



## CPED STAFF REPORT

Prepared for the Zoning Board of Adjustment  
 BOA Agenda Item #6  
 October 27, 2016  
 BZZ-7947

### LAND USE APPLICATION SUMMARY

*Property Location:* 4808 31st Avenue South  
*Project Name:* 4808 31st Avenue South Addition  
*Prepared By:* [Janelle Widmeier](#), Senior City Planner, (612) 673-3156  
*Applicant:* Patrick McCann  
*Project Contact:* Patrick McCann  
*Request:* To allow an addition to a single-family dwelling.  
*Required Applications:*

<b>Variance</b>	To reduce the established front yard requirement adjacent to 31 <sup>st</sup> Avenue South to 26.6 feet.
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### SITE DATA

<b>Existing Zoning</b>	RIA Single-Family District AP Airport Overlay District
<b>Lot Area</b>	4,293 square feet
<b>Ward(s)</b>	11
<b>Neighborhood(s)</b>	Nokomis East Neighborhood Association
<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>	September 23, 2016	<b>Date Extension Letter Sent</b>	Not applicable
<b>End of 60-Day Decision Period</b>	November 22, 2016	<b>End of 120-Day Decision Period</b>	Not applicable

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The existing use, a single-family dwelling, was permitted for construction in 1948. The site is not adjacent to a public alley.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The surrounding uses in the immediate area are predominantly single-family dwellings.

**PROJECT DESCRIPTION.** The applicant is proposing to construct a 1 ½ story addition with an open porch to the front of the single-family dwelling located at the property of 4808 31<sup>st</sup> Avenue South. The minimum front yard requirement along 31<sup>st</sup> Avenue is equal to the setback created by the established setback of the adjacent properties to the north and south by a line joining those parts of both buildings nearest to the front lot line or 20 feet, whichever is greater. The structure to the north is set back 20 feet and the structure to the south is set back 30.5 feet, therefore the established setback requirement applies. The proposed front wall of the addition would be located up to 26.6 feet from the front lot line, which extends in front of the established setback line. A variance is required to reduce the minimum front yard requirement. The open porch would also extend into the required front yard, but is a permitted obstruction.

Upon approval of the variance and before building permits can be obtained, the plans will need to show how the proposal would comply with the applicable [noise attenuation requirements of the AP Airport Overlay District standards](#).

**PUBLIC COMMENTS.** As of the writing of this report, staff has not received any correspondence from the neighborhood group. Any 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 established front yard requirement adjacent to 31<sup>st</sup> Avenue South to 26.6 feet to allow an addition to a single-family dwelling, 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 proposed 1 ½-story addition would be located up to 26.6 feet from the front lot line, which extends in front of the established setback line. Practical difficulties exist in complying with the ordinance due to circumstances unique to the property that were not created by the applicant. The established setback line is angled across the front of the property because the dwelling to the north is setback 20 feet and the dwelling to the south is setback 30.5 feet. The size of the subject property is smaller than the typical 5,000 square foot residential lot in Minneapolis. The depth is also shallower (89.5 feet versus the typical 125 foot depth). To preserve more open space in the backyard, the applicant is proposing a modest addition to the front of the dwelling that would result in a small encroachment into the required front yard.

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 a modest addition to the front of the dwelling that would result in a small encroachment into the required front yard. The addition steps back resulting in only the corners extending into the required yard setback. It appears that the proposed setback would be in keeping with the average front yard setback on the block face. Because of the small size of the addition, the proposal would not have any effect on surrounding property's access to light, air, and open space. 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 surrounding uses in the immediate area are predominantly single-family dwellings. The applicant is proposing a modest addition to the front of the dwelling that would result in a small encroachment into the required front yard. The addition steps back resulting in only the corners extending into the required yard setback. It appears that the proposed setback would be in keeping with the average front yard setback on the block face. Because of the small size of the addition, the proposal would not have any impacts on the adjacent property's access to light, air and open space. The design of the addition would be compatible with the existing structure. 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 addition is constructed 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 Patrick McCann for the property located at 4808 31st Avenue South:

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

Recommended motion: **Approve** the variance to reduce the established front yard requirement adjacent to 31st Avenue South to 26.6 feet to allow an addition to a single-family dwelling, subject to the following conditions:

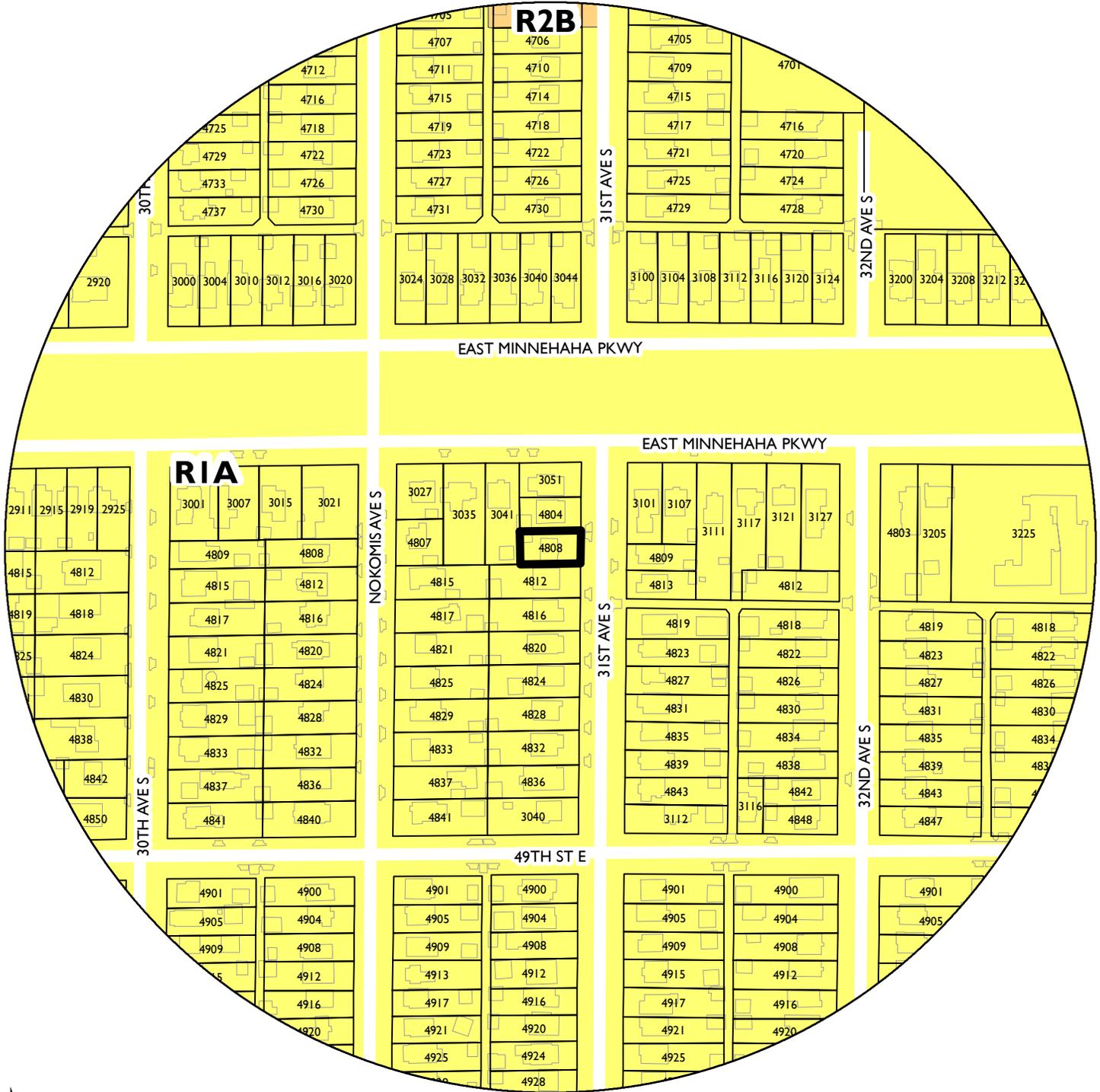
1. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development.
2. All site improvements shall be completed by October 27, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

## ATTACHMENTS

1. Zoning map
2. Written description and findings submitted by applicant
3. Site survey/Site plan
4. Established front yard setback requirement
5. Existing and proposed floor plans
6. Building elevations
7. Photos

NAME OF APPLICANT

WARD



PROPERTY ADDRESS  
**4808 31st Avenue South**

FILE NUMBER  
**BZZ-7947**

Souder-McCann Variance Application  
4808 31<sup>st</sup> Ave S  
Minneapolis, MN 55417

The proposed project is an addition on the front of the house that will consist of a mudroom and add to a narrow living room on the main floor. On the upper floor, a full bathroom will be added by putting a dormer in the roof. I am requesting a variance for the setback from the sidewalk. Small corners of the addition will cross the line between the corners of my neighbors finished homes.

1. (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 living space in the front of the house is made less usable, because the living room is less than 10' wide. The house to the north of me extends well beyond the proposed addition. While front wall of the house to the south lines up with my house, the covered porch also goes past the proposed addition. If the living room was on the north end of the house, I would not need a variance to do this project. The unique circumstances of the lot and the position of my living room are the reason I need a variance for this project.

Another reason why the front addition makes sense is that the backyard is already very small. It extends only about 36' behind the house, and the garage already takes up a large portion of it. There is no alley behind the house.

2. (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 first floor addition makes our daily life more practical with the mudroom. With the living room we get a more functional, pleasant place to spend time with our family. Since the front door currently goes directly into the living room, shoes, coats, and dog accessories take up a lot of the space. On top of that, the narrowness of the living room makes it an awkward place to gather. Adding 2' to the living room and the 4' x 10' mudroom will make the home much more livable and efficient, and I think adding to the front is the most practical way to do so. The addition of a bathroom upstairs will also make our daily lives easier, and makes sense for the house. In short the additions are practical and fit with other homes and the neighborhood.

I would also note that the current finished square feet around 1250 makes the house smaller than most in the neighborhood.

3. (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 addition will not be closer to the street than either the house to the north or the covered porch to the south. I plan to do top quality exterior finish work, renewing and beautifying the entire exterior, and improving the character of the house, but in a classic style that fits with the neighborhood. Currently the house is plain, drab, and ugly. The proposed work will add classic charm to the exterior. It will add to the aesthetic of the community, rather than being one of the ugliest houses around.

**LEGAL DESCRIPTION:**

Lot 4, except the West 44 feet thereof, Block 1, Minnehaha Park Addition to Minneapolis Fourth Division, Hennepin County, Minnesota.

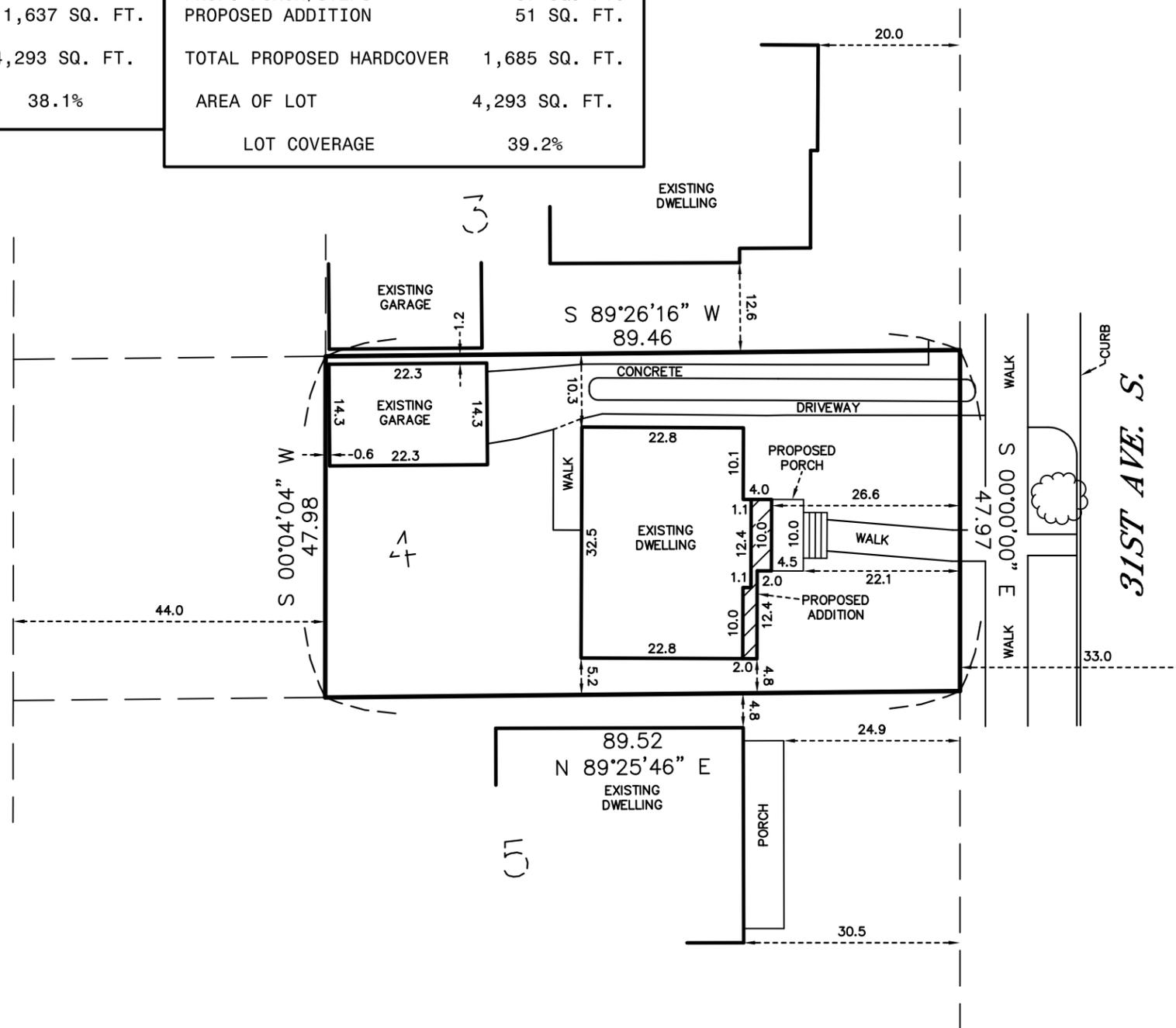
**SCOPE OF WORK & LIMITATIONS:**

- 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.
- Showing the location of observed existing improvements we deem necessary for the survey.
- Setting survey markers or verifying existing survey markers to establish the corners of the property.
- Existing building dimensions and setbacks measured to outside of siding or stucco.
- Showing and tabulating impervious surface coverage of the lot for your review and for the review of such governmental agencies that may have jurisdiction over these requirements to verify they are correctly shown before proceeding with construction.
- While we show a proposed location for this home or addition, we are not as familiar with your proposed plans as you, your architect, or the builder are. Review our proposed location of the improvements and proposed yard grades carefully to verify that they match your plans before construction begins. Also, we are not as familiar with local codes and minimum requirements as the local building and zoning officials in this community are. Be sure to show this survey to said officials, or any other officials that may have jurisdiction over the proposed improvements and obtain their approvals before beginning construction or planning improvements to the property.

**STANDARD SYMBOLS & CONVENTIONS:**

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

EXISTING HARDCOVER		PROPOSED HARDCOVER	
HOUSE	754 SQ. FT.	HOUSE	754 SQ. FT.
GARAGE	318 SQ. FT.	GARAGE	318 SQ. FT.
DRIVEWAY	352 SQ. FT.	DRIVEWAY	352 SQ. FT.
FRONT WALK	153 SQ. FT.	REAR WALK	60 SQ. FT.
REAR WALK	60 SQ. FT.	PROP. FRONT WALK	83 SQ. FT.
		PROP. PORCH/STEPS	67 SQ. FT.
		PROPOSED ADDITION	51 SQ. FT.
<b>TOTAL EXISTING HARDCOVER</b>	<b>1,637 SQ. FT.</b>	<b>TOTAL PROPOSED HARDCOVER</b>	<b>1,685 SQ. FT.</b>
<b>AREA OF LOT</b>	<b>4,293 SQ. FT.</b>	<b>AREA OF LOT</b>	<b>4,293 SQ. FT.</b>
<b>LOT COVERAGE</b>	<b>38.1%</b>	<b>LOT COVERAGE</b>	<b>39.2%</b>



DATE	REVISION DESCRIPTION	DRAWING ORIENTATION & SCALE	CLIENT/JOB ADDRESS	Advance Surveying & Engineering, Co.	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.	DATE SURVEYED:	SHEET TITLE	SHEET NO.
			<b>PATRICK McCANN</b>  4808 31ST AVE. S. MINNEAPOLIS, MN	5300 South Hwy. No 101 Minnetonka, Minnesota 55345 Phone (952) 474-7964 Web: www.advsur.com	<i>Wayne W. Preups</i> Wayne W. Preups #43503 SEPTEMBER 9, 2016 LICENSE NO. DATE	SEPTEMBER 8, 2016	PROPOSED SURVEY	S1 SHEET 1 OF 1
						SEPTEMBER 9, 2016	DRAWING NUMBER 160801 WP	

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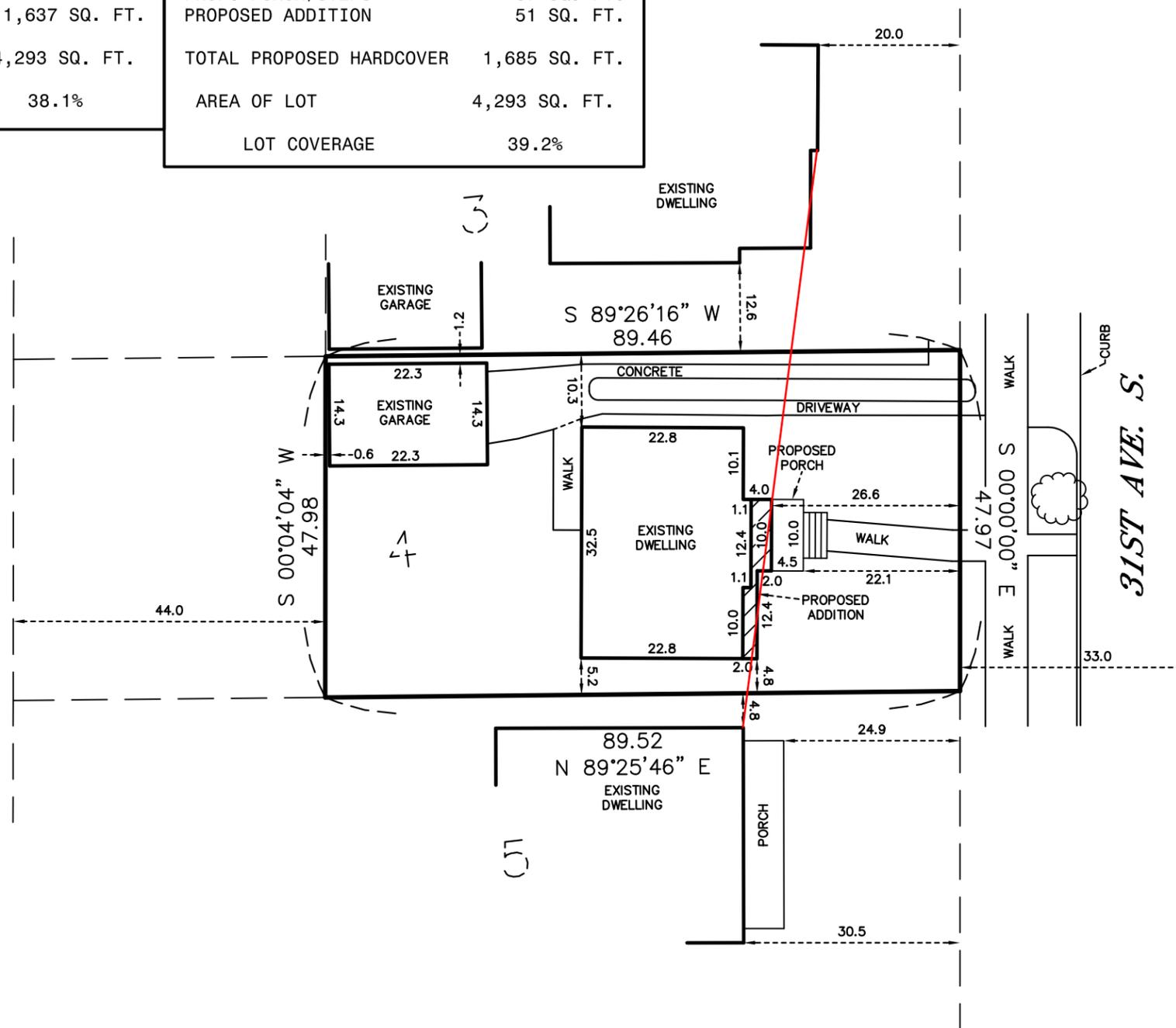
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- While we show a proposed location for this home or addition, we are not as familiar with your proposed plans as you, your architect, or the builder are. Review our proposed location of the improvements and proposed yard grades carefully to verify that they match your plans before construction begins. Also, we are not as familiar with local codes and minimum requirements as the local building and zoning officials in this community are. Be sure to show this survey to said officials, or any other officials that may have jurisdiction over the proposed improvements and obtain their approvals before beginning construction or planning improvements to the property.

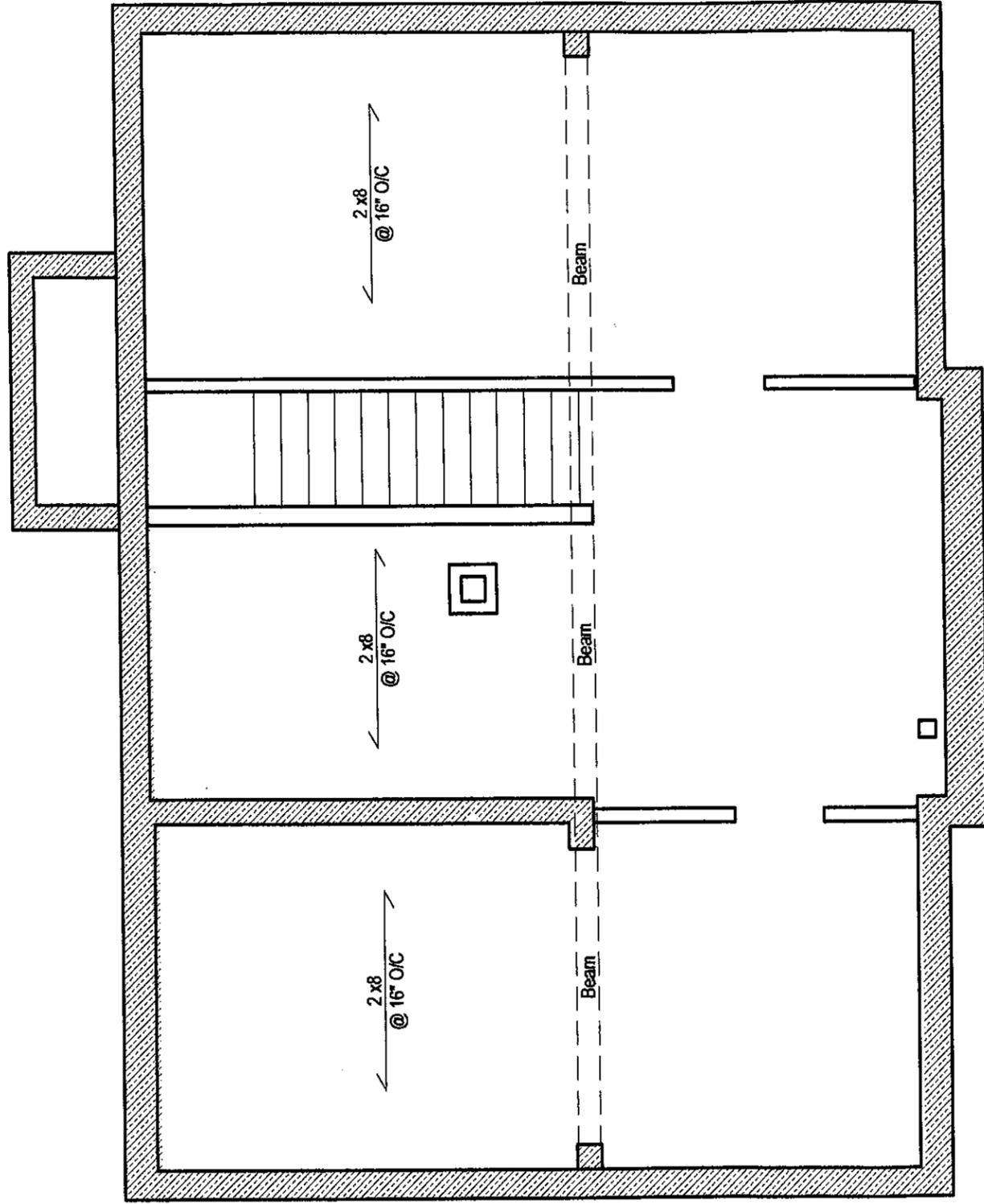
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						SEPTEMBER 9, 2016	DRAWING NUMBER 160801 WP	

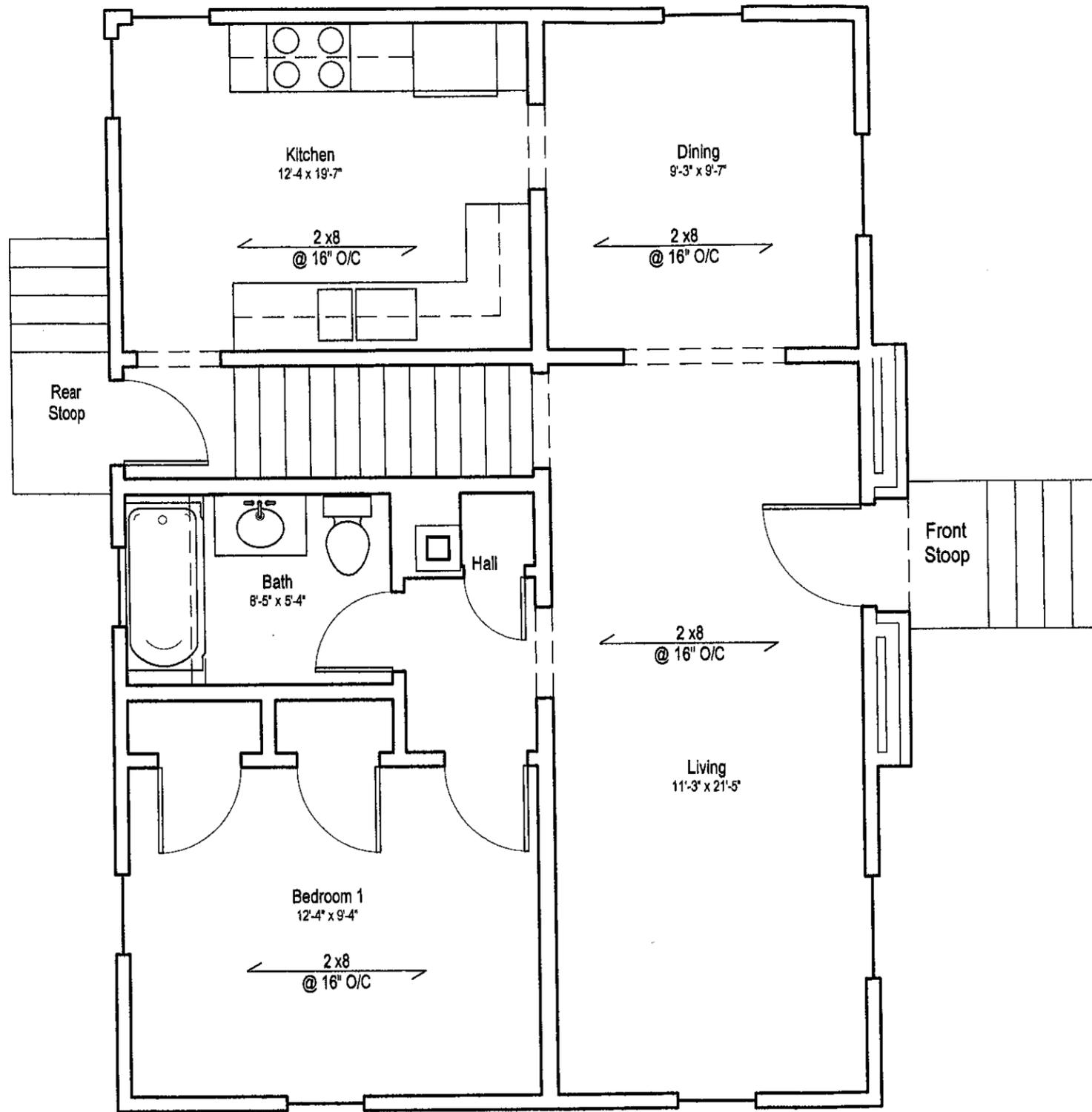


1  
A1.0 EXISTING BASEMENT / FOUNDATION PLAN  
Scale: 1/4" = 1'-0"



A1.0

SOUDER-McCANN RESIDENCE  
4808 31st Ave.  
Minneapolis, MN. 55417



1  
A1.1

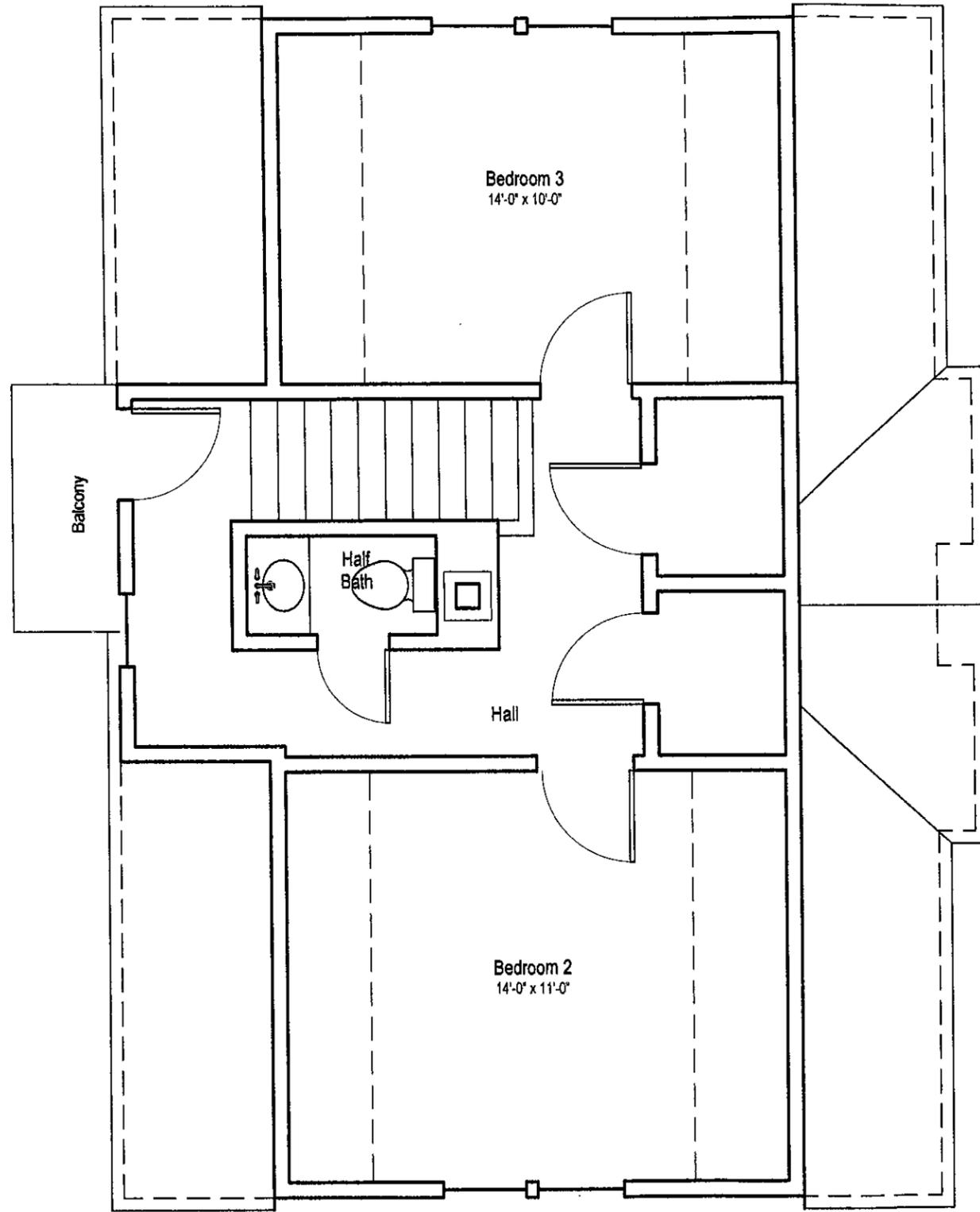
**EXISTING FIRST FLOOR PLAN**

Scale: 1/4" = 1'-0"

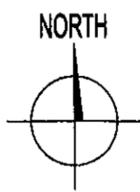


**SOUDER-MCCANN RESIDENCE**  
 4808 31st Ave.  
 Minneapolis, MN. 55417

**A1.1**



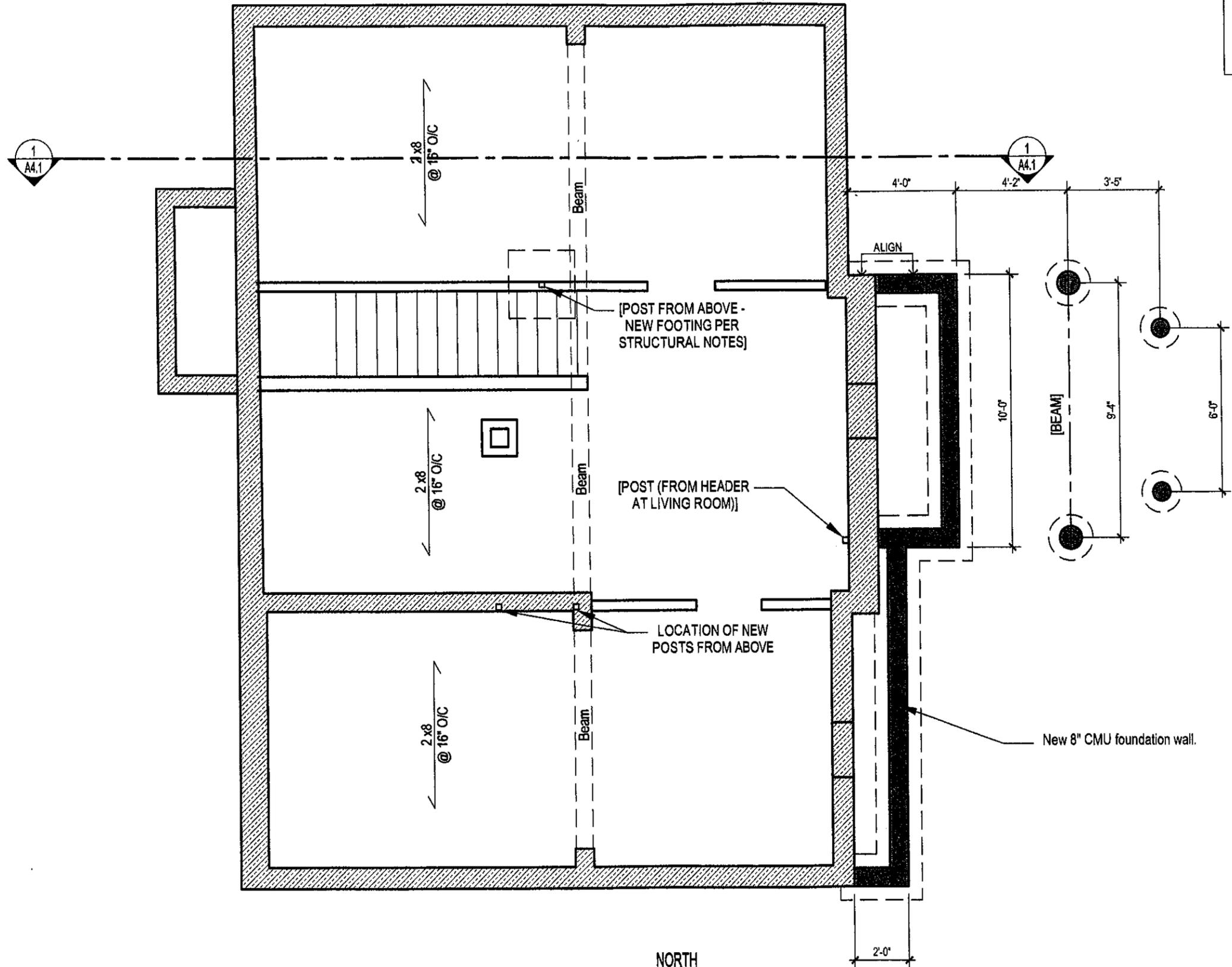
1 EXISTING SECOND FLOOR PLAN  
A1.2 Scale: 1/4" = 1'-0"



SOUDEY-McCANN RESIDENCE  
4808 31st Ave.  
Minneapolis, MN. 55417

A1.2

NOTE: SEE  
STRUCTURAL PLANS  
(SHEETS S1.0 - S2.3)  
FOR FRAMING  
INFORMATION

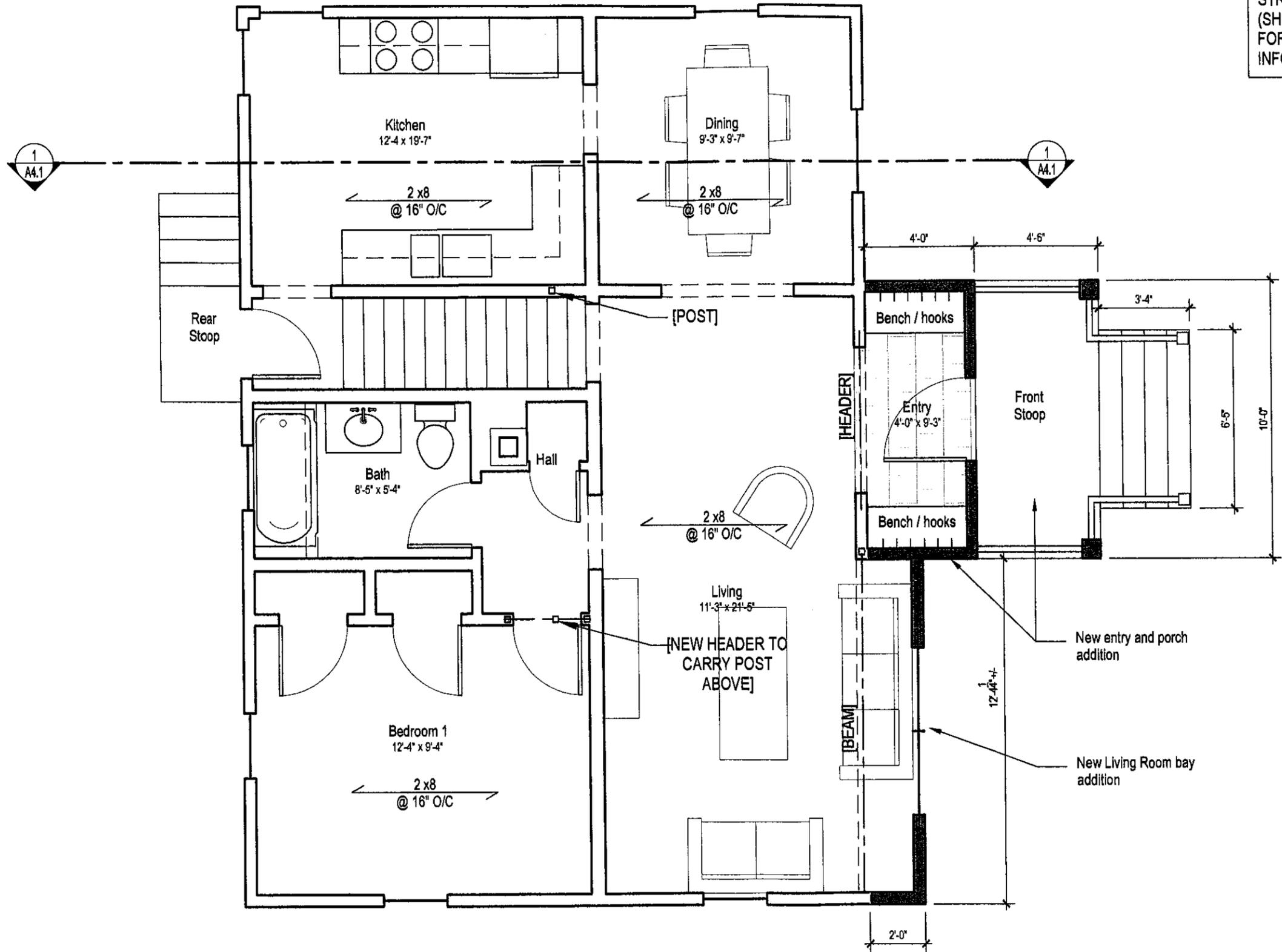


1  
A2.0 PROPOSED BASEMENT / FOUNDATION PLAN  
Scale: 1/4" = 1'-0"

SOUDER-McCANN RESIDENCE  
4808 31st Ave.  
Minneapolis, MN. 55417

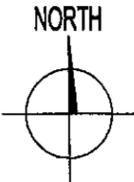
A2.0

NOTE: SEE  
STRUCTURAL PLANS  
(SHEETS S1.0 - S2.3)  
FOR FRAMING  
INFORMATION



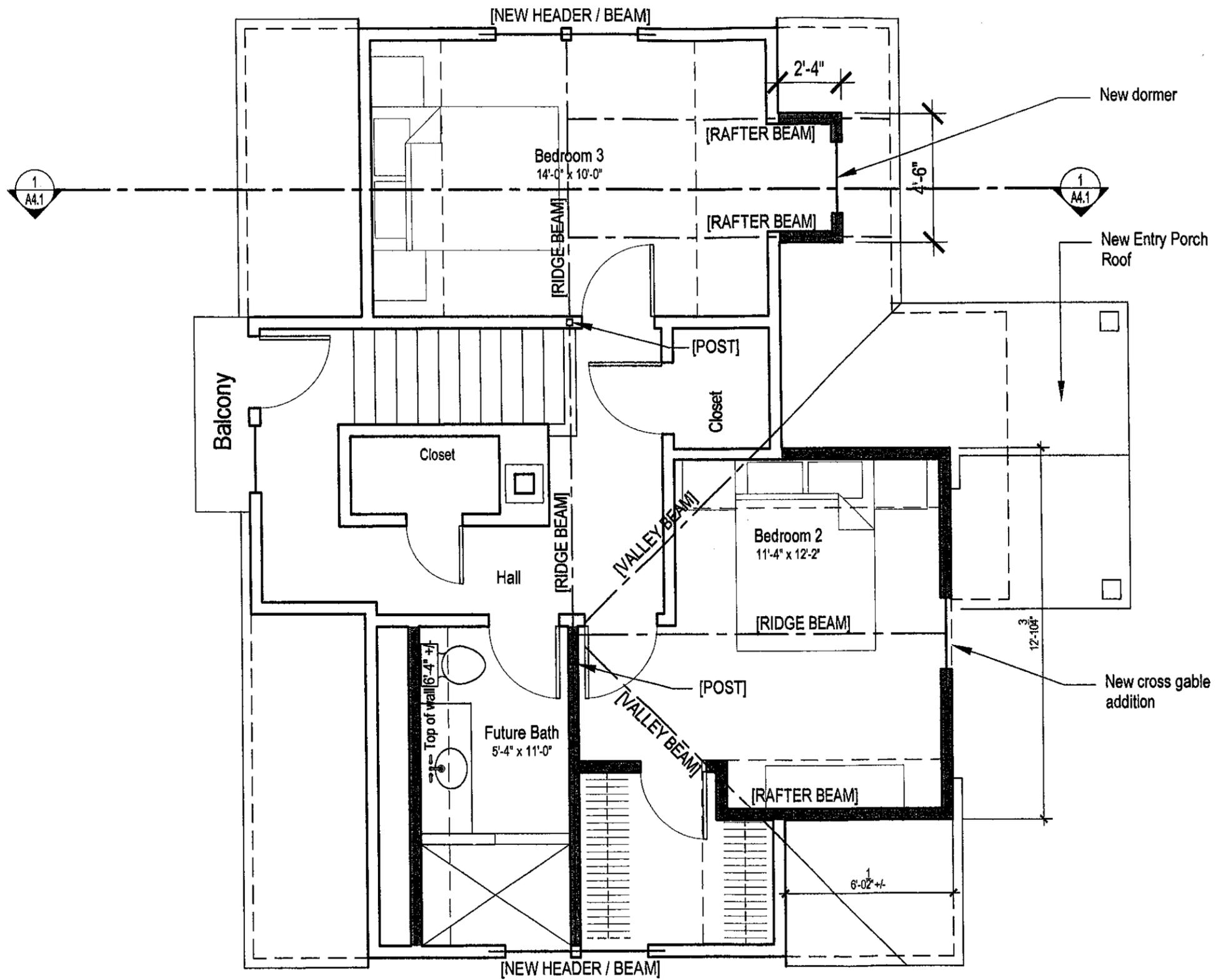
SOUDER-MCCANN RESIDENCE  
4808 31st Ave.  
Minneapolis, MN. 55417

1 PROPOSED FIRST FLOOR PLAN  
A2.1 Scale: 1/4" = 1'-0"

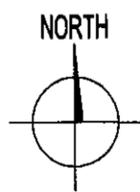


A2.1

NOTE: SEE  
STRUCTURAL PLANS  
(SHEETS S1.0 - S2.3)  
FOR FRAMING  
INFORMATION

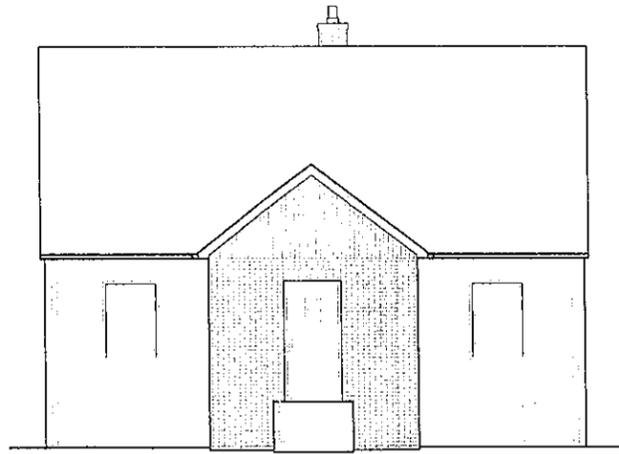


1  
A2.2  
PROPOSED SECOND FLOOR PLAN  
Scale: 1/4" = 1'-0"



SOUDER-McCANN RESIDENCE  
4808 31st Ave.  
Minneapolis, MN. 55417

A2.2



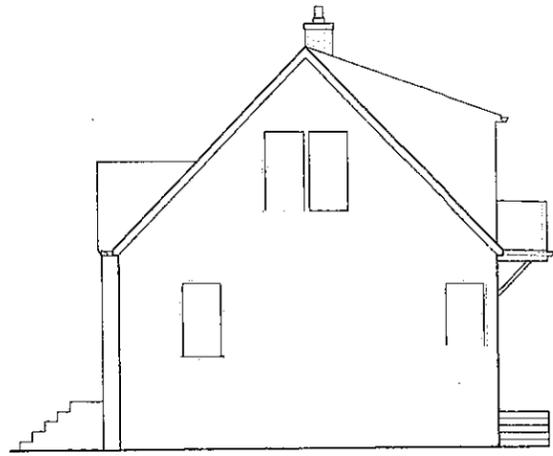
EXISTING FRONT (EAST) ELEVATION  
N.T.S.



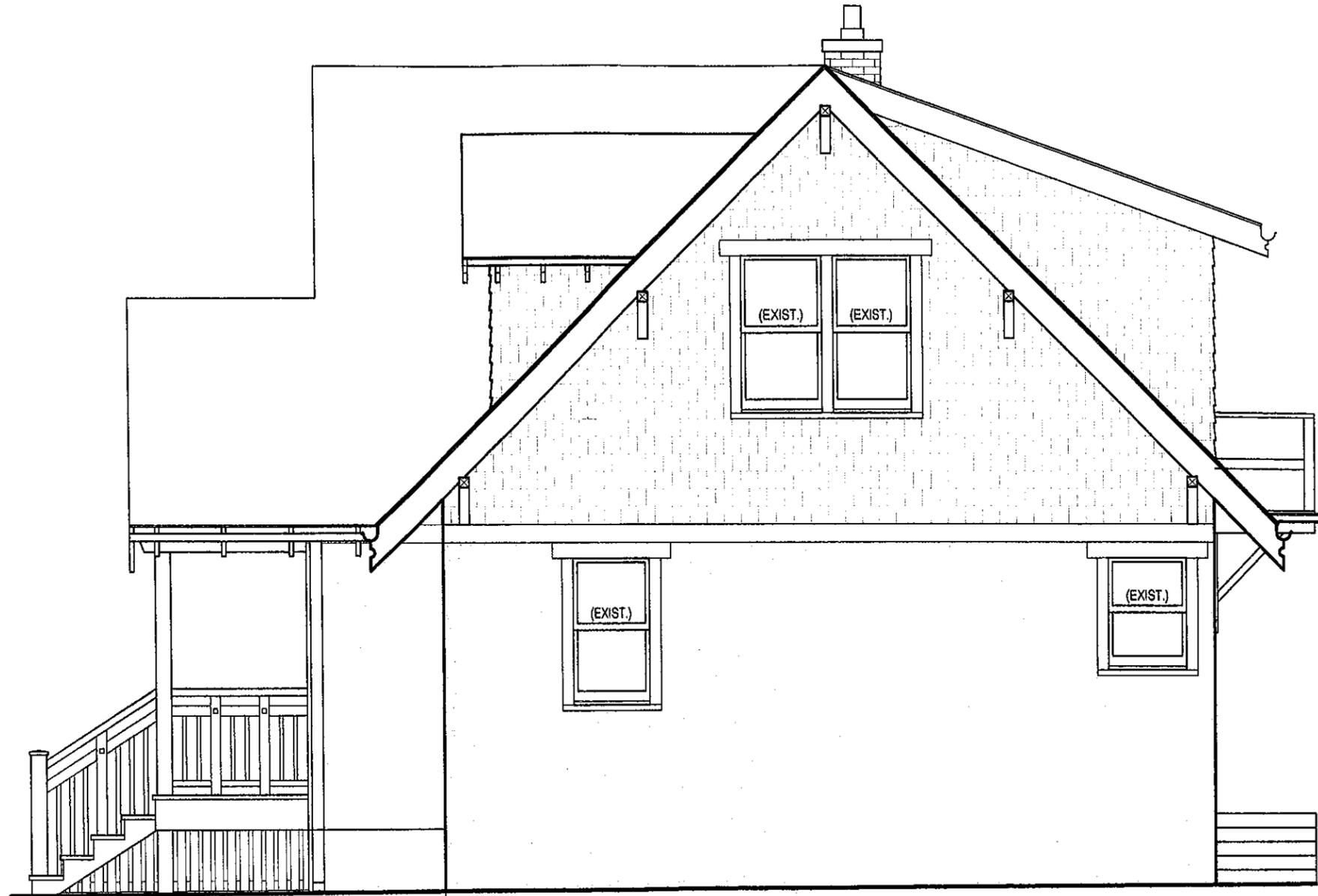
1 FRONT (EAST) ELEVATION  
A3.0 Scale: 1/4" = 1'-0"

SOUDER-MCCANN RESIDENCE  
4808 31st Ave.  
Minneapolis, MN. 55417

A3.0



EXISTING SIDE (NORTH) ELEVATION  
N.T.S.

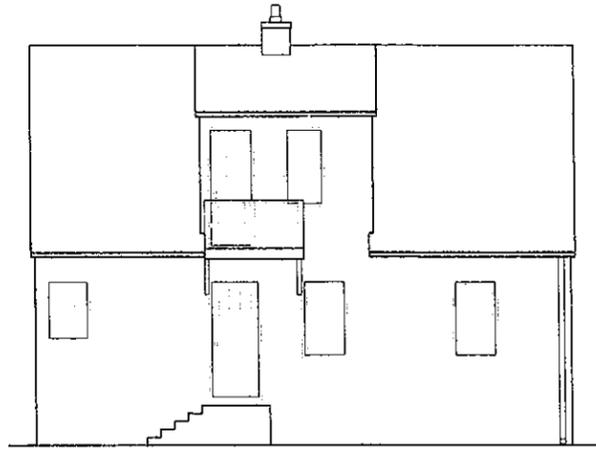


← NEW / EXISTING →

1 SIDE (NORTH) ELEVATION  
A3.1 Scale: 1/4" = 1'-0"

SOUDER-MCCANN RESIDENCE  
4808 31st Ave.  
Minneapolis, MN. 55417

A3.1



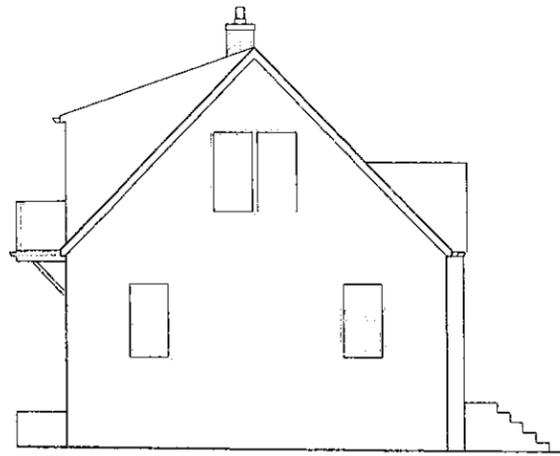
EXISTING REAR (WEST) ELEVATION  
N.T.S.



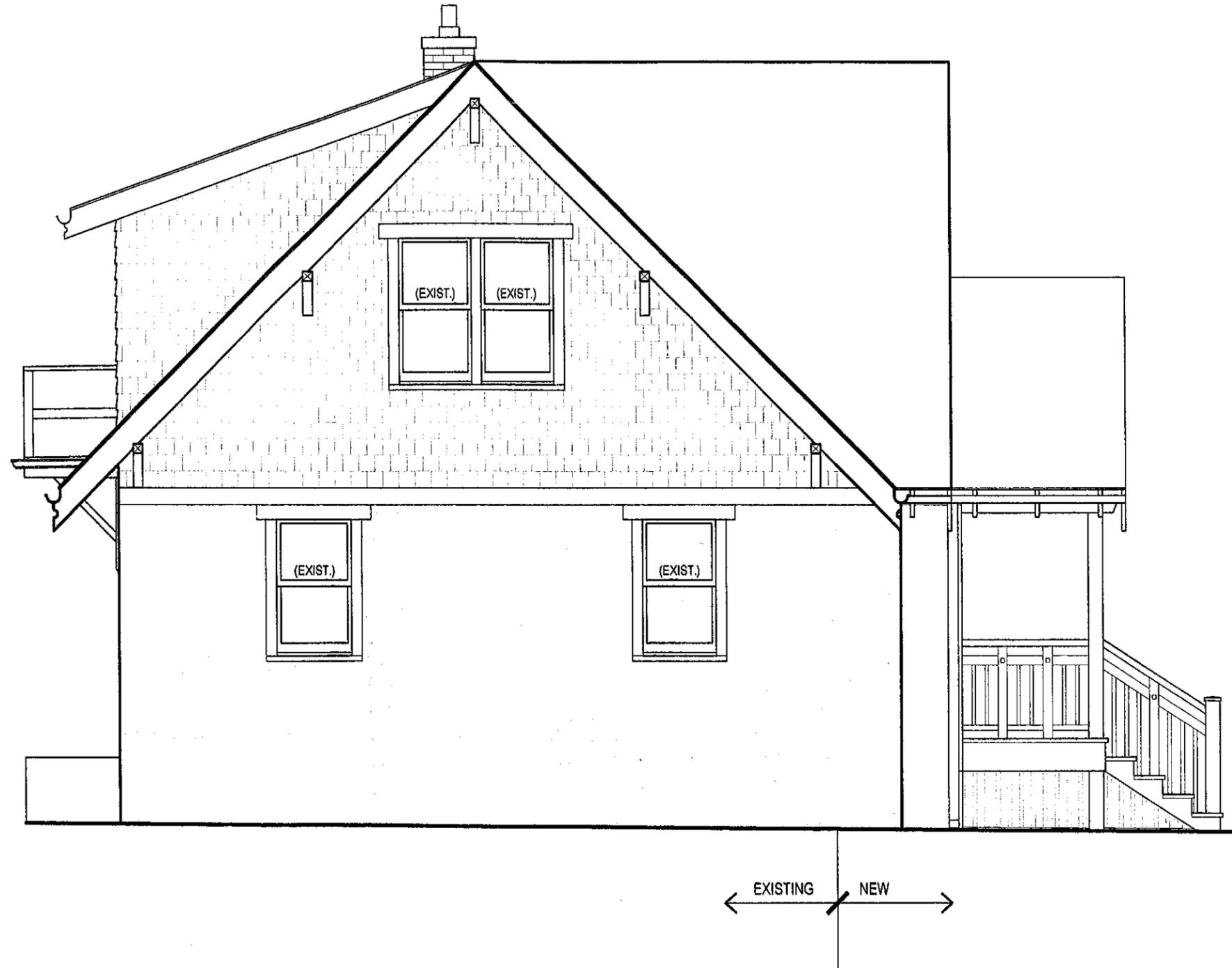
1 REAR (WEST) ELEVATION  
A3.0 Scale: 1/4" = 1'-0"

SOUDER-McCANN RESIDENCE  
4808 31st Ave.  
Minneapolis, MN. 55417

A3.2



EXISTING SIDE (SOUTH) ELEVATION  
N.T.S.



EXISTING    NEW

1 SIDE (SOUTH) ELEVATION  
A3.3 Scale: 1/4" = 1'-0"

SOUDER-McCANN RESIDENCE  
4808 31st Ave.  
Minneapolis, MN. 55417

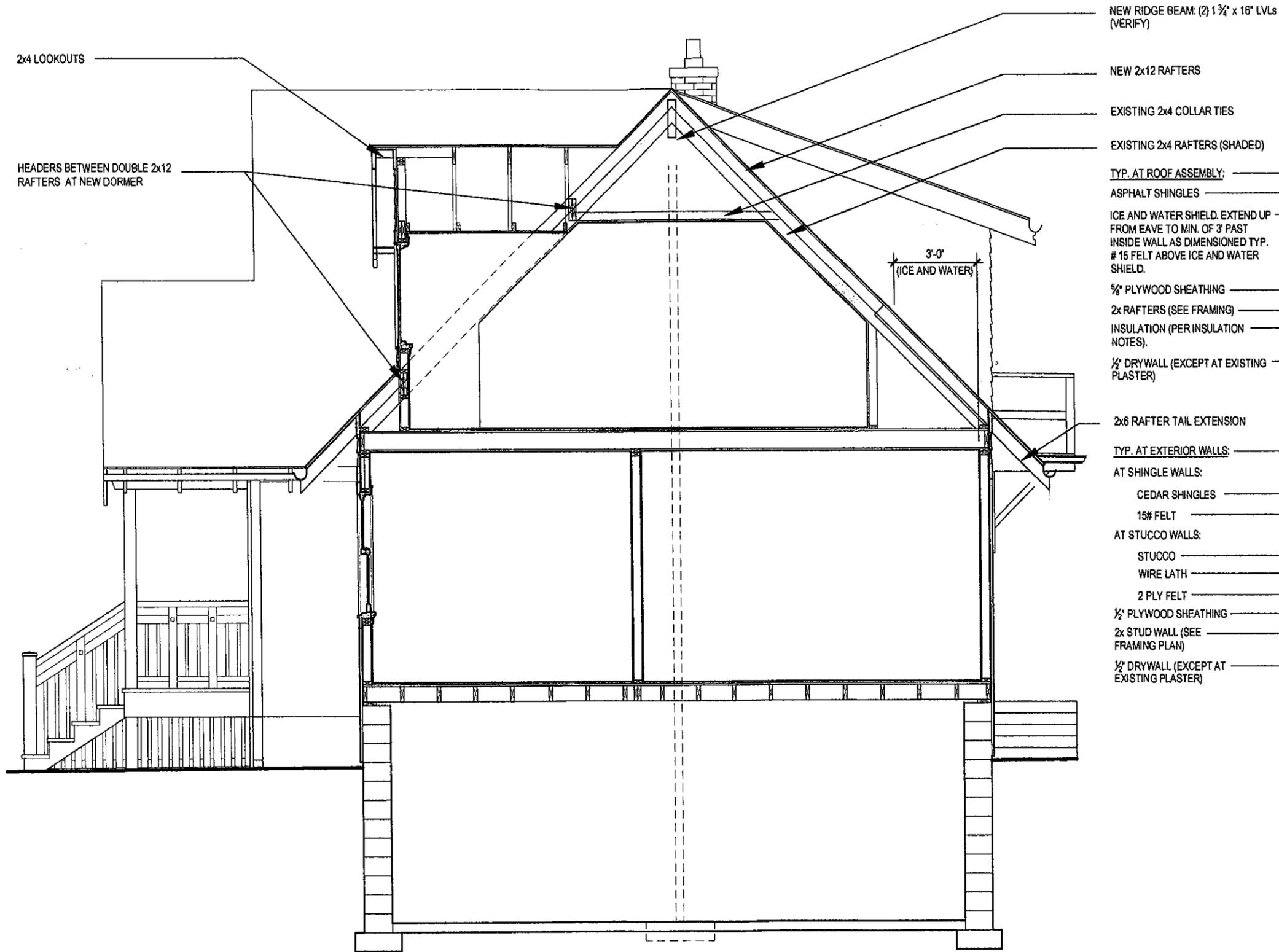
A3.3

NOTES:  
 30R:  
 CELL POLYURETHANE  
 ) TO EXTERIOR WALLS AND  
 WALLS  
 D CELL POLYURETHANE  
 ROOF CAVITY FROM  
 REMCO FLOOR BASE AND  
 NG STUDS

R:  
 CTICAL, PLUMBING HOLES  
 WINDOWS, DOORS AND  
 FIBERGLASS  
 CELL POLYURETHANE  
 ) TO RIMS OF NEW

CELL POLYURETHANE  
 ) TO EXTERIOR WALLS OF  
 ON. TREMCO FLOOR BASE  
 JOINING STUDS

CELL POLYURETHANE  
 ) TO RIMS OF NEW



NEW RIDGE BEAM: (2) 1 3/4" x 16" LVLs  
 (VERIFY)

NEW 2x12 RAFTERS

EXISTING 2x4 COLLAR TIES

EXISTING 2x4 RAFTERS (SHADED)

TYP. AT ROOF ASSEMBLY:

ASPHALT SHINGLES

ICE AND WATER SHIELD. EXTEND UP  
 FROM EAVE TO MIN. OF 3' PAST  
 INSIDE WALL AS DIMENSIONED TYP.  
 # 15 FELT ABOVE ICE AND WATER  
 SHIELD.

5/8" PLYWOOD SHEATHING

2x RAFTERS (SEE FRAMING)

INSULATION (PER INSULATION  
 NOTES).

1/2" DRYWALL (EXCEPT AT EXISTING  
 PLASTER)

2x6 RAFTER TAIL EXTENSION

TYP. AT EXTERIOR WALLS:

AT SHINGLE WALLS:

CEDAR SHINGLES

15# FELT

AT STUCCO WALLS:

STUCCO

WIRE LATH

2 PLY FELT

1/2" PLYWOOD SHEATHING

2x STUD WALL (SEE  
 FRAMING PLAN)

1/2" DRYWALL (EXCEPT AT  
 EXISTING PLASTER)

1 BUILDING SECTION  
 A4.1 Scale: 1/4" = 1'-0"

SOUDER-McCANN RESIDENCE  
 4808 31st Ave.  
 Minneapolis, MN. 55417

A4.1





4804



