

**Department of Community Planning and Economic Development – Planning Division**

Variance  
BZZ-5468

**Date:** February 16, 2012

**Applicant:** Bill Hefner & Julie Rohovit, 1466 West Minnehaha Parkway, Minneapolis, MN 55419, (612) 624-0466

**Address of Property:** 1466 West Minnehaha Parkway

**Project Name:** 1466 West Minnehaha Parkway

**Contact Person and Phone:** Albertsson Hansen Architecture, Attn: Christine Albertsson, 2800 Lyndale Avenue South #220, Minneapolis, MN 55408, (612) 823-0233

**Planning Staff and Phone:** Becca Farrar, Senior City Planner, (612) 673-3594

**Date Application Deemed Complete:** January 24, 2012

**End of 60-Day Decision Period:** March 24, 2012

**End of 120-Day Decision Period:** Not applicable for this application.

**Ward:** 13

**Neighborhood Organization:** Lynnhurst Neighborhood Association

**Existing Zoning:** R1 (Single family) District, SH (Shoreland) Overlay District

**Zoning Plate Number:** 30

**Lot area:** 9,440 square feet or approximately .22 acres

**Legal Description:** Not applicable for this development

**Proposed Use:** Construct an addition on to the existing single-family home.

**Concurrent Review:**

- Albertsson Hansen Architecture, on behalf of Bill Hefner & Julie Rohovit, has submitted a variance application to allow for an expansion of the existing single-family home within the reverse corner side yard setback requirement along Humboldt Avenue South. The applicant proposes to construct a two-story addition, relocate the principal entry, and construct a new porch on the east elevation of the structure that requires a variance from approximately 29 feet to approximately 16 feet, 5 inches at the closest point for the property located at 1466 West Minnehaha Parkway.

**Applicable zoning code provisions:** Chapter 525, Article IX Variances, Specifically Section 525.520(1) “to vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations”.

**Background:** The site is currently occupied by a 2 story, approximately 2,675 square foot single-family home that was constructed in 1939. The applicant proposes to construct two separate yet integrated additions (a front and back addition) to the existing structure; the front addition requires a variance due to the fact that the proposal results in an encroachment within the required reverse corner side yard setback requirement along the east property line adjacent to Humboldt Avenue South. The subject property is zoned R1 (Single-family) District and is also located in the SH (Shoreland) Overlay District. There are no steep slope related issues on the premises.

The portion of the proposal that requires a variance would result in the construction of a two-story addition, a relocated principal entry, and a new porch on the east elevation of the structure that requires a variance from approximately 29 feet to approximately 16 feet, 5 inches at the closest point. The property is subject to a front yard increase per Section 546.160 of the Zoning Code as typically the setback would be 25 feet; however, the property to the north is setback approximately 29 feet from the property line along Humboldt Avenue South. The existing structure is non-conforming as to the required setback and is located 20 feet from the property line. The proposal would extend the building wall an additional 3 feet, 7 inches into the required setback. As proposed, the project would be completed in two phases starting approximately one year apart.

The overall project would result in the following modifications:

- Lower Level: The primary spaces would be remodeled as a full foundation would be installed below the new kitchen and would become finished space in the lower level. Additionally an egress window well would be integrated into the SE corner and a lower level bathroom would be added.
- Main Level: The north half of the main level floor plan would be remodeled/reorganized and two small additions are proposed; one at the rear (69 square foot footprint increase) and one on the front/east elevation of the house (176 square foot footprint increase) which requires the variance. The primary entrance would be relocated, a new front porch added and a new kitchen and mud room would be incorporated.
- Upper Level: A new master bedroom would be added over the new kitchen. Some additional remodeling work would occur to create a new laundry space as well as a remodeled bathroom and walk-in closet.

The net footprint expansion including the removals as a result of the construction/renovation on site total 203 square feet (245 square feet – 42 square feet). The open entry porch would total 43 square feet. The overall gross floor area increase on site as a result of the proposal would be 416 square feet.

The exterior of the additions as proposed would be cement board panels and trim to complement the brick exterior of the existing structure. The proposal meets all other applicable setback requirements as well as all applicable provisions in the R1 District and SH Overlay District including floor area ratio, height, impervious surface, building coverage, etc.

Staff has not received official correspondence from the Lynnhurst Neighborhood Association prior to the printing of this report. All correspondence received prior to the Board of Adjustment meeting will be forwarded on for consideration.

**VARIANCE** –of the reverse corner side yard setback from approximately 29 feet to approximately 16 feet, 5 inches at the closest point.

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

**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.**

Planning Staff believes that there are practical difficulties that exist in complying with the ordinance in this specific circumstance. The property is subject to two front yard setback requirements in addition to a front yard increase along Humboldt Avenue South. The existing building wall of the single-family home in this location is non-conforming as to the setback requirement as it is currently located 20 feet from the property line. The proposal would result in the projection of the building wall in this location an additional 3 feet, 7 inches towards Humboldt Avenue South primarily in order to locate a prominent front entry. Planning Staff believes this request is a reasonable use of the property. Further, the expansion would be located approximately 38 feet from the north property line which would result in minimal if any impact on the neighboring parcel.

**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 proposal to reduce the reverse corner side yard setback from approximately 29 feet to approximately 16 feet, 5 inches to allow a two-story addition, relocated principal entry, and a new porch on the east elevation of the structure is reasonable and would be in keeping with the spirit and the intent of the ordinance and comprehensive plan. The configuration of the existing structure on site, specifically the solarium on the south side of the house and the existing garage on the north side as well as the proximity to the neighbor's driveway to the west limits the viable locations for an addition on the subject property.

**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 proposal to reduce the required reverse corner side yard setback from approximately 29 feet to approximately 16 feet, 5 inches in order to allow a two-story addition, relocated principal entry, and a new porch on the east elevation of the structure would not adversely alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity, nor would it be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. The exterior materials on the proposed addition would be cement board panels and trim to complement the existing brick exterior.

**Additional Findings required by the Minneapolis Zoning Code for development in the Shoreland Overlay District:**

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

The applicant shall be responsible for complying with all applicable City regulations pertaining to the prevention of soil erosion as well as other possible pollution sources both during and after construction. The applicant has confirmed that all necessary precautions will be taken during construction in compliance with applicable City regulations. Further, any alterations to the subject site shall be minimal and would not have any adverse effects on the water quality of Lake Harriet.

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

The property does not front on Lake Harriet. The proposed expansion would likely result in little if any visibility from Lake Harriet in this location as the property and surrounding properties are densely vegetated. Further the proposed expansion is not projecting towards Lake Harriet.

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

The proposed development would not have any impact on watercraft usage on Lake Harriet.

**RECOMMENDATIONS**

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:**

The Department of Community Planning and Economic Development – Planning Division recommends that the Board of Adjustment adopt the above findings and **approve** the variance application to allow a reduction in the reverse corner side yard setback requirement along the east property line from approximately 29 feet to approximately 16 feet, 5 inches in order to construct a two-story addition, relocate the principal entry, and construct a new porch on the property located at 1466 West Minnehaha Parkway subject to the following conditions of approval

1. The exterior of the additions shall be cement board panels and trim.
2. The egress window shall conform to the permitted obstruction criteria as noted in Table 535-1 of the Zoning Code.
3. The proposed kitchenette noted on the basement floor plan may include a sink but shall not include any appliances.

**Attachments:**

1. Statement of proposed use and description of the project
2. Findings
3. Correspondence – CM Hodges and Fulton Neighborhood Assn
4. Zoning Map
5. Site plan, floor plans, elevations and exhibits
6. Photos of the site