

**Department of Community Planning and Economic Development – Planning  
Division**  
Minor Subdivision Application  
MS-217

**Date:** January 23, 2012

**Applicant:** Paul Frenz, 119 Pratt Street, Minneapolis, MN 55419 and Kenneth Abdo, 112 West Minnehaha Parkway, Minneapolis, MN 55419

**Addresses of Property:** 119 Pratt Street and 112 West Minnehaha Parkway

**Project Name:** Not applicable for this application.

**Contact Person and Phone:** Morrison Fenske & Sund, Attn: Patrick Knight, 5125 County Road 101, Suite 202, Minnetonka, MN 55345, (952) 277-0132

**Planning Staff and Phone:** Becca Farrar, (612)673-3594

**Date Application Deemed Complete:** December 14, 2011

**End of 60-Day Decision Period:** Not applicable for this application.

**End of 120-Day Decision Period:** February 12, 2012

**Ward:** 11

**Neighborhood Organization:** Tangletown Neighborhood

**Existing Zoning:** R1 (Single-family) District, AP (Airport) Overlay District and SH (Shoreland) Overlay District

**Proposed Zoning:** Not applicable for this application.

**Zoning Plate Number:** 37

**Lot area:** 119 Pratt Street: 10,475 square feet or approximately .24 acres; 112 West Minnehaha Parkway: 10,735 square feet or approximately .25 acres.

**Legal Description:** See survey.

**Proposed Use:** Please see attached survey. Single-family homes exist on both parcels.

**Concurrent Review:**

- Morrison Fenske & Sund, on behalf of Paul Frenz and Kenneth Abdo, has submitted a minor subdivision application for the properties located at 119 Pratt Street and 112 West Minnehaha Parkway in order to adjust the existing rear lot line approximately 5 feet, 6 inches.

**Applicable zoning code provisions:** Chapter 598 Subdivisions.

**Background:** The subdivision consists of two parcels that share a common rear lot line. The proposal would result in the adjustment of the common lot line by moving the south property line

of 119 Pratt Street (Parcel 1) 5 feet, 6 inches to the south in order to transfer property to 112 West Minnehaha Parkway (Parcel 2). The property would result in the transfer of approximately 440 square feet. As a result, 119 Pratt Street which is currently 10,475 square feet in size would be 10,035 square feet in size and 112 West Minnehaha Parkway which is currently 10,735 square feet in size would be 11,175 square feet in size following the approval of the minor subdivision proposal. These properties are in a large lot district; however, both lots currently and as proposed exceed the large lot average of approximately 9,898 square feet. No new parcels are being created. Further, typically lots require a variance if lots that are created have more than five sides. The property located at 119 Pratt Street currently has six sides and would have six sides with the lot line adjustment. This is an existing condition, therefore no variance is necessary. Both properties are zoned R1 (Single-family) district and are located in the SH and AP Overlay Districts. The overlay districts are not applicable in this circumstance because no new parcels are being created and no new development is proposed.

In 2006, both parties amicably settled a minor boundary line dispute which resulted in moving the boundary line in their respective backyards by approximately 5 feet, 6 inches. However, the legal descriptions of the properties were never formally changed to conform with the settlement agreement, thus the minor subdivision application at this time.

Staff has not received any official correspondence in regard to the proposed application from the Tangletown Neighborhood prior to the printing of this report. All correspondence received prior to the meeting shall be forwarded on to the Planning Commission for consideration.

### **MINOR SUBDIVISION**

#### **Required Findings:**

#### **1. The subdivision is in conformance with the land subdivision regulations and the applicable regulations of the zoning ordinance and policies of the comprehensive plan.**

Both parcels will be in conformance with the requirements of the zoning ordinance and comprehensive plan. Both lots are in conformance with the standards of the subdivision regulations.

The R1 District requires a minimum lot size of 6,000 square feet. However, Section 598.240(2)[a] of the subdivision regulations requires that lot width be increased in “large-lot districts.” The section states that “lot area shall not be less than the greater of (1) the minimum requirements set forth by the zoning ordinance or (2) the average of the single-family and two-family zoning lots located in whole or in part within three hundred fifty (350) feet or the average of the single-family and two-family zoning lots located in whole or in part within three hundred fifty (350) feet, whichever is greater, where such average lot area exceeds the minimum zoning requirement by fifty (50) percent or more.”

The minimum lot area in the R1 District is 6,000 square feet. The average of the single-family and two-family lots within the same zoning district (the R1 zoning) within 350 feet is 9,898 square feet. This exceeds the minimum lot area of 6,000 square feet by 50 percent ( $6,000 \times 50\% = 3,000$  and  $3,000 + 6,000 = 9,000$ ). Since this average exceeds the minimum of the district by 50 percent, it (9,898) is the minimum lot area under the large lot provision of the subdivision ordinance. Parcel 1 (119 Pratt Street) which is currently 10,475 square feet in size would be 10,035 square feet in size and Parcel 2 (112 West Minnehaha Parkway) which is currently 10,735 square feet in size would be 11,175 square feet in size following the approval of the minor subdivision proposal. No variances of the subdivision ordinance are necessary.

**2. The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.**

The proposed subdivision will adjust the common lot line between two parcels with existing single-family homes. This will not be out of character with the area and will not add significant congestion to the public streets.

**3. All land intended for building sites can be used safely without endangering the residents or users of the subdivision and the surrounding area because of flooding, erosion, high water table, severe soil conditions, improper drainage, steep slopes, rock formations, utility easements, or other hazard.**

The sites are currently developed and do not present the above noted hazards.

**4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.**

No change to the grading is proposed and access is existing.

**5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.**

Existing utility and drainage provisions are adequate for the development currently located on the properties.

**RECOMMENDATION:**

**Recommendation of the Department of Community Planning and Economic Development–  
Planning Division for the minor subdivision:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **approve** the minor subdivision to allow a rear lot line adjustment of approximately 5 feet, 6 inches for the properties located at 119 Pratt Street and 112 West Minnehaha Parkway

**Attachments:**

- 1) Statement of proposed use and description of the project
- 2) Correspondence
- 3) Zoning map
- 4) Plans
- 5) Photos