

# Zoning Board of Adjustment

## Actions

### Regular Meeting

4:30 p.m., Thursday, February 2, 2012  
Room 317, City Hall  
350 South Fifth Street  
Minneapolis, MN 55415-1385

**Board Membership:** Sean Cahill, Matt Ditzler, John Finlayson, Souliyah Keobounpheng, James Nutt, Dan Ogiba, Matt Perry, Dick Sandberg and Ami Thompson

**Board Members Absent:** Souliyah Keobounpheng, James Nutt and Dick Sandberg

**Committee Clerk:** Diana Armstrong

The meeting was called to order at 4:35 p.m.

The Minutes approved for the meeting held on January 19, 2012

## Public Hearings

### Introduction to the Public Hearing

#### Public Hearing

#### 1. 4214 Sheridan Ave N (BZZ-5448, Ward: 4)

**Variance:** Application by Todd Dexheimer, on behalf of S&D Real Estate Solutions, LLC, for a variance to reduce the north interior side yard requirement from 2 feet to 0.91 feet to allow an egress window well that was installed for a single-family dwelling located at the property of 4214 Sheridan Ave N.

**Action:** Notwithstanding staff recommendation, the Board of Adjustment **approved** the variance to reduce the north interior side yard requirement from 2 feet to 0.91 feet to allow an egress window well that was installed for a single-family dwelling located at the property of 4214 Sheridan Ave N, based on the following findings:

1. Practical difficulties exist in complying with the ordinance because circumstances are unique to the property: The structure is not centered on the property, therefore creating a substandard side yard; and the mechanical placement of venting, electrical utilities within the basement itself limit the areas in which a bedroom would be placed along with the egress window. As a result, the choices where the egress window could be located were limited to the north wall of the house and because of the fact that those circumstances were not created by the present owner, their placement has no economic consideration as the applicant testified to, structural concerns meet the findings of #1.
2. A bedroom in the basement is a reasonable use in a smaller home. The egress window well is providing for the safety of someone using that home, which is in keeping with the spirit and intent of the ordinance and the Comprehensive Plan. In addition to the side yard requirements, other codes and requirements such as the amount of space and headroom required in a basement for a bedroom restrict where a bedroom can be located. Given the current conditions, there is room to get around the window well and provide for access.
3. The proposed variance will not alter the essential character locality or be injurious to the use and enjoyment of the property. As noted by staff, it will likely not affect the character and area or the general public. The proposed variance will not be detrimental to the health, safety or welfare of the general public because at this time there is an open side yard, and based on the consideration it is possible for persons to move to and from out of the side door and move around the egress window without any difficulty or safety concerns.

**2. 4031 Queen Ave N (BZZ-5449, Ward: 4)**

**A. Variance:** Application by Todd Dexheimer, on behalf of S&D Real Estate Solutions, LLC, has applied for a variance to reduce the north interior side yard requirement from 2 feet to 1.4 feet to allow an egress window well that was installed for a single-family dwelling located at the property of 4031 Queen Ave N.

**Action:** The Board of Adjustment adopted the findings and **denied** the variance to reduce the north interior side yard requirement from 2 feet to 1.4 feet to allow an egress window well that was installed for a single-family dwelling located at the property of 4031 Queen Ave N.

**3. 1517 Franklin Ave W (BZZ-5451, Ward: 10)**

**A. Variance:** Application by Northrup Remodeling, on behalf of David Copeland, for a variance application to allow for development within a steep slope. The applicant proposes to construct a 2-story, approximately 730 square foot addition to the rear of the existing single-family home on the property located at 1517 Franklin Ave W. The property is zoned R2 (Two-family) District and is located in the SH Overlay (Shoreland Overlay) District.

**Action:** The Board of Adjustment adopted the findings and **approved** the variance application to allow a two-story, approximately 730 square foot addition to the rear of the existing single-family home located within a steep slope in the SH Overlay District on the property at 1517 Franklin Avenue West subject to the following condition of approval:

1. The exterior of the addition shall be stucco and shall match the stucco finish on the existing structure.

**4. 22 Russell Court (BZZ-5452, Ward: 13)**

**A. Variance:** Application by Domain Architecture & Design, on behalf of Mercedes and Jacob Rudh, for a variance to allow an interior side yard setback reduction from the required 6 feet to approximately 3 feet, 1 inch along the east property line to allow for a 22 square foot addition to the main floor for the property located at 22 Russell Court.

**Action:** The Board of Adjustment adopted the findings and **approved** the variance application to allow an interior side yard setback reduction from the required 6 feet to approximately 3 feet, 1 inch along the east property line to allow for a 22 square foot addition to the main floor of the existing single-family home on the property located at 22 Russell Court.

**B. Variance:** Application by Domain Architecture & Design, on behalf of Mercedes and Jacob Rudh, for a variance to allow development within a steep slope. The applicant proposes to construct two additions on to the existing single-family home located on the property at 22 Russell Court. One of the proposed additions is located along the east property line and would be 22 square feet in size. The other addition would be attached to the rear of the structure and would be 275 square feet in size. The property is zoned R1 (Single family) district and is located in the SH Overlay (Shoreland Overlay) District and FP (Floodplain Overlay) District.

**Action:** The Board of Adjustment adopted the findings and **approved** the variance application to allow development that includes an addition along the east property that is 22 square feet in size and another addition on the rear of the structure that would be 300 square feet in size with a wrap-around lower level deck and upper level deck on property located within a steep slope in the SH Overlay District at 22 Russell Court subject to the following condition of approval:

1. The exterior of the additions shall be wood and shall match the wood finish on the existing structure.

**For Discussion****Unfinished Business**

2012 Board of Adjustment Election of Officers was held with the following results: Matt Perry, Chair; Matt Ditzler, Vice Chair. (Finlayson)

**New Business****Adjournment**

The meeting adjourned at 6:00 p.m.

**Next Regular Board of Adjustment Meeting:** February 16, 2012

**The Board Chair reserves the right to limit discussion on Agenda items.**

**Board of Adjustment decisions are final on all other items unless appealed.**

**The meeting site is wheelchair accessible; if you need other disability related accommodations, such as a sign language interpreter or materials in alternative format, please contact 612-673-3220 (673-2157 TTY/VOICE) at least five days prior to the meeting.**

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