

**Department of Community Planning and Economic Development - Planning Division**  
Variance Application  
BZZ - 2381

**Date:** June 16, 2005

**Applicant:** Lenny Frolov

**Address Of Property:** 726 31<sup>st</sup> Avenue North

**Contact Person And Phone:** Lenny Frolov 612-242-0973

**Planning Staff And Phone:** Jim Voll 612-673-3887

**Date Application Deemed Complete:** May 18, 2005

**End of 60 Day Decision Period:** July 17, 2005

**Appeal Period Expiration:** June 27, 2005

**Ward:** 3      **Neighborhood Organization:** Hawthorne

**Existing Zoning:** R2B Two-family Residence District

**Existing/Proposed Uses:** A duplex exists on one lot and a single-family home is proposed for the other lot.

**Proposed Variances:** A variance to reduce the required minimum lot size from 5,000 square feet to 4,916 and 4,914 square feet to allow for the reestablishment of two platted lots.

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

**Background:** The subject property consists of two platted lots under one property (tax) identification number (PID). The applicant wishes to separate the two lots and obtain individual PID's for the two lots. Both lots are just short of the minimum required 5,000 square feet of lot area. The applicant requests a variance from 5,000 square feet to 4,916 square feet and 4,914 square feet for the reestablishment of the platted lots.

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

- 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.**

The property consists of two platted lots that meet most of the requirements of the R2B District, but are both short of the minimum required lot area of 5,000 square feet. One lot has an existing duplex the other is vacant. The lots are approximately 80 square feet short of the required 5,000 square feet. Without the variance the applicant would not be able to reestablish the vacant lot,

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which is similar in size to the other lots in the area. The only other alternative that does not require variances would be to leave the lot undeveloped. This is a hardship. The requested variance will allow a reasonable use of the property.

- 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 site consists of two platted lots that meet the requirement of the R2B District, but are just under the required minimum lot area. This is a condition that is not generally applicable to other properties in the 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.**

The intent of minimum lot area requirements is to provide a reasonable size lot that that allows for adequate room for the principal and accessory structures, sidewalks and drives, and yards. Both lots are just under the requirement by approximately 80 square feet. This is not a significant difference that would make developing the lot more difficult than if it were 5,000 square feet. Granting this variance will not circumvent the intent of the ordinance.

- 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 variance should have no effect on congestion, as it will not significantly increase traffic demand at the site. It will only add one single-family home to the area. The variance should not be detrimental to the public welfare or safety and will not increase the danger of fire.

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

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the above findings and approve the variance application to reduce the required minimum lot area from 5,000 square feet to 4,916 square feet and 4,914 square feet for property located at 726 31<sup>st</sup> Avenue North.