



PLANNING COMMISSION STAFF REPORT

Originator Kris Aaker Assistant City Planner	Meeting Date June 24, 2014	Agenda # B-15-11
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Recommended Action: Approve a 4.1 foot side yard setback variance to the required 10 foot side yard setback to allow for the construction of a bedroom addition above the existing attached garage at 4545 Meadow Road.

Project Description: Chris and Kimberly Lawrence (the applicants) are requesting a 4.1 foot side yard setback variance to remodel their home and construct an addition above the attached garage to be located 5.9 feet from the north interior side property line.

INFORMATION/BACKGROUND

The subject property is approximately 96 feet in width and is 12,258 square feet in area. There is an existing one story single-family home with an attached two car garage on the property. The applicant is requesting to remodel and add onto a portion of the existing home. The proposal is to add a bedroom on the north side of their existing home above their garage.

There are existing single-family homes abutting the north lot line and on the south lot, both facing Meadow Road. The home located on 4541 Meadow Road directly to the north has living space on the south side of the home, with the existing spacing between the applicant's garage and home to the north at 10.3 feet. The home to the north is located 6.4 feet from the lot line shared by the applicant. Spacing between the new addition and the home to the north will be 11.3 feet, one foot farther from the side yard than the existing garage.

Section 36 of the zoning code, requires a minimum setback of 10 feet for sidewall additions to the home.

SUPPORTING INFORMATION

Surrounding Land Uses

This property is located on the end of Meadow Road and is surrounded by single-family residential homes. There is a mix of home types nearby with a variety of housing styles.

Existing Site Features

The subject lot is 12,258 square feet in area and 96 feet in width.

Planning

Guide Plan designation: Single-Family District
 Zoning: R-1, Single Dwelling Unit District

Building Design

The proposal is to remodel the existing home and add a bedroom above the garage. The two car garage is 22.6 feet in width with the new addition above to be 21.6 feet in width, (1 foot farther from the north lot line than the garage below), and necessitates a variance to be located 5.9 feet from the adjacent north property line.

Compliance Table

	City Standard	Proposed
Front - Side- Rear-	Average of adjacent: 21.3 feet 10 feet 25 feet	31.5 feet 5.9 feet* 41 feet
Building Height Lot Area Lot Width	2 1/2 stories, 30 Ft 9,000 Sq. Ft or age of nbhd 75 feet or avg of nbhd	1stories, 25 feet from existing grade 12,258 square feet 96 feet
Lot coverage	25%	21%

* **Variance Required**

Primary Issues

- **Is the proposed development reasonable for this site?**

Given the existence of the nonconforming garage at 4.9 feet to the side lot line, the addition of a bedroom above at a greater side yard setback is reasonable. The garage is a tuck-under with the living space expansion proposed above on the main floor.

- **Is the proposed variance justified?**

Per the Zoning Ordinance, a variance should not be granted unless it is found that the enforcement of the ordinance would cause practical difficulties in complying with the zoning ordinance and that the use is reasonable. As demonstrated below, staff believes the proposal does meet the variance standards, when applying the three conditions:

Minnesota Statutes and Section 36-98 of the Edina Zoning Ordinance require that the following conditions must be satisfied affirmatively. The proposed variance will:

1) *Relieve practical difficulties that prevent a reasonable use from complying with ordinance requirements.*

The practical difficulty is that the home was built prior to the current setback requirements with both sides of the home nonconforming regarding the minimum 10 foot side yard setback. The lot is pie shaped as is the neighbors, so structures move farther from one another as they go back in their respective properties.

2) *There are circumstances that are unique to the property, not common to every similarly zoned property, and that are not self-created?*

The garage is at the basement level of the house with the main floor at a level above the garage. The addition makes sense given the existing floor plan and location of the garage below.

3) *Will the variance alter the essential character of the neighborhood?*

Granting this will not alter the character of the neighborhood. The applicants are hoping to maximize the existing footprint of the home by building over the garage instead of adding more building coverage or adding a full 2nd floor above the main floor. The addition will be a seamless addition and will look as if were part of the original plan for the home.

Staff Recommendation

Recommend that the Planning Commission approve the variance.

Approval is based on the following findings:

1. The property with an addition of a bedroom above the garage, and the request to deviate from the side yard is a reasonable use of the property.
2. The home is appropriate in size and scale with the addition of a bedroom above the garage,
3. There is a practical difficulty in meeting the ordinance requirements due to the existing floor plan and desire to maintain the one-story character of the home.
4. There are circumstances unique to the property that necessitates a variance to make reasonable use of the property. The garage is currently nonconforming with the proposed addition above will be farther from the side yard than the garage and more conforming to setback.

Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:

- Architectural site plans date stamped: 6/8/2015
- Building plans/ elevations date stamped: 6/8/2015

Deadline for a City Decision: August 7, 2015.



VARIANCE APPLICATION

CASE NUMBER B-15-11 DATE 6/8/2015
FEE PAID

City of Edina Planning Department * www.cityofedina.com
4801 West Fiftieth Street * Edina, MN 55424 * (952) 826-0369 *
fax (952) 826-0389

FEE: RES - \$450.00 NON-RES - \$700.00

APPLICANT:

NAME: Christopher Lawrence (Signature required on back page)
ADDRESS: 4545 Meadow Rd, Edina 55424 PHONE: 612-860-0190
EMAIL: cmlaw3@gmail.com

PROPERTY OWNER:

NAME: Christopher Lawrence (Signature required on back page)
ADDRESS: 4545 Meadow Rd, Edina 55424 PHONE: 612-860-0190

LEGAL DESCRIPTION OF PROPERTY (written and electronic form):

Lot 3, White Oaks 7th Addition

**You must provide a full legal description. If more space is needed, please use a separate sheet.

Note: The County may not accept the resolution approving your project if the legal description does not match their records. This may delay your project.

PROPERTY ADDRESS: 4545 Meadow Rd, Edina 55424

PRESENT ZONING: _____ P.I.D.# _____

EXPLANATION OF REQUEST:

Please see full answer on ANSWERS document

(Use reverse side or additional pages if necessary)

ARCHITECT: NAME: _____ PHONE: _____
EMAIL: _____

SURVEYOR: NAME: Woodrow Brown PHONE: 952-854-4268
EMAIL: wblandsurvey@aol.com

PLANNING DEPARTMENT
JUN 08 2015
CITY OF EDINA

Minnesota Statutes and Edina Ordinances require that the following conditions must be satisfied affirmatively. Please fully explain your answers using additional sheets of paper as necessary.

The Proposed Variance will:

Please refer to Answers YES NO
Document

Relieve practical difficulties in complying with the zoning ordinance and that the use is reasonable

Correct extraordinary circumstances applicable to this property but not applicable to other property in the vicinity or zoning district

Be in harmony with the general purposes and intent of the zoning ordinance

Not alter the essential Character of a neighborhood

PLANNING DEPARTMENT
JUN 08 2015
CITY OF EDINA

Detailed Application Requirements: Unless waived by the Planning Department, you must complete all of the following items with this application. An incomplete application will not be accepted.

- Completed and signed application form.
- Application fee (not refundable). Make check payable to "City of Edina."
- One (1) Copy of drawings to scale.
- Seventeen (17) 11x17 copies of drawings, including elevations and survey, photographs and other information to explain and support the application. Copies must be collated.
- A current survey is required. Please refer to "Exhibit A."
- Grading, drainage, erosion control and stormwater management plan. Grading plan must include existing and proposed two-foot contours, and location and size of pipes and water storage areas. The grading and erosion control plan along with a stormwater management plan must be signed by a licensed professional engineer. The stormwater management plan must detail how stormwater will be controlled to prevent damage to adjacent property and adverse impacts to the public stormwater drainage system.
- Variance requests require scale drawings to explain and document the proposal. The drawings are not required to be prepared by a professional, but must be neat, accurate and drawn to an acceptable scale. The drawings may vary with the proposal, but should include a site plan, floor plans and elevations of the sides of the building which are affected by the variance.
- Elevation drawings of all new buildings or additions and enlargements to existing buildings including a description of existing and proposed exterior building materials. **For single-family home projects, elevations drawings must include a rendering of the proposed home AND the existing homes on either side as seen from the street.**

VARIANCE GUIDELINES AND APPLICATION INFORMATION

The City of Edina Planning Department encourages healthy development within the city of Edina. Although this document is meant to serve as a guide for the application process for development through the Planning Department it is by no means comprehensive. The Planning Staff recommend that you schedule a meeting to answer any questions or to discuss issues that may accompany your project. It is much easier to tackle problems early on in the process. The office number for the Planning Staff is (952) 826-0465.

Variance Information

The Edina Planning Commission has been established to consider exceptions (variances) from the Land Use, Platting and Zoning Ordinance (Chapter 36), the Antenna Ordinance (Chapter 34), the Sign Ordinance (Chapter 36) and the Parking and Storage of Vehicles and Equipment Ordinance (Chapter 26).

The variance procedure is a "safety valve" to handle the unusual circumstances that could not be anticipated by these ordinances. The Commission is charged to only grant a petition for a variance if it finds:

1. That strict enforcement of the ordinance would cause practical difficulties because of circumstances unique to the petitioner's property

2. That the granting of the variance is in keeping with the spirit and intent of the ordinance.
3. Would not alter the essential character of the neighborhood.

“Practical Difficulties” means that:

1. The property in question cannot put to a reasonable use as allowed by the ordinance
2. The plight of the petitioner is due to circumstances unique to his/her property which were not created by the petitioner
3. The variance, if granted, will not alter the essential character of the property or its surroundings.

**Economic considerations alone shall not constitute an undue hardship if reasonable use for the petitioner’s property exists under the terms of the ordinance.

Application: Applications are submitted to the Planning Department. Offices are open Monday through Friday, 8 AM to 4:30 PM.

Deadlines for Applications: Applications need to be submitted at least **thirty days** before the meeting. This allows the City of Edina time to notify surrounding property owners of the date of the hearing and details of the variance. It is helpful to submit the application as soon as possible to secure an early hearing position.

Notice of Public Hearing: Notice is mailed to all property owners (of record at City Hall) that are located within 200 feet of the site. Notice is mailed ten (10) days prior to the hearing. You are encouraged to contact adjacent or close owners and advise them of your proposal prior to the notice of the hearing. You may wish to provide statements of “no objection to the variance” from the nearby property owners.

Meetings and Public Hearings: Meetings of the Planning Commission are scheduled on the second and fourth Wednesday of each month. The meetings are held at 7:00 pm in the Edina City Hall Council Chambers, 4801 West 50th Street. ***Each meeting is limited to five variance cases on a first come, first serve basis.*** Additional requests are delayed until subsequent meetings. Meetings are formal public hearings with a staff report, comments from the proponent and comments from the audience. It is important the owner or a representative attend the meeting to answer questions.

Staff Report: After review of the drawings submitted and a visit to the site staff prepares a report. This report, along with any supporting drawings and materials, are sent to the Zoning Board in advance of the meetings. Board members may visit the site before the meeting. All plans, emails and written information are public information, and may be used in the staff report and distributed to the public.

Board Membership: The Planning Commission serves as the Zoning Board. Five members are required for a quorum.

Decisions by the Planning Commission: The Planning Commission may approve, deny or amend the variance request and establish conditions to ensure compliance or protect surrounding property owners. The Planning Commission generally makes a decision at the scheduled hearing. Occasionally, however, a continuance to another meeting may be necessary.

Appeals: Decisions of the Planning Commission are final unless appealed to the City Council in writing within 10 days. The proponents, any owner receiving notice of the hearing or the staff may appeal decisions. Appeals are rare and they can be time consuming because a new hearing is required before the full City Council. Appeals must be filed with the City Clerk.

Legal Fee: It is the policy of the City to charge applicants for the actual cost billed by our attorneys for all legal work associated with the application. An itemized bill will be provided which is due and payable within thirty (30) days.

**** Filing an Approved Variance:** The applicant is required to file an approved variance resolution with the County. Documents necessary for filing will be provided by the Planning Department.

APPLICANT'S STATEMENT

This application should be processed in my name, and I am the party whom the City should contact about this application. By signing this application, I certify that all fees, charges, utility bills, taxes, special assessments and other debts or obligations due to the City by me or for this property have been paid. I further certify that I am in compliance with all ordinance requirements and conditions regarding other City approvals that have been granted to me for any matter.

I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct.



Applicant's Signature

6-5-15

Date

OWNER'S STATEMENT

I am the fee title owner of the above described property, and I agree to this application.

(If a corporation or partnership is the fee title holder, attach a resolution authorizing this application on behalf of the board of directors or partnership.)



Owner's Signature

6-5-15

Date

Note. Both signatures are required (if the owner is different than the applicant) before we can process the application, otherwise it is considered incomplete.

PLANNING DEPARTMENT
JUN 08 2015
CITY OF EDINA

Chris and Kimberly Lawrence

4545 Meadow Rd, Edina, MN 55424
612-860-0190

Explanation of Request

Reason: Build above our garage and maximize the footprint for living quarters.

Details:

- Side Yard
 - Back corner; **THE CLOSEST POINT to property line**
 - 1st floor: 4'8" from property line
 - 2nd story: 5'8" from property line
 - Requires 5'8" of 10' of the variance
 - Front corner:
 - 1st floor: 4'9" from property line
 - 2nd story: 5'9" from property line
 - Requires 5'9" of 10' of the variance
- Survey shows the garage face is 21'6" wide
- 2nd story addition will be 20'6" wide
- For the roof line between the 1st and 2nd story, there will be a 12" overhang past the garage

The Proposed Variance will

Relieve practical difficulties in complying with the zoning ordinance and that the use is reasonable

Yes. The side of our house where the garage resides and we are remodeling is 4'8" to the property line. We want to maximize our houses footprint by building over the garage. We are fortunate that our house resides on a pie shaped property. As does our neighbors. This means the neighboring house and our house move away from one another as the property goes deeper into the property.

Correct extraordinary circumstances applicable to this property but not applicable to other property in the vicinity or zoning district

Yes. The remodel of our house will simply leverage the existing foundation of our garage where we will build living quarters. Our property is pie shaped so the neighboring house on the side of the remodel will not be encroached on because our houses move away from one another as they go back in their respective properties.

Be in harmony with the general purposes and intent of the zoning ordinance

Yes. We are in harmony with the intent of the zoning ordinance. We are looking to maximize the footprint of our house by building over the garage. With the pie shape property our house is on, just like our neighbors that resides next to the new addition, we avoid the towering affect of two homes next two each other.

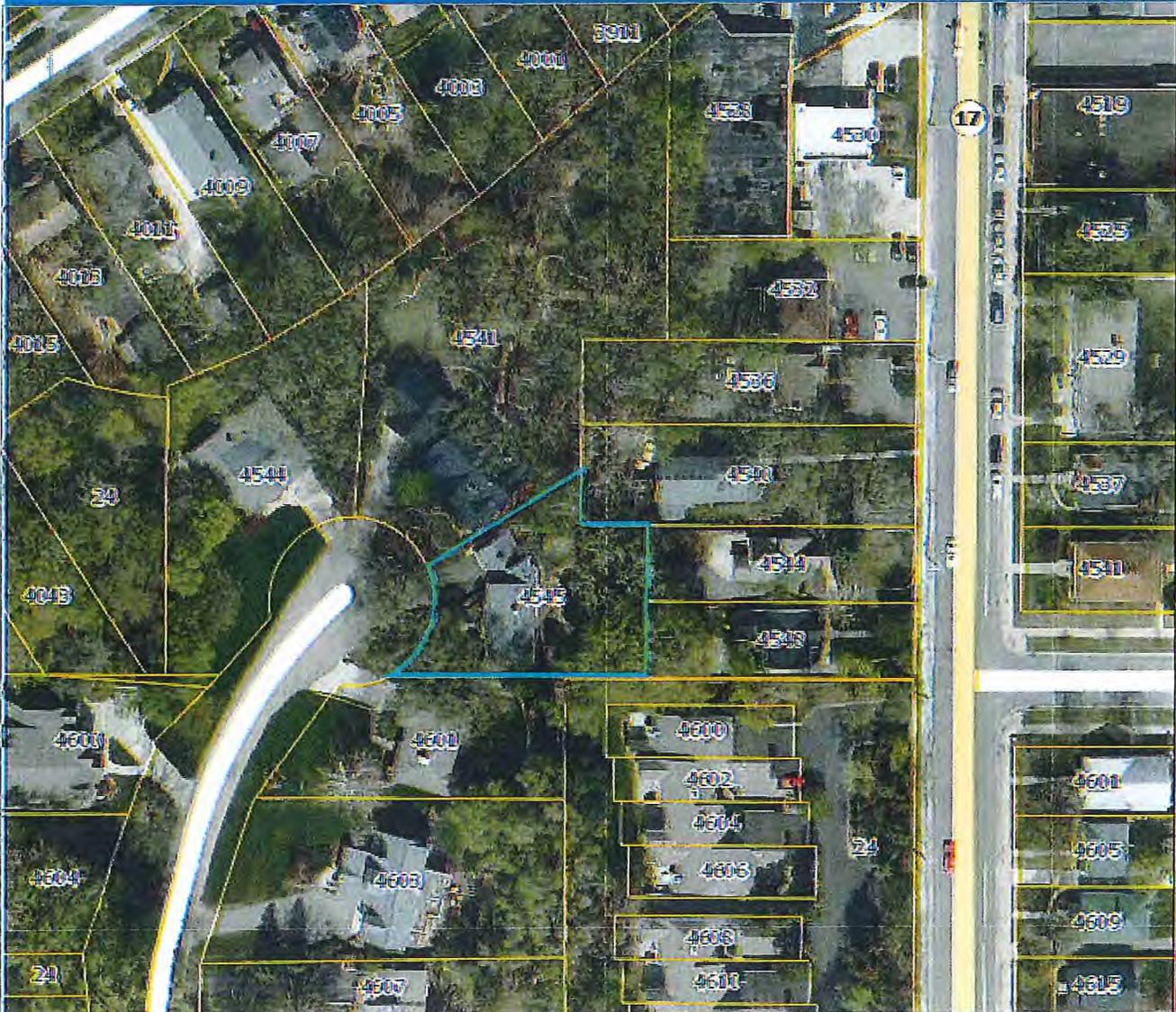
Not alter the essential Character of a neighborhood

Yes. Preservation of our precious cul-da-sac is paramount as we want to maximize our houses footprint. This will be done by building the addition with flowing lines from the existing part of the house but also not create a stacked big block feel with the house next to us because each of us have pie shaped lots where the houses move father apart from each other as they go deeper into the respective properties.



Interactive
Maps

Property
Map



Parcel ID: 07-028-24-44-0145

Owner Name: Christopher M Lawrence

Parcel Address: 4545 Meadow Rd
Edina, MN 55424

Property Type: Residential

Home-stead: Homestead

Parcel Area: 0.28 acres
12,269 sq ft

A-T-B:

Market Total:

Tax Total:

Sale Price:

Sale Date:

Sale Code:

Map Scale: 1" ≈ 100 ft.
Print Date: 6/11/2015



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5445 location



Interactive
Maps

Property
Map



Parcel ID: 07-028-24-44-0145
Owner Name: Christopher M Lawrence
Parcel Address: 4545 Meadow Rd Edina, MN 55424
Property Type: Residential
Home-stead: Homestead
Parcel Area: 0.28 acres 12,269 sq ft

A-T-B:
Market Total:
Tax Total:
Sale Price:
Sale Date:
Sale Code:

Map Scale: 1" ≈ 50 ft.
Print Date: 6/11/2015



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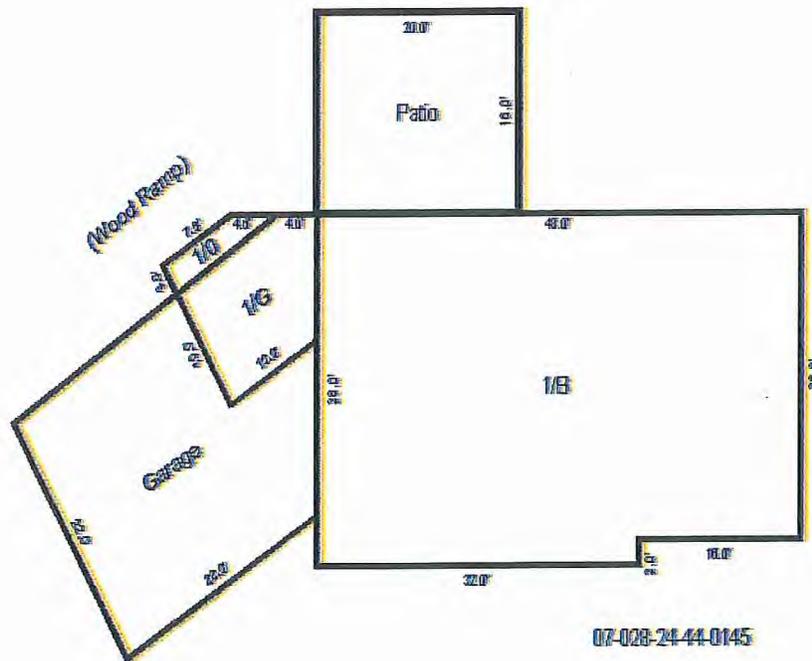


Site Location

City of Edina Property Images



(Extensive Landscaping)



Sketch by Apex IV™

Photo of subject homes

SITE ADDRESS: 4545 MEADOW RD,
EDINA, MN 55424

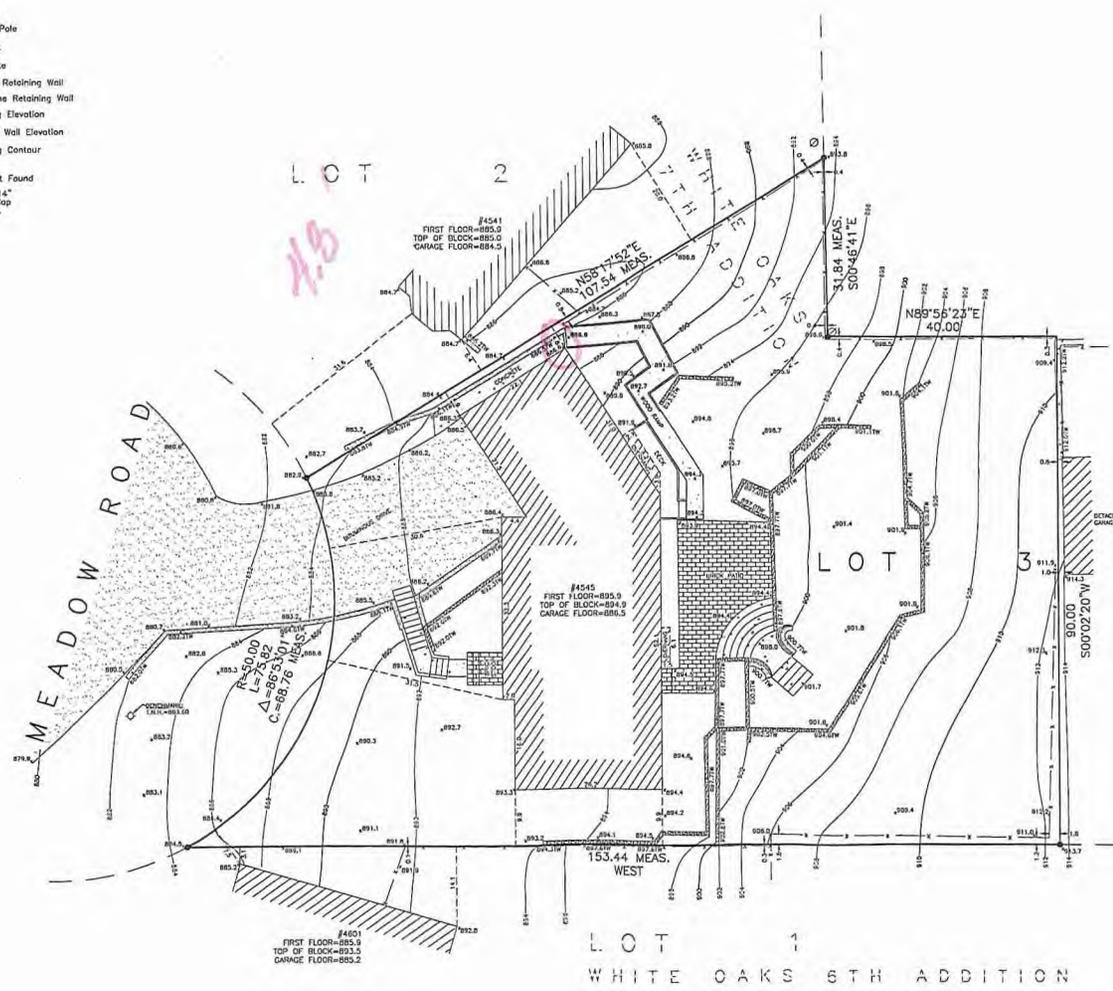
EXISTING CONDITION SURVEY FOR: CHRIS LAWRENCE

Legend

- — — — — Fence
- ⊙ Power Pole
- ⊕ Hydrant
- ▣ Concrete
- ▨ Timber Retaining Wall
- ▧ Keystone Retaining Wall
- x900.0 Existing Elevation
- x900.0TW Top of Wall Elevation
- 900- Existing Contour
- Denotes Iron Monument Found
- Denotes Set, 1/2" x 14" Iron Pipe w/ Plastic Cap inscribed R.L.S. 15230



SCALE: 1 INCH = 10 FEET



EXISTING AREA CALCULATION:

Lot Area = 12,258 SF
 IMPERVIOUS SURFACE:
 House = 1,988 SF
 Brick Patio Less 150 SF Allowance = 221 SF
 Deck = 62 SF
 Wood Ramp = 188 SF
 Concrete Patio Stairs = 121 SF
 Total = 2,580 SF
 = 21.0%

PROPERTY DESCRIPTION: Lot 3, WHITE OAKS 7TH ADDITION,
Hennepin County, Minnesota.

BENCHMARK: T.N.H. at the end of the Cul-De-Sac of
Meadow Rd. Elevation = 883.80.

NOTE: No Search Was Made For Any Easements

NOTE: The location of all utilities shown are from observed evidence
in the field and from plans furnished by the utility companies
and are approximate. Utility companies should be notified for
exact location before doing any excavation.

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

W. BROWN LAND SURVEYING, INC.

Woodrow A. Brown
 Woodrow A. Brown, R.L.S. MN REG 15230
 Dated: 10-28-2014

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

Drawing:	Date: 10-28-2014	1 of 1
214-14	Scale: 1 inch = 10 Feet	

LOT 2

#4541
FIRST FLOOR=885.9
TOP OF BLOCK=885.0
GARAGE FLOOR=884.5

N58°17'52"E S.
107.54 MEAS.

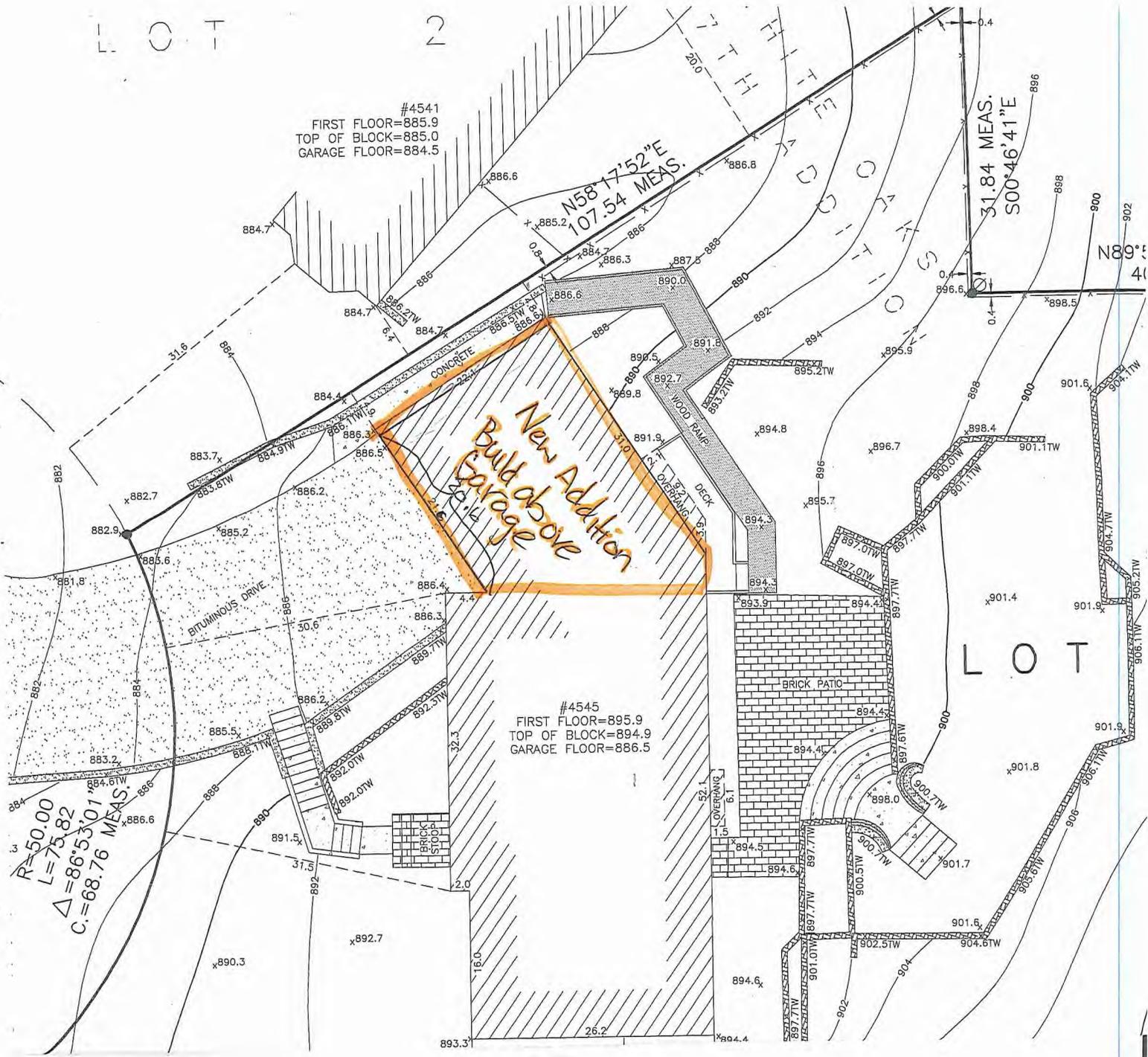
31.84 MEAS.
S00°46'41"E

N89°41'

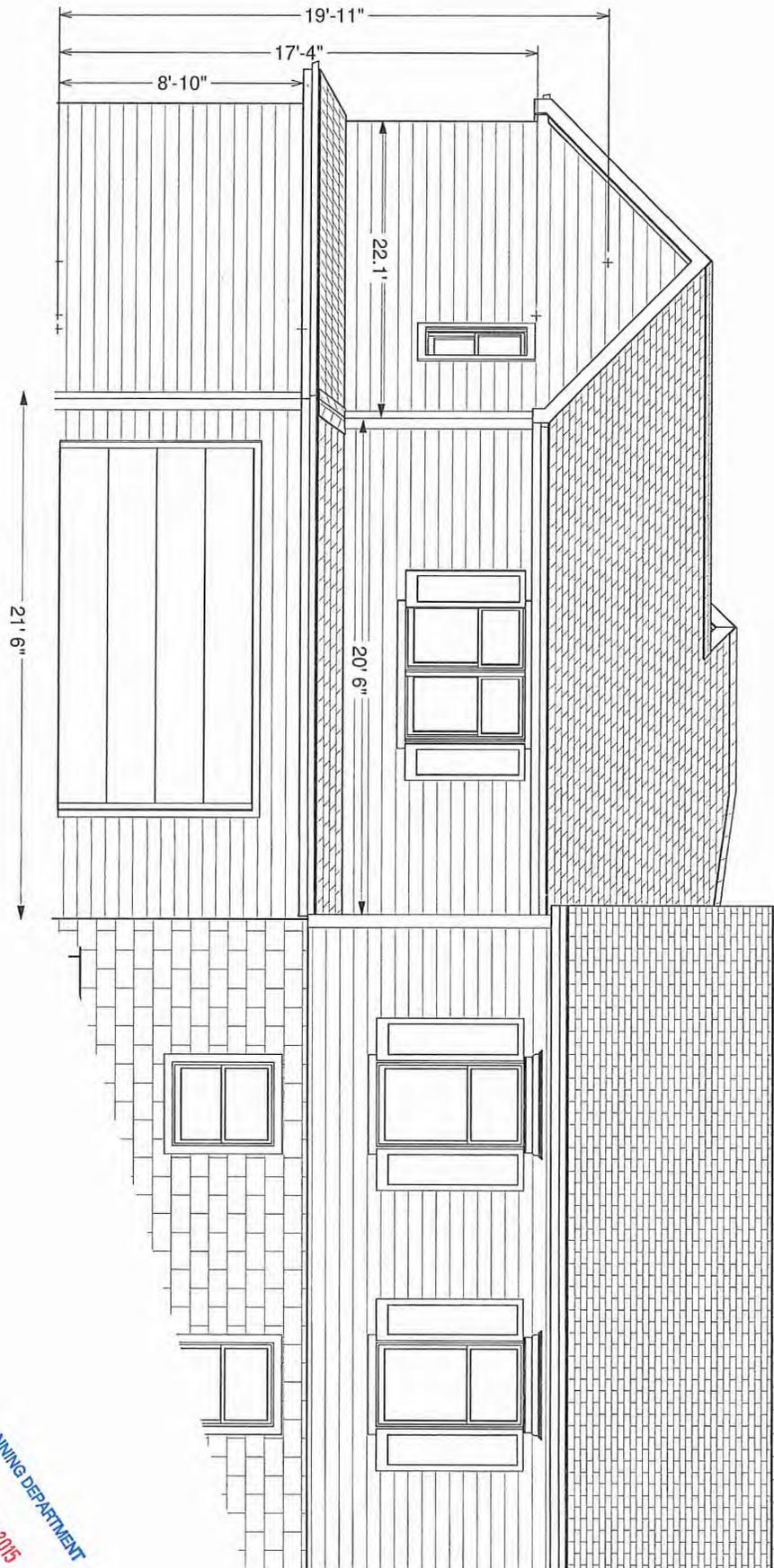
R=50.00
L=75.82
 $\Delta=86^{\circ}53'01"$
C.=68.76 MEAS.

#4545
FIRST FLOOR=895.9
TOP OF BLOCK=894.9
GARAGE FLOOR=886.5

LOT



PROPOSED FRONT ELEVATION
(FOR VARIANCE)



PLANNING DEPARTMENT
JUN 08 2015
CITY OF EDINA

SCALE: 1/4" = 1'0"

6/4/2015

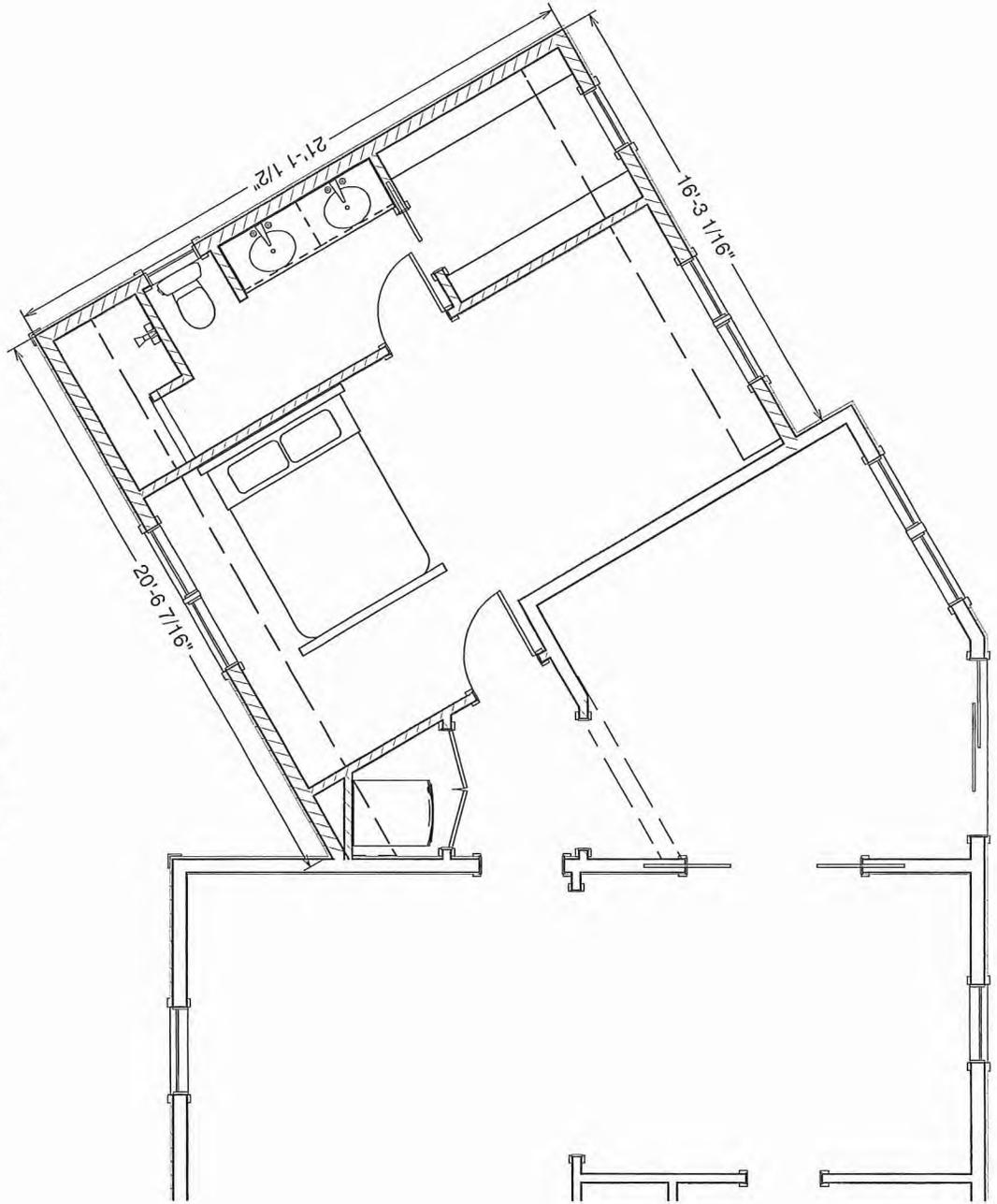
Lawrence Residence



21185 Viking Blvd.
Wyoming, MN 55092

MN Lic#: BC026555

PROPOSED MAIN LEVEL FLOORPLAN
(FOR VARIANCE)



PLANNING DEPARTMENT
JUN 08 2015
CITY OF EDINA

SCALE: 1/4" = 1'0"

5/29/2015

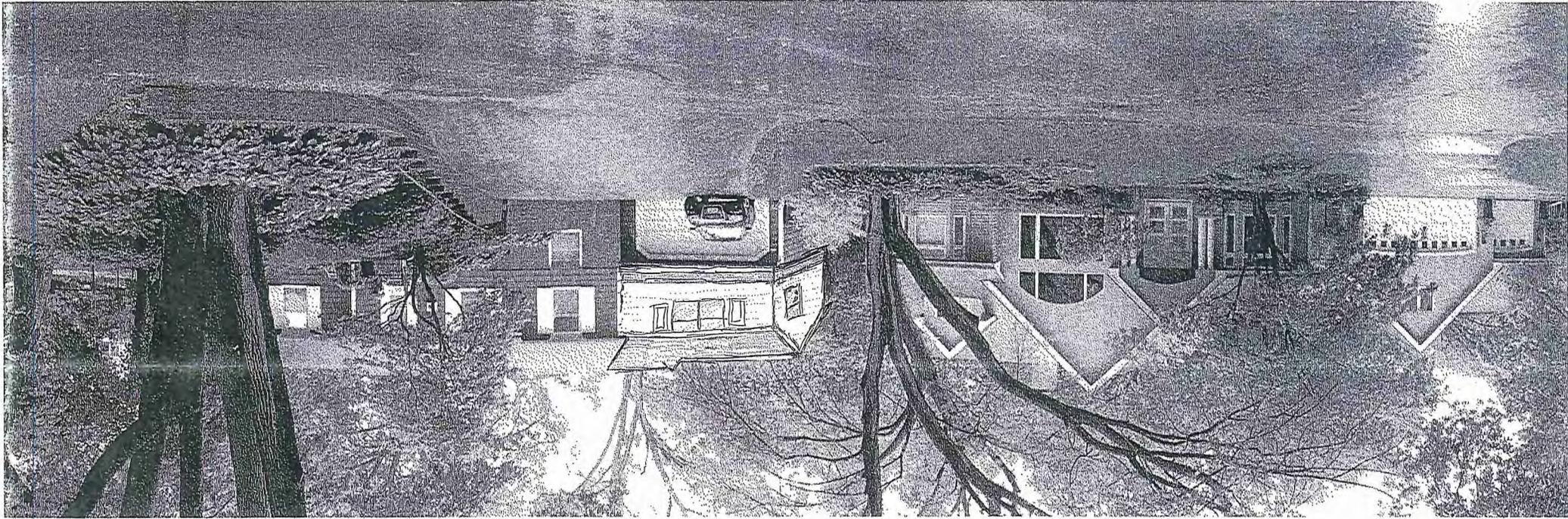
Lawrence Residence



21185 Viking Blvd.
Wyoming, MN 55092

MN Lic#: BC026555

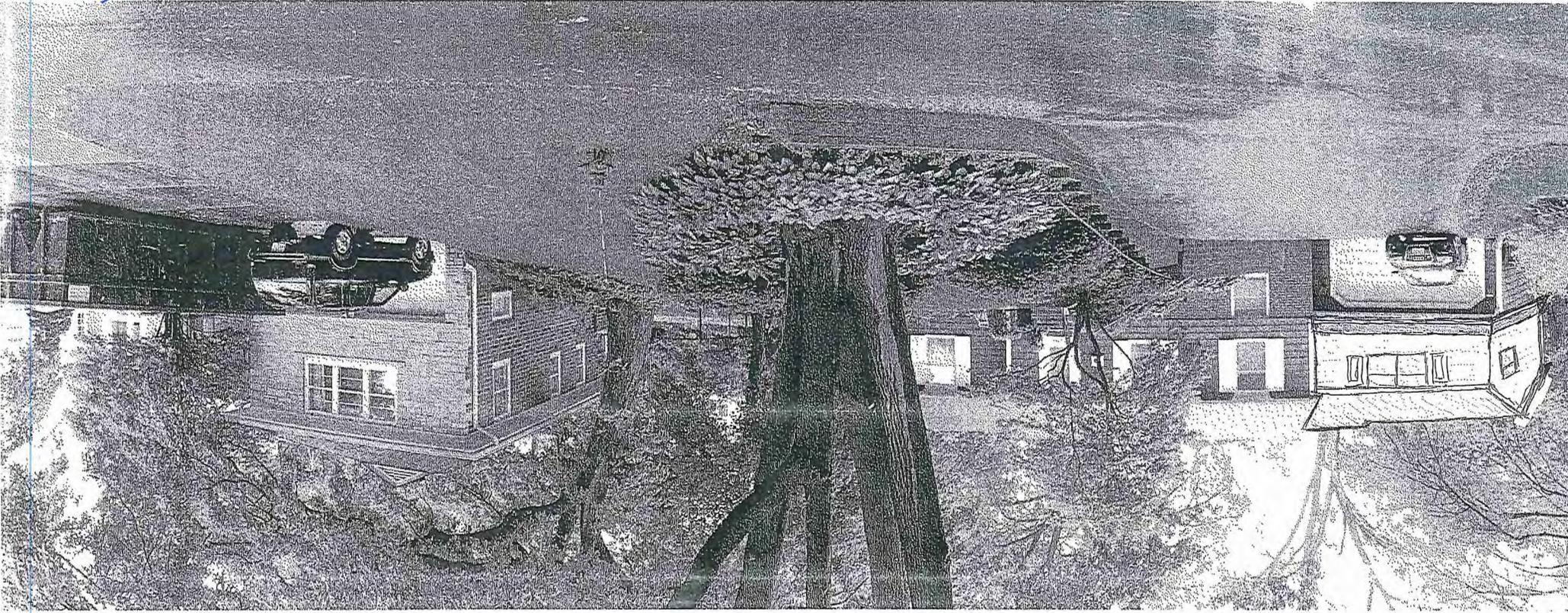
CITY OF EDINA
JUN 08 2015
PLANNING DEPARTMENT
SHEPHERD



CITY OF EDINA

JUN 8 8 2015

PLANNING DEPARTMENT



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