Department of Community Planning and Economic Development – Planning Division
Rezoning and Variances
BZZ-3502

Date: May 7, 2007

Applicant: Barbara and Neil Goodwin

Address of Property: 4344-46 Xerxes Avenue South

Project Name: Not applicable for this application

Contact Person and Phone: Tan Nguyen, (612) 789-9287

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

Date Application Deemed Complete: April 10, 2007

End of 60-Day Decision Period: June 9, 2007

End of 120-Day Decision Period: August 8, 2007, extension letter sent on April 30, 2007

Ward: 13 **Neighborhood Organization:** Linden Hills Neighborhood Council

Existing Zoning: R1, Single-family district

Proposed Zoning: R3, Multiple-family district

Zoning Plate Number: 29

Legal Description: Certificate of Title No. 840729

Par 1
All that part of Lots 10, 11 and 12, Block 1, Mumford Park Addition to Minneapolis, bounded and described as follows: Commencing at a point 45 feet East of the East side of York Avenue South as opened by the Minneapolis City Council 97.5 feet North of the South line of Lot 15, said Addition; thence Northeasterly 170.94 feet to a point 116 feet North of the south line of Lot 14 of said Block 1 and 57 feet West of the East line of said Lot 12 and 50 feet West of the West line of Xerxes Avenue South as opened and widened by the Minneapolis City Council; the actual point of beginning of the land to be described, thence East 50 feet parallel to the south line of said Lot 14 to the West line of Xerxes Avenue South as now laid out and widened; thence North 65.75 feet along the West line of Xerxes Avenue South as now laid out and widened to the North line of said Lot 10, thence Southwesterly along the Northerly line of said Lots 10 and 11 to the West line of said Lot 11; thence south along the West line of said Lots 11 and 12 to its intersection with the first above mentioned line; thence Northeasterly along said line to the point of beginning subject to a right of way easement over the Southerly 9.7 feet of said premises, all as shown by plat of survey of said land as Doc No. 162393.

Par 2
That part of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 8, Township 28, Range 24, described as beginning at the Northeast corner of Lot 18, Block 1, Mumford Park Addition to Minneapolis; thence North along the extension of the East line of said Lot 18 to its intersection with a line running parallel to and 6 inches Northwesterly at right angles to the extension of the Northerly line of said Lot 18; thence Northeasterly parallel to the extension of the Northerly line of said Lot 18 to an intersection with a line drawn from the Northeast corner of Lot 1, said Block 1, to a point on the South line of Lot 14, said Block 1, distant 9 feet West from the southeast corner of said Lot 14; thence south along said last described line to the Northerly line of Lot 10, said Block 1; thence Southwesterly to the point of beginning.

Proposed Use: Triplex

Concurrent Review:
Rezoning: petition to change the zoning for the subject property from R1A to R3, in order to allow a triplex
Variance: to reduce the lot area from the required 7,500 square feet to 7,408 square feet (1.2 percent) to allow three dwelling units on the property
Variance: to increase the floor area ratio (FAR) from the maximum 1.0 to 1.029 (7,408 square feet to 7,624 square feet). There is currently 5,209 square feet of floor area
Variance: to increase the maximum permitted floor area of an accessory structure from the permitted 740 square feet to 812 square feet
Variance: to increase the amount of impervious surface on the site from the permitted 75 percent to 90 percent (5,556 square feet to 6,691 square feet)
Variance: to reduce the front yard setback from the required 20 feet to zero feet
Variance: to reduce the north interior side yard setback from the required 7 feet to zero feet

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments and Chapter 525, Article IX, Variances, specifically Section 525.520(1) "to vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations"; Section 525.520(2) "to vary the lot area or lot width requirements up to thirty (30) percent..."; Section 525.520(3) "to vary the gross floor area, floor area ratio and seating requirements of a structure or use"; and Section 525.520(15) "to vary the maximum lot coverage and impervious surface coverage requirements".

Background: The building located at 4344-46 Xerxes Avenue South is used for both residential and commercial purposes. The southern portion of the building is used for office space and the northern portion of the building is used as a dwelling unit. The southern portion of the building is one story and the northern portion of the building is two stories. The applicants are proposing to convert the building into a triplex. To convert the building to a triplex the roof of the one story portion of the building would be removed, a small addition would be added to the back of the building along the southern two-thirds of the structure and a full second story would be added. Once the addition is complete the exterior of the building would be modified so all four sides of the structure are compatible with one another. Modifications include changing the roofline of the entire structure, adding a front porch along the entire front of the building and adding rear decks.

The property is currently zoned R1A which does not allow triplexes. In order to construct three dwelling units on the site the property needs to be rezoned to R3. In addition to the rezoning several variances are required. If the project is approved, the triplex will need to be administratively reviewed for compliance with the standards for single and two family dwellings and multiple-family dwellings having three or four dwelling units as required by Chapter 530, Site Plan Review.

The Linden Hills Zoning Committee reviewed this development project on April 16th, 2007. The committee voted to not oppose the rezoning or multiple variance requests. An e-mail from the coordinator of the Linden Hills Neighborhood Council is included in the packet.

REZONING - petition to change the zoning for the subject property from R1A to R3, in order to allow a triplex

Findings as Required by the Minneapolis Zoning Code:

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

The property is located along Xerxes Avenue South just one zoning lot north of West 44th Street which is a designated Community Corridor. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Support the development of residential dwellings of appropriate form and density (Policy 9.5).
- Promote the development of well designed moderate density residential dwellings adjacent to one or more of the following land use features: Growth Centers, Commercial Corridors, Community Corridors, Activity Centers and Neighborhood Commercial Nodes (Implementation Step for Policy 9.5).
- Promote increased housing production in designated areas of the City in order to accommodate population growth (Policy 9.22).
- Use both infill development and new development opportunities to increase housing in the city (Implementation Step for Policy 9.22).
- Coordinate land use and transportation planning in designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets (Policy 9.27).
- Strengthen the residential character of community corridors by developing appropriate housing types that represent variety and a range of affordability levels (Implementation Step for Policy 9.27).

The Planning Division believes that rezoning the site from the R1A zoning district to the R3 zoning district would be in conformance with the above policies of *The Minneapolis Plan*. The R3 District allows for multiple-family dwellings of three and four units which is appropriate for a site located so close to a Community Corridor.

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

The amendment will allow the property owner to convert the existing mixed-use building into a triplex. City policymakers have identified West 44th Street as a Community Corridor. Approving this rezoning supports the City's decision to increase housing along Community Corridors.

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 entire block that the subject property is located on and the majority of the blocks to the south are zoned R1A. There are large areas of R2B zoning to the east and west with additional zoning classifications, both higher–density residential and commercial, scattered throughout the neighborhood (see Minneapolis Zoning Plate 29 in report). Although the surrounding zoning is R1A several of the adjacent properties contain higher density residential developments. North of the site is a duplex, immediately to the south of the site there is a ten unit and a seven unit residential building, across Xerxes Avenue South there is a six unit and a four unit residential building and within one block of the site there are two churches and one group home with 15 registered rooms (see zoning map for more detail in report). Given the mixture of surrounding zoning classifications and uses the Planning Division believes that the R3 zoning district 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 five permitted uses allowed in the R1A, Single-family District. Permitted uses in the R1A zoning district include the following:

- Single-family dwelling
- Community residential facility serving six (6) or fewer persons
- Community garden
- Park, public
- Place 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.

In April of 1987 a 40-acre zoning study was done in Linden Hills. Prior to the 40-acre study being complete the subject property was zoned R3 which permitted multiple-family dwellings up to ten units. As part of the 40-acre study staff was recommending that the property be rezoned to R5 and the neighborhood believed that the property should stay zoned R3. Ultimately, the property was down-zoned to R1A and has remained ever since. Even though this property was rezoned as part of a 40-acre study, the Planning Division believes that with the adoption of The Minneapolis Plan in March of 2000

that the City has a different idea of what types of uses would be best in this area given the designation of West 44th Street as a Community Corridor and the designation of two nearby neighborhood commercial nodes.

VARIANCE - to reduce the lot area from the required 7,500 square feet to 7,408 square feet (1.2 percent) to allow three dwelling units on the property

Findings as Required by the Minneapolis Zoning Code for the Variance:

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

Lot area reduction: The applicant is seeking a variance to reduce the lot area from the required 7,500 square feet to 7,408 square feet (1.2 percent) to allow three dwelling units on the property. The applicant has indicated that although the lot size does not meet the minimum required for three dwelling units that the amount of lot area per dwelling unit on this lot compared to surrounding multiple-family dwellings in the area is compatible. In fact, this site would have the second highest lot area per dwelling unit (2,469 square feet) of the surrounding five multiple-family properties. The five properties that were evaluated include the following (all information was taken from PropertyInfo):

- 4332 Xerxes, 2 dwelling units, 7,020 square feet of lot area, 3,510 square feet per dwelling
- 4331 Xerxes, 6 dwelling units, 6,300 square feet of lot area, 1,050 square feet per dwelling
- 3020 West 44th, 4 dwelling units, 5,750 square feet of lot area, 1,437 square feet per dwelling
- 3102 West 44th, 10 dwelling units, 6,844 square feet of lot area, 684 square feet per dwelling
- 3110 West 44th, 7 dwelling units, 13,420 square feet of lot area, 1,917 square feet per dwelling

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.

Lot area reduction: The Planning Division believes that the circumstances are unique to warrant the granting of the variance. The resulting lot area for three dwelling units on this site is higher than the lot area per dwelling unit on lots of similar size in the immediate area.

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.

Lot area reduction: The Planning Division believes that the granting of the variance would be in keeping with the intent of the zoning code. The variance that is being sought is minimal. The applicant could have decided to rezone the property to R4 which would have eliminated the need for this variance as it has a lower lot area requirement per dwelling unit. Again, the resulting lot area for three dwelling

units on this site is higher than the lot area per dwelling unit on lots of similar size in the immediate 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.

Lot area reduction: The Planning Division believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

VARIANCE - to increase the floor area ratio (FAR) from the maximum 1.0 to 1.029 (7,408 square feet to 7,624 square feet)

Findings as Required by the Minneapolis Zoning Code for the Variance:

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

Floor area ratio increase: The applicant is seeking a variance to increase the floor area ratio (FAR) from the maximum 1.0 to 1.029 (7,408 square feet to 7,624 square feet). The applicant has indicated that the existing FAR of the property is .703. The building addition combined with the larger garage size increases the FAR to 1.029. The applicant has indicated that the building is being designed so all three units are of a similar size.

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.

Floor area ratio increase: The Planning Division does not believe that the circumstances are unique to warrant the granting of the variance. In total, the applicant would only have to eliminate 216 square feet between the building addition and the garage in order to meet the required FAR. The Planning Division believes that the applicant can reasonably comply with the floor area standard without the requested variance.

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.

Floor area ratio increase: The Planning Division does not believe that the granting of the variance would be in keeping with the intent of the zoning code. The intent of limiting FAR is to provide for the orderly development and use of land and to minimize conflicts between adjacent land uses by regulating the amount of building bulk on a property in order to provide adequate light, air, open space and

separation of uses. Reducing the amount of building bulk on this property would ensure that the intent of the zoning code is being met.

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.

Floor area ratio increase: The Planning Division believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

VARIANCE - to increase the maximum permitted floor area of an accessory structure from the permitted 740 square feet to 812 square feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

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

Garage size increase: The applicant is seeking a variance to increase the maximum permitted floor area of an accessory structure from the permitted 740 square feet to 812 square feet. The applicant has indicated that the larger garage size is required in order to provide partition walls within the garage to create three private parking spaces.

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.

Garage size increase: The Planning Division does not believe that the circumstances are unique to warrant the granting of the variance. A standard parking space, as required by the Minneapolis Zoning Code, measures 8.5 feet in width and 18 feet in depth. A 740 square foot garage divided by the proposed 22 feet for depth results in a garage width of 33.6 feet or 11.2 feet per parking space. Given that the resulting width per space is larger than what is required by the zoning code the Planning Division believes that three private parking spaces could be provided in a garage size of 740 square feet.

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.

Garage size increase: The Planning Division does not believe that the granting of the variance would be in keeping with the intent of the zoning code. The intent of limiting the size of accessory structures is to ensure that they are subordinate to the principal structure on the zoning lot and to reinforce the established character found throughout the City of Minneapolis. Clearly in this case the garage would

be subordinate to the principal structure. However, increasing the size of the proposed garage would be out of character with what is currently on the property as the existing garage is 643 square feet in size.

Also, in addition to this variance the applicant is seeking a variance to increase the maximum amount of impervious surface on the zoning lot from 70 percent to 90 percent. Although reducing the size of the garage to 740 square feet will not eliminate the need for the impervious surface variance it will reduce the overall variance that is needed by adding additional green space to the site.

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.

Garage size increase: The Planning Division believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

VARIANCE - to increase the amount of impervious surface on the site from the permitted 75 percent to 90 percent (5,556 square feet to 6,691 square feet)

Findings as Required by the Minneapolis Zoning Code for the Variance:

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

Impervious surface increase: The applicant is seeking a variance to increase the amount of impervious surface on the site from the permitted 75 percent to 90 percent (5,556 square feet to 6,691 square feet). According to the applicant 85 percent of the site is currently impervious (6,297 square feet). The applicant has indicated that the amount of impervious surface on the property is increasing because there is an easement that runs over the existing driveway that must remain as it provides access for the adjacent properties to the south to their parking garages.

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.

Impervious surface increase: The Planning Division does not believe that the circumstances are unique to warrant the granting of the variance. The driveway and the easement which provides access for the adjacent properties to the south are existing. The Planning Division believes that the amount of impervious surface on the site is increasing because the building is getting larger as is the size of the garage. In addition a new front porch that spans the entire width of the building is being added as is a large deck which also spans the entire width of the building.

The Planning Division recognizes that if the applicant did not have to share the driveway with the adjacent properties to the south that a large amount of the existing impervious surface could be

removed. Given this, the Planning Division is recommending that the Planning Commission grant partial approval for this variance request by allowing the applicants to retain the same amount of impervious surface (85 percent or 6,297 square feet) on the site as there is currently.

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.

Impervious surface increase: The Planning Division does not believe that granting the full variance request would be in keeping with the intent of the zoning code. The City of Minneapolis has taken large strides at reducing the overall amount of stormwater runoff and increasing the amount of impervious surface on a site goes directly against this initiative. However, because the driveway must remain open given the easement that exists the Planning Division believes that allowing some exception to the requirement is necessary.

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.

Impervious surface increase: The Planning Division believes that the granting of the variance would likely have little impact on fire safety, nor would the proposed variance be detrimental to welfare or public safety.

VARIANCE - to reduce the front yard setback from the required 20 feet to zero feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

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

Front yard setback: The applicant is seeking a variance to reduce the front yard setback from the required 20 feet to zero feet. The applicant has indicated that in order to avoid the variance the existing building would need to be demolished as the existing building is located between 4.91 and 5.34 feet from the front property line with stairs and entry landings projecting another two to three feet closer to the front property line. The applicant is not proposing to demolish the existing building; instead, the applicant is proposing to remove the roof of the one story portion of the building and add a full second story addition. Given this the addition will be located in the required front yard setback. The applicant is also proposing to construct a covered open porch across the entire front of the building which would extend all the way to the front property line.

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.

Front yard setback: The Planning Division believes that the circumstances are unique to warrant the granting of the variance as the existing building is not being demolished as part of this development.

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.

Front yard setback: The intent of having yard controls is to provide for the orderly development and use of land and to minimize conflicts between adjacent land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The Planning Division believes that the granting of the variance would be in keeping with the intent of the zoning code. Although the second-story addition and the front porch addition would be built in the established front yard setback there is 75.28 feet between the subject property and the property to the north and 29.29 feet between the subject property and the property to the south.

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.

Front yard setback: The Planning Division believes that the granting of the variance would likely have little impact on fire safety, nor would the proposed variance be detrimental to welfare or public safety.

VARIANCE - to reduce the north interior side yard setback from the required 7 feet to zero feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

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

North interior side yard setback: The applicant is seeking a variance to reduce the north interior side yard setback from the required 7 feet to zero feet. The applicant has indicated that in order to avoid the variance the existing building would need to be demolished as the existing building is located between zero and 1.64 feet from the north interior property line with a roof overhang projecting over the property line. The applicant is not proposing to demolish the existing building; instead, the applicant is proposing to remove the roof of the one story portion of the building and add a full second story addition. The addition will change the roofline of the existing two-story portion of the building. Once the addition is complete the exterior of the building would be modified so all four sides of the structure are compatible to one another which includes modifying the roofline of the existing two-story portion of the building. Given this the addition will be located in the required north interior side yard setback. The applicant is also proposing to construct a deck which would extend along the north interior property line for an additional 13 feet.

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.

North interior side yard setback: The Planning Division believes that the circumstances are unique to warrant the granting of the variance as the existing building is not being demolished as part of this development.

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.

North interior side yard setback: The intent of having yard controls is to provide for the orderly development and use of land and to minimize conflicts between adjacent land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. Although the second-story addition and the deck addition would be built in the required north interior side yard setback the two properties are located 75.28 feet away from one another as the former streetcar right-of-way, now used as a public pathway, runs between them.

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.

North interior side yard setback: The Planning Division believes that the granting of the variance would likely have little impact on fire safety, nor would the proposed variance be detrimental to welfare or public safety.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and the City Council adopt the above findings and **approve** the rezoning petition to change the zoning for the subject property from R1A to R3, in order to allow a triplex located at 4344-46 Xerxes Avenue South.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to reduce the lot area from the required 7,500 square feet to 7,408 square feet (1.2 percent) to allow three dwelling units on the property located at 4344-46 Xerxes Avenue South.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the variance application to increase the floor area ratio (FAR) from the maximum 1.0 to 1.029 (7,408 square feet to 7,624 square feet) located at 4344-46 Xerxes Avenue South.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the variance application to increase the maximum permitted floor area of an accessory structure from the permitted 740 square feet to 812 square feet located at 4344-46 Xerxes Avenue South.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to increase the amount of impervious surface on the site from the permitted 75 percent to 85 percent (5,556 square feet to 6,297 square feet) located at 4344-46 Xerxes Avenue South.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to reduce the front yard setback from the required 20 feet to zero feet located at 4344-46 Xerxes Avenue South.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to reduce the north interior side yard setback from the required 7 feet to zero feet located at 4344-46 Xerxes Avenue South.

Attachments:

1. Statement of propose use and variance findings
2. Preliminary Development Review report from April 25, 2007
3. March 15, 2007, and April 9, 2007, e-mail to Council Member Betsy Hodges
4. October 16, 2006, e-mail from the Linden Hills Zoning Committee
5. Various correspondence from surrounding property owners
6. April 9, 2007, e-mail to the Linden Hills Neighborhood Council
7. April 18, 2007, e-mail from the Linden Hills Neighborhood Council
8. Zoning Map
9. Minneapolis Zoning Plate 29
10. Survey
11. Site plan, floor plans and elevations
12. Photographs of the site