



LAND USE APPLICATION SUMMARY

Property Location: 2540 33rd Avenue South
Project Name: Variance to North Interior Side Yard Setback
Prepared By: Andrew Liska, City Planner, 612.673.2264
Applicant: Joe Sularz
Project Contact: Joe Sularz
Request: To reduce the north interior side yard setback for the construction of a new single-family dwelling.
Required Applications:

Variance	To reduce the north interior side yard setback from 6 feet to 4.5 feet for the construction of a new single-family dwelling.
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SITE DATA

Existing Zoning	RIA District
Lot Area	7,357 square feet
Ward(s)	2
Neighborhood(s)	Seward
Designated Future Land Use	Urban Neighborhood
Land Use Features	NA
Small Area Plan(s)	NA

Date Application Deemed Complete	May 1, 2015	Date Extension Letter Sent	NA
End of 60-Day Decision Period	June 30, 2015	End of 120-Day Decision Period	NA

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. This parcel is 49 feet wide by 150 deep and is 7,357 square feet in size. A single story single-family dwelling and detached garage to the rear currently occupy this site.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The structure to the north, 2536 33rd Avenue South, is single story single-family dwelling. The structure to the south is a two story, single-family dwelling. The Seward neighborhood is composed of single and two-family dwellings. There are commercial and industrial uses in the general area but this block specifically is composed of residential uses. Stylistically, the dwellings in this area have no distinct character although it appears many dwellings have had additions since they were originally constructed.

PROJECT DESCRIPTION. The project demonstrates significant changes to the existing basement and first floor and has proposed a second story. The scope of work exceeds a 60% demolition and thus, it is considered a new single-family dwelling and no grandfather rights exist for any setbacks. The proposed project expands the basement and first floor to the rear, south, and front and also adds a second story. The proposal calls for existing north setback of 4.4 feet to expand an additional 6 feet to the rear from the existing 26.5 foot wall. Crawl space is proposed under this 6 foot addition to the rear along the north setback. The proposed expansion to the south is 10.4 feet and this expansion runs the length of the proposed home. The addition to the front is 2.5 feet and creates a uniform front wall. The established front yard is not being encroached upon.

All zoning code standards are met with this proposal other than the north interior side yard setback of 4.4 feet.

PUBLIC COMMENTS. As of writing this staff report, staff has not received any correspondence from the Seward Neighborhood 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 1-4 dwelling units. Seventeen points are the minimum point total needed for approval and this proposal received 21 out of 27 possible points for the following design standards:

- The exterior building materials are masonry, brick, stone, stucco, wood, cement-board siding, and/or glass (6 points);
- The height of the structure is within one-half story of the predominant height of residential buildings within one hundred (100) feet of the site (4 points);
- Not less than twenty (20) percent of the walls on each floor that face a public street, not including walls on half stories, 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 (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 a rear or interior side lot line, not including walls on half stories, 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:

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 circumstances upon which the variances are requested are unique to the parcel of land. The applicant is seeking utilize the existing excavation and footprint as much as possible for the new dwelling. The location of the foundation was created by the original builder and is outside the current owners' control.

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 applicant is proposing to use the property in a reasonable manner and would be keeping with the spirit of the ordinance and the comprehensive plan. The intent of the ordinance regarding required yards is to encourage orderly development. The applicant is seeking to reduce the 6 foot interior side yard setback as this allows for the existing foundation to be utilized for the new single-family dwelling. The variance request affects the property to the north more than any other property and this property has a 9 foot setback from the shared lot line. Given this setback, it is clear that orderly development will remain with this variance request. The proposal to reduce the setbacks will not have a negative impact to any surrounding property and, if granted, will not hinder orderly development or 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.*

The proposed variance will not alter the character of the locality or be injurious to the use or enjoyment of other properties in the vicinity. There is a diverse mix of structures and setbacks in this area and this variance will blend well with the essential character of the area. Health, safety, and welfare of the general public will not be compromised if this variance is granted. If approved, this new single-family dwelling will provide good infill redevelopment while not negatively impacting surrounding properties.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application(s) by Nick Reimler for the property located at 5857 Washburn Avenue South:

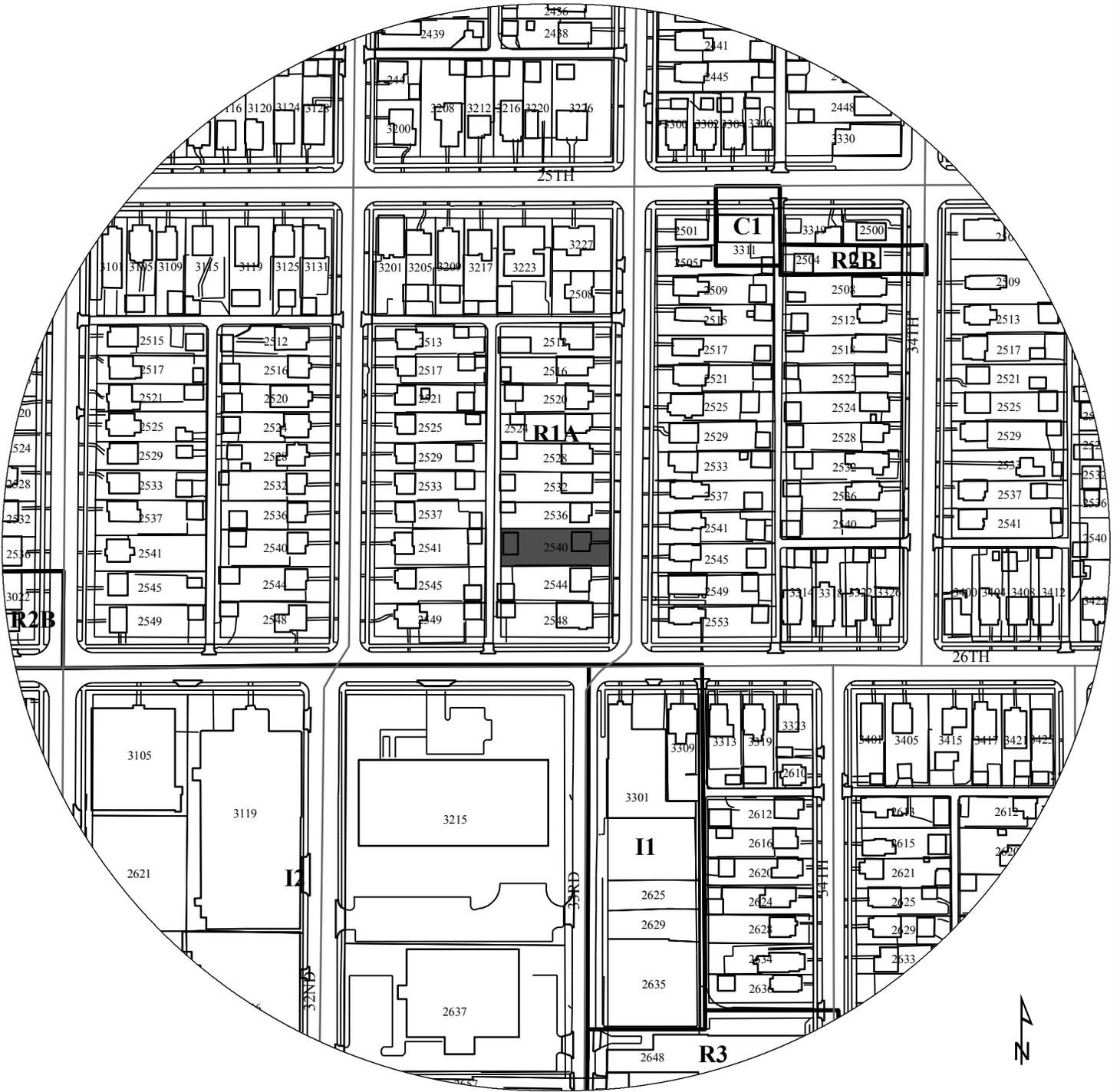
A. Variance of the required north interior side yard setback from 6 feet to 4.4 feet for the construction of a new single-family dwelling.

Recommended motion: **Approve** the application, 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 June 11, 2017, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

ATTACHMENTS

1. Zoning map
2. Written description and findings submitted by applicant
3. Site plan
4. Survey
5. Floor plan
6. Building Elevations
7. Photos
8. Correspondence



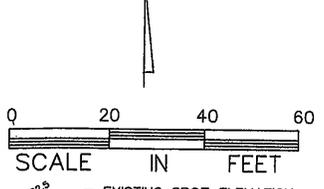
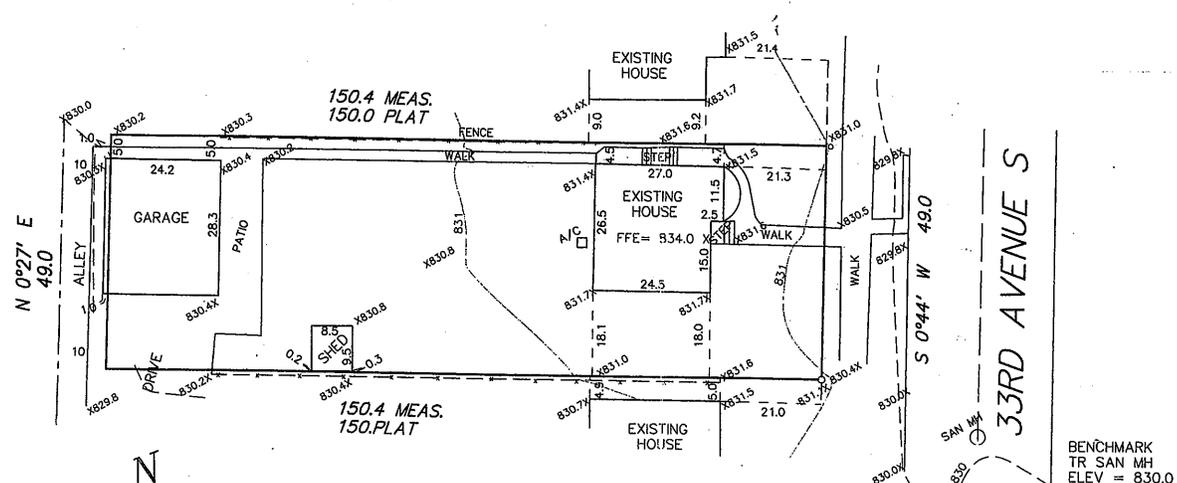
Minneapolis Community Development

Variance request for:

Joe Sularz and Jane Leach
2540 33rd Ave S.
Minneapolis, MN 55406

To Whom It May Concern:

- 1) We are remodeling more than 60% of our house; for this reason, the zoning department considers our project as a new housing start. The north wall of the house is on average 4'-6" from the property line. To meet the 5' offset required for a new housing start would mean moving the existing home, greatly increasing the cost of the project. The house has sat in this position on the lot since it was built in the 40's.
- 2) I have lived in the Seward neighborhood for over 30 years. I purchased this house in 2007, and my wife, Jane Leach, moved in when we got married 5 years ago. We have made considerable improvements to the property, including a new garage, and perennial, vegetable and rain gardens. We have gotten to know our neighbors as friends. This project is a statement about our commitment to our neighbors and the Seward community.
- 3) We have taken great care in designing the style and scope of our project. We have spoken with our immediate neighbors to get their feedback about our plans. Our hope is to make our new home and yard as welcoming as the present one is.



STRUCTURE HARDCOVER EXISTING
 HOUSE = 680 SF
 GARAGE = 680 SF
 SHED = 90 SF
 TOTAL = 1440 SF/19.6%

LEGAL DESCRIPTION:
 THE NORTH 35 FEET OF LOTS 21, 22 AND 23,
 AND THE NORTH 35 FEET OF THE EAST 30 FEET
 OF LOT 20, AND ALL OF ADJACENT VACATED ALLEY,
 RGT OF FALLS CITY ADDTN, BLOCKS EF8HT AND U,
 HENNEPIN COUNTY, MN.

ADDRESS - 2540 33RD AVE S
 PID#31-029-23-23-0105

LOT AREA = 7357 SF/ 0.17 AC
 X 25% = 1838 SF HC ALLOWED

SURVEY IS SUBJECT TO CHANGE PER
 TITLE OR EASEMENT INFORMATION

VERIFY ALL DIMENSIONS AND
 ELEVATIONS WITH HOUSE PLANS

VERIFY ALL SETBACKS WITH CITY

- 830.5 = EXISTING SPOT ELEVATION.
- X(998.0) = PROPOSED SPOT ELEVATION
- - - = DIRECTION SURFACE DRAINAGE
- COH = CANTILEVERED OVERHANG
- OHL = OVERHEAD UTILITY LINE
- GFE = GARAGE FLOOR ELEVATION
- TFE = TOP OF FOUNDATION ELEVATION
- LFE = LOWEST FLOOR ELEVATION

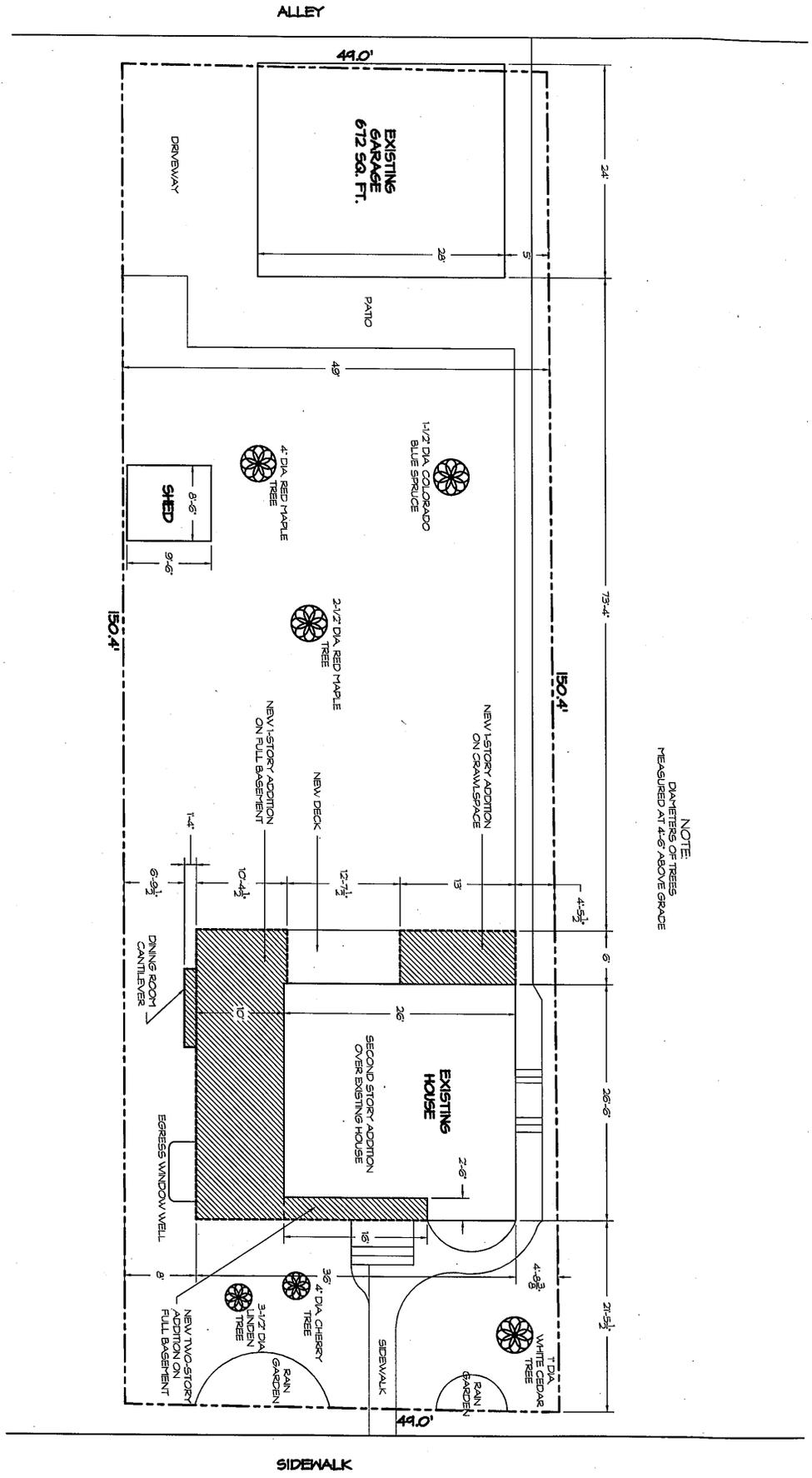
Land Surveyor
 Frank R. Cardapelle
 6440 FLYING CLOUD DRIVE
 EDEN PRAIRIE MN 55344
 952-941-3031

BUILDING PERMIT SURVEY
 for **SULARZ RESIDENCE**
 2540 33RD AVENUE S

PROJECT NO.	BOOK
DATE FEB 10, 2015	PAGE
REVISIONS	
I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND LAND SURVEYORS OF THE STATE OF MINNESOTA. FRANK R. CARDAPELLE, LICENSE NO. 155344	

SITE PLAN

SCALE 1/8" = 1'-0"



NOTE:
DIAMETERS OF TREES
MEASURED AT 4'-6" ABOVE GRADE

SHEET
8

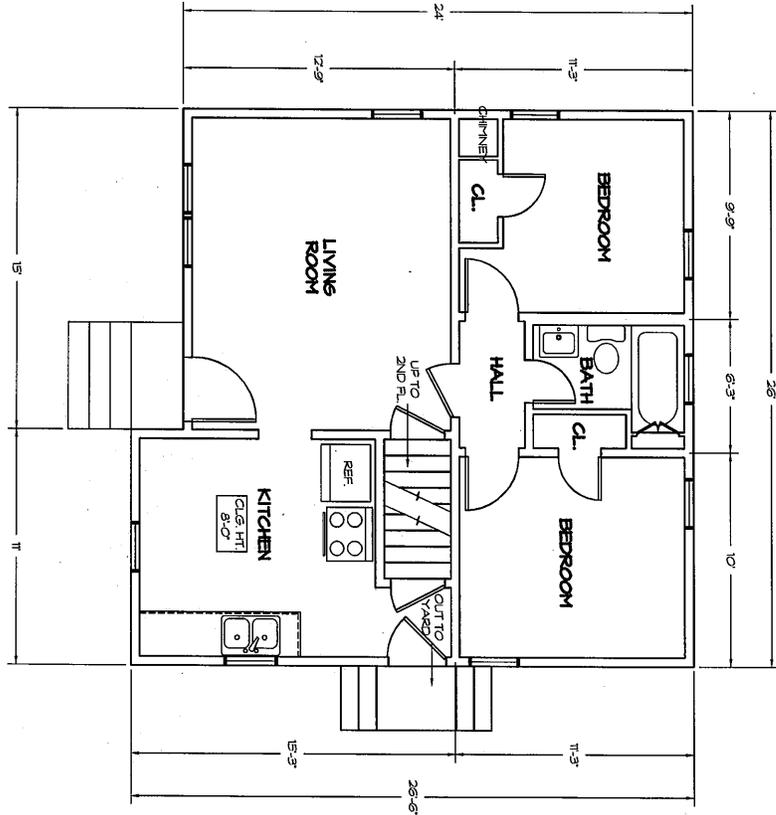
SULARZ/LEACH RESIDENCE

JOE SULARZ AND JANE LEACH
2540 33RD AVENUE SOUTH
MINNEAPOLIS, MN

DATE
03-09-12
DRAWN BY:
JLK
FILE NAME
SULARZ
ADDN-4

REVISIONS
01-31-14
05-16-14
07-11-14
07-18-14
08-12-14
08-30-14
04-16-15
04-30-15

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TEL. NO. 612.786.4877
E-MAIL: INFO@LARKSPURINC.COM
222 HOLMAN STREET, NE
MPLS, MN 55418



EXISTING FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

SHEET 1

SULARZ/LEACH RESIDENCE

JOE SULARZ AND JANE LEACH
 2540 33RD AVENUE SOUTH
 MINNEAPOLIS, MN

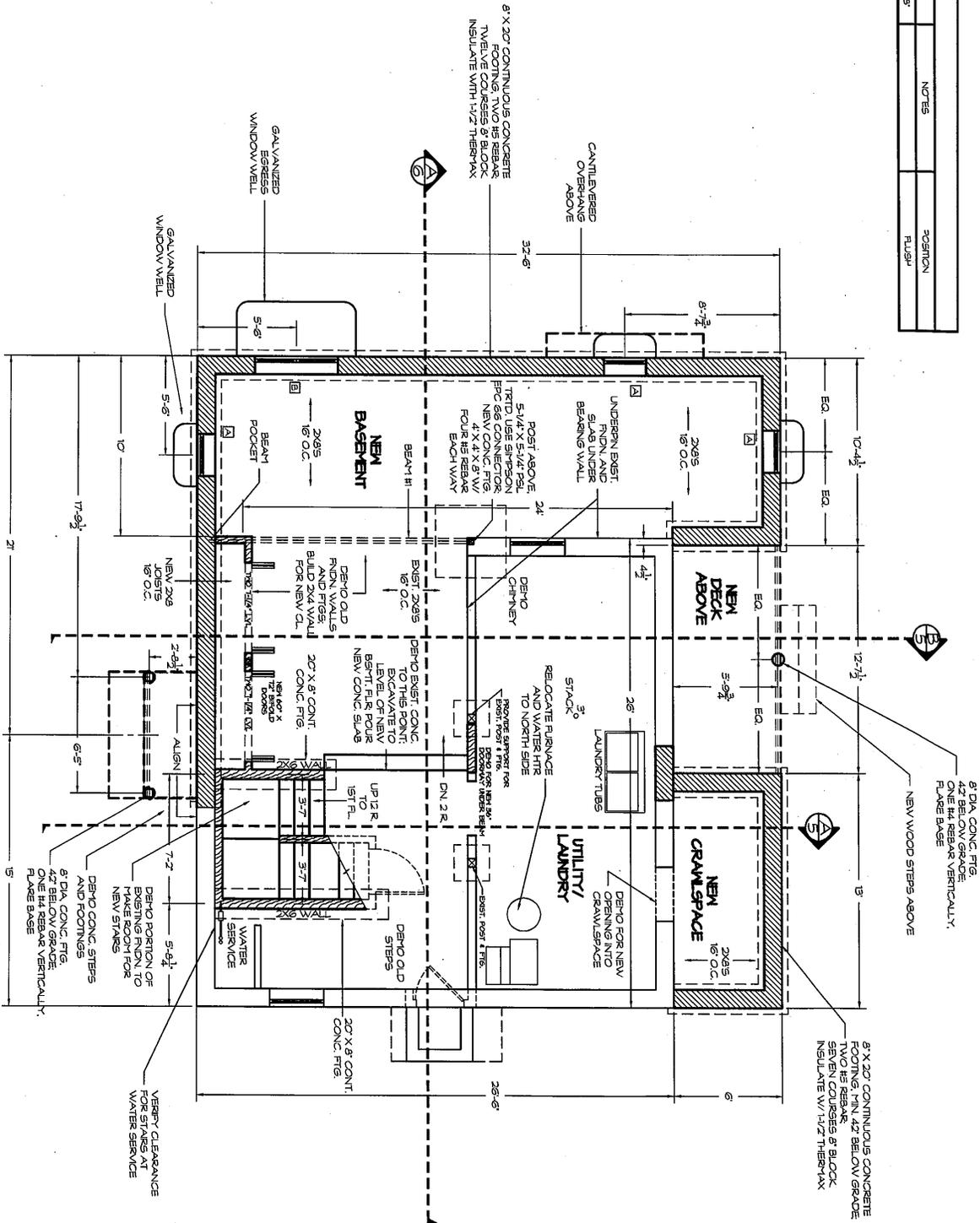
DATE
 03-09-12
 DRAWN BY:
 JLK
 FILE NAME
 SULARZ
 ADDN-4

REVISIONS
 01-31-14
 07-18-14
 08-12-14
 08-14-14
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 04-30-15

LARKSPUR, INC.
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 TEL. NO. 612.708.4677
 E-MAIL: J@LARKSPUR.COM
 225 EDWARDS STREET, NE
 MPLEMN, MN 55418

WINDOW SCHEDULE				
LABEL	MANUFACTURER	MODEL NUMBER	ROUGH OPENING	NOTES
A	MARANN INTERIERY	LAWN 299	2.5' W. X 1' 7.5" H.	BLK ORNG-- 2.8' W. X 1' 9.4" H.
B	MARANN INTERIERY	ICA 294S 2UV	4.9' W. X 3' 7.5" H.	BLK ORNG-- 5' 0" W. X 3' 9.4" H.

BEAM SCHEDULE			
LABEL	TYPE	SIZE	NOTES
III	LVL	THREE 3.4" X 1.8"	SECTION FLUSH



KEY

	EXISTING WALL
	DEM'D WALL
	NEW WALL
	FUR OUT CONC. BLOCK
	NEW CONCRETE

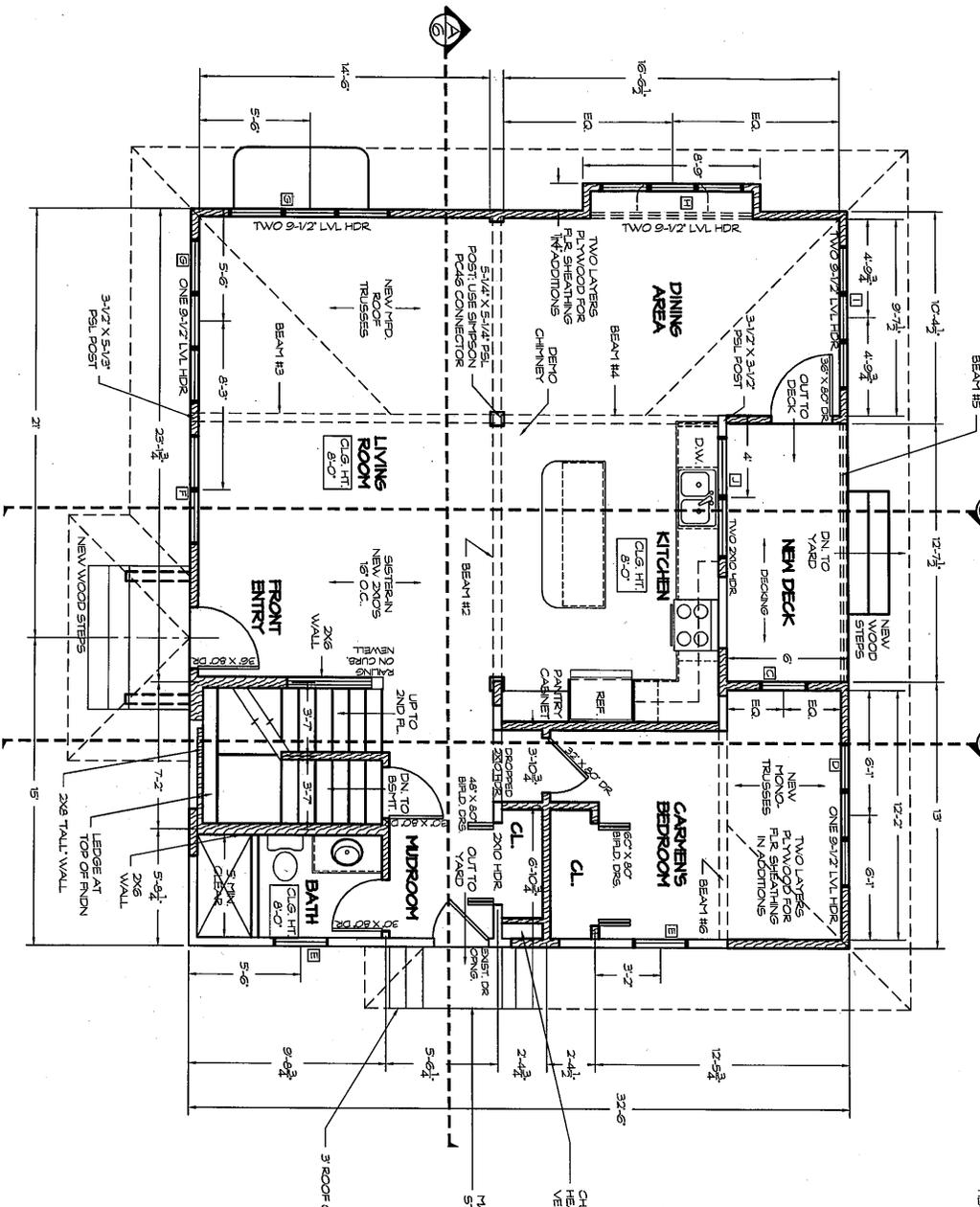
PROPOSED BASEMENT FLOOR PLAN

SCALE: 1/4" = 1'-0"

SHEET 2	SULARZ/LEACH RESIDENCE JOE SULARZ AND JANE LEACH 2540 33RD AVENUE SOUTH MINNEAPOLIS, MN	DATE 03-08-12 DRAWN BY: JLK FILE NAME: R115 ACC'D BY: JLK	REVISIONS 01-31-14 07-11-14 11-15-14 07-15-14 08-12-14 08-14-14 04-02-15 04-30-15	LARKSPUR, INC. DESIGN AND DRAFTING TEL. NO. 612.796.4877 E-MAIL: LARKSPUR@LARKSPUR.COM 1100 W. WASHINGTON STREET, ST. PAUL, MN 55108
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BEAM SCHEDULE			
LABEL	TYPE	SIZE	NOTES
B2	LVL	THREE 13/4" X 17/8"	ATTACH TO POST W/ ANGLE. HAS 5/8" ENCLOSED PLANGERS
B3	LVL	TWO 13/4" X 18"	DROPPED
B4	LVL	TWO 13/4" X 18"	FLASH IN R. 3" WALL S-91TH
B5	LVL	TWO 13/4" X 9 1/4"	FLASH IN R. 3" WALL S-91TH
B6	LVL	TWO 13/4" X 17/8"	DROPPED
			FLASH IN R. 3" WALL S-91TH

WINDOW SCHEDULE			
LABEL	MANUFACTURER	MODEL NUMBER	ROUGH OPENING
W1	HARVIN INTERITY	ICA 2847	2'-5" W. X 3' 1"-5/8" H.
W2	HARVIN INTERITY	ICA 3347-3W	8'-7" W. X 3' 11-5/8" H.
W3	HARVIN INTERITY	ICA 3355	2'-5" W. X 4' 7"-5/8" H.
W4	HARVIN INTERITY	ICA 3363-2W	5'-5" W. X 5' 3-5/8" H.
W5	HARVIN INTERITY	ICA 3363-3W	6'-7" W. X 5' 3-5/8" H.
W6	HARVIN INTERITY	ICAN 2827-3W	7'-1" W. X 2' 3-5/8" H.
W7	HARVIN INTERITY	ICA 2847-3W	7'-1" W. X 3' 11-5/8" H.
W8	HARVIN INTERITY	ICAN 3739-2W	6'-7" W. X 3' 3-5/8" H.



PROPOSED FIRST FLOOR PLAN

SCALE 1/8" = 1'-0"

KEY	
	EXISTING WALL
	DEM'D WALL
	NEW WALL

NOTE:
 FOR EXTRA LAYERS OF PLYWOOD
 FOR EXISTING WALLS IN
 ORIGINAL AREAS OF 1ST FLOOR
 EXCEPT FOR NEW BATH

HEADERS TO BE TWO 2 X 10S UNLESS OTHERWISE CALLED OUT

SULARZ/LEACH RESIDENCE
 JOE SULARZ AND JANE LEACH
 2540 33RD AVENUE SOUTH
 MINNEAPOLIS, MN

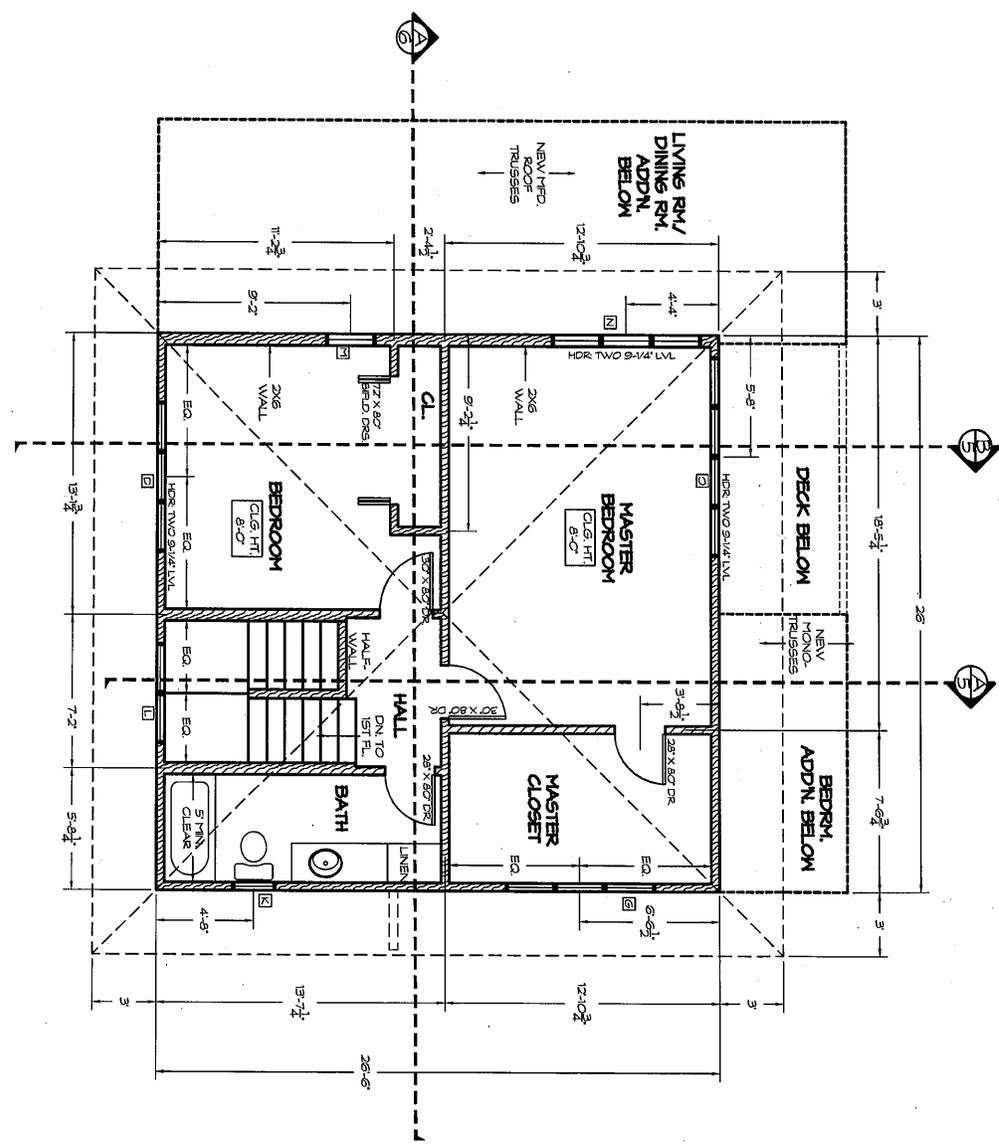
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	08-12-14
	08-14-14
	04-02-15
	04-30-15

LARKSPUR, INC.
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 1111 W. 11TH STREET, SUITE 100
 MINNEAPOLIS, MN 55404
 TEL: 612.338.4411
 FAX: 612.338.4412

SHEET
 3

WINDOW SCHEDULE			NOTES
LABEL	MANUFACTURER	MODEL NUMBER	ROUGH OPENING
1	HARVIN INTEGRITY	ICA 2947.3W	7'-1" W. x 2' 11.5/8" H.
2	HARVIN INTEGRITY	ICA 2947.3W	7'-1" W. x 2' 3.5/8" H.
3	HARVIN INTEGRITY	ICA 2935	2'-1" W. x 2' 11.5/8" H.
4	HARVIN INTEGRITY	ICA 2935.5W WITH VERRIN W/ MANUFACTURER	4'-0" W. x 5' 11.3/8" H.
5	HARVIN INTEGRITY	ICA 2935	2'-5" W. x 2' 11.5/8" H.
6	HARVIN INTEGRITY	ICA 2947.4W	7'-1" W. x 2' 11.5/8" H.
7	HARVIN INTEGRITY	ICA 2947.4W	9'-5" W. x 3' 11.5/8" H.

HEADERS TO BE TWO 2 X 10S UNLESS OTHERWISE CALLED OUT



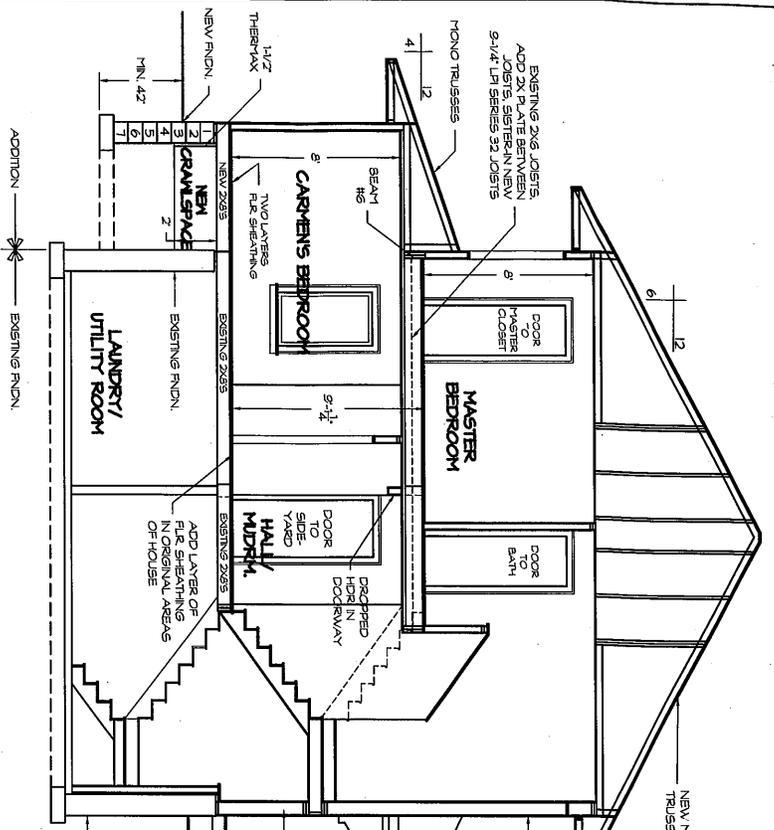
KEY

	EXISTING WALL
	DEMO WALL
	NEW WALL

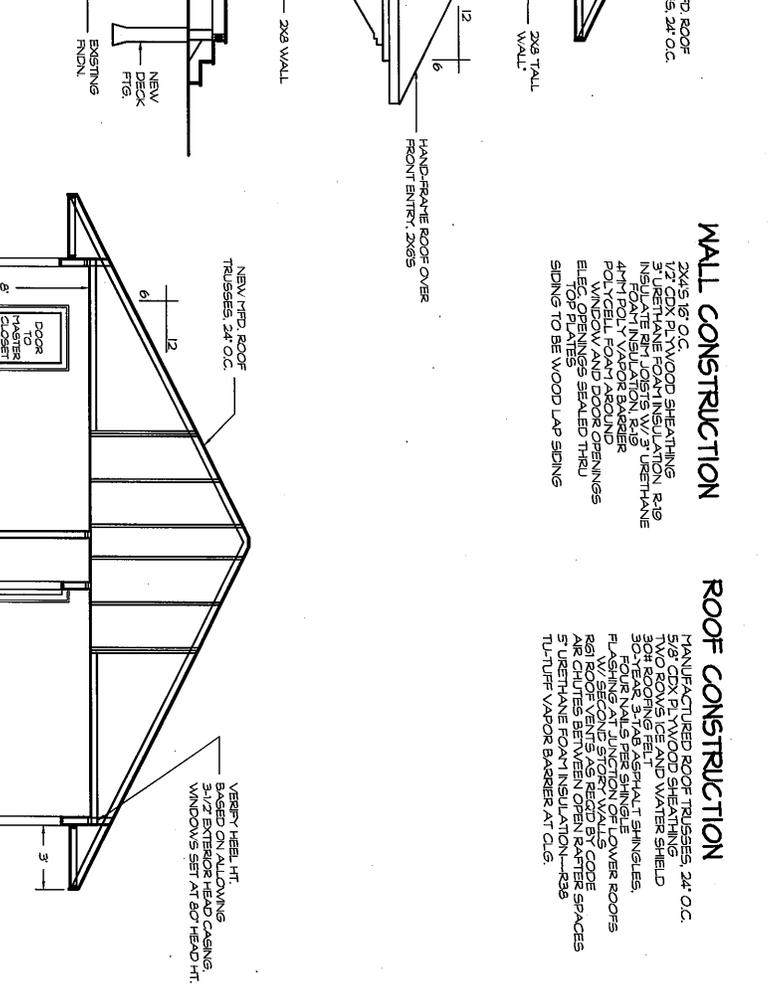
PROPOSED SECOND FLOOR PLAN

SCALE 1/4" = 1'-0"

SHEET 4	<p>SULARZ/LEACH RESIDENCE</p> <p>JOE SULARZ AND JANE LEACH 2540 33RD AVENUE SOUTH MINNEAPOLIS, MN</p>	DATE 03-09-12	<p>REVISIONS</p> <p>01-31-14</p> <p>05-16-14</p> <p>07-11-14</p> <p>07-18-14</p> <p>08-12-14</p> <p>03-11-15</p> <p>04-02-15</p> <p>04-30-15</p>
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A CROSS-SECTION
SCALE 1/4" = 1'-0"



B CROSS-SECTION
SCALE 1/4" = 1'-0"

WALL CONSTRUCTION

- 2x4 @ 16" O.C.
- 1/2" GYP PL WOOD SHEATHING
- INSULATE WITH FIBERGLASS BATT
- 1 1/2" POLYURETHANE/STYROFOAM
- FOAM INSULATION R-8
- 4" POLY VAPOR BARRIER
- POLYURETHANE FOAM BOARD
- ELEC. OPENINGS SEALED THRU TOP PLATES
- SIDING TO BE WOOD LAP SIDING

ROOF CONSTRUCTION

- MANUFACTURED ROOF TRUSSES, 24" O.C.
- 5/8" GYP PL WOOD SHEATHING
- INSULATE WITH FIBERGLASS BATT
- 30" ROOFING FELT
- 30" YEAR 3/16" ASPHALT SHINGLES
- FLASHING AT ALL ROOF OVER ROOFS
- 2" POLYURETHANE FOAM BOARD
- 2" POLYURETHANE FOAM BOARD
- 5" URETHANE OR PENALTY
- TU-UFF VAPOR BARRIER AT D/G.

VERIFY HEEL HT. BASED ON ALLOWING 3-1/2" EXTERIOR HEAD CASING WINDOW S SET AT 80" HEAD HT.

SULARZ/LEACH RESIDENCE

JOE SULARZ AND JANE LEACH
2540 33RD AVENUE SOUTH
MINNEAPOLIS, MN

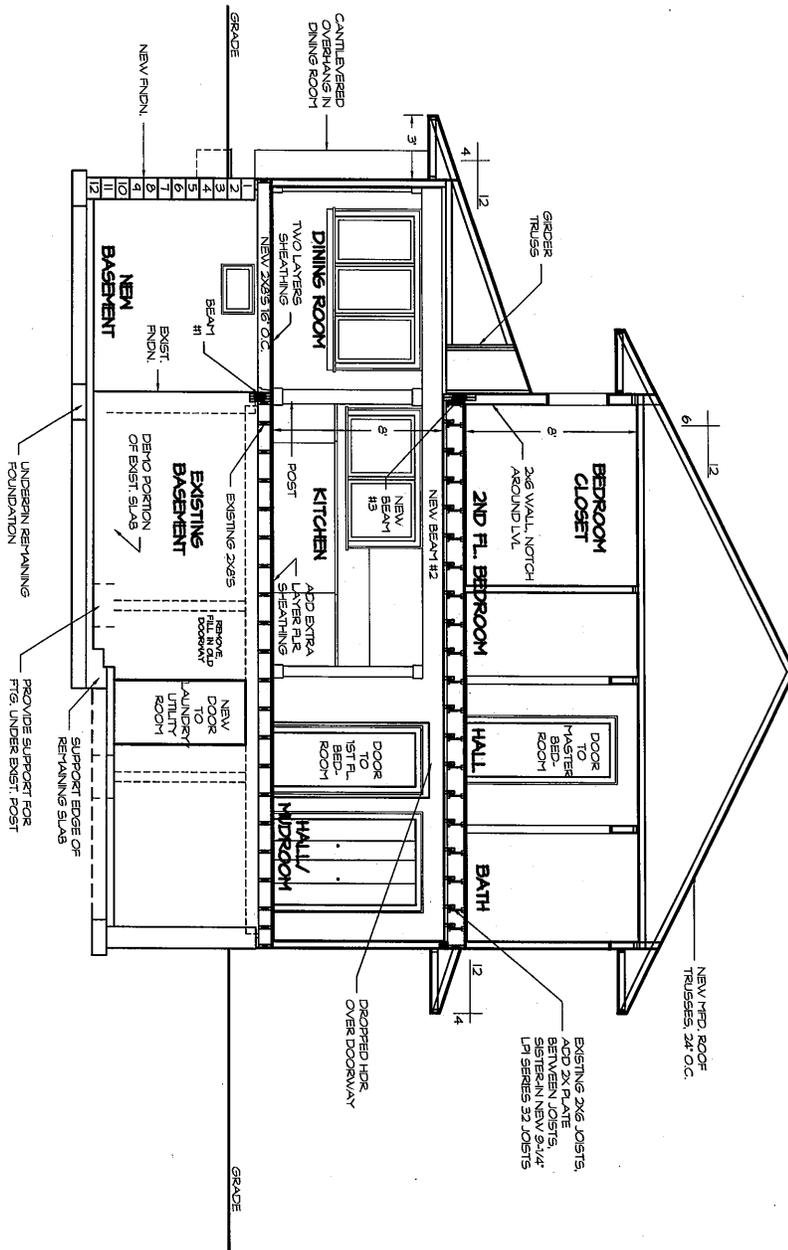
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	08-14-14
	04-23-15
	04-30-15

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(A) CROSS-SECTION

SCALE 1/8" = 1'-0"



SULARZ/LEACH RESIDENCE

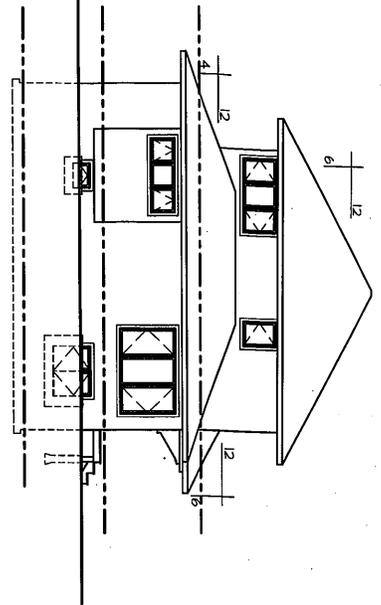
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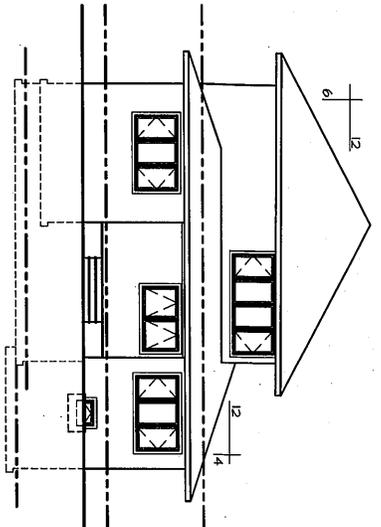
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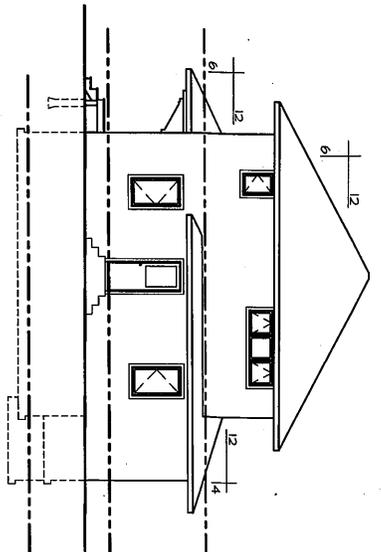
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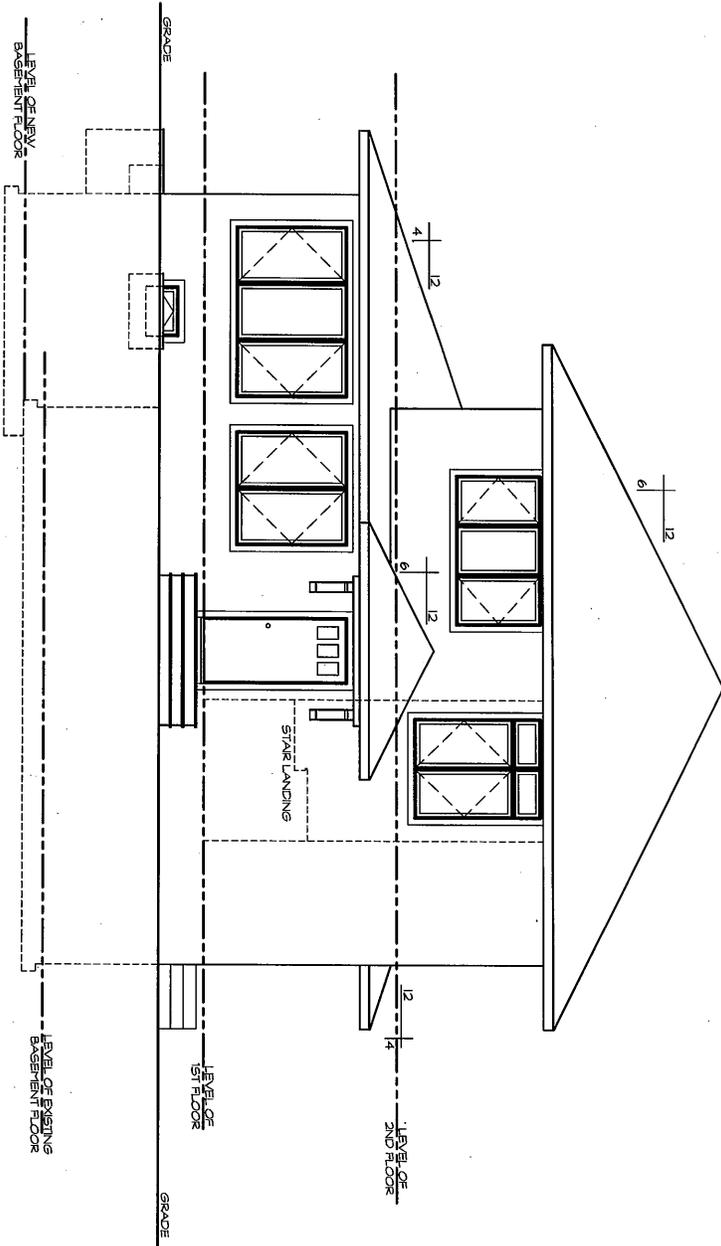
PROPOSED SOUTH SIDE ELEVATION
SCALE 1/8" = 1'-0"



PROPOSED BACK (WEST) ELEVATION
SCALE 1/8" = 1'-0"



PROPOSED NORTH SIDE ELEVATION
SCALE 1/8" = 1'-0"



PROPOSED FRONT (EAST) ELEVATION - OPTION II
SCALE 1/4" = 1'-0"

SULARZ/LEACH RESIDENCE

JOE SULARZ AND JANE LEACH
2540 33RD AVENUE SOUTH
MINNEAPOLIS, MN

DATE	01-31-14
DRAWN BY:	JLK
FILE NAME	SULARZ ADDN-4

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	08-12-14
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	04-22-15
	04-30-15

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211 N. W. 81ST ST. SUITE 407
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MILWAUKEE, WI 53212

SHEET
7









