



**LAND USE APPLICATION SUMMARY**

*Property Location:* 1116 Vincent Avenue South  
*Project Name:* Variance for Accessory Dwelling Unit  
*Prepared By:* Andrew Liska, City Planner, 612.673.2264  
*Applicant:* Jason McLean  
*Project Contact:* Jason McLean  
*Request:* To vary the development standards in establishing an Accessory Dwelling Unit  
*Required Applications:*

<b>Variance</b>	To vary the Development Standards in Chapter 537, Accessory Uses and Structures, specifically to allow for an Accessory Dwelling Unit to be located in front of the single-family dwelling to which it is accessory.
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**SITE DATA**

<b>Existing Zoning</b>	RI District
<b>Lot Area</b>	8,128 square feet
<b>Ward(s)</b>	7
<b>Neighborhood(s)</b>	Bryn-Mawr
<b>Designated Future Land Use</b>	Urban Neighborhood
<b>Land Use Features</b>	NA
<b>Small Area Plan(s)</b>	NA

<b>Date Application Deemed Complete</b>	September 29, 2015	<b>Date Extension Letter Sent</b>	N/A
<b>End of 60-Day Decision Period</b>	November 28, 2015	<b>End of 120-Day Decision Period</b>	N/A

**BACKGROUND**

**SITE DESCRIPTION AND PRESENT USE.** This parcel is south of Interstate 394 and is north east of Cedar Lake. The wooded parcel has a steep grade change with the rear of the parcel approximately 38 foot higher in elevation than the front of the parcel. No alley serves this property. The single-family dwelling and detached garage were constructed in 1988. The dwelling is set back approximately 80 feet from the front lot line. The detached garage received a variance for its location in front of the dwelling. It is set back 20 feet from the front lot line.

According to the applicant, the garage was converted to living quarters several years ago. A previous land-use application approved the off-street parking space; therefore the parking requirement for the site is met without the garage.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The property to the north, 1112 Vincent Avenue South, is a 2.5 story single-family dwelling with an attached garage set back approximately 6 feet from the front lot line. The property to the south, 1120 Vincent Avenue South, is a 1.5 story single-family dwelling set back approximately 75 feet. This parcel has an off-street parking space located 5 feet from Vincent Avenue South.

The topography and the curvilinear streets in this area result in a built environment atypical when looking at standard parcels in the City.

**PROJECT DESCRIPTION.** The applicant is seeking to convert the existing detached structure into a legal accessory dwelling unit. Detached accessory dwelling units are required to be located entirely to the rear of the principal residential structure. A variance is required to allow the proposed location.

**RELATED APPROVALS.** Use this section (paragraph and/or table) as-needed or delete.

Planning Case #	Application	Description	Action
BZZ-4915	Variations	Reduce front yard setback for a parking area and enclosed walkway.	Approved by <u>City Council</u>

**PUBLIC COMMENTS.** As of writing this staff report, staff has not received any correspondence from the Bryn Mawr Neighborhood Association. Staff will forward comments, if any are received, at the Board of Adjustment meeting.

**ANALYSIS**

**VARIANCE**

The Department of Community Planning and Economic Development has analyzed the application for a variance of Chapter 525, Article IX Variations, specifically Section 525.520(22) “to vary the development standards of Chapter 537 Accessory Uses and Structures,” 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 the extreme topography on site. This 38 foot vertical grade change makes constructing an Accessory Dwelling Unit (ADU) behind the principle structure, as the Accessory Dwelling Unit Development Standards call for, very challenging. In addition to the steep grade change, this parcel is heavily wooded. Locating the ADU to the rear of the single-family dwelling would result in much of the vegetation being removed both for the construction and the area where the building would be situated.

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 use of the structure as an accessory dwelling unit is reasonable as Code now permits this use. The development standards for accessory dwelling units are to maintain orderly development. A variance was previously granted to allow a garage in this location. Given that this structure exists in this location, there is no impact.

A detached garage currently occupies the location of the accessory dwelling unit. The applicant has not proposed any interior or exterior changes. The structure to the north of the subject property has an attached garage setback significantly closer to the front lot line and a similar distance to the proposed ADU and this orderly development is maintained. Therefore the request is reasonable.

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 essential character of the area. The proposed accessory dwelling unit is an existing garage and results in no changes to the exterior or interior. If approved, this variance will not be detrimental to health, safety, or welfare to the public or nearby properties provided the conversion of the garage to an accessory dwelling unit complies with current building codes.

## RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the applications by Jason McLean for the property located at 1116 Vincent Avenue South:

**A. Variance to the development standards to allow an Accessory Dwelling Unit in front of the single-family dwelling to which it is accessory.**

Recommended motion: **Approve** the application, subject to the following conditions:

1. Approval of the Accessory Dwelling Unit Application by the Department of Community Planning and Economic Development.
2. All site improvements shall be completed by November 5, 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. Survey/Site Plan
4. Floor plans
5. Elevations

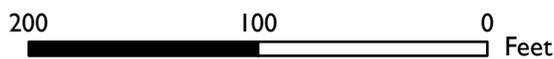
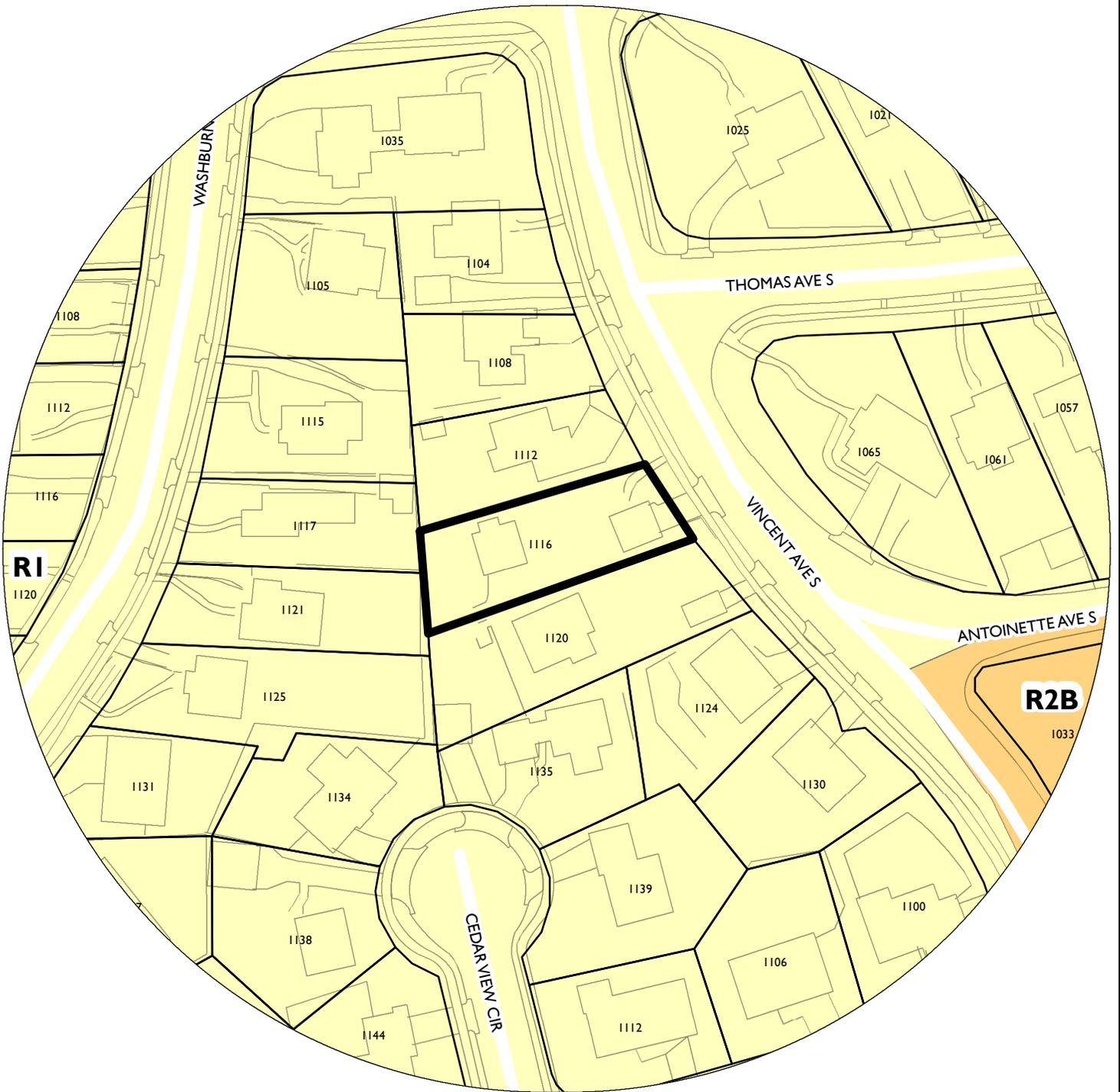
6. Photos
7. Correspondence

Jason McLean

7th

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

1116 Vincent Avenue South

FILE NUMBER

BZZ-7436

Subject property: 1116 Vincent Av South

Owner: Jason and Abby McLean

PID: 29-029-24-42-0122

Application for variance of SETBACK requirement per ADU.

#### STATEMENT OF FINDINGS

1. Practical difficulties exist in locating the ADU to the rear of the main house because the ADU was originally constructed in 1989 at the front of the lot. The main house is located at the rear of the lot and situated with a 20 ft setback from the rear property line. There is no alley access to the rear of the lot.
2. I am the owner of the property and have been the owner since 1999. I will reside in the ADU in a quiet and considerate manner consistent with my residential use of the past 16 years. The main house will be rented to another family.
3. The proposed variance will not alter the essential character of the area. The studio/garage was part of the original construction dating back to 1989. The most directly affected neighbors have all expressed support for the re-purposing of the studio. The property is landscaped in a manner that is consistent with the neighborhood gardening values of Bryn Mawr.

# EGAN, FIELD & NOWAK

## SURVEYORS

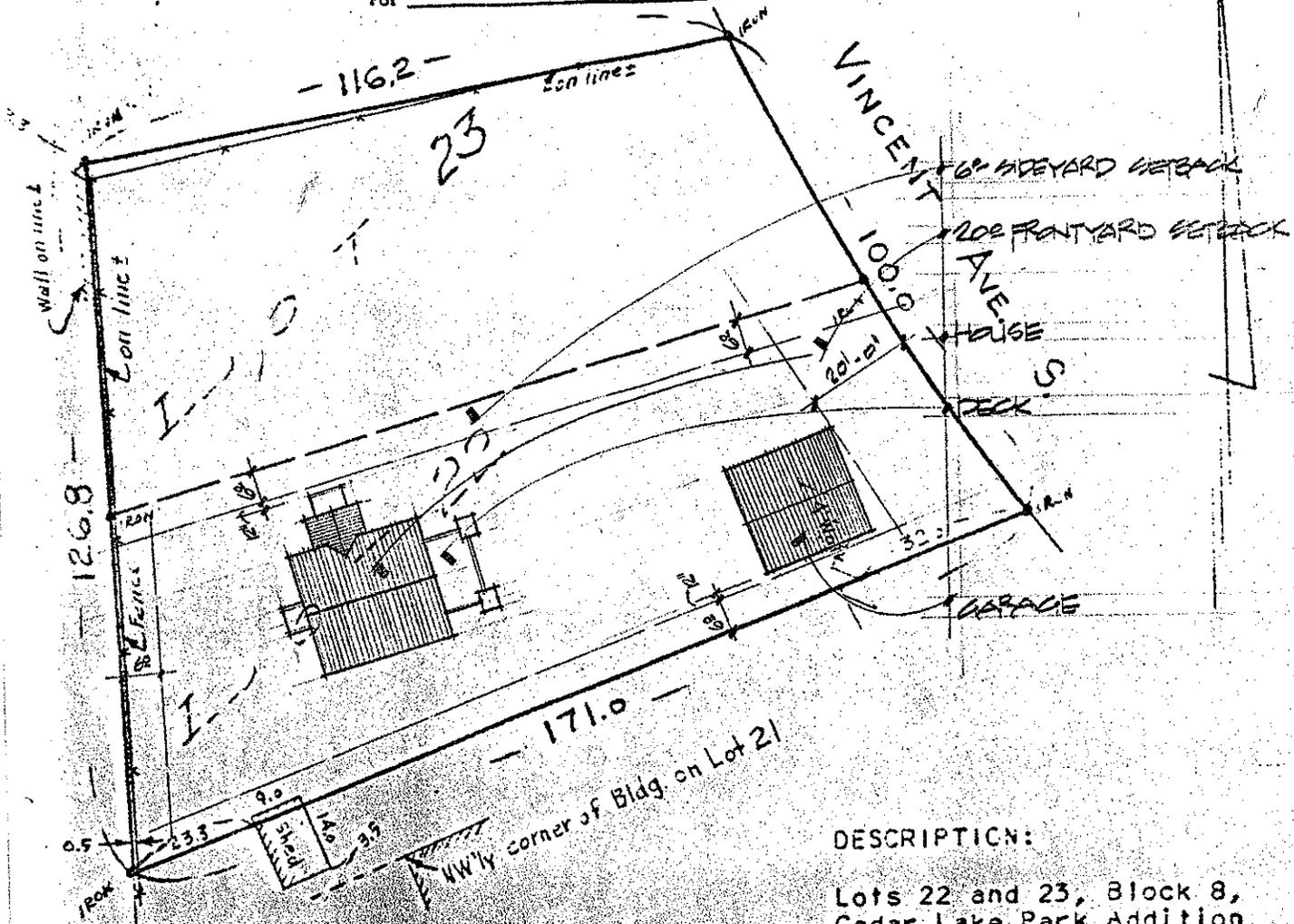
129 WEST LAKE STREET

MINNEAPOLIS 8, MINN.



### CERTIFICATE OF SURVEY

For M. L. Norris



**DESCRIPTION:**

Lots 22 and 23, Block 8,  
Cedar Lake Park Addition  
to Minneapolis.

Scale: 1" = 30'

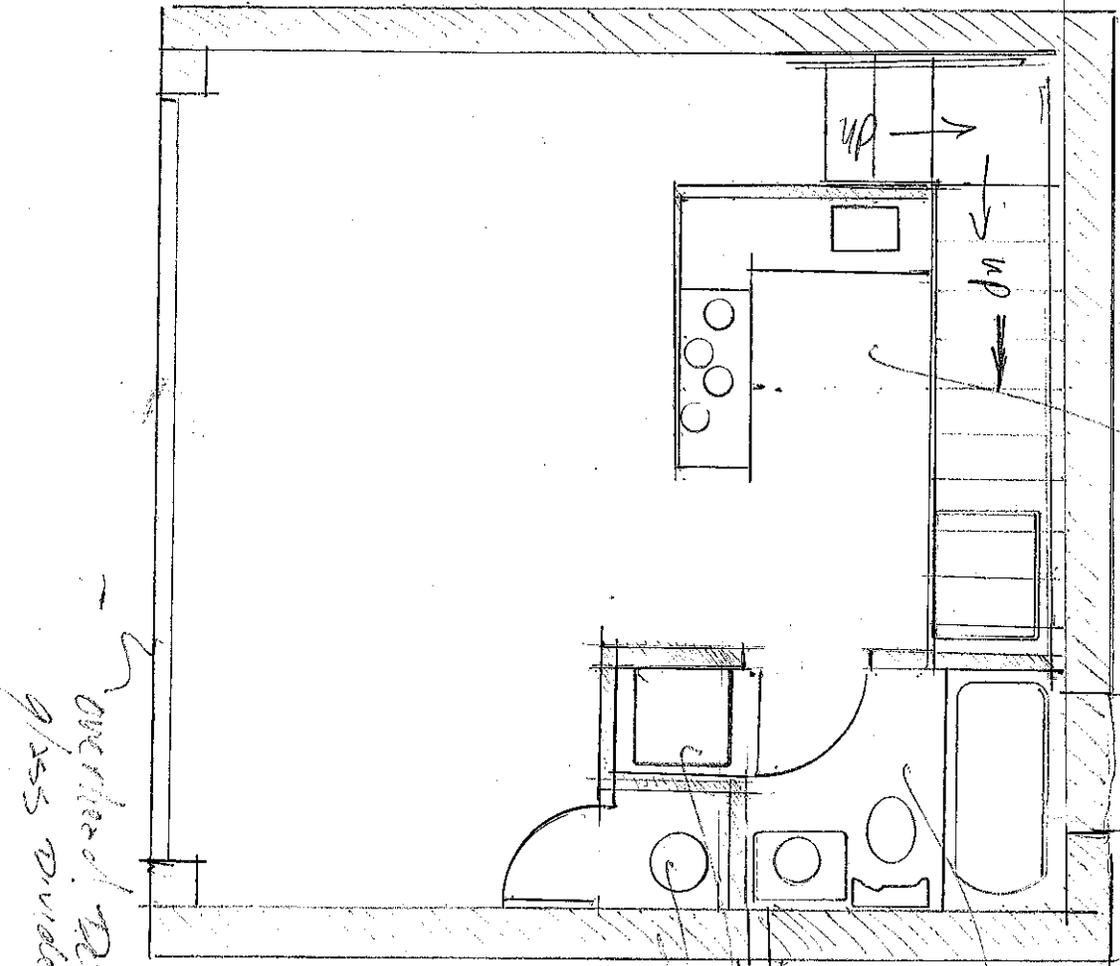
We hereby certify that this is a true and correct representation of a survey of the boundaries of the land above described and of the location of all buildings, if any, thereon, and all visible encroachments, if any, from or on said land.

Dated this 18th day of July, 1961.

EGAN, FIELD & NOWAK  
Surveyors

by *[Signature]*

File No.	1819	Book No.	1557 - 50
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116 Vincent

overhead deck  
glass divided light

Lower level

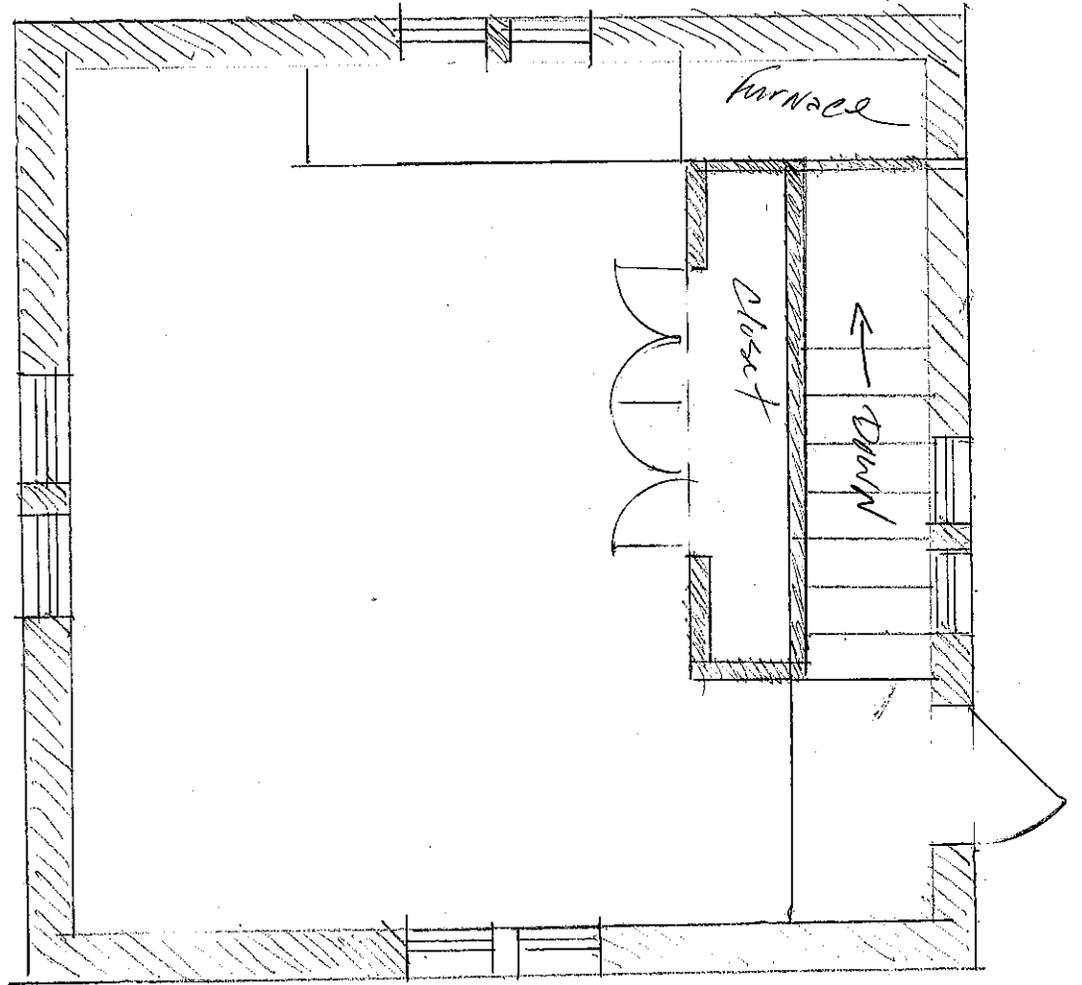
overhead deck  
glass divided light

Side 1/4 = 1'

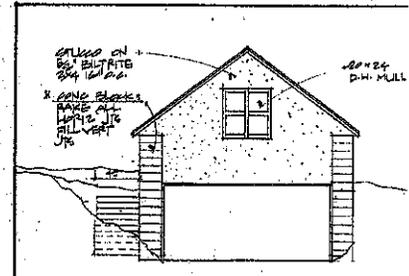
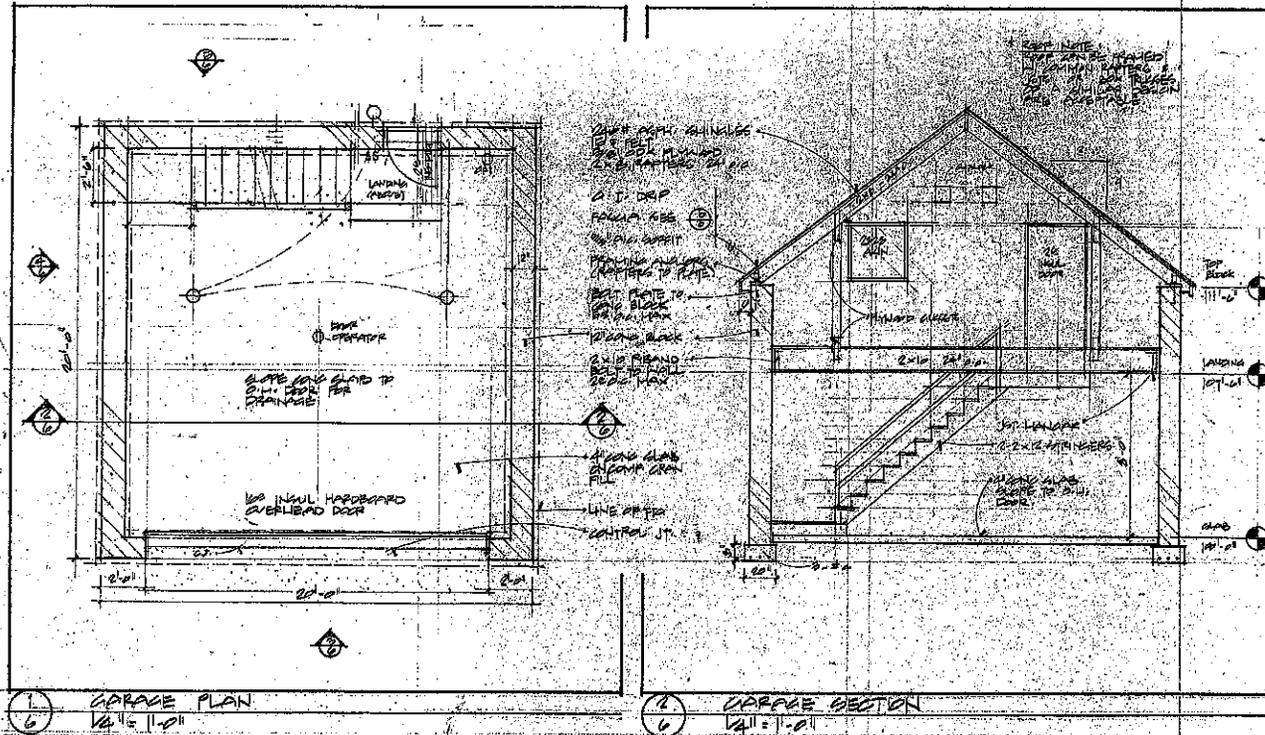
Floor plan consisting  
of 100 sq ft

116 Vincent  
Apartment  
Residence

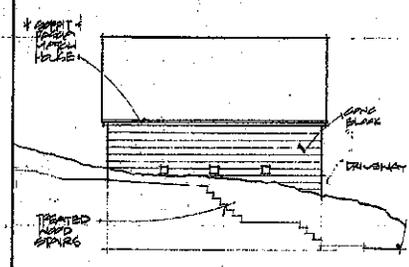
116 Vincent N.S



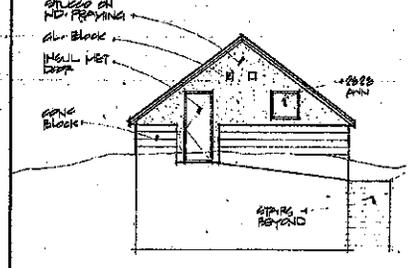
Upper level



1 EAST ELEVATION 1/8" = 1'-0"



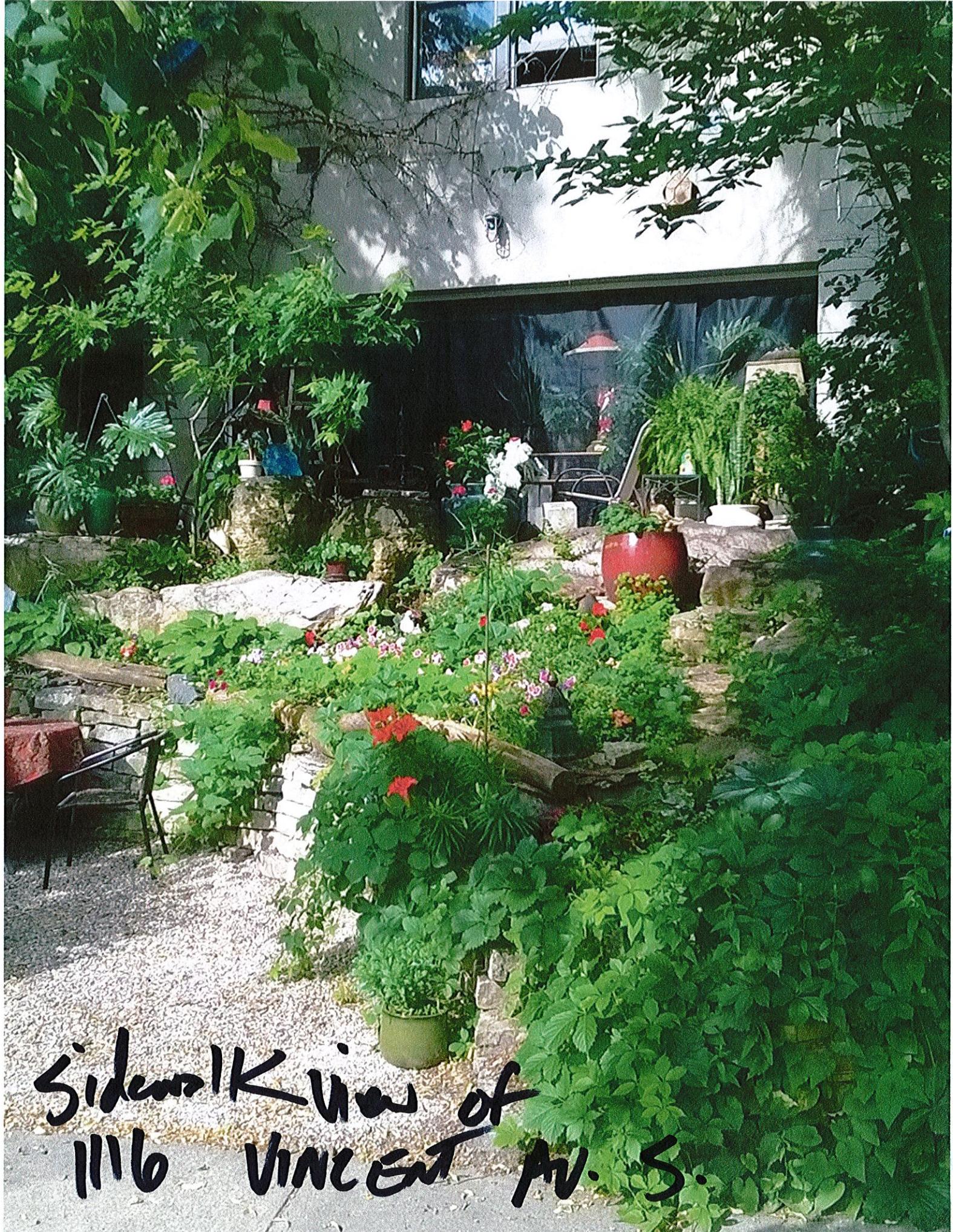
2 SOUTH ELEVATION 1/8" = 1'-0"



3 WEST ELEVATION 1/8" = 1'-0"

No.	TYPE	MFG	P.O.	COMMENTS
1	DBL - ALUMINUM (TILT)	WEATHER SHIELD 28"x92"	H = 8'-10" W = 2'-10"	ALUM GLAD (BRANDE)
2	ANNUL	MORIN 12x24	H = 2'-0" W = 2'-1"	ALUM GLAD (BRANDE)
3	GLASS BLOCK	PPA 2' CLEAR VIEW	H = 10" W = 10" (BRANDE 1000)	SEE 10 5
4	ANNUL	WEATHER SHIELD 28"x88"	H = 2'-0" W = 2'-1"	ALUM GLAD (BRANDE)

4 WINDOW SCHEDULE



Sidewalk View of  
1116 VINCENT AV. S.



Street view of 1116 Vincent  
S.



View from  
sidewalk  
steps to  
main house



ADU - Facing EAST (Vincent)  
View from MAIN House



MAIN House

ADU

MID Lot view from west