

11.5 R1-E – Historic Mahtomedi District

A. Intent.

1. **District Characteristics.** Historic Mahtomedi was largely developed in the 1920's and '30's, as a summer home community with no apparent building or development regulations. This lack of regulation resulted in a neighborhood with a number of characteristics that contribute to its charm and attractiveness:
 - a. Narrow, meandering streets with few cars and many pedestrians;
 - b. Irregular, unpredictable pattern of streets, blocks, lots and open spaces;
 - c. Tightly-spaced housing reflecting the summer cottage era on White Bear Lake;
 - d. Unusual building placement on small lots, creating interesting open spaces, gardens and private spaces;
 - e. Diverse housing style, size, quality, and value;
 - f. Diverse socio-economic appeal.
2. **Adaption of Certain Standard Zoning Provisions.** The City values this unique neighborhood and recognizes that in order to retain its character with all the pressures for improvements and redevelopment, extraordinary zoning procedures must be put in place. Therefore, several standard zoning principles applicable to other parts of the community will be adapted for purposes of this District as follows:
 - a. Nonconforming Provision.
 - (1) It is not the intent of this District to standardize development into a uniform, conforming pattern by gradually eliminating all of those features that are different. Some unique features make the neighborhood attractive and give it character. Nor is it the intent of this District to make development standards so low that all existing features will conform, as this would allow all new development to develop at low standards and would not contribute to the overall quality of the neighborhood. It is the intent to allow future development that would appear similar to present development.
 - (2) The nonconforming provision in *Subdivision 10.2: Nonconformities* of this Ordinance will be applied differently for purposes of carrying out the intent of this District. This will mean that:
 - (a) Nonconforming structures could be replaced or reconstructed with the same non-conformities as presently exist by following the standard application procedures for building permits pursuant to *Subdivision 8.3: Building Permit*.
 - (b) Existing uses in the district would be conforming both as to use and site development and could be replaced with a similar use through the conditional use permit procedure pursuant to *Subdivision 8.21: Conditional Use Permit*.
 - (3) If an existing nonconforming structure or use is made conforming or less nonconforming, it shall not thereafter revert back to its previous nonconforming status or condition.
 - b. Sliding Scale of Regulations.
 - (1) Although a basic zoning premise is to apply uniform regulations throughout a district, uniform regulations will not reflect the diversity of lot sizes and random building placement existing and desired in this district.

- (2) Using the sliding scale approach, a large lot would require proportionately higher development standards for some regulations than a smaller lot.

c. Prevailing Conditions.

- (1) An important principle of this district is that additions, redevelopment or new development should fit into the context of existing conditions. Regulations tailored to existing conditions on a case-by-case basis will allow the most compatible development to occur, will preserve the existing development pattern, and will require applicants for new development or redevelopment to look critically at surroundings.
- (2) All other adjustments to standards shall be made pursuant to Subdivision 8.20 Variance. (3/21)

d. Adjustments to Standards.

- (1) In cases where extraordinary limitations are imposed on a site due to topography or unusual site shape or configuration, adjustments in the standard regulations over and above the procedures discussed above, may be made by issuance of a conditional use permit pursuant to *Subdivision 8.21: Conditional Use Permit*. A conditional use permit may be used for adjustments to standards for a project that comprises up to thirty percent (30%) building footprint expansion and/or up to fifty percent (50%) increase in the assessed value of the structure as determined by the Washington County Assessor. (3/21)
- (2) The conditional use permit procedure described in *Subdivision 8.21: Conditional Use Permit* will be followed for the application, review and approval or denial of an adjustment as allowed in this District.

e. Definition of Front Lot Line.

- (1) Standard regulations require front yards along any lot lines abutting a street. Garages must meet the front yard requirements of residences but have a considerably reduced rear yard. A majority of the lots in this District are through-lots, often having a mixture of homes and garages facing either of the frontages. Garages often are placed near the narrower of the two streets, which were very likely considered alleys when the area was developed.
- (2) For purposes of this District and to recognize the nature of existing development, front yards will be required on only one street frontage for through lots and corner lots.
- (3) The Zoning Administrator will establish the front, side and rear yards on through lots and corner lots.

B. Uses.

- 1. Permitted Uses.** Permitted uses in the R1-E Historic Mahtomedi District can be found in Table 11.0 A: Land Use Table, located in Subdivision 11.1.
- 2. Conditional Uses.** Conditional uses in the R1-E Historic Mahtomedi Zoning District can be found in Table 11.0 A: Land Use Table, and are subject to the issuance of a conditional use permit as specified in *Subdivision 8.21: Conditional Use Permit* and pursuant to all applicable specific use standards.
- 3. Interim Uses.** There are no interim uses associated with this District.

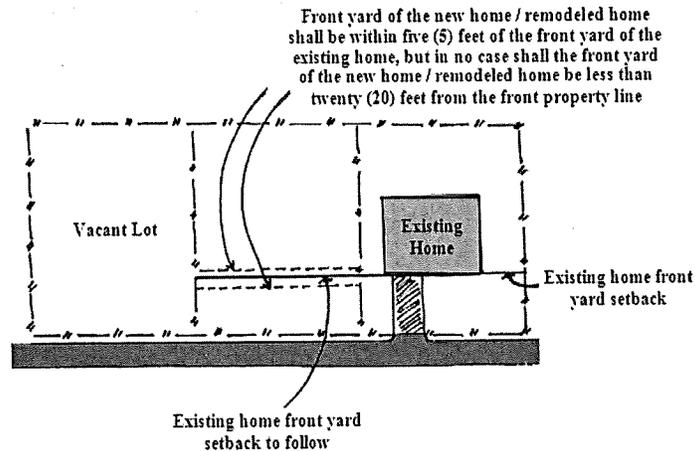
4. **Accessory Uses.** The following are allowed as an accessory use to a permitted or conditional use in the R1-E Historic Mahtomedi Zoning District, pursuant to all applicable specific use standards.
 - a. Accessory buildings, pursuant to *Subdivision 9.6, A: Accessory Buildings*
 - b. Animals: Keeping of domestic animals pursuant to *Chapter 3* of the City Code
 - c. Fence, pursuant to *Subdivision 10.6: Fences*
 - d. Home occupation, pursuant to *Subdivision 9.1, B: Home Occupation*
 - e. Off-street parking, loading, and access drives, pursuant to *Subdivision 10.3: Parking and Loading*
 - f. One (1) antenna or tower that projects less than ten (10) feet above ground level, if ground mounted and screened pursuant to *Subdivision 10.4: Landscaping, Buffers, and Screening*., or one (1) antenna or tower that projects less than ten (10) feet above the elevation at which it is affixed to a structure, if mounted on another structure.
 - g. Patio, deck, terrace, and similar uses, pursuant to *Subdivision 9.6, E: Patio, Deck, Terrace, and Similar Uses*
 - h. Signs, pursuant to *Subdivision 10.7: Signs*
 - i. Solar equipment, pursuant to *Subdivision 9.4, B: Solar Equipment and Solar Rights*
 - j. Sport court or play equipment for private recreational use, pursuant to *Subdivision 9.6, F: Sport Court, Play Equipment, and Similar Uses*
 - k. Swimming pool, pursuant to *Subdivision 9.6, G: Swimming Pool*
 - l. Other accessory uses incidental and customary to permitted and conditional uses of this district as determined by the Zoning Administrator or other Authorized Agent of the City.

- C. **Nonconforming Provision.** The nonconforming provision as established in *Subdivision 10.2: Nonconformities* of this Ordinance is hereby modified in the manner prescribed below for the purpose of carrying out the intent of this District.
 1. Existing nonconforming structures in this district may be reconstructed or replaced if the use, size and location of the former structure are not changed.
 2. A conditional use permit as established in *Subdivision 8.21: Conditional Use Permit* of this Ordinance shall be required for any nonconforming structure that is enlarged, expanded, or relocated in such a way that the enlargement, expansion, or relocation does not meet the minimum front yard, side yard, rear yard, or lot coverage regulations of this District.
 3. If an existing nonconforming structure or use is made conforming or less nonconforming, it shall not thereafter revert to its previous nonconforming status or altered.
 4. Regulations regarding the following nonconforming conditions are not hereby altered:
 - (1) Private water or private sanitary sewer systems.
 - (2) More than two (2) accessory structures on a lot.
 - (3) Signs.
 - (4) Adult oriented uses.

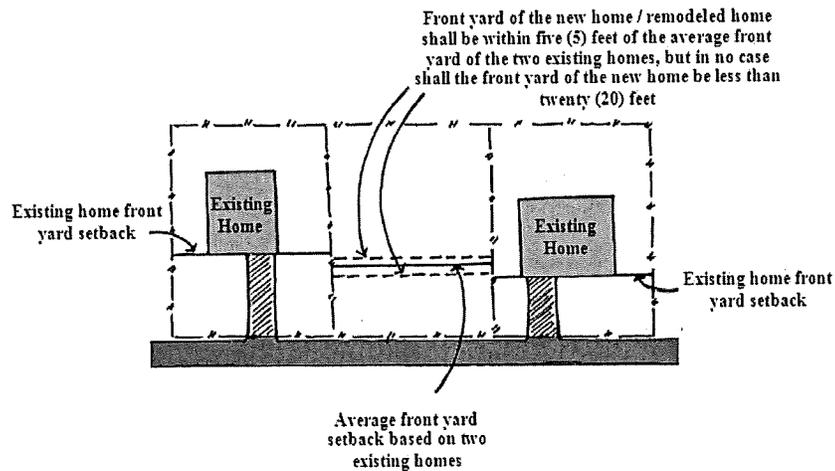
(5) Non-residential uses.

D. Dimensional Requirements.

1. **Definition of a Front Yard.** For the purposes of the R1-E Historic Mahtomedi District, the term 'Front Lot Line' will have the following meaning:
 - a. Non-Riparian lots:
 - (1) Front Lot Line. A boundary of a lot abutting a public street. On a corner lot or through-lot only one (1) of the lot lines abutting a street shall be the front lot line. The Zoning Administrator shall determine the front lot line based on an evaluation of: size, dimensions and proportion of the lot; orientation, placement and street address of existing structures on the lot and on other lots in the block; accessibility and owner's wishes.
 - b. Riparian lots
 - (1) Front Lot Line. The boundary of a lot abutting the public water.
 - c. Appeals. Appeals of such determinations may be made to the City Council acting as the Board of Adjustment and Appeals upon recommendation from the Planning Commission as specified in *Subdivision 8.24: Appeal of an Administrative Decision.*
2. **Lot Requirements.** The minimum lot requirements in the R1-E Historic Mahtomedi District shall be as follows:
 - a. Minimum Lot Area (Net Land).
 - (1) Existing Platted Lots. Six thousand, two hundred forty (6,240) square feet.
 - (2) Lots Created After March 3, 1999. Ten thousand, four hundred (10,400) square feet.
 - b. Minimum Lot Width.
 - (1) Existing Platted Lots. Forty-eight (48) feet.
 - (2) Lots Created After March 3, 1999. Eighty (80) feet.
 - c. Minimum Lot Depth.
 - (1) Existing Platted Lots. One hundred (100) feet.
 - (2) Lots Created After March 3, 1999. One hundred twenty (120) feet.
3. **Setback Requirements for Principal Building.** The minimum setback requirements for principal buildings from lot lines shall be as follows, except as may be modified pursuant to *Subdivision 8.21: Conditional Use Permit.*
 - a. Minimum Principal Building Setback from Front Lot Line. The required front yard shall be the prevailing front yard as described in the following sub-paragraphs.
 - (1) If a lot on which a new home or a remodel of an existing home is proposed, and abuts a lot on which an existing home is located and the other side of the lot of the proposed home abuts either a street or a vacant lot, the front yard of the new home / remodeled home shall be within five (5) feet of the front yard of the existing home, but in no case shall the front yard of the new home / remodel of an existing home be less than twenty (20) feet from the front property line.



- (2) If a lot on which a new home or a remodel of an existing home is proposed, and abuts lots on both side lot lines on which homes exist, the front yard of the new home / remodeled home shall be within five (5) feet of the average front yard of the two existing homes, but in no case shall the front yard of the new home / remodel of an existing home be less than twenty (20) feet from the front property line.



- (3) If a new home or remodel of an existing home is proposed on a lot where the front yard setback on adjoining lots is not clearly evident due to steep topography, a curved street, other vacant lots or other unusually conditions, the Zoning Administrator shall determine the required front yard.
- (4) If three (3) or more new homes are proposed on contiguous lots the minimum front yard shall be twenty-five (25) feet.
- (5) For a riparian lot, in no case shall the front yard greater than forty-five (45) feet be required.
- (6) For a riparian lot, the front yard setback shall be either the minimum setback from the Ordinary High Water Level as prescribed by the Shoreland Overlay

- District, or the prevailing front setback as described in (1) and (2) above, whichever is greater. (3/21)
- b. Minimum Principal Building Setback from Corner Street Side Lot Line. Twenty (20) feet (house and garage side).
 - c. Minimum Principal Building Setback from Interior Side Lot Line. Ten percent (10%) of the lot width, with a minimum side yard setback of six (6) feet. (3/21)
 - d. Minimum Principal Building Setback from Rear Lot Line.
 - (1) Interior lot with or without an alley. Twenty-five (25) feet.
 - (2) Interior lot with street. Twenty-five (25) feet.
 - (3) Corner lot without rear yard street. Twenty (20) feet.
 - (4) Corner lot with rear yard street. Twenty (20) feet.
4. **Maximum Height of Principal Building.** Thirty (30) feet unless the property is within the Shoreland Overlay District, in which case the maximum height of the principal building shall be twenty – five (25) feet.
5. **Setback and Height Requirements for Accessory Buildings.** The provisions of *Subdivision 9.6, A: Accessory Buildings* shall be modified for the R1-E District as follows:
- a. Minimum Accessory Building Setback from Front Lot Line. Thirty (30) feet.
 - b. Minimum Accessory Building Setback from Side Lot Line.
 - (1) Interior lot. Five (5) feet.
 - (2) Corner lot. Twenty (20) feet.
 - c. Minimum Accessory Building Setback from Rear Lot Line.
 - (1) Interior lot with or without an alley. Three (3) feet.
 - (2) Interior lot with a street. Eight (8) feet.
 - (3) Corner lot without a rear yard street. Three (3) feet.
 - (4) Corner lot with a rear yard street. Twenty (20) feet.
 - d. Maximum Height of Accessory Building. The height of accessory buildings in the R1-E District shall conform to the provisions of *Subdivision 9.6, A: Accessory Buildings*.
6. **Maximum Building Coverage of the Lot.** The maximum building coverage in the R1-E Historic Mahtomedi Zoning District shall be determined by the area of the lot that is occupied by the principal and all accessory buildings and shall be calculated as follows:
- a. Lots of Six Thousand (6,000) Square Feet and Less. Lots of six thousand (6,000) square feet and less shall have a maximum lot coverage of thirty percent (30%).
 - b. Lots of Ten Thousand, Four Hundred (10,400) Square Feet and Over. Lots of ten thousand, four hundred (10,400) square feet and over shall have a maximum lot coverage of twenty-five percent (25%).
 - c. Lots Between Six Thousand (6,000) Square Feet and Ten Thousand, Four Hundred (10,400) Square Feet. Lots between six thousand (6,000) and ten thousand, four

hundred (10,400) square feet shall have a maximum lot coverage determined by the following formula:

$$25\% + (10,400 - \text{lot area of subject property} \times .00114)\%$$

Example:

Lot size: 8,200 square feet

$$25\% + (10,400 - 8,200 \times .00114)\% = 27.5\% \text{ lot coverage allowed}$$

E. Standards for Religious Institutions and Non-Residential Day Care Facilities.

1. The following applies to religious institutions and non-residential day care facilities in the R1-E District:
 - a. The site shall be located on a collector or arterial roadway as identified in the Comprehensive Plan.
 - b. The principal structure must be setback a minimum of thirty (30) feet from all property lines.
 - c. Parking must be set back a minimum of twenty (20) feet from all property lines.
 - d. No more than seventy percent (70%) of the site is to be covered with impervious surface and the remainder is to be suitably landscaped pursuant to *Subdivision 10.4: Landscaping, Buffers, and Screening. (updated 3/21)*