

**LAND USE APPLICATION SUMMARY**

*Property Location:* 4036 Queen Avenue South  
*Project Name:* 4036 Queen Avenue South Addition  
*Prepared By:* [Janelle Widmeier](#), Senior City Planner, (612) 673-3156  
*Applicant:* Mark and Kristine Van Osnabrugge  
*Project Contact:* Jon Colliander, Trehus Builders  
*Request:* One-story rear addition, including an attached garage, 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 7 feet to 5 feet to allow a building addition.
<b>Variance</b>	To reduce the minimum rear yard requirement adjacent to the west lot line from 6 feet to 3 feet to allow a building addition.
<b>Variance</b>	To reduce the minimum interior side yard requirement adjacent to the south lot line from 7 feet to 5 feet to allow a patio.

**SITE DATA**

<b>Existing Zoning</b>	RI Single-Family District SH Shoreland Overlay District
<b>Lot Area</b>	9,803 square feet
<b>Ward(s)</b>	13
<b>Neighborhood(s)</b>	Linden Hills
<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>	June 19, 2015	<b>Date Extension Letter Sent</b>	Not applicable
<b>End of 60-Day Decision Period</b>	August 18, 2015	<b>End of 120-Day Decision Period</b>	Not applicable

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The existing use is a single-family dwelling. It was permitted for construction in 1902. The site is not adjacent to an alley. The existing garage in the rear of the property is accessed from an easement extending over the property of 4037 Linden Hills Boulevard.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The surrounding properties are predominately single-family dwellings. The adjacent properties to the north and south are single-family dwellings. The adjacent properties to the rear are a duplex and a single-family dwelling.

**PROJECT DESCRIPTION.** The applicant is proposing to demolish the existing detached garage and construct a one-story rear addition, including an attached two-car garage, to a single-family dwelling located at the property of 4036 Queen Avenue South. A new driveway and patio are proposed to be located on the south side of the addition. Because the lot is 60 feet wide, the minimum interior side yard requirement adjacent to the north and south lot lines is 7 feet. The addition would be 5 to 7 feet from the north lot line and the driveway and patio would be 5 feet from the south lot line. The driveway is a permitted obstruction in an interior side yard, but the patio is not. The minimum rear yard requirement adjacent to the west lot line is 6 feet. The proposed addition would be set back 3 feet. Variances are required to reduce the minimum yard requirements to allow the building addition and patio.

**PUBLIC COMMENTS.** As of the writing of this report, staff has not received any correspondence from the neighborhood group. 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 **1) a variance reduce the minimum interior side yard requirement adjacent to the north lot line from 7 feet to 5 feet to allow a building addition, 2) a variance to reduce the minimum rear yard requirement adjacent to the west lot line from 6 feet to 3 feet to allow a building addition, and 3) a variance to reduce the minimum interior side yard requirement adjacent to the south lot line from 7 feet to 5 feet to allow a patio**, 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.*

**All variances:** Practical difficulties exist in complying with the ordinance due to circumstances unique to the property. The front of the existing dwelling is 90 feet from the front lot line. The site slopes significantly on the east side of the property. Over 60 percent of the site is on a steep slope or within 40 feet of the top of the steep slope. Because the site is located in the SH overlay district, developing in this area would require a variance. The proposed addition and patio would be located at the rear of the site where slope is not an issue. Because the dwelling is set so far back on the lot, there is limited room where development can occur. To construct a 2-car detached garage, a variance to allow the garage to be less than 6 feet from habitable space of a dwelling would be

needed. The proposed driveway is a permitted obstruction in the interior side yard, but the patio is not. Because the site is not adjacent to an alley, the applicant intends to also use the patio as a turnaround for the garage, and therefore, is proposing to align it with the driveway.

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.*

**All 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 proposed addition and patio would be located at the rear of the property where they would not be located on or within 40 feet of the top of the steep slope. The addition would be adjacent to detached accessory structures on the surrounding properties. Both the addition and the patio would be not less than 5 feet from the interior side lot lines. The patio would be 50 feet from the nearest residential structure. The proposed driveway is a permitted obstruction in the interior side yard, but the patio is not. Because the site is not adjacent to an alley, the applicant intends to also use the patio as a turnaround for the garage, and therefore, is proposing to align it with the driveway. The proposal would comply with all other district regulations and would not have any 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.*

**All 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 proposed addition and patio would be located at the rear of the property where they would not be located on or within 40 feet of the top of the steep slope. The addition would be adjacent to detached accessory structures on the surrounding properties. Both the addition and the patio would be not less than 5 feet from the interior side lot lines. The patio would be 50 feet from the nearest residential structure. The proposed driveway is a permitted obstruction in the interior side yard, but the patio is not. Because the site is not adjacent to an alley, the applicant intends to also use the patio as a turnaround for the garage, and therefore, is proposing to align it with the driveway. The proposal would comply with all other district regulations and would not have any impacts on the adjacent properties access to light, air and open space. The design of the addition would be compatible with the existing structure. Lap siding is proposed to match the existing structure. 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.

### **Additional Standards for Variances within the SH Shoreland Overlay District**

In addition, the Zoning Board of Adjustment shall consider, but not be limited to, the following [factors](#) when considering conditional use permit or variance requests within the SH Shoreland Overlay District:

1. *Prevention of soil erosion or other possible pollution of public waters, both during and after construction.*

**All variances:** The site is near Lake Harriet. The site slopes significantly on the east side of the property. Over 60 percent of the site is on a steep slope or within 40 feet of the top of the steep

slope. All construction and access will occur on the back of the site, farthest away from the lake. Impacts on the existing grade and soil would not be significant to create erosion control issues.

2. *Limiting the visibility of structures and other development from protected waters.*

**All variances:** All construction will occur on the back of the site behind the existing dwelling, farthest away from the lake. The rear one-story addition will not be visible because of existing development and vegetation.

3. *The suitability of the protected water to safely accommodate types, uses and numbers of watercraft that the development may generate.*

**All variances:** This standard is not applicable for the proposed development.

## RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application(s) by Mark and Kristine Van Osnabrugge for the property located at 4036 Queen Avenue South:

### **A. Variance to reduce the minimum north interior side yard requirement.**

Recommended motion: **Approve** the variance to reduce the minimum interior side yard requirement adjacent to the north lot line from 7 feet to 5 feet to allow a building addition, 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 July 16, 2017, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The exterior materials used for the addition shall be consistent with the exterior materials of the principal structure on the property.

### **B. Variance to reduce the minimum rear yard requirement.**

Recommended motion: **Approve** the variance to reduce the minimum rear yard requirement adjacent to the west lot line from 6 feet to 3 feet to allow a building addition, 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 July 16, 2017, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The exterior materials used for the addition shall be consistent with the exterior materials of the principal structure on the property.

**C. Variance to reduce the minimum south interior side yard requirement.**

Recommended motion: **Approve** the variance to reduce the minimum interior side yard requirement adjacent to the south lot line from 7 feet to 5 feet to allow a patio, subject to the following conditions:

1. Approval of the final site plan by the Department of Community Planning and Economic Development.
2. All site improvements shall be completed by July 16, 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. Floor plan
6. Building elevations
7. Photos

**Van Osnabrugge Variance Application  
4036 Queen Ave. S.  
Minneapolis, MN., 55410**

The proposed project is a new, attached 2 car garage and mudroom addition with additional remodeling work (primarily kitchen) within the existing home. We are seeking variances for the required rear yard and side yard setbacks.

**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 existing property has a significant slope at the front (east) edge of the property and the existing garage access is via an easement at the rear of the lot. Because of the slope, the original home is located towards the back of the lot where the lot is more level. As a result, the size of the rear yard is smaller than the adjacent properties leaving less room for an addition within the required setbacks.
- The slope also prevents having an attached garage accessed from Queen Ave both from a practical matter, and due to the zoning requirements in the Shoreland Overlay District.
- Additionally, vehicle access to the rear yard and garage via the easement is limited to the southwest corner of the property by existing structures on adjacent lots.

**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 proposed addition consists of highly valued and practical spaces (mudroom and 2 car attached garage) that are commonly found throughout the city and in the Linden Hills neighborhood, and are within the standards set forth in the zoning code for an R1 district.
- The proposed garage is within the size limitations established in the zoning code, and it will be further from the property lines than the existing detached garage structure currently on the property.

**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 addition fits the character of the existing home and neighborhood, and minimally extends the structure beyond the prescribed setbacks.
- The addition is held back more than 3 feet from the property lines on all sides to comply with fire separation requirements.
- The new addition will be built in accordance with current building codes.

Shoreland Overlay District:

**(1) The prevention of soil erosion or other possible pollution of public waters, both during and after construction.**

- The proposed addition is on a flat portion of the property.
- Vehicle access for the excavation of the foundation will be via the easement to the west of the property. As such there will be no disturbance of soils on the sloped portion of the property.
- The final grading of the site will direct water to the east via the natural topographic slopes of the site.

**(2) Limiting the visibility of structures and other development from protected waters:**

- The property is not adjacent to Lake Harriet or the surrounding parks.
- The proposed addition is to the west of the existing home which is the side furthest from Lake Harriet.
- The proposed addition is lower in height than the existing home already on the property.

**(3) The suitability of the protected water to safely accommodate the types, uses and number of watercraft that the development will generate:**

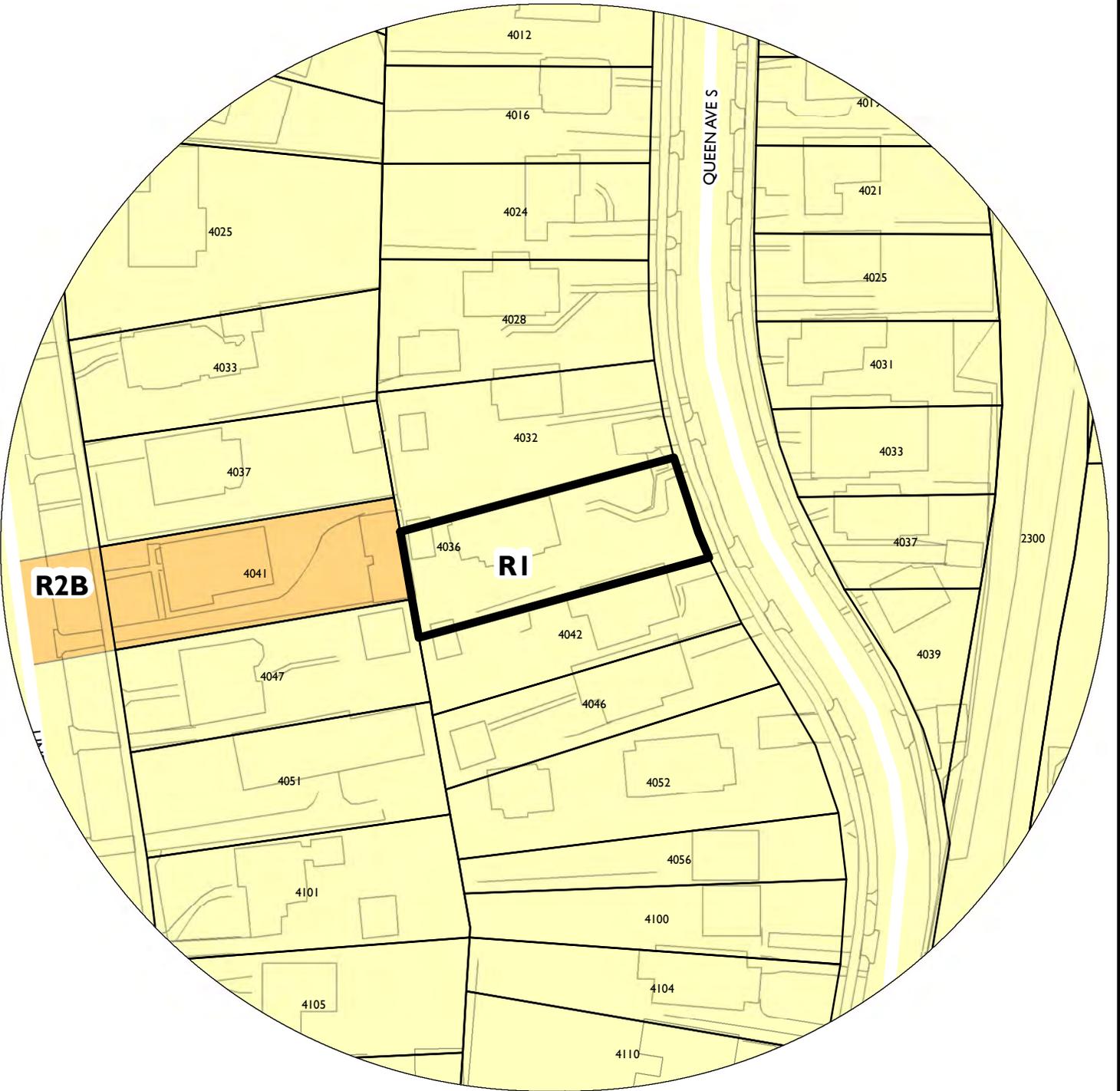
- The property in question is not adjacent to Lake Harriet, and will continue its use as a single family residence. Therefore, the proposed development will have no impact on the use of watercraft.

**Mark and Kristine Van Osnabrugge**

**13**

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

**4036 Queen Ave S**

FILE NUMBER

**BZZ-7252**

**TREE SYMBOL KEY**

- WSP WHITE SPRUCE  
MPL MAPLE

**LEGAL DESCRIPTION**

That part of Lot 9, Block 3, First Division of Remington Park described as follows;

Commencing at the Northeast corner of said Lot; thence in a Southerly direction along Queen Avenue 60 feet; thence in a Westerly direction parallel with the North line of said Lot to the West line thereof; thence in a Northerly direction along the West line of said Lot 60 feet to the Northwest corner of said Lot; thence East on the North line of said Lot to the place of beginning, together with an easement for driveway over the South 9 feet and the East 12 feet of Lot 26, Block 3, First Division of Remington Park, Hennepin County, Minnesota.

SITE ADDRESS- 4036 Queens Avenue S, Minneapolis, MN

PARCEL AREA = 9,803 sq. ft. or 0.225 acres

P.I.N.=08-028-24-14-0026

**BENCHMARK**

City of Mpls. Monument at the intersection of 42nd Ave. and Linden Hills Blvd = 849.217

**NOTE**

The west line of subject property is assumed to bear North 11 Degrees 00 Minutes 00 Seconds West.

**HOUSE FLOOR ELEVATIONS**

BASEMENT FLOOR = 850.76

SILL = 856.53

TOP OF FOUNDATION = 858.44

MAIN FLOOR = 859.21

UPPER FLOOR = 869.36

**LEGEND**

- DENOTES IRON SET
- DENOTES IRON FOUND
- ⊗ DENOTES POWER POLE
- RD DENOTES ROOF DRAIN
- ∞ DENOTES STONE WALL
- DHP— DENOTES OVERHEAD POWER
- ▨ DENOTES PAVER SURFACE
- ▤ DENOTES BITUMINOUS SURFACE
- ▥ DENOTES CONCRETE SURFACE
- xxxX DENOTES EXISTING ELEVATION

**STRUCTURAL COVERAGE CALCS:**

HOUSE = 1,138 SQ.FT  
GARAGE = 273 SQ.FT  
PORCH = 237 SQ.FT.

TOTAL STRUCTURAL COVERAGE = 1,648 SQ.FT.

% PARCEL BEING STRUCTURALLY COVERED  
(TOTAL STRUCTURAL COVERAGE) / (TOTAL AREA) = 16.8%

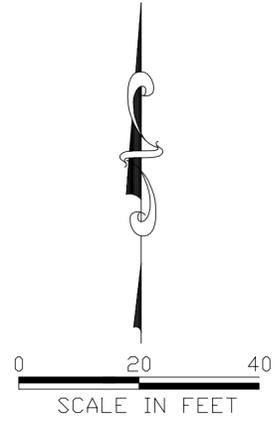
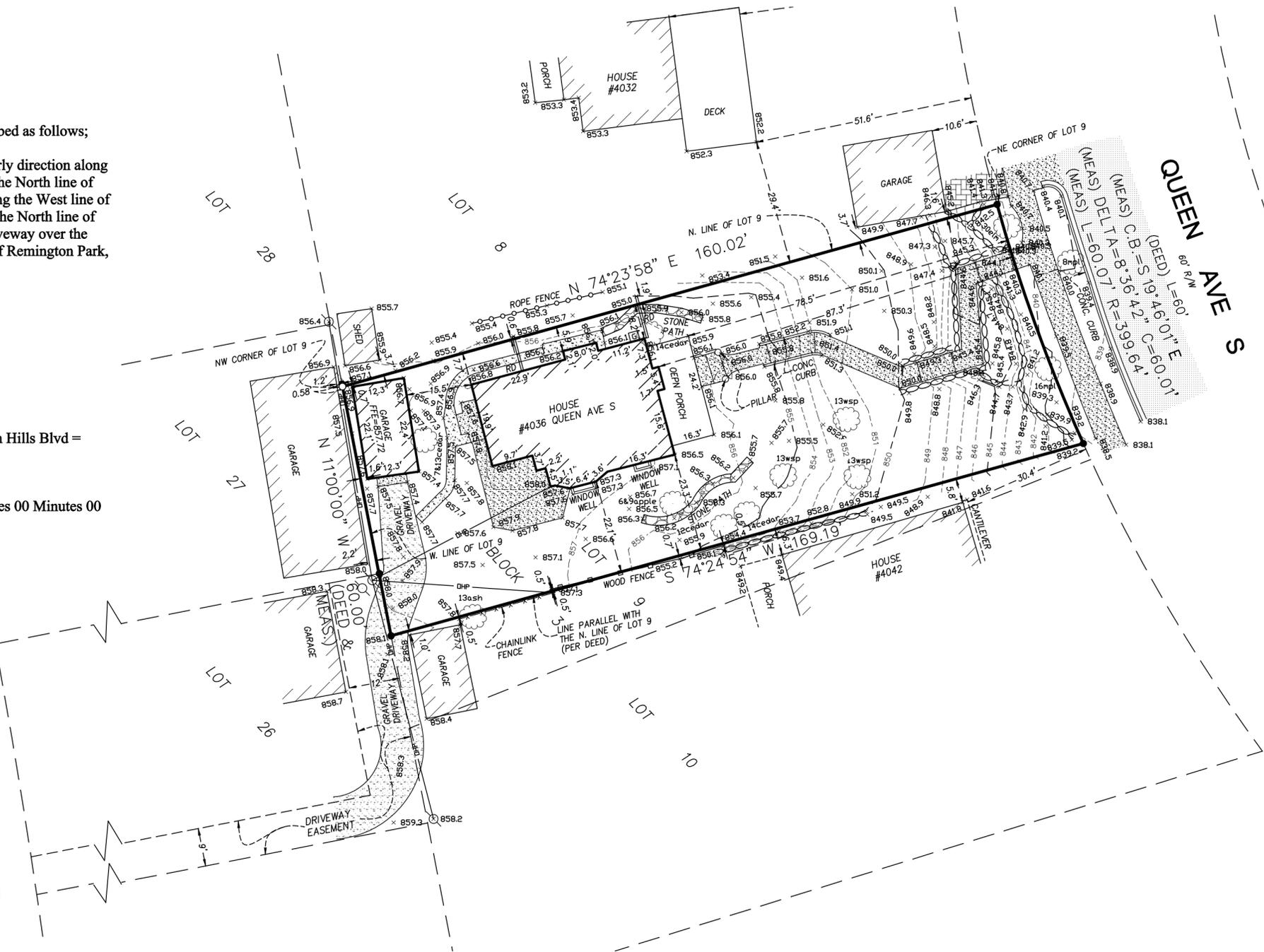
**EXISTING IMPERVIOUS SURFACE CALCS:**

HOUSE = 1,138 SQ.FT  
GARAGE = 273 SQ.FT  
PORCH = 237 SQ.FT  
CONCRETE = 989 SQ.FT.  
GRAVEL = 294 SQ.FT.  
STONE PATH = 113 SQ.FT.  
TOTAL HARDCOVER = 3,044 SQ.FT.

(TOTAL IMPERVIOUS SURFACE) / (TOTAL AREA) = 31.1%

LINDEN HILLS BLVD

QUEEN AVE S



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.

*Kim Reaume*

DATE 03-30-2015 REG. NO. 19522



**KIM A. REAUME**  
LICENSED LAND SURVEYOR

763-475-1314  
763-475-1015 FAX  
EMAIL - precision-surveys@comcast.net

3305 GARLAND LANE N.  
PLYMOUTH, MINNESOTA 55447

BOOK	66	PAGE	5
PROJECT NO	2015-10	DRAWN BY	JJA
REVISIONS			

**CERTIFICATE OF SURVEY AND TOPOGRAPHIC SURVEY FOR Mark and Kristine Osnabrugge**

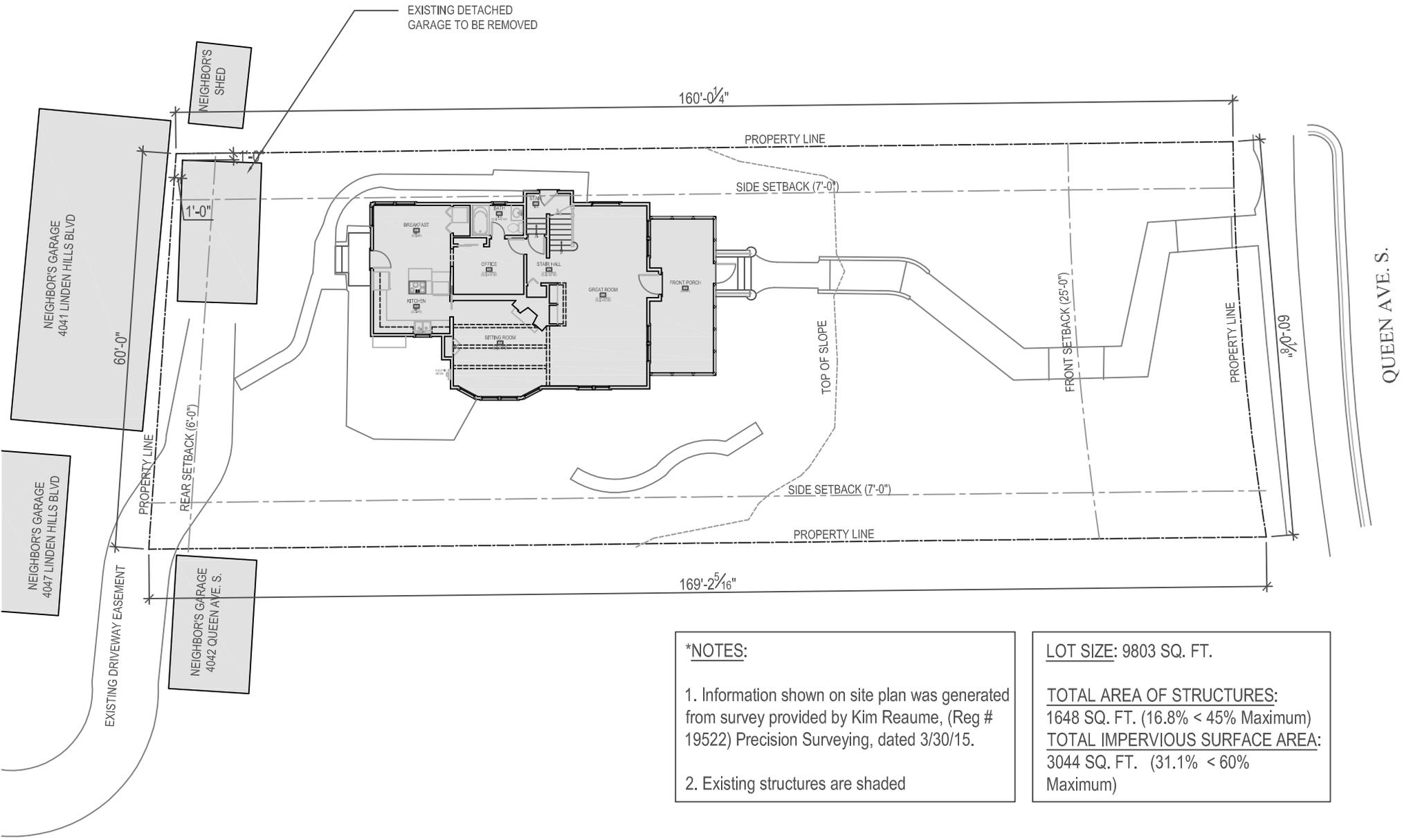
LINDEN HILLS BOULEVARD

EXISTING GARAGE  
TO BE REMOVED

NOTE: VEHICLE ACCESS TO  
REAR YARD IS BETWEEN  
EXISTING GARAGES ON  
NEIGHBORING PROPERTIES  
(OUTLINED IN BLACK)

EXISTING  
EASEMENT (IN RED)





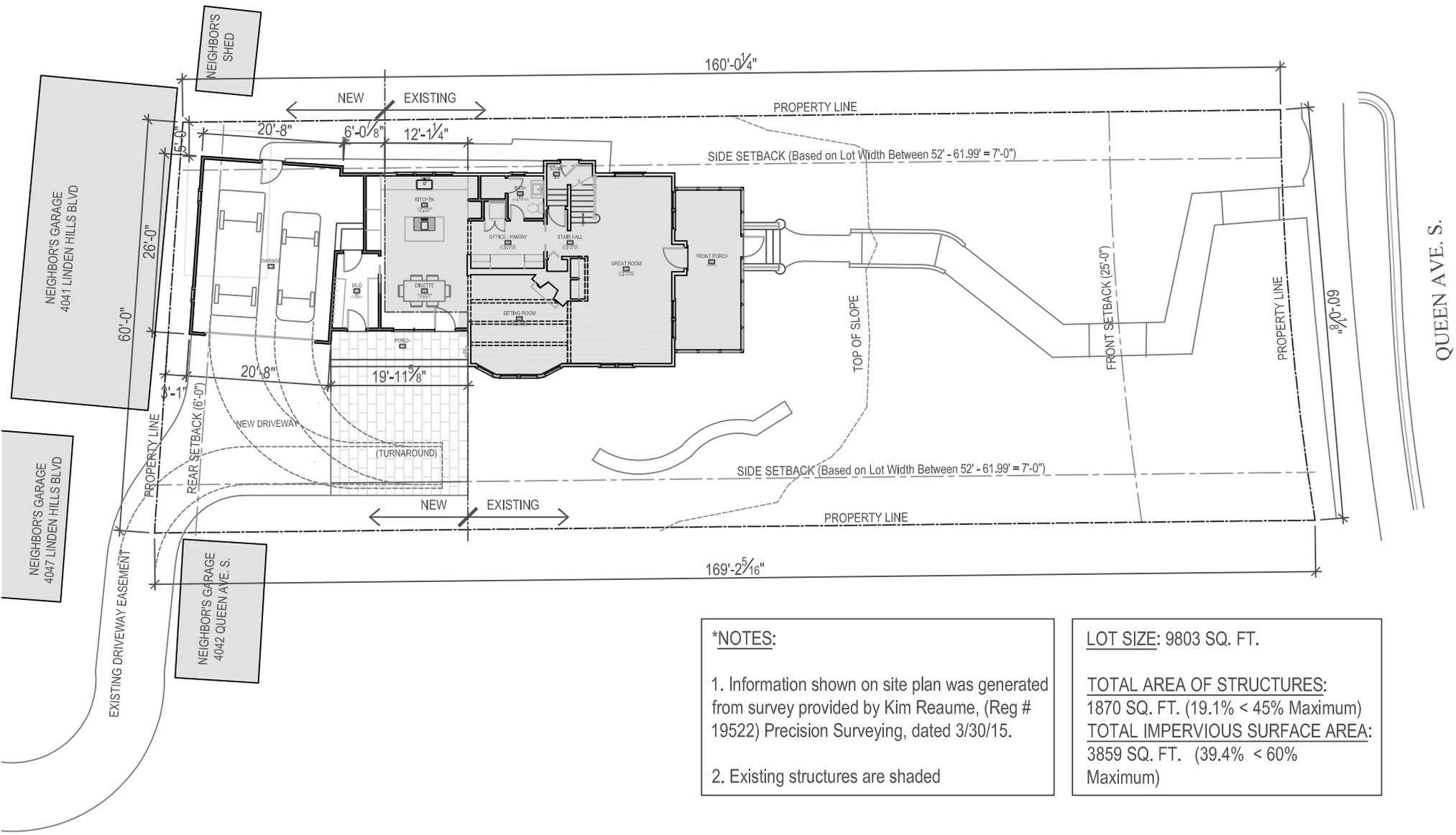
- \*NOTES:**
- Information shown on site plan was generated from survey provided by Kim Reaume, (Reg # 19522) Precision Surveying, dated 3/30/15.
  - Existing structures are shaded

**LOT SIZE:** 9803 SQ. FT.

**TOTAL AREA OF STRUCTURES:**  
1648 SQ. FT. (16.8% < 45% Maximum)

**TOTAL IMPERVIOUS SURFACE AREA:**  
3044 SQ. FT. (31.1% < 60% Maximum)

	<p style="text-align: center;">   <b>SITE PLAN: EXISTING</b>  <b>SCALE: 1" = 20'</b> </p>	<p style="text-align: center;">   <b>NORTH</b> </p> <p> <b>VAN OSNABRUGGE RESIDENCE</b>  <b>4035 QUEEN AVE. S.</b>  <b>MINNEAPOLIS, MN. 55410</b> </p>
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**\*NOTES:**

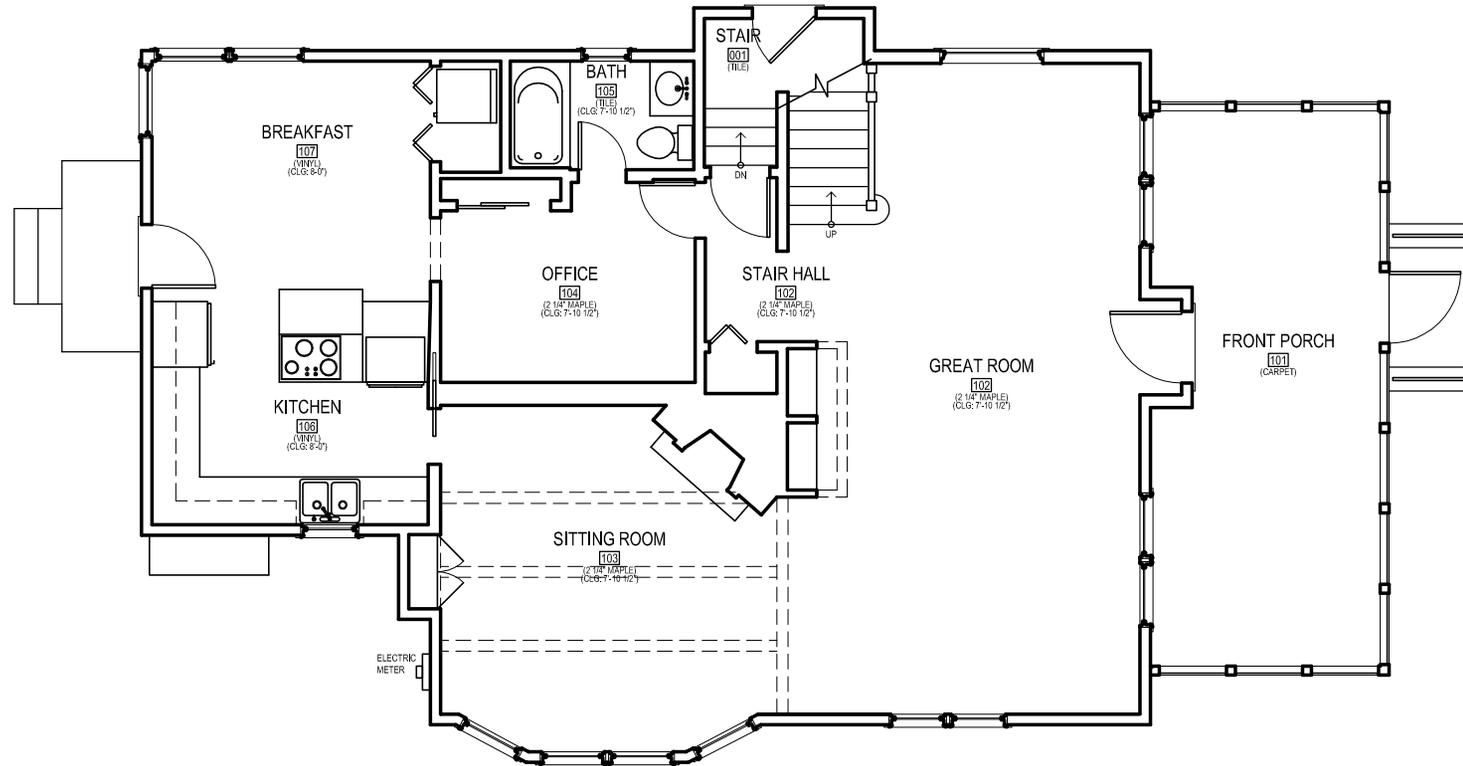
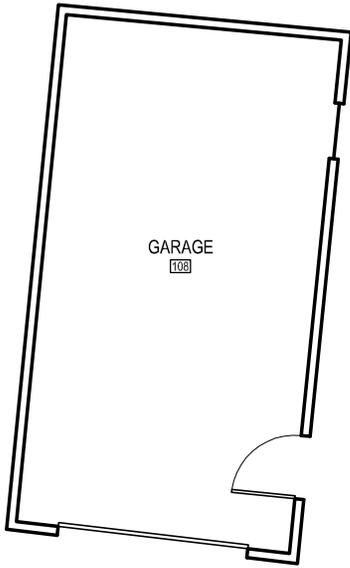
- Information shown on site plan was generated from survey provided by Kim Reaume, (Reg # 19522) Precision Surveying, dated 3/30/15.
- Existing structures are shaded

**LOT SIZE:** 9803 SQ. FT.

**TOTAL AREA OF STRUCTURES:**  
1870 SQ. FT. (19.1% < 45% Maximum)

**TOTAL IMPERVIOUS SURFACE AREA:**  
3859 SQ. FT. (39.4% < 60% Maximum)

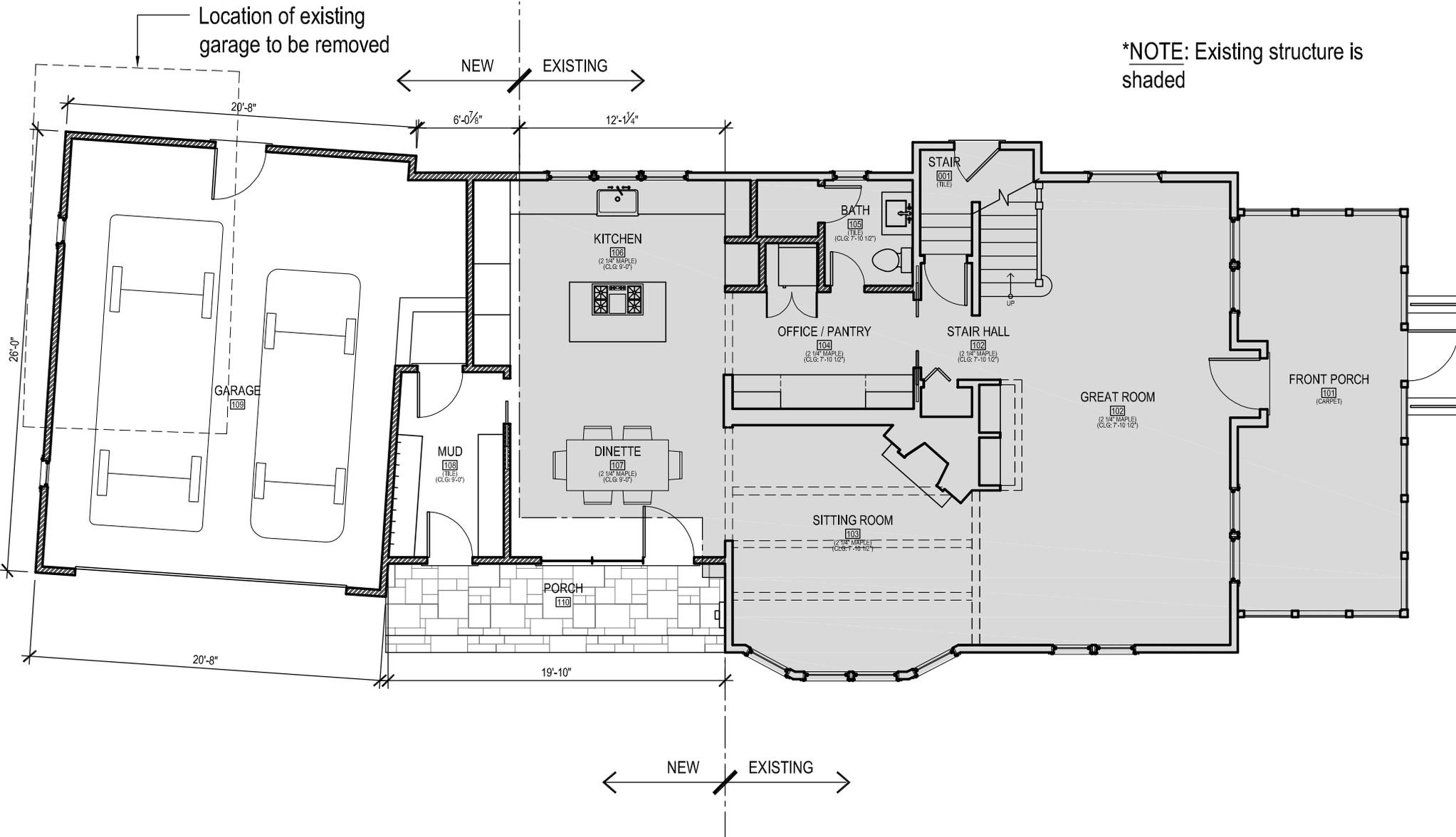
<p>TREHUS</p>	<p>SITE PLAN: PROPOSED SCALE: 1" = 20'</p>	<p>NORTH</p>	<p>VAN OSNABRUGGE RESIDENCE 4035 QUEEN AVE. S. MINNEAPOLIS, MN. 55410</p>
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MAIN FLOOR PLAN: EXISTING  
SCALE: 1/8" = 1'-0"



VAN OSNABRUGGE RESIDENCE  
4035 QUEEN AVE. S.  
MINNEAPOLIS, MN. 55410



MAIN FLOOR PLAN: PROPOSED  
SCALE: 1/8" = 1'-0"



VAN OSBRUGGE RESIDENCE  
4035 QUEEN AVE. S.  
MINNEAPOLIS, MN. 55410



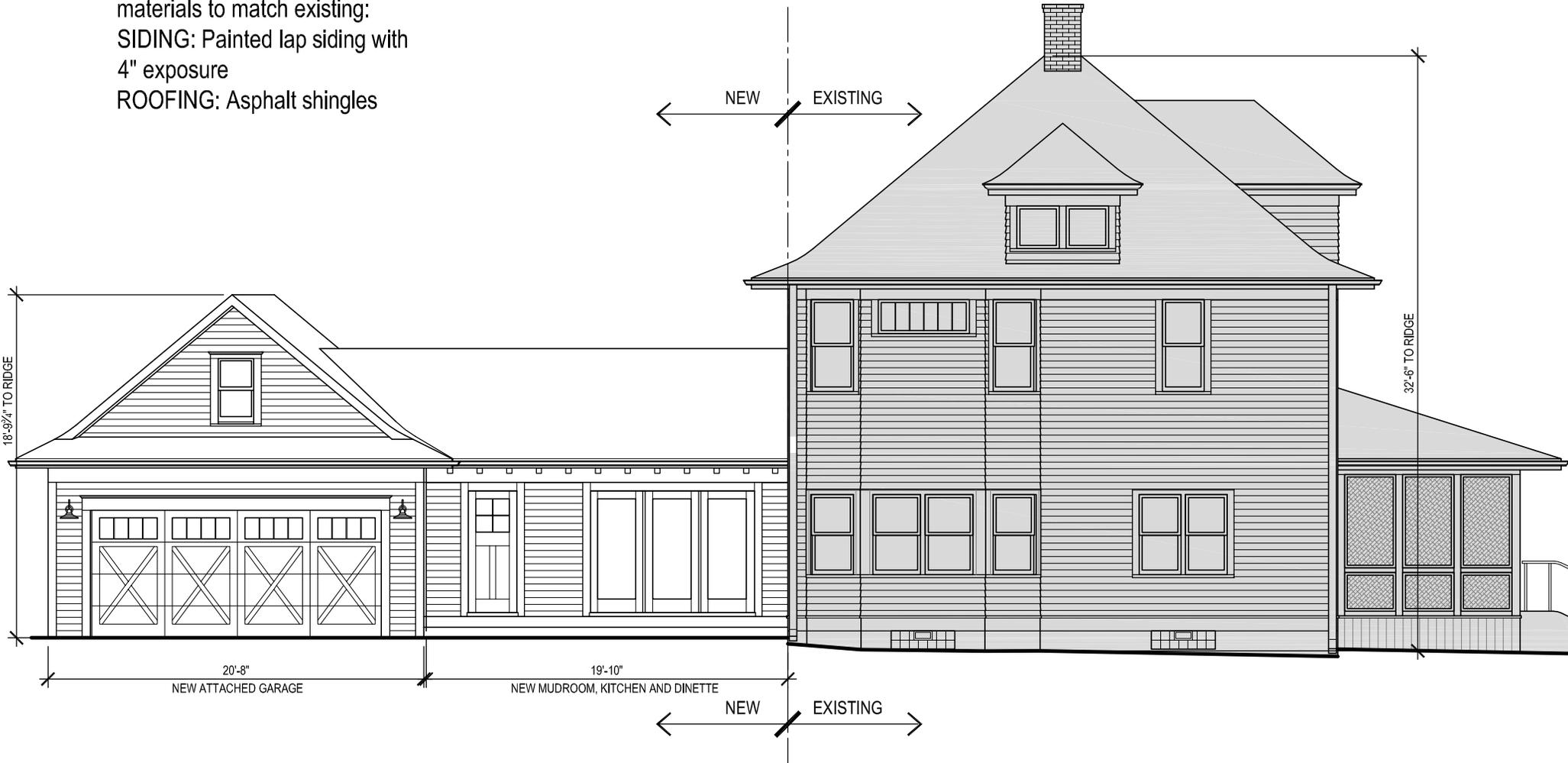
SOUTH ELEVATION: EXISTING

SCALE:  $\frac{1}{8}$ " = 1'-0"

VAN OSNABRUGGE RESIDENCE  
4035 QUEEN AVE. S.  
MINNEAPOLIS, MN. 55410

\*NOTE: Existing structure is shaded

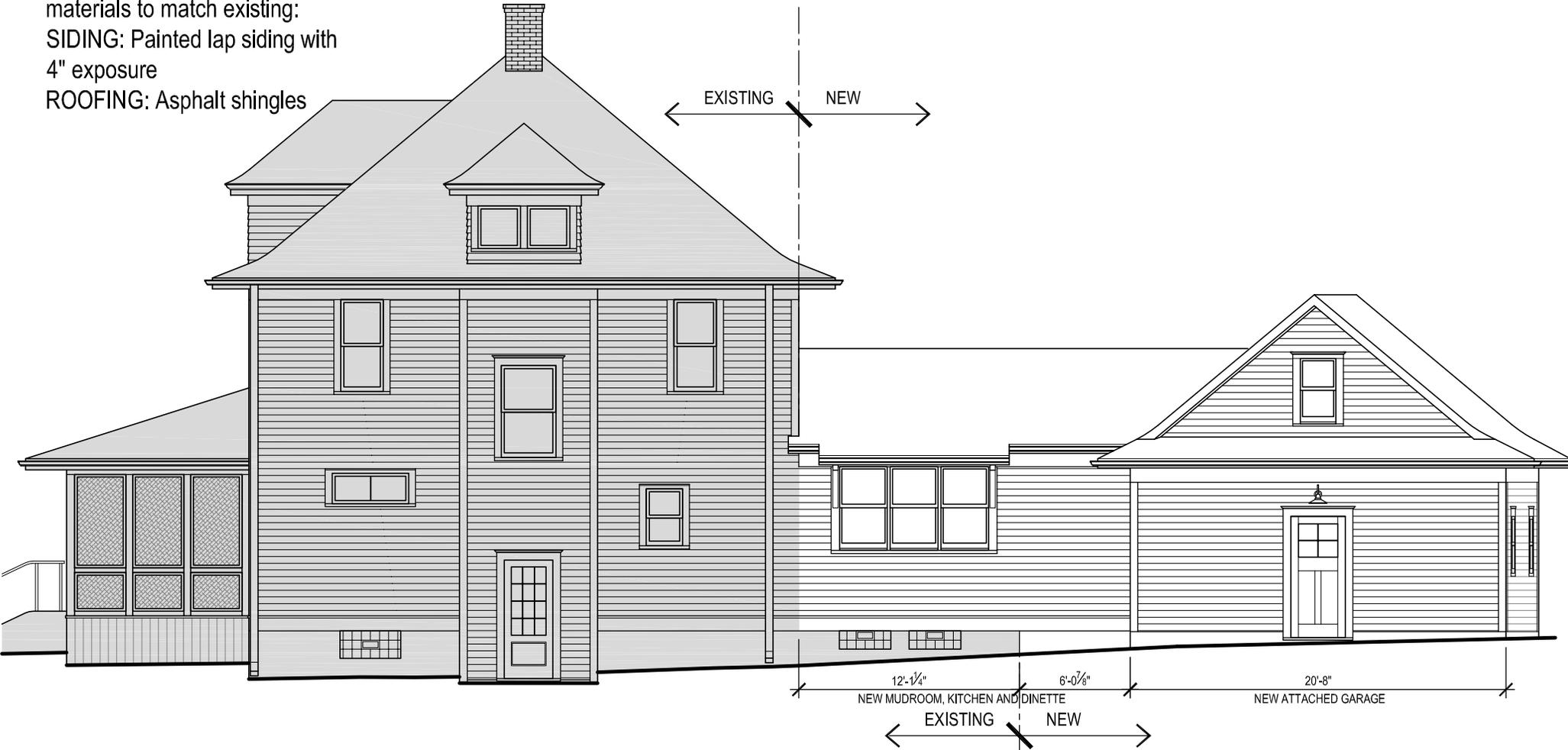
\*NOTE: New exterior building materials to match existing:  
SIDING: Painted lap siding with 4" exposure  
ROOFING: Asphalt shingles



 <p>TREHUS</p>	<p>SOUTH ELEVATION: PROPOSED</p> <p>SCALE: 1/8" = 1'-0"</p>	<p>VAN OSNABRUGGE RESIDENCE 4035 QUEEN AVE. S. MINNEAPOLIS, MN. 55410</p>
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\*NOTE: Existing structure is shaded

\*NOTE: New exterior building materials to match existing:  
SIDING: Painted lap siding with 4" exposure  
ROOFING: Asphalt shingles

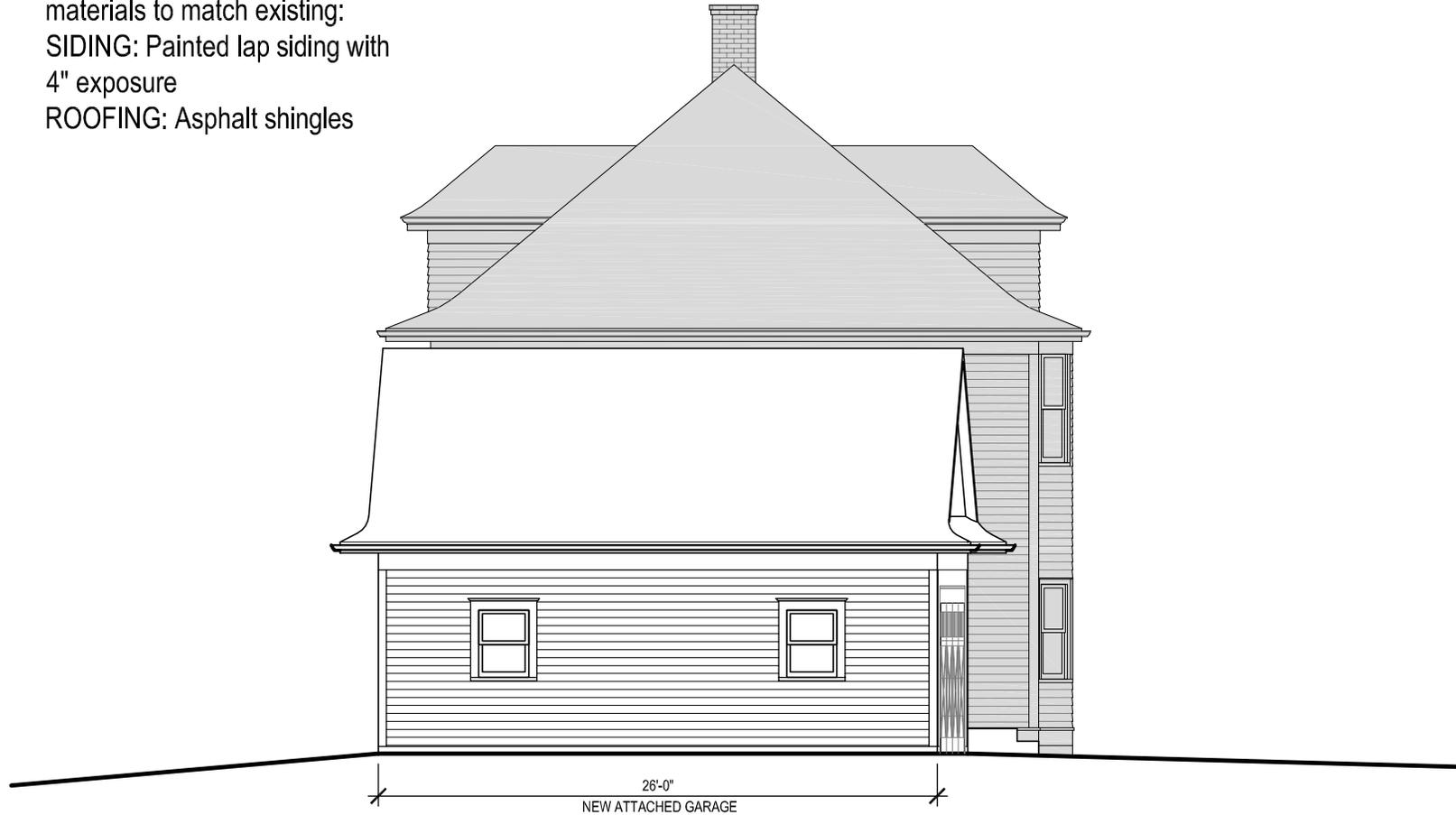


NORTH ELEVATION: PROPOSED  
SCALE: 1/8" = 1'-0"

VAN OSNABRUGGE RESIDENCE  
4035 QUEEN AVE. S.  
MINNEAPOLIS, MN. 55410

\*NOTE: Existing structure is shaded

\*NOTE: New exterior building materials to match existing:  
SIDING: Painted lap siding with 4" exposure  
ROOFING: Asphalt shingles



WEST ELEVATION: PROPOSED

SCALE:  $\frac{1}{8}$ " = 1'-0"

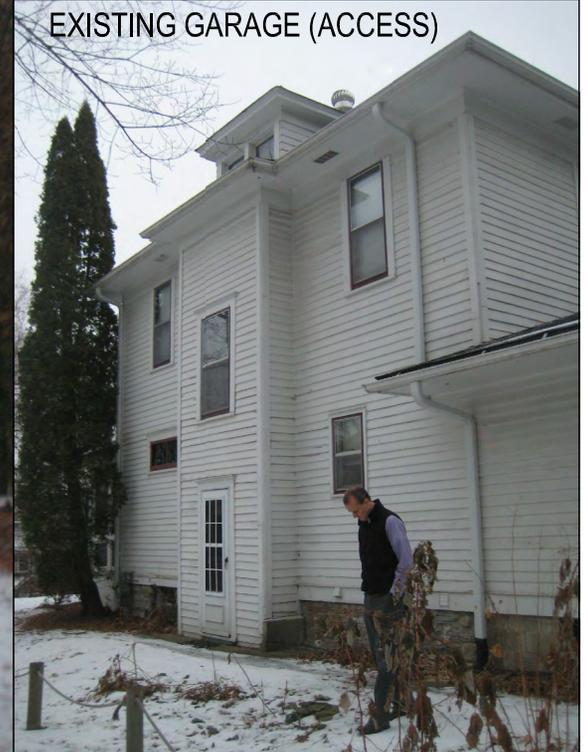
VAN OSNABRUGGE RESIDENCE  
4035 QUEEN AVE. S.  
MINNEAPOLIS, MN. 55410



SOUTHWEST CORNER OF HOME



EXISTING GARAGE (ACCESS)



NORTH SIDE OF HOME



PHOTOGRAPHS: EXISTING  
NOT TO SCALE

VAN OSNABRUGGE RESIDENCE  
4035 QUEEN AVE. S.  
MINNEAPOLIS, MN. 55410

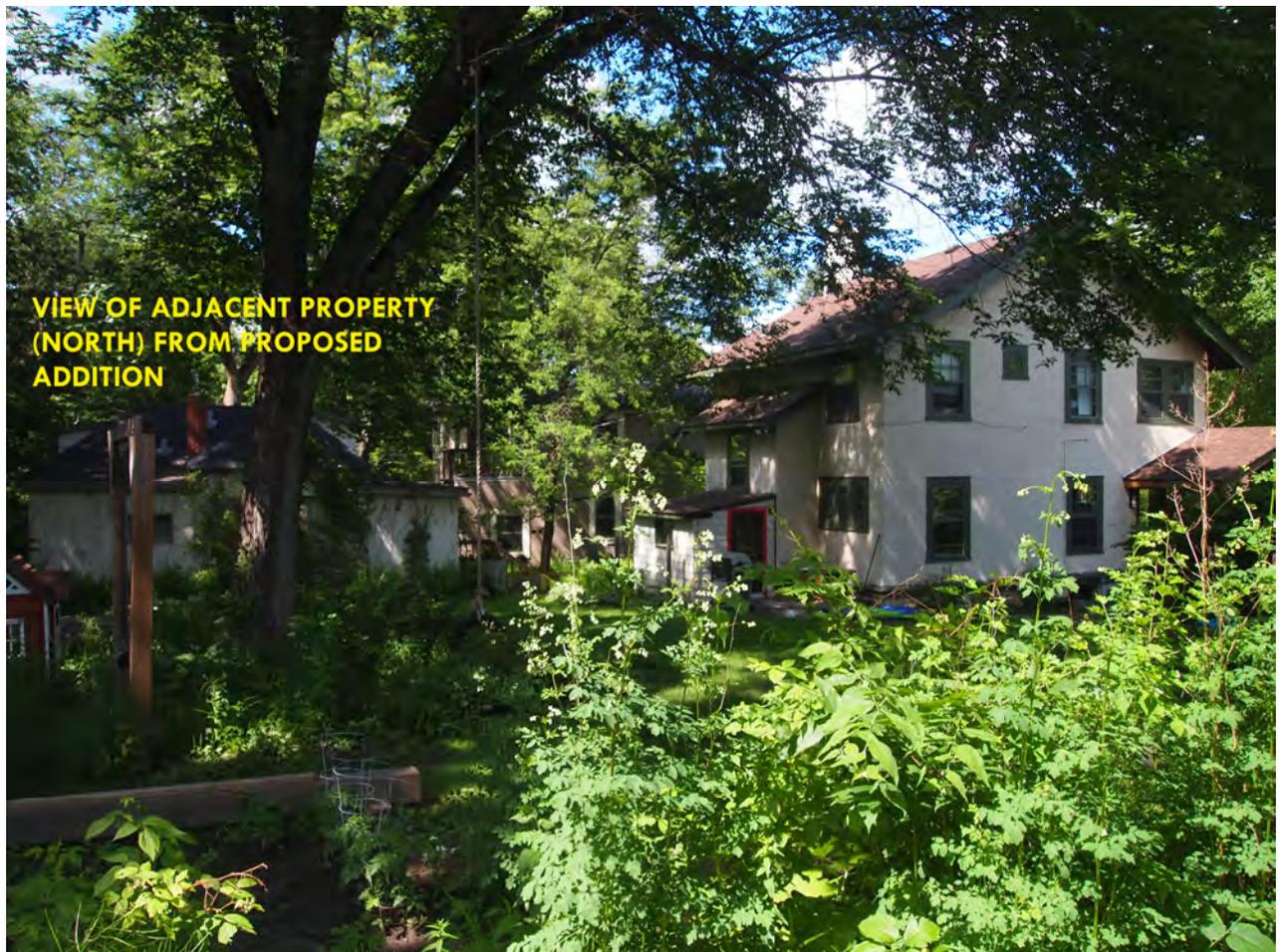
**VIEW OF ADJACENT PROPERTY  
(NORTH) FROM PROPOSED ADDITION**



4032 Queen Ave. S.

4036 Queen Ave. S.  
(Project property)

**VIEW OF ADJACENT PROPERTY  
(NORTH) FROM PROPOSED  
ADDITION**





**EXISTING HOME AS SEEN FROM QUEEN  
AVE. S. (NOTE: Due to the steep slope, the  
home is situated on the rear half of the lot)**



NO  
PARKING  
→

4032

**NEIGHBORING PROPERTY TO THE NORTH:  
4032 Queen Ave. S.**





**NEIGHBORING PROPERTY TO THE SOUTH:  
4042 Queen Ave. S.**