



CPED STAFF REPORT
Prepared for the Board of Adjustment

BOA Agenda Item #6
September 11, 2014
BZZ-6713

LAND USE APPLICATION SUMMARY

Property Location: 2016 Cedar Lake Parkway
Project Name: Conseil Residence
Prepared By: Joseph.Giant@minneapolismn.gov, City Planner, (612) 673-3489
Applicant: Dominique Conseil, Misato Conseil
Project Contact: Sven Gustafson
Request: To construct a new single-family dwelling with attached garage
Required Applications:

Variance	<ul style="list-style-type: none"> • Variance for development within 40 feet of the top of a steep slope in the Shoreland Overlay District; • Variance to reduce the established front yard setback along Cedar Lake Parkway from approximately 53 feet to approximately 49 feet, measured to the structure; • Variance to increase the maximum floor area ratio of a single-family home from 0.50 to 0.57.
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SITE DATA

Existing Zoning	RI Single-Family District SH Shoreland Overlay District
Lot Area	6,605 square feet / 0.15 acre
Ward(s)	7
Neighborhood(s)	Bryn Mawr
Designated Future Land Use	Urban Neighborhood
Land Use Features	NA
Small Area Plan(s)	NA

Date Application Deemed Complete	August 19, 2014	Date Extension Letter Sent	NA
End of 60-Day Decision Period	October 19, 2014	End of 120-Day Decision Period	NA

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject property is a 6,735 square foot lot located in the R1 Single-Family District and SH Shoreland Overlay District. The lot width tapers from approximately 53 feet along the front lot line to 46 feet at the rear property line. The depth of the property ranges from 137 feet along the south property line to 131 feet along the north property line. A 1,287 square foot, one-story brick home with a basement home constructed in 1955, and a detached two-car garage currently exist on the property.

The buildable area within the required setbacks is relatively flat, although the front portion of the lot slopes downward towards Cedar Lake Parkway. The elevation change in the front portion of the lot qualifies as a 'steep slope' according to Chapter 551.460 because it contains an average slope of at least 18 percent measured over a horizontal distance of at least 50 feet, and the slope is at least 10 feet in height. Several photos of the existing conditions are available in the Additional Materials.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The subject property is located in the Bryn Mawr neighborhood across Cedar Lake Parkway from the western shore of Cedar Lake. A densely vegetated steep slope runs along the front portion of several contiguous parcels facing the lake. The vegetation helps to screen many homes from the parkway and bike path located at the base of the slope, although portions of taller homes can be seen above the vegetation. Due to the steep slope along Cedar Lake Parkway and the prevailing development pattern, most homes, including those built recently, have been constructed at least 50 feet from the front lot line.

The predominant land use in the vicinity is low-density single-family homes, although nearby homes vary widely in size, architectural style, and age. In July 2014, the lot to the south of the subject property was approved for a variance to develop a single-family home within 40 feet of a steep slope in the Shoreland Overlay District.

PROJECT DESCRIPTION. The applicant proposes to demolish the existing home in order to construct a new two-story home with an attached garage. The gross floor area (GFA) of the proposed home, after a 250-square-foot reduction for an attached garage¹, is approximately 3,837 square feet, resulting in a floor area ratio (FAR) of 0.57. The maximum FAR of a single-family home allowed without a variance is 0.50. The applicant has applied for a variance to increase the FAR of the proposed home from 0.50 to 0.57.

¹ As of October 1, 2014, new homes will no longer be entitled to a 250-square-foot reduction in gross floor area for an attached garage.

Due to the placement of adjacent homes, new development on the subject lot must observe an established front yard setback ranging from a minimum of approximately 53 feet on the southern property line to a maximum of approximately 60 feet on the northern property line. At its closest point, the proposed structure would be approximately 49 feet from the front property line. Therefore, a portion of the proposed structure would be located in the established front yard setback. The applicant has applied for a variance to reduce the established front yard setback from 53 feet to approximately 49 feet, measured to the structure.

The required interior side yard and rear yard setback in the R1 district is 6 feet. The proposed home would comply with interior side yard and rear yard setbacks.

The proposed home has a maximum height of 28'-1", measured to the midpoint of the peak and the eave. The maximum height of a new home is 30 feet.

The new home would be subject to Administrative Site Plan Review. With a basement, quality materials, ample windows on the front elevation, and a pitched roof, the proposed home qualifies for 14 of a possible 24 design points. The minimum number of points that a new home must achieve before zoning approval can be given is 15. The applicant can revise the plans to meet the minimum point requirement by adding windows on interior elevations, by adding a front porch, or by planting a deciduous tree in the front yard. It should be noted, however, that three large deciduous trees would need to be removed in order to construct the new home.

PUBLIC COMMENTS. The occupant of the adjacent house to the north has expressed support for the granting of all three requested variances. A copy of the email is available in the Additional Materials. Any additional correspondence received prior to the public meeting will be forwarded to the Board of Adjustment for consideration.

ANALYSIS

VARIANCE TO DECREASE FRONT YARD SETBACK

In accordance with Chapter 525, Article IX Variances, Section 525.520(1) "to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations," the Department of Community Planning and Economic Development has analyzed the application for variance 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.**

Staff finds that practical difficulties exist in complying with the ordinance due to the large front yard setback created by the location of homes on the on adjacent properties and the limited options for

garage placement on the subject property. The established front yard setback at the subject property is 53 feet. This setback is more than twice the 25-foot required front yard setback in the R1 district and constitutes nearly 40% of the depth of the lot, thereby limiting the buildable area.

The large front yard setback is typical in the vicinity. However, the large setback combined with limited vehicular accessibility along the alley at the rear of the lot is a condition that is unique to the property. Except for a 10-foot-wide portion of the rear lot line that is adjacent to the alley, the property is essentially land-locked. Existing retaining walls on neighboring properties as well as a proposed privacy wall that will be constructed on the adjacent lot to the south prevent vehicular access except at a 45-degree angle through the southwest corner of the lot. According to the applicant, the most practical placement for the garage is at a 45-degree-angle from the side and rear property lines.

The non-orthogonal orientation of the attached garage pushes the habitable portion of the home towards the front lot line and beyond the established front yard setback. The walls of the garage are approximately 22 feet in length. Because of its orientation, however, the width of the garage is effectively 28 feet, and the habitable portion of the home is 6 feet closer to the front lot line than would be necessary if the garage were built orthogonally. Therefore, the applicant has requested a variance of 4 feet to reduce the established front yard setback from 53 feet to approximately 49 feet.

The large established front yard setback and the limited placement options for the garage are practical difficulties not created by the applicant.

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 proposed use is a single-family home with a detached garage. Single-family homes are a permitted use in the R1 district and are the primary land use in the surrounding area.

Typically, front facades are parallel with front lot lines. On this curvilinear section of Cedar Lake Parkway, however, observance of this pattern would result in homes constructed at awkward angles in relation to interior lot lines and surrounding structures. On this block, the front facades of homes are parallel with one another, and perpendicular to side lot lines, but their respective distances from the front lot lines vary considerably.

The City of Minneapolis determines front yard setbacks by drawing a “no build” line between the portions of the adjacent neighboring homes that are closest to their own front lot line. This method is well suited for straight streets –which comprise most of Minneapolis – but the method is not as well suited for curvilinear streets.

The proposed home would be located approximately the same distance from the front lot line as the existing home. Its location would continue the established development pattern of staggered setbacks that is prevalent on the block face. According to Chapter 535.220, the purpose of yard requirements is to provide for the orderly development and use of land and to minimize conflicts among land uses by governing the location of uses and structures. Adhering to the existing pattern of staggered front facades is in keeping with these goals even though it does not meet the letter of the ordinance.

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.

The proposed variance would not alter the character of the locality, nor would it be injurious to the use or enjoyment of other property in the vicinity. The purpose of setback, height, and bulk regulations is to prevent development that may be obtrusive to neighboring properties and/or out of scale with its surroundings.

A new home will be constructed on the adjacent lot to the south in late 2014, pending the approval of necessary permits. The proposed home will be located approximately 8 feet closer to the front lot line than the proposed structure on the subject property, so no existing views will be obstructed from this vantage point.

The requested variance would likely have the greatest potential adverse effect on the adjacent lot to the north. The proposed structure on the subject property would be approximately 15 feet closer to the front lot line than the principal structure on this lot. However, the visual impact caused by the proposed structure will be minimized because the northern neighbor's home has been constructed on terrain that is substantially higher than the buildable area of the subject lot. In addition, the homes would be separated by approximately 25 feet.

The northeast corner of the proposed home would be located in approximately the same location as the existing structure. The proposed structure would be 2 stories while the existing structure is one story. However, the grade change between the two properties and the separation distance between the homes should be sufficient to mitigate potential negative impacts. A photograph showing the substantial grade change between the two properties is available in the Additional Materials.

The proposed variance does not authorize the creation of any additional dwelling units, nor does it authorize an increase in the carrying capacity of a zoning lot in the RI district. Therefore, granting the variance would have no impact on the congestion of area streets.

SHORELAND DEVELOPMENT VARIANCE

In accordance with Chapter 525, Article IX Variances, Section 525.520(17) "To permit development in the SH Shoreland Overlay District on a steep slope or bluff, or within forty (40) feet of the top of a steep slope or bluff," the Department of Community Planning and Economic Development has analyzed the application for variance 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.

One of the primary purposes of the Shoreland Overlay District is to preserve and enhance the environmental qualities of surface waters and the natural and economic values of shoreland areas (551.440). In order to ensure that adverse environmental impacts are minimal or nonexistent,

development within 40 feet of a steep slope in the Shoreland Overlay District can only be approved through a variance.

A steep slope exists along the front portion of the lot within 40 feet of the proposed building footprint. Adherence to the 40-foot setback from the top of the steep slope would limit the buildable area of the lot to an extent greater than the 53-foot front yard setback already established by the adjacent neighbors. The presence of the steep slope and its impact upon the buildable area of the lot are practical difficulties not created by the applicant.

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.

With regard to the Shoreland development variance, the proposed development is keeping with the zoning ordinance and the comprehensive plan. According to the zoning ordinance, development may be approved by variance if certain conditions are met.

First, development must currently exist within 40 feet of the top of a steep slope within 500 feet of the proposed structure. A single-family home currently exists in the location of the proposed home, and several other homes exist near the slope that are within 500 feet of the proposed structure. The front façade of the proposed home will be no closer to the top of the steep slope than the façade of the existing home.

The applicant has submitted a soil erosion control plan as well as a landscaping plan demonstrating that the foundation and underlying material of the new structure will be suitable for the soil type, topography of the area, and existing vegetation, both during and after construction. Specifically, an approved erosion control plan will address the following environmental concerns that appear in the zoning ordinance: grading and filling (551.510), removal of vegetation (551.520), and storm water management (551.530). Prior to any work being done on the property, the soil erosion control plan will be approved by the department of Public Works and by the Zoning Administrator, as required by 551.510.

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.

Strict development standards in regards to environmental impacts in the Shoreland Overlay District were created to ensure that new development does not adversely affect the health, safety, and welfare of both the human and natural environment. Utilization of best practices will ensure that the development does not have an adverse effect during or after construction. If the erosion control plan and landscaping plans are implemented in the manner proposed using best practices, the project should not have an adverse impact on its surroundings.

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 proposed project calls for a moderate amount of soil disturbance and the removal of at least 3 mature trees from the subject property, as well as a considerable amount of re-grading. Although nearly the entire rear half of the lot will be re-graded, according to the survey, nearly all of the grading will involve less than a foot of elevation change from the existing conditions. To compensate for the removal of three mature trees, staff recommends as a condition of approval that three new trees be incorporated into the landscaping plan that will be approved by the City prior to construction.

In addition to the changes in grade, the proposed home will cover more of the lot than the existing home and detached garage. However, the new home will remain far below the maximum amount of impervious surface coverage. The maximum amount of impervious surface coverage is 65% while the proposed amount is approximately 40%. Further, no impervious surfaces will be located within 40 feet of the top of the steep slope except a small part of the northeastern corner of the home.

The zoning code requires that new homes include a paved walkway leading from the front door to the public sidewalk, and when no sidewalk exists, from the front door to the street. However, the Minneapolis Park Board owns approximately 25 feet of land between the road and the front lot line, so a walkway could not reach the road without the granting of an easement from the Park Board. The Zoning Administrator has determined that in these cases the pathway must lead to the front lot line rather than to the public sidewalk.

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

The proposed home will be more visible from Cedar Lake than the one-story home that currently exists on the lot. However, the dense vegetation growing between the vehicular right-of-way and the front lot line will screen much of the home.

Due to the dense vegetation and large front yard setback, the proposed home will be less visible than other two-story homes on the block face. However, it will be more visible than the home that currently exists on the lot. The applicant has proposed to paint the house using natural colors and use exterior materials that blend the house into the natural surroundings.

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

The subject site does not have direct access to Cedar Lake. The proposed project will not require the accommodation of any watercraft.

VARIANCE TO INCREASE FLOOR AREA RATIO

In accordance with Chapter 525, Article IX Variances, Section 525.520(4) "To vary the gross floor area, floor area ratio and seating requirements of a structure or use," the Department of Community Planning and Economic Development has analyzed the application for variance 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 maximum allowed floor area ratio (FAR) of a single-family home is 0.50. The subject lot has an area of 6,694 square feet, so the maximum gross floor area (GFA) for a new home would be 3,327 square feet without a variance. The GFA of the proposed home is 3,836 square feet, resulting in an FAR of 0.57.

The applicant states that practical difficulties exist because the subject parcel is smaller than other parcels in the vicinity, and to fit within the prevailing pattern of development it is necessary to exceed the maximum permissible FAR. Further, the applicant states that the unique lot accessibility characteristics combined with the large front yard setback necessitate an attached garage. As a result, the inclusion of an attached garage inflates the gross floor area beyond the maximum allowed for a single-family home.

The area of the proposed garage is approximately 578 square feet. If the garage were detached, rather than attached, the gross floor area of the home would be approximately 3,508 square feet², and the FAR would be 0.52, which still exceeds the maximum FAR of 0.50. Thus, the FAR is not exceeded merely because the garage is attached, but also because the habitable portion of the home has more floor area than allowed by ordinance.

The front portion of the lot contains a steep slope. However, the buildable portion outside of the required yard is relatively flat. A new home could be designed to accommodate an attached garage on the lot without obtaining an FAR variance. Staff finds that no practical difficulty exists due to the size of the lot compared to nearby parcels that justifies a variance to the maximum allowable FAR.

- 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 proposed use is a single-family home with an attached garage. Single-family homes are a permitted use in the R I district and are the primary land use in the surrounding area. The minimum

² GFA = 3,836 + 250 (attached garage credit) = 4,086 sft; 4,086 – 578 (area of detached garage) = 3,508.

lot area in the R1 district is 6,000 square feet, and the subject property has an area of 6,694. Thus, a home could be constructed on the subject lot that is typical in size for the R1 zoning district without a variance.

While the use itself is consistent with the zoning code and the comprehensive plan, overbuilding on a zoning lot in an environmentally sensitive area where no practical difficulty exists is not in keeping with the spirit and intent of the ordinance.

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 could potentially alter the essential character of the locality by allowing the construction of a home that would be much larger than most of the other homes on the block face.

The applicant states that the variance request is justified due to the small lot size of the subject parcel in relation to the surrounding parcels. It is true that most lots along the block face are larger than the subject property. The average lot size on the block face is 8,647 square feet, while the subject lot has an area of 6,735 square feet. Thus, the subject lot is approximately 24% smaller than the average parcel. However, the established pattern of development in the area has not produced homes that have maximized their allowed FAR. Rather, most homes on the block face are older one-story homes that are substantially smaller than the proposed home.

The following information was gathered from Minneapolis Property Information and displays the GFA and FAR of homes on the block face:

- Proposed home: 2016 Cedar Lake Pkwy: GFA = 3,836, FAR = 0.57
- 2012 Cedar Lake Pkwy (north neighbor): GFA = 1,468, FAR = 0.15
- 2020 Cedar Lake Pkwy (south neighbor, to be built in late 2014): GFA = 3,388, FAR = 0.49
- 2004 Cedar Lake Pkwy (2 lots to north): GFA = 1,840, FAR = 0.18
- 2000 Cedar Lake Pkwy (3 lots to north): GFA = 1,000, FAR = 0.10
- 2024 Cedar Lake Pkwy (2 lots to south): GFA = 1,232, FAR = 0.16
- 2028 Cedar Lake Pkwy (3 lots to south): GFA = 2,050, FAR = 0.25
- 2036 Cedar Lake Pkwy (4 lots to south): GFA = 1,444, FAR = 0.24
- 2044 Cedar Lake Pkwy (5 lots to south): GFA = 1,776, FAR = 0.13

Most properties on the block face contain homes that are several decades old. These properties are increasingly subjected to redevelopment with homes that are much larger than the homes that were demolished. The large lots in the vicinity could eventually lead to new development that maximizes FAR and dwarfs older homes. However, a variance based on the development potential of large lots rather than the actual size of existing homes is speculative and not sensitive to the character of the area or the surrounding uses.

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 staff findings and **approve** the application for variance at 2016 Cedar Lake Parkway in the R1 Single-Family District and SH Shoreland Overlay District to reduce the established front yard setback from 53 feet to approximately 49 feet, measured to the structure, 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 September 11, 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 staff findings and **approve** the application for variance to allow for development, including the construction of a single-family dwelling, on or within 40 feet of the top of a steep slope for the property located at 2016 Cedar Lake Parkway in the R1 Single-Family District and SH Shoreland Overlay District, 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 September 11, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance;
3. Approval of a soil erosion control plan and landscaping plan as part of the site plan review application so that proper site protection can be verified;
4. As part of an approved landscaping plan, the applicant will replace the three (3) mature deciduous trees that are being removed with three (3) new deciduous trees to be located in the front yard.

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 staff findings and **deny** the application for variance at 2016 Cedar Lake Parkway in the R1 Single-Family District and SH Shoreland Overlay District to increase the maximum floor area ratio of a single-family home from 0.50 to 0.57.

ATTACHMENTS

1. Zoning map
2. Written description and findings submitted by applicant
3. Authorization letter from owner
4. Letter to Ward 7 and Bryn Mawr Neighborhood Organization
5. Land survey
6. Elevation drawings and house plans
7. Erosion control plan
8. Photos of site
9. Correspondence

Domonique Conseil

7th

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

2016 Cedar Lake Parkway

FILE NUMBER

BZZ-6713

Variance Narrative
2016 Cedar Lake Parkway
Minneapolis MN

- (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.**

Our request for the bluff/ front yard setback meets this test on all points. The currently existing home sits on a lot that is of sub-standard size – smaller than the neighboring properties. The location of the existing home is similar to our requested location, though in an effort to come closer to conforming, we were able to pull the home back a bit, reducing the non-conforming area by 7%. This lot has a very restricted buildable area due to the front yard setback and bluff setback. The requested non-conforming area does not impact the adjacent properties, and is an improvement from the existing structure.

Additionally, the orientation of the garage must be diagonal due to the location of structures on the neighboring properties. The neighbor to the South will have a privacy wall blocking access from the South. The North neighbor has an existing retaining wall that blocks access from the North/ west. This requires that our proposed home be longer than would be required for a traditional garage orientation – street facing – as it created additional space in the triangular garage / house connection.

Our request for a variance to the FAR is also driven by the small size of this property. This property is the 3rd smallest lot on the lake. The applicant wishes to construct a home that has spaces that work for their family, and the needs of any modern family. Reducing the size of rooms, or eliminating rooms altogether to meet the FAR results in a home that does not meet the needs of their family, or those of most families that would consider purchasing the home in the future.

If the configuration of the property allowed for the construction of a detached garage, it would easily meet the FAR with a larger home than proposed – as detached garages are not accounted for in the calculation of FAR. Unfortunately, the lot configuration, the uncommonly small lot size, the location of structures on adjacent properties, and the lakeside/ bluff/ front yard setback do not allow for this configuration and result in a house of typical square footage being unable to meet the required FAR.

- (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.**

We believe that the proposed home is of typical, if not small size for the neighborhood. The proposed home is a single family residence with a 2 car garage, and 4 bedrooms, 3 bathrooms.

- (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.**

Our proposal will simply not alter the essential character of the locality, be injurious to the use or enjoyment of other property in the vicinity. Our 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.

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

The applicant's general contractor has vast experience building in close proximity to bodies of water and currently had 10 residential projects under construction in the Minnehaha creek watershed district. Measures will be taken to insure that erosion or pollution of the public waterways not happen as a result of our construction or from the completed structure and landscaping.

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

The applicant's proposed structure will be clad in natural materials of earth-tone colors. The proposed home has primarily hip roof forms, minimizing the perceived building height from the street and lake elevations. The home sits in essentially the same location as the existing home on the property.

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

The proposed re-development of this property will have no impact on the number of watercraft or the safety of the adjacent body of water.

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Variance for 2016 Cedar Lake Parkway

Tom Flint

Fri 7/25/2014 8:54 AM

To: lisa.goodman@minneapolismn.gov <lisa.goodman@minneapolismn.gov>;

Cc: Gustafson, Sven <Sven@stonewood.com>; Kyle Holmes <Kyle@stonewood.com>;

Hello Lisa,

On behalf of my clients, Dominique and Misato Conseil, I wanted to let you know about our plan to submit for a Shoreland Overlay variance for a new single family home at 2016 Cedar Lake Parkway. Below you'll find a project description, nature of the variance request, and contact information for the applicant.

Project Description:

The proposed residence is a 2 story single family home approximately 4,748 square feet in area. The new home is proposed to replace an existing 1-story single-family home location on the site in a currently non-compliant development area within 40' of the top of a steep slope or bluff.

Nature of Variance Request:

Due to the proximity to Cedar Lake and the topography of the site (the top of the site is part of the steep slope and 40' from that line allows virtually no code compliant opportunity to build with the other setbacks on the site), the site is unbuildable without a variance. We'll be applying for a Shoreland Overlay Variance, Section 551.470, which reads:

(a) Location prohibited except as authorized by variance. Except as allowed in section (b) below or where approved by a variance as provided in this article and Chapter 525, Administration and Enforcement, development in the Shoreland Overlay District shall be prohibited on steep slopes or within forty (40) feet of the top of a steep slope or bluff, and shall not be located within fifty (50) feet of the ordinary high water mark of any protected water. Development authorized by variance shall be subject to the following: (1) development must currently exist on the steep slope or within (40) feet of the top of a steep slope within five hundred (500) feet of the proposed development.

Contact Information:

Client:

Dominique and Misato Conseil
3150 West Calhoun Parkway #101
Minneapolis, MN 55416

RE: Authorization

S Misato <oasisplanet7@hotmail.com>

Wed 7/23/2014 4:40 PM

To: Tom Flint <tom@stonewood.com>; conseildom@yahoo.com <conseildom@yahoo.com>;

Cc: Kyle Holmes <Kyle@stonewood.com>;

Hello, Tom.

We authorize Stonewood to be our representative in the variance request for 2016 Cedar Lake Parkway.

Please let us know any items we need to know before submitting our variance request. We remember you mentioned that the east side of the new house will be about 3 meters closer to the Cedar Lake Parkway. Would you clarify that advancing the east side is part of the request?

We also would like to know what if the city rejects to advance the house?

Thank you you much.

Dominique and Misato Conseil

From: tom@stonewood.com
To: conseildom@yahoo.com; oasisplanet7@hotmail.com
CC: Kyle@stonewood.com
Subject: Authorization
Date: Wed, 23 Jul 2014 19:24:36 +0000

Dominique and Misato

I hope that you are having a great vacation. We are getting things put together for your variance request and need an email from you that states you authorize us to work on your behave.

Basically, we need you to email me back and state "I authorize Stonewood (Sven Gustafson) to be my representative in the variance request for 2016 Cedar Lake Parkway."

Let me know if you have any questions.

ADVANCE SURVEYING & ENGINEERING CO.
 5300 S. Hwy. No. 101 Minneapolis, MN 55345 Phone (952) 474 7964 Fax (952) 225 0502 WWW.ADVSUR.COM

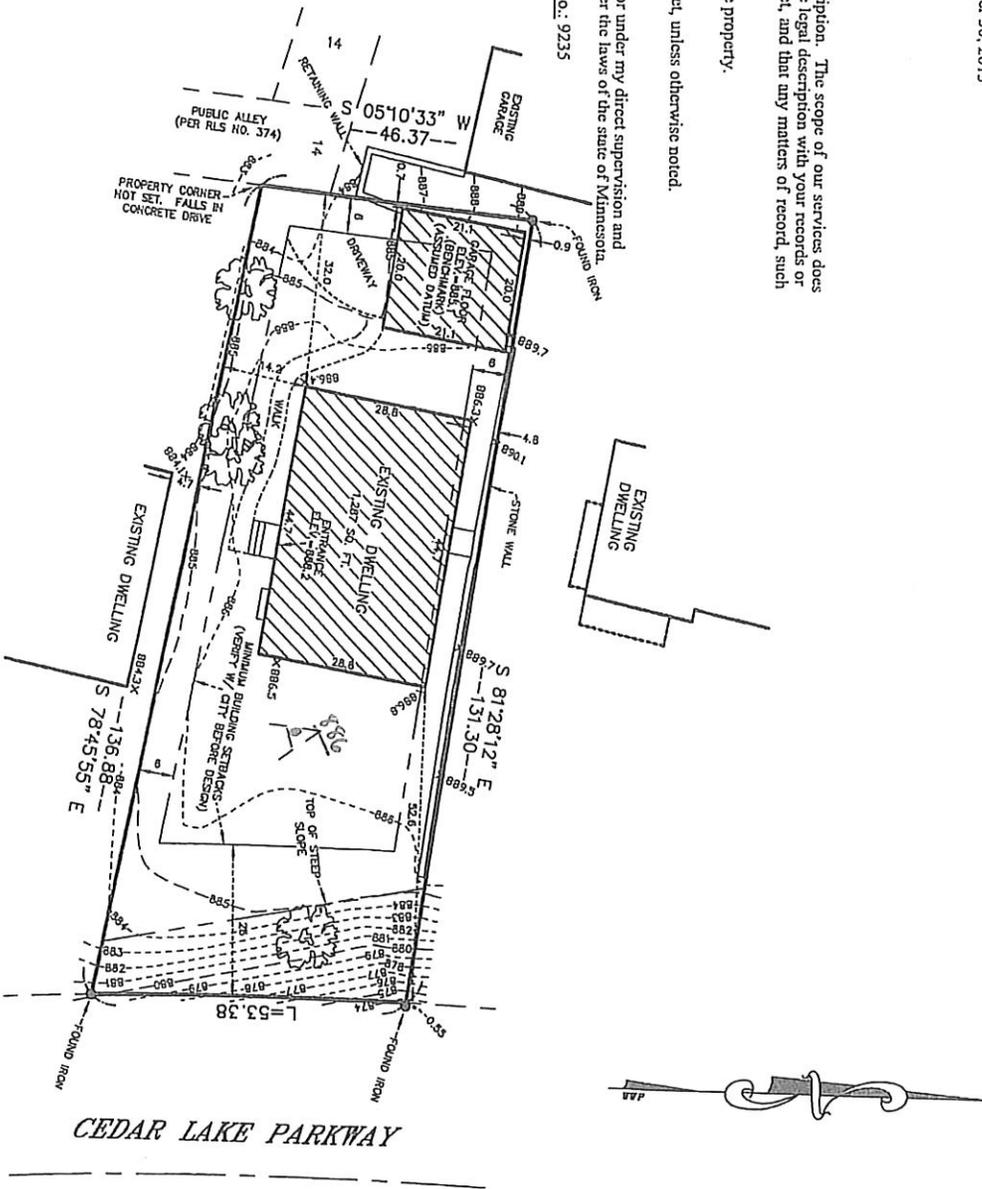
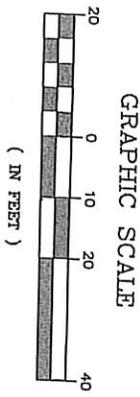
SURVEY FOR: DOMINIQUE CONSEIL
 SURVEYED: December, 2013
 REVISED: February 4, 2014, to show topography and trees. DRAFTED: December 30, 2013

LEGAL DESCRIPTION:
 Tract A, Registered Land Survey No. 374, Hennepin County, Minnesota.
 Contains: 6,604 Sq. Ft.

- SCOPE OF WORK & LIMITATIONS:**
1. Showing the length and direction of boundary lines of the above legal description. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct, and that any matters of record, such as easements, that you wish shown on the survey, have been shown.
 2. Showing the location of existing improvements we deemed important.
 3. Setting new monuments or verifying old monuments to mark the corners of the property.

STANDARD SYMBOLS & CONVENTIONS:
 Ⓞ Demons 1/2" ID pipe with plastic plug bearing State License Number 9235, set, unless otherwise noted.

CERTIFICATION:
 I hereby certify that this plan, specification, report or survey was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer and Licensed Land Surveyor under the laws of the state of Minnesota.
 Signature: *James H. Parker* Typed Name: James H. Parker Reg. No.: 9235
 Date: February 4, 2014



ADVANCE SURVEYING & ENGINEERING CO.

5300 S. Hwy. No. 101 Minnetonka, MN 55345 Phone (952) 474 7964 Fax (952) 225 0502 WWW.ADVSUR.COM

SURVEY FOR: **DOMINIQUE CONSEIL**

SURVEYED: December, 2013
 DRAFTED: December 30, 2013
 REVISED: February 4, 2014, to show topography and trees.
 REVISED: July 24, 2014, to show proposed dwelling, related improvements, grading, drainage and erosion control details for review.
 REVISED: July 25, 2014, to add tabulation of hardcover and show proposed steps & walk.

LEGAL DESCRIPTION:
 Tract A, Registered Land Survey No. 374, Hennepin County, Minnesota.

Contains: 6,604 Sq. Ft.

SCOPE OF WORK & LIMITATIONS:

1. Showing the length and direction of boundary lines of the above legal description. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct, and that any matters of record, such as easements, that you wish shown on the survey, have been shown.
2. Showing the location of existing improvements we deemed important.
3. Setting new monuments or verifying old monuments to mark the corners of the property.

STANDARD SYMBOLS & CONVENTIONS:

① Denotes 1/2" ID pipe with plastic plug bearing State License Number 9235, set, unless otherwise noted.

CERTIFICATION:

I hereby certify that this plan, specification, report or survey was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer and Licensed Land Surveyor under the laws of the state of Minnesota.

Signature: *James H. Parker* Typed Name: James H. Parker Reg. No.: 9235

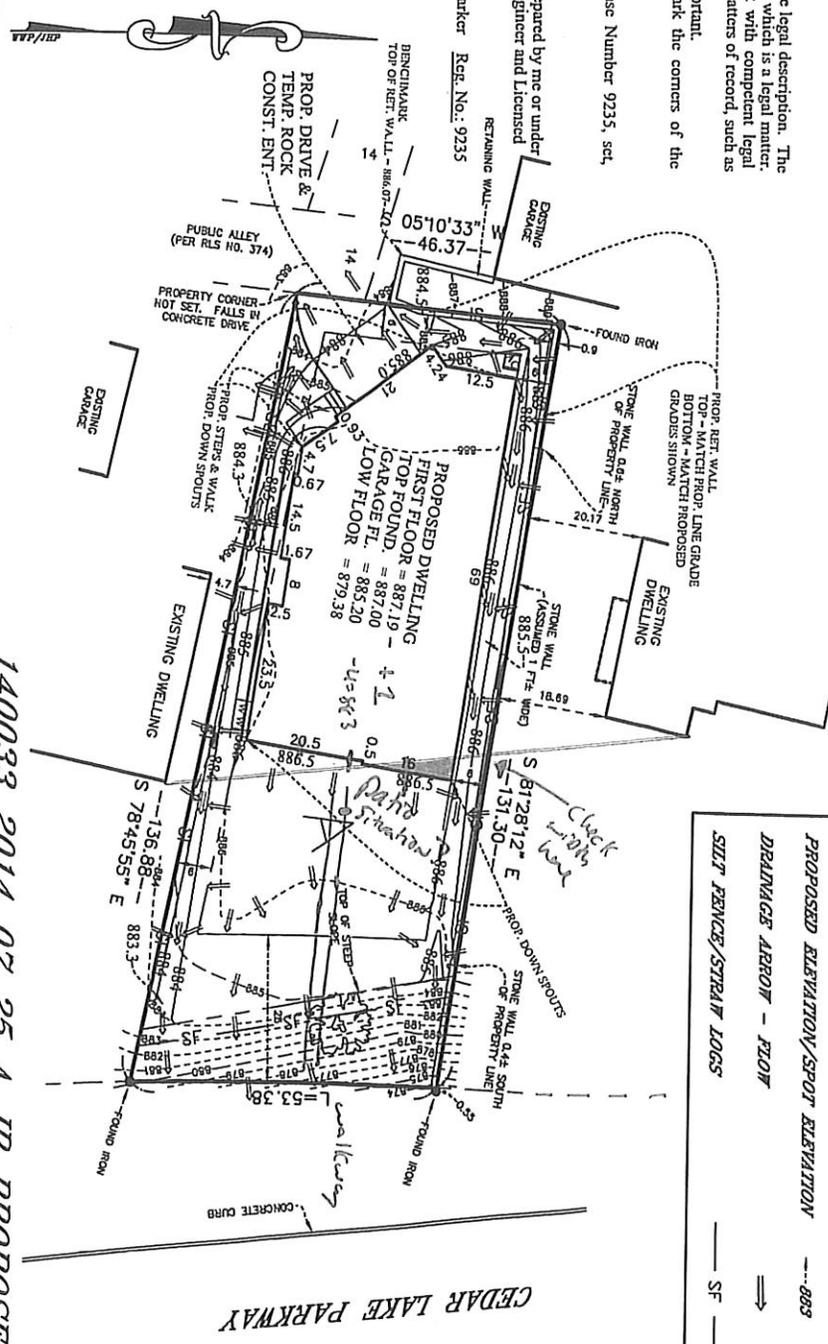
Date: July 25, 2014

HARDCOVER TABULATION

HOUSE	2,309
DRIVE	254
WALK	48
A/C	6
TOTAL	2,617 SQ. FT.
LOT	6,605 SQ. FT.
HARDCOVER %	= 39.62%

LEGEND

EXISTING CONTOUR	--- 883.0
EXISTING SPOT ELEVATION	X 883.0
PROPOSED CONTOUR	--- 883
PROPOSED ELEVATION/SPOT ELEVATION	--- 883
DRAINAGE ARROW - FLOW	→
SILT FENCE/STRAIN LOGS	— SF —



140033 2014 07 25 A JP PROPOSED

CONCEIL RESIDENCE

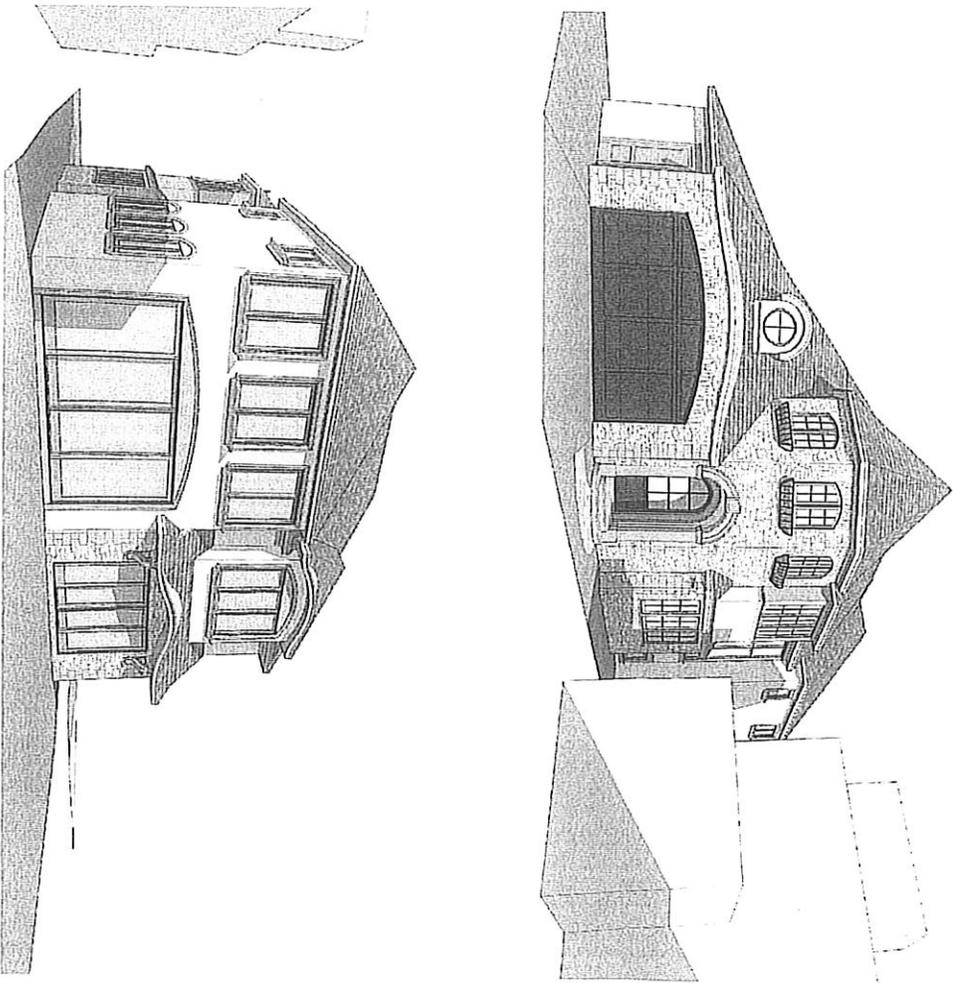
2016 CEDAR LAKE PARKWAY
MINNEAPOLIS, MN

DRAWING LIST:

ARCHITECTURAL

- A2 - LOWER LEVEL FINISH PLAN
- A3 - MAIN LEVEL FINISH PLAN
- A4 - UPPER LEVEL FINISH PLAN
- A5 - ROOF PLAN
- A6 - GARAGE ELEVATION
- A7 - SOUTH ELEVATION
- A8 - LAKE ELEVATION
- A9 - NORTH ELEVATION

VARIANCE SET
7/25/14



SHEET NUMBER

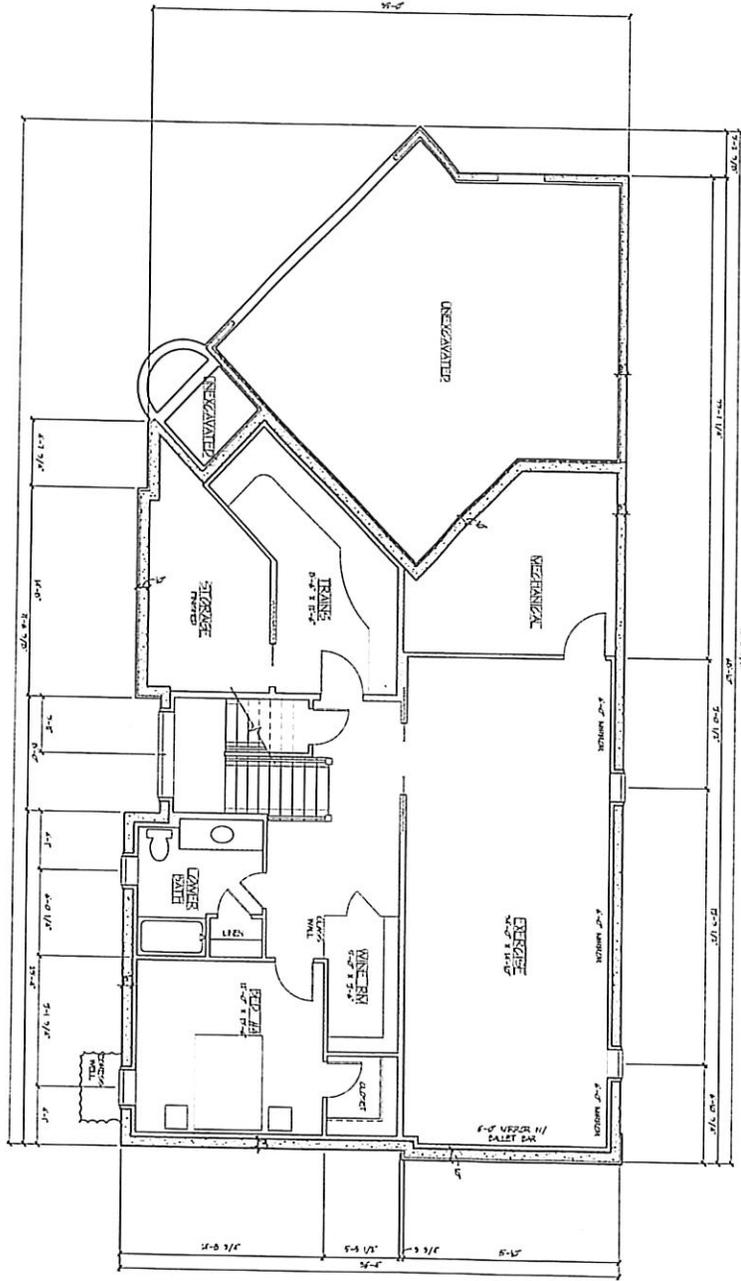
T-1

PROJECT NAME & ADDRESS
CONCEIL RESIDENCE
2016 CEDAR LAKE PARKWAY
MINNEAPOLIS, MN

STONEWOOD LLC
153 LAKE ST
MINNEAPOLIS, MN 55412
7600 25TH AVE NE
MINNEAPOLIS, MN 55412

STONEWOOD LLC

VARIANCE SET
7/25/14



Ⓛ LOWER FLOOR PLAN
A-2 1/4" = 1'-0"
LOWER FLOOR 5' - 0" 1942 5' - 0"
STORAGE / MEAT 5' - 0" 390 5' - 0"

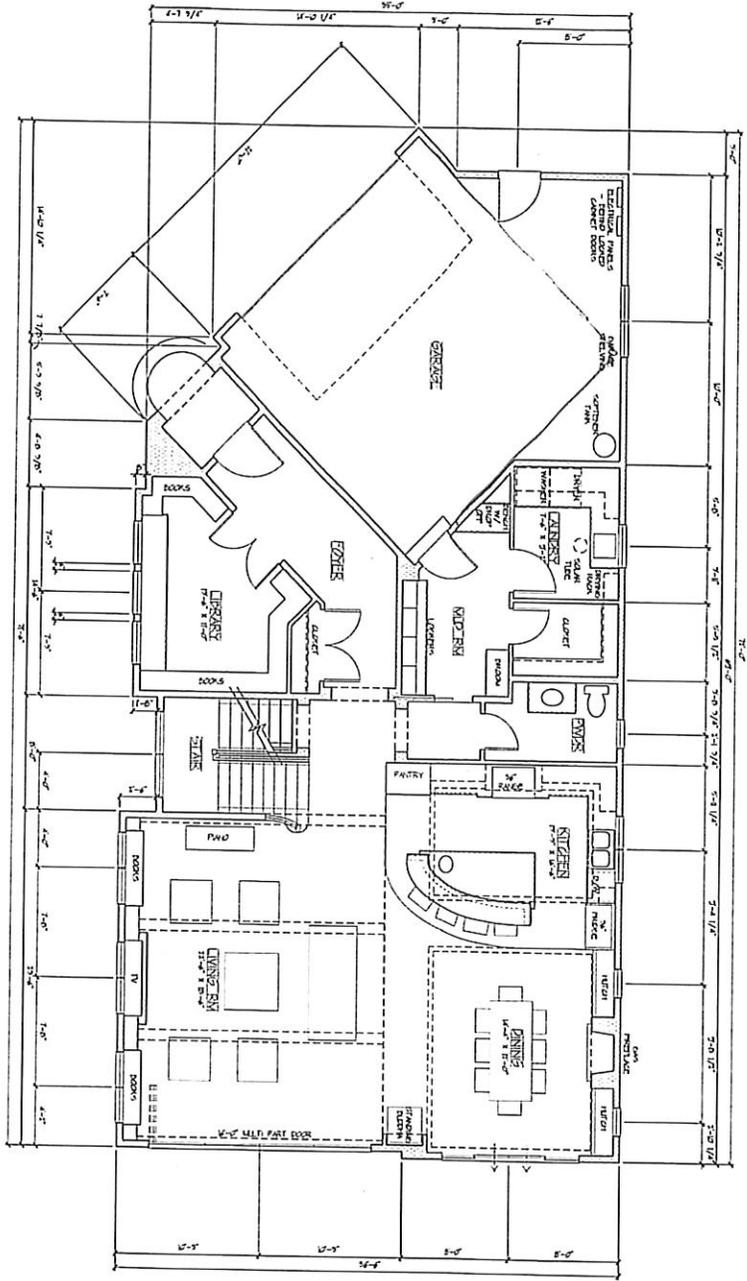
SHEET NUMBER
A-2

PROJECT NAME & ADDRESS
CONSEIL RESIDENCE
2016 CEDAR LAKE PARKWAY
MINNEAPOLIS, MN

STONEWOOD LLC
133 LAKE ST
KNOXV, TN 37902
TEL: 615.454.4000
WWW.STONEWOODLLC.COM

STONEWOOD LLC

VARIANCE SET
7/25/14



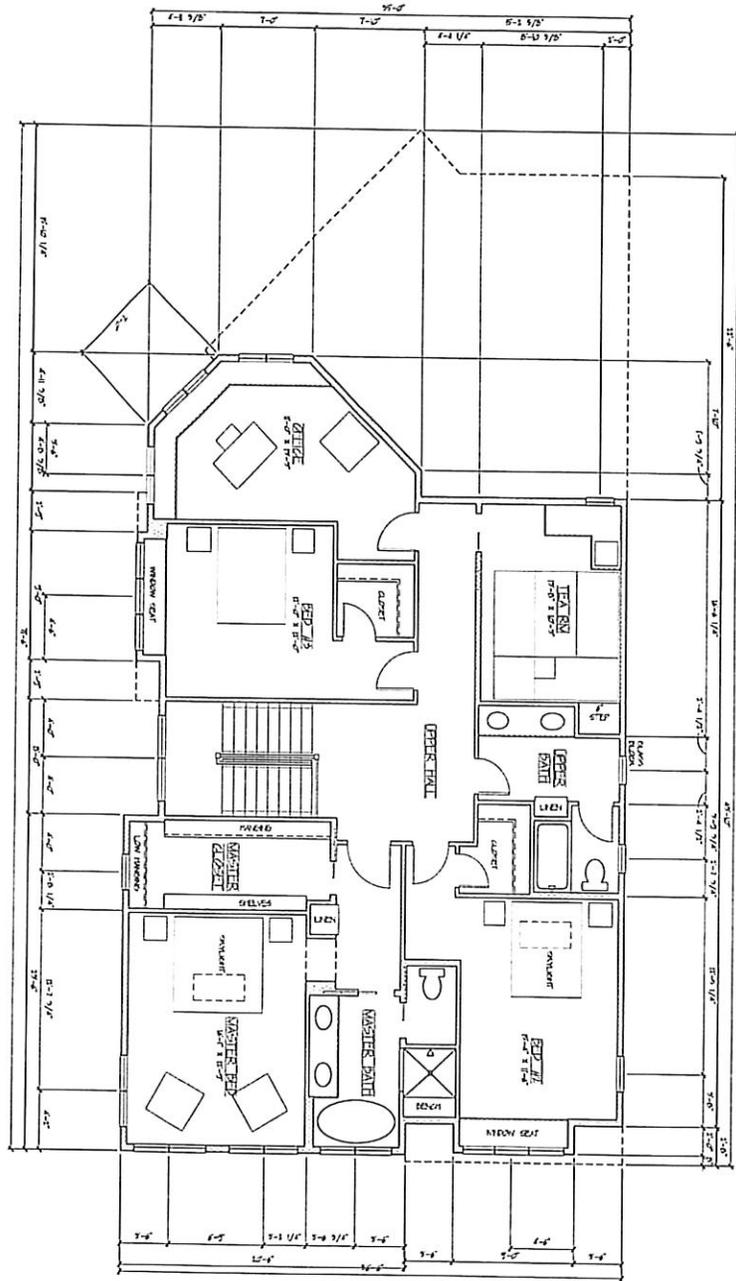
⊕ MAIN FLOOR PLAN
1/4" = 1'-0"
MAIN FLOOR 57' x 170' 5"

SHEET NUMBER
A-3

PROJECT NAME & ADDRESS
CONSEIL RESIDENCE
2016 CEDAR LAKE PARKWAY
MINNEAPOLIS, MN

STONEWOOD LLC
1911 S
4510
MINNEAPOLIS, MN 55406
612.338.1111
303.200.0250
www.stonewoodllc.com

STONEWOOD LLC



VARIANCE SET
7/25/14

UPPER FLOOR PLAN
UPPER FLOOR 5' - 1/2" - 1/2" - 1/2"

SHEET NUMBER
A-4

PROJECT NAME & ADDRESS
CONSEIL RESIDENCE
2016 CEDAR LAKE PARKWAY
MINNEAPOLIS, MN

STONEWOOD LLC
1331 LAKE ST
MINNEAPOLIS, MN 55404
(612) 427-4000
WWW.STONEWOODLLC.COM

STONEWOOD LLC

WALK 48
A/C 6
TOTAL 2,617 SQ. FT.
LOT 6,605 SQ. FT.
HARDCOVER % = 39.62%

- EXISTING CONTOUR**
- EXISTING SPOT ELEVATION**
- PROPOSED CONTOUR**
- PROPOSED ELEVATION/SPOT**
- DRAINAGE ARROW - FLOW**
- SILT FENCE/STRAW LOGS**

DRAFTED: December 30, 2013

ography and trees.

posed dwelling, related improvements, grading, drainage and erosion control

on of hardcover and show proposed steps & walk.

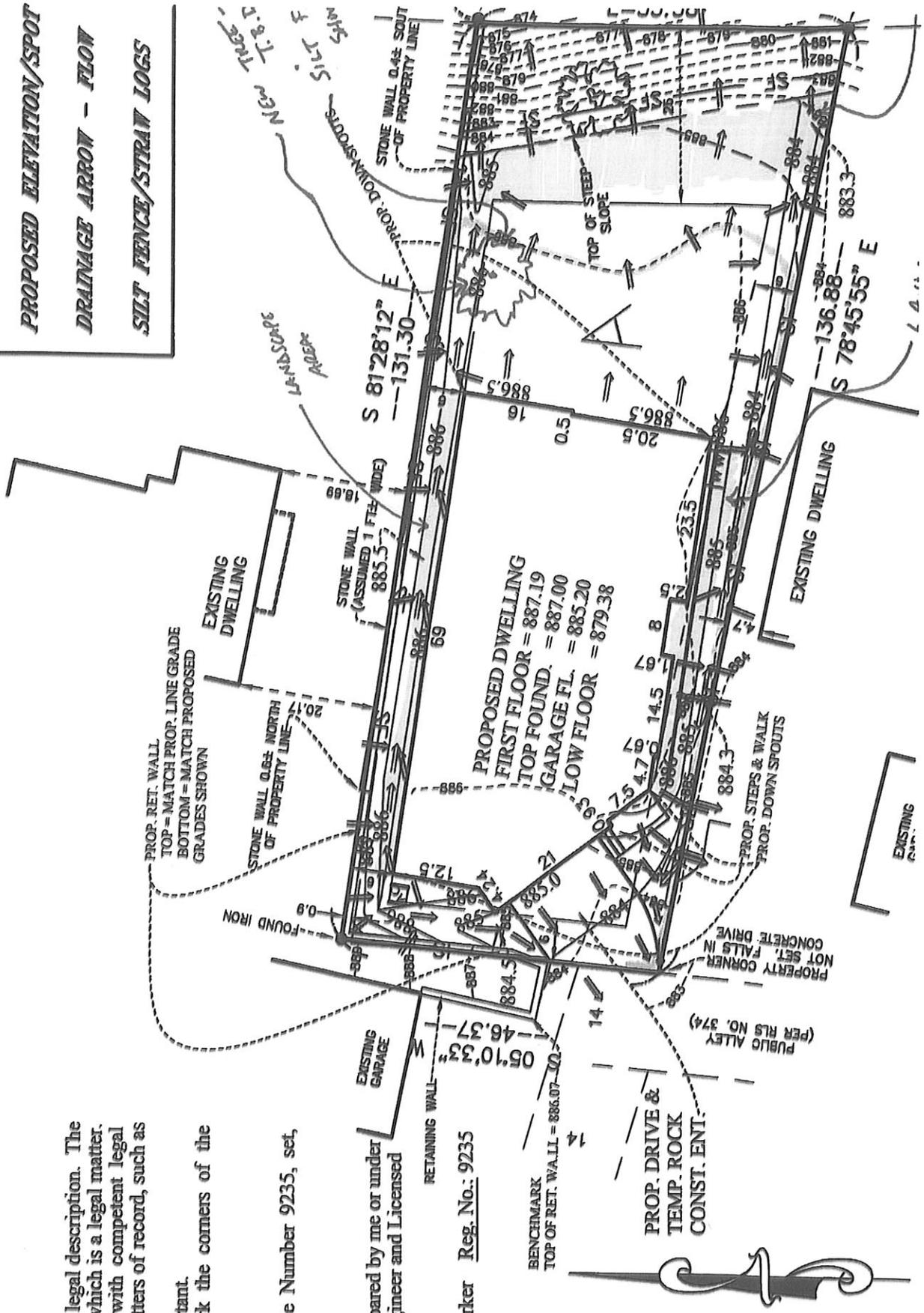
Hennepin County, Minnesota.

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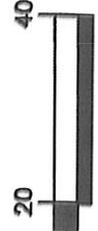
ONS:
plug bearing State License Number 9235, set,

n, report or survey was prepared by me or under Licensed Professional Engineer and Licensed of Minnesota.

Typed Name: James H. Parker Reg. No.: 9235



CALE



Erosion Control
2016 Cedar Lake Parkway
Minneapolis MN

(1) Erosion control measures.

The site will be ringed with erosion control fence as well as bio logs to control the water runoff during construction. This fence will be erected prior to construction and continuously maintained during construction until it is removed near the completion of the project. See attached erosion control plan for locations.

(2) Increased rainwater runoff from developed site.

Most of the increased rainwater will be retained on site. The homeowners have plans to use rain barrels and extensive landscaping to control most of the runoff on site.

(3) Retaining walls.

Proposed plan does not require the use of any additional retaining walls other than those already on site.

(4) Removal of existing trees

The removal of the existing trees on the site will have a minimal impact as a new tree is proposed on the Cedar Lake side of the property. Also, the home will have extensive landscaping on north and south side of the property.

(5) Existing vegetation to remain

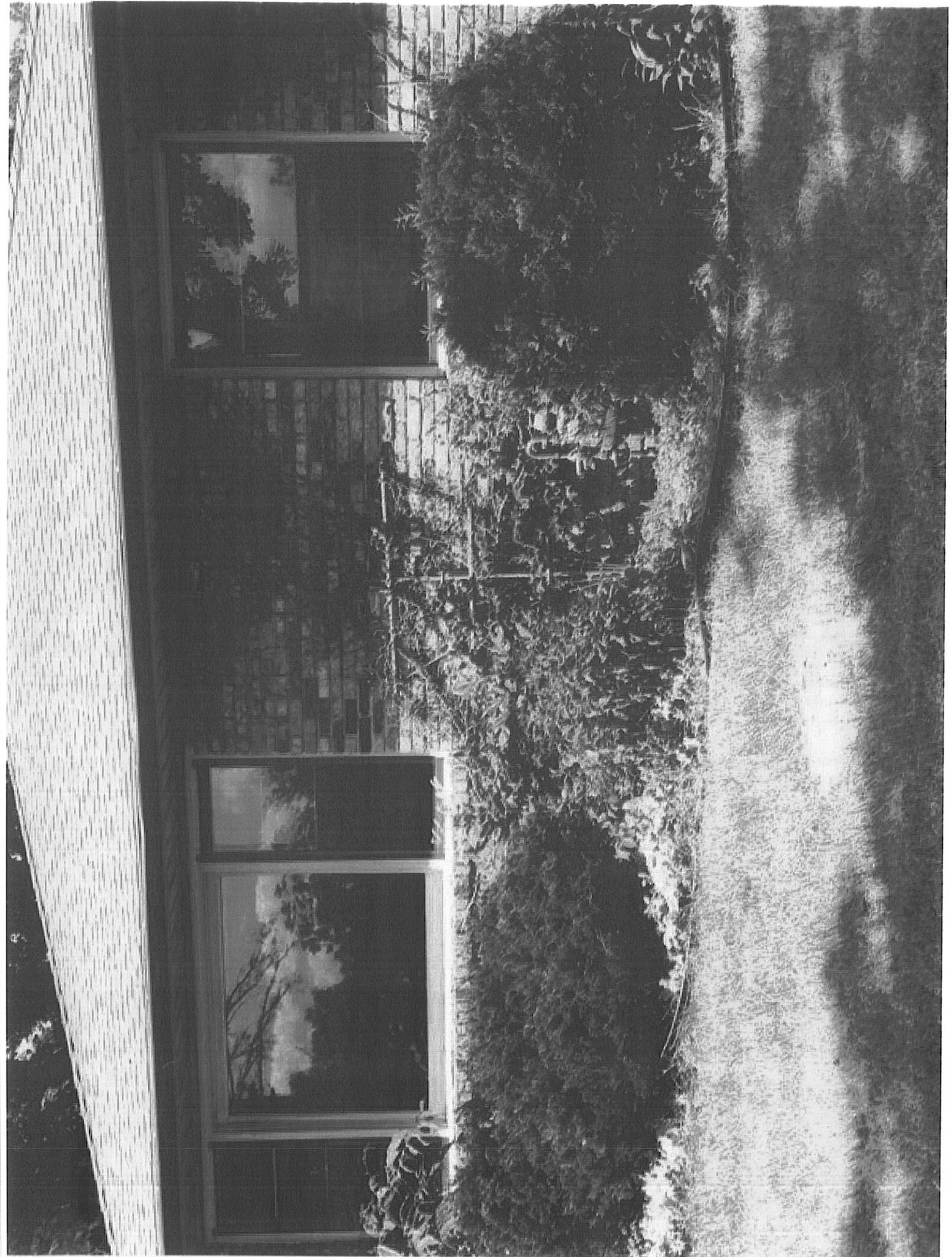
The site between the proposed house and Cedar Lake will be very similar in landscaping as the current home. The trees and vegetation on the bluff will be maintained as well as the yard and shrubs on the level part of the yard.

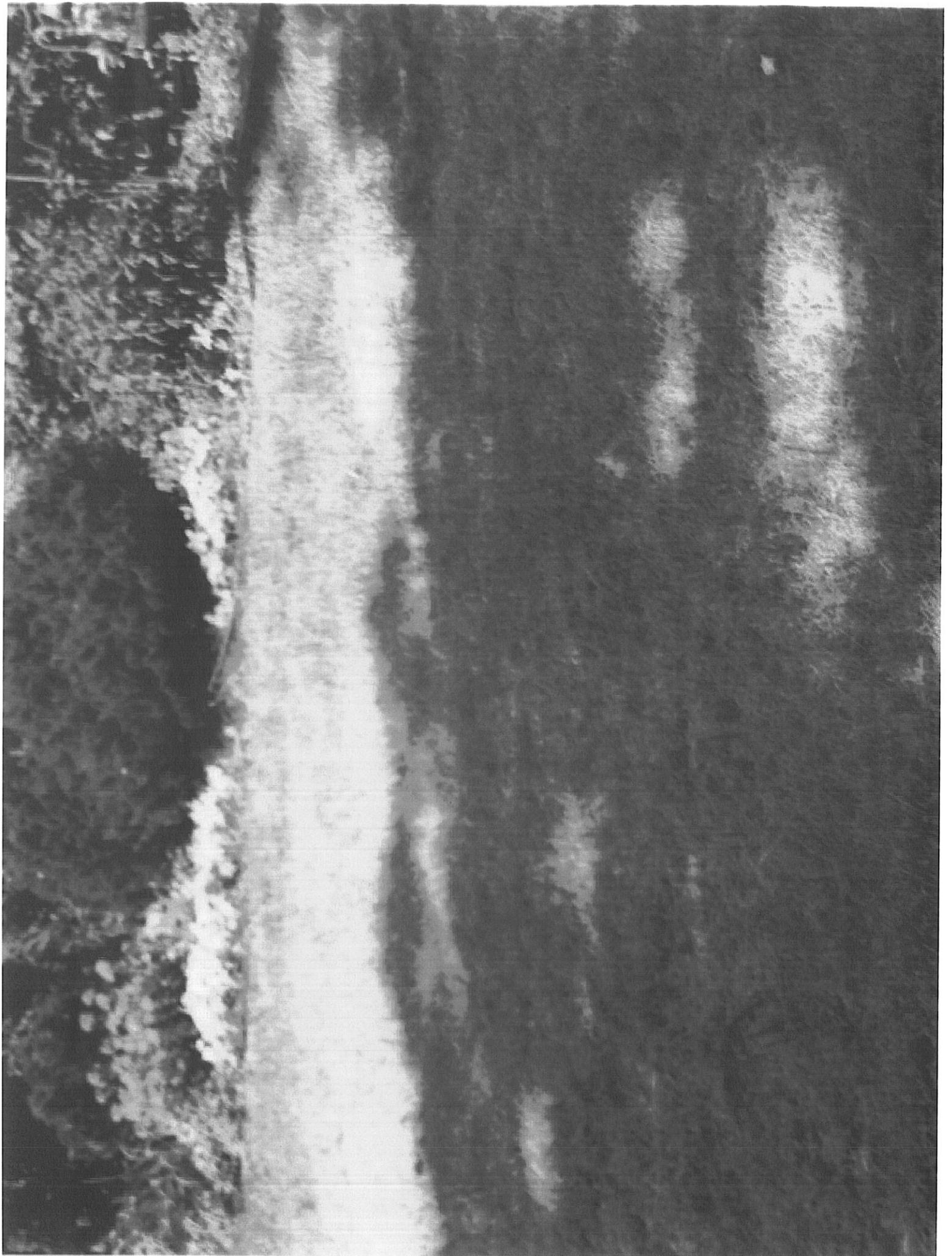




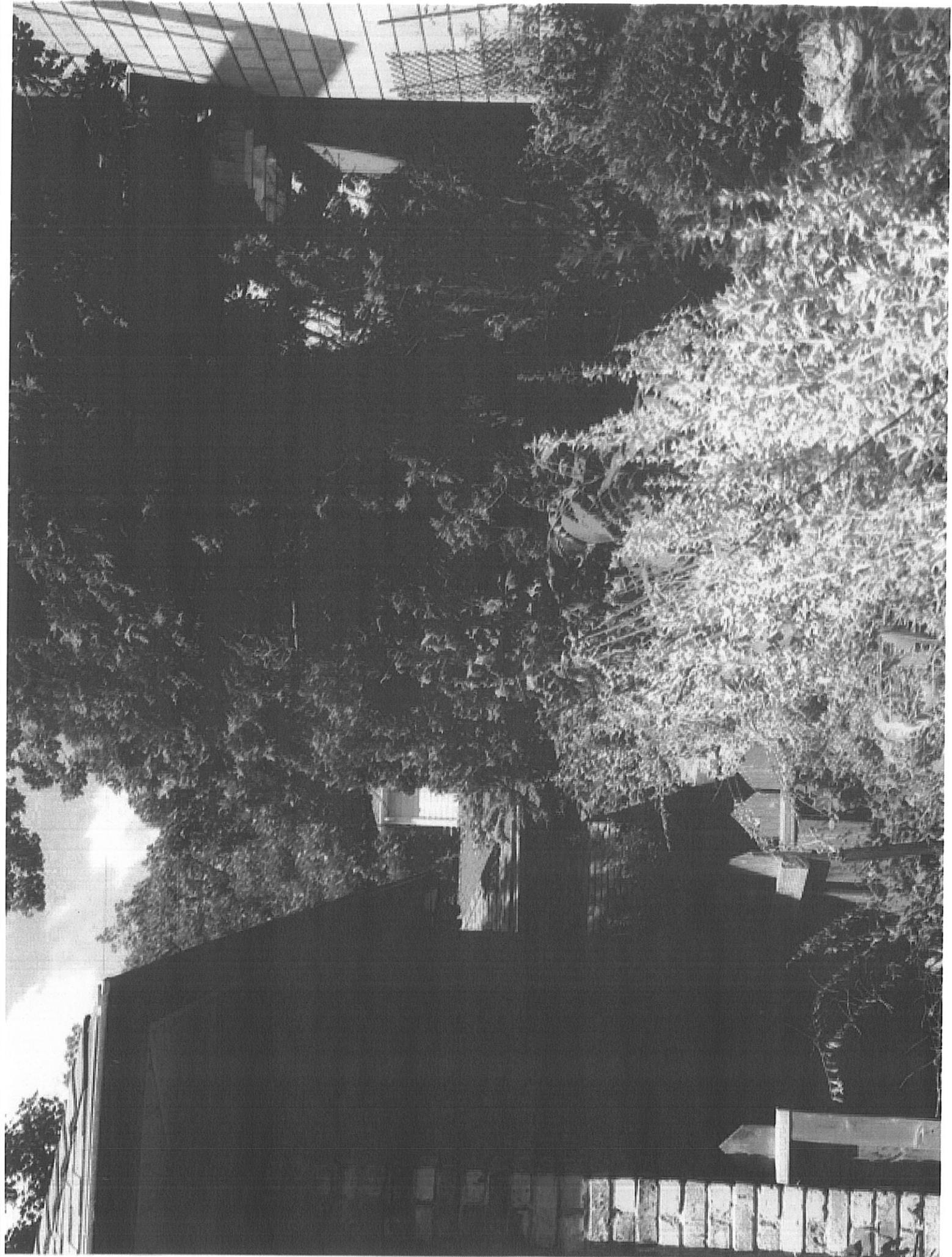




















From: HENDRICKSON, GARY
To: Giant, Joseph R
Subject: 2016 Cedar Lake Pkwy
Date: Sunday, August 31, 2014 1:31:00 PM

Dear Mr Giant,

I am the owner and occupant of the home at 2102 Cedar Lake Parkway.

I am writing to let you know that my wife and I fully support approving the three variances to construct the home at 2106 cedar lake Parkway.

Regards,

Gary Hendrickson

This transmission may contain confidential or privileged information; unauthorized use is prohibited. Transactions are subject to the terms found at <http://www.coatings.com/notice.jsp>