

LAND USE APPLICATION SUMMARY

Property Location: 2321 Humboldt Avenue South
Project Name: 2321 Humboldt Avenue South Additions
Prepared By: [Janelle Widmeier](#), Senior City Planner, (612) 673-3156
Applicant: Kent Kramer
Project Contact: Kent Kramer
Request: To allow additions to a single-family dwelling.
Required Applications:

Variance	To reduce the minimum interior side yard requirement adjacent to the north lot line to allow second story additions from 5 feet to 4 feet.
Variance	To increase the maximum floor area ratio (FAR) from 0.5 to 0.61.
Variance	To increase the maximum lot coverage from 45 percent to 58.4 percent.
Variance	Of the development standards for accessory dwelling units (ADU) to allow an internal ADU to be located on more than one level.

SITE DATA

Existing Zoning	RI Single-Family District
Lot Area	5,160 square feet
Ward(s)	7
Neighborhood(s)	East Isles Residents Association
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable.
Small Area Plan(s)	Not applicable.

Date Application Deemed Complete	July 21, 2016	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	September 19, 2016	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The existing legal use is a single-family dwelling. The 1.5 story dwelling was first permitted for construction in 1910 with a footprint of 28 feet by 40 feet. The dwelling was permitted to expand in 1918 with a 32 foot by 18 foot rear addition. Height, size and side yard variances were granted in 1983 for the existing detached garage. The current owner purchased the property in 2015. There are three kitchens in the dwelling, but there is no permit history indicating that they were legally established.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding properties are predominantly low-density dwellings. The adjacent property to the north is a 4-unit dwelling and the adjacent property to the south is a single-family dwelling.

PROJECT DESCRIPTION. The applicant is proposing to remodel the existing single-family dwelling located at the property of 2321 Humboldt Avenue South. The project would result in one principal dwelling with an internal ADU. The third unlawfully established unit would be removed. The proposal also includes the following:

For the principal dwelling:

- Removal of the half-story on the front of the dwelling to construct a full second story addition.
- Enclose an existing rear exterior staircase that provides access to the basement.
- Construct an open front porch.

For the ADU:

- Create a two-level ADU in the rear of the dwelling.
- A dormer addition on the north side of the half-story.
- Create a new rear entrance with stairs and landing.

The minimum interior side yard requirement for this site is 5 feet. The north side of the upper level additions would be 4 feet from the side lot line aligned with the side setback of the first floor. The extension of the dwelling along the existing setback is not considered as increasing its nonconformity in the zoning code, provided the portion of the structure within the required side yard comprises at least 60 percent of the length of the entire structure. The existing structure set back 4 feet from the side lot line comprises only 56.5 percent of the length of the entire structure. Therefore a variance is required to reduce the interior side yard requirement.

The maximum FAR allowed for a single-family dwelling is 0.5. The existing FAR is 0.38. The existing FAR only includes the first floor because the detached accessory structure, basement floor area and half-story floor area are excluded as allowed by section 546.240 of the zoning code. By adding a full-second floor addition, all of the habitable upper floor area, including the remaining half story, is included in the gross floor area. Therefore, the proposed FAR is 0.61. A variance is required to increase the maximum FAR.

In the RI district, the maximum lot coverage is 45 percent. The existing lot coverage is 56.7 percent. With the proposed alterations, the lot coverage net increase would be 90 square feet for total lot coverage of 58.4 percent. A variance is required to increase the maximum lot coverage.

The ADU development standards require the entire internal ADU to be located on one level. The applicant is proposing to locate the internal ADU on two levels (the first and upper half-story level). A

variance of the development standards is required. Upon approval of the variance, the administrative ADU application process will need to be completed and any necessary building permits must be obtained before the ADU can be established.

PUBLIC COMMENTS. Comments received from the neighborhood group, East Isles Residents Association, are 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: YARD

The Department of Community Planning and Economic Development has analyzed the application for a variance to reduce the minimum interior side yard requirement adjacent to the north lot line to allow second story additions from 5 feet to 4 feet, 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 applicant is proposing to remove part of the half-story to construct a full second story addition for the principal dwelling. A dormer addition is also proposed for the upper level of the ADU. Both additions would extend into the required interior side yard and would be set back 4 feet from the side lot line to align with the setback of the first story.

Practical difficulties exist in complying with the ordinance due to circumstances unique to the property. 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. Over the length of the entire structure, the north wall is set back 5.1 to 4 feet from the side lot line. The part of the dwelling nonconforming to the interior side yard requirement comprises over 60 percent of the entire length of the structure. However, the nonconforming setback undulates and varies from 4.4 feet to 4 feet. The additions would be a continuation of an existing wall that comprises only 56.5 percent of the length of the entire structure.

- 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 and air, and separation of uses. The adjacent dwelling to the north is located 7.5 feet from the shared lot line. Because the applicant is proposing replace a half-story with a second story addition and add a dormer to an existing half-story, the additions are not expected to

have any impacts on the adjacent properties access to light and air. If the proposal did not also require a variance to increase the maximum FAR, the request would be 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 adjacent dwelling to the north is located 7.5 feet from the shared lot line. Because the applicant is proposing to replace a half-story with a second story addition and add a dormer to an existing half-story, the additions are not expected to have significant impacts on the adjacent properties access to light and air. The design of the additions would be compatible with the existing structure. Currently, the primary exterior materials are stucco and two different exposures of lap siding. The applicant is proposing to simplify the materials with stucco on the walls of the first level and shingles on the walls of the upper level. Although granting the yard variance alone would not likely affect the character of the area or be injurious to the use or enjoyment of other property in the vicinity, the proposed additions would be adding more building bulk on a site that exceeds the maximum FAR and lot coverage regulations allowed in the immediate area. Most of the surrounding properties do not exceed these requirements. If granted, the proposed variance will 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.

VARIANCE: FAR

The Department of Community Planning and Economic Development has analyzed the application for a variance to increase the maximum floor area ratio from 0.5 to 0.61, 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 do not exist in complying with the maximum FAR of 0.5 due to circumstances unique to the property. The existing FAR is 0.38. The existing FAR only includes the first floor because detached accessory structures, basement floor area and half-story floor area are excluded as allowed by section 546.240 of the zoning code. If the existing half-story were included in the gross floor area, the FAR would be 0.59. Three additions, totaling 865 square feet of floor area, are proposed. The net increase in floor area would be only 100 square feet with the proposed removals and additions. But by adding a full-second floor addition, all of the habitable upper floor area, including the remaining half story, is included in the gross floor area. The resulting FAR is 0.61. A new upper half-story with dormers could allow for more habitable floor area without the need for a variance. Therefore, the need to increase the allowed FAR is a circumstance created by the applicant.

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, building bulk regulations are established in order to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area. Comprehensive plan policies call for single-family infill development to reflect the setbacks, orientation, pattern, materials, height and scale of surrounding dwellings.

The applicant is proposing three additions to the existing dwelling. In total, the additions would add 865 square feet of floor area. Because a second story is proposed, all proposed and remaining half-story habitable floor on the upper level is included in the gross floor area. The resulting FAR would be 0.61. The net increase in floor area would be 100 square feet. Most of the building bulk would be added at the front of the dwelling. As the applicant has indicated, 2-story dwellings are characteristic of the surrounding area. However, the existing structure has a large footprint and little open area on the site. Open space is characteristic of low density residential areas, including the surrounding area. The existing building bulk has resulted in a shortage of open space on the site. Adding more bulk would further adversely impact the feeling of open space. For these reasons, the request is not reasonable or 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 likely affect the character of the area and could be injurious to the use or enjoyment of other property in the vicinity. The design of the additions would be compatible with the existing structure. Currently, the primary exterior materials are stucco and two different exposures of lap siding. The applicant is proposing to simplify the materials with stucco on the walls of the first level and shingles on the walls of the upper level. Most of the building bulk would be added at the front of the dwelling. As the applicant has indicated, 2-story dwellings are characteristic of the surrounding area. However, the existing structure has a large footprint and little open area on the site. Open space is characteristic of low density residential areas, including the surrounding area. The existing building bulk has resulted in a shortage of open space on the site. Adding more bulk would further adversely impact the feeling of open space. If granted, the proposed variance will not be detrimental to the health, safety or welfare of the public or those utilizing the property provided the proposed construction is built to current building codes.

VARIANCE: LOT COVERAGE

The Department of Community Planning and Economic Development has analyzed the application for a variance to increase the maximum amount of allowed lot coverage from 45 percent to 58.4 percent 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.*

In the R1 district, the maximum lot coverage is 45 percent. The existing lot coverage is 56.7 percent. With the proposed alterations, the lot coverage net increase would be 90 square feet for total lot coverage of 58.4 percent. The structures that would count towards an increase in lot coverage are a rear ADU landing and steps and a new open 6 foot deep by 22.5 foot wide (135 square feet) front porch addition. Although the existing lot coverage is over the maximum allowed, most of alterations at ground level could be allowed without the variance. For example, a smaller front porch could be proposed. Therefore, practical difficulties do not exist in complying with the ordinance.

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 maximum lot coverage requirements are established to preserve open space in residential and office residential districts. The variance is primarily being requested to allow the proposed front porch. The applicant has provided photos showing that open front porches are characteristic of the surrounding area. However, open space is also characteristic of low density residential areas, including the surrounding area. Most surrounding properties do not exceed the maximum lot coverage. The existing building bulk has resulted in a shortage of open space on the site. Adding more structures, even an open front porch, would adversely impact the feeling of open space. For these reasons, the request is not reasonable or 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 affect the character of the area and would be injurious to the use or enjoyment of other property in the vicinity. The variance is primarily being requested to allow the proposed front porch. The applicant has provided photos showing that open front porches are characteristic of the surrounding area. However, open space is also characteristic of low density residential areas, including the surrounding area. Most surrounding properties do not exceed the maximum lot coverage. The existing building bulk has resulted in a shortage of open space on the site. Adding more structures, even an open front porch, impacts the feeling of open space. If granted, the proposed variance will not be detrimental to the health, safety or welfare of the public or those utilizing the property provided the proposed construction is built to current building codes.

VARIANCE: ADU DEVELOPMENT STANDARD

The Department of Community Planning and Economic Development has analyzed the application for a variance of the development standards for accessory dwelling units to allow an internal ADU to be located on more than one level 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. The applicant is proposing to legalize a 2-level unit that was unlawfully established in the rear of the principal structure by converting it to an ADU. The first level is connected to the second level by a spiral staircase in an open lofted area.

- 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, standards governing accessory uses and structures are established to provide for the orderly development and use of land and to minimize conflicts among land uses by governing the type, size, location and operational characteristics of accessory uses and structures. The intent of limiting the number of levels that an internal ADU can occupy is to preserve the character of single- and two-family dwellings. The applicant is proposing to legalize a 2-level unit that was unlawfully established in the rear of the existing principal structure. The ADU would remain subordinate to the principal dwelling and would comply with all other applicable requirements for an internal ADU. As proposed, the 2-levels of the ADU would not be discernable from the exterior. The request is reasonable and in keeping with 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 applicant is proposing to legalize a 2-level unit that was unlawfully established in the rear of the existing principal structure. The ADU would remain subordinate to the principal dwelling and would comply with all other applicable requirements for an internal ADU. As proposed, the 2-levels of the ADU would not be discernable from the exterior. 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 conversion complies with current building codes. Also, a dormer to allow egress for the upper level of the ADU could be constructed even if the other variances are not approved.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the applications by Kent Kramer for the property located at 2321 Humboldt Avenue South:

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

Recommended motion: **Deny** the variance to reduce the minimum interior side yard requirement adjacent to the north lot line to allow second story additions from 5 feet to 4 feet to allow additions to a single-family dwelling.

B. Variance to increase the maximum floor area ratio.

Recommended motion: **Deny** the variance increase the maximum floor area ratio from 0.5 to 0.61 to allow additions to a single-family dwelling.

C. Variance to increase the maximum lot coverage.

Recommended motion: **Deny** the variance to increase the maximum lot coverage from 45 percent to 58.4 percent.

D. Variance of the accessory dwelling unit standards.

Recommended motion: **Approve** the application for a variance of the development standards for accessory dwelling units to allow an internal ADU to be located on more than one level, subject to the following conditions:

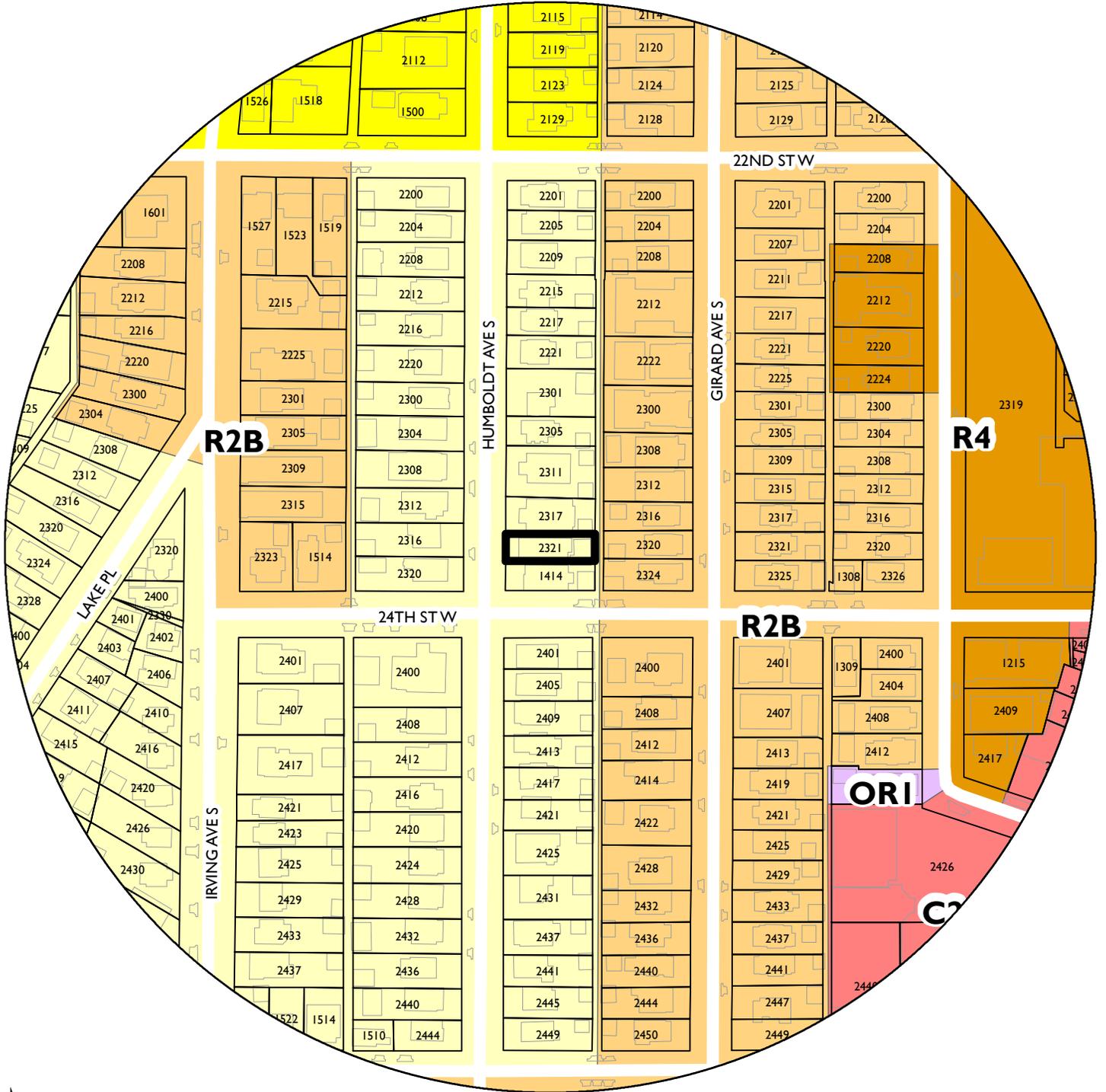
1. All site improvements shall be completed by August 11, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

ATTACHMENTS

1. Zoning map
2. Written description and findings submitted by applicant
3. Site survey
4. Existing floor plans
5. Proposed floor plans/site plan
6. Building elevations
7. Photos
8. Public comments

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

2321 Humboldt Avenue South

FILE NUMBER

BZZ-7807

**2321 Humboldt Avenue South
City of Minneapolis Variance Application**

Statement of proposed use and description of the project

Proposed Use:

The proposed use will be a single family owner-occupied dwelling with an 800 square foot 2-story Accessory Dwelling Unit at the rear of the home.

Project Description:

The first phase of the project will involve finishing the existing basement area including repairs to correct existing structural issues, constructing a ½ bath, family room, sleeping room, ¾ bath and mechanical/furnace room. A new basement stairwell will be constructed to replace the existing stairwell that lacks required headroom. The existing gas-fired boiler and radiators will be replaced by a new high-efficiency gas-fired forced air HVAC system. All plumbing and electrical will be upgraded. Upon completion of the basement area, it is my intention to live in the basement while demolition and construction take place on the upper 2 levels.

The second phase of the project involves the removal of the existing .5 story dormer at the front of the house and replacing it with a full 2nd story addition with 9' walls and hip roof, and the addition of a dormer on the North wall of the rear of the house at the ADU bedroom to allow for an egress window. The ceiling area in the ADU will be firred down 2" to allow room for spray foam insulation and new sheetrock. A new high-efficiency gas-fired forced-air HVAC system will be installed in ADU, along with a separate electrical service panel. A new ADU entrance and stoop will be constructed. The ADU will be completely renovated, as will the main floor of the existing home. The existing exterior door leading to the basement will be moved up to ground level and enclosed. The stucco portion of the home's exterior will be sandblasted and re-dashed. Exterior doors and windows will be replaced with new energy-efficient doors and windows. Design elements will be added to the exterior to create a Modern Craftsman style aesthetic that allows the renovated home to blend in with the character of the neighborhood.

The addition of the new 2nd story, the ADU dormer, and the enclosed basement stoop/entrance results in a net gain of 100 square feet in floor area ratio. The blueprints were painstakingly designed to keep expansion of the Floor Area Ratio and Lot Coverage Ratio at the very minimum amounts needed to achieve a functional and appealing design. Since it was built in 1910, the city has issued a number of building permits that allowed the home to exceed the current ordinances for Floor Area Ratio and Lot Coverage. As such, the existing home is legal, but non-conforming, and any renovation whatsoever requires the issuance of variances. The current zoning for the site is Single Family (R1) District. The entire home will be fully renovated from the basement up to the new 2nd story, including a fully renovated 2 story Accessory Dwelling Unit (ADU) at the rear of the home. The addition of the Craftsman style front stoop with stone columns will allow the home to blend in with neighboring properties.

**2321 Humboldt Avenue South
City of Minneapolis Variance Application**

PROPERTY HISTORY:

City records dating back to 1910 when the home was originally built indicate that the city issued multiple building permits over the years, permitting the home to exceed current ordinances relating to 4 specific areas: 1) Floor Area Ratio (FAR), 2) Lot Coverage Ratio, 3) Side Yard Setback, and 4) Permeable vs. Impervious Surface Ratio. As such, the home is considered legal but non-conforming, and *any* type of renovation or addition triggers variances in each of the above mentioned areas due to existing conditions. The city issued building permits that allowed the home to exceed current ordinances in each of the 4 categories created a unique set of circumstances that makes each variance dependent upon the other variances being approved. Unfortunately, this is an all or nothing situation, as every one of the 4 requested variances are necessary to proceed with the project. If any single variance is denied, the project cannot proceed.

When I purchased the home in May 2015, it had 2 bedrooms, 1 bathroom, 1 kitchen, living room and dining room on the 1st floor; 2 bedrooms, 1 bathroom and 1 kitchen on the 2nd floor; and a 2-story accessory dwelling unit at the rear of the house with kitchen, bathroom and living room on the main floor and 1 - 2 bedrooms on the 2nd floor. The home sat vacant for approximately 2 years prior to my purchase, in part due to the poorly functioning layout, overall run-down condition, and structural issues.

As is, the house functions poorly and needs extensive work, including a sagging .5 story dormer at the front, and structural issues with the main floor joists and support beams. These issues cannot easily be negated and/or repaired; removing the structurally deficient .5 story dormer and replacing it with a full 9' addition supported by the exterior walls is the only cost-effective solution.

In planning the renovation and addition, we have been *extremely* careful to add as minimal an increase as possible to each of the 4 specific areas:

- 1) **FLOOR AREA RATIO:** The new 2nd story addition adds approximately 22 square feet to the Floor Area Ratio (FAR), primarily due to existing areas where ceiling height is less than 5' and not currently counted against FAR. The addition raises those areas to 9', thus adding approximately 22 square feet. Adding a dormer to the North wall of the ADU to allow for a legal egress bedroom window adds approximately 54 square feet, again due to increasing ceiling height above 5'. Adding an enclosed entrance to the basement door to allow for legal headroom in the stairwell adds approximately 24 square feet. The increase in headroom in these 3 areas changes FAR space that previously did not count, into space that now counts. These additions increase the Floor Area Ratio (FAR) by a total of 100 square feet, or 1.9%. This number may actually be slightly less due to furring down the ceiling joists in the ADU to allow enough space to add spray foam insulation. This will increase the area that has less than 5' ceiling height, thereby resulting in a decrease in FAR.
- 2) **LOT COVERAGE RATIO:** Increasing the width of the existing front stoop to more closely match neighboring properties, and adding the smallest stoop possible to meet building code at the rear ADU entrance increase the Lot Ratio Coverage by 90 square feet, or 1.74%
- 3) **SIDE YARD SETBACK:** The existing home does not sit squarely on the lot. As such, there is approximately 2" less than allowable setback on the NW corner, while there is more than minimum allowable setback toward the rear. This necessitates another variance to allow the existing North wall to go straight up for the new 2nd story addition. The new 2nd story wall needs to sit directly on top of the existing wall below for structural load-bearing purposes.

- 4) **PERMEABLE vs. IMPERVIOUS SURFACE RATIO:** While it appeared we may need another variance here, we were able to eliminate the need for another variance by removing some of the existing hard surface and creating more permeable space, resulting in a net gain in permeable area.

A written statement by the applicant which addresses the following 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.

A) VARIANCE TO EXCEED FLOOR AREA RATIO (FAR)

The ordinance allows a FAR of 50% of the 5160 square foot lot size, or 2580 square feet. The existing legal but non-conforming FAR is 58.68%, or 3029 square feet. The proposed addition and renovation increases the FAR to 60.58% or 3129 square feet, resulting in an increase of 1.9% or 100 square feet.

The proposed addition and renovation requires a variance to exceed the Floor Area Ratio (FAR). Practical difficulties exist in complying with the ordinance because of the unique circumstance of the existing FAR vs. lot size. City records dating back to 1910 when the home was originally built indicate that the city issued multiple building permits over the years that permitted the home to exceed the FAR and become the existing 58.68%. As such, the 58.68% floor area ratio is currently legal but nonconforming, and *any* change to the home will require a variance. The 2nd story addition addresses serious structural issues with the existing roof and .5 story dormer that can only be corrected by removing the .5 story dormer and spreading the bearing load to the exterior walls of the home. The proposed 2nd story addition would result in a change from the existing dormer style roofing to a full 9' wall with hip roof. The addition of a new 2nd story adds approximately 22 square feet to the FAR, primarily due to existing areas where ceiling height is less than 5' and not currently counted against FAR. The addition raises those areas to 9', thus adding approximately 22 square feet to the FAR.

The existing entrance to the basement at the rear of the home involves lifting a wooden panel to access the stairwell leading to the basement door, then raising the top stoop of the stairs leading into the rear of the house to allow headroom to walk down the stairs to the basement door. The existing basement entrance is both dangerous and impractical (see attached pictures). The renovation includes moving the exterior door at the rear of the home, enclosing the rear stoop and moving the basement entry door from the bottom of the stairwell to the top at ground level. This adds approximately 24 square feet to the FAR.

The proposed 2 story ADU allows the existing roof lines above the ADU to remain but requires the addition of a single dormer on the North side to allow for a legal egress window in the 2nd floor bedroom. The addition of the dormer adds approximately 54 square feet to the FAR, again due to increasing existing ceiling height above 5'. This number may actually be slightly less due to furring down the ceiling joists in the ADU to allow enough space to add spray foam insulation. This will increase the area that has less than 5' ceiling height, thereby resulting in a decrease in FAR.

The addition of the new 2nd story, the ADU dormer, and enclosing the basement entry increases the floor area ratio by a total of 1.9% or 100 square feet or less considering the ADU ceiling area to be furred down.

B) VARIANCE TO ALLOW ACCESSORY DWELLING UNIT (ADU) ON TWO LEVELS

The ordinance allows for an 800 square foot ADU on one level.

The proposed 800 square foot 2 story Accessory Dwelling Unit (ADU) requires a variance to allow the ADU to be on 2 levels. Practical difficulties exist in complying with the ordinance requiring an ADU to be on one level because of the unique circumstance of the existing structure. Although not lawfully established, a 2 story ADU has existed at the rear of the home for decades, with a spiral staircase from the main level of the ADU to the upper level bedrooms. Due to the floor plan of the existing home, existing roof lines, floor area ratios and lot setbacks, it is not possible to create an ADU on one level, or create a separate ADU. The proposed 2 story ADU allows the existing roof lines to remain but requires the addition of a single dormer on the North side to allow for a legal egress window in the 2nd floor bedroom.

C) VARIANCE TO EXCEED THE ALLOWABLE LOT COVERAGE

The ordinance allows for lot coverage of 45% of the 5160 square foot lot size, or 2322 square feet. The existing legal but non-conforming lot coverage including the detached garage is 56.63% or 2922 square feet. The proposed front and rear stoops increase the lot coverage to 58.37% or 3012 square feet, resulting in an increase of 1.74% or 90 square feet.

The proposed addition of front and rear stoops to the home requires a variance to exceed the lot coverage ratio. Practical difficulties exist in complying with the ordinance because of the unique circumstance of the existing lot coverage. City records dating back to 1910 when the home was originally built indicate that the city issued multiple building permits over the years that permitted the lot coverage ratio to become the existing 56.63%. As such, the 56.63% lot coverage is currently legal but non-conforming, and any change to the lot coverage area will require a variance.

The addition of a front stoop is essential to maintain the Craftsman style design aesthetic of the proposed renovation/addition and allow the home to blend in with the front porches found on all the neighboring properties. It is also the only way to allow access to the front entrance of the home. Removal of the front stoop eliminates the Craftsman style stone columns and results in a design that is not in keeping with the character of the neighborhood, and is not favored by the surrounding neighbors.

The current ADU ordinance requires the entrance to an ADU to be located at the rear of the house and not facing the street. As such, a rear stoop is required to allow access to the ADU. We have designed the rear stoop to be as small as possible and still meet building code.

The addition of the front and rear stoops increase the lot coverage by 1.74% or 90 square feet.

D) VARIANCE TO EXCEED SIDE YARD SETBACK

The ordinance allows for a minimum 5 foot setback.

The existing home does not sit squarely on the lot. As such, there is a 4'-10" setback on the NW corner, or 2" less than the minimum 5' allowable. There is a 5'-1" setback toward the rear. The 4'-10" setback at the NW corner necessitates another variance to allow the existing North wall to go straight up for the new 2nd story addition. The new 2nd story wall needs to sit directly on top of the existing wall below for structural load-bearing purposes.

- (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 proposed use of the property will be to use the property in a reasonable manner consistent with the zoning ordinances and comprehensive plan. The proposed use is an owner occupied single family dwelling with an attached ADU, which is an allowed use in the R1 District. The proposed addition meets all other requirements for bulk and height as well as Site Plan Review for a single family dwelling with attached ADU. The comprehensive plan gives this property and surrounding residential areas the future land use designation of Urban Neighborhood (UN), which contains a wide range of residential densities. The proposed 2nd story addition, 2-story ADU, and front and rear stoops meet all of the Urban Design policies, including:

Policy 10.7: Maintain and preserve the quality and unique character of the city's existing housing stock.

10.7.1 Rehabilitation of older and historic housing stock should be encouraged over demolition.

10.7.2 Encourage the use of high quality and durable materials for construction and historic preservation.

10.7.3 Encourage adaptive reuse, retrofit and renovation projects that make the city's housing stock competitive on the regional market.

10.7.4 Renovation of housing should reflect the setbacks, orientation, pattern, materials, height and scale of surrounding dwellings.

10.7.5 Provide the flexibility in the city's ordinances to improve and maintain existing structures.

- (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 2nd story addition, 2 story ADU, and front and rear stoops will not alter the essential character of the neighborhood and will not be detrimental to the health, safety, or welfare of the neighbors. The immediate area around 2321 Humboldt Ave S consists of a mix of single-family, two-family, multi-family, and medium to large apartment buildings located in the R1 and R2B District. The vast majority of single-family and two-family homes in the immediate area are 2, 2.5, or 3 stories high or higher, and all have front porches. The 2 properties immediately to the North of 2321 Humboldt are large 4+ condo buildings. The 2nd story addition and ADU will not increase traffic substantially and will not block views of neighboring properties.

The design of the new addition will be consistent with the traditional housing found in the neighborhood. The existing home was built in 1910 in the Craftsman style and the new addition will be in a modern craftsman style that will blend extremely well with the essential character of the neighborhood. The EIRA Zoning Committee, EIRA Neighborhood Board and many of the surrounding neighbors have seen the design options with and without the required 4 variances and, without exception, they all support the modern craftsman design that requires the 4 variances.

BZZ-7807

Memorandum Addressing Variance Findings

DATE: August 1, 2016**TO:** Janelle Widmeier, Senior City Planner, City of Minneapolis**FROM:** Thomas Leighton, Tangible Consulting Services**RE:** BZZ-7807 – Application for variances in support of renovations to 2321 Humboldt Avenue South

Kent Kramer has submitted a set of variances that are required for the renovation of his home at 2321 Humboldt Avenue South. Mr. Kramer has hired Tangible Consulting Services to support him with the variance applications and Board of Adjustment presentation. This memorandum is to address the findings that must be made per Minnesota Statute in order to approve the variances for the project at 2321 Humboldt Avenue South.

The findings are addressed individually below. But in general it's fair to say that:

1. The variances that are required are extremely modest, increasing the nonconformity of the property by a very small amount or percentage.
2. There are certainly preexisting unique features of the property that make it difficult for any property owner to undertake a serious renovation without increasing the nonconformity to some degree—and that makes it unlikely that a future property owner would tackle a full renovation in the future without some of the flexibility that modest variances allow.
3. The proposed changes are anything but injurious to the surrounding community, and are far from altering the essential character of the area; on the contrary, they significantly improve the compatibility and contribution of the property to the surrounding neighborhood, and for that reason are widely supported by neighbors and the neighborhood organization.

In a more general sense, the extensive renovation in this home furthers an important city goal, stated in The Minneapolis Plan for Sustainable Growth as “Promote and incentivize investment in housing maintenance and renovation.” This should be enthusiastically supported if the proposed variances can be found to be reasonable and to meet the legal findings.

Four variances are requested. The findings related to those variances are addressed as follows.

Variance to increase the maximum floor area ratio

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.*

Past actions have resulted in a property that in its present condition has a large footprint, and it exceeds the allowed floor area ratio even though it is only a story-and-a-half tall. As a result, improving the functionality of the second floor without no increase to the floor area ratio would be very difficult and impractical. This condition was not caused by the current 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.*

In recognition of the intent of the ordinance, the property owner has gone to great pains to propose only the most modest increases in FAR to accomplish the gains in usability that make the project worth pursuing. The proposed renovation results in less than a 2% increase in floor area ratio. The transition of the front of the house from a one-and-a-half story to a two-story only adds 22 square feet of floor area. A small floor area addition at the rear of the house is for a dormer that allows for the installation of an egress window—a life safety provision. The third slight floor area addition is associated with a more functional rear entrance to 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 2nd floor addition at the front of the property is far from injurious or out of keeping with the character of other properties in the vicinity. It makes the home more consistent with the area. Neighbors have recognized that in supporting the applicant. The two other minor additions are not visible from the public street.

Variance to increase the maximum lot coverage

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.*

Past actions have resulted in a property that in its present condition has a large footprint on the property, which leaves no flexibility for even slight functionality and aesthetic modifications. That condition was established by previous property owners.

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 recognition of the intent and purpose of the ordinance, the property owner is proposing only two very minor changes that expand the lot coverage. The change is a simple widening of the front porch in conjunction with its renovation to a craftsman style porch that fits in better with the character of the neighborhood. The applicant is not proposing to increase the size of the porch in any other way. The second change is the addition of a rear stoop, which is entirely about improving functionality and life safety. The impact of both of these changes is an increase in lot coverage of less than 2%. Moreover, the increase in lot coverage is offset by the removal of concrete sidewalk and patio at the side and rear of the house, with the result that there is a net increase in the pervious land area on the property. Those actions are being taken in recognition of the spirit and purpose of the ordinance.

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 slight widening of the porch at the front of the property is far from injurious or out of keeping with the character of other properties in the vicinity. It makes the home more consistent with the area. Neighbors have recognized that in supporting the applicant. The addition of the rear stoop is not visible from the public street.

Variance of the development standards for ADUs

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.*

This is an existing house with two staircases connecting the first and second floors. The way it is constructed it is not conducive to a modern accessory dwelling unit being situated entirely on one floor.

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 property owner wants to establish a legal accessory dwelling unit, which conforms to the size limits, and ownership requirements of the ADU ordinance, but is compatible with the architectural constraints of the existing 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 renovation of the house with an ADU at the rear of the house has no visual impact from the front of the house, and no more impact in its use than an ADU situated over a garage at the rear of a house.

Variance to reduce the minimum interior side yard requirement

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 house in its existing condition is situated one foot, or 20% closer to the side lot line than the 5 foot that is required by the zoning code. This condition was not created by the current 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.*

It is reasonable to allow one foot nonconformity to continue for a second floor addition, and consistent with the purpose and intent of the ordinance, rather than to require the second floor to be set back one foot from the first floor.

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.*

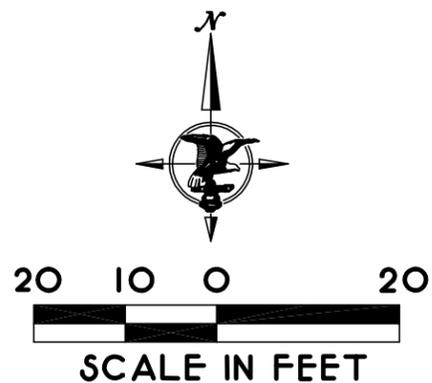
The one-foot encroachment into the required side yard has no injurious impact on other property in the vicinity of the house. And in fact, a one-foot offset of the upper story could present a visual oddity and have a negative visual impact on the community and nearby properties.

LEGAL DESCRIPTION:

The North 5.00 feet of Lot 3 and the South 35 feet of Lot 4, all in Block 5, CHANNELS ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota.

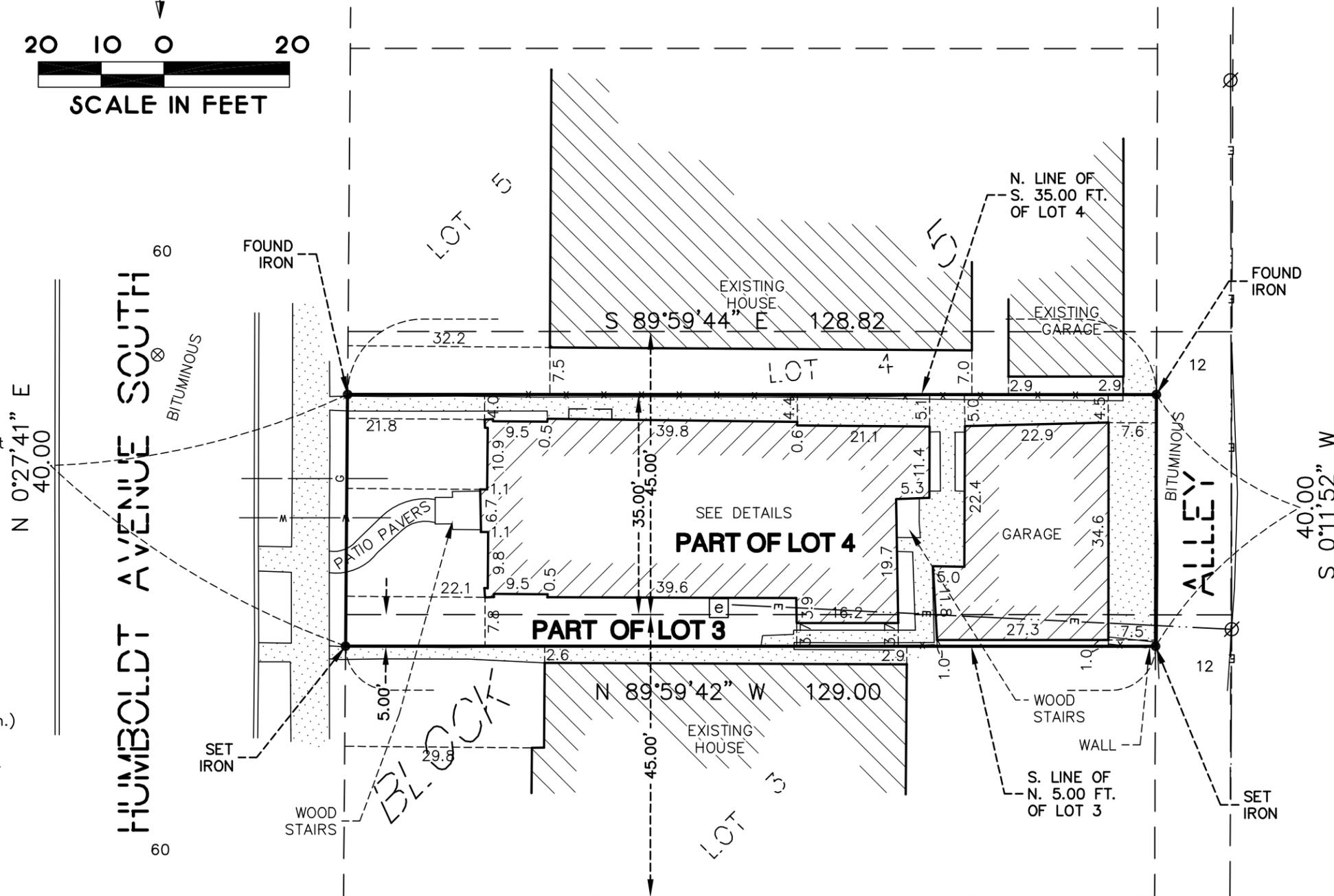
GENERAL NOTES:

- The bearing system used is assumed.
- The location of the underground utilities shown hereon, if any, are approximate only. PURSUANT TO MSA 216D CONTACT GOPHER STATE ONE CALL AT (612) 454-0002 PRIOR TO ANY EXCAVATION.
- Site area = 5,156 square feet = 0.118 acres.
- This survey was made on the ground.
- No current title work was furnished for the preparation of this survey, legal description, recorded or unrecorded easements and encumbrances are subject to revision upon receipt of current title work.
- Elevation datum is based on NAVD 88 data. Bench mark is located Top of Nail (AS SHOWN ON SURVEY) Elevation = 881.14



LEGEND

- FOUND IRON
- SET IRON
- Concrete
- Concrete Curb
- Fence
- Overhead Electric
- Underground Electric
- Water
- Gas
- Sanitary Sewer
- Storm Sewer
- Electric Meter
- Power Pole
- Deciduous Tree (Dia. in In.)
- Existing Contour
- Existing Spot Elev. Gutter
- Existing Spot Elevation



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 Registered Land Surveyor under the laws of the State of Minnesota.

Date: July 27, 2015

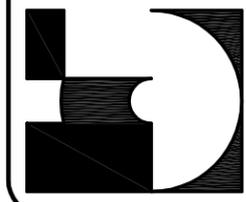
 Thomas E. Hodorff
 Minn. Reg. No. 23677

24TH STREET WEST

HOUSE DETAILS:

2321 HUMBOLDT AVENUE SOUTH
 1.5-STORY HOUSE
 FOOTPRINT AREA = 1,951 SQ. FT.

HARRY S. JOHNSON CO. INC.
LAND SURVEYORS & CONSULTANTS
 9063 Lyndale Avenue South
 Bloomington, Mn. 55420
 (952) 884-5341
 (952) 884-5344 Fax
 Email: tom@hjsurveyors.com
 Web: www.hjsurveyors.com



**LOT CERTIFICATION SURVEY
 WITH TOPOGRAPHY**

for:
KENT KRAMER

**SITE: 2321 HUMBOLDT AVENUE SOUTH
 MINNEAPOLIS, MINNESOTA**

Page	27
Book	639
CAD. No.	CT
File No.	1-3-9164M
W.O. Number	2015296
Sheet No.	1 OF 1

Existing Home With ADU



Project With Variance



Project Without Variance



REVISION	DATE	DESCRIPTION

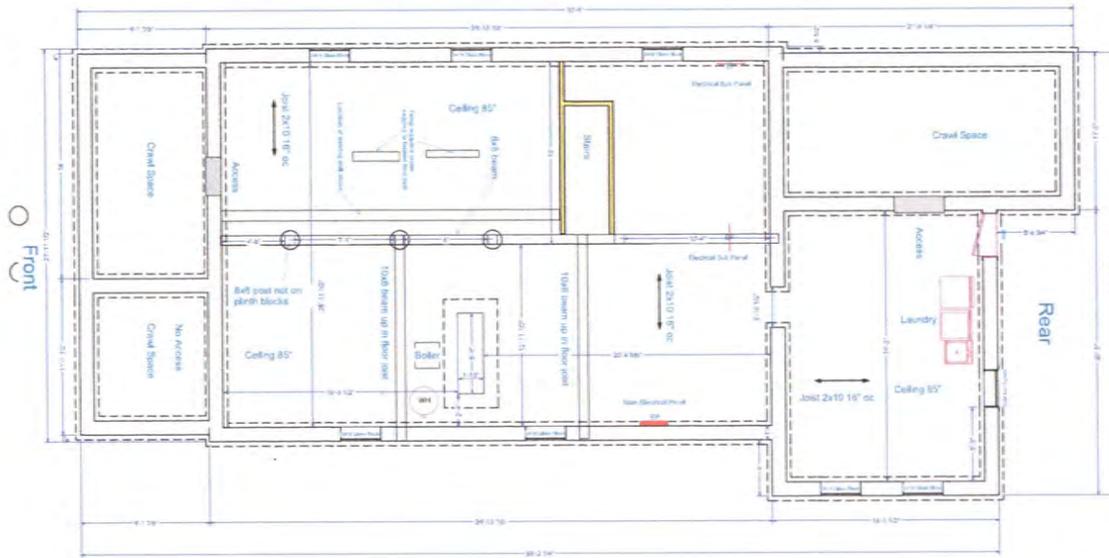
ADU Variance Application

Kent Kramer
2321 Humbolt Av. S. Mpls
651-441-1100
kent.kram.10@earthlink.net

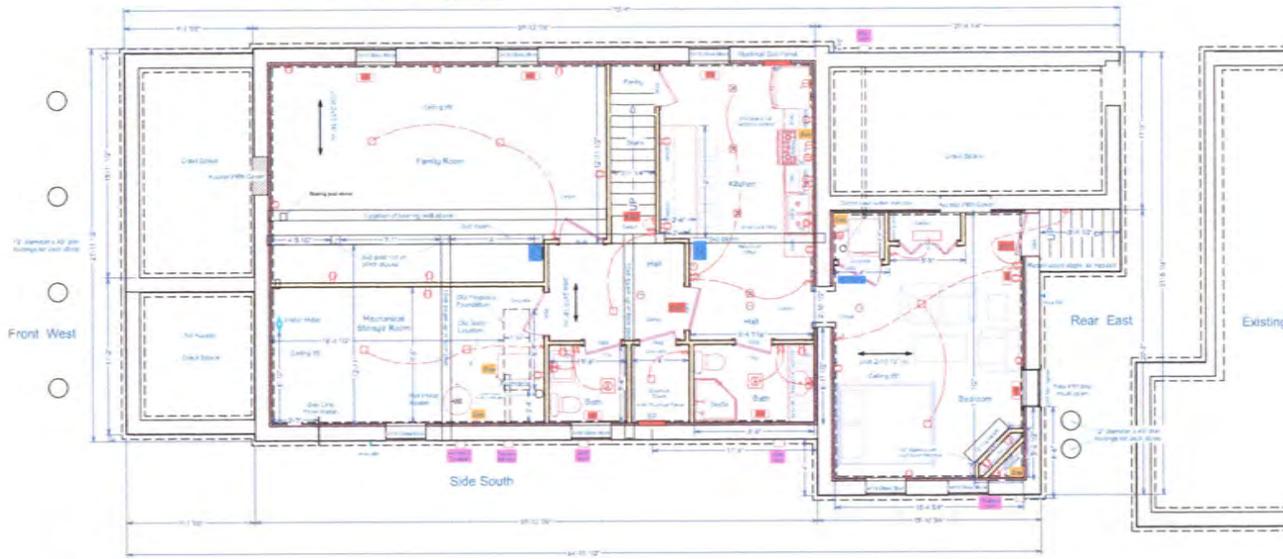
DESIGNED BY:
Bruce Freeman
brucefreeman05@earthlink.net
612-612-2160

DATE:
7/20/2016
SCALE:
SHEET:

Existing Home Basement Scale 1/4" = 1 Foot



Basement Plan Finish With Electrical



NO.	REVISION	DATE

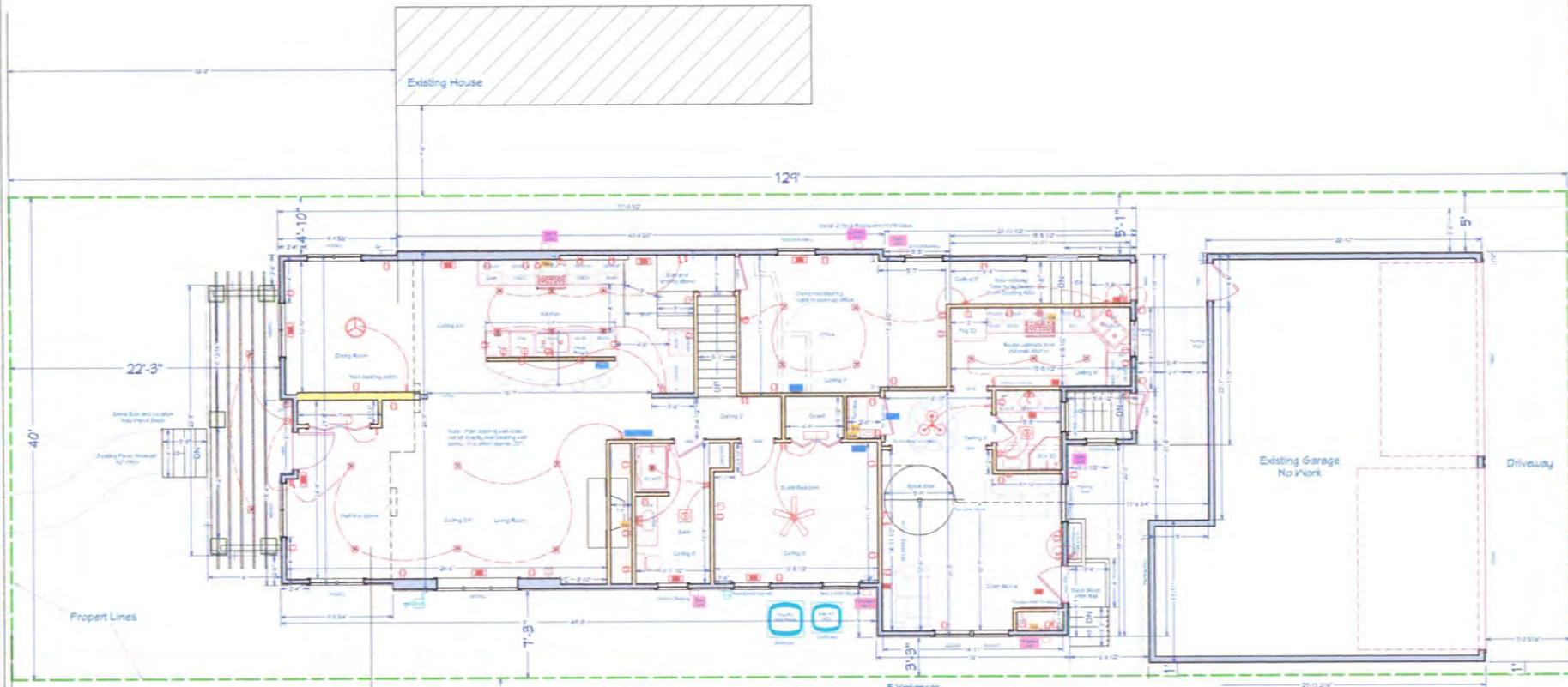
ADU Variance Application

Kent Kramer
2521 Humbolt Av. S. Mpls
651-491-1100
kent.kram.10@earthlink.net

DESIGNED BY:
Bruce Freeman
bruce@earthlink.net
612-972-2180

DATE:
7/20/2016
SCALE:
SHEET:

Main Floor Remodeled With ADU Scale 1/4" = 1 Foot



5 Variances

1. 2nd Story ADU	No Math
2. Floor Area Ratio	Lot Total 124 x 40 = 5160 sqft 3024 sqft Existing = 58.60% 3124 sqft New = 60.56% 100 sq ft Increase Enclose Rear Stoop(24), Add Dormer (54), More 2nd Story
3. Lot Coverage	2422 sqft Existing = 56.63% 3012 sqft New = 58.37% 40 sq ft Increase Front and Rear Stoop with Stairs
4. ADU Max. 500 sq ft (No Longer Needed)	625 sq ft Existing 800 sq ft New (Space is Flexible) 275 sq ft Decrease
5. Impervious (No Longer Needed)	3764 sqft Existing 3537 sqft New 227 sq ft Decrease

REVISION TABLE	
NO. OF REVISIONS	REVISION DESCRIPTION

ADU Variance
Application

Kent Kramer
2521 Humbolt Av. S. Mpls
651-491-1100
kent.kram.70@earthlink.net

DRAWINGS PROVIDED BY
Bruce Freeman
brucefreeman05@earthlink.net
612-612-2180

DATE:
7/20/2016

SCALE:

SHEET:

Elevations Scale 1/4" = 1 Foot



Front Elevation



Rear Elevation



Right Side (South) Elevation

SEALING
SUBJECT
PROPERTY DESCRIPTION

ADU Variance
Application

Kent Kramer
2521 Humbolt Av. S. Mpls
651-491-1100
kent.kram.70@earthlink.net

DRAWINGS PRODUCED BY:
Bruce Freeman
brucefreeman05@earthlink.net
612-912-2100

DATE:

7/20/2016

SCALE:

SHEET:

Left Side (North) Elevation



REVISION TABLE		
NO.	DATE	DESCRIPTION

ADU Variance Application

Kent Kramer
2321 Humbolt Av. S. Mpls
651-491-1100
kent.kram.70@earthlink.net

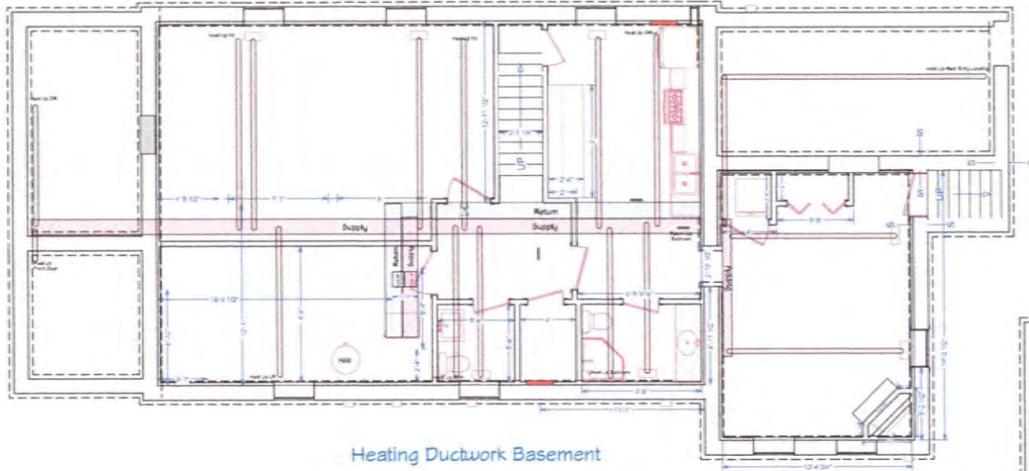
DRAWINGS PROVIDED BY:
Bruce Freeman
brucefreeman05@earthlink.net
612-912-2180

DATE:

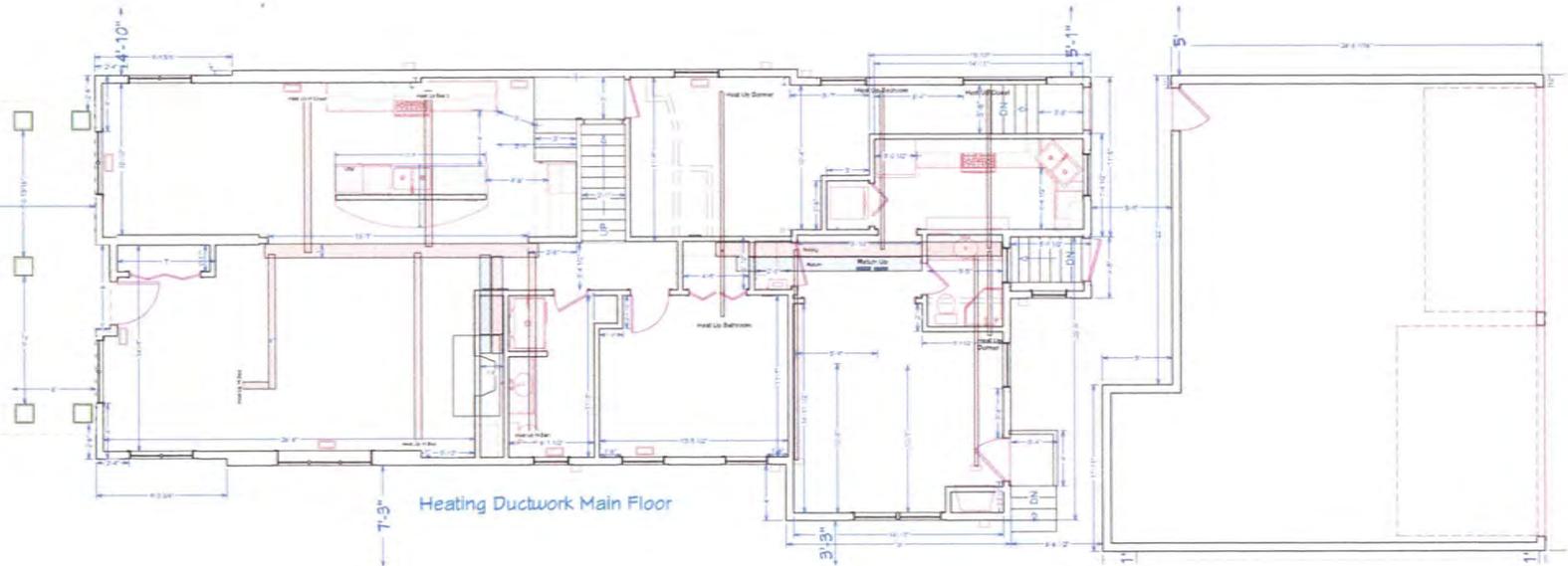
7/20/2016

SCALE:

SHEET:



Heating Ductwork Basement



Heating Ductwork Main Floor

REVISION	DATE	DESCRIPTION

ADU Variance Application

Kent Kramer
2321 Humbolt Av. S. Mpls
651-491-1100
kent.kram.TO@santlink.net

DRAWINGS PROVIDED BY:
Bruce Freeman
Brucefreeman05@santlink.net
612-512-2100

DATE:	7/20/2016
SCALE:	
SHEET:	



3324

ACE



2321



2321

ACTY









Subject property and porches North on East side of Humboldt Ave S



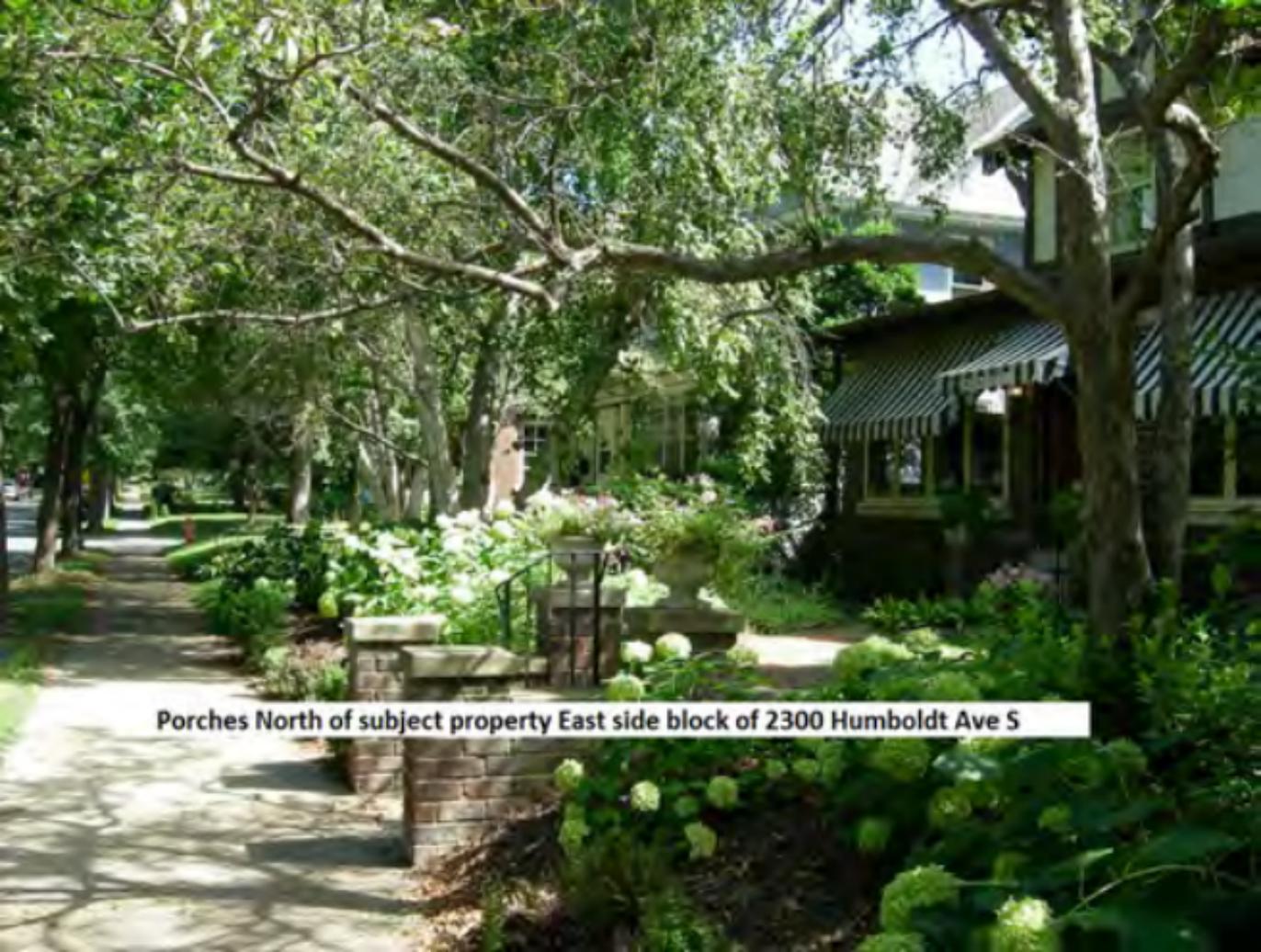
Porches North of subject property East side of Humboldt Ave S



Porches North of subject property East side of Humboldt Ave S



Porches North of subject property East side block of 2300 Humboldt Ave S



Porches North of subject property East side block of 2300 Humboldt Ave S

A photograph of a two-story house with a porch, surrounded by trees and a stone wall in the foreground. The house has a light-colored exterior and a dark roof. The porch is covered with a brown roof. There are several trees and bushes in the yard. A stone wall is in the foreground, and a path leads to the house. The text "Porches North of subject property West side block of 2300 Humboldt Ave S" is overlaid on the image.

Porches North of subject property West side block of 2300 Humboldt Ave S



Porches North of subject property East side block of 2300 Humboldt Ave S



Porches North of subject property West side block of 2300 Humboldt Ave S



Porches across street from subject property West side block of 2300 Humboldt Ave S



Porches South of subject property West side block of 2400 Humboldt Ave S

A street scene on Humboldt Ave S. In the foreground, a street sign on a silver pole shows '24th St' in blue and 'Humboldt Av' in green. A white stop sign is partially visible behind it. The street is lined with large, leafy green trees. In the background, there are several houses with prominent porches. The porches have white railings and are elevated on concrete steps. The houses are light-colored, possibly white or light blue. The scene is bright and sunny, with shadows cast on the ground.

24th St
Humboldt Av

Porches South of subject property East side block of 2400 Humboldt Ave S

A photograph of a residential street lined with large, mature trees. The trees cast shadows on the road and sidewalks. In the background, several houses with porches are visible. A white text box is overlaid at the bottom of the image.

Porches South of subject property East side block of 2400 Humboldt Ave S



East Isles Residents Association
2751 Hennepin Ave S #294
Minneapolis, MN 55408

July 31, 2016

Janelle Widmeier
Senior Planner - City of Minneapolis
250 S 4th Street Room 300
Minneapolis, MN 55415

Dear Ms. Widmeier:

The East Isles Residents Association reviewed the following variances as requested by Kent Kramer for the property at 2321 Humboldt Avenue South during the Zoning & Land Use Committee meeting of April 19, 2016, and during the Board of Directors meeting of May 10, 2016:

- Variance to increase the maximum floor area ratio.
- Variance of the development standards for ADUs to allow an ADU to be located on more than one level.

We believe that all required findings have been met and recommend that these variances be granted.

However, the East Isles Residents Association did not review the other two variance requests as listed in the public hearing notice, and thus we do not have any recommendation regarding those variances.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Degerstrom".

Andrew Degerstrom
President, East Isles Residents Association

greetings, Janelle Widmeier,
Minneapolis Zoning Board
of Adjustment,

JULY 30, 2016
BARBARA PRATT
1414 W. 24th ST. Mpls.

My name is Barbara Pratt, homeowner 13 years of
1414 West 24th Street, the next door neighbor south, of
2321 Humboldt Ave. S. Before this address, I
owned a house in Lowry Hill, 1912 Irving Ave S.
for 10 years. On this respect, Kent Kramer's
history in the lakes area is similar to mine.
Before he moved to his present East Lake of the Isles
home, he owned 3100 Irving Ave. S. in the ECCO
neighborhood. Back then, I had taken note
and watched the progress of the beautiful renovation
and extremely well-designed building that
became part of a connected, whole property there.

When Kent moved in next door, I was very
concerned about what he could do to improve the
badly re-muddled, barely functional, sprawling
mass of dark and dated little rooms. Because,
over the nearly 2 years the house was on the
market, I watched as dozens of folks came out
of that house shaking their heads walking away.
But when Kent and I shared our stories of our
histories in these neighborhoods, and I learned
he was the homeowner of 3100 Irving Ave. S.
and he had done that remarkable renovation,
I was relieved and delighted.

Since Kent moved in he has been pondering
different options in how to proceed with the
house, he's undergone a fantastic overhaul to
his garage. Throughout, he's been very
co-operative with all of us surrounding
neighbors, thoughtful and considerate as well.
I've studied each and every option, designs
and elevations in great detail through
Kent's arduous process for his home.

I'm grateful, both environmentally, and for the stability of my home's old foundations, that he's chosen to reuse rather than tear down.

Here's an extremely conscientious homeowner, willing to invest and improve this property, and might I add another thing we share, is the intention of staying in these, our houses, for the rest of our lives!!

This proposed design, requiring 4 very small variance changes, neighbors willing, delivers a fully functional, light-filled, beautiful home, liveable for today's needs and long into the future.

I heartily recommend approving this proposal.

Thank you very much,
Sincerely,

Barbara Pratt

REGARDING:
2321 Humboldt Ave. South

BZZ-7807

HEARING: August 11, 2016 4:30PM

bpratt1945@gmail.com

612-991-7113