

Board of Zoning Appeals

May 26, 2020 – 7 pm

REGULAR MEETING AGENDA

This meeting will be held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. The public may monitor this meeting by calling **1-415-655-0001** and entering the meeting code **287 526 927**. If you incur costs to call into the meeting, you may submit the costs to the City for reimbursement consideration. The public may participate in this meeting by using the number and code listed above. Members of the public wishing to address the BZA during a Webex meeting are encouraged to contact Amie Kolesar at 763-593-3992 or akolesar@goldenvalleymn.gov prior to the meeting to sign up to speak. For technical assistance, please contact the City at 763-593-8007 or webexsupport@goldenvalleymn.gov.

1. Call to Order

2. Approval of Agenda

3. Approval of Minutes

April 28, Regular Meeting

4. 1421 Rhode Island Ave North

Taylor Ward, Applicant

Requests:

Section 113-88, Subd. (f)(1)(a) – 10 feet off the required 35 feet to a distance of 25 feet at its closest point to the front yard (east) property line.

Section 113-88, Subd. (g)(3) – 11 square feet off the maximum allowed 1,000 square feet of accessory space to a total area of 1,011 square feet

Section 113-88, Subd. (n)(4) – Waiver to allow a second curb cut without a second legal garage

Section 113-88, Subd. (n)(2) – 3 feet off the required 3 feet to a distance of 0 feet at a paved area's closest point to a side yard line

5. 4725 Olson Memorial Highway

Mike Olson, Applicant

Requests:

Section 113-95, Subd. (g)(10)(c) – 10 feet off the required 30 feet to a distance of 20 feet at its closest point to the wide yard (west) property line



This document is available in alternate formats upon a 72-hour request. Please call 763-593-8006 (TTY: 763-593-3968) to make a request. Examples of alternate formats may include large print, electronic, Braille, audiocassette, etc.



Section 113-95, Subd. (f)(10)(b)(2) – 10 feet off the required 35 feet to a distance of 25 feet at its closest point to the front yard (west) property line

Section 113-151 – Waiver of the prohibition on parking within the front yard landscaped area

Section 113-151, Subd. (c) – 3 spaces off the 36 parking spaces required for a total of 33 parking spaces on the property

6. Adjournment

Board of Zoning Appeals

April 28, 2020 – 7 pm

REGULAR MEETING MINUTES

This meeting was held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. In accordance with that declaration, beginning on March 16, 2020, all Board of Zoning Appeals meetings held during the emergency were conducted electronically. The City used Webex to conduct this meeting and members of the public were able to monitor the meeting by calling 1-415-655-0001 and entering the meeting code 806 533 109.

Call To Order

The meeting was called to order at 7 pm by Chair Nelson.

Roll Call

Members present: Nancy Nelson, Richard Orenstein, Chris Carlson, Sophia Ginis, Kade Arms-Regenold

Board Members absent:

Staff present: Planning Manager Jason Zimmerman and Planner Myles Campbell

Approval of Agenda

MOTION made by Nelson, seconded by Orenstein to approve the agenda of April 28, 2020, as submitted and the motion carried unanimously.

Approval of Minutes

MOTION made by Nelson, seconded by Orenstein to approve the December 16, 2019, meeting minutes as submitted and the motion carried unanimously.

Councilmember Larry Fonest greeted all members and introduced himself to the new BZA members. He gave a brief review, what to expect, and congratulated the BZA on their continued hard work.

Annual Board of Zoning Appeals Orientation

Jason Zimmerman, Planning Manager, started orientation with an introduction to the City of Golden Valley's demographics, the City Council, the City Manager, and City Leadership. **Zimmerman** continued on to describe the Boards and Commissions, discuss bylaws and city code, the annual calendar, meetings, and member terms. **Zimmerman** expanded on Board and Commissioner roles and responsibilities, guiding principles and code of conduct, written record, and adhering to the state statute.

Variance Training for Board Members

Jason Zimmerman, Planning Manager, gave a presentation on what a variance is, what types of variances are allowed, and what ordinance criteria leads to approval. **Zimmerman** expanded on the previously mentioned state statute and the legal standard for variances. **Member Carlson** asked about



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the application and review process prior to an applicant presenting to the BZA. **Myles Campbell, Planner**, illustrated the process, analysis, and potential alternatives to applying for a variance.

Presentation of 2019 Board of Zoning Appeals Annual Report

Myles Campbell, Planner, presented the annual report:

In 2019:

- 33 Variances were considered
 - 30 variances were in the Residential (R-1) Zoning District
 - Top three types of requests were for front setbacks, side setbacks and fence height.
 - 21/33 Variances Approved
 - 2/33 Variances were approved with Modifications
 - 1/33 Variances were tables
 - 9/33 Variances were denied

Campbell expanded on the variances based on project type and then gave a 5-year summary of variances considered and their type.

Officer Elections

Nancy Nelson nominated **Richard Orenstein** for Chair and it was seconded by Sophia Ginis. Richard Orenstein nominated Sophia Ginis for Vice Chair and it was seconded by Nancy Nelson.

Staff took a roll call vote and both nominations passed unanimously.

Adjournment

MOTION made by **Chair Nelson**, seconded by **Orenstein** and the motion carried unanimously to adjourn the meeting at 7:50 pm.

Nancy Nelson, Chair

Amie Kolesar, Planning Assistant



MEMORANDUM
Physical Development Department
 763-593-8095 / 763-593-8109 (fax)

Date: May 26, 2019
To: Golden Valley Board of Zoning Appeals
From: Myles Campbell, Planner
Subject: 1421 and 1435 Rhode Island Ave N
 Taylor Ward, Applicant

Introduction

Taylor, Charlie and Linda Ward, the property owners, are seeking four variances from the City Code to make a series of improvements at a pair of recently subdivided lots, 1421 Rhode Island Ave N and 1435 Rhode Island Ave N. The applicant is seeking the following variances from City Code:

Variance Request	City Code Requirement
<p>The applicant is requesting a variance of 10 feet off the required 35 feet to a distance of 25 feet at its closest point to the front yard (east) property line.</p>	<p>§ Section 113-88, Single Family Zoning District, Subd. (f)(1)(a) Front Yard Setback. The required minimum front setback shall be 35 feet from any front lot line along a street right-of-way line. Decks and open front porches, with no screens, may be built to within 30 feet of a front lot line along a street right-of-way line.</p>
<p>The applicant is requesting a variance of 11 feet off the maximum allowed accessory structure area of 1,000 to a total area of 1,011.</p>	<p>§ Section 113-88, Single Family Zoning District, Subd. (g)(3) Accessory Structure Area Each lot is limited to a total of 1,000 square feet of the following accessory structures: detached and attached garages, detached sheds, greenhouses, and gazebos.</p>
<p>The applicant is requesting a waiver of the second garage requirement in order to keep an existing secondary curb cut.</p>	<p>§ 113-113-88, Single Family Zoning District, Subd. (n)(4) Street Access Each lot may have only one street curb cut access, except the following lots may have up to two street curb cut accesses:</p>

	<ul style="list-style-type: none"> a. A lot that contains two legally constructed garages. b. A lot of a resident who requires additional driveway access qualifying for a reduced class rate for homestead property as defined by Minn. Stats. § 273.13, subd. 22, Class 1b.
<p>The applicant is requesting a variance of 3 feet off the required 3 feet to a distance of 0 feet at the paved area’s closest point to the side yard property line.</p>	<p>§ 113-88, Single Family Zoning District, Subd. (n)(2) <i>Paved Area Setbacks</i>. Paved areas shall be set back three feet from a lot line, except for shared driveways used by multiple property owners pursuant to a private easement.</p>

Background

In 2008, the subject property consisted of three lots that were combined for tax purposes. Two lots were 60 feet wide and the third was 40 feet wide (with the last 20 feet owned by the property directly to the north). An existing home on the property was being demolished and in order to legally construct a new home, the three platted lots needed to be formally combined. This was approved by the City Council late in the year and in 2009 a new home was constructed on the south portion of this lot, leaving sufficient room for a future second home to be constructed on the north portion.

Seeking to utilize this north portion, the property owners recently sought and were approved to subdivide the combined lot into two smaller lots of roughly 80 feet in width – 1421 Rhode Island to the south and 1435 Rhode Island to the north. The two lots are 10,715 sq. ft. and 10,687 sq. ft. respectively. The existing two-car garage on 1435 Rhode Island was part of a variance approval in 2002, and measures approximately 787 total sq. ft. Typically when subdividing to create a new lot, accessory structures would not be allowed to exist without the presence of a principal structure. Given the property owners plan to begin construction this summer however, City Staff felt comfortable in allowing the garage to remain in place so long as the home itself was built in a timely manner.

Summary of Requests

The variances requested by the applicant are either for the purpose of constructing a new home on 1435 Rhode Island Ave N, or are related to the conditions of subdivision approval, which required that items such as the extra curb cut either be removed or brought into conformity via a variance approval.

The applicant is requesting a reduction in the front setback requirement of 10 feet off of the required 35 feet from the front property line. At the time of its replatting in 2008 the City obtained 10 feet of additional right-of-way from the combined parcel at the time, effectively moving the front property line in by 10 feet. By reducing the setback requirement, the applicant is hoping to maintain a consistent distance from the roadway when compared to neighbors along the street, maintaining the character of the view shed from the street.

In the City's Single-Family Zoning District, the code allows for up to 1,000 sq. ft. of attached and detached accessory structures such as a garage or shed. The applicant is showing on their preliminary site plan for 1435 Rhode Island a new attached single-car garage in addition to the existing detached garage to the rear. The existing garage measures 32.2x24.5 from its exterior walls, or 787 sq. ft. The proposed single-car garage would be approximately 14x16 ft. with width measured from the exterior wall closest to the side property line to the interior side wall, or 224 sq. ft. The resulting 1,011 sq. ft. of combined accessory structure space would exceed the maximum allowed by the zoning code by 11 feet.

During the subdivision process, City Engineers identified a second curb cut and driveway located at the side property line shared between the two new lots being created. The curb cut itself was primarily located on the 1421 lot, with the driveway being located across both lots. The applicant has stated he would like to cut the driveway such that it does not cross over onto the northern lot, but it would still run along the property line. The purpose of the second curb cut is to provide access to the rear of the home on 1421 Rhode Island, to a fenced area where the property owners store a boat and other recreational vehicles. Additionally, the applicant and neighbors have noted that the additional curb cut helps to alleviate some of the parking demand on the street.

City Code requires that single-family homes have only a single curb cut, with the exception of homes that have multiple legal garages requiring access. Additionally the City requires a 3-foot setback between paved areas and side property lines, except for shared driveways used by multiple property owners pursuant to a private easement. The initial recommendation from Engineering staff was the removal of this curb cut and associated driveway, and this was made a condition of the subdivision approval. The applicant requested to pursue a variance that would make both the driveway and curb cut conforming structures on the two lots, and if approved then move forward with the subdivision process without their removal. Staff agreed that if the two items were approved and brought into conformance with zoning code, they would no longer need to meet the condition of removing the two items from either lot.

Analysis

In reviewing this application, staff has maintained the points of examination to the considerations outlined in Minnesota State Statute 462.357 – that the requested variance is in harmony with the general purposes and intent of the Zoning Chapter, that it is consistent with the City's Comprehensive Plan, and that a property exhibit "practical difficulties" in order for a variance to be granted.

Staff finds that the variances are, generally speaking, in line with both the purpose of the Zoning Code as well as the purpose of the Single-Family Residential (R-1) Zoning District, which is "to provide for detached single-family dwelling units at a low density along with directly related and complementary uses." The requests would not allow for additional unit density in the neighborhood, although the additional curb cut would be a more significant deviation from what is typically allowed in the district.

In the City's 2040 Comprehensive Plan, one of the stated objectives of the Land Use Chapter is to *protect existing residential neighborhoods* (p. 2-35) and one of the policy actions to that end is to "Enforce subdivision regulations to reduce potential impacts to neighborhood character." As a condition of its subdivision, these two lots were required to address the curb cut and shared driveway in order to receive approval from the Planning Commission and City Council. This can either be accomplished via their removal, or the approval of a variance. Additionally, in its Housing Chapter, the City lists a number of objectives relating to the larger goal of maintaining the quality of housing in the city (p. 3-21). With an infill development project like this one, staff is happy to see the reinvestment going back into the property and the creation of new housing stock, with the caveat that this new housing must meet the high standards established by the City for its single-family homes.

In order to constitute practical difficulties:

1. The property owner must propose to use the property in a reasonable manner.

Front Setback: Staff finds the request to keep the home in line with others along the block reasonable.

Accessory Structures: It is reasonable for a homeowner to want an indoor garage, however given the existing two-car garage on the site, additional covered parking may be more of a luxury than a reasonable need.

Curb cut and Driveway: Storage of recreational vehicles is allowed in the side and rear yards of residential homes when properly screened, however secondary curb cuts and accesses are rarely supported by the City's Engineering staff on residential lots. Those curb cuts predating the current code language carry the normal restriction of legal non-conformities in that they cannot be expanded and must be removed in cases of replatting or major additions. Such curb cuts have been removed throughout the City as part of the street reconstruction program since the limitation was adopted in 2010.

2. The landowners' problem must be due to circumstances unique to the property that is not caused by the landowner.

Front Setback: The City's acquisition of additional right-of-way was not an active choice made by the property owner, and does result in creating a shallower lot to build on compared to surrounding properties.

Accessory Structures: Other than the existing location and size of the detached garage the applicant wishes to keep in place on 1435 Rhode Island, the lot itself is of a standard size and with relatively even topography. The existing garage is being kept as a choice of the property owner, and staff sees no other unique challenges with the lot otherwise.

Curb Cut and Driveway: Due to the proximity of the structure at 1421 Rhode Island to the south property line (12.5 feet), there is limited potential to extend the driveway connecting

to the garage to allow for access to the rear of the home itself, especially for larger recreational vehicles. Parking along the street is not a unique issue to this property however, and is by itself not a justification for retaining the curb cut.

3. And the variance, if granted, must not alter the essential character of the locality

Front Setback: Staff feels that by reducing the setback to bring the home in line with others along the block would make the new home less likely to feel out of place with surrounding properties.

Accessory Structures: The attached garage would not drastically alter the appearance of the home on the lot in comparison to other similar sized homes. The additional 11 square feet of area would not likely be noticeable.

Curb Cut and Driveway: Existing grandfathered curb cuts and driveways along property lines are somewhat common in some of the City's older single-family neighborhoods, where they were put in place prior to changes to the City code. The Board has rarely approved variances to bring these into conformity as the City would prefer that they be replaced over time by paved driveways that conform with standard code language.

Additionally, staff assesses whether other options are available to meet the applicant's needs without requiring a variance. Staff finds that in the case of the accessory structure size request, the 11 sq. ft. that exceed the required maximum of 1,000 sq. ft. could likely be met by reducing the width of the attached garage structure by as little as a foot. This would still leave sufficient room to pull in an average size vehicle, and with the garage being 16 feet in depth, would save more than the 11 square feet necessary.

Lastly, staff assesses whether the proposal requests the smallest variance necessary to meet the applicant's needs. Staff agrees with the applicant that for all cases other than the accessory structure size, these requests represent the most minimal feasible to suit the applicant's needs.

Additional Staff Comments

The City's Engineering staff are not in support of the curb cut or driveway setback variance. They note that a driveway across a property line will cause future problems if and when either property is sold. Not only does it not meet the 3 foot offset from the property line, it crosses the property line. It is also a second curb cut for both properties, which is prohibited by City Code without a legal second garage. If the owner wants to construct a permitted garage on the property, then a second curb cut may be allowed, but it is still in conflict with the property line and therefore, needs to be removed or relocated when plans for a new garage have been approved and permitted.

Recommendation

Staff recommends **approval** of the variance request of 10 feet off the required 35 feet to a distance of 25 feet at its closest point to the front yard (east) property line.

Staff recommends **denial** of the variance request of 11 feet off the maximum allowed accessory structure area of 1,000 to a total area of 1,011.

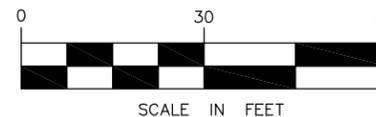
Staff recommends **denial** of the variance request of a waiver of the second garage requirement in order to keep an existing secondary curb cut.

Staff recommends **denial** of the variance request of 3 feet off the required 3 feet to a distance of 0 feet at the paved area's closest point to the side yard property line.



CERTIFICATE OF SURVEY

-for-
TAYLOR WARD



Call 48 Hours before digging
GOPHER STATE ONE CALL

Twin Cities Area 651-454-0002
MN. Toll Free 1-800-252-1166

LEGEND

- DENOTES FOUND PROPERTY IRON
- DENOTES SET 1/2" X 18" REBAR WITH PLASTIC CAP "PLS 25105"
- DENOTES BOUNDARY LINE
- - - DENOTES LOT LINE
- - - DENOTES SETBACK LINE
- x999.99 DENOTES EXISTING SPOT ELEVATION
- DENOTES CONCRETE SURFACE
- - - 999 DENOTES EXISTING CONTOUR LINE
- FFE DENOTES FINISH FLOOR ELEVATION
- DENOTES BITUMINOUS SURFACE
- DENOTES DECIDUOUS TREE
- DENOTES CONIFEROUS TREE
- DENOTES CHAINLINK FENCE
- DENOTES WOOD FENCE
- ~ DENOTES PVC FENCE
- DENOTES ELECTRIC POWER POLE
- (M) DENOTES MEASURED DISTANCE
- (P) DENOTES PLATTED DISTANCE
- ⊙ DENOTES SANITARY MANHOLE
- ⊕ DENOTES ELECTRIC METER
- ⊕ DENOTES AIR CONDITIONER
- ← DENOTES DRAINAGE FLOW
- ⊕ DENOTES GAS METER
- ⊕ DENOTES GAS METER
- OE— DENOTES OVERHEAD ELECTRIC

LEGAL DESCRIPTION

Lot 1, Block 1, RALPH ADDITION, Hennepin County, Minnesota, according to the recorded plat thereof.

HARDCOVER

EXISTING BUILDING	3,274 SQ. FT.
EXISTING CONCRETE SURFACE	1,591 SQ. FT.
EXISTING BITUMINOUS SURFACE	1,635 SQ. FT.
TOTAL LOT AREA	21,402 SQ. FT.
EXISTING HARDCOVER	30.4 %

BUILDING SETBACKS

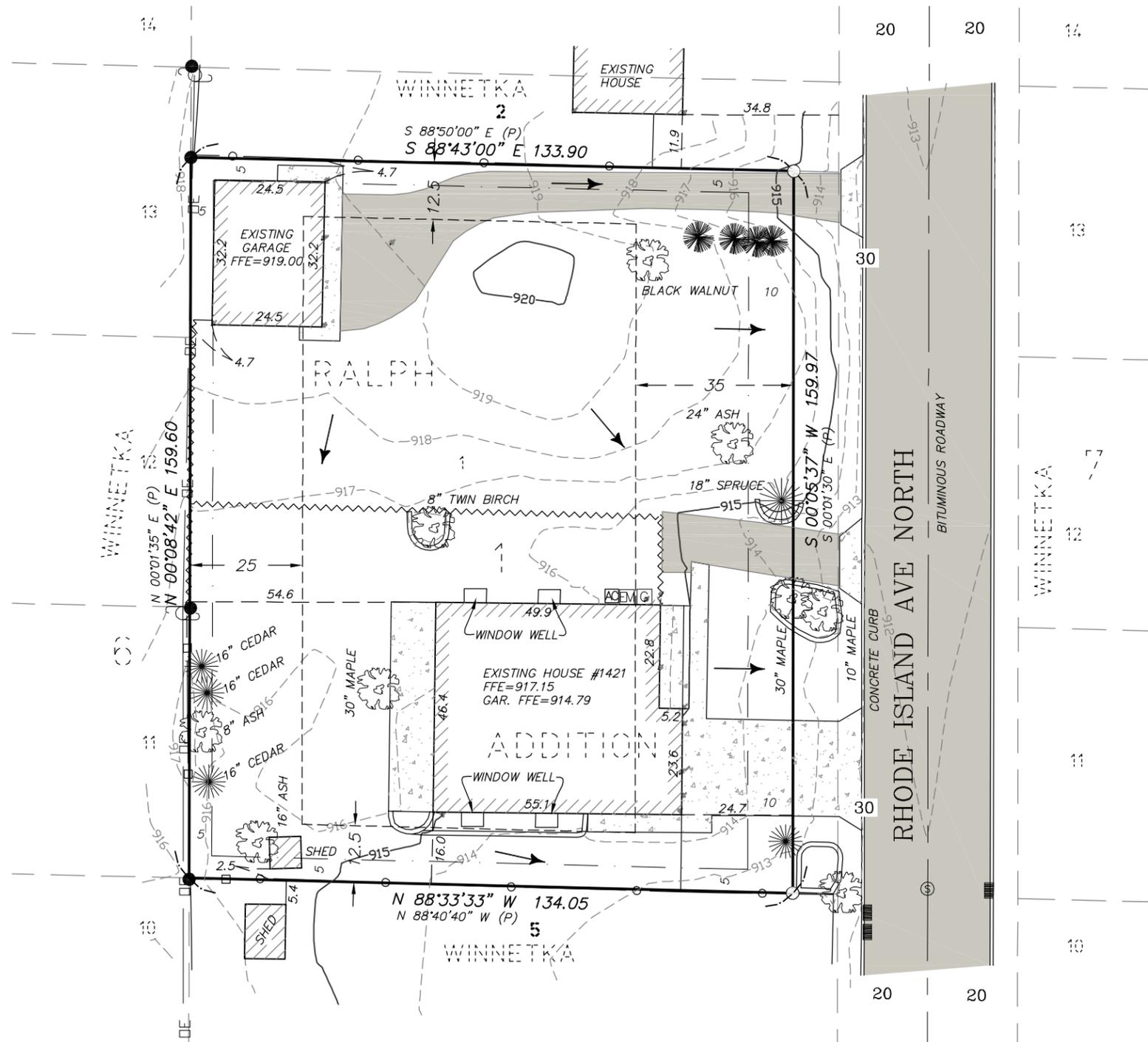
ZONING: R1 = SINGLE FAMILY DISTRICT
 HOUSE: FRONT = 35 FT
 SIDE = 12.5 FT
 REAR = 25 FT
 ACCESSORY: FRONT = 35 FT
 SIDE/REAR = 5 FT

REFERENCE BENCHMARK

ELEVATION = 916.97 (NGVD 29) MNDOT DISK
 "WINETKA RM1" NW QUADRANT OF NORTH
 FRONTAGE ROAD AND SUMTER AVE SOUTH.

NOTES

1. THE BASIS OF THE BEARING SYSTEM IS ASSUMED.
2. NO SPECIFIC SOIL INVESTIGATION HAS BEEN COMPLETED
3. CONTRACTOR SHALL VERIFY PROPOSED ELEVATIONS.
4. NO TITLE INFORMATION WAS PROVIDED FOR THIS SURVEY. THIS SURVEY DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD.
5. EXISTING UTILITIES AND SERVICES SHOWN HEREON OWNER LOCATED EITHER PHYSICALLY ON THE GROUND DURING THE SURVEY OR FROM EXISTING RECORDS MADE AVAILABLE TO US OR BY RESIDENT TESTIMONY. OTHER UTILITIES AND SERVICES MAY BE PRESENT. VERIFICATION AND LOCATION OF UTILITIES AND SERVICES SHOULD BE OBTAIN FROM THE OWNERS OF RESPECTIVE UTILITIES BY CONTACTING GOPHER STATE ONE CALL AT (651) 454-0002 PRIOR TO ANY DESIGN, PLANNING OR EXCAVATION.

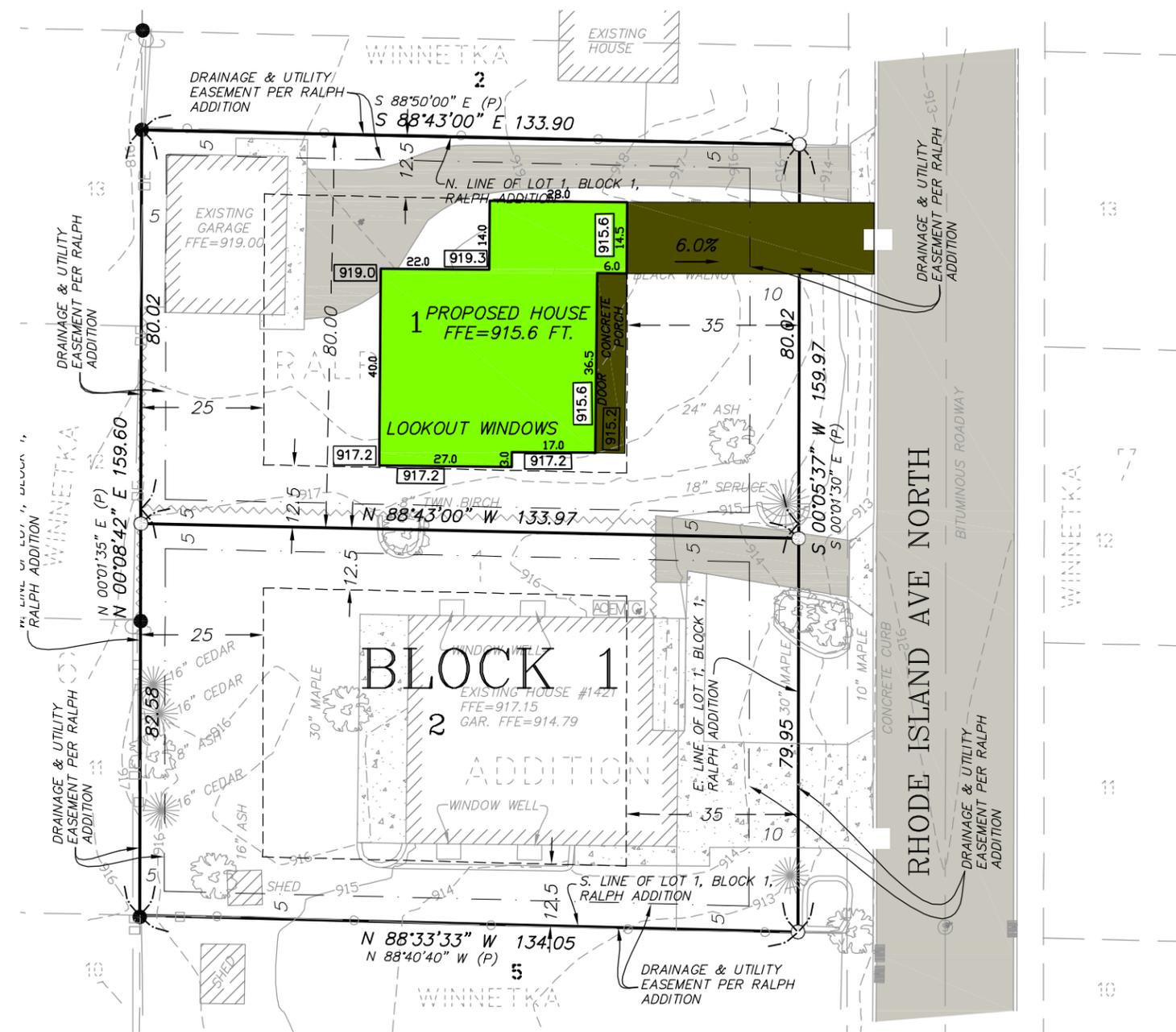
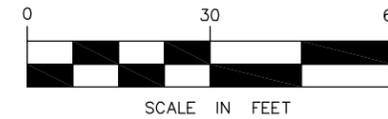


NO.	DATE	DESCRIPTION	BY

SITE PLAN

-for- TAYLOR WARD

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 Twin Cities Area 651-454-0002
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- OE— DENOTES OVERHEAD ELECTRIC
- xxx.x DENOTES PROPOSED ELEVATION
- ★ DENOTES TREE TO BE REMOVED
- DENOTES PROPOSED SILT SOCK
- DENOTES PROPOSED ROCK ENT.
- xxx.x DENOTES PROPOSED CONTOUR

PROPOSED HARDCOVER

PROPOSED HOUSE	2,104 SQ. FT.
EXISTING GARAGE	787 SQ. FT.
PROPOSED CONCRETE DRIVEWAY	508 SQ. FT.
EXISTING BITUMINOUS SURFACE	1,635 SQ. FT.
TOTAL IMPERVIOUS	5,034 SQ. FT.
TOTAL LOT AREA	21,402 SQ. FT.
EXISTING HARDCOVER	30.4 %

REFERENCE BENCHMARK

ELEVATION = 916.97 (NGVD 29) MNDOT DISK
 "WINETKA RM1" NW QUADRANT OF NORTH
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 HOUSE: FRONT = 35 FT
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 REAR = 25 FT
 ACCESSORY: FRONT = 35 FT
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EXISTING HARDCOVER

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NO.	DATE	DESCRIPTION	BY

ENGINEERING DESIGN & SURVEYING
 6480 Wayzata Blvd. Minneapolis, MN 55426
 OFFICE: (763) 545-2800 FAX: (763) 545-2801
 EMAIL: info@edsmn.com WEBSITE: http://edsmn.com

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Vlad Sivriver
 VLADIMIR SIVRIVER L.S. NO. 25105 DATED: 02/15/20

JOB NAME: TAYLOR WARD	FIELD WORK DATE: 1/28/2020	DRAWN BY: CG	PROJECT NO.: 20-005
LOCATION: 1421 RHODE ISLAND AVE. N. GOLDEN VALLEY, MN 55427	FIELD BOOK NO.: EDS-13	CHECKED BY: VS	SHEET NO. 1 OF 2

PLANNING APPLICATION



Zoning Code Variance

Street address of property in this application:

1425 Rhode Island Ave N, Golden Valley MN 55427

APPLICANT INFORMATION

Name (individual, or corporate entity):

Taylor Ward

Address:

1421 Rhode Island Ave N, Golden Valley, MN 55427

Phone number:

218-259-3601

Email address:

Taylorward5@hotmail.com

Authorized Representative (if other than applicant):

Name:

Address:

Phone number:

Email address:

Property Owner (if other than applicant):

Name:

Address:

Phone number:

Email address:

SITE INFORMATION

Provide a detailed description of the variance(s) being requested:

I am asking for a variance of an additional 13sqft of garage space on the proposed house to be built at 1435 Rhode Island ave N. That address will be the new lot North of 1425. I have attached a proposed drawing showing the proposed house and attached garage. Currently on the property a second garage to the back NW corner was built prior to my ownership. The garage is a newer 2x6 construction and was in very good structural condition which made my decision not to tear it down.

Provide a detailed description of need for a variance from the Zoning Code, including description of building(s), description of proposed addition(s), and description of proposed alteration(s) to property:

I am asking for a variance to the 1000sqft total allowed garage space measured from the outside of the structure. I am looking for an additional 13sqft to hopefully make the garage attached to the new house usable for a midsize car. The current garage is 788.9 sqft leaving me 211.1 sqft to build a garage onto the proposed new home. In the attached drawing you will see I have a proposed area of 224 sqft from what Jason Zimmerman from the City of Golden Valley has informed me of. This being 13sqfr over the allotted 1000sqft total. Im asking for a small variance to keep the attached garage usable for a car and not to have to walk outside in the winter to the detached garage to get my vehicle. Also helping possible resale value in the feture.

Zoning Code Variance (continued)

Minnesota State Statute 462.357 requires that a property exhibit “practical difficulties” in order for a variance to be considered. Practical difficulties:

- result in a use that is reasonable
- are based on a problem that is unique to the property
- are not caused by the landowner
- do not alter the essential character of the locality

To demonstrate how your request will comply with Minnesota State Statute 462.357, please respond to the following questions.

Explain the need for your variance request and how it will result in a reasonable use of the property.

The variance will allow better use of the attached garage for my personal car, I am also building under size on the allowed building envelope for the property which means I’m also not asking to cut into the impervious allowance. This will also keep the resale of the property more desirable since most people like the convenience of an attached garage. I think the small amount of sqft is a reasonable request.

What is unique about your property and how do you feel that it necessitates a variance?

The property came with a very well-built detached garage that was not worth tearing down since it has good use, but it cannot be built onto the proposed house. I’m asking to build a reasonable single stall garage onto the new home well under the building envelope of the property but only 13sqft over the 1000sqft garage allowance.

Explain how the need for a variance is based on circumstances that are not a result of a landowner action.

It was not my action to build the already existing garage on the property. I’m simply asking to be able to build a reasonable size single stall attached garage to the proposed house that will be slightly over the allowed sqft.

Explain how, if granted, the proposed variance will not alter the essential character of your neighborhood and Golden Valley as a whole.

This variance will not alter the character of the neighborhood because almost all new builds in the area have an attached garage and or most houses have an attached garage do to the fact that most people don’t like to walk outside in the winter to retrieve their car or personal items being stored. I think the proposed house will fit in very well in the neighborhood and golden valley as a whole.

Zoning Code Variance (continued)

The City requests that you consider all available project options permitted by the Zoning Code before requesting a variance. The Board of Zoning Appeals will discuss alternative options to seeking variance with you at the public hearing. Please describe alternate ways to do your project that do not require variances from the Zoning Code.

I believe that with the little bit of sqft that I'm requesting for a variance and given the existing conditions of the property width It's a very reasonable request. Being that I'm under the building envelope allowed and asking for a little extra storage to store my car and personal belongings out of sight and the elements. The building code measures off outside measurements, so the actual sqft that's usable and over the 1000 total is less.

REQUIRED ATTACHMENTS

- Current survey of your property, including proposed addition and new proposed building and structure setbacks (a copy of Golden Valley's survey requirements is available upon request; application considered incomplete without a current property survey)
- One current color photograph of the area affected by the proposed variance (attach a printed photograph to this application or email a digital image to planning@goldenvalleymn.gov; submit additional photographs as needed)
- Fee: \$200 application fee for Single-Family Residential, \$300 application fee for all other Zoning Districts
- Legal description: Exact legal description of the land involved in this application (attach a separate sheet if necessary):

SIGNATURES

To the best of my knowledge the statements found in this application are true and correct. I also understand that unless construction of the action applicable to this variance request, if granted, is not taken within one year, the variance expires. I have considered all options afforded to me through the City's Zoning Code and feel there is no alternate way to achieve my objective except to seek a variance to zoning rules and regulations. I give permission for Golden Valley staff, as well as members of the Board of Zoning Appeals, to enter my property before the public hearing to inspect the area affected by this request. Please include printed name, signature, and date for applicant, authorized representative (if other than applicant), or property owner (if other than applicant).

Name of Applicant (please print): _____

Signature of Applicant: _____

Date: _____

Authorized Representative (if other than applicant)

Name (please print): _____

Signature: _____

Date: _____

Property Owner (if other than applicant)

Name (please print): _____

Signature: _____

Date: _____

Please note: The City of Golden Valley will send notice of your variance request to all adjoining property owners as well as owners of properties directly across streets or alleys. Your neighbors have the right to address the Board of Zoning Appeals at your public hearing. You are advised to personally contact your neighbors and explain your project to them before the public hearing.



This document is available in alternate formats upon a 72-hour request. Please call 763-593-8006 (TTY: 763-593-3968) to make a request. Examples of alternate formats may include large print, electronic, Braille, audiocassette, etc.



PLANNING APPLICATION

Zoning Code Variance

Street address of property in this application:

1425 Rhode Island Ave N, Golden Valley MN 55427

APPLICANT INFORMATION

Name (individual, or corporate entity):

Taylor Ward

Address:

1421 Rhode Island Ave N, Golden Valley, MN 55427

Phone number:

218-259-3601

Email address:

Taylorward5@hotmail.com

Authorized Representative (if other than applicant):

Name:

Address:

Phone number:

Email address:

Property Owner (if other than applicant):

Name:

Address:

Phone number:

Email address:

SITE INFORMATION

Provide a detailed description of the variance(s) being requested:

We have a second driveway that is used for access to store our boats and trailers behind our gated fence area to be in compliance with the zoning ordinance codes of Golden Valley. This is the only access we have to the gated fenced in area that allows us access to store our boats and trailers.

Provide a detailed description of need for a variance from the Zoning Code, including description of building(s), description of proposed addition(s), and description of proposed alteration(s) to property:

We need this driveway to access the gated fenced in area to the North side of the property. Allowing up to be in compliance with the zoning ordinance of Golden Valley to conceal our boats and trailers.

Zoning Code Variance (continued)

Minnesota State Statute 462.357 requires that a property exhibit “practical difficulties” in order for a variance to be considered. Practical difficulties:

- result in a use that is reasonable
- are based on a problem that is unique to the property
- are not caused by the landowner
- do not alter the essential character of the locality

To demonstrate how your request will comply with Minnesota State Statute 462.357, please respond to the following questions.

Explain the need for your variance request and how it will result in a reasonable use of the property.

This driveway is access to the gated area to remain in compliance with the zoning ordinance codes of Golden Valley. If it was to be removed then the yard will be ruined with ruts when backing our boat and trailer in behind the fence.

What is unique about your property and how do you feel that it necessitates a variance?

Once again it allows us to be in compliance with the Golden Valley zoning ordinance codes. This driveway has allowed us to comply with the zoning ordinance codes. Without the driveway we will not be able to access the fenced in area and will not be able to store and conceal our boats and trailers.
We would like to build a utility garage which the city zoning codes allows 2 curb cuts accesses.

Explain how the need for a variance is based on circumstances that are not a result of a landowner action.

The second driveway was there when we purchased the home and was approved when the previous homeowner built the newer home. The previous owner was allowed to keep the second driveway when he built the home around 2009.

Explain how, if granted, the proposed variance will not alter the essential character of your neighborhood and Golden Valley as a whole.

It is an asset to be able to conceal and store our personal property to comply with the zoning ordinance. Our neighbors have many vehicles and the street at times is not passable for 2 vehicles going opposite directions. It is very congested; In the winter it allows us to park extra vehicles so that the street remains clear for snow removal. It has never been an issue with the neighbors or neighborhood. During family gatherings it allows 2 additional parking spots for cars off of the street.

Zoning Code Variance (continued)

The City requests that you consider all available project options permitted by the Zoning Code before requesting a variance. The Board of Zoning Appeals will discuss alternative options to seeking variance with you at the public hearing. Please describe alternate ways to do your project that do not require variances from the Zoning Code.

The only access we have to the gated fenced area to store and conceal our personal property is from the second curb cut driveway.

REQUIRED ATTACHMENTS

- Current survey of your property, including proposed addition and new proposed building and structure setbacks (a copy of Golden Valley's survey requirements is available upon request; application considered incomplete without a current property survey)
- One current color photograph of the area affected by the proposed variance (attach a printed photograph to this application or email a digital image to planning@goldenvalleymn.gov; submit additional photographs as needed)
- Fee: \$200 application fee for Single-Family Residential, \$300 application fee for all other Zoning Districts
- Legal description: Exact legal description of the land involved in this application (attach a separate sheet if necessary):

SIGNATURES

To the best of my knowledge the statements found in this application are true and correct. I also understand that unless construction of the action applicable to this variance request, if granted, is not taken within one year, the variance expires. I have considered all options afforded to me through the City's Zoning Code and feel there is no alternate way to achieve my objective except to seek a variance to zoning rules and regulations. I give permission for Golden Valley staff, as well as members of the Board of Zoning Appeals, to enter my property before the public hearing to inspect the area affected by this request. Please include printed name, signature, and date for applicant, authorized representative (if other than applicant), or property owner (if other than applicant).

Name of Applicant (please print): _____

Signature of Applicant: _____

Date: _____

Authorized Representative (if other than applicant)

Name (please print): _____

Signature: _____

Date: _____

Property Owner (if other than applicant)

Name (please print): _____

Signature: _____

Date: _____

Please note: The City of Golden Valley will send notice of your variance request to all adjoining property owners as well as owners of properties directly across streets or alleys. Your neighbors have the right to address the Board of Zoning Appeals at your public hearing. You are advised to personally contact your neighbors and explain your project to them before the public hearing.



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From: [REDACTED]
To: [Campbell, Myles](#)
Cc: [REDACTED]
Subject: property at 1421-1435 Rhode Island Ave. No.
Date: Thursday, May 21, 2020 11:24:50 AM

Dear Mark:

My name is Connie Clayman, and I live at 1432 Rhode Island Ave. No, directly across the street from the above address. We have lived here since October, 1967, when we bought the house from the builder. Therefore, I am very familiar with the neighborhood.

My neighbors across the street want to build a new house, and the issue of a driveway has come up. This is a driveway that has been very useful to the neighborhood. It doesn't interfere with anything. My next door neighbors at 1438 Rhode Island have three daughters, and they all have cars. It has provided extra space to keep all the cars off the street. It is helpful in the winter when the snow plows come through. It is an asset! I wish I had a driveway like that! Please allow the Ward's to keep the driveway. We all benefit.

Thank you for your time.

Sincerely,

Connie Clayman
Sent from [Outlook](#)

Photos submitted by applicant

p. 1 Boat and Existing Driveway

p. 2-5 evening traffic/parking examples

p. 6-8 Shared/Zero Lot Line Driveways





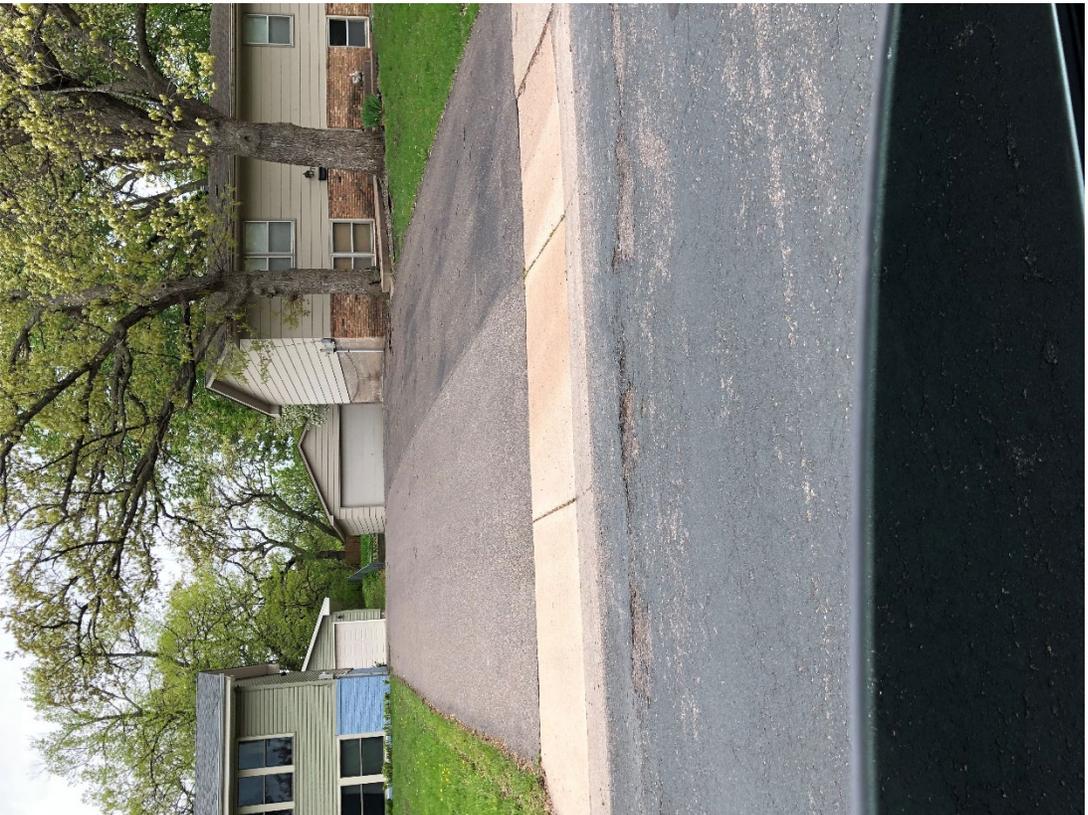














PLANNING APPLICATION



Zoning Code Variance

Street address of property in this application:

1425 Rhode Island Ave N, Golden Valley MN 55427

APPLICANT INFORMATION

Name (individual, or corporate entity):

Taylor Ward

Address:

1421 Rhode Island Ave N, Golden Valley, MN 55427

Phone number:

218-259-3601

Email address:

Taylorward5@hotmail.com

Authorized Representative (if other than applicant):

Name:

Address:

Phone number:

Email address:

Property Owner (if other than applicant):

Name:

Address:

Phone number:

Email address:

SITE INFORMATION

Provide a detailed description of the variance(s) being requested:

To have the new home set back at 25 ft instead of the 35 foot that is currently zoned that will be in line with the existing neighboring homes.

Provide a detailed description of need for a variance from the Zoning Code, including description of building(s), description of proposed addition(s), and description of proposed alteration(s) to property:

The current code only existing on the new plot is 35 feet unlike my current home that is next to the new plot at only 25 feet along with the other homes in the neighborhood. The 25 foot easement set back is more than enough for new development for future city or utility expansion.

Zoning Code Variance (continued)

Minnesota State Statute 462.357 requires that a property exhibit “practical difficulties” in order for a variance to be considered. Practical difficulties:

- result in a use that is reasonable
- are based on a problem that is unique to the property
- are not caused by the landowner
- do not alter the essential character of the locality

To demonstrate how your request will comply with Minnesota State Statute 462.357, please respond to the following questions.

Explain the need for your variance request and how it will result in a reasonable use of the property.

I am requesting that the house be moved towards the front set back at 25 feet to keep in compliance and consistency with the rest of the neighborhood. This will allow more space in the backyard for our three young children to play safely and for ease of accessibility to the existing garage.

What is unique about your property and how do you feel that it necessitates a variance?

There is an existing garage in the back corner of the property. We do not feel it is environmental or economical to tear down the garage because it is a solid well-built structure. Also, it is the only house in the neighborhood with the 35 foot set back.

Explain how the need for a variance is based on circumstances that are not a result of a landowner action.

The property has an existing garage that is well-built and engineered. The existing garage helps with the need for storage and vehicles. We are not looking for an advantage but rather to conform our new home to the existing neighborhood.

Explain how, if granted, the proposed variance will not alter the essential character of your neighborhood and Golden Valley as a whole.

If not granted the variance, our home will not have the same set back as the other neighboring Golden Valley homes at 25 feet. It will be non-conforming to the rest of the neighborhood and set it apart. We are looking to be consistent and have more space in the backyard to keep our children safe and secure away from the street and it will create less impervious surface with a shorter driveway on a new house to allow more green space and less hard cover.

Zoning Code Variance (continued)

The City requests that you consider all available project options permitted by the Zoning Code before requesting a variance. The Board of Zoning Appeals will discuss alternative options to seeking variance with you at the public hearing. Please describe alternate ways to do your project that do not require variances from the Zoning Code.

Not having the variance will set the new home apart from the other neighboring homes and will reduce the use of our backyard and safety of our children. We believe there is no alternative, but the variance will still allow plenty of room in the front for the 10ft easement.

REQUIRED ATTACHMENTS

- Current survey of your property, including proposed addition and new proposed building and structure setbacks (a copy of Golden Valley's survey requirements is available upon request; application considered incomplete without a current property survey)
- One current color photograph of the area affected by the proposed variance (attach a printed photograph to this application or email a digital image to planning@goldenvalleymn.gov; submit additional photographs as needed)
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- Legal description: Exact legal description of the land involved in this application (attach a separate sheet if necessary):

SIGNATURES

To the best of my knowledge the statements found in this application are true and correct. I also understand that unless construction of the action applicable to this variance request, if granted, is not taken within one year, the variance expires. I have considered all options afforded to me through the City's Zoning Code and feel there is no alternate way to achieve my objective except to seek a variance to zoning rules and regulations. I give permission for Golden Valley staff, as well as members of the Board of Zoning Appeals, to enter my property before the public hearing to inspect the area affected by this request. Please include printed name, signature, and date for applicant, authorized representative (if other than applicant), or property owner (if other than applicant).

Name of Applicant (please print): _____

Signature of Applicant: _____

Date: _____

Authorized Representative (if other than applicant)

Name (please print): _____

Signature: _____

Date: _____

Property Owner (if other than applicant)

Name (please print): _____

Signature: _____

Date: _____

Please note: The City of Golden Valley will send notice of your variance request to all adjoining property owners as well as owners of properties directly across streets or alleys. Your neighbors have the right to address the Board of Zoning Appeals at your public hearing. You are advised to personally contact your neighbors and explain your project to them before the public hearing.



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MEMORANDUM
Physical Development Department
763-593-8095 / 763-593-8109 (fax)

Date: May 26, 2019
To: Golden Valley Board of Zoning Appeals
From: Myles Campbell, Planner
Subject: 4725 Olson Memorial Highway
Mike Olson, Applicant

Introduction

Mike Olson and Brit Amundson, of TreHus Builders, Inc. are seeking four variances from the City Code to make a series of improvement at 4725 Olson Memorial Highway. The applicant is seeking the following variances from City Code:

Variance Request	City Code Requirement
The applicant is requesting a variance of 10 feet off the required 30 feet to a distance of 20 feet at its closest point to the side yard (west) property line.	§ 113-95, Office (BPO) Zoning District, Subd. (g)(1)(c), <i>Side and Rear Setbacks</i> . Accessory structures shall be located no less than the required setback for principal structures in the Office Zoning District from a side or rear lot line.
The applicant is requesting a variance of 10 feet off the required 35 feet to a distance of 25 feet at its closest point to the front yard (west) property line.	§ 113-95, Office (BPO) Zoning District, Subd. (f)(1)(b)(2), <i>Principal Structures</i> . For lots adjoining an R-3, R-4, Office, or Institutional Zoning District, the required side yards shall be no less than 30 feet in width and the required rear yards shall be no less than 30 feet in depth.
The applicant is requesting a waiver of the front yard landscaped area requirement	§ 113-151, Off-Street Parking and Loading, Subd. (b)(9), <i>Landscaping; Internal and External</i> . The

<p>for the added accessible spaces off of the frontage road.</p>	<p>minimum required landscaped areas, within which there shall be no parking or drive aisles (except driveway access from street) in R-3, R-4, Institutional, Office, Commercial, Light Industrial, and Industrial Zoning Districts, shall be:</p> <p>a. External Landscaping. 1. Front yard: 35 feet.</p>
<p>The applicant is requesting a variance of 3 parking spaces of the required 36 spaces required for the lot.</p>	<p>§ 113-151, Off-Street Parking and Loading, Subd. (c), <i>Minimum Number of Required Off-Street Parking Spaces</i>. Offices – 1 space per 250 s.f. of gross floor area.</p>

Background

4725 Olson Memorial Highway is located at the end of a frontage road for the highway of the same name. The frontage road is located to the south of the actual highway, although the northern lot line of this lot does abut the highway right-of-way. The original building was built in 1960 and has seen some minor alterations and improvements in subsequent years. The building footprint is approximately 4,608 sq. ft. today. Over the building’s two stories, the gross sq. ft. is 9,216. The lot has a deeded total sq. ft. of 38,583 or around 0.89 acres. Parking on the lot is located to the south and southwest of the existing building. 28 parking spaces are currently striped and provided.

In 2000, a variance was applied for and approved for a significant expansion of the principal building. The expansion would have added approximately 3,000 sq. ft. to the building’s footprint, but this was never acted upon after the variance’s approval. This variance did however bring the parking lot’s location along the west and south property lines into conformance with the City Code. Additional proof of parking was demonstrated at the time to the east of the building in order to meet the added demand of the building’s planned expansion.

Summary of Requests

The applicant is seeking to make a number of improvements to the building and site in order to modernize the property to suit their business’ needs. Most of these variance requests stem from the applicant’s desire to construct a new accessory storage structure on the lot, which would measure 994 sq. ft. in area. This meets the area requirements for accessory structures in the Office zoning district, and would be designed in such a way to match the exterior treatments of the existing principal structure.

For accessory structures in the Office Zoning District, the City requires that the structure meet the same side and rear setbacks as the principal structure would. Since the lot abuts another Office zoned use on its west side, the typical setback required would be 30 ft. The applicant is seeking a variance to reduce this amount to 20 ft. For reference, this would be equivalent to the side setback required in the district for lots abutting Light Industrial, Industrial, and Mixed Use zoning districts, as well as railroads. No similar variance is required for the existing parking that is located along the western property line at a functional zero foot setback. As mentioned, this parking location was made compliant via the variance approval in 2000.

Resulting from the new storage building, the site would lose some of its existing parking spaces in the southwest corner of the lot. The applicant is proposing to mitigate this loss of spaces via the reconfiguration of sections of the primary parking area, as well as the new inclusion of two ADA spaces off of the end of the frontage road. The site’s existing ADA handicap parking would then be converted to traditional parking. The applicant does note in their application that the new location of the accessible parking would be both closer to the building’s entrance and require a less significant ramp pitch. That said, the location would require an additional curb cut off of the frontage road and have no landscaped buffer between the frontage road and the spaces themselves, necessitating a variance from the City’s external landscaping requirements for off-street parking.

While the storage building will take up some space in the parking lot, the new configuration as well as the added accessible parking spaces would result in a net gain of spaces on the lot. As shown on the applicant’s site plan, the resulting amount of parking would be 33 total spaces, with two being accessible spaces. In § 113-151, Off-Street Parking and Loading, Subd. (c) of the City Code, the city sets minimum parking at 1 space per 250 sq. ft.

Office Sq. Ft.	Parking Calculation	Required Spaces	Current Spaces Provided	Proposed Spaces Provided
9,216	1 space per 250	36	28	33

Based on the City Code requirements, the applicant would be closer to the required minimum than the current lot, but still three spaces under the required minimum, necessitating a variance approval. Staff considered exploring the possibility of utilizing the proof of parking that was demonstrated in the variance from 2000 but found that this solution was not optimal. Such parking to the rear of the building would only be accessible by a new paved drive running from the end of the frontage road, and parallel along the length of the north side of the office building. Besides eliminating the possibility of the relocated accessible parking, this solution would also add significant hard cover to the site that already has an impervious surface percentage of 47%. Additional variances from the external landscaping requirements would also be required to allow for the drive and parking given their proximity to Olson Memorial Highway.

Finally, the applicant is seeking a ten foot reduction in the principal structure’s front setback in order to expanded an existing overhang at the building’s entrance. The applicant is seeking a larger overhang to improve the aesthetic of the front entrance area and to provide additional protection from rain and the elements.

Analysis

In reviewing this application, staff has maintained the points of examination to the considerations outlined in Minnesota State Statute 462.357 – that the requested variance is in harmony with the general purposes and intent of the Zoning Chapter, that it is consistent with the City’s Comprehensive Plan, and that a property exhibit “practical difficulties” in order for a variance to be granted.

Staff finds that the variances are, generally speaking, in line with both the purpose of the Zoning Code as well as the purpose of the Office Zoning District. These variances are related to the improvement of the property for its use as an office structure, which is in line with the purpose of the zoning district. While the Office Zoning District specifically states its purpose is not “for the sale of or handling of goods, wares, merchandise, or commodities,” staff feels that the storage being requested is clearly defined as accessory to the principal use of the property as an office.

Regarding the City’s 2040 Comprehensive Plan, Staff would highlight one of its objectives from the Land Use Chapter, to “Promote visual quality standards in design and material selection for new development.” The applicant’s materials and plans show a high level of thought and care given to the exterior treatment of both the principal and accessory structure, as well as care given to use the existing site in an efficient manner. For these reasons, staff finds the variance requests consistent.

In order to constitute practical difficulties:

1. The property owner must propose to use the property in a reasonable manner.

Accessory Storage Structure: Accessory structures are allowed in the Office zoning district and otherwise meets the use, size, and design standards from the zoning code.

Front Setback for Overhang: The overhang is reasonable in its design and scale, as well as the desire to update the building’s entrance. Previous variance approvals on this property had been for much more intrusive structures within the required front setback.

Accessible Spaces: The new location of accessible spaces would reduce the distance between the parking spaces and the entrance of the building and have a smaller grade change to the entrance. The location in relation to the frontage road itself does raise some concerns amongst staff as the complete elimination of a landscaped buffer is a significant variance from code.

Parking Provided: While under the required amount, the applicant has increased total parking provided on site while maintaining good circulation thorough the existing lot.

2. The landowners’ problem must be due to circumstances unique to the property that is not caused by the landowner.

Accessory Structure: The lot’s layout does create challenges for locating a detached accessory structure. Theoretically the open area to the east presents the most unused space currently, but the lot narrows as it goes east, and the setbacks from the existing structure and property lines would create issues if not the need for other variances if pursued. Additionally the storage structure’s location in the parking lot is deliberate given the need to move/remove materials from vehicles.

Front Setback: The lot has a unique shape overall and the presence of the cul-de-sac causes the front yard to narrow near the entry to the building.

Accessible Parking and Overall Parking Provided: Given the need for accessible parking to be near the entrance of the building, there are limited options other than the existing location of the accessible parking on-site. Maintaining the current location of the accessible parking is an option, but would result in a lower overall provided parking on site.

As mentioned previously, additional proof of parking was demonstrated to the rear of the building, but this would require a major increase in the hardcover on site, and would itself require variances from either the north property line, or potentially the southern property line if the existing incursion into the rear setback was increased. The existing parking lot is largely built out, and the applicant's plans already have modified the layout to provide some additional spaces.

3. And the variance, if granted, must not alter the essential character of the locality

Accessory Structure: The structure would be designed to match the exterior finishes of the principal structure, and additionally would abut a parking lot on the property to the west, not another building itself. Staff feels this structure would improve the site without detracting from nearby properties.

Front Setback: An updated overhang would be a nice addition to the building's entrance and would match the finishing on the accessory structure. Staff does not feel that it detracts from nearby properties.

Accessible Parking and Overall Parking Provided: Of the proposed actions requiring a variance, this is the item that will have the greatest visual impact from the road, essentially creating a parking pad at the end of the frontage road. Staff does not feel this impacted view would be detrimental, but it would be a change from the current situation.

Additionally, staff assesses whether other options are available to meet the applicant's needs without requiring a variance. Staff does not believe there are options that would satisfy the applicant's needs, though staff believes that the existing overhang could be updated and refreshed without the need to increase the extension into the front yard setback. That said, staff understands this solution would not allow additional protection against the elements.

Lastly, staff assesses whether the proposal requests the smallest variance necessary to meet the applicant's needs. Staff feels that these requests largely represent the smallest variation from the code possible.

Additional Staff Comments

The City's Engineering Staff do not support a variance for the additional parking area constructed off the end of the cul-de-sac. Additional curb cuts are occasionally allowed for driveway access to commercial buildings, but not solely for parking. This is no different than parking bump-outs which are discouraged for private benefit throughout the City.

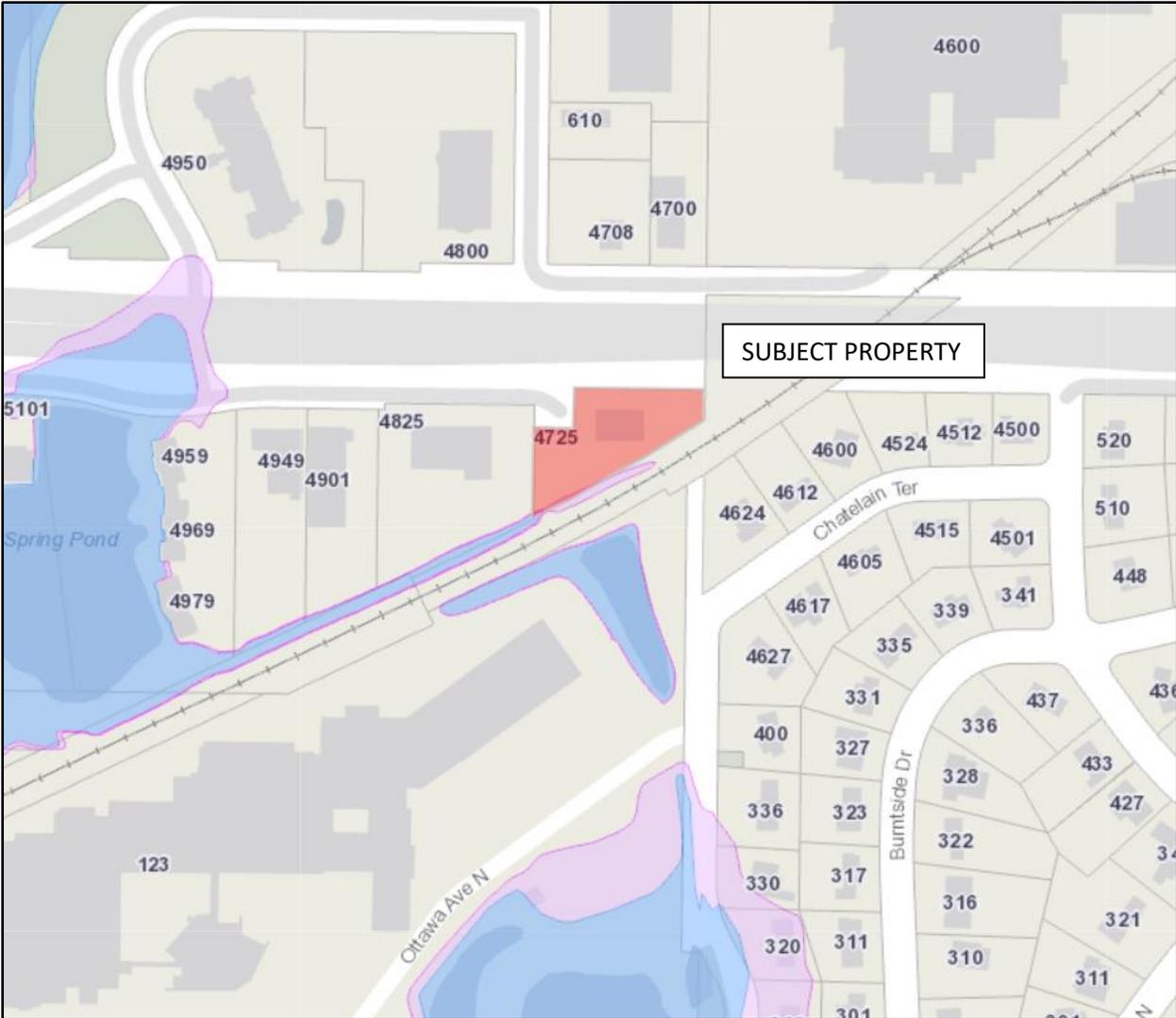
Recommendation

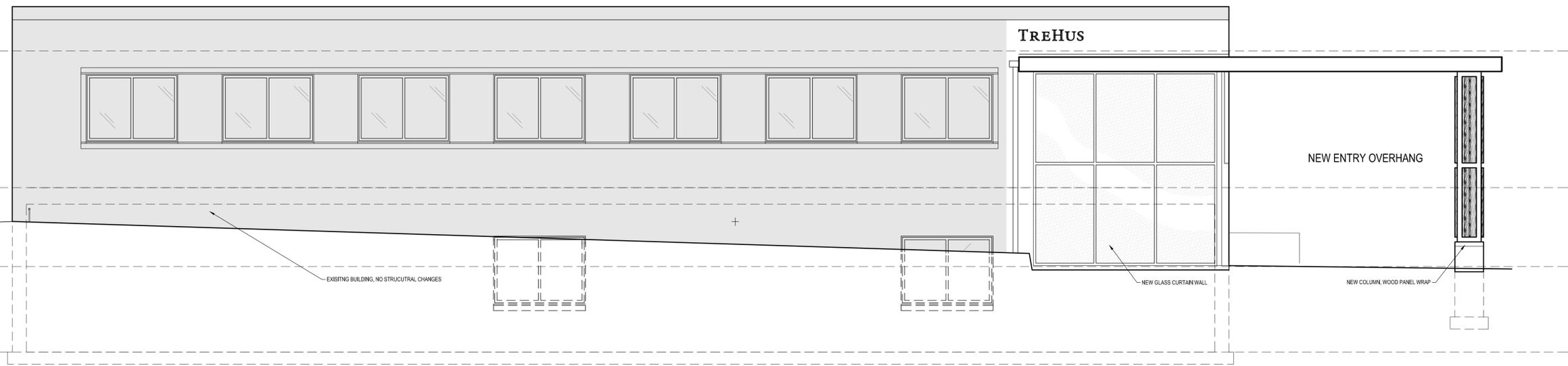
Staff recommends **approval** of the variance of 10 feet off the required 30 feet to a distance of 20 feet at its closest point to the side yard (west) property line.

Staff recommends **approval** of the variance of 10 feet off the required 35 feet to a distance of 25 feet at its closest point to the front yard (west) property line.

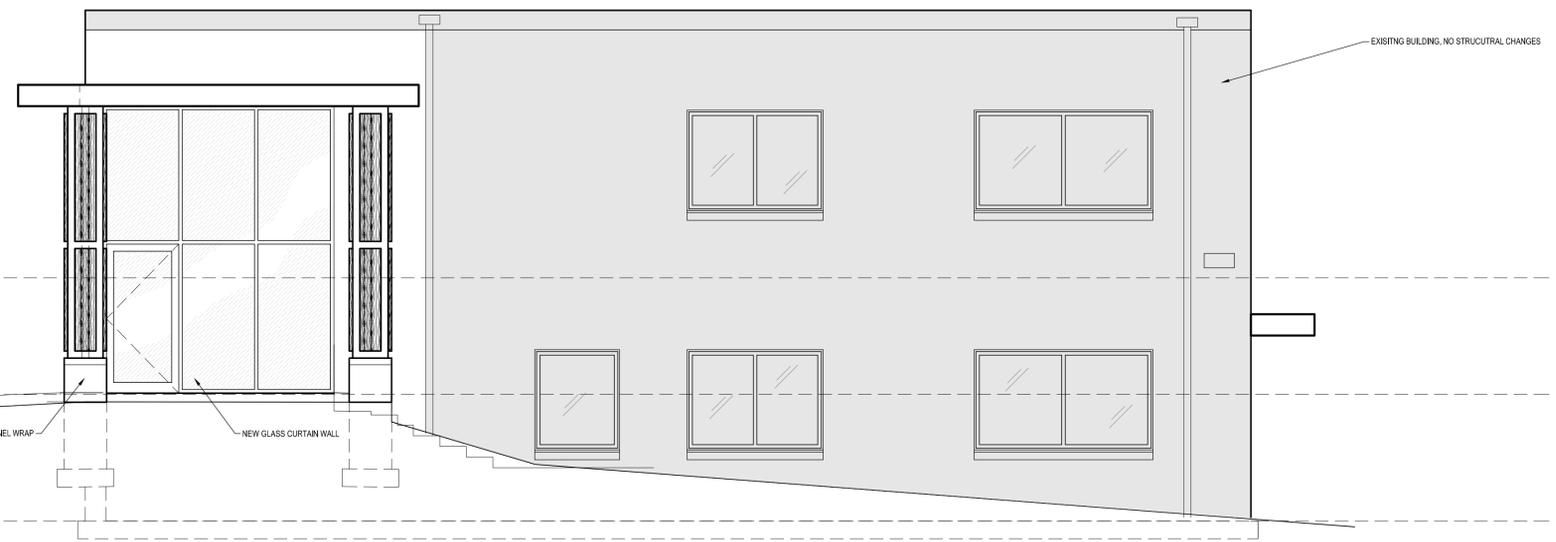
Staff recommends **denial** of the variance of a waiver of the front yard landscaped area requirement for the added accessible spaces off of the frontage road.

Staff recommends **approval** of the variance of 3 parking spaces of the required 36 spaces required for the lot. Additionally, staff is open to increasing this variance approval to 6 spaces of the required 36 in the case that the Board does not approve the preceding variance allowing the new accessible spaces.

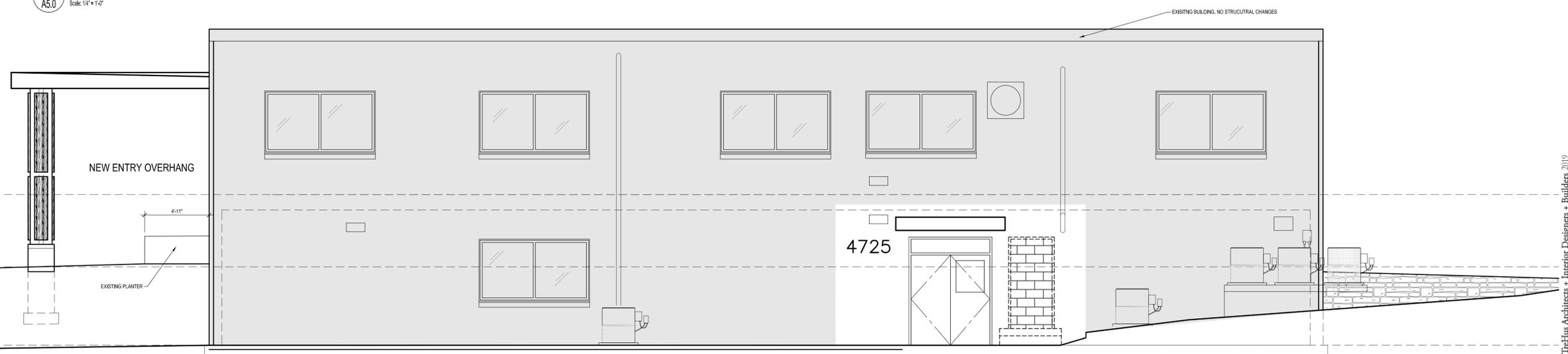




1 NORTH ELEVATION
A5.0 Scale: 1/4" = 1'-0"



2 WEST ELEVATION
A5.0 Scale: 1/4" = 1'-0"



3 SOUTH ELEVATION
A5.0 Scale: 1/4" = 1'-0"

VARIANCE PROPOSAL - TREHUS OFFICES

TREHUS
Architects + Interior Designers + Builders

3017 4th Avenue South,
Minneapolis, MN 55408
612.729.2992
WWW.TREHUS.BIZ

DATE	NOTES
3/4/20	Schematic GSV
	Development
	Bid Set
	Contract Set
	Revised Set

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Architect under the laws of the State of Minnesota.

Print Name: _____

Signature: _____

Date: _____

License #: _____

DMB - Trehus Office
4725 Olson Memorial Highway
Minneapolis, MN 55422

Copyright © Trehus Architects + Interior Designers + Builders 2019



Established 1982 | License BC901474

A5.0

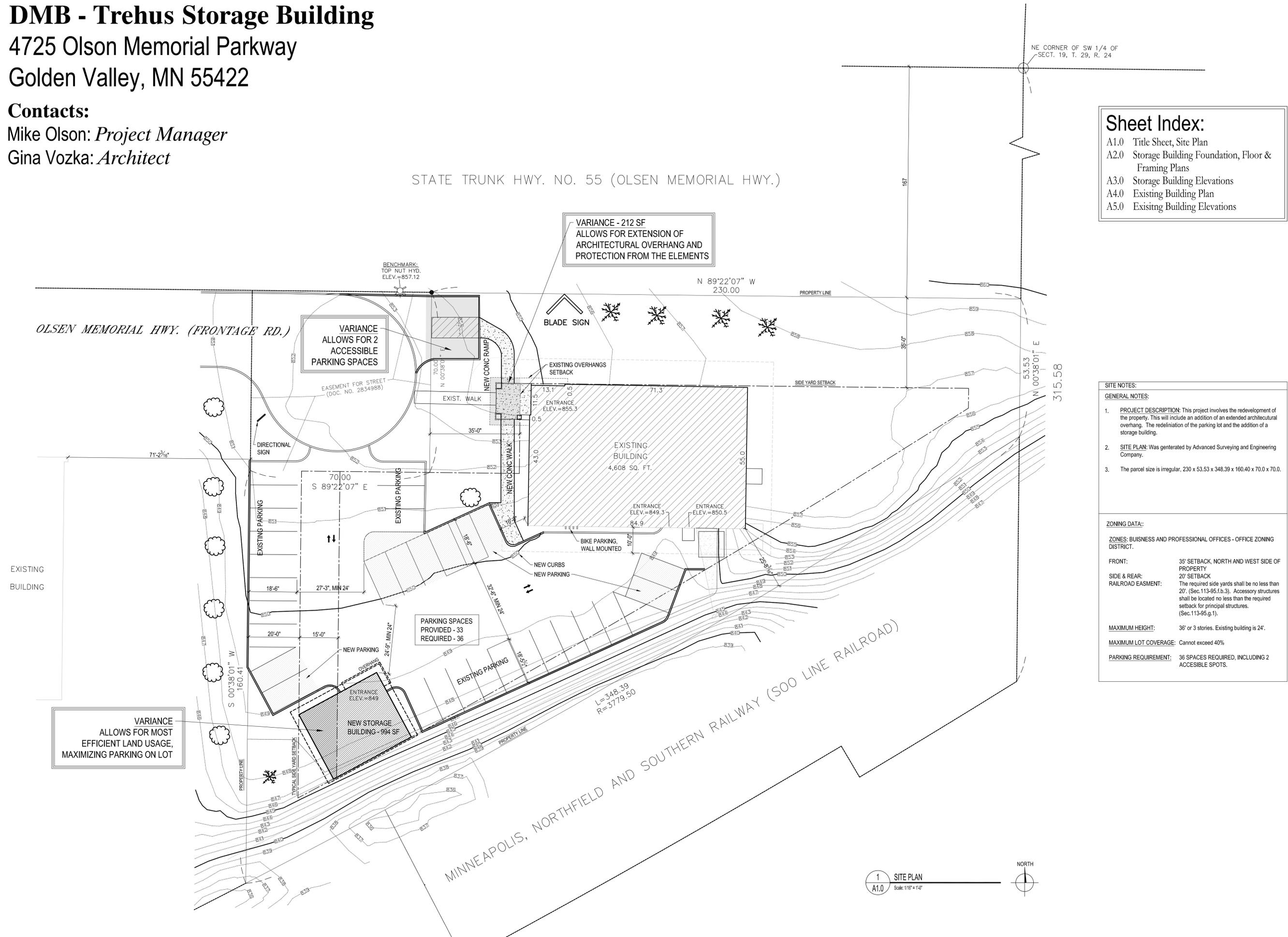
DMB - Trehus Storage Building

4725 Olson Memorial Parkway
Golden Valley, MN 55422

Contacts:

Mike Olson: *Project Manager*

Gina Vozka: *Architect*



Sheet Index:

A1.0	Title Sheet, Site Plan
A2.0	Storage Building Foundation, Floor & Framing Plans
A3.0	Storage Building Elevations
A4.0	Existing Building Plan
A5.0	Existing Building Elevations

SITE NOTES:

GENERAL NOTES:

- PROJECT DESCRIPTION:** This project involves the redevelopment of the property. This will include an addition of an extended architectural overhang. The redelination of the parking lot and the addition of a storage building.
- SITE PLAN:** Was generated by Advanced Surveying and Engineering Company.
- The parcel size is irregular, 230 x 53.53 x 348.39 x 160.40 x 70.0 x 70.0.

ZONING DATA:

ZONES: BUSINESS AND PROFESSIONAL OFFICES - OFFICE ZONING DISTRICT.

FRONT: 35' SETBACK, NORTH AND WEST SIDE OF PROPERTY

SIDE & REAR: 20' SETBACK

RAILROAD EASMENT: The required side yards shall be no less than 20'. (Sec.113-95.f.b.3). Accessory structures shall be located no less than the required setback for principal structures. (Sec.113-95.g.1).

MAXIMUM HEIGHT: 36' or 3 stories. Existing building is 24'.

MAXIMUM LOT COVERAGE: Cannot exceed 40%

PARKING REQUIREMENT: 36 SPACES PROVIDED, INCLUDING 2 ACCESSIBLE SPOTS.

VARIANCE PROPOSAL - TREHUS OFFICES

TREHUS
Architects + Interior Designers + Builders

3017 4th Avenue South,
Minneapolis, MN 55408
612.729.2992
WWW.TREHUS.BIZ

DATE	NOTES
3/4/20	Schematic _____ GSV
	Development _____
	Bed Set _____
	Contract Set _____
	Revised Set _____

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Architect under the laws of the State of Minnesota.

Print Name: _____
Signature: _____
Date: _____
License #: _____

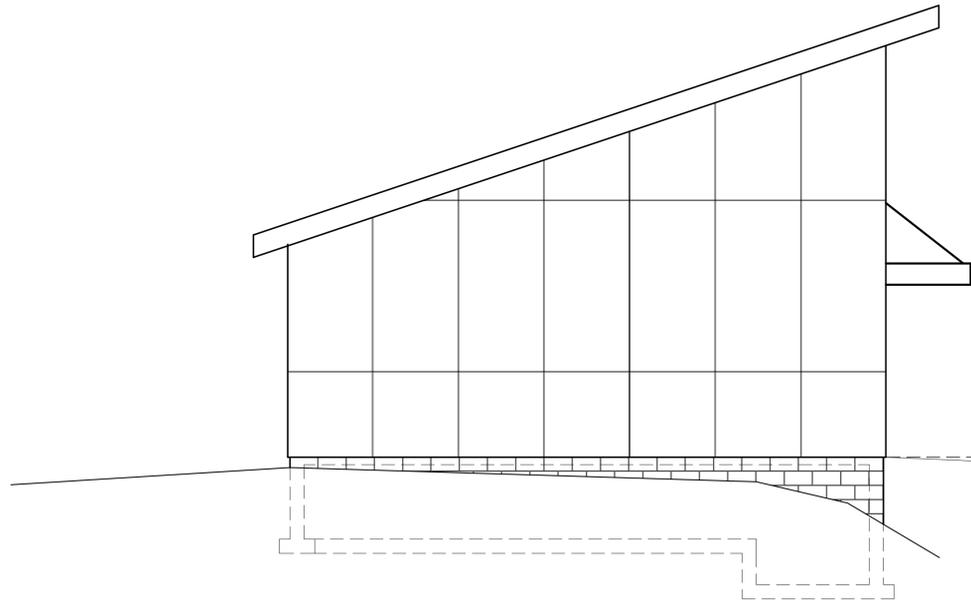
DMB - Trehus Office
4725 Olson Memorial Highway
Minneapolis, MN 55422

Copyright © Trehus Architects + Interior Designers + Builders 2019

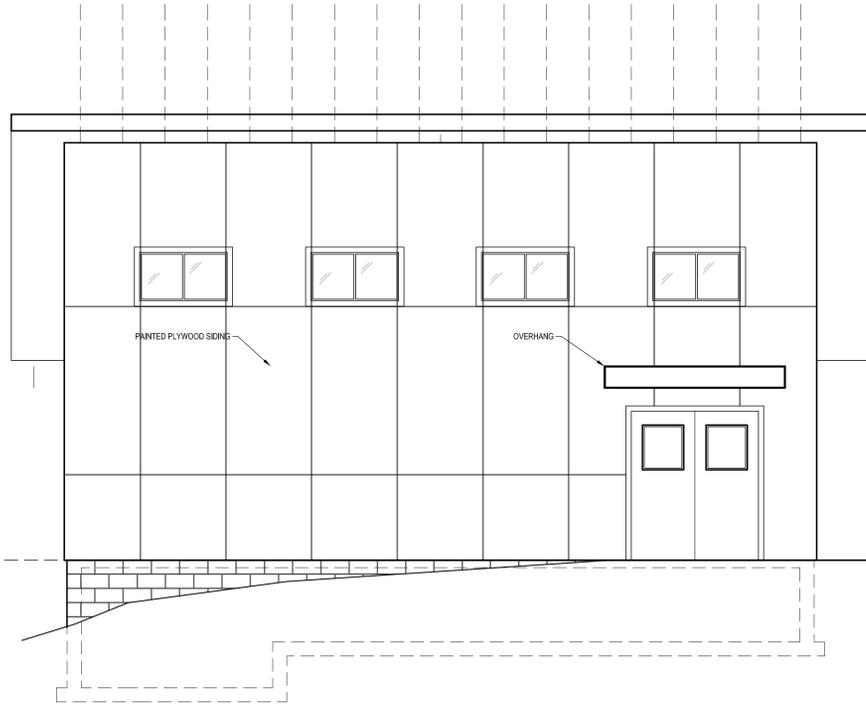
Established 1982 | License BC001474

A1.0

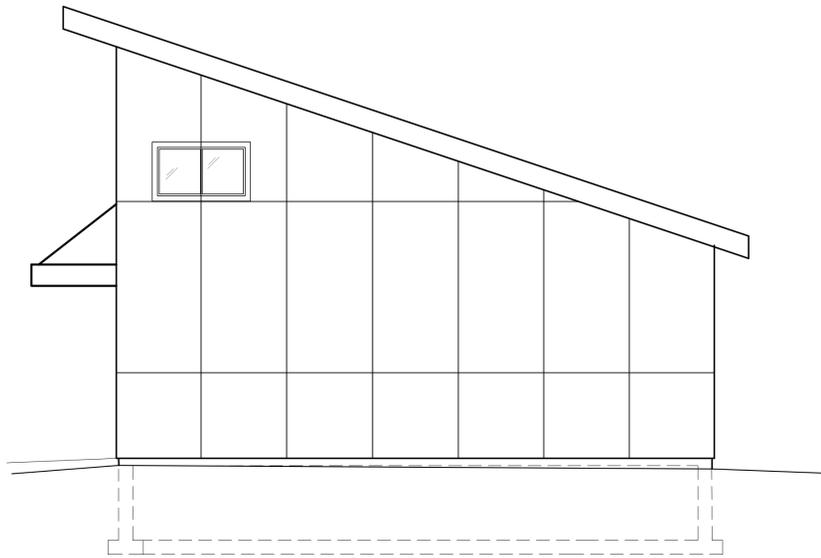
1 SITE PLAN
Scale: 1/8" = 1'-0"



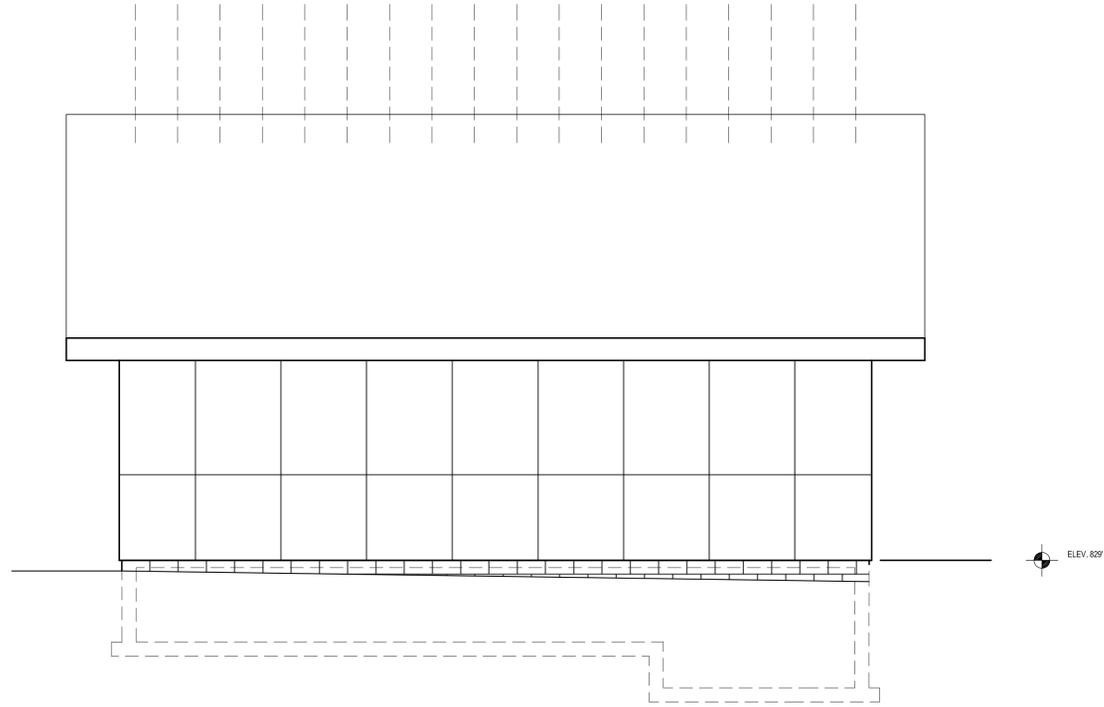
1 SOUTH ELEVATION
A3.0 Scale: 1/4" = 1'-0"



2 EAST ELEVATION
A3.0 Scale: 1/4" = 1'-0"



3 NORTH ELEVATION
A3.0 Scale: 1/4" = 1'-0"



4 EAST ELEVATION
A3.0 Scale: 1/4" = 1'-0"

STORAGE BUILDING PERMIT

TREHUS
Architects + Interior Designers + Builders

3017 4th Avenue South,
Minneapolis, MN 55408
612.729.2992
WWW.TREHUS.BIZ

DATE	NOTES
4/1/20	-Schematic GSV
	-Development
	-Bid Set
	-Contract Set
	-Revised Set

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Architect under the laws of the State of Minnesota.

Print Name: _____
Signature: _____
Date: _____
License #: _____

DMB
4725 Olson Memorial Highway
Minneapolis, MN 55422



Established 1982 | License BC001474

A3.0

LEGAL DESCRIPTION:

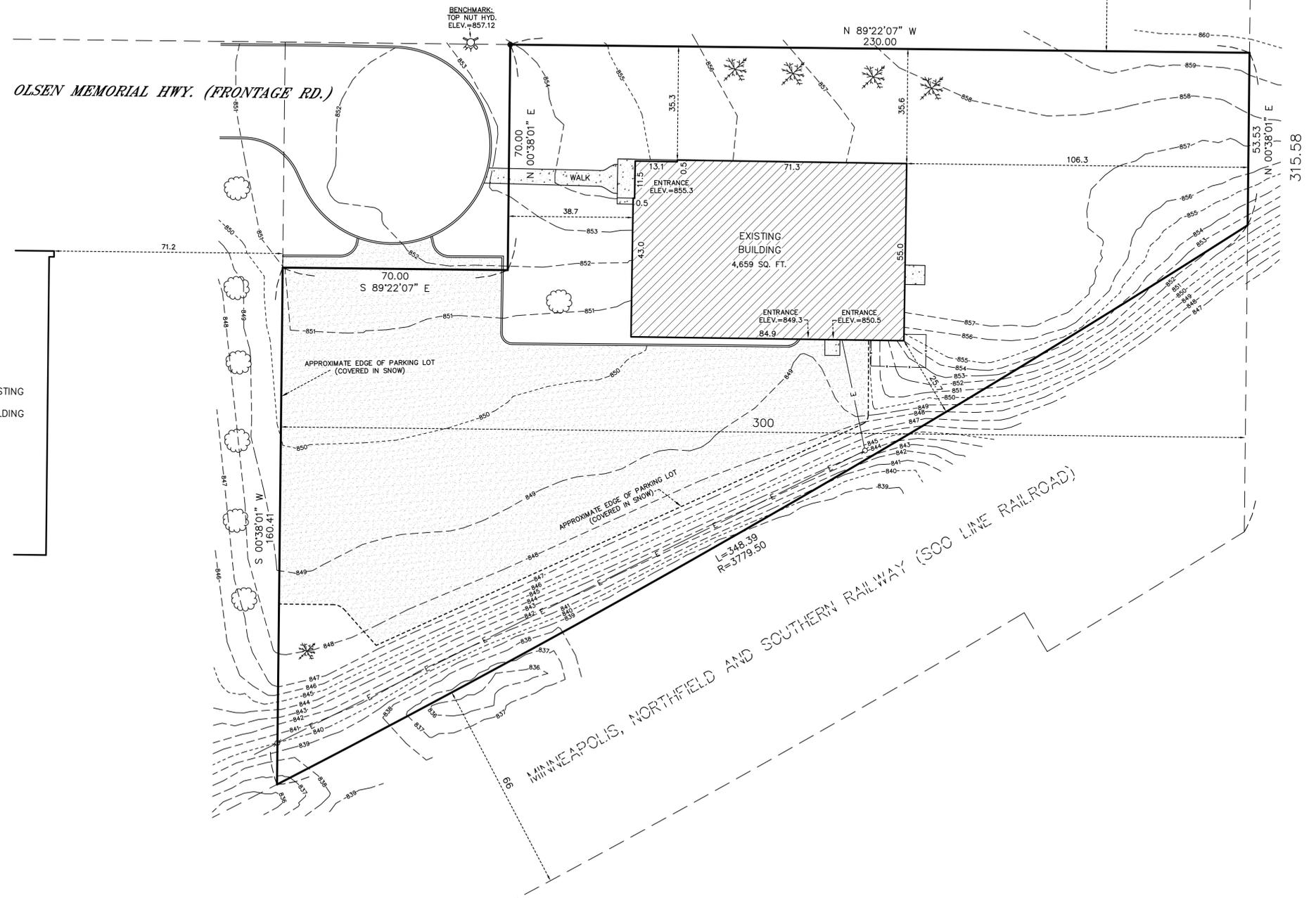
The East 300 feet of that part of the Northeast Quarter of the Southwest Quarter of Section 19, Township 29, Range 24 lying Northerly of the Northwesterly right-of-way line of the Minneapolis, Northfield and Southern Railway, except that part thereof lying North of the South line of Olson Memorial Highway, also known as State Trunk Highway No. 55.

SCOPE OF WORK & LIMITATIONS:

1. Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
2. Showing the location of observed existing improvements we deem necessary for the survey.
3. Setting survey markers or verifying existing survey markers to establish the corners of the property.
4. Existing building dimensions and setbacks measured to outside of siding or stucco.
5. Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.
6. This survey has been completed without the benefit of a current title commitment. There may be existing easements or other encumbrances that would be revealed by a current title commitment. Therefore, this survey does not purport to show any easements or encumbrances other than the ones shown hereon.
7. It should be noted that this survey was completed with significant snow coverage on site. We cannot be certain that all items were observed and located during the process of conducting the survey due to the snow cover. If this uncertainty is something you would like to remove, please expose all improvements and we can return to locate said items, if needed.

STANDARD SYMBOLS & CONVENTIONS:

"●" Denotes iron survey marker, found, unless otherwise noted.



DATE	REVISION DESCRIPTION	DRAWING ORIENTATION & SCALE	CLIENT/JOB ADDRESS	Advantage Surveying & Engineering, Co.	I HEREBY CERTIFY THAT THIS PLAN, SURVEY 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.	SURVEYED DATE:	SHEET TITLE	SHEET NO.
			TREHUS ARCHITECTS 4725 OLSON MEMORIAL HIGHWAY GOLDEN VALLEY, MN	17917 Highway No. 7 Minnetonka, Minnesota 55345 Phone (952) 474-7964 Web: www.advsur.com	Wayne W. Prehus #43503 LICENSE NO. DATE	JANUARY 15, 2020	<i>EXISTING SURVEY</i>	<h1>S1</h1>
						JANUARY 16, 2020	SHEET SIZE: 22 X 34	
				DRAWING NUMBER <i>200018 WP</i>				

PLANNING APPLICATION

Zoning Code Variance

Street address of property in this application:

4725 Olson Memorial Hwy, Golden Valley MN 55422

APPLICANT INFORMATION

Name (individual, or corporate entity):

Mike Olson - TreHus Builders, Inc.

Address:

3017 4th Ave. S., Minneapolis, MN 55408

Phone number:

952-693-3778

Email address:

molson@trehus.biz

Authorized Representative (if other than applicant):

Name:

Address:

Phone number:

Email address:

Property Owner (if other than applicant):

Name:

Brit Amundson

Address:

3017 4th Ave. S., Minneapolis, MN 55408

Phone number:

612-965-0166

Email address:

bamundson@trehus.biz

SITE INFORMATION

Provide a detailed description of the variance(s) being requested:

We're requesting a waiver for 3 non-conforming conditions to better serve the needs of our design/build business, our tenants, our staff and visitors.

1) Front setback reduction to accommodate a new accessory storage building:

a) We're proposing the addition of a storage building over the front yard setback in the SW corner of the parking lot allowing for the most efficient land use, while maximizing the existing parking lot. The storage building will be situated within the existing parking lot space.

2) Secondary curb cut with accessible parking off of the frontage road:

a) We're proposing the addition of 2 accessible parking spaces off the cul-de-sac at the NW corner of the property to add to the overall parking capacity while reducing travel distance to the accessible entrance.

3) Front and side setback reduction to accommodate new entry roof and columns:

a) We're proposing the addition of a larger architectural overhang at accessible entrance to provide aesthetic interest and better protection from the weather for staff, tenants and guests.

Provide a detailed description of need for a variance from the Zoning Code, including description of building(s), description of proposed addition(s), and description of proposed alteration(s) to property:

- 1) Proposed storage building location does not comply with set back requirement. City considers both the north side and the entire west side of the property as the front. Front yard set back is 35'. We're requesting that the city reduce this to 20', consistent with the city's side yard setback requirement.
- 2) Proposed ADA parking does not comply with front yard set back rules. By allowing the location of the accessible spaces off of the cul-de-sac, the travel distance and ramp angle will be half of the existing ADA parking spots. Granting proposed ADA parking and the proposed storage building will bring total parking spaces to 35. The code states that 36 parking spaces are required for the gross s.f. of the office building. The existing lot can currently only allow for 35 spaces including 2 accessible spaces.
- 3) Proposed larger overhang does not comply with front yard set back requirements, but neither does the existing overhang. Allowing for a new architectural overhang will provide greater visual appeal and provide more practical shelter from the elements. The original facade from 1960 has never been renovated.

Zoning Code Variance (continued)

Minnesota State Statute 462.357 requires that a property exhibit “practical difficulties” in order for a variance to be considered. Practical difficulties:

- result in a use that is reasonable
- are based on a problem that is unique to the property
- are not caused by the landowner
- do not alter the essential character of the locality

To demonstrate how your request will comply with Minnesota State Statute 462.357, please respond to the following questions.

Explain the need for your variance request and how it will result in a reasonable use of the property.

- 1) and 2) The unique shape of the property and set back requirements limit the location of proposed storage unit. This in turn impacts the number of parking spaces on the lot. We're requesting to add a parking pad in the NW corner of the property to off-set the number of parking spaces lost to the proposed storage building.
- 3) The addition of a larger overhang provides greater weather protection to staff and visitors and provides greater architectural interest to a 'tired' facade.

What is unique about your property and how do you feel that it necessitates a variance?

- 1) The property is pie shaped and narrows at the SE side of the office building. Building the proposed storage unit in the SW corner of the property maintains the most parking spaces in the existing lot while allowing the most practical access to the proposed storage unit.
- 2) The proposed ADA parking off of the cul-de-sac helps maintain the existing number of parking spaces and makes the accessible parking easier to access for those in need.

Explain how the need for a variance is based on circumstances that are not a result of a landowner action.

The landowner is allowed to build an auxiliary storage unit on the property. Any additional storage unit will lessen the number of parking spaces on the existing lot. Because of the shape and topography of the lot, locating auxiliary storage anywhere on the lot other than the existing parking lot, would be impractical and inaccessible. Placing the proposed storage unit in the SW corner of the property and adding 2 accessible parking spaces off of the cul-de-sac maximizes the total number of parking spaces, and allows for a shorter and easier path of travel for handicapped persons.

Explain how, if granted, the proposed variance will not alter the essential character of your neighborhood and Golden Valley as a whole.

The proposed changes are in keeping with the other commercial spaces in the neighborhood and will provide better use of the property, greater curb appeal and greater accessibility.

Zoning Code Variance (continued)

The City requests that you consider all available project options permitted by the Zoning Code before requesting a variance. The Board of Zoning Appeals will discuss alternative options to seeking variance with you at the public hearing. **Please describe alternate ways to do your project that do not require variances from the Zoning Code.**

- 1) Zoning allows us to build a storage building on the property. Any additional building will decrease the total number of parking spaces, which is why we'd like to add the ADA parking pad at the NW corner of the property.
- 2) We can keep the existing ADA parking spaces, but moving them to the NW corner of the property decreases the overall distance of travel and the pitch of any ramping to the main entrance.
- 3) We can keep the existing overhang at the front entry, but want to increase curb appeal and coverage from the elements.

REQUIRED ATTACHMENTS

- Current survey** of your property, including proposed addition and new proposed building and structure setbacks (a copy of Golden Valley's survey requirements is available upon request; application considered incomplete without a current property survey)
- One **current color photograph** of the area affected by the proposed variance (attach a printed photograph to this application or email a digital image to planning@goldenvalleymn.gov; submit additional photographs as needed)
- Fee:** \$200 application fee for Single-Family Residential, \$300 application fee for all other Zoning Districts
- Legal description:** Exact legal description of the land involved in this application (attach a separate sheet if necessary):

SIGNATURES

To the best of my knowledge the statements found in this application are true and correct. I also understand that unless construction of the action applicable to this variance request, if granted, is not taken within one year, the variance expires. I have considered all options afforded to me through the City's Zoning Code and feel there is no alternate way to achieve my objective except to seek a variance to zoning rules and regulations. I give permission for Golden Valley staff, as well as members of the Board of Zoning Appeals, to enter my property before the public hearing to inspect the area affected by this request. Please include printed name, signature, and date for applicant, authorized representative (if other than applicant), or property owner (if other than applicant).

Name of Applicant (please print): Mike Olson - TreHus Builders, Inc.

Signature of Applicant: 

Date: 5/4/2020

Authorized Representative (if other than applicant)

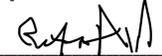
Name (please print): _____

Signature: _____

Date: _____

Property Owner (if other than applicant)

Name (please print): Briton Amundson

Signature: 

Date: 05/04/2020

Please note: The City of Golden Valley will send notice of your variance request to all adjoining property owners as well as owners of properties directly across streets or alleys. Your neighbors have the right to address the Board of Zoning Appeals at your public hearing. You are advised to personally contact your neighbors and explain your project to them before the public hearing.















