



PLANNING COMMISSION STAFF REPORT

Originator Kris Aaker Assistant Planner	Meeting Date August 22, 2012	Agenda # B-12-08
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Recommended Action: Approve the variance as requested.

Project Description

A 38.6 foot setback variance from Interlachen Blvd for property located at 5000 Schaefer Road to extend the existing garage by an additional stall and add a mud room.

INFORMATION/BACKGROUND

The subject property owned by Daniel Wagner and Lindsey Gerrity is a corner lot located south of Interlachen Boulevard and west of Schaefer Road. It consists of a one story home with an attached two car garage built in 1954, (see attached Fig. A.1-A.7, site location, aerial photographs, photos of subject and adjacent properties and photos).

The property owners are hoping to add a garage stall and mud room onto the west side of the existing garage. The existing garage is nonconforming regarding setback from Interlachen Boulevard. The property is subjected to two front yard setbacks. The property must match the front yard setback of the home to the west fronting Interlachen Boulevard at 6405 Interlachen Boulevard that was built one year later than the subject home.

The adjacent home to the west is setback 122.6 feet from Interlachen establishing the setback for the subject property. The garage of the existing home on the subject property is located 76.2 feet from Interlachen and is therefore nonconforming regarding the required 122.6 foot setback. The proposed garage and mudroom addition will be located approximately 84 feet from Interlachen or 7.8 feet farther back from Interlachen than the existing garage. Setback of the garage will remain the same with the addition farther from Interlachen than the front wall of the garage, (see attached Fig. A.8 -A.12., existing/proposed survey, photos and plans).

SUPPORTING INFORMATION

Surrounding Land Uses

Northerly: Single-family homes.
Easterly: Single-family homes.
Southerly: Single-family homes.
Westerly: Single-family homes

Existing Site Features

The subject lot is 33,664 square feet in area. The existing home was built in 1954 and pre-dates the current setback requirements and is closer to the north lot line than currently allowed.

Planning

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

Building Design

The proposal is to extend the garage by an additional stall and add a mud room. Finish materials will match the existing materials on the home.

Compliance Table

	City Standard	Proposed
Front -	122.6 feet	*76.20 feet
Side-	10+ height, (living)	11.5 feet
Rear -	25 feet	45.04
Building Height	2 1/2 stories 35 feet to ridge,	1 story, 20 feet to the ridge
Lot coverage	25%	15.4%

** Variance Required*

Primary Issues

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

Yes. Staff believes the proposal is reasonable for four reasons:

1. The proposed use is permitted in the R-1, Single Dwelling Unit Zoning District and complies with all requirements with the exception of north (street), setback. Setbacks will not change and building footprint on the property will be to the side yard or rear yard and not affect existing street sight lines.
2. The home is appropriate in size and scale for the lot and the improvements will enhance the property and not detract from or impact the neighborhood. The home will remain a one story rambler.
3. The improvements will provide additional garage and living space without drastically changing conditions on the property.
4. The home would maintain the character of the neighborhood and would remain the same with the exception of an enhanced

- **Is the proposed variance justified?**

Yes. 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:

Section 850.0.Subd., requires the following findings for approval of a variance:

Minnesota Statutes and Edina Ordinances 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.

Reasonable use does not mean that the applicant must show the land cannot be put to any reasonable use without the variance. Rather, the applicant must show that there are practical difficulties in complying with the code and that the proposed use is reasonable. "Practical difficulties" may include functional and aesthetic concerns.

Staff believes the proposed variance is reasonable. The setback of the existing garage will not change with sight lines along the streets remaining the same. Practical difficulties present on the property include the existing nonconforming street setback and limited design opportunity. The design

is limited given that the required setback from Interlachen bisects the house severely reducing opportunity for expansion.

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

Yes. The unique circumstance is the original nonconforming placement of the home and garage, limiting design opportunities for adding onto the home.

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

No. The proposed addition will not alter the essential character of the neighborhood. The setback along Interlachen will remain the same.

Staff Recommendation

Recommend the Planning Commission approve the variance.

Approval is based on the following findings:

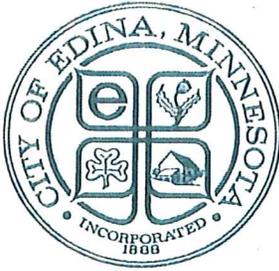
- 1) With the exception of the variance requested, the proposal would meet the required standards and ordinances for the R-1, Single Dwelling Unit District.
- 2) The proposal would meet the required standards for a variance, because:
 - a. The proposed use of the property is reasonable; as it is consistent with surrounding properties is deeper than the nonconforming setback that has historically been provided by the existing garage.
- 3) The imposed setback limits design opportunity. The intent of the ordinance is to provide adequate spacing between structures and the street. Spacing will not change from Interlachen. The unique circumstance is the original nonconforming placement of the home.

Approval of the variance is subject to the following conditions:

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

- Survey date stamped March 30, 2012/revised July 27, 2012.
Building plans and elevations date stamped August 3, 2012

Deadline for a city decision: October 6, 2012.



VARIANCE APPLICATION

CASE NUMBER B-12-08 DATE 8/3/2012
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 - \$350.00 NON-RES - \$600.00

APPLICANT:

NAME: Daniel Wagner, Lindsey Gerrity (Signature required on back page)
ADDRESS: 5000 Schaefer Road, Edina, MN PHONE: 617-216-8170
EMAIL: daniel.wagner@beatsbuy.com

PROPERTY OWNER:

NAME: Daniel Wagner, Lindsey Gerrity (Signature required on back page)
ADDRESS: 5000 Schaefer Road, Edina, MN PHONE: 617-216-8170

LEGAL DESCRIPTION OF PROPERTY (written and electronic form):

Lot 4, Block 1, Harold Woods

**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: 5000 Schaefer Road, Edina, MN 55436

PRESENT ZONING: _____ P.I.D.# 3011721420018

EXPLANATION OF REQUEST:
please see attached/enclosed description



(Use reverse side or additional pages if necessary)

ARCHITECT: NAME: Jeff Lindgren - Jalin Design PHONE: 763-464-4401
EMAIL: j.lindgren@jalin-design.com

SURVEYOR: NAME: David Crook Demas-Gabriel PHONE: 952-767-0487
EMAIL: _____

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:

YES

NO

Relieve an undue hardship which was not self-imposed or a mere inconvenience:

see attached

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

see attached

Preserve a substantial property right possessed by other property in the vicinity and zoning district.

see attached

Not be materially detrimental to the public welfare or injurious to other property in the vicinity or zoning district.

see attached

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.

 Lindsey Gay 8/2/12
Applicant's Signature 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.)

 Lindsey Gay 8/2/12
Owner's Signature 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.



August 2, 2012

Daniel Wagner
Lindsey Gerrity
5000 Schaefer Road
Edina, MN 55436
daniel.wagner@bestbuy.com

City of Edina Planning Commission
c/o Kris Aaker, Assistant City Planner
4801 West Fiftieth Street
Edina, MN 55424

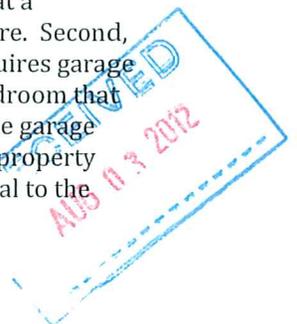
Dear Ms. Aaker:

Please accept this statement to satisfy the Minnesota Statutes and Edina Ordinances for zoning variance application. We are the owners of the home located at 5000 Schaefer Road in Edina. We closed on our purchase of the property in May 2012 after relocating to the Minneapolis area for Dan's job (he accepted a leadership position with Best Buy) in February 2012 from Charlotte, North Carolina with our then three month old daughter (Ashley). Lindsey continues in her role in the Global HR division at Bank of America - working remotely out of our home.

When we arrived in the Minneapolis area in February, our search very quickly led us to Edina. We consider ourselves so lucky to have found (and fallen in love with) the 5000 Schaefer property as a place where we could raise our daughter, and our dog "Buzzard" could enjoy a yard with critters at every turn to keep him entertained. We were told the prior Homeowners, owners of the Old Dutch Potato Chip company who lived at the home for more than 40 years, turned down a handful of other buyers whom all wanted to tear the existing home down and start fresh - as is apparently quite common across Edina. Our proposal, however, was accepted as we had no intention of raising the structure, instead seeing the character of the home and its place in the history of this magnificent neighborhood. We envisioned putting our own touch on the home, updating (it hadn't been updated since it was built in the 1950s) and improving it to more closely resemble the features of the homes in our surrounding neighborhood.

After closing, as we began to formulate our plans to enhance the structure, we learned from our designer that some aspects of our desired improvements (adding a third car garage and mud room to connect our garage area to the main floor of the home) might require zoning approval. We were certainly not experts in this area, but thought it seemed odd given the size of our the lot (.77 acres), distance away from the nearest neighbor (55+ ft) and a seemingly small improvement to the existing structure along the same setback footprint that was constructed in 1954. We subsequently met with Kris Aaker from the Planning Commission and she confirmed that as a result of our west-side neighbor's housing setback, even though our home was constructed prior (thereby establishing the initial setback boundary) we would need to seek a variance to move forward.

There are two aspects of our desired updates that require variance approval. First, the existing garage is a standard two car garage, while almost every home in the neighborhood has (at a minimum) a third garage stall. We wish to add a third garage stall to the existing structure. Second, there is currently no garage access from the main level of the home, which therefore requires garage access either from the lower level (basement) or via the outdoors. We wish to add a mudroom that enable the main floor and garage area to be connected and enable main floor access to the garage space. To accomplish these updates, we respectfully request a decrease in the side yard property setback found on the North side of the property. We request that the setback line be equal to the

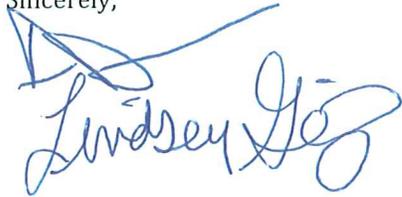


North existing garage corner which is 76.2' from said property line, rather than basing the setback off the existing adjacent home.

We have discussed the proposed enhancements with our neighbors along both property lines and neither expressed opposition to our plans. In fact, our neighbor to the south added a third car garage, however was not subject to variance restrictions given the conforming setbacks created when the homes were originally constructed. Additionally, our extended neighbors in every direction have made it a point to visit us and offer how happy they are that we are not tearing the existing house down, instead choosing to make practical and prudent improvements that preserve the original character of the property and its place in the neighborhood, yet offer us the ability to bring the structure more in line with its surrounding peers and the needs of a growing, modern day family.

Please find enclosed our Variance Application.

Sincerely,



Dan Wagner & Lindsey Gerrity
5000 Schaefer Road
Edina, MN 55436

Relieve an undue hardship which was not self-imposed or a mere inconvenience:

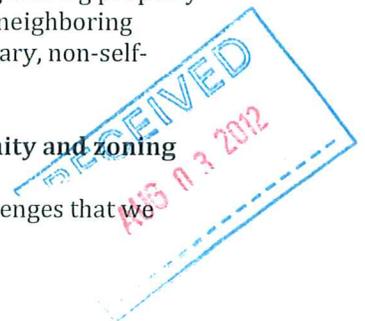
As a corner lot, with approximately .77 acres, the current zoning setback restrictions based on the setbacks of neighboring properties to the west and south render approximately 75% (1/2 acre) of the property off-limits for modification, even though the current house has ~50% of its structure located in front of the setback of the neighbor to the west. The reason for this is due to the fact that the neighboring property was constructed after our house and sits on a larger land area bordered by a pond to the rear. The neighboring house was constructed to take advantage of the pond view, and in doing so created a substantial setback on the front side - while at the same time rendering 50% of our housing structure in non-compliance with the current zoning restrictions preventing even simple updates and enhancements in the non-compliant area.

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

The 5000 Schaefer lot is a corner lot, which imposes two setbacks with which it must conform in order to be in compliance with zoning restrictions. In most cases, the homes on either side of a corner lot are constructed along the same setbacks as the corner lot home. However, 5000 Schaefer and its neighboring properties are an exception. The lots in this neighborhood area are, in most cases, more than an acre and our neighbor to the west (with 1.42 acres) also backs up to a pond. Our home was built in 1954, while our neighboring home was built in 1955. As such, while our home's construction established the initial setback, the subsequent construction of the neighboring property significantly behind our structure (~40% of our existing home is set in front of the neighboring setback to the west) has created a unique setback situation that creates extra-ordinary, non-self-imposed hindrances to our property and structure.

Preserve a substantial property right possessed by other property in the vicinity and zoning district.

Our neighbor to the South added a third garage stall without the same setback challenges that we

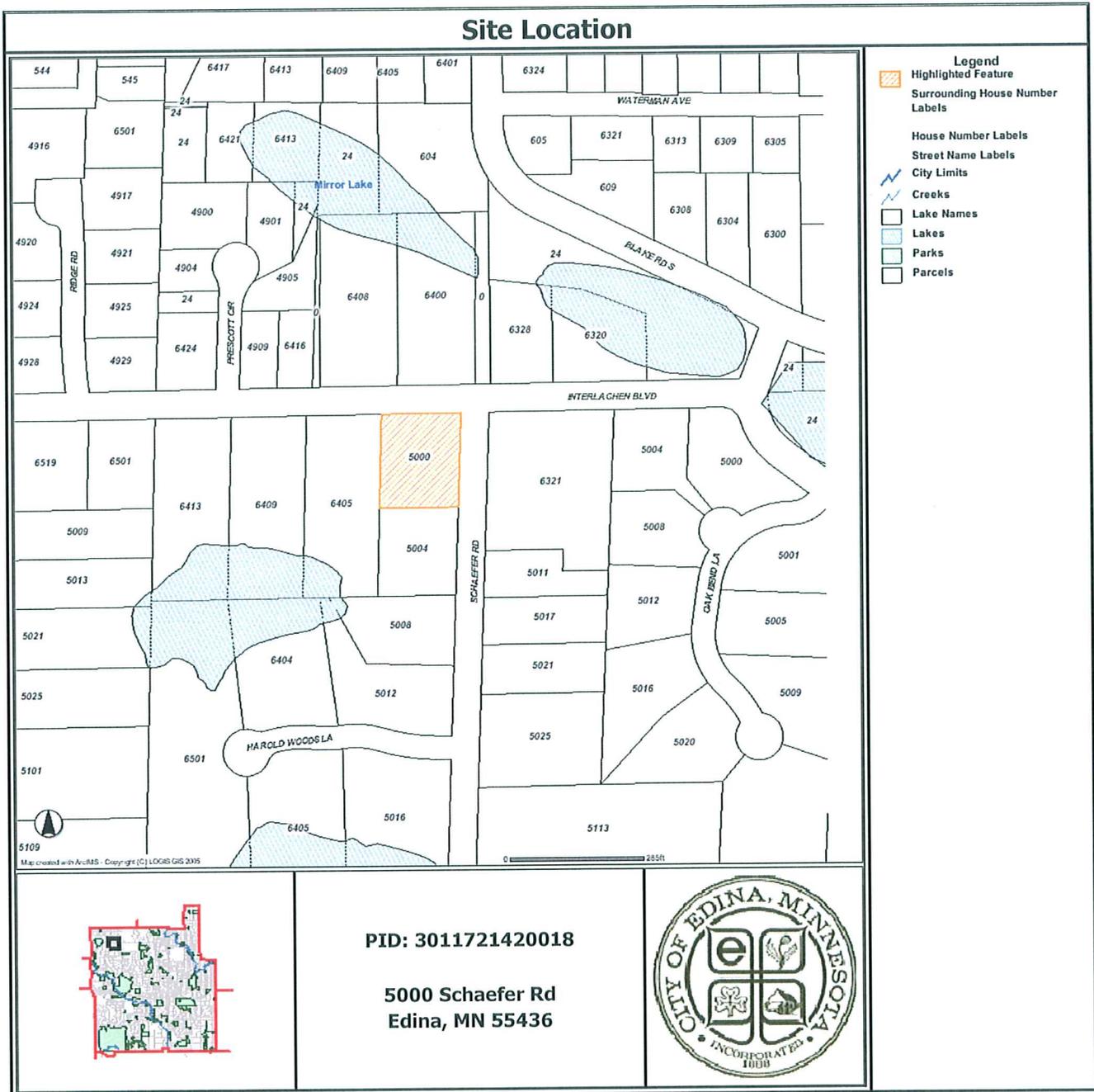


face at 5000 Schaefer. Properties in the vicinity and zoning district are able, while maintaining the appropriate distances from neighboring property lines, to enhance/add on to their property as their setbacks lines are typically aligned with their neighbors on either side. In our situation, extending backwards along our current footprint setback is prohibited given the neighboring property structure setback (even though it sits more than 70 ft away). Had our neighboring property to the West been constructed (in 1955) along the same setback as our property was constructed (in 1954) we would not be inhibited as our distance to neighboring property line is sizable (~55 ft at current structure). This represents a substantial right that other properties in the vicinity and zoning district have, that we do not without a variance.

Not be materially detrimental to the public welfare or injurious to other property in the vicinity or zoning district.

Our property is ~.77 acres with our neighbor's property line to the West sitting ~57 ft away from the current garage structure. Our plans will decrease the distance by ~12 feet, yet still maintain ~45 foot separation between the end of our desired third garage stall addition and the neighboring property line, and an even greater distance to the neighboring structure. This area is, and will continue to be, populated by large oak and other trees preserving privacy and the current look and feel of the neighborhood.





PID: 3011721420018

**5000 Schaefer Rd
Edina, MN 55436**



Property

Assessing

A.1



A.3



A.4



*Subject property
5000 Schaefer Rd*

A.5



Neighbouring Property
to the west
@ 6405 Interlachen

A. G

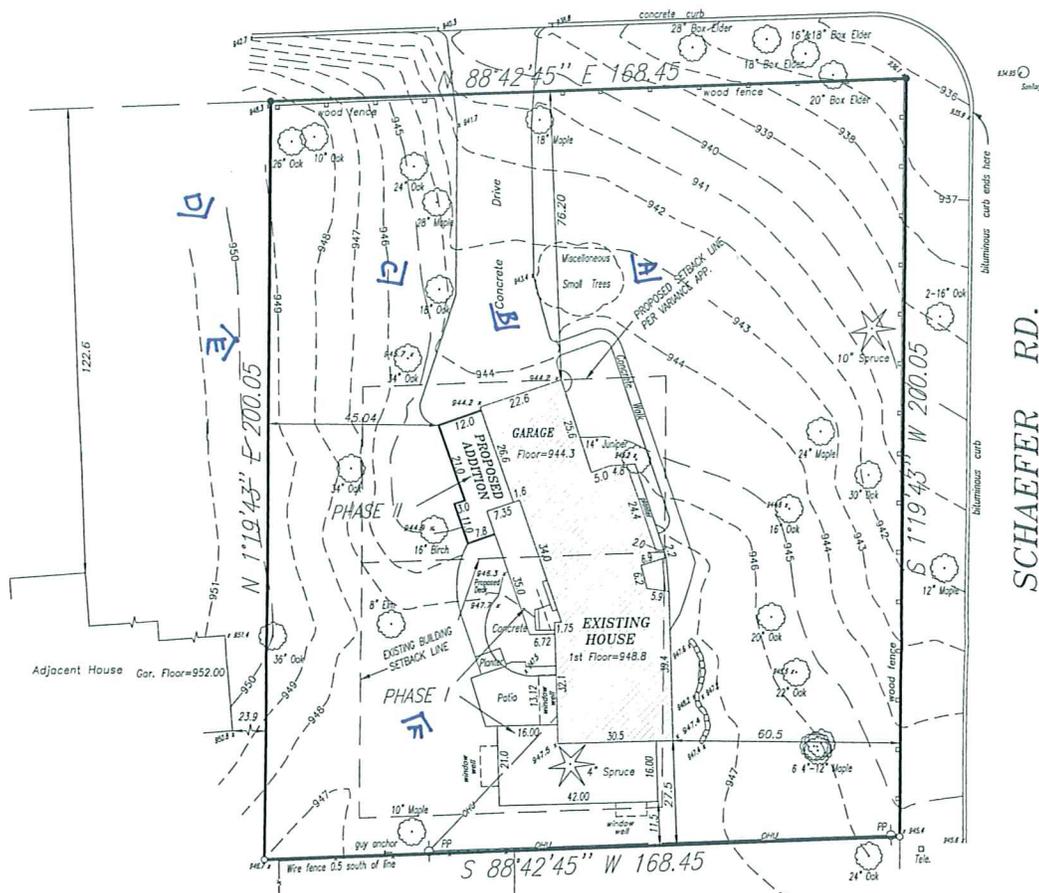


Neighboring Property
to the South
@ 5004 Schaefer

A.7

BENCHMARK
Top Nat Hydrant=937.55

INTERLACHEN RD.



EXISTING BUILDING COVERAGE

Buildings	2,686 Sq.Ft.
Patios & Decks	273 Sq.Ft.
Total Coverage	2,959 Sq.Ft.
Lot Area	33,664 Sq.Ft.
% of Coverage	= 8.8 %

PROPOSED BUILDING COVERAGE

Buildings	4,129 Sq.Ft.
Patios & Decks	1,045 Sq.Ft.
Total Coverage	5,174 Sq.Ft.
Lot Area	33,664 Sq.Ft.
% of Coverage	= 15.4 %



LEGAL DESCRIPTION:

Lot , Block 1, HAROLD ADDITION

Rev. 8/1/2012
Rev. 7/31/2012
Rev. 7/27/2012

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.

David E. Crook
Date: March 30, 2012 Minn. Reg. No. 22414

File No.
13978 C
Book-Page
Scale
1"=20'

CERTIFICATE OF SURVEY

PREPARED FOR:

DANIEL WAGNER

SITE ADDRESS:
5000 SCHAEFER RD.
EDINA, MN 55436

A. 8

A.9

RECEIVED
MIB 6-1-2012



F



E



D



C



B



A

Pictures of the Existing Site Conditions

Wagner Residence
5000 Schaefer Road
Edina, Mn 55436

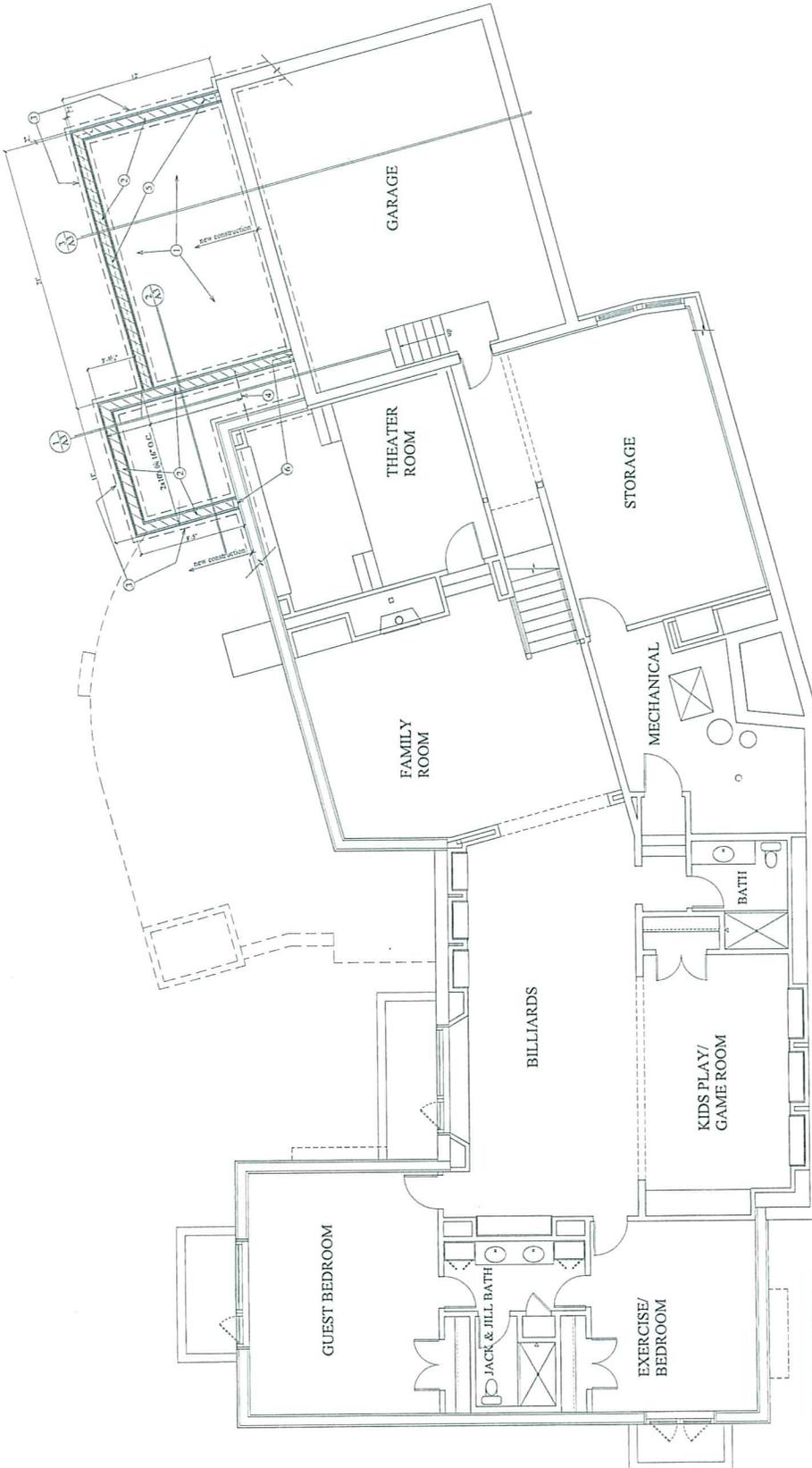


GARAGE / MUD ROOM ADDITION

Wagner Residence
5000 Schaefer Road
Edina, Mn. 55436

Date: 7-31-12

sheet
A1



- Foundation Plan (Numbered) Notes:
1. New 4" concrete garage floor slab over 4" compacted granular fill.
 2. New 8" poured concrete foundation wall w/ #5 rebar @ 48" O.C. @ 10' placed w/ 1/2" cover on inside face. Down 10' to other side.
 3. New 20" x 10" footing (continuous) with 2#4 rebar.
 4. Foundation wall slab. Bear on top of existing and new foundation wall.
 5. Light dashed lines show 4" CMU curb block at garage walls.
 6. Drill 1/2" x 4" holes into existing foundation wall at 4' intervals. Add bottom and epoxy inject #4 24" rebar.

- Foundation Plan (General) Notes:
- Field verify all dimensions, new and existing.
 - All dimensions are from the outside face of foundation.
 - See also building sections for framing and other notes.
 - Large dashed lines show footings.



COMMON ABBREVIATIONS

A.E.	Architect/Engineer
M.H.	Man Hole
N.I.C.	Not In Contract
N.S.	No Scale
N.T.S.	Not To Scale
O.C.	On Center / Overhead
O.S.	Outside
P.B.	Previously bid
P.F.	Pre-Finished
P.L.	Plastic Laminate
R.B.	Reinforcement Rod
R.T.L.	mech. Roof Top Unit
S.P.	Stump Pit
S.S.	Stainless Steel / Serv. Sink
S.S.	Stainless Steel / Oxygen Int.
V.H.	Vapor Barrier
W.	Wide
W.C.	Water Cooler
W.D.	Wood
W.H.	Water Heater
W.I.	Water (main pipe)
L.F.	Lined Foot
L.T.	Lamby Tray

FOOTING / FOUNDATION PLAN 1/8" = 1'-0"



A. 10

