

**MAHTOMEDI PLANNING COMMISSION
MEETING MINUTES
JUNE 10, 2020**

Chairperson Alex Rogosheske convened the regular Planning Commission meeting telephonically at 6:32 p.m. with the following members in attendance: Chantell Knauss, Dan Soler and Susan Stewart. Also in attendance were Planner Hannah Rybak, Mayor Jud Marshall and Office Assistant Luann Tembreull.

APPROVAL OF THE AGENDA

Commissioner Stewart moved, and Commissioner Soler seconded the motion to approve the agenda as presented. The motion was unanimously approved by roll call vote: Yea: Knauss, Soler, Stewart, Rogosheske Nay: None

APPROVAL OF THE MAY 13, 2020 REGULAR PLANNING COMMISSION MEETING MINUTES

Commissioner Knauss moved, and Commissioner Soler seconded the motion to approve the minutes of the May 13, 2020 regular Planning Commission meeting as written. The motion was unanimously approved by roll call vote: Yea: Knauss, Soler, Stewart, Rogosheske. Nay: None.

4. PUBLIC HEARINGS

4a. CONSIDER APPROVAL – Request from Nick and Carrie Ardito for a variance for a rear yard setback reduction for the purpose of constructing an addition to the home at 421 Elsie Inn.

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 of fourteen feet (14') into the forty foot (40') rear yard setback.

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. She noted also that the home to the west fronts on Elsie Inn, and there is an outlot within the Wildwood Cove Subdivision, which will always remain open space, directly to the north of this property.

She noted that the interpretation of “front” and “corner” side lot lines by ordinance does not have any bearing on where the front door is constructed or which side the house itself fronts. The front of the home faces the corner side lot line. This led the applicant to believe that the corner side yard was actually the front yard, and that they would have plenty of space to add on to the east side of the home and would meet setbacks.

4a. (Continued)

The site plan shows that the house was originally constructed right in the middle of the lot, and meets the required setback exactly on the south, east and west sides. The only location where an addition could be constructed without the need for a variance would be on the north side. However, that is where the garage, porch and deck are located, so that it is not an appropriate location for an addition to the interior living space.

Therefore, the practical difficulty stems from the oddly shaped lot and the placement of the existing home on the lot.

The unique circumstance in this case is that the rear yard functions more like a side yard, given the orientation of the home to the west, and the greenspace area of the development to the north.

Difficulties are posed by the ordinance, which states the strict interpretation of the yard definitions. They are also somewhat posed by the layout of the house, as it sprawls and space is not maximized. The addition is reasonably sized and its placement will not have a negative impact on the surrounding properties. Therefore, based on the facts and submitted plans, staff recommends approval of the requested rear yard setback variance as submitted.

Upon a question of the applicant from Chair Rogosheske, Mr. Ardito stated that he has no additional comments at this time.

Chair Rogosheske opened the public hearing, in which additional time was given for those possibly joining the meeting by means of teleconference.

Hearing none, the public hearing was closed.

Discussion ensued. Commissioner Knauss stated that this is a reasonable request and that it fits on this lot. Commissioner Soler stated that he concurs with Commissioner Knauss. Commissioner Stewart stated that this addition will be really nice and that it fits nicely with the neighborhood.

Upon a motion by Commissioner Soler, seconded by Commissioner Stewart, the Planning Commission recommends the City Council approve the resolution approving a variance for a reduction in the required rear yard setback for the purpose of constructing an addition to the home at the property located at 421 Elsie Inn as outlined in Exhibit C. The motion was unanimously approved by roll call vote: Yea: Knauss, Soler, Rogosheske, Stewart. Nay: None.

- 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

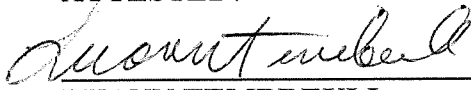
There being no further discussion, Commissioner Stewart moved, and Commissioner Knauss seconded the motion to adjourn the regular Planning Commission meeting at 6:52 p.m. The motion was unanimously approved by roll call vote: Yea: Knauss, Soler, Stewart, Rogosheske. Nay: None.

Respectfully submitted by Luann Tembreull, Office Assistant.

APPROVED:

ALEX ROGOSHESKE
CHAIRPERSON

ATTESTED:



LUANN TEMBREULL
OFFICE ASSISTANT

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

**RESOLUTION APPROVING A VARIANCE TO ALLOW FOR A REDUCTION IN THE
REQUIRED REAR YARD SETBACK FOR THE PURPOSE OF CONSTRUCTING AN
ADDITION TO THE HOME AT THE PROPERTY LOCATED AT 421 ELSIE INN, PID
29.030.21.12.0076**

WHEREAS, the City of Mahtomedi received a request from the Applicant and Property Owners, Nick and Carrie Ardito, for a variance to allow for a reduction in the required rear yard setback on the property located at 421 Elsie Inn on May 6, 2020, legally described as follows:

LOT 7, BLOCK 1, BRIAR CREEK, WASHINGTON COUNTY, MINNESOTA

WHEREAS, the Applicant has requested a variance of fourteen (14) feet from the required rear yard setback of forty (40) feet within the R1-D District; and

WHEREAS, the Planning Commission reviewed and considered the request based on the related documents shown in the Applicants' Application at their regular meeting on June 10, 2020; and

WHEREAS, the Planning Commission recommended approval of the requested variance; 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 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 been met.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Mahtomedi approves the Applicants' variance request based on the following findings:

1. The requested variance is 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 variances are justified for the following reasons:
 - a) The Ordinance has created a practical difficulty for the property owner
 - b) There are conditions unique to the land that are not applicable to other parcels in the City
 - c) Granting the variance request is not detrimental and it does not alter the essential character of the locality
 - d) The variance will not impair adequate light and air or result in additional congestion, fire danger or harm to public safety

Adopted by the City Council of the City of Mahtomedi on _____, 2020.

Judson Marshall, Mayor

Attested:

Jerene Rogers, City Clerk