

**LAND USE APPLICATION SUMMARY**

*Property Location:* 4433 Park Avenue  
*Project Name:* Lemke Detached Garage  
*Prepared By:* [Janelle Widmeier](#), Senior City Planner, (612) 673-3156  
*Applicant:* Nancy Lemke and Robert Casar  
*Project Contact:* Nancy Lemke  
*Request:* To construct a detached garage accessory to a single-family dwelling.  
*Required Applications:*

<b>Variance</b>	To increase the maximum height of a detached garage from 12 feet to 15 feet.
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**SITE DATA**

<b>Existing Zoning</b>	RIA Single-family District
<b>Lot Area</b>	5,887 square feet
<b>Ward(s)</b>	8
<b>Neighborhood(s)</b>	Field, Regina, Northrop Neighborhood Group
<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>	September 8, 2015	<b>Date Extension Letter Sent</b>	Not applicable
<b>End of 60-Day Decision Period</b>	November 7, 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. The existing dwelling and attached garage was permitted for construction in 1934.

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

**PROJECT DESCRIPTION.** The applicant is proposing to construct a detached, 24 foot by 24 foot garage accessory to the existing single-family dwelling located at the property of 4433 Park Avenue. The new garage would replace an attached one-stall garage at the rear of the dwelling. As part of the project, the owner would demolish the attached garage and 3-season porch to address structural deficiencies. In addition to the new detached garage, a new 3-season porch would be constructed. The proposed garage would be 15 feet in height as measured to the midpoint of the roof. In general, the maximum allowed height for a detached accessory structure is 12 feet as measured to the midpoint of the roof. The maximum height may be increased administratively to 16 feet or the height of the principal structure, whichever is less, where the primary exterior materials of the accessory structure match the primary exterior materials of the principal structure and the roof pitch matches the primary roof pitch of the principal structure, and provided the wall height shall not exceed 10 feet from the floor to the top plate. The proposed garage would not exceed the height of the dwelling (17 feet, 9 inches as measured to the midpoint of the roof), it would match the roof pitch (10.5 feet over 12 feet), and the top plate height would not exceed 10 feet. The primary exterior material of the proposed garage would be stucco. The primary exterior material of the dwelling is brick. Because the primary materials would not match, the applicant is requesting a variance to increase the maximum allowed height of a garage.

Please note that there is a discrepancy in the attached plans for the roof pitch. The contractor has clarified that the roof primary roof pitch of the dwelling is 10.5/12 and not 10.8/12.

**PUBLIC COMMENTS.** No correspondence has been received from the neighborhood group. Any correspondence received prior to the public meeting will be forwarded on to the Zoning Board of Adjustment for consideration.

## ANALYSIS

### VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to increase the maximum height of a detached garage that would not match the primary exterior materials of the dwelling from 12 feet to 15 feet 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 ordinance allows the height of an accessory structure to be increased up to 16 feet in height above grade provided several conditions are met, including matching the primary exterior materials of the dwelling. The primary exterior material of the dwelling is brick. The primary exterior material of the proposed garage would be stucco. Because the materials would not match, the applicant is requesting a variance to increase the maximum height of the garage from 12 feet to 15 feet. Practical difficulties exist in complying with the ordinance due to circumstances unique to the property. The applicant has stated that an all brick garage would be difficult to match to the existing

dwelling and would be very costly. The existing brick is no longer available commercially and the applicant has also not been able to find a similar looking brick. Because the foundation of the 3-season porch and attached garage is failing, the applicant is proposing to reconstruct the rear of the dwelling and construct a new detached garage. Some of the brick can be salvaged to use in the new construction; however, much of the brick on the rear of the dwelling is damaged and the remaining amount would not be sufficient to clad the entire garage. These circumstances were not created by the applicant.

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, building bulk regulations are established in order to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area. Requiring the roof pitch and primary exterior materials of a garage to match the primary materials of a dwelling in order to increase the maximum height administratively is intended to ensure compatibility between the two structures. The applicant is proposing to increase the maximum allowed height of a garage from 12 feet to 15 feet as measured to the midpoint of the roof. As described above, the height of garage can be increased administratively to 16 feet provided several conditions are met. The proposed garage would not exceed the height of the dwelling (17 feet, 9 inches as measured to the midpoint of the roof), it would match the roof pitch (10.5 feet over 12 feet), and the top plate height would not exceed 10 feet. Because the applicant could not match the primary exterior materials, they are proposing to match the design and materials of the new garage to the new construction on the back of the dwelling. To the extent possible, the brick from the demolition of the porch and garage would be salvaged. The salvaged brick would then be used on the base of the new 3-season porch and detached garage in a soldier course pattern with pillar elements at the corners of the buildings. The walls of the porch and garage would both be sided with stucco. Lastly, the rear gable end of the dwelling and the gable ends of the garage would be clad with shakes. With the adoption of the staff recommendation, 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.*

With the adoption of the CPED staff recommendation, 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 garage would be 15 feet in height as measured to midpoint of the roof. It would not exceed the height of the dwelling (17 feet, 9 inches as measured to the midpoint of the roof), it would match the roof pitch (10.5 feet over 12 feet), and the top plate height would not exceed 10 feet. Because the applicant could not match the primary exterior materials, they are proposing to match the design and materials of the new garage to the new construction on the back of the dwelling. To the extent possible, the brick from the demolition of the porch and garage would be salvaged. The salvaged brick would then be used on the base of the new 3-season porch and detached garage in a soldier course pattern with pillar elements at the corners of the buildings. The walls of the porch and garage would both be sided with stucco. Lastly, the rear gable end of the dwelling and the gable ends of the garage would be clad with shakes. If granted, the proposed variances will not be detrimental to the health, safety or welfare of the public or those utilizing the property provided the proposed garage 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 by Nancy Lemke and Robert Casar for the property located at 4433 Park Avenue:

### **A. Variance to increase the maximum height of a detached garage.**

Recommended motion: **Approve** the variance to increase the maximum height of a detached garage from 12 feet to 15 feet, subject to the following conditions:

1. The garage shall be sided to match the proposed siding of the rear of the dwelling and porch addition, including brick at the base, to be compatible with the existing dwelling.
2. The roof pitch of the garage shall match the primary roof pitch of the principal dwelling.
3. The height of the top plate shall not exceed 10 feet.
4. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development.
5. All site improvements shall be completed by October 1, 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. Building elevation of principal dwelling
6. Building elevation of proposed garage
7. House and garage proposed siding detail
8. Photos of dwelling
9. Photos of condition of existing brick
10. Photo of a garage similar to proposed garage
11. Public comments

## Variance Letter to the Minneapolis Zoning Board (revised)

Sept. 8, 2015

We, the home owners of 4433 Park Ave., Mpls, MN 55407 (Property ID # 11-028-24 33 0034) would like to apply for a variance to the city ordinance that requires new garages which are taller than one story have the same siding as the house. We understand the main purpose of this ordinance is to maintain the aesthetic quality of the city's housing stock for future generations. There are a number of reasons we believe our proposed variance not only helps to preserve the integrity of the housing stock, but also helps to create a more desirable property for the evolving needs of Minneapolis' urban population.

Because of deficiencies in the soil (peat) and deficiencies in the original attached porch and garage foundations (no frost footings or piers) both structures have shifted and settled significantly causing damage to these two structures and the adjacent, multi-colored brick siding on the house. As a result we are;

1. Replacing the brick siding on the south east corner of the house with stucco which will be carefully color-matched to compliment the dominant colors present in the original brick and mortar.
2. Rebuilding our 3-season porch, siding it with stucco and replacing the existing brick on the gable above the porch with shake siding.
3. Rebuilding/ replacing the attached 1 car garage with a *detached*, 2 car, 2 story garage. This garage will sit at the back of the property and open directly onto the alley (opening to the east).

The transition from brick to stucco on the house and porch will be softened with a stepped "pillar" pattern down to a brick "soldier" row. This soldier row will consist of original, salvaged bricks and run along the south east wall, around the rebuilt porch on the east and will connect with the brick on the north wall of the house. The corners will have a stepped "pillar" trim that will be 4 courses high and two bricks in length on each side of every external corner (see illustrations 1 and 2).

In keeping with the materials and design elements used on the rebuilt portions of the house and porch (described above), we would like to side the two story garage with stucco on the lower portion, shake at the gable ends and a soldier row of brick around the perimeter with stepped "pillars" at the four corners. . We estimate these elements will require approximately 1000 original bricks. We are requesting this variance for a number of reasons:

1. The house's original 1931, multi-color / multi-texture brick (photos 1a-1c) is not commercially available.
2. Due to ongoing settling of the deficient foundations, much of the original brick is compromised (photos 2a-2b). For this reason our contractor has informed us that only an unknown limited amount of the approximately 450 sq.ft. of original brick (~2100 bricks) can be salvaged from the demolition.

This will not yield sufficient material to side the entirety of either new structure (the garage alone requires ~950 sq.ft. of siding, or ~4500 bricks). Salvage of this brick will be low yield and costly.

3. The use of new brick on the garage would create a conspicuous inconsistency between both the original brick on the house and the stucco siding on the house and attached porch, undermining the aesthetic intent of the ordinance (photo 3).
4. Our contractor has informed us that the use of brick siding for the garage would be \$20,000 more than other siding alternatives. Siding the porch with brick as well would also be \$20,000 above other alternatives; there would also be an as yet unknown additional cost to replacing the brick on the south east corner of the house. We would prefer to have all rebuilt structures sidings match.

(a) The additional \$20,000 to \$40,000 in siding expense cannot be justified in light of our neighborhood's property values and is out of proportion with the base cost of rebuilding the structures themselves.

(b) The use of brick alone—on one or all of these structures—takes the cost of the garage's second story from incremental to cost prohibitive.

We have lived here 7 for years, are very fond of our neighborhood and would like to stay and contribute to its continued improvement. The second story is important to us because it has the advantage of providing needed office/studio space that is not available in the main structure of the house at a relatively small incremental construction cost as compared to a one story detached garage. This incremental cost provides a disproportionately large value in both usable space and resale potential. We feel the addition of a representative design element of original brick as a highlight on the garage will help to tie the three structures together very coherently. Without this variance we would either, forgo this project or fall back on a single story garage (no variance required) with the same stucco siding as the porch.

By granting a variance to the detached 2 story garage siding ordinance we believe the improvements we are planning, which include a more functional, upgraded garage with space for two cars and a separate, finished, heated studio/office/storage space, will serve to (1) improve the equity and functionality of our home, (2) appeal to our neighbors and future home owners, and therefore (3) help to support and revitalize our neighborhood, ultimately meeting the intent of the ordinance.

Please feel free to contact us at any time to discuss (612-822-5874).

Respectfully yours,

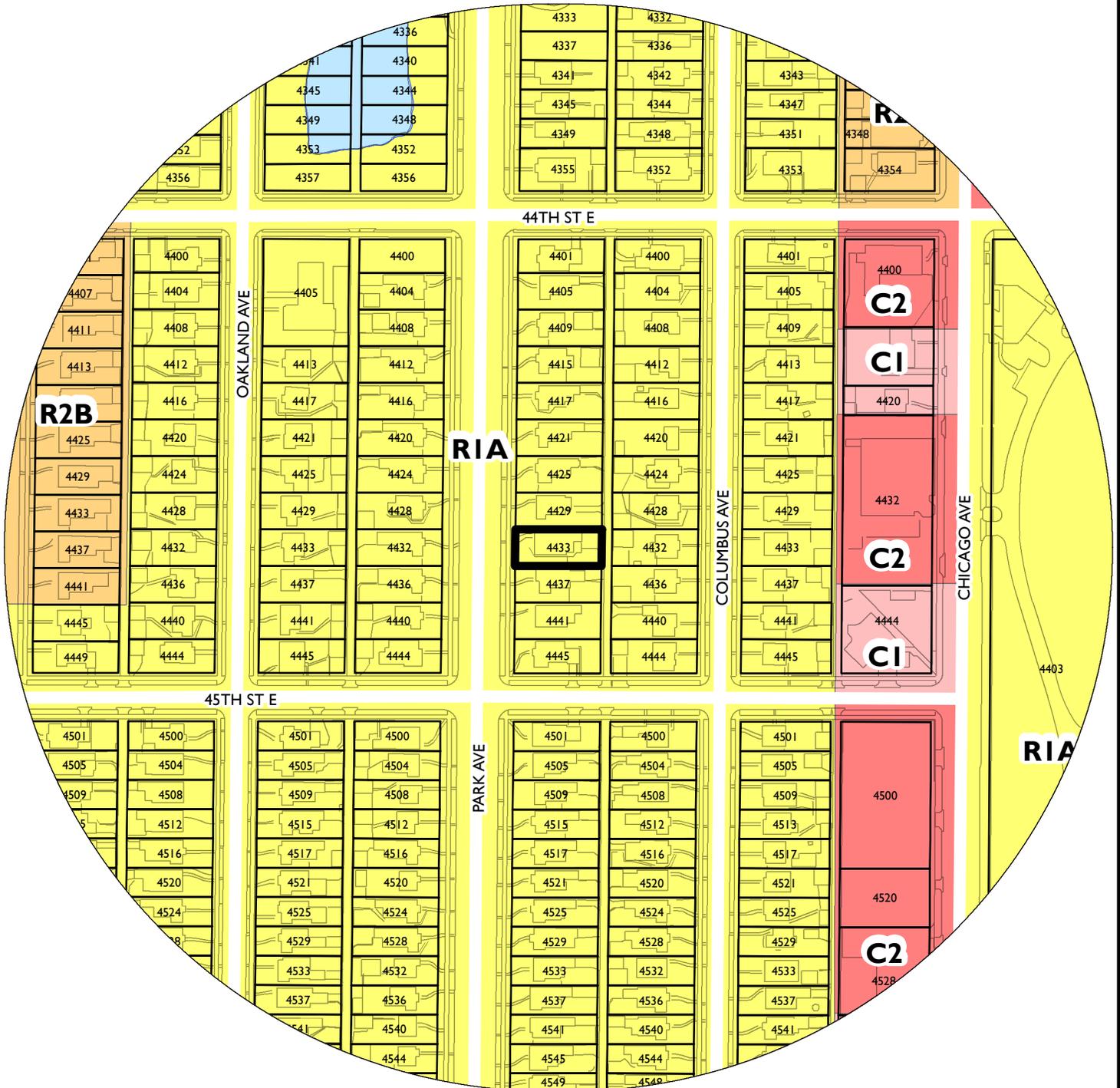
Nancy J. Lemke  
Robert S. Casar

Property Identification:

4433 Park Ave.  
Minneapolis, MN 55407  
Property ID # 11-028-24 33 0034  
Lot 16, Block 2 Auditors Subdivision No. 257  
Hennepin County, MN

NAME OF APPLICANT

WARD



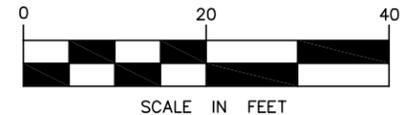
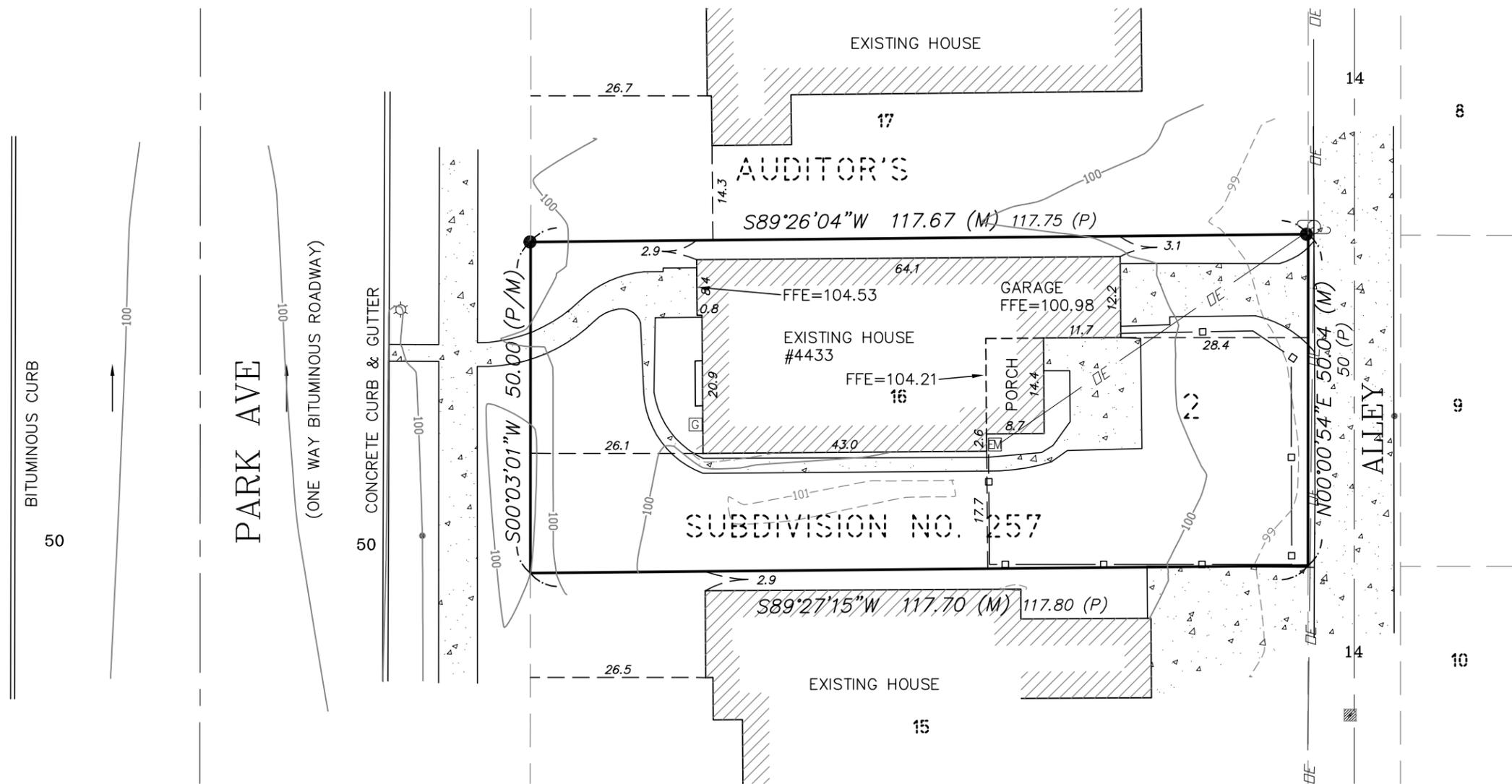
PROPERTY ADDRESS  
**4433 Park Ave**

FILE NUMBER  
**BZZ-7375**

# CERTIFICATE OF SURVEY

-for-  
NANCY LEMKE

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
- - - 999.9 DENOTES EXISTING CONTOUR LINE
- ▣ DENOTES CONCRETE SURFACE
- ← DENOTES DRAINAGE FLOW
- DENOTES WOOD FENCE
- OE— DENOTES OVERHEAD ELECTRIC
- ▨ DENOTES STORM CATCH BASIN
- ⊠ DENOTES GAS METER
- ☆ DENOTES LIGHT POLE
- ⊞ DENOTES ELECTRIC METER
- ⊕ DENOTES ELECTRIC POWER POLE
- FFE DENOTES FINISH FLOOR ELEVATION

### 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.
5. THE VERTICAL DATUM IS ON AN ASSUMED DATUM.

### BUILDING SETBACKS

ZONING: R1A = SINGLE-FAMILY DISTRICT  
HOUSE: FRONT = 20 FT OR AVERAGE BETWEEN ADJACENT HOUSES, WHICHEVER IS GREATER  
REAR/SIDE = 5 FT

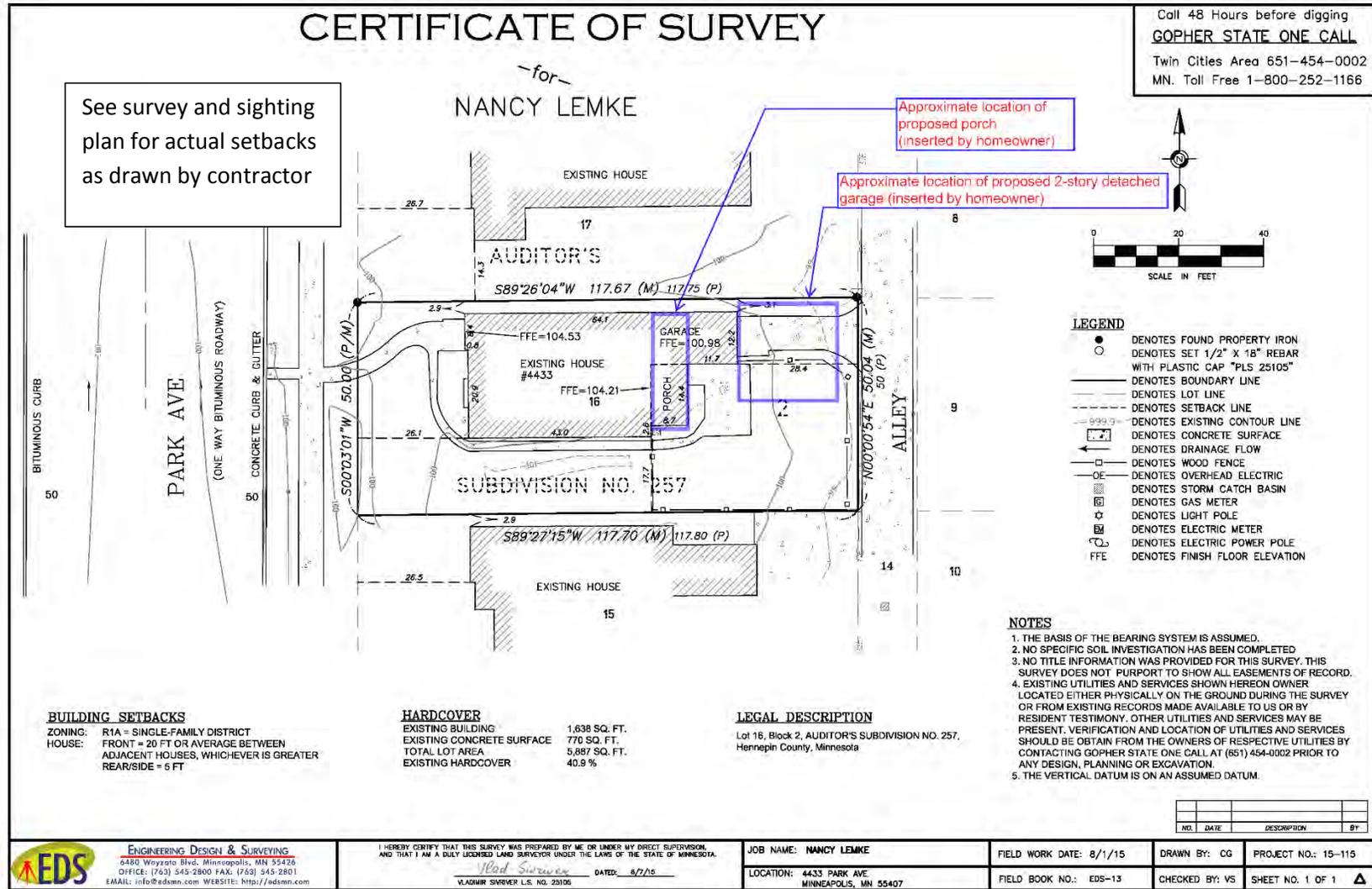
### HARDCOVER

EXISTING BUILDING 1,638 SQ. FT.  
EXISTING CONCRETE SURFACE 770 SQ. FT.  
TOTAL LOT AREA 5,887 SQ. FT.  
EXISTING HARDCOVER 40.9 %

### LEGAL DESCRIPTION

Lot 16, Block 2, AUDITOR'S SUBDIVISION NO. 257,  
Hennepin County, Minnesota

NO.	DATE	DESCRIPTION	BY



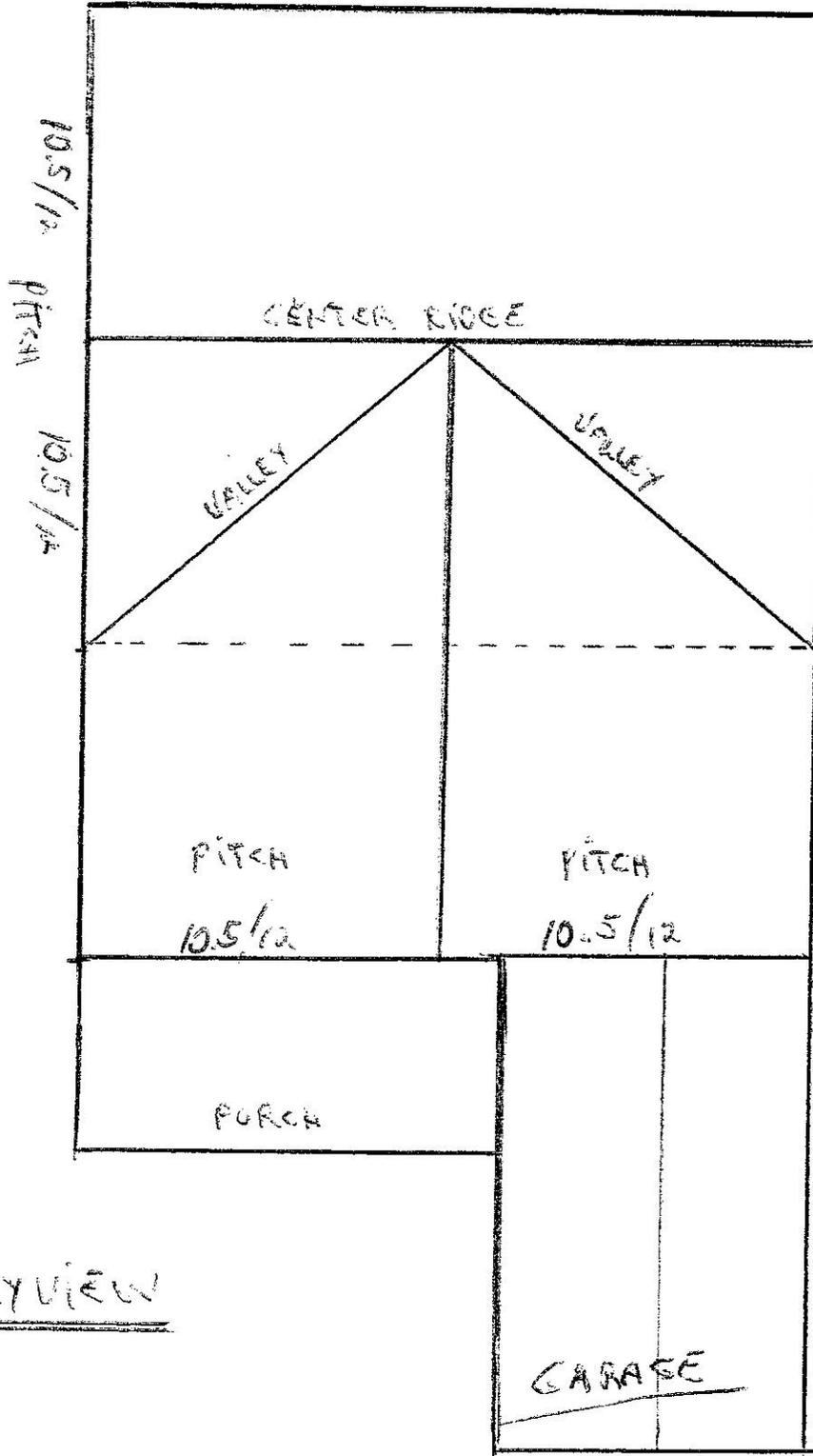


4433 PARK AVE S.

$\frac{1}{8}'' = 1''$

W ↑

N →

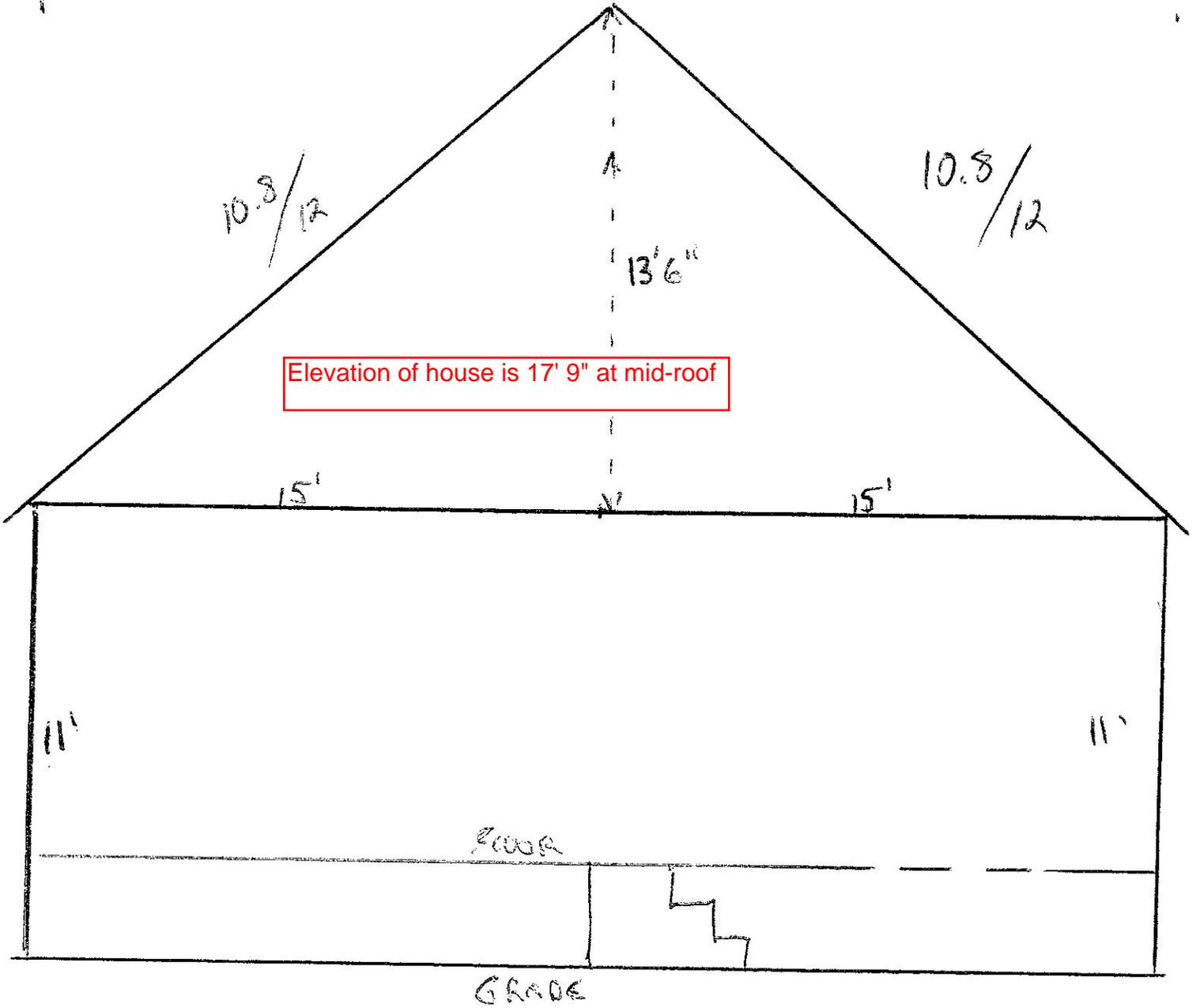


EXISTING SKYVIEW

GARAGE

ALLEY

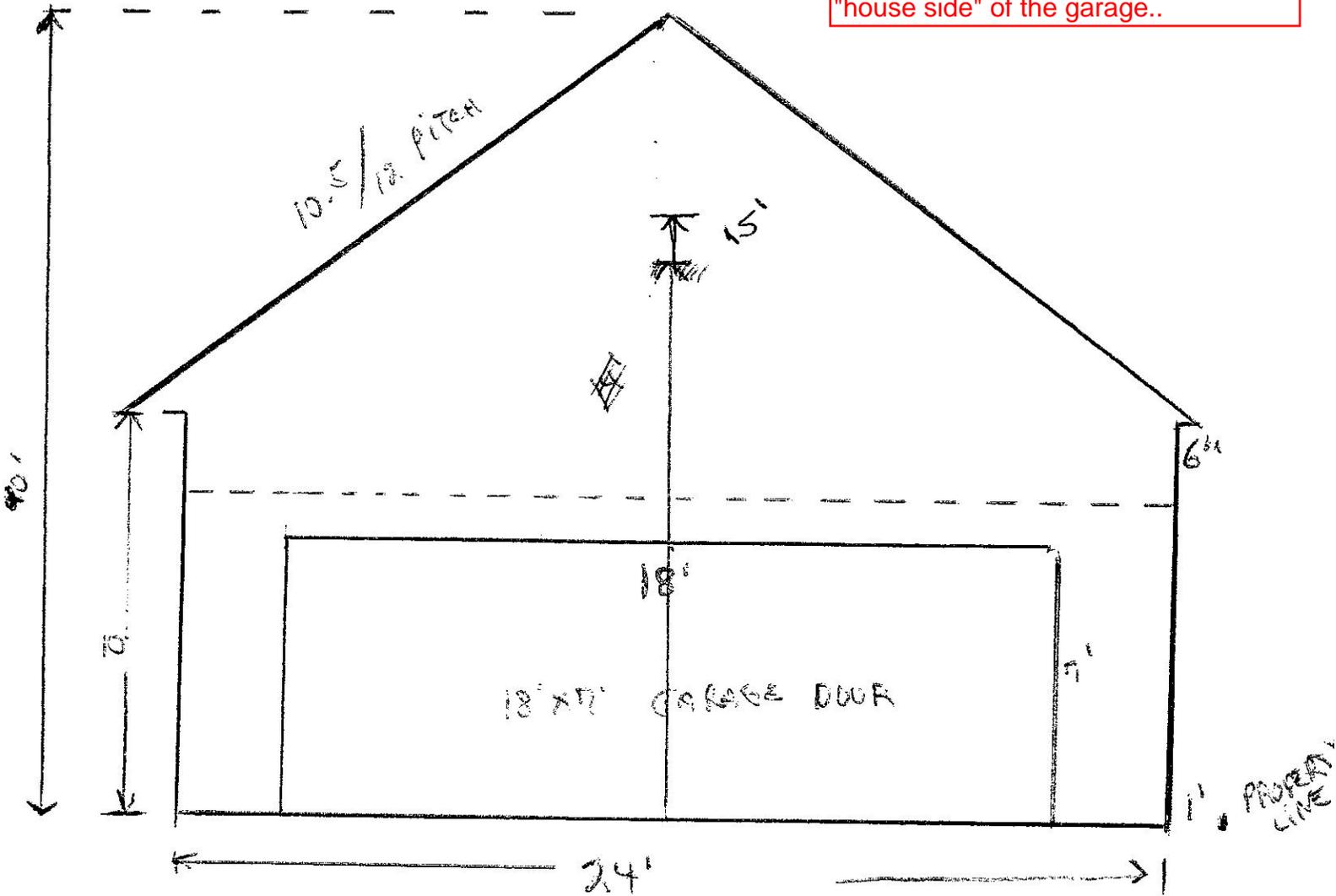
EXISTING GABLES ON HOME  
4433 PARK



REAR AND SIDE GABLES  
EQUAL PITCH

# PROPOSED GARAGE

15' height at mid-roof line is 15' at the alley side. Due to the downhill grade of the property as it approaches the alley this same point on the roof will be anywhere from 1' to 2' lower on the "house side" of the garage..



VIEW FROM ALLEY

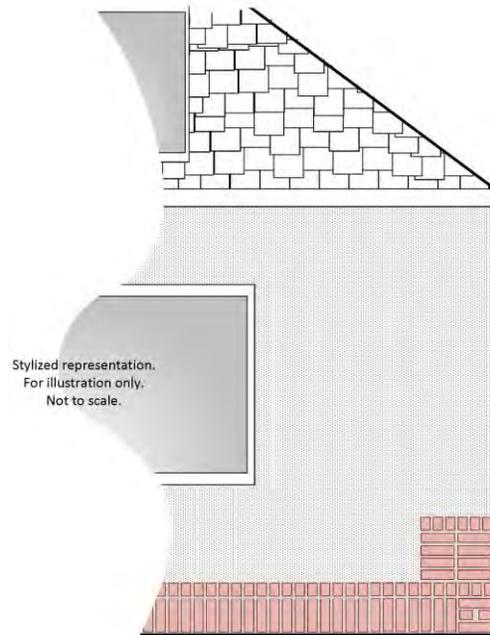


Illustration 1: Siding with soldier row and "pillar" element

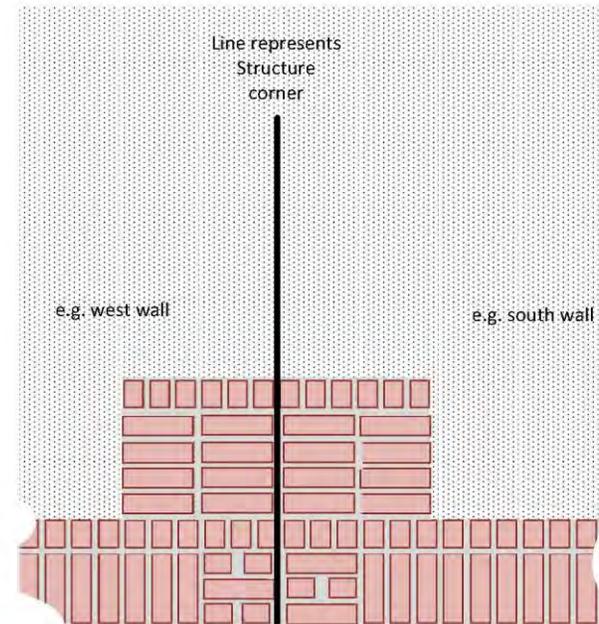


Illustration 2: Detail of soldier row and "pillar" element







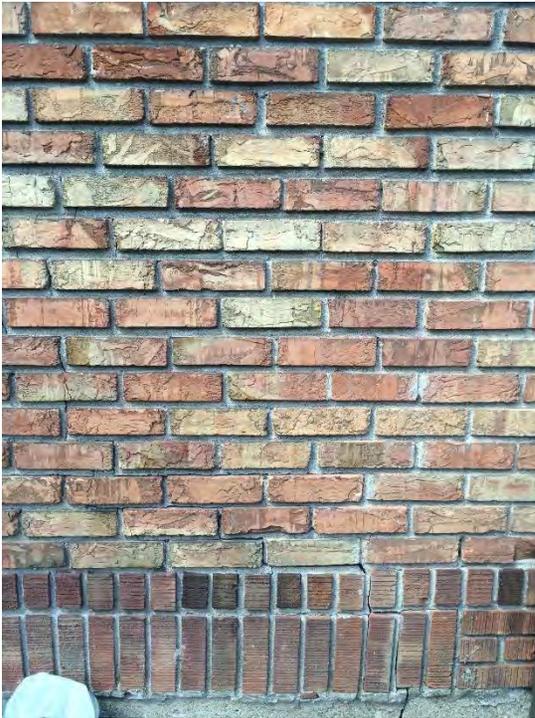


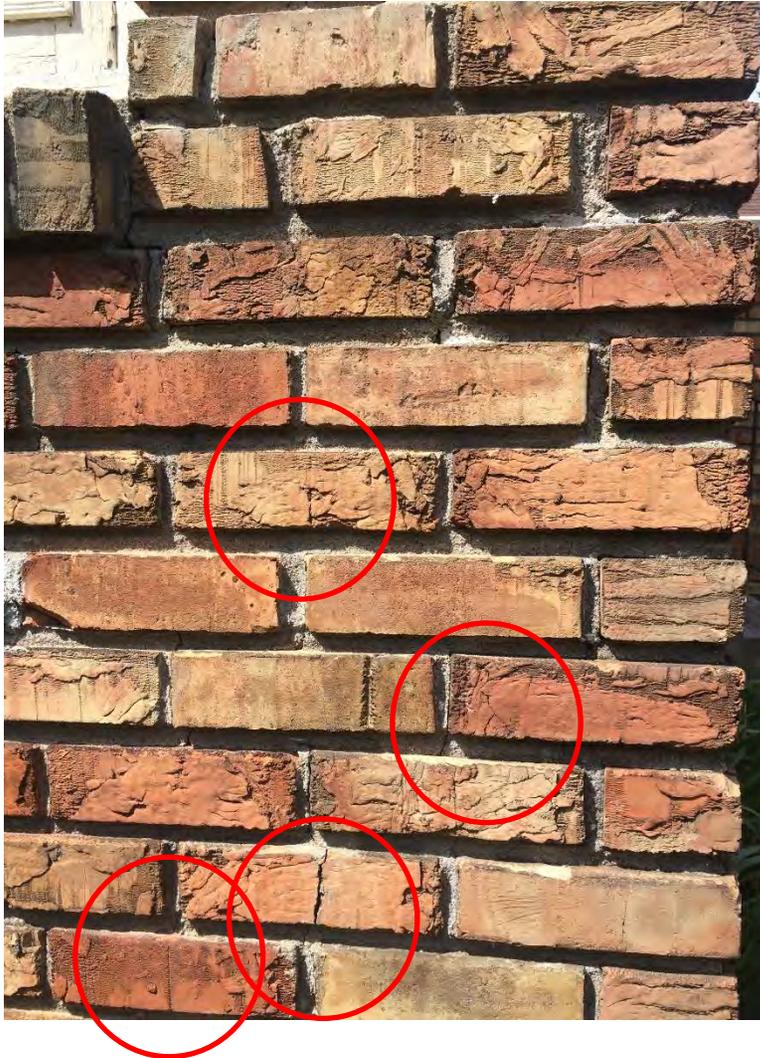
Photo 1a: Close-up of wall section showing existing multi-color/multi-texture brick



Photo 1b: Close-up showing natural variation in existing brick color/texture



Photo 1c: View of existing porch showing original multi-color/multi-texture brick.



Photos 2a & 2b: Circles highlight some areas of damage to existing brick (splitting through brick) due to settling of foundation.



Photo 3: Close-up of porch repair by previous owner using new brick. This shows new brick in proximity to original brick and the resulting visual impact.



Photo 4a:  
Showing how variation of siding visually decreases impact of structure



Photo 4b:  
Shows lap siding on lower portion with shake/shake-like siding on upper portion

**NOTE: The structure shown in photos 4a & 4b are of a 2 car, 2 story garage of the type we are proposing which was recently built by our contractor for another client.**

**Widmeier, Janelle A.**

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**From:** Derek Gisvold <derek.gisvold@gmail.com>  
**Sent:** Sunday, September 20, 2015 11:24 AM  
**To:** Widmeier, Janelle A.  
**Cc:** Laura Zavada  
**Subject:** 4433 Park Ave S - Detached Garage Notice

Hello Janelle,

Laura and I received a notice from the City of Minneapolis in regards to Nancy Lemke's variance request to increase the maximum height of her detached garage.

Laura and I are 100% fine with this occurring.

Thank you,

Derek Gisvold & Laura Zavada  
4440 Park Ave S  
Minneapolis, MN 55407