

LAND USE APPLICATION SUMMARY

Property Location: 591 36 ½ Avenue Northeast
Project Name: 591 36 ½ Avenue Northeast Lot Split
Prepared By: [Janelle Widmeier](#), Senior City Planner, (612) 673-3156
Applicant: Yan Chen
Project Contact: Yan Chen
Request: Divide the site into two separate parcels of the same size.
Required Applications:

Variance	To reduce the minimum lot area requirements of both parcels from 5,000 square feet to 4,305 square feet.
Variance	To reduce the minimum lot width requirements of both parcels from 40 feet to 35 feet.

SITE DATA

Existing Zoning	RIA Single-Family District
Lot Area	8,610 square feet
Ward(s)	I
Neighborhood(s)	Columbia Park Neighborhood Association
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable.
Small Area Plan(s)	Not applicable.

Date Application Deemed Complete	September 26, 2016	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	November 25, 2016	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject site of 591 36 ½ Avenue Northeast is comprised of two underlying platted lots, Lots 54 and 55 of Block 105, Columbia Heights Addition to Minneapolis. The total width is 70 feet. There is an existing single-family dwelling and detached garage located in the north rear of the property adjacent to the public alley.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. There is a mix of single and two-family dwellings in the immediate area. Columbia Heights is located less than one block to the north.

PROJECT DESCRIPTION. The applicant is proposing to divide the subject property into two lots of equal size along the original, underlying platted lot line. The single-family dwelling and garage would be demolished to allow for the construction of two new single-family dwellings, each with a detached garage. Because the lot division would occur along the original, underlying platted lot line, it can be processed administratively provided all other zoning requirements are met. The RIA District requires a minimum lot width of 40 feet and minimum lot area of 5,000 square feet per parcel. Both parcels would be 35 feet wide and 4,305 square feet in area. Variances are required to reduce these requirements before the lot division can be authorized. The applicant has shown two conceptual dwellings on the site plan that would require no yard variances.

PUBLIC COMMENTS. As of the writing of this staff report, the neighborhood group has not submitted comments. 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 minimum lot area requirements of both parcels from 5,000 square feet to 4,305 square feet and a variance to reduce the minimum lot width requirements of both parcels from 40 feet to 35 feet to allow a lot division into two parcels 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.*

Both variances: Practical difficulties exist in complying with the minimum lot area and lot width requirements due to circumstances unique to the property. The subject site was originally two platted lots with the lot areas proposed by the applicant. The applicant is proposing to divide the site according to the original platting. There is a mix of lot sizes in the immediate area, including those that are of a similar size and width as the proposed parcels. However, the regulations of the district would prevent the applicant from creating parcels that are consistent with these other lots. With the existing lot area, a much larger dwelling could be constructed on the site, which would be out of character with the moderately sized 1 to 1 ½ story homes in the surrounding area. These circumstances have not been created by the property owner.

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.*

Both variances: In general, lot area and width requirements are established to ensure compatibility with surrounding uses. The RIA Single-Family District is established to provide for an environment of predominantly low density, single-family dwellings and cluster developments with a minimum of 5,000 square feet of lot area per dwelling unit. The lot size standards are intended to reinforce the predominant character of a low density residence district. The subject site was originally two platted lots with the lot areas proposed by the applicant. The applicant is proposing to divide the site according to the original platting. Both proposed lots would have alley access. These lots would not be out of character with other properties on the same block. Of the 43 properties on the block, 11 (26 percent) are currently 35 feet in width and 4,305 square feet in area. In addition to those lots, there are 12 side-by-side two-family dwellings on lots sized between 5,535 square feet and 6,458 square feet in area. The entire block is zoned RIA, except for one property. A lot split that follows the original platting, resulting in each lot having 4,305 square feet of lot area, to allow for single-family residential development would be a reasonable use of the property. 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.*

Both 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. Uses in the immediate area are predominantly single- and two-family dwellings. The proposed lots would not be out of character with other properties on the same block. Both proposed parcels would be sufficient in size to allow for construction of a new single-family dwelling without the need for yard variances. The granting of the lot size variances would not be detrimental to the health, safety or welfare of the public or those utilizing the property. Also, the future construction of a single-family dwelling will require administrative site plan review and a building permit to ensure compliance with the applicable building codes and life safety ordinances.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the applications by Yan Chen for the property located at 591 36 1/2 Avenue Northeast:

A. Variance to reduce the minimum lot area requirement.

Recommended motion: **Approve** the variance to reduce the minimum lot area requirement from 5,000 square feet to 4,305 square feet for both proposed parcels to allow a lot division, subject to the following conditions:

- I. Approval of the lot division by the Department of Community Planning and Economic Development.

B. Variance to reduce the minimum lot width requirement.

Recommended motion: **Approve** the variance to reduce the minimum lot width requirement from 40 feet to 35 feet for both proposed parcels to allow a lot division, subject to the following conditions:

- I. Approval of the lot division by the Department of Community Planning and Economic Development.

ATTACHMENTS

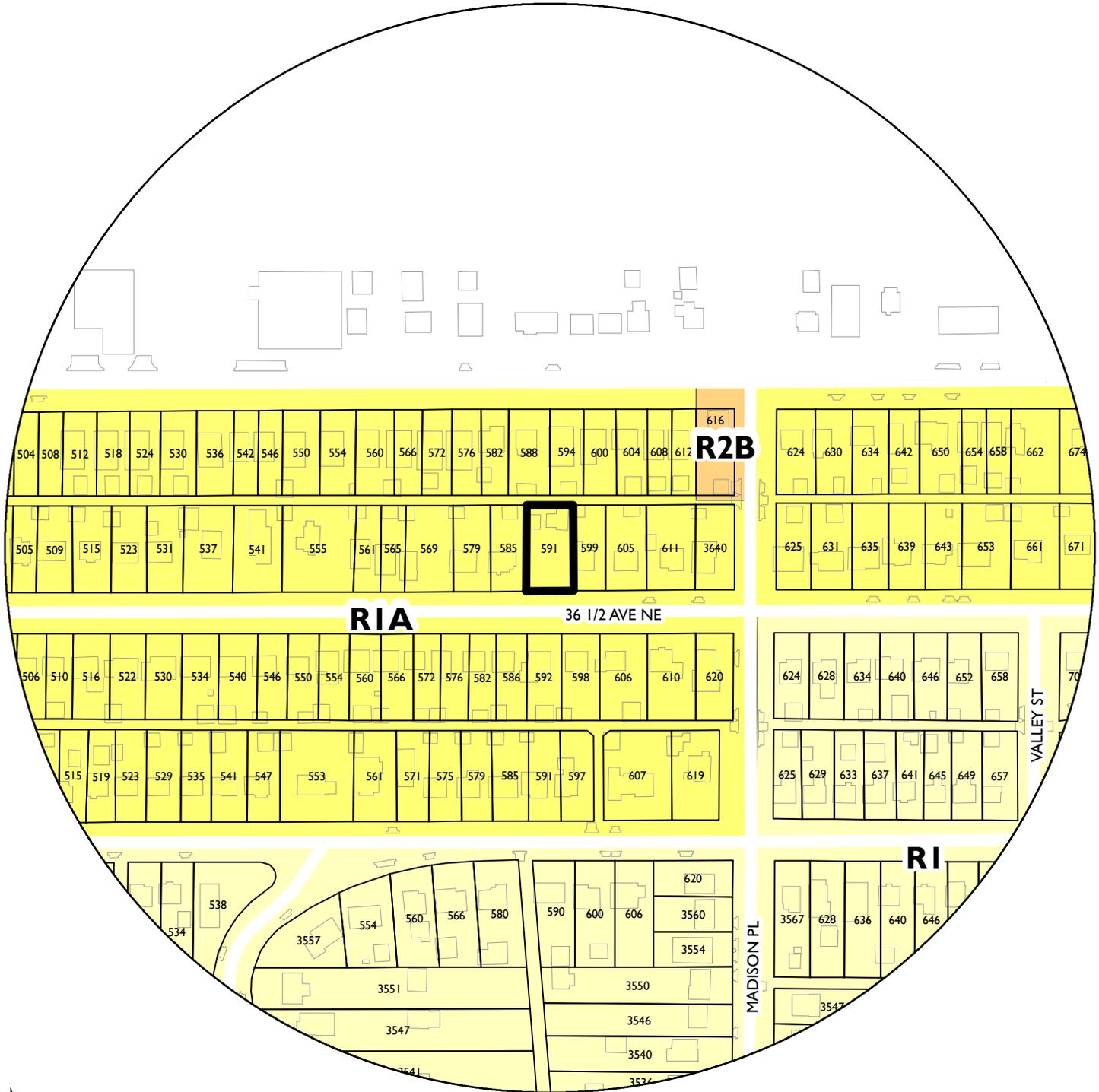
1. Zoning map
2. Hennepin County map of surrounding properties and lot width
3. Written description and findings submitted by applicant
4. Site survey
5. Proposed site plan
6. Photos

Yan Chen

I

NAME OF APPLICANT

WARD



PROPERTY ADDRESS
591 36 1/2 Avenue Northeast

FILE NUMBER
BZZ-7952

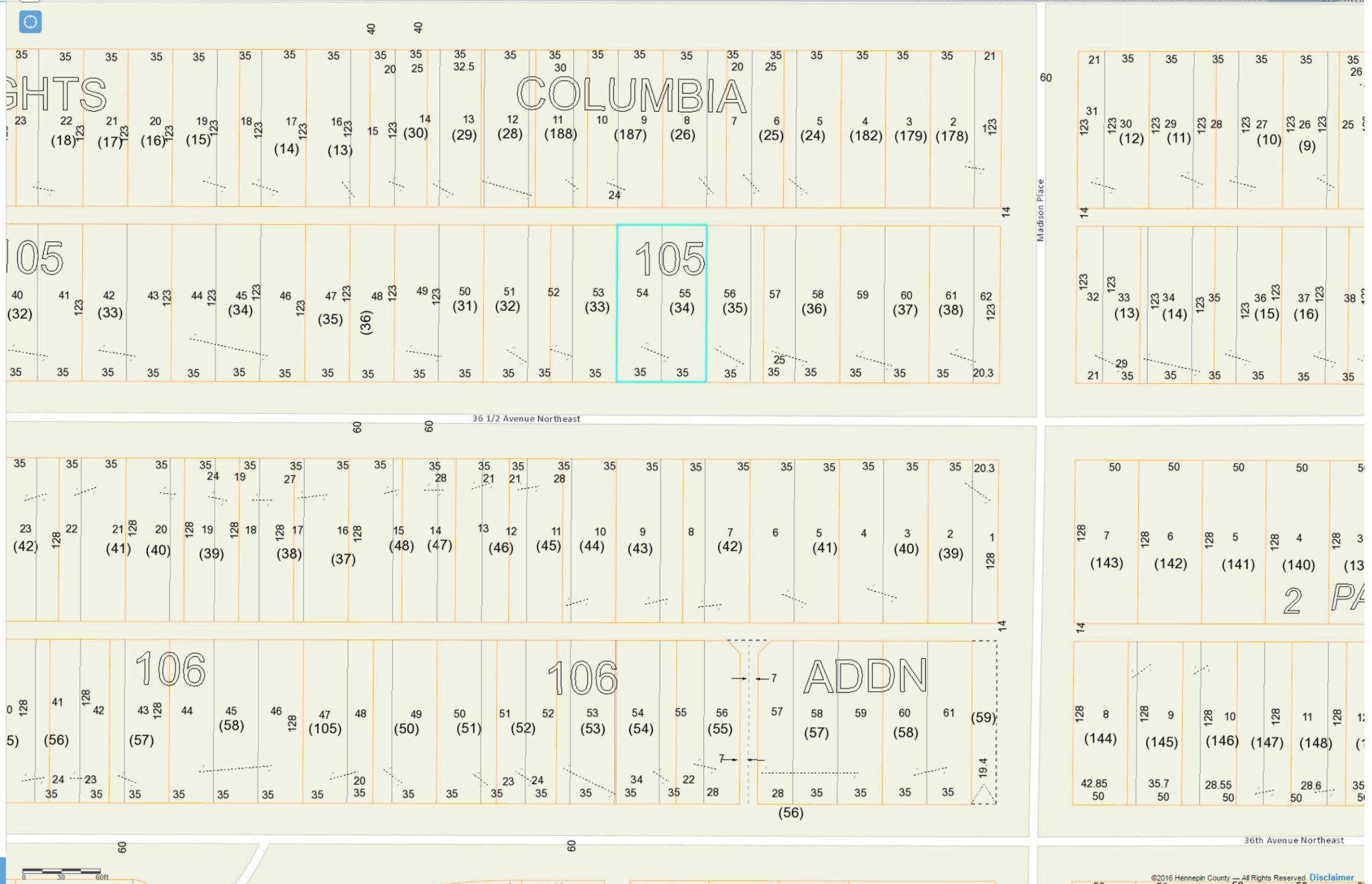
Property

Go to Property links

Clear results
PID: 0202924120034
591 36 1/2 Ave N E
Minneapolis, MN 55418

Table with 2 columns: Field Name and Value. Includes Owner/Taxpayer (Yan Chen), Tax Data (Assessed 2015, Payable 2016), and Tax Data (Assessed 2016, Payable 2017).

Table with 2 columns: Field Name and Value. Includes Sales (Warranty Deed, \$48,300, 12/1997) and Tax District (School Dist: 001, Sewer Dist, Watershed Dist: 6).



Statement of proposed use and request for variances

The house at 591 36 ½ AVE NE is a 532 sqft building with one bedroom and one bathroom. The parcel size for this property is 70'X123', which is the result of the merger of two parcels that were originally intended to accommodate two single family houses. The previous owner purchased the two lots and built a single family home on it. I am now the current owner of the property.

By examining the surrounding houses and my own lot, I came to the conclusion that my lot is ideally suited for subdivision into two lots to accommodate two single family houses, which was the intention of the original city plan and preserve the character of the neighbourhood. For example, we identified the following houses in the neighborhood that have a similar lot size as our proposed subdivided lots:

Here is a list of properties and lot sizes:

501 36 1/2 Ave 33 x 125

505 36 1/2 Ave 35 x 125

565 36 1/2 Ave 35 x 124

500 37th Ave 35 x 120

504 37th Ave 34 x 120 x 35 x 121

508 37th Ave 35 x 121

542 37th Ave 35 x 122

546 37th Ave 35 x 122

654 37th Ave 35 x 122

658 37th Ave 34 x 122 x 35 x 122

679 37th Ave 35 x 123

683 37th Ave 35 x 123

Please note, all the properties north of our property on 37th Avenue are higher density with duplexes on the lots: 512,518,524,530,536,550,554,560,566,572,576,594 37th Ave NE are all double bungalows. 566 37th is a double bungalow on a lot of size 39 x 123 x 40 x 123.

It is my believe that the most efficient way of using the land and resources to accommodate more families in the city would be the construction of two reasonable sizes houses on subdivided lots. I further believe that this plan is much more in harmony with preserving the character of the neighborhood than a larger house on a single lot. Therefore, it is my sincere hope that the city will allow us to subdivide the lot and restore the original intent of the city planning.

CERTIFICATE OF SURVEY FOR: PG Hines Construction, Inc.

LEGAL DESCRIPTION:

Lot 54 and Lot 55, Block 105, COLUMBIA HEIGHTS ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota.

NOTES:

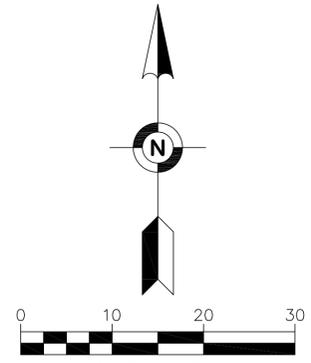
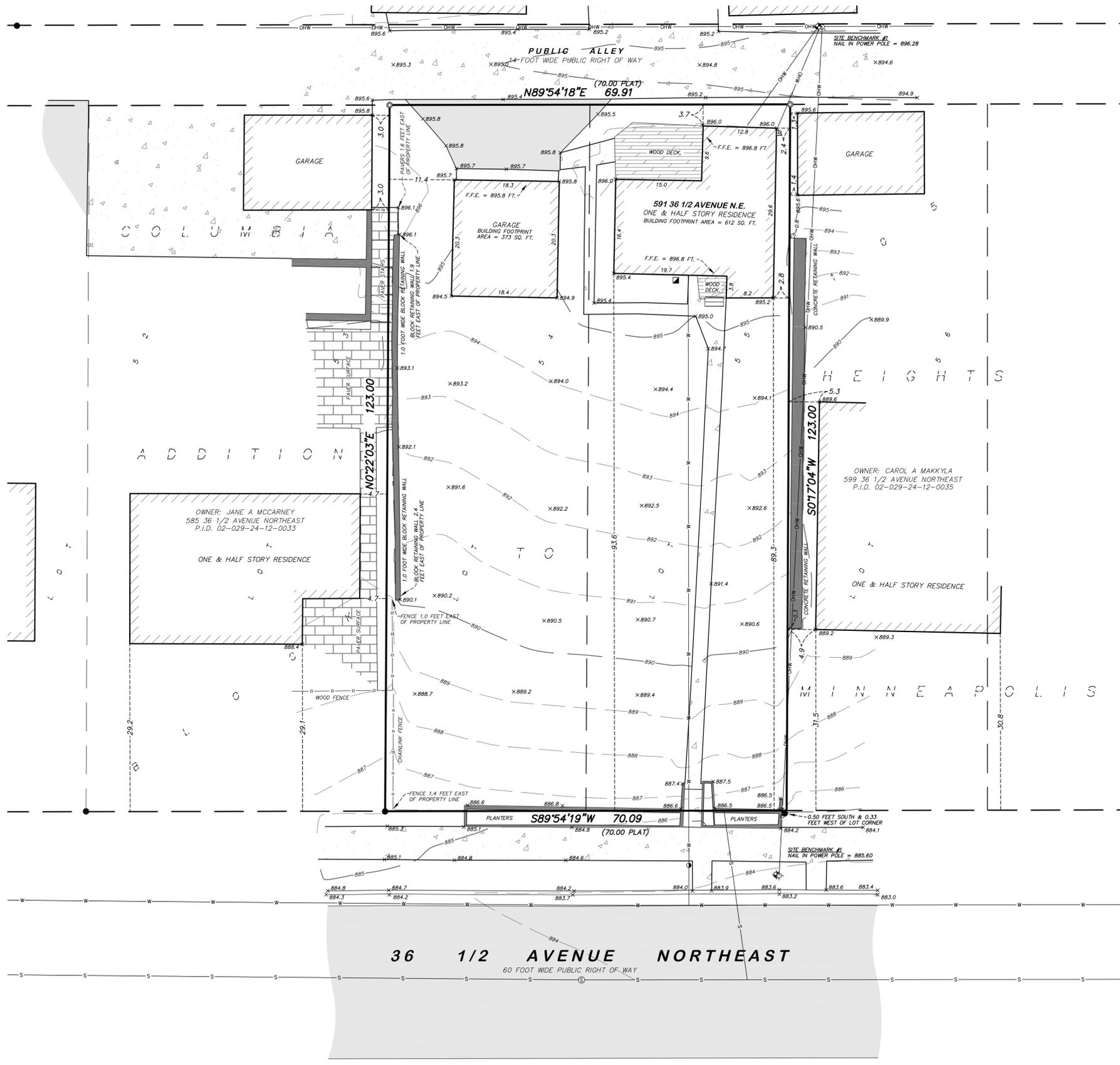
- The orientation of this bearing system is based on the Hennepin County coordinate grid (NAD 83-96 Adj.).
- The total area of the property described hereon is 8,610 square feet or 0.1977 acres.
- Title work was not furnished to Egan, Field & Nowak, Inc. for the preparation of this survey to verify the legal description, or the existence of any easements or encumbrances.
- Existing utilities, services and underground structures shown hereon were located based upon observed evidence. Verification and location of all utilities and services should be obtained from the owners of the respective utilities prior to any design, planning or excavation.
- The property described hereon lies within Flood Zone X (Areas determined to be outside of the 0.2% annual chance floodplain) per Federal Insurance Rate Map No. 27053 C 0217 E, dated September 2, 2004.
- SITE BENCHMARK #1: Spike set in side of power pole in boulevard opposite the southeast corner of property. Elevation = 885.60 feet. (NAVD 88)
- SITE BENCHMARK #2: Spike set in side of power pole across alley opposite the northeast corner of property. Elevation = 896.28 feet. (NAVD 88)

CERTIFICATION:

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

Date of survey: March 28, 2016.
Date of signature: April 27, 2016.

Brent R. Peters
Brent R Peters
Minnesota License No. 44123



● FOUND IRON MONUMENT
⊙ SET IRON MONUMENT MARKED WITH LICENSE NUMBER 44123

LEGEND:

- ⊙ SANITARY MANHOLE
- ⊙ STOP BOX
- ⊙ GAS METER
- ⊙ ELECTRIC METER
- ⊙ UTILITY POLE
- ⊙ POWER POLE WITH LIGHT
- CHAIN LINK FENCE
- WOOD FENCE
- SANITARY SEWER
- WATERMAIN
- OVERHEAD WIRE
- SPOT ELEVATION
- EXISTING CONTOUR LINE
- BITUMINOUS SURFACE
- CONCRETE SURFACE

FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS	
2683	42	EM	NO.	DATE
DRAWING NAME: _36641_C3D.dwg			DESCRIPTION	
			DRAWN BY: PMD	
JOB NO. 36641			CHECKED BY: BRP	
FILE NO. 3686				

CERTIFICATE OF SURVEY

SURVEY FOR:
PG Hines Construction, Inc.

PROPERTY ADDRESS:
**591 36 1/2 Avenue Northeast
Minneapolis, Minnesota 55418**



Egan, Field & Nowak, Inc.
land surveyors since 1872

1229 Tyler Street NE, Suite 100
Minneapolis, Minnesota 55413
PHONE: (612) 466-3300
FAX: (612) 466-3383
WWW.EFNSURVEY.COM
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CERTIFICATE OF SURVEY FOR: PG Hines Construction, Inc.

LEGAL DESCRIPTION:

Lot 54 and Lot 55, Block 105, COLUMBIA HEIGHTS ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota.

PROPOSED LEGAL DESCRIPTION:

Parcel A:

Lot 54, Block 105, COLUMBIA HEIGHTS ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota.

Parcel B:

Lot 55, Block 105, COLUMBIA HEIGHTS ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota.

NOTES:

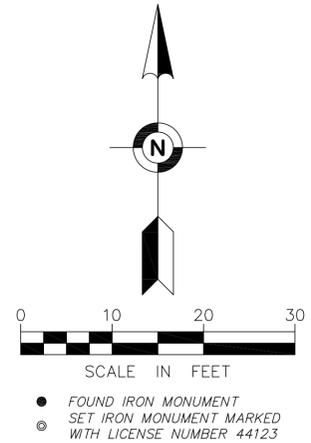
- The orientation of this bearing system is based on the Hennepin County coordinate grid (NAD 83-96 Adj).
- The total area of the property described hereon is 8,610 square feet or 0.1977 acres. The area of Proposed Parcel A is 4,305 square feet or 0.0988 acres. The area of Proposed Parcel B is 4,305 square feet or 0.0988 acres.
- Title work was not furnished to Egan, Field & Nowak, Inc. for the preparation of this survey to verify the legal description, or the existence of any easements or encumbrances.
- Existing utilities, services and underground structures shown hereon were located based upon observed evidence. Verification and location of all utilities and services should be obtained from the owners of the respective utilities prior to any design, planning or excavation.
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- SITE BENCHMARK #2: Spike set in side of power pole across alley opposite the northeast corner of property. Elevation = 896.28 feet. (NAVD 88)

CERTIFICATION:

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

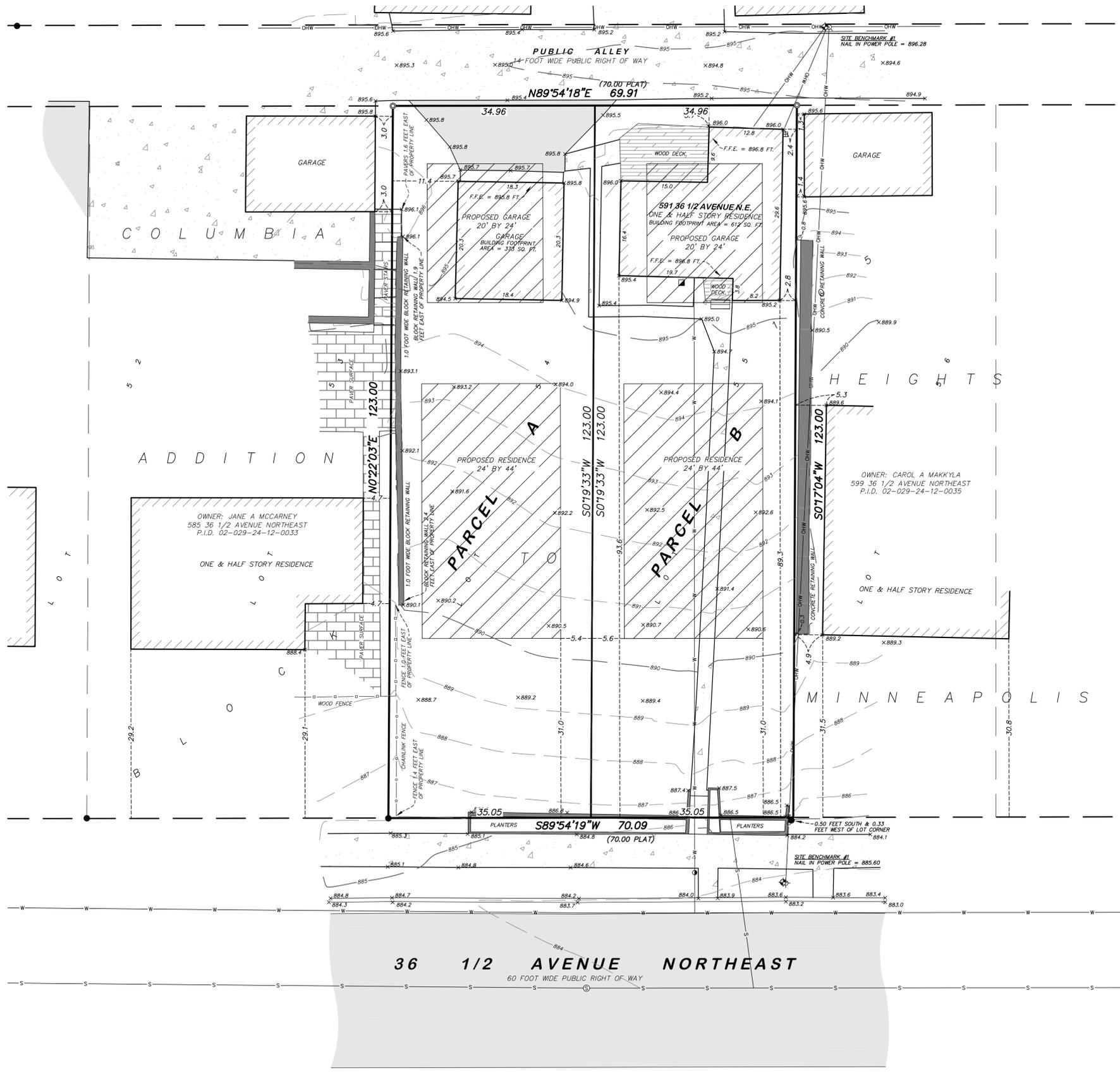
Date of survey: March 28, 2016.
Date of signature: June 9, 2016.

Brent R Peters
Brent R Peters
Minnesota License No. 44123



LEGEND:

- ⊙ SANITARY MANHOLE
- ⊙ STOP BOX
- ⊙ GAS METER
- ⊙ ELECTRIC METER
- ⊙ UTILITY POLE
- ⊙ POWER POLE WITH LIGHT
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