

LAND USE APPLICATION SUMMARY

Property Location: 4452 Zenith Avenue South
Project Name: 4452 Zenith Avenue South Rear Addition
Prepared By: Janelle Widmeier, Senior City Planner, (612) 673-3156
Applicant: Laurie McGilvray and Tim Schwappach
Project Contact: Pat Mackey, Mackey Malin Architects
Request: An addition, including a two-car garage, to a single-family dwelling.
Required Applications:

Variance	To reduce the minimum front yard requirement adjacent to West 45th Street on a reverse corner lot from 20 feet to 13.3 feet to allow an attached garage addition.
-----------------	---

SITE DATA

Existing Zoning	RIA Single-Family District
Lot Area	5,983 square feet
Ward(s)	13
Neighborhood(s)	Linden Hills Neighborhood Council
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable
Small Area Plan(s)	Not applicable

Date Application Deemed Complete	June 26, 2015	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	August 25, 2015	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject property is 5,983 square feet in area with no alley access. The existing use is a single-family dwelling. The existing dwelling was permitted for construction in 1914. The subject property is a reverse corner lot with frontage along Zenith Avenue South and 45th Street West.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding properties are predominately single-family dwellings.

PROJECT DESCRIPTION. The applicant is proposing to construct an addition to the existing single-family dwelling located at 4452 Zenith Avenue South. The addition would include a 2-car garage with a half-story above. It would be connected by a breezeway link to the screen porch with a roof deck above that was previously approved in January. At the time the screen porch was approved, the garage was proposed to be detached. The footprint of the garage would be approximately 22 feet, 8 inches by 28 feet, 4 inches. The subject property is a reverse corner lot with front yard requirements imposed along both street frontages. The minimum front yard requirement along 45th Street West is 20 feet. The proposed addition would be 13 feet, 4 inches from the lot line adjacent to 45th Street, which requires a variance.

Because the habitable space above the garage would contain a kitchen, this space is subject to the requirements for an accessory dwelling unit (ADU). Before a building permit can be obtained to allow the addition, the applicant must complete the administrative review process to allow the ADU.

RELATED APPROVALS. The applicant is still proposing to proceed with the screen porch that was approved earlier this year. No changes are proposed to that part of the addition.

Planning Case #	Application	Description	Action
<u>BZZ-6913</u>	Yard variance	Screen porch addition	<u>Approved at the 1/8/15 BOA meeting</u>

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 a variance to reduce the minimum front yard requirement adjacent to West 45th Street on a reverse corner lot from 20 feet to 13.3 feet to allow an attached garage addition 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 property is a reverse corner lot with two required front yards and is only 42 feet wide. The minimum required front yard adjacent to 45th Street is 20 feet. Including the required 6

foot interior side yard, the buildable area of the subject property is only 16 feet wide. The existing subject dwelling is set back up to 9 feet from the lot line adjacent to 45th Street. The adjacent dwelling to the west is set back only 4.5 feet from the front lot line. While the zoning code requires a greater front yard for an established set back greater than the district requirement, it does not authorize a lesser yard when the established setback is less than the district requirement.

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 addition 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 existing subject dwelling is set back up to 9 feet from the lot line adjacent to 45th Street, but the addition is proposed to be setback 13 feet, 4 inches. Because the site is a reverse corner lot, the zoning code authorizes a reduced setback for a detached garage from the corner side lot line. It can be no closer to the side lot line adjacent to the street than a distance equal to 2/3rds of the depth of the required front yard of the adjacent property to the rear, or 13 feet, 4 inches for this property. The proposed addition would be 16 feet tall as measured to the midpoint of the half-story roof, which is not any taller than allowed for a detached garage. Also, the adjacent dwelling to the west is set back only 4.5 feet from the front lot line along 45th Street. The proposal would have little effect 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.*

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. As described above, the adjacent home on the neighboring lot to the west is located closer to 45th Street than the existing dwelling and proposed addition. The proposed addition would be located no closer to the corner side lot line than allowed for a detached garage and it would be 16 feet tall as measured to the midpoint of the half-story roof, which is not any taller than allowed for a detached garage. The design of the addition would be compatible with the existing structure. The primary exterior material of the addition would be stucco to match the existing dwelling. The primary roof pitches would match as well. 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

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application(s) by Laurie McGilvray and Tim Schwappach for the property located at 4452 Zenith Avenue South:

A. Variance of the minimum front yard requirement.

Recommended motion: **Approve** the application for a variance to reduce the minimum front yard requirement adjacent to West 45th Street on a reverse corner lot from 20 feet to 13.3 feet to allow an attached garage 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 30, 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. Photos
6. Floor plans
7. Building elevations
8. Public comments

June 8, 2015

Janelle Widmeier
Community Planning & Economic Development
250 South 4th Street, Room 300 PSC
Minneapolis, MN 55415

Statement of Proposed Use and Description of Project :

We propose to build an attached garage addition to the rear of an existing single-family home at 4452 Zenith Avenue S, in the Linden Hills Neighborhood. The property is a corner lot and the house was built in 1914. The property will remain a single family home. With the current reverse corner setback (20') due to the adjacent property at 3312 W 45th St., the south portion of the existing house is nonconforming and no extension of it can be built without a variance. We are pursuing a variance to reduce the required reverse corner yard from 20 feet to 13.3 feet, which is 2/3 of the reverse corner yard requirement, or what would be allowed for a detached garage. The garage addition will be connected to the house by a narrow screened link which will give some spatial separation between the house and garage, and break down the massing of the building.

Applicant : Pat Mackey

Owner: Laurie McGilvray and Tim Schwappach

Mackey Malin Architects
5200 Washburn Avenue S
Minneapolis MN 55410
612-220-6190

4452 Zenith Avenue S
Minneapolis MN 55410

The site is Zoned R1A/ Single Family District. To our knowledge, there are no historic status or HPC implications for the site.

We are applying for:

- Site Plan Review
- Variance to reduce reverse corner front yard setback along 45th Street W from 20'to 13.3'

Photos of the Site and surrounding area are attached.
Site plan and Floor plans are attached.
Linden Hills Neighborhood Council (LHiNC) letter is attached.

Variance – Reduce the required yard along 45th Street W from 20 feet to 13.3 feet

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 adjacent property to the west (3312 W 45th Street) fronts onto 45th Street and makes the applicant property subject to “reverse corner” status. This increases the south side yard for the subject property to 20 feet and renders the entire structure nonconforming per Minneapolis Zoning Code, and prohibits any addition in this area. The required reverse corner and side yards reduce the buildable width of this lot to only 16’, which is insufficient for a typical garage. Both houses were built before 1916 and predate the reverse corner designation.

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 is a single family dwelling, which is the predominant use in the area. The variance sought is the same as what would be required for a detached garage in the R1A zoning use, and is consistent with the various yards on the block and in the surrounding area. A garage at the rear of a single-family residence is consistent with the surrounding uses and structures, and in form, this garage is more like a detached garage on a tether than a fully attached garage. The garage will be no wider than the house, and the narrowness of the link allows a separation of yard space between the house and garage forms. The garage will not encroach into the required rear or north side yards. The garage/link/ house structure will meet or exceed glazing percentage requirements.

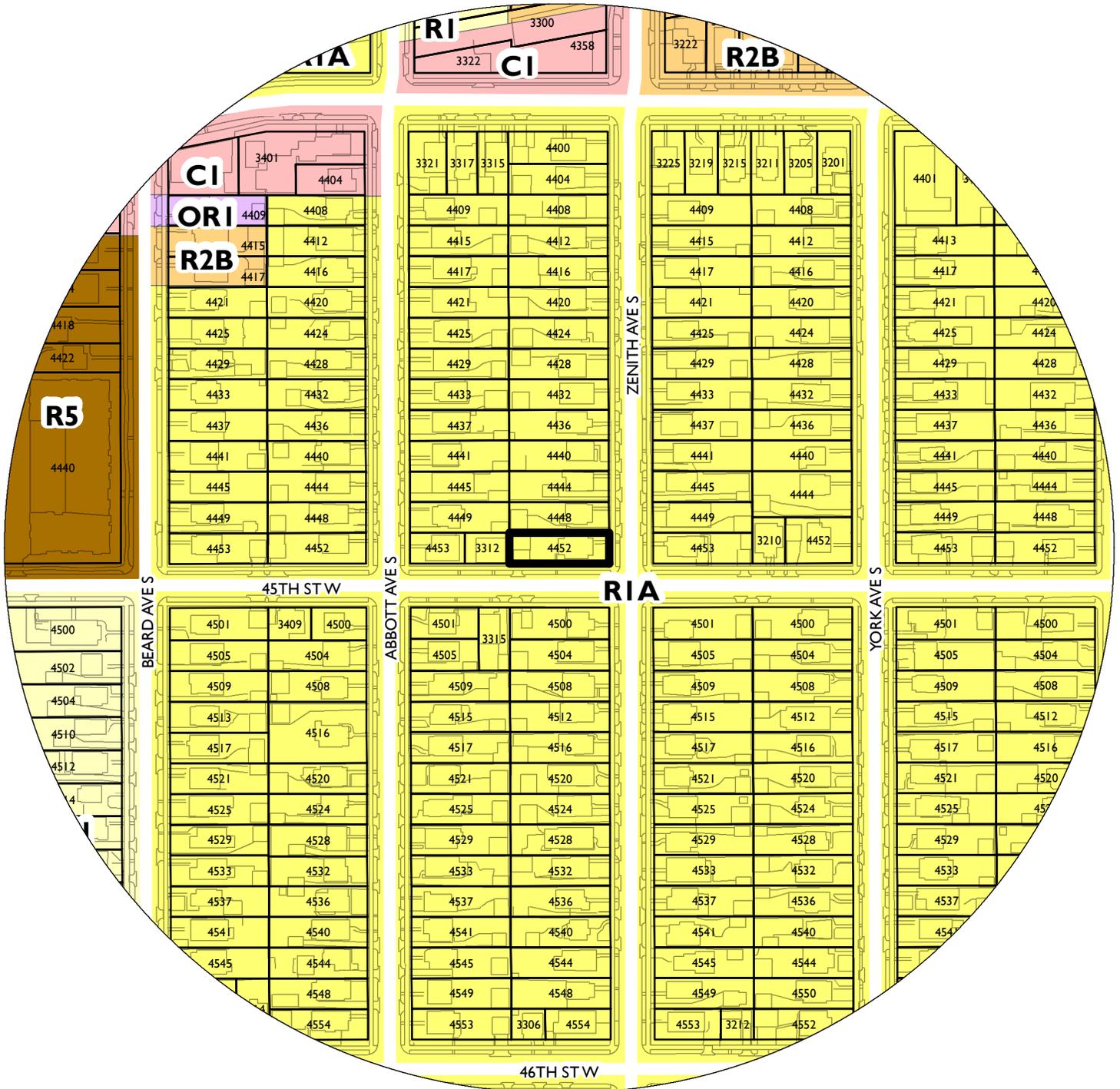
3) *The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.*

The surrounding buildings are predominantly single-family, and predominantly 2-story, and the proposed building is a reasonable and fitting continuation of that pattern. The variance would not contribute to the loss of sightlines from any neighboring properties, nor would it contribute to undue shading of neighboring properties. The variance will not affect the health, safety, or welfare of the general public or nearby properties.

Site plan, floor plans and elevations are attached.

NAME OF APPLICANT

WARD

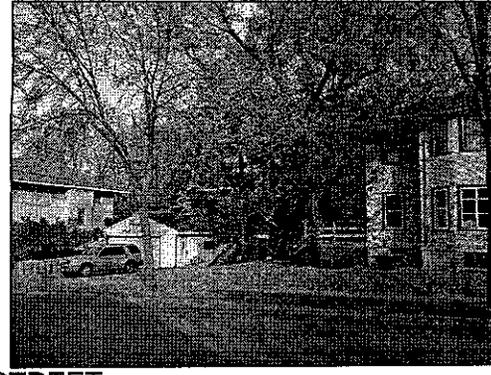
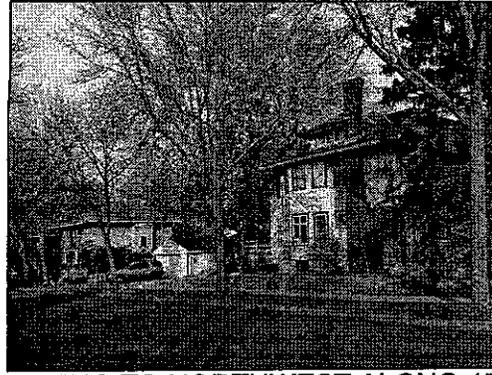


PROPERTY ADDRESS

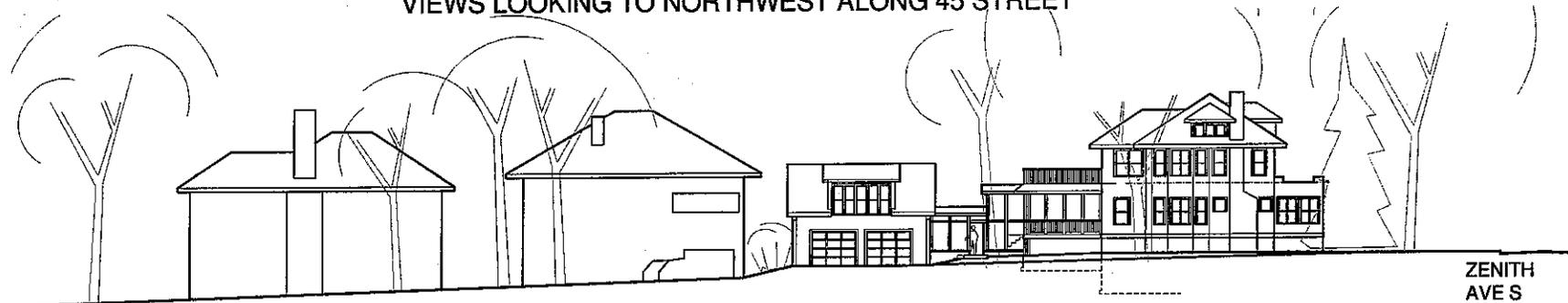
4452 Zenith Ave S

FILE NUMBER

BZZ-7271



VIEWS LOOKING TO NORTHWEST ALONG 45 STREET



ABBOTT
AVE S

1 STREET WALL ELEVATION
NO SCALE

ZENITH
AVE S



VIEWS LOOKING TO NORTHEAST ALONG 45 STREET



MACKEY MALIN

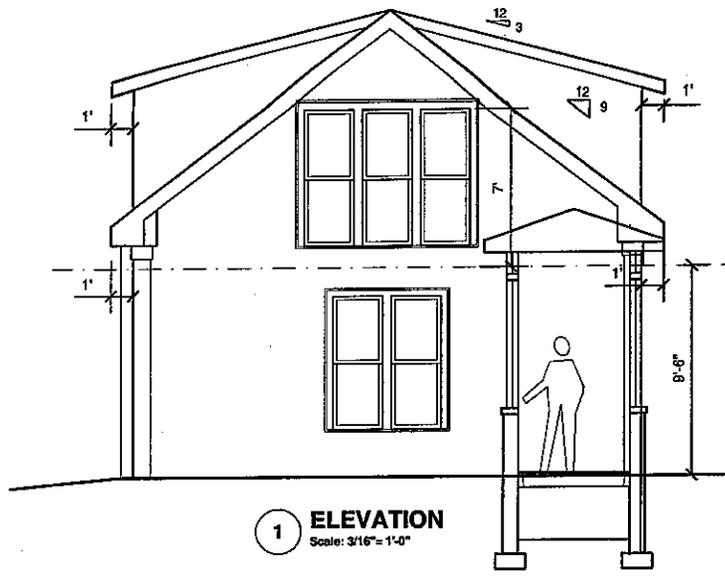
612.220.6190
MACKEYMALIN.COM

McGILVRAY RESIDENCE
4457 Zenith Ave S
Minneapolis, MN 55410

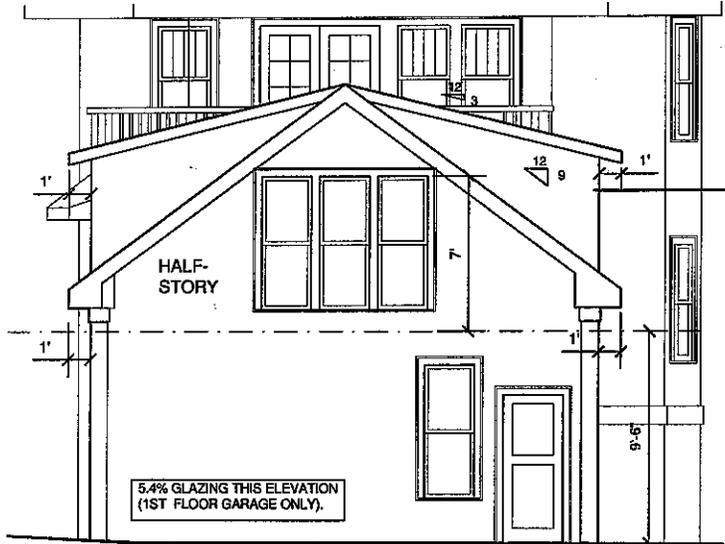
PROJECT PHASE	DESIGN
	DEVELOPMENT
PROJECT NUMBER:	
ISSUE DATE:	
ISSUE DATE:	
DRAWN BY:	PM

06/08/15

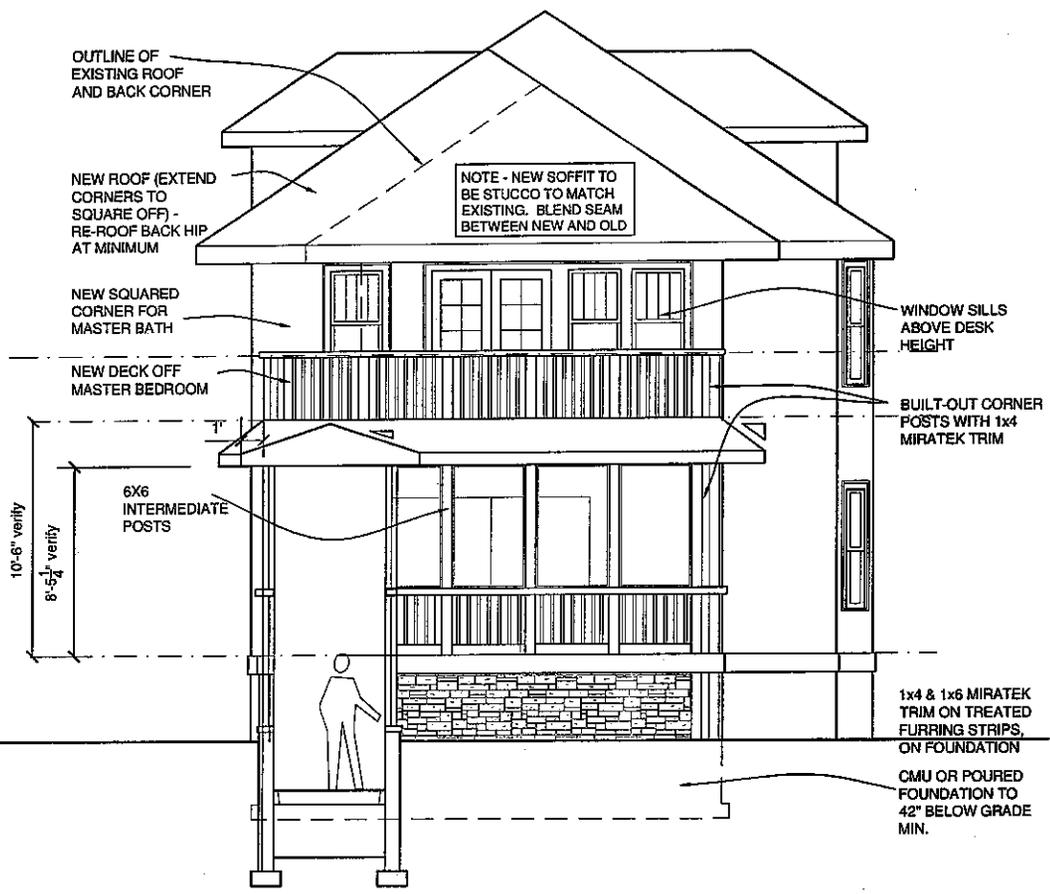
SITE
SITE
PLAN



1 ELEVATION
Scale: 3/16" = 1'-0"



3 ELEVATION
Scale: 3/16" = 1'-0"



2 ELEVATION
Scale: 3/16" = 1'-0"

M

MACKEY MALIN
ARCHITECTS

612.220.4190
MACKEYMALIN.COM

McGILVRAY RESIDENCE
4452 Zenith Ave S
Minneapolis MN 55410

PROJECT PHASE: DESIGN DEVELOPMENT
PROJECT NUMBER:
ISSUE DATE: ISSUE DATE

DRAWN BY: PM

06/08/15

A21

EXTERIOR ELEVATIONS

Widmeier, Janelle A.

From: L Sobaskie <lsobaskie@q.com>
Sent: Sunday, July 19, 2015 11:23 AM
To: Widmeier, Janelle A.
Subject: regarding variance for 4452 Zenith Ave. So.

Our only request regarding this is that the inevitable dumpster be located on the 45th St side. Our block has suffered through too many years of dumpsters sitting on Zenith Ave, mostly because of the builder that did multiple teardown/rebuilds and left dumpsters for longer that the permit should have allowed.

L Sobaskie
4424 Zenith Ave. So.