



# CPED STAFF REPORT

Prepared for the Board of Adjustment

BOA Agenda Item #3  
February 5, 2015  
BZZ-6989

## LAND USE APPLICATION SUMMARY

*Property Location:* 2021 Harriet Avenue South  
*Project Name:* Herman Remodel  
*Prepared By:* [Janelle Widmeier](#), Senior City Planner, (612) 673-3156  
*Applicant:* Stewart and Linda Herman  
*Project Contact:* Marc Sloom, SALA Architects  
*Request:* To allow an addition to a single-family dwelling.  
*Required Applications:*

<b>Variance</b>	To reduce the minimum interior side yard requirement adjacent to the north lot line from 5 feet to 3.8 feet to allow an addition to a single-family dwelling.
-----------------	---

## SITE DATA

<b>Existing Zoning</b>	R2B Two-Family District
<b>Lot Area</b>	5,149 square feet
<b>Ward(s)</b>	10
<b>Neighborhood(s)</b>	Whittier Alliance
<b>Designated Future Land Use</b>	Urban Neighborhood
<b>Land Use Features</b>	Not applicable.
<b>Small Area Plan(s)</b>	Not applicable.

<b>Date Application Deemed Complete</b>	January 7, 2015	<b>Date Extension Letter Sent</b>	Not applicable
<b>End of 60-Day Decision Period</b>	March 8, 2015	<b>End of 120-Day Decision Period</b>	Not applicable

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The existing use is a 2.5-story, single-family dwelling. It was permitted for construction in 1907.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** There is a mix of residential uses in the surrounding area from low to high density. The use on the property directly north of the subject property is also a 2.5-story, single-family dwelling.

**PROJECT DESCRIPTION.** The applicant is proposing to remodel the existing single-family dwelling, construct a rear 2.5-story addition, and make the dwelling more energy efficient to obtain net zero energy performance. Up to one foot of exterior insulation is proposed to be added to all sides and the roof of the dwelling. With the proposed alterations, the interior side yard setback on the north side is proposed to be reduced to 3.8 feet to allow the added exterior insulation and the rear addition. The minimum interior side yard requirement is 5 feet. A variance is required to the interior side yard requirement. The proposal would comply with all other applicable ordinances. The finished exterior materials will include lap siding and traditional window patterns, as illustrated in the attached elevations.

**PUBLIC COMMENTS.** Correspondence has not been received from the neighborhood group as of the writing of this report. Any correspondence received prior to the public meeting will be forwarded on to the Board of Adjustment for consideration.

## ANALYSIS

### VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to reduce the minimum interior side yard requirement adjacent to the north lot line from 5 feet to 3.8 feet to allow an addition to a single-family dwelling, 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.*

Practical difficulties exist in complying with the ordinance due to circumstances unique to the property. The existing dwelling is set back 4.8 feet from the north side lot line. The applicant is proposing to greatly increase the energy efficiency of the dwelling. To do that, additional insulation is necessary. Other insulating options were explored, including insulating the wall cavity and the interior of the dwelling. The existing walls have a layer of plaster in the wall cavity, which allows very little insulation to be added. Insulating only the interior of the north side of the house results in several complications including impacts to the floor plan layout such as existing plumbing and attic stair access, an off-set from center roof ridgeline, and issues with vapor. The rear addition would align with the new insulated exterior wall setback.

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.*

In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The comprehensive plan supports setback requirements, but also supports energy efficiency and rehabilitating existing housing stock over demolition. The applicant would like the north wall of the house to extend up to one foot closer to the north lot line to add more insulation to the dwelling in order to rehabilitate the existing structure and make it more energy efficient. The proposal complies with all other applicable ordinances. Although the distance between the subject dwelling and the dwelling directly to the north would be lessened, the addition should have minimal impacts on surrounding properties access to light, air, and open space. The property to the north is set back 4.7 feet from the shared lot line. For existing nonconforming single-family dwellings that do not comply with an interior side yard requirement, the zoning code allows an extension of the existing setback when the existing wall is set back at least 3 feet from an interior side lot line that comprises at least 60 percent of the length of the house. The request is similar to this exception allowed by the code. The request is reasonable and consistent with the intent of the ordinance and 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.*

The granting of the variance would not affect the character of the area or be injurious to the use or enjoyment of other property in the vicinity. The applicant would like the north wall of the house to extend one foot closer to the north lot line to add more insulation to the dwelling in order to rehabilitate the existing structure and make it more energy efficient. The exterior is proposed to be enhanced in a way that is compatible with the existing structure and surrounding properties. With the remodel, the transition between the existing structure and the addition will be seamless. Nonconforming setbacks are characteristic in the area. The dwelling to the north is set back 4.7 feet from the shared lot line and the dwelling to the south is set back 3 feet from the shared lot line. Although the distance between the subject dwelling and the dwelling directly to the north would be lessened, the addition should have minimal impacts on surrounding properties access to light, air, and open space. If granted, the proposed variance will not be detrimental to the health, safety or welfare of the public or those utilizing the property provided the proposed construction is built to current building codes.

## 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 minimum interior side yard requirement adjacent to the north lot line from 5 feet to 3.8 feet to allow an addition to a single-family dwelling located at the property of 2021 Harriet Avenue South, subject to the following conditions:

- I. 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 February 5, 2017, 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 survey
4. Site plan
5. Existing floor plans
6. Proposed floor plans
7. Building elevations
8. Photos

## **2021 Harriet Ave. South Zoning Variance Application**

### **Statement of proposed use and description of the project**

The project is to make modifications and updates to this home so it will be an enriching place for the owners to retire. It will remain a single family home as it is now. They wish to embrace the existing character of the home, but improve its layout, insulation, air sealing and operational technologies following current best practices so it will be an example of what can be done to revitalize existing older housing stock in Minneapolis.

The owners want to lead by example and make this an environmentally friendly project. To this end they want to deploy technologies to make the house “net zero” in its use of energy and production of carbon, and follow the holistic GreenStar protocol to also achieve Green Building certification for the project. Net-zero means the house would produce as much energy on an annual basis as it consumes.

To achieve these goals, first and foremost they need to significantly improve the air sealing, insulation levels and windows of the entire house. They also need to install an extremely energy efficient geothermal heating/cooling system and finally they need to install photovoltaic solar panels on the roof to produce electricity.

Current building science research for our climate also points to exterior insulation and vented siding as the most effective way to improve the energy performance of existing walls without creating potentially harmful mold and durability problems. While this added thickness will be one foot or less, given the existing house location it will extend into the side yard setback space, and that is the reason they need a zoning variance.

## **2021 Harriet Ave. South Zoning Variance Application**

**Written statement by the applicant which addresses the following required 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 practical difficulty at issue is that the existing house is currently 4.8 feet from the north side yard property line and that the existing already thin walls have a layer of plaster in the wall cavity, which makes insulating the wall cavities at all very difficult. The owners want to preserve the existing house to the greatest extent possible and revitalize it to achieve net zero energy performance following best practices. This includes adding no more than 12 inches of thickness to the exterior of the existing walls for insulation and venting behind the new siding. Since the house is already 4.8 feet from the north property line, they need approval to extend into that side yard setback for the walls and new roof eave.

Adding insulation to the interior of the existing walls was considered as a possible strategy for this house, but it has complications which make it impractical. Some of the complications are as follows:

- It would require additional changes to some rooms and plumbing on the north side of the house that are not currently planned, and make access to the attic stair too tight.
- If we add it to the inside on just the north, and on the exterior of the south walls, then the center line of the exterior of the house no longer matches the center line of the interior of the house which will not work for some window placements. Adding insulation to the interior of all of the walls would cut into the interior space too much for the house to remain functional.
- Adding the insulation to the interior also is not a recommended position for the thermal and vapor dynamics of the wall. We need the dew point to occur within the insulation thickness that we add to the exterior and have that insulation keep the wall framing warm.
- We need to do work on the exterior any way.

These practical difficulties were not created by the owner and are not based on economic considerations alone.

- . (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 property owners want to live at 2021 Harriet Ave South in their retirement, which will begin in 2015. They embrace the spirit and intent of the ordinance and the comprehensive plan. They intend to keep this house as a single family residence, but preserve and revitalize it using today's best practices and technologies. One of their goals is to engage with the Whittier Neighborhood in Minneapolis, where their house is located. They also want to deploy technologies to make the house "net zero" in its use of energy and production of carbon.

This setback variance is the only variance needed, and this project will comply with all other aspects of the zoning 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 will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The projection into the setback needed to add insulation to this house is minimal and will not adversely block light, views or ventilation to neighbor properties.

The owners want to retain the overall look and scale of the current house, but add even more character to it, which should serve to enrich the entire neighborhood even more. Some of the specific improvements which will enhance the character of the house include:

- New Andersen A-Series windows with decorative muntins. These windows have have been specifically designed to look authentic for traditional homes.
- New windows will be sized and placed thoughtfully to make the house much more attractive than it is right now.
- New exterior trim of traditional dimensions complete with detailed bed moldings, drip caps and sills with side extensions. New Decorative trim in the roof gable.
- New traditional-looking lap siding with small exposure dimension to look authentic.
- Existing enclosed porch will be converted into a street-friendly with a visually transparent, low railing of traditional detailing.

Another goal the owners have is to share their experiences in this process and inspire others to improve their own homes and neighborhoods.



# 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: **STEWART AND LINDA HERMAN**

SURVEYED: December, 2014

DRAFTED: December 15, 2014

**LEGAL DESCRIPTION:**

Lot 9, Block 2, Badger and Penny's Addition, Hennepin County, Minnesota.

**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.
4. Showing and tabulating hard cover area and the area of the lot for your review and for the review of such governmental agencies that may have jurisdiction over hard cover requirements.
5. Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.
6. It should be noted, that this survey was completed under "snow conditions" and we cannot be certain that all items were found due to the snow cover. If you are aware of any items that we may have missed, we could come back, if requested, and locate them after you have expose them or wait until the snow and ice has melted.

**STANDARD SYMBOLS & CONVENTIONS:**

"●" 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: December 15, 2014

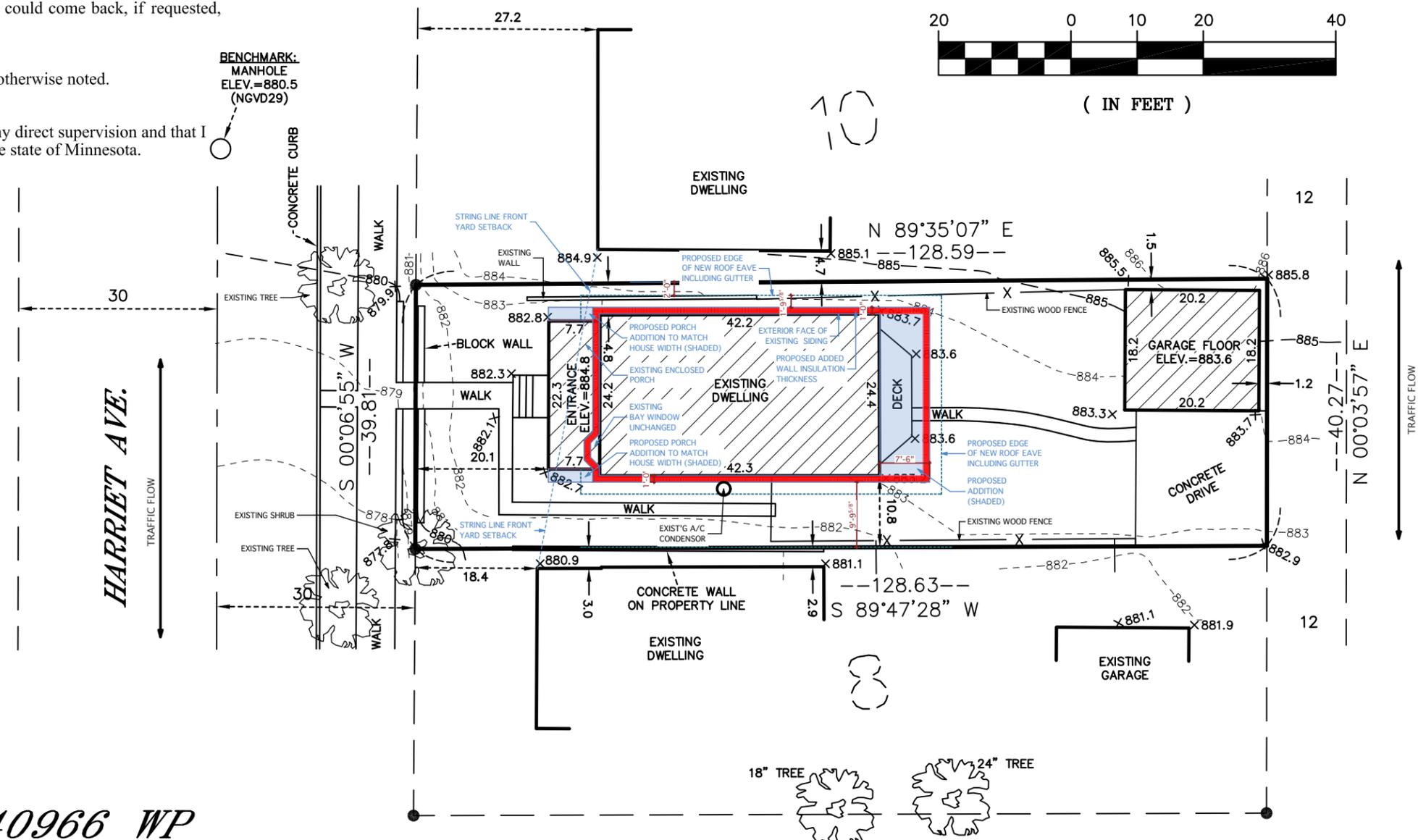
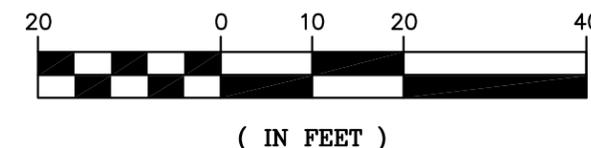
**EXISTING HARDCOVER TABULATION**

- HOUSE - 1,026 SQ. FT.
- PORCH - 173 SQ. FT.
- GARAGE - 367 SQ. FT.
- DECK - 80 SQ. FT.
- CONCRETE DRIVE - 405 SQ. FT.
- WALKS - 269 SQ. FT.
- WALLS - 56 SQ. FT.
- TOTAL - 2,376 SQ. FT.
- AREA OF LOT - 5,149 SQ. FT.
- COVERAGE - 46.1%

**SITE SURVEY W/ PROPOSED SITE PLAN EDITS  
(11x17 PAPER SIZE)**



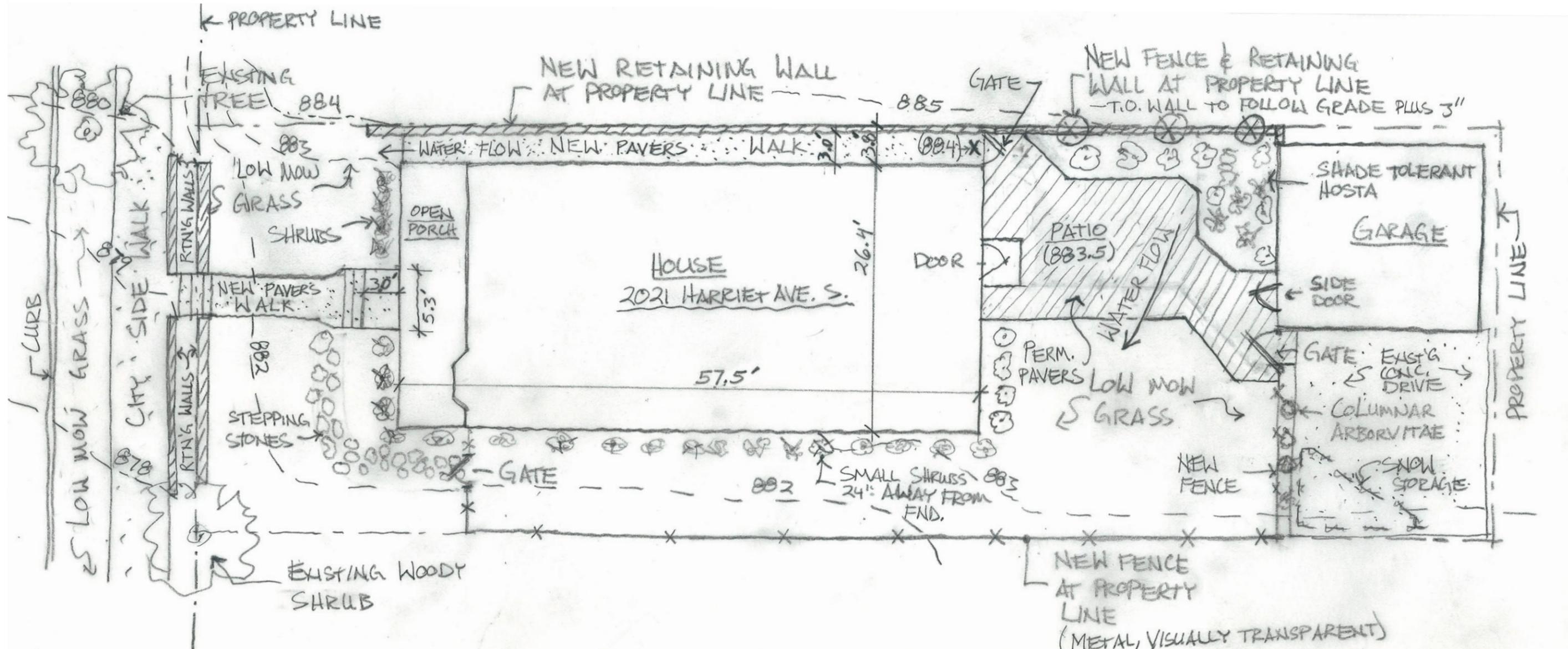
**GRAPHIC SCALE**



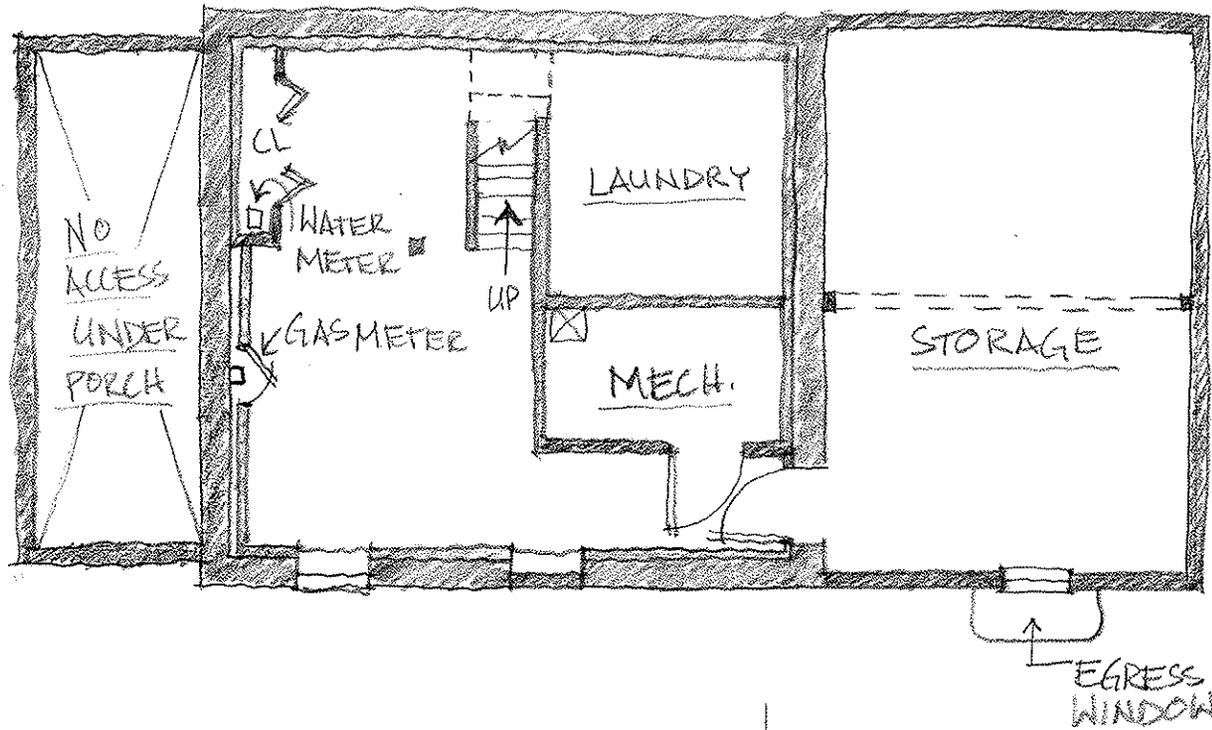
**PROPOSED LANDSCAPE PLAN  
(11x17 PAPER SIZE)**

PROPOSED HARDCOVER TABULATION

HOUSE + PORCH	1,518 SQ. FT.
GARAGE	367 SQ. FT.
CONCRETE DRIVE	405 SQ. FT.
RETAINING WALLS	91 SQ. FT.
WALKS & PATIO	653 SQ. FT.
TOTAL	3,034 SQ. FT.
ALLOWED 5,149 x 0.6 =	3,089 SQ. FT.

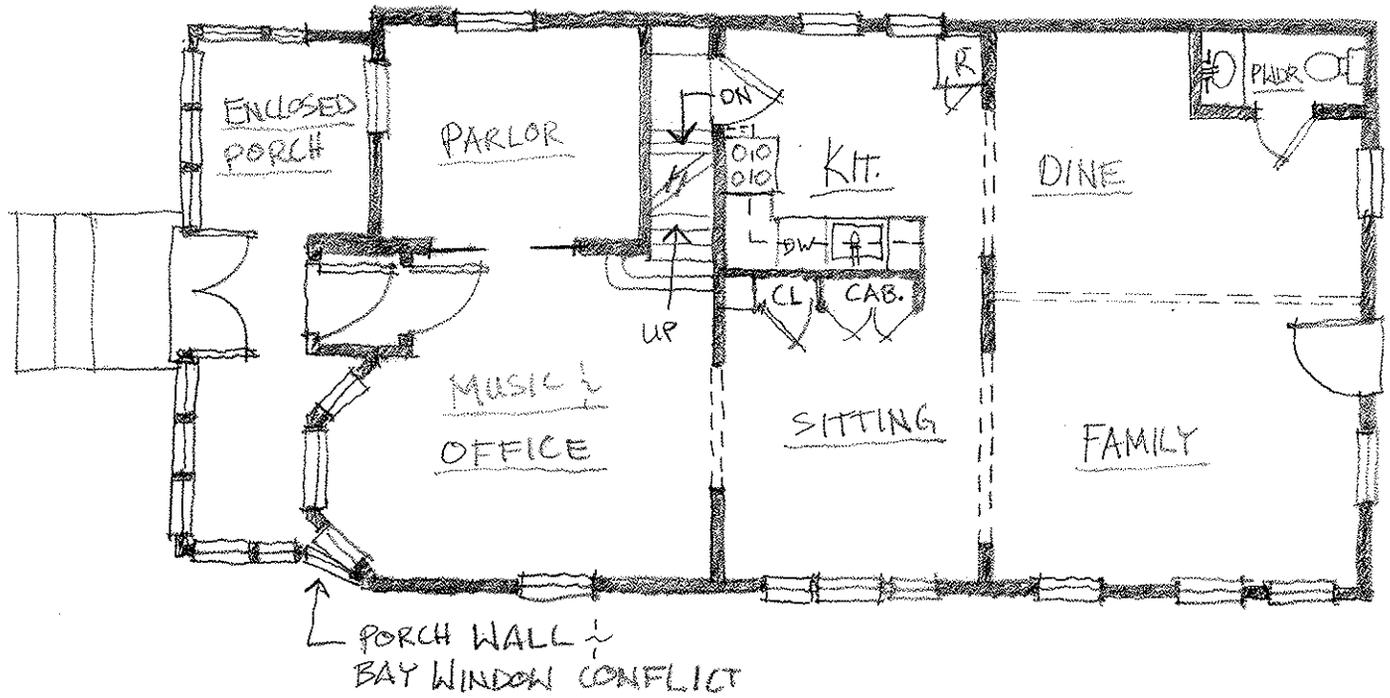


PROPOSED SITE PLAN | 1/6/15  
 1" = 10'-0" | NORTH ↑

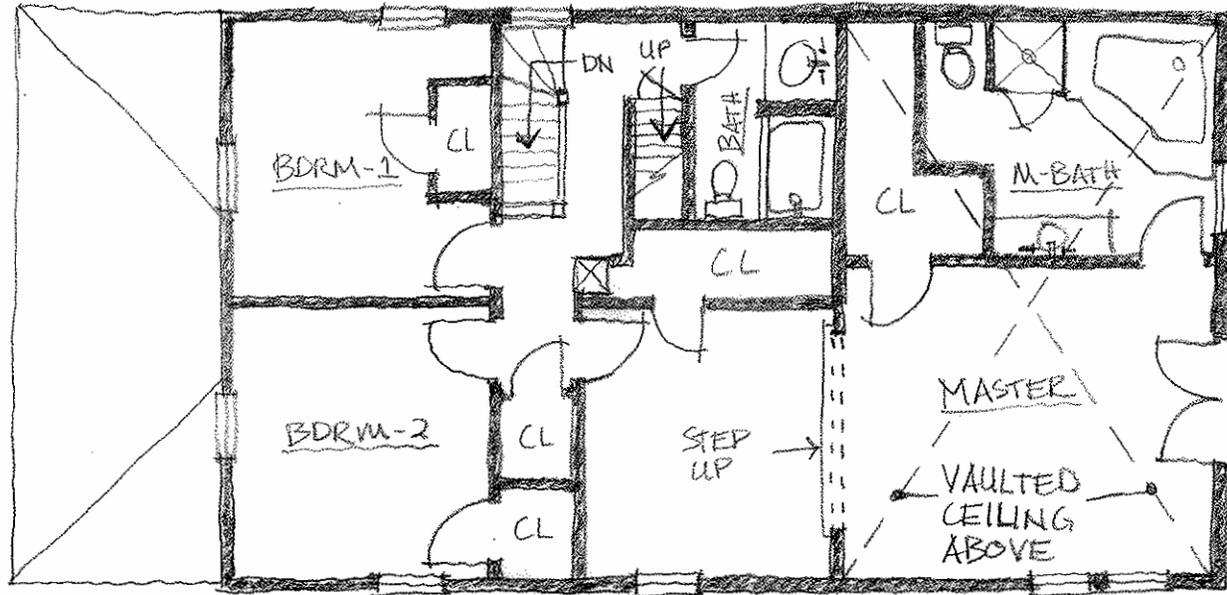


BASEMENT - EXISTING  
 $\frac{1}{8}'' = 1'-0''$

1/6/15



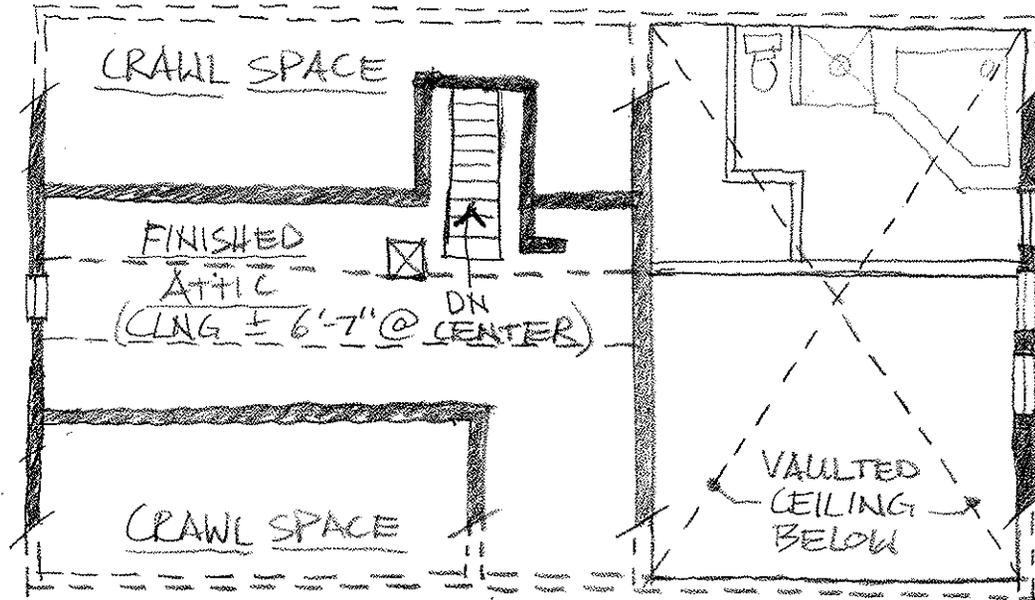
MAIN LEVEL - EXISTING | 1/6/15  
 1/8" = 1'-0"



UPPER LEVEL - EXISTING

1/6/15

$\frac{1}{8}'' = 1'-0''$



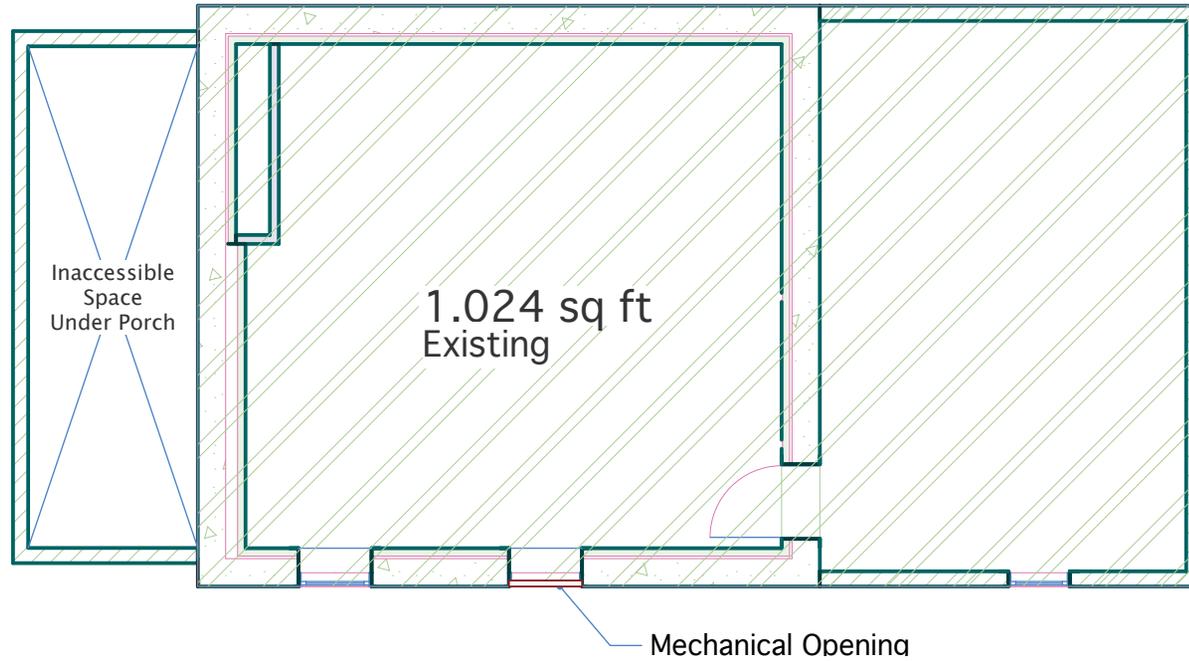
ATTIC LEVEL - EXISTING

1/6/15

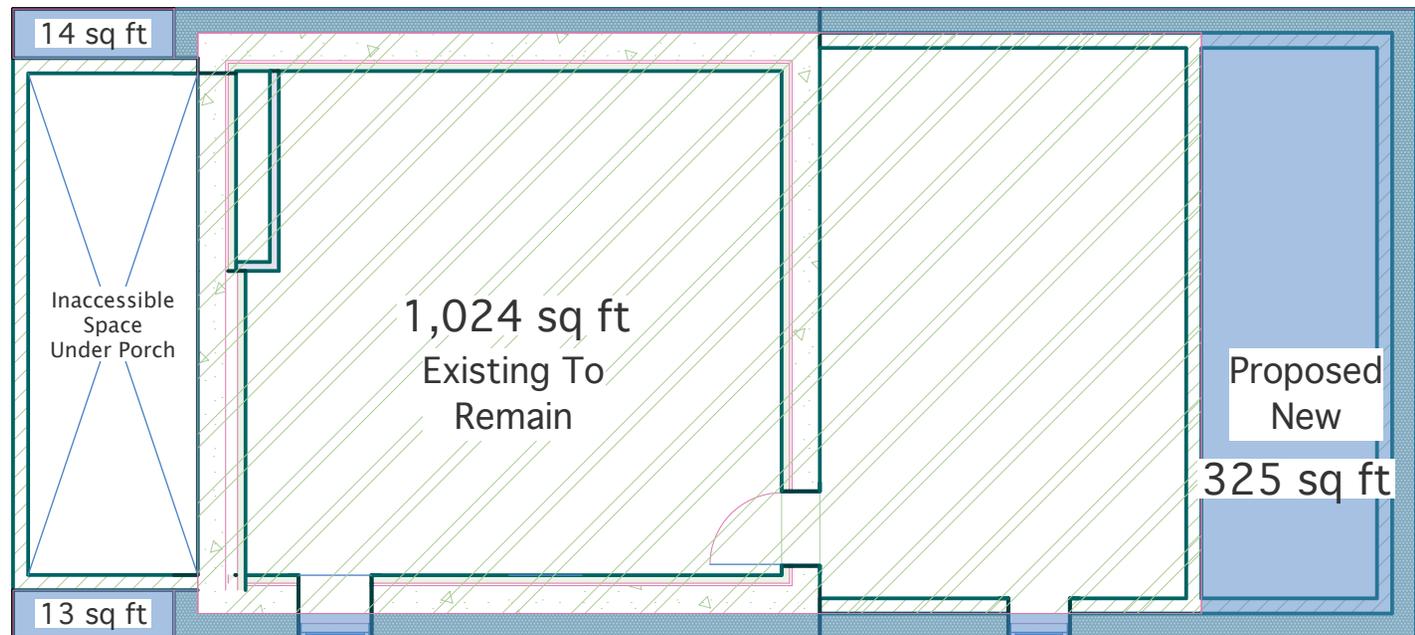
$\frac{1}{8}'' = 1'-0''$

**LOWER LEVEL:**  
**EXISTING &**  
**PROPOSED**  
**(1/8" = 1'-0")**

Lower  
Level  
Existing

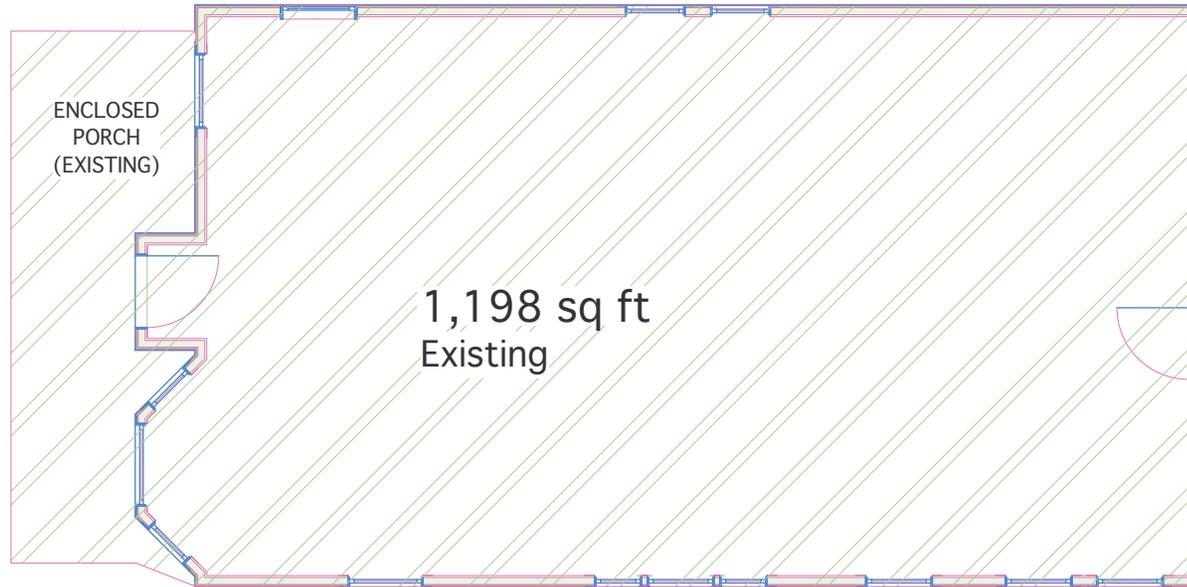


Lower  
Level  
Proposed

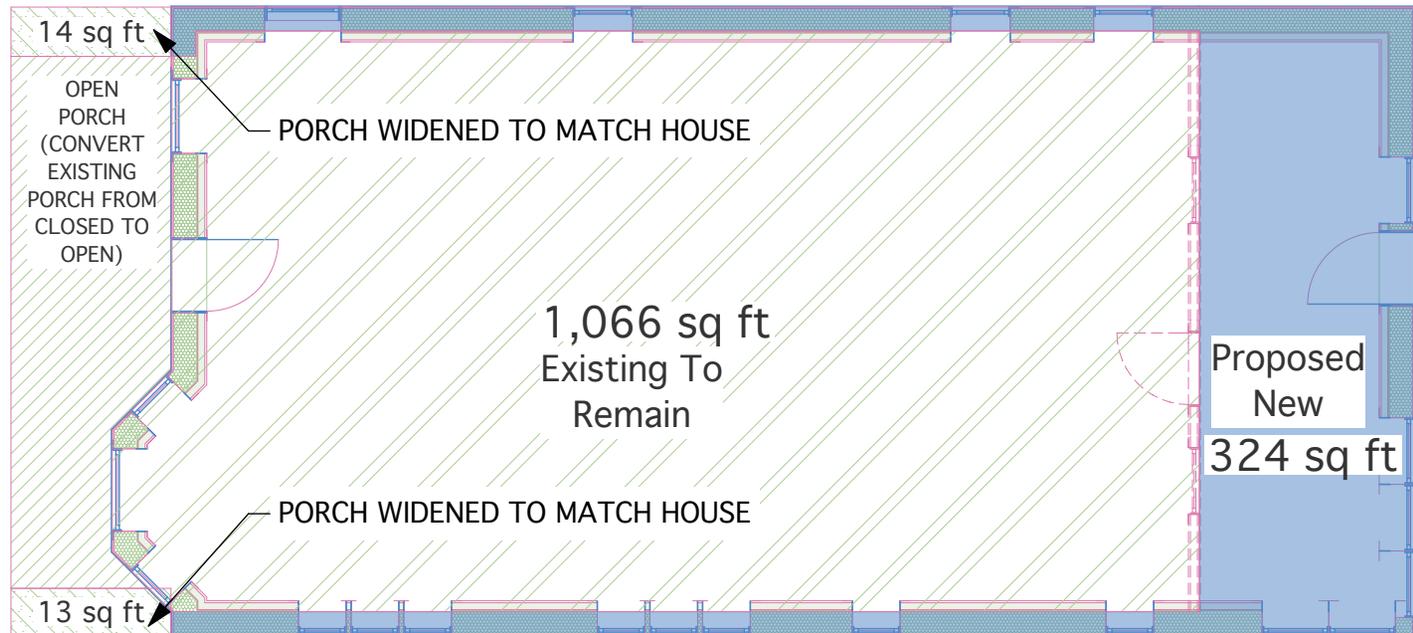


**MAIN LEVEL:**  
**EXISTING &**  
**PROPOSED**  
**(1/8" = 1'-0")**

Main  
Level  
Existing

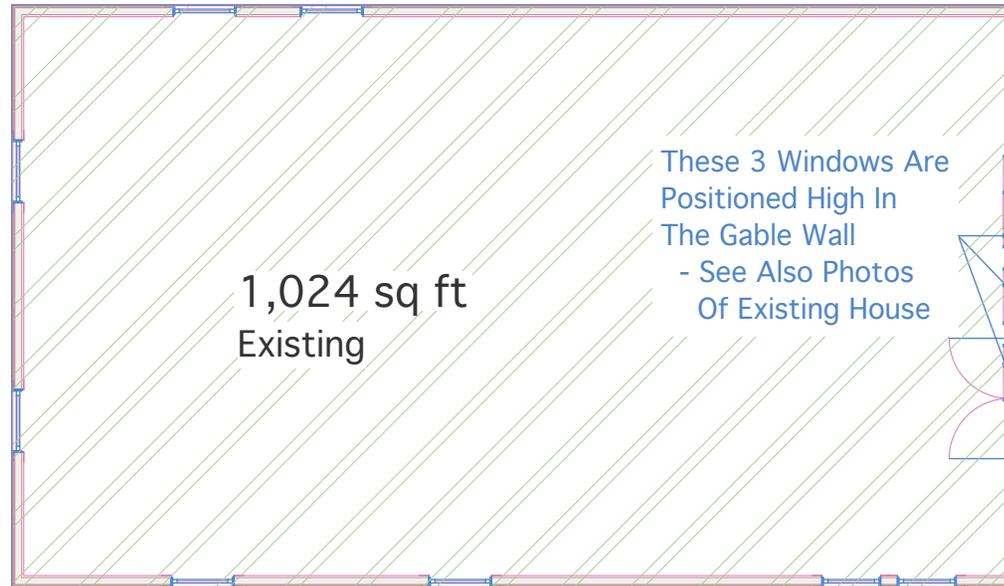


Main  
Level  
Proposed

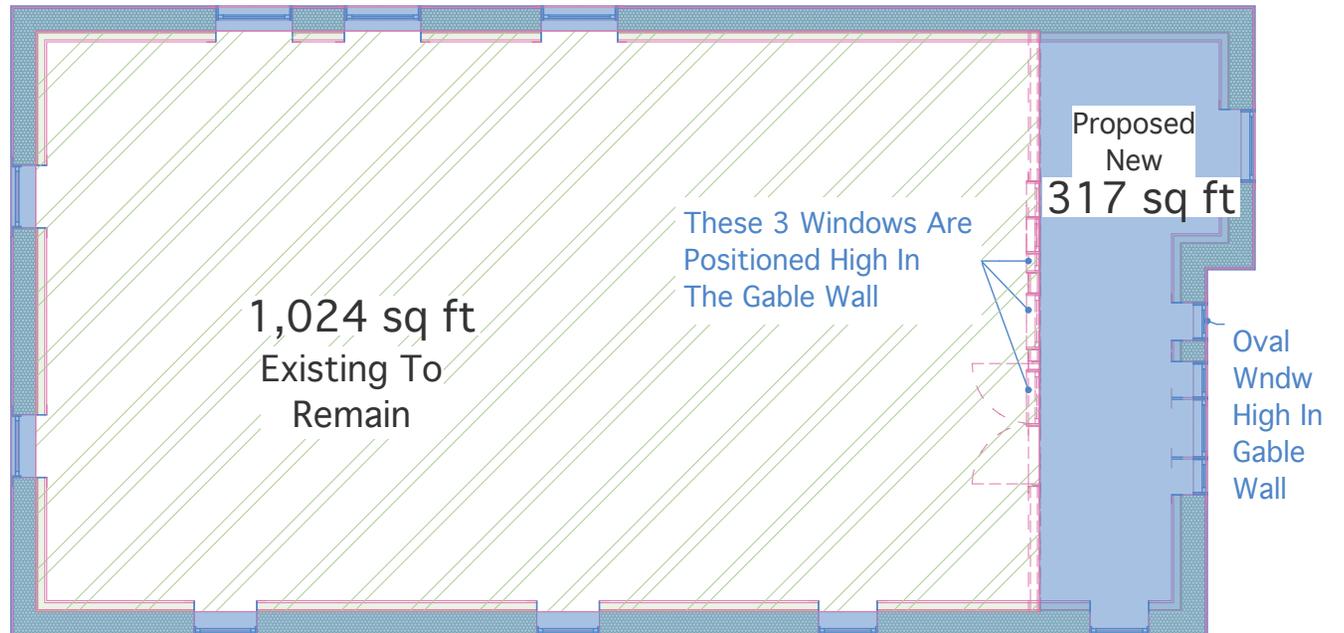


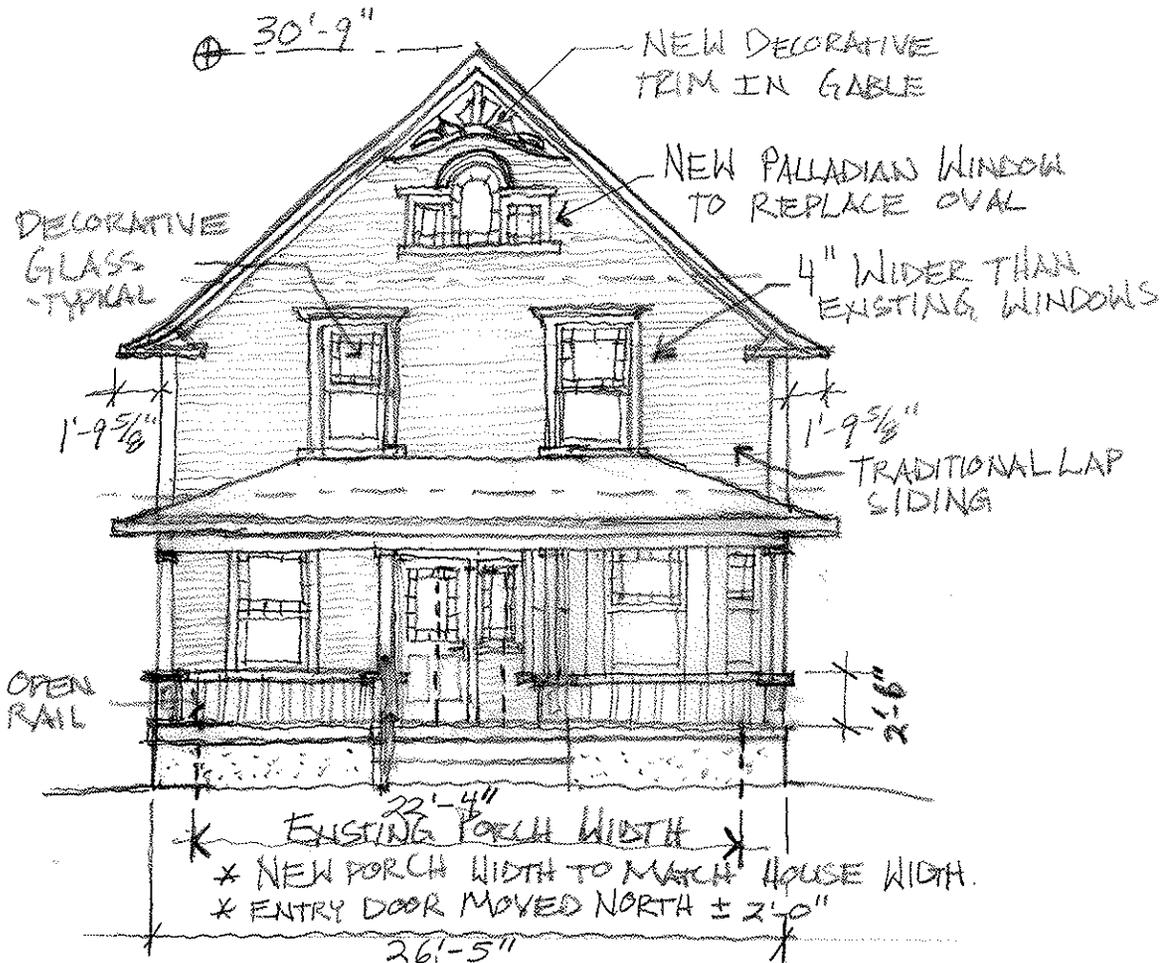
**UPPER LEVEL:**  
**EXISTING &**  
**PROPOSED**  
**(1/8" = 1'-0")**

Upper  
Level  
Existing



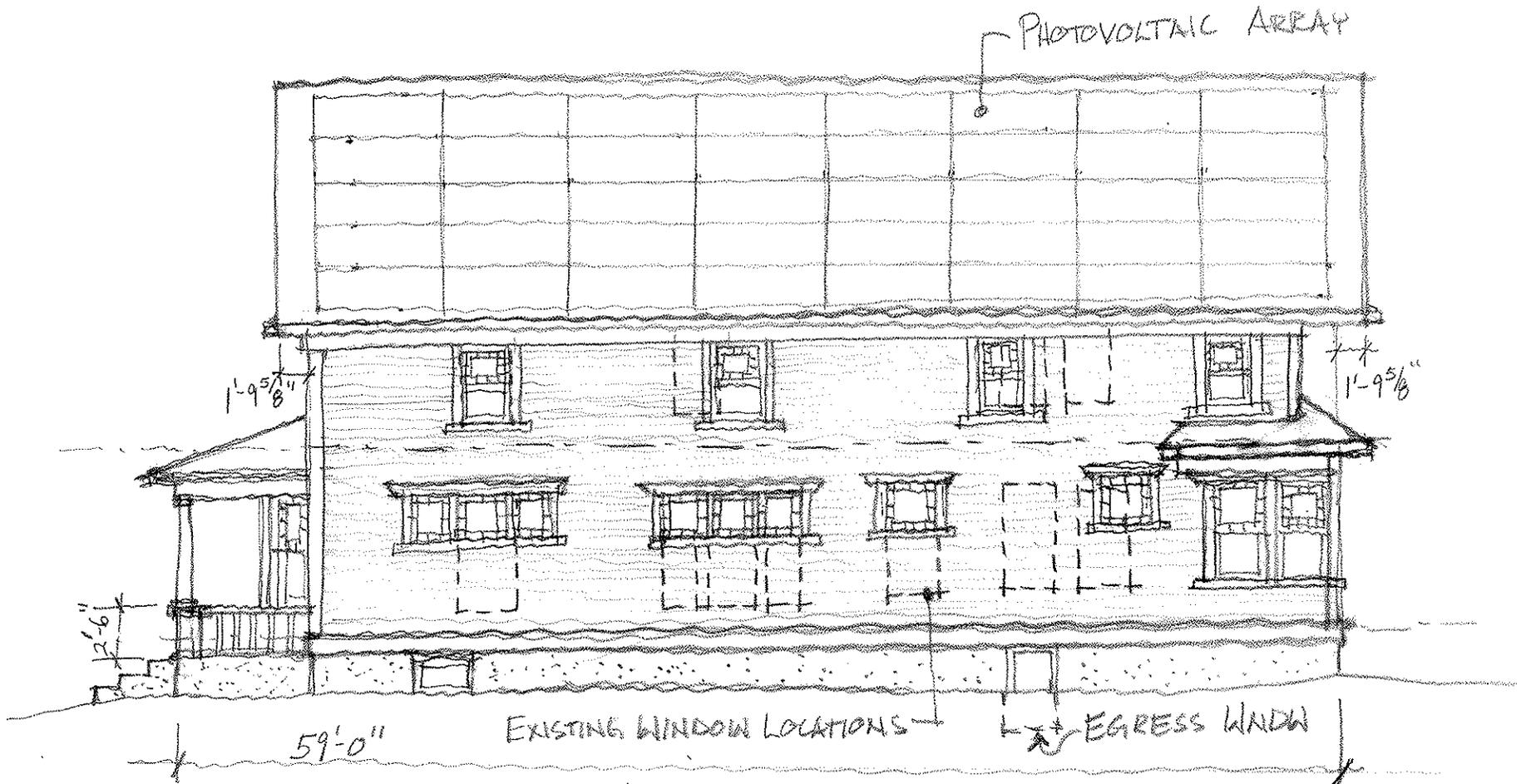
Upper  
Level  
Proposed





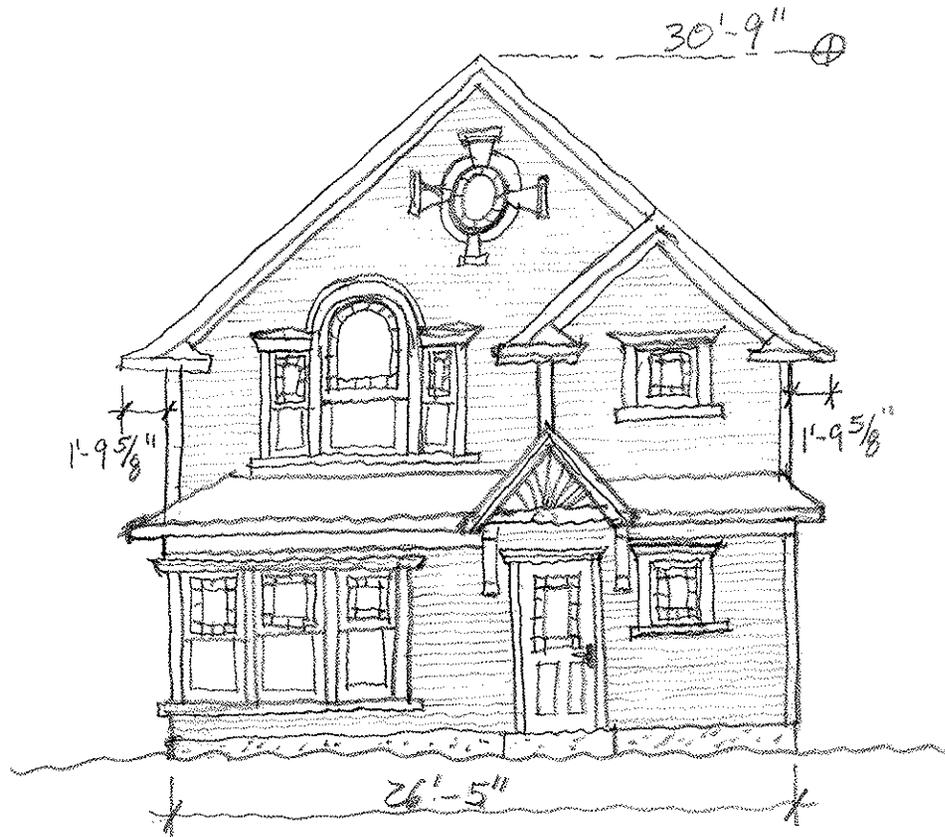
WEST ELEVATION 12/29/14

1/8" = 1'-0"



SOUTH ELEVATION 12/29/14

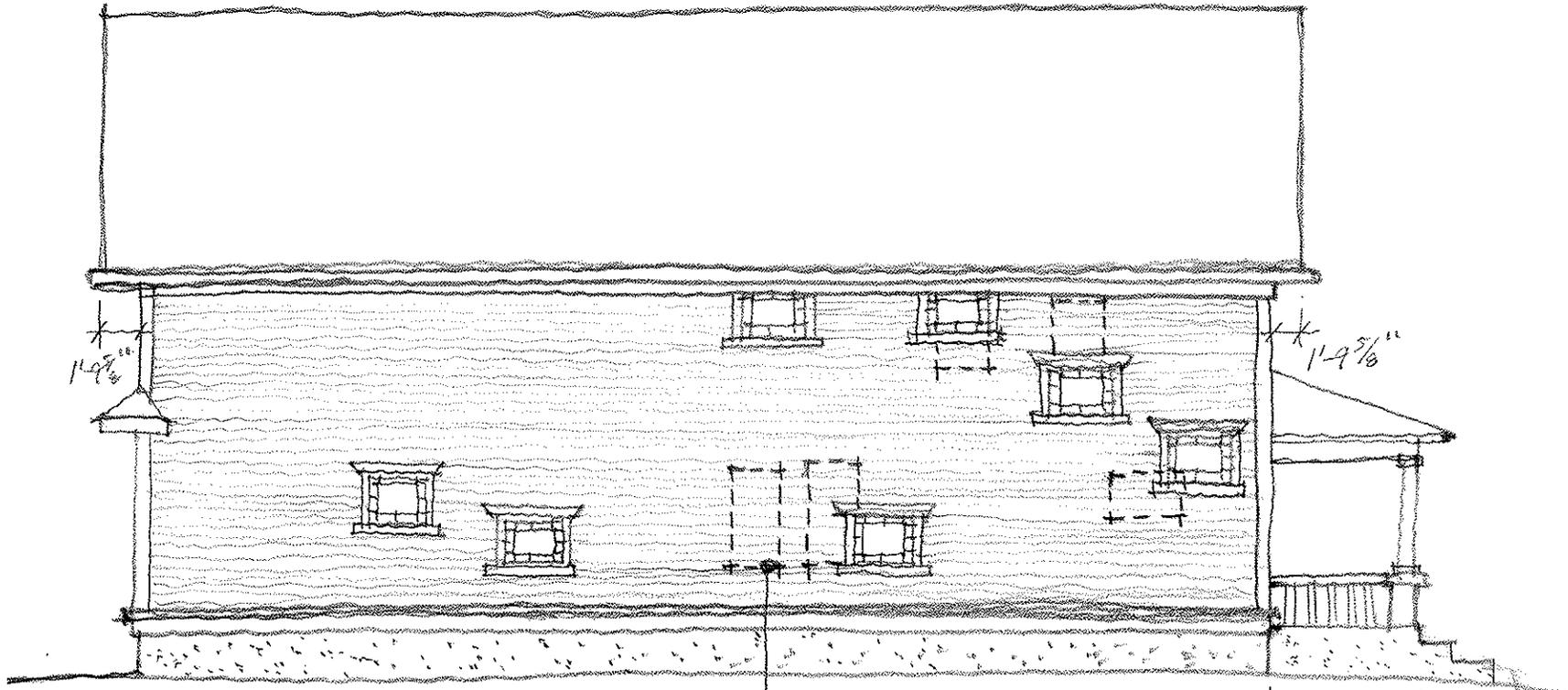
1/8" = 1'-0"



EAST ELEVATION

12/29/14

1/8" = 1'-0"



DASHES ARE EXIST'G  
WINDOWS TO BE REMOVED

59'-0"

NORTH ELEVATION

12/22/14

1/8" = 1'-0"

**2021 Harriet Ave. South Zoning Variance Application**  
**Photos of property and existing structures:**



2021 Harriet Ave. South.  
Viewed from the front (west).



Neighbor to the north.  
View from the front (west).  
North (side) face of 2021 Harriet Ave. South also visible.



Neighbor to the south.  
Viewed from the front (west).



2021 Harriet Ave. South  
View of the back (east).



2021 Harriet Ave. South  
View of the south side.



2021 Harriet Ave. South.  
House & Garage viewed from alley - southeast.



2021 Harriet Ave. South.  
House & Garage viewed from alley - east.



2021 Harriet Ave. South.  
House & Garage viewed from alley - northeast.