

**MAHTOMEDI PLANNING COMMISSION
MEETING MINUTES
JUNE 8, 2022**

Chairperson Alex Rogosheske convened the regular Planning Commission meeting at 6:30 p.m. with the following members in attendance: Chantell Knauss, Dan Soler, Tony Chesak, Peter Frank and Lacey Smieja. Also in attendance were Planner Hannah Rybak, Engineer John Sachi, Mayor Jud Marshall and Office Assistant Luann Tembreull.

Absent with prior notice: Commissioner Greg Maples

APPROVAL OF THE AGENDA

Commissioner Smieja moved, and Commissioner Soler seconded the motion to approve the agenda as presented. The motion was unanimously approved.

4. PUBLIC HEARINGS

4a. CONSIDER APPROVAL – Request from Miles and Jennifer Tristani for two Variances to allow for an addition to the principal structure at 317 Wedgewood Drive.

Planner Rybak introduced the item and provided a power point presentation. The property is zoned R1-D Low Density Residential and guided by the Comprehensive Plan for low density residential. The applicants are requesting a variance from the corner side yard and rear yard setback requirement for constructing an addition on to their home. With this property located on a corner lot, the front yard setback is required on both street frontages.

The applicant is requesting a variance of 15.4 feet from the required corner side yard setback of 30, and the second variance is 8.5 feet from the required rear yard setback of 40 feet.

Per Zoning Ordinance definitions, this is a corner lot. The front yard is determined by width. The side with the shortest width is the front and the side with the longer width is the corner side yard.

Planner Rybak stated that criteria not being met for approval of this request are:

- Practical difficulties as opposed to mere inconvenience.
- Conditions unique to the land.
- Difficulties are posed by the Ordinance, not the property owner.

Engineer Sachi noted that erosion control would be dealt with at the time of the building permit, and there are no traffic site line issues resulting with the proposed addition.

Based on submitted plans and the strict interpretation of the Ordinance, staff recommends denial of the requested variances at 317 Wedgewood Drive.

Discussion ensued.

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4a. (Continued)

Upon a question of the applicant from Commissioner Frank, Applicant, Jennifer Tristani stated that in speaking with their architect, the location for the addition made the most sense.

Mrs. Tristani stated that the request for variances is to construct more living space for their growing family. They are not the original homeowners who constructed the existing home at an angle on the lot. She feels this is a logical and reasonable request and has the support from neighbors. She also handed out an additional letter of support from Alyssa Klotz of 306 Jesse James Lane. (See Attachment A)

Chair Rogosheske opened the public hearing at 6:51 p.m.

Residents of 320 Wedgewood Drive, 302 Jesse James Lane, 375 James Way and 205 Shamrock Drive all spoke in support of these Variance requests.

Hearing no more comments, the public hearing was closed at 6:53 p.m.

Discussion ensued.

Upon a motion by Commissioner Soler, seconded by Commissioner Chesak, the Planning Commission recommends the City Council approve a resolution approving a variance for a reduction in the required rear yard and side yard setbacks for constructing an addition to the home at the property located at 317 Wedgewood Drive. The approval is due to the unique character of the lot, that this applicant is not the original owner of the house who constructed the home at an angle on the lot, with the corner lot being on a cul-de-sac there are no site issues at the corner with the addition, and that the addition will not be detrimental to the surrounding area. The motion was unanimously approved.

**CITY OF MAHTOMEDI
WASHINGTON COUNTY, MINNESOTA
RESOLUTION NO. _____**

**RESOLUTION DENYING TWO VARIANCES FOR THE PURPOSE OF
CONSTRUCTING AN ADDITION TO THE PRINCIPAL STRUCTURE AT THE
PROPERTY LOCATED AT 317 WEDGEWOOD DRIVE, PID 30.030.21.31.0066**

WHEREAS, the City of Mahtomedi received a request from Property Owners Miles and Jennifer Tristani, on April 25, 2022 for two variances for the purpose of constructing a principal structure addition at the property located at 317 Wedgewood Drive. The property is legally described as follows:

WEDGEWOOD HILLS LOT 30 BLOCK 2, WASHINGTON COUNTY, MINNESOTA

WHEREAS, the Applicant has requested the following variances:

1. A variance of 15.4 feet from the required corner side yard setback of 30 feet
2. A variance of 8.5 feet from the required rear yard setback of 40 feet

; and

WHEREAS, the Planning Commission reviewed and considered the request based on the related documents shown in the Application at their regular meeting on June 8, 2022; and

WHEREAS, the City Council acting as the Board of Adjustments and Appeals, reviewed and considered the reports, documents, testimony, and other materials presented; and

WHEREAS, the City Council, acting as the Board of Adjustments and Appeals, can deny a variance if it finds that the standards for granting a variance as described in Chapter 11, Section 11.01, Subdivision 8.20, C., 1 through 8 of the Mahtomedi City Code have not been met.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Mahtomedi denies the variance requests based upon the following findings of fact:

The requested variances are not consistent with all the standards for granting a variance as described in Section 11.01, Subdivision 8.20, C., 1 through 8 of the Mahtomedi Zoning Ordinance. More specifically, the City Council finds that the requested variance is not justified for the following reasons:

1. There is no practical difficulty associated with the request to place the addition closer to the rear and corner side property lines than the Ordinance

allows; while the use is reasonable, the odd configuration of the existing home is not a practical difficulty;

2. There are no conditions unique to this property that would necessitate a variance. The property is a corner lot which meets the minimum requirements for lots within the R1-D District;
3. The difficulties in complying with the R1-D standards are not posed by the Ordinance;

Adopted by the City Council of the City of Mahtomedi on June 21, 2022.

Judson Marshall, Mayor

Attested:

Jerene Rogers, City Clerk

4b. CONSIDER APPROVAL – Request from John Anderson, on behalf of property owner, Melissa Herskowitz for a conditional use permit to construct a two-story accessory structure at 1728 Park Avenue.

Planner Rybak introduced the item and provided a power point presentation. The property is zoned R1-E Low Density Residential and is in the Shoreland Overlay District. The Applicant is proposing to construct a two-story accessory structure, with the main level being garage space, and the upper level used for storage. She noted that the second level may not be used as an accessory dwelling unit.

Planner Rybak stated that per the City Ordinance, criteria for approval of this requested Conditional Use Permit are being met by:

- Conforming to the District and conditional use provisions and all general regulations of the Ordinance.
- Not involving any element or cause any conditions that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the performance standards in Provision D of the Ordinance: “Performance Standards”.
- Being sited, oriented, and landscaped to produce a harmonious relationship to buildings and grounds to adjacent buildings and properties.
- Producing a total visual impression and environment consistent with the environment of the District and neighborhood in which it is located.
- Organizing vehicular access and parking to minimize traffic congestion in the District.
- Promoting the objectives of the Ordinance and the overall Comprehensive Lane Use Plan of the City.

Planner Rybak stated that all criteria are met for granting a Conditional Use Permit.

Engineer Sachi stated that although no issues are anticipated, sediment and erosion control issues and site grading would be dealt with at the time a building permit is issued.

Planner Rybak stated that based on the criteria in this report, staff recommends approval of the requested conditional use permit to allow a multi-story accessory structure at 1728 Park Avenue, subject to the following conditions:

1. The accessory structure shall be constructed to the specifications and plans provided with this conditional use permit application.
2. A grading and erosion control plan shall be submitted for approval prior to the issuance of a building permit.
3. The exterior materials of the garage shall be consistent with the exterior materials of the home, in terms of color and type.
4. A Tree Preservation and Replacement Plan shall be submitted for review and approval ahead of any work commencing on-site.

She also noted that the driveway would need to be paved.

4b. (Continued)

Upon a question by Commissioner Soler, Planner Rybak stated that the reason for the CUP is because of the request for a full 2-story accessory building, where only one story is allowed per Ordinance.

Upon a question by Commissioner Chesak, Planner Rybak stated that if the owner would like to turn the 2nd-story into an ADU (accessory dwelling unit), they would need to come back to the Planning Commission for possible approval.

Chair Rogosheske opened the Public Hearing at 7:08 p.m.

Hearing none, the Public Hearing was closed at 7:09 p.m.

Commissioner Chesak moved, and Commissioner Frank seconded the motion to recommend the City Council approve a Resolution approving a Conditional Use Permit for a two-story accessory structure at the property located at 1728 Park Avenue as outlined in Exhibit C. The motion was unanimously approved.

**CITY OF MAHTOMEDI
WASHINGTON COUNTY, MINNESOTA
RESOLUTION NO. _____**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A TWO-
STORY ACCESSORY STRUCTURE AT THE PROPERTY LOCATED AT 1728
PARK AVENUE, PID 20.030.21.23.0027**

WHEREAS, the City of Mahtomedi received a request from the Applicant John Anderson, on behalf of Property Owner, Melissa Herskowitz on April 20, 2022 for a conditional use permit to allow a two-story accessory structure to be constructed at the property located at 1728 Park Avenue. The property is legally described as:

LOTS 2 & 3 BLOCK 3 OF THE MAHTOMEDI ASSEMBLY ADDITION, WASHINGTON COUNTY,
MINNESOTA

WHEREAS, a conditional use permit is required to allow the construction of a two-story accessory structure; and

WHEREAS, the proposed accessory structure meets all other zoning requirements for the R1-E Low Density Residential and Shoreland Districts; and

WHEREAS, the Planning Commission reviewed and considered the request based on the related documents shown in the Application at their regular meeting on June 8, 2022; and

WHEREAS, the City Council acting as the Board of Adjustments and Appeals, reviewed and considered the reports, documents, testimony, and other materials presented; and

WHEREAS, the City Council, acting as the Board of Adjustments and Appeals, can approve a conditional use permit if it finds that the standards for granting a conditional use permit as described in Chapter 11, Section 8.21 C.1 a through f of the Mahtomedi City Code have been met.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Mahtomedi approves the Applicants' request for a conditional use permit for multi-story accessory structure.

The requested conditional use permit is consistent with all the standards for granting a conditional use permit as described in Section 11.01, Subdivision 8.21, C., 1, a through f of the Mahtomedi Zoning Ordinance. More specifically, the City Council finds that the requested conditional use permit is justified for the following reasons:

1. The proposal conforms to the District and conditional use provisions and all general regulations of the Ordinance;
2. The proposal does not involve any element or cause any conditions that may be dangerous, injurious, or noxious to any other property or persons;
3. The proposed accessory structure is sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties;
4. The proposed accessory structure produces a total visual impression and environment which is consistent with the environment of the District and neighborhood in which it is located;
5. The proposal promotes the objectives of this Ordinance and the overall Comprehensive Land Use Plan of the City;

NOW THEREFORE BE IT FURTHER RESOLVED that the Applicant must meet the following conditions for conditional use permit approval:

1. The accessory structure shall be constructed to the specifications and plans provided with this conditional use permit application.
2. A grading and erosion control plan shall be submitted for approval prior to the issuance of a building permit.
3. The exterior materials of the garage shall be consistent with the exterior materials of the home, in terms of color and type.
4. A Tree Preservation and Replacement Plan shall be submitted for review and approval ahead of any work commencing on-site.

Adopted by the City Council of the City of Mahtomedi on June 21, 2022.

Judson Marshall, Mayor

Attested:

Jerene Rogers, City Clerk

- 5. STAFF REPORTS – None Scheduled**
- 6. UPDATE - CITY COUNCIL AND OTHER COMMISSION ACTIVITIES AND INFORMATIVE ITEMS.**

Copies of the recent City Council and other City Commission minutes may be found on the City's website.

7. ADJOURNMENT

There being no further discussion, Commissioner Soler moved, and Commissioner Knauss seconded the motion to adjourn the regular Planning Commission meeting at 7:12 p.m. The motion was unanimously approved.

Respectfully submitted by Luann Tembreull, Office Assistant.

APPROVED:



**ALEX ROGOSHESKE
CHAIRPERSON**

ATTESTED:



**LUANN TEMBREULL
OFFICE ASSISTANT**