

Minneapolis Zoning Board of Adjustment

Actions

Regular Meeting

4:30 p.m., Thursday, December 15, 2011

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: None

Committee Clerk: Susan Schempf

The meeting was called to order at 4:30 p.m.

The Minutes approved for the meeting held on December 1, 2011

Public Hearings

1. 700 Washington Avenue North (BZZ-5319, Ward 7)

Appeal: The Tower Lofts Association (“Tower Lofts”) has appealed the determination of the Zoning Administrator that Tower Lofts, at 700 Washington Avenue North, was in violation of the conditions (requiring a pedestrian walkway amenity through the site) of its planned unit development (BZZ 1647).

Actions: The Board of Adjustment continued the appeal of the decision of the zoning administrator’s determination that permanently restricting public access to the pedestrian walkway at 700 Washington Avenue North is in violation of the terms of the approved planned unit development for land use application BZZ-1647 to January 19, 2012.

2. 4500 Abbott Avenue S (BZZ-5392, Ward 13)

Variance: Todd Richtsmeier has applied for a variance to reduce the required front yard setback along 45th Street West from the required 20 feet to 7.5 feet to allow for the construction of a new single-family dwelling on a reverse corner lot located at 4500 Abbott Avenue South in the R1A Single-Family District.

Actions: The Board of Adjustment adopted the findings and approved a variance to reduce the required front yard setback along 45th Street West from the required 20 feet to 7.5 feet to allow for the construction of a new single-family dwelling on a reverse corner lot located at 4500 Abbott Avenue South in the R1A Single-Family District subject to the following conditions:

1. Eaves, including gutters, shall project no more than three feet from the main building wall over the bay window along 45th Street West.
2. By ordinance, approvals are valid for a period of one year from the date of the decisions unless required permits are obtained and the action approval is substantially begun and proceeds in a continuous basis toward completion. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than December 15, 2012.
3. CPED-Planning Preservation Staff shall review and approve the final plans and elevations prior to building permit issuance.

3. 2528 and 2548 Nicollet Avenue (BZZ-5400, Ward 6)

A. Variance: Brent Baethke of SignMinds, on behalf of First & First, LLC, has applied for a variance to increase the maximum area for a new wall sign, facing Nicollet Avenue for an existing commercial building located at 2528 and 2548 Nicollet Avenue in the C3A Community Activity Center District and PO Pedestrian Oriented Overlay District.

Actions: The Board of Adjustment accepted the withdrawal of the variance application to increase the maximum area for signage facing east towards Nicollet Avenue from 201 square feet to 212 square feet to allow for a new 148 square foot wall sign for the property located at 2528-2548 Nicollet Avenue in the C3A Community Activity Center District and PO Pedestrian Oriented Overlay.

B. Variance: Brent Baethke of SignMinds, on behalf of First & First, LLC, has applied for a variance to increase the maximum area for a new wall sign, along the south façade, facing an onsite parking lot for an existing commercial building located at 2528 and 2548 Nicollet Avenue in the C3A Community Activity Center District and PO Pedestrian Oriented Overlay District.

Actions: The Board of Adjustment accepted the withdrawal of the variance application to increase the maximum area for signage facing south towards the on-site parking lot from 285 square feet to 306 square feet to allow for a new 306 square foot wall sign for the property located at 2528-2548 Nicollet Avenue in the C3A Community Activity Center District and PO Pedestrian Oriented Overlay District.

4. 2716 38th Street East (BZZ-5427, Ward 9)

A. Variance: Jamie Robinson of Smoke House Brew Pub, LLC, has applied for a variance to reduce the required number of off-street parking spaces to allow for a new restaurant located at located at 2716 38th Street East in the C1 Neighborhood Commercial District and PO Pedestrian Oriented Overlay District.

Actions: The Board of Adjustment **adopted** the findings and approved the variance to reduce the required number of off-street parking spaces from 1 space to 0 spaces for a sit-down restaurant in an existing building for the property located at 2716 38th Street East in the C1 Neighborhood Commercial District and PO Pedestrian Oriented Overlay District, subject to the following condition of approval:

1. Bicycle racks shall be provided to accommodate no fewer than four (4) bicycles on the property and shall meet the minimum requirements for short term bicycle parking. The bicycle parking may be located in the public right-of-way with permission of the city engineer.

B. Variance: Jamie Robinson of Smoke House Brew Pub, LLC, has applied for a variance to reduce the front yard setback along 28th Avenue South from approximately 30 feet to zero feet to allow for a new outdoor patio accessory to a new sit-down restaurant in an existing building located at 2716 38th Street East in the C1 Neighborhood Commercial District and PO Pedestrian Oriented Overlay District.

Actions: The Board of Adjustment **adopted** the findings and approved the variance to reduce the front yard setback along 28th Avenue South from approximately 30 feet to zero feet to allow for a new outdoor patio accessory to a new sit-down restaurant in an existing building located at 2716 38th Street East in the C1 Neighborhood Commercial District and PO Pedestrian Oriented Overlay District, subject to the following condition of approval:

1. CPED-Planning staff shall review and approve the final site, landscaping and floor plans.
2. The applicant shall provide a solid, landscaped hedge along the north property line and adjacent to the north edge of the patio.
3. The patio shall be located at least 23 feet from the north property line.

5. 4740 Wentworth Avenue (BZZ-5410, Ward 11)

Variance: Martin and Catherine Von Euw have applied for a variance to reduce the required front yard along Wentworth Avenue to allow for the remodel and addition of the existing enclosed porch, a new open front porch, an allow for a 6-foot wide walkway to an existing single-family dwelling located at 4740 Wentworth Avenue in the R1A Single-Family District and AP Airport Overlay District.

Actions: The Board of Adjustment **adopted** the findings and **approved** the variance to reduce the required front yard setback along Wentworth Avenue from 20 feet to 18 feet for the proposed building addition and from 20 feet to 9 feet to allow for the proposed open porch addition to an existing single-family dwelling located at 4740 Wentworth Avenue in the R1A Single-Family District.

5. 4740 Minnehaha Avenue (BZZ-5408, Ward 12)

Variance: Kaj Reiter of Leroy Signs, Inc., on behalf March Enterprises, LLC, has applied for a variance to increase the maximum height and area of a new monument sign accessory to an existing restaurant located at 4740 Minnehaha Avenue in the C3A Community Activity Center District.

Actions: The Board of Adjustment accepted the **withdrawal** of the variance to increase the maximum height and area of a new monument sign accessory to an existing restaurant located at 4740 Minnehaha Avenue in the C3A Community Activity Center District.

New Business

Staff introduction to an amendment of the Section 4.1 of the Bylaws. Voting regarding the Bylaw changes will take place at the January 19, 2012, Zoning Board of Adjustment meeting.

Board Chair, Matt Perry, recommended that four members of the Board of Adjustment and Staff review Bylaws and return recommendations for changes by September 2012.

Board Chair, Matt Perry, recommended that the annual elections take place at the February 2, 2012, Board of Adjustment meeting. Board member, Sean Cahill, made a motion and John Finlayson 2nd the motion to hold the annual elections on February 2, 2012, without an election committee. Unanimous approval.

Adjournment

The meeting adjourned at 5:28 p.m.

Next Regular Board of Adjustment Meeting: January 19, 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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