

MINNEAPOLIS ZONING BOARD OF ADJUSTMENT

REGULAR MEETING ACTIONS: THURSDAY, AUGUST 25, 2016

4:30 p.m. | City Hall, Room 317 | 350 South 5th Street | Minneapolis, MN 55415

Committee Clerk

[Fatimat Porter](#) - 612.673.3153

Board Members

Matt Perry, Chair | Sean Cahill, Vice Chair | Anja Drescher | John Finlayson
Eric Johannessen | Dan Ogiba | Dick Sandberg | Jacob Saufley | Ami Thompson

CALL TO ORDER

APPROVAL OF ACTIONS FROM THE AUGUST 11, 2016, MEETING

The Zoning Board of Adjustment approved the actions from the August 11, 2016 meeting.

APPROVAL OF AGENDA

PUBLIC HEARINGS

I. 2321 Humboldt Avenue South, Ward 7

Staff report by [Janelle Widmeier](#), BZZ-7807

This item was continued from the August 11, 2016 BOA meeting.

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the applications by Kent Kramer for the property located at 2321 Humboldt Avenue South:

A. Variance to reduce the minimum interior side yard requirement.

Action: Notwithstanding staff recommendation, the Zoning Board of Adjustment **approved** the variance to reduce the minimum interior side yard requirement adjacent to the north lot line to allow second story additions from 5 feet to 4 feet to allow additions to a single-family dwelling, based on the following findings:

Finding #2 – The second floor addition would match the first floor setback. Only a part of the addition is less than five (5) feet from the side lot line. There would not be a loss of light or air to the surrounding properties.

Finding #3 – The expansion would be compatible with the character of the neighborhood.

Aye: Cahill, Drescher, Finlayson, Johannessen, Ogiba, Sandberg, Saufley, Thompson

Motion passed

B. Variance to increase the maximum floor area ratio.

Action: The variance request to increase the maximum floor area ratio from 0.5 to 0.61 to allow additions to a single-family dwelling was returned.

This item was returned.

C. Variance to increase the maximum lot coverage.

Action: Notwithstanding staff recommendation, the Zoning Board of Adjustment **approved** the variance to increase the maximum lot coverage from 45 percent to 58.4 percent, based on the following findings:

Finding #1 – The circumstances affecting the property were not created by the applicant. The variance is needed to allow a front porch.

Finding #2 – Porches are generally supported by City policy. The porch would be open air and would meet the intent of the ordinance.

Finding #3 – Porches are characteristics of the neighborhood. They are a transitional area that promotes activity and use of the street.

Aye: Cahill, Drescher, Finlayson, Johannessen, Ogiba, Sandberg, Saufley, Thompson

Motion passed

D. Variance of the accessory dwelling unit standards.

Action: The Zoning Board of Adjustment **approved** the application for a variance of the development standards for accessory dwelling units to allow an internal ADU to be located on more than one level, subject to the following conditions:

1. The floor area of the ADU shall not exceed 800 square feet.
2. All site improvements shall be completed by August 11, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Aye: Cahill, Drescher, Finlayson, Johannessen, Ogiba, Sandberg, Saufley, Thompson

Motion passed

2. 815 6th Street South, Ward 6

Staff report by [Andrew Liska](#), BZZ-7822

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application by Matt Weiland with Clear Channel Outdoor, Inc for the property located at 815 6th Street South:

A. Variance to the minimum sign spacing standards.

Action: The Zoning Board of Adjustment **approved** the application for a variance to the minimum sign spacing standards and nonconforming sign area credits requirements of Chapter 544, Off-Premise Advertising Signs and Billboards, to allow a development that includes not less than thirty (30) housing units of affordable housing, 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 August 25, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The applicant shall work with staff and the developer of the affordable housing project in minimizing the negative impacts of the sign on the structure.

Approved on consent

3. 1907 Dupont Avenue South, Ward 7
Staff report by [Janelle Widmeier](#), BZZ-7826

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the applications by Michael and Ann Roess for the property located at 1907 Dupont Avenue South:

A. Variance of the accessory dwelling unit standards for maximum size.

Action: The Zoning Board of Adjustment **approved** the application for a variance of the development standards for accessory dwelling units to increase the maximum allowed size of a detached accessory dwelling unit and garage from 1,000 square feet to 1,264 square feet, subject to the following conditions:

1. All site improvements shall be completed by August 25, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Approved on consent

B. Variance of the accessory dwelling unit standards for setbacks.

Action: The Zoning Board of Adjustment **approved** the application for a variance of the development standards for accessory dwelling units to reduce the minimum 3 foot setback requirement of a detached accessory dwelling unit adjacent to interior and rear lot lines to 2.1 foot adjacent to the east lot line and to 2.1 feet adjacent to the north lot line, subject to the following conditions:

1. All site improvements shall be completed by August 25, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Approved on consent

4. 2101 Irving Avenue South, Ward 7
Staff report by [Janelle Widmeier](#), BZZ-7829

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application by Jenni Steinberg for the property located at 2101 Irving Avenue South:

A. Variance to allow development on a steep slope in the SH Shoreland Overlay District.

Action: The Zoning Board of Adjustment **approved** the variance to allow development on or within 40 feet of the top of a steep slope in the SH Shoreland Overlay District to replace an existing retaining wall, subject to the following conditions:

1. A more detailed erosion control plan shall be provided that also identifies the expected duration of construction, what would happen with the excavated soil or how long it stay on site, if a temporary retention system would be put in place, and the extent of the excavation needed to build the new wall.
2. The applicant shall explore stabilization measures to prevent the tree on the adjacent property to the south from uprooting.
3. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development.

4. All site improvements shall be completed by August 25, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Aye: Cahill, Drescher, Finlayson, Johannessen, Ogiba, Sandberg, Saufley, Thompson

Motion passed

5. 411 East 38th Street, Ward 8
Staff report by [Peter Crandall](#), BZZ-7837

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application by Kristen Cici for the properties located at 411 E 38th St:

A. Variance to install playground equipment in a required front yard.

Action: The Zoning Board of Adjustment **approved** the application for a variance to install playground equipment in a required front yard, subject to the following conditions:

1. The applicant shall maintain existing vegetation located between the parking lot and the adjacent residential properties with plantings with a mature height of not less than four (4) feet and not less than sixty (60) percent opaque.
2. Where proposed, any fences installed on the property shall meet the fence height and type requirements and be open and decorative and less than 60% opaque.

Approved on consent

6. 1209 34th Street West, Ward 10
Staff report by [Mei-Ling Smith](#), BZZ-7827

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the applications by Peter Harrington, on behalf of Kavanagh Company LLC, for the property located at 1209 34th Street West:

A. Variance to allow a curb cut.

Action: The Zoning Board of Adjustment **approved** the variance application to allow a curb cut on a property with a single-family home that is served by an alley, subject to the following conditions:

1. No vehicles may be parked forward of the principal structure, per section 541.260 of the zoning code.

Approved on consent

7. 101 51st Street East, Ward 11
Staff report by [Janelle Widmeier](#), BZZ-7830

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application by Paul and Jane Berge for the property located at 101 51st Street East:

A. Variance to allow a detached garage to not be located entirely to the rear of the principal dwelling.

Action: The Zoning Board of Adjustment **approved** the variance to allow a detached garage to not be located entirely to the rear of the principal dwelling, subject to the following conditions:

1. The driveway shall be reduced in length and shall have a perpendicular entrance to the street.
2. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development.
3. All site improvements shall be completed by August 25, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Approved on consent

8. 5912 Girard Avenue South, Ward 13
Staff report by [Andrew Liska](#), BZZ-7781

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application by Mike Lee for the property located at 5912 Girard Avenue South:

A. Variance to permit development in the SH Shoreland Overlay District.

Action: The Zoning Board of Adjustment **approved** the variance to permit development on a steep slope or bluff, or within forty (40) feet of the top of a steep slope or bluff for the construction of a new single-family dwelling. To develop within 50 feet of a protected water in the 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. The five remaining trees shown on the site plan shall be protected during construction and shall remain.
3. A double silt fence shall be placed and maintained in working order on the southern side of the dwelling for the entire duration of construction, including planting vegetation to protect the wetland.
4. All site improvements shall be completed by August 25, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Absent: Thompson

Aye: Cahill, Drescher, Finlayson, Johannessen, Ogiba, Sandberg, Saufley

Motion passed

B. Variance to develop within 50 feet of a protected water in the SH Shoreland Overlay District

Action: The Zoning Board of Adjustment **approved** the application to permit development within 50 feet of a protected water in the 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. The five remaining trees shown on the site plan shall be protected during construction and shall remain.
3. A double silt fence shall be placed and maintained in working order on the southern side of the dwelling for the entire duration of construction, including planting vegetation to protect the wetland.
4. All site improvements shall be completed by August 25, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Absent: Thompson

Aye: Cahill, Drescher, Finlayson, Johannessen, Ogiba, Sandberg, Saufley

Motion passed

BOARD BUSINESS

BOARD UPDATES

ADJOURNMENT

The meeting adjourned at 6:42 P.M.

NEXT REGULAR ZONING BOARD OF ADJUSTMENT MEETING: SEPTEMBER 15, 2016

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- The Chair reserves the right to limit discussion on agenda items.
 - Please contact staff after the hearing if you have any questions regarding your project.
 - Zoning Board of Adjustment decisions are final unless appealed.
 - The meeting site is wheelchair accessible. For other reasonable accommodations, such as a sign language interpreter or materials in an alternative format, please contact 612-673-2162 (673-2157 TTY/VOICE) at least five days prior to the meeting.
 - Para asistencia 612-673-2700 - Rau kev pab 612-673-2800 - Hadio aad Caawimaad u baahantahay 612-673-3500

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