

Community Planning and Economic Development Department – Planning Division
Rezoning
BZZ-1548

Date: January 26, 2003

Applicant: Mahmoud Rifai

Address of Property: 611 6th Street Southeast

Contact Person and Phone: Mahmoud Rifai, (612) 991-3682

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Date Application Deemed Complete: December 24, 2003

End of 60-Day Decision Period: February 22, 2004

End of 120-Day Decision Period: Not applicable

Ward: 2 Neighborhood Organization: Marcy Holmes

Existing Zoning: R2B

Proposed Zoning: R4

Proposed Use: Duplex with up to five unrelated people living in each of the two dwelling units

Previous Actions: None

Concurrent Review:

Rezoning: petition to change the zoning classification for the subject property from R2B (two-family district) to R4 (multiple-family district) in order to allow for up to five unrelated people to live in each of the two dwelling units.

Background: In 1992, a duplex was constructed on the property located at 611 6th Street Southeast. The first floor unit (including the basement) contains six bedrooms and three bathrooms and the second floor unit contains four bedrooms and two bathrooms.

The Minneapolis Zoning Code limits the number of unrelated people living in a dwelling unit in the R2B zoning district to three. In November, an inspection of the property was conducted and it was found that there were more than three people living in each of the two dwelling units on the property. As a result of the violation letter the applicant applied to rezone the property to R4 in order to allow for up to five unrelated people to live in each of the two existing dwelling units.

Neighborhood Review: The Marcy Holmes neighborhood was notified of the rezoning petition on December 9, 2003. Staff has not received a response from the neighborhood.

Attachments:

1. Description of the project
2. November 13, 2003 letter from the Minneapolis Inspections Office notifying the property owner of the violation
3. December 9, 2003 letter to CM Zerby and Marcy Holmes
4. Letters from affected property owners
5. Zoning maps
6. Site, elevation and floor plans
7. Photographs of the site and surrounding area

REZONING

Zoning Plate Number: 15

Legal Description: The Southeasterly 42 feet of the front or Southwesterly 123.75 feet of Lot 4, Block 25, Mill Co's Addition to the Town of St. Anthony Falls, according to the recorded plat thereof.

Findings as Required by the Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

The site is located in a low-density residential area. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Minneapolis will grow by increasing its supply of housing.
- Improve the availability of housing options for its residents.
- Maintain areas that are predominantly developed with single and two family structures.

There is currently a duplex on the property. R2B, the current zoning district, allows up to only three unrelated people per dwelling unit. The applicant is seeking a rezoning of the property to R4 in order to allow for up to five unrelated people to live in each of the two existing dwelling units.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

The property is currently zoned R2B. This zoning district does not allow there to be more than three unrelated people living in a dwelling unit. This application is in the interest of the property owner.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The site is surrounded by R2B zoning. There are areas of R5 in the neighborhood. Single-family homes, duplexes and multiple-family dwellings are scattered throughout the neighborhood. Given that the subject site is located in the middle of a R2B zoning district staff does not believe that R4 zoning would be compatible with the surrounding area.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

There are reasonable uses of the property permitted under the R2B zoning district. The R2B zoning district is a low-density residential district. Permitted uses in the R2B district include, but are not limited to, the following:

- Single-family dwellings.
- Two-family dwellings.
- Community residential facilities serving six (6) or fewer persons.
- Community gardens.
- Public parks.
- Places of assembly.

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

Within this area of Minneapolis there has not been a change in zoning or in the type of development. The neighborhood has been and still remains a low-density residential neighborhood.

RECOMMENDATIONS

Recommendation of the Community Planning and Economic Development Department – Planning Division for the rezoning:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **deny** the rezoning petition to change the zoning classification from R1A to R2B in order to allow a duplex for the property located at 4515 5th Avenue South.