

LAND USE APPLICATION SUMMARY

Property Location: 4100 Drew Avenue South
Project Name: 4100 Drew Avenue South Deck Addition
Prepared By: Janelle Widmeier, Senior City Planner, (612) 673-3156
Applicant: Jason Good and Lindsey Forsythe
Project Contact: David Lund Design
Request: To allow a deck addition to a single-family dwelling.
Required Applications:

Variance	To reduce the minimum corner side yard requirement adjacent to 41st Street West from 8 feet to 0 feet to allow a deck.
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SITE DATA

Existing Zoning	RIA Single-family District SH Shoreland Overlay District
Lot Area	6,330 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	April 21, 2016	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	June 20, 2016	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The existing single-family dwelling was permitted for construction in 1994 with the “front” of the dwelling facing 41st Street. It also has an attached garage, accessed from the adjacent alley. The site is a corner lot with frontage on Drew Avenue South and 41st Street West. The front lot line is adjacent to Drew Avenue and the corner side lot line is adjacent to 41st Street. The principal entrance currently faces 41st Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The site is located in an area that is predominantly single-family dwellings. Lake Harriet Lower Elementary School is located kiddy-corner from the site.

PROJECT DESCRIPTION. The applicant is proposing to construct an approximately 9.5 foot by 22 foot deck adjacent to the principal entrance facing 41st Street at the property of 4100 Drew Avenue South. Adjacent to 41st Street, an 8 foot wide corner side yard is required. A deck is a permitted obstruction provided it does not exceed 50 square feet and does not extend more than 4 feet into the required yard. The proposed deck is 235 square feet in area and extends more 8 feet into the required yard. A variance is required to reduce the corner side yard requirement.

Please note that the architectural plans reflect the current proposal. The survey indicates that the deck would extend into the interior boulevard of 41st Street. An encroachment into the public right-of-way requires Public Works Department approval, which is not likely to be obtained. Because of this, the applicant revised the proposal. However, the survey was not updated.

PUBLIC COMMENTS. A letter was received from the neighborhood group, Linden Hills Neighborhood Council, and is attached to this report. Any additional 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 corner side yard requirement adjacent to 41st Street West from 8 feet to 0 feet to allow a deck 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. There are limited options to locate outdoor living space, such as a deck, on the property. The existing dwelling occupies most of the buildable area of the site located outside of the required yards. The attached garage is located 8.5 feet from the rear lot line. The garage doors face the alley. The dwelling is built up to the established front yard setback. There is also little buildable area on the south side of the dwelling because decks of any size are not permitted obstructions in required interior side yards. Further, an air conditioning condenser, an egress window well, a landing, walkway and gas meter are already located on the south side of the dwelling. The interior layout of the dwelling also affects placement of the proposed deck. A bedroom is located on the east side of the dwelling facing Drew Avenue, while the common areas are located in the center of

the home. The current owners purchased the property less than 3 years ago and therefore did not create these circumstances.

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 proposal would comply with all other district regulations. The new deck would be built up to the lot line adjacent to 41st Street. The proposal would have no impacts on adjacent properties access to light, air and open space. The deck would be separated from the public sidewalk by 1.7 feet of landscaping and plantings (as noted in the project description, the deck cannot extend into the public right-of-way). The deck would have an open design with a two foot tall platform to minimize any massing effects. 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. The new deck would be built up to the lot line adjacent to 41st Street. The proposal would have no impacts on adjacent properties access to light, air and open space. Landscaping and plantings would buffer the deck from the public sidewalk. The deck would have an open design with a two foot tall platform to minimize any massing effects. The decking would be ipe wood and the railings would consist of stainless steel cables with a wood cap. As part of the project, a new patio door opening would be added facing 41st Street. There is very little fenestration on both street facing sides of the dwelling. The additional windows and the deck would create more opportunities for natural surveillance of the surrounding area. The proposed variance would 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 and with the adoption of the recommended conditions of approval.

Additional Standards for Variances within the SH Shoreland Overlay District

In addition, the Planning Commission shall consider, but not be limited to, the following factors when considering conditional use permit or variance requests within the SH Shoreland Overlay District:

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

The site is not located on a steep slope and is relatively flat. The applicant has indicated that silt socks will be employed until adequate ground covers are reestablished. Also, the time needed for construction is expected to be short with footings taking only a day.

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

The site is located over a block from a pond located in Edina. The area between the protected water and the subject property is developed with single-family dwellings. The proposed addition will not be visible due to the existing development, topography and vegetation.

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

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 application by Jason Good and Lindsey Forsythe for the property located at 4100 Drew Avenue South:

A. Variance to reduce the minimum corner side yard requirement.

Recommended motion: **Approve** the application for a variance to reduce the minimum corner side yard requirement adjacent to 41st Street West from 8 feet to 0 feet to allow a deck, subject to the following conditions:

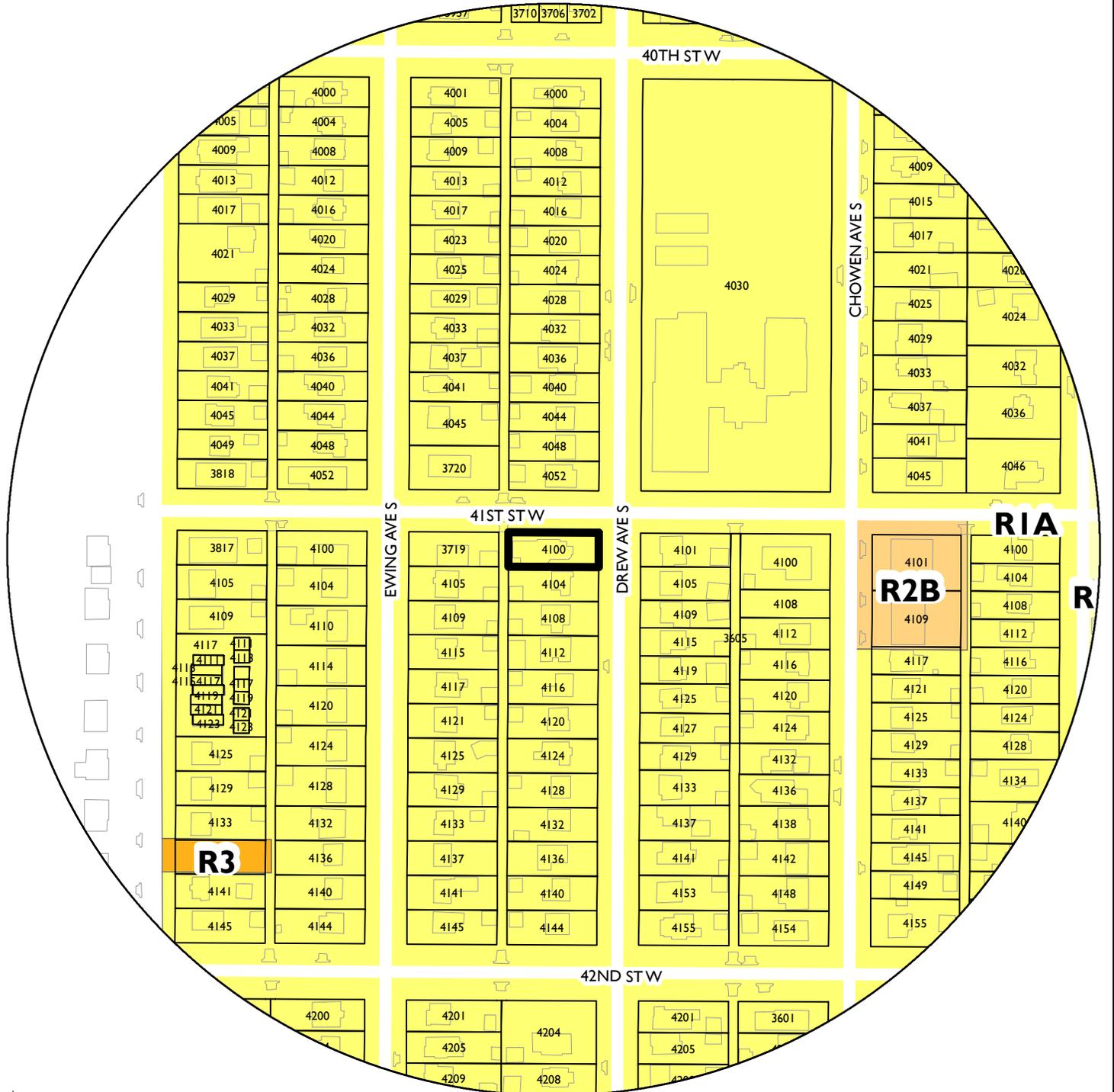
1. The finish materials used for the deck shall be high quality and consistent with the exterior materials of the principal structure on the property. Railings shall be less than 50 percent opaque.
2. Landscaping shall be provided as a buffer between the deck and public sidewalk.
3. Approval of the final site, landscaping, and elevation plans by the Department of Community Planning and Economic Development.
4. All site improvements shall be completed by May 19, 2018, 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 (please refer to the site plan for the proposed deck location)
4. Site survey with yard requirements and buildable area
5. Site plan
6. Plans
7. Elevations
8. Photos
9. Public comments

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

4100 Drew Avenue South

FILE NUMBER

BZZ-7671

21-April-16

Project Description – Deck Addition

Property Address: 4100 Drew Avenue South, Minneapolis 55410

525.500 - Required 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.

General Conditions

- > The home owners have been in the property for 2.5 years and have made no property improvements or alterations that have contributed to the difficulty in building a code-compliant deck.
- > The home owners have no financial incentive to build a deck in the proposed location
- > The homeowners have also experienced modest vandalism and nuisance behavior at the busy corner location [41st & Drew Avenue], concentrated in the evening hours. Part of the intent of the proposed deck addition is to introduce “Eyes on the Street”, an initiative supported and promoted by the city of Minneapolis. A homeowner presence in the evenings would greatly discourage such behavior.

Currently the property has no deck. The proposed location [North Side of property] is the only location that can accommodate a deck due to the following existing conditions:

South Side

This area was initially considered, but proved unsatisfactory for the following reasons:

- > Existing A/C unit would have to be relocated to allow for a deck
- > Existing egress window would be covered
- > Existing gas meter would need to be relocated
- > A majority of the 5' of interior side yard is occupied with existing circulation/landing, forcing any new deck toward the front yard
- > An elevated deck would place “eye balls” at the height of and in very near proximity to neighbor’s windows

West Side

- > The attached garage, concrete walkway, and driveway combine to take up the rear of the property, leaving no room for a deck

East Side

- > A deck at the front of the house would be highly visible and “out of step” with houses on block, placing the deck in a very forward and exposed condition with no direct or easy connection with the interior of the house.



[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 homeowner is seeking to create an exterior space that improves the value of the property and the livability of the house, as well as connects it more directly to the outdoors. The block is active and vital - full of families with young kids. The homeowners desire an outdoor family and entertaining space that will allow them to accommodate family and friends.
- > Introducing a deck to the house at this busy intersection would place "Eyes on the Street" and create a presence that ideally deters the minor vandalism and nuisance behavior experienced in the past.
- > The presence and visibility of the deck being minimized by its low profile [only 24" above grade]. It will also be anchored by base plantings and landscaping, further integrating it to the site and the house.

[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 deck would be built with high-quality, long lasting materials in keeping with the spirit and contemporary design aesthetic of the house. The following materials have been specified:
 - Decking [Ipe] - a rot and decay resistant, chocolate-colored South American hard wood
 - Railing – a braided stainless steel cable with wood cap, a railing system that minimizes the visibility of the railing from the street and surrounding properties.
- > The deck has been located tight to the house and integrated with an existing conc. landing to anchor the structure. It has also been kept low to the ground [approx. 24" above grade] to keep it's profile minimal.
- > There is no direct neighbor or property immediately impacted by the project, as it would face the boulevard and street. The nearest house is nearly 80' away.
- > New landscaping will be introduced as well, further integrating the deck with the property.

Shoreland Overlay District [551.440]

The proposed project is on the outer edge of a Shoreland Overlay District. As such the project will address the three stipulations in the following manner.

[1] The prevention of soil erosion or other possible pollution of public waters, both during and after construction.

- > The project benefits from being on an essentially flat parcel of land, which reduces the likelihood of runoff and erosion. However, additional measures will be taken, including an erosion control "silt sock". The silt sock allows water to flow through at a controlled rate while trapping sediment. This is accomplished by a filter fabric filled with organic material. The design of the sock provides intimate contact with the ground preventing water from flowing underneath. The sock will surround the perimeter of the build site, be laid at the start of construction and remain until project completion.

> As a guide to stormwater management efforts, the project shall follow the below city ordinance:

551.530. - Stormwater management

All development shall comply with all applicable regulations governing stormwater management, and shall employ best management practices to minimize off-site stormwater runoff, maximize overland flow and flow distances over surfaces covered with vegetation, increase on-site filtration, replicate predevelopment hydrologic conditions as nearly as possible, minimize off-site discharge of pollutants to ground and surface water, and encourage natural filtration function.

- > Also, footings will be dug, poured, and backfilled in as quick a manner as possible, ideally in a single day.
- > Following the completion of the project, the reaming construction site will be landscaped to capture and retain rain water and reduce soil erosion and run off.

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

Given that we are not actually on the water's edge, there is no proposed solution to this stipulation.

[3] The suitability of the protected water to safely accommodate the types, uses and numbers of watercraft that the development may generate. N/A

546.220. – R-1 Yard Requirements [table 546-2]

Required Yards for Single-family Dwellings and Permitted Community Residential Facilities [Feet]

Corner Side Yard Setback = 8'

- > It is proposed that the deck come up to the lot line with a 0' setback [this still keeps the existing 1'-7" for Public Works access]. Chapter 546 stipulates that objects may encroach only 4' into the 8' corner side yard setback. This limit would allow for a deck of only 4' in width. With no other viable location on the property to place a deck, the proposed location is the only remaining section of the site large enough, if allowed the 0' setback request is allowed.
- > No modifications have been made that eliminated other property locations from consideration.

LEGAL DESCRIPTION:

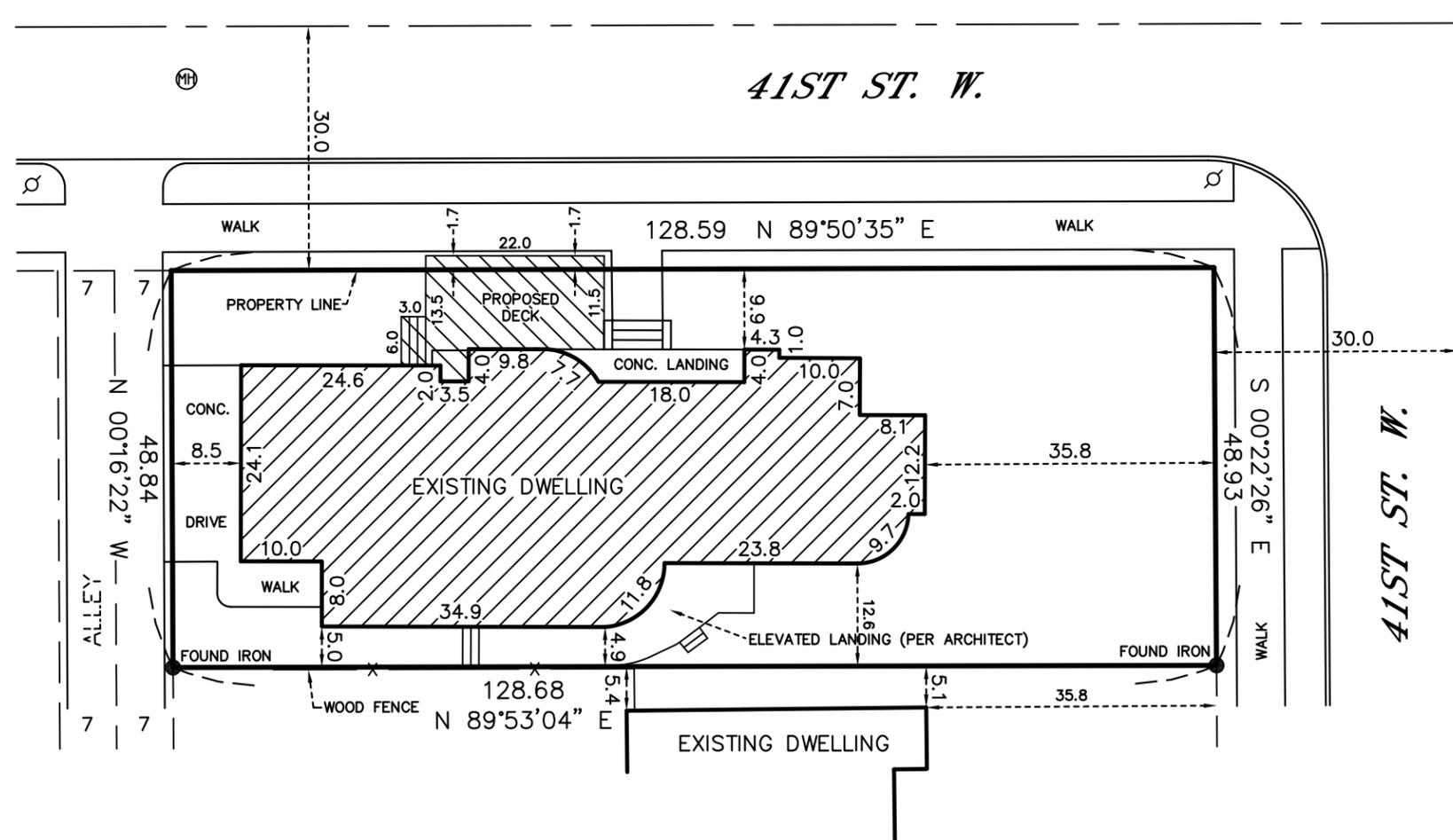
Lot 1, Auditor's Subdivision No. 131, Hennepin County, Minnesota, except alley.

SCOPE OF WORK & LIMITATIONS:

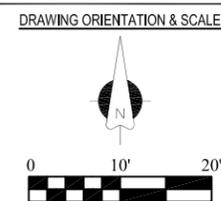
1. Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
2. Showing the location of observed existing improvements we deem necessary for the survey.
3. Setting survey markers or verifying existing survey markers to establish the corners of the property.
4. While we show proposed improvements to your property, we are not as familiar with your plans as you are, nor are we as familiar with the requirements of governmental agencies as their employees are. We suggest that you review the survey to verify that the proposed improvements we show are what you intend to build and submit the survey to such governmental agencies that may have jurisdiction over your project. You should gain their approval, if you can, before beginning construction or planning improvements to the property.

STANDARD SYMBOLS & CONVENTIONS:

"●" Denotes iron survey marker, set, unless otherwise noted.



DATE	REVISION DESCRIPTION
2/29/16	TO SHOW PROPOSED DECK



CLIENT/JOB ADDRESS

DAVID LUND

4100 DREW AVE. S.
MINNEAPOLIS, MN

Advance
Surveying & Engineering, Co.

5300 South Hwy. No 101
Minnetonka, Minnesota 55345
Phone (952) 474-7964
Web: www.advsur.com

I HEREBY CERTIFY THAT THIS PLAN, SURVEY OR REPORT WAS PREPARED BY ME OR UNDER MY (DIRECT) SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Wayne Kuehs

NAME: #43503
LICENSE NO.: FEB. 29, 2016
DATE

DATE SURVEYED: FEB. 25, 2016

DATE DRAFTED: FEB. 29, 2016

SHEET TITLE

PROPOSED SURVEY

DRAWING NUMBER

160072 2016 02 29 WP

SHEET NO.

S1

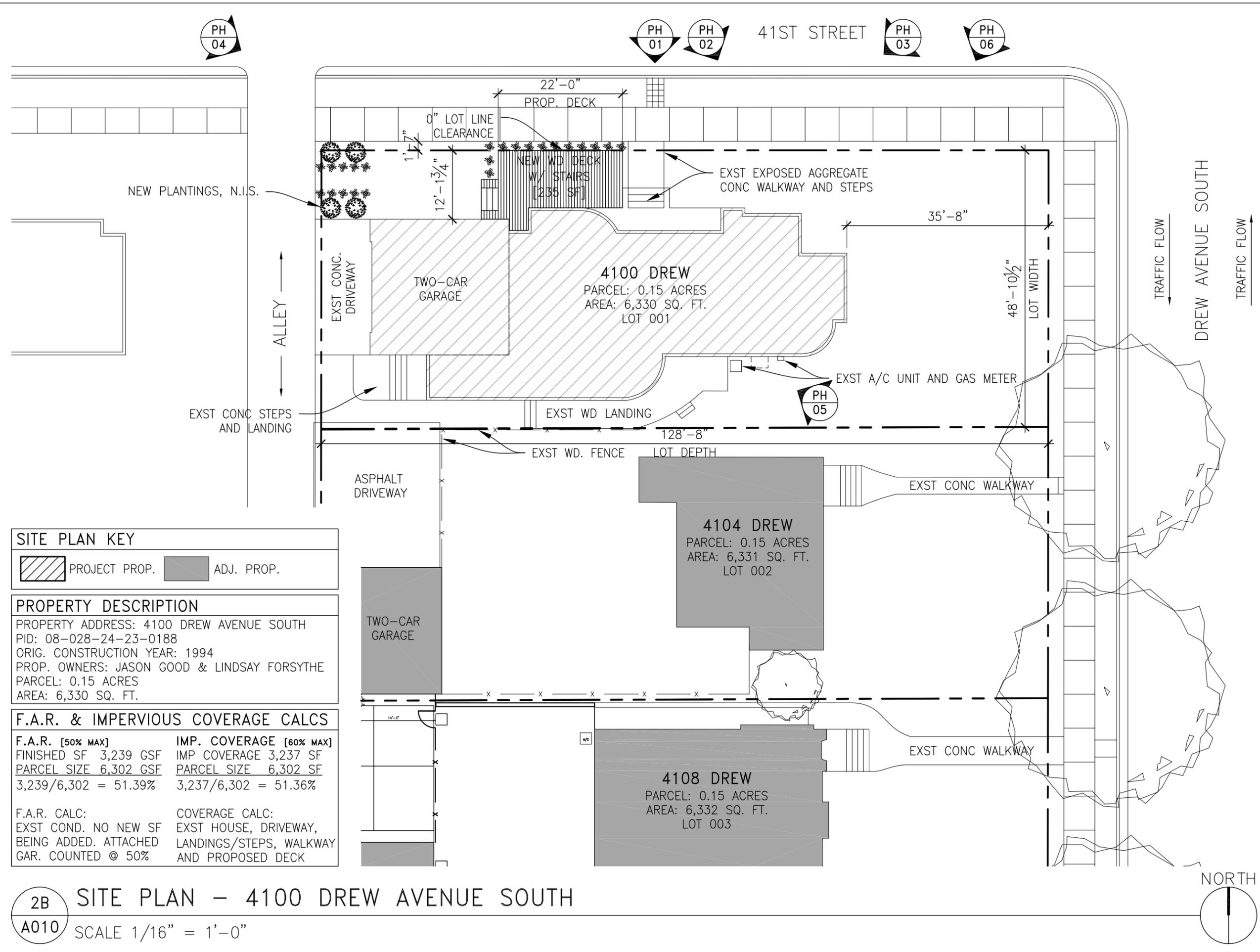
SHEET 1 OF 1

APRIL 18, 2016

VARIANCE SET

Good/Forsythe Residence | 4100 Drew Avenue South | Minneapolis, Minnesota 55410

david lund design
architecture + interiors



SITE PLAN KEY

	PROJECT PROP.		ADJ. PROP.
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PROPERTY DESCRIPTION

PROPERTY ADDRESS: 4100 DREW AVENUE SOUTH
 PID: 08-028-24-23-0188
 ORIG. CONSTRUCTION YEAR: 1994
 PROP. OWNERS: JASON GOOD & LINDSAY FORSYTHE
 PARCEL: 0.15 ACRES
 AREA: 6,330 SQ. FT.

F.A.R. & IMPERVIOUS COVERAGE CALCS

F.A.R. [50% MAX]		IMP. COVERAGE [60% MAX]	
FINISHED SF	3,239 GSF	IMP COVERAGE	3,237 SF
PARCEL SIZE	6,302 GSF	PARCEL SIZE	6,302 SF
3,239/6,302 = 51.39%		3,237/6,302 = 51.36%	

F.A.R. CALC:
 EXST COND. NO NEW SF
 BEING ADDED. ATTACHED
 GAR. COUNTED @ 50%

COVERAGE CALC:
 EXST HOUSE, DRIVEWAY,
 LANDINGS/STEPS, WALKWAY
 AND PROPOSED DECK

2B SITE PLAN - 4100 DREW AVENUE SOUTH
 A010 SCALE 1/16" = 1'-0"

PROJECT
Good & Forsythe
Residence Remodel

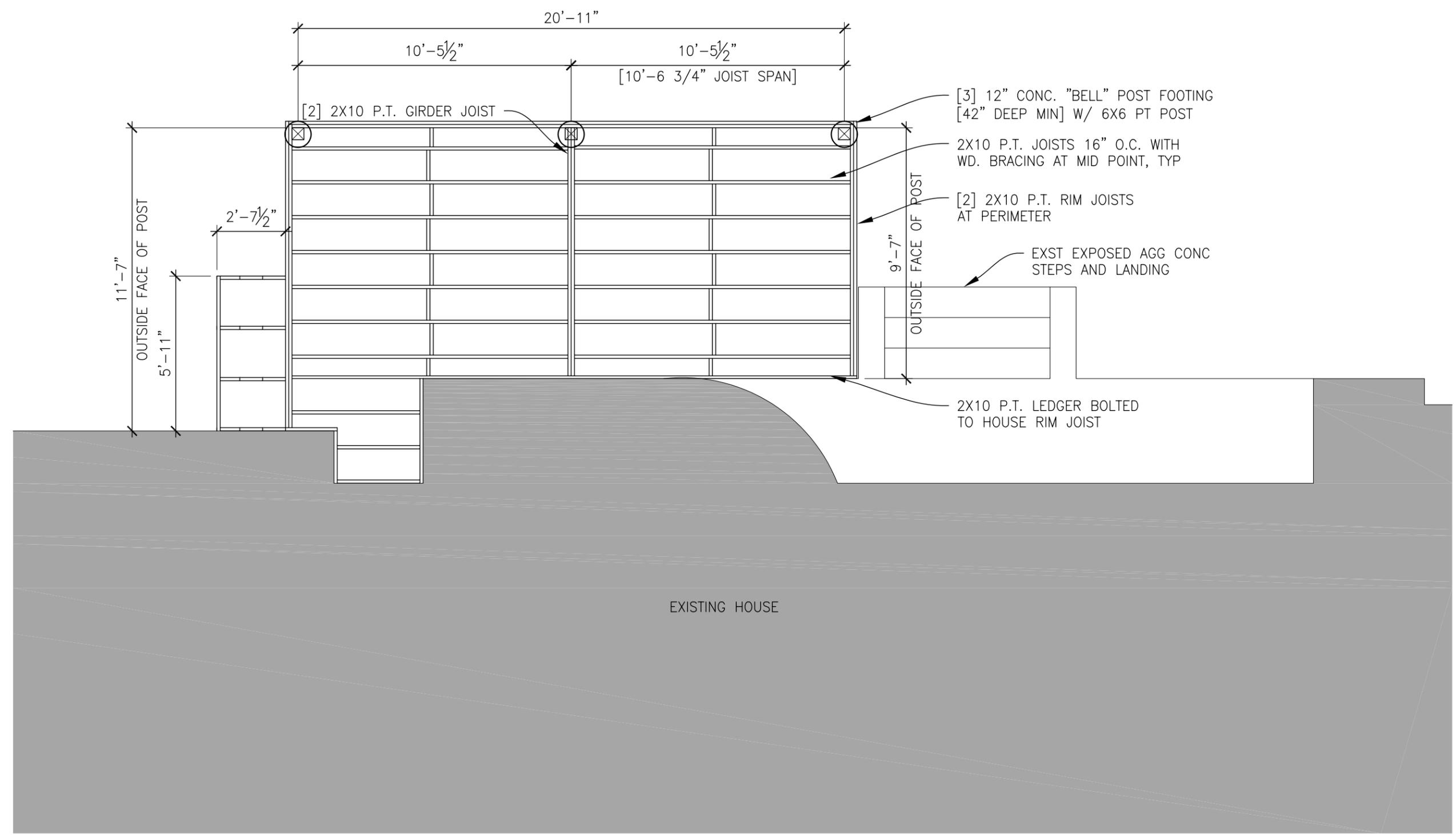
PROJECT ADDRESS
4100 Drew Avenue
Minneapolis, MN 55410

REVISIONS
1 24-SEP-15
2 00-XXX-15
2 00-XXX-15

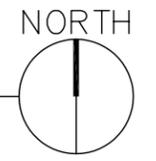
COMM. NO. G001501
DATE 18-APR-16
DRAWN BY DVL
CHECKED BY DVL

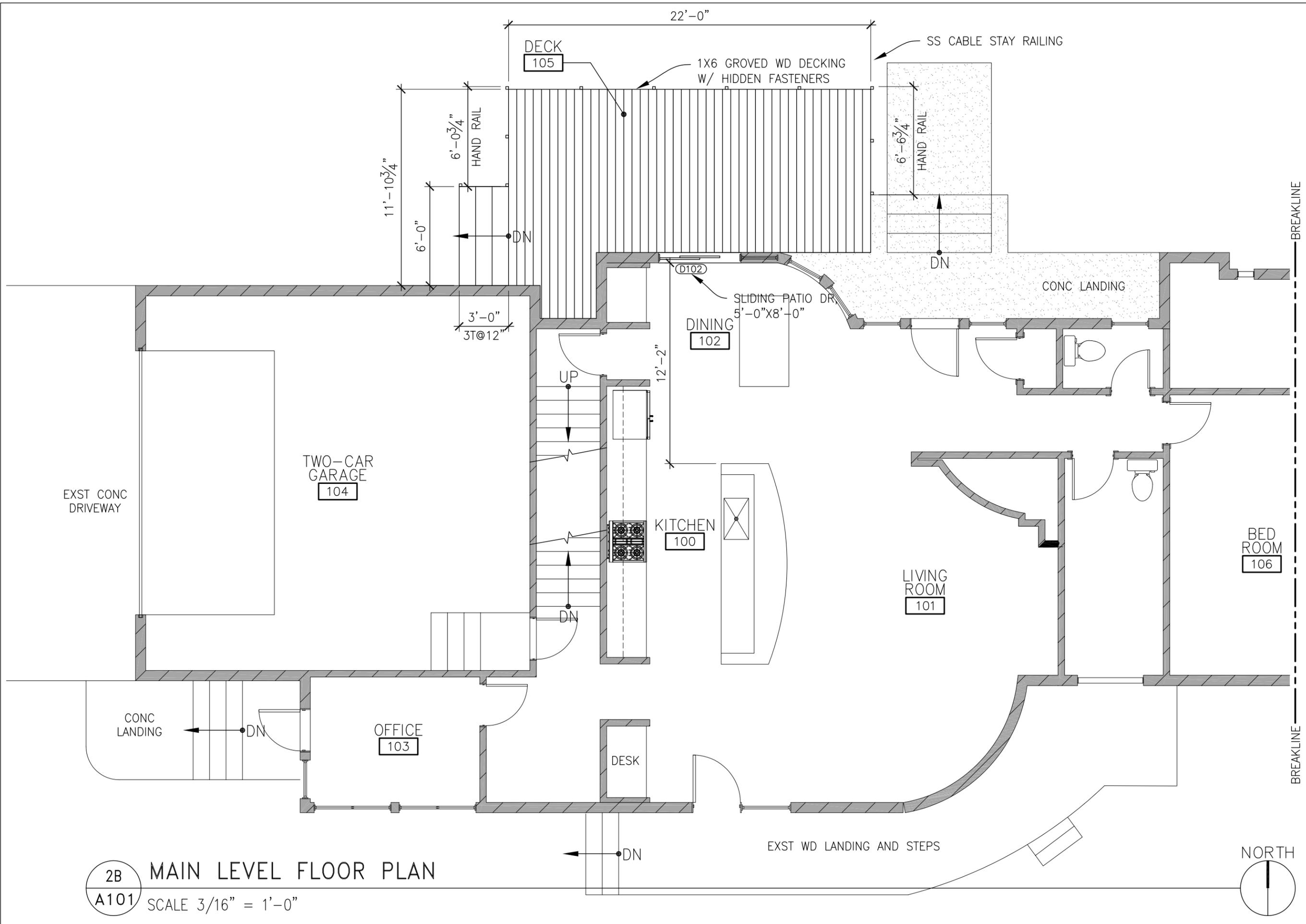
DRAWING TITLE
Lower Level Floor Plan

SHEET NUMBER
a100
© 2016 david lund design



2B LOWER LEVEL/FOUNDATION FLOOR PLAN
A100 SCALE 1/4" = 1'-0"





VARIANCE SET

david.v.lund@gmail.com
[mobile] 612-209-0913

davidlund design
architecture + interiors

PROJECT
Good & Forsythe Residence Remodel

PROJECT ADDRESS
4100 Drew Avenue
Minneapolis, MN 55410

REVISIONS

1 24-SEP-15

2 00-XXX-15

2 00-XXX-15

COMM. NO. G001501

DATE 18-APR-16

DRAWN BY DVL

CHECKED BY DVL

DRAWING TITLE
Main Level Floor Plan

SHEET NUMBER
a101

© 2016 davidlund design

2B MAIN LEVEL FLOOR PLAN
A101 SCALE 3/16" = 1'-0"



EXPOSED AGG CONC
STEPS AND LANDING

NEW CLAD SLIDING PATIO DR
W/ SCREEN DR, 5'-0"X8'-0",
MATCH EXST COLOR AND STYLE

METAL TUBE, WD HAND RAIL,
S.S. CABLE STAY RAILING,
FACE MOUNTED

WD TREADS & RISERS,
SAME MATERIAL AS DECKING

WD SKIRT, SAME MATERIAL
AS DECKING

2B NORTH ELEVATION
A203 SCALE 1/4" = 1'-0"

VARIANCE SET
david.v.lund@gmail.com
[mobile] 612-209-0913

davidlunddesign
architecture + interiors

PROJECT
Good & Forsythe
Residence Remodel

PROJECT ADDRESS
4100 Drew Avenue
Minneapolis, MN 55410

REVISIONS
1 24-SEP-15
2 00-XXX-15
2 00-XXX-15

COMM. NO. G001501
DATE 18-APR-16
DRAWN BY DVL
CHECKED BY DVL

DRAWING TITLE
North Elevation

SHEET NUMBER
a203
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Photo 1



4100

Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



April 26, 2016

Janelle Widmeier, Senior City Planner
Department of Community Planning &
Economic Development - Planning Division
250 S. 4th St. Room 300
Minneapolis, MN 55415

Re: LHINC Zoning and Housing Committee April Meeting: 4100 Drew Ave S.

Dear Ms. Widmeier,

ON Monday April 18th, 2016, the ZONING AND HOUSING COMMITTEE made a motion and voted to:

SUPPORT THE TWO VARIANCES for the exterior wood deck at 4100 Drew Ave. So.

- 1) Variance to exceed the 50s.f. maximum requirement in total area. (New total s.f. area is 235 s.f.)
- 2) Variance to encroach 4 feet into the corner side yard setback.

Please contact me if you have any questions.

Regards,

Christy Prediger
Linden Hills Neighborhood Coordinator
(612) 481-5574

cc: Walter Pitt, Zoning Committee Chair
David Lund, Architect, David Lund Design
Jason Good / Lindsay Forsythe, Property Owners, 4100 Drew Ave S.