

**Department of Community Planning and Economic Development –  
Planning Division Report**

Variance Request  
BZZ-3593

**Date:** July 26, 2007

**Applicant:** Obsa Negassa

**Address of Property:** 2530 Cedar Avenue South

**Contact Person and Phone:** Obsa Megassa, (612) 558-3900

**Planning Staff and Phone:** Erik Carlson, (612) 673-5348

**Date Application Deemed Complete:** May 22, 2007

**Hearing Date:** June 21, 2007

**Appeal Period Expiration:** July 2, 2007

**End of 60 Day Decision Period:** July 23, 2007

**Ward:** 9      **Neighborhood Organization:** East Phillips

**Existing Zoning:** R2B/Two Family District

**Proposed Use:** Single Family Residence

**Proposed Variances:** Decrease north interior side yard setback from 5 feet to 3 feet and decrease the south interior side yard setback from 5 feet to 3 feet 10 inches to allow for a new single family residential structure

**Zoning code section authorizing the requested variance:** 525.520(1)

**Background:** The proposed single family home would be located on a 3,555 square foot lot measuring 28 feet 10 inches wide and 123 feet 4 deep. The lot was originally a part of the lot to the south which was split in late 1985 or early 1986. A residence was constructed on each lot. The home at 2530 Cedar Avenue S was then demolished in 1991.

The required lot width of home in the R2B district is 40 feet. Because the lot was created prior to the adoption of the existing zoning code, this parcel is a lot of record<sup>1</sup> and therefore does not require a variance for the lot width.

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<sup>1</sup> 531.100

The property lies between a two-family dwelling to the north and single family dwelling to the south. The distance between the proposed home and the single family home to the south would be 6 feet. The distance between the proposed home and the two-family home to the north would range from 17 to 19 feet. The proposed home would be 22 feet in width, the minimum width allowable in the zoning code.

Site Plan Review has not been completed for the property, though it is a permitting requirement. Based on a preliminary review of submitted drawing, no clear violations of Site Plan Review standards have been proposed. Dimensions of front stairs and landing/porch need more evaluation. Elevations of the garage were not provided so a preliminary review of that structure could not be done.

### **Findings Required by the Minneapolis Zoning Code**

- 1. The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The lot is narrow to a point where no residential structure can be constructed on the lot at 2530 Cedar Avenue S under the conditions allowed by the zoning code without a variance. No home exists on the lot currently. It is a hardship not to be able to construct a home on a lot zoned for residential use.

The applicant is not seeking a variance in the zoning code greater than what is required to meet zoning standards. The proposed home's width is the minimum allowed. No design option exists which would eliminate or minimize the side yard variances sought.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The lot's width is sub-standard. This condition was not created by the applicant.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

The proposed home is generally centered on the lot; however it provides 10 more inches of space between the south wall of the home and the south property line. This is beneficial because the home to the south of 2530 Cedar Avenue S is closer to the proposed home at 2530 Cedar Avenue S than the home to the north of 2530 Cedar

Avenue S. The placement of the home attempts to maximize space between adjacent properties.

The essential character of the neighborhood would not be altered due to the proposed project. The distances between buildings in the vicinity of the proposed project are less than what the code requires.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

The new home would include a detached garage. The parking needs of the single family home can be accommodated partially if not wholly with this garage. On-street parking is also available. The project has no relation to fire danger, public welfare or safety.

**Recommendation of the Department of Community Planning and Economic Development**

The Department of Community Planning and Economic Development recommends the Board of Adjustment **adopt** the findings above and **approve** the variance application to decrease north interior side yard setback from 5 feet to 3 feet and to decrease the south interior side yard setback from 5 feet to 3 feet 10 inches to allow for a new single family residential structure with the following condition:

1. CPED-Planning reviews and approves all final plans and elevations.

**Appendices**

Appendix A: Aerial Photographs and Maps

Appendix B: Application Material

## Appendix A

## Appendix B

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