

**LAND USE APPLICATION SUMMARY**

*Property Location:* 1800 East 52nd Street  
*Project Name:* 1800 East 52nd Street Detached Garage  
*Prepared By:* [Janelle Widmeier](#), Senior City Planner, (612) 673-3156  
*Applicant:* Jennifer Roelke  
*Project Contact:* Ken Nelson, Hoffman Weber Construction  
*Request:* To construct a detached garage accessory to a single-family dwelling.  
*Required Applications:*

<b>Variance</b>	To reduce the minimum front yard requirement on a reverse corner lot adjacent to 18 <sup>th</sup> Avenue South from 30 feet to 3 feet to allow a detached garage and to 0 feet to allow a retaining wall not retaining natural grade.
<b>Variance</b>	To allow the garage to be located 2.75 feet from habitable space of a dwelling.
<b>Variance</b>	To allow a garage to be located between a dwelling and a street (18 <sup>th</sup> Avenue South).

**SITE DATA**

<b>Existing Zoning</b>	RIA Single-family District AP Airport Overlay District SH Shoreland Overlay District
<b>Lot Area</b>	5,055 square feet
<b>Ward(s)</b>	11
<b>Neighborhood(s)</b>	Hale/Page/Diamond Lake
<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 4, 2016	<b>Date Extension Letter Sent</b>	Not applicable
<b>End of 60-Day Decision Period</b>	December 3, 2016	<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 moved onto the subject property in 1960. There is an existing 18.5 foot by 22 foot detached garage located in the northwest corner adjacent to 18<sup>th</sup> Avenue that was permitted for construction in 1961. The site has frontage on two streets (18<sup>th</sup> Avenue South and 52<sup>nd</sup> Street East) and is a reverse corner lot. The underlying platted lots are oriented east to west, which results in the front lot line adjacent to 18<sup>th</sup> Avenue. Although 18<sup>th</sup> Avenue is the true front of the property, both the house and the garage face and are accessed from 52<sup>nd</sup> Street.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The surrounding properties are predominately single-family dwellings. The subject site is located one block from Lake Nokomis.

**PROJECT DESCRIPTION.** The applicant is proposing to remove the existing garage and replace it with a new detached, 22 foot by 22 foot garage. The new garage would be located in approximately the same location as the existing garage. All detached accessory structures are required to be located at least 6 feet from habitable space of a dwelling. The proposed garage would be 2.75 feet from the residential structure. The garage is also required to be located entirely to the rear of the principal residential structure, but would be located between the dwelling and 18<sup>th</sup> Avenue. The minimum front yard requirement along 18<sup>th</sup> Avenue is equal to the setback created by the established setback of the adjacent property to the north by a line joining the part of the building nearest to the front lot line or 20 feet, whichever is greater. The structure to the north is set back 30 feet, therefore the established setback requirement applies. Variances are required to reduce the front yard requirement, to allow the garage to be located closer than 6 feet from habitable space of a dwelling, and to allow it to be located between the dwelling and the street. The applicant is also proposing to infill the grade between an existing retaining wall and the new west wall of the garage. A new retaining wall would be constructed parallel to the front, south wall of the garage. Because the new retaining wall would not be retaining natural grade, it is not a permitted obstruction and also requires a variance to reduce the minimum front 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 1) a variance to reduce the minimum front yard requirement on a reverse corner lot adjacent to 18<sup>th</sup> Avenue South from 30 feet to 3 feet to allow a detached garage and to 0 feet to allow a retaining wall not retaining natural grade, 2) a variance to allow the garage to be located 2.75 feet from habitable space of a dwelling, 3) a variance to allow a garage to be located between a dwelling and a street (18<sup>th</sup> Avenue South) 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.*

**All variances:** Practical difficulties exist in complying with the ordinances due to circumstances unique to the property. There are limited options where a garage can be located. The site is a reverse corner lot with front yards required along 18<sup>th</sup> Avenue and 52<sup>nd</sup> Street. The proposed garage would replace an existing garage in nearly the same location. The garage width would increase by 3.5 feet. The existing garage is located entirely in the front yard adjacent to 18<sup>th</sup> Avenue, is 2.75 feet from habitable space of the dwelling and is located between the dwelling and 18<sup>th</sup> Avenue. The west wall of the new garage would be located one foot closer to the 18<sup>th</sup> Avenue than the existing garage, but would not be any closer to the adjacent residential property to the north. The existing garage has driveway access from 52<sup>nd</sup> Street. The new garage would utilize the existing driveway. Constructing a garage more internal to the site, such as in the northeast corner, would likely require a new driveway access. Accessing a garage from 18<sup>th</sup> Avenue is not practical because there is approximately a 4 foot grade change between the subject property and the public sidewalk. The 4 foot grade change between the existing retaining wall adjacent to the public sidewalk and the garage has become a safety concern for the property owners. They are proposing to infill the narrow space to address these concerns. To retain the new grade, which would be at the same grade as the adjacent sidewalk, the applicant is proposing to install a retaining wall in line with the front of the new garage.

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.*

**All 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 separation requirement is to provide adequate separation between detached accessory structures and dwellings. The intent of the location requirement for garages is to ensure that the structure appears subordinate to the principal dwelling and to reinforce the traditional character of residential neighborhoods.

The applicant is proposing to replace the existing garage with a new garage in approximately the same location of the site and utilize the existing driveway. The new garage would be 3.5 feet wider than the existing garage. It would be one foot closer to 18<sup>th</sup> Avenue as well, but would maintain the same 4 foot setback from the north lot line and 2.75 feet of separation from the dwelling as the existing garage. The height is also approximately the same. Although the garage location interrupts the established front yard setback of the block, the garage would be constructed at a lower elevation. The new retaining wall would support infill between the existing retaining wall (to be removed) and garage that currently presents safety concerns. The infill would match the grade level of the adjacent public sidewalk. The applicant is proposing landscaping along the retaining wall. To soften the impact of the garage along the street and from the adjacent property, CPED staff is also recommending that a landscape buffer be established between the garage and the front and side lot lines. With the adoption of the staff recommendation, the requests are 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.*

**All variances:** The granting of the variances would not affect the character of the area or be injurious to the use or enjoyment of other property in the vicinity. The surrounding uses are predominantly single-family dwellings. The applicant is proposing to replace the existing garage with a new garage in approximately the same location of the site and utilize the existing driveway. The new garage would be 3.5 feet wider than the existing garage. It would be one foot closer to 18<sup>th</sup>

Avenue as well, but would maintain the same 4 foot setback from the north lot line and 2.75 feet of separation from the dwelling as the existing garage. The height is also approximately the same. Although the garage location interrupts the established front yard setback of the block, the garage would be constructed at a lower elevation. The new retaining wall would support infill between the existing retaining wall (to be removed) and garage that currently presents safety concerns. The infill would match the grade level of the adjacent public sidewalk. The design of the garage would be compatible with the design of the dwelling. The roof pitches and exterior materials would match. The dwelling is proposed to be re-clad with lap siding. The applicant is proposing landscaping along the retaining wall. To soften the impact of the garage along the street and from the adjacent property, CPED staff is also recommending that a landscape buffer be established between the garage and the front and side lot lines. 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 and retaining wall are constructed to current building codes.

**Additional Standards for Variances within the SH Shoreland Overlay District**

In addition, the Zoning Board of Adjustment 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. *Prevention of soil erosion or other possible pollution of public waters, both during and after construction.*

The site is near Lake Nokomis. Due to the scope of the project, minimal excavation is expected and impacts on the existing grade and soil would not be significant to create erosion control issues. The retaining wall and new garage would support the grade between the public sidewalk and the subject property. Landscaping would also be installed post-construction.

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

All construction would occur on the west side of the site, farthest away from the lake. The retaining wall and garage would not be visible because of existing development, topography, and vegetation.

2. *The suitability of the protected water to safely accommodate 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 applications by Jennifer Roelke for the property located at 1800 East 52nd Street:

**A. Variance to reduce the front yard requirement.**

Recommended motion: **Approve** the variance to reduce the minimum front yard requirement on a reverse corner lot adjacent to 18th Avenue South from 30 feet to 3 feet to allow a detached garage and to 0 feet to allow a retaining wall not retaining natural grade, subject to the following conditions:

1. Landscaping shall be installed between the garage and the north and west lot lines.
2. Approval of the final site and elevation plans by the Department of Community Planning and Economic Development.

3. All site improvements shall be completed by October 27, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

**B. Variance to allow the garage to be located less than 6 feet from habitable space of a dwelling.**

Recommended motion: **Approve** the variance to allow the garage to be located 2.75 feet from habitable space of a dwelling, subject to the following conditions:

1. Approval of the final site and elevation plans by the Department of Community Planning and Economic Development.
2. All site improvements shall be completed by October 27, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

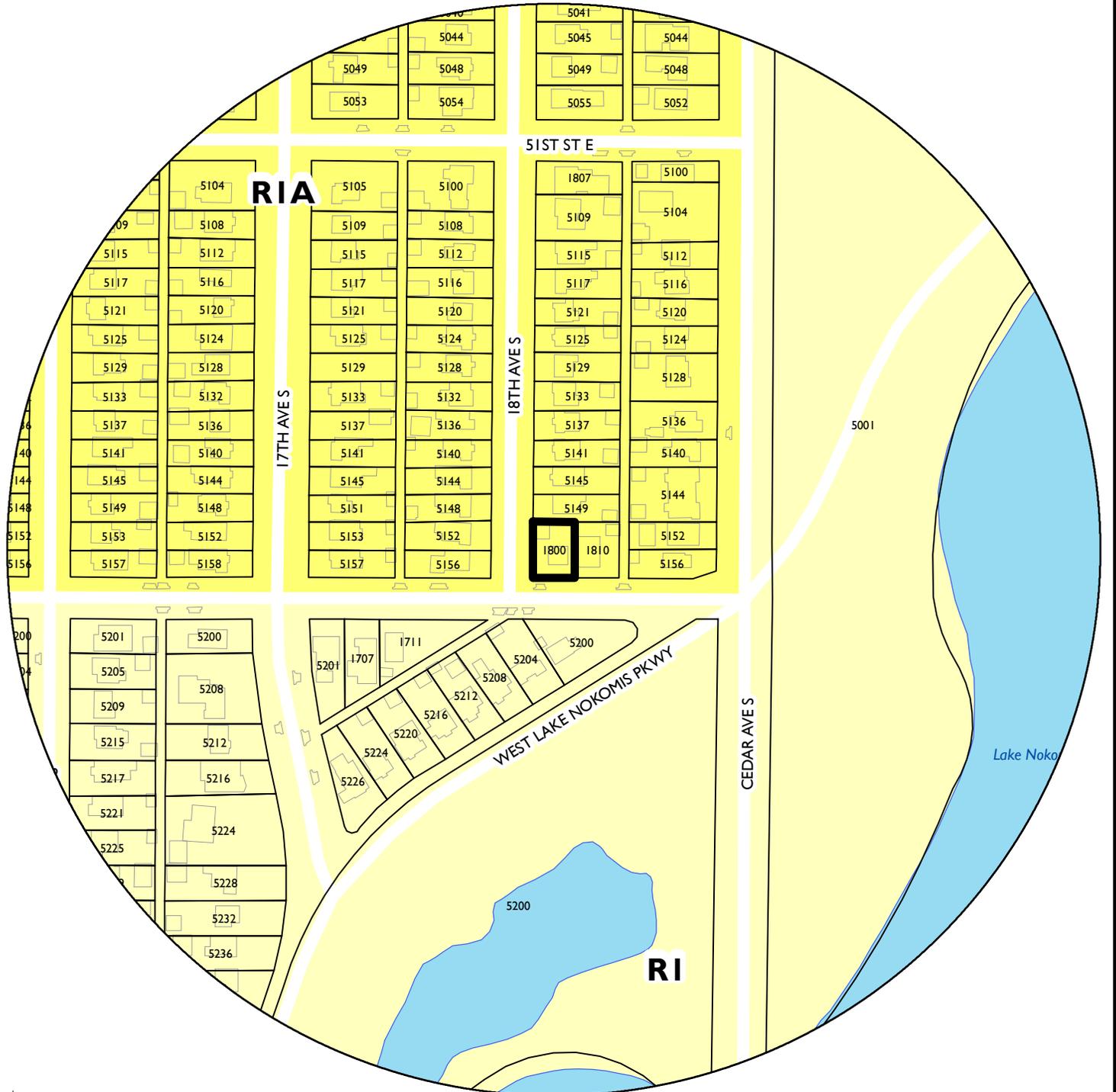
**C. Variance to allow the garage to be located between a dwelling and a street.**

Recommended motion: **Approve** the variance to allow a garage to be located between a dwelling and a street (18th Avenue South), subject to the following conditions:

1. Landscaping shall be installed between the garage and the north and west lot lines.
2. Approval of the final site and elevation plans by the Department of Community Planning and Economic Development.
3. All site improvements shall be completed by October 27, 2018, 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. Site survey
4. Site plan
5. Building elevations
6. Photos



PROPERTY ADDRESS  
**1800 East 52nd Street**

FILE NUMBER  
**BZZ-7973**

Variance application for 1800 E. 52<sup>nd</sup> St, 55417

Submitted by:

Hoffman Weber Construction

3515 48<sup>th</sup> Ave N, Brooklyn Center 55429

Contact: Ken Nelson—612-227-8748 [knelson@hwconstruction.com](mailto:knelson@hwconstruction.com)

We are proposing to remove the existing garage and cement floor (driveway remains). Rebuild a larger garage by 3', with the proposed use of housing two cars. Only one car fits in the current garage. The new garage will have cement block walls on the street side and back of the new structure up to the grade of the sidewalk on 18<sup>th</sup>. This will enable us to fill in and landscape the existing gap between the sidewalk and current garage. There will be new retaining wall installed along the driveway from the front of the garage to the sidewalk in front of 52<sup>nd</sup> St. We are also re-roofing/siding/gutters the porch of the existing house, with the same LP Smartsiding and new architectural shingles as the new garage.

The first variance is for building a garage within 5' of the property line. The difficulty in complying with this ordinance is that the existing garage is already within the 5' mark and in order to expand the width to accommodate two cars, while keeping the existing driveway. They will be using this increased space in a way that is consistent with its current use (only more useful—to cover two cars vs one). The space will actually become more safe, since we will be filling in the gap between the sidewalk and garage, thereby eliminating a falling hazard.

The second variance is due to the garage being less than 6' from the house. The depth of the lot and the current house position make it impossible to build a usable garage and be further than 6' away. The new garage will be no closer to the house than the current garage is. It will be used in a manner consistent with the existing use and pose no health or safety threats.

The third variance is based on the garage being in the "front" yard of this reverse corner lot. The difficulty in complying with this is that the driveway is already in place and is remaining. To build a new driveway off of 18<sup>th</sup> Ave would require undo financial burden, as well as extra curb repair and landscaping on 52<sup>nd</sup> Ave and 18<sup>th</sup> Ave. The garage has been in this place on the lot and the new garage complies with Building lot coverage and impervious surfaces limits.

Thank you for your consideration, please direct questions to Ken Nelson via phone or email.

September 2, 2016

To Whom It May Concern:

We would like to formally request two variances to re-build our garage. The garage will be built in the same location, but will be approximately 3 feet wider. The variances are for (1) increasing the width of the garage and (2) for the proximity of the garage location to our house. Increasing the width of the garage is critical to address safety concerns, which are outlined below. In addition, it will add value to the home and neighborhood by allowing two cars to be parked inside of the garage and increasing the visual appeal in a very visible location. We are unable to build the garage a full six feet from the home due to the nature of our property.

The safety concern that exists is because the garage is built approximately three feet from a retaining wall that is over four feet high. The retaining wall is up against a sidewalk that is frequently traveled by adults and children, due to our location right next to Lake Nokomis. Children often walk the retaining wall like it is a balance beam. Should a child fall off of the retaining wall, they would fall over four feet to the three foot space between our garage and the retaining wall. We are concerned for children's safety and our liability should someone fall and get injured. By closing the three foot gap between the garage and the retaining wall, this safety concern will be eliminated. The additional safety concern is that of the retaining wall itself. We are concerned that the retaining wall could fall and thus we would like to reinforce part of the wall by adding a second wall in front of it. The lower portion of the retaining wall that is less than four feet high will be replaced entirely. Plants will be installed to create an additional barrier between the sidewalk and the retaining wall so that children are no longer tempted to walk the wall like a balance beam. These two additional steps will eliminate any remaining safety concerns.

The value of the property and therefore the neighborhood will increase substantially, as new roofing and siding will be installed, as well as new trim, new garage door, new soffit and fascia, gutters, etc. This will apply to not only the garage, but also the house. New landscaping in the front/side yard will also be completed and concrete will be repaired. As mentioned above, the garage will also be able to comfortably house two vehicles.

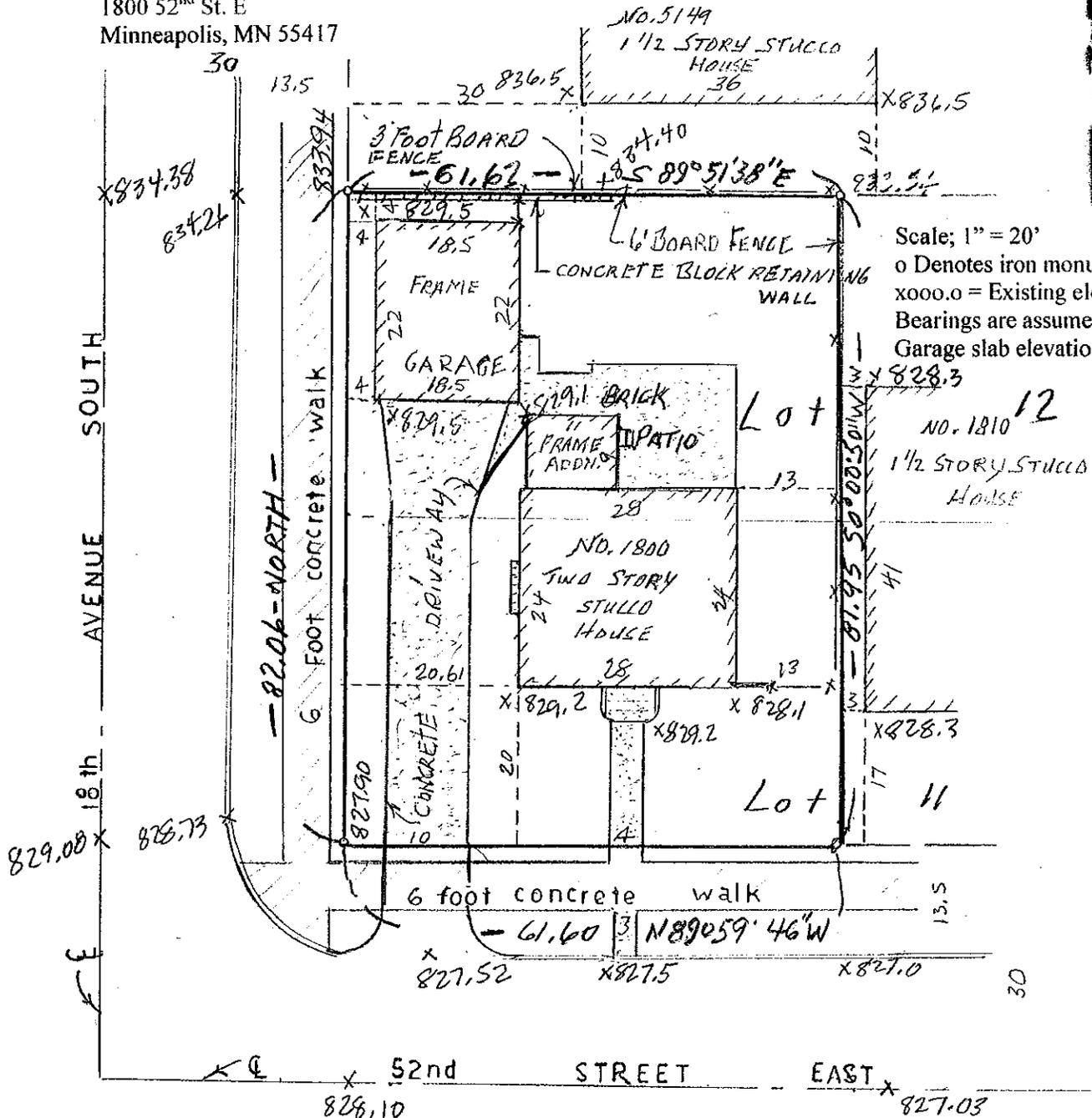
Thank you very much for considering our request. We love our neighborhood and look forward to living here for years to come.

Best regards,

Craig and Jennifer Roelke  
1800 East 52<sup>nd</sup> Street  
Minneapolis, MN 55417

CERTIFICATE OF SURVEY

FOR: Craig Roelke  
 1800 52<sup>nd</sup> St. E  
 Minneapolis, MN 55417



Scale; 1" = 20'  
 o Denotes iron monument  
 xooo.o = Existing elevation  
 Bearings are assumed  
 Garage slab elevation = 830.00 Feet

Legal Description:  
 The West one half of Lots 11 and 12, Block 12,  
 "THORPE BROS. 10<sup>TH</sup> ADDITION TO MINNEAPOLIS."

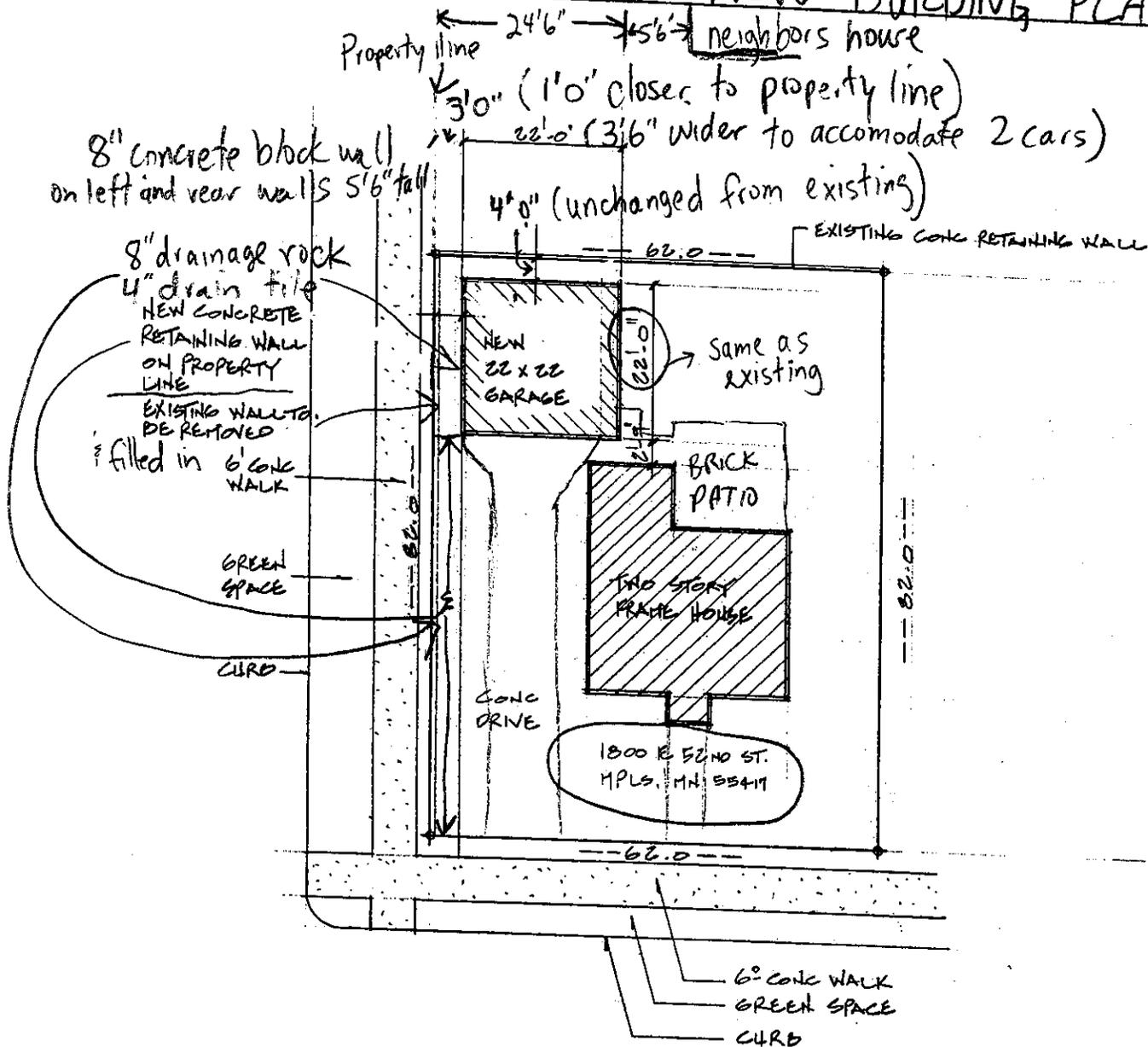
Lot = 5051.2 ft<sup>2</sup>  
 Bldgs = 1,255 ft<sup>2</sup> OR 24.8% of lot  
 Impervious = 796 ft<sup>2</sup> + 1255 ft<sup>2</sup> = 2051 ft<sup>2</sup> OR 40%  
 surfaces

↳ Driveway, front sidewalk, back patio  
 Benchmark: HYD. NW, @ 52<sup>nd</sup> St, East and 18<sup>th</sup> Ave. So.  
 N.G.V.D. 1929 adjusted elevation = 832.57 Feet.

I hereby certify that this survey 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.  
 Surveyed by me this 30<sup>th</sup> day of September, 2016.

*Herb F. Lemire*  
 Herb F. Lemire RLS  
 Minnesota Reg. No. 13349  
 4416 Abbott Ave. N  
 Robbinsdale, MN 55422  
 Phone: 763.537.0497

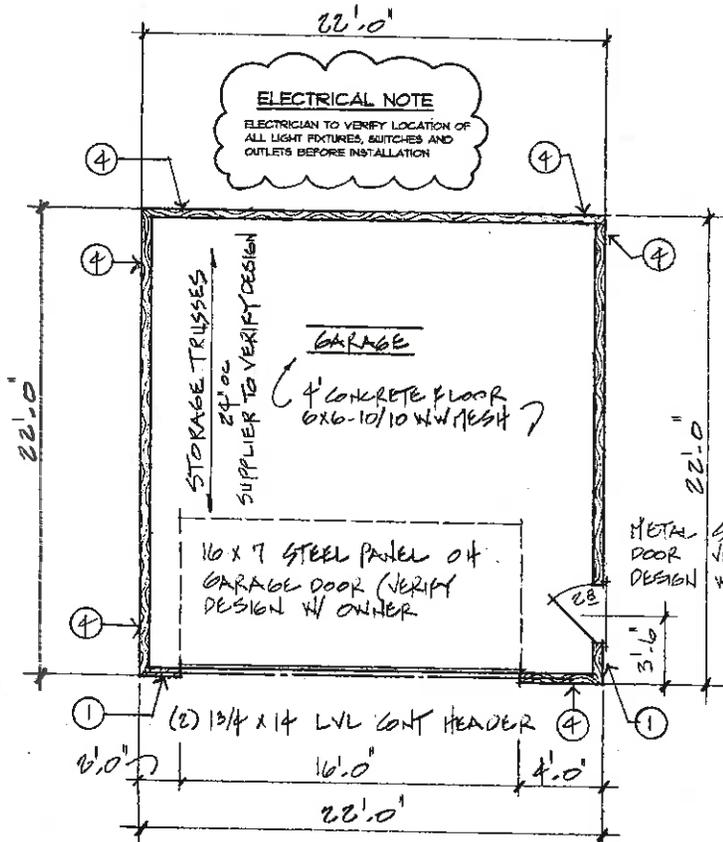
# PROPOSED NEW BUILDING PLACEMENT



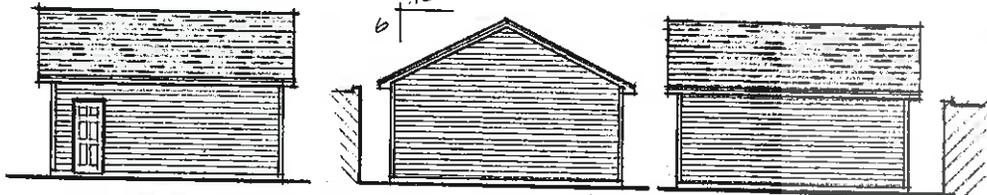
SITE PLAN

SCALE 1" = 10'0"

# FLOOR PLANS 1 of 2



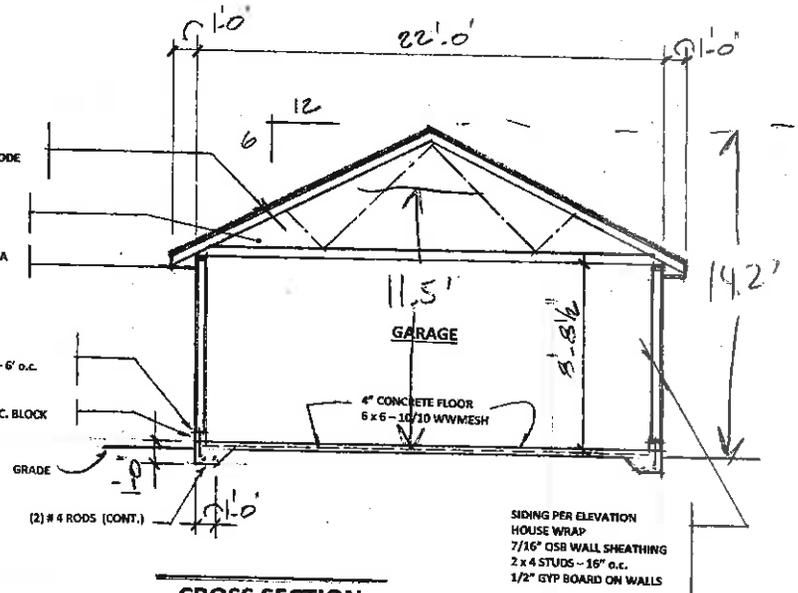
**FLOOR PLAN**  
1/4"



**SPECIAL NOTE:** ①  
SEE SHEET 2 OF 2 FOR BRACED WALL INFORMATION AND DETAILS

- 240 # 55 SHINGLES
- 15# ASPHALT FELT
- ICE AND WATER SHIELD PER CODE
- 7/16 OSB ROOF SHEATHING
- STORAGE TRUSSES - 24" o.c.  
SUPPLIER TO VERIFY DESIGN
- ALUMINUM SOFFIT AND FASCIA

- 2 x 4 TREATED SILL PLATE
- 1/2" DIA. BOLTS OR STRAPS - 6' o.c.  
MAX. 12" FROM ENDS
- 1 COURSE 6" HALF HIGH CONC. BLOCK

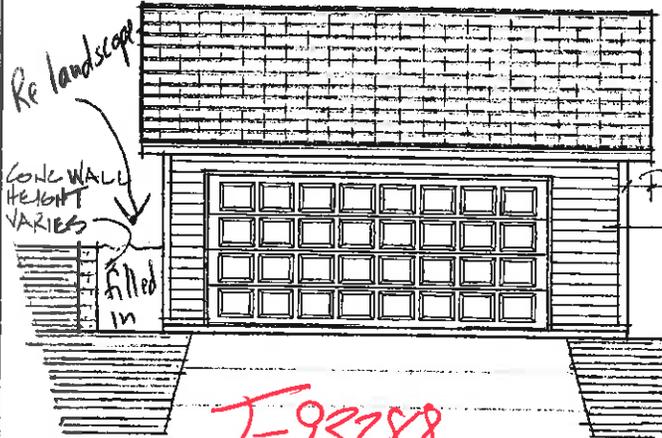


**CROSS SECTION**  
1/4"

LP SMART SIDING 5' EXP

GARAGE DOOR SHOWN FOR PRESENTATION ONLY  
VERIFY DESIGN WITH HOME OWNER

**FRONT ELEVATION**  
1/4"



T-93288

NOTICE: THESE PLANS ARE DESIGNED EXCLUSIVELY FOR THE USE OF HOME PLANNING ASSOCIATES INC. AND ANY REPRODUCTION OR OTHER USE IS STRICTLY PROHIBITED WITHOUT THE EXPRESS WRITTEN CONSENT OF HOME PLANNING ASSOCIATES INC. ALTHOUGH EVERY EFFORT HAS BEEN MADE IN DESIGNING AND PREPARING THESE PLANS AND CHECKING FOR ACCURACY, THE INSTALLER, OWNER, OR CONTRACTOR MUST VERIFY ALL DETAILS AND DIMENSIONS AND BE RESPONSIBLE FOR ANY CHANGES OR ADJUSTMENTS REQUIRED DURING CONSTRUCTION.

REVISIONS:


PLAN FOR: 1800 E. 52<sup>ND</sup> ST.  
J. Roelke  
DATE: 90. Ft.

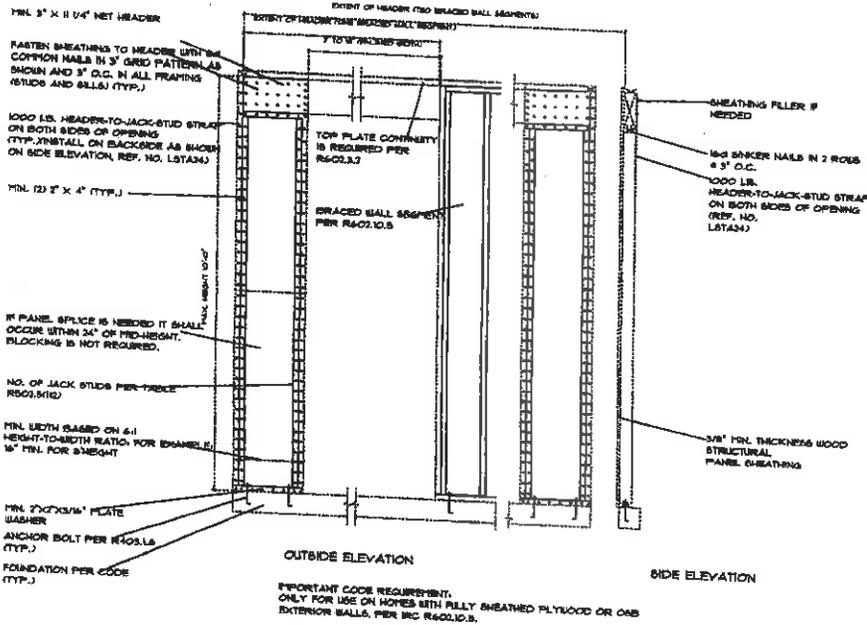
HOFFMAN WEBER CONSTRUCTION

**HOME PLANNING ASSOCIATES INC.**  
8329 CENTRAL AVENUE NE  
SPRING LAKE PARK, MINNESOTA 55432  
(612) 266-6069  
SPRING LAKE PARK LUMBER BLDG

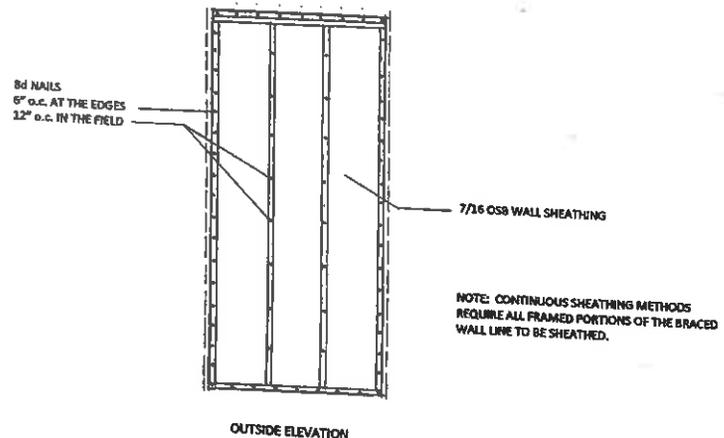
SHEET NUMBER  
ONE  
OF 2 SHEETS

PLAN NUMBER  
16 112

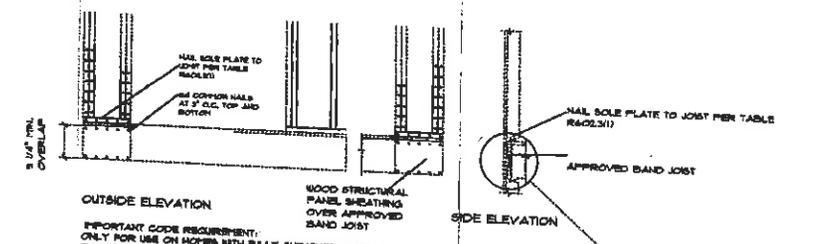
# FLOOR PLANS 2 of 2



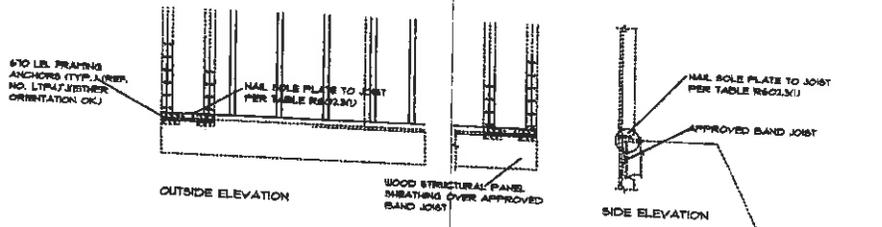
① APA DETAIL OF NARROW WALL BRACING METHOD WITHOUT HOLD-DOWNS (DETAIL 1 OF 3) NO SCALE



④ DETAIL FOR BRACED WALL PANEL



② APA DETAIL OF NARROW WALL BRACING METHOD WITHOUT HOLD-DOWNS (STRUCTURAL PANEL OVERLAP OPTION) (DETAIL 2 OF 3) NO SCALE



③ APA DETAIL OF NARROW WALL BRACING METHOD WITHOUT HOLD-DOWNS (FRAMING ANCHOR OPTION) (DETAIL 3 OF 3) NO SCALE



1800







