



The City That Soars!

REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date	February 25, 2014
Agenda Item	3
Title	Garage Setback and Area Variances at 1403 Hoyt Avenue
Submitted By	Deborah Jones, Zoning and Planning Director

Description	Two variances are requested to allow the building of a detached double garage at 1403 Hoyt Avenue, Falcon Heights. The proposed garage would replace an existing, smaller, non-conforming garage, at approximately the same location.
Background	<p>1403 Hoyt Avenue West, Falcon Heights, PIN 222923210160, is located on the northwest corner of the intersection of Hoyt Avenue and Albert Street. The legal description is <i>Lot 30, Bloc 7, Cable's Hamline Heights Addition, except the West 3 feet</i>. The parcel is zoned R-1 Single Family Residential and the house and existing 20' x 20' garage were built in 1939. The parcel is approximately 126 feet long by 43.2 feet wide and has an area of about 5,443 square feet.</p> <p>Most residential lots in the Northome neighborhood are about 50 feet wide or more. There are about half a dozen that are under 50 feet wide, of which four are on Hoyt in the same block as 1403 Hoyt. 1403 Hoyt and its neighbor on the west, 1405, are the two narrowest lots in the neighborhood at about 43 feet. Furthermore, 1403 Hoyt is on the corner. Corner lots are supposed to observe a setback on the side street side of 20 percent of the width of the lot, but not less than 15 feet (Section 113-240(e)). Fifteen feet would be more than one third the width of 1403 Hoyt. The existing house and garage are set back about 10 feet from the property line. This is fairly consistent with most home and garage setbacks from Albert Street on both sides between Hoyt Avenue and Larpenteur. The neighborhood predates most of the present City Code.</p> <p>The owners of 1403 Hoyt Avenue propose to replace the original 1939 garage, 20' x 20', which is in poor repair, with a 24' x 24' (576 square feet) or 22' x 26' garage (572 square feet), which is a more standard size in 2014 and more adequate to today's vehicle sizes and family needs. They wish to build this new garage at the same 10 foot setback as the existing garage. They are requesting a variance because the larger garage would extend the nonconformity of the old garage, and this cannot be done without a variance.</p> <p>In addition the owners of 1403 Hoyt are requesting a second variance because the new garage would exceed the maximum area the code allows for a detached garage in the rear of the lot. The code restricts garage size to 40% of the rear 30 feet of the lot (Section 113-240(p)). For most neighborhood properties, 50 feet or more wide, this allows at least 600 square feet, plenty of room for one of the standard double garage sizes cited above. For 1403 Hoyt, with 43 foot width, the allowance is only 518</p>

	<p>square feet.</p> <p>In all other respects the proposed garage would meet code requirements.</p> <p>Notice of a public hearing on this matter was published in the Roseville Review on February 11. On February 10, notice was mailed to the owners of all properties within 350 feet as required by statute. The only public comment received prior to February 20 was an email message from a neighbor supporting the proposed garage. That message will be available at the hearing.</p>
Analysis	<p>In reference to Section 113-62 Variances, staff finds the following:</p> <p>a. That the variance would be in harmony with the general purposes and intent of Chapter 113.</p> <p>Staff finds that the variance requested is in harmony with the purpose and intent of the zoning chapter as stated in Section 113-1.</p> <p>b. That the variance would be consistent with the comprehensive plan.</p> <p>Staff finds that the variance requested is consistent with the comprehensive plan and that it will not impair or diminish property values or improvements in the area.</p> <p>c. That there are practical difficulties in complying with this chapter.</p> <p>Staff finds that there are practical difficulties in complying with the letter of Section Section 113-240(p). The 1403 Hoyt parcel is unique, not only because of its narrow width compared to the rest of the neighborhood (and the city) but because it is a corner lot, for which a wider setback is required on the street side. Modern standard double garages exceed the size allowed on this lot. Pushing the new garage back to 15 feet from the Albert Street property line would move it into the other side setback. Section 113-240(c) defines three conditions under which a garage may be set closer than 5 feet to an interior side property line. The proposed garage barely qualifies for the first exception, but this would mean either choosing the larger 24 x 24 footprint (bigger area variance) or moving the garage closer to the alley in order to be completely within the rear 28 feet of the lot. Moving the new garage west would also require a longer driveway, adding over 100 square feet of impervious surface.</p> <p>d. That the granting of the variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety.</p> <p>Staff finds that the variances will not impair an adequate supply of light and air to adjacent properties, will have no effect on traffic on the public street and will not increase the danger of fire or endanger the public safety.</p>

	<p>e. That the requested variance is the minimum action required to eliminate the practical difficulties.</p> <p>Staff finds that there are two “minimal” options that would eliminate the practical difficulties. (1) Approve both requested variances allowing a larger garage on the same site as the existing garage; (2) Approve the area variance but require the new garage to be moved west or north, or both, from the existing location, to fit both the 15 foot street setback and the setback exception in Section 113-240(c)(1), making a longer driveway necessary. The first alternative is simpler and will have a lower impact on both the alley and the home to the west and will add less impervious covering to the property.</p> <p>e. Staff finds that the provisions regarding earth-sheltered construction and temporary use stated in Section 113-62(e)(6) do not apply to this variance.</p>
Budget Impact	None
Attachment(s)	<ul style="list-style-type: none"> • Application for setback and area variances for a garage at 1403 Hoyt Avenue, including site map and narrative letter. • Hearing notice published in the Roseville Review and mailed to owners of properties within 350 feet.
Actions Requested	<ul style="list-style-type: none"> • Hold a public hearing on the variances requested for 1403 Hoyt Avenue • Make a recommendation to the City Council



City of Falcon Heights Planning Application

JAN 24 REC'D

Action Requested By:

Name of Property Owner PHILIP AND JIM BEHRENS
 Phone (h) 651-646-5724 (w) 612-801-5676
 Address of Property Owner 1403 WEST HOYT AVE, FALCON HEIGHTS MN 55108
 Name of Applicant (if different) _____
 Address _____ Phone _____

Property Involved:

Address 1403 WEST HOYT AVE, FALCON HEIGHTS MN 55108
 Legal Description _____

Property Identification Number (PIN) _____

Present Use of Property (check one):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Single Family Dwelling | <input type="checkbox"/> Business/Commercial |
| <input type="checkbox"/> Duplex/Two Family Dwelling | <input type="checkbox"/> Government/Institutional |
| <input type="checkbox"/> Multi Family Complex | <input type="checkbox"/> Vacant Land |

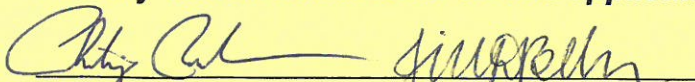
Action Requested (NON-REFUNDABLE):


- | | |
|---|--|
| <input checked="" type="checkbox"/> Variance (³⁵⁰ \$100.00) | <input type="checkbox"/> Lot Split (\$250.00) |
| <input type="checkbox"/> Conditional Use Permit (\$165.00) | <input type="checkbox"/> Site Plan Review (\$100.00) |
| <input type="checkbox"/> Rezoning (\$500.00) | <input type="checkbox"/> Other (Please Specify)
_____ |

Brief Summary of Request (applicant may submit letter to Planning Commission with details of request):

VARIANCE REQUEST #1: EAST SIDE SETBACK
VARIANCE REQUEST #2: MAXIMUM SIZE OF GARAGE
SEE ATTACHED LETTER FOR DETAILS

I certify that all statements on this application are true and correct:


Signature of Property Owner (required)


Signature of Applicant (if applicable)

Phil & Jill Behrens
1403 Hoyt Ave West
Falcon Heights, MN 55108
January 24, 2014

City of Falcon Heights
Planning Commission
2077 Larpenteur Avenue West
Falcon Heights, Minnesota 55113-5594

Dear Planning Commission:

As 20-year residents of Falcon Heights, we have grown to appreciate this community very much and intend to remain here indefinitely. At this time, we are seeking an increase in garage space to safely store our two vehicles, plus our recreational (bicycles) and maintenance (lawn mower, snow blower, and gardening) equipment. We are writing to ask for your approval of two variance requests for a replacement garage. This letter provides additional details.

We would like to remove and replace our existing (20'x20') garage which was built with our house in 1939. Its size is inadequate for the needs of our family of four. In addition to its small size, it is also in need of some major repairs: the service door is often unusable due to a cracked floor that heaves with water and ice; the asphalt driveway is greatly worn. Rather than spending money to repair our small garage, we would like to replace it with a standard size garage that will accommodate our belongings. We are hoping to build a garage no larger than 576ft² (24'x24'). Once we get approvals and engage the architect/builder, we expect to design and construct the garage with a slightly smaller area, such as 22'x26' (572ft²) – with the 26' side running east-west. It would be authentic in style and proportional in size with our home.

A replacement garage of this size will cost between \$30-40k and will increase the value of our existing property. Unfortunately, the garage we envision does not meet all of the Falcon Heights city building and zoning codes. Please note, we understand the reason for the codes and are not looking to build an oversized structure that will be out of place in our neighborhood. If we are not able to get approval for the size and setback that we need, then we believe it will not be worth the money to replace or repair our existing garage.

Listed below are some key facts and details on the variance requests.

Property Information:

- Lot size: 43.19' x 126'
- Lot details: NW corner of Hoyt and Albert
- Current garage details (see "current" diagram):
 - o Driveway off Albert
 - o Size: 20'x20' = 400ft²
 - o East setback from lot line adjoining the side street: 10'
 - o North setback from the alley property line: 2'
 - o West setback from lot line adjoining neighbor: 13'
- Future garage details (see "proposal" diagram):
 - o Driveway off Albert
 - o Size: less than or equal to 576ft²
 - o East setback from lot line adjoining the side street: 10'
 - o North setback from lot line adjoining the alley: 2'
 - o West setback from lot line adjoining neighbor: 7' (if 26' length garage)

Variance request #1 (East side setback):

Variance to the side setback regulation for corner lots: "The exceptions above do not apply to the lot line adjoining the side street. On that side the setback is 20% of the width of the lot or 15 feet, whichever is greater, no exceptions."

Given our narrow lot, the regulation requires us to have a 15' setback from the lot line adjoining the side street. Our house and existing garage (as well as those of our neighbors along Albert) have a 10' setback from the lot line. This regulation requires an additional 5' setback east from the current garage location, which places the west side of the garage about 2' from our west property line. This conflicts with the 5' side setback regulation. It also increases our impervious coverage by another 110ft² due to extending the driveway an additional 5'.

We are requesting that you please approve our variance request to use our existing garage setback of 10' from the lot line adjoining Albert St (east side setback).

Variance request #2 (Maximum garage size):

Variance to the maximum size of the garage: "The LESSER of the two following measurements:

1. 40% x 30 x lot width in feet (30 feet is the required rear yard in the zoning code)
2. 1,000 square feet (See note below)"

Given our narrow lot, the maximum garage size allowed on our property is 518ft². This equates to a 22' x 23.5' garage which is smaller than today's standard-size garage. Our plan is to replace our existing 20'x20' (400ft²) garage with a standard-size garage no greater than 576ft².

We are requesting that you please approve our variance request to have a garage size no larger than 576ft². This equates to a standard 24'x24' or smaller garage.

We have talked with our adjacent neighbors about our plan to replace our existing garage and have received favorable feedback. Listed below are the names and addresses of those we have spoken with: Emily Kosokar (1405 Hoyt Ave), Jay & Lesley Landin (1397 Hoyt Ave), Fred & Carol Maske (1402 Iowa Ave), Steve & Stacey Hecht (1394 Iowa Ave), and John Hedstrom (1415 Hoyt Ave).

Please contact us at any time if you have questions.

Thank you so much for your consideration and support.

Sincerely,



Phil & Jill Behrens
651-646-5724 (h)
612-801-5676 (c)

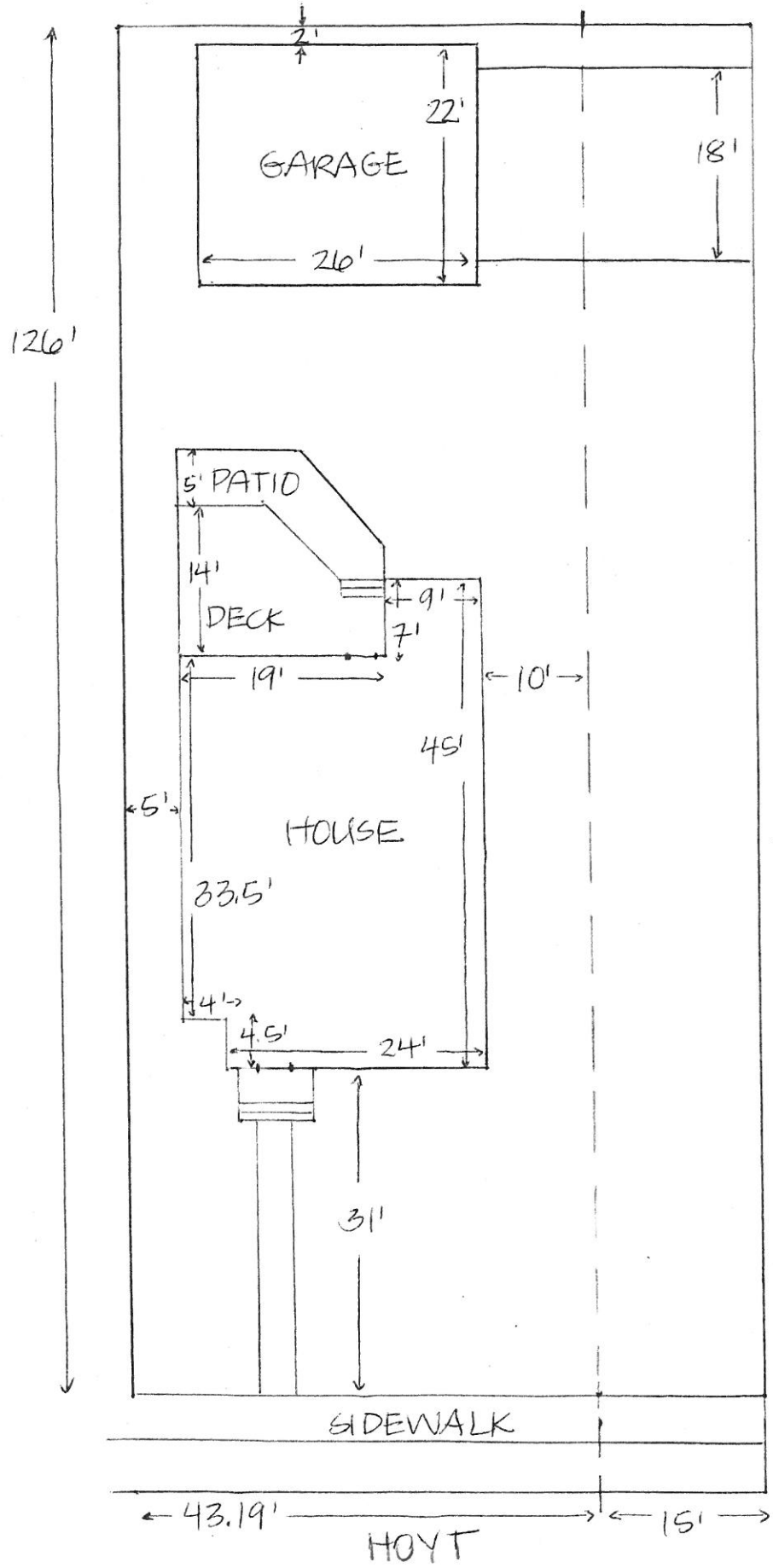
proposal



22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



403 West Hoyt Ave., Falcon Heights, Bethrens



ALBERT

← 43.19' HOYT → 15' →

CITY OF FALCON HEIGHTS, MINNESOTA

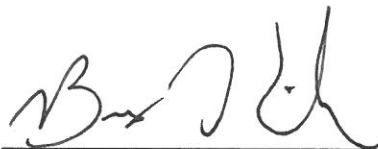
PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN, that the Falcon Heights Planning Commission will meet on Tuesday, February 25, 2014, at approximately 7:00 p.m. at Falcon Heights City Hall, 2077 Larpenteur Avenue West, Falcon Heights, Minnesota 55113, to consider a setback variance and a variance for the size of a detached garage in the required rear yard property located at 1403 Hoyt Avenue West, Falcon Heights, Minnesota, legally described as:

Lot 30, Block 7, Cable's Hamline Heights Add., except the West 3 feet.

All persons who desire to speak on this issue are encouraged to attend and will be given an opportunity to be heard at this meeting. Additional information can be obtained by contacting the City of Falcon Heights at (651) 644-5050.

Dated: February 6, 2014.



Bart Fischer, City Administrator/Clerk
City of Falcon Heights, Minnesota



CITY OF
FALCON HEIGHTS

2077 W. Larpenteur Avenue
Falcon Heights, MN 55113-5594

email: mail@falconheights.org
website: www.falconheights.org

The City That Soars!

Phone - (651) 792-7600
Fax - (651) 792-7610

February 10, 2014

Dear Property Owner:

The owner of 1403 Hoyt Avenue, Falcon Heights, has requested two variances from city code in order to replace a detached 20' x 20' garage with a 22' x 26' (572 square feet) or 24' x 24' (576 square feet) garage at approximately the same setback from Albert Street and from the alley. The existing garage is non-conforming, being closer than 15 feet from the side street lot line (Sec. 113-240(e)). A setback variance is requested because the proposed garage would extend the non-conformity to a wider footprint. An area variance is requested because the lot is only 43 feet wide, which means that the code allows only 516 square feet for a garage (Sec. 113-240(p)), smaller than the modern standard for a double garage. A copy of the site plan is enclosed.

A public hearing on the variance will be held before the Falcon Heights Planning Commission at the following place and time:

Tuesday, February 25, 2014
7:00 p.m.
City Hall Council Chambers

The legal notice of the hearing is enclosed.

Please call 651/792-7613 if you require further information. If you are unable to attend the hearing, you may also send written comments to me by mail at City Hall or electronically to deb.jones@falconheights.org.

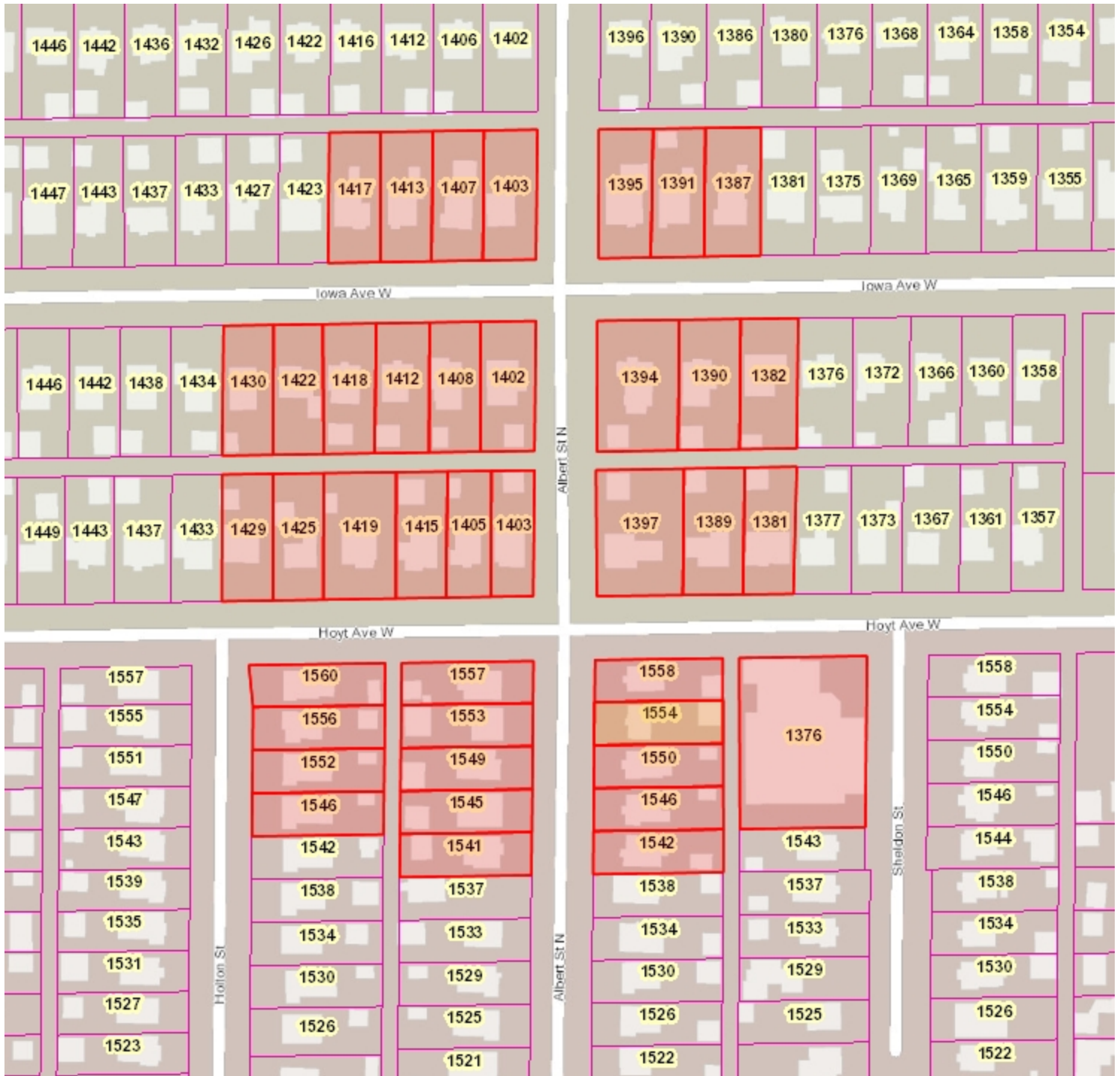
Sincerely,

Deborah Jones
Zoning and Planning Director

FAMILIES, FIELDS AND FAIR



PRINTED ON RECYCLED PAPER



279.6 0 139.78 279.6 Feet

1: 1,677

NAD_1983_HARN_Adj_MN_Ramsey_Feet

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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Owners who were sent written notice of February 25, 2014, variance hearing by mail.

