CPED STAFF REPORT

Prepared for the Zoning Board of Adjustment
BOA Agenda Item #x
March 22, 2016
BZZ-7881

LAND USE APPLICATION SUMMARY

Property Location: 3548 47th Ave S

Project Name: 3548 47th Ave S Addition

Prepared By: Peter Crandall, City Planner, (612) 673-2247

Applicant: Joseph & Kristie Rossow

Project Contact: Joseph Rossow

Request: To allow a second story addition to an existing single-family dwelling.

Required Applications:

Variance	To reduce the minimum corner sideyard setback along E 36th St from 8 feet to 7 feet to allow a second story addition.

SITE DATA

Existing Zoning	R1A District Shoreland Overlay District
Lot Area	6,277 square feet
Ward(s)	12
Neighborhood(s)	Howe
Designated Future Land Use	Urban Neighborhood
Land Use Features	N/A
Small Area Plan(s)	N/A

Date Application Deemed Complete	August 24, 2016	**Date Extension Letter Sent**	
End of 60-Day Decision Period	October 24, 2016	**End of 120-Day Decision Period**	

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The site is currently occupied by a two-story single family home permitted for construction in 1928.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding properties are predominantly single-family homes. The property is located within the Shoreland Overlay District and is immediately adjacent to the West River Parkway and Mississippi River Corridor.

PROJECT DESCRIPTION. The applicant is proposing to construct a second story 117 square foot addition to the existing single family structure to add a master bathroom. The addition is a vertical extension of a first floor den and will be built entirely within the footprint of the existing building. On this property, the minimum corner side yard requirement is 8 feet. The existing building is 7 feet from the property line along E 36th St. The addition would not alter the existing setback. A variance is required to reduce the minimum yard requirement to allow the building addition.

PUBLIC COMMENTS. As of the writing of this report, staff has not received any correspondence from the neighborhood group. 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 to reduce the minimum corner side yard setback along E 36th St from 8 feet to 7 feet to allow a second story addition 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 because of circumstances unique to the property. The existing home was established before the zoning ordinance was put in place and is non-conforming with the current yard requirements. The addition, in its proposed location, requires utilizing the structural components of the existing home. Complying with the yard requirements would require demolition and reconstruction of the existing den.

2. *The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.*

   In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The applicant is proposing a second story addition that extends an existing building wall vertically without reducing the side yard. The existing structure extends 1 foot into the required yard. The addition would not limit access to air, light or open space or threaten the separation of uses for the property or adjacent properties. The request is reasonable and is consistent with the intent of the ordinance and with the policies of 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 materials proposed for the addition are fiber cement shakes. While this choice is inconsistent with the existing stucco, staff feels that the decision to use a different material would not significantly alter the character of the structure. Additionally matching the color of existing stucco is very difficult. The addition is in keeping with the character of the existing structure and the surrounding area and is modest in bulk. The project will be in compliance with all current requirements for materials and windows and will not affect the health, safety or welfare of nearby properties.

Additional Standards for Variances within the SH Shoreland Overlay District

In addition, the Zoning Board of Adjustment 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 addition will require no excavation of the property as all modifications are to be done to the second story of the existing structure and are entirely within the existing building footprint. The amount of impervious surface would not increase with the construction of the addition. The project poses no significant risks to the health of nearby public waters.

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

   The project is over 1000 feet from the water line and is concealed from view by the steep bank of the river. The addition will not be visible from the protected waters.

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 application(s) by Joseph and Kristie Rossow for the property located at 3548 47th Avenue South:

A. Variance to decrease the minimum south corner side yard requirement.

Recommended motion: **Approve** the variance application to reduce the minimum corner side yard requirement along E 36th Street from 8 feet to 7 feet to allow a second story addition to an existing single-family dwelling, subject to the following conditions:

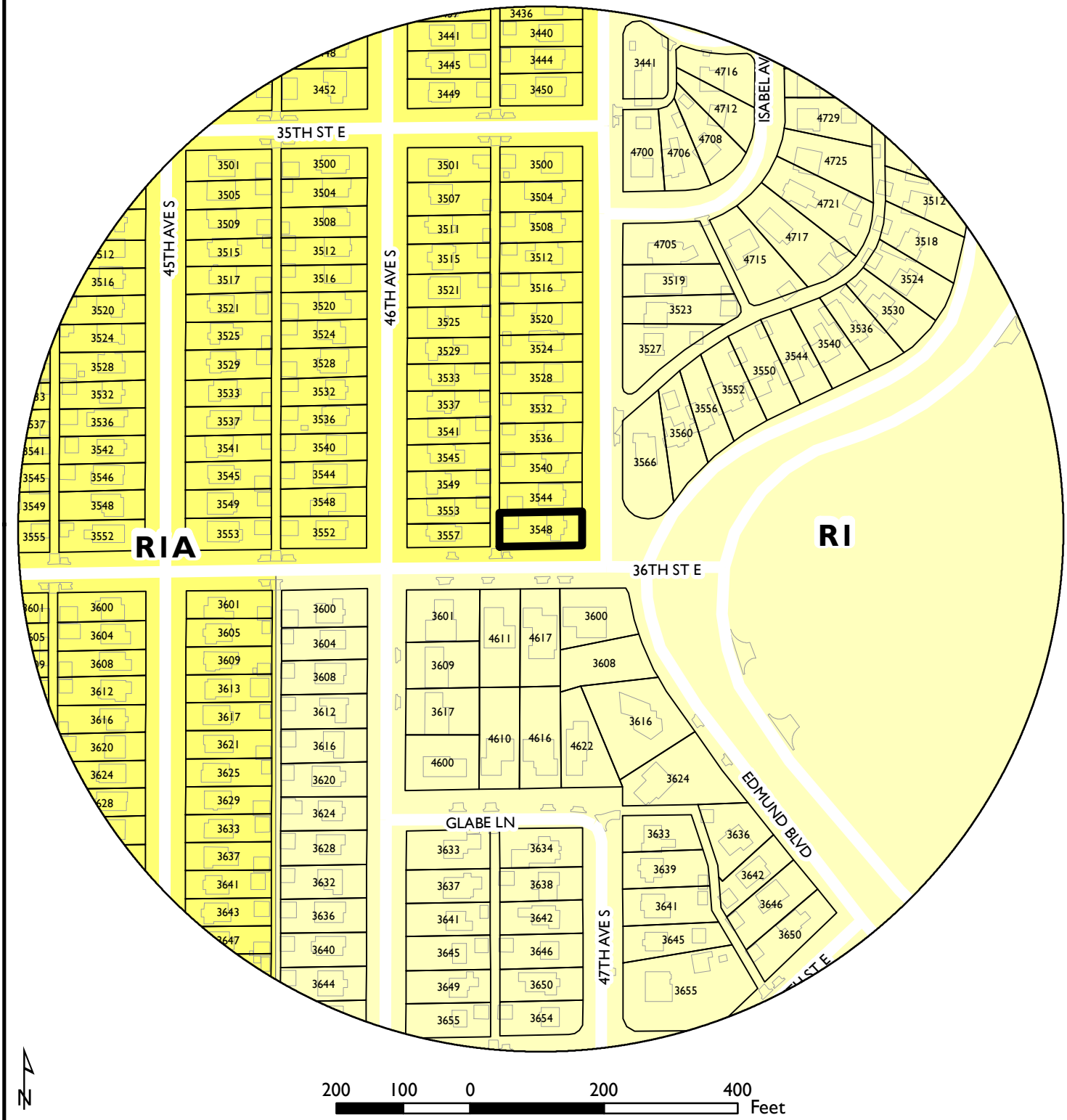
1. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development.
2. All site improvements shall be completed by September 15, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

ATTACHMENTS

1. Zoning map
2. Written description and findings submitted by applicant
3. Survey
4. Site plan
5. Plans
6. Building elevations
7. Photos

Joe & Kristie Rossow — NAME OF APPLICANT

12th — WARD



PROPERTY ADDRESS

3548 47th Ave S

FILE NUMBER

BZZ-7881

July 14, 2016

To Whom It May Concern:

Our home was built in 1928. It includes a main level 9x13 foot sunroom with a full basement. We would like to build a second story master bathroom on the existing footprint of the sunroom.

We live on the corner of 47th Ave. and 36th Street. Based on city ordinances we need to be 8 ft. away from the property line because of the fact that we are a corner house. Based off of Advance Surveying & Engineering Co. we are only 7.1 feet away from the property line. Therefore, we are 11 inches short of the ordinance.

Structurally if we move the addition on the second floor 11 inches back it will create structural and visual issues for our home. Since we only have 1 full sized bathroom on the second floor for 4 people (2 teenagers) we are requesting a variance to build a master bathroom on top of the existing structure.

We would be using this addition as a master bathroom directly connected to the master bedroom. All of our plumbing, heating, and mechanical pipes are located on the 36th street side of the house directly below the proposed master bathroom. Since we are moving existing windows, we will make sure to have 15% windows on the second floor.

The addition would not alter the character of our neighborhood because it would be the exact same footprint as the main level sunroom. We would be building on the existing structure that has been there since 1928 so there would be no safety issues to the public.

1724 sf dwelling

ADVANCE SURVEYING & ENGINEERING CO.

5300 S. Hwy. No. 101 Minnetonka, MN 55345 Phone (952) 474 7964 www.advsur.com

SURVEY FOR: **ISENBERG & ASSOC.**

SURVEYED: July 22, 2015 DRAFTED: July 22, 2015

ADDRESS: 3548 47th Avenue South, Minneapolis

LEGAL DESCRIPTION:
Lot 13, Block 1, Rearrangement of Seven Oaks River Lots, Hennepin County, Minnesota.

SCOPE OF WORK:
1. Showing the length and direction of boundary lines of the above legal description. 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 shown on the survey, have been shown.
2. Showing the location of existing improvements we deemed important.
3. Setting new monuments or verifying old monuments to mark the corners of the property.
4. Showing elevations on the site at selected locations. The elevations shown relate only to each other.
5. Showing and tabulating hard cover and area of the lot for your review and for the review of such governmental agencies as may have jurisdiction over hard cover requirements.

STANDARD SYMBOLS & CONVENTIONS:
" " Denotes 1/2" ID pipe with plastic plug bearing State License Number 9235, set, unless otherwise noted.

CERTIFICATION:
I hereby certify that this plan, specification, report or survey was prepared by me or under my direct supervision and that I am a licensed Professional Engineer and Professional Surveyor under the laws of the State of Minnesota.

Signature: James H. Parker Typed Name: James H. Parker

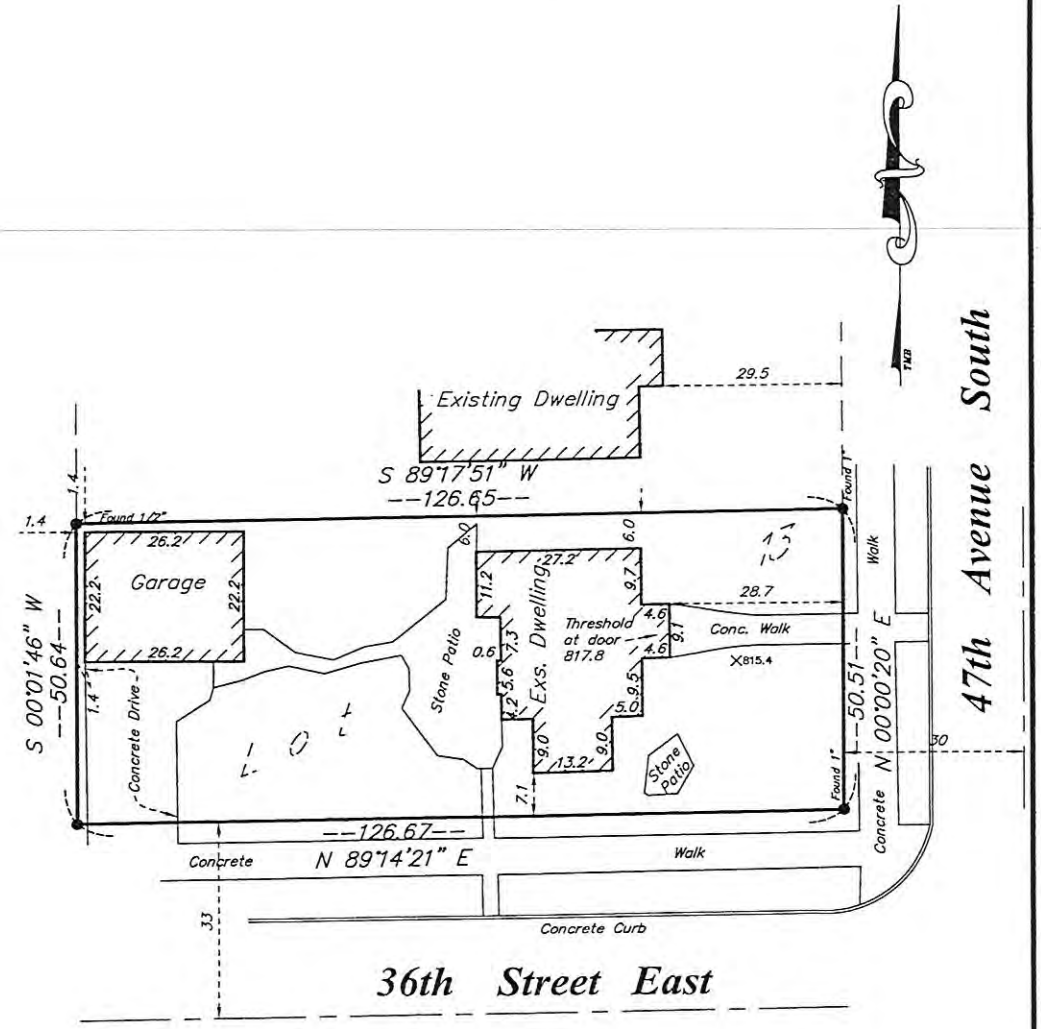
Date: July 22, 2015 Reg. No. 9235

EXISTING HARDCOVER	
House	870 Sq. Ft.
Garage	582 Sq. Ft.
Conc Walk E. Side Hse	170 Sq. Ft.
Conc Walk S. Side	15 Sq. Ft.
Concrete Drive	449 Sq. Ft.
Stone Patio East House	54 Sq. Ft.
Stone Patio Back Yard	538 Sq. Ft.
TOTAL EXISTING HARDCOVER	2,678 Sq. Ft.
AREA OF LOT	6,405 Sq. Ft.
PERCENTAGE OF HARDCOVER TO LOT	41.8%

GRAPHIC SCALE

20 0 10 20 40

(IN FEET)

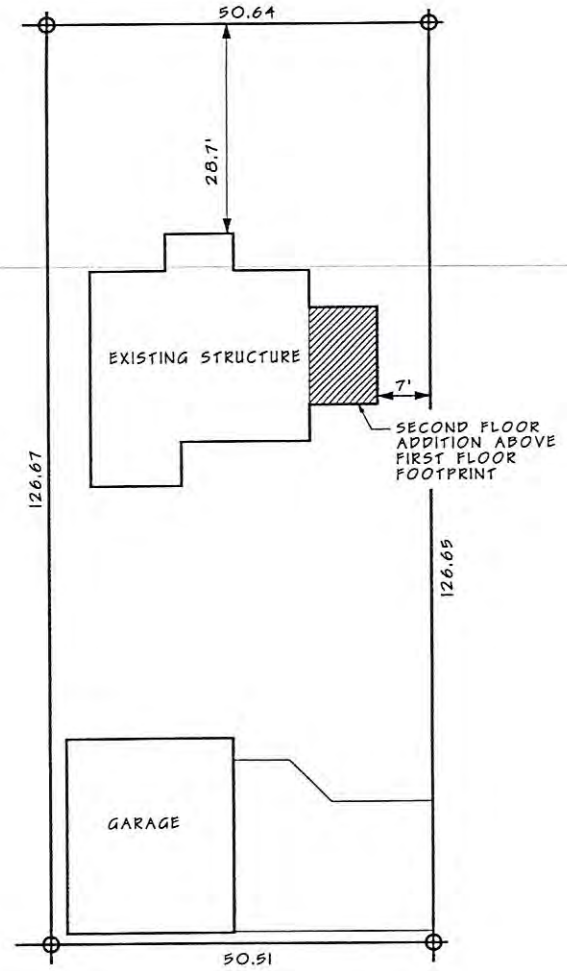


Drw. No. 150591 TB

General Notes:

The Project is a second story master bath addition and interior build out over an existing single story portion of a two story residence in South Minneapolis. The roof of the existing one story room will be removed and the addition built over those existing walls and footprint. Existing building setbacks remain as is.

1. All work shall comply with the 2015 IRC, 2015 Minnesota State Building Code, and other federal, state and city applicable codes and regulaitons.
2. The contractor(s) shall verify all existing conditions, dimensions and alignments with existing construction and shall report any discrepancies before proceeding.
3. The contractor(s) shall obtain all necessary permits, licenses, approvals and certificates, pay all associated fees and display on the property throughout construction.?
4. Contractor shall furnish safety data sheets for all materials used.?
5. Contractor shall be responsible for scheduling all required inspections.
6. The contractor(s) shall furnish and install all items necessary to insure good workmanship and installation common to the trades, even though such items are not specifically mentioned on the drawings or documents.?
7. The contractor(s) shall at all times keep the premises free from waste material and rubbish caused by the work.
8. On completion of the project, the contractor(s) shall clean all surfaces and leave the work in a clean condition.?
9. The contractor(s) shall repair or replace any damage caused to existing property during construction.
10. All concealed wood construction materials are to be fire retardant treated.
11. For all communications, data and security systems by owner, the GC shall coordinate requirements of installation and location.?
12. Field verify all dimensions indicated on plans.?
13. Mechanical, electrical, and plumbing scope is design/build by licensed entities and shall comply with all applicable code requirements. Design and engineering created by others is not the responsibility of the architect and implies no professional obligation or contractual relationship with the architect, unless mutually agreed upon in writing. Subcontractors are to submit drawings and specifications for all systems, both new and modified to the city for their review and approval and to obtain all required permits, approvals and inspections.?
14. Coordinate all light fixture locations and types with Owner and architect prior to ordering and installation. Provide cut sheets for Owner approval.?
15. Contractor to provide temporary bracing as required.?
16. Interior walls shall receive 1 coat primer and 2 finish coats of paint unless otherwise noted.?
17. All products shall be furnished and installed according to manufacturer's recommended installation requirements and specifications.?



Key/Site Plan

SCALE: 1/16" = 1'0"

N

Site plan is for reference only. Refer to attached survey prepared by Advanced Survey for further site information and details.

Project Site:
3548 47th Ave So
Mpls MN

Contractor:

IsenbergAssociates
3505 West 28th Street
Minneapolis, MN 55416
612-799-5217

DRAWN BY:
HART'S DESIGN
(952) 828 - 9906

Date:
7-29-2015
8-03-2016

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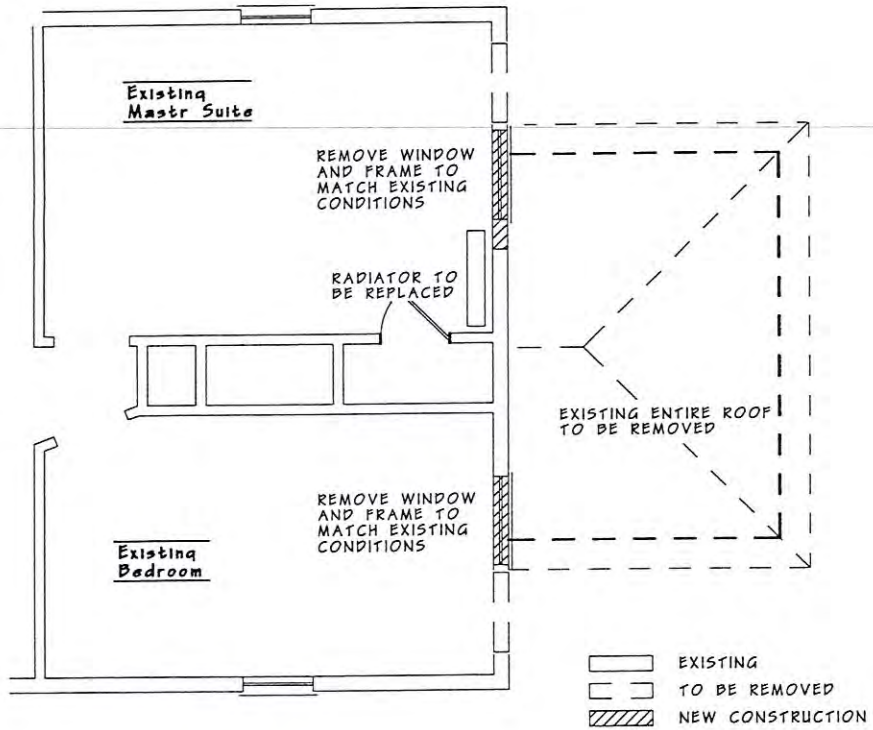
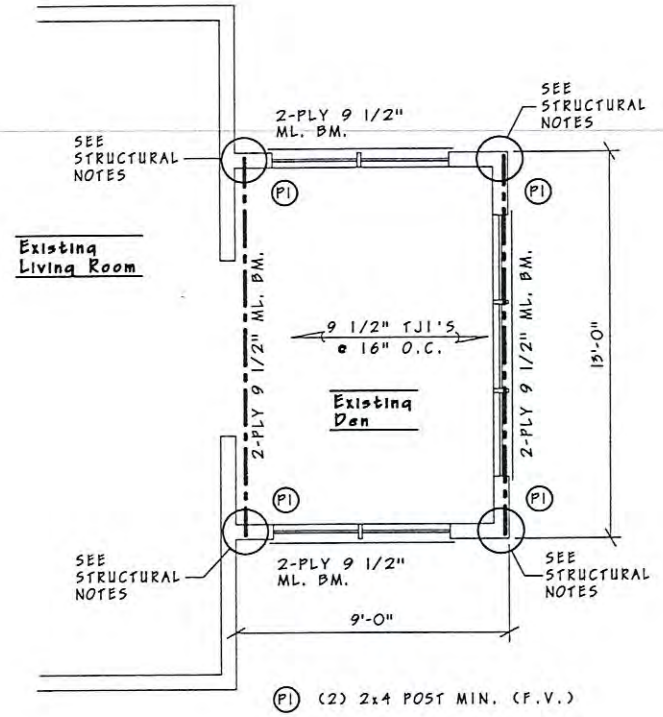


1 Second Floor Master Demolition

SCALE: 1/4" - 1'0"

N



2 Main Floor Existing & Second Floor Framing Plan

SCALE: 1/4" - 1'0"

N

GENERAL NOTE:
FOR STRUCTURAL NOTES
SEE ENGINEERS LETTER

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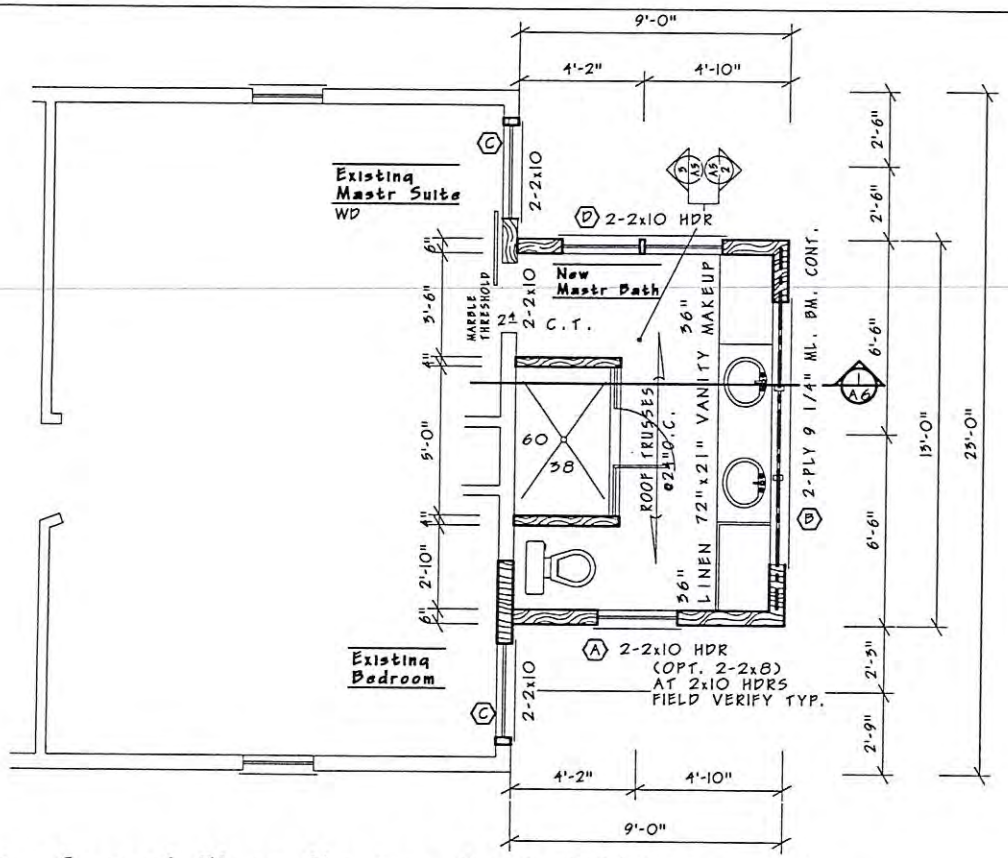

1 Second Floor Master Bath Addition

SCALE: 1/4" = 1'0"

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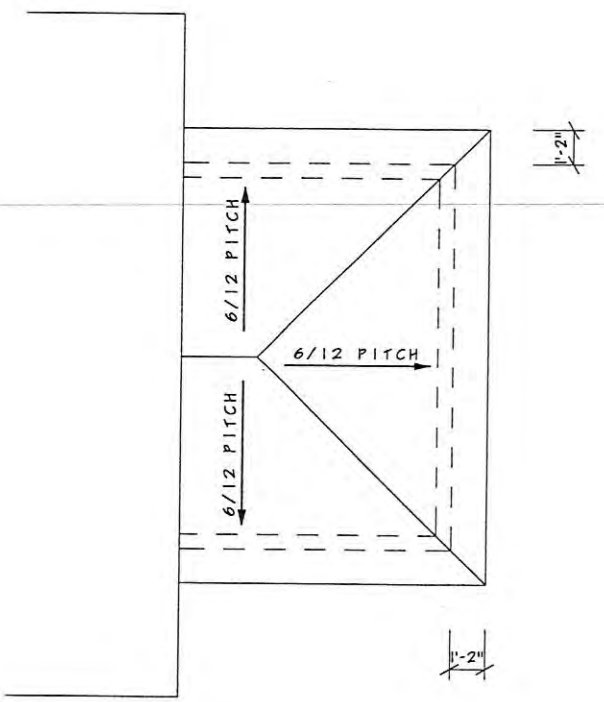

2 New Roof Plan

SCALE: 1/4" = 1'0"

N

NOTE:
MASTER BATH TO BE OF 9' 0" HEIGHT

ALL EXTERIOR AND INTERIOR HDRS TO DOORS AND WINDOWS TO BE OF 2-2 x 10 UNLESS NOTED.

EXISTING

NEW CONSTRUCTION

GENERAL NOTE:
FOR STRUCTURAL NOTES SEE ENGINEERS LETTER

	WINDOW	ROUGH OPNG	HDR HEIGHT
A	DH 3347	2'9 3/4"x3'11 3/4"	6'11"
B	3521 (x3)	2'11 3/4"x 1'9 3/4"	8'1 1/2"
C	DH 3759	3'1 3/4"x 4'9 3/4"	6' 11"
D	DH 3341	2'9 3/4"x 3'5 3/4"	6' 11"

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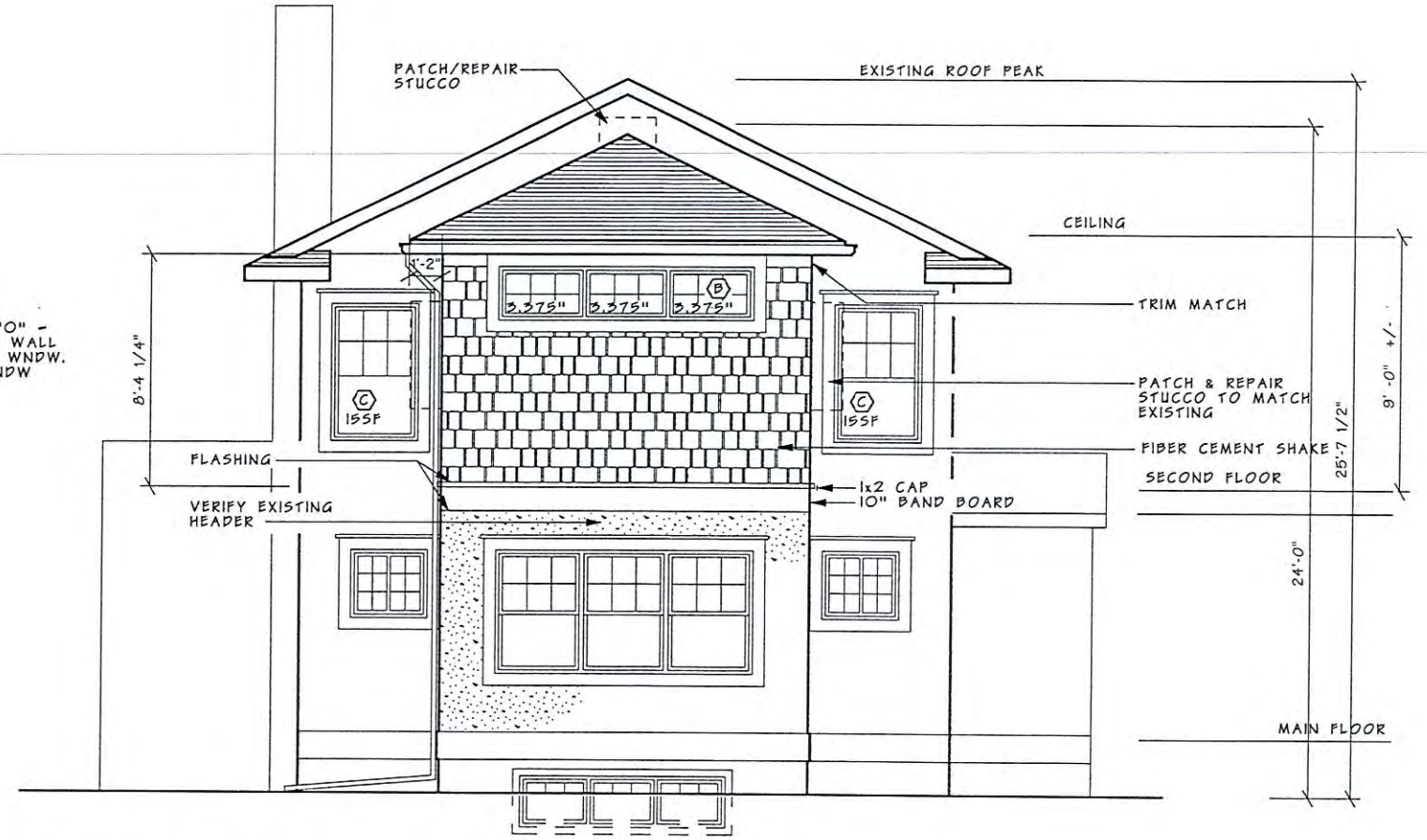

1 **South Elevation**

SCALE: 1/4" = 1'0"

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Mpls MN

Contractor:

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ADDITION ONLY
74 SQ.FT. WALL
24 SF WNDW.
- 32% WNDW

2 East Elevation

SCALE: 1/4" = 1'0"

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Mpls MN

Contractor:

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2 West Elevation

SCALE: 1/4" - 1'0"

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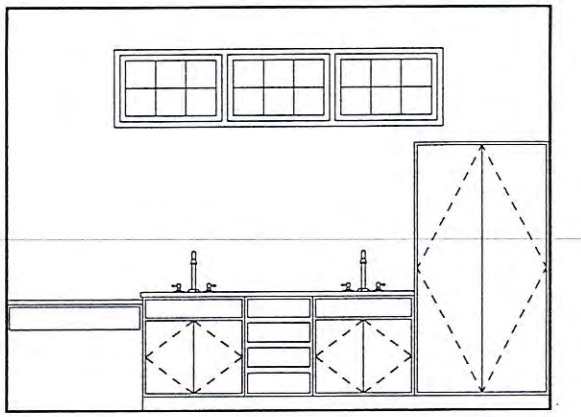
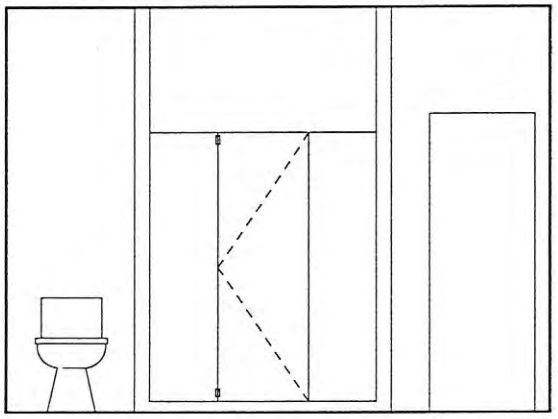


2 Interior Elevation

SCALE: 3/8" - 1'0"



3 Interior Elevation

SCALE: 3/8" - 1'0"

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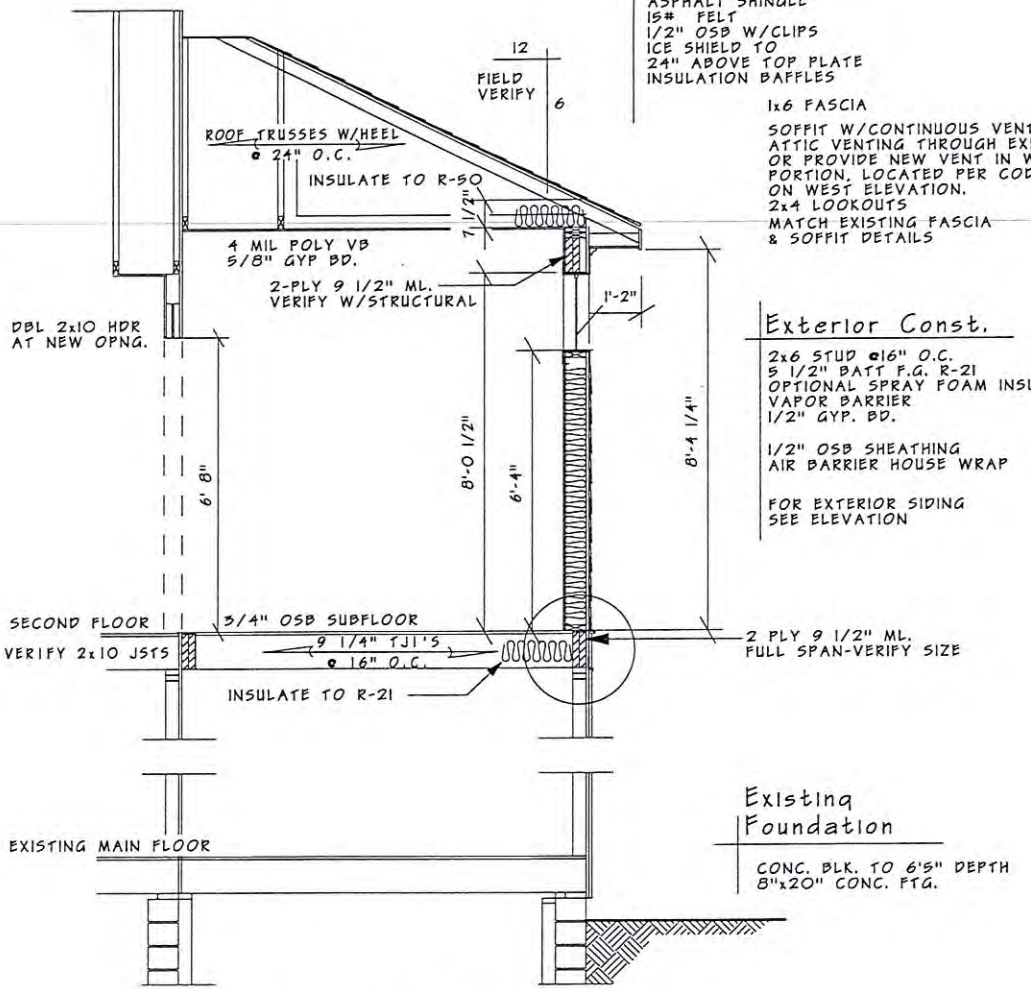


Roof Const.

ASPHALT SHINGLE
15# FELT
1/2" OSB W/CLIPS
ICE SHIELD TO
24" ABOVE TOP PLATE
INSULATION BAFFLES

1x6 FASCIA

SOFFIT W/CONTINUOUS VENT
ATTIC VENTING THROUGH EXISTING,
OR PROVIDE NEW VENT IN WEST ROOF
PORTION, LOCATED PER CODE AND SHOWN
ON WEST ELEVATION.
2x4 LOOKOUTS
MATCH EXISTING FASCIA
& SOFFIT DETAILS

Exterior Const.

2x6 STUD @16" O.C.
5 1/2" BATT F.G. R-21
OPTIONAL SPRAY FOAM INSUL.
VAPOR BARRIER
1/2" GYP. BD.

1/2" OSB SHEATHING
AIR BARRIER HOUSE WRAP

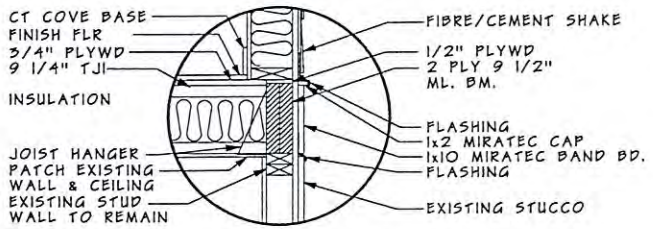
FOR EXTERIOR SIDING
SEE ELEVATION

Existing Foundation

CONC. BLK. TO 6'5" DEPTH
8"x20" CONC. FTG.

1 Cross Section

SCALE: 3/8" = 1'0"



2 Rim Detail

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