



CPED STAFF REPORT

Prepared for the Board of Adjustment

BOA Agenda Item #4
 August 7, 2014
 BZZ-6687

LAND USE APPLICATION SUMMARY

Property Location: 1803 Quincy Street Northeast
Project Name: 1803 Quincy Street Northeast – Variances for New Construction
Prepared By: [Andrew Liska](#), City Planner, 612.673.2264
Applicant: Cooper Hanning
Project Contact: Cooper Hanning
Request: Variances to construct a new two-family dwelling.
Required Applications:

Variance	To reduce the required front yard setback from 20 feet to approximately 8 feet on a reverse corner lot.
Variance	To reduce the minimum lot size lot area by 22.6% for the construction of a two-family dwelling in the R2B District

SITE DATA

Existing Zoning	R2B District
Lot Area	7,740 square feet
Ward(s)	I
Neighborhood(s)	Logan Park Neighborhood Association
Designated Future Land Use	Urban Neighborhood
Land Use Features	N/A
Small Area Plan(s)	N/A

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject property is zoned R2B and is approximately 43 feet by 180 feet (7,740 square feet). It is a reverse corner lot and is vacant.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The property to the north, 1807 Quincy Street NE, is a 2.5 story two-family dwelling. The property to the east, 823 18th Avenue NE, is a vacant lot. The property east of the vacant lot, 825 18th Avenue NE, is a 2.5 story two-family dwelling with an approximate front yard setback of 12 feet. These three properties are all zoned R2B. The property to the south, 620 Central Avenue NE, is a large industrial building with several tenants zoned I1. The properties to the west consist of a rail road right-of-way and a single story commercial structure to the north. The properties to the west are zoned I2. This area is composed of a diversified mix of residential, commercial, office, and industrial uses.

Date Application Deemed Complete	July 16, 2014	Date Extension Letter Sent	N/A
End of 60-Day Decision Period	September 14, 2014	End of 120-Day Decision Period	N/A

PROJECT DESCRIPTION. The applicant is seeking to build a new one story, two-family dwelling with detached garage. The proposed structure is adhering to the setback requirements from the front yard from Quincy Street NE, the interior side yard (to the north), and the required rear yard. The corner side/front yard along 18th Avenue NE is has a proposed setback 8 feet. A retaining wall will be constructed along 18th Street NE to retain natural grade from the downslope of the road for the underpass of the rail line.

PUBLIC COMMENTS. As of writing this staff report, staff received comments from the Logan Neighborhood Association; They do not oppose the setback variance or reducing the minimum lot size for the construction of a new two-family dwelling but commented on the specific design of the proposed structure.

The communication with Logan Park Neighborhood Association can be found in the ‘Correspondence’ attachment. Staff will forward any additional comments, if received, at the Board of Adjustment meeting.

ZONING ANALYSIS. An analysis indicates that the proposed two-family dwelling meets the Design Standard points. Fifteen points are the minimum point total needed for approval and this proposal received 19 out of 24 possible points for the following design standards:

- Not less than one (1) off-street parking space per dwelling unit is provided in an enclosed structure that is detached from the principal structure (5 points);
- Not less than twenty (20) percent of the walls on each floor that face a public street, not including walls on half stories, are windows (3 points);
- Not less than ten (10) percent of the walls on each floor that face a rear or interior side lot line, not including walls on half stories, are windows (3 points);
- The pitch of the primary roof line is 6/12 or steeper (2 points);
- The development includes at least one deciduous tree in the front yard (1 point);
- Accessibility features including a ground-level accessible entrance, interior doorways not less than three (3) feet in width, and a ground level restroom (5 points; replacing the Design Standard points associated with basements)

ANALYSIS

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance of Chapter 525, Article IX Variances, specifically Section 525.520(1) “to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations.” based on the following [findings](#):

- I. *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.*

The circumstance upon which the variance is requested is unique to the parcel of land. The lot is a reverse corner lot and without a variance to the required yard facing 18th Street NE, this would be an unbuildable lot. The lot is 43 feet wide and with the required front yard setback along 18th Street NE of twenty (20) feet and the interior side setback of five (5) feet, the remaining building envelope would be eighteen (18) feet wide. The minimum width of dwellings is twenty-two (22) feet per the

Building Code and Design Standards found in the Zoning Code. This was not created by the applicant but rather by the platting of the area over one hundred years ago.

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 applicant is proposing to use the property in a reasonable matter. The spirit and intent of the ordinance and comprehensive plan is to encourage orderly development of front yard setbacks. The front yard setback along Quincy Street NE is maintained to district standards of twenty (20) feet and thus will not be impacting any neighboring properties to the north. The elongated dimension of the lot at one hundred and eighty (180) feet creates a sizable distance from neighboring properties to the east along 18th Avenue NE. Any structure built on the vacant lot at 823 18th Avenue NE will be over one hundred (100) feet away from the proposed dwelling. The nearest home along 18th Avenue NE is over one hundred and fifty (150) feet away.

This variance reducing the required front yard along 18th Avenue NE will not hinder orderly development nor will it create a conflict among land uses.

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 proposed variance will not alter the character of the locality or be injurious to the use or enjoyment of other properties in the vicinity. Health, safety, and welfare of the general public will not be compromised if this variance is granted.

While staff has concerns about the specific design of the structure and its compatibility with the built form in the immediate area, the granting of the front yard variance will not alter the character of the area. The essential character of this area is mixed use and with this comes varying front yard setbacks from the right of way. The proposed variance to reduce the front yard setback along 18th Avenue NE will allow multi-family infill development on an otherwise unbuildable lot and will not compromise the essential character of the locality.

The Department of Community Planning and Economic Development has analyzed the application for a variance of Chapter 525, Article IX Variances, specifically Section 525.520(2)(b) "To vary the lot area or lot width requirements up to fifty-five (55) percent for newly constructed two-family dwellings located in the R2B District, provided the surrounding properties are primarily two-family dwellings developed on lots similar in size to the proposed development," based on the following [findings](#):

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.*

The circumstance upon which the variance is requested is unique to the parcel of land. The applicant is seeking to reduce the minimum lot size of 10,000 square feet for the construction of a new two-family dwelling by 22.6%. This lot size was not created by the applicant but rather by the platting of this lot over one hundred years ago.

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 applicant is proposing to use the property in a reasonable matter consistent with the spirit and intent of the ordinance and the comprehensive plan. The area neighboring the subject property is composed of many uses with a majority of the residential uses being multifamily dwellings.

The applicant has proposed completely accessible dwellings that will have the capacity to serve both the elderly and handicapped populations. The Design Standards found in Chapter 530.280 associated with the Administrative Site Plan Review process for 1 - 4 Dwelling Unit proposals incentivizes buildings that have accessible features to serve both aforementioned populations within the community.

Of the twenty (20) residential uses on this square block and the adjacent block to the west, there are eleven (11) duplexes, two triplexes,

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 proposed variance will not alter the character of the locality or be injurious to the use or enjoyment of other properties in the vicinity. Health, safety, and welfare of the general public will not be compromised if this variance is granted. If approved, this mixed-use neighborhood will see increased density through multi-family infill development. The essential character of the residential uses in this area is predominately two-family dwellings; the proposed two-family dwelling will align with the neighborhood.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development for the Variance:

The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt the above findings and **approve** the application for a variance to reduce the required front yard along 18th Avenue NE from 20 feet to 8 feet on the reverse corner lot for the construction of a new two-family dwelling located at 1803 Quincy Street NE, 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 7, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Recommendation of the Department of Community Planning and Economic Development for the Variance:

The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt the above findings and **approve** the application for a variance to reduce the minimum lot area required by 22.6% to allow for the construction of a new two-family dwelling located at 1803 Quincy Street NE, 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 7, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site plan/Survey
4. Floor plans
5. Building elevations
6. Photos
7. Correspondence

Specific Land Use Application Requirements Checklist

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property, and these circumstances were not created by me.

Side Lot:

I am seeking a waiver of the requirement to have a set back equal to the front yard set back for neighbors in my rear yard on the side lot facing 18th NE Street. I am seeking a variance to build a home with an eight-foot set back on the corner side lot facing 18th street. The side lot set back requirement for a reverse corner lot is a circumstance of the decisions made up to 100 years ago when the block was platted and homes were sited, and the mid-century classification of this lot as a reverse corner lot. Without a setback variance the buildable width of the lot is less than 22 feet, which is the minimum permissible width for a home.

Lot Size:

I am seeking a variance to the lot size requirement to build a duplex on this lot, which is zoned multifamily R2B. The lot is 7,740 square feet. These circumstances were not created by me.

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.

Side Lot:

The spirit and intent of the ordinance regarding reverse corner lot side yards is to prevent the reverse corner lot home from crowding the front yards of homes neighboring the rear lot line. The lot to the rear of this one is currently vacant; any home built on that lot would be more than 100 feet from the corner of the home proposed in this application. Additionally, the front yards of the few homes currently facing 18th Street (more than 150 feet away from the proposed home) are approximately 14 feet. Thus, an eight-foot side yard will not negatively impact any existing homes.

The spirit and intent of the Minneapolis Comprehensive Plan (as amended August 16, 2011) is to preserve the look character of a traditional neighborhood. The proposed home will preserve the traditional front yard along Quincy Street and be appropriately set back from 18th Street sidewalk so as not to impede pedestrian, bicycle, or motorized transportation in any way.

Lot Size:

I propose to use this property for a side by side duplex. This is in keeping with both the spirit and intent of the zoning code, which zones this for R2B multifamily.

The proposed development also is in keeping with the spirit and intent of the Minneapolis Comprehensive Plan, which seeks to “promote development that is compatible with nearby properties, neighborhood character, and natural features” (General Land Use Policy 1.1.5). This development of a vacant lot will

add a modest multifamily residence to a block consisting of many multifamily residences, in a neighborhood that is a mix of industrial, commercial, and residential uses. Policy 1.1.8 is to “promote a range of housing types and residential densities,” which this development does by adding new, accessible housing stock at a density appropriately matched to the neighborhood.

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 vicinity will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

Side Yard and Lot Size:

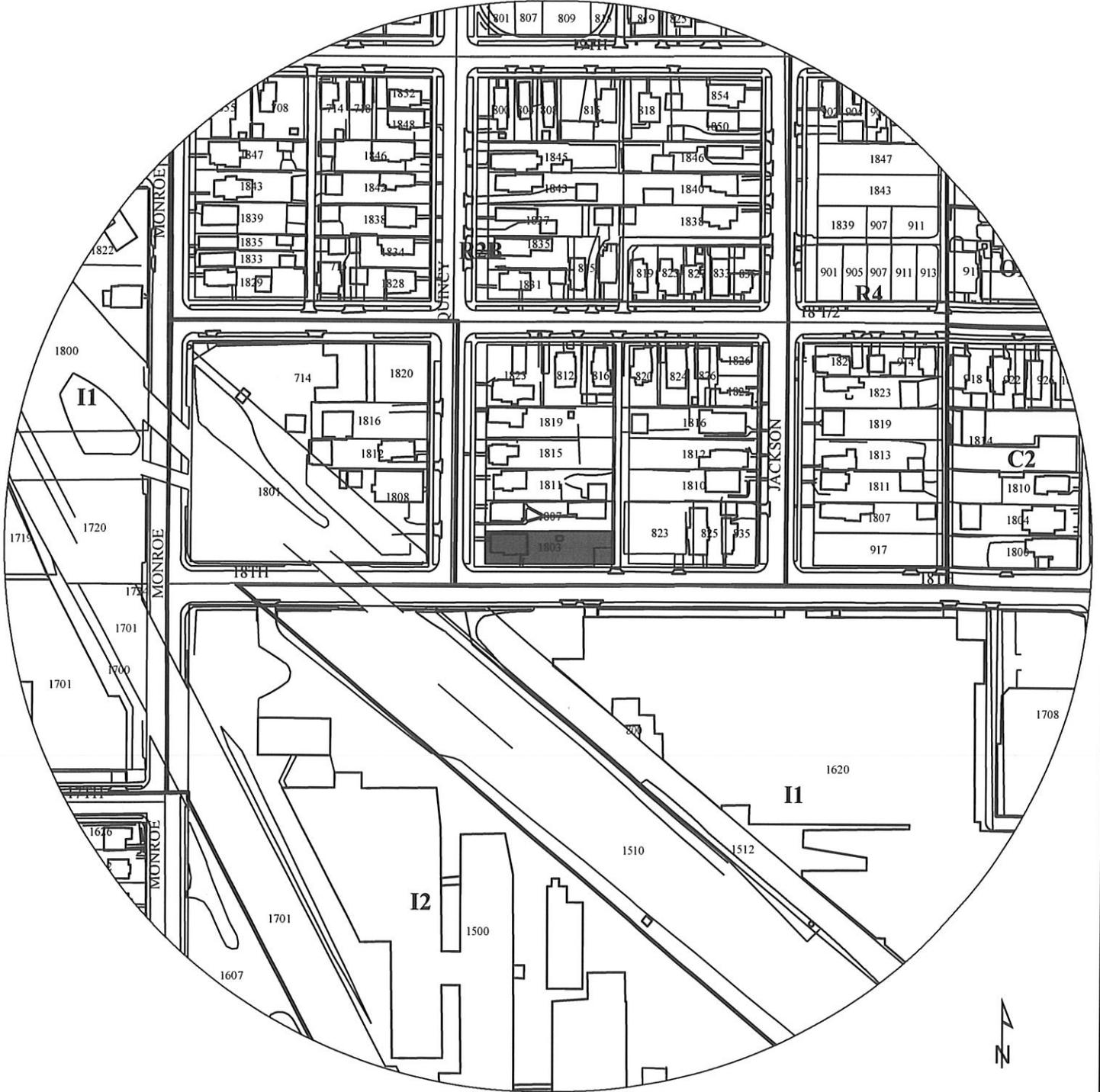
The proposed variances will not alter the essential character of this charming mixed-use neighborhood of rental and owner-occupied housing, industrial and transportation infrastructure, and commercial buildings. The variance will permit a building of modest height and footprint that preserves the traditional front yard along Quincy Street and gently approaches 18th Street with a standard 8-foot corner side lot set back. Activating this currently vacant lot with a residential use will contribute positively to the safety of neighbors and visitors without negatively affecting nearby properties.

Cooper Hanning

1st

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

1803 Quincy Street Northeast

FILE NUMBER

BZZ-6687

FOR Cooper Hanning

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE SUPERVISION AND THAT I AM A duly LICENSED SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
 Randy L. Kurth, L.L.S. No. 202270
 Russell J. Kurth, L.L.S. No. 101113

(SITE PLAN)

CERTIFICATE OF SURVEY
 (MEASUREMENTS SHOWN IN FEET AND DECIMALS OF A FOOT)

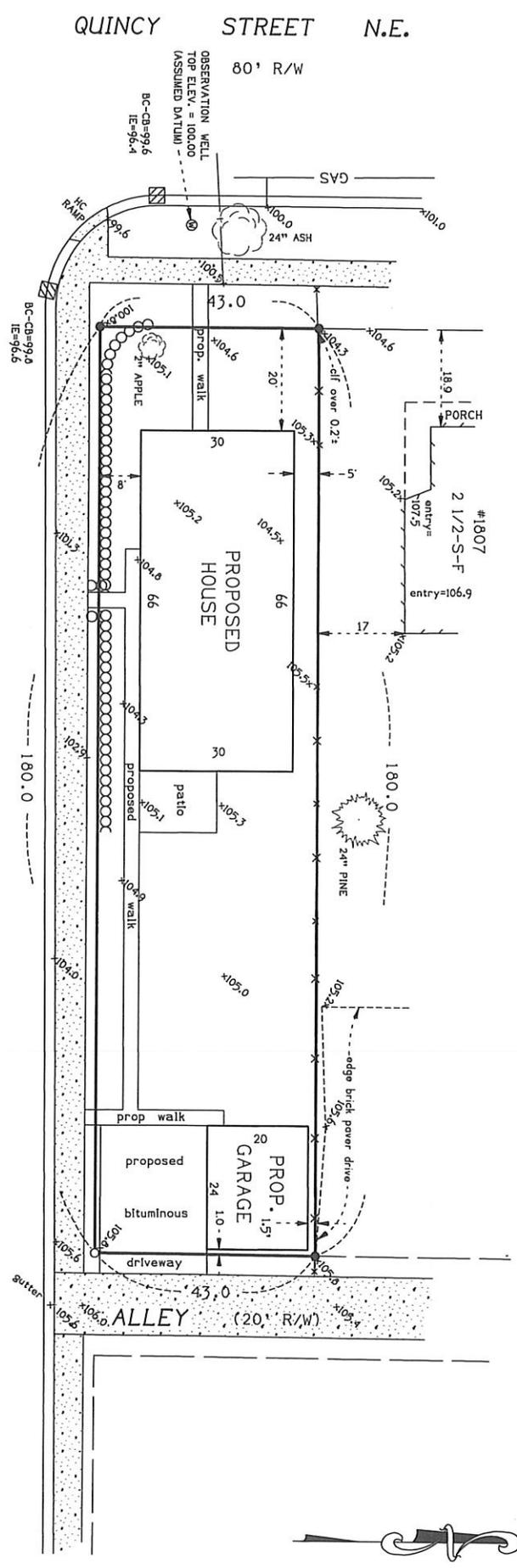
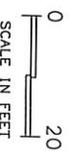
KURTH SURVEYING, INC.
 4002 JEFFERSON ST. NE.
 COLUMBIA HEIGHTS, MN 55421
 PHONE (763) 788-9769 FAX (763) 788-7662
 E-MAIL: kst@kurthsurveyinginc.com

REV. 7-16-14 (SITE PLAN)

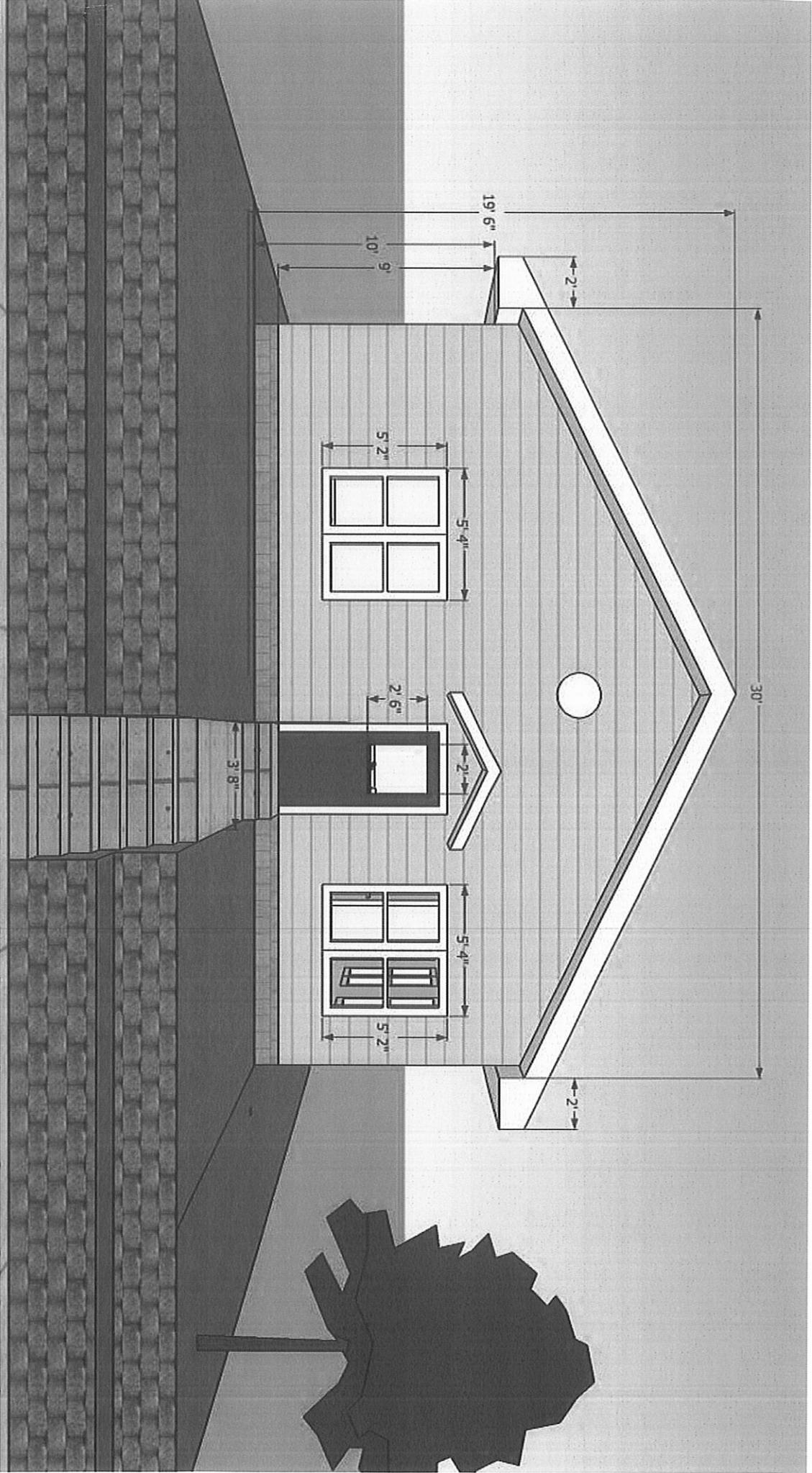
DATE 10-6-2013

- = IRON PIPE MONUMENT SET
- = IRON PIPE MONUMENT FOUND
- ⊗ = SPIKE SET
- +— = CHAIN LINK FENCE (CLF)
- 105.2x = EXISTING ELEVATION

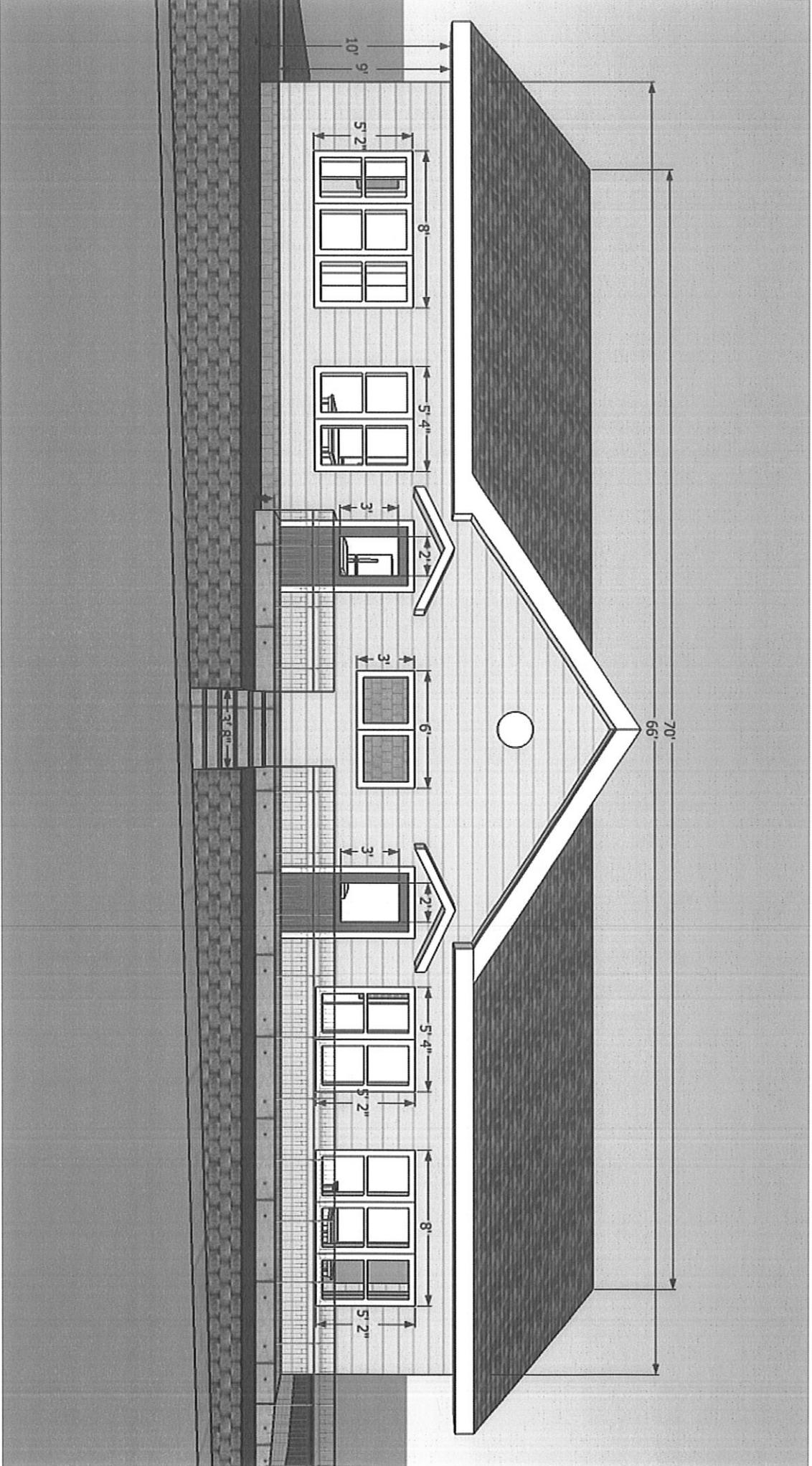
XXXX = POSSIBLE RETAINING WALL
 [Pattern] = CONCRETE SURFACE



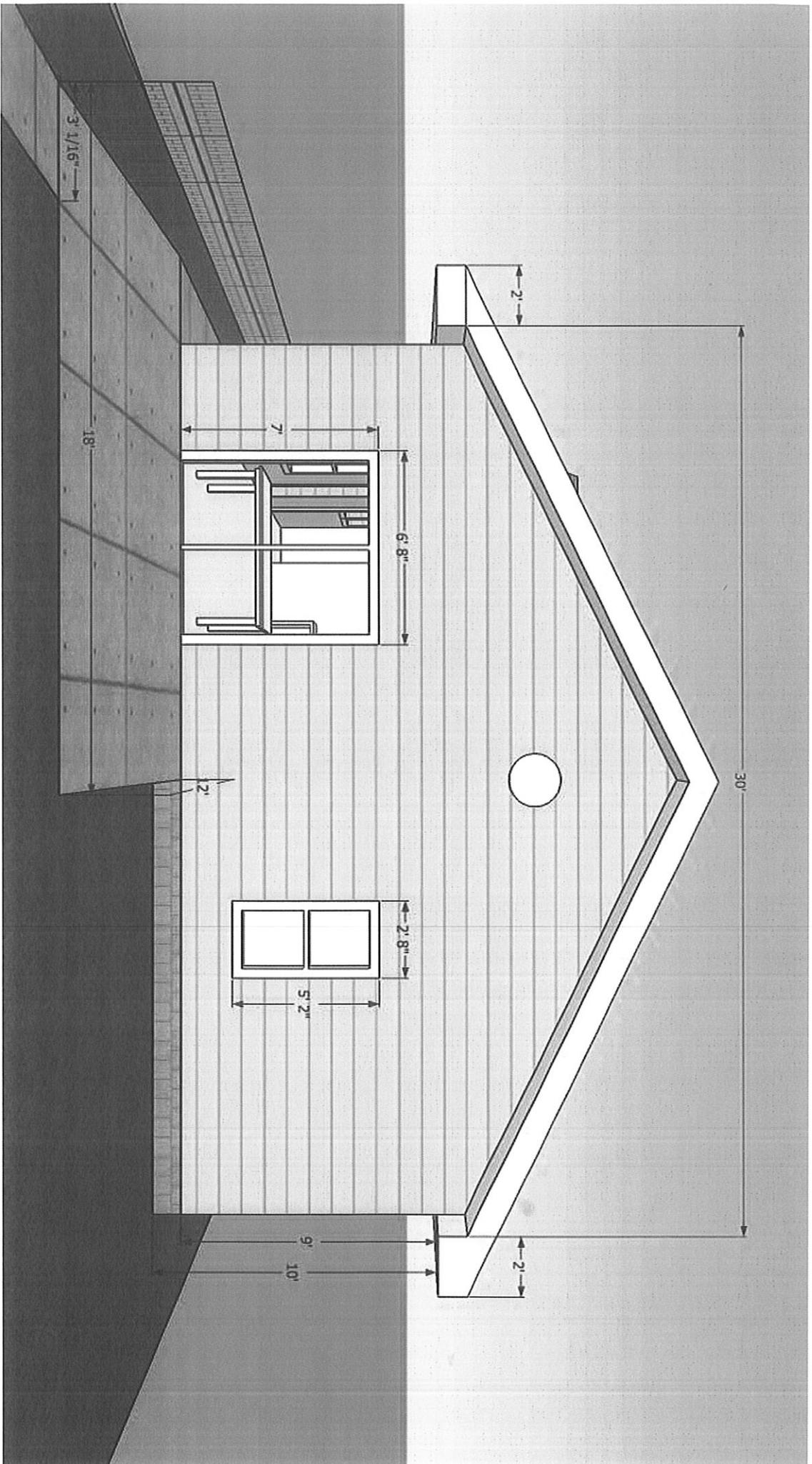
Front Looking east from Quincy



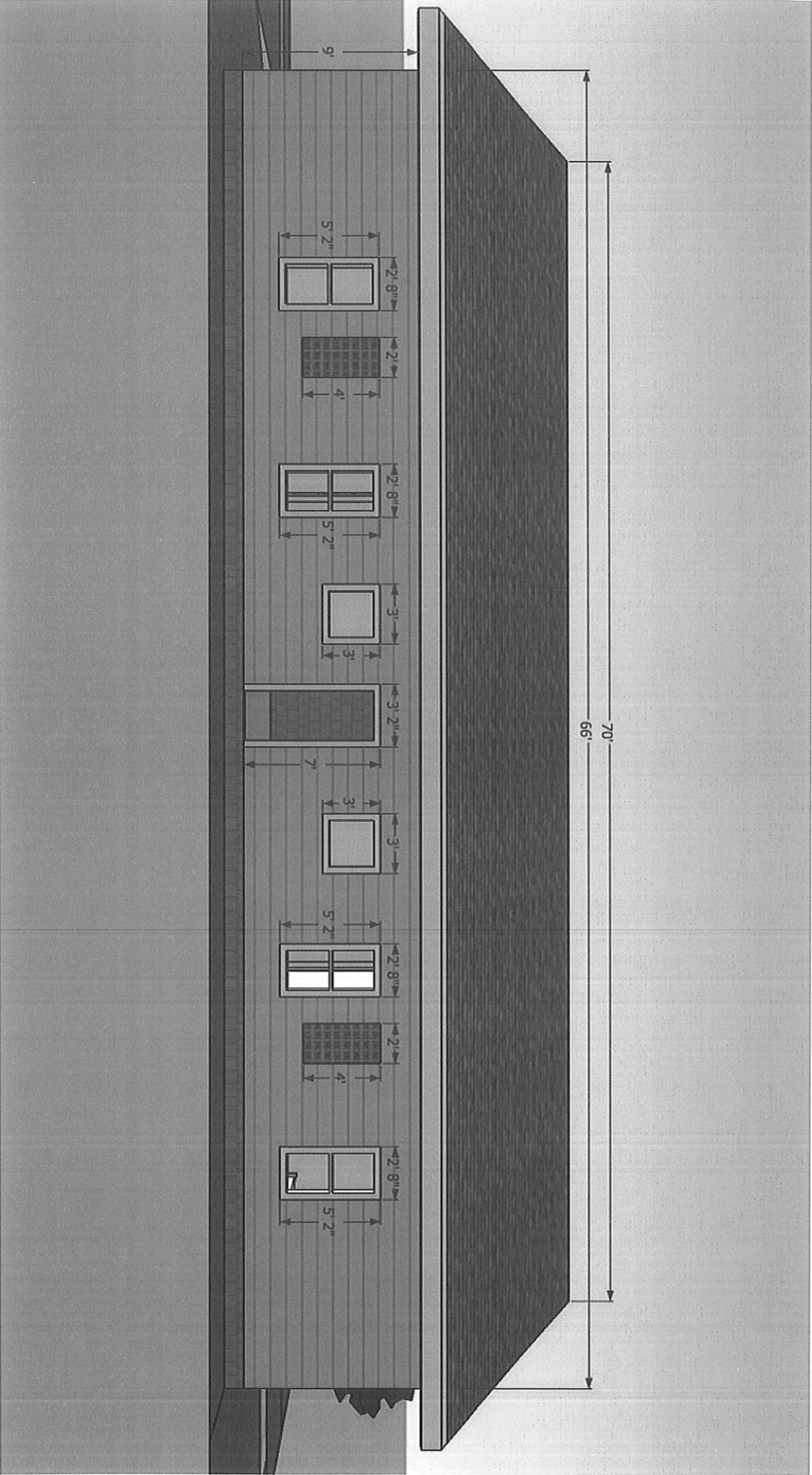
Corner Side Looking north from 18°



Rear Looking west from back yard



Interior Side Looking South from neighboring lot

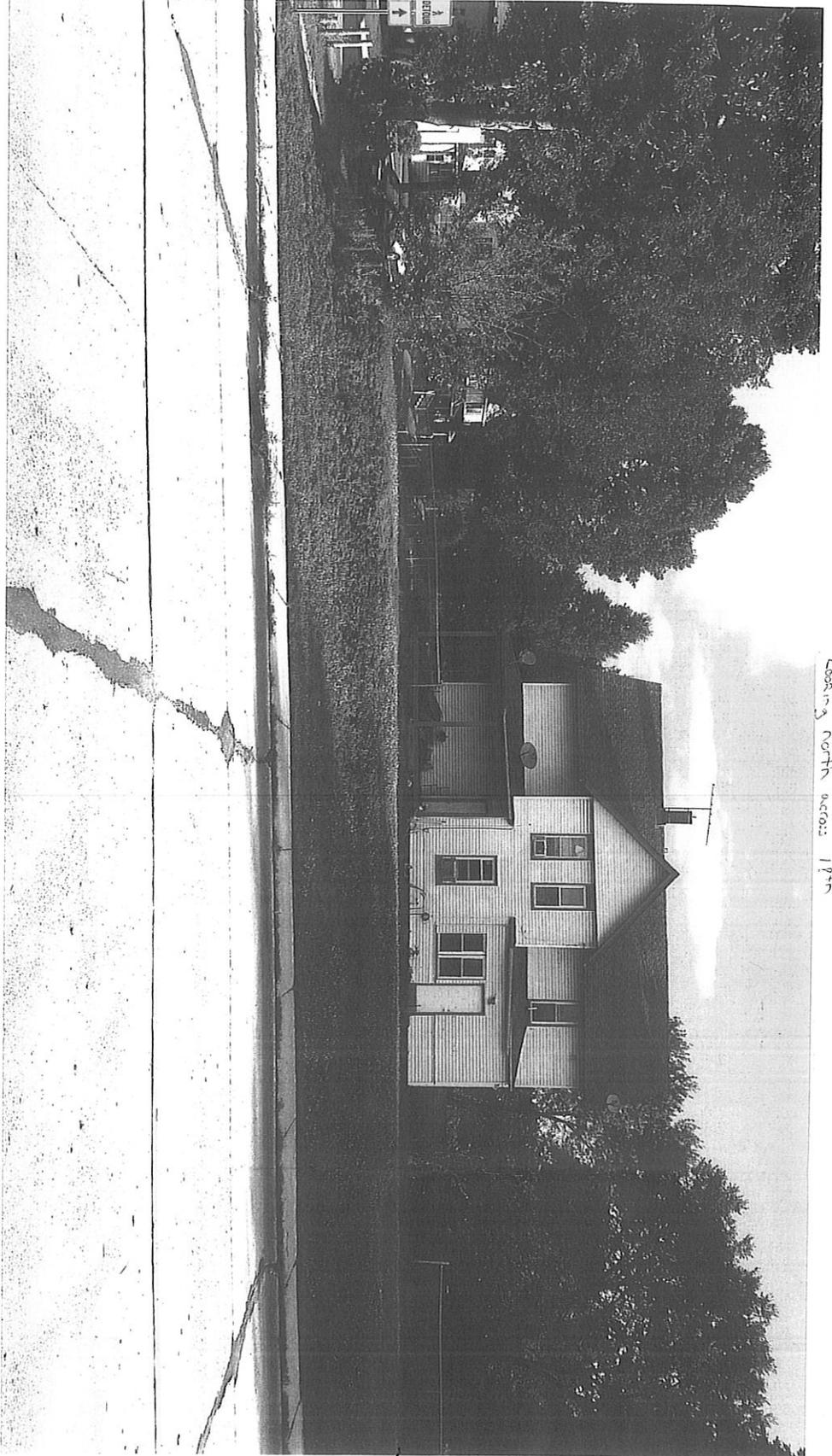




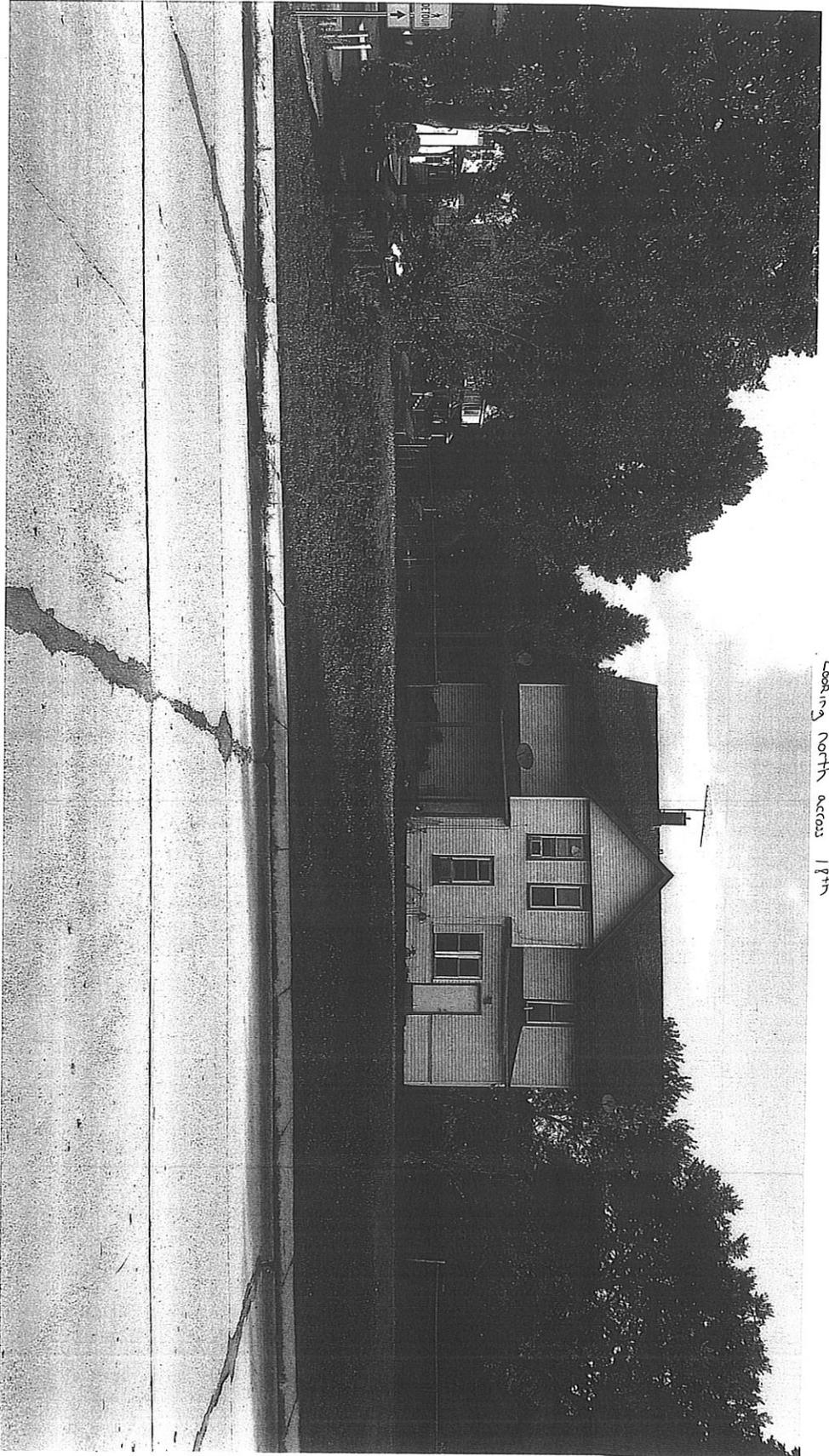
Looking east from Olney



Looking out from house across 1st



Looking north across 12th



Looking North across 1st

Liska, Andrew

From: Liska, Andrew
Sent: Tuesday, July 22, 2014 2:41 PM
To: 'loganparkna@aol.com'
Subject: RE: 1803 Qunicy St NE

Nancy,

The first variance being sought after is to reduce the required yard along 18th Street NE. This is a reverse corner lot and the required setback is 20 feet. In short, any development on this parcel would require a variance to build.

The second variance is seeking a variance to reduce the minimum size of a lot that a new duplex can be built on from 10,000 square feet to 7,740 square feet. He is reducing the minimum by 22.6%.

Both of these variances would be required to build a duplex on this parcel, regardless of proposed design.

No building permit has been applied for and no administrative site plan review has been submitted in conjunction with the land-use applicant for the variances. Shannon McDonough, the aide of Councilmember Reich, and I have been in contact regarding the proposed structure (rather than the requested variances). Shannon indicated that the Councilmembers office would likely be setting up a time to discuss more desirable designs with the applicant.

As of now, the applicant appears to be seeking the construction of an ADA accessible two-family dwelling. The proposal does meet Design Standard point minimums for new 1- 4 Dwelling Units but no formal plans have been submitted to the City regarding this application.

If you have any other questions or concerns, please let me know.

Respectfully,

Andrew

From: loganparkna@aol.com [<mailto:loganparkna@aol.com>]
Sent: Tuesday, July 22, 2014 12:22 PM
To: Liska, Andrew
Subject: 1803 Qunicy St NE

Dear Andrew,

What more can you tell me about the variances being sought for this proposed duplex. The design does not fit in with the housing stock in the neighborhood very well and people have voiced concerns that it is "suburban" looking and rather ugly.

Nancy Przymus
LPNA
612-801-7834

Liska, Andrew

From: Liska, Andrew
Sent: Thursday, July 17, 2014 12:59 PM
To: Ellis, Bradley E.
Subject: RE: 1803 NE Quincy Street

It's me.

I will follow up.

A

From: Ellis, Bradley E.
Sent: Thursday, July 17, 2014 12:36 PM
To: Liska, Andrew
Subject: FW: 1803 NE Quincy Street

Andrew,

Is this the one you're working on? It looks like they've sent a request to the CM. If it is the one you mentioned, please get back to Shannon. Thanks,

Brad Ellis, AICP

Senior City Planner

City of Minneapolis – Community Planning and Economic Development – Zoning Administration

250 South Fourth Street – Room 300

Minneapolis, MN 55415

Office: 612-673-3239

bradley.ellis@minneapolismn.gov

www.minneapolismn.gov/cped



From: Callahan, Daniel T.
Sent: Thursday, July 17, 2014 12:09 PM
To: McDonough, Shannon
Cc: Poor, Steve; Ellis, Bradley E.
Subject: RE: 1803 NE Quincy Street

Shannon,

Looks like mostly zoning/planning questions. I'll forward the attachments on to Steve and Brad.

If they are able to receive zoning approval it appears to be a pretty simple building (building code wise).

Dan

Dan Callahan
Supervisor, Plan Review
673-5832

From: McDonough, Shannon **On Behalf Of** Reich, Kevin A.
Sent: Thursday, July 17, 2014 11:01 AM
To: Callahan, Daniel T.
Subject: FW: 1803 NE Quincy Street

Greetings,

The Council Member would like to know your thoughts on this proposal

Best,

Shannon

Shannon McDonough
Policy Aide - First Ward
612-673-2003
City Hall, Room 307
350 South 5th Street
Minneapolis, MN 55415
shannon.mcdonough@minneapolismn.gov
Solving problems and creating opportunities

From: Cooper Hanning [<mailto:cooperhanning@gmail.com>]
Sent: Tuesday, July 15, 2014 6:59 PM
To: Reich, Kevin A.
Cc: Liska, Andrew
Subject: 1803 NE Quincy Street

Email to Councilmember Reich

To: kevin.reich@minneapolismn.gov
CC: andrew.liska@minneapolismn.gov

July 15, 2014

Dear Councilmember Reich:

I am writing to inform you of a land use application I will submit to the City of Minneapolis to build a modest duplex at 1803 NE Quincy Street. The one-level house will feature ground-level entry, three-foot wide interior doors, and a ground-floor bathroom to be livable for people of many ages and abilities. The site is zoned for

multifamily use. It lies at the northeast corner of 18th Street and Quincy Street and neighbors a two-story duplex, a vacant lot, a warehouse, and a commercial business.

This lot was the site of a large multifamily residence which was torn down by the City of Minneapolis a couple years ago. The proposed new home will be set back from Quincy Street by 20 feet, maintaining the traditional line of front yards along the street. It will be set back 5 feet from the property line at 1805 Quincy, which is five feet farther than the previous home. It will be set back eight feet from the 18th Street property line. The proposed two-stall garage will be sited at the northeast corner of the lot, 1.5 feet from the north lot line and one foot from the alley.

The lot is a “reverse corner lot” and I am seeking a variance of the corner side lot requirement. I wish to build 8 feet from the 18th Street lot line, which is the required set back for corner side lots. I am also seeking a variance to build a duplex on this lot. The neighborhood is zoned for multifamily residences. Nonetheless, the city requires that lots of less than 10,000 square feet seek a variance before building multifamily. This lot is 7,740 square feet, which is one of the largest in the neighborhood.

I have attached a view of the proposed home from the Quincy and 18th Street sides to help you visualize the proposal. I hope I can count on your support for this positive development in your ward.

Please contact me with any questions.

Sincerely,
Cooper Hanning

1335 Madison Street NE
Minneapolis, MN 55413
952-412-1711
cooperhanning@gmail.com