



LAND USE APPLICATION SUMMARY

Property Location: 1209 34th Street W
Project Name: 1209 34th Street W
Prepared By: Mei-Ling Smith, Senior City Planner, (612) 673-5342
Applicant: Kavanagh Company LLC
Project Contact: Peter Harrington
Request: To allow a curb cut on a property with a single-family home that is served by an alley.

Required Applications:

Variance	To allow a curb cut on a property with a single-family home that is served by an alley.
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SITE DATA

Existing Zoning	R4 Multiple-Family District
Lot Area	2,732 square feet / 0.63 acres
Ward(s)	10
Neighborhood(s)	Calhoun Area Residents Action Group (CARAG)
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable
Small Area Plan(s)	Not applicable

Date Application Deemed Complete	August 3, 2016	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	October 2, 2016	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject site is located midblock on 34th Street W between Emerson Avenue S and Fremont Avenue S. The property currently contains a one-and-a-half story single-family home that was constructed in 1916 and faces 34th Street W, to the north. There is a residential alley located along the west side of the property and no off-street parking. The existing residential structure is located between 2 and 4 feet from the west property line, 10 feet from the south property line, and 24 feet from the east interior property line. Due to the slight grade change on the site, the house is located two to three feet higher than the adjacent sidewalk.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding area contains a mixture of low- and medium-density residential properties, as well as institutional uses. The site is located approximately two-and-a-half blocks east of Hennepin Avenue, which is a designated Community Corridor with a variety of commercial uses. The single-family home that is located directly to the east of the property was also constructed in 1916 and is oriented toward Emerson Ave S. The property directly to the south is a three-story apartment building, while the properties across the alley, to the west, and across 34th Street W, to the north, contain low-density residential uses.

PROJECT DESCRIPTION. The applicant is proposing to build an addition to the east of the existing home that would include a new deck and a one-stall attached garage. The garage would be approximately 340 square feet in area (13.5 feet by 25 feet). As the property contains a single-family home and is adjacent to a residential alley, a variance is required to allow a new curb cut leading to this property, per section 541.230 (2) of the zoning code.

PUBLIC COMMENTS. Staff has not received any comments from the neighborhood group or from the public as of the printing of this report. Any correspondence received prior to the public meeting will be forwarded on to the Zoning Board of Adjustment for consideration.

ANALYSIS

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to allow a curb cut on a property with a single-family home that is served by an alley 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 subject property is 2,732 square feet in area, which is approximately half the size of other platted lots in the surrounding area. The site is also unique in that its frontage faces 1209 34th Street W, rather than to the east or west. The existing structure was building in 1916 without any off-street parking. The structure is setback only two feet from the west property line, which abuts the residential alley, and it is ten feet from the south property line. The minimum width of a driveway serving a single-family home in a residential zoning district is eight feet, and the space between the house and the south property line could technically accommodate a driveway connecting the alley to the house. However, the proximity of nearby structures in combination with the varied topography of the subject site would make it difficult for vehicles to safely maneuver in and out of the site, while the proposed garage and curb cut on 34th Street West would provide a

wider and more visible access point for vehicles and pedestrians in and around the site. The small size of the lot and the location of the existing home limit the available options for providing legal off-street parking for the property. Staff finds that practical difficulties exist in complying with the ordinance because of circumstances unique to the property. These circumstances were not created by the property owner, nor are they based on economic considerations, alone.

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 garage and curb cut would meet all other zoning code regulations and would be required to meet all applicable building codes, as well. The proposal to add an on-site parking area with one parking stall would bring the site into greater compliance with the zoning code requirement of one off-street parking space per dwelling unit; the property has nonconforming rights to the one required parking space. Staff finds that the property owner and applicant are proposing to use the property in a reasonable manner that would be in keeping with the spirit and intent of the ordinance and comprehensive plan. However, staff recommends a condition of approval that no vehicles may be parked forward of the principal structure, which would result in the car extending into the public right-of-way and required front yard, and would result in violation of section 541.260 of the zoning code.

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 or be injurious to the use or enjoyment of other property in the vicinity. The curb cut would have a limited negative impact on the character of the area, provided that vehicles are not parked in the area between the house and the sidewalk. Staff is recommending a condition of approval that would require all on-site parking to be enclosed within the proposed garage in order to prevent vehicles from being partially or fully parked in the public right-of-way. With the recommended condition of approval, the proposed variances should not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the applications by Peter Harrington, on behalf of Kavanagh Company LLC, for the property located at 1209 34th Street West:

A. Variance.

Recommended motion: **Approve** the variance application to allow a curb cut on a property with a single-family home that is served by an alley:

1. No vehicles may be parked forward of the principal structure, per section 541.260 of the zoning code.

ATTACHMENTS

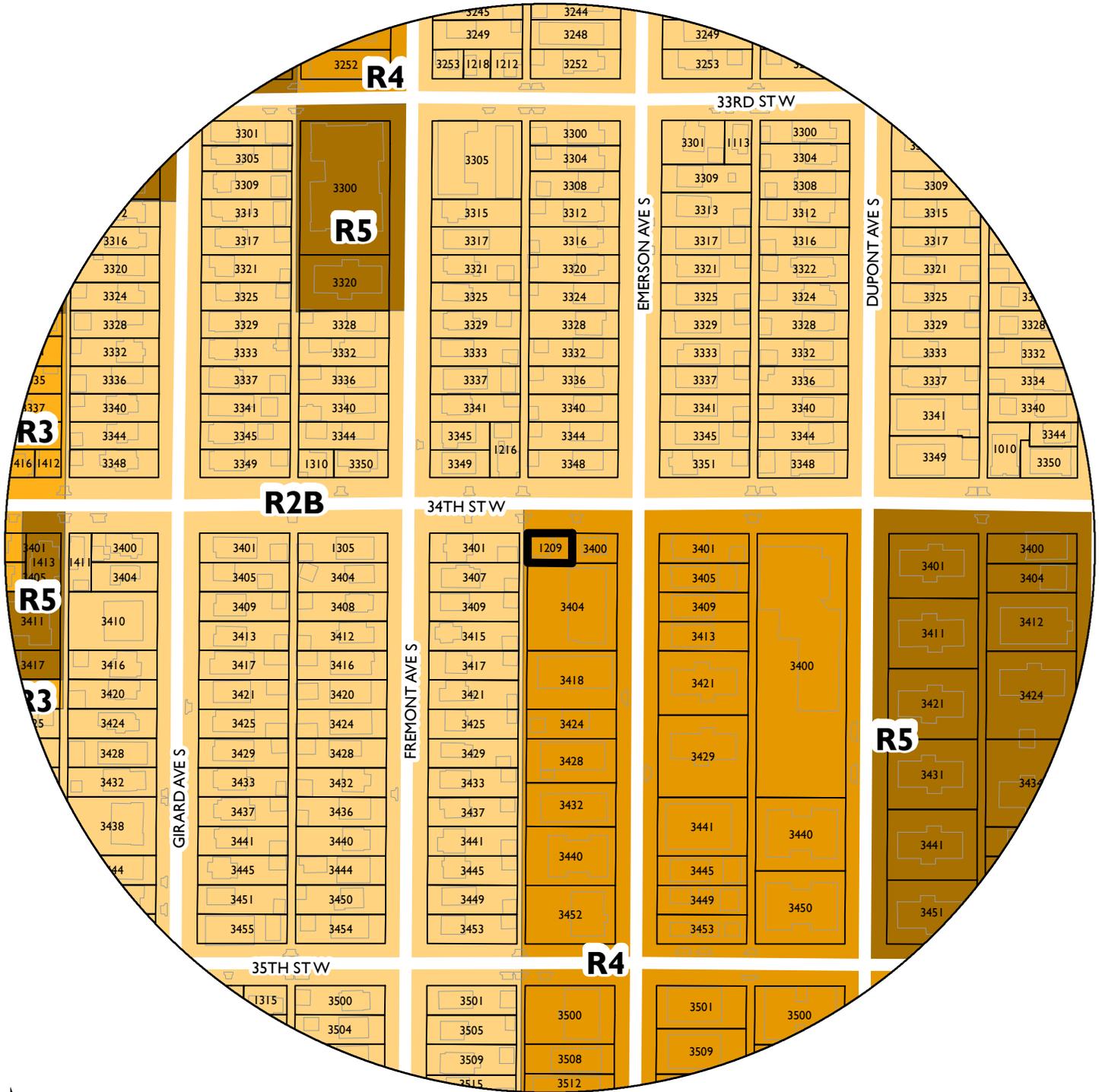
1. Zoning map
2. Oblique aerial photo
3. Written description and findings submitted by applicant
4. Survey
5. Site and floor plans
6. Renderings of addition/garage
7. Photos

Peter Harrington

10th

NAME OF APPLICANT

WARD



PROPERTY ADDRESS
1209 34th Street W

FILE NUMBER
BZZ-7827



Emerson Ave S

W 34th St

Kavanagh Company LLC

12001 Jasper Lane
Eden Prairie, Minnesota 55347

July 21, 2016

WRITTEN STATEMENT FOR VARIANCE

1209 W 34th Street
Minneapolis, MN 55408

Kavanagh Company LLC recently purchased the property at 1209 34th St W, in Minneapolis, Minnesota. We will be restoring the home and wish to add a single car garage which requires a curb cut onto 34th Avenue. There presently is not a garage on the property.

The curb cut requires a Variance

The platting of the property made this a very small lot. The home is built right next to the alley which prevents any access on the property for a garage other than using 34th street for the driveway at the east side of the lot.

The restored home will be used as a single family residence which meets all city ordinances. The garage will not alter the character of the neighborhood or be detrimental to the health, safety, or welfare of the general public

Should you have any questions, please feel free to contact us at 612 718-5733.

Sincerely,

Pete Harrington

LEGAL DESCRIPTION:

That part of Lot 1, Block 54, REMINGTON'S SECOND ADDITION, , Hennepin County, Minnesota, lying West of the East 64.85 feet thereof.

SCOPE OF WORK & LIMITATIONS:

1. Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
2. Showing the location of observed existing improvements we deem necessary for the survey.
3. Setting survey markers or verifying existing survey markers to establish the corners of the property.
4. Showing and tabulating impervious surface coverage of the lot for your review and for the review of such governmental agencies that may have jurisdiction over these requirements to verify they are correctly shown before proceeding with construction.
5. While we show a proposed location for this home or addition, we are not as familiar with your proposed plans as you, your architect, or the builder are. Review our proposed location of the improvements and proposed yard grades carefully to verify that they match your plans before construction begins. Also, we are not as familiar with local codes and minimum requirements as the local building and zoning officials in this community are. Be sure to show this survey to said officials, or any other officials that may have jurisdiction over the proposed improvements and obtain their approvals before beginning construction or planning improvements to the property.
6. Note that all building dimensions and building tie dimensions to the property lines, are taken from the siding and or stucco of the building.

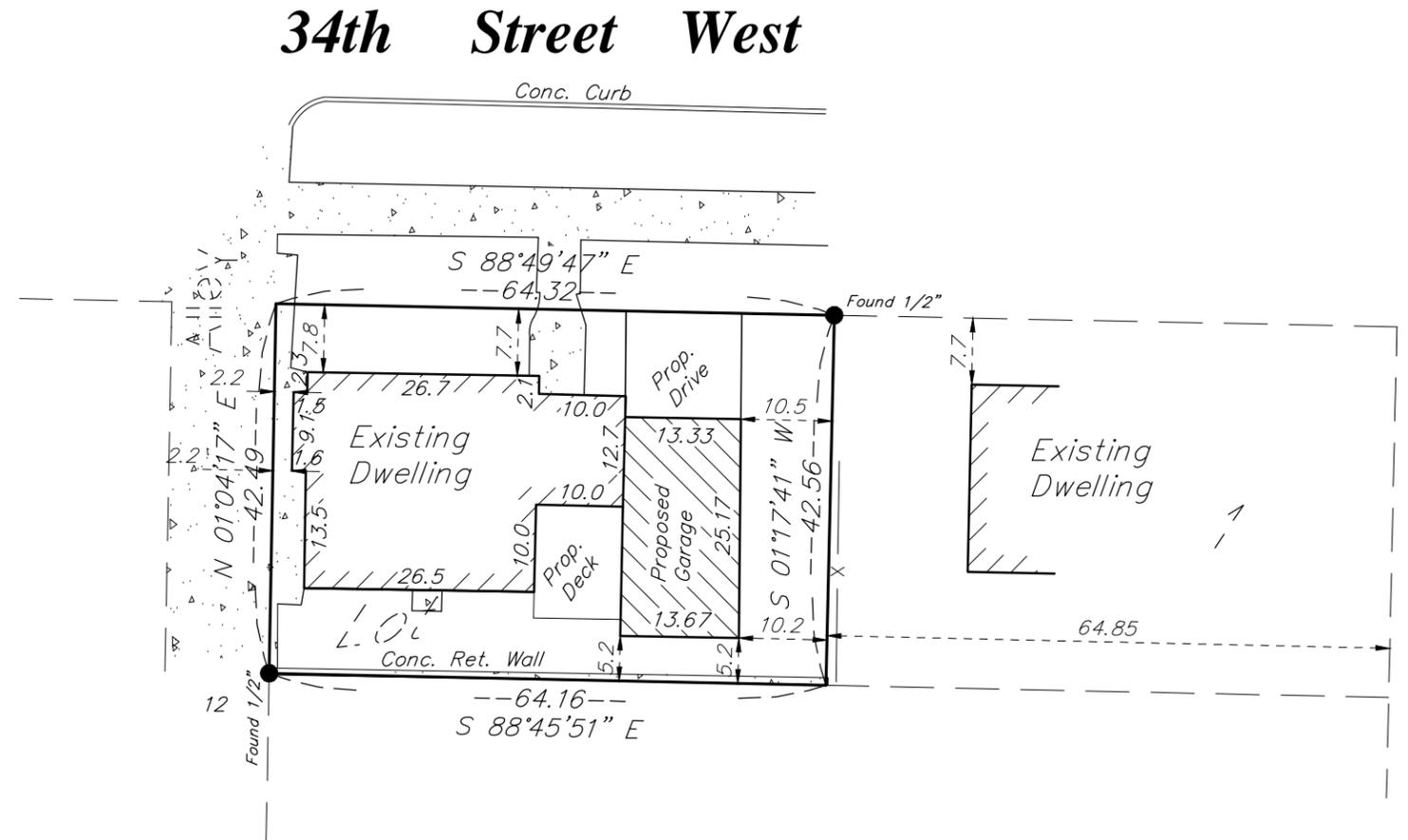
STANDARD SYMBOLS & CONVENTIONS:

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

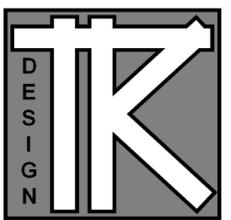
LEGEND

- = CATCH BASIN
- = FIRE HYDRANT
- = POWER POLE
- = MANHOLE
- = TELEPHONE PED.
- = ELEC. TRANSFORMER
- = WELL
- = GATE VALVE
- = LIGHT POLE
- = FENCE LINE
- = SANITARY SEWER LINE
- = WATER LINE
- = GAS LINE
- = STORM DRAIN LINE
- = OVERHEAD UTILITY LINE
- = CONCRETE SURFACE

EXISTING HARDCOVER		PROPOSED HARDCOVER	
House	802 Sq. Ft.	House	802 Sq. Ft.
Concrete Surfaces	216 Sq. Ft.	Concrete Surfaces	216 Sq. Ft.
		Proposed Deck	130 Sq. Ft.
		Proposed Garage	340 Sq. Ft.
		Proposed Drive	161 Sq. Ft.
TOTAL EXISTING HARDCOVER	1,018 Sq. Ft.	TOTAL PROPOSED HARDCOVER	1,649 Sq. Ft.
AREA OF LOT	2,732 Sq. Ft.	AREA OF LOT	2,732 Sq. Ft.
PERCENTAGE OF HARDCOVER TO LOT	37.3%	PERCENTAGE OF HARDCOVER TO LOT	60.4%



DATE	REVISION DESCRIPTION	DRAWING ORIENTATION & SCALE	CLIENT NAME / JOB ADDRESS	<p>5300 South Hwy. No 101 Minnetonka, Minnesota 55345 Phone (952) 474-7964 Web: www.advsur.com</p>	<p>I HEREBY CERTIFY THAT THIS PLAN, SURVEY OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.</p> <p><i>Thomas M. Bloom</i> # 42379 LICENSE NO. JULY 18, 2016 DATE</p>	SHEET TITLE	SHEET NO.
			<p>POLLOCK CONSTRUCTION</p> <p>1209 34TH STREET WEST MINNEAPOLIS, MN</p>			<p>EXISTING CONDITIONS SURVEY</p>	<p>S1</p>
				<p>DATE SURVEYED: JULY 18, 2016</p> <p>DATE DRAFTED: JULY 18, 2016</p>	<p>DRAWING NUMBER</p> <p>160626 TB</p>	<p>SHEET 1 OF 1</p>	



TODD KNOTSON DESIGN

40 SOUTH 7th STREET
STUDIO 212-156
MINNEAPOLIS, MN. 55402
P: 612-251-1041
F: 612-332-4419
WWW.TODDKNOTSONDESIGN.COM

TERMS:

CONTRACTOR TO VERIFY ALL DIMENSIONS, AS BUILT CONDITIONS (IF APPLY) AND SITE CONDITIONS, BEFORE ORDERING MATERIAL OR DEMOLISHING EXISTING STRUCTURES. CONTRACTOR AND ALL SUBS MUST REPORT ANY DISCREPANCIES TO DESIGNER IMMEDIATELY. AS BUILT AND SITE CONDITIONS OFTEN HAVE UNIQUE CONDITIONS THAT CANNOT BE PREDICTED OR FORSEEN AT DESIGN COMPLETION. CONTRACTOR, SUBS AND DESIGNER WILL WORK TOGETHER TO REACH A SOLUTION IF ANY SITUATION MAY ARISE.

1209 34TH AVE. W.

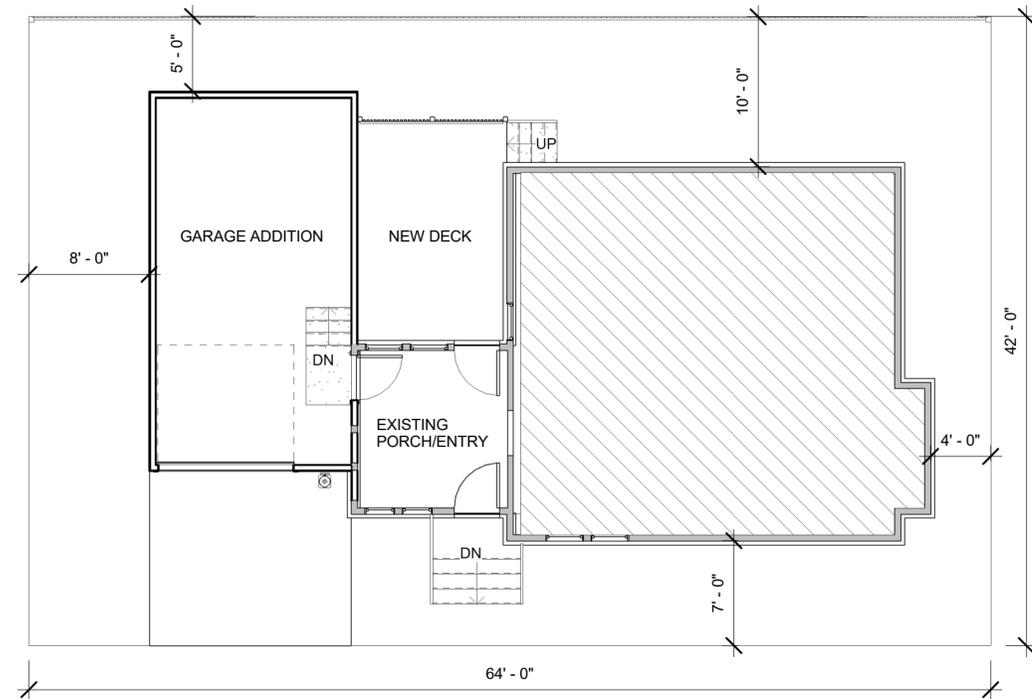
MINNEAPOLIS, MN.

JOB NO: 1209

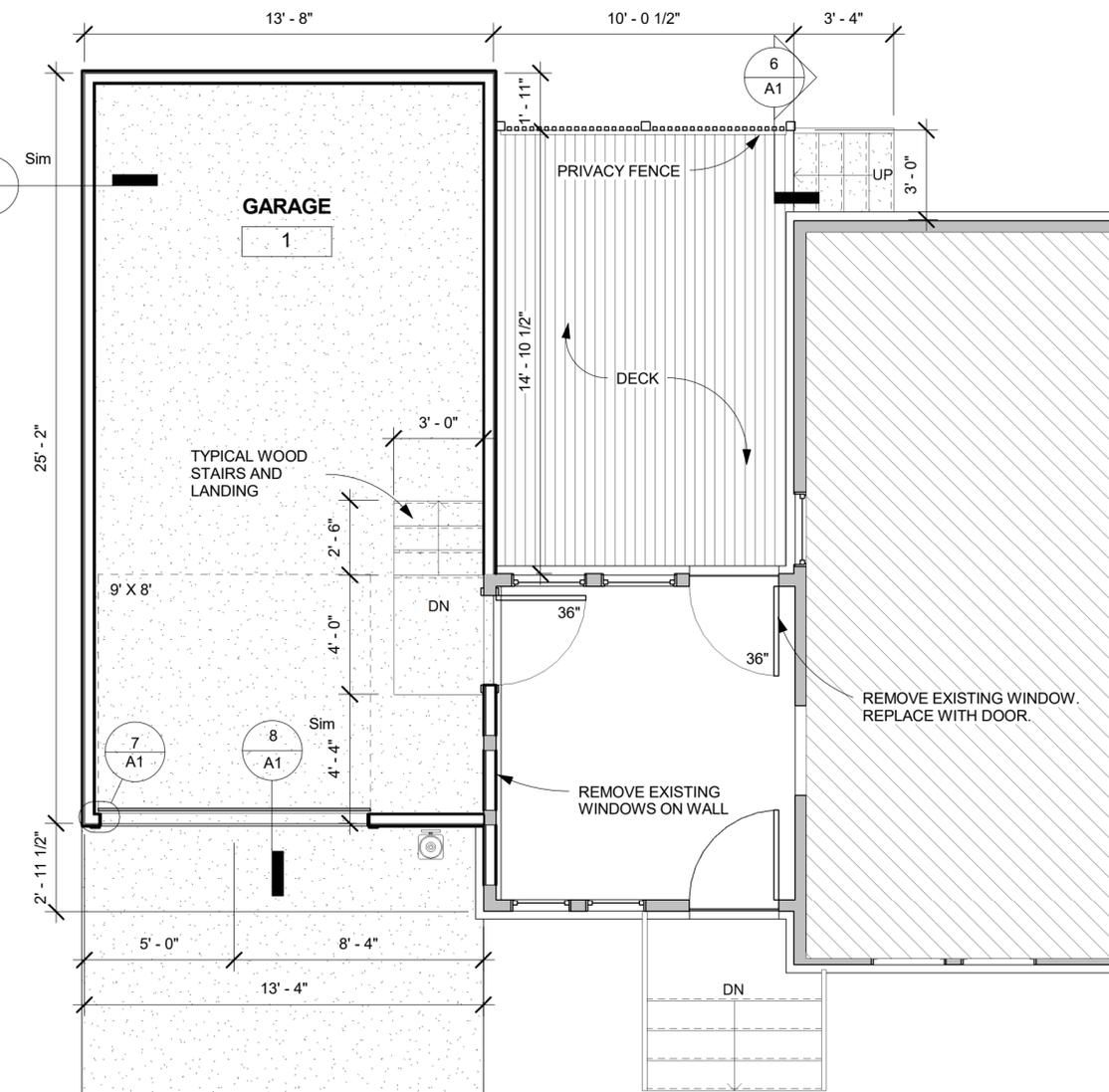
SHEET NO:

A1

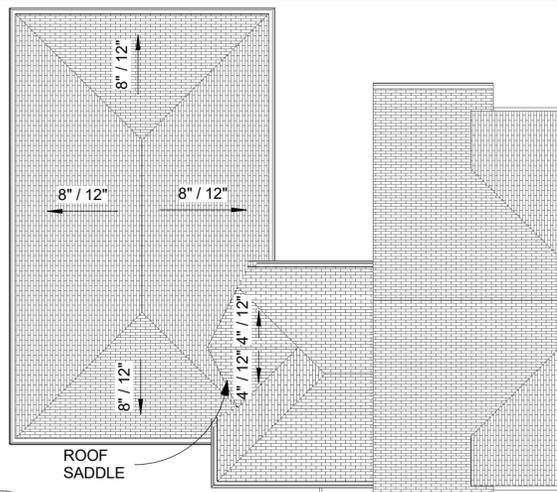
MAIN FLOOR



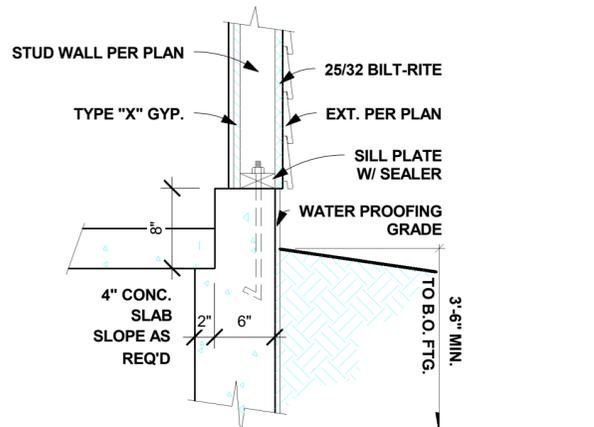
2 SITE PLAN
A1 1/8" = 1'-0"



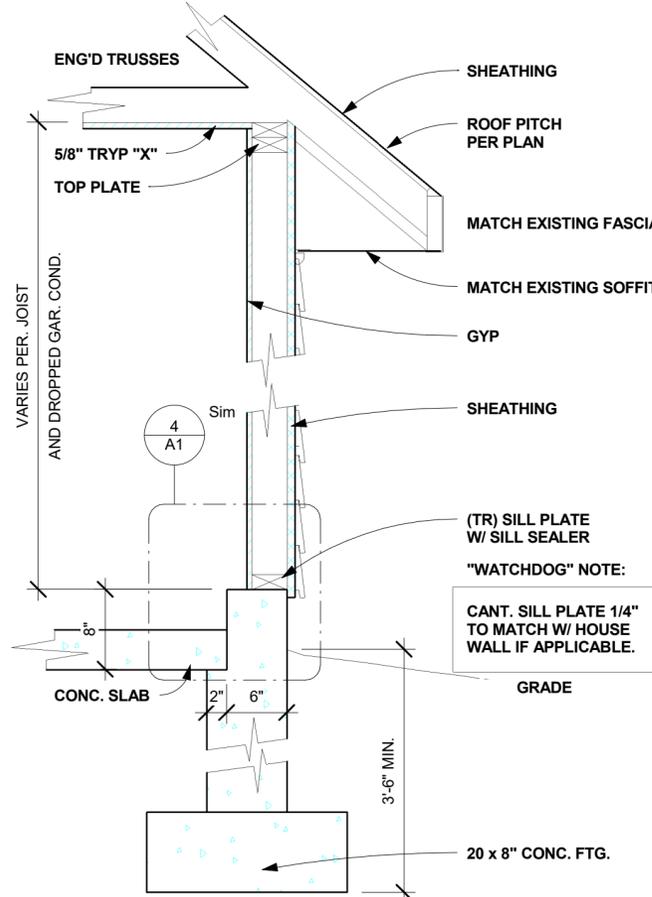
1 MAIN FLOOR
A1 1/4" = 1'-0"



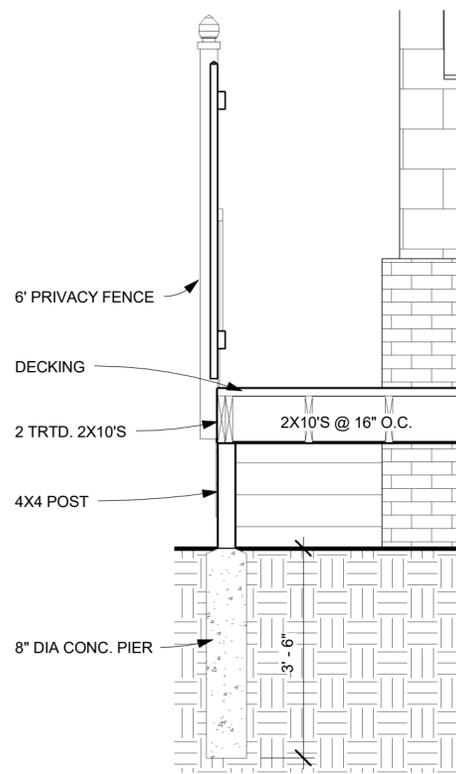
3 ROOF PLAN
A1 1/8" = 1'-0"



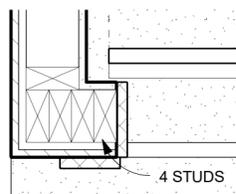
4 DETAIL AT GARAGE
A1 1" = 1'-0"



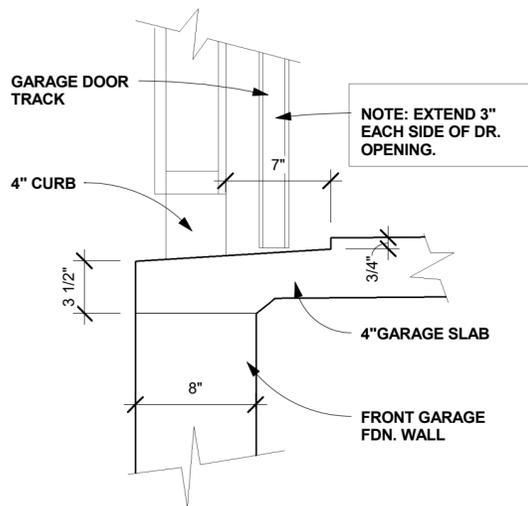
5 DETAIL AT GARAGE WALL
A1 1" = 1'-0"



6 SECTION AT DECK
A1 1/2" = 1'-0"



7 GARAGE WALL DETAIL
A1 1 1/2" = 1'-0"



8 DETAIL AT GARAGE DOOR
A1 1 1/2" = 1'-0"



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3 3D View 1

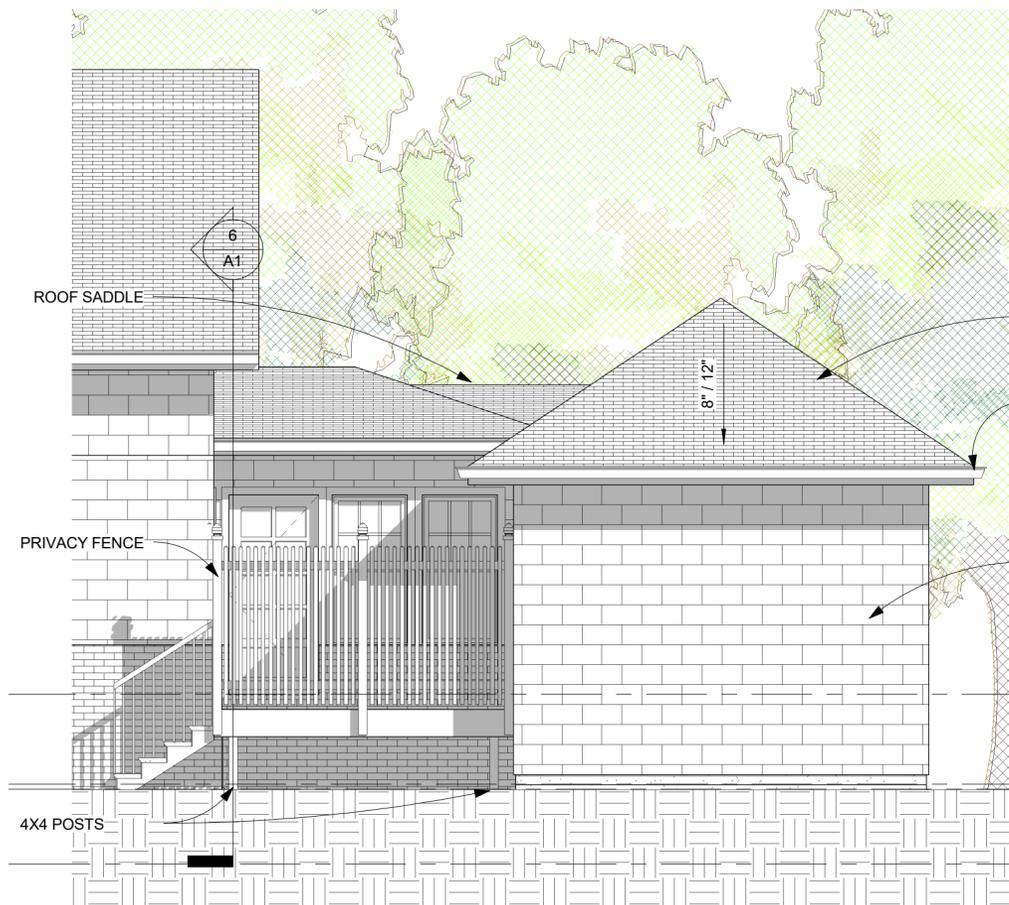
A2

4 3D View 2

A2

5 WEST

1/8" = 1'-0"



1 NORTH

1/4" = 1'-0"

A2

2 SOUTH

1/4" = 1'-0"

A2

1209 34TH AVE. W.

MINNEAPOLIS, MN.

JOB NO: 1209

SHEET NO:

A2

ELEVATIONS



