

May 6, 2021

To: Planning Commission

From: Community Development Department

RE: Application No. V-1447, by Derby Builders, on behalf of Jason House, a request for a rear setback variance of 15' where a 30' rear setback is required from the north property line for a primary structure addition.

Application Review:

Applicant: Derby Builders

Owner: Jason House

Location of Property: 2430 Briarwood Place NE

Zoning Map: R-1, Single Family Residential District

Zoning Ordinance: Section 157.028 (A) states that all principal structures shall be located a minimum of 30' from the rear property line within the R-1, Single Family Residential District.

Report Attachments:

1. Location Map
2. Aerial Photo
3. Site Plan
4. Construction Plans
5. Application Letter

Proposed Development:

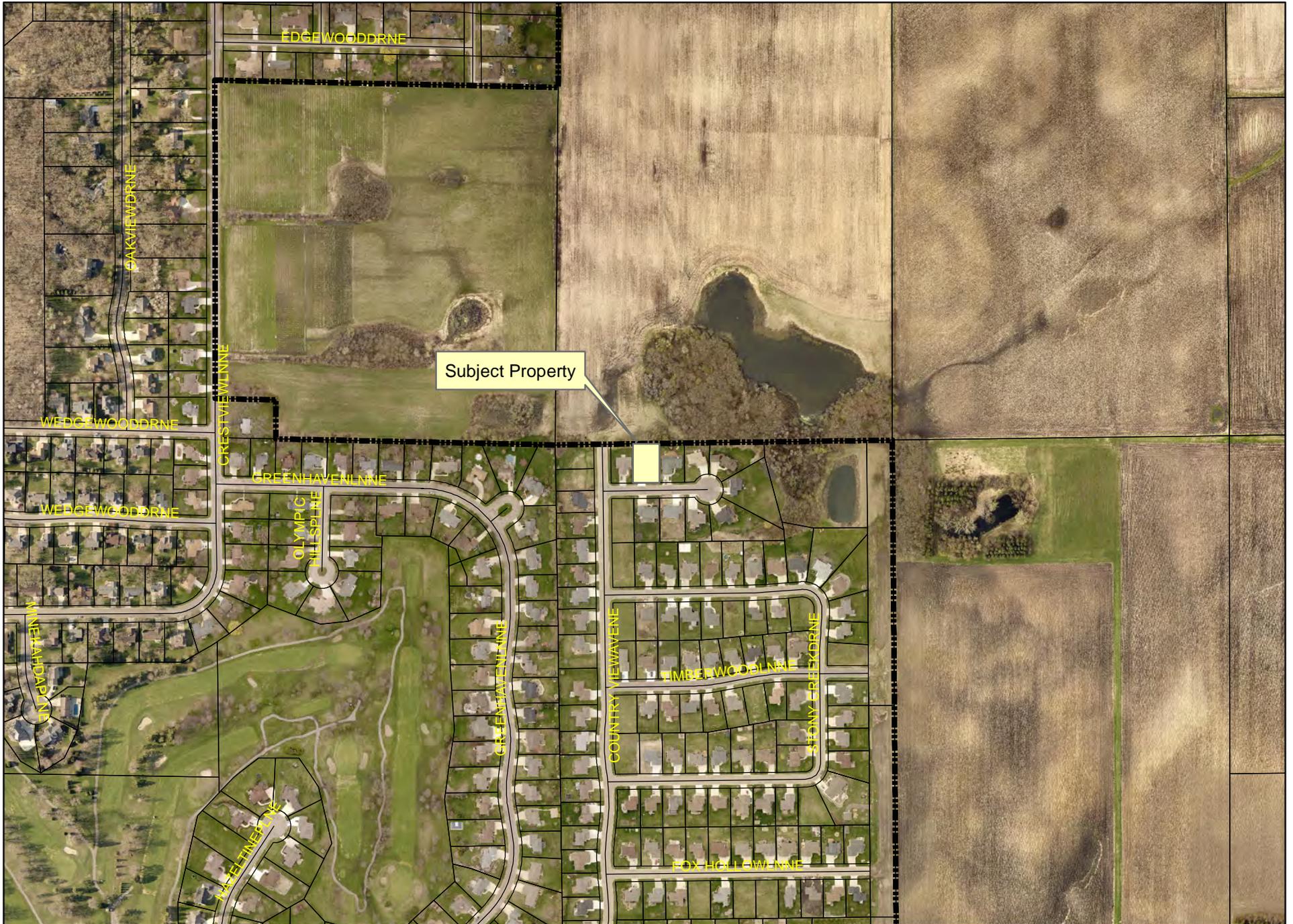
- ◆ Application No. V-1447, by Derby Builders, on behalf of Jason House, a request for a rear setback variance of 15' where a 30' rear setback is required from the north property line for a primary structure addition.
- ◆ The applicant is proposing to construct an addition on the rear of the house that will contain a 20' x 40' pool as well as the deck surrounding the pool.
- ◆ The proposed addition is 33' wide. The 15' of depth and 33' in width is the area that encroaches into the required setback.
- ◆ The addition will continue the existing line of the garage at a 10' setback to the west property line.
- ◆ The proposed addition does not encroach into any easements.
- ◆ The proposed addition will be a single story and contain a gable roof that has a height of 21' at the peak.
- ◆ The addition will be constructed with shingles and skylights for the roof. It will be sided to match the house as well as numerous windows and doors to allow for natural light.
- ◆ With this project the applicant will also be constructed a smaller addition on to the house with a deck that meets all of the requirements.

- ◆ The property to the north of this lot is not within the corporate limits. This area also contains two wetland complexes that show up on the National Wetland Inventory.
- ◆ This addition is near the smaller complex.
- ◆ Assuming Countryview Lane is extended to the north at some point in time, it is feasible there would be a lot fronting on Countryview in the future and would have a perpendicular lot to this one.
- ◆ Depending on the lot depth it may come near this addition but that is unclear at this time.
- ◆ As of the time of this report staff has heard from one neighbor that was inquiring on the request. The neighbor did not share an opinion on the request but asked numerous questions to address their concerns.
- ◆ State Statute requires that the applicant show a practical difficulty in order to be granted a variance. You also need to show that the variance requested is the minimum amount necessary to accomplish what is needed.
- ◆ A variance must stand on its own merits and may not be compared to other situations in which variances were granted.
- ◆ According to the ordinance, the Planning Commission shall make findings of fact base on the following.
 - ❖ That particular physical surroundings, shape, or topographical conditions of the specified parcel of land involved.
 - ❖ That the condition involved is unique to the particular parcel of land involved.
 - ❖ That the alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the parcel.
 - ❖ That the granting of the variation will not be detrimental to the public welfare or injurious to other land or improvements to the neighborhood.
 - ❖ That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or interfere with the function of the Police and Fire Departments of the City.

Staff Review:

Based on the information provided Staff sees this request both ways. Staff is not making a recommendation on this request. If the request were to be approved Staff would recommend the following provisions:

- 1) There shall be no additional encroachments on the north side of the building.
- 2) All building codes shall be met.
- 3) No additional accessory structures shall be permitted on this parcel.



V-1447 House Setback Variance
2430 Briarwood Place NE

1 inch = 500 feet
Date: 4/27/2021



Subject Property

COUNTRY MEVAVERE

BRIARWOOD PL NE

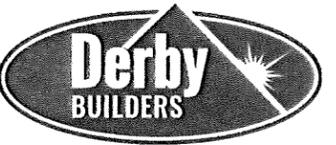


V-1447 House Setback Variance
2430 Briarwood Place NE

1 inch = 50 feet

Date: 4/27/2021

Preliminary Plans (NOT FOR CONSTRUCTION)



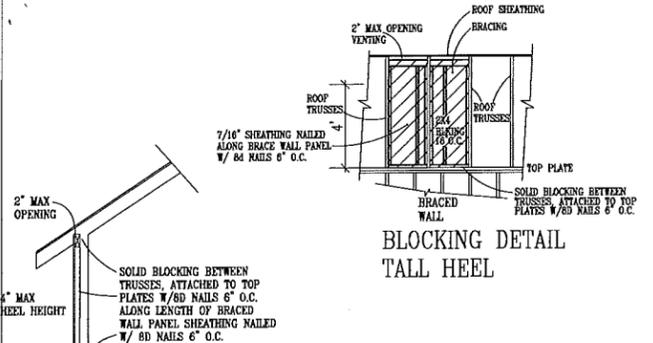
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Basement and Main

Date: March 10-2021
 Drawn by: *[Signature]*

Scale 1/8" = 1'



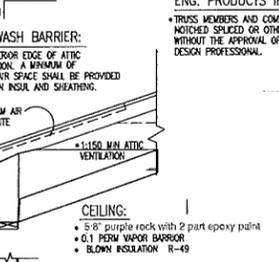
ROOF SYSTEM:
 ENERGY TRUSSES 24" O.C. SPECS BY MFG.
 1/2" OSB ROOF SHEATHING P.L. 32/16
 WATERGUARD APPLIED SINGLE FASHION FROM EAVES TO A POINT 24" INSIDE EXTERIOR WALL.
 1 LAYER 15 # FELT ON REMAINING 30 YEAR 3 TAB ASPHALT SHINGLES
 *PROVIDE STEEL SUPPLEMENTAL UPRIET BRACKETS FOR ALL TRUSSES.
 *PROVIDE CLIPS AS REQUIRED FOR ROOF SHEATHING
 *PROVIDE METAL IN ALL VALLEYS - CUT SINGLE VALLEYS

EAVE SYSTEM:
 * 2x6 SUBFASCIA
 * ALUMINUM FASCIA
 * 2x4 LOOKOUTS 24" O.C.
 * ALUMINUM SOFFIT W/ GYANT VENT
 * AIR CHUTES 48" O.C.

EXTERIOR WALL:
 * SIDING NOTED ON ELEVATIONS
 * TYPED OR TYPAR HOUSE WRAP TO UNDERSIDE OF TOP CHORD OF TRUSS OR RAFTER
 * 7/16" OSB WALL SHEATHING
 * 2x6 STUDS 16" O.C.
 * 5-1/2" F.F. INSULATION R-20
 * 6 MIL POLY FERM VAPOR BARRIER TAPED @ JOINTS
 * 1/2" purple rock with 2 part epoxy paint
 * 2-2x12 IRIS ON ALL OPENINGS UNLESS OTHERWISE NOTED.

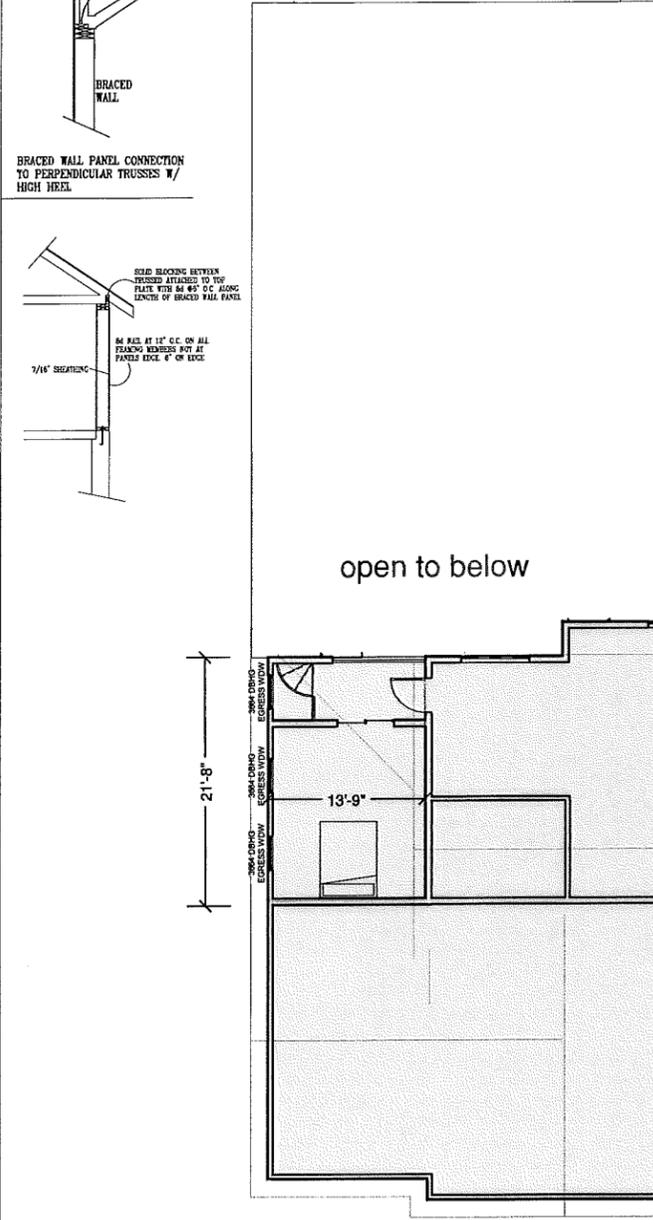
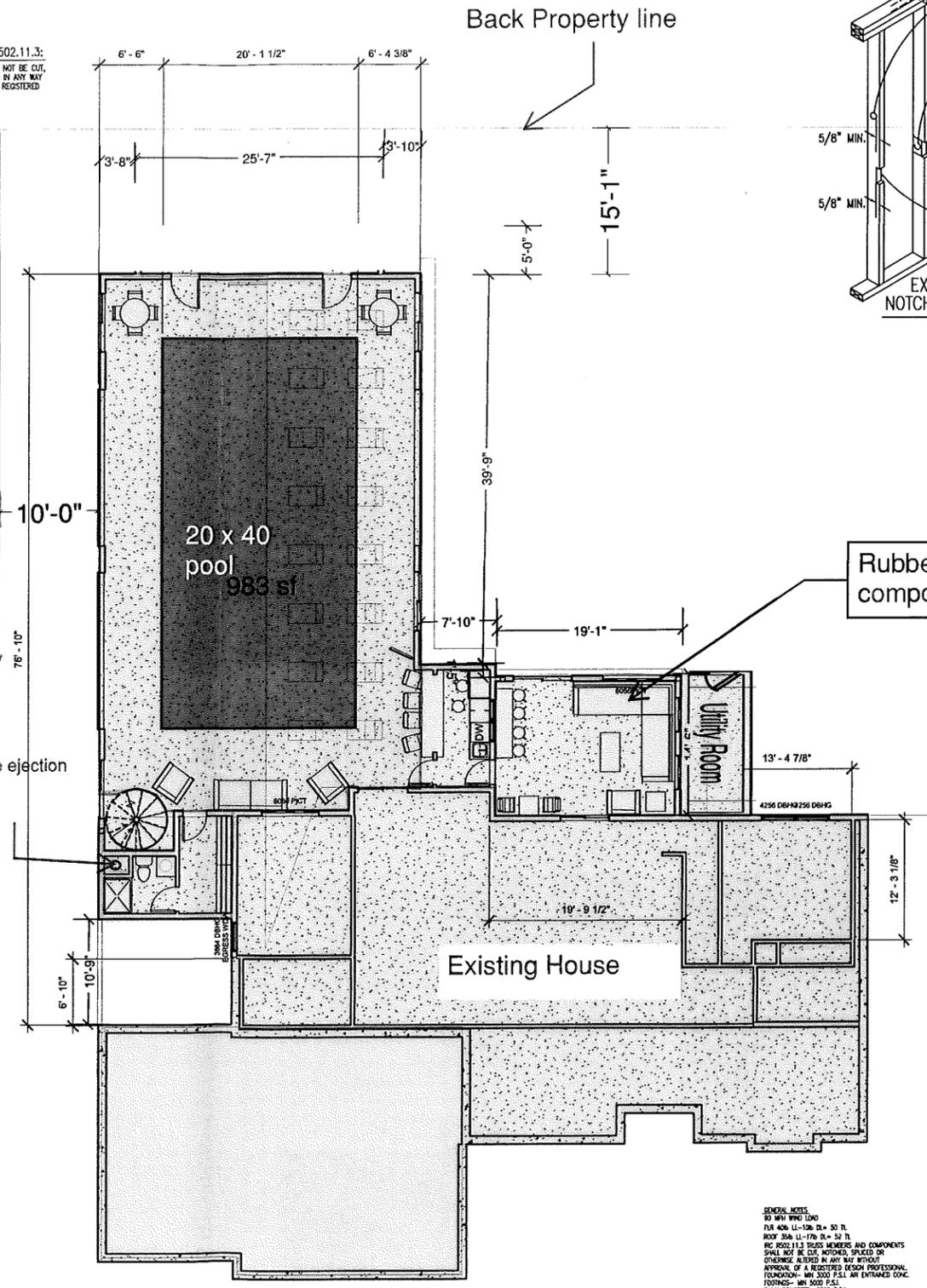
WALL DETAIL

R .61 VINYL SIDING
R .06 TYPAR
R .34 7/16" STRUCT. PANEL (R. 9.44) 2x6 STUDS @ 16" O.C.
R .2000 5-1/2" F.F. INSUL. R-20
R .06 6 MIL POLY V.B.
R .45 1/2" GYP. BD.
R .85 AIR FILLS
R 22.57 TOTAL WALL
WINDOWS U .35



NOTE:
 * SHEATHING JOINTS WHICH ARE NOT SUPPORTED BY FRAMING MEMBERS MUST BE CAROLKED

NOTE:
 * ALL PENETRATIONS INSTALLED THROUGH THE INTERIOR AIR BARRIER MUST BE SEALED PRIOR TO THE FRAMING INSPECTION



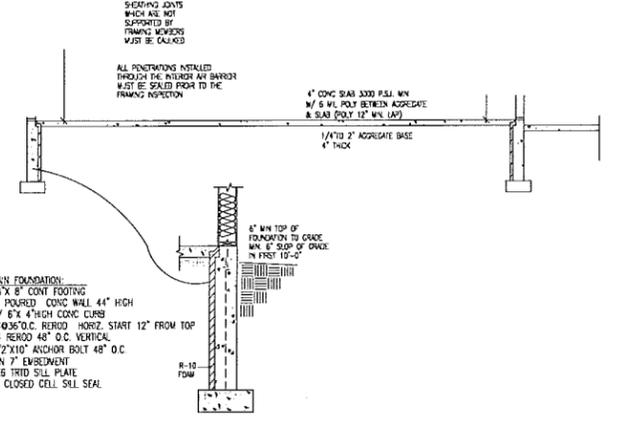
Main Level

Lower Level

RADON VENT:
 HOLLOW BLK FOUNDATION WALLS SHALL BE CONSTRUCTED WITH EITHER A CONT. CRS OF SOLID MASONRY, OR 1" CRS MASONRY GROUTED SOLID OR CONCRETE CMU, AT OR ABOVE FINISHED GRADE TO PREVENT PASSAGE OF AIR FROM INTERIOR OF THE WALL INTO LIVING SPACE. WHERE BRICK LEDGE IS INSTALLED, THE CRS IMMEDIATELY BELOW THAT LEDGE SHALL BE SEALED. JOINTS, CRACKS, OR OTHER OPENINGS AROUND PENETRATIONS OF BOTH EXTERIOR AND INTERIOR SURFACES OF MASONRY WALL, WOOD FOUNDATION WALLS BELOW GRADE SURFACE SHALL BE FILLED WITH POLYURETHANE CAULK. MIN 3" JUNCTION EQUIVALENT GASTIGHT PIPE SHALL BE EMBEDDED VERTICALLY INTO SUB-SLAB AGGREGATE OR OTHER PERMEABLE MATERIAL, FITTING WITH ONE 1/2" SECTION OF PERFORATED PIPE CONSTRUCTED TO A MIN. SIZE OF 3" PIPE SHALL BE INSERTED INTO INTERIOR PERIMETER DRAIN TILE LOOP OR THROUGH A SEALED SUMP COVER, WHERE THE SUMP TILE LOOP IS EXPOSED TO THE SUB-SLAB AGGREGATE. RADON VENTS SHALL CONNECT TO SINGLE PIPE THAT TERMINATES AT LEAST 12" ABOVE ROOF.
 RADON PIPES SHALL PROVIDE ENOUGH SPACE AROUND PIPE FOR ROOF PANEL, MIN 24" DIA. CENTERED ON AXIS OF VENT STACK. A MIN VERTICAL DISTANCE OF 36"
 RADON PIPES SHALL BE IDENTIFIED WITH ONE LABEL ON EACH FLOOR. LABEL SHALL READ (RADON REDUCTION SYSTEM)

FLASHING & COUNTERFLASHING IRC SEC. R703.8
 APPROVED CORROSION-RESISTIVE FLASHING SHALL BE PROVIDED IN THE EXTERIOR WALL ENVELOPE IN SUCH A MANNER AS TO PREVENT ENTRY OF WATER INTO THE WALL CAVITY OR PENETRATION OF WATER TO THE BUILDING STRUCTURAL FRAMING COMPONENTS. THE FLASHING SHALL EXTEND TO THE SURFACE OF THE EXTERIOR WALL FINISH AND BE INSTALLED TO PREVENT WATER FROM RE-ENTERING THE EXTERIOR WALL ENVELOPE. FLASHING SHALL BE INSTALLED CONTINUOUSLY ABOVE ALL PROJECTING WOOD TRIM.
 FLASHING SHALL BE INSTALLED AT WALL AND ROOF INTERSECTIONS. EXTEND DRIP CAPS PAST THE END OF THE BRICK MOLD AND BEND OVER. INSTALL KICK OUT FLASHING WHERE STEP FLASHING BEGINS.

GENERAL NOTES:
 10 MIN 1/2" DIA
 F1A 408 LL-106 DL= 50 FL
 ROOF 306 LL-176 DL= 52 FL
 RC 1002 LL-12 TRUSS MEMBERS AND COMPONENTS SHALL NOT BE CUT, NOTCHED, SPICED OR OTHERWISE ALTERED IN ANY WAY WITHOUT APPROVAL OF A REGISTERED DESIGN PROFESSIONAL.
 FOUNDATION- MIN 3000 P.S.I. AIR ENTRAINED CONC. FOOTINGS- MIN 3000 P.S.I.
 FLOOR CONCRETE- 3000 P.S.I.
 FOOTINGS TO BEAR ON ORIGINAL SOIL.
 WOOD FRAMING 2x4 2x6 2x8 FL GRADE OR BETTER BRACING AT EXTERIOR END OF SPANS.
 PROVIDE SOLID BRACING AT FLOOR JOINTS BEARING POINTS, INTERIOR BEARING WALLS AND CANTILEVERED FLOOR JOINTS AS REQUIRED.
 PROVIDE 1/2" DIA AIR BRACKER AT ALL PLUMBING AND MECHANICAL VENT DUCT PENETRATIONS OF EXTERIOR WALLS, CHIMNEYS, AND FLOORS.
 18" x 18" PLUMBING ACCESS PANELS PROVIDE A MIN. AIR BRACKER AT INSIDE SURFACE OF EXTERIOR ENVELOPE BEHIND TUB AND SHOWER UNITS. (1/2" DIA 1/2" DIA) 3/4" DIA OR 5/8" AIR DRY. TO 12" MIN. 8" WERE RISE.
 BRACKERS AND DRILLS ARE TO BE SEALED TO PREVENT THE ENTRY OF OUTSIDE AIR. SEE MFG'S INSTALLATION.





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3D Views

Date March 10-2021
Drawn by *Derby*

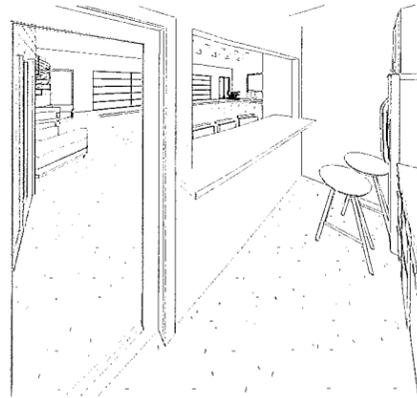
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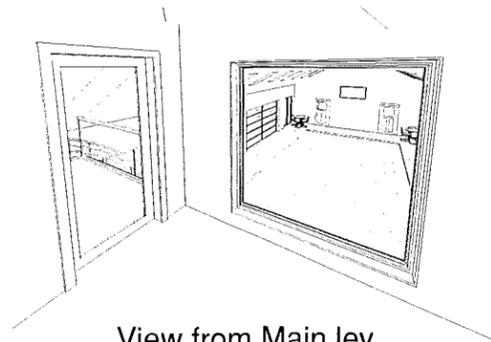
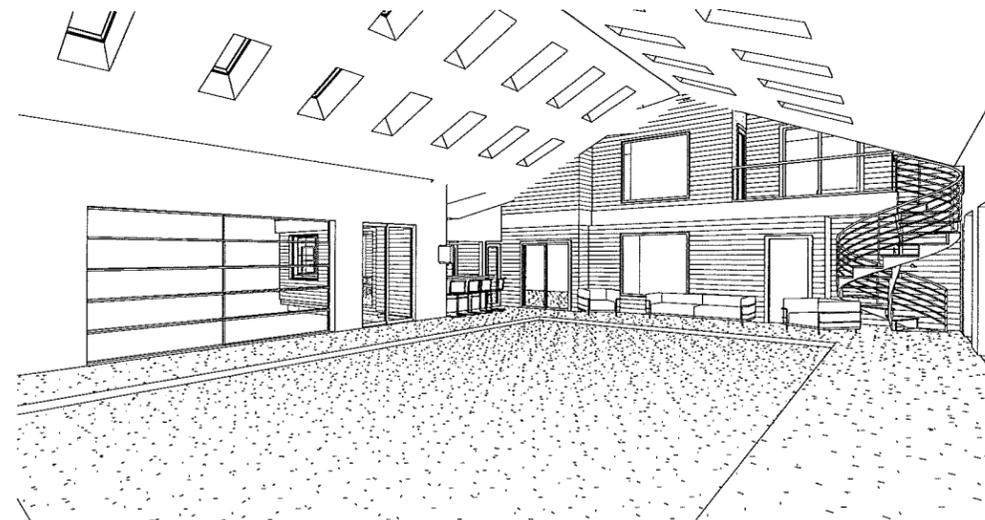
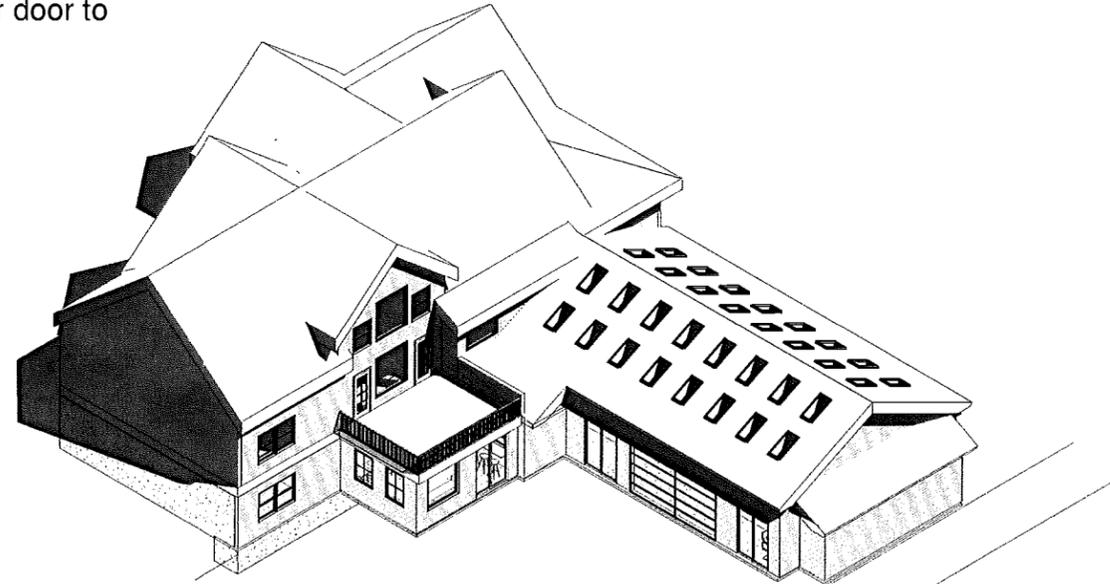
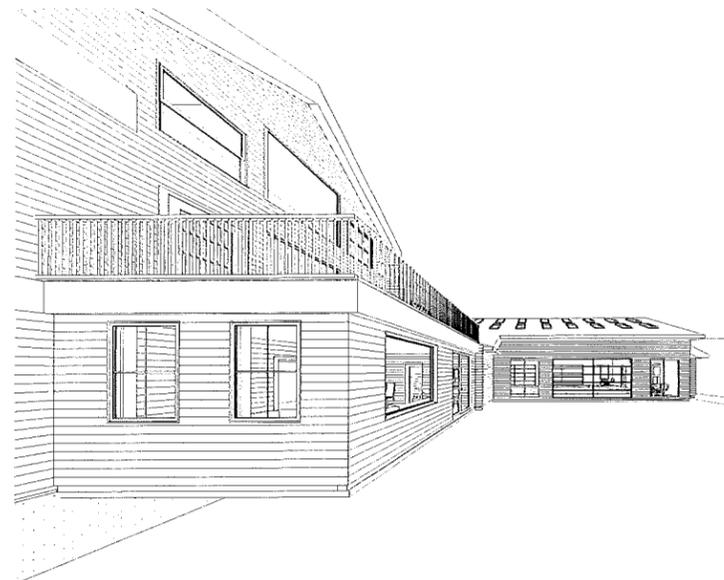
View from bar door to 4season



View from 4season into bar

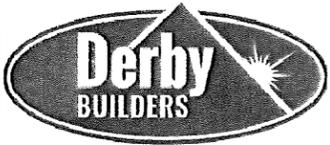


View from bar into pool room



View from Main lev. existing room into pool area

Preliminary Plans (NOT FOR CONSTRUCTION)



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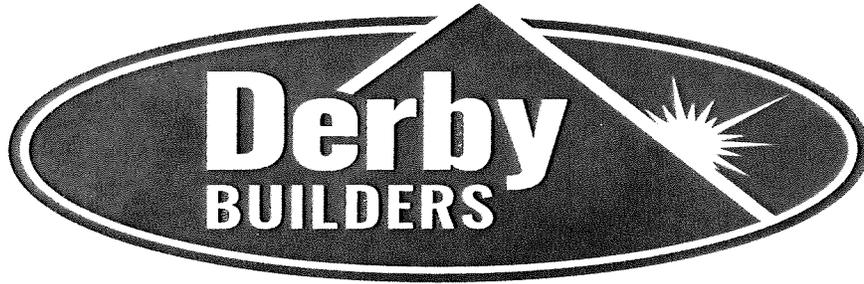
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Back

Date March 10-2021
Drawn by *[Signature]*

Scale 1/4" = 1'





License. # BC528487

On the homeowner's behalf we would like to request a variance for the property at 2430 Briarwood Pl. NE, Owatonna Minnesota. Attached you will find our preliminary plans that include three potential future permitted items. One item being the swimming pool itself. One item being future additions to the home including Four Season porch and bedroom space. And the last item which is the one we would potentially need a variance on would be the accessory building surrounding the pool. In this unique project we would like to build an enclosed pool house (accessory building) This portion of the project would be more than 10 feet from the property line on all sides the usable or walkable space would fall under the required square footage allowed in the ordinance we ask that the pool be permitted separately and be exempt from this square footage we will attach the pool house to the existing home but it will be separated by exterior doors and have its own HVAC, plumbing and electrical systems. Thus, being an accessory structure. The homeowner has tried to purchase the land to the back of the property to alleviate any potential issues, but we were unable to acquire the additional property. Thank you for your consideration.

Sincerely, David Derby CEO (Derby Builders)

derbyconstruction@gmail.com

(507)421-6396