



## CPED STAFF REPORT

Prepared for the Zoning Board of Adjustment  
BOA Agenda Item #5  
November 5, 2015  
BZZ-7442

### LAND USE APPLICATION SUMMARY

*Property Location:* 4006 Abbott Avenue South  
*Project Name:* Monson Residence Addition  
*Prepared By:* [Janelle Widmeier](#), Senior City Planner, (612) 673-3156  
*Applicant:* Rob and Sarah Monson  
*Project Contact:* Ryan Weber, Appeal Architects  
*Request:* To allow an 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 south lot line from 7 feet to 3 feet to allow an addition.
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### SITE DATA

<b>Existing Zoning</b>	RI Single-family District
<b>Lot Area</b>	7,696 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>	October 7, 2015	<b>Date Extension Letter Sent</b>	Not applicable
<b>End of 60-Day Decision Period</b>	December 6, 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 2-story dwelling was permitted for construction in 1924. There is also a detached, 2 car garage located at the southwest corner of the property accessed from Abbott Avenue. The site is not adjacent to a public alley.

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

**PROJECT DESCRIPTION.** The applicant is proposing to construct a two-story addition, including a 644 square foot attached garage with storage above, to the single-family dwelling located at the property of 4006 Abbott Avenue. The existing 404 square foot detached garage would be demolished. Because the site is 58 feet wide, the minimum interior side yard requirement is 7 feet. The proposed addition would be set back 3 feet from the south side lot line. The applicant is requesting a variance to reduce the yard requirement.

**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 reduce the minimum interior side yard requirement adjacent to the south lot line from 7 feet to 3 feet to allow an 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.*

The minimum interior side yard requirement is 7 feet. The existing dwelling is set back 25 feet from the south lot line. The applicant is proposing an addition with a setback of 3 feet. The part of the addition that would extend into the required yard would be the attached garage. Reasons stated by the applicant for attaching the garage to the dwelling include personal safety, storm water management, and efficient, functional access to the home. Currently, water pools in front of the garage where grade is lowest on the site, which becomes icy in freezing conditions. The two existing access points to the dwelling are located on the north and east sides.

Although the current layout of the site results in these conditions, the reconstruction of the garage and the proposed addition to the rear of the dwelling presents opportunities to address these issues without the need for a variance. The minimum interior side yard requirement for a detached garage located in the rear 40 feet of property that is located at least 10 feet from any habitable portion of an adjacent residential structure is one foot. There is adequate room on the 7,696 square foot site to construct a larger detached garage and modify the grade where the garage and driveway are located to redirect the storm water runoff to an area of the site where it can infiltrate into the ground. The existing dwelling and garage footprints cover less than 30 percent of the site and most of the open space is at the rear of the site. The proposed addition includes a new rear entrance that is separate from the proposed attached garage. The unique qualities of the lot do not appear to

significantly limit the applicant's options for reasonable use of their property. For these reasons, CPED staff does 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.*

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 applicant is proposing an addition with a setback of 3 feet from the south lot line to allow an attached garage. The part of the addition extending into the required side yard would be 30 feet wide and 16 feet tall measured at the midpoint of the roof. It would also be located 28.8 feet from the rear lot line. The adjacent residential structure to the south is setback 6.8 feet from the shared lot line and would be 20 feet from the proposed addition. On narrower lots in the R1 district, the minimum interior side yard requirement is 5 feet. However, regulations changed on October 1, 2014, requiring a larger interior side yard setback on lots wider than 42 feet. Although the proposed location would not likely have significant impacts on the adjacent properties access to light and air, the proposed 3 foot setback would result is less separation and open space between uses and would not be reasonable given the ability to construct a detached garage without the need for a variance.

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 could be injurious to the use or enjoyment of other property in the vicinity. The existing dwelling is set back 25 feet from the south lot line. The applicant is proposing an addition with a setback of 3 feet from the south lot line to allow an attached 2+ stall garage. The part of the addition extending into the required side yard would be 30 feet wide and 16 feet tall measured at the midpoint of the roof. It would also be located 28.8 feet from the rear lot line. The adjacent residential structure to the south is set back 6.8 feet from the shared lot line and would be 20 feet from the proposed addition. Although the proposed location would not likely have significant impacts on the adjacent properties access to light and air, the proposed 3 foot setback would result is less separation and open space between uses.

The granting of the variance would also affect the character of the area. On blocks with no public alleys in the immediate area, there are many dwellings with attached garages. It appears that most of those properties with attached garages also have significant grade changes, which creates a practical difficulty to access a detached garage at the rear of a property. The attached garages are also typically only one stall, especially for older homes. The subject property is relatively flat with an overall grade change of approximately one foot. Although attaching a 2+ stall garage would not be consistent with the character of the area and could be detached, the applicant is proposing to match the primary exterior material (stucco) and roof pitch (6/12) of the addition to the existing dwelling. Other architectural details would be replicated as well.

If granted, the proposed variance would not be detrimental to the health, safety or welfare of the public or those utilizing the property provided the proposed construction is built 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 Rob and Sarah Monson for the property located at 4006 Abbott Avenue South:

**A. Variance to reduce the interior side yard requirement.**

Recommended motion: **Deny** the variance to reduce the minimum interior side yard requirement adjacent to the south lot line from 7 feet to 3 feet to allow an addition to a single-family dwelling.

## ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site survey
4. Site plan
5. Floor plans
6. Building elevations
7. Photos

**Statement of Proposed Use and Project Description for Property at:  
4006 Abbott Avenue South, Minneapolis, MN 55410**

Existing Use: R-1 Single Family Dwelling

Proposed Use: R-1 Single Family Dwelling

**Project Description:**

The existing house is a one and a half story bungalow. There is no alley access to the property as the back of the property abuts a steep hill. The current garage is set at the southwest corner of the property, with a driveway that is approximately 125 feet in length.

The project would include the demolition of the existing 2-car garage (replaced with sod and landscaping), the construction of a new, attached 2-car garage at the southwest corner of the residence, and the construction of a small, two-story addition, to include a main floor mudroom as the access conduit between the garage and the residence.

In order to construct an attached, 2-car garage in accordance with industry standards, a variance is needed because the interior side yard setback requirement currently limits the space available for construction at the intended point on the property.

**Variance Being Requested:**

The variance sought is with respect to the interior side yard along the southern boundary of the property. The homeowners are requesting a reduction of this interior side yard for placement of the southern wall of the new structure at a distance of 3 feet from the property line, versus the current side yard requirement of 7 feet as designated by the City of Minneapolis Residential Zoning Ordinance Title 20, Chapter 546, Table 546-2 R1 Yard Requirements for an R1 zoning district and a property with a width between 52 – 61.99 feet.

## **Variance Requirements:**

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.**

- Considering the generally accepted standard width of 22 feet for a two-car garage with a 16 foot wide garage door, compliance with the side yard requirement of 7 feet would limit the width of the new garage face to little more than 17 feet at the proposed location.

Without creating a wider garage face, an additional limitation in approaching or exiting the garage in an automobile would be created by an existing, below-grade egress window on the south side of the residence. The proposed garage position and size would allow the driveway to reasonably avoid this existing safety feature.

The pre-existing layout of the property and structures presents multiple challenges and concerns. The proposed project is aimed at correcting those issues, which include: personal safety, storm water management, and efficient, functional access to the home.

The homeowners believe the proposed changes will provide a safer, more functional living environment for their family and future families, whether they are disabled, elderly, or families with young children.

- The area nearest the front of the garage is believed to be one of the lowest points among the surrounding properties, where the property lies at the bottom of a natural basin. Throughout the year, this area in front of the garage routinely becomes flooded with water to a depth of three to four inches. In the springtime, in particular, when the snow routinely melts and refreezes, this area is typically covered with several inches of ice, spanning nearly the entire width of the garage and creating a significant safety hazard.
- Furthermore, the closest existing access point to the home lies nearly seventy feet from the exit of the garage, across the backyard, where no sidewalk exists. In the wintertime, this route becomes impassible due to the accumulated snow and ice that has been cleared from the driveway. This forces the residents to use the home's front door, which is roughly 120 feet away.

The homeowners have thoughtfully considered alternate solutions to address these issues, and believe an attached garage at the proposed location provides the best overall solution. Efforts to correct these issues without relocating the current garage structure would themselves entail dramatic changes to the current structure as well as the surrounding property.

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 owners do not intend to change the current use of the property. It is and will remain a single family residence. The home improvement that requires a variance, the addition of an attached garage, is a feature that is common to many homes in the area, and is typical for new builds and home remodel projects in the area. As a point of reference, 6 of the 8 residences in closest proximity to the property in question have attached garages. This attached garage feature is in keeping with the spirit and intent of the ordinance and would not trigger a variance if the lot did not have the hardship described above.

- 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 garage and two-story addition would not alter the essential character of the locality due to the intent to match the style and design features of the existing bungalow-style residence. Nor will the proposed improvements be injurious to the use or enjoyment of any other properties in the vicinity due to the intended distance from nearby structures. The new garage will exist in a location that is not directly aligned with any other nearby structures, and therefore, will not block views or shade other homes. The property owners intend to use quality materials and proper construction methods to ensure that the health, safety, and welfare of others is retained.

23-September-2015

Hello Neighbor,

We are Sarah and Rob Monson, and we are writing you today to let you know of our intent to improve our property at: 4006 Abbott Avenue South, Minneapolis MN, 55410.

Our existing home is a 1.5 story, craftsman style, single-family home with a detached, 2-car garage. We are proposing to demolish the existing garage (to be replaced by sod and landscaping) and to add an attached, 2-car garage at the southwest corner of the home, along with a small addition on the back of the home that will provide a conduit between the garage and home. There is no alley access to the property as the back of the property abuts a steep hill. The current garage is set at the southwest corner of the property, with a driveway that is approximately 125 feet in length.

Our goal in relocating the garage is to mitigate a number of existing concerns, including:

- personal safety due to significant ice accumulation spanning the front of the existing garage during winter
- storm water accumulation to a depth of 3 to 4 inches during heavy rains which impedes garage access
- efficient, functional access to the home regardless of health, disability, age, etc.

We have thoughtfully considered alternate solutions to address the underlying concerns and believe an attached garage at the proposed location provides the best overall solution. It is our intent to match the style and architectural elements of the existing home, and maintain the property in a manner that is characteristic of the Linden Hills neighborhood without detracting from the safety, health and welfare of our neighbors or visitors.

In order to build an attached structure in this location that meets the industry standard width for a 2-car garage, the City has informed us that a variance is needed because the new garage would project into the interior side yard setback. We are seeking a variance that would allow the southern wall of the new garage to be built at a distance of 3 feet from the property line versus the 7 foot requirement currently designated by the City of Minneapolis zoning ordinance. We believe there is a practical difficulty in meeting this zoning requirement and feel a variance is reasonable.

The key factor contributing to the practical difficulty of conforming to the zoning code requirement is the limited space between the side wall of the house and the nearest property line.

Compliance with the side yard requirement of 7 feet would limit the width of the new garage face to little more than 17 feet at the proposed location. By comparison, the industry standard width of a two-car garage is 22 feet wide with a 16 foot wide garage door. The space available according to the ordinance does not allow the standard width of a two-car garage. Without creating a wider garage face, an additional difficulty would exist when approaching or exiting the garage in an automobile due to an existing, below-grade egress window on the south side of the home. The proposed garage position and size would allow the driveway to reasonably avoid this existing safety feature.

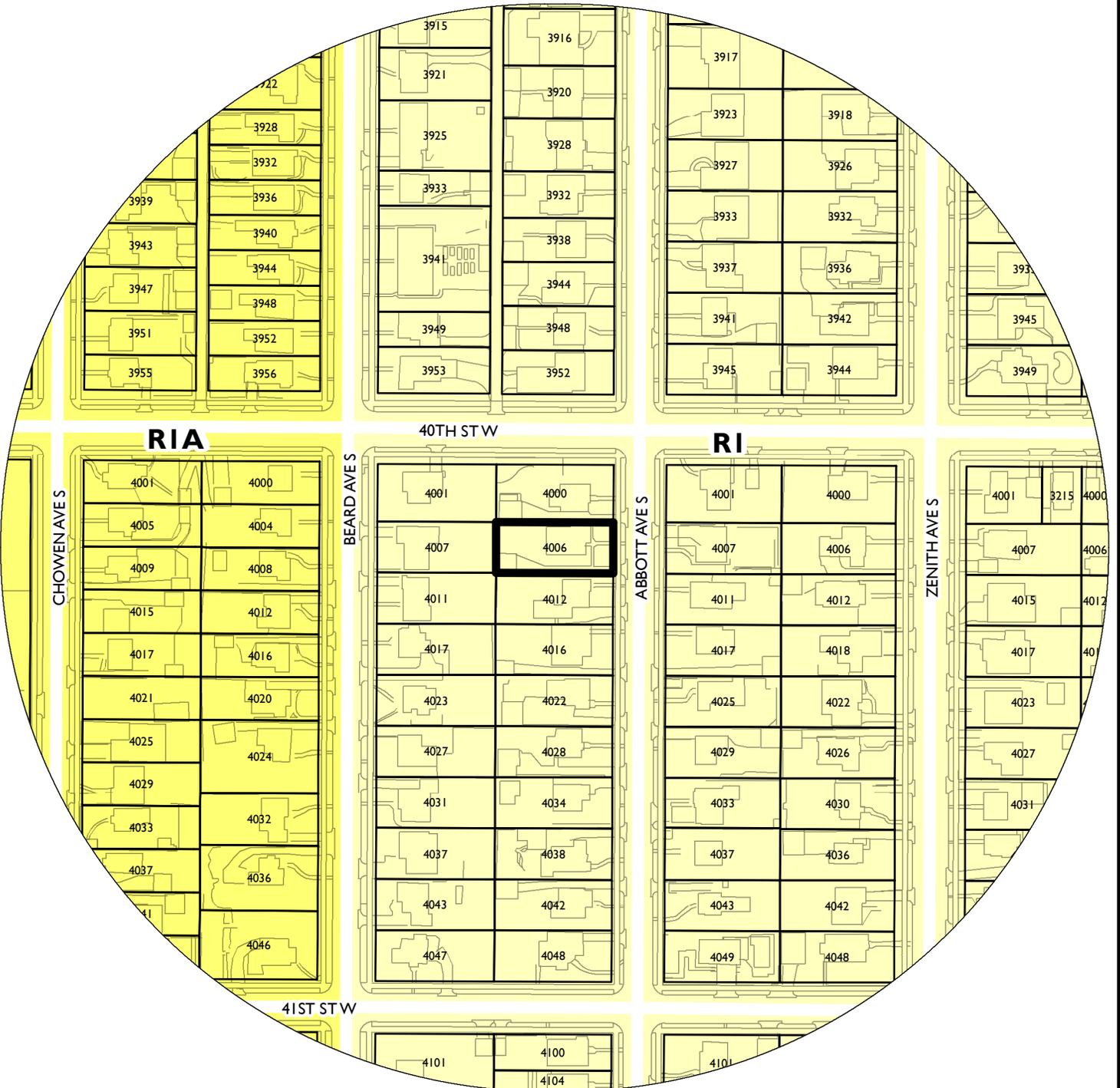
Please do not hesitate to contact us with any questions or comments. Thank you for your consideration.

Sincerely,

Sarah and Rob Monson, Homeowners  
4006 Abbott Avenue South, Minneapolis, MN 55410  
(763) 370-8687

NAME OF APPLICANT

WARD



PROPERTY ADDRESS  
**4006 Abbott Ave S**

FILE NUMBER  
**BZZ-7442**

# ADVANCE SURVEYING & ENGINEERING CO.

5300 S. Hwy. No. 101 Minneapolis, MN 55345 Phone (952) 474 7964 Fax (952) 225 0502 WWW.ADVSR.COM

**SURVEY FOR:** Rob Monson

**SURVEYED:** August 27, 2015

**DRAFTED:** September 1, 2015

**LEGAL DESCRIPTION:**

LOT 2, BLOCK 20, OLIVER PARK ADDITION TO MINNEAPOLIS, HENNEPIN COUNTY, MINNESOTA.

Contains: 7,696 Sq. Ft.

**PROPERTY ADDRESS:**

4006 Abbott Avenue South, Minneapolis, Minnesota.

**SCOPE OF WORK & LIMITATIONS:**

- Showing the length and direction of boundary lines of the above legal description. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct, and that any matters of record, such as easements, that you wish shown on the survey, have been shown.
- Showing the location of existing improvements we deemed important.
- Setting new monuments or verifying old monuments to mark the corners of the property.
- Showing and tabulating hard cover area and the area of the lot for your review and for the review of such governmental agencies that may have jurisdiction over hard cover requirements.
- Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.

**STANDARD SYMBOLS & CONVENTIONS:**

\*\* Denotes 1/2" ID pipe with plastic plug bearing State License Number 9235, set, unless otherwise noted.

**CERTIFICATION:**

I hereby certify that this plan, specification, report or survey was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer and Licensed Land Surveyor under the laws of the state of Minnesota.

Signature: James H. Parker Typed Name: James H. Parker Reg. No.: 9235

Date: September 1, 2015

**LEGEND**

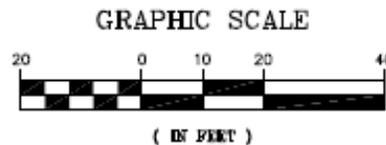
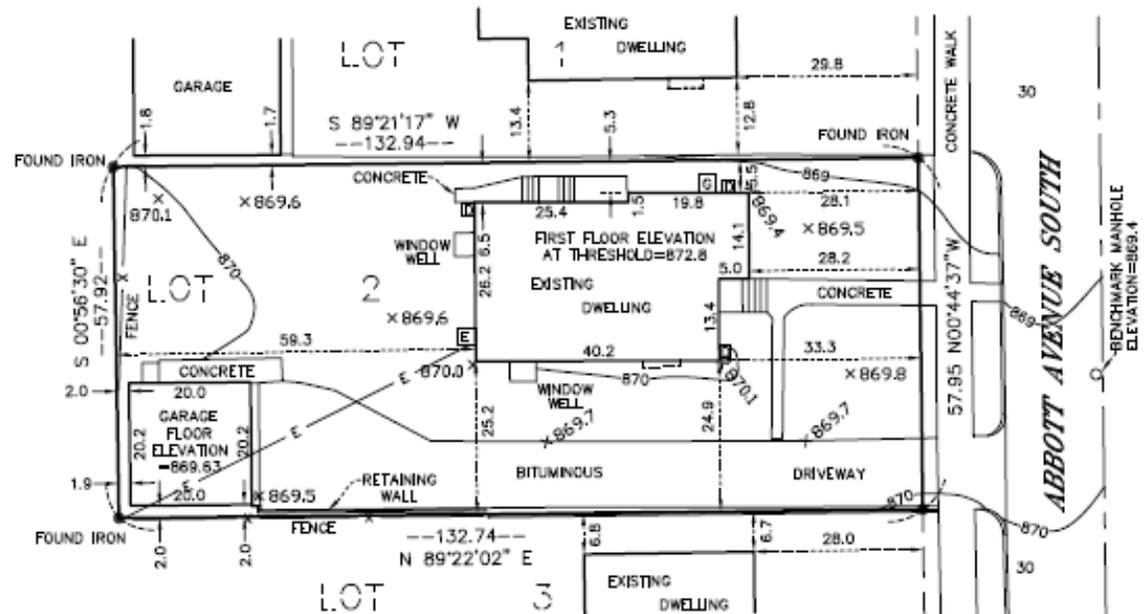
- E ELECTRIC METER
- G GAS METER
- D DOWN-SPOUT
- E— OVERHEAD UTILITY

**EXISTING HARDCOVER**

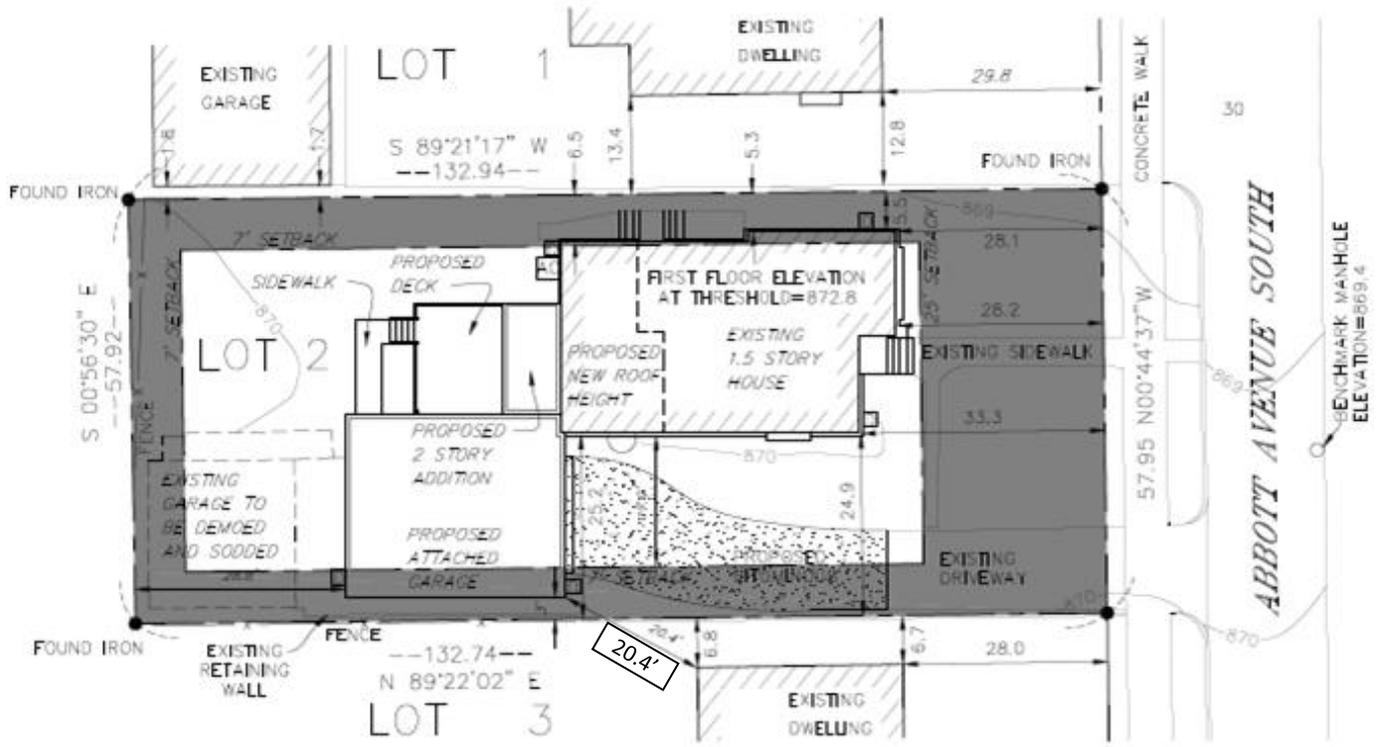
House	1,153 Sq. Ft.
Garage	405 Sq. Ft.
Bituminous Driveway	1,391 Sq. Ft.
Concrete Surfaces	412 Sq. Ft.
Retaining Wall	13 Sq. Ft.

TOTAL EXISTING HARDCOVER 3,374 Sq. Ft.  
AREA OF LOT 7,696 Sq. Ft.

PERCENTAGE OF HARDCOVER TO LOT 43.8%



DWG. NO. 150783 MK



1 SITE PLAN  
 40 SCALE: 1/16" = 1'-0"

**HARDCOVER CALCULATIONS**

Proposed House & Garage	2,032 Sq. Ft.
Proposed Bitum. Driveway	950 Sq. Ft.
Proposed Deck	196 Sq. Ft.
Concrete Sidewalks	451 Sq. Ft.
Existing Retaining Wall	13 Sq. Ft.
<b>TOTAL HARDCOVER</b>	<b>3,642 Sq. Ft.</b>
<b>AREA OF LOT</b>	<b>7,696 Sq. Ft.</b>
<b>BUILDING LOT COVERAGE</b>	<b>26.4% (45% MAX)</b>
<b>IMPERVIOUS SURFACE</b>	<b>47.3% (60% MAX)</b>

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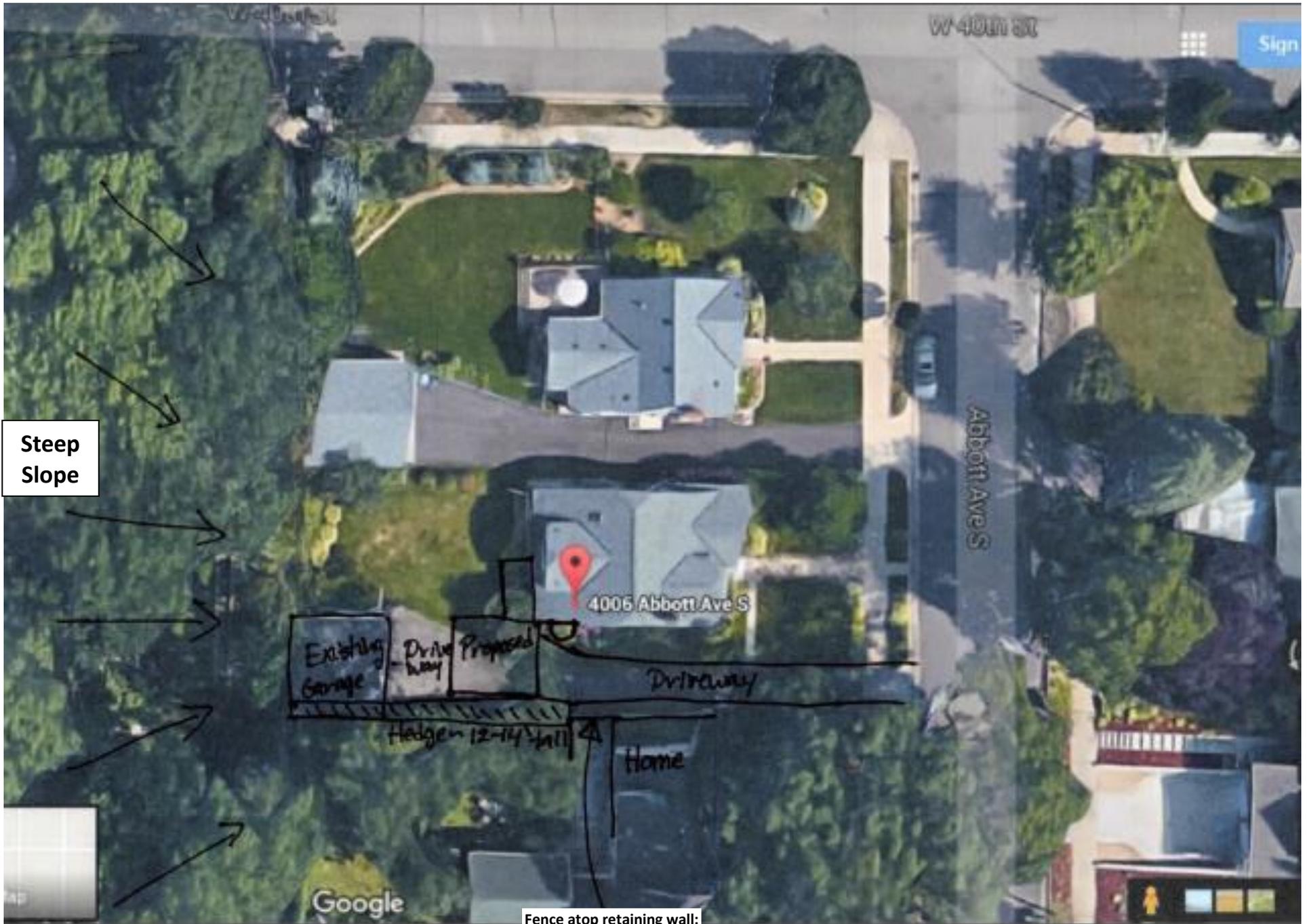


**APPEAL Architects**  
 303 Marwood Avenue S  
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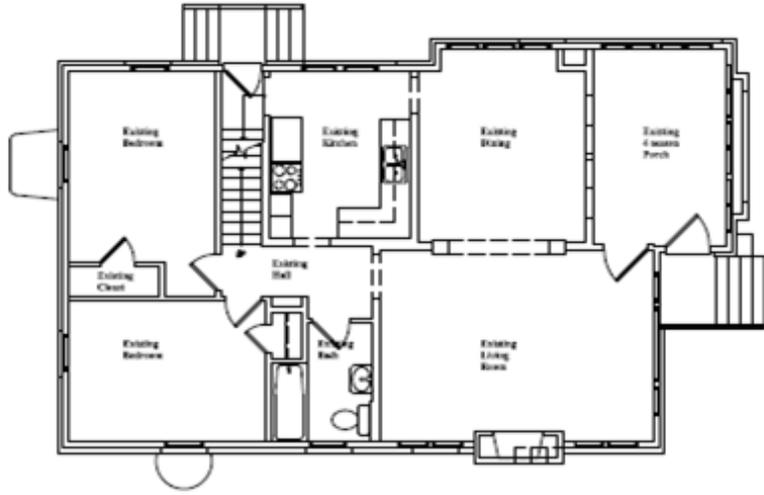
**MONSON ADDITION**  
 4006 Abbott Avenue South  
 Minneapolis, MN 55410  
**NOT FOR CONSTRUCTION**

JOB NO. R-150801  
 DATE ISSUED 9/15/2015  
 DRAWN BY RJW  
 CHECKED BY RJW

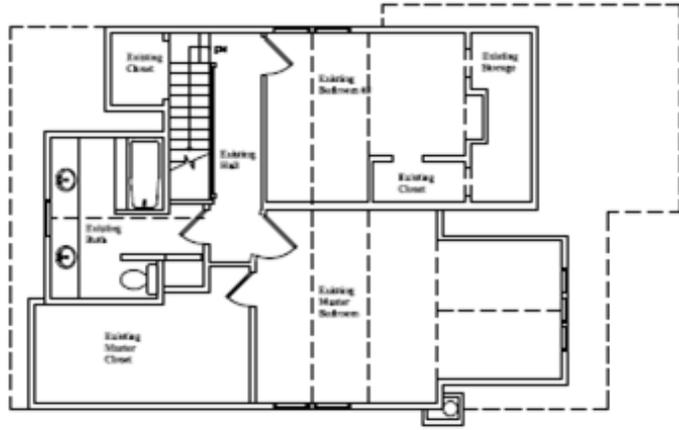
SHEET #  
**A0**



Fence atop retaining wall:  
~9 feet Total Height



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



2 EXISTING FLOOR PLAN - UPPER  
 Exl SCALE: 1/8" = 1'-0"

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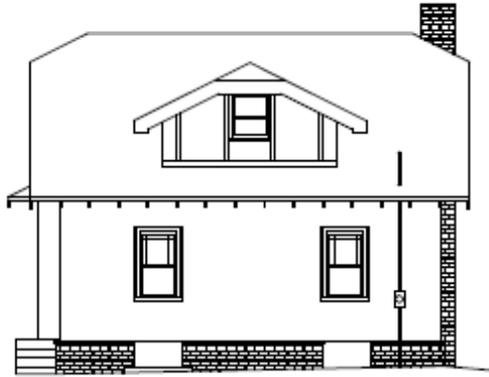
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**Ex1**



1 EXISTING ELEVATION - FRONT  
 Ex2 SCALE: 1/8" = 1'-0"



2 EXISTING ELEVATION - NORTH  
 Ex2 SCALE: 1/8" = 1'-0"



3 EXISTING ELEVATION - REAR  
 Ex2 SCALE: 1/8" = 1'-0"



4 EXISTING ELEVATION - SOUTH  
 Ex2 SCALE: 1/8" = 1'-0"

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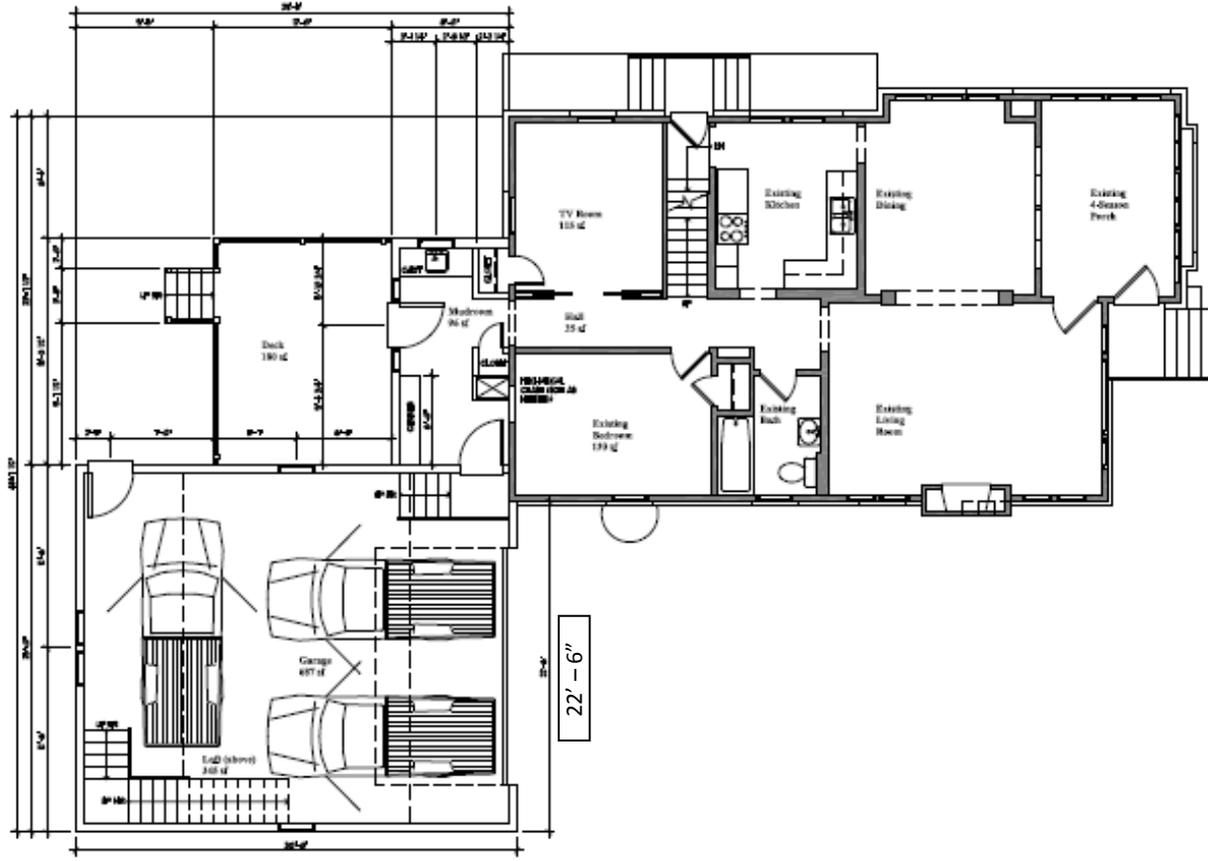
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SHEET #

**Ex2**





1  
A1

FLOOR PLAN - MAIN • 801 of Addition

SCALE 1/8" = 1'-0"

EXISTING IS GRAYED - TYP



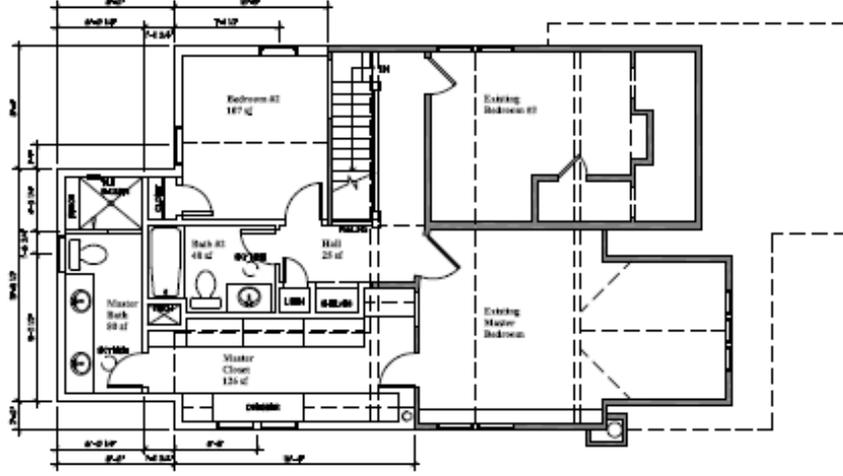
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**A1**



1 FLOOR PLAN - UPPER - 410 of Addition  
 A2 SCALE: 1/8" = 1'-0" EXISTING IS GRAYED -TTP



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**APPEAL**  
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**A2**



UPPER LEVEL WINDOW PERCENTAGE - 30%  
 MAIN LEVEL WINDOW PERCENTAGE - 8%

1 ELEVATION - FRONT  
 A3 SCALE: 1/8" = 1'-0"

EXISTING IS GRAYED -TYP



UPPER LEVEL WINDOW PERCENTAGE - 14%  
 MAIN LEVEL WINDOW PERCENTAGE - 1%

2 ELEVATION - SOUTH  
 A3 SCALE: 1/8" = 1'-0"

EXISTING IS GRAYED -TYP

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SHEET #  
**A3**





UPPER LEVEL WINDOW PERCENTAGE - 1%  
 MAIN LEVEL WINDOW PERCENTAGE - 8%

1  
 44 ELEVATION - REAR  
 SCALE: 1/8" = 1'-0"

EXISTING IS GRAYED - TYP



UPPER LEVEL WINDOW PERCENTAGE - 15%  
 MAIN LEVEL WINDOW PERCENTAGE - 14%

2  
 44 ELEVATION - NORTH  
 SCALE: 1/8" = 1'-0"

EXISTING IS GRAYED - TYP

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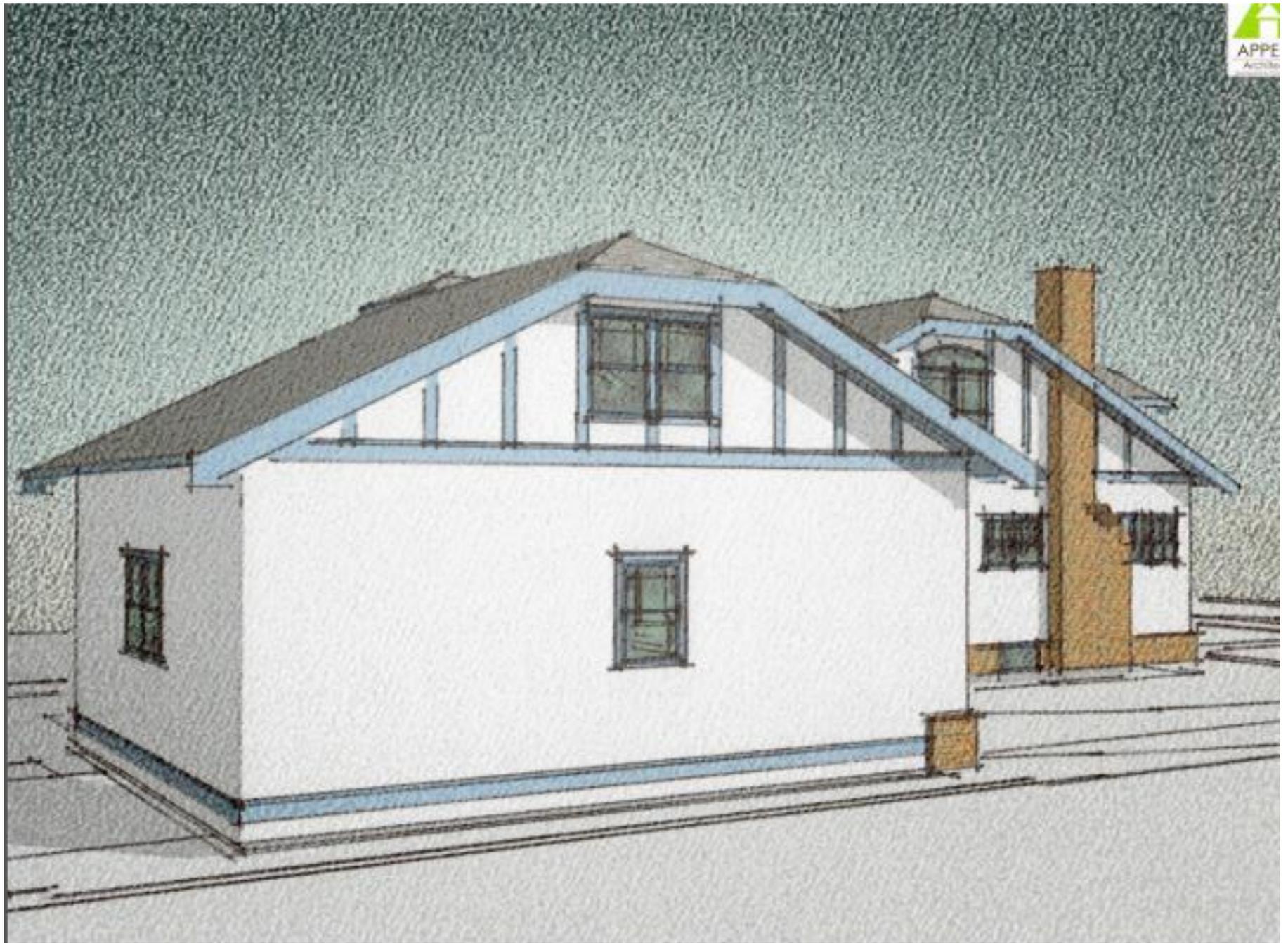
**MONSON ADDITION**  
 4006 Abbott Avenue South  
 Minneapolis, MN 55410  
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JOB NO. R-150801  
 DATE ISSUED 9/15/2015  
 DRAWN BY RJW  
 CHECKED BY RJW

SHEET #

**A4**









Hedge  
~12-14 ft  
Fence  
on wall  
~9 ft



