

LAND USE APPLICATION SUMMARY

Property Location: 2000 West 21st Street
Project Name: 2000 West 21st Street Addition
Prepared By: Janelle Widmeier, Senior City Planner, (612) 673-3156
Applicant: Matthew Spies and Julia Silvis
Project Contact: Chris Christofferson, David Heide Design Studio
Request: To allow a rear one-story addition to a single-family dwelling.
Required Applications:

Variance	To reduce the minimum interior side yard requirement adjacent to the west lot line from 6 feet to 3 feet to allow a rear one-story addition and from 6 feet to 5 feet to allow a window well exceeding 16 square feet in area.
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SITE DATA

Existing Zoning	RI Single-family District SH Shoreland Overlay District
Lot Area	7,204 square feet
Ward(s)	7
Neighborhood(s)	Kenwood Isles Area Association
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable
Small Area Plan(s)	Not applicable

Date Application Deemed Complete	May 10, 2016	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	July 9, 2016	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The existing use is a single-family dwelling. It was permitted for construction in 1908.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding properties are predominantly single-family dwellings. The subject site and adjacent properties are not served by a public alley. The subject property is located one block from Lake of the Isles.

PROJECT DESCRIPTION. The applicant is proposing to construct an approximately 500 square foot, one story addition to the rear of the single-family dwelling located at the property of 2000 West 21st Street. The minimum interior side yard requirement is 6 feet. The addition would be located 3 to 3.25 feet from the west side lot line. Egress window wells not exceeding 16 square feet in area are permitted in interior side yards. The proposed window well on the north side of the addition would be a total of 36 square feet in area and would be setback 5 feet from the west side lot line. A variance is required to reduce the interior side yard requirement to allow the proposed obstructions.

Please note that the architectural plans reflect the current proposal. The survey indicates that the west wall of the addition with windows would extend closer to the side lot line than allowed by the building code. Because windows are required by the zoning code, the applicant revised the proposal. However, the survey was not updated.

PUBLIC COMMENTS. Comments have been received from the neighborhood group, Kenwood Isles Area Association, that are attached to this report. Any additional 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 reduce the minimum interior side yard requirement adjacent to the west lot line from 6 feet to 3 feet to allow a rear one-story addition and from 6 feet to 5 feet to allow a window well exceeding 16 square feet in area 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 addition to the dwelling would be set back 3 feet and the proposed 36 square foot egress window well would be setback 5 feet from the interior side lot line. The minimum interior side yard setback requirement is 6 feet because the lot is 50 feet wide. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property that were not created by the applicant. The applicant is proposing to extend the existing west wall, which is setback 2.7 to 3 feet from the side lot line. In the zoning code, a single-family dwelling nonconforming as to side and rear yards only has all the rights of a conforming structure, provided the structure is located not closer than 3 feet from the side lot line, and provided further that the structure is not enlarged, altered or relocated in such a way as to increase its nonconformity. The extension of a single-family dwelling along the existing setback or the addition of a second story or half-story is not considered as increasing its nonconformity, provided the portion of the structure within the required side yard comprises at least 60 percent of the length of the entire structure, and

provided further that the structure is not enlarged, altered or relocated within the required front yard and all other requirements of this zoning ordinance are met. Because the existing wall is angled slightly and is closer to the side lot line at the rear of the dwelling, the addition does not qualify for this exception. Egress window wells are permitted obstructions in required yards provided the total area does not exceed 16 square feet in area and they are located at least 2 feet from a side lot line. The window well would be on the north side of the addition. It would be set back 5 feet from the side lot line and only 4 square feet would extend into the required side yard. It is not a permitted obstruction because the total size exceeds 16 square feet.

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. A driveway separates the proposed addition from the adjacent dwelling to the west. The one-story addition is not expected to have any impacts on the adjacent properties access to light, air and open space. Because the egress window well would be set back 5 feet from the side lot line and only 4 square feet of the window well would extend into the side yard, sufficient room would remain to maneuver around the well without crossing over onto the neighboring property. 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.*

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. A driveway separates the proposed addition from the adjacent dwelling to the west. The one-story addition is not expected to have any impacts on the adjacent properties access to light, air and open space. Because the egress window well would be set back 5 feet from the side lot line and only 4 square feet of the window well would extend into the side yard, sufficient room would remain to maneuver around the well without crossing over onto the neighboring property. The addition would be compatible with the existing dwelling. The siding of the addition would be stucco to match the dwelling. The roof pitch and style would also match. The granting of the variance would not be detrimental to the health, safety or welfare of the public or those utilizing the property provided the proposed additions are constructed to current building codes.

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 fences and other soil barriers would be used during construction. After construction, vegetation would be established around the new addition.

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

The site is located one block from Lake of the Isles. The area between the protected water and the subject property is developed with single-family dwellings and a place of assembly. The proposed addition would 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 applications by Matthew Spies and Julia Silvis for the property located at 2000 West 21st Street:

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

Recommended motion: **Approve** the variance to reduce the minimum interior side yard requirement adjacent to the west lot line from 6 feet to 3 feet to allow a rear one-story addition and from 6 feet to 5 feet to allow a 36 square foot egress window well, 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 June 9, 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. Proposed site plan
5. Floor plans
6. Building elevations
7. Photos
8. Comments received



Variance Application
2000 West 21st Street
Minneapolis, Minnesota 55406

Date: May 5th, 2016

Project Description

The primary components of the proposed project are the addition of a first-floor family room and family entry at the rear of the existing house, along with the remodeling of the kitchen. The main objectives are to increase the family living area and the functionality and relationships of the first floor. The specific components of the project are:

- Construct a one story 28'-6" x 18'-0" addition to the rear of the house. This requires a variance to reduce the side yard setback requirement from 6'-0" to 3'-0".
- Construct a 4'-0" x 9'-0" window well to the rear of the addition. This requires a variance to reduce the side yard setback requirement from 6'-0" to 5'-0"
- Construct a window well 4'-0" x 9'-0"
- Add a first floor family room, back hall, powder room, closet and family entry.
- Remodel and expand the kitchen.

The design of the new one story addition will match the existing in most respects, with the same stucco exterior and asphalt shingle roofing and the same height, roof pitch and soffit details as the front porch. The window well will be constructed with concrete block with rock face.

Required Findings

One story addition: Variances to reduce side yard requirements from 6 feet to 3'-0" to allow new one story addition

Window well: Variance to reduce side yard requirements from 6'-0" to 5'-0" to allow for new egress window well

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 unique circumstances are that the existing building is not sited parallel to the property line and is constructed within the 6'-0" setback as outlined by Section 546.220 of the Municipal Code. The neighboring structures also do not site parallel to the property line, but are parallel with each other. These circumstances were not created by the current owner and are not based on economic considerations.

Provision 531.30 of the Code allows a nonconforming setback if the existing structure is located no closer than 3'-0" to the property line. The provision also allows new construction within the setback provided the construction does not increase the building's non-conformity.

The existing building is located 3'-0" from the West property line at the front corner. Because the building is not situated parallel to the property line, the Northwest, or rear corner of the building is 2'-8½" from the property line. These dimensions are to the existing 4" deep water table on the building. Because the proposed addition does not include a 4" water table, but is set 3" back from the face of the existing west wall, the new construction will begin 3'-3 ½" from the West property line and end 3'-0" from the line. The west edge of the new window well will be 5'-0" from the property line. Our requested Variance is to allow construction to have a 3'-0" setback from the West property line.

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 use of the property and the proposed addition and window well are reasonable and in keeping with the spirit and intent of the zoning ordinance and comprehensive plan. The use will remain a single-family residence. It is not an inappropriate use of land. It will not prevent adequate light, air, privacy, and convenience of access to property. Access to the rear and side of the house for maintenance purposes will be no more difficult than the existing condition.

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 variance will not alter the essential character of the locality, be injurious to the use or enjoyment of other property in the vicinity, or be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. The one story addition aligns with the existing house as well as the neighboring houses and will be constructed to match the existing building. The addition, at its closest point will actually be farther away from the property line than the existing house.

One story addition & window well: Shoreland Overlay District Variance

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

The existing property is located over 500 feet from the public waters, has low sloping grade, and has a significant amount of vegetation preventing the soil from erosion. The addition is being built on a relatively flat area and the grade will be sloped away from the house and property in a very gradual slope. The home owners will install sod and other vegetation to hinder soil erosion.

During Construction the use of silt fences and other soil barriers will be used to prevent soil erosion. Dumpsters will be used to remove any other pollutants from the site.

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

The proposed addition and window well are at the rear of the existing residence and will not be visible from the protected waters, because of its location and other residences, trees and vegetation between the property and the lakes.

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

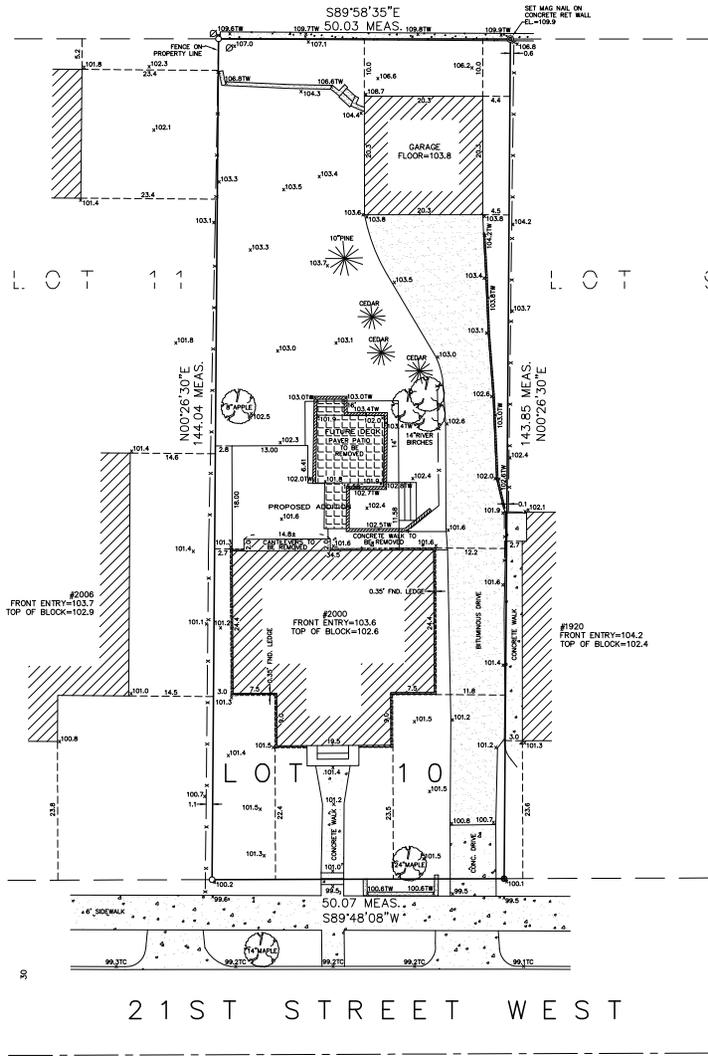
This residence is far enough away from the protected water that it does not affect the types, uses, and numbers of watercraft on the water. The owners do not own or launch a watercraft on the lake.

SITE ADDRESS: 2000 21ST ST. W
MINNEAPOLIS, MN 55405

EXISTING CONDITION SURVEY WITH PROPOSED ADDITON FOR: R.A. KRESSE CO. INC.

Legend

- x — x — Fence
- ∅ Power Pole
- ===== Concrete Curb
- ===== Timber Retaining Wall
- ===== Stone Retaining Wall
- ===== Concrete Retaining Wall
- x900.0 Existing Elevation
- x900.0TC Top of Curb Elevation
- x900.0TW Top of Wall Elevation
- Found Iron Monument
- ⊙ Set Mag Nail
- Set 1/2" x 14" Iron Pipe Inscribed w/ R.L.S 15230



SCALE: 1 INCH = 10 FEET

EXISTING AREA CALCULATION:

Lot Area = 7,204 SF
IMPERVIOUS SURFACE:
 House = 1,087 SF
 Detached Garage = 412 SF
 Concrete/Bituminous Drive = 1,172 SF
 Front Walk and Sloop = 108 SF
 Rear Walk = 60 SF
 Paver Patio = 181 SF
 Total = 3,023 SF
 = 42.0%
 60% Maximum Allowable Impervious Surface

PROPOSED AREA CALCULATION:

Lot Area = 7,204 SF
IMPERVIOUS SURFACE:
 House w/ Cantilevers Removed = 1,062 SF
 Proposed Addition = 434 SF
 Future Deck = 224 SF
 Detached Garage = 412 SF
 Concrete/Bituminous Drive = 1,172 SF
 Front Walk and Sloop = 108 SF
 Rear Walk Removed = 0 SF
 Paver Patio Removed = 0 SF
 Total = 3,412 SF
 = 47.4%
 60% Maximum Allowable Impervious Surface

PROPERTY DESCRIPTION:

Lot 10, Block 1, ISLAND PARK ADDITION TO MINNEAPOLIS, including adjacent half of vacant alley, Hennepin County, Minnesota.

NOTES:

- Existing building wall dimensions are measured to the finished siding and not the building foundation.
- Existing building setbacks are measured to the foundation.
- Proposed Addition is drawn using the building wall line and not the building foundation.
- No Search Was Made For Any Easements.
- The location of all utilities shown are from either observed evidence in the field and/or from plans furnished by the utility companies and are approximate. Utility companies should be notified for exact location before doing any excavation.

I hereby certify that this survey, plan, 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.

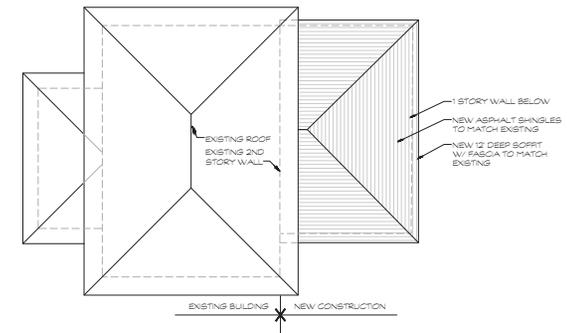
W. BROWN LAND SURVEYING, INC.

Woodrow A. Brown
 Woodrow A. Brown, R.L.S. MN REG 15230

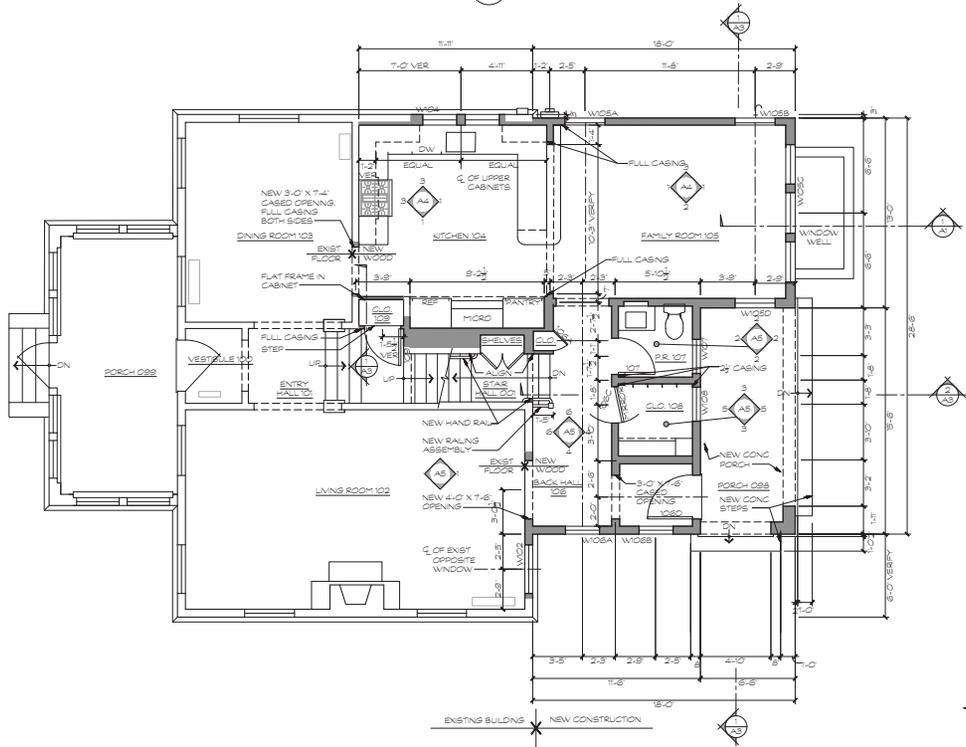
Date: 03-23-2016

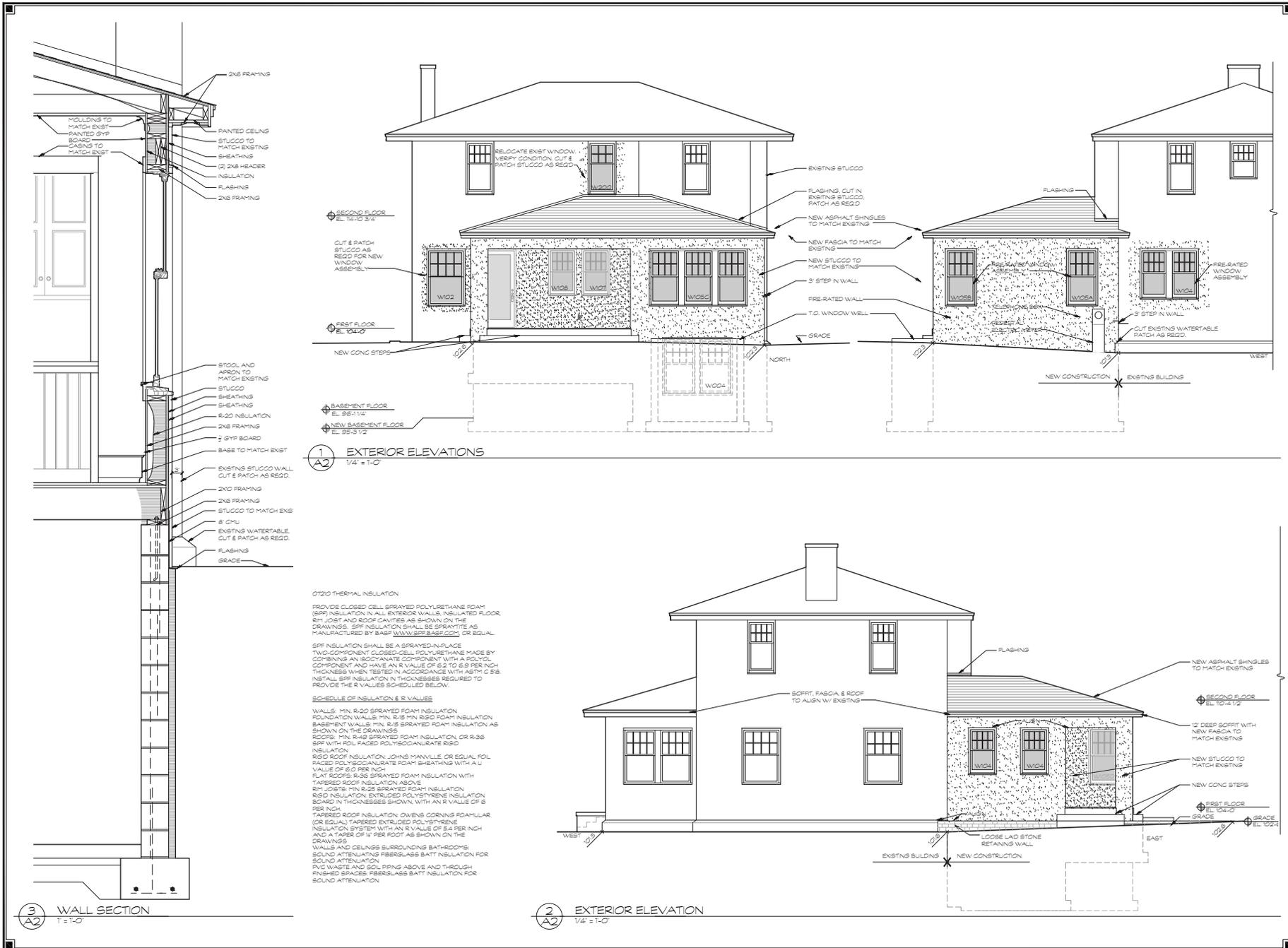
W. BROWN LAND SURVEYING, INC.
 8030 Cedar Avenue So., Suite 228.
 Bloomington, MN 55425
 Bus: (952) 854-4055
 Fax: (952) 854-4268

Drawing: 40-16 Date: 03-23-2016 Scale: 1 inch = 10 Feet 1 of 1



2 NEW ROOF PLAN
1/8" = 1'-0"



















Deidra Anderson

From: Chris Christofferson
Sent: Thursday, May 05, 2016 4:47 PM
To: Deidra Anderson
Subject: FW: Variance Neighborhood Review

Chris Christofferson
Associate AIA

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From: Jeanette Colby [mailto:jmcolby@earthlink.net]
Sent: Thursday, May 5, 2016 9:15 AM
To: Chris Christofferson <CChristofferson@DHDstudio.com>
Cc: Matthew Spies <matthew.spies@gmail.com>; Julia Silvis <julia.silvis@gmail.com>; Nou Her <NHer@dhdstudio.com>
Subject: RE: Variance Neighborhood Review

Hi Chris and Nou,

The Kenwood Isles Area Association was able to conduct a vote on this variance request, and has no objection to it. We support Matt Spies and Julia Silvis' plan to remodel their home at 2000 21st Street.

Best regards,

Jeanette Colby
KIAA Chair

-----Original Message-----

From: Chris Christofferson
Sent: May 2, 2016 4:41 PM
To: Jeanette Colby
Cc: Matthew Spies , Julia Silvis , Nou Her
Subject: RE: Variance Neighborhood Review

Hello Jeanette,

Attached you will find the letter explaining the variance that Matt Spies and Julia Silvis are applying for at their residence. Please review this request with the Kenwood Isles Area Association Board. I have included a PDF copy of the following items for your consideration.

1. Letter to the Board Chair
2. Site/First floor plan
3. Exterior elevations

As we discussed, Matt is happy to review this request with the Board at your meeting this evening. I am meeting with a Senior City Planner this Thursday to review the Variance Application and will follow up with my findings.

Please let me know if you have any questions or concerns with the Project. Have a nice meeting this evening.

Kind Regards, Chris

Chris Christofferson
Associate AIA

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