

REPORT / RECOMMENDATION



To: MAYOR AND COUNCIL

Agenda Item #: IV.G.

From: Kris Aaker, Assistant Planner

Action

Discussion

Information

Date: March 18, 2014

Subject: Resolution No. 2014-24 Lot Division & Front Yard Setback Variance, 5617 and 5613 Wooddale Ave.; Chris and Anne Hill.

Action Requested:

Approve the Lot Division and Front Yard Setback Variance as requested.

Information / Background:

Chris and Anne Hill are proposing a Lot Division of property at 5617 and 5613 Wooddale to shift their north lot line by 5 feet to allow enough width for a two car garage addition in front of their existing single stall garage. The owners are also requesting a Front Yard Setback Variance to allow the garage addition with living space above to over-lap the front yard setback. The purpose of the lot line shift is to provide adequate side yard area to build a two stall garage in front of the existing single stall garage with a masterbedroom above. The addition as proposed, requires a minimum side yard setback of 7.4 feet, given the increased lot width and height. The lot line shift would allow the side yard setback to be met. A 7.86 foot front yard setback variance is needed from ordinance requirements to over-lap into the front yard.

To accommodate the request the following is required:

1. A Lot Division;
2. A 7.86 foot front yard setback variance.

Planning Commission Recommendation:

On February 26, 2014, the Planning Commission recommend approval of the Lot Division and Front Yard Setback Variance based on the attached findings found in Resolution 2014-24. The proposed motion to approve the request was unanimous.

Attached for reference are:

- Resolution with findings for approval
- Minutes of the February 26, 2014, Planning Commission meeting
- Staff report
- Survey, plans and elevations



RESOLUTION NO. 2014-24
APPROVING A LOT DIVISION AND FRONT YARD SETBACK VARIANCE
AT 5613 AND 5617 WOODDALE AVENUE FOR CHRIS AND ANNE HILL

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

Section 1. BACKGROUND.

- 1.01 The applicant is requesting a Lot Division and Front Yard Setback Variance to add an attached two car garage with living space above in front of their existing single stall garage with living space above.
- 1.02 A Lot Division request is for a 5-foot lot line shift to the north and a 7.86 foot front yard setback Variance. The owners are requesting to shift a 5-foot portion of the existing north lot line that divides the two properties at 5617 and 5613 Wooddale Ave. The purpose of the lot line shift is to provide adequate side yard area to build a two stall garage in front of the existing single stall garage with a masterbedroom above.
- 1.03 The lot line shift would allow a two car garage width with living space above without also requiring a side yard setback variance. A front yard setback variance is needed from ordinance requirements to over-lap into the front yard. The proposed plan matches the front yard setback of the home to the north at 5613 Wooddale. The existing single stall garage with living space above would be remodeled and attached to the new addition as part of the project.
- 1.04 The following described tracts of land are requested to be divided:

See attached Exhibit A
- 1.05 The owner of the described land desires to subdivide said tract in to the following described new and separate parcels (herein called "parcels") described as follows:

See Attached Exhibit A
- 1.06 The requested lot line adjustment is authorized under Code Chapter 32 and it has been determined to comply with the Subdivision and Zoning Regulations of the City of Edina and do not interfere with the Subdivision and Zoning Regulations as contained in the Edina City Code Chapters 32 and 36;
- 1.07 On February 26, 2014, the Planning Commission unanimously recommended approval of the Lot Division and Variance.

Section 2. FINDINGS

2.01 Approval is based on the following findings:

1. The proposal meets the Variance conditions of the Zoning Ordinance Section 36-98, a-h. The proposal meets all applicable Zoning Ordinance requirements with the exception of front yard setback. The existing front yard setback of the home is an unusual situation along the street with the proposed front yard setback consistent with the balance of the lots to the north along the street.
2. The proposed two car garage addition is in character with this neighborhood. Two car garages are appropriate within Edina.
3. The scale and size of the proposed addition is appropriate for the neighborhood when compared to the option of tearing the home down and building a new larger home.
4. The proposed addition and lot line rearrangement is in character with this neighborhood. The lot dimension proposed is consistent with lots to the north. The setbacks of the home to the north will remain conforming as a result of the lot line re-arrangement and front yard setback variance.
5. The practical difficulty is caused by the existing location of the home on the lot when compared to the home to the south. The existing home is located closer to the street, similar to the homes to the north.

Section 3. APPROVAL

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, approves the Lot Division and Front Yard Setback Variance to allow construction of a garage addition with living space above in the front yard area, subject to the following conditions:

1. The site must be developed and maintained in conformance with the following plans:
 - Survey date stamped February 10, 2014
 - Landscape plans and elevation date stamped February 10, 2014.
 - Building plans and elevations date stamped February 10, 2014.

Adopted by the city council of the City of Edina, Minnesota, on March 18, 2014.

ATTEST: _____
Debra A. Mangen, City Clerk

James B. Hovland, Mayor

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of March 18, 2014, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2014.

City Clerk

Exhibit "A"

EXISTING LEGAL DESCRIPTIONS

5617 WOODDALE AVENUE
PID #19-028-24-13-0075
OWNERS: CHRIS & ANNE HILL
CERTIFICATE OF TITLE NO. 1179518
The South 60 feet of Lot 13, Block 2,
"Colonial Square," Village of Edina,
Hennepin County, Minnesota

5613 WOODDALE AVENUE
PID #19-028-24-13-0074
OWNERS: DOUGLAS & ELIZABETH KINNEBERG
CERTIFICATE OF TITLE NO. 1324232
Lot 12 and all of Lot 13, except the South
60 feet thereof, Block 2, "Colonial Square,"
Village of Edina, Hennepin County, Minnesota

PROPOSED LEGAL DESCRIPTIONS

5617 WOODDALE AVENUE
PID #19-028-24-13-0075
OWNERS: CHRIS & ANNE HILL
CERTIFICATE OF TITLE NO. 1179518
The South 60 feet of Lot 13, and the West
71.50 feet of the North 5.00 feet of the
South 65.00 feet of said Lot 13, Block 2,
"Colonial Square", Village of Edina,
Hennepin County, Minnesota

5613 WOODDALE AVENUE
PID #19-028-24-13-0074
OWNERS: DOUGLAS & ELIZABETH KINNEBERG
CERTIFICATE OF TITLE NO. 1324232
Lot 12 and all of Lot 13, except the South
60 feet thereof, and except the West 71.50
feet of the North 5.00 feet of the South
65.00 feet of said Lot 13, Block 2, "Colonial
Square", Village of Edina, Hennepin County,
Minnesota.

Planning Commission
minutes
Feb. 26, 2014

VI. PUBLIC HEARINGS

A. Lot Division and Variance. Chris and Anne Hill, 5617 Wooddale Avenue, Edina, MN

Planner Presentation

Planner Aaker informed the Commission Chris and Anne Hill are hoping to add onto the front and north side of their home to include a two car garage addition with living space above. The request is for a lot line shift to the north and a front yard setback variance. The owners are requesting to shift a 5 foot portion of the existing north lot line that divides the two properties at 5617 and 5613 Wooddale Ave. The purpose of the lot line shift is to provide adequate side yard area to build a two stall garage in front of the existing single stall garage with a masterbedroom above. The lot line shift will allow a two car garage width with living space above without also requiring a side yard setback variance. A front yard setback variance is needed from ordinance requirements to over-lap into the front yard. The proposed plan matches the front yard setback of the home to the north at 5613 Wooddale, but will be closer to the street than the neighbor to the south. The existing single stall garage with living space above will be remodeled and attached to the new addition as part of the project.

Aaker explained that the zoning ordinance requires a minimum 5 foot side yard setback plus 4 inches of setback for each 1 foot the lot width exceeds 60 feet and 6 inches of setback for each 1 foot average height exceeds 15 feet. The addition as proposed requires a minimum side yard setback of 7.4 feet, given the increased lot width and height. The lot line shift will allow the side yard setback to be met.

Planner Aaker concluded that staff recommends denial of the requested Lot Division and Variance based on the following findings:

I. The proposal does not meet the required standards for a variance, because:

- a) Staff is unable to identify a practical difficulty specific to this property given similar situations on nearby properties.
- b) The encroachment into the front yard setback is 319 square feet of footprint with living space above and includes a front entry porch, all beyond the existing front face of the home and within the required average front yard setback.
- c) The lot division is a circumstance created by the owner to adhere to side yard setback standard and not require additional variance. Staff does not find the request reasonable given the unconventional lot line created to achieve side yard setback. Even with the lot division, a front yard setback variance is still required to achieve the plan.
- d) Staff does not believe the addition is in harmony with the essential character of the neighborhood given existing street views.

Appearing for the Applicant

Chris and Ann Hill

Discussion

Commissioner Grabel asked Planner Aaker her reasons for recommending denial.

Planner Aaker noted that recently the City Council approved amendments to the zoning ordinance to tighten the impact of new build and renovated houses. Aaker said in her opinion the request for a variance doesn't stand alone because it requires a lot boundary shift adding five feet onto the subject property to achieve their goals without the need for a side yard setback variance. Aaker further noted that the lot line shift only addresses the "letter of the law" by allowing the addition to comply with the side yard setback; also the design as proposed cannot avoid a front yard setback variance because of the deep setbacks of adjoining homes. Aaker reminded the Commission both lots would be nonconforming in lot width per zoning ordinance standards.

Commissioner Forrest said she observed and wondered why the lots in this specific area aren't uniform, pointing out some are much larger. Planner Aaker agreed that on this block there is a difference, adding she has no explanation why the lots were platted that way.

Applicant Presentation

Jeff Nicholson, architect addressed the Commission and explained that in his opinion the need for a variance was not self-created. Nicholson pointed out the subject site sits next to two very unique lots on Wooddale with the houses on those lots setback farther from the street than normal. Nicholson further explained that the adjoining property has excess space to give which again; in his opinion is very unique in the neighborhood. Concluding, Nicholson said that this block is atypical to the neighborhood and that he respectfully disagrees with staff.

Mrs. Hill informed the Commission their house was one of two model homes for the neighborhood. Hill said she loves her neighborhood and wants to stay; however, the undersized garage makes it difficult and extra space is needed for their family.

Mr. Hill told the Commission that weekly they receive offers to buy their house. Hill said he doesn't want to move and loves his house and neighborhood and doesn't want to see his house demolished if sold. He added the rear yards of the homes on this block are beautiful, unique and deep and everyone enjoys their rear yards. Concluding, Hill also noted that the neighborhood supports their request and their immediate neighbor is willing to sell a portion of their property enabling them to achieve their goal and stay in the neighborhood.

Chair Staunton opened the public hearing.

Public Testimony

Page Kittenberg, 5613 Wooddale told the Commission they were happy to sell a piece of their property to the Hills. Kittenberg said she supports the plans as presented and believes the proposed changes to the home will enhance the entire neighborhood. Concluding, Kittenberg said the proposal as submitted has no negative impact on them, reiterating her support.

Chair Staunton asked if anyone else would like to speak to the issue; being none Commissioner Fischer moved to close the public hearing. Commissioner Scherer seconded the motion. All voted aye; motion to close public hearing closed.

Commissioner Grabiell stated that he has no problem with the proposed lot division or variance. Grabiell said in his opinion a number of the lots on this block are out of character with the neighborhood. Grabiell said if one looks at an aerial they can certainly see how the lots are laid out. Continuing, Grabiell said if the Commission was to approve the lot division with variance it may avoid a teardown situation. Grabiell said allowing the construction of a 2-stall garage (required by ordinance) to be built, in his opinion wouldn't compromise the neighborhood character and the neighbors have indicated their support for the project.

Commissioner Forrest said her concern was with practical difficulties pointing out the subject owners are choosing to do this. Continuing, Forrest said the recent changes to the ordinance were done to ensure adequate spacing between homes. Forrest added that livability is important and the increase in garage space is important; however, changing a lot line to accomplish this has its own issues. Forrest concluded that she agrees that the front yard setback situation is difficult with the adjoining houses forcing deep setback requirements.

Commissioner Platteter questioned the lot split, adding he understands the front yard setback situation.

Commissioner Fischer said this is an unusual situation, acknowledging the recent change in the Code. Fischer said in this instance neighbors got together to resolve an issue. Although the lot division may not be standard; it works and is supported by both property owners. Fischer further noted that the front yard setback situation is what it is, the lots to the south create a situation whereby nothing could be done to this house without a front yard setback variance.

Commissioner Forrest wondered if the Commission was comfortable allowing for the creation of two unusual lot line configurations. Commissioners agreed that the jog is different; however, as previously mentioned by the applicant the rear yard situation on this block is unique with deep lots and ample rear yard area.

A discussion ensued with Commissioners agreeing that this situation was unique and that they can support the request as submitted by the applicant.

Motion

Commissioner Grabiell moved variance and lot division approval based on the following:

1. The lot division creates lots that are consistent with the size of lots in the neighborhood;
2. The unusual placement of homes to the south created the need for a front yard setback variance. The variance was not self-imposed; and
3. The City of Edina requires two stall garages;

Commissioner Scherer seconded the motion. All voted aye; motion carried.

B. Preliminary Rezoning. Pentagon Revival. Pentagon Office Park, Edina, MN

Planner Presentation

Planner Teague informed the Commission the Pentagon Revival is proposing to redevelop Pentagon Park along 77th Street. The total site area is 43 acres in size; and would likely redevelop over the next 2-15



PLANNING COMMISSION STAFF REPORT

Originator Kris Aaker Planner	Meeting Date February 26, 2013	Agenda # B-14-05
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Recommended Action: Deny the variance as requested.

Project Description

A 7.86 foot front yard setback variance and a lot division request to accommodate a garage with living space above addition to the home located at 5617 Wooddale Ave. So. for Chris and Anne Hill.

INFORMATION & BACKGROUND

Project Description

Chris and Anne Hill are hoping to add onto the front and north side of their home to include a two car garage addition with living space above. The request is for a lot line shift to the north and a front yard setback variance. The owners are requesting to shift a 5 foot portion of the existing north lot line that divides the two properties at 5617 and 5613 Wooddale Ave. The purpose of the lot line shift is to provide adequate side yard area to build a two stall garage in front of the existing single stall garage with a masterbedroom above. The lot line shift will allow a two car garage width with living space above without also requiring a side yard setback variance. A front yard setback variance is needed from ordinance requirements to over-lap into the front yard. The proposed plan matches the front yard setback of the home to the north at 5613 Wooddale, but will be closer to the street than the neighbor to the south. The existing single stall garage with living space above will be remodeled and attached to the new addition as part of the project.

The zoning ordinance requires a minimum 5 foot side yard setback plus 4 inches of setback for each 1 foot the lot width exceeds 60 feet and 6 inches of setback for each 1 foot average height exceeds 15 feet. The addition as proposed requires a minimum side yard setback of 7.4 feet, given the increased lot width and height. The lot line shift will allow the side yard setback to be met.

The zoning ordinance requires that all new homes and additions to existing homes maintain the average front yard setback of the homes on either side of the subject

property. The home to the north is located 42.59 feet from the front lot line and the home to the south is located 58.31 feet from their front lot line, for an average required front yard setback of 50.45 feet (See property location, narrative proposed lot line shift and plans on pages A1–A13.). The new addition will be 42.59 feet from the front lot line.

Surrounding Land Uses

The surrounding properties and uses include single-family homes zoned and guided low-density residential.

Existing Site Features

Single-family homes are located on both parcels.

Planning

Guide Plan designation: Low-density residential
 Zoning: R-1, Single-family residential

Building Design

The proposed addition is two stories with an attached two car garage and a new front entry porch. Finish materials will match throughout the exterior.

Compliance Tables

Zoning Ordinance Requirements	City Standard	Proposed
Front -	50.45 feet	*42.59 feet
Side-	7.4 feet	**7.4 feet
Rear -	25 feet	88 feet
Building Height	2 1/2 stories	2 story, No change
Lot coverage	25%	23.1%

** Variance Required*

***Lot Division Required*

Minimum Lot Size Zoning Ordinance	Existing 5617 Wooddale.	Existing 5613 Wooddale.	Proposed 5617 Wooddale	Proposed 5613 Wooddale.
Lot Area – 9,000 s.f.	10,723 s.f.	10,828 s.f.	11,080 s.f.	10,471s.f.
Lot Width –75 feet	*60 feet	*68.97 feet	*65 feet	*63.97 feet
Lot Depth – 120 feet	175 feet	156 feet	175 feet	156 feet

**Remains nonconforming*

Minimum 500 foot Lot Size Requirements	Existing 5617 Wooddale	Existing 5613 Wooddale	Proposed 5617 Wooddale	Proposed 5613 Wooddale
Lot Area –11,107 s.f.	*10,723 s.f.	*10,828 s.f.	*11,080 s.f.	*10,471 s.f.
Lot Width –75 feet	*60 feet	*68.97 feet	*65 feet	*63.97 feet
Lot Depth –135 feet	175 feet	156 feet	175 feet	156 feet

***Remains nonconforming**

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

No. Staff does not believe that the proposal is reasonable for the site:

1. The proposed use is permitted in the R-1, Single Dwelling Unit Zoning District and complies with all requirements with the exception of setback from Wooddale Ave. The north side yard setback is maintained only by the acquisition of additional property from the neighbor to the north. A variance from side yard setback would also be required without the lot line change.
2. The proposed lot boundary shift adds 5 feet onto the subject property for an additional 71.5 feet of depth, with the north lot line jogging back to the existing north lot line creating an odd shape or notch in the lot. The new north lot line will overlap a portion of a wood privacy fence currently located on the neighbor's property to the north. It is unclear how the fence will be addressed between properties.
3. The existing and proposed lots are nonconforming regarding the minimum lot width standard in the zoning ordinance of 75 feet and will remain nonconforming regarding lot widths and area within a 500 foot radius of the property.
4. The ordinance requires a minimum two car garage per single dwelling unit; however, it does not require a double wide garage. The variance and lot line shift increases spacing between the subject home/addition and the modified lot line, however, it reduces spacing between structures. The lot line shift only addresses the "letter of the law" by allowing the addition to comply with side yard setback. There is no opportunity for a front addition to the house without the benefit of a front yard setback variance. The design as proposed cannot avoid a front yard setback variance.

• **Is the proposed variance justified?**

No. 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 not meet the variance standards, when applying the three conditions:

Section 36-98 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 and required lot division needed for the project is forcing an addition that is perhaps too large in the front yard area and imposes an undue burden on the adjacent property and the streetscape.

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

No. The lot line adjustment and front yard setback as proposed are self-created and not as a result of circumstances uncommon to properties within the vicinity. The property to the north that is relinquishing property to the proponent has a single stall garage with no ability to widen it to a two car garage given their existing north side yard setback unless they are also able to gain additional yard area.

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

Yes. The proposed project will introduce garage with living space above in the front yard area where none exists currently. The front yard setback pattern from the home to the north, subject property and the home to the south steps back from the street in a staggered pattern. The addition erodes the current street scape.

Staff Recommendation

Deny the requested Lot Division and Variance based on the following findings:

1. The proposal does not meet the required standards for a variance, because:
 - a) Staff is unable to identify a practical difficulty specific to this property given similar situations on nearby properties.
 - b) The encroachment into the front yard setback is 319 square feet of footprint with living space above and includes a front entry porch, all beyond the existing front face of the home and within the required average front yard setback.
 - c) The lot division is a circumstance created by the owner to adhere to side yard setback standard and not require additional variance. Staff does not find the request reasonable given the unconventional lot line created to achieve side yard setback. Even with the lot division, a front yard setback variance is still required to achieve the plan.
 - d) Staff does not believe the addition is in harmony with the essential character of the neighborhood given existing street views.

Deadline for a city decision: April 11, 2014.



VARIANCE APPLICATION

CASE NUMBER B-14-5 DATE 2/10/2014
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: CHRIS AND ANNE Hill (Signature required on back page)
ADDRESS: 5617 WOODDALE AVENUE PHONE: 612.805.6365
EMAIL: christopher.hill@genmills.com / ANNE.hill@genmills.com

PROPERTY OWNER:

NAME: CHRIS AND ANNE Hill (Signature required on back page)
ADDRESS: 5617 WOODDALE AVE. PHONE: 612.805.6365

LEGAL DESCRIPTION OF PROPERTY (written and electronic form):

**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: 5617 WOODDALE AVENUE
PRESENT ZONING: R1 P.I.D.# 19-028-24-13-70575

EXPLANATION OF REQUEST:
SEE ATTACHED

(Use reverse side or additional pages if necessary)

ARCHITECT: NAME: JEFF NICHOLSON PHONE: 952-237-9290
EMAIL: JNICHOLSON@QUARTERSAWNDESIGNBUILD.COM

SURVEYOR: NAME: MARK KEMPER PHONE: 651-631-0351
EMAIL: KEMPER@PRO-NS.NET

PLANNING DEPARTMENT
FEB 10 2014
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:

YES

NO

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

Not alter the essential Character of a neighborhood

SEE ATTACHED

PLANNING DEPARTMENT
FEB 10 2014

CITY OF EDINA

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.



1-28-14

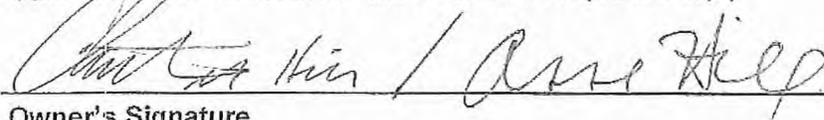
Applicant's Signature

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.)



1-28-14

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.

PLANNING DEPARTMENT
FEB 19 2014
CITY OF EDINA

The Proposed Variance will:

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

Edina City Code requires a 2 car garage. The existing home has a one car attached garage on the north side of the house. The present garage sits only 5.69 feet from the present property line. The typical options for a home in this scenario is to add onto the back of the existing garage and create a tandem garage, or remove the existing one car garage entirely and relocate a new two car garage, attached or detached, to the backyard.

The house at 5617 Wooddale and its neighbor to the North 5613 Wooddale however sit uniquely on their two properties. 5613 Wooddale is 69' wide and 5617 Wooddale is 60' wide. What is unique, is that the home at 5613 Wooddale is located centered on the northern 60' of the 69' foot property. Therefore rather than the typical 12 – 13 feet between homes for these size lots, there is 23'-4" between these two homes.

The lot at 5617 Wooddale is described as the "South 60' of lot 13..." and the neighbor's property to the north 5613 Wooddale is described as "Lot 12 and all of lot 13, except the South 60 feet thereof...". Essentially given where 5613 was constructed on Lot 12, there is a 9 foot strip of 'extra' land between these two homes.

What does this all mean at present? This means that if the 9 extra feet of room between the two homes were split between the two properties, another option for a two car garage for 5617 would exist.

That option is to expand the present garage to the north 3.29 feet and 7.38 feet past the present front of the house.

With approval of the new lot division, the only variance necessary for this garage expansion is one for the front yard setback.

The neighboring homes sit 42.59 feet and 58.31 feet from their front property lines, creating a 50.45 feet setback for this property. The current house sits at 48.75 feet from the front property line, so as it already exists, it is nonconforming.

This however isn't unusual for this block of Wooddale Avenue South. This block of Wooddale Ave S is very atypical for the street and neighborhood. Of the seven homes on the block, none of the 5 homes in the middle of the block are conforming.

The proposed new garage only extends as far forward as the house to the North. By allowing the home at 5617 to extend as far forward as their neighbors home, a new precedence isn't set. The front yard setback remains the same for the house to the south.

PLANNING DEPARTMENT
FEB 10 2014
CITY OF EDINA

This solution to fitting a two car garage on the property is so favorable to any other option, the homeowners to the North, the only property affected by the variance, are willing to sell a portion of their land to make the project possible.

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

5617 Wooddale sits on the edge of an anomaly. To the north, all the homes are a standard distance from the street (around 40') while to the south, there are 3 homes with much larger than average front yard setbacks. These three houses are the only properties on this whole section of Wooddale Avenue with such large setbacks.

Because of this, the front yard setback for 5617 Wooddale is increased to over 50' (taking the average front yard setback of both abutting properties). This is much larger than the standard 30' and causes the existing house to be non-conforming.

Our proposed addition aligns with the more standard front yard setback of the main house to the north and is not visible to the house from the south.

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

The proposed addition continues the normal front yard setback of majority of the street and neighborhood. By aligning with the standard front yard setback, the addition does not block the sightlines of the neighbor to the north or the neighbor to the south.

Not alter the essential Character of a neighborhood.

The proposed addition attempts to maintain the essential character of the vast majority of houses in the neighborhood. It aligns with the typical setback and does not disrupt neighboring sightlines.

The neighbors of the property are in agreement that one main asset of the neighborhood is the wide open space created by their backyards. This is an area all of the families enjoy together. And the neighbors also agree that adding a large two car garage to the back of the property would diminish this essential character of the neighborhood. The neighbor most affected by the project feels so strongly that they are willing to sell a portion of their land to keep this open backyard space intact.

PLANNING DEPARTMENT
FEB 10 2014
CITY OF EDINA



LOT DIVISION APPLICATION
(Minor Lot Line or Party Wall
Adjustment)

CASE NUMBER 2014.003 DATE 2/10/2014
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: \$100.00

APPLICANT:

NAME: CHRIS AND ANNE HILL (Signature required on back page)

ADDRESS: 5617 WOODDALE AVENUE PHONE: 612.805.6365

EMAIL: CHRISTOPHER.HILL@GENMILLS.COM / ANNE.HILL@GENMILLS.COM

PROPERTY ADDRESS (1):

5617 WOODDALE AVENUE

PRESENT ZONING: R1 P.I.D.# 19-028-24-13-0075

PROPERTY ADDRESS (2):

5613 WOODDALE AVENUE

PRESENT ZONING: R1 P.I.D.# 19-028-24-13-0074

EXPLANATION OF REQUEST:

SEE ATTACHED

(Use reverse side or additional pages if necessary)

SURVEYOR: NAME: MARK KEMPER PHONE: 651-631-0351

EMAIL: KEMPER@PRO-NS.NET

PLANNING DEPARTMENT
FEB 10 2014
CITY OF EDINA

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.

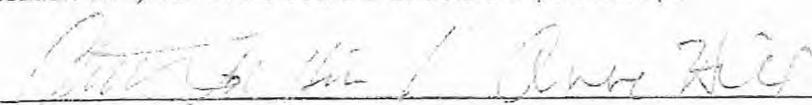
I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct.

 1-28-14
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.)

 1-28-14
Owner's Signature (Lot 1) Date

 1/28/14
Owner's Signature (Lot 2) 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
FEB 10 2014
CITY OF DENVER

Lot Division Application – 5617 Wooddale Ave. and 5613 Wooddale Ave.

Explanation of request

The homeowners at 5617 Wooddale Avenue are requesting to purchase a 5'-0" by 71'-6" portion of the neighbor's property to the north in order to build a 2 car garage.

PLANNING DEPARTMENT
FEB 10 2014
CITY OF EDINA

Jackie Hoogenakker

From: kathleen froeber <kafroeb@yahoo.com>
Sent: Wednesday, February 19, 2014 7:03 PM
To: Jackie Hoogenakker
Subject: Case File: B-14-05

We certainly approve the variance and have no objections of any kind to the request of Chris and Anne Hill at 5617 Wooddale Ave.

Thank you,
Jim and Kathi Froeber
5606 Wooddale Ave.

Jackie Hoogenakker

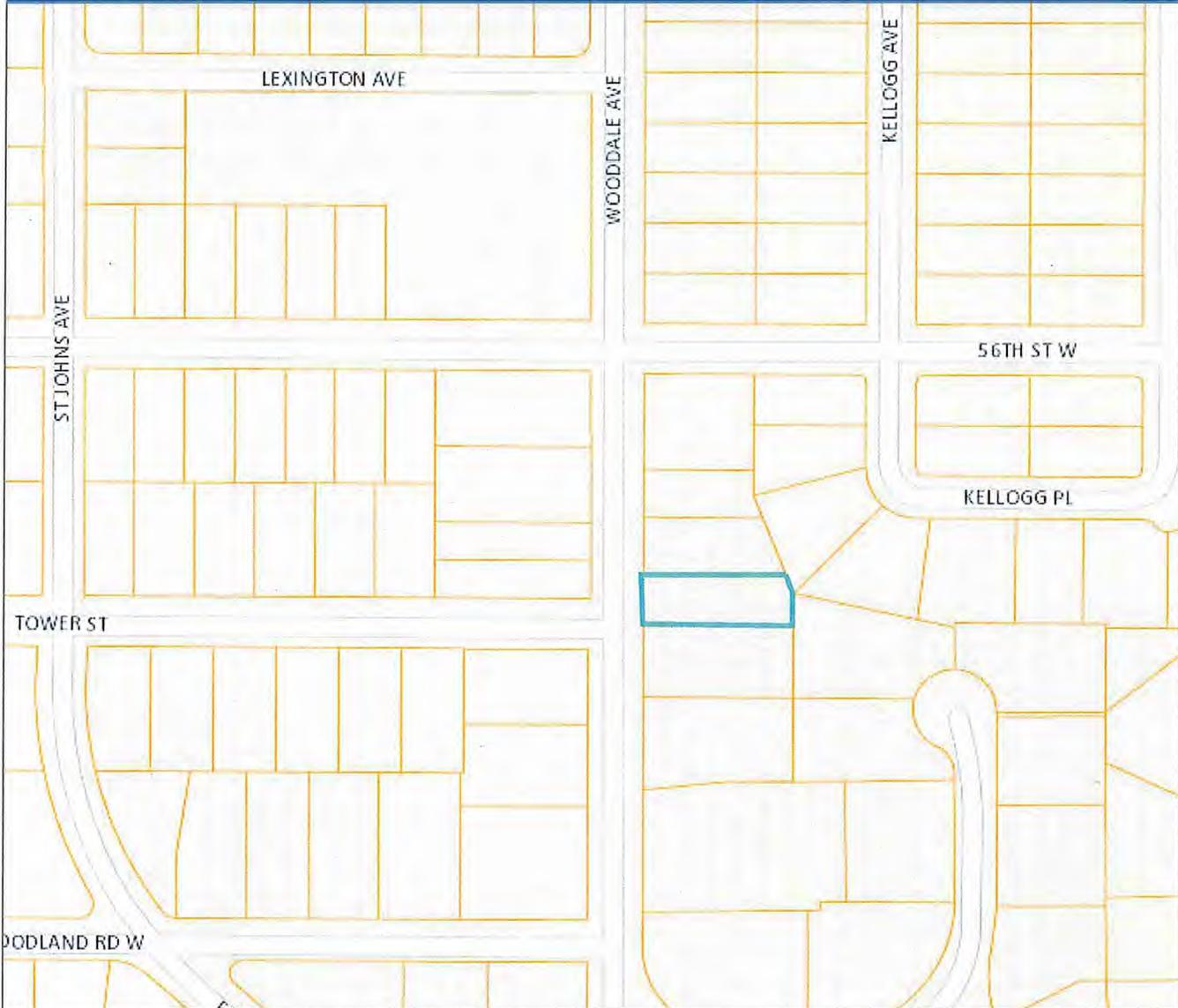
From: Dave Steingart <dave@steingart.com>
Sent: Monday, February 17, 2014 10:13 AM
To: Jackie Hoogenakker
Subject: Case File: B-14-05

I am the property owner of 5633 Wooddale Avenue. I support the garage modifications requested by my next door neighbor, Chris and Anne Hill.

David J. Steingart
Steingart & McGrath, P.A.
2500 West County Road 42, Suite 220
Burnsville, MN 55337
Phone: 952-832-0693
Fax: 952-894-9716
Mobile: 612-750-0348
E-Mail: dave@steingart.com

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Parcel ID: 19-028-24-13-0075

Owner Name: C M Hill & A M Hill

Parcel Address: 5617 Wooddale Ave
Edina, MN 55424

Property Type: Residential

**Home-
stead:** Homestead

Parcel Area: 0.25 acres
10,721 sq ft

A-T-B: Torrens

Market Total: ~~170,700~~

Tax Total: ~~8,525.94~~
(Payable: 2013)

Sale Price: ~~108,000~~

Sale Date: 03/2006

Sale Code: Warranty Deed

Map Scale: 1" ≈ 200 ft.

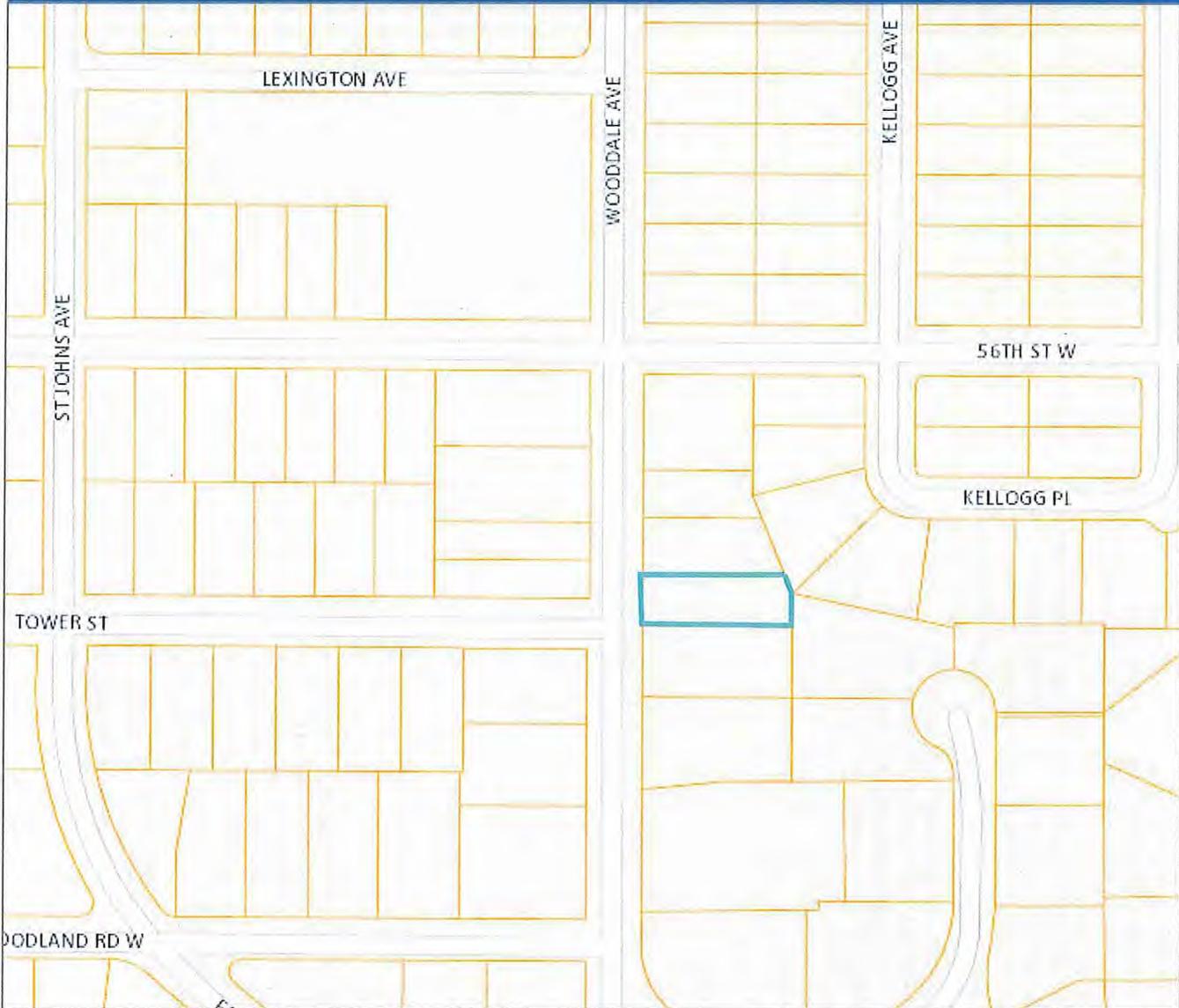
Print Date: 2/20/2014



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Parcel ID: 19-028-24-13-0075

Owner Name: C M Hill & A M Hill

Parcel Address: 5617 Wooddale Ave
Edina, MN 55424

Property Type: Residential

Home-stead: Homestead

Parcel Area: 0.25 acres
10,721 sq ft

A-T-B: Torrens

Market Total: [REDACTED]

Tax Total: [REDACTED] (Payable: 2013)

Sale Price: [REDACTED]

Sale Date: 03/2006

Sale Code: Warranty Deed

Map Scale: 1" ≈ 200 ft.

Print Date: 2/20/2014

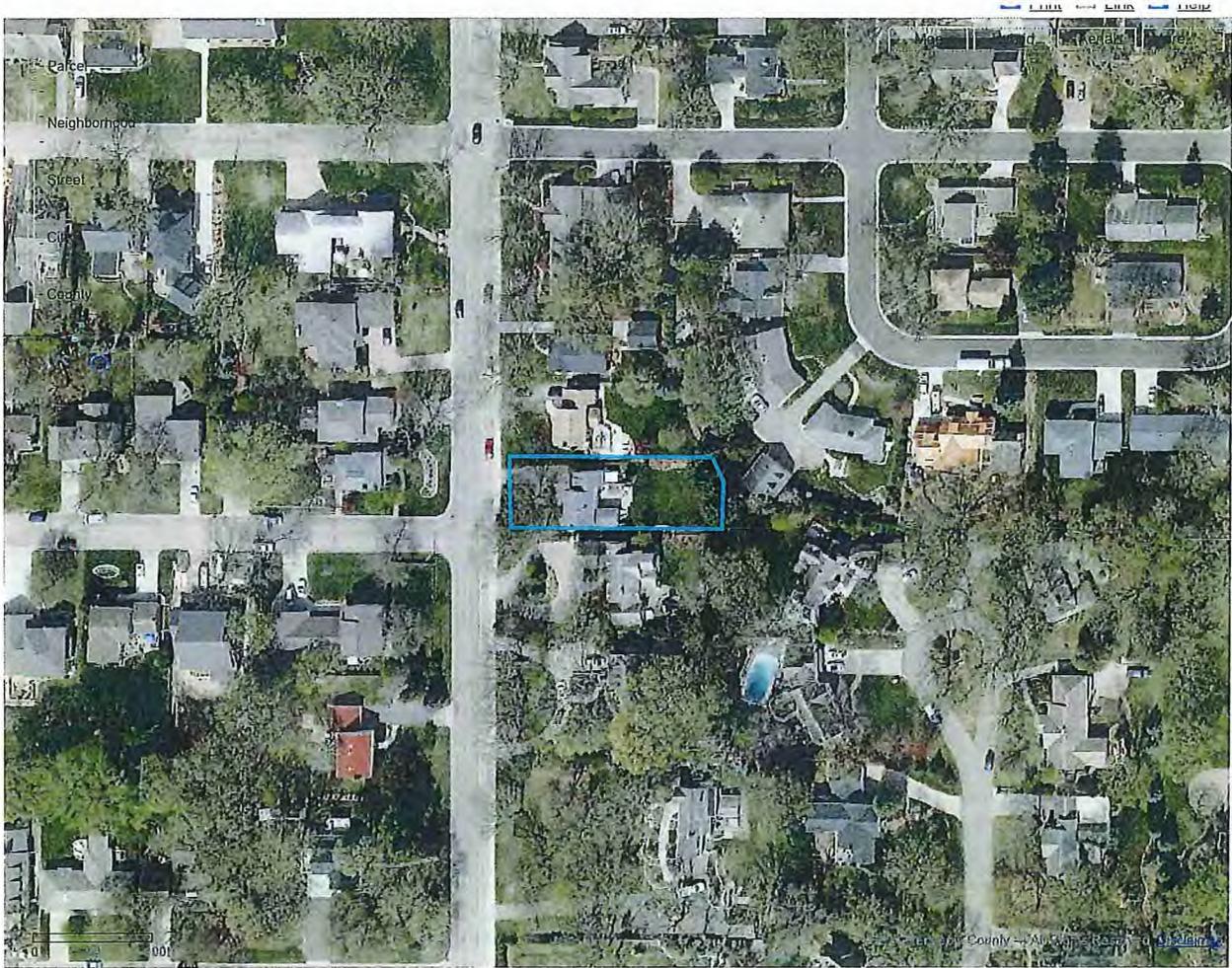


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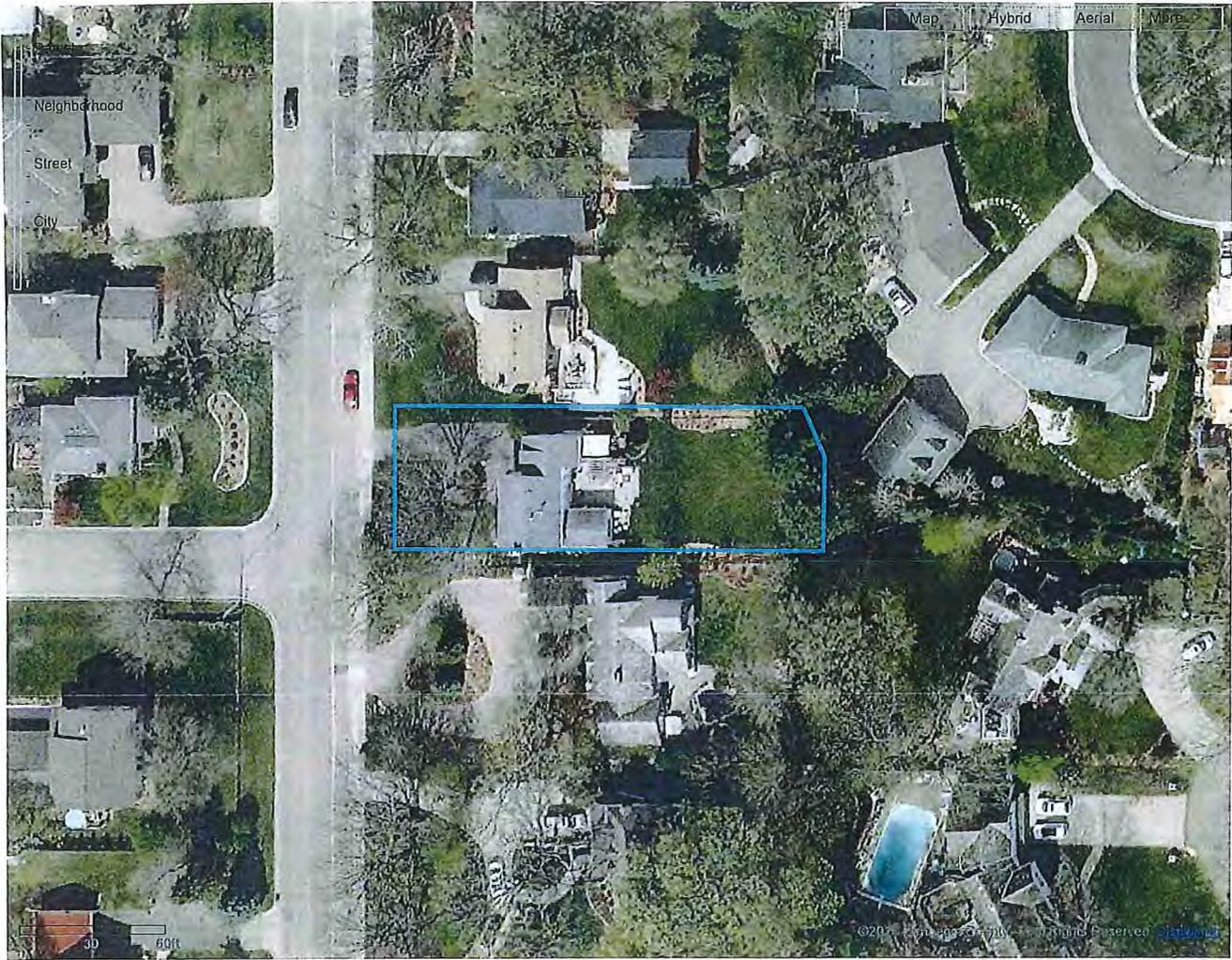
COPYRIGHT © HENNEPIN COUNTY 2014

 Think Green!

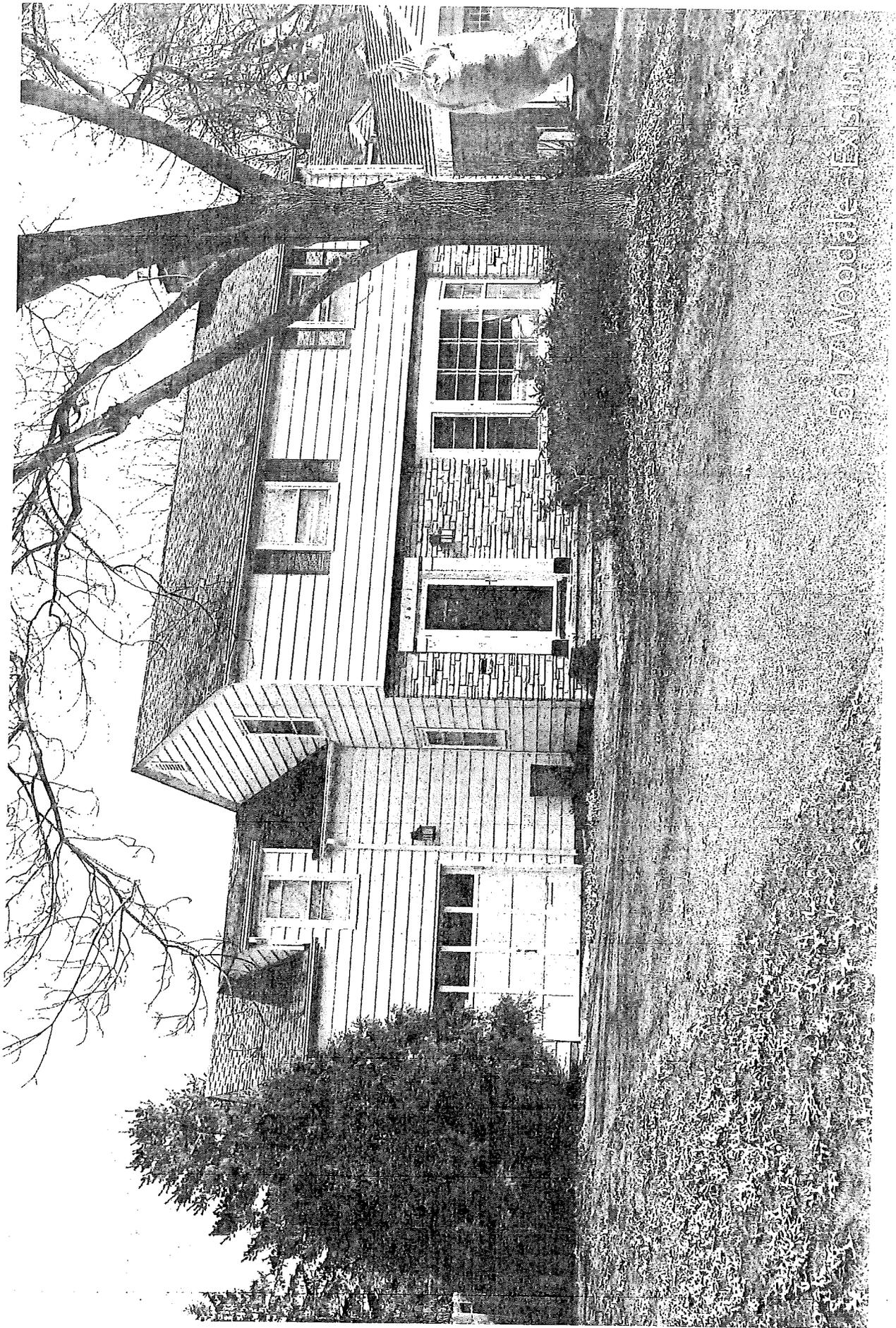
A. Z



A.3

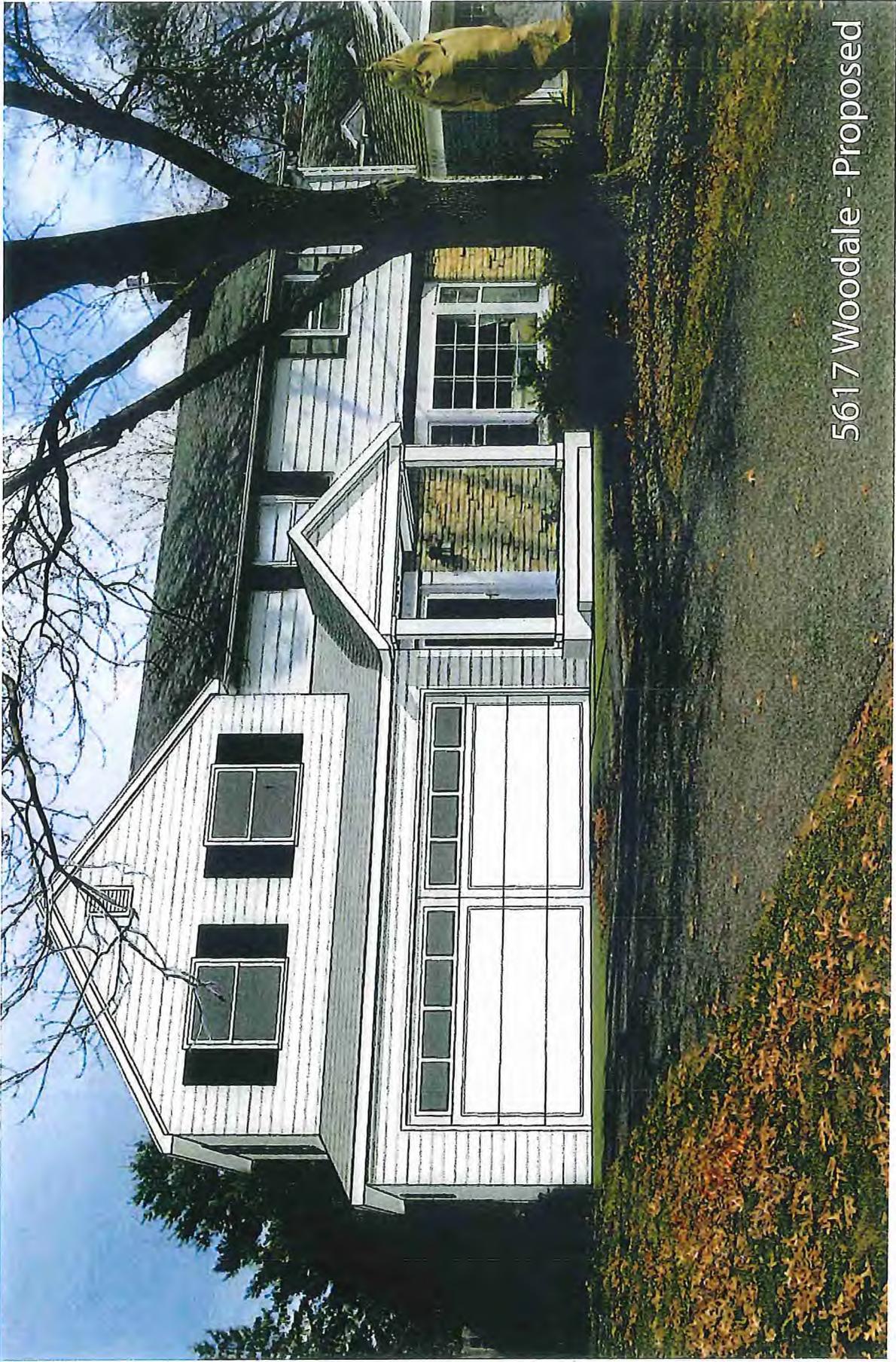


A.4



Edix Woodpile Exam

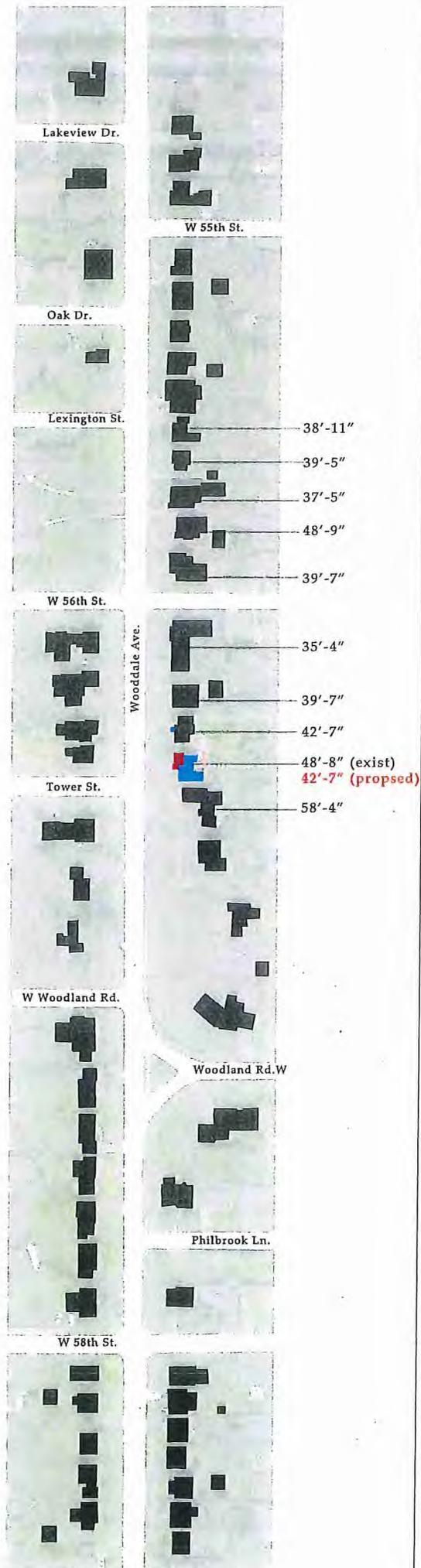
A.5



5617 Wooddale - Proposed

A. 6

Map of Existing Front Yard Setbacks along Wooddale Ave.



■ 5617 Wooddale
■ Proposed Addition

A.7

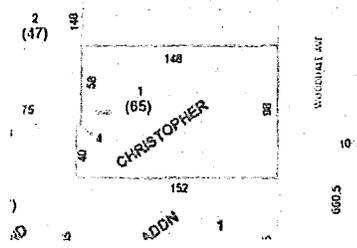
Map of Non-Conforming lots - Numbers indicate existing lot width



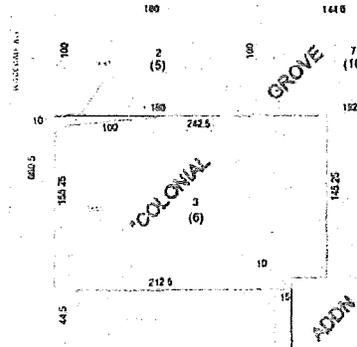
Non-Conforming lots
 5617 Wooddale

A.B

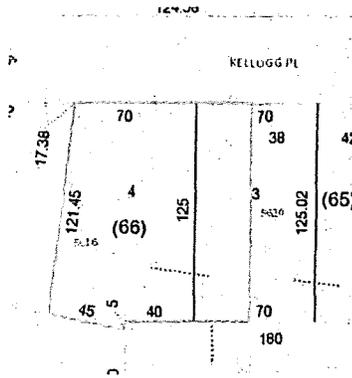
Maps of other "odd" shaped
lots in area around 5617
Wooddale



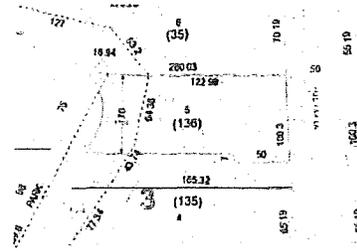
5640 Wooddale



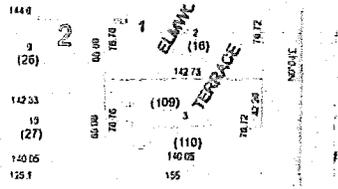
5655 Wooddale



5616 Kellogg



5500 Halifax



5516 France



QUARTERSAWN
DESIGN BUILD

320 W. 45th St.
Minneapolis, MN 55419
Tel (952) 929-3700
Fax (952) 929-1157

Hill
Residence Remodel
5617 Wooddale Avenue South
Edina, MN 55424

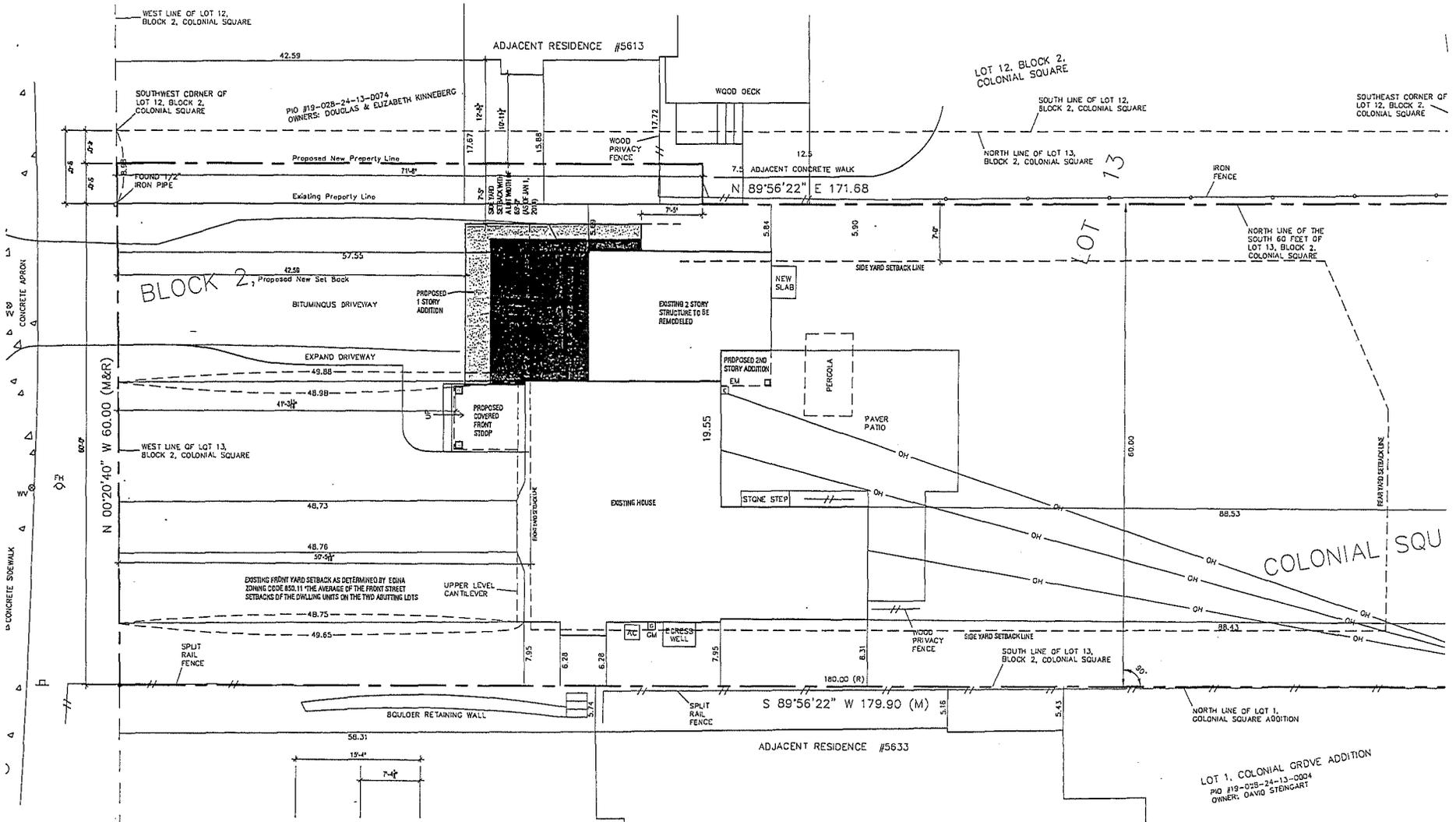
ISSUE DATE

Verlanne
Application
1.26.2014

FEB 1 2014

City of Edina
Site Plan

A0.0
Hill



SIDEYARD SETBACK CALCULATIONS FOR A 65'-0" WIDE LOT

SOUTH (EXISTING)	7'-11"
NORTH (PROPOSED)	7'-5"
TOTAL	15'-4"

LOT COVERAGE CALCULATIONS (SQFT)

EXISTING LOT	10,723
PROPOSED LOT ADDITION	357
TOTAL LOT	11,080
EXISTING FOOTPRINT	1,327
SIDE PATIO	145
BACK PATIO	610
FRONT PATIO	64
PROPOSED ADDITION	414
TOTAL	2560
LOT COVERAGE PERCENTAGE	23.1%

- EXISTING HOUSE TO REMAIN
- EXISTING TO BE REMODELED
- PROPOSED 2ND LEVEL ADDITION
- PROPOSED COVERED STDDP
- PROPOSED SINGLE STDRY ADDITION
- PROPOSED 2 STORY ADDITION

PLANNING DEPARTMENT
CITY OF EDINA

1 PARTIAL SITE PLAN
SCALE: 1/8" = 1'-0"

A.10



QUARTERSAWN
DESIGN, LLC

320 W. 48th St.
Minneapolis, MN 55419
tel (952) 929-3700
fax (952) 929-1157

Hill
Residence Remodel
5617 Wooddale Avenue South
Edina, MN 55424

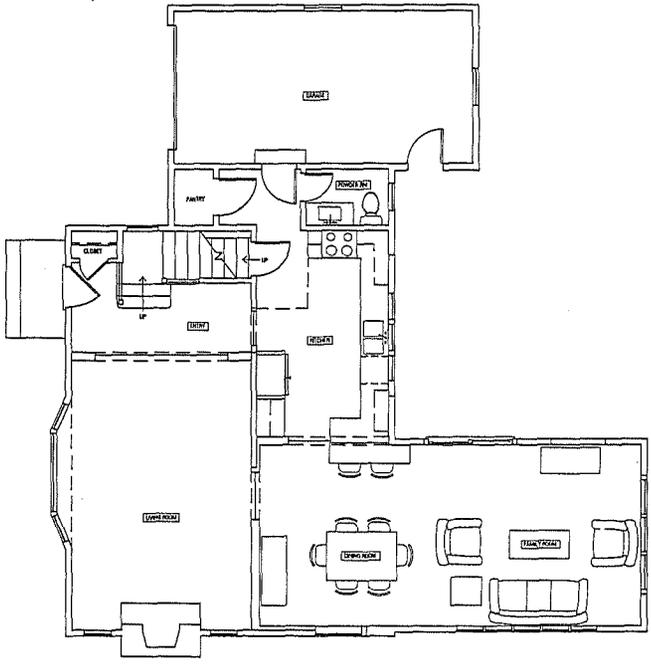
ISSUE	DATE
Submit Application	1.28.2014

Existing Floor Plans

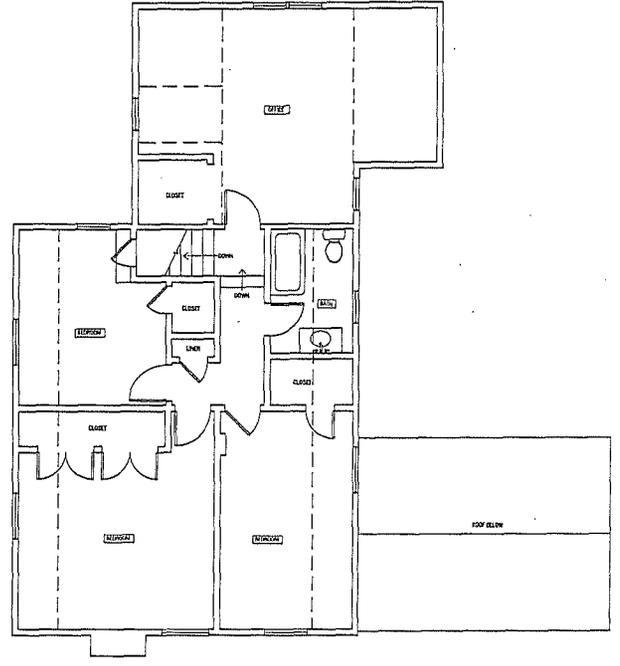
A0.1

Hill

ALL



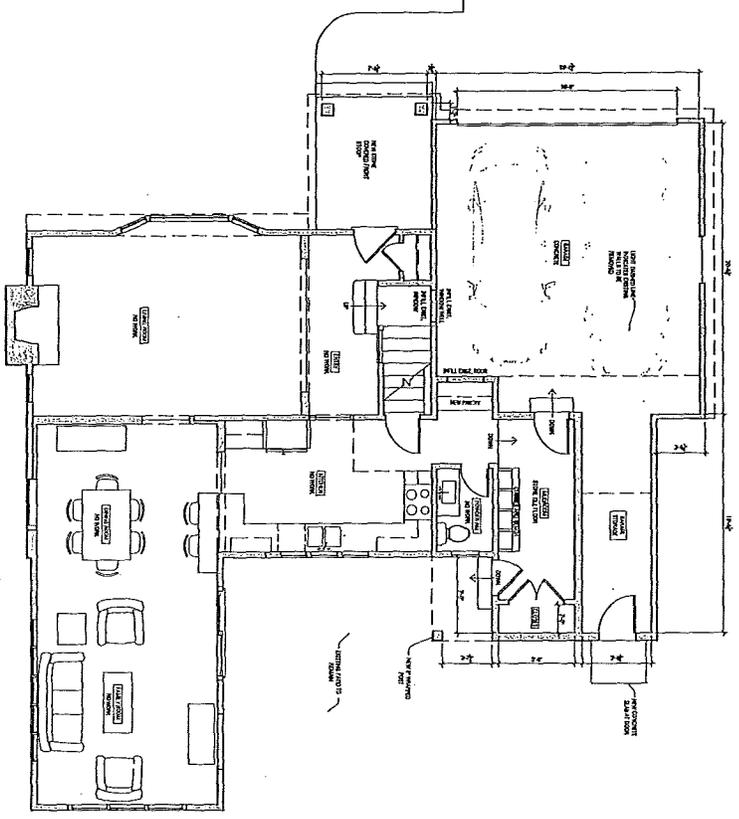
1 EXISTING FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



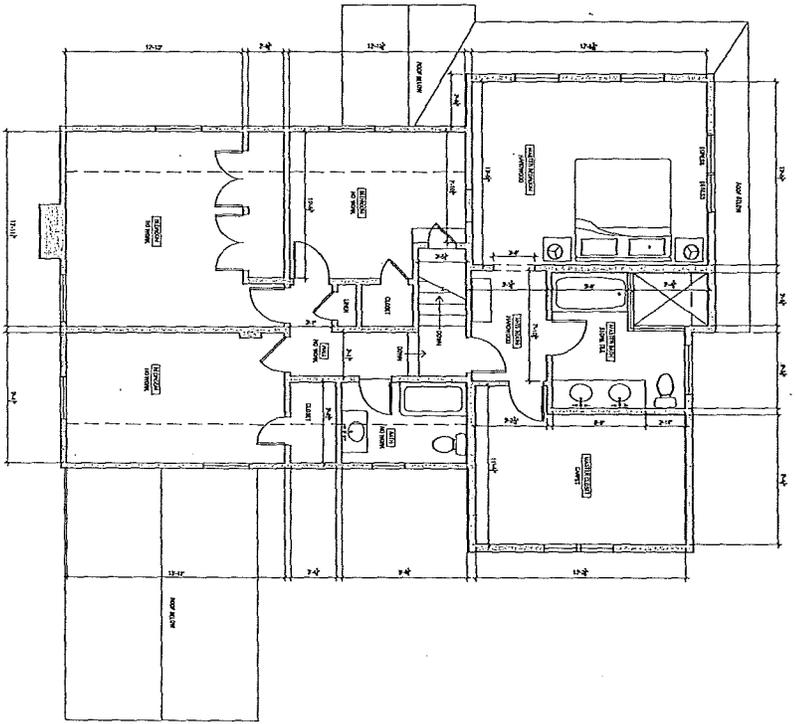
2 EXISTING SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

A12

1. MAIN FLOOR PLAN



2. SECOND FLOOR PLAN



A1.0
Hill

Floor Plans

ISSUE	DATE
Plan Application	12.2014

Hill
Residence Remodel
5617 Wooddale Avenue South
Edina, MN 55424

320 W. 48th St.
Minneapolis, MN 55419
Tel: (612) 920-1327
Fax: (612) 920-1327

QUARTERS, MN
ARCHITECTS



