



CPED STAFF REPORT
Prepared for the City Planning Commission

CPC Agenda Item #2
April 13, 2015
BZZ-7086

LAND USE APPLICATION SUMMARY

Property Location: 1041 24th Avenue SE
Prepared By: [Kimberly Holien](#), Senior City Planner, (612) 673-2402
Applicant: Joel Hussong
Project Contact: Joel Hussong
Request: To construct a 292 square foot addition to an existing duplex.
Required Applications:

Expansion of a Legal Nonconforming Use	To allow for the construction of a 292 square foot addition to a non-conforming duplex.
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SITE DATA

Existing Zoning	RIA, Single-Family District
Lot Area	5,120 square feet / .117 acres
Ward(s)	I
Neighborhood(s)	Southeast Como
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable
Small Area Plan(s)	Not applicable

Date Application Deemed Complete	March 19, 2015	Date Extension Letter Sent	Not Applicable
End of 60-Day Decision Period	May 18, 2015	End of 120-Day Decision Period	Not Applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject property was constructed as a single-family dwelling in 1910. The property was converted to a duplex in 1941. The property was zoned R2B until 1987 when it was rezoned to R1A and the duplex became non-conforming. The structure is a top-down duplex with the basement and first floor making up one unit and the second floor as one unit. The applicant purchased the property last year and in that time has repaired the front porch and made other minor improvements to the structure.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. All properties immediately adjacent to the site are zoned R1A and contain single family homes. At the south end of the block, at the intersection of Como Avenue SE and 24th Avenue SE there is a small section of R2B zoning. These parcels contain duplexes.

PROJECT DESCRIPTION. The applicant is proposing to construct an addition that impacts the basement, first and second floor on the south side of the structure. The expansion on the first floor includes a 54 square foot addition in the southwest corner of the house and a two-story, 65 square foot addition in the southeast corner. The addition in the southwest corner will come out to match the wall of an existing bump-out. The addition in the southeast corner will extend 2.5 feet further into the side yard than the existing building wall. The additional floor area will accommodate a larger living room and bedroom. The second floor portion of the southwest addition will accommodate a larger kitchen for this dwelling unit. The applicant is also proposing to expand the basement in line with the first floor additions. The modifications to the basement will result in one additional bedroom. The space that is becoming a bedroom was previously identified as a den and would have already met the definition of a bedroom in the UA Overlay district. As such, the parking requirement for the structure does not change. This remodel does not require any additional approvals for an expansion of nonconforming use.

PUBLIC COMMENTS. At the time of preparing the staff report, staff has received one e-mail from the public regarding the project. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

ANALYSIS

EXPANSION OF A NONCONFORMING USE

The Department of Community Planning and Economic Development has analyzed the application to allow for a 292 square foot addition to an existing, nonconforming duplex based on the following [findings](#):

I. *A rezoning of the property would be inappropriate.*

The property is located in the R1A, Single family District in the middle of the block. With the exception of three lots at the corner of 24th Avenue SE and Como Avenue SE, the entire block is zoned R1A. The greater area immediately adjacent to the site is predominantly zoned R1A as well. The properties immediately adjacent to the site all contain single-family homes. The future land use map in *The Minneapolis Plan for Sustainable Growth* identifies the site as Urban Neighborhood, which would not generally support higher density zoning without the presence of other land use features. There are no such features in close proximity to the site and therefore rezoning would be inappropriate.

2. *The enlargement, expansion, relocation, structural alteration or intensification will be compatible with adjacent property and the neighborhood.*

The surrounding area includes a mix of two-story homes and bungalows, with a few 2.5 story homes on this block. As noted above, the surrounding properties are predominantly single-family homes. The proposed 292 square foot addition is compatible with the adjacent properties and the neighborhood in terms of scale. The structure will maintain a 7.5' setback from the south interior side yard. However, the applicant is proposing lap smart siding as an exterior material, noting that it would be painted to match the rest of the structure. The existing structure is stucco. As a condition of approval, staff recommends that the addition be stucco as well to be compatible with the existing structure.

3. *The enlargement, expansion, relocation, structural alteration or intensification, because of improvements to the property, will improve the appearance or stability of the neighborhood.*

The applicant is proposing to add floor area to a duplex that currently has a footprint of only 675 square feet. The proposed addition will invest in the existing structure and improve the livability of each dwelling unit, improving the appearance and stability of the neighborhood. As noted above, staff is recommending that the exterior of the addition be clad with stucco to match the existing structure, further improving the appearance of the building.

4. *In districts in which residential uses are allowed, the enlargement, expansion, relocation, structural alteration or intensification will not result in the creation or presence of more dwelling units on the subject property than is allowed by the regulations of the district in which the property is located.*

No additional dwelling units are proposed.

5. *The enlargement, expansion, relocation, structural alteration or intensification will not be located in the Floodway District.*

The subject property is not located in a Floodway District.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the application by Joel Hussong for the property located at 1041 24th Avenue SE:

A. Expansion of a Nonconforming Use.

Recommended motion: Approve, subject to the following condition:

1. All site improvements shall be completed by April 13, 2017, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. The exterior of the addition shall be stucco to match the existing structure in terms of materials and color.

ATTACHMENTS

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

Letter of Findings for expansion of 1041 24th ave se

1. 1041 24th ave se is a non conforming duplex located in a neighborhood where it is common to have duplex's located within a single family street. This street has about 40% of properties are duplex's on 5-6 thousand sqft lots the remainder is single family. Thus, the properly zoned as a residential R1A is appropriate.
2. On both sides of this property there are large duplex's two lots away and common to have duplex's mixed into the neighborhood streets. Thus it is compatible with neighborhood.
3. This will not increase off site impacts the the housing is mostly students which use public bus system and I'm providing 4 parking stalls for a four bed room. property.
4. Property was purchased last year as a pre-foreclosure /shortsale and the property was in need of repair which this proposal will be a part of a bigger remodel. The improvement to the living room and bedroom is being done to fix modern furniture.
5. This will not change the current number of dwellings which is 2.
6. This is not a flood way and will not be located in the flood way.

Holien, Kimberly

From: Joel Hussong <urbananopiesllc@gmail.com>
Sent: Wednesday, March 18, 2015 3:04 PM
To: Reich, Kevin A.
Cc: Holien, Kimberly
Subject: 1041 24th ave expansion

City council office and Como Neighborhood group.

My name is Joel Hussong I've owned and lived in the neighborhood and the city for about 20 years. I purchased 1041 24th ave se duplex last year a pre-foreclosure/short sale with the intent of refurbishing the property to its 1900 glory. Last year I leveled and rebuilt the front porch and removed a large dead tree which became a hazard the previous owner ignored. The property has a few other problems which created the need for minor expansion of the 675 sqft foot print. *The current R1A Zoning is required for any expansion of the non conforming duplex.* The goal is to match the original architectural detail and only bump out one side to allow for a normal size living room and bedroom.

First floor

The first floor is the major area of concern. The entrance to the first floor turns into the living room decreasing the workable space to 6' by 11'. This living room space is cramped doesn't allow for modern furniture and gathering space. My expansion request for this problem is to bump the south side 4 foot to align with the original 1900 bump out. Additionally, the back south corner will be bumped out to allow for a queen size bed. The proposal will still maintain the 7 and half foot space to the side property line. The trim will get repainted white all the stucco and metal soffit will be cleaned and all new materials will be painted to match existing house. The total expansion for this floor is 119 sqft.

Second Floor

The second floor unit has small efficient kitchen which will be enlarged to fit the new space created by the bedroom expansion on the first floor. Total expansion on this floor is 65sqft.

Basement

The basement is connected to the first floor unit and will upgraded and with a second bath, new mechanicals. There will be one bedroom added to the total expansion for this floor of 119 sqft.

The expansion goal is fit the original character and detail of the neighborhood with a small expansion on one side to accommodate a modern life style. This enlargement will improve the appearance of the house which will improve the stability of the property. This proposal will not change the zoning, number of units or increase the off-site impacts. The modest 119 sqft added to the foot print and total added 292 sqft on all floors will meet this goal. The added bedroom will not add parking issues as I will have one parking space for each bedroom. A rain garden will be added off the parking to prevent any additional storm water or pollution. Please feel free to contact me with questions or concerns.

Sincerely,
Joel Hussong
5101 Sheridan ave s
Minneapolis, MN 55410
612-325-1283
urbananopiesllc@gmail.com

Holien, Kimberly

From: Joel Hussong <urbananopiesllc@gmail.com>
Sent: Wednesday, March 18, 2015 3:03 PM
To: ricardo@comogreenvillage.info
Cc: Holien, Kimberly
Subject: 1041 24th ave se Expansion

City council office and Como Neighborhood group.

My name is Joel Hussong I've owned and lived in the neighborhood and the city for about 20 years. I purchased 1041 24th ave se duplex last year a pre-foreclosure/short sale with the intent of refurbishing the property to its 1900 glory. Last year I leveled and rebuilt the front porch and removed a large dead tree which became a hazard the previous owner ignored. The property has a few other problems which created the need for minor expansion of the 675 sqft foot print. *The current R1A Zoning is required for any expansion of the non conforming duplex.* The goal is to match the original architectural detail and only bump out one side to allow for a normal size living room and bedroom.

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Sincerely,
Joel Hussong
5101 Sheridan ave s
Minneapolis, MN 55410
612-325-1283
urbananopiesllc@gmail.com

Holien, Kimberly

From: Robert Borchert <bob@borchert.com>
Sent: Thursday, April 02, 2015 11:29 PM
To: Holien, Kimberly
Subject: BZZ-7086

Ms Holien,

I wish to comment on the pending permit # BZZ-7086 for expansion of non-conforming use at 1041 24th Ave SE.

I appreciate the work that Mr Hussong has done to improve his four rental properties at 1041, 1045, 1049 and 1055 24th Ave SE. If his addition to 1041 24th Ave SE will improve the livability and appearance of the property without increasing the occupancy I approve of it.

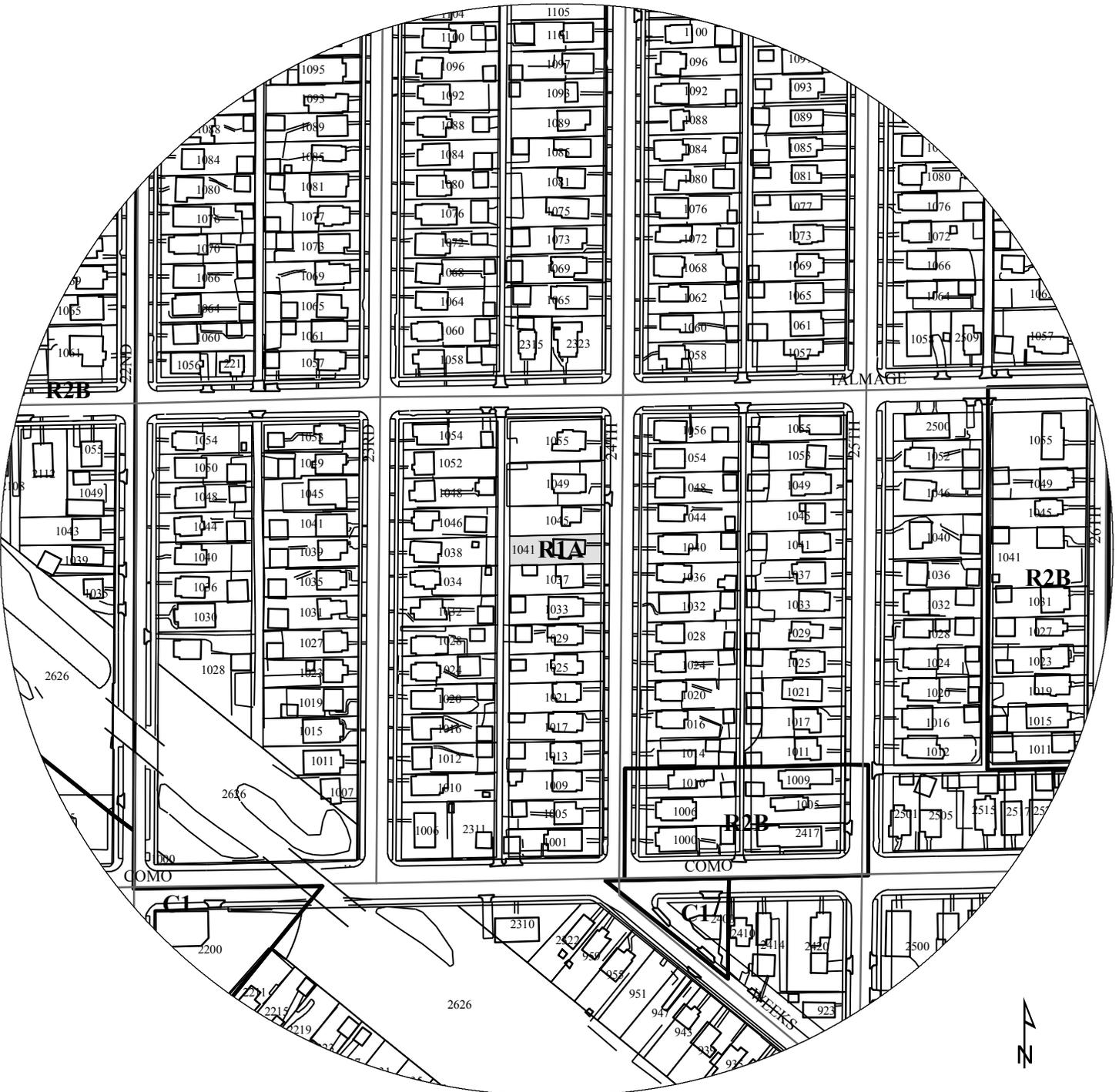
On the other hand, if the addition is intended to be used as a bedroom or if it is a space that could illegally be used as a bedroom without the knowledge of the landlord, it should not be allowed. That use would be contrary to the R1A zoning which is intended to maintain moderate density.

The Como Neighborhood is already plagued with many rental properties occupied over the legal maximum. This issue should be dealt with before permitting an expansion which might increase the occupancy of nonconforming properties.

Robert Borchert
1010 23rd Ave SE

NAME OF APPLICANT

WARD



200 100 0 200 400

PROPERTY ADDRESS

1041 24th Avenue SE

FILE NUMBER

BZZ-7086

PROPOSAL 1041 24TH AVE SE.

NORTH ↑

SCALE 1" = 8'

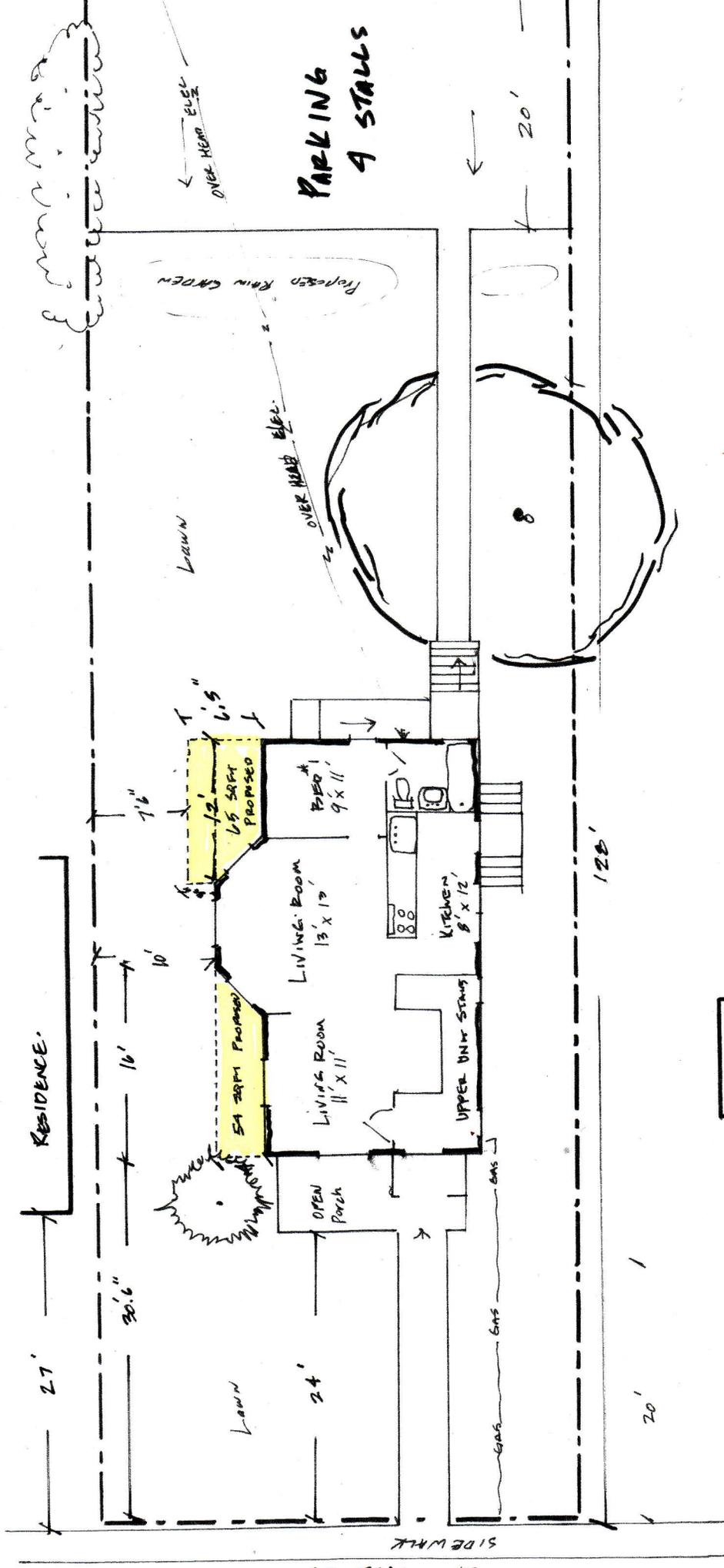
PROPOSED CHANGE IMPROVEMENTS (119)

BUILDING FOOTPRINT 675 SQFT

TOTAL IMPROVED SURFACE 675 X 300 = 202,500

LOT SIZE 5,120 SQFT

PROPOSED ADDITION 292 SQFT



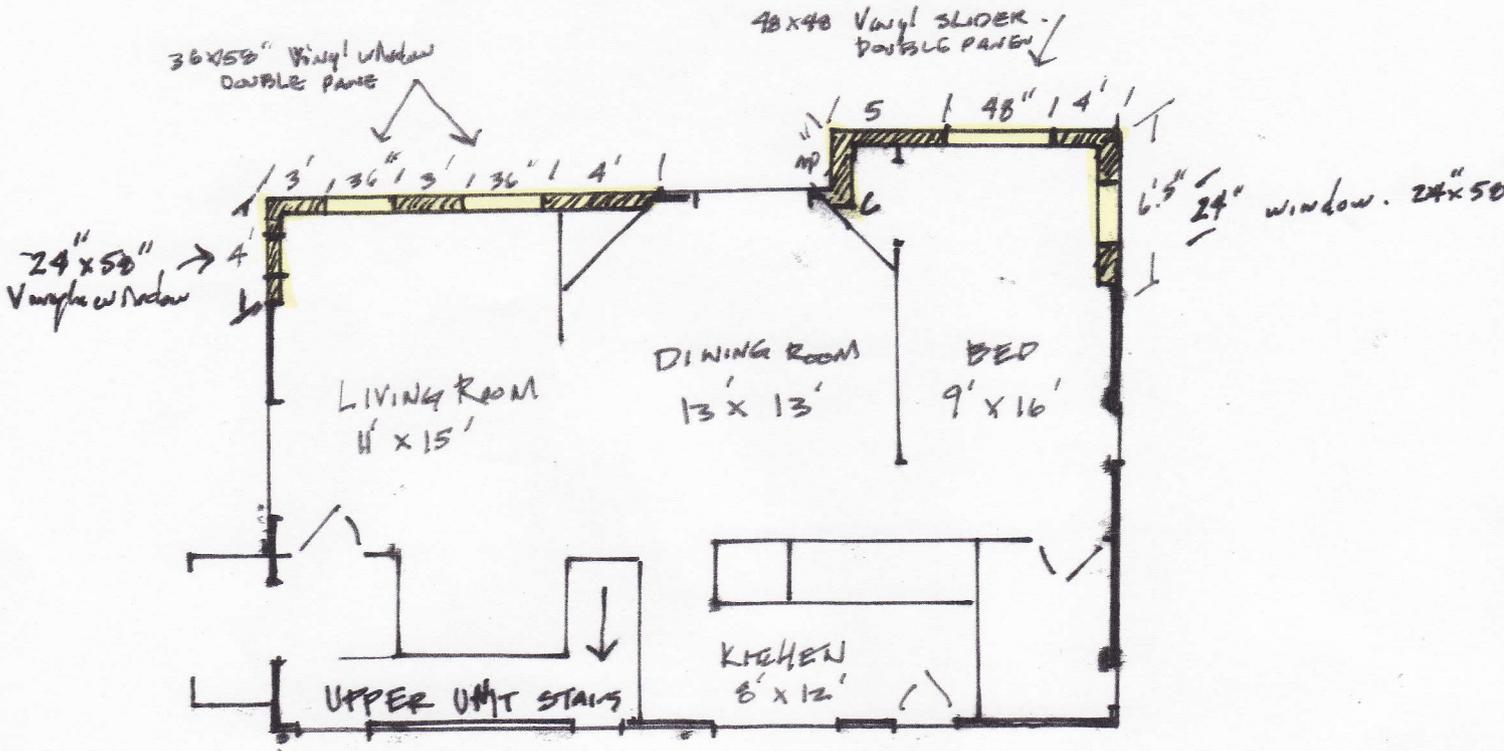
**PARKING
4 STALLS**

1045 RESIDENCE

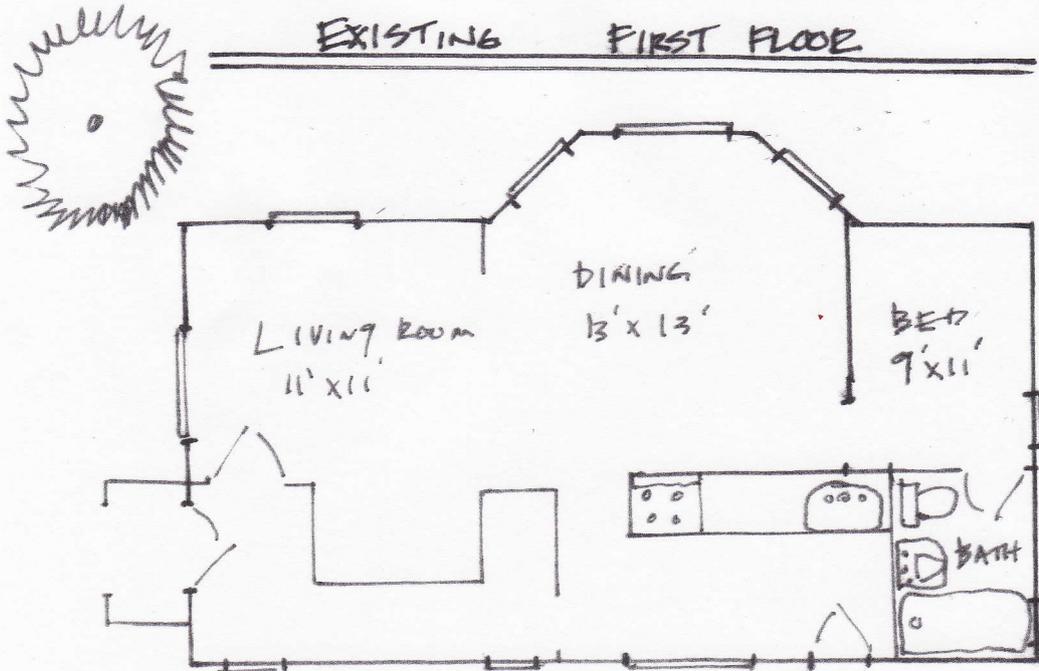
24th AVE SE

SIDE WALK

PROPOSED FIRST FLOOR (128 ADD SQFT.) 1"=8' SCALE

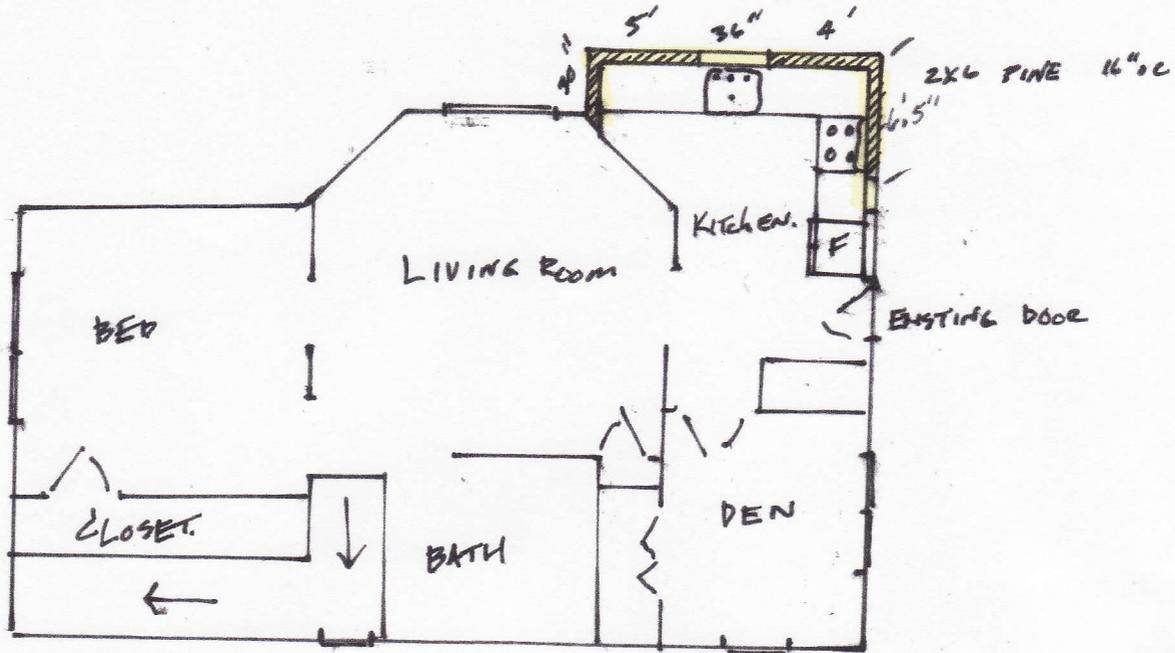


EXISTING FIRST FLOOR

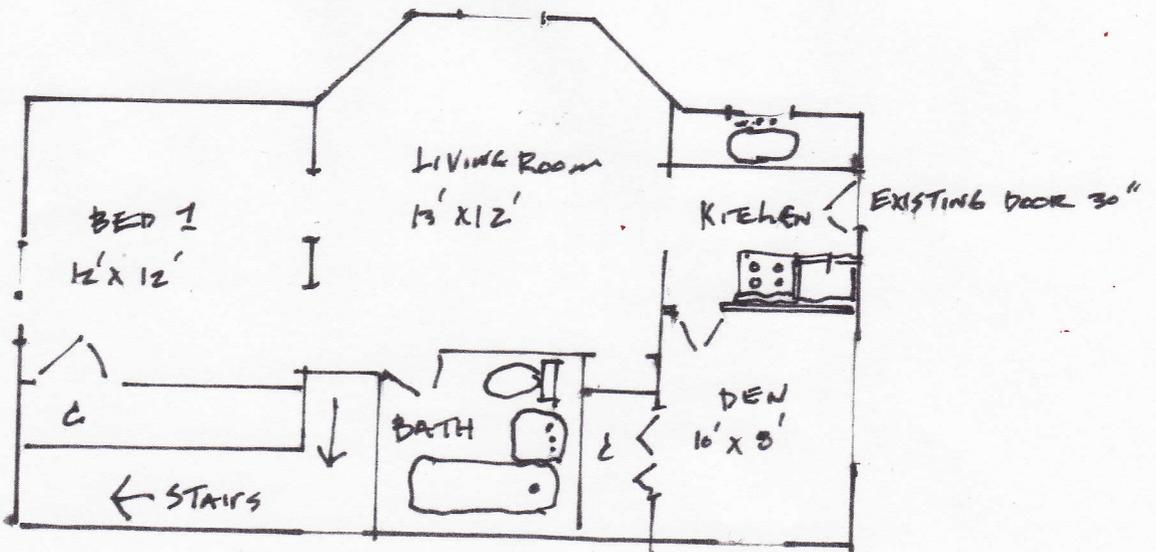


PROPOSED UNIT #2 UPPER FLOOR (#5 SFT ADDED)

1" = 8' SCALE

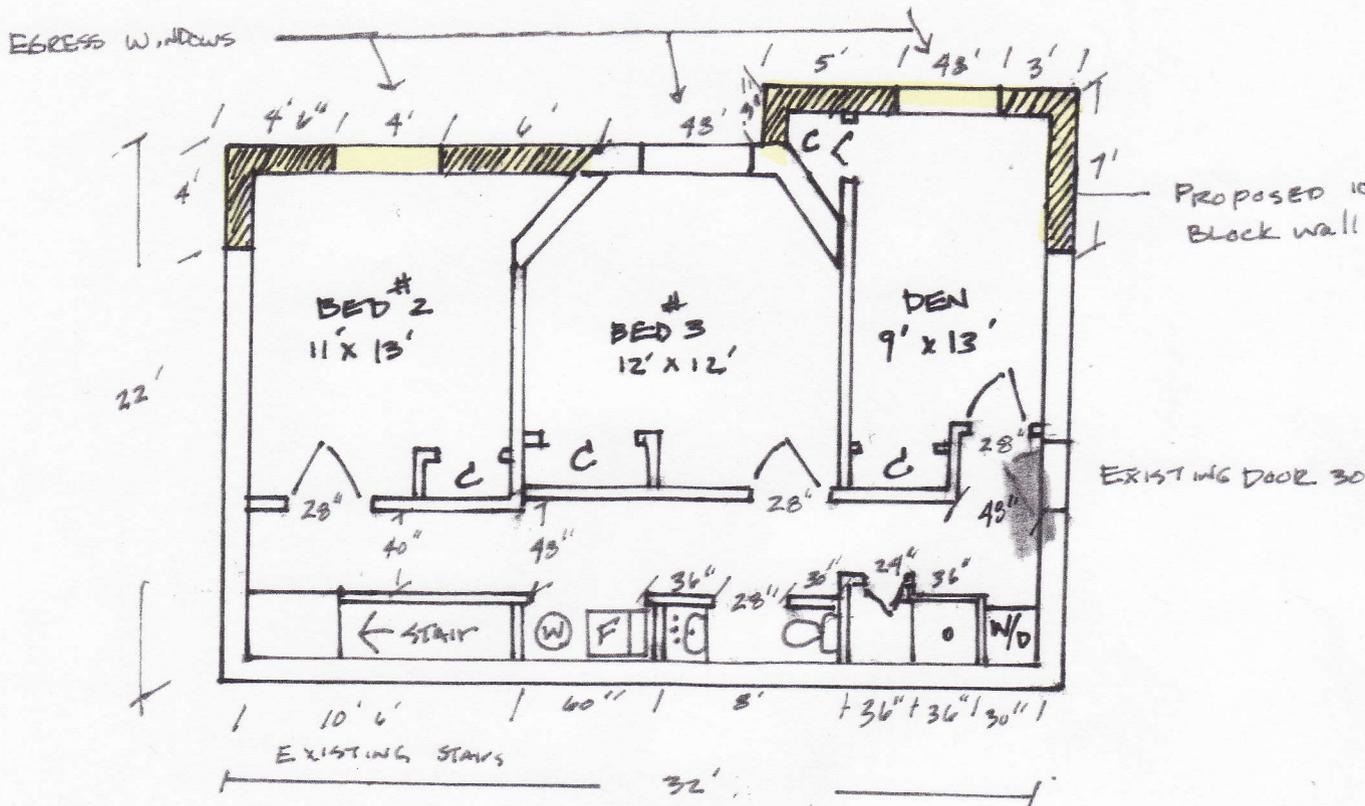


EXISTING UNIT #2 UPPER FLOOR



PROPOSED BASEMENT (ADD 119 SQFT)

1" = 8' SCALE

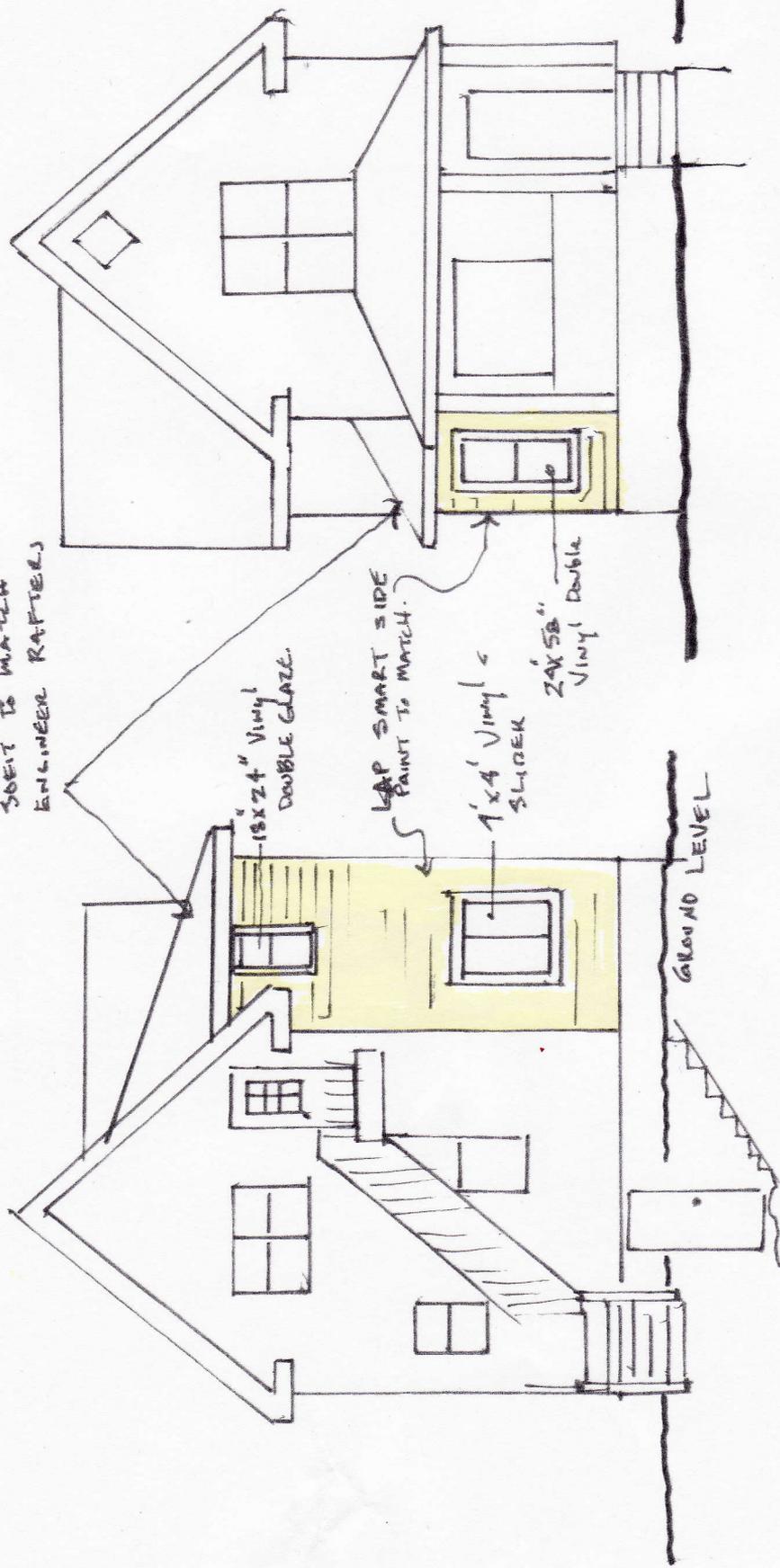


EXISTING BASEMENT



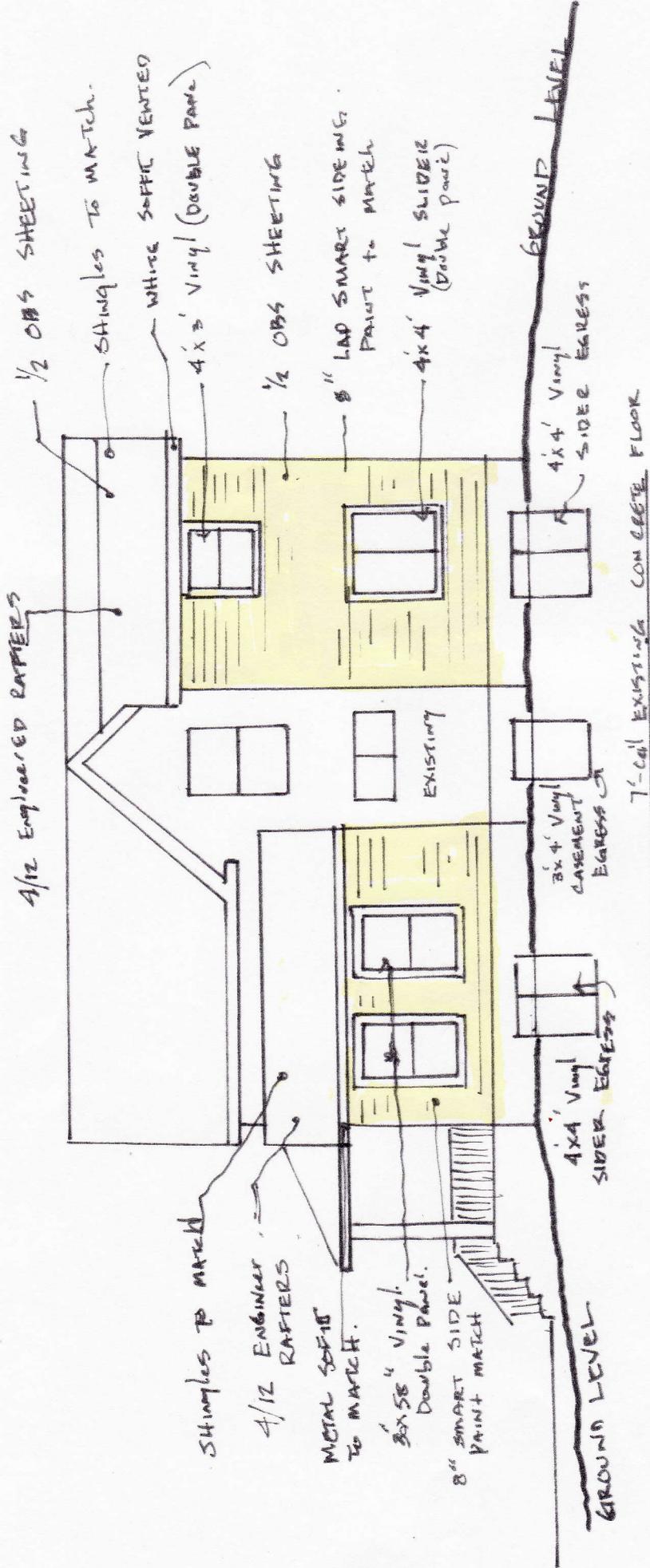
ROOF

1/2 OSB SHEETING
SHINGLES TO MATCH
SOEIT IS MATCH
ENGINEER RAFTERS



FRONT (WEST) SCALE 1"=8'

ALLEY SIDE SCALE 1"=8'



SOUTH SIDE SCALE 1"=8'







1
C
4
1