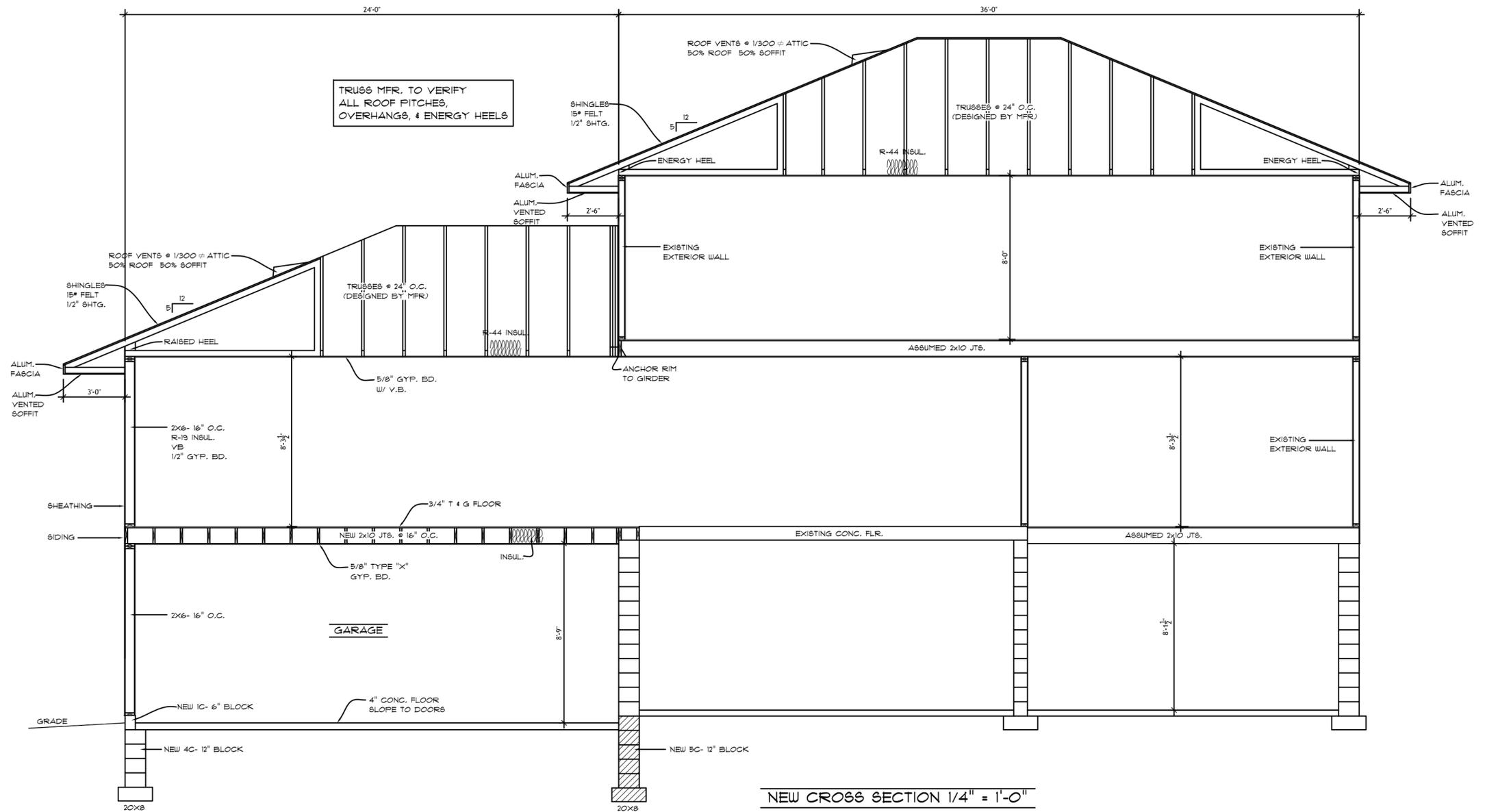


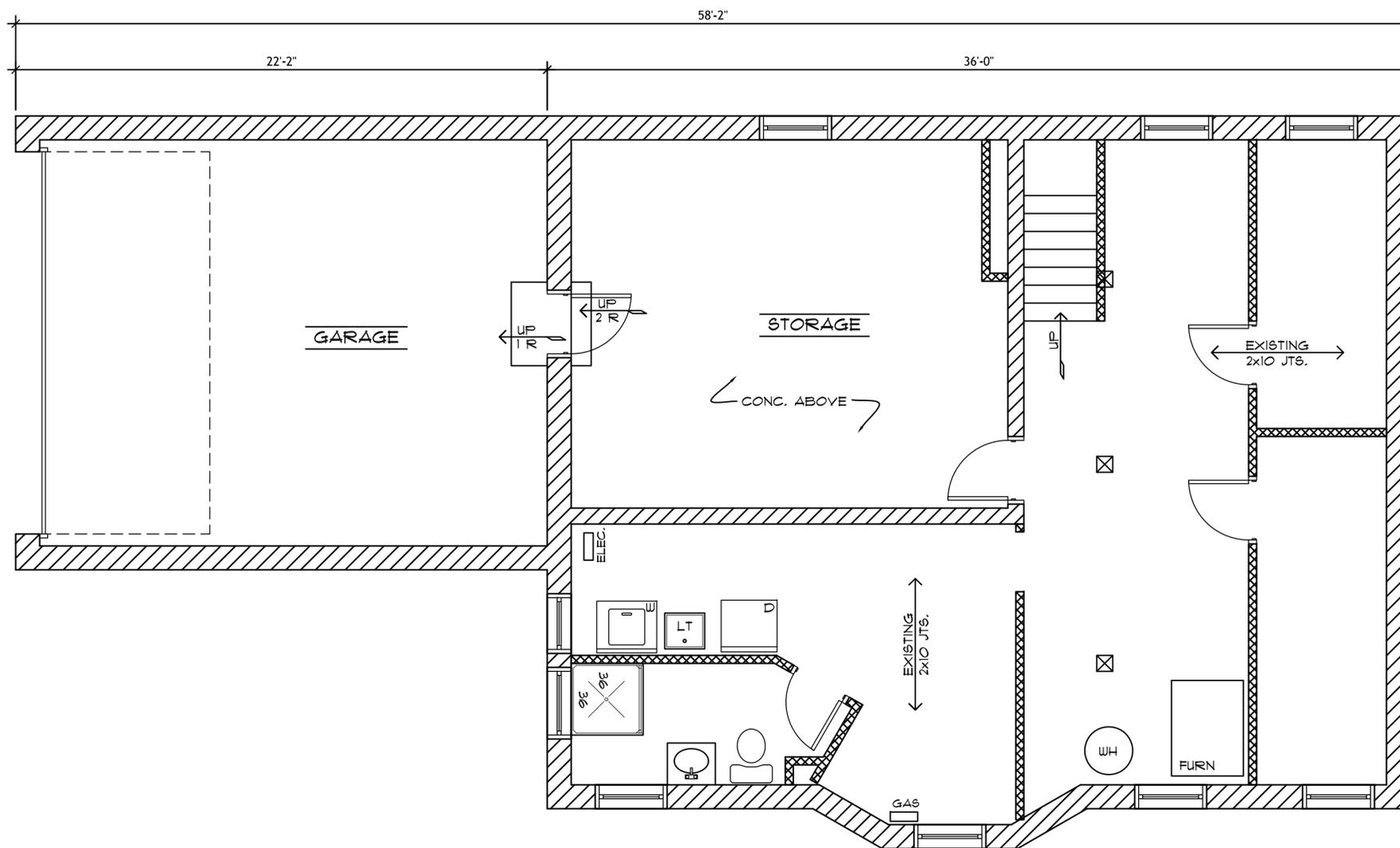
ROOF PLAN 1/8" = 1'-0"

TRUSS MFR. TO VERIFY ALL ROOF PITCHES, OVERHANGS, & ENERGY HEELS

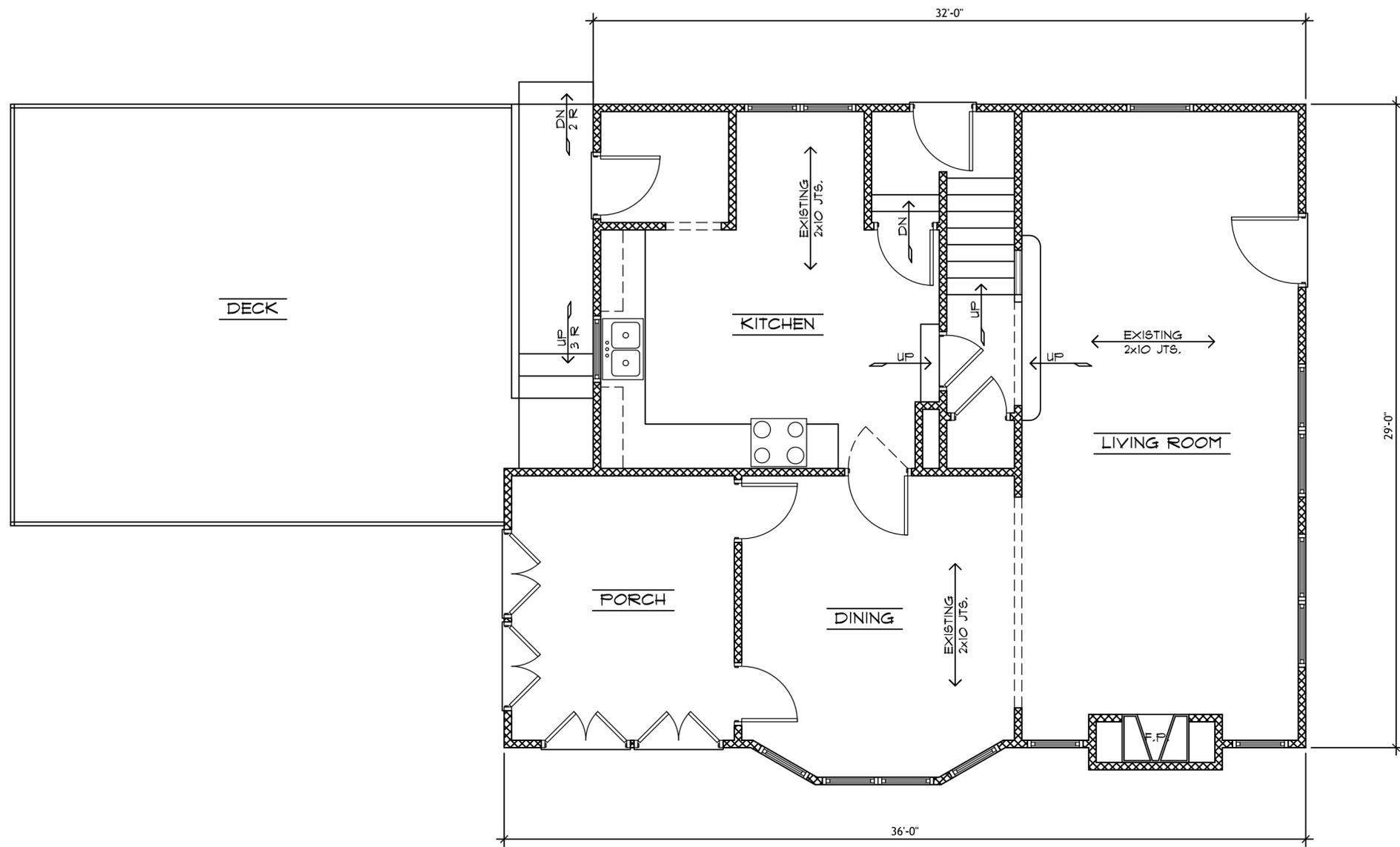


NEW CROSS SECTION 3/8" = 1'-0"

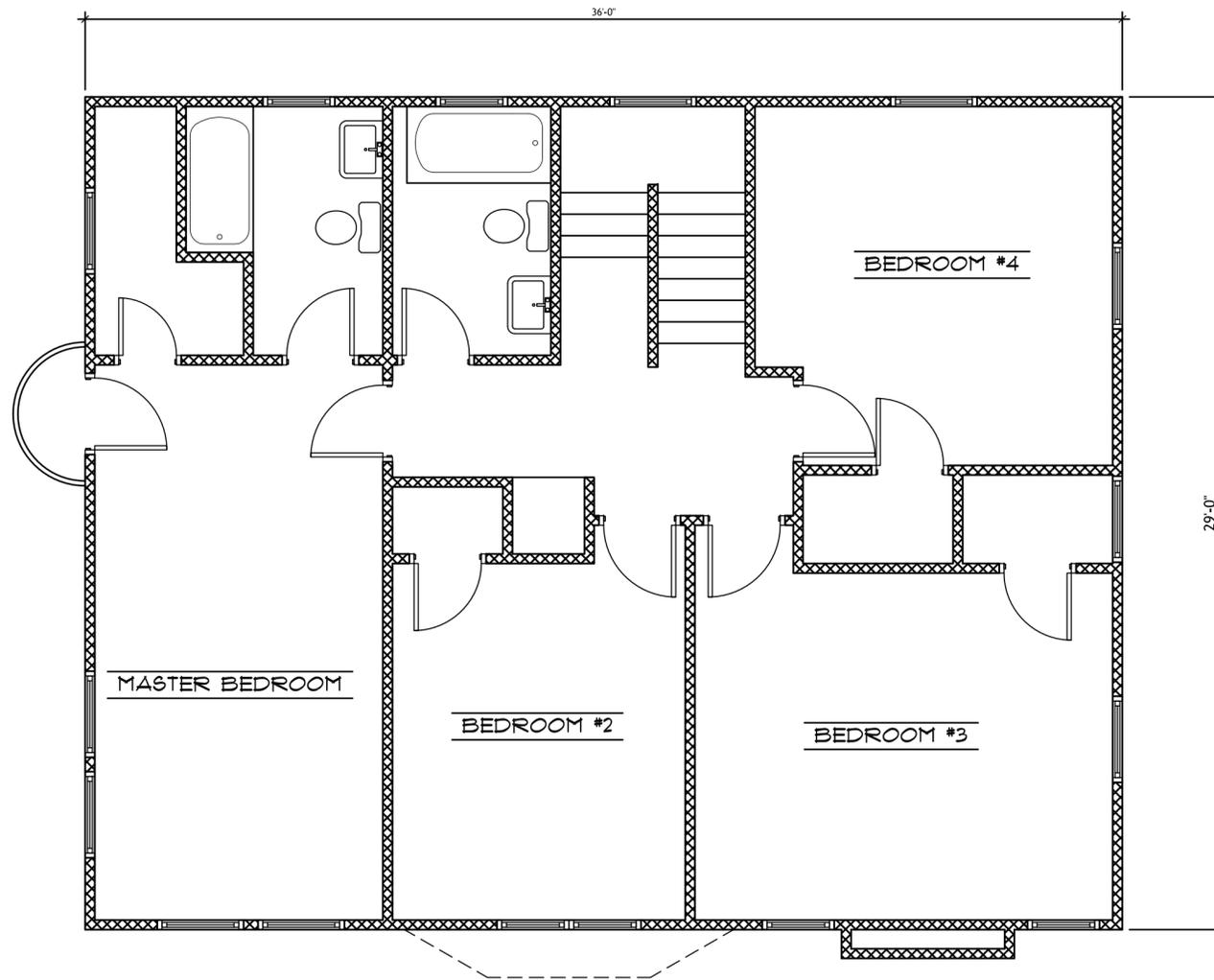




EXISTING BASEMENT PLAN 1/4" = 1'-0"



EXISTING FIRST FLOOR PLAN 1/4" = 1'-0"
8'-3 1/2" CEILING



EXISTING SECOND FLOOR PLAN 1/4" = 1'-0"
8'-0" CEILING







4917 Oliver Ave S, Minneapolis, Minnesota, United States
Address is approximate

