



CPED STAFF REPORT

Prepared for the Board of Adjustment

BOA Agenda Item #7
 October 9, 2014
 BZZ-6803

LAND USE APPLICATION SUMMARY

Property Location: 5104 16th Avenue South
Project Name: 5104 16th Avenue South – Variances for New Construction
Prepared By: [Andrew Liska](#), City Planner, 612.673.2264
Applicant: Bill Rolandelli
Project Contact: Bill Rolandelli
Request: Variances to construct a new single-family dwelling.
Required Applications:

Variance	To reduce the required north interior side yard setback from 5 feet to 4.6 feet
Variance	To reduce the established front yard setback from approximately 22.6 feet to approximately 20.1 feet.

SITE DATA

Existing Zoning	RIA, AP
Lot Area	5,080 square feet
Ward(s)	11
Neighborhood(s)	Hale Page Diamond Lake Community 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 RIA with the AP Overlay District and is approximately 41 feet by 123 feet (5,080 square feet). A one story residence constructed in 1925 occupies this site. The north interior side yard setback is 4.6 feet; the front yard setback is 20.1 feet. A detached garage serves the property and is accessed from the alley to the rear.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. There are many recent remodels and newly constructed single-family dwellings in the area. Surrounding properties and the Hale neighborhood housing stock as a whole is composed of a diversified mix of old and new dwellings ranging from traditional single-story to modern two-and-one-half-story dwellings.

PROJECT DESCRIPTION. The applicant has proposed a substantial remodel along with new construction to the existing structure, including a new twenty (20) foot addition to the rear and adding a full second story. The scope of work exceeds a 60% demolition and thus, is considered a new single-

Date Application Deemed Complete	September 17, 2014	Date Extension Letter Sent	N/A
End of 60-Day Decision Period	November 16, 2014	End of 120-Day Decision Period	N/A

family dwelling. The proposal includes utilizing the existing foundation which is encroaching the established front yard and the north interior side yard setbacks. No grandfather rights exist when constructing new single-family dwellings; due to this, these variances are required for this development.

PUBLIC COMMENTS. As of writing this staff report, staff has not received any correspondence from the Hale Page Diamond Lake Community Association. Staff will forward comments, if any are received, at the Board of Adjustment meeting.

ZONING ANALYSIS. An analysis indicates that the proposed dwelling meets the design standard points for new single-family dwellings. Seventeen (17) points are the minimum point total needed for approval and this proposal received 17 out of 27 possible points for the following design standards:

- The exterior building materials are masonry, brick, stone, stucco, wood, cement-based siding, or glass (6 points);
- Not less than twenty (20) percent of the walls on each floor that face a public street are windows (3 points);
- 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 and is located entirely in the rear forty (40) feet or twenty (20) percent of the lot, whichever is greater, and the accessory structure is not less than twenty (20) feet from any habitable portion of the principal structure (3 points);
- The structure includes a basement as defined by the Building Code (3 points);
- Not less than ten (10) percent of the walls on each floor that face the interior side and rear, are windows (2 points);

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.*

FRONT YARD VARIANCE: The circumstance upon which the variance is requested is unique to the parcel of land. The applicant is seeking to substantially remodel the existing dwelling and add a second story. The foundation of the existing structure is encroaching the established front yard setback. This established front yard setback is created by a connecting line from the house to the north, 5100 16th Avenue South and the property to the south, 5108 16th Avenue South. The location of the foundation was created by the original builder and not the applicant.

The applicant has proposed a second story going up from the existing setback and also cantilevering over the existing stoop on the north side of the dwelling. The property to the north is setback approximately 19.5 feet; the property to the south is setback approximately 25.8 feet. The proposed setback of the second floor is 20.1 feet.

SIDE YARD VARIANCE: The circumstance upon which the variance is requested is unique to the parcel of land. The applicant is seeking to substantially remodel the existing dwelling, add 20 feet to the rear, and add a second story. In doing so, the applicant has proposed to utilize the excavation and footprint associated with the original structure to avoid possible soil and erosion issues. The location of the foundation was created by the original builder in 1925 and is outside the current owners' control. The applicant is proposing to utilize the existing foundation for the renovation of the dwelling. The proposed twenty (20) foot addition to the rear and off the existing foundation will step back six (6) inches to meet the standard five (5) foot side yard setback for this parcel.

2. *The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.*

FRONT YARD AND SIDE YARD VARIANCES: The applicant is proposing to use the property in a reasonable matter. This is a residential area and the proposed use is a single-family dwelling. Single-family dwellings are consistent with the character of the area, the future land-use map demonstrated in the comprehensive plan, and the proposed plans meet the newly adopted design standard point system.

The applicant is seeking to utilize the setbacks of the existing footprint and excavation as a part of this renovation. According to Chapter 535.220 of the Minneapolis Code of Ordinances, 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. The applicant is seeking to utilize the setbacks that have been present on this site since original construction in 1925. These variances will not hinder orderly development nor will they 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.*

FRONT YARD AND SIDE YARD VARIANCES: 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 these variances are 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 **approve** the application for a variance to reduce the required established front yard setback from approximately 22.6 feet to approximately 20.1 feet for the construction of a new single-family dwelling located at 5104 16th Avenue South, 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 October 9, 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 required north interior side yard setback from 5 feet to 4.6 feet for the construction of a new single-family dwelling located at 5104 16th Avenue South, 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 October 9, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. Construction on and above the existing foundation is permitted at 4.6 feet; new construction associated with the addition to the rear of the existing structure shall meet the district setback standard of not less than 5 feet.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Existing Survey
4. Proposed Site Plan
5. Building elevations
6. Floor plans
7. Photos of Existing Conditions
8. Correspondence

Date 9/4/2014

Subject **Variance Written Statement**
for General Land Use Application

Property Location 5104 16th Ave. S.

Property Description Lot 1, Block 4 , Lake Nokomis Heights

Property Owner K2 Bath Design & Remodel LLC.

Owner Rep /Applicant Bill Rolandelli

Applicant Contact Info 952-564-1877 , rolandellib@yahoo.com

Variance Written Statement

Part 1) Variance Request # 1 for the north property line

In our design process we wanted to keep the same building line that the existing structure has but in order to obtain the square footage for converting from a 2 bedroom home to a four bedroom home we needed to expand the footprint along the same building line another 20 feet. At no point will our new structure extend / encroach any further than the existing structure already does. Without us falling into the newly adapted "Demo % /New Home guideline no variance would have been needed at all. We feel that our design and positioning of the structure on the lot by following the existing foundation will be very similar to other structures recently renovated. A good example is 5101 16th Ave S. directly across the street, which is our understanding was also a 2nd floor add on project.

Part 2) Variance Request # 2 for the "required front yard".

Again we are building within the existing footprint.
within the existing footprint . We are basically asking for a variance here on an existing structure due to the imposed "new home guidelines" and the existing structure is conforming to the 20' setback rule of the past. We feel it is essential for all aspects of our project that we build withing the existing footprint.

Part 3) General Note

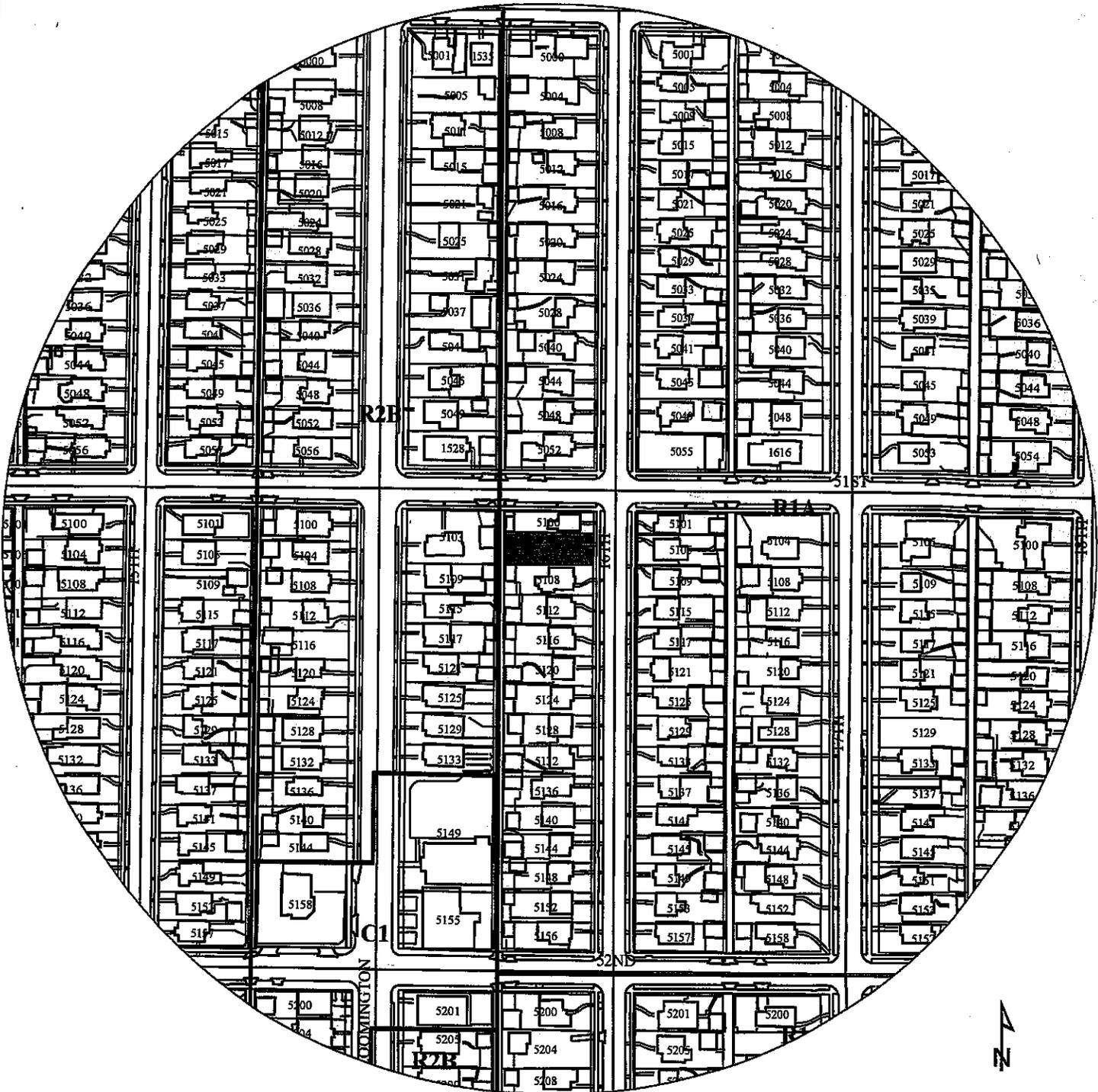
The Owner feels that looking at the failing existing structure this project is a very nice addition to the neighborhood and provides the area with a much needed 4 bedroom home.

Bill Rolandelli

11th

NAME OF APPLICANT

WARD



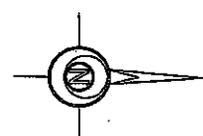
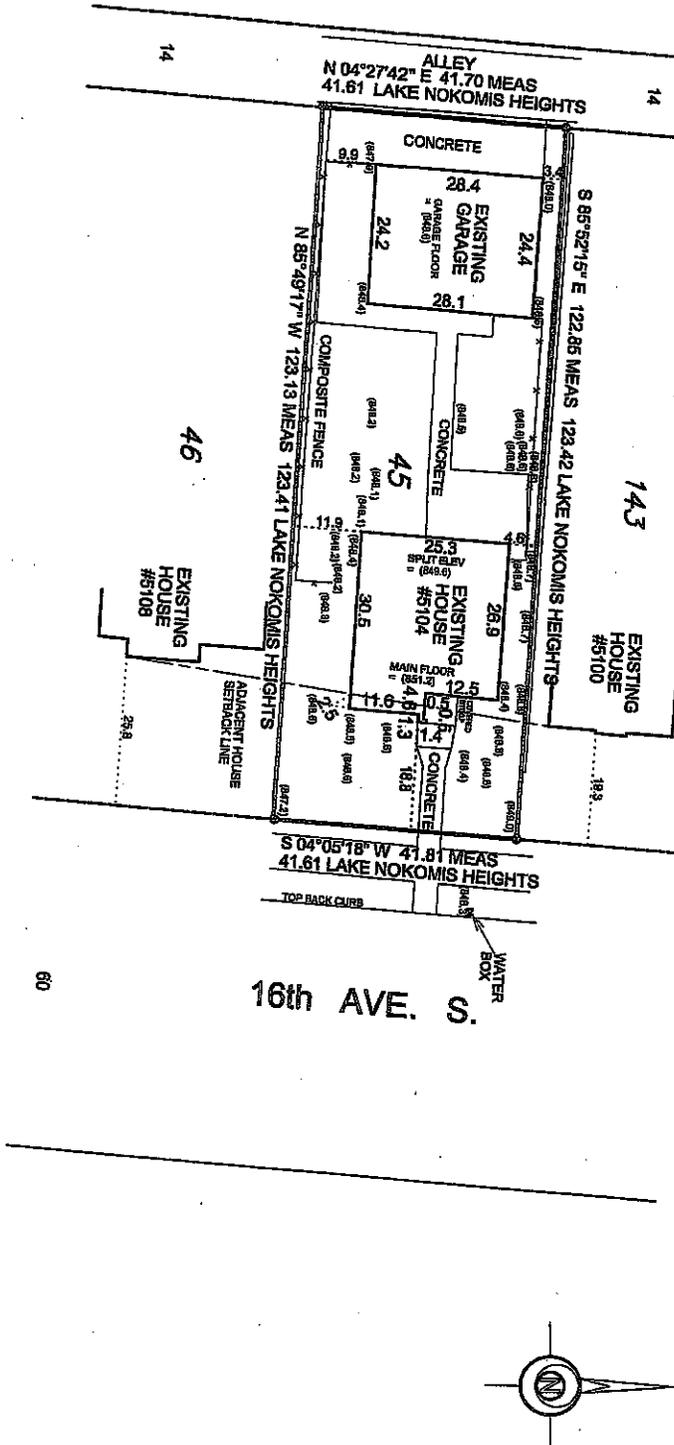
PROPERTY ADDRESS

5104 16th Avenue South

FILE NUMBER

BZZ-6803

CERTIFICATE OF SURVEY FOR BILL ROLANDELLI OF LOT 1, BLOCK 4, LAKE NOKOMIS HEIGHTS HENNEPIN COUNTY, MINNESOTA



GRONBERG & ASSOCIATES, INC.
CONSULTING ENGINEERS, LAND SURVEYORS,
SITE PLANNERS
445 N. WILLOW DRIVE
LONG LAKE, MN, 55368
882-473-4141

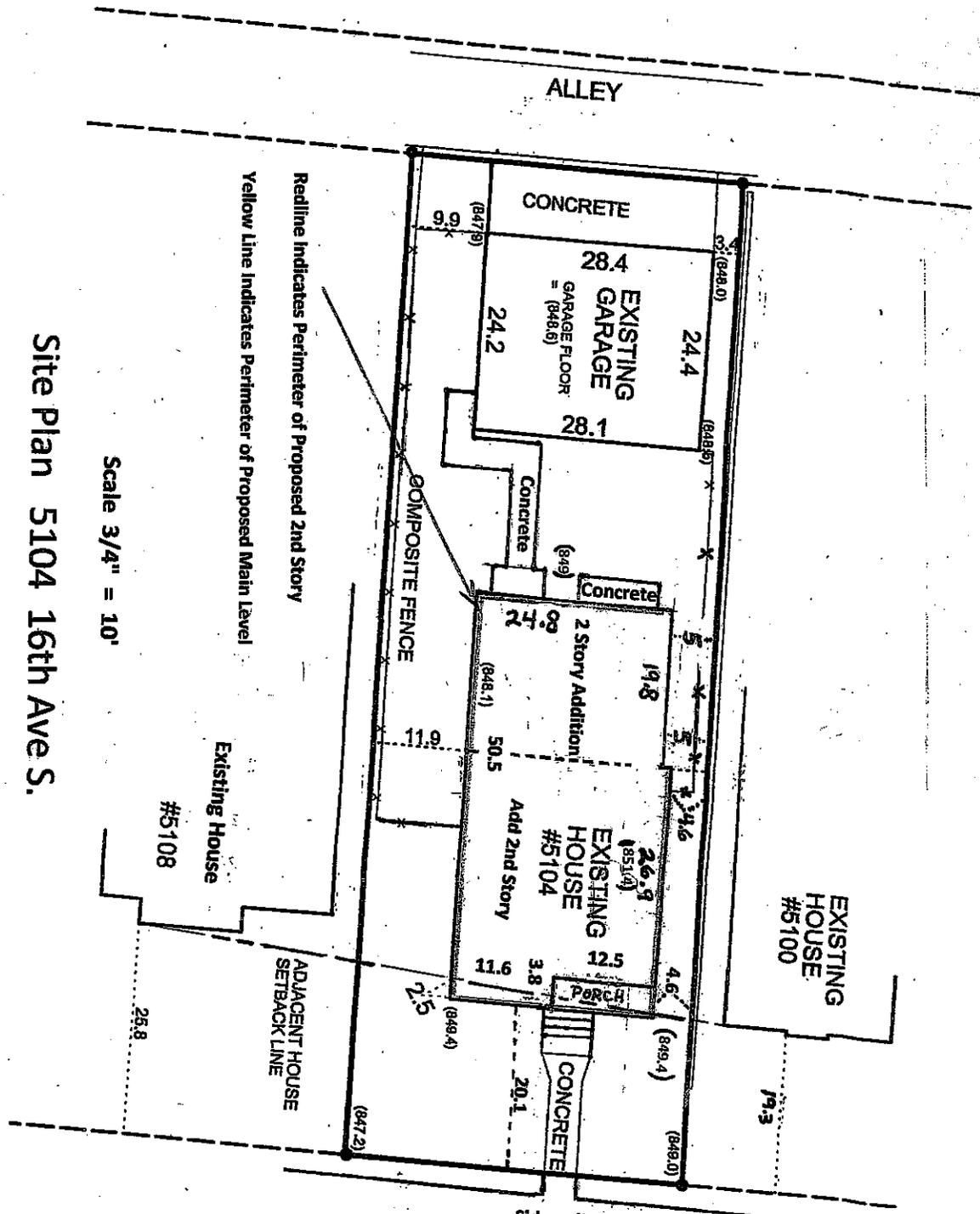
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Mark S. Gronberg
Mark S. Gronberg Minnesota License Number 12755

SCALE	1" = 20'
DATE	8-21-14, 7-16-14
JOB NO.	108 NO.
	14-332

LEGAL DESCRIPTION OF PREMISES:
Lot 1, Block 4, LAKE NOKOMIS HEIGHTS

• : denotes iron marker found
 (par. 2) : denotes existing spot elevation
 Bearings shown are base on an assumed datum.
 This survey shows the boundaries of the above property and the location of an existing house, garage and existing "handover" thereon. It does not purport to show any other improvements or encroachments.



ALLEY

CONCRETE
EXISTING GARAGE
GARAGE FLOOR = (948.6)
28.4
24.2
28.1

COMPOSITE FENCE

2 Story Addition
EXISTING HOUSE #5104
Add 2nd Story

EXISTING HOUSE #5100

Existing House #5108

ADJACENT HOUSE SETBACK LINE

Sidewalk

TOP BACK CURB

WATER BOX

16th AVE. S.

North

REVISION - DATE 9-24-14

J.Kachman Res.
5104 16th Ave S.
Mpls, MN

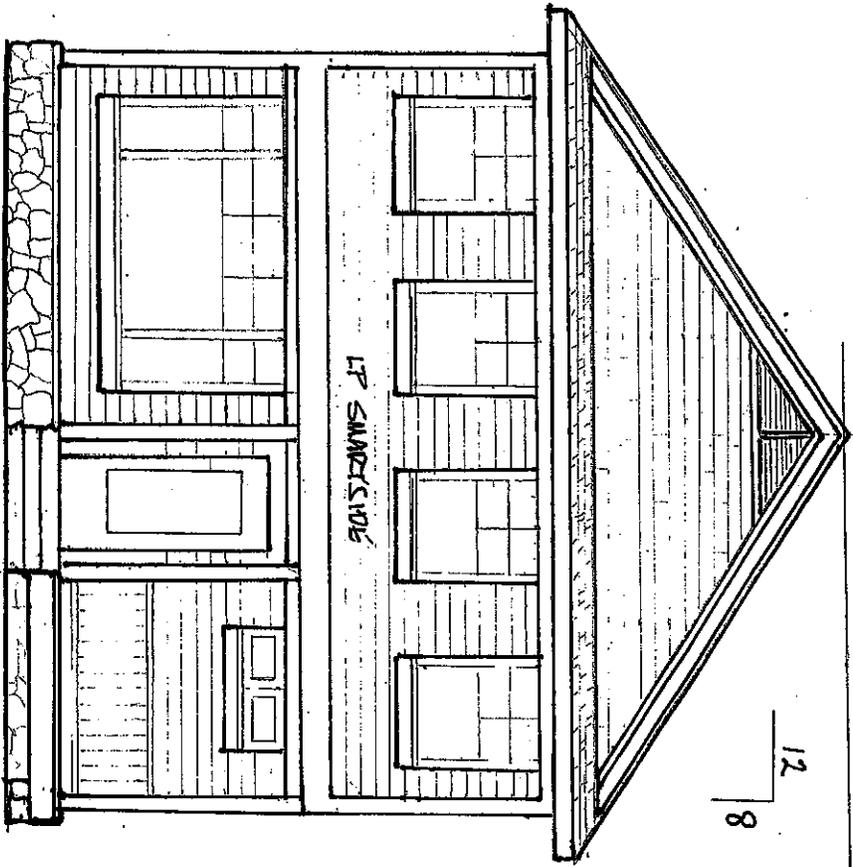
Site Plan 5104 16th Ave S.

Scale 3/4" = 10'

Redline indicates Perimeter of Proposed 2nd Story
Yellow Line indicates Perimeter of Proposed Main Level

822 6983

MAX HEIGHT 30' LG ORNAMENT



EAST ELEVATION

28' GRADE to RIDGE

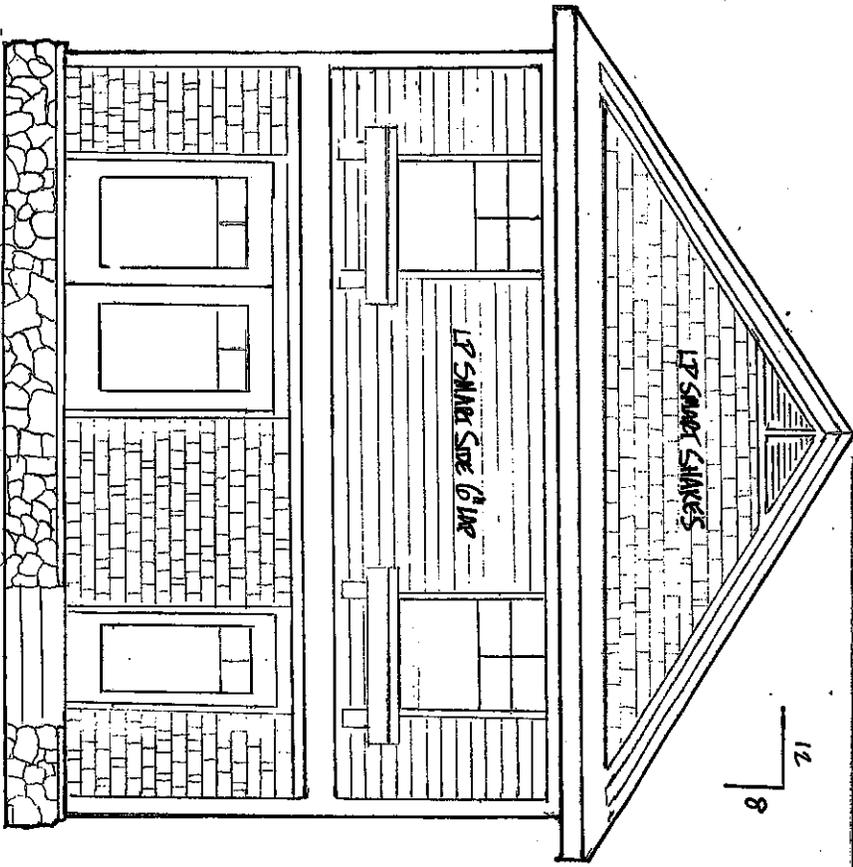
SCALE 1/4" = 1 FOOT



SHEET A5

TRACHMAN RES
5104 16th AVE S.
MPLS, MN

WEST ELEVATION



12
8

28' GRADE TO RIDGE

SCALE 1/4" = 1 FOOT

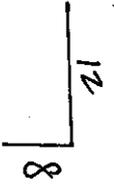


NORTH

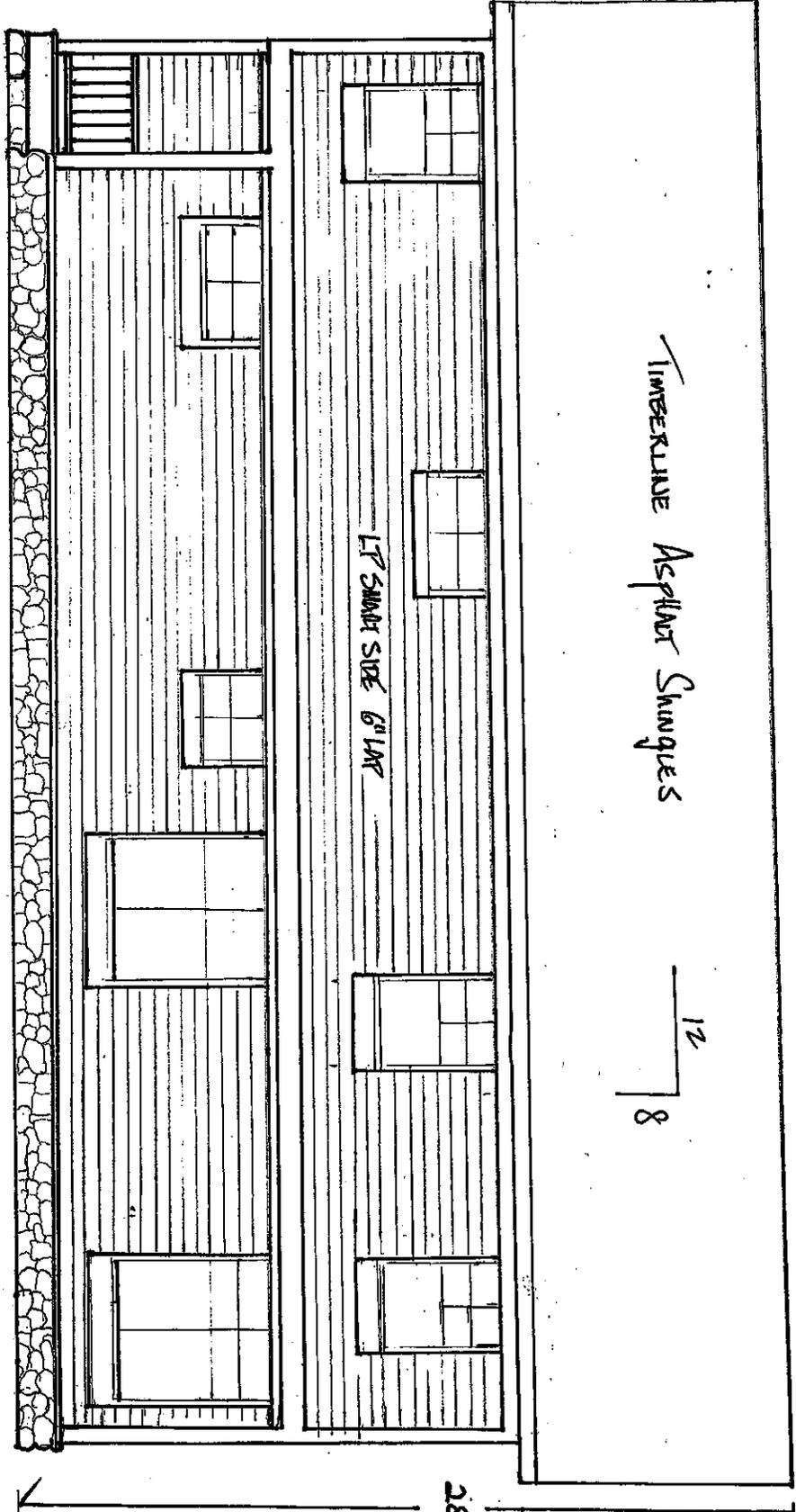
SHEET A6

J KACHUNIA RES.
5104 10th AVE S.
MPLS, MN

TIMBERLINE ASPHALT SHINGLES



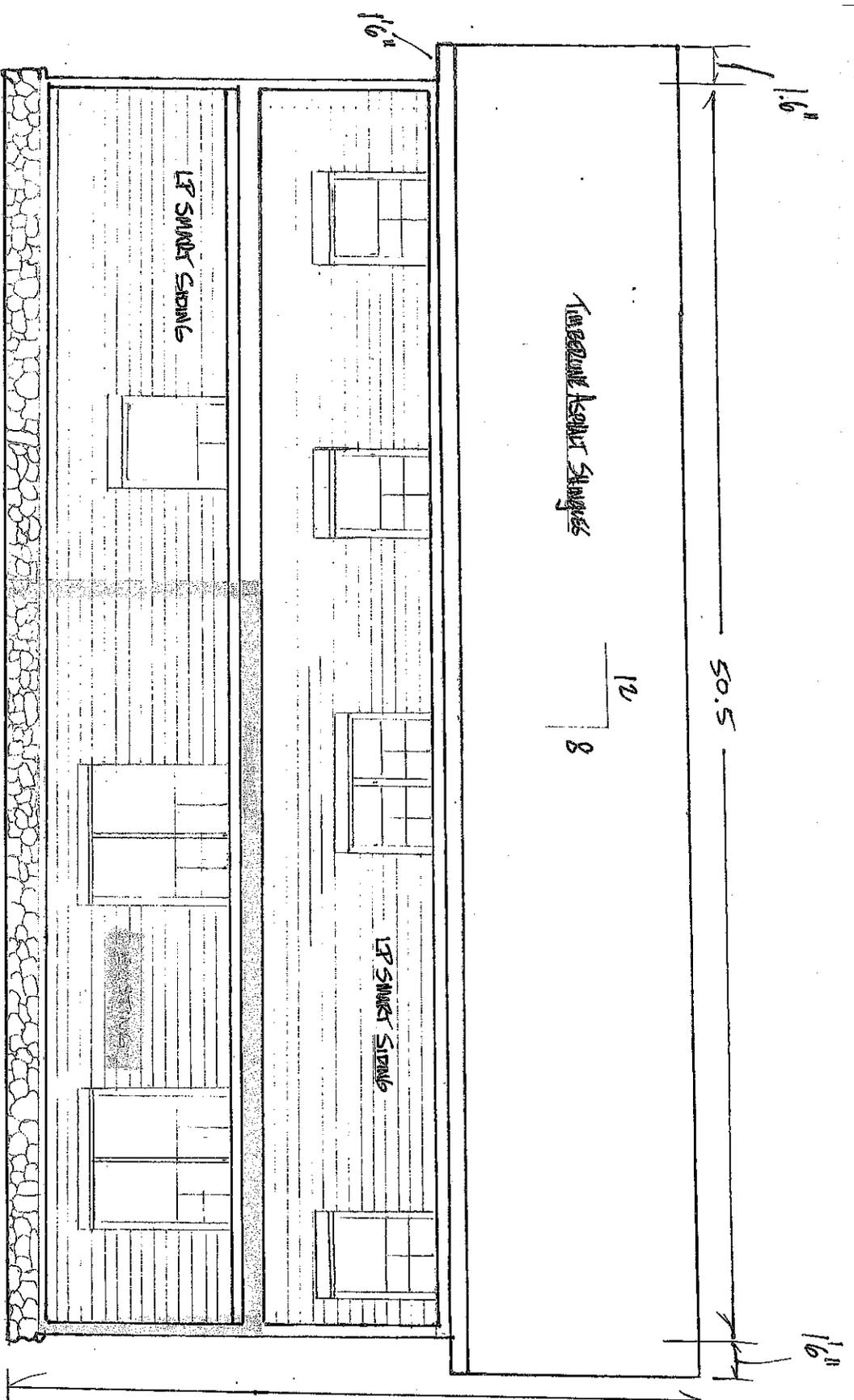
17" SHOWN SIZE 6" LAP



28'

NORTH ELEVATION (Proposed) SCALE 1/4" = 1 FOOT

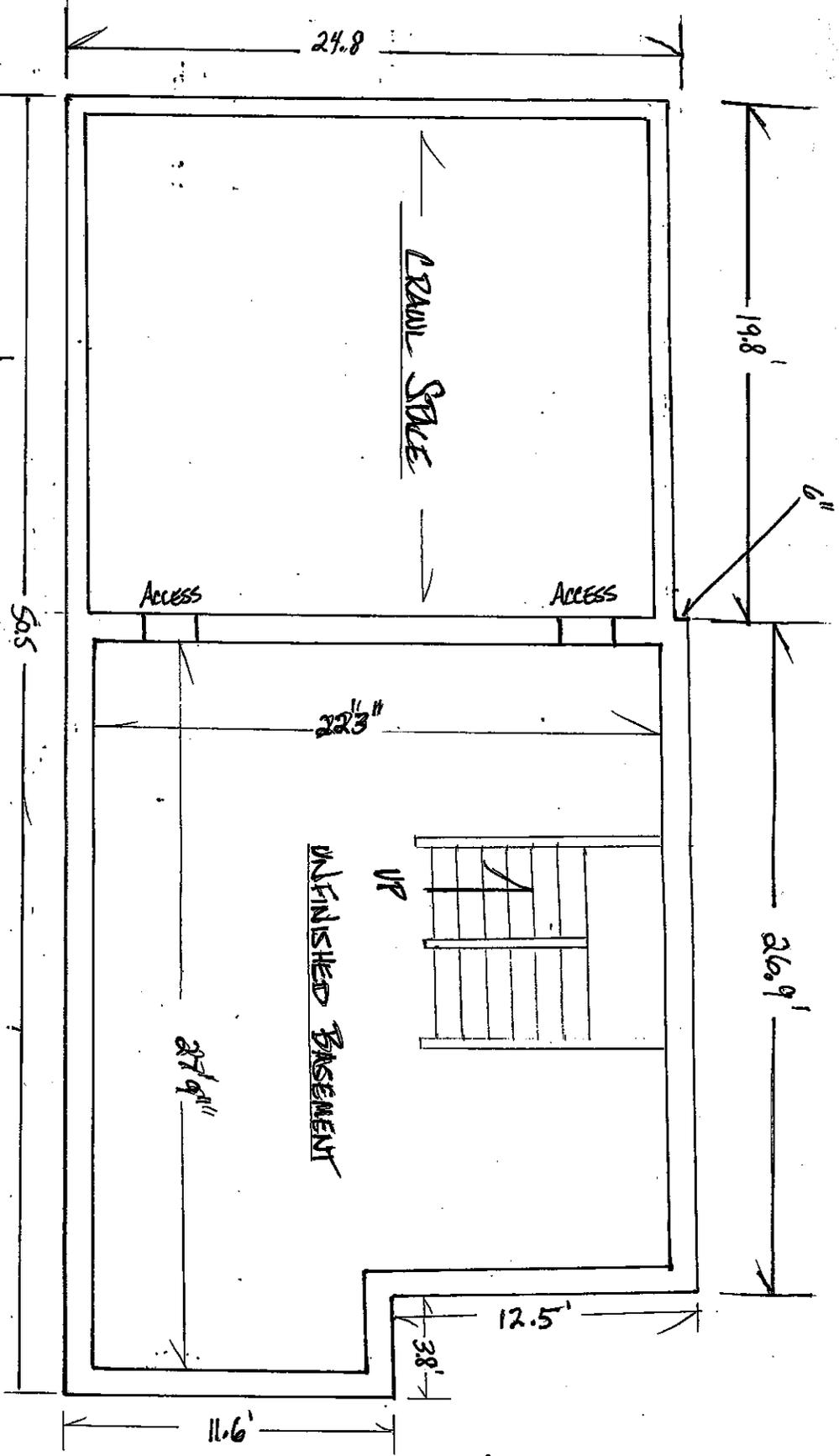
SHEET A8
KROHMAN RES
5104 10th AVE S.
MPLS, MN



SOUTH ELEVATION (Proposed) SCALE 1/4" = 1 FOOT

28' GRADE TO RIDGE
 1
 NORTH
 SHEET A7
 KAHNANI RES.
 5104 16th AVE S.
 MAPLE, MN

CRAWL-SPACE / BASEMENT PLAN
 Revised to Show Compliance on Addition
 Per Staff Recommendation
 SCALE 1/4" = 1 FOOT

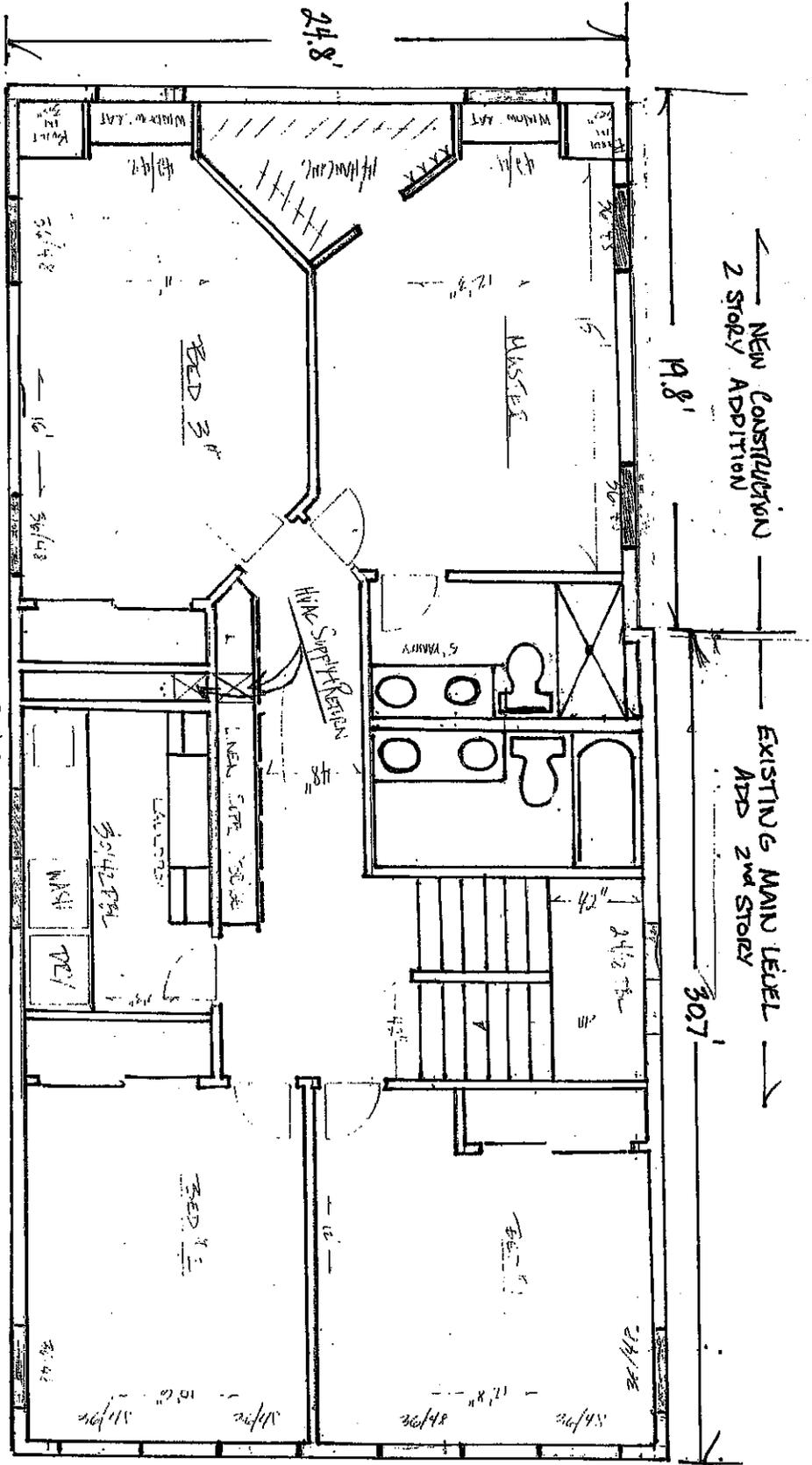


NORTH
 1

SHEET A0

Revision Date 9.29.14

TRACIMAN RES
 5104 16th AVE S.
 Mpls, MN.



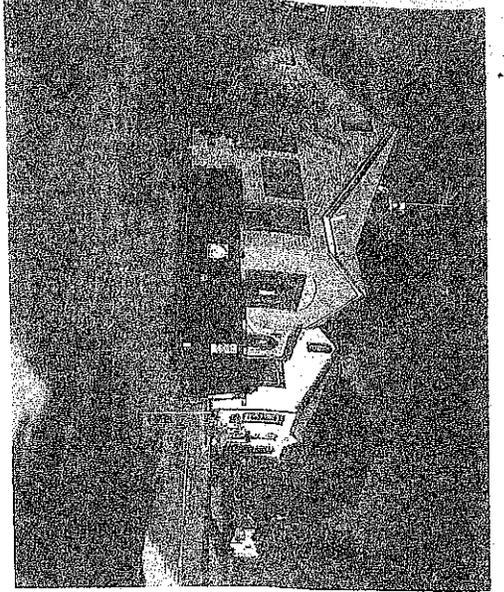
← NEW CONSTRUCTION
2 STORY ADDITION

EXISTING MAIN LEVEL
ADD 2ND STORY →

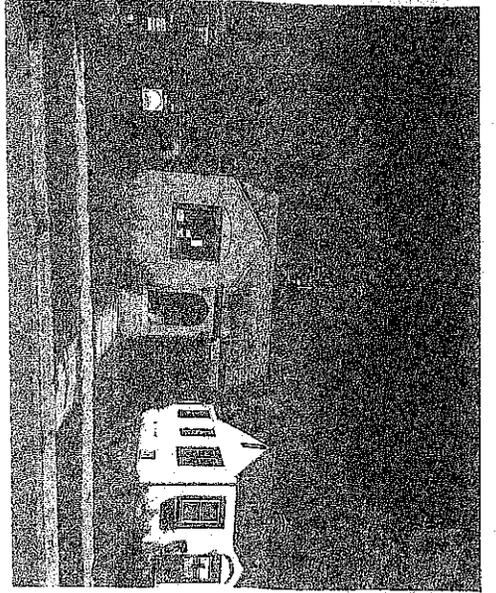
2nd Floor Proposed Floor Plan 1200 sq. ft.
Revised to Show Compliance on Addition
PER STAFF RECOMMENDATION

SCALE 1/4" = 1 FOOT

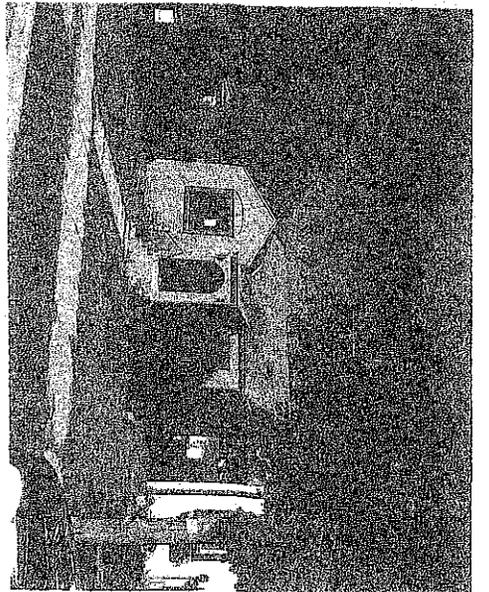
SHEET A2
REVISION DATE 9-29-12
TYNCHMAN RES
5104 16th AVE S
MRS. M.N.



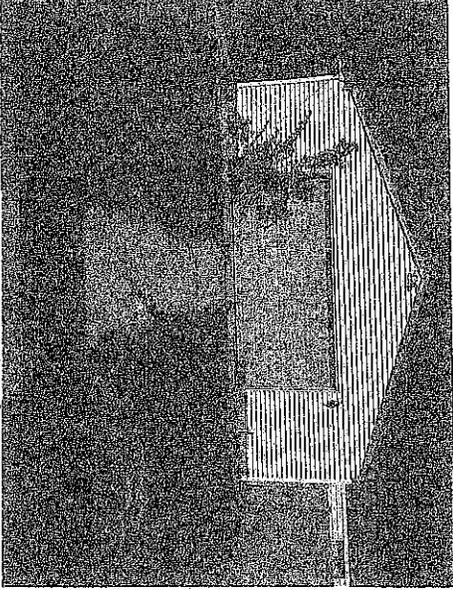
SOUTH EAST ELEVATION



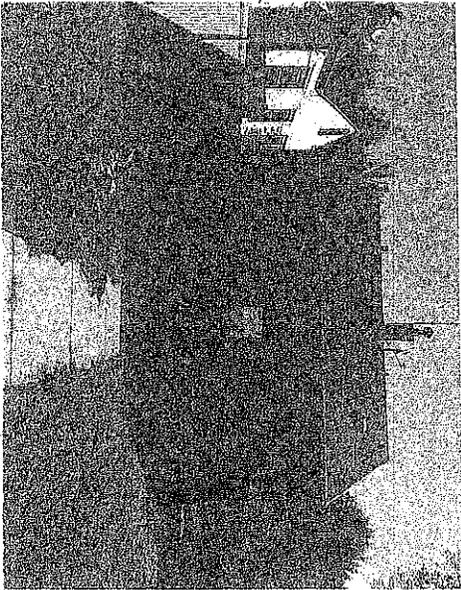
EAST ELEVATION



NORTH EAST ELEVATION



EAST GARAGE ELEVATION



WEST ELEVATION

P1
STROCKMAN RES
5104 16th AVE S.
MPS MN