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MEMO

Date: April 12, 2017
Re: Planning Commission/Board of Adjustment Report
From: Ben Oleson, Zoning Administrator

Dear Mayor and City Council,

The Planning Commission/Board of Adjustment held its regular meeting on April 10, 2017. The Commission held one public hearing regarding a combined variance/conditional use request. It also continued discussions on draft ordinance amendments to Section 11 of the City Code. The Planning Commission/Board of Adjustment has made a recommendation to the Council regarding the variance/conditional use request.

AGENDA ITEM #1

Application: Variance to construct a 30' x 40' detached garage/storage building 15 ft from a rear lot line (min. 30 ft required) in an R-1 One- and Two-Family Residential Zoning District. Conditional use to construct an accessory structure on a through lot.

Applicant and Property Owner: Antoinette Wetzel

Background Information:

- Proposal:** The applicant would like to construct a detached garage/storage building on their property. Because the lot is a "through" lot (it has road frontage on two opposite sides), the ordinance requires that each side be considered the "front" of the lot and thus has a 30 ft setback requirement. The applicant is seeking to have the garage closer to the rear of their lot (toward Haven Road) so as to provide a more useable yard area and to preserve some trees. Staff's understanding is that the applicant would not be installing a driveway to the building as it is for storage rather than parking of vehicles.
- Location:**
 - o 1114 Pine Tree Blvd
 - o Legal Description: S ½ of Lot 3 and all of Lot 4, Block One, Riverview Addition and Lot 6, Block 1, 2nd Addition to Riverview
 - o Parcel number(s): 48.2024.000

- **Zoning:** R1 – One and Two Family District

Planning Commission Recommendation: The Planning Commission is recommending approval of the requested variance on a unanimous vote.

Findings of Fact: The following findings of fact are presented by Staff for consideration by the City Council based on the discussion at the public hearing:

1) **Current Zoning:**

- Subject Property: R-1 One- and Two-Family Residential Zoning District
- Surrounding Properties: R-1 One- and Two-Family Residential Zoning District

2) **Current Land Use:**

- Subject Property: Single-family dwelling
- Surrounding Properties: Single-family dwellings

3) **Lot size:** Approximately 155 ft. x approximately 66 ft. Approximately 19,418 sq ft.

- Existing impervious surface: 3,162 sq. ft. (16%).
- Proposed net impervious surface: 4,452 sq. ft. (22.9%)

4) **Sewer/Water:** The property is served with City sewer/water.

5) **Natural Features:**

Floodplain: The location of the proposed garage does not appear to be within an identified floodplain.

Bluff/Steep Slopes: The property does not contain any bluffs or steep slopes in the location of the proposed garage. The site is relatively flat and slopes gently toward Haven Road on the east.

Wetlands: There are not any wetlands on the property that would impact the proposed garage.

6) **Will the granting of the variance be in harmony with the general purposes and intent of the Zoning and/or Subdivision Ordinance?**

This proposal appears to be in harmony with the general purposes and intent of the Zoning and/or Subdivision Ordinance. The base requirement of Chapter 11 of the City Code from a rear lot line for an accessory structure is a minimum setback of 10 feet. This request is basically a request for a variance from the requirement of a through lot to have a front yard setback on the rear portion of the lot. It should be noted that the rear lot line is approximately 40+ feet from the edge of the road surface (Haven Road).

7) **Will the granting of the variance be consistent with the City of Little Falls' Comprehensive Plan?**

The Comprehensive Plan does not directly address applications such as these.

8) **Is the proposed use of the property reasonable?**

The requested variance is reasonable in that it is not unusual for a detached accessory building to be located on a residential property or near a rear lot line.

9) **Is the plight of the landowner due to circumstances unique to the property not created by the landowner?**

The need for the variance is created primarily by the fact that this lot is a through lot and, as such, requires a front yard setback of 30 feet on two sides. For non-through lots, the rear setback would only be 10 feet.

10) **Will the variance, if granted, alter the essential character of the locality?**

The use of the property would remain very similar in character to what already exists. Several other properties in the area have through lots with detached garages/storage buildings located closer than 30 feet, at least one of which was granted by variance and conditional use.

11) **Are economic considerations the only reason the applicant cannot meet the strict requirements of the ordinance?**

Economic considerations do not appear to play a significant factor in the requested variance. The request has more to do with the applicant’s desire to maximize the amount of usable yard space and preserve trees as well as the fact that the lot is a through lot with road frontage on opposite sides.

12) **Could the practical difficulty be alleviated by a feasible method other than a variance (taking into account economic considerations)?**

To avoid the need for a variance, it appears the applicant could locate the accessory structure closer to the principal structure. This would reduce their useable yard space and likely require the removal of some trees.

AGENDA ITEM #2

Agenda Item: Discussion – Ordinance Amendments, Chapter 11 (Zoning)

Applicant: City of Little Falls Planning Commission

Background Information: The Commission focused primarily on draft amendments relating to Planned Unit Developments, intended to consolidate and clarify such regulations as compared to the existing ordinances.

Planning Commission Recommendation: None at this time. The agenda item was for discussion only. The Planning Commission has directed Staff to call for a public hearing at the regular May 8 meeting date to take public comment on all of the draft amendments to Chapter 11 that have been discussed.

If you have any questions, please feel free to contact me. I can be reached by phone at (888) 439-9793 or by email at oleson@hometownplanning.com.