



**CPED STAFF REPORT**  
Prepared for the Board of Adjustment

BOA Agenda Item #3  
March 5, 2015  
BZZ-7025

**LAND USE APPLICATION SUMMARY**

*Property Location:* 1402 West Minnehaha Parkway  
*Project Name:* 1402 West Minnehaha Parkway Addition  
*Prepared By:* [Janelle Widmeier](#), Senior City Planner, (612) 673-3156  
*Applicant:* Amy Wiffler  
*Project Contact:* Amy Wiffler  
*Request:* A one-story addition between the existing dwelling and garage.  
*Required Applications:*

<b>Variance</b>	To reduce the established front yard requirement adjacent to Girard Avenue South from 53.5 feet to 13 feet to allow the addition and connection to the existing garage.
<b>Variance</b>	To reduce the north interior side yard requirement from 7 feet to 5.5 feet to allow the to-be-attached garage.

**SITE DATA**

<b>Existing Zoning</b>	RI Single-Family District
<b>Lot Area</b>	8,048 square feet
<b>Ward(s)</b>	13
<b>Neighborhood(s)</b>	Lynnhurst Neighborhood Association
<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>	February 11, 2015	<b>Date Extension Letter Sent</b>	Not applicable
<b>End of 60-Day Decision Period</b>	April 12, 2015	<b>End of 120-Day Decision Period</b>	Not applicable

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The subject property is 8,048 square feet in area with frontage on three streets. The existing use is a single-family dwelling. The existing dwelling was permitted for construction in 1914 and the garage was permitted for construction in 1937. The subject property is a through lot. The front lot lines are adjacent to West Minnehaha Parkway and Girard Avenue South. The corner side lot line is adjacent to 49<sup>th</sup> Street West.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The surrounding properties are predominately single-family dwellings. The subject property is across the street from Lynnhurst Park and the channel that connects Lake Harriet and Minnehaha Creek. However, the subject property is not located within the SH Shoreland Overlay District.

**PROJECT DESCRIPTION.** The applicant is proposing to construct a one-story, 429 square foot addition to the east side of the existing single-family dwelling located at 1402 West Minnehaha Parkway. The addition will connect to the existing detached garage, making it an attached garage. The subject property is a through lot with front yard requirements imposed adjacent to West Minnehaha Parkway and Girard Avenue South. The minimum front yard requirement along Girard Avenue is 53.5 feet, which is created by the established setback of the adjacent property to the north. The proposed addition and the to-be-attached garage would be set back 13 feet from the lot line adjacent to Girard Avenue, which requires a variance. The minimum interior side yard requirement adjacent to the north lot line is 7 feet. The garage is set back 5.5 feet from the north lot line. In order to attach it to the dwelling, a variance is required to reduce the yard requirement.

**PUBLIC COMMENTS.** A letter from the Lynnhurst Neighborhood Association was received and is attached to this report. Any additional 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 **1) a variance to reduce the established front yard requirement adjacent to Girard Avenue South from 53.5 feet to 13 feet to allow the addition and connection to the existing garage and 2) a variance to reduce the north interior side yard requirement from 7 feet to 5.5 feet to allow the to-be-attached garage,** 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.*

**Both variances:** Practical difficulties exist in complying with the ordinance due to circumstances unique to the property. The property is a through lot with two required front yards. The minimum front yard requirements are 53.5 feet adjacent to Girard Avenue and 46.5 feet adjacent to West Minnehaha Parkway. The required yards, including the side yards, cover 80 percent of the subject property. The existing 20.5 foot by 22.5 foot garage is set back 13 feet from Girard Avenue and 5.5 feet from the north lot line.

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.*

**Both variances:** 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 proposal would comply with all other yard requirements and with all other district regulations, including maximum floor area ratio, height, lot coverage and impervious surface. The new construction would be located between the existing dwelling and garage. The front setback of the garage is in line with the setback of the garage on the adjacent property to the north. The existing side yard setback of the garage is 5.5 feet and will not be reduced. The proposal will have minimal impacts on the adjacent properties access to light, air and open space. 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.*

**Both variances:** 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 new construction would be located between the existing dwelling and garage. The front setback of the garage matches the setback of the garage on the adjacent property to the north. On this block, all garages are located on the Girard Avenue side of the block. Three of the 10 properties on the block already have attached garages. The existing side yard setback of the garage is 5.5 feet and will not be reduced. The proposal will have minimal impacts on the adjacent properties access to light, air and open space. The design of the addition will be compatible with the existing structure and will match the stucco exterior and trim and gable elements. 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 addition is constructed 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 established front yard requirement adjacent to Girard Avenue South from 53.5 feet to 13 feet to allow the addition and connection to the existing garage for the property located at 1402 West Minnehaha Parkway, 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 March 5, 2017, 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 north interior side yard requirement from 7 feet to 5.5 feet to allow the to-be-attached garage for the property located at 1402 West Minnehaha Parkway, 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 March 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. Photos
4. Site survey/Site plan
5. Floor plans
6. Building elevations
7. Correspondence

To Whom It May Concern:

Please accept our statement of proposed use and description for the application to put an addition onto our home at 1402 W Minnehaha Parkway, Minneapolis.

The project is a one level addition that will connect the house to the existing garage. It will add approximately 400 square feet to the footprint of the property and will provide the additional storage and living space for our family. The project will include enlarging the kitchen, adding a main level family room and mudroom, in addition adding a ½ bath.

The project will provide similar architecture features of our 100 year old home, matching the stucco, trim and gables. In addition, we hope to repurpose some of the existing windows from the east facing view into our new space.

We believe our addition upholds the integrity of this lovely neighborhood, while providing our home some enhanced features that are customary in today's homes.

Sincerely,

Amy M Wiffler

To Whom It May Concern:

1402 W Minnehaha Pkwy, MPLS- East Facing Variance

1. We are requesting a variance to the 25 ft “front yard” set back (east facing). Our garage sits approximately 6 feet from “front yard” set back, 10 feet from the property line– Girard Avenue.

Given we have “front yards” on 3 sides of our home; this particular code does not make it practical for us to meet the requirements given our unique lot situation.

2. The project will provide similar architecture features of our 100 year old home, matching the stucco, trim and gables. In addition, we hope to repurpose some of the existing windows from the east facing view into our new space. These enhancements are reasonable and are in spirit of the ordinance.

3. We believe our addition upholds the integrity of this lovely neighborhood, while providing our home some enhanced features that are customary in today’s homes.

Thank you in advance for your consideration.

Sincerely,

Amy M Wiffler

In addition, we are requesting a variance to the 25 ft “front yard” set back (east facing). Our garage sits approximately 6 feet from “front yard” set back, 10 feet from the property line– Girard Avenue.

To Whom It May Concern:

1402 W Minnehaha Pkwy, MPLS – North Facing Variance

1. We are requesting a variance for the side of our home (north facing). Our current garage is set back 5.63 feet from the lot line, adjacent to our neighbors. We propose to continue the line from the garage when connecting the addition to our house. This will not disrupt any current fence line between our properties.

Given we have “front yards” on 3 sides of our home; this particular code does not make it practical for us to meet the requirements given our unique lot situation.

2. The project will provide similar architecture features of our 100 year old home, matching the stucco, trim and gables. In addition, we hope to repurpose some of the existing windows from the east facing view into our new space. These enhancements are reasonable and are in spirit of the ordinance.

3. We believe our addition upholds the integrity of this lovely neighborhood, while providing our home some enhanced features that are customary in today’s homes.

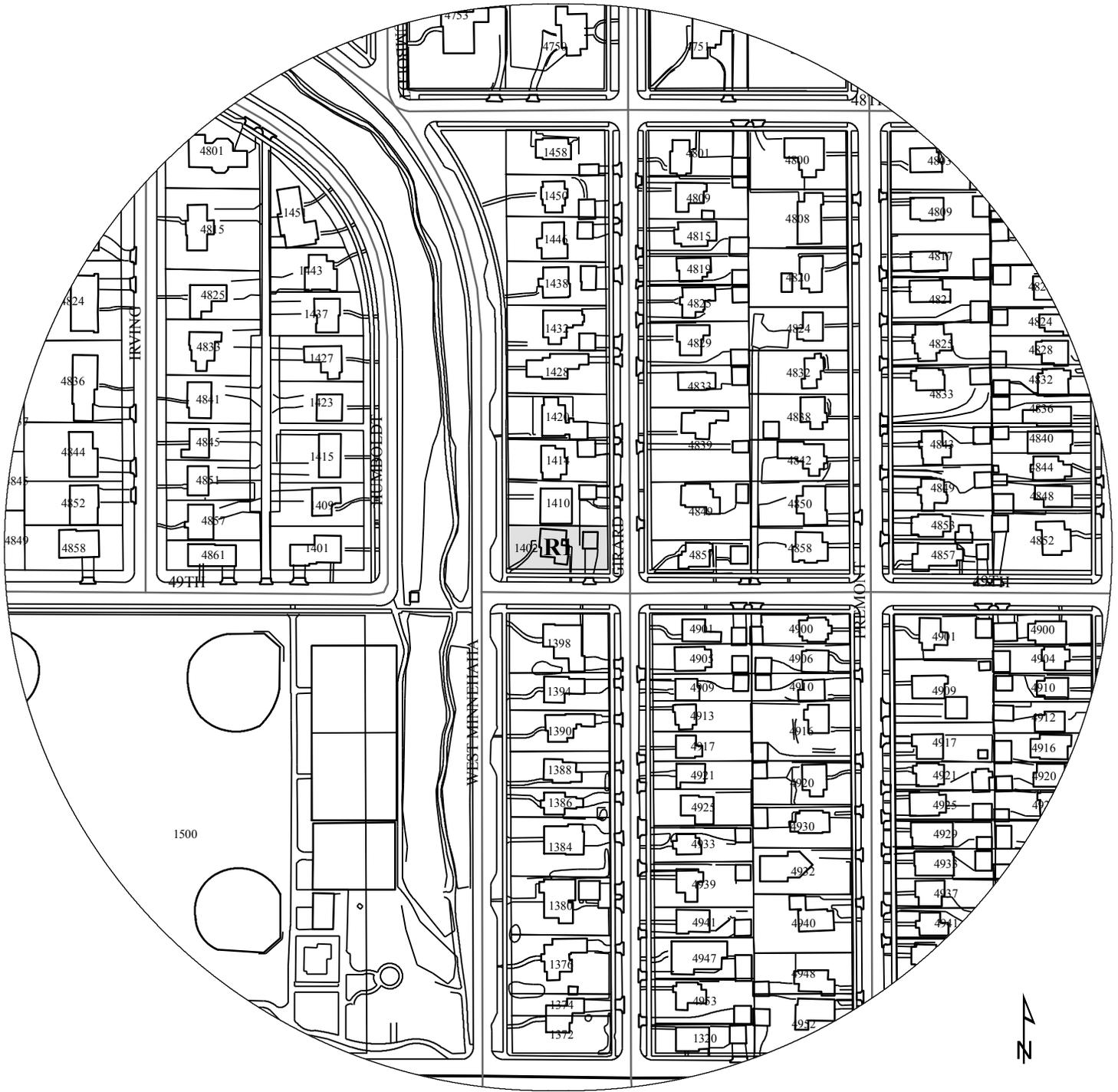
Thank you in advance for your consideration.

Sincerely,

Amy M Wiffler

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

1402 W Minnehaha Pkwy

FILE NUMBER

BZZ-7025



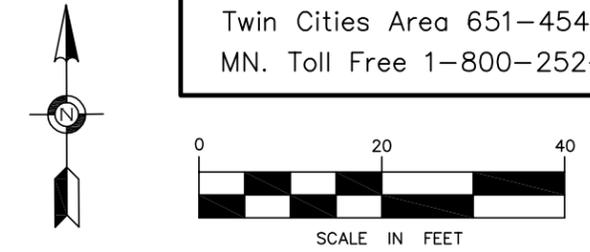
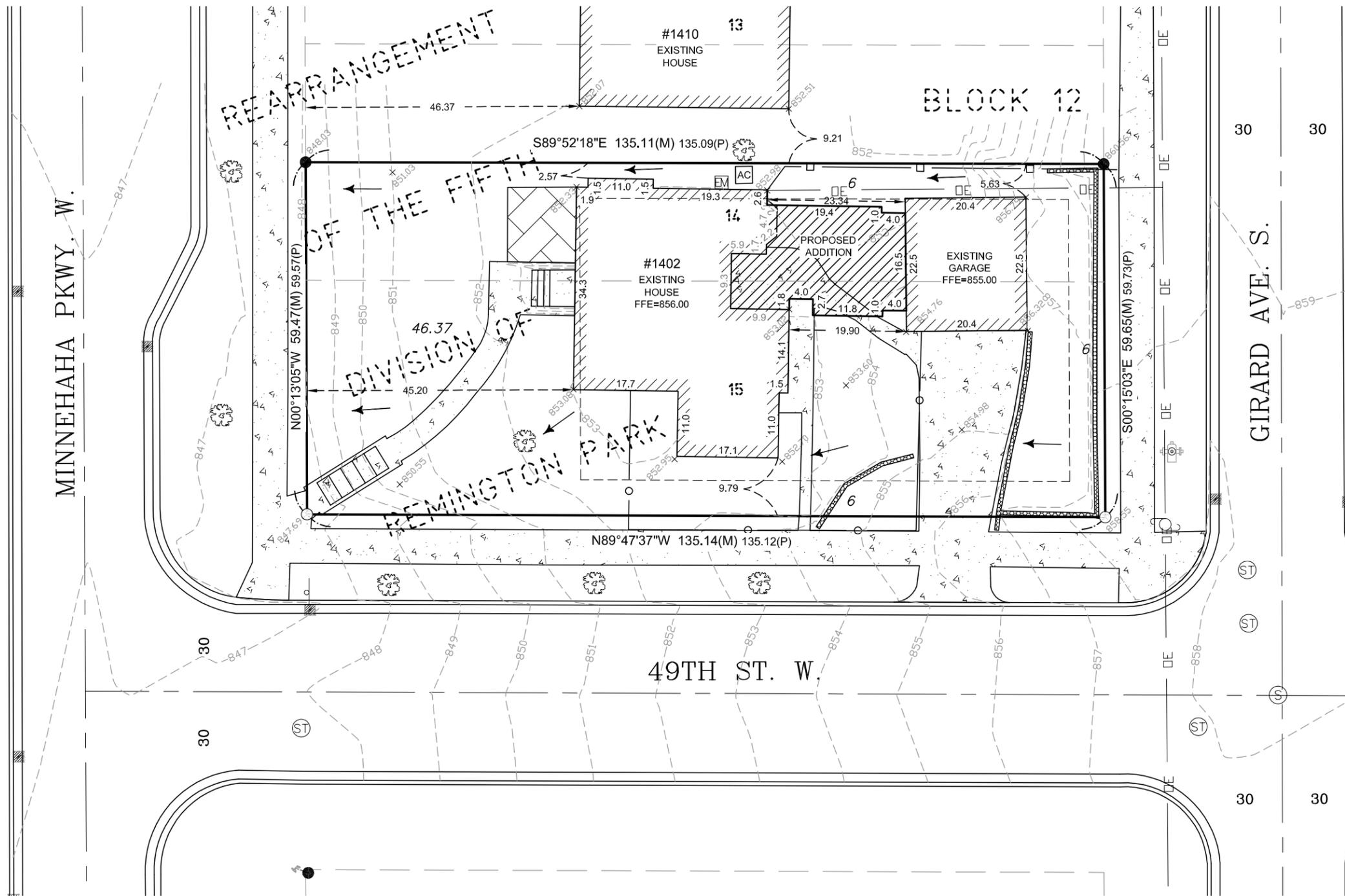
1402





# CERTIFICATE OF SURVEY

Call 48 Hours before digging  
**GOPHER STATE ONE CALL**  
 Twin Cities Area 651-454-0002  
 MN. Toll Free 1-800-252-1166



## LEGEND

- DENOTES FOUND PROPERTY IRON
- DENOTES SET 1/2" X 18" REBAR WITH PLASTIC CAP "PLS 25105"
- DENOTES BOUNDARY LINE
- - - DENOTES LOT LINE
- - - DENOTES SETBACK LINE
- - - 999 DENOTES EXISTING CONTOUR LINE
- x999.99 DENOTES EXISTING ELEVATION
- [Grid Pattern] DENOTES CONCRETE SURFACE
- [Paver Pattern] DENOTES PATIO PAVER SURFACE
- [Hatched Box] DENOTES RETAINING WALL
- DENOTES DRAINAGE FLOW
- DENOTES WROUGHT IRON FENCE
- DENOTES WOOD FENCE
- OE — DENOTES OVERHEAD ELECTRIC
- ⊕ DENOTES SIGN/POST
- ⊕ DENOTES FIRE HYDRANT
- ⊕ DENOTES ELECTRIC POWER POLE
- ⊕ DENOTES ELECTRIC METER
- ⊕ DENOTES AIR CONDITIONER
- FFE DENOTES FINISH FLOOR ELEVATION
- ⊕ DENOTES DECIDUOUS TREE
- [Hatched Area] DENOTES STORM CATCH BASIN
- (M) DENOTES MEASURED DISTANCE
- (P) DENOTES PLATTED DISTANCE

## LEGAL DESCRIPTION

Lot 15 and the South 20 feet of Lot 14, Block 12, REARRANGEMENT OF THE FIFTH DIVISION OF REMINGTON PARK, Hennepin County, Minnesota, according to the recorded plat thereof.

## NOTES

1. THE BASIS OF THE BEARING SYSTEM IS ASSUMED.
2. NO SPECIFIC SOIL INVESTIGATION HAS BEEN COMPLETED
3. NO TITLE INFORMATION WAS PROVIDED FOR THIS SURVEY. THIS SURVEY DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD.
4. EXISTING UTILITIES AND SERVICES SHOWN HEREON OWNER LOCATED EITHER PHYSICALLY ON THE GROUND DURING THE SURVEY OR FROM EXISTING RECORDS MADE AVAILABLE TO US OR BY RESIDENT TESTIMONY. OTHER UTILITIES AND SERVICES MAY BE PRESENT. VERIFICATION AND LOCATION OF UTILITIES AND SERVICES SHOULD BE OBTAIN FROM THE OWNERS OF RESPECTIVE UTILITIES BY CONTACTING GOPHER STATE ONE CALL AT (651) 454-0002 PRIOR TO ANY DESIGN, PLANNING OR EXCAVATION.

### BUILDING SETBACKS

ZONING: R1 = SINGLE-FAMILY DISTRICT  
 HOUSE: FRONT = 25 FT OR AVERAGE BETWEEN ADJACENT HOUSES, WHICHEVER IS GREATER  
 REAR/SIDE = 6 FT

### HARDCOVER

EXISTING IMPERVIOUS SURFACES	3,101 SQ. FT.
PROPOSED IMPERVIOUS SURFACES	3,530 SQ. FT.
TOTAL LOT AREA	8,048 SQ. FT.
EXISTING HARDCOVER	38.5 %
PROPOSED HARDCOVER	43.9 %

### REFERENCE BENCHMARK

ELEVATION = 902.85 @ MINNEAPOLIS CITY MONUMENT #204A AT THE CL/CL INTERSECTION OF DUPONT AVE S & 49TH ST W.

NO.	DATE	DESCRIPTION	BY
1	12/19/14	ADD PROPOSED ADDITION	EP

**EDS** ENGINEERING DESIGN & SURVEYING  
 6480 Wayzata Blvd. Minneapolis, MN 55426  
 OFFICE: (763) 545-2800 FAX: (763) 545-2801  
 EMAIL: info@edsmn.com WEBSITE: http://edsmn.com

I HEREBY CERTIFY THAT THIS SURVEY 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.  
*Vlad Sivriver*  
 VLADIMIR SIVRIVER L.S. NO. 25105 DATED: 12/19/14

JOB NAME: **AMY WIFLER**  
 LOCATION: 1402 MINNEHAHA PKWY W. MINNEAPOLIS, MN 55419

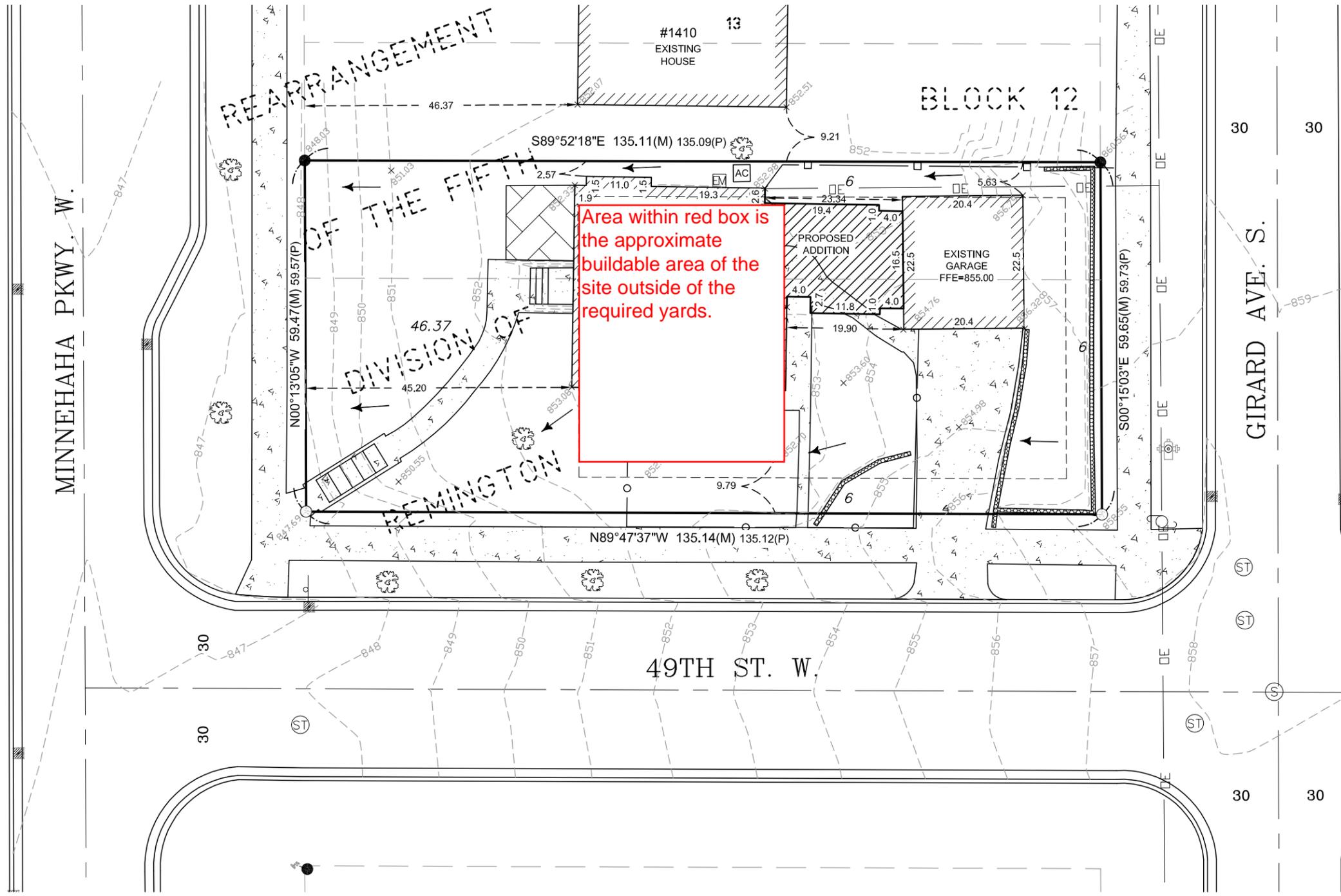
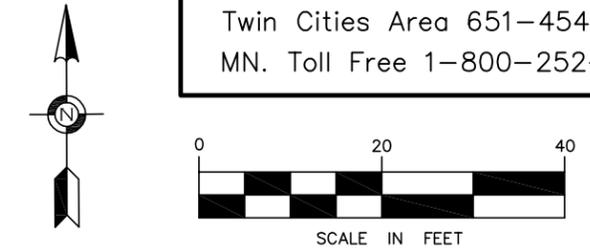
FIELD WORK DATE: 12/15/14  
 FIELD BOOK NO.: EDS-12

DRAWN BY: EP  
 CHECKED BY: VS

PROJECT NO.: 14-163  
 SHEET NO. 1 OF 1

# CERTIFICATE OF SURVEY

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Area within red box is the approximate buildable area of the site outside of the required yards.

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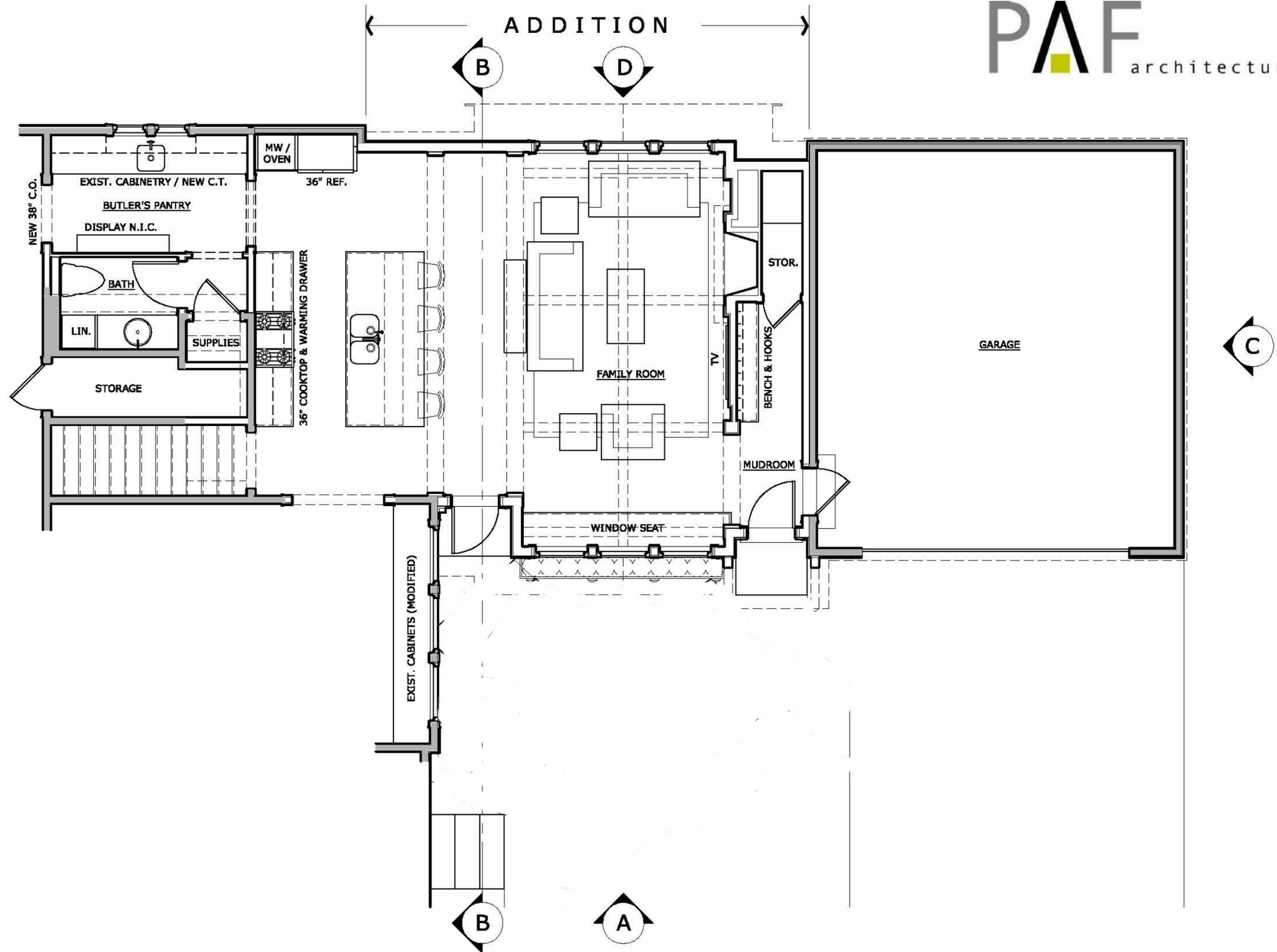
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DRAWN BY: EP  
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PROJECT NO.: 14-163  
 SHEET NO. 1 OF 1



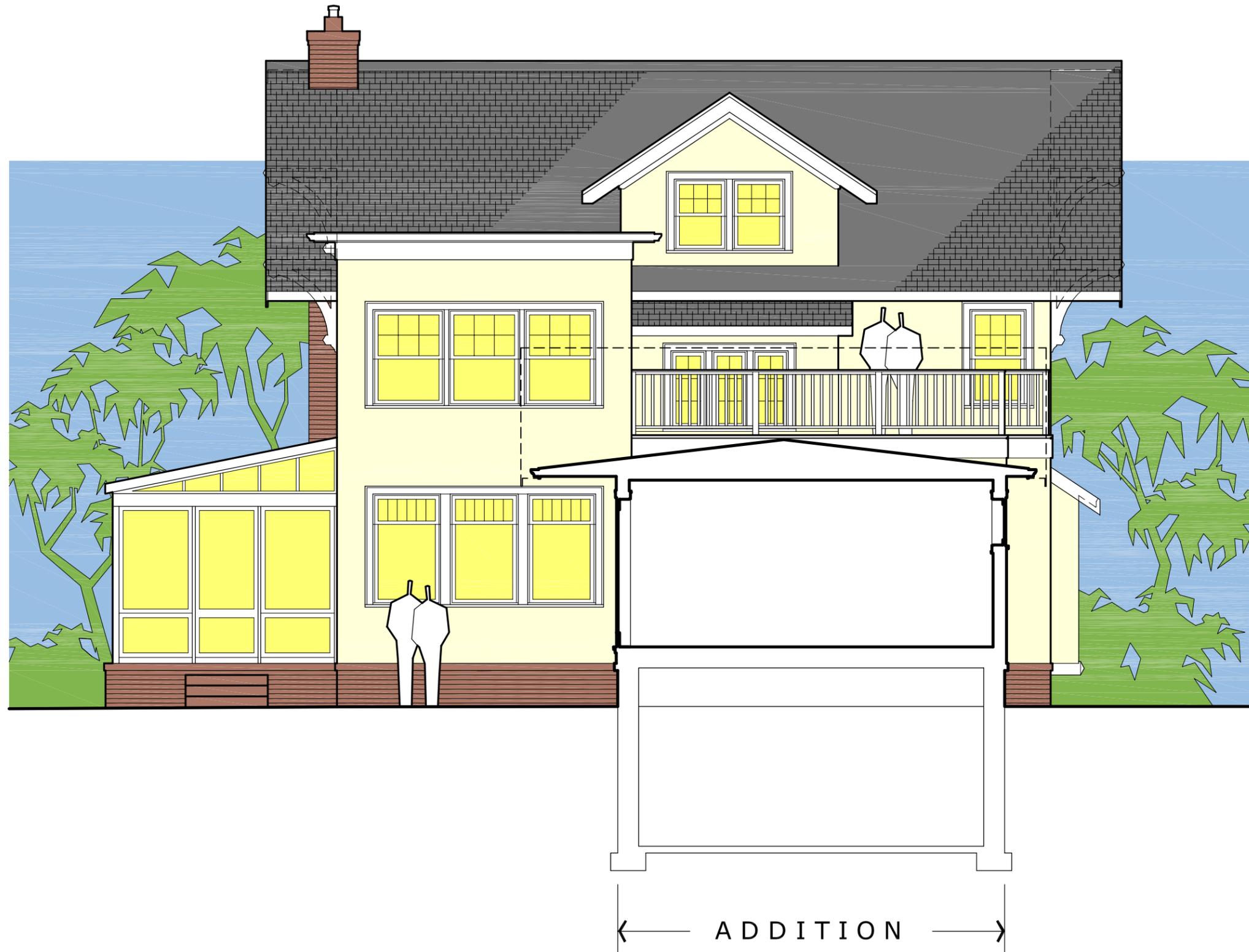
Proposed Floor Plan

Scale 3/16" = 1'-0" 1.18.2015



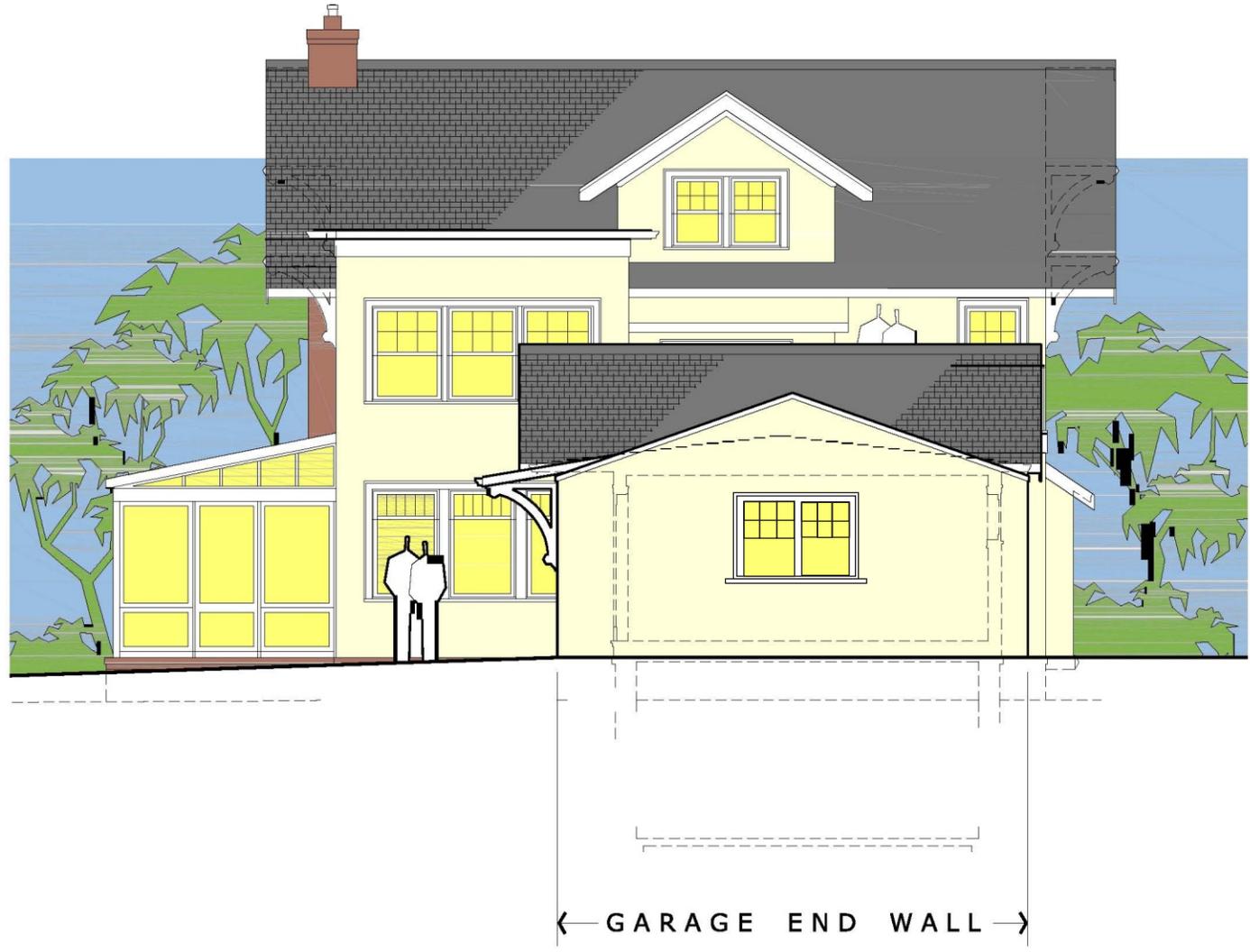
South Elevation -- View A

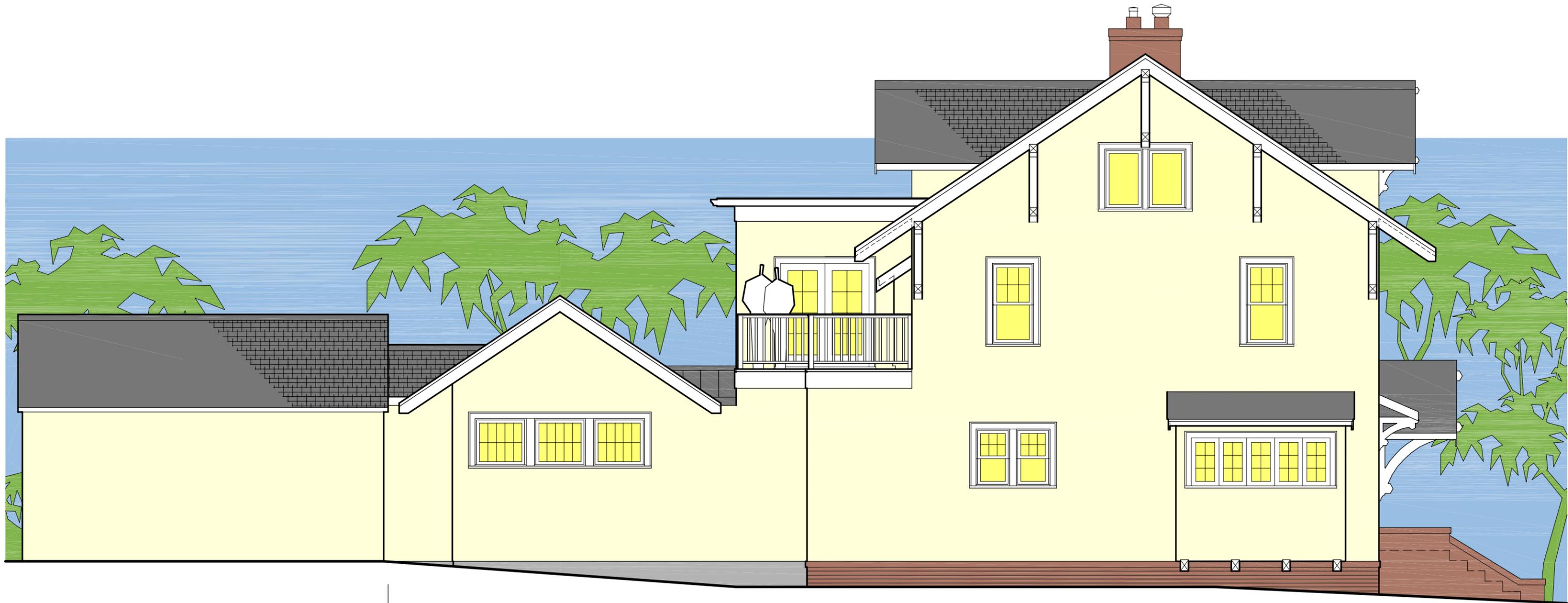
Scale 3/16" = 1'-0" 1.18.2015



East Elevation/Section at Addition -- View B

Scale 3/16" = 1'-0" 1.18.2015





← ADDITION →

North Elevation -- View D

Scale 3/16" = 1'-0" 1.18.2015

4633 Aldrich Avenue South  
Minneapolis, MN 55419

February 24, 2015

RE: Variance request for 1402 West Minnehaha Parkway.

I have reviewed a request for variance from Amy Wiffler for an addition at 1402 W. Minnehaha Pkwy. This addition would connect the existing garage with the house. Variances are needed due to the setback requirements on multiple sides of this lot. One variance is required for the north side (to continue with the existing garage setback) and one on the east side, which is treated as a front yard, as there is no house behind this one on Girard.

My response to the criteria for variance is:

1. Does it set a precedent? No. One variance is required because the house, which has three "front yards" per code, is in a very unique setting. The back yard would not be considered a front yard in a typical block setting. The other variance is needed to continue the line of the existing garage. The addition will not extend past the existing plane of the garage wall or disrupt the existing fence on the property line.
2. Do the neighbors object? I have copies of signatures from neighbors on either side of the property, who do not oppose the granting of the variances.
3. Does it enhance the property? Yes. The plan adds functional space without impacting the overall appearance or historic character of the house.

On behalf of the Lynnhurst Neighborhood Association, I have no objection to the granting of this variance.

Sincerely,  
Michael O'Brien

Lynnhurst Neighborhood Board  
Variance Chair