

Zoning Board of Adjustment Annual Report

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (CPED)

505 Fourth Avenue South – Room 320
Minneapolis, MN 55415
www.minneapolismn.gov/cped



2024

Board of Adjustment

The Board of Adjustment shall have the following powers and duties in connection with the administration of this zoning ordinance:

(1) To hear and decide applications for variances from the provisions of this zoning ordinance pursuant to the procedures and standards set forth in the zoning ordinance.

The City's principal means of controlling land use is the zoning ordinance, which divides the City into different zoning districts. The primary districts determine allowed uses, required lot size, and various other standards. The Built Form Overlay Districts, adopted in 2020, determine the bulk standards for structures including building height and setbacks. The Board of Adjustment may grant variances from these requirements, when the applicant can demonstrate that practical difficulties exist because of conditions or circumstances unique to an individual property.

(2) To hear and decide appeals from any order, requirement, decision, determination or interpretation made by the zoning administrator, planning director or other official in the administration or the enforcement of the zoning ordinance.

The Zoning Administrator is charged with interpreting and administering the zoning ordinance. The Board of Adjustment hears and determines appeals from any order, requirement, decision, determination or interpretation made by the zoning administrator, planning director or other official in the administration or the enforcement of the zoning ordinance.

(3) To hear and decide applications for certificates of nonconforming use pursuant to the procedures and standards set forth in the zoning ordinance.

Zoning districts determine where uses are permitted in the City. When the City changes the zoning district of an area, some uses may no longer be permitted under the new zoning district. However, if they were legally established before the change, then in general they can continue to exist as long as they are not expanded or abandoned. They become legal nonconforming uses. The Board of Adjustment may determine if a property has retained or has lost nonconforming rights and the extent of these rights by approving a nonconforming use certificate to define these rights.

Board of Adjustment Members*

NAME	WARD
Matt Perry (Chair)	13
Annie Wang (Vice-Chair)	2
Anna Callahan	3
Derek Eicholz	3
Sally Grans Korsh	3
Adam Hutchens	5
Peter Ingraham	10
Eric Johannessen	12
Taylor Smrikarova	6

**Membership as of 1/1/2024*

2024 Land Use Applications

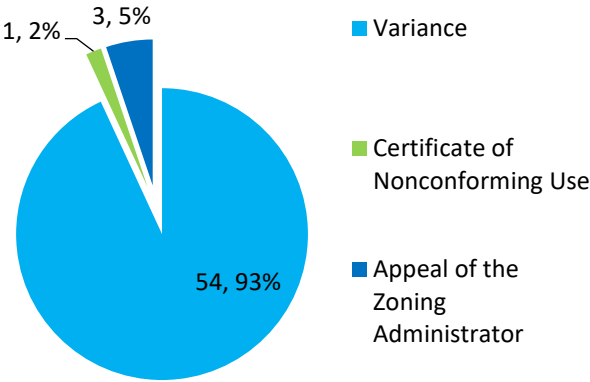
Total number of action items

58

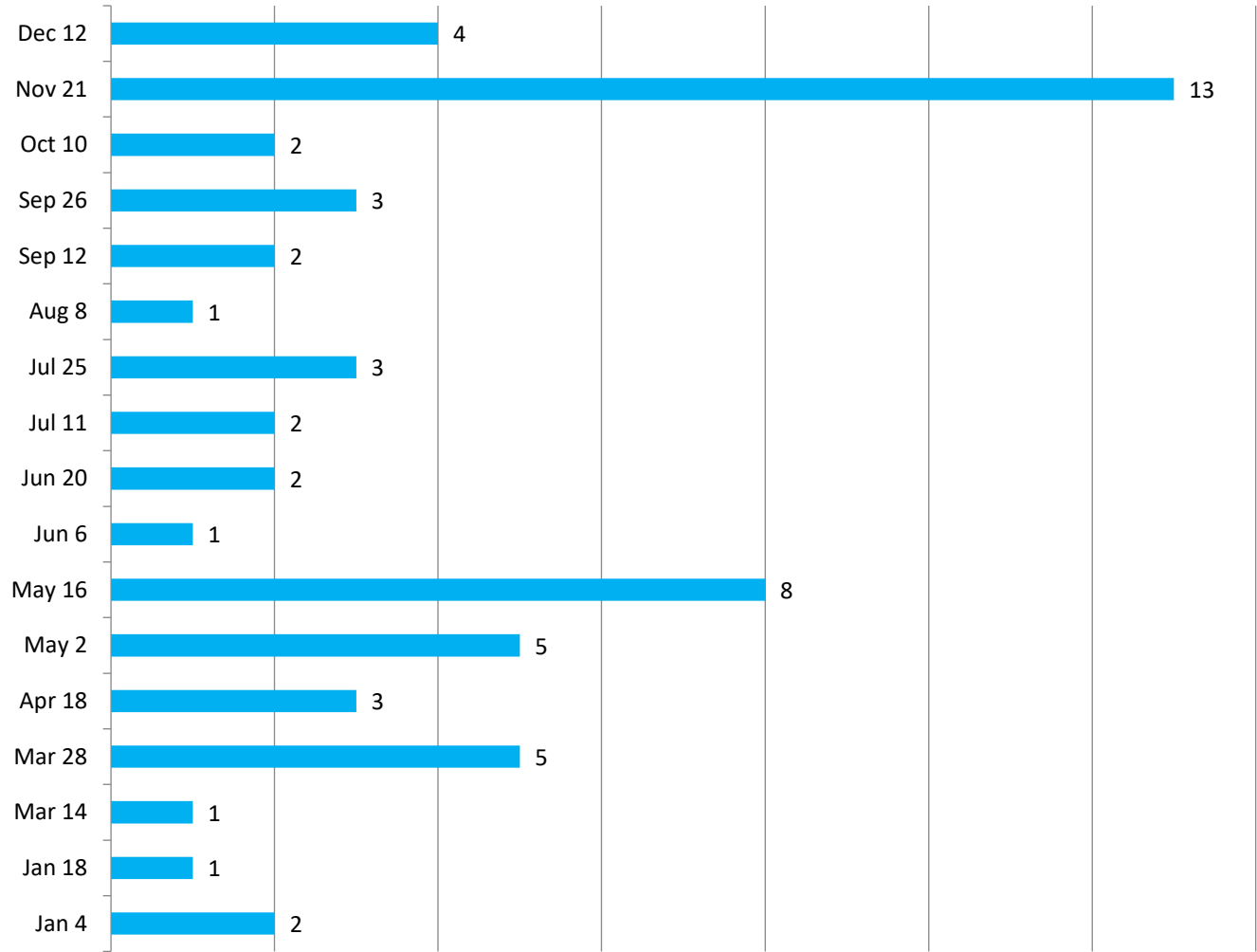
Average

3.4 items / hearing

5.3 items / month

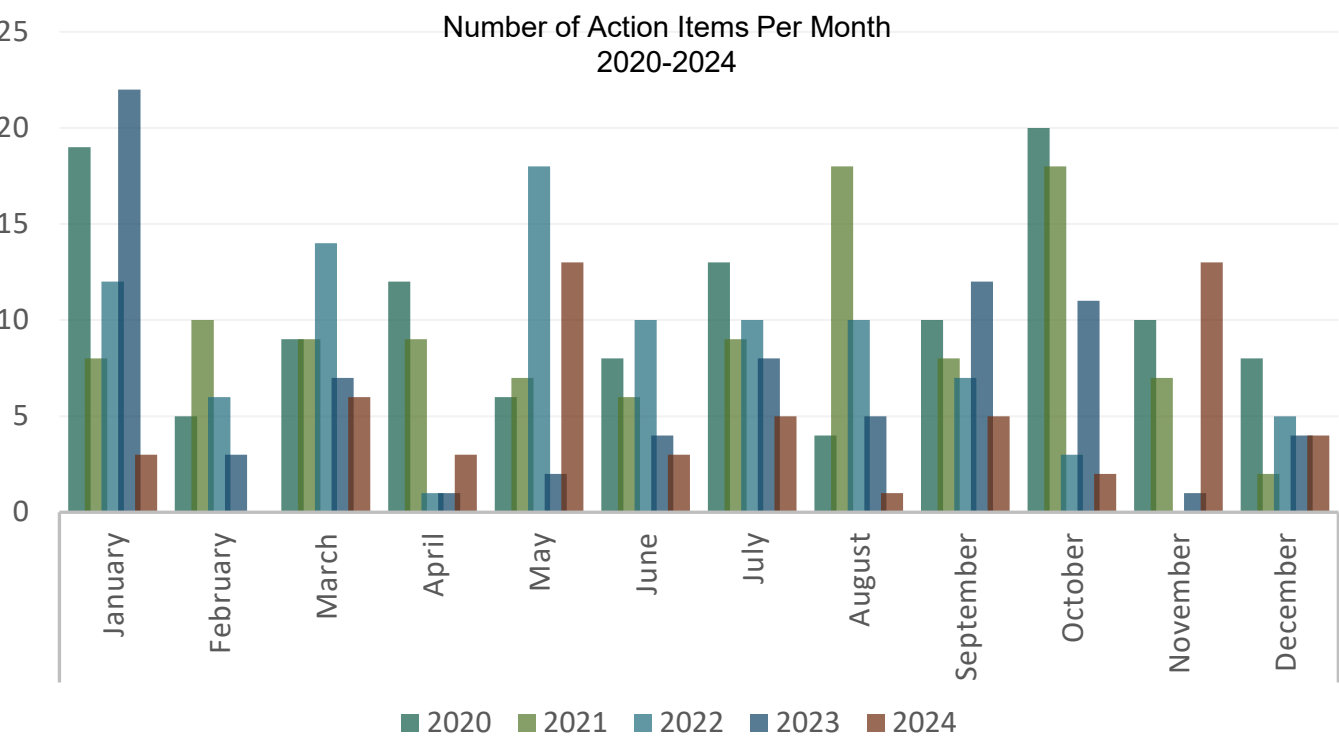


Number of Action Items



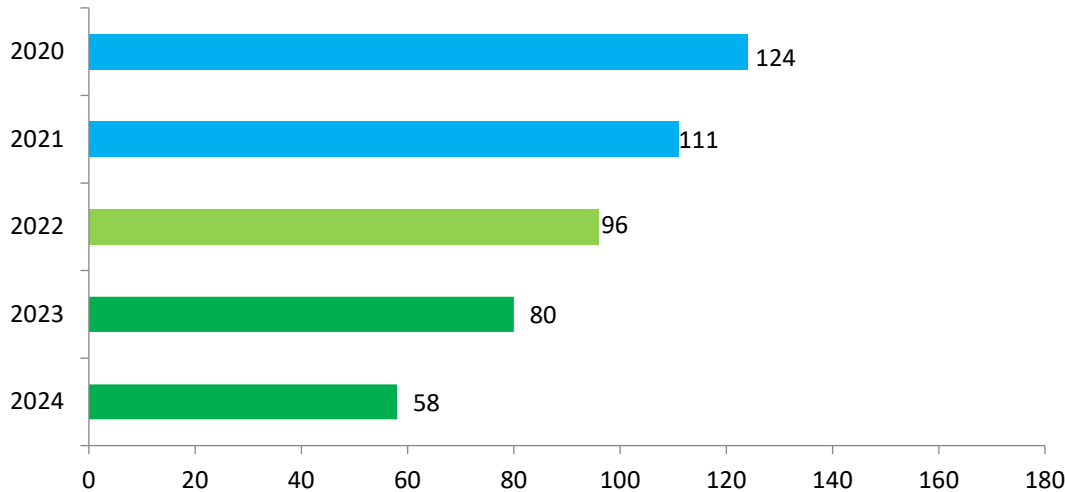
2024 Land Use Applications

Total number of items acted on | 2020-2024



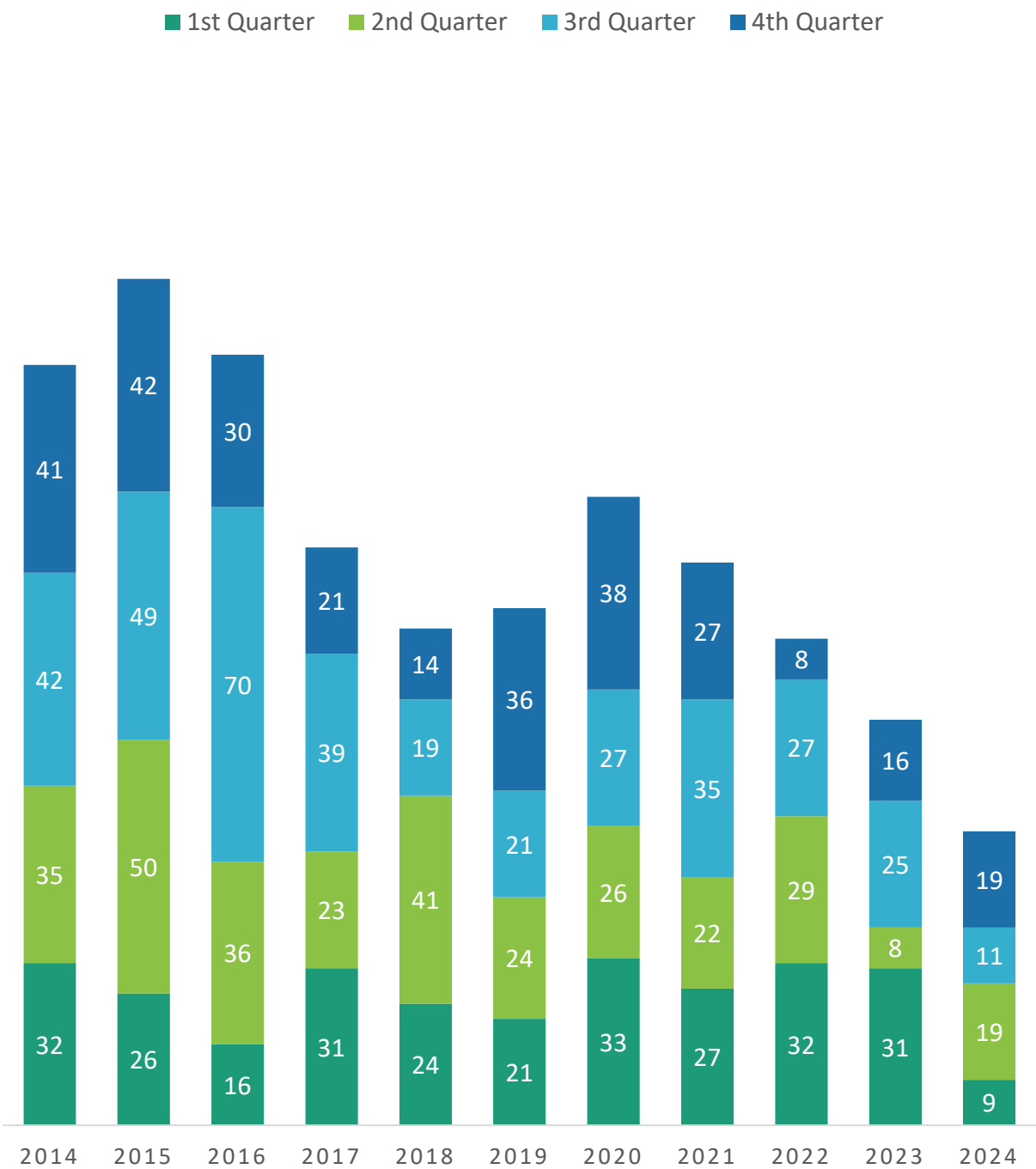
There was a 27% reduction in the number of applications acted on in 2024 as compared to 2023.

Total number of application changes | 2020-2024

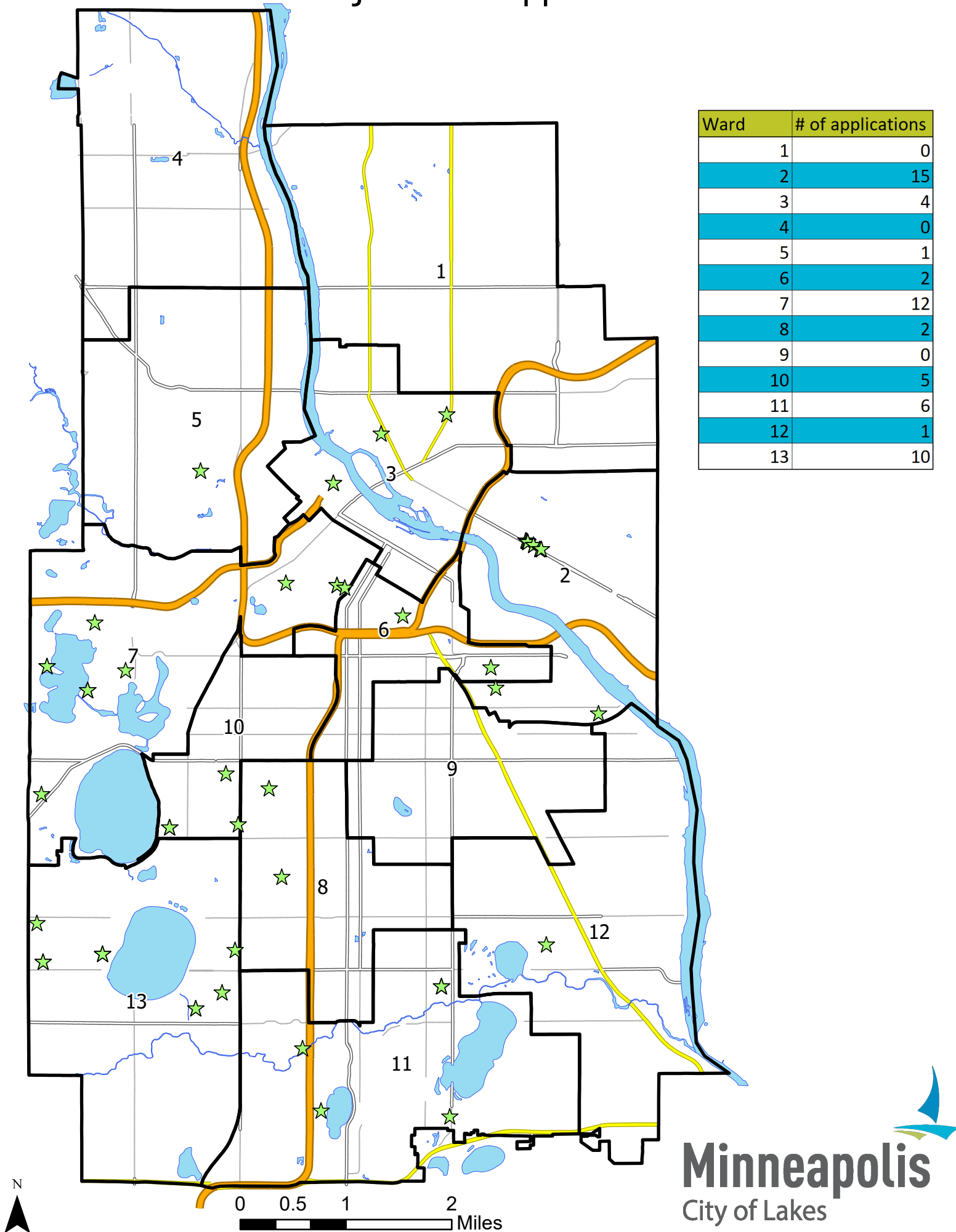


2024 Land Use Applications

Total number of items acted on | 2014-2024 | by quarter



Board of Adjustment Applications 2024



2024 Land Use Applications

Total number of items acted on | decisions

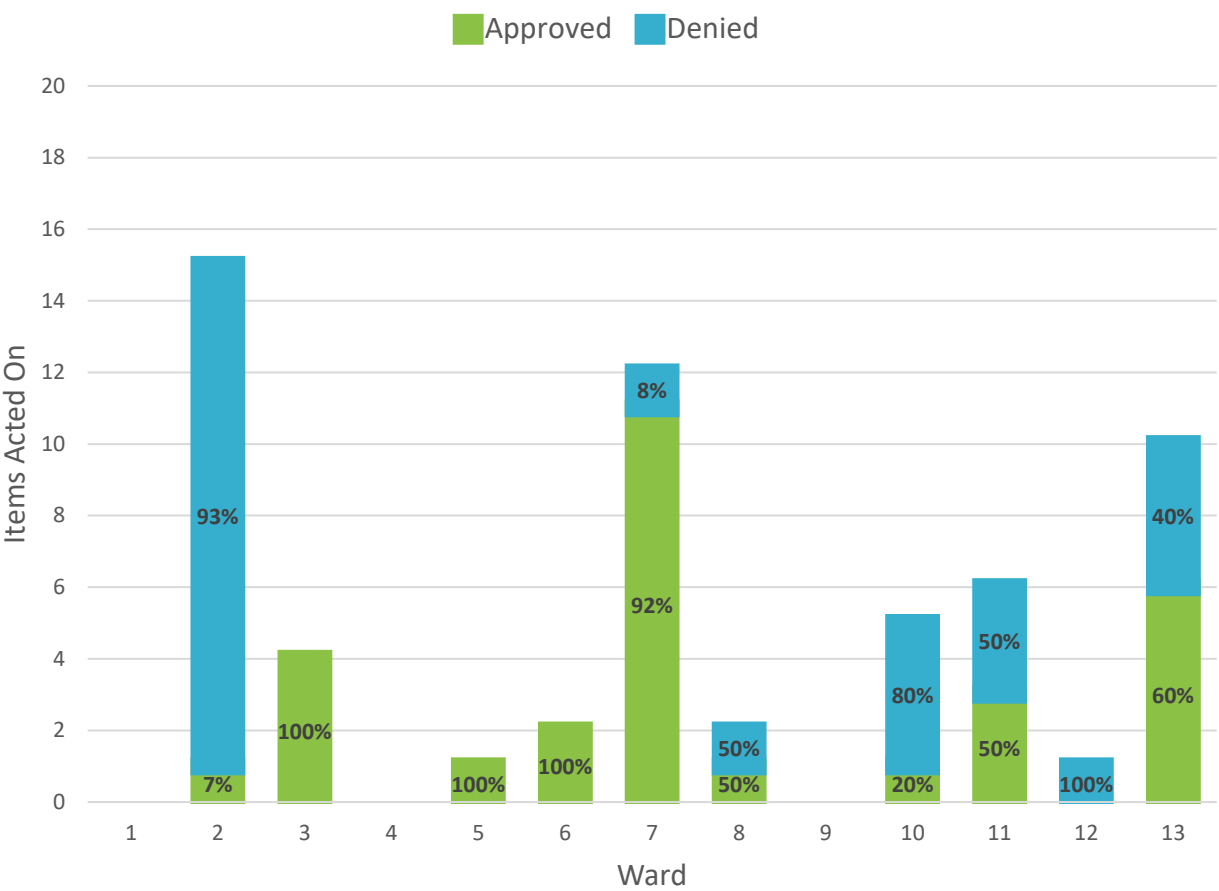
	Approval	Denial	
Applications acted on (all types) where CPED Department staff recommended:	47%	53%	
number of applications	27	31	58
	Granted	Denied	
Applications acted upon (all types) where the Board of Adjustment:	52%	36%	
number of applications	30	28	58
Variance applications where the Board of Adjustment:	56%	44%	
number of applications	30	24	54
Certificate of Nonconforming Use where the Board of Adjustment:	0%	100%	
number of applications	0	1	1
Appeal the Decision of the Zoning Administrator where the Board of Adjustment:	0%	100%	
number of applications	0	3	3
	With Conditions ¹	Without Conditions ²	
All applications where the Board of Adjustment approved	11	47	

1 Not including any of the following standard conditions: 1. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development; 2. All site improvements shall be completed by [month/day/year], unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance; 3. Approval of the lot division by the Department of Community Planning and Economic Development; 4. Approval of the sign permit by the Department of Community Planning and Economic Development.

2 Those with no conditions or only the aforementioned standard conditions.

2024 Land Use Applications

Total number of items acted on | decision by ward



2024 Land Use Applications

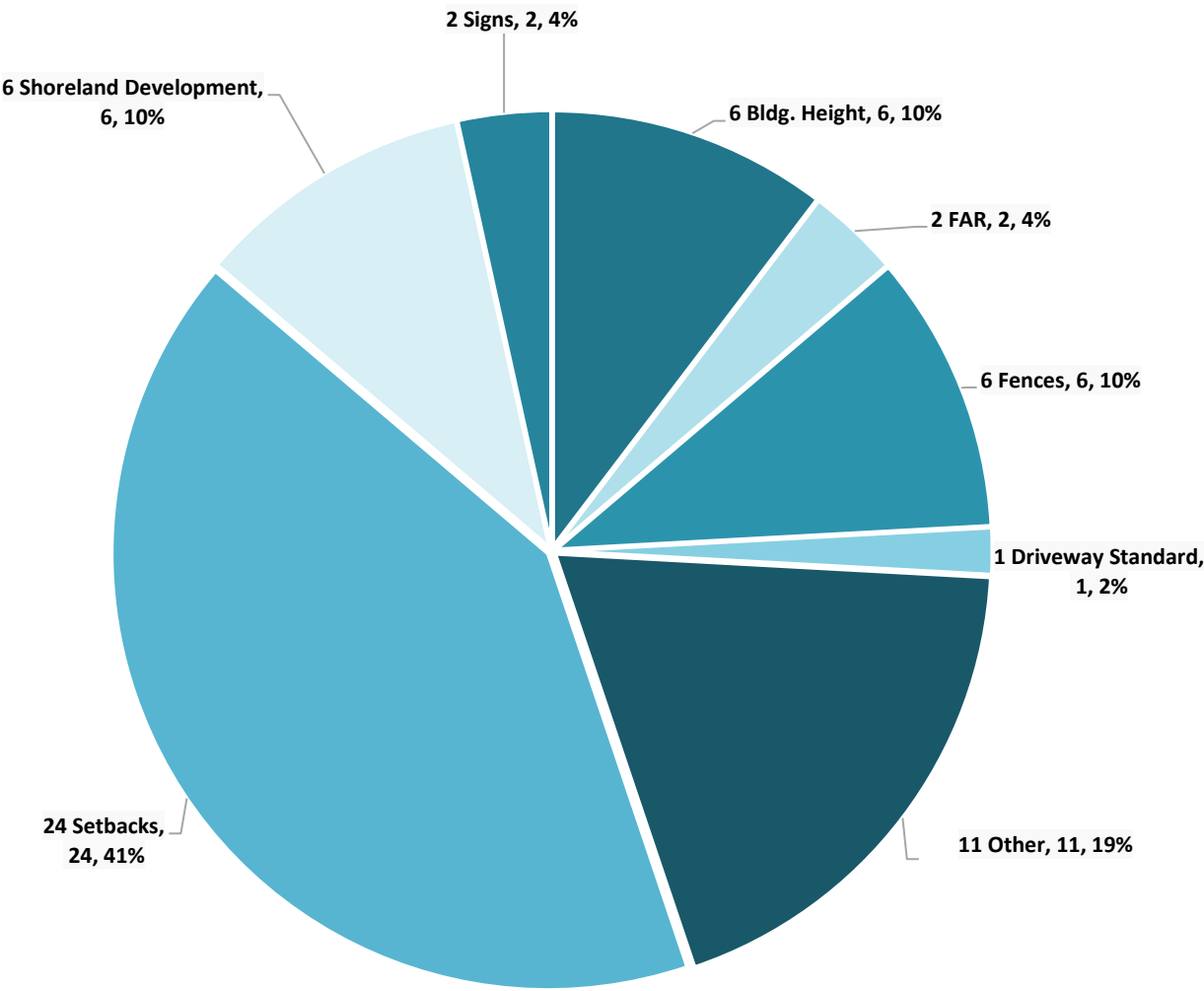
Total number of items acted on | decisions | by type ^{[3], [4]}

Code Citation	Variance Requests and Board Approvals by Type	Number of Requests	Approved
525.470(1)	To vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations.	24	50%
525.470(4)	To vary the gross floor area, floor area ratio and seating requirements of a structure or use.	2	50%
525.470(5)	To vary the maximum lot coverage and impervious surface coverage requirements.	7	0%
525.470(6)	To vary the height requirements for any structure, except signs.	6	67%
525.470(7)	To permit an increase in the maximum height of a fence.	6	83%
525.470(10)	To vary any standards governing off-street parking, loading, driveways, drive aisles, and curb cuts..	1	0%
525.470(21)	To permit development in the SH Shoreland Overlay District on a steep slope or bluff, or within forty (40) feet of the top of a steep slope or bluff.	6	100%
525.470(25)	To vary the number, type, height, area or location of allowed signs on property located in an OR2 or OR3 District or a commercial, downtown or industrial district, pursuant to Chapter 543, On-Premise Signs/To vary the number, type, height, area, or location of allowed on-premises signs on property located in a residential mixed-use, commercial mixed-use, downtown, production, or transportation district, pursuant to Chapter 560, Signs	2	100%
525.330	Appeal of a decision of the Zoning Administrator	3	25%
545.920	Certificate of nonconforming Use	1	0%

[3] In this section, approvals to requests that were granted entirely or partially.
[4] There were no applications for other variances that are authorized by the zoning code but not shown above.

2024 Land Use Applications

Total number of items acted on | variance by type



As in previous years, variances to reduce required setbacks were the most frequent application type in 2024

2024 Appeals of the Decisions of the Board of Adjustment

All decisions and findings of the Zoning Board of Adjustment are final unless appealed to the City Council. Twelve (12) of the Zoning Board of Adjustment land use applications were appealed in 2024; One (1) of the appeals was granted, and eleven (11) of the appeals were denied.

Granting an appeal submitted by Anders Matney, on behalf of Philip and Gail McLaughlin, regarding the decision of the Zoning Board of Adjustment denying a variance (PLAN17225) to reduce the minimum required north interior side yard setback for an addition to the existing single-family dwelling located at 4849 Girard Ave S; and adopting Findings of Fact as submitted by the City Attorney's Office.

Appeal Granted; Effective Date: [February 16, 2024](#)

Denying an appeal submitted by Dale Zoerb, on behalf of Minneapolis Park Properties, LLC regarding the decision of the Zoning Board of Adjustment denying a certificate of nonconforming use (PLAN16923) for a motor vehicle storage lot use for the property located at 1501 Johnson St NE.

Appeal Denied; Effective Date: [February 16, 2024](#)

Denying an appeal submitted by Robert E. Francis, on behalf of Sigma Chi Building Association, regarding the decision of the Zoning Board of Adjustment upholding the determination of the Zoning Administrator (PLAN17722) that artificial turf located at 1617-1623 University constitutes an impervious surface and a prohibited obstruction of a required yard.

Appeal Denied; Effective Date: [July 6, 2024](#)

Denying an appeal submitted by Mark Thieroff of Siegel Brill PA on behalf of DPH V Properties LLC regarding the decision of the Zoning Board of Adjustment upholding the decision of the Zoning Administrator (PLAN17995) that the existing and proposed use of the property at 2653 37th Avenue S is substantially similar to a contractor's yard.

Appeal Denied; Effective Date: [August 23, 2024](#)

Denying an appeal submitted by Elizabeth Hoium regarding the decision of the Zoning Board of Adjustment denying variances (PLAN18062) to the maximum floor area ratio, maximum impervious surface, and maximum driveway width for the property located at 3505 Irving Ave S; and adopting Findings of Fact as originally prepared by Community Planning & Economic Development staff.

Appeal Denied; Effective Date: [September 13, 2024](#)

Considering an appeal submitted by Jibran Shermohammed, on behalf of Orange Barrel Media, regarding the decision of the Zoning Board of Adjustment for (PLAN18254) 409 9th Street S, 1014 Hennepin Ave, 1021 Hawthorne Ave, and 1025 Hawthorne Ave, upholding the determination of the Zoning Administrator that construction or structural alteration of any billboard within the Opportunity Billboard District requires provision of sign area credits, except on properties located in the Downtown East or Downtown West Entertainment Billboard Districts.

Appeal Denied; Effective Date: [November 16, 2024](#)

Considering an appeal submitted by Nicholas Lindahl, on behalf of the Minnesota Alpha Association of Sigma Alpha Epsilon, regarding the decision of the Zoning Board of Adjustment denying variances (PLAN18661) to the maximum impervious surface and minimum required front yard for the property located at 1815 University Ave SE.

Appeal Denied; Effective Date: [February 7, 2025](#)

Considering an appeal submitted by J.R. Parsons, on behalf of West Range, Twin Cities LLC, regarding the decision of the Zoning Board of Adjustment denying variances (PLAN18663) to the maximum impervious surface and minimum required front yard for the property located at 1813 University Ave SE.

Appeal Denied; Effective Date: [February 7, 2025](#)

Considering an appeal submitted by Rob Francis, on behalf of the Sigma Chi Building Association, regarding the decision of the Zoning Board of Adjustment denying variances (PLAN18665) to the maximum impervious surface and minimum required front yard for the property located at 1617 University Ave SE.

Appeal Denied; Effective Date: [February 7, 2025](#)

Considering an appeal submitted by Mitchell Terrell, on behalf of the Minnesota Beta Corporation, regarding the decision of the Zoning Board of Adjustment denying variances (PLAN18664) to the maximum impervious surface and minimum required front yard for the property located at 1609 University Ave SE.

Appeal Denied; Effective Date: [February 7, 2025](#)

Considering an appeal submitted by Rob Francis, on behalf of the Sigma Chi Building Association, regarding the decision of the Zoning Board of Adjustment denying variances (PLAN18668) to the maximum impervious surface and minimum required front yard for the property located at 1623 University Ave SE.

Appeal Denied; Effective Date: [February 7, 2025](#)

Considering an appeal submitted by Jason Gilbertson, on behalf of the Northern DKE Association, regarding the decision of the Zoning Board of Adjustment denying variances (PLAN18662) to the maximum impervious surface and minimum required front yard for the property located at 1711 University Ave SE.

Appeal Denied; Effective Date: [February 7, 2025](#)