

Department of Community Planning and Economic Development Report
Expansion of a Nonconforming Use
BZZ-6090

Date: February 19, 2014

Address of Property: 27 Groveland Terrace

Applicant: John H. Ward

Contact Person and Phone: John H. Ward (952-922-8758)

CPED Staff and Phone: Janelle Widmeier (612-673-3156)

Date Application Deemed Complete: January 22, 2014

End of 60 Day Decision Period: March 23, 2014

Ward: 7 **Neighborhood Organization:** Lowry Hill Neighborhood Association

Existing Zoning: R2 Two-Family Residence District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 18

Legal Description: Not applicable for this application

Existing Use: Five dwelling units and 8 rooming units

Concurrent Review: Expansion of a nonconforming residential use with dwelling and rooming units in the R2 Two-family Residence District to allow for an exterior stair addition.

Applicable Zoning Code Provisions: Chapter 531 Nonconforming Uses and Structures, Section 531.50(b).

Background: The applicant is proposing to construct a rear, exterior stair addition to the residential structure located at the property of 27 Groveland Terrace. The stairs will be located at the westerly corner of the building and will provide a second means of egress from the third floor. The stairs are proposed to correct a life safety violation identified by the Department of Regulatory Services Housing Division. A residential structure with five dwelling units and 8 rooming units is not an allowed use in the R2 district. An exterior stair addition is an expansion of a nonconforming use under Section 531.50(b) of the zoning code and therefore requires authorization from the City Planning Commission. Compliance with applicable building codes and obtaining a building permit is also required in addition to needing zoning approval. A structural analysis, engineered drawings, and construction drawings will be needed for the building permit.

As of the writing of this report, staff has not received any correspondence from the neighborhood group. Staff will forward comments, if any are received, at the City Planning Commission meeting.

EXPANSION OF A NONCONFORMING USE: To allow an exterior stair addition to a residential structure with dwelling and rooming units in the R2 Two-family Residence District.

The Planning Commission may approve an application if it meets the following standards and all other applicable regulations in the zoning ordinance (this section shall not authorize a use prohibited in the zoning district in which it is located to be expanded beyond the boundaries of its zoning lot):

1. A rezoning of the property would be inappropriate.

Rezoning the property would not be appropriate because rooming units are not allowed in any zoning districts unless they are part of an allowed congregate living use. The existing use does not fall under one of these allowed use classifications. Therefore rezoning would not change the nonconforming use status of the property.

2. The enlargement, expansion, relocation, structural alteration or intensification will be compatible with adjacent property and the neighborhood.

Surrounding properties in the immediate area are primarily occupied by large, single- and two-family dwellings. Exceptions include the historic Franklin B. Long House located at 25 Groveland Terrace, which is now used for a gallery and offices; the First Unitarian Society, a place of assembly and school, located at 900 Mount Curve; and the Walker Art Center, which is located across Groveland Terrace from the subject property. The proposed stair addition would be located at the rear of the building where it would have less visibility from surrounding properties and the public street. It will also comply with the minimum interior side yard requirement (9 feet for a 3-story dwelling). The structure will be constructed of metal. The expansion will be compatible with adjacent properties and the neighborhood.

3. The enlargement, expansion, relocation, structural alteration or intensification will not result in significant increases of adverse, off-site impacts such as traffic, noise, dust, odors, and parking congestion.

The proposed expansion will correct a life safety violation. It will not increase the parking requirement or eliminate any on-site parking. No additional traffic, noise, dust, odors or parking congestion is expected with the expansion.

4. The enlargement, expansion, relocation, structural alteration or intensification, because of improvements to the property, will improve the appearance or stability of the neighborhood.

The exterior changes to the building would be consistent with the size and character of other properties in the area. The stair addition will be constructed of metal. It will provide a second means of egress from the third floor to correct a life safety violation. However, it is unlikely to

Department of Community Planning & Economic Development
BZZ-6090

improve the appearance of the neighborhood. It will be most visible from the residence to the north. A hedge located on the adjacent property will provide some screening for the lower tier of stairs.

- 5. In districts in which residential uses are allowed, the enlargement, expansion, relocation, structural alteration or intensification will not result in the creation or presence of more dwelling units on the subject property than is allowed by the regulations of the district in which the property is located.**

No additional dwelling units are proposed.

- 6. The enlargement, expansion, relocation, structural alteration or intensification will not be located in the Floodway District.**

The property is not located in the Floodway District.

RECOMMENDATION:

Recommendation of the Department of Community Planning and Economic Development:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for an expansion of a legal nonconforming use to allow for an exterior stair addition to a residential structure with dwelling and rooming units located at the property of 27 Groveland Terrace.

Attachments:

- 1) Applicant statement of use and findings
- 2) Zoning map
- 3) Plans
- 4) Photos

May 24, 2013

City of Minneapolis
Community Planning and Economic Development
Planning Division
250 South 4th Street, Room 300
Minneapolis, MN 55415-1316

Re: 27 Groveland Terrace
Alteration of Nonconforming Use

I am applying for an alteration of a nonconforming use at the above property. I have been ordered by the Minneapolis Regulatory Services department to install an egress exterior stairway. I have developed a plan with a contractor to install a nondescript black wrought iron stairway on the back corner of the building that meets the requirements of the order with minimum change in the look of the building.

A rezoning of the property would not be appropriate for this minor alteration.

The alteration will be compatible with adjacent properties and the neighborhood. It will be in the rear of the property at the most inconspicuous corner, and will be made of black wrought iron. It will not draw attention as an architectural detail of the building.

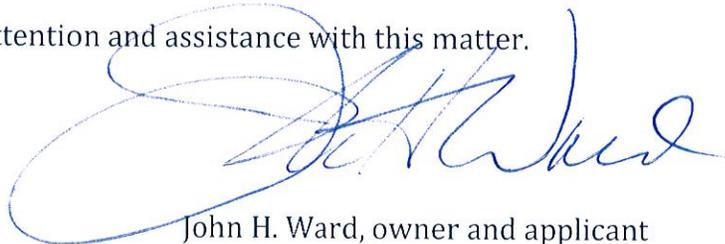
The stairway will have no increase or adverse off-site impact on traffic, parking, dust, odor or noise.

The stairway as designed should have no affect on the appearance or stability of the neighborhood. It will not be visible from the front or sides of the property.

It will not result in the creation or change in the number of dwelling units contained in the property under the existing nonconforming use.

To the best of my knowledge, the property is not located in a Floodway District.

Thank you for your attention and assistance with this matter.

A handwritten signature in blue ink, appearing to read "John H. Ward", is written over a large, loopy blue scribble.

John H. Ward, owner and applicant
5916 Hansen Road
Edina, MN 55436-2513
(952) 922-8758
jhward@usfamily.net

May 24, 2013

Lowry Hill Neighborhood Association
Maureen Sheehan, President
P.O. Box 3978
Minneapolis, MN 55403

Re: 27 Groveland Terrace

Dear Ms. Sheehan:

I have been ordered by the Regulatory Services Department to install an exterior stairway for egress at the above building. I have prepared a plan with a contractor to install a simple, wrought iron stairway on the rear of the building. It will not be visible from the front or sides of the building, and will be as nondescript as possible on the back side.

I am only seeking this change or alteration of nonconforming use because of this Order of the City, and have designed it to have the least impact on the look of the building. There is no change in the number or type of dwelling units currently permitted under the existing nonconforming use. This is a safety modification only.

I have attached a copy of Alteration of Nonconforming Use statement prepared for the Planning Department. I am working with that department to satisfy all the requirements necessary for this installation.

I have owned this building since 1976. For many years it was my home, and a member of my family currently resides there. I am proud of the property and keep it well maintained. I would respectfully ask that you support this application for alteration to build an exterior egress stairway to comply with this Order of the City. Thank you for your assistance.

Sincerely,

John H. Ward
5916 Hansen Road
Edina, MN 55436-2513
(952) 922-8758
jhward@usfamily.net

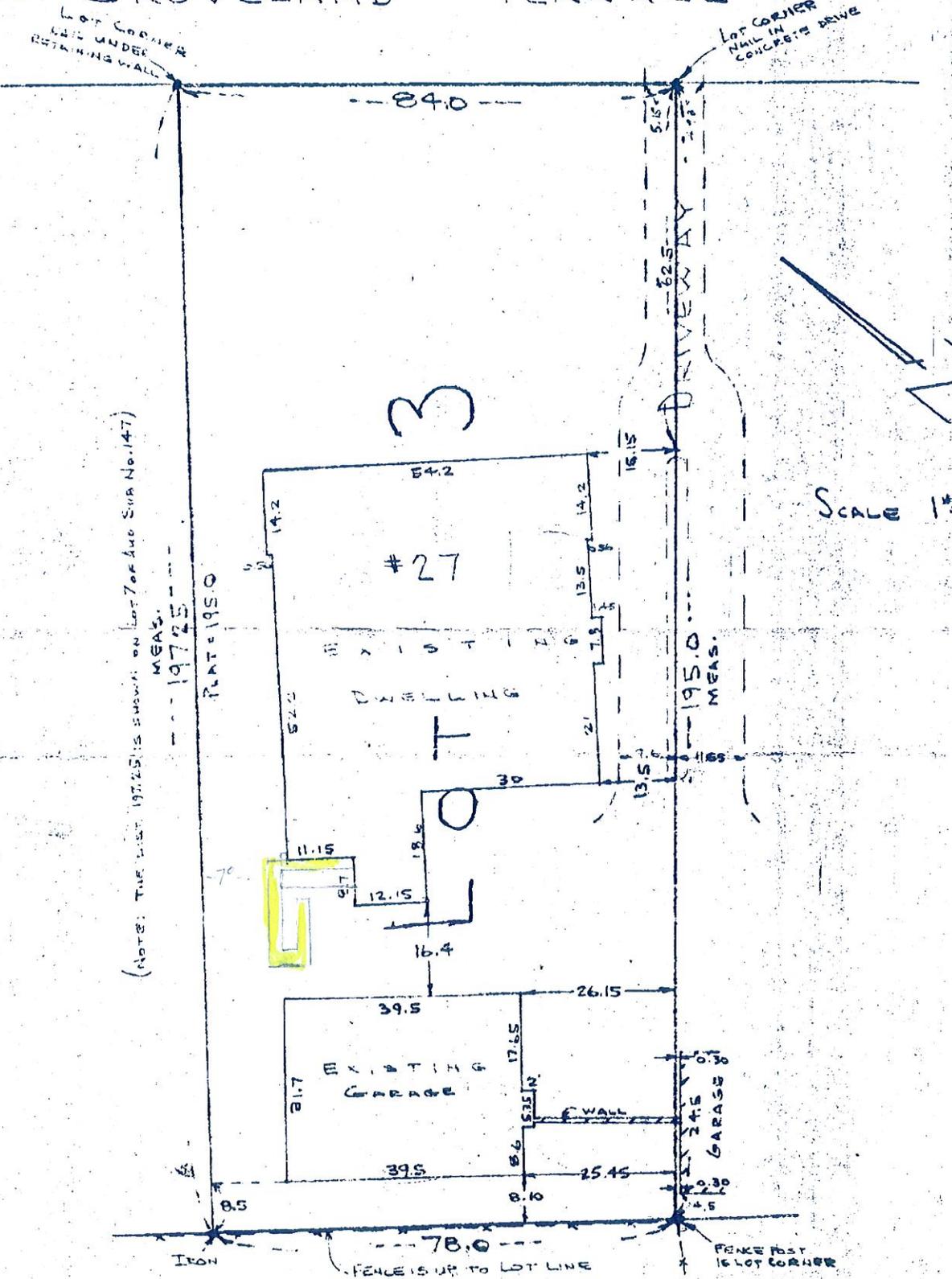


RONALD H. DEUTSCH
LAND SURVEYOR

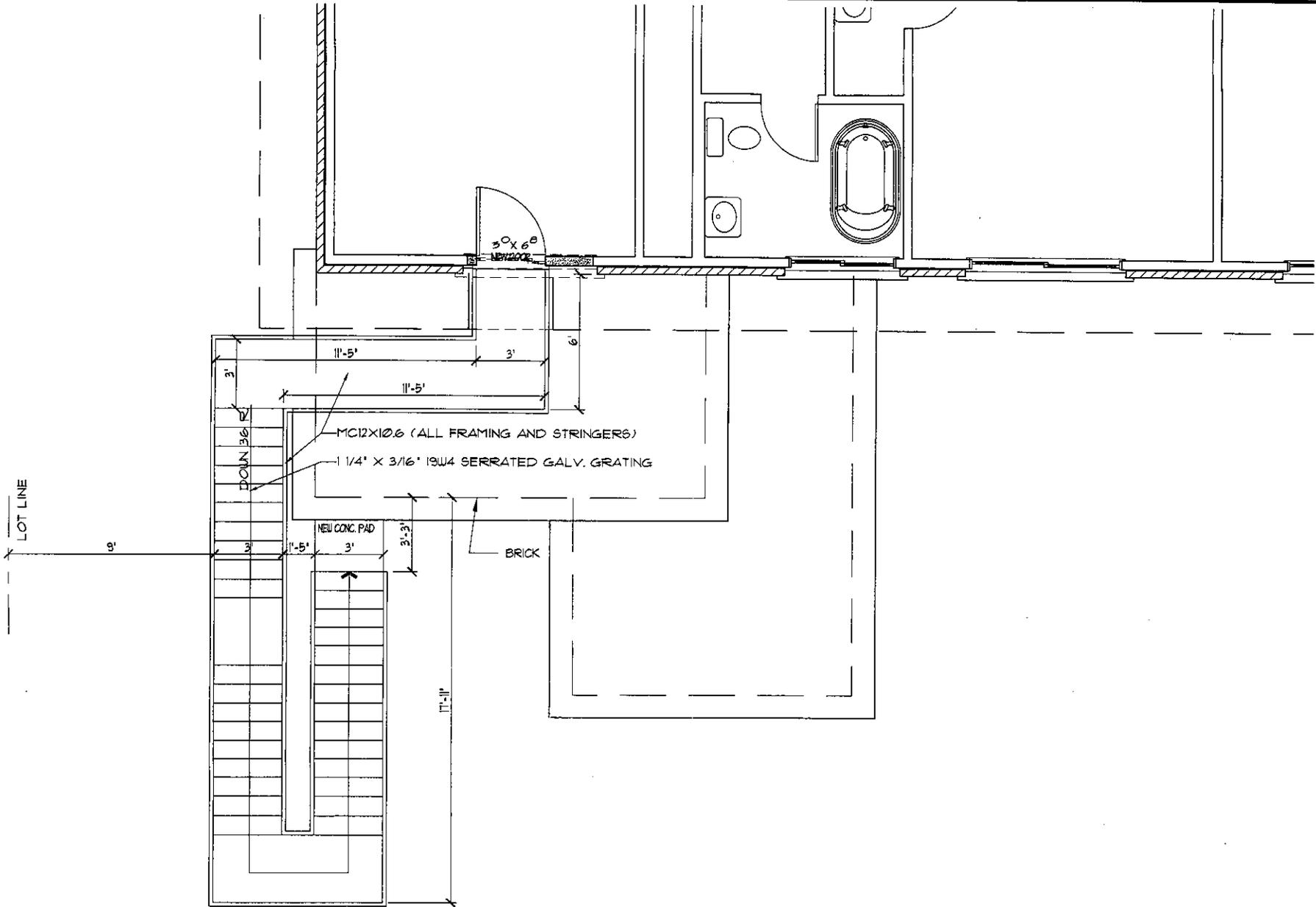
404B - 30TH AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55408

Survey prepared for: Carey, Blanchard and Curry

60 GROVELAND TERRACE



I hereby certify that this is a true and correct representation of a survey of the boundaries of Lot 3, Groveland Terrace Rearrangement on Lowry Hill, and of the location of all buildings there and all visible encroachments, if any, from or on said land. Surveyed by me the 7th day of



**STEVE'S DRAFTING
& HOME DESIGN**

3100 Rhode Island Ave. S.
St. Louis Park, MN 55426
TEL (952) 221-5772
FAX (952) 920-3722
email: stevedrafting@gmail.com

DATE	4/19/13
SCALE	1/4" = 1'
REVISED	8/7/13

RESIDENCE FOR:	LOT	BLOCK	COUNTY	REMARKS
	DEVELOPMENT			
	STREET ADDRESS			
	CITY, STATE			

STEVE'S DRAFTING HAS BEEN ADVISED BY THE ARCHITECT, ENGINEER, OR OTHER PROFESSIONAL CONSULTANT THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT. STEVE'S DRAFTING HAS BEEN ADVISED BY THE ARCHITECT, ENGINEER, OR OTHER PROFESSIONAL CONSULTANT THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT. STEVE'S DRAFTING HAS BEEN ADVISED BY THE ARCHITECT, ENGINEER, OR OTHER PROFESSIONAL CONSULTANT THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

SHEET DESCRIPTION

FLOOR PLAN

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STEVE'S DRAFTING
& HOME DESIGN

PLAN NUMBER
C20B43

SHEET
393



S
SOUTHEAST ELEVATION
 SCALE: 3/16"=1"

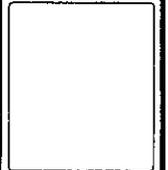
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DATE	4/19/13
SCALE	3/16"=1"
REVISION	07/13

RESIDENCE FOR	LOT	BLOCK	COUNTY	HENNEPIN
	DEVELOPMENT			
	STREET ADDRESS		21 GROVELAND TERRACE	
	CITY/STATE		MINNEAPOLIS, MN	

STEVE'S DRAFTING & HOME DESIGN ASSUMES NO RESPONSIBILITY FOR STRUCTURAL OR PERSONAL INJURY OR OTHER DAMAGE TO THE CONTRACTOR AND/OR OWNER. THE USER MUST VERIFY AND CHECK ALL DIMENSIONS, ELEVATIONS, SECTIONS AND LOCATIONS AND NOTIFY STEVE'S DRAFTING & HOME DESIGN OF ANY ERRORS OR OMISSIONS FOR CORRECTION. THE USER MUST OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE USER MUST VERIFY ALL DIMENSIONS AND LOCATIONS BEFORE CONSTRUCTION. THE USER MUST VERIFY ALL DIMENSIONS AND LOCATIONS BEFORE CONSTRUCTION. THE USER MUST VERIFY ALL DIMENSIONS AND LOCATIONS BEFORE CONSTRUCTION.



SHEET DESCRIPTION	EXTERIOR ELEVATION
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	SHEET W 0 2

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& HOME DESIGN**

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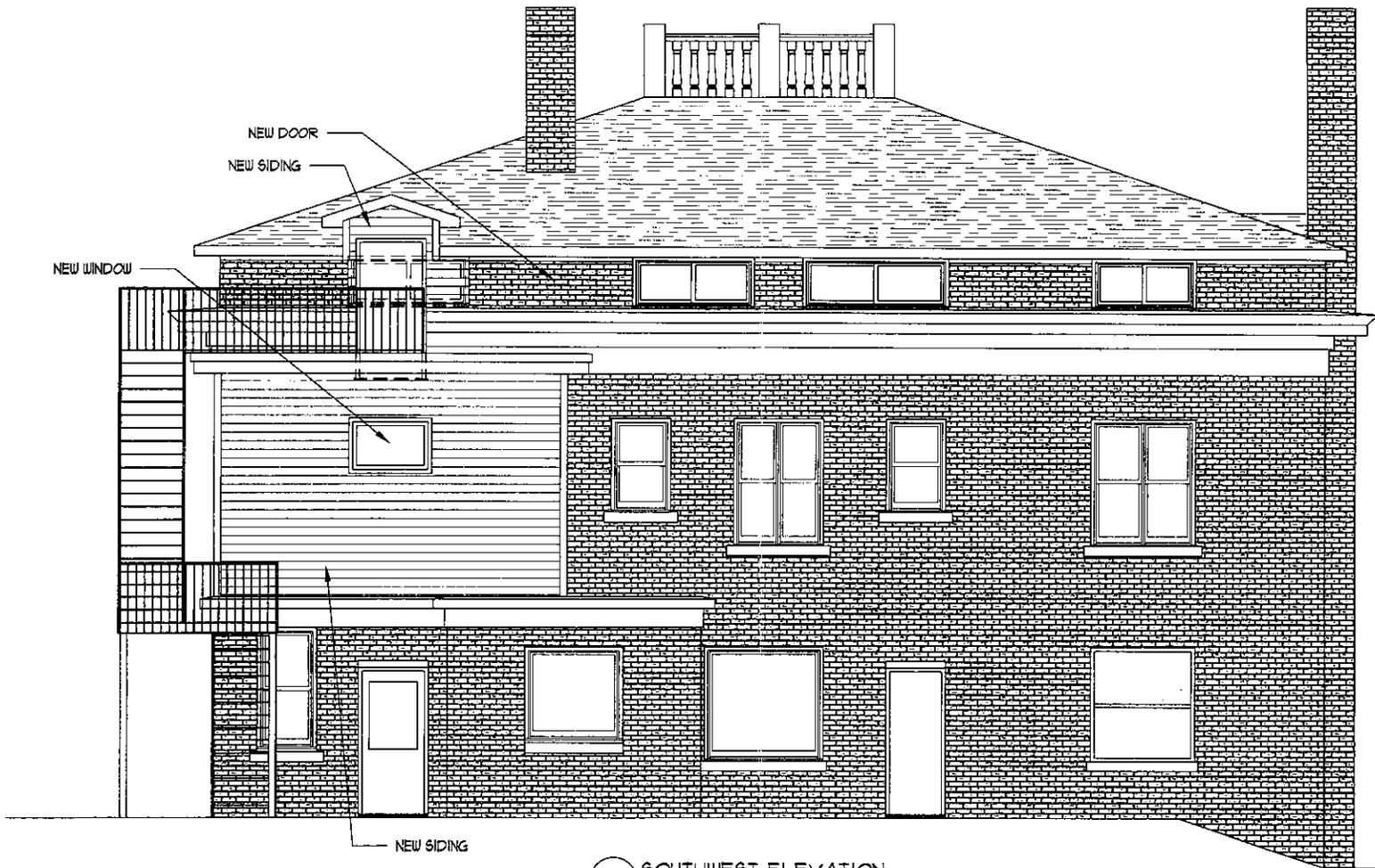
DATE	DRAWN BY	SCALE	DATE
4/19/13	steve	3/16" = 1"	REVISED
			8/7/13

RESIDENCE FOR:			
LOT	BLOCK	COUNTY	CITY
	DEVELOPMENT	HENNEPIN	MINNEAPOLIS, MN
STREET ADDRESS AND TERRACE			
27 GROVELAND TERRACE			

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	PLAN NUMBER C201343
	SHEET 1 3



SOUTHWEST ELEVATION
SCALE: 3/16"=1"









Future exit door

