

LAND USE APPLICATION SUMMARY

Property Location: 2104 West 53rd Street
Project Name: 2104 West 53rd Street Driveway
Prepared By: [Janelle Widmeier](#), Senior City Planner, (612) 673-3156
Applicant: Dan Tysver and Jennifer Stoos
Project Contact: Chris Ray, Masterpiece Landscaping
Request: To allow 2 off-street surface parking spaces in a driveway accessory to a single-family dwelling.

Required Applications:

Variance	To reduce the minimum front yard requirement adjacent to West 53rd Street to allow surface parking.
Variance	Of the parking location requirements to allow parking between a dwelling and a street.

SITE DATA

Existing Zoning	RI Single-family District SH Shoreland Overlay District
Lot Area	12,406 square feet
Ward(s)	13
Neighborhood(s)	Lynnhurst Neighborhood Association
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable
Small Area Plan(s)	Not applicable

Date Application Deemed Complete	September 3, 2015	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	November 2, 2015	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The existing use is a single-family dwelling. The existing 2-story dwelling was permitted for construction in 1935 with a one-car attached garage.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding properties are predominately single-family dwellings. Minnehaha Creek is located directly north of the subject site.

PROJECT DESCRIPTION. The applicant is proposing to widen their existing driveway from 8 feet in width to 20 feet to allow room for two, on-site surface parking spaces at the property of 2104 53rd Street West. The site plan also indicates that the curb cut would be widened from 12 feet to 14 feet. The minimum front yard requirement along 53rd Street is created by the established setback of the adjacent properties to the east and west by a line joining those parts of both buildings nearest to the front lot line, which are 36 feet and 84 feet respectively. Parking is not allowed in a required front yard. A parking area is also not allowed to be located between a principal residential structure and a front lot line. Variances are required to reduce the front yard requirement and to allow the proposed parking location. If the variances are approved, Public Works will also need to approve the widening of the curb cut before construction can begin.

As part of the proposal, the applicant would also reconstruct the front stoop, stairs and walkway. The applicant's narrative indicates that a variance of the front yard requirement is requested to allow a new stoop and stairs. A landing/stoop is allowed to be up to 36 square feet in area and stairs are allowed to be up to 8 feet wide in a required front yard. Based on the information submitted with the application, a variance to allow these obstructions is not needed.

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 **1) a variance to reduce the minimum front yard requirement adjacent to West 53rd Street to allow surface parking and 2) a variance of the parking location requirements to allow parking between a dwelling and a street** 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.*

Both variances: In the R1 district, surface parking is not allowed in a required front yard or between the dwelling and front lot line. The applicant is proposing to widen the existing driveway located in the front yard to allow additional on-site parking. The zoning code requires a minimum of one parking space for a single-family dwelling. The parking requirement is met by the one-car attached garage. The subject site is a large lot. The site is located in the Shoreland Overlay District, but only a small portion of the northwest corner is on a steep slope. The subject site has over 80 feet of frontage on West 53rd Street. CPED staff is not aware of any excessive parking demand issues in the immediate area. Because of the size of the lot, there could be other options for providing on-site parking without need of any variances, such as expanding the existing garage to the

north. With that alternative, the 8 foot interior side yard requirement could be met and the location would not impact the steep slope area. For these reasons, CPED staff did not find that practical difficulties exist in complying with the ordinance.

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.*

Both 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 intent of the location requirement is to reinforce the traditional character of residential neighborhoods. The proposed parking would be located in the required front yard between the dwelling and the front lot line. Although the applicant is proposing to install landscaping around the new parking area and use a decorative paving surface, it would be highly visible from the surrounding area. Also, the zoning code parking requirement is met by the one-car attached garage. For these reasons, the proposal would not be 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.*

Both variances: The granting of the variances would affect the character of the area and could be injurious to the use or enjoyment of other property in the vicinity. The proposed parking would be located in the required front yard between the dwelling and the front lot line. The properties on the same side of the block as the subject property have driveways accessed from 53rd Street that lead to attached or detached garages. Most of the garages have only one stall similar to the subject property. Temporary parking may occur on the driveways, but granting a variance to allow parking in a front yard would impact the character of the neighborhood. Even though the applicant is proposing to install landscaping around the new parking area and use a decorative paving surface, it would be highly visible from the surrounding area. If granted, the proposed variances would not be detrimental to the health, safety or welfare of the public or those utilizing the property.

FINDINGS REQUIRED BY THE MINNEAPOLIS CODE FOR DEVELOPMENT IN THE SHORELAND OVERLAY DISTRICT

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

Both variances: Minnehaha Creek is located directly north of the subject site. The subject site is sloped. A very small portion of the site at the northwest corner is on a steep slope, which would not be affected by the proposal. On the south side of the site where the driveway expansion is proposed, the slope is much more gradual. Some excavation of the existing grade would be needed to widen the driveway. Once construction is complete, the area around the driveway would be landscaped. If approved, implementation of erosion control measures, such as silt fencing, could be required as a condition of approval during construction and until the landscaping is complete.

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

Both variances: The driveway/parking area would be located in front of the existing dwelling, farthest away from Minnehaha Creek. Visibility would be limited because of the width of the existing dwelling.

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

Both 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 applications by Dan Tysver and Jennifer Stoos for the property located at 2104 West 53rd Street:

A. Variance to reduce the front yard requirement.

Recommended motion: **Deny** the variance to reduce the minimum front yard requirement adjacent to West 53rd Street to allow surface parking.

B. Variance to allow parking between a dwelling and a street.

Recommended motion: **Deny** the variance of the parking location requirements to allow parking between a dwelling and a street (53rd Street West).

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site survey/Site plan
4. Rendering
5. Photos



Masterpiece Landscaping

Dear Lynnhurst Neighborhood,

Dan Tysver and Jennifer Stoos who reside at 2104 W. 53rd Street, Minneapolis, would like to expand the width of their driveway so that they are able to park two cars side by side rather than end to end. Since there is not an alley and therefore are unable to park cars in back, they are requesting a variance to allow two cars to be parked side by side in front. In addition to this they would also like to expand the size and appearance of the entry stoop to the front door. They are requesting a variance for a stoop that includes a landing at door level that is 10' wide and 3' deep. The stoop will then narrow down to 5' wide at the bottom step and then connect to a 4' wide entry walk. Tysver/Stoos are open to a variety of materials that could be used for the driveway and the stoop including concrete, cobble stone, permeated pavers for driveway and concrete with a natural stone or cobble stone overlay on the stoop. The stoop will be designed to preserve the Oak tree that is next to the existing stoop.

If storm water runoff were a concern, a drain could be installed to move storm water runoff to the back of the home where the water could soak into the ground rather than runoff into the storm drain. In addition to this, the driveway could be set at 2 levels so that there would not be one large flat surface.

The property is zoned R1 single family low density and is within the shoreland overlay district

The driveway will be set within a custom landscape and will fit the setting.

Dan Tysver Cell: 612-915-9634; dtysver@bitlaw.com

Chris

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Masterpiece Landscaping

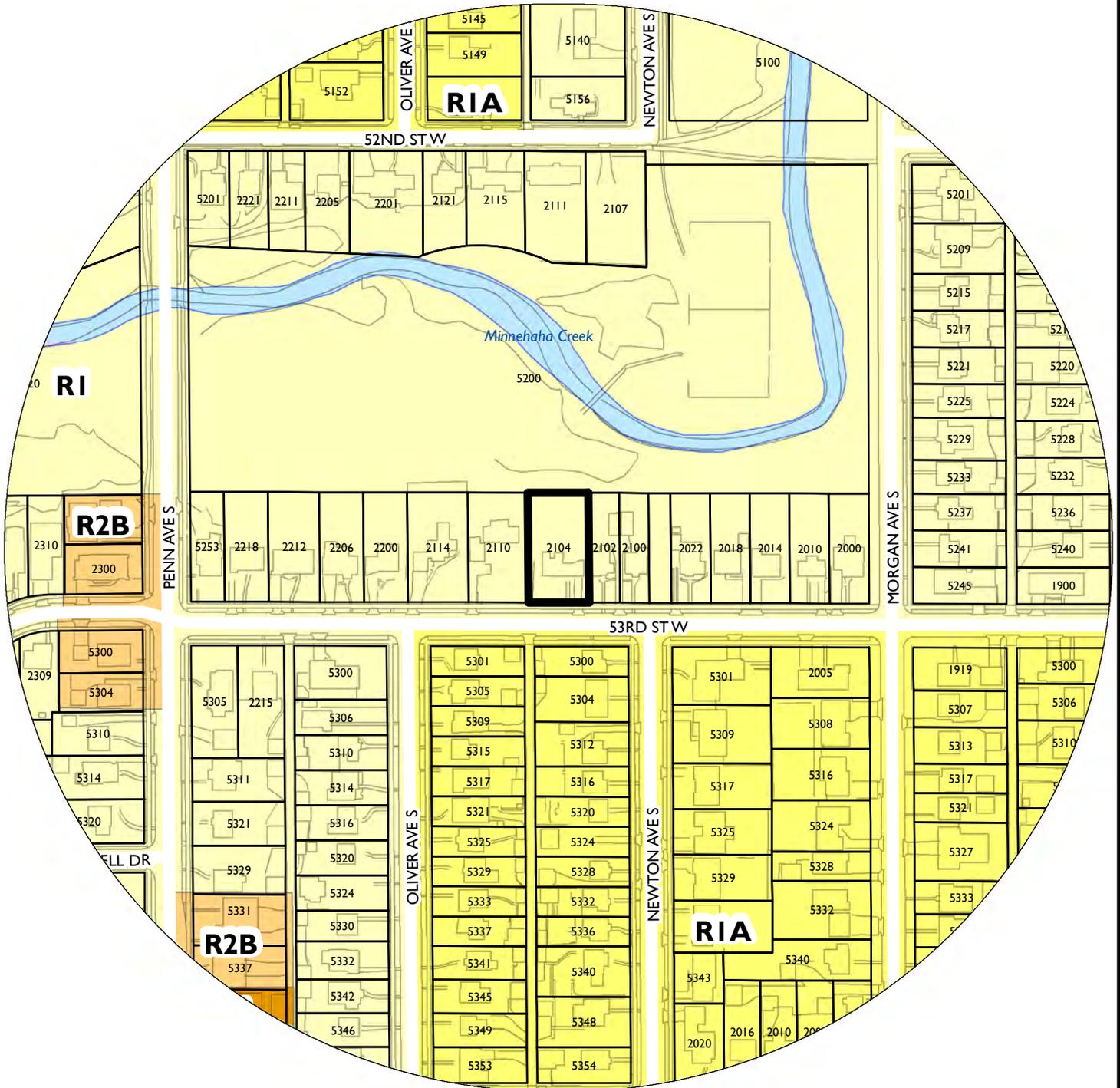
Dan Tysver & Jennifer Stoos
2104 W53rd Street
Minneapolis, MN 55419

Tysver/Stoos are requesting a variance for widening their stoop and their driveway.

1. When viewing the site survey dated 2002 it looks like at one time there was a 2 car garage and that it was downsized to a single car garage and the front door entry was put in place of one of the spaces. This was done by the previous owners. Tysver/Stoos maintain that they require more than the single garage space and the one space provided on the street to park their vehicles.
2. The stoop is for visual and practical purposes. For one, the brick steps are crumbling and need to be replaced. The visual part is expanding the width at the top to encompass the entry structure and then narrowing it down to meet up with a walkway that is 4' wide.
3. Currently, the front walk and the driveway are separated by a rather unattractive space (strip). The additional space will enhance the property creating more value in the property. The proposed expansion of the driveway and the stoop will be softened by the installation of evergreens and deciduous plantings.

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

2104 West 53rd Street

FILE NUMBER

BZZ-7390

Site Plan

FENCE CORNER LIES
1.7' EAST AND 1.1'
NORTH OF LOT CORNER

24" OAK
853.6

NORTH LINE OF THE SOUTH
150.00' FEET OF LOT 13
(82.39 PLAT)

FENCE CO
LINE AND
OF LOT 13

82.71 N89°14'28"E

1
Site Survey
Scale: 1/8" = 1'-0"

LOT
EXISTING HOUSE
N01°03'35"W
150.00

LOT
150.00 S01°03'35"E

FENCE CORNER LIES
1.3' EAST OF LOT LINE

16" OAK
865.3
28" OAK
866.4

EXISTING
2-STORY BRICK
HOUSE
FINISHED 1ST FLOOR
ELEV.=864.03

GARAGE
FINISHED GARAGE
FLOOR ELEV @ GARAGE
DOOR=858.42

UPPER DECK
ELEV=858.1
LOWER DECK
ELEV=857.6

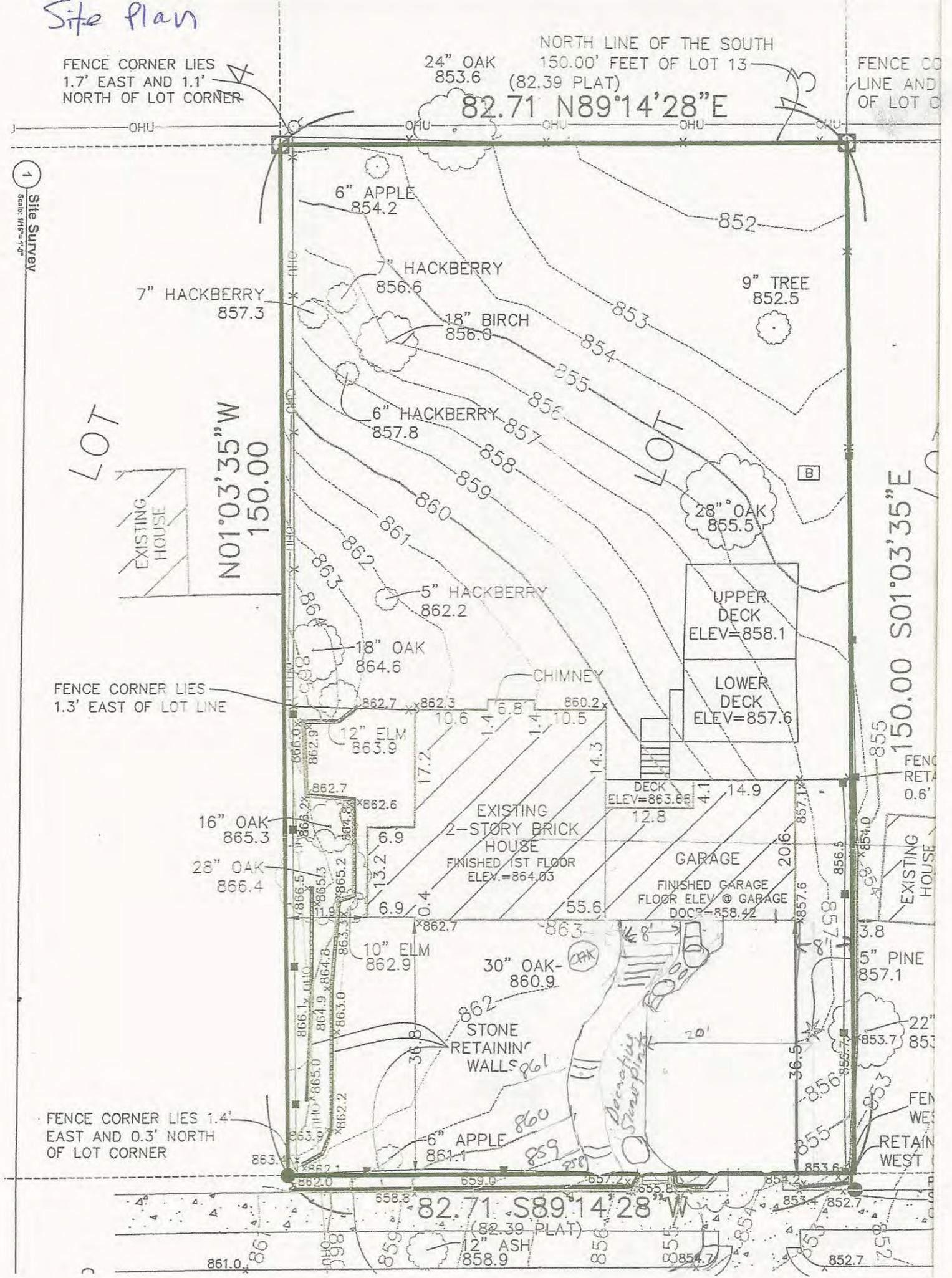
STONE
RETAINING
WALLS

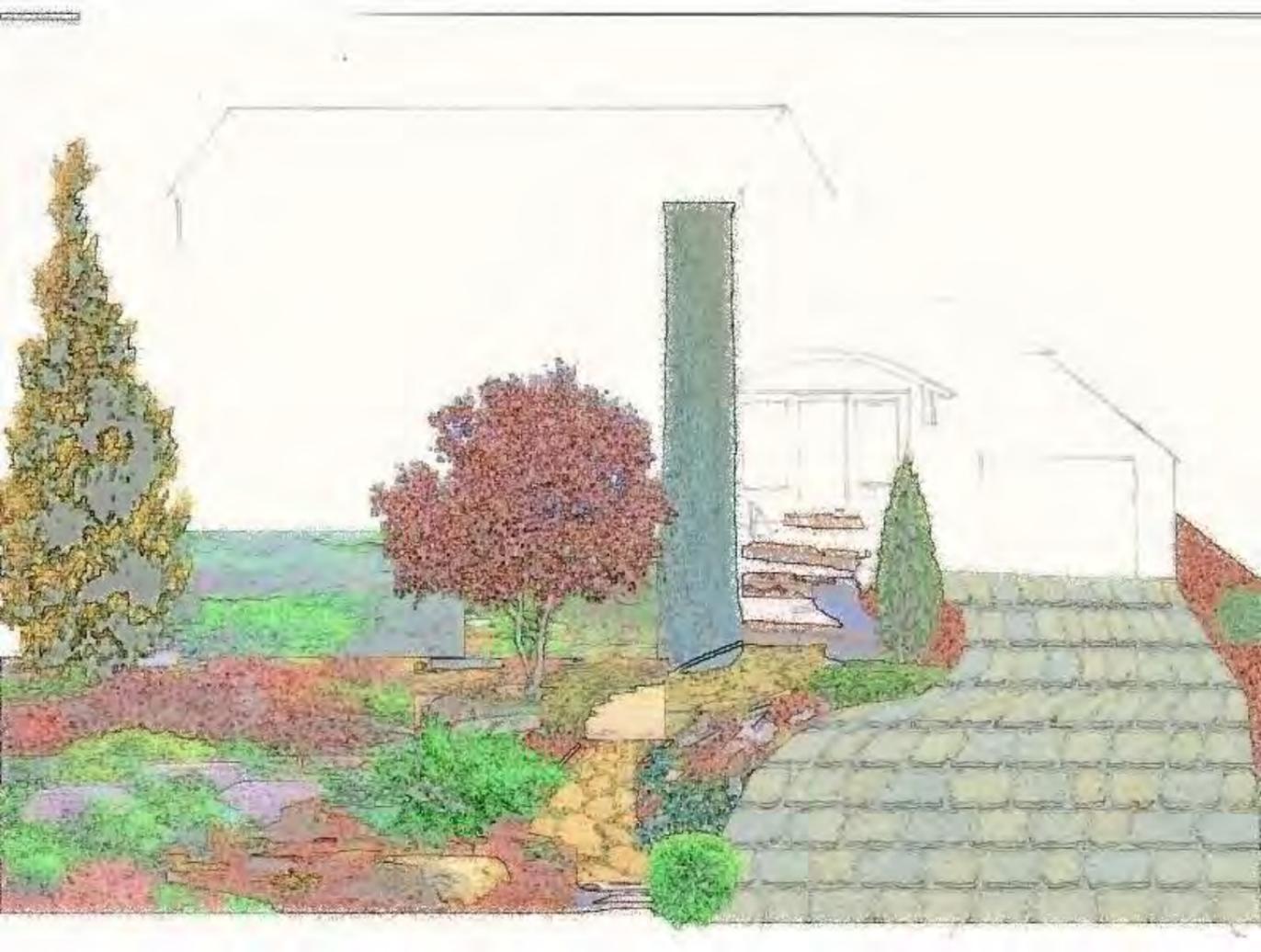
FENCE CORNER LIES 1.4'
EAST AND 0.3' NORTH
OF LOT CORNER

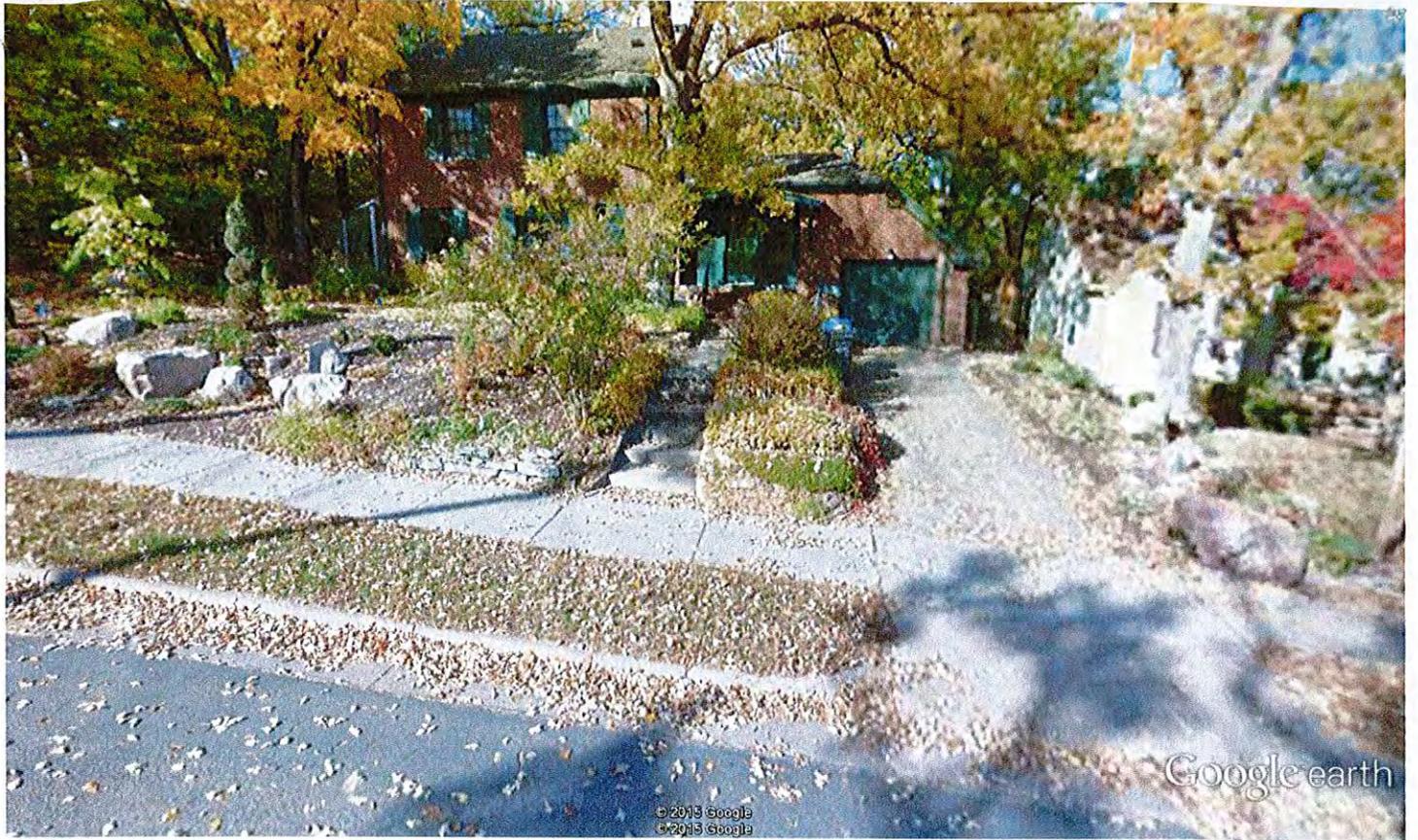
82.71 S89°14'28"W
(82.39 PLAT)

12" ASH
858.9

FENCE
WEST
RETAINING
WEST

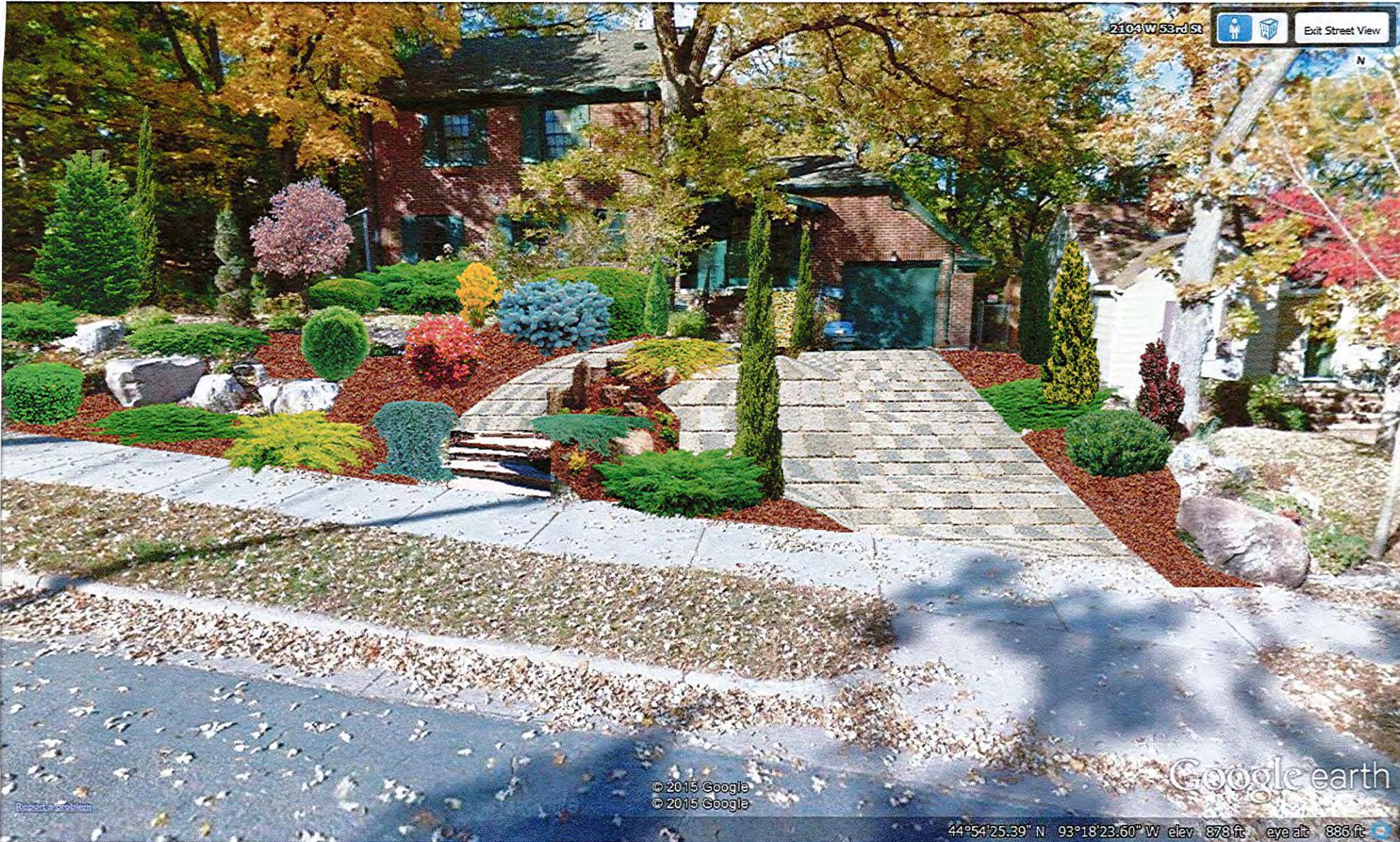






Google earth





2104 W 53rd St

Exit Street View

N

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Google earth

44°54'25.39" N 93°18'23.60" W elev 878 ft eye alt 886 ft









2104

SECURITY

2104

SECURITY







