



CPED STAFF REPORT

Prepared for the Board of Adjustment

BOA Agenda Item #4
 August 21, 2014
 BZZ-6712

LAND USE APPLICATION SUMMARY

Property Location: 4910 Russell Avenue South
Project Name: 4910 Russell Avenue South – Variance for Construction of Attached Garage
Prepared By: [Andrew Liska](#), City Planner, 612.673.2264
Applicant: Deanna Dickens
Project Contact: Deanna Dickens
Request: Variance to construct an attached garage.
Required Applications:

Variance	To reduce the south interior side yard setback from 6 feet to 5 feet.
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SITE DATA

Existing Zoning	RI District
Lot Area	6,804 square feet
Ward(s)	13
Neighborhood(s)	Linden Hills
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 RI and is approximately 50 feet by 136 feet (6,804 square feet). A one and one half story single-family residence and detached garage occupy this site. There is no alley serving this parcel thus, the detached garage is accessed from the driveway off of Russell Avenue South.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The property to the north, 4904 Russell Avenue South, has a detached garage to the rear of the property. The property to the south, 4916, has an attached garage. Of all the dwellings on this block, the property to the south is the only property that has an attached garage.

PROJECT DESCRIPTION. The applicant is seeking to remove the existing thirty-two (32) foot by twenty-one (21) foot detached garage in the rear of the property. Proposed is an attached garage measuring twelve (12) feet by twenty-four (24) feet attached to the south facing wall of the existing single-family dwelling.

Date Application Deemed Complete	July 30, 2014	Date Extension Letter Sent	N/A
End of 60-Day Decision Period	September 28, 2014	End of 120-Day Decision Period	N/A

The proposed garage is five (5) feet from the south interior side lot line. The required interior side setback for the RI Zoning District is six (6) feet. The applicant is seeking a variance to reduce the required interior side yard setback by one (1) foot to allow for the construction of an attached garage.

PUBLIC COMMENTS. As of writing this report, staff has not received any correspondence from the Linden Hills Neighbors Association. Any correspondence received prior to the public meeting will be forwarded on to the Board of Adjustment for consideration.

ZONING ANALYSIS. An analysis indicates that the proposed attached garage will meet minimum zoning standards, with the exception of the required south side yard. A full building permit will be required for the construction of said attached garage and these figures will be confirmed if the variance is granted to reduce the required interior side yard setback.

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:

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.*

There are no unique aspects to this parcel that create a practical difficulty in complying with ordinance. The existing dwelling is seventeen (17) feet from the southern property boundary. The applicant would be able to construct an attached garage and meet ordinance standards by proposing an eleven (11) feet wide garage rather than twelve (12) feet. The applicant would also be able to construct a detached garage to the rear of the structure and meet ordinance.

The applicant notes that the variance is being requested due to the slope of the driveway and accessing in the winter months is difficult due to ice and snow. While grade changes exist, they do not demonstrate an inability to reduce the garage width to eleven (11) feet to meet ordinance or reconfigure a garage to the rear with easier access.

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.*

While staff has some concern about the proximity of the garage to the neighboring home to the south, the applicant is proposing to use the property in a reasonable matter. This is a residential area and the proposed attached garage, while not prevalent in the area, is not completely uncommon. This is consistent with the character of the area and the future land-use map demonstrated in the Comprehensive Plan.

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.*

Although staff has some concern about locating the garage approximately 10 feet from the neighboring home to the south, the proposed variance will not alter the character of the locality or be injurious to the use or enjoyment of other property in the vicinity. Health, safety, and welfare of the general public will not be compromised if this variance is granted.

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 **deny** the application for a variance to reduce the south interior side yard setback from 6 feet to 5 feet for the construction of an attached garage at 4910 Russell Avenue South.

ATTACHMENTS

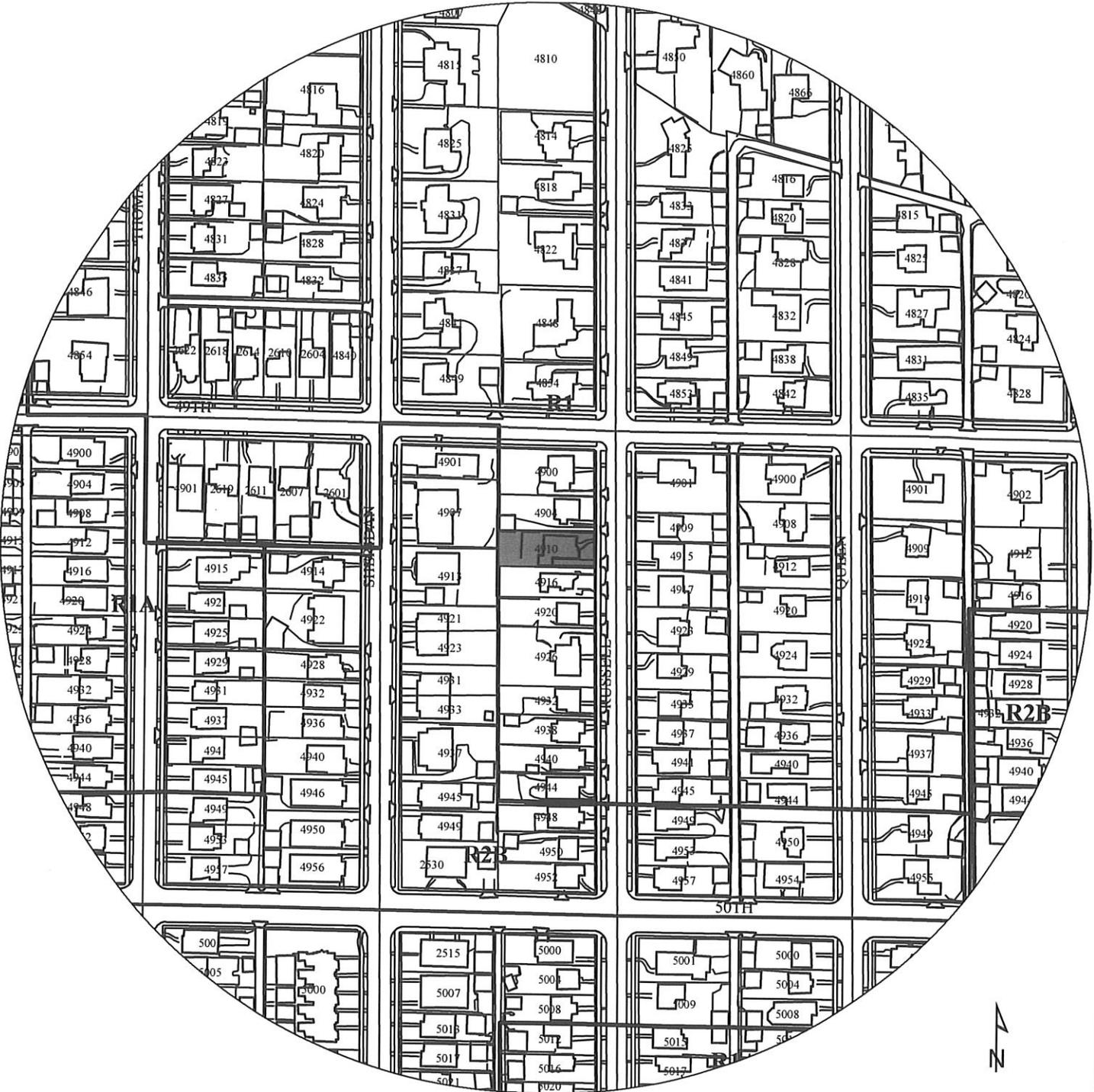
1. Written description and findings submitted by applicant
2. Zoning map
3. Site plan/Survey
4. Building elevations
5. Floor plans
6. Photos
7. Correspondence

Deanna Dickens

13th

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

4910 Russell Avenue South

FILE NUMBER

BZZ-6712

RE: Variance Request Proposed Attached Garage for 4910 Russell Ave South, Minneapolis MN 55410

Currently there is a detached 3 car garage built by the previous owner from whom I purchased the property. The previous owner removed the attached single car garage in order to build the existing 3 car garage.

I wish to remove the 3 car garage and concrete driveway and build an attached single car garage. Unfortunately, the three car garage was built at the end of a downward sloping driveway. In the 2 winters I have owned the property the garage has been unusable as it has not been possible to keep the driveway or garage door areas free from ice or snow. This has resulted in several falls. By removing the three car garage and lengthy driveway the property would regain a fenced in backyard with potential for a grass lawn, trees and shrubbery.

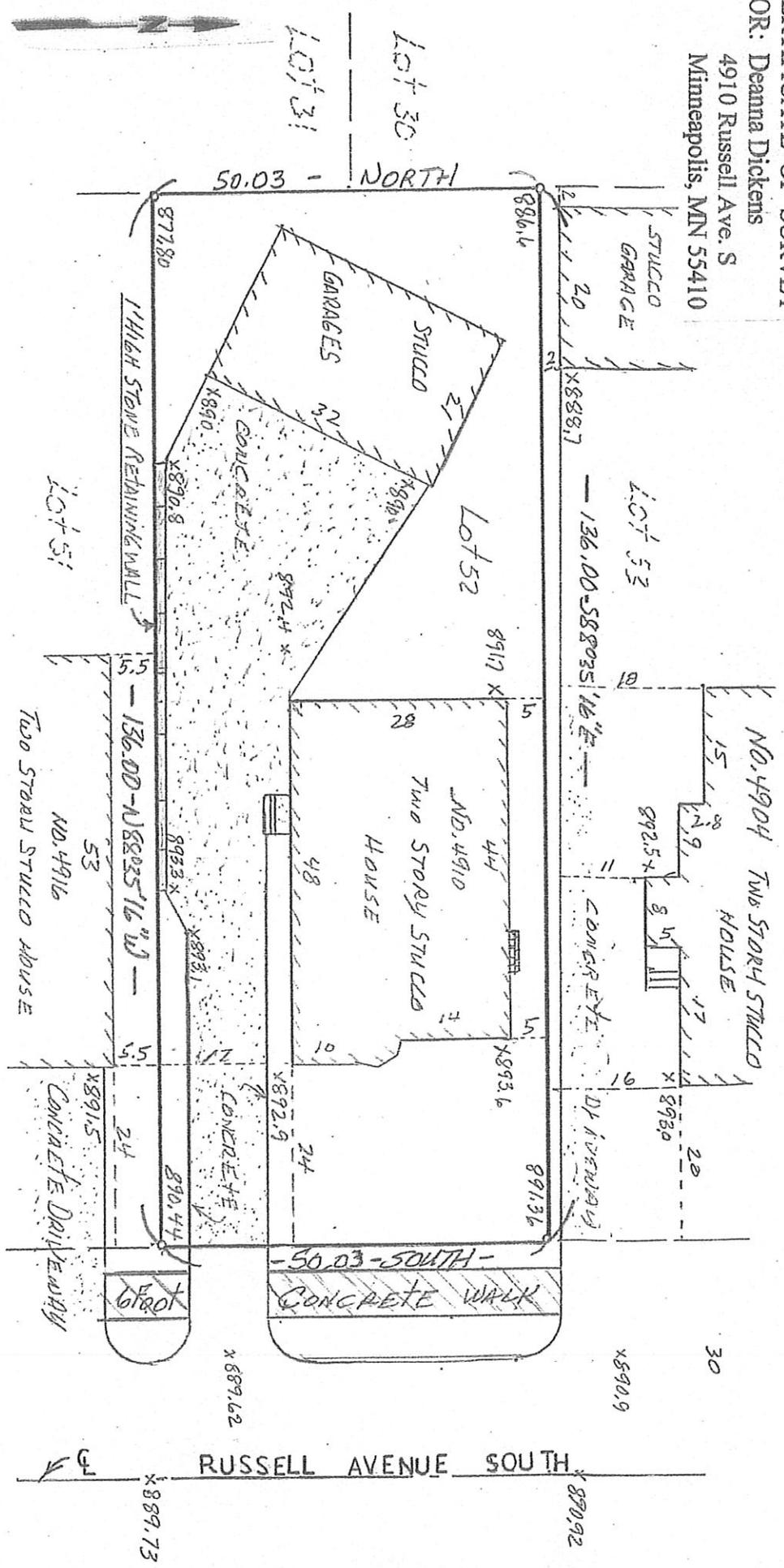
Building an single car 12X24 foot attached garage would require a 5 foot distance from the west side property line resulting in a 1 foot easement. The requested variance would not be detrimental to the health, safety or welfare of others as access would be maintained to and between properties.

The proposed attached garage would maintain the character of the property and essential character of the neighborhood. My intent is to repurpose as many of the materials from the existing garage as is practical.

Thank you for your consideration.

Deanna L. Dickens
4910 Russell Ave South
Minneapolis MN 55410
651-233-8536
deannadickens@gmail.com

CERTIFICATE OF SURVEY
 FOR: Deanna Dickens
 4910 Russell Ave. S
 Minneapolis, MN 55410



Scale: 1" = 20'
 o denotes iron monument
 x000.0 = Existing elevation
 Bearings are assumed
 Parcel Area = 6804.08 Sq. Ft.

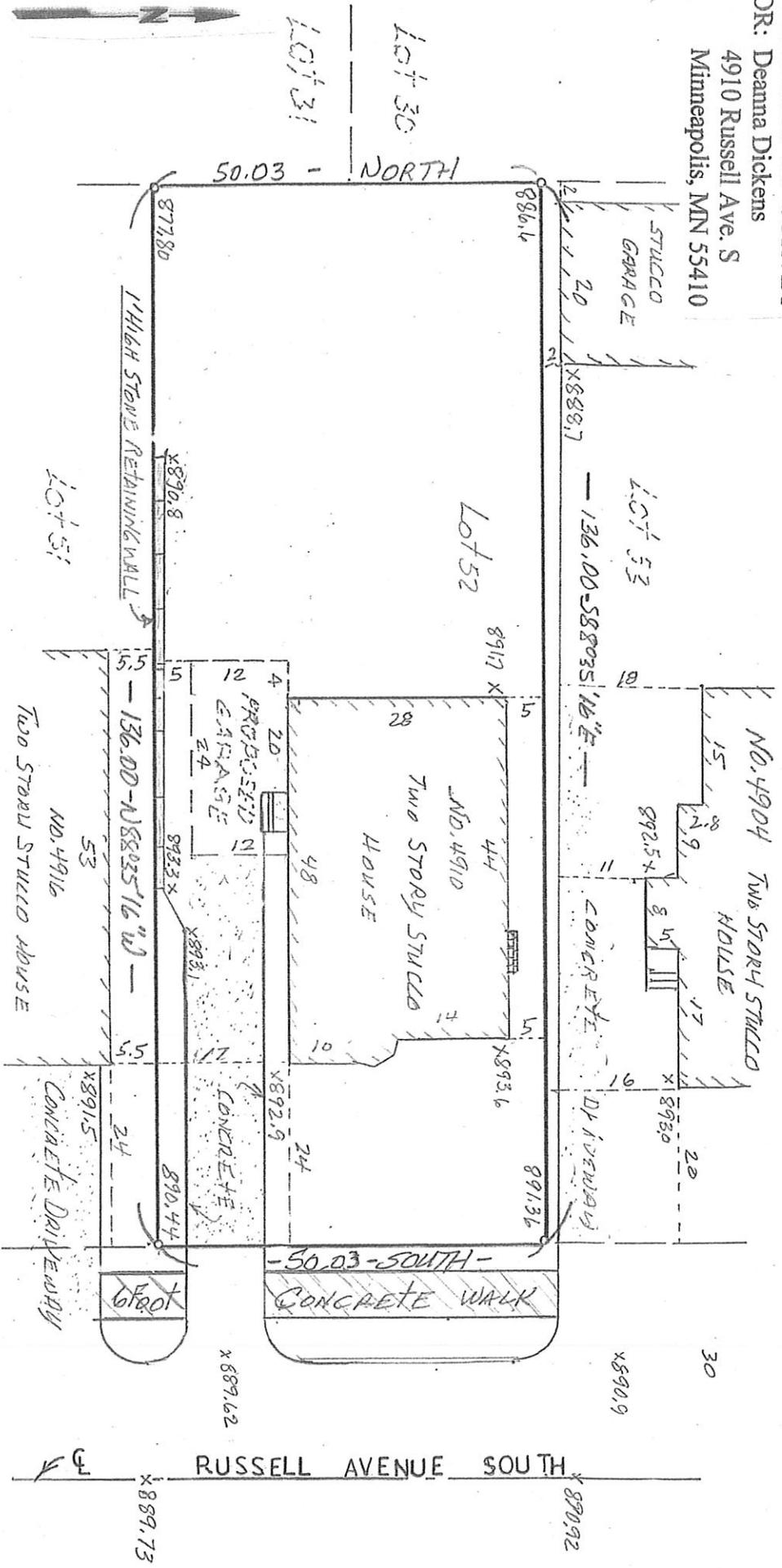
Legal Description:
 Lot 52, AUDITORS SUBDIVISION NO. 166
 HENNEPIN COUNTY MINN.

Benchmark: HNW @ 49th St and Russell Ave. S.
 N.G.V.D. 1929 adjusted elevation = 894.91 feet.

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.
 Surveyed by me this July 9, 2014.

Herb F. Lemire
 Herb F. Lemire RLS
 Minnesota Reg. No. 13349
 4416 Abbott Ave. N
 Robbinsdale, MN 55422
 Phone: 763.537.0497

CERTIFICATE OF SURVEY
FOR: Deanna Dickens
4910 Russell Ave. S
Minneapolis, MN 55410



Scale: 1" = 20'
 o denotes iron monument
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 Bearings are assumed
 Parcel Area = 6804.08 Sq. Ft.

Legal Description:
 Lot 52, AUDITORS SUBDIVISION NO. 166
 HENNEPIN COUNTY MINN.

Benchmark: HNNW @ 49th St and Russell Ave. S.
 N.G.V.D. 1929 adjusted elevation = 894.91 feet.

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota. Surveyed by me this July 9, 2014.

Herb F. Lemire
 Herb F. Lemire RLS
 Minnesota Reg. No. 13349
 4416 Abbott Ave. N
 Robbinsdale, MN 55422
 Phone: 763.537.0497

WORK ORDER

HOME PHONE: 651-333-8536
BUS. PHONE: _____

NAME: Deanna Dickens
JOB ADDRESS: 4910 - Amsell Ave. So.
BLDG CODE AREA: Minneapolis
SALESMAN: Jim CONTRACT DATE: 6-10-14 SIZE: 12'x24'

Permit by _____
Legal Description _____
Lot _____
Blk _____
Add'n _____
Value _____
Type Const _____

FOR OFFICE USE ONLY _____ ATT: _____

SLAB
 By First Landmark
 By Owner Approx.
 In

2-STARTING POINTS ONLY
S.P.L. _____
S.S.P.L. _____
R.P.L. _____
Alley _____
House _____
F. Street _____
Other _____

Square With _____
 Sod Rem. - By _____
 A.B.U. _____
 & Grade Point _____
 Conduit _____

Blocks: By Owner By FLM
 Wtr. proof: By Own. By FLM
 Backfill: By Owner By FLM
 Maintain 8' Total Wall Height Including Blocks OR
 Maintain 8' Wall Height on Top of Blocks
Block Size (Top course)
 8" 6" 4"

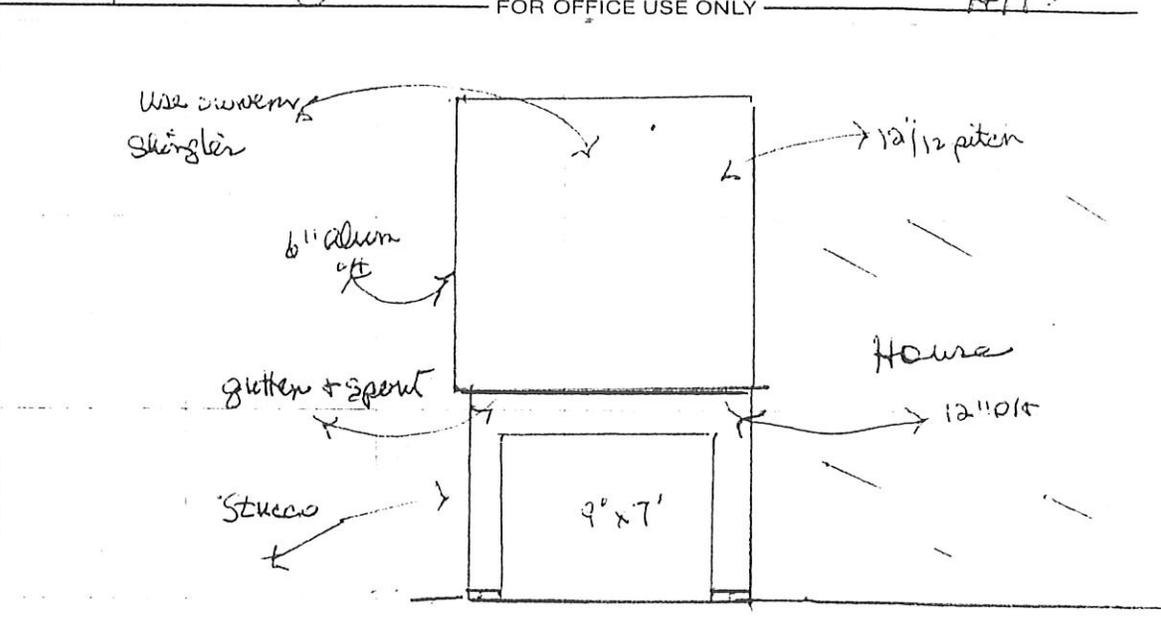
Wall Height other than 8' _____
 Frame with full wall height sold OR
 Cut studs as required for OHD clearance
 O.H. Dr Offset
 S.D. Location
 Windows

Attached Garage Roof Tie-in Drawn on attached pictures

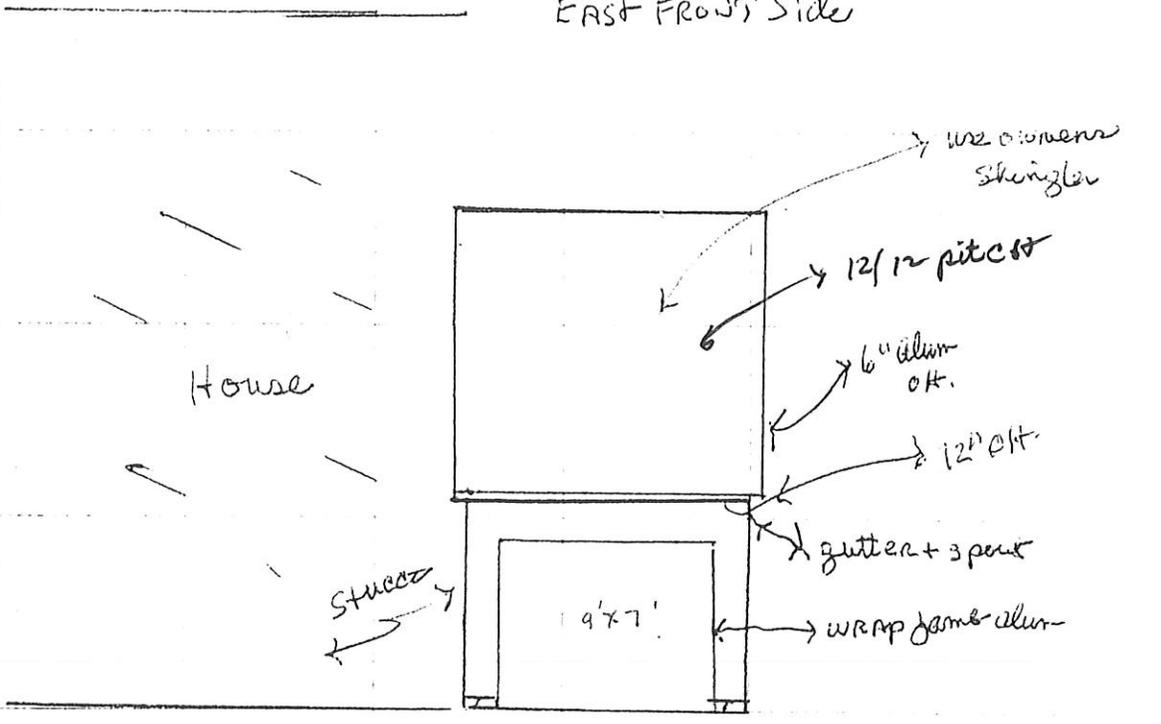
Existing garage: No
 Detached Attached Yes
Size of existing: _____ x _____
Existing garage will be:
 Left as is
 Converted to L.S. - By Owner
 Removed by: Owner FLM

Junk Must Be Removed By Owner

Specify removals by Landmark Owner - trees, bushes, etc.
 Show approx. distance garage to house and all property lines
Stakes visible - Yes No
Survey available - Yes No
 Special instructions from owner:



EAST FRONT Side



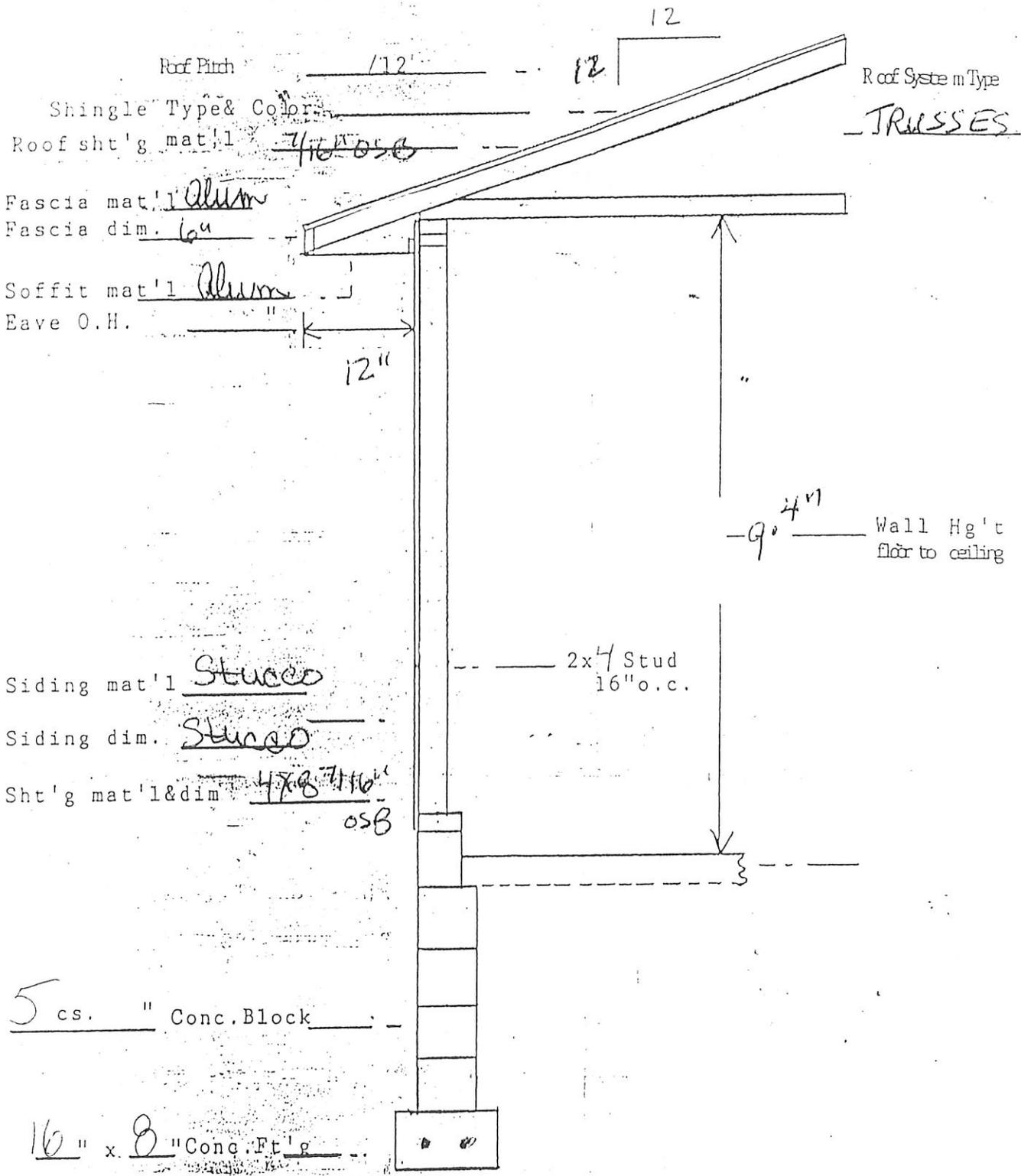
3' APRON

ACCESS
 Good
 Fair
 Poor

T77531

PURCHASER'S INITIALS: MD WEST BACK Side





ATTACHED GARAGE SPECIFICATIONS

First Landmark Builders
 255 Roselawn Ave. E. Suite 48
 Maplewood, MN 55117

JOB PHONE	DATE
651-233-8536	6-10-14
JOB NAME/LOCATION	
Deanna Dickerson	
4910 - Russell Ave. So.	
M. Minneapolis	
JOB NUMBER	ARCHITECT









Liska, Andrew

From: Joanne Manthe <joannemanthe@comcast.net>
Sent: Saturday, August 09, 2014 2:37 PM
To: Liska, Andrew
Subject: 4910 Russell Avenue South - Requested Variance

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Liska,

I am the owner of the home located at 4916 Russell Avenue South, the home next door to the south of Deanna Dickens' home.

I have no objection to the variance she seeks to build an attached garage to her home with a 5 foot setback from our property line. I much prefer her plan for an attached garage to the existing 3 car garage on the property that the prior owner constructed.

Please contact me with any questions.

Joanne Manthe
joannemanthe@comcast.net
612-254-5427