

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

Variance Request  
BZZ-3384

**Date:** February 1, 2007

**Applicant:** John Enloe (architect)

**Address of Property:** 2908 Humboldt Avenue South

**Contact Person and Phone:** John Enloe, (612) 746-3993

**Planning Staff and Phone:** Aaron Hanauer, (612) 673-2494

**Date Application Deemed Complete:** January 2, 2007

**Public Hearing:** February 1, 2007

**Appeal Period Expiration:** February 12, 2007

**End of 60 Day Decision Period:** March 5, 2007

**Ward:** 10      **Neighborhood Organization:** East Isles Residents Association

**Existing Zoning:** OR1 Neighborhood Office Residence District

**Proposed Use:** Conversion of a residential dwelling into an office use.

**Proposed Variances:**

- A variance to reduce the required number of off-street parking stalls from 4 spaces to 0 spaces.
- A variance to reduce the minimum lot area for an office use from 4,000 sq. ft. to 3,653 sq. ft (8.7 percent lot area variance).

**Zoning code section authorizing the requested variance:** 525.520 (2) (7)

**Background:** The subject property, 2908 Humboldt Avenue South, is located on an interior lot on Humboldt Avenue South, between Lagoon Avenue and Lake Street West in the East Isles neighborhood. The parcel is zoned OR1, Neighborhood Office Residence, and contains a two-and-a-half story, residential dwelling that was built in 1912. The subject property measures 41 ft. by 89 ft. (3,649 sq. ft.) which is considered a substandard lot for all permitted uses within the OR1 zoning district (the minimum area requirement for a residential use, its current use, is 5,000 sq. ft. and the minimum area requirement for an office use, the proposed use, is 4,000 sq. ft.)

The applicant is proposing to convert the residential dwelling into an office use, which is a permitted use in the OR1 Zoning District. The applicant's statement of proposed use and description of the project states that the intention is to restore the structure's exterior to resemble the character of the adjacent properties (two homes located to the north). The submitted plans also show a rear addition to the principal structure that would not require a variance.

**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.**

**Parking requirement:** The requested variance is to reduce the required number of off-street parking spaces from 4 spaces to 0 spaces to allow for the conversion of a residential dwelling into an office use, which is a permitted use in the OR1 District. Strict adherence to parking code regulations of the Zoning Code would prevent the permitted use that is proposed for this property and therefore would cause undue hardship.

**Variance to reduce the minimum lot area for an office use:** The applicant is requesting a variance to reduce the required lot size for an office use, a permitted use in the OR1 Zoning District from 4,000 sq. ft. to 3,649 sq. ft. (a lot area variance of 8.7 percent). This property was built upon prior to the contemporary zoning regulations; therefore, strict adherence to the regulations of the zoning ordinance would cause hardship since the applicant's proposed use is a permitted use in this zoning district.

- 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.**

**Parking requirement:** The circumstances for which the parking variance is sought are unique to the parcel of land and have not been created by the applicant. A main reason for this is that the structure was built at a time when there were no parking requirements in place (1912). Currently, there is a small surface parking area to the rear of the property that is accessed by the alley. However, it would be impossible to have the required parking at this location because maneuvering associated with such parking would take place on a public street (the alley) which is not allowed by city code.

**Variance to reduce the minimum lot area for an office use:** The circumstances for which the minimum lot area variance is sought are unique to the parcel of land and have not been created by the applicant. This is due to the property being built prior to the OR1 Zoning Code minimum lot area provision.

- 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.**

**Both variances:** Granting the variances will be keeping with the spirit of the ordinance by allowing this permitted use to exist. In addition, granting of these variances would not alter the essential character of the locality since there are other office uses (and commercial) located next to residential in the nearby vicinity and the primary facade of the subject property will remain intact when remodeled and rehabilitated. Staff also believes that granting these variances would not be injurious to the use or enjoyment of other property in the area.

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.**

**Both variances:** Granting of the requested variances would not seriously impact the congestion of area streets or fire safety for two reasons. First, the subject property is located between two Commercial Corridors (Lagoon Avenue and Lake Street West). A characteristic of a Commercial Corridor is that it has a daily traffic volume from 10,000 to 20,000 vehicles. Second, on-street parking and bus service are readily available in this area. Granting these variances will also not substantially increase other negative side effects.

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

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and

- **Approve** the variance to reduce the required number of off-street parking stalls from 4 spaces to 0 spaces.
- **Approve** the variance to reduce the minimum lot area for an office use in an OR1 district from 4,000 sq. ft. to 3,653 sq. ft (8.7 percent lot area variance).

to allow for a conversion of a residential dwelling into an office use at 2908 Humboldt Avenue South in the OR1, Neighborhood Office Residence District subject to the following condition:

1. That the Planning Division-CPED review and approve the final site plan, floor plans, and elevation. All drawings will be measured to an architect or engineer's scale.

**Attachments:**

Zoning map (1 page)  
Statement of proposed use (1 page)  
Applicant photos (5 pages)  
Staff photo (1 page)  
Site plan (1 page)  
Elevations and floor plans (7 pages)