
M E M O R A N D U M

DATE: September 1, 2016

TO: Planning Commission (September 12 meeting)

FROM: Dan Olson, City Planner

SUBJECT: Public Hearing: Variance request from Matthew Detloff for a detached garage at 5565 Welcome Avenue (Application Number 2016-08)

A. BACKGROUND

Matthew Detloff, owner of the property at 5565 Welcome Avenue North, is requesting a variance to enlarge or replace a detached garage that is closer to the street than the existing home, and is located at a distance of 24 feet to the front property line rather than the required 30 feet. The property is zoned Low Density Residential (R-1). Notice of the September 12 public hearing was published in the Sun Post on September 1 and mailed to owners within 350 feet (see Attachment B).

Attachments:

- A. Site location map
- B. Map showing public hearing notification area
- C. Existing zoning map
- D. Project narrative
- E. Property survey
- F. Garage elevation drawings

B. VARIANCE

The existing 327 SF detached garage was constructed in 1951 and is considered legally nonconforming ("grandfathered-in"). Originally this garage and home were part of a larger lot that was subdivided in 1966. Prior to 1966 the garage was located to the rear of the home and met zoning requirements, but with the property subdivision the garage became located in what is now the front yard. Therefore the garage does not meet the zoning code requirements that the garage not be closer to the street than the home and that it be at least 30' from the front property line. The garage is located 24' from that property line.

The applicant is proposing to enlarge the existing garage to 896 SF to provide for more usable space. As an alternative the applicant may also entirely replace the existing garage with a new 896 SF detached garage. In either case the garage will not be closer to the front property line than it is now. The enlarged or replaced garage will continue to be accessed by the

existing driveway. Because the applicant is proposing to enlarge or replace a nonconforming structure that is closer to the front property line than allowed by the zoning code, a variance is necessary.

The following are the relevant approval criteria for this variance as outlined in Section 515.05 of the City's Zoning Code, followed by staff response:

- a) Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control and when the terms of the variances are consistent with the comprehensive plan.

Response: The intent of the City's Zoning Code is to provide for regulations to promote orderly development that allows for adequate access to light, air, and convenient access to property. Since the larger detached garage will not be closer to the street than the existing garage, approval of a variance to construct this garage is not in conflict with those goals. If the variance is approved, the home will continue to be in conformance with the Comprehensive Plan's Low Density Residential future land use designation.

- b) Variances shall only be permitted when the City Council finds that strict enforcement of specific provisions of this section would create practical difficulties due to circumstances unique to a particular property under consideration. Practical difficulties, as used in connection with the granting of a variance, means that the property owner:
 - 1) proposes to use the property in a reasonable manner not permitted by an official control; and
 - 2) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - 3) the variance, if granted, will not alter the essential character of the locality.

Response: The use of this parcel for a detached garage is a reasonable use permitted by the City's Zoning Code. In 1966 the city approved a subdivision of this property which caused the garage to become nonconforming. This is a unique situation not created by the applicant. Since the enlarged garage will not be closer to the street than the existing garage, the essential character of this area is not proposed to change.

- c) Economic considerations alone do not constitute practical difficulties.

Response: The applicant has indicated that his reason for requesting the variance is to enlarge or replace a detached garage that will have more usable space. Therefore economic considerations alone are not the sole reason for requesting this variance.

C. REQUESTED ACTION

The Planning Commission is being asked to make a recommendation to the City Council to either deny or approve the variance application to allow a detached garage at 5565 Welcome Avenue North that is closer to the street than the existing home and is located 24 feet from the property line rather than the required 30 feet. This recommendation should include findings of fact either for or against the proposal. The Commission may reference the findings for approval in Section B, above.

Since the variance meets the relevant criteria in the zoning code, staff is recommending approval of the variance request.

City Council action is anticipated on September 20, 2016.

Variance request for detached garage

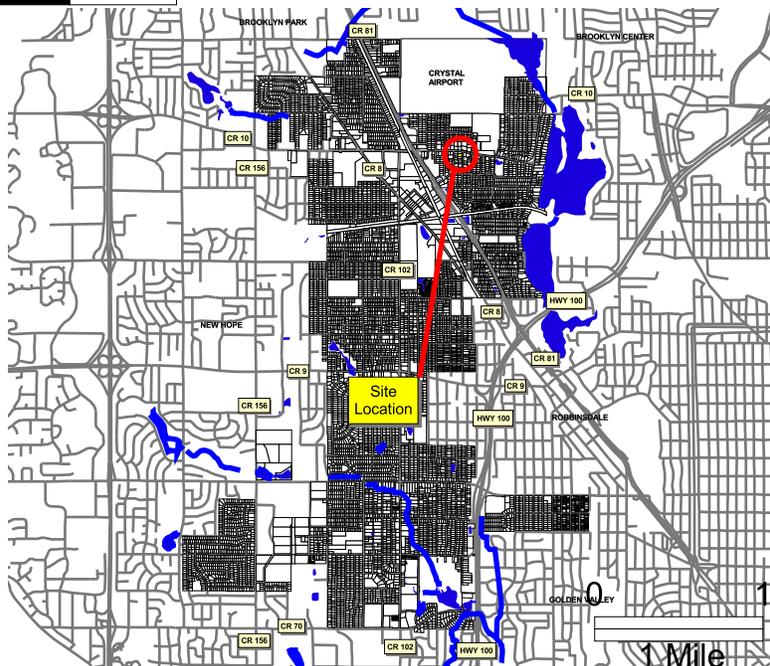


Site Location

0 100 200 300 400 500 Feet

Site Address
5565 Welcome

Attachment A



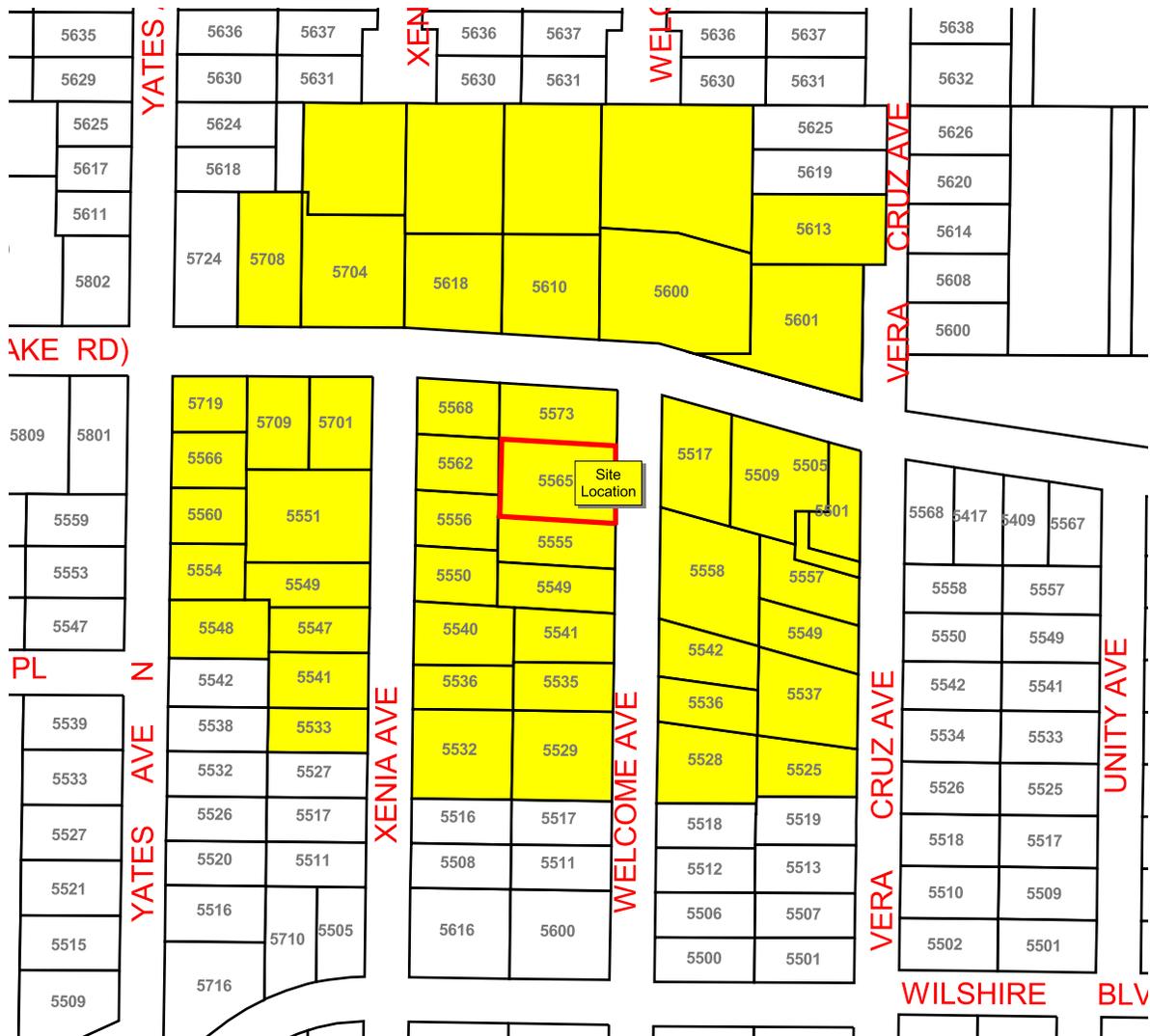
Aerial Image Hennepin County 2015



City of Crystal
4141 Douglas Drive N.
Crystal, MN 55422

□ Parcel Bounds

Attachment B Public Hearing Notification

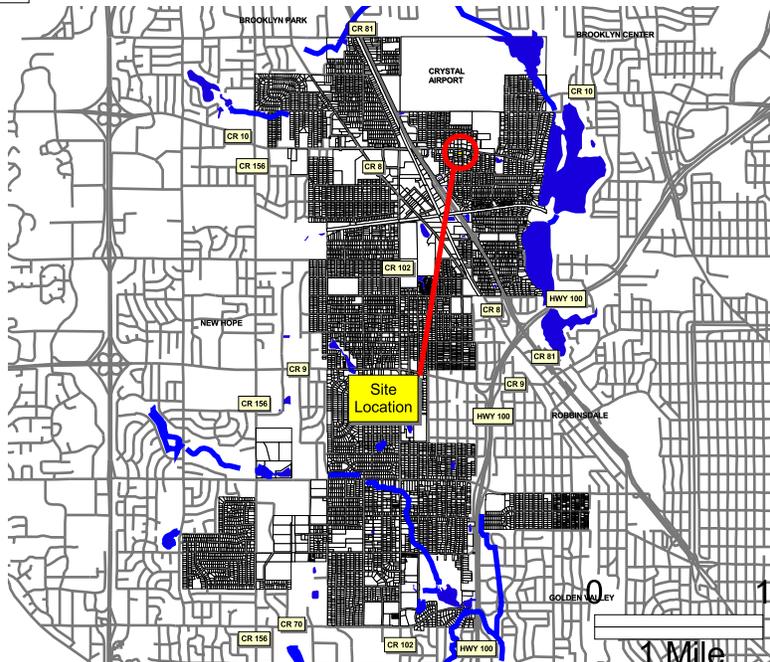


Site Location Variance request for detached garage

0 100 200 300 400 500 Feet



Site Address
5565 Welcome



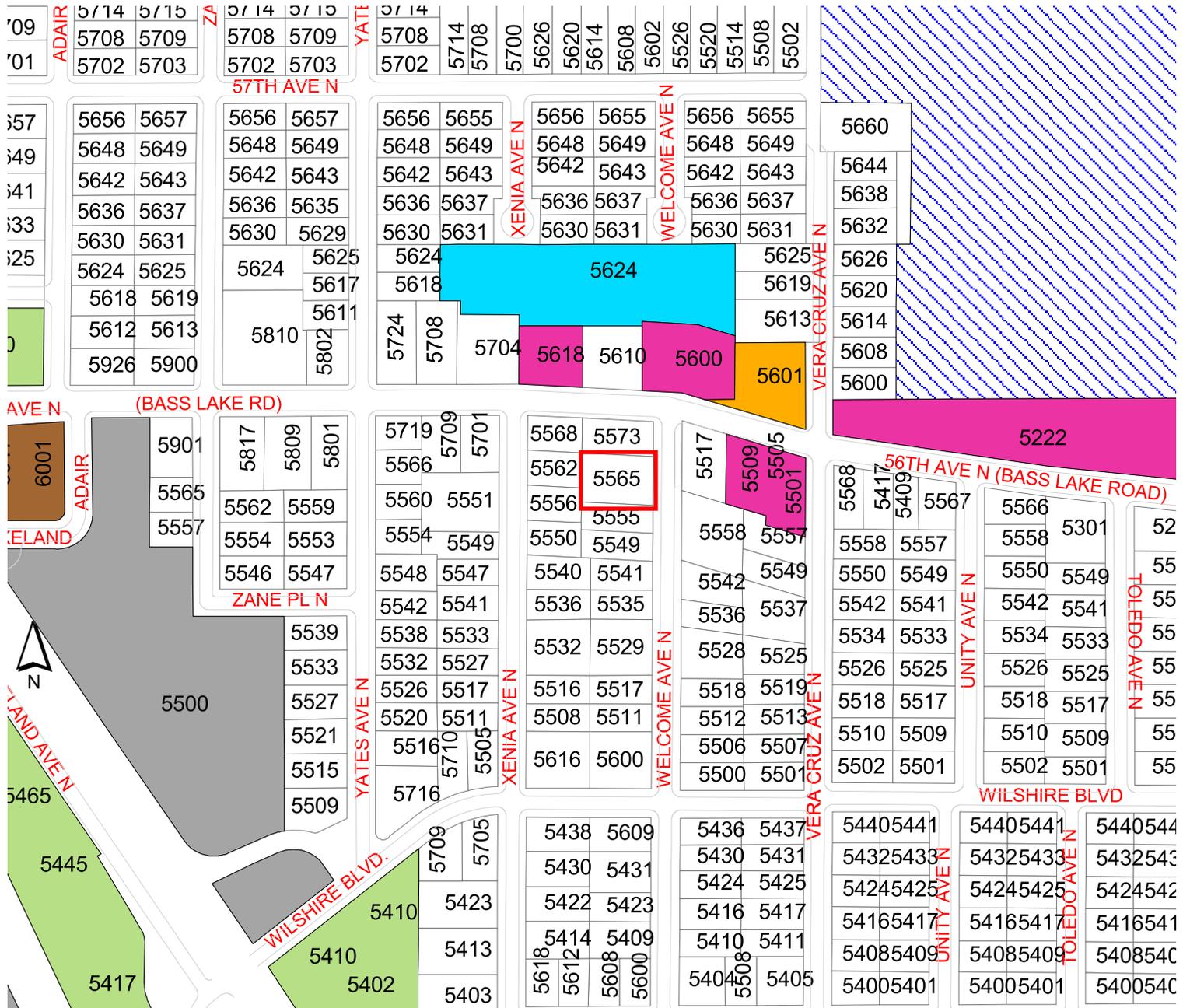
Aerial Image Hennepin County 2015



City of Crystal
4141 Douglas Drive N.
Crystal, MN 55422

City of Crystal Current Zoning

Variance Request for Detached Garage



Zone:

-  Airport (LDR)
-  R-1
-  R-2
-  R-3
-  C-1
-  C-2
-  I-1
-  PARK
-  LDR

5565 Welcome Ave. North

Attachment C

0 0.1 0.2 0.3 0.4 0.5 Miles





- 5565 Welcome Avenue North, Crystal, Minnesota 55429
- Phone: 612-807-2928 • E-Mail: Mpdetloff66@gmail.com

Monday, July 11th, 2016

Dan Olson, Planning Commission, & Crystal City Council
Request for variance to update existing garage at 5565 Welcome Avenue North
City of Crystal
4141 Douglas Drive North
Crystal, Minnesota 55422

Dear City Official:

My name is Matthew Detloff, I was born and raised in Robbinsdale, Minnesota and attended Sacred Heart Catholic School where I recently married my wife Jaycee, who is a native of Lakeville, Minnesota, graduate of the University of St. Thomas, and working in the communications technology industry. I attended DeLaSalle High School and have furthered my career as a teacher at Maple Grove Senior High School with an undergraduate degree from St. John's University and a master's degree from Saint Mary's University. In June of 2015, Jaycee and I became residents of Crystal when we purchased our first home and we could not be happier with our property, neighborhood, and greater community. As I have known Crystal my whole life and have fell more in love with it now that I live here, we have decided that we would like to begin to make preparations to raise our family here. With that being said our current garage does not function properly for the two of us alone much less when we choose to have children. Therefore this is a written request explaining the need my wife and I have for a variance to update our existing garage at 5565 Welcome Avenue North.

The plans that are attached were designed by former City of Crystal Community Development Director John Sutter and have been reviewed by City Planner Dan Olson. Before I go into greater detail on the efforts I have made to be a good neighbor in this project, let me explain why a variance is necessary. To do this a brief history of the property is necessary. *Please see Appendix 1 for a current layout of the 5565 Welcome Avenue North.* In 1918, the property was built facing North towards what is today Bass Lake Road. At that time the garage was in the backyard or the southern portion of the lot. Welcome Avenue was built to the East of the property. In 1966, the owner subdivided the property into 4 lots in 1973 the lot closest to Bass Lake Road (or the original property's "front" yard) was built into what is today 5573 Welcome Avenue North. Therefore, the East facing side of the original property and garage now became the front yard. The point being that neither the original owner or I intended to have a garage closer to the Welcome Avenue than the house. According to John Sutter "based on the history of the lot and house, and the fact that the garage was made nonconforming by the sub-developments around it, there is a strong case to be made for a variance that would allow the current garage to be updated and expanded in a way that does not make it closer to Welcome Avenue." As I will explain this is exactly what I am asking for, a variance to add on to the south and west sides of the garage but not the east.



Appendix 2 shows the purposed garage and its dimensions. Note that the current garage is 24' from the eastern property line on Welcome Avenue. The purposed garage would maintain this distance and expand only to the south and west of what is already there (i.e. new structure would begin where eastern wall of current structure is and expand towards southern and western property lines, space currently part of the "side yard"). The purpose of this two-car garage would be to have a safe place to store both our vehicles with a small workshop and storage area in the back for our lawn mower, snow blower and other miscellaneous storage. The peak of this garage would be no more than 15', which is shorter than our current garage that has an attic above it. *Please see Appendix 3 for dimensions and specifics.* The other reason this is the best option for my family and I, is that financially we cannot afford to demolish and remove our current driveway to install a new garage in the northwest corner of our lot. We have received estimates of \$6000-\$10000 in concrete alone. These numbers do not include removal of current black top, new curb being cut, and removal of three of the largest trees on our street. To place another garage anywhere else on the property would result in not only the dissatisfaction of removing massive trees from the neighborhood but extremely large financial burdens that are unnecessary through a variance. It should be noted that countless homes in the Twin Oaks neighborhood have garages that are closer to the primary street then their front doors; the only difference is many of these are that these garages are attached. In order for us to add an attached garage it would involve removing our deck and substantial removal and installation of new driveway.

Besides the stated financial concerns, we believe that removing trees and or having two garages would disturb the appeal of the neighborhood more than renovating and expanding the existing garage. All of these things are burdens that we believe can reasonably be avoided through your support and approval of a variance to expand the footprint of the current garage. I would like to thank you for taking the time to consider this request. I am a young family man that has chosen Crystal as the place I want to raise my family. I am simply trying to invest in my property and add to the neighborhood. I am a blue-collar teacher who wants a place to park my vehicles and tinker with my mower so I can keep my yard groomed, my family, and neighbors pleased. I appreciate you approving our variance and making a positive recommendation to support our investment in the City of Crystal.

Sincerely,

Matthew Detloff
Property Owner

CERTIFICATE OF SURVEY

Property Address: 5565 Welcome Ave. N., Crystal, MN 55429

FOR: MATTHEW DETLOFF

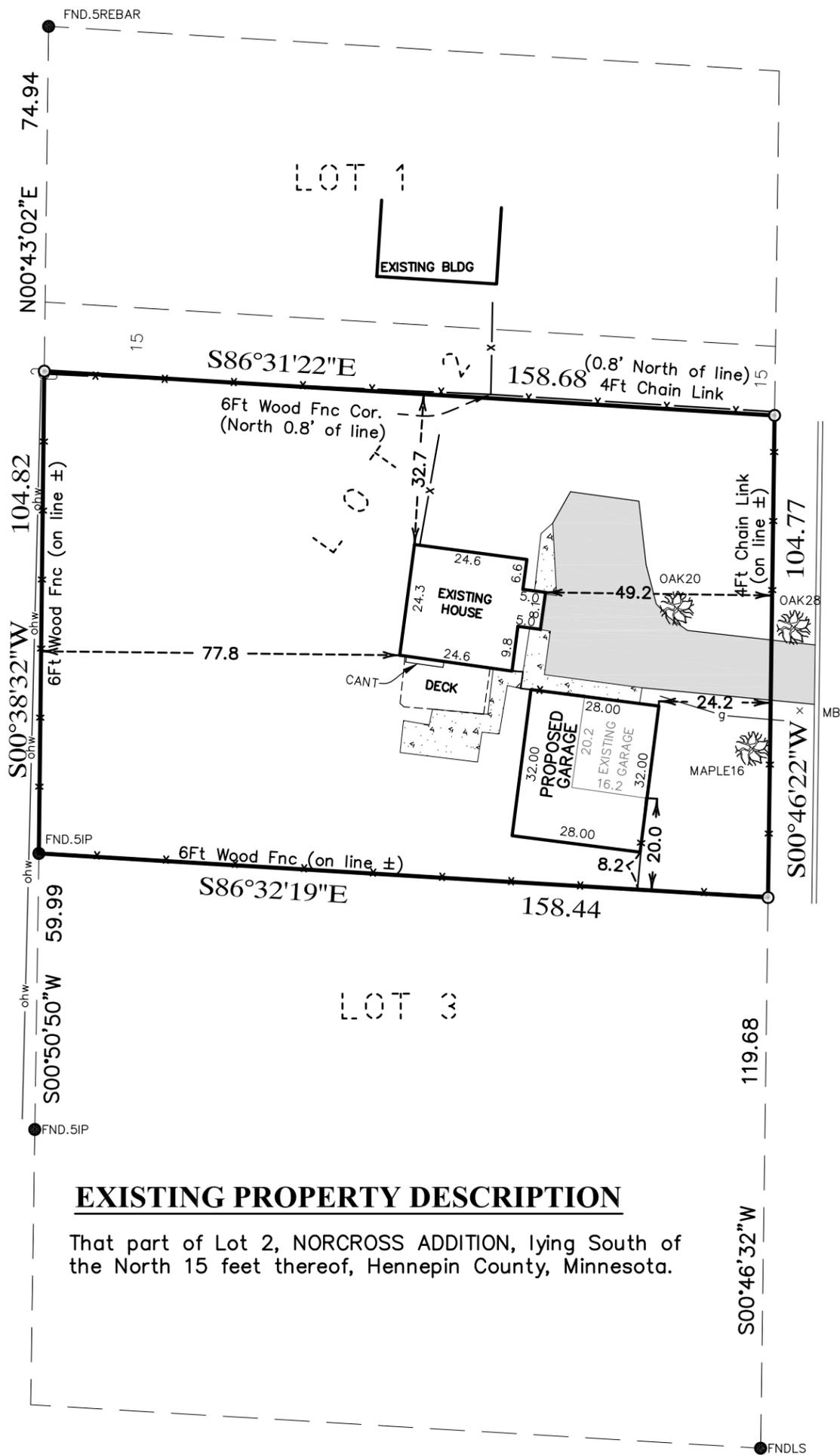
Attachment E

BASS LAKE ROAD



NORTH

 (IN FEET)
 1 inch = 20ft.



WELCOME AVE. N
 (ROAD CURRENTLY UNDER CONSTRUCTION)

EXISTING PROPERTY DESCRIPTION

That part of Lot 2, NORCROSS ADDITION, lying South of the North 15 feet thereof, Hennepin County, Minnesota.

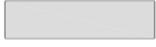
LEGEND

- DENOTES IRON MONUMENT SET
- DENOTES IRON MONUMENT FOUND

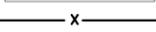
x1011.2 DENOTES EXISTING ELEVATION.



DENOTES CONCRETE



DENOTES BITUMINOUS



DENOTES EXISTING FENCE

AREA CALCULATIONS

TOTAL LOT = ±16,596 sq. ft.
 Bituminous Driveway = ±1213 Sq. Ft.
 House = ±649 Sq. Ft.
 Concrete = ±401 Sq. Ft.
 Proposed Garage = ±896 Sq. Ft.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JOSHUA P. SCHNEIDER

Date: August 11th, 2016 Reg. No. 44655

NOTES

- Bearing's shown are on assumed datum.
- Field survey conducted on August 9th, 2016.
- This survey was prepared without the benefit of titlework. Easement, appurtenances and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a title insurance commitment or attorneys title opinion.

ACRE LAND SURVEYING
 Serving Twin Cities Metro
 area and beyond
 763-238-6278 js.acrelandsurvey@gmail.com

JOB #16452bs

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

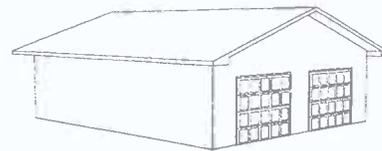
Items Selected:

Gable roof w/ 4/12 pitch, Standard Trusses 2' O.C.
Truss Design Location Zip Code: 55429
2x6 Wall Framing Material
28' Wide X 32' Deep X 9' High
Vinyl Dbl 4" Lap Siding
- S. Blue
1/2" 4 Ply Plywood Wall Sheathing
Block-It Housewrap
24" gable/24" eave overhangs
1/2" 4 Ply Plywood Roof Sheathing
Duration, Estate Gray Shingles
White Vinyl Soffit & Fascia
White Regular Roof Edge
2 - Garage Door Opener

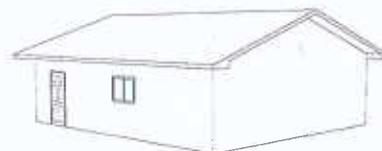
Options Selected:

The options you have selected are:
Deck Defense Synthetic Underlayment
2 Rows Granular Ice & Water Barrier
1 - 36X80 Service Door - E-1 6-Panel Steel LS
2 - 9x7 Overhead Door - Non-Insulated RP White
1 - 48x36 Window - White Vinyl Slider

Front View



Back View



Appendix 3

Estimated base price: \$5,092.04*

The base price includes: 0" Eave/10" Gable Overhangs, Framing Materials, 7/16 OSB Roof Sheathing, 20 yr. Fiberglass Classic - Onyx Black Shingles, Pine Fascia, Galv Regular Roof Edge, 8" Textured Vertical Hardboard Siding, All selected overhead, service and sliding doors are included. Windows and other options are NOT included.

Estimated price: \$8,046.54*

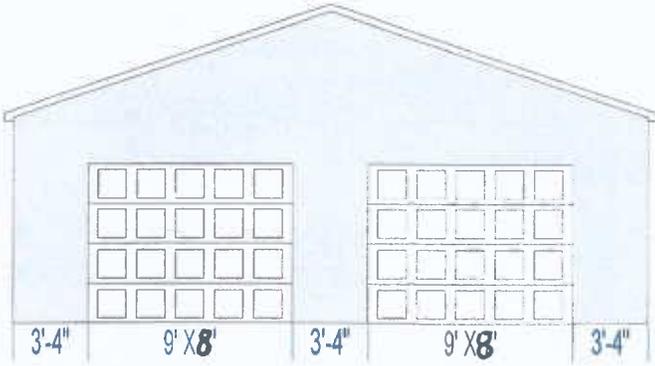
*Today's estimated price, future pricing may go up or down.
*Tax, labor, and delivery not included.

*** Take this sheet to the Building Materials counter to purchase your materials. ***

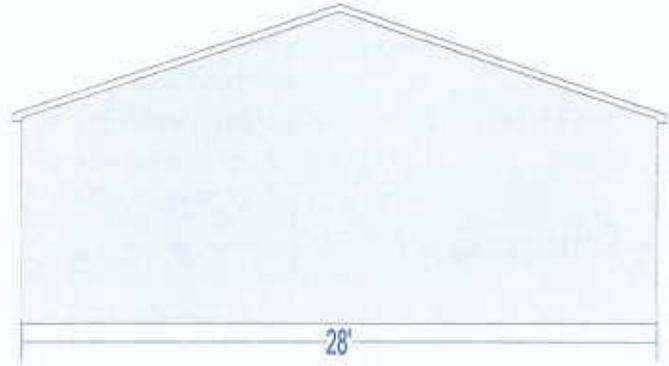
Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF THE WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.

*** Here are the wall configurations for your design.

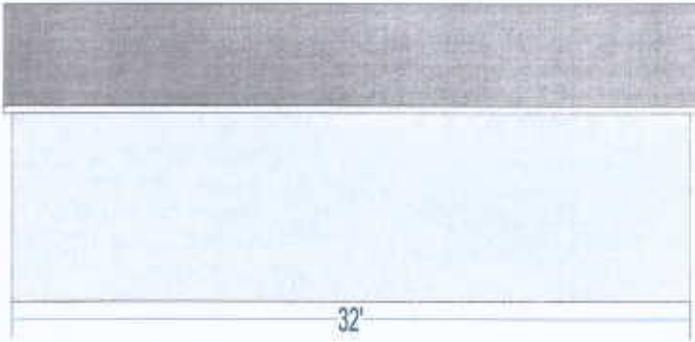
Illustration May Not Depict All Options Selected



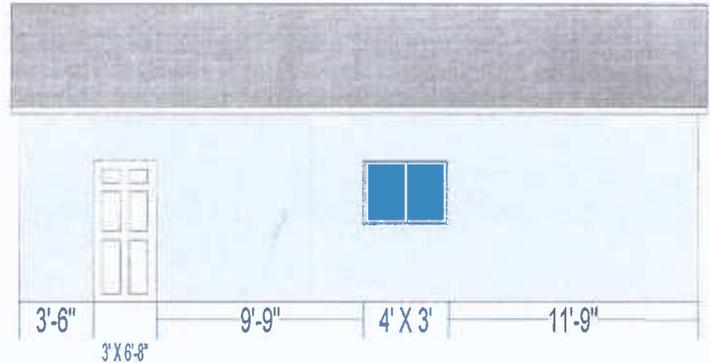
Gable Front View (North)
(2) -



Gable Back View (South)



Eave Front View (East)



Eave Back View (West)
(1) -

Building Size: 28 feet wide X 32 feet long X 9 feet high

NOTE: Overhead doors may need to be "Wind Code Rated" depending on your building location.
Confirm the door requirements with your local zoning official before construction.

Menards-provided material estimates are intended as a general construction aid and have been calculated using typical construction methods. Because of the wide variability in codes and site restrictions, all final plans and material lists must be verified with your local zoning office. Menards is a supplier of construction materials and does not assume liability for design, engineering or the completeness of any material lists provided. Underground electrical, phone and gas lines should be located and marked before your building plans are finalized. Remember to use safety equipment including dust masks and sight and hearing protection during construction to ensure a positive building experience.