

LAND USE APPLICATION SUMMARY

Property Location: 2924 Chowen Avenue South
Project Name: 2924 Chowen Avenue South Lot Split
Prepared By: [Janelle Widmeier](#), Senior City Planner, (612) 673-3156
Applicant: Marvin Bunnell
Project Contact: Jason Timmers, Custom Renovations & Builders
Request: Divide the site into two separate parcels of the same size.
Required Applications:

Variance	To reduce the minimum lot area requirements of both parcels from 6,000 square feet to 4,858 square feet.
Variance	To reduce the minimum lot width requirements of both parcels from 50 feet to 39.9 feet.

SITE DATA

Existing Zoning	RI Single-Family District
Lot Area	9,716 square feet
Ward(s)	7
Neighborhood(s)	Cedar-Isles-Dean Neighborhood Association
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable.
Small Area Plan(s)	Not applicable.

Date Application Deemed Complete	January 26, 2016	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	March 26, 2016	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject site of 2924 Chowen Avenue South is comprised of two underlying platted lots, Lots 40 and 41 of West End Addition to Minneapolis Second Addition. The total width is 79.89 feet. There is an existing single-family dwelling on the north side of the property, which was permitted for construction in 1935. It would be located 5.6 feet from where the new dividing lot line is proposed to be located. There is also a detached garage on the north side of the property, which would also be sufficiently set back from the new dividing lot line. No permit records were located for the south side of the property.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. Uses in the immediate area are predominantly single-family dwellings. There are townhomes located further east and a mix of uses along Lake Street, approximately one-half block south of the subject site.

PROJECT DESCRIPTION. The applicant is proposing to divide the subject property into two lots of equal size along the original, underlying platted lot line. The single-family dwelling and garage on the proposed north lot would remain. A new single-family dwelling is proposed to be constructed on the proposed south lot. Because the lot division would occur along the original, underlying platted lot line, it can be processed administratively provided all other zoning requirements are met. The R1 District requires a minimum lot width of 50 feet and minimum lot area of 6,000 square feet per parcel. Both parcels would be 39.9 feet wide and 4,858 square feet in area. Variances are required to reduce these requirements before the lot division can be authorized.

PUBLIC COMMENTS. As of writing this report, no correspondence from the neighborhood group has been received. Correspondence received prior to the public meeting will be forwarded on to the Board of Adjustment for consideration.

ANALYSIS

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to reduce the minimum lot area requirements of both parcels from 6,000 square feet to 4,858 square feet and a variance reduce the minimum lot width requirements of both parcels from 50 feet to 39.9 feet to allow a lot division into two parcels based on the following [findings](#):

1. *Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.*

Both variances: Practical difficulties exist in complying with the minimum lot area and lot width requirements due to circumstances unique to the property. The subject site was originally two platted lots with the lot areas proposed by the applicant. The applicant is proposing to divide the site according to the original platting. The subject and surrounding properties are zoned R1, where the minimum lot size requirement is 6,000 square feet and the minimum lot width requirement is 50 feet. However, the regulations of the district would prevent the applicant from creating parcels that are consistent with the predominant width and area on the same block face. With the existing lot area, a much larger dwelling could be constructed on the site, which would be out of character with the moderately sized 1 ½ to 2 story homes in the surrounding area. These circumstances have not been created by the property owner.

2. *The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.*

Both variances: In general, lot area and width requirements are established to ensure compatibility with surrounding uses. The R1 Single-Family District is established to provide for an environment of predominantly low density, single-family dwellings and cluster developments with a minimum of 6,000 square feet of lot area per dwelling unit. The lot size standards are intended to reinforce the predominant character of the City's lowest density residence district. The subject site was originally two platted lots with the lot areas proposed by the applicant. The applicant is proposing to divide the site according to the original platting. These lots would be consistent with the predominant width and area on the same block face. Both lots would have alley access. A lot split that follows the original platting, resulting in each lot having 4,858 square feet of lot area, to allow for single-family residential development would be a reasonable use of the property. The request is reasonable and consistent with the intent of the ordinance and the comprehensive plan.

3. *The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.*

Both variances: The granting of the variances would not affect the character of the area or be injurious to the use or enjoyment of other property in the vicinity. Uses in the immediate area are predominantly single-family dwellings. There are townhomes located further east and a mix of uses along Lake Street, approximately one-half block south of the subject site. The proposed lots would be consistent with the predominant width and area on the same block face. Both proposed parcels would be sufficient in size to allow for the existing dwelling and a new single-family dwelling without the need for additional variances. The granting of the lot size variances would not be detrimental to the health, safety or welfare of the public or those utilizing the property. Also, the future construction of a single-family dwelling will require administrative site plan review and a building permit to ensure compliance with the applicable building codes and life safety ordinances.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the applications by Marvin Bunnell for the property located at 2924 Chowen Avenue South:

A. Variance to reduce the minimum lot area requirement.

Recommended motion: **Approve** the variance to reduce the minimum lot area requirement from 6,000 square feet to 4,858 square feet for both proposed parcels to allow a lot division, subject to the following conditions:

- I. Approval of the lot division by the Department of Community Planning and Economic Development.

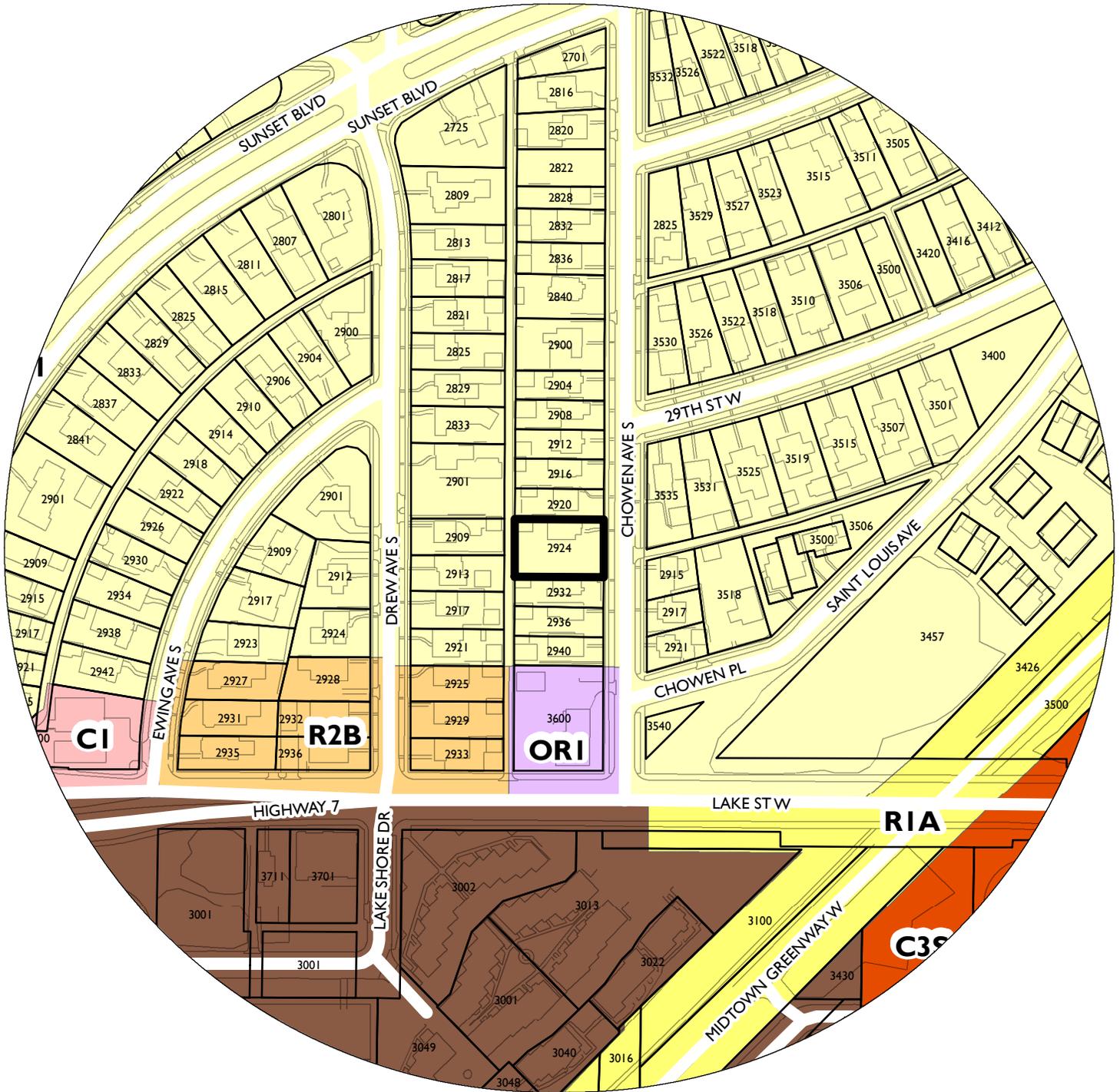
B. Variance to reduce the minimum lot width requirement.

Recommended motion: **Approve** the variance to reduce the minimum lot width requirement from 50 feet to 39.9 feet for both proposed parcels to allow a lot division, subject to the following conditions:

- I. Approval of the lot division by the Department of Community Planning and Economic Development.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site survey
4. Photos



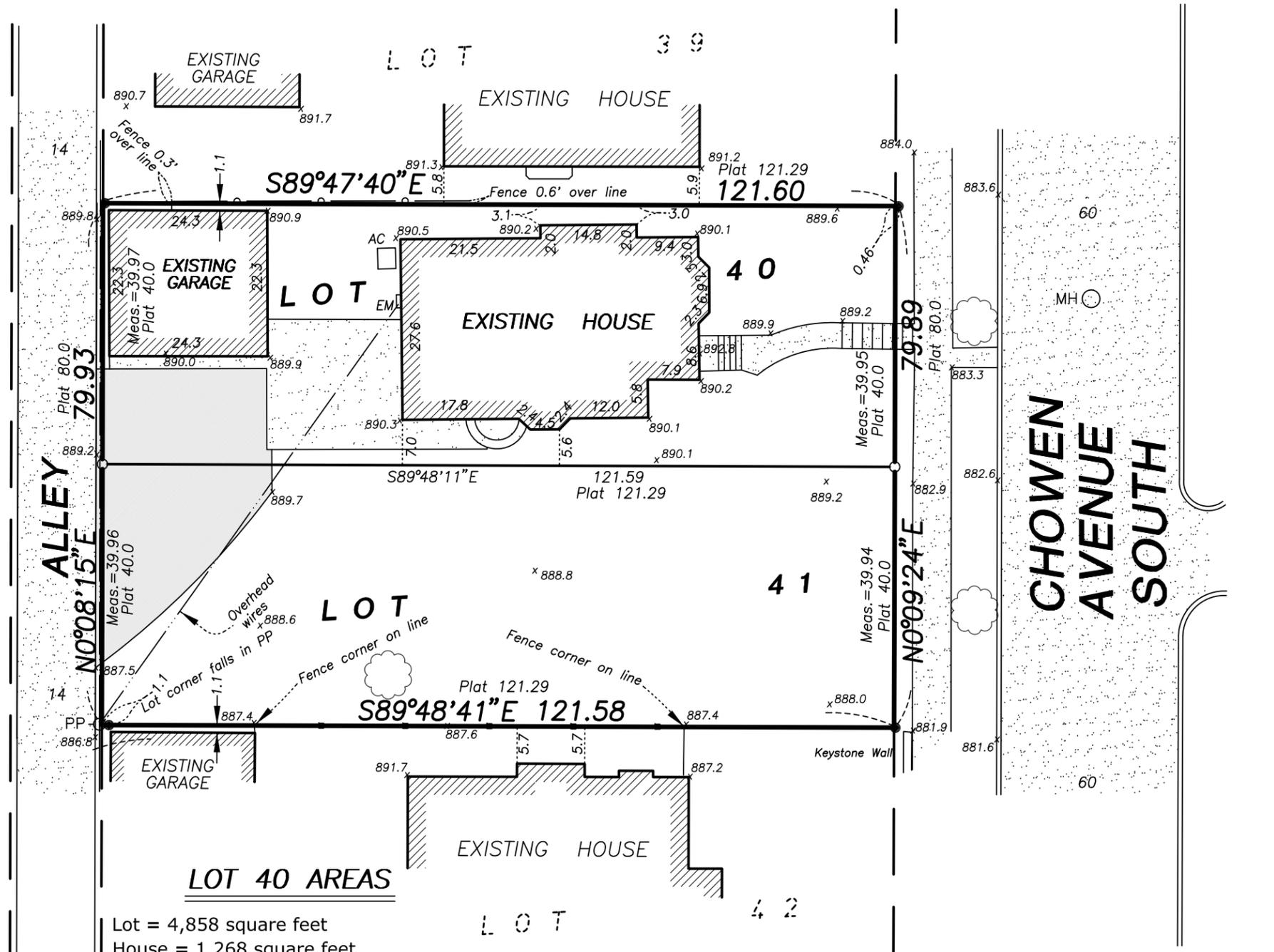
PROPERTY ADDRESS

2924 Chowen Avenue South

FILE NUMBER

BZZ-7566

Lot Survey for:
Marvin Bunnell
 at 2924 Chowen Avenue South



LOT 40 AREAS

Lot = 4,858 square feet
 House = 1,268 square feet
 Concrete and bituminous = 1,049 square feet
 Garage = 542 square feet
 Total impervious surface = 2,859 square feet

AREAS

Lot 40 = 4,858 square feet (0.11 acre)
 Lot 41 = 4,858 square feet (0.11 acre)

PROPERTY DESCRIPTION

Lots 40 and 41, WEST END ADDITION TO MINNEAPOLIS SECOND ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

LEGEND

- Iron Monument Found
- Iron Monument Set
- MH ○ Manhole
- EM □ Electric Meter
- AC Air Conditioner
- PP ○ Power Pole
- 960.1 × Existing Elevation
- ▨ Concrete Surface
- ▩ Bituminous Surface



Scale: 1 inch = 20 feet

NOTE: This survey was prepared without the benefit of a title commitment. Easements of record, if any, are not shown.

I hereby certify that this survey was prepared by me or under my direction and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 30th day of July, 2015

REHDER & ASSOCIATES, INC.

Gary C. Huber

Gary C. Huber, Land Surveyor
 Minnesota License No. 22036
 Revised January 22, 2016
 Revised January 26, 2016 to show impervious surface areas.

Rehder and Associates, Inc.

CIVIL ENGINEERS AND LAND SURVEYORS

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Saint Paul, Minn. 55104
Office: 612-788-9608
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cr@customrmn.com

01/04/2016

**Variance Request
2924 Chowen Ave. S.
Minneapolis, Minnesota**

Summary

Mr. Marvin Bunnell who is the longtime owner/resident of 2924 Chowen Ave. S. with the assistance of his Real Estate Agent contacted our Realtor looking to sell his property. The original assumption Mr. Bunnell had was that his 2nd vacant lot on the property was buildable, which he would like to sell. After being provided with a survey from Mr. Bunnell and checking zoning, I had to inform him that yes, he has 2 lots as original platted, however under current zoning ordinances, it would be non-conforming lot and a variance(s) would be required to reestablish lot. Mr. Bunnell with the requested assistance of Custom Renovations & Builders, LLC is proposing to split the existing lot into 2, reestablishing and replicating the original platted lot width and square footage for two single-family home sites. The existing home and garage with the address of 2924 Chowen Ave. S. that is completely on lot 40 would remain and be remodeled.

The intent is to build a new single-family home with a 2 car detached garage on the open part of the current lot, (underlying original lot 41, West End Addition) south of the current home. Each lot will be equal to the SQFT lot size and width of the adjacent neighboring properties. This new home will meet all current zoning requirements, setbacks, height, FAR (floor area ratio), points, surface coverage etc. The current FAR ordinance allow for a home no larger than 2420 SQFT above grade (basement).

The variances requested do not diminish the welfare of the surrounding neighbors and neighborhood. The improvements planned are in harmony with the current surrounding neighborhood reinvestments in the immediate vicinity as it adapts existing housing for improvement and provides a new elevation to the pattern along Chowen in bulk and size.

Should the two variances not be granted, the existing home can be increased or replaced per current zoning FAR ordinance guidelines. A much larger home with a FAR of 4,840

SQFT (twice the size) above grade (basement) could essentially be built. A home this size would be less in line with the character of the adjacent neighboring properties and neighborhood as a whole. We would prefer to contribute to the neighborhood with a new home of compatible size and feel on the underlying lot 41.

Site Description:

The site is 121' in depth by 80' in width. The existing home and garage lies completely on lot 40 of the original West End subdivision, 2nd Addition. The new lot is the re-establishment of underlying lot 41 of the original West End subdivision, 2nd Addition. The lot lies to the west of Chowen Ave S. which is a north-south directional street.

The re-established lot 41 of the original West End subdivision, 2nd Addition would allow to leave in place, the existing home and garage on the property.

Required variance findings for Lot Area & Width, Variance(s) Request:

City code requires a lot width of 50' and area of 6,000 SQFT in the R-1 district when a new lot is subdivided. In the case of a re-established lot, where the pattern of established 4,840 square foot area lots exists, along with alleys, the request to restore the pattern through the variance process is required. I offer the following comments that allow the findings for a variance to be granted:

(1) Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

The underlying plat was established at the beginning last century and is unique to this property. Only subsequent updates to the zoning codes created the need to use the variance process, to make legal what was once common and conforming for this block and parcel. The prevailing original development pattern of +/- 40' wide and +/- 4,840 SQFT lots along this block of Chowen is common, and was not created by the applicant. The economics of making one house bigger or re-establishing one lot are not the sole concern. The pattern of the neighborhood is unique and worth maintaining by restoring the lot pattern. The re-established lot line strengthens the character and desirability of the city's neighborhood and seeks to accommodate additional reinvestment that is in keeping with the orientation, pattern, materials, height and scale of surrounding dwellings. By allowing the smaller lot(s) to be "re-established", one more family can enjoy the area as a result of the lot split, in a reasonable sized home. Rather than limit the existing double lot property to one, much larger expanded or new home.

(2) The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

The prevailing original development patterns of +/- 40' wide and +/- 4,840 SQFT lots are common along this block of Chowen which was created by the original plat and the alley system serves the garage pattern desired for replication by recent ordinance updates. Reestablishment of lot 41 of the original West End Subdivision, 2nd Addition would allow for the construction of a new modestly sized single family home that keeps in character of the neighborhood. This is a consistent and reasonable use for the current vacant portion of property in which lot 41 underlays. The end use of the property would keep with the spirit and intent of applicable ordinances, the original lot(s) pattern, and used in a manner that is found throughout the neighborhood.

(3) The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

If granted, the re-establishment of lot 41 of the original West End Subdivision, 2nd Addition would keep consistent the original development pattern and uniformity of the block. It allows for the construction of a new modestly sized single family home that keeps in character of the neighborhood and minimizes the potential size of new home(s)/addition(s) now and in the future. The end use of the property would not be detrimental to others and used in the same or similar manner, as a single family home, which is predominately found throughout the neighborhood.

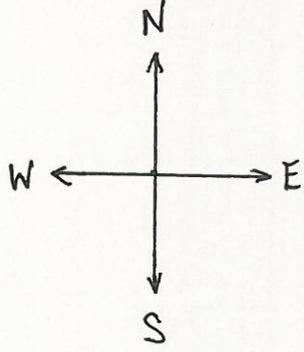
Respectfully,

Jason Timmers
Custom Renovations and Builders, LLC

(X) Picture Key, Location at which picture was taken

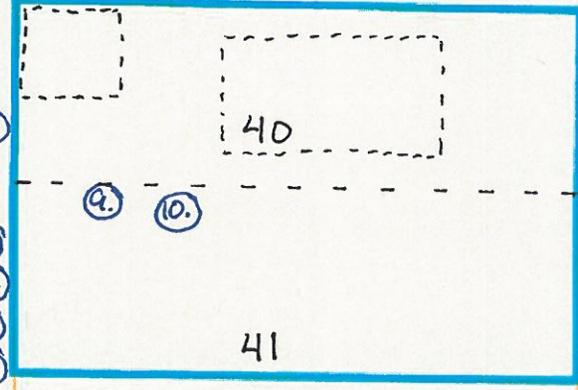
Drew Avenue South

2921 2917 2913 2909 2901



Alley

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14



2940 2936 2932 2924 2920 2916

Chowen Ave. South

(15)

2924 Chown Ave. S. Front of House looking West from Chown

①



2924 Chown Ave. S. Front of House looking West from Chown

②



2924 Chown Ave. S., Looking North West from front of house

3.



2920 Chown Ave. S., Looking West from front of house

4.



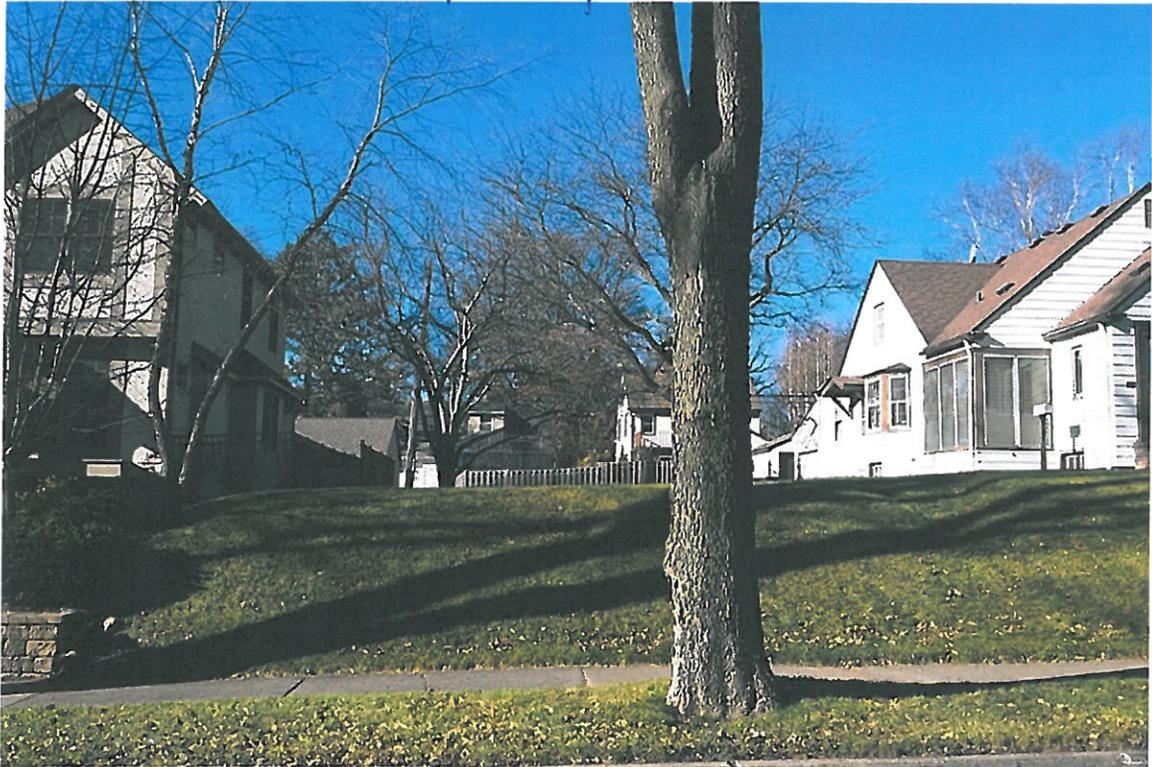
2932 Chawen Ave. S. Looking west from front of house

(5)



2924 Chawen Ave. S., Looking west from front of house

(6)



2924 Chouen Ave S. Standing in Alley looking North East

⑦



2924 Chouen Ave S., Standing in Alley looking North East

⑧



2924 Chouen Ave. S., Looking North from rear of home.

(9)



2924 Chouen Ave. S. Looking North from back yard

(10)



⑪ 2924 Chouwen Ave. S., Looking East while standing in Alley



⑫ 2924 Chouwen Ave. S., Looking South East while standing in Alley



2924 Chown Ave. S., Standing in Alley Looking North

13.



2924 Chown Ave. S., Standing in Alley Looking South

14.



2900 Block of Chown Ave. S. Street View

Standing in front of 2904 Chown Ave. S., looking south

15.

