

## GENERAL INFORMATION

Applicant: Plekkenpol Builders (Applicant)  
Kathleen Corcoran (Owner)

Location: 8324 Beard Road

Request: Variances to:  
1) Reduce the side yard setback from 10 feet to 6.4 feet for a dwelling addition; and  
2) Reduce the side yard setback from 10 feet to 8.9 feet for an existing dwelling.

Existing Land Use and Zoning: Single Family Residential; zoned R-1

Surrounding Land Use and Zoning: Single Family Residential; zoned R-1

Comprehensive Plan Designation: General Business

## CHRONOLOGY

Hearing Examiner action: 10/04/16 – Item continued to October 18, 2016

Hearing Examiner action: 10/18/16 – Recommend approval of the two variances requested with conditions.

City Council 10/24/16 – Scheduled review (consent agenda)

## DEADLINE FOR AGENCY ACTION

Application Date: 09/07/2016  
60 Days: 11/06/2016  
Extension Letter Mailed: No  
120 Days: 01/05/2017

## STAFF CONTACT

Liz O'Day  
(952) 563-8919 - eoday@BloomingtonMN.gov

## PROPOSAL

The applicant is proposing a 5 foot by 16 foot addition to the northwest corner of the dwelling. Based on the survey submitted, the addition would be 6.4 feet from the north side property line and the existing dwelling is 8.9 feet from the south side property line, 64 feet to the front property line and 67 feet to the rear property line. The variance would reduce the side yard setback from 10 feet to 6.4 feet for the addition and from 10 feet to 8.9 feet for the existing dwelling. The proposed 80 square foot addition would be used as a laundry room.

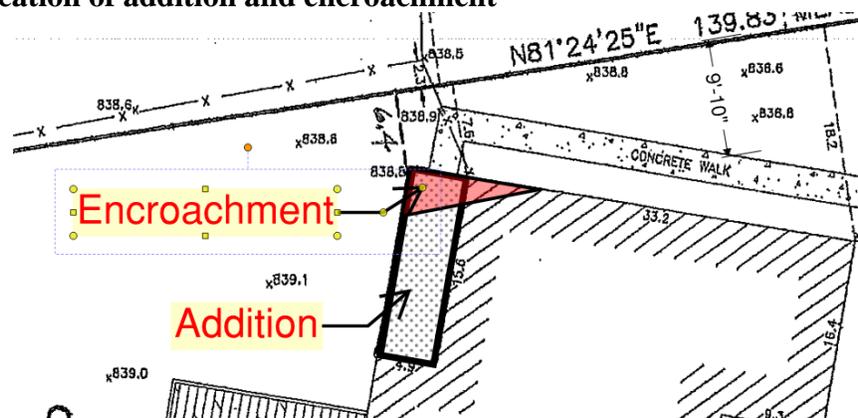
## ANALYSIS

The lot was platted in 1963 and the dwelling constructed in 1964. The original structure was constructed not in compliance with the required 10 foot setback for both side yards (7.6 feet to the north and 8.9 feet to the south). As the lot is diamond-shaped with 38 feet in width at the rear, positioning of the home is challenging. Staff recommended and the applicant agreed to add the variance for the existing structure in addition to the expansion to remove any non-conforming issue.

The proposed addition would be attached to the northwest corner of the existing dwelling. The addition will not extend beyond the existing structural post which supports the larger roof overhang. The proposed addition would maintain a 2 foot overhang as the existing roofing system will remain. The City Code allows up to a three foot encroachment for an overhang.

The encroachment would have minimal impact on the adjoining property. There would be more than 20 feet between the structures. The need for a variance is primarily caused by the atypical property line angle and the placement of the dwelling at the time of original construction. The dwelling is setback over 18 feet from the side lot line at the front of the dwelling. The total encroachment is less than 20 square feet. (See figure 1)

**Figure 1: Location of addition and encroachment**



The impervious surface coverage is below the allowed 4,200 square feet (35 percent lot coverage). The lot square footage is 11,704 square feet. As noted on the survey, impervious surface includes the foundation of the home (plus garage), driveway, concrete patio, sidewalk, and deck and is a total of 3,985 square feet or 34 percent of impervious surface. The proposed addition is 80 square feet which increases the ISC to 4,065 square feet or 34.7 percent.

## **FINDINGS**

### **Variance Findings – Section 2.98.01 (b)(2)(A-C)**

#### **A) That the variance is in harmony with the general purposes and intent of the ordinance;**

- The requested variance for a minor addition to enhance the long-term use and desirability of the home is consistent with the general purpose and intent of the City Code to allow reasonable use and expansion. The lot configuration restricted logical expansion options consistent with the floor plan.

#### **B) That the variance is consistent with the comprehensive plan;**

- The variance is consistent with the Comprehensive Plan, which encourages logical expansion to the older housing stock.

#### **C) When the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.**

- The lot is diamond-shaped and has minimal space to add on to the sides of the lot. The lot is situated on the side of a cul-de-sac.

#### **Practical difficulties as used in connection with the granting of the variance, means that:**

##### **(i) The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;**

- The proposed addition to accommodate a laundry room is a reasonable request. Also, the proposed addition is minimal, only 80 square feet, and will not affect adjacent property owners.

##### **(ii) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and**

- The layout of the home limits the location on the lot for a home addition without a variance. The landowner purchased the home as originally constructed and did not create this circumstance.

**(iii) The variance if granted will not alter the essential character of the locality.**

- The variance to provide an 80 square foot home addition is in harmony with the general purposes and intent of the ordinance and is not anticipated to alter the character of the neighborhood.

**RECOMMENDATION**

The Hearing Examiner and staff recommend the following motion:

In Case PL2016-153, having been able to make the required findings, I move to adopt a resolution approving a variance to reduce the side yard setback from 10 feet to 6.4 feet for a principal home addition and from 10 feet to 8.9 feet for the existing dwelling at 8324 Beard Road, subject to the following conditions.

1. The addition must be constructed as shown on the approved plans in Case File PL2016-153.
2. Exterior building materials must be consistent with those used on the existing dwelling.
3. Building plans shall be approved by the Building and Inspections Department.