



PLANNING COMMISSION STAFF REPORT

Originator Breanne Rothstein Consultant Planner	Meeting Date January 28, 2015	Agenda # VI . A . B-15-03
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Recommended Action:

Approve the requested variance to allow the construction of a second story addition on an existing, legal, non-conforming home.

Project Description

Bryan and Anita Erickson (applicants) are requesting a variance to complete an addition to their existing split level home located at 6617 Brittney Road. (See location on pages A1 - A3.) The requested variance is a 4.11 foot deviation from the required 13.5 foot required side yard setback (as calculated as 10 feet plus .5 foot increase for every 1 foot over 15 feet in height, or 3.5 feet additional). The variance is necessary to build within the existing footprint because much of the existing home is nonconforming regarding side yard setback.

INFORMATION/BACKGROUND

The subject property is located in a neighborhood with single-level and split level homes. The homeowners are proposing to add a second story addition to their split level, increasing the footprint (in a conforming location) and are also proposing to add a patio in the front yard and a patio and deck in the rear yard of their property. A future detached shed is also indicated, although a separate permit and lot coverage calculation would be needed upon building permit to verify the zoning on that improvement.

The zoning ordinance requires a minimum 13.5-foot setback from the southern property line for this addition. The existing home is nonconforming, as it would require a 10-foot setback and it is currently 9.39 feet from the property line. The front yard setback required is the average front yard setback of the homes on either side and this property meets that requirement. The front patio/porch is proposed to be located no more than 80 square feet into the required front yard setback, also meeting city code. The height would not exceed 30 feet overall.

SUPPORTING INFORMATION

Surrounding Land Uses

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

Existing Site Features

The subject property is 12,845 square feet.

Planning

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

Engineering Review

An Engineering report is attached. There are no concerns indicated on the attached memo. (See page A13.)

Building Design

The proposal is to construct a two story home on the basic footprint and above the existing 1st floor of the split level home.

Compliance Table

	City Standard	Proposed
Front – Max porch in front yard Side-	Avg. of adjacent- 33.7 feet 80 s.f. 13.5 feet	36.1 feet 80 s.f. *9.39 feet
Building Height	2 ½ stories 30 feet to ridge	2 stories, 30 feet to ridge
Lot coverage	25%	23.8% (w/o shed)

*** 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. The intent is to utilize the existing structure in its entirety, since footprint expansion is not possible without additional variances to reduce setbacks, causing a greater nonconformity.
2. The additions are appropriate in size and scale for the lot and the improvements would enhance the property and not detract from neighborhood. The basic footprint of the home with the exception of the conforming garage expansion and the addition of a porch will not significantly increase.
3. The improvements would provide a reasonable use of the site and improve on the existing conditions. Spacing between the proponent's and the neighboring structure to the west would remain the same.
4. The variance would be for a small triangular "point intrusion" into the required setback. (See page A6.) This home and the home to the south were built at an angle to the side lot line.
5. The adjacent most impacted home to the south has the garage located adjacent to the requested variance area. (See page A11 .) There is a 20-foot, 8 inch separation between the adjacent home.
6. The home improvements and height increase would provide enough space to accomplish a 2nd floor without having to completely reconfigure the property, (not a tear-down/re-build).

- **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.

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 practical difficulty is the original placement of the home located in a non-conforming location. Additionally, the variance would be for a small triangular "point intrusion" into the required setback. This home and the home to the south were built at an angle to the side lot line. (See page A6.) There is a 20-foot, 8 inch separation between the adjacent home.

The adjacent most impacted home to the south has the garage located adjacent to the requested variance area. (See page A11)

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 inability to increase the roof height to provide adequate living space above the home at existing nonconforming setbacks without the benefit of a variance.

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

No. The proposed improvements will not alter the essential character of the neighborhood. The basic footprint of the home will remain relatively the same and spacing between structures will remain the same.

Staff Recommendation

Recommend that the Planning Commission approve the variance.

Approval is based on the following findings:

- 1) The proposal would meet the required standards for a variance, because:
 - a. The proposed use of the property is reasonable; as it slightly alters existing setback conditions without reducing setbacks further or impacting the surrounding neighbors.
 - b. The practical difficulty is the location of the existing home, which does not meet the required side yard setback. The imposed setback and

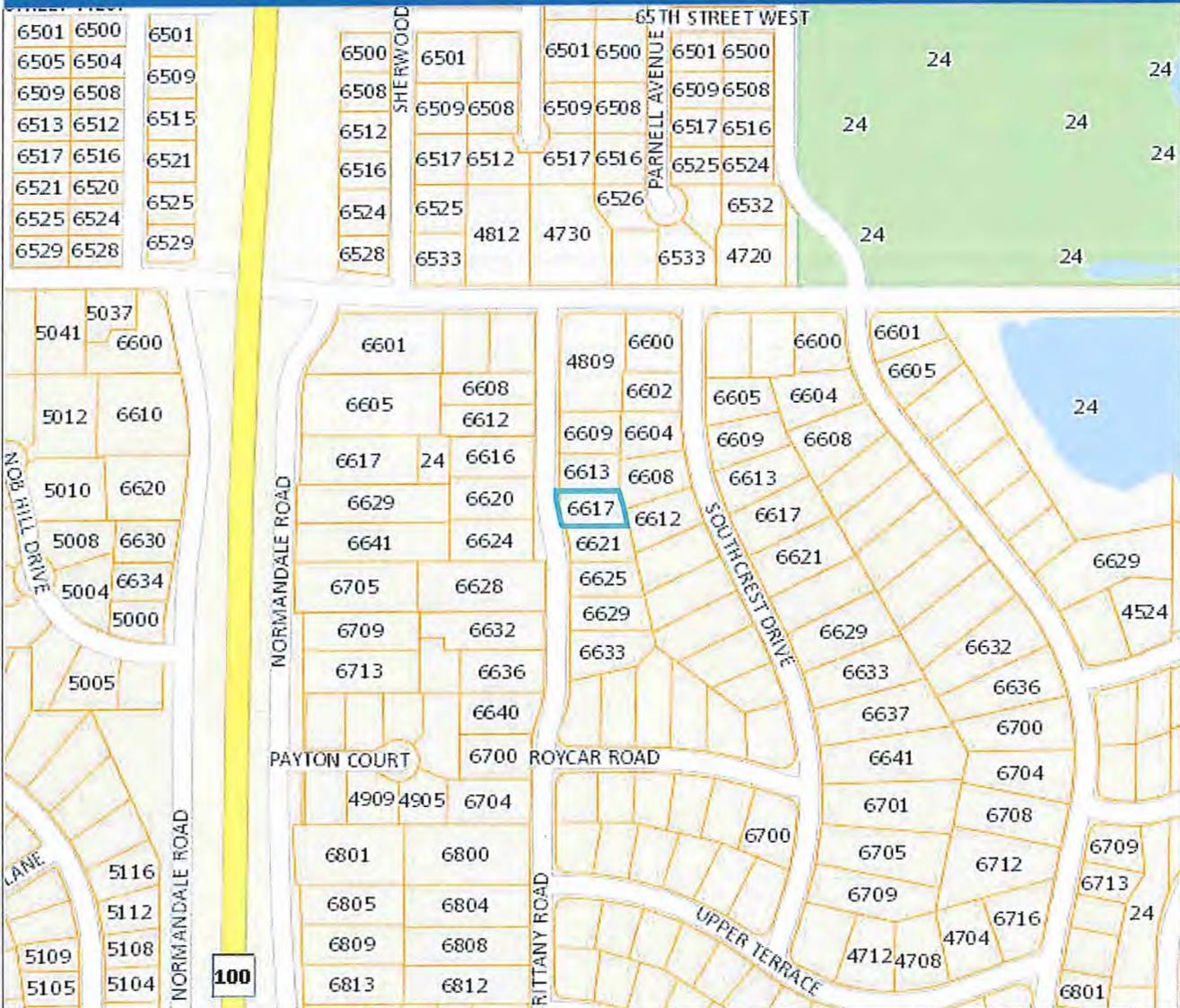
existing house location do not provide opportunity for a second floor without a variance.

- c. The variance would be for a small triangular “point intrusion” into the required setback. This home and the home to the south were built at an angle to the side lot line.
- d. The adjacent most impacted home to the south has the garage located adjacent to the requested variance area.

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:
 - Architectural plans date stamped November 4, 2014
 - Grading drainage and erosion control plan date stamped January 8, 2015
 - Building plans/ elevations date stamped November 4, 2014
 - Engineering memo dated January 22, 2015.

Deadline for a city decision: February 13, 2015.



Parcel ID: 30-028-24-32-0091

Owner Name: B Erickson & A M Erickson

Parcel Address: 6617 Brittany Rd
Edina, MN 55435

Property Type: Residential

Home-stead: Homestead

Parcel Area: 0.29 acres
12,845 sq ft

Map Scale: 1" ≈ 400 ft.
Print Date: 1/23/2015

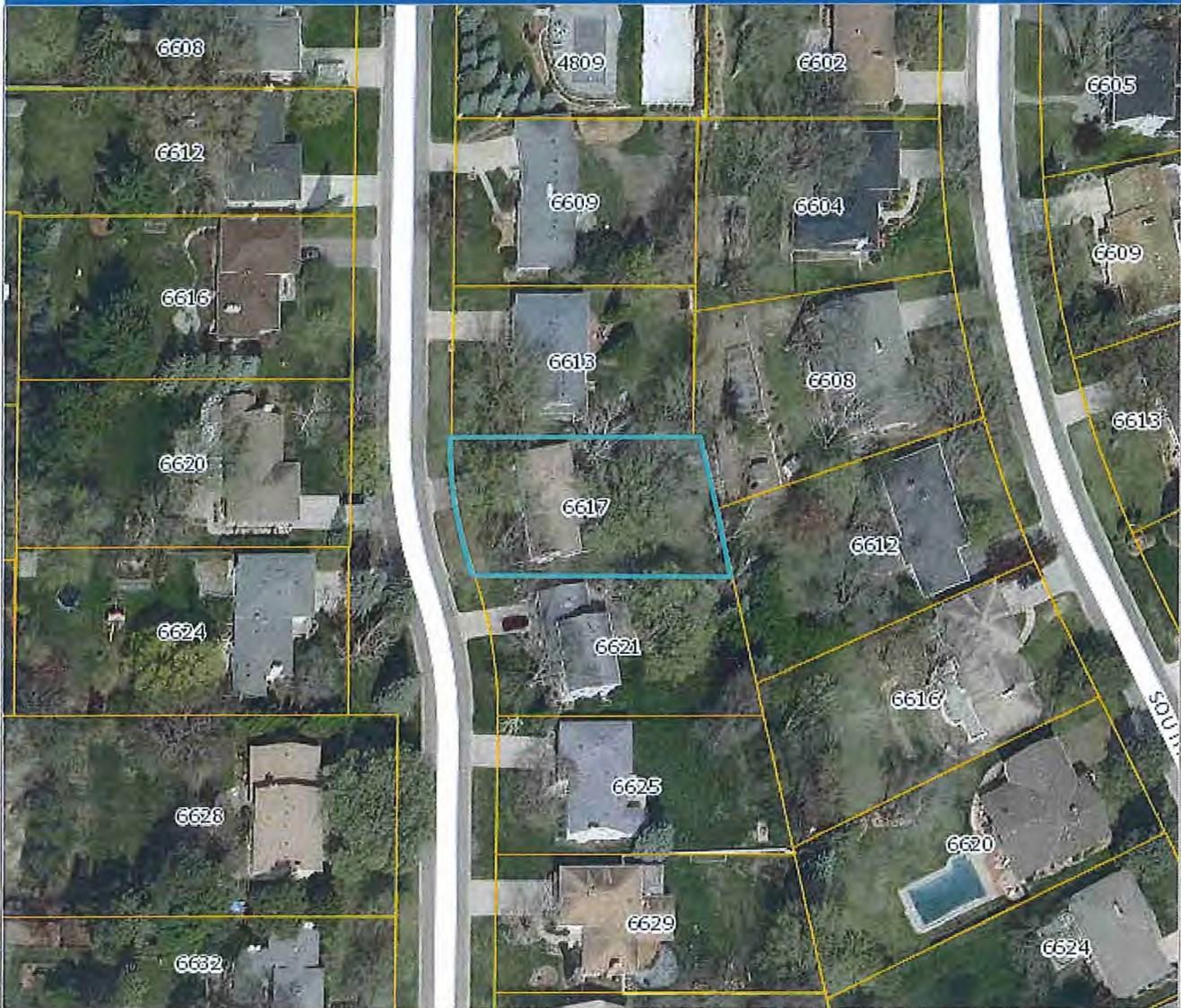


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AI



Parcel ID: 30-028-24-32-0091

Owner Name: B Erickson & A M Erickson

Parcel Address: 6617 Brittany Rd
Edina, MN 55435

Property Type: Residential

Home-stead: Homestead

Parcel Area: 0.29 acres
12,845 sq ft

A-T-B: Torrens

Market Total: \$351,200

Tax Total: \$5,944.42
(Payable: 2014)

Sale Price: \$355,000

Sale Date: 07/2014

Sale Code: Warranty Deed

Map Scale: 1" ≈ 100 ft.

Print Date: 1/23/2015

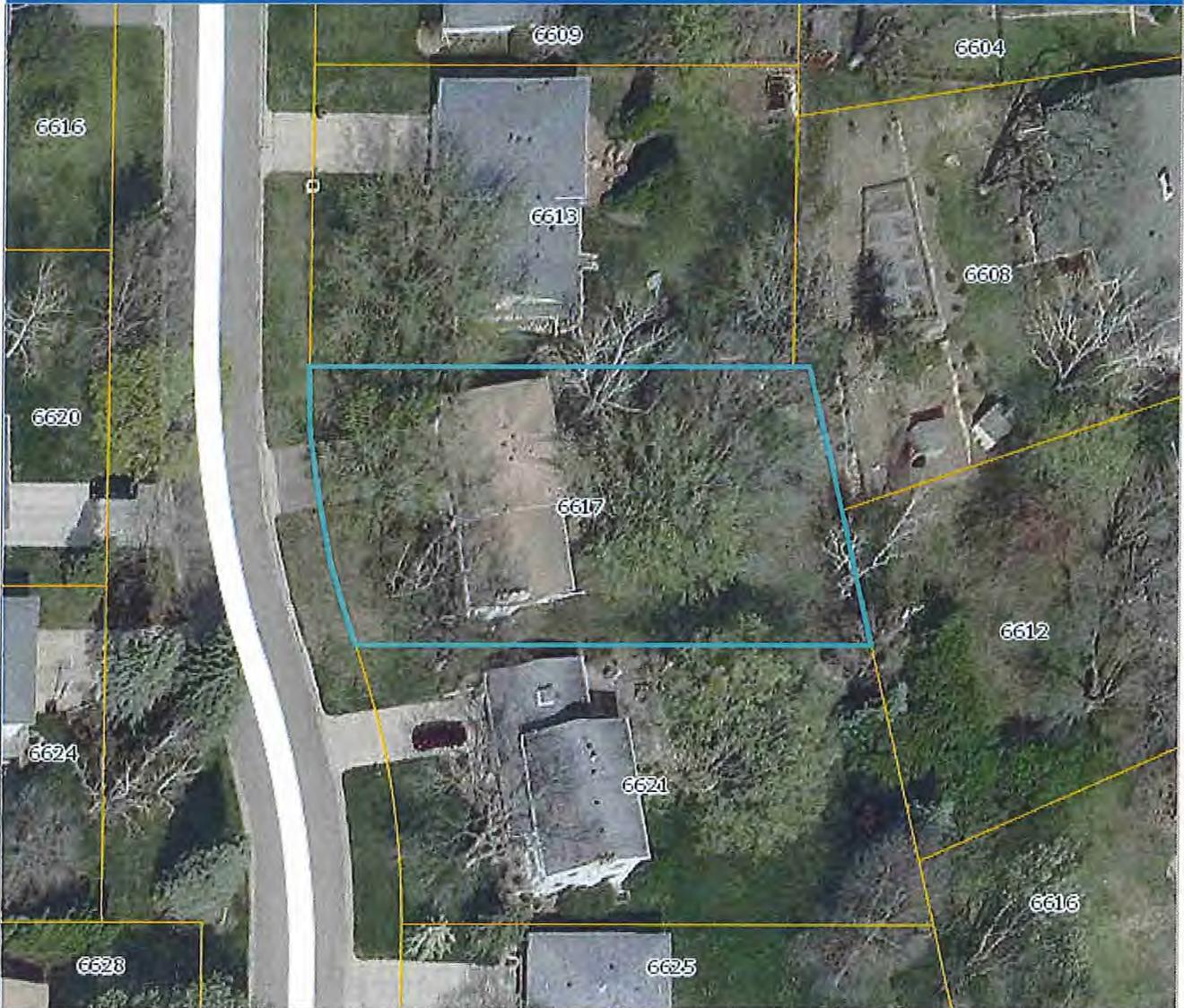


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A2



Parcel ID: 30-028-24-32-0091
Owner Name: B Erickson & A M Erickson

Parcel Address: 6617 Brittany Rd
Edina, MN 55435

Property Type: Residential

Homestead: Homestead

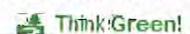
Parcel Area: 0.29 acres
12,845 sq ft

Map Scale: 1" ≈ 50 ft.
Print Date: 1/23/2015



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Applicant
Narrative

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

This variance will not allow for infringement on space between homes but only relieve difficulties in adding a second floor partially due to an existing non-conforming setback.

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

Yes this variance is only applicable to correct and relieve the circumstances of the property in question and will not pertain to any other property or zoning district in the vicinity.

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

The intent and purpose of this variance is completely in line with the zoning ordinance; that is to maintain current setbacks while improving the appearance of the existing structure and the neighborhood.

Not alter the essential Character of a neighborhood

The essential character of the neighborhood will not be altered but rather improved by the proposed variance. Currently the property in question is somewhat out of character for it is probably the least esthetically appealing and has the shallowest roof pitch of any of the surrounding houses. Also this home as been neglected for an extended period of time causing some aspects of blight to the existing character of the neighborhood which is generally new, maintained or newly remodeled, or well condition.

PLANNING DEPARTMENT
NOV 4 2014
CITY OF EDINA

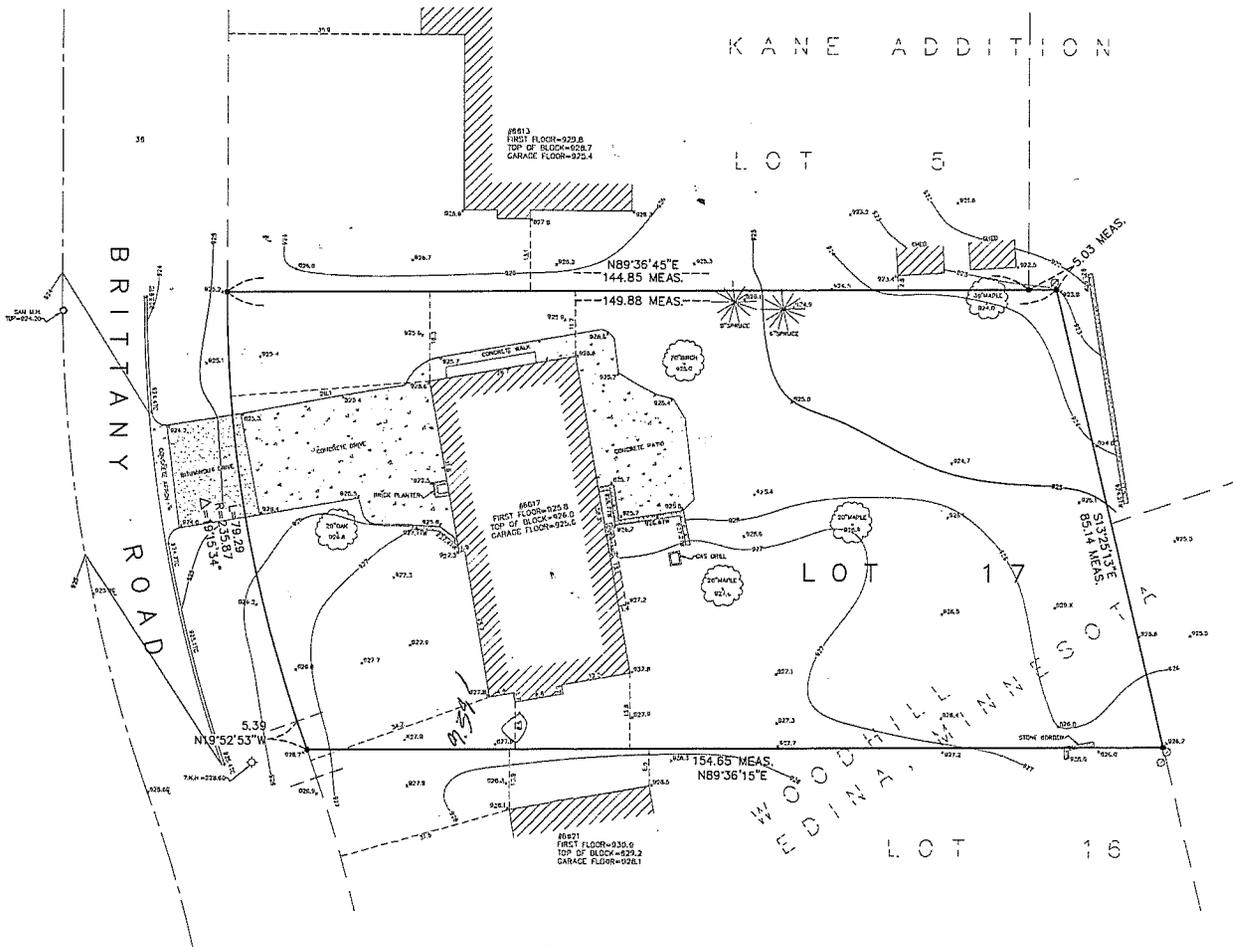
A34

SITE ADDRESS: 6617 BRITANNY RD.
EDINA, MN 55435

EXISTING CONDITION SURVEY FOR: BJORN & ANITA ERICKSON

Legend

- Manhole
- ⊙ Power Pole
- ⊕ Hydrant
- ▬ Retaining Wall
- ⊕ Existing Elevation
- ⊕>000.0TC Top of Curb Elevation
- ⊕>000.0TW Top of Wall Elevation
- 900— Existing Contour
- Denotes Iron Monument Found
- Denotes 1/2" x 1/4" Iron Pipe w/ Plastic Cap Inscribed R.L.S. 15230



SCALE: 1 INCH = 10 FEET

EXISTING AREA CALCULATION:

Lot Area = 12,843 SF
IMPERVIOUS SURFACE:
Halls = 1,505 SF
Patio Loos 150 SF Allowance = 305 SF
Total = 1,811 SF
= 14.6%

PROPERTY DESCRIPTION: Lot 17, Block 10, WOODHILL EDINA, MINNESOTA,
Hennepin County, Minnesota.

BENCHMARK: T.M.N. of the SE Corner of W 68th St. and Brittany Rd.
Elevation = 917.10.

NOTE: No Search Was Made For Any Encumbrances.

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.

Andrew A. Brown, R.L.S. MN REG 15230

Date: 08-15-2014

W. BROWN LAND SURVEYING, INC.

8030 Cedar Avenue So., Suite 228,
Shoreline, MN 55475
Bus: (952) 854-4055
Fax: (952) 854-4268

Drawing: 148-14 Date: 08-15-2014
Scale: 1 inch = 10 feet 1 of 1

GENERAL NOTES

GENERAL DEMOLITION NOTES:

SHARRATT DESIGN AND COMPANY MAKES NO WARRANTY AS TO THE EXACT CONDITIONS TO BE ENCOUNTERED ON SITE. DRAWINGS ARE PROVIDED TO DELINEATE THE DESIGN INTENT ONLY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND SUB-CONTRACTORS TO PERFORM PROPER FIELD INVESTIGATION BEFORE UNDERTAKING ANY DEMOLITION OR RECONSTRUCTION ACTIVITY.

THE DEMOLITION NOTES AS SHOWN ON THESE DRAWINGS OUTLINE VARIOUS ITEMS OF DEMOLITION WORK. IT IS NOT TO BE CONSIDERED AS ALL INCLUSIVE. CONTRACTORS SHALL PROVIDE VISIT THE SITE PRIOR TO SUBMITTING THEIR PROPOSALS TO COMPLETELY FAMILIARIZE THEMSELVES WITH THE EXISTING CONDITIONS. ALL TRADES ARE EXPECTED TO READ ALL DEMOLITION NOTES. DURING DEMOLITION CONTRACTOR WILL VARY ROOF LOAD BEARING POINTS PRIOR TO REMOVAL OF ANY BEARING WALLS. ALL DEMOLITION AND SHORING REQUIRED SHALL BE COORDINATED BETWEEN ALL INVOLVED CONTRACTORS / SUBCONTRACTORS, AND ALL OTHER STRUCTURAL CONDITION. CONTRACTOR TO VERIFY WITH OWNER ITEMS TO BE SALVAGED FOR OWNER.

GENERAL CONSTRUCTION NOTES:

1. VERIFY AND COORDINATE ALL CONDITIONS AND DIMENSIONS PRIOR TO WORK OR ORDERING MATERIAL. IMMEDIATELY REPORT AND/OR REVIEW ALLEGATIONS, DISCREPANCIES, AND CONDITIONS WITH THE OWNER'S SELECTED REPRESENTATIVE OR ARCHITECT FOR DIRECTION AND APPROVAL PRIOR TO PROCEEDING WITH WORK.
2. ALL CONSTRUCTION WORK AND MATERIALS AS INDICATED SHALL BE AT OR ABOVE INDUSTRY STANDARDS FOR SIMILAR RESIDENTIAL CONSTRUCTION MATCH EXISTING MATERIALS AND DETAILS WHERE NOTED ON PLAN. ANY ALTERNATES WILL BE APPROVED BY OWNERS.
3. ALL CONSTRUCTION WORK SHALL CONFORM TO ALL APPLICABLE CODES.
4. ALL SOILS, MECHANICAL, ELECTRICAL, TRUSS AND GIRDER DESIGN AND ENGINEERING OF SYSTEMS, SIZES, AND LAYOUTS SHALL BE BY THE RESPECTIVE SUBCONTRACTOR AND/OR SUPPLIER OF THESE SYSTEMS OR BY OTHER NECESSARY CONSULTANTS AND SHALL BE COORDINATED BY THE GENERAL CONTRACTOR. INFORMATION SHOWN IN REGARD TO THESE CONCERNS IS DIAGRAMMATIC AND IS INTENDED ONLY TO PROVIDE AN INDICATION OF THE DESIGN INTENT.
5. OBTAIN SAMPLES OF ALL INTERIOR HILLSWORK EXTERIOR FINISHES, FLOORINGS, CABINETS, TILE, CARPETS, PAINT, TO OWNER FOR APPROVAL, PRIOR TO ORDERING SAME.

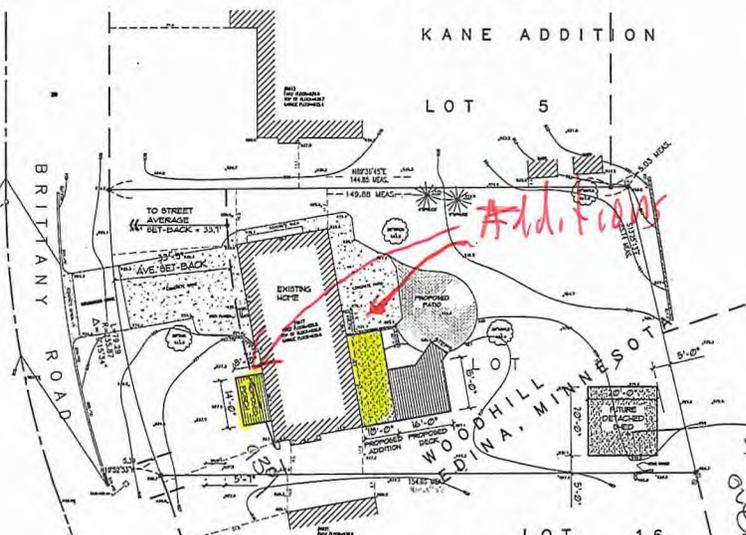
Legend

- Manhole
- Power Pole
- Signage
- Railway Rd.
- Existing Elevation
- Top of Gb Elevation
- Existing Elevation
- Existing Elevation
- Existing Item Measurement (Found)
- Existing Item 1/4" x 1/4" (Not To Scale) (Not to be used for vertical U.L.S. 1533)

HAZARD AVERAGE CALCULATION:

TOTAL SITE SR. = 2.043
 HOUSE SR. = 1.00
 EXIST. DRIVEWAY = 800
 EXIST. CONC. DRIVE = 300
 EXIST. CONC. SIDEWALK = 140
 PROPOSED DRIVE + BACK = 150
 PROPOSED DECK + BACK = 200
 PROPOSED PORCH = 10

EXISTING CONDITION SURVEY FOR: BJORN & ANITA ERICKSON



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

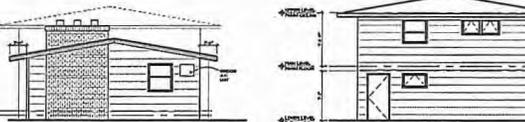
BASED UPON:
 W. BROWN LAND SURVEYING, INC.
 2218 East Avenue St. 100, Suite 220
 Minneapolis, MN 55425
 Phone: (763) 844-0223
 Fax: (763) 844-0225
 Website: www.wbrownland.com



1 EXTERIOR ELEVATION - WEST
 1/4" = 1'-0"



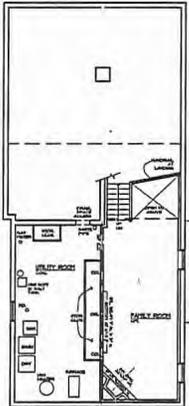
2 EXTERIOR ELEVATION - EAST
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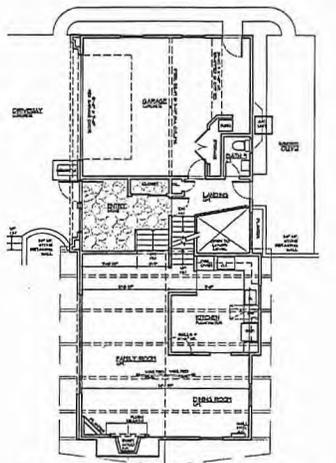
3 EXTERIOR ELEVATION - SOUTH
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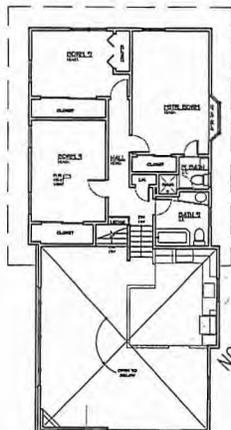
4 EXTERIOR ELEVATION - NORTH
 1/4" = 1'-0"



5 FLOOR PLAN - LOWER LEVEL
 1/8" = 1'-0"



6 FLOOR PLAN - GARAGE AND KITCHEN LEVELS
 1/8" = 1'-0"



7 FLOOR PLAN - BEDROOM LEVEL
 1/8" = 1'-0"



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 Phone: 952.478.9750
 Fax: 952.767.5859
 info@sharrattdesign.com

SHEET INDEX

- A1 EXISTING PLANS AND ELEV.
- A2 PROPOSED PLANS
- A3 PROPOSED PLAN / BLDG. SECTION
- A4 PROPOSED ELEV.
- A5 PROPOSED ELEV.

PROJECT TEAM

ARCHITECT
 SHARRATT DESIGN AND COMPANY, LLC
 MIKE SHARRATT - CONTACT
 STRUCTURAL ENGINEER
 TO BE DECIDED, BY OWNER

GENERAL CONTRACTOR
 TO BE DECIDED, BY OWNER

ISSUED FOR

ISSUE DATE	CHECK SET	REVISED	DEFINITIONS	ESTIMATE SET	ARCH. REVIEW	PERM. SET	REVISION	FOUNDATION SET	CONSTRUCTION SET
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09-23-14	X								
09-29-14	X	X							
10-03-14	X								
11-09-14	X	X							

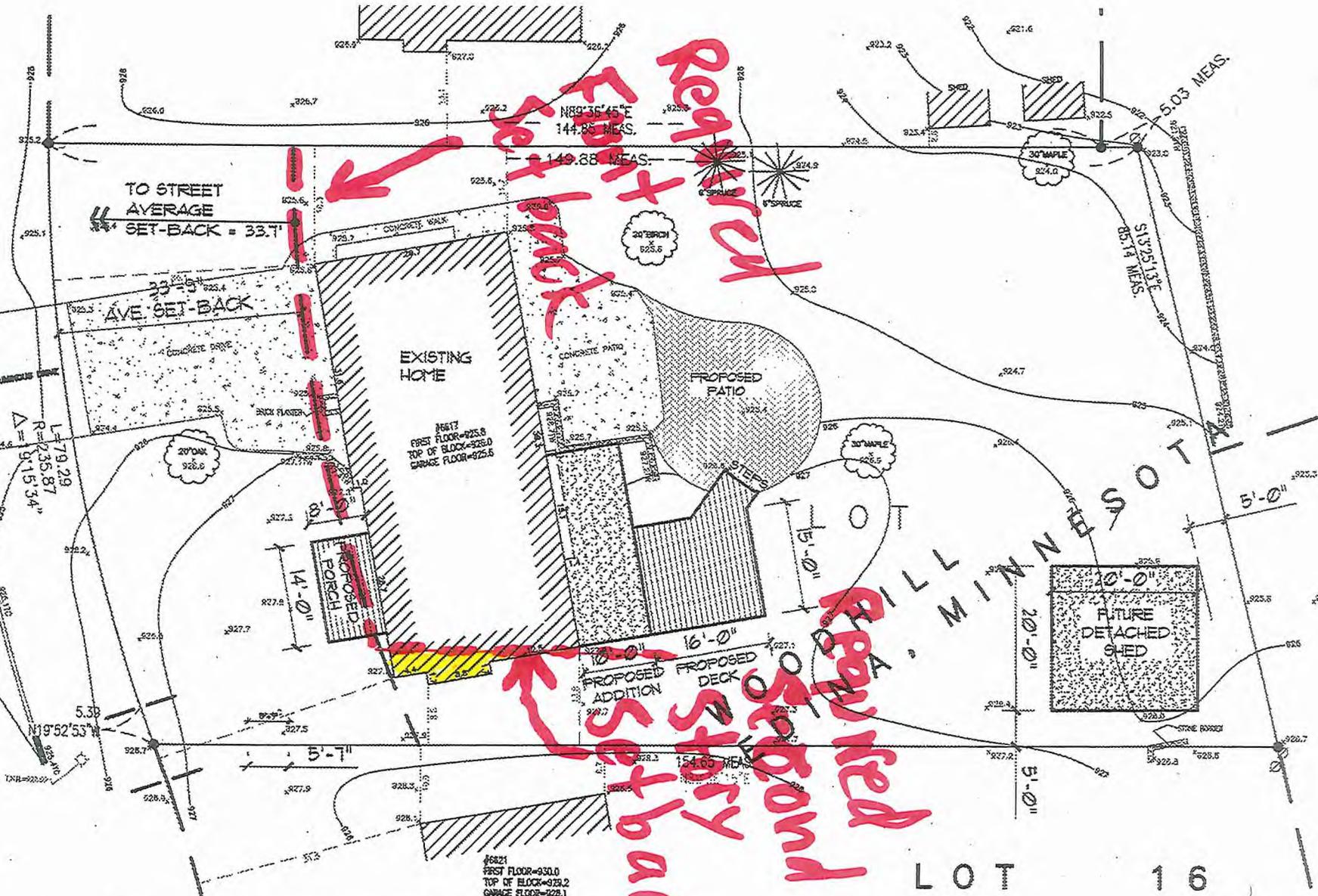
PROPOSED REMODELING FOR:
ERICKSON HOME
 6637 BRITANNY ROAD
 BOYA, MINNESOTA 55455

SHEET
A1

LEGAL NOTES:
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BRITANNY ROAD

AC



Required

Set back

Required

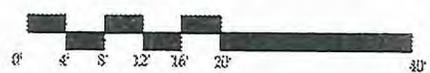
Set back

Required

Set back

ARCHITECTURAL SITE PLAN

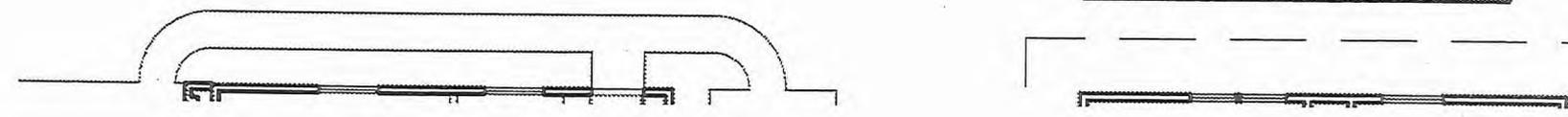
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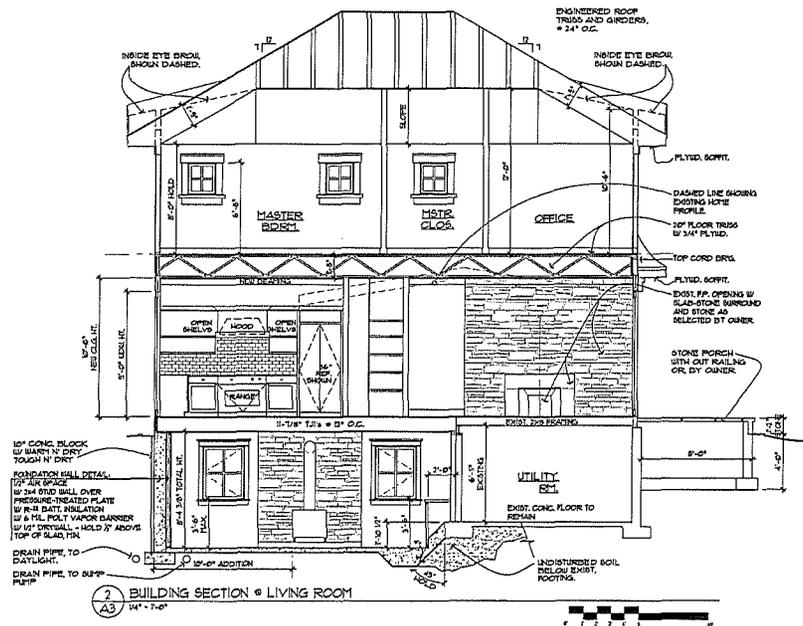
BASED UPON:

W. BROWN LAND SURVEYING, INC.
 8030 Cedar Avenue So., Suite 226.
 Bloomington, MN 55425
 Bus: (952) 854-4355
 Fax: (952) 854-4255

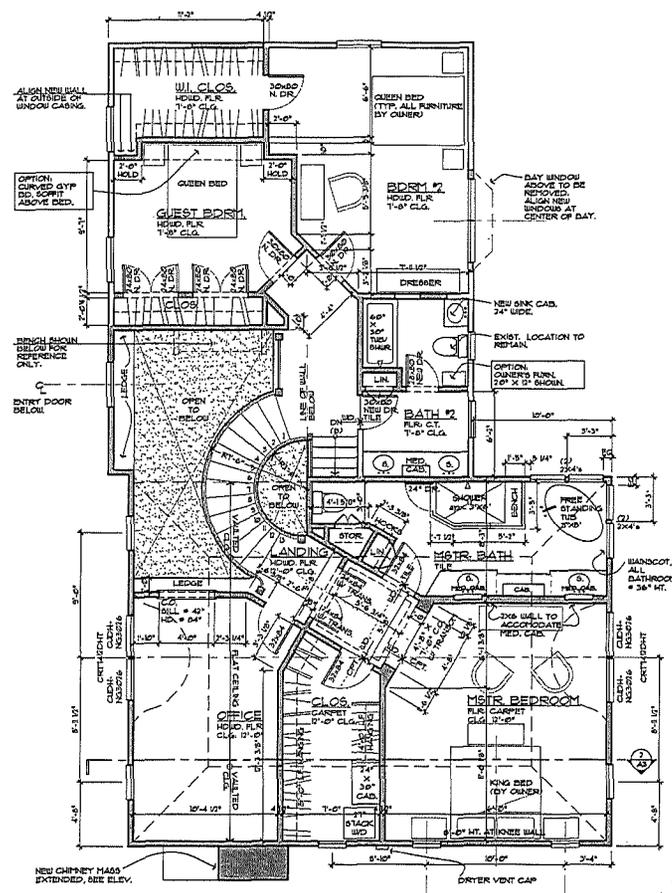
Drawing: 148-14	Date: 08-15-2014	Scale: 1/16" = 1'-0"	1 of 1
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AS



2 BUILDING SECTION @ LIVING ROOM
1/4" = 1'-0"



1 PROPOSED FLOOR PLAN @ BEDROOM LEVEL
1/4" = 1'-0"

LEGEND	
NEW	EXISTING



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ARCHITECT
SHARRATT DESIGN AND COMPANY, LLC
MIKE SHARRATT - CONTACT

STRUCTURAL ENGINEER
TO BE DECIDED BY OWNER

GENERAL CONTRACTOR
TO BE DECIDED BY OWNER

ISSUED FOR

ISSUE DATE	CHECK SET	CLIENT REVIEW	ARCHITECT REVIEW	PERMITS SET	FOUNDATION SET	CONSTRUCTION SET
08-13-14	X					
08-23-14	X	X				
08-29-14	X	X	X			
09-03-14	X	X	X	X		
10-09-14	X	X	X	X	X	

PROPOSED REMODELING FOR:
ERICKSON HOME
6617 BRITTANY ROAD
EDINA, MINNESOTA 55435

NOV 4 2014

SHEET
A3

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 Fax: 952.767.2839
 Info@sharrattdesign.com

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PROJECT TEAM

ARCHITECT
 SHARRATT DESIGN AND COMPANY, LLC
 MIKE SHARRATT - CONTACT

STRUCTURAL ENGINEER
 TO BE DECIDED BY OWNER

GENERAL CONTRACTOR
 TO BE DECIDED BY OWNER

ISSUED FOR

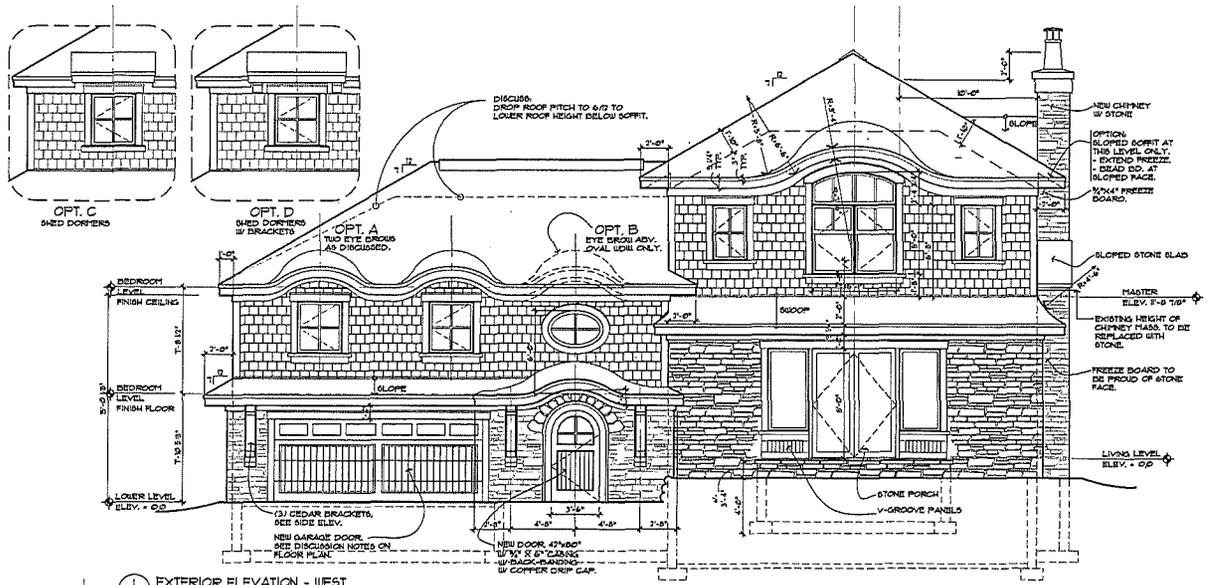
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10-03-14	X	X					

PERFORMED REMODELING FOR:

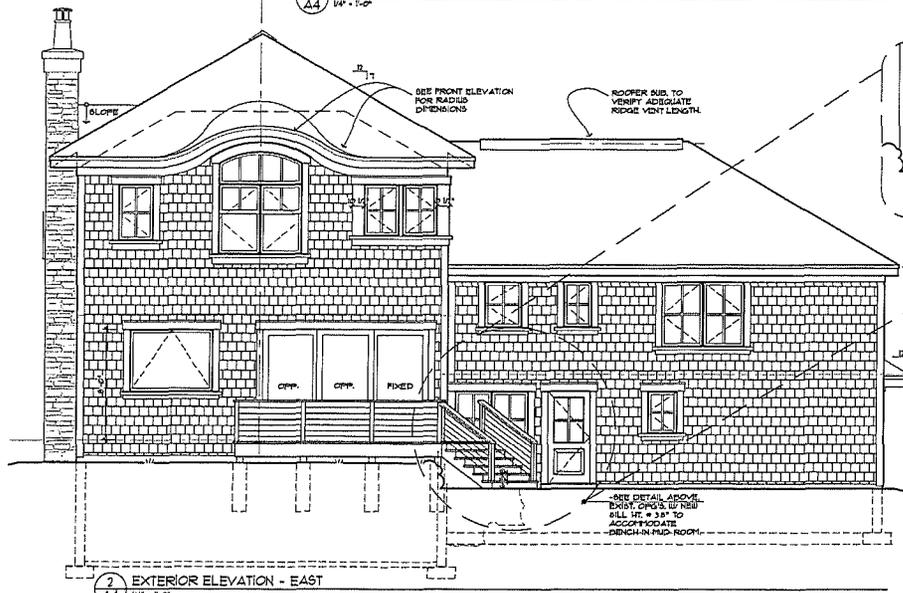
ERICKSON HOME
 6617 BRITTANY ROAD
 EDINA, MINNESOTA 55435

SHEET
A4

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1 EXTERIOR ELEVATION - WEST
 1/4" = 1'-0"



2 EXTERIOR ELEVATION - EAST
 1/4" = 1'-0"

A4

NOV 4 2014

SHEET INDEX

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PROJECT TEAM

ARCHITECT
SHARRATT DESIGN AND COMPANY, LLC
MIKE SHARRATT - CONTACT

STRUCTURAL ENGINEER
TO BE DECIDED BY OWNER

GENERAL CONTRACTOR
TO BE DECIDED BY OWNER

ISSUED FOR

ISSUE DATE	CHECK SET	CLIENT REVIEW	PERMITS SET	ARCH. AS BUILT	PERMITS SET	BRUSHING	FOUNDATION SET	CONSTRUCTION SET
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05-23-14	X							
03-25-14	X	X						
12-03-14	X	X						
10-02-14	X	X						

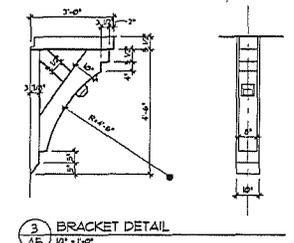
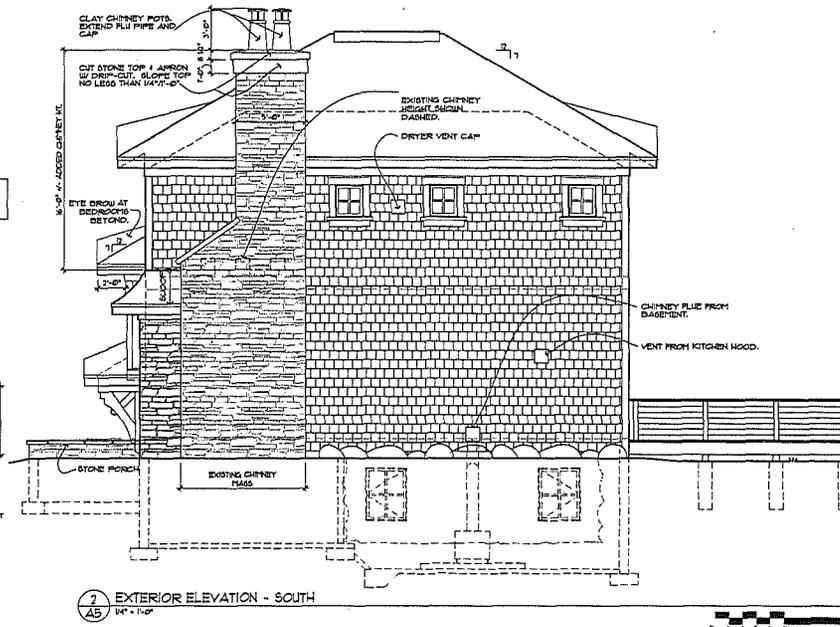
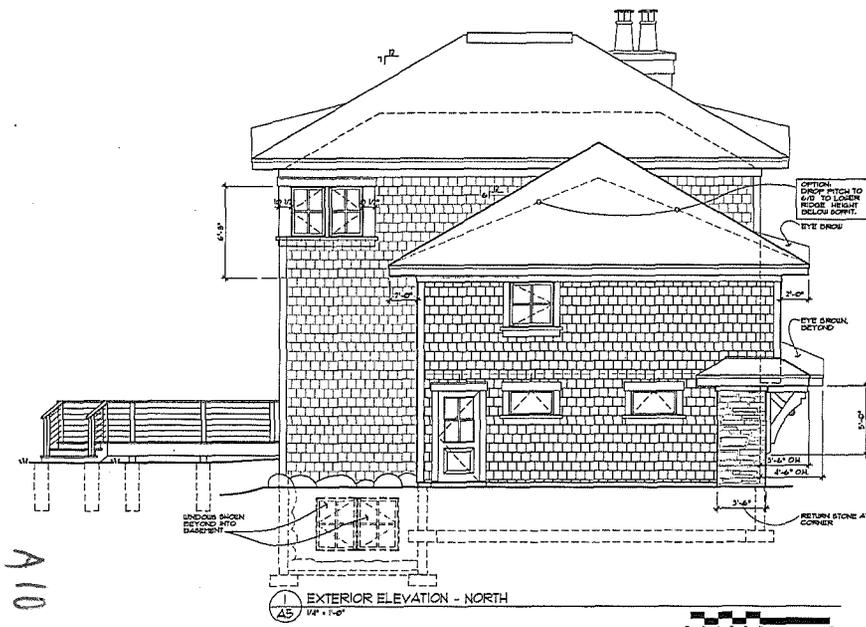
PROPOSED REMODELING FOR:

ERICKSON HOME

6417 BRITTANY ROAD
EDINA, MINNESOTA 55435

SHEET

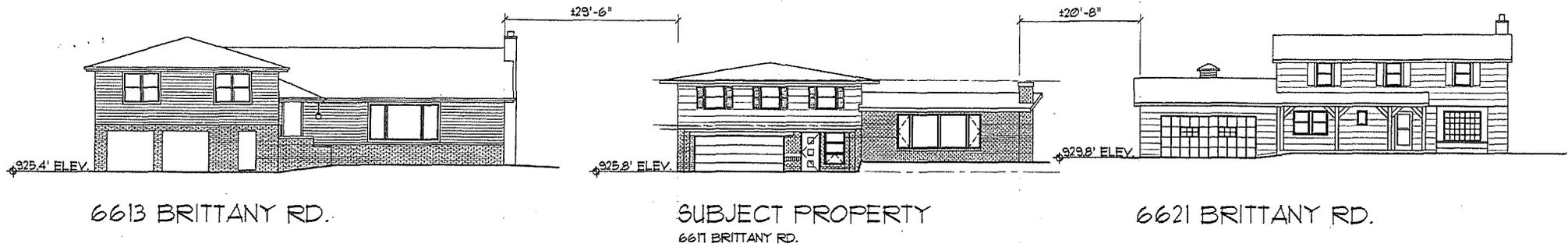
A5



A10

20-15-5/2-5

NOV 4 2014



BEFORE IMPROVEMENTS

SCALE: 1/16" = 1'-0"



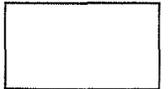
AFTER IMPROVEMENTS

SCALE: 1/16" = 1'-0"

BJORN and ANITA
ERICKSON
HOME
REMODEL

sharratt
design &
company, llc

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DATE: 10-30-14



DATE: January 22, 2014
TO: Cary Teague – Planning Director
CC: David Fisher – Building Official
Ross Bintner P.E. - Environmental Engineer
FROM: Charles Gerck EIT – Engineering Technician
RE: **6617 Brittany Road - Special Review of Variance Application**

The Engineering Department has reviewed the subject property for street and utility concerns, grading, storm water, erosion and sediment control and for general adherence to the relevant ordinance sections. This review was performed at the request of the Planning Department; a more detailed review will be performed at the time of building permit application.

Summary of Review

Engineering has no concerns with the plans as submitted. The proposed plan appears to be for multiple additions, a proposed garage and some landscaping / patio work to an existing single family home. The proposed storm water management plan directs any additional run-off created to a rain garden designed by a licensed engineer. If driveway is to be replaced, applicant will need to apply for a curb cut permit.

Grading and Drainage

The proposed storm water management plan directs any additional run-off created in the rear yard to a rain garden designed by a licensed engineer. The purpose of the rain garden is to collect, store and infiltrate any additional run-off created from the proposed plans. The rain garden is adequately sized and will prevent additional run-off to neighboring private properties.

Erosion and Sediment Control

No concerns

Street and Curb Cut

If driveway is to be replaced, applicant will need to apply for a curb cut permit.

Water and Sanitary Utilities

No concerns