

# City of Minneapolis

## Request for Committee Action

**To:** Zoning & Planning  
**Date:** 6/9/2016  
**Referral:** Refer to a second committee.  
**From:** Community Planning & Economic Development  
**Lead Staff:** Kimberly Holien, Principal Planner  
**Presented by:** Kimberly Holien, Principal Planner  
**File Type:** Action  
**Subcategory:** Land Use Application

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**Subject:**

Side yard setback variances appeal: David Wheeler, et al, 3621 Bryant Avenue S

**Description:**

Considering an appeal submitted by David Wheeler, et al, regarding the Zoning Board of Adjustment decision approving the following variances (BZZ-7658) for a new four-story residential building with four dwelling units at 3621 Bryant Ave S:

1. A variance to reduce the required north interior side yard setback from 11 feet to 10 feet.
2. A variance to reduce the required south interior side yard setback from 11 feet to 10 feet.

**Previous Actions:**

On May 5, 2016, the Zoning Board of Adjustment approved variances to decrease the north and south interior side yard setback requirements each from 11 feet to 10 feet for a new four-story residential building with four dwelling units at 3621 Bryant Avenue S (BZZ-7658). The full summary of actions is as follows:

**1. 3621 Bryant Avenue South, Ward 10**

Staff report by [Kimberly Holien](#), BZZ-7658

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the applications by Daniel Perkins of Farkas Wagner, LLC for a new 4-story residential structure with four dwelling units located at 3621 Bryant Avenue South:

**A. Variance to reduce the required north interior side yard setback.**

Action: The Zoning Board of Adjustment **approved** the application to reduce the north interior side yard setbacks from 11 feet to 10 feet, subject to the following conditions:

1. Each egress window well in the interior side yard shall not exceed 16 square feet in area, in compliance with Section 535.280 of the zoning code.
2. The fourth floor cantilever shall maintain a front yard setback of 15 feet.

**Absent:** Ogiba

**Aye:** Drescher, Finlayson, Johannessen, Thompson

**Nay:** Cahill, Sandberg, Saufley

**Motion passed**

**B. Variance to reduce the required south interior side yard setback.**

Action: The Zoning Board of Adjustment **approved** the application to reduce the north interior side yard setbacks from 11 feet to 10 feet, subject to the following conditions:

1. Each egress window well in the interior side yard shall not exceed 16 square feet in area, in compliance with Section 535.280 of the zoning code.
2. The fourth floor cantilever shall maintain a front yard setback of 15 feet.

**Absent:** Ogiba

**Aye:** Drescher, Finlayson, Johannessen, Thompson

**Nay:** Cahill, Sandberg, Saufley

**Motion passed**

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**Ward/Address:**

Ward 10

3621 Bryant Avenue S

**Background/Analysis:**

The appellants, David Wheeler, Susan Campbell, Santa Fe Gates, Karmen Post, Richard Schmitz, William Steinfeld, Thu-Thao Thi Vo, and Robert Winberg have appealed the decision of the Zoning Board of Adjustment, approving variances to the north and south interior yard setbacks from 11 feet to 10 feet for a new four-story residential building with four dwelling units at 3621 Bryant Avenue S.

In the appeal statement, the appellants cite ten specific concerns about the project and five specific requests. The appellants also note concern with the lack of neighborhood consultation. The full statement of appeal is attached for review.

**Financial Review:**

**No financial impact.**

- Future budget impact anticipated.**
- Approved by the Permanent Review Committee.**
- Meets Small and Underutilized Business Program goals.**

**Attachments:**

1. Appellant's Statement
2. Meeting Minutes
3. CPED Staff Report and Attachments