



**CITY OF SHOREVIEW  
AGENDA  
PLANNING COMMISSION  
Tuesday June 25, 2024  
7:00 PM**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**
  - 4.A [May 28, 2024 Meeting Minutes](#)
5. **REPORT ON CITY COUNCIL ACTIONS**
6. **OLD BUSINESS**
7. **NEW BUSINESS**
  - 7.A [5641 Turtle Lake Road - Minor Subdivision - Tom Zawadski](#)
  - 7.B [3192 W. Owasso Blvd - Conditional Use Permit and Variance Requests](#)
8. **MISCELLANEOUS**
  - 8.A [City Council Meeting Assignments](#)
9. **ADJOURNMENT**

# Memorandum

**TO:** Planning Commission  
**FROM:** Niki Hill, AICP , Assistant Community Development Director  
**DATE:** June 25, 2024  
**SUBJECT:** May 28, 2024 Meeting Minutes  
**ITEM NUMBER:** 4.A  
**SECTION:** APPROVAL OF MINUTES

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## **REQUESTED MOTION**

Approve the Planning Commission meeting minutes from May 28, 2024.

## **INTRODUCTION**

## **DISCUSSION**

## **RECOMMENDATION**

To approve the minutes from the May 28, 2024 Planning Commission meeting.

## **ATTACHMENTS**

[May 28, 2024 Planning Commission Meeting Minutes](#)

**SHOREVIEW PLANNING COMMISSION  
MEETING MINUTES  
May 28, 2024**

**CALL TO ORDER**

Chair Anderson called the May 28, 2024 Shoreview Planning Commission meeting to order at 7:00 p.m.

**ROLL CALL**

The following Commissioners were present: Chair Anderson; Commissioners Cordes, John, Solomonson, Westadt and Yarusso.

Commissioner Helgen was absent.

Also Present: Niki Hill, AICP, Asst. Comm. Dev. Director  
Izaak Peterson, Associate Planner  
Joe Kelly, City Attorney

**APPROVAL OF AGENDA**

**MOTION:** by Cordes, seconded by Yarusso to approve the May 28, 2024 Planning Commission meeting agenda as presented.

**VOTE: Ayes - 6 Nays - 0**

**APPROVAL OF MINUTES - APRIL 23, 2024**

**MOTION:** by Cordes, seconded by Yarusso to approve the meeting minutes of April 23, 2024 as presented.

**VOTE: Ayes - 6 Nays - 0**

**REPORT ON CITY COUNCIL ACTIONS**

Hill reported the following city council actions:

May 6, 2024:

- Approved Enclave Companies Planned Unit Development - Development Stage, Rezone and Preliminary Plat - 3377 Rice Street

- Reviewed Concept Plan for Canal Brook Twinhomes PUD - Rondo Community Land Trust and Twin Cities Habitat for Humanity.
- Approved 1785 and 1779 Lois Drive Subdivision Boundary Line Readjustment

May 20, 2024:

- Approved Comprehensive Plan Amendment, Rezone, PUD - Development Stage, Preliminary Plat, Conditional Use Permit and Variances - 580 Highway 96, Urban Works, LLC

### **OLD BUSINESS**

There was none.

### **NEW BUSINESS**

## **PUBLIC HEARING: PLANNED UNIT DEVELOPMENT STAGE (PUD AMENDMENT) - 3710 AND 3760 VICTORIA STREET NORTH - SCANNELL PROPERTIES**

### **Presentation by Associate Planner Izaak Peterson**

In 2022, Scannell Properties received a PUD, Comprehensive Plan Amendment and Preliminary Plat approvals to accommodate the proposed mixed use redevelopment of the previous Deluxe property, now known as Seven Lakes. Phased development was approved with manufacturing, office and residential land uses. Phase 1 was approved with two Business Park spec buildings on the eastern side of the property. The tenant for Building No. 2 is PaR Systems. PaR has requested modifications to the building for size, height and parking for its operations.

Building No. 2 would be reduced in size from 148,000 square feet to 110,000 square feet with expansion of parking on the north side. The PUD approval granted flexibility for building setbacks and parking. Similar to the initial proposal, the following are included: improved stormwater management; enhanced landscaping; improved access and incorporation of sustainable building practices. Specific changes to Building No. 2 include: parking quantities; building size and height; and proposed stormwater system to accommodate those changes.

### **Building Height**

PaR seeks approval for a building height of 51 feet. The maximum height allowed is 35 feet. The city allows additional height if, for every additional foot of height, there is an additional foot of building setback on all sides. All setbacks meet development code requirements.

## **Parking**

Approval is also requested to increase parking from 399 spaces to 581 spaces. Code requires the following:

- 1 space for every 2,000 square feet of warehouse area
- 5 spaces for every 1,000 square feet of office use
- 3 spaces for every 1,000 square feet of manufacturing and research

Based on the proposed uses, 907 parking spaces would be required. The PUD allows reduced parking with the use of shared parking and proof of parking. Staff does not have concerns about parking with the demonstrated proof of parking provided that can accommodate an additional 330 spaces if necessary.

## **Impervious Lot Coverage**

Maximum lot coverage allowed is 70 percent, which can be increased to 75 percent if stormwater Best Management Practices (BMPs) are incorporated in the development. Both Lots 1 and 2 will have impervious surface coverage below the maximum allowed.

## **Agency Feedback**

The Ramsey-Washington Metro Watershed District has reviewed and approved the proposed modifications. The south side of the building shows prospective future expansion. Staff believes this is a viable location for expansion. Any future expansion which would require a site plan review.

## **Notice**

Notices were mailed to property owners within 350 feet and published in the *Shoreview Press*. No comments have been received. Comment from Public Works has been incorporated in the recommended conditions of approval.

## **Recommendation**

Staff supports the proposed amendment as it is consistent with Shoreview's land use policies. It is recommended the Planning Commission forward a recommendation of approval to the city council.

## **Commission Questions**

Solomonson:

- Stated that 907 parking spaces for the two buildings is approximately 2/3 of what is required and asked the size of the anticipated expansion and how

that would impact parking. Peterson answered that staff would verify there is sufficient parking before any expansion.

- Asked if the traffic flow would change for access to Buildings Nos. 1 and 2. Peterson showed a small bump out to the south as the only change. Otherwise, the plan is the same as what was approved.
- Asked if there will be truck loading docks. Peterson answered there will be truck docks.
- Asked the size of the expansion.

**Jake Kurth**, Scannell Properties, Applicant, stated that the proposed building is two stories. The expansion area is two bays, or approximately 20,000 to 30,000 square feet. There is no timeline for expansion. He indicated on the map where parking can be added. Traffic flow will be the same. There will be daily truck traffic that will be between the Fairview Building and the PaR Building.

Yarusso asked the amount of office space. Kurth stated the building footprint is 110,000 square feet but is a total of 135,000 square feet with the two stories of office. Office area will be approximately 25,000 square feet.

John asked the need for additional height. Kurth explained that 42 feet of clearance is required inside for the cranes used in manufacturing. John asked about lot coverage with the expansion. Peterson stated that lot coverage is currently at 70%. The watershed district has indicated expansion would be within the required impervious surface coverage.

### **Public Hearing**

City Attorney Kelly stated that proper notice has been given for the public hearing.

Chair Anderson opened the public hearing at 7:32 p.m. There were no questions or comments.

**MOTION:** by Yarusso, seconded by Westadt to close the public hearing at 7:33 p.m.

**VOTE:        AYES - 6                NAYS - 0**

### **Commission Discussion**

Yarusso stated that the plan is similar to what has already been approved. Although there is a change in height, there is only approximately 7% increase in space with only two stories. It is known that PaR manufactured products

cannot fit into a building height of 35 feet. With the added setback requirements, she does not see a concern. She is pleased to see PaR expanding within the community.

Solomonson stated that the intensity of the development has increased with the added number of people and building height. He questioned whether parking will be adequate for that number of people. PaR is a good company and he would like to see them stay in the city. He supports the plan.

Anderson stated that this is a site that can accommodate greater height without an impact to a neighborhood. This fits what PaR needs for its expansion. He believes the size of the site plus proof of parking will absorb any added needed parking. He is pleased to see a successful business in Shoreview have an opportunity to expand next to one of their own existing buildings.

John expressed appreciation for the added setbacks. Also, the building is in the middle of the site so the added height does not affect outside properties.

**MOTION:** by Westadt, seconded by Yarusso to recommend the city council approve and planned unit development - development stage application submitted by Scannell Properties for a PUD Amendment to the Seven Lakes Phase 1 development site located at 3710 & 3760 Victoria Street North. The recommendation is subject to the following conditions:

1. Approval of the final grading, drainage, utility, and erosion control permits and plans by the City Engineer is required prior to the submittal of a building permit application.
2. The applicant shall dedicate all necessary public drainage and utility easements to the city as required by the City Engineer.
3. The developer shall secure any permits required by the Ramsey-Washington Metro Watershed District prior to commencing any grading on the property.
4. The applicant is required to enter into agreements related to the site development and erosion control. The agreements shall be executed prior to the issuance of any permits for this project. The agreement shall address the following:
  - a. Construction management and nuisances that may occur during the construction process, including parking for contractors. No parking is allowed on Victoria Street or County Road E. On street parking is allowed on Kent Street and Shoreview Park Road.
  - b. Landscape maintenance.

5. Maintenance of stormwater management facilities. The applicant will work with city staff on incorporating sustainability best practices and methods in the development.
6. This approval shall expire after two months if the Planned Unit Development - Final Stage application has not been submitted for city review and approval, in accordance with Section 203.060 (C) (6).

Discussion:

Yarusso noted that by making the building taller, enough room was made available for approximately 120 additional parking spaces which offsets the added height.

**VOTE:                    AYES - 6    NAYS - 0**

## **MISCELLANEOUS**

### **Council Meeting Assignments**

John agreed to attend the June 17th council meeting, when the PaR PUD Amendment will be considered.

### **Joint Workshop with City Council**

Hill stated the a joint workshop with the City Council will be held June 17, 2024, at 5:00 p.m.

## **ADJOURNMENT**

**MOTION:** by Solomonson, seconded by Cordes to adjourn the meeting on May 28, 2024, at 7:24p.m.

**VOTE:                    AYES - 6                    NAYS - 0**

**ATTEST:**

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**Tom Simonson**  
**Asst. City Manager/Community Development Director**

# Memorandum

**TO:** Planning Commission  
**FROM:** Allison Eddins , Senior planner  
**DATE:** June 25, 2024  
**SUBJECT:** 5641 Turtle Lake Road - Minor Subdivision - Tom Zawadski  
**ITEM NUMBER:** 7.A  
**SECTION:** NEW BUSINESS

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## **REQUESTED MOTION**

To approve the minor subdivision at 5641 Turtle Lake Road, submitted by property owner Tom Zawadski, subject to the following conditions:

1. The three existing detached accessory buildings on proposed Parcel A shall be removed before the city will endorse the deeds for recording with Ramsey County.
2. A Public Recreation Use Dedication fee, as required by Section 204.020, shall be paid for Parcel A prior to the deeds being endorsed. The fee will be a maximum of four percent of the fair market value of the lot at the time of subdivision.
3. Public drainage and utility easements shall be dedicated to the city as required by the director of public works. A description of the easements shall be recorded with the new deeds.
4. Municipal water and sanitary sewer services shall be provided to Parcel A.
5. The applicant shall enter into a subdivision agreement with the City. The agreement shall be executed prior to the City's release of the deeds for recording.
6. This approval shall expire after one year if the deeds have not be recorded with Ramsey County.

This recommendation of approval is based on the following findings of fact:

1. The proposed land use is consistent with the policies of the Comprehensive Plan.
2. The proposed subdivision is supported in the policies of the Comprehensive Plan by providing additional housing opportunity in the city.
3. The parcels will comply with the minimum standards of the R1, Detached Residential zoning district.

## **INTRODUCTION**

The applicant and property owner, Tom Zawadski, has submitted a minor subdivision application to divide his property at 5641 Turtle Lake Road into two lots, represented as Parcels A and B on the attached survey. The existing lot is 3.3 acres and has a single-family home with an attached garage and three detached accessory buildings - a 730 square foot horse barn, a 130 square foot shed and a 1,018 square foot detached garage.

The single-family home and attached garage will remain on Parcel B. The survey submitted with the application shows that the three detached buildings will be on Parcel A. The accessory buildings will need to be removed prior to the city endorsing the deeds for recording.

**DISCUSSION**

The subject lot is trapezoid shaped with 186 feet of frontage on Turtle Lake Road. Along the southern portion of the lot is a 60-foot wide private road easement dating back to the 1958 that provides access and utilities from Turtle Lake Road for two residential lots without frontage or direct access to the right-of-way. The lot is relatively flat and heavily wooded along the western and southern boundaries.

The proposed subdivision will create two new lots. Parcel A will be a “flag lot” meaning that the narrowest portion of the lot will be 50-feet wide and 174-feet deep with frontage on Turtle Lake Road. This 50-foot frontage meets/exceeds the city requirement of a minimum of 30 feet of frontage. Parcel A will utilize the existing driveway in order to gain access onto Turtle Lake Road. Parcel B will have 97.61 feet of frontage of Turtle Lake Road and will gain access via a new proposed driveway off of Turtle Lake Road.

As shown in the table below, the two new lots will meet the minimum dimensional requirements for lot area, width and depth.

Turtle Lake Road Subdivision Proposal	R1 Dimensional Requirements	Parcel A	Parcel B
Lot Area	10,000 square feet	119,161 square feet	26,098 square feet
Lot Width	75 feet	243 feet	145 feet
Lot Depth	125 feet	420 feet	158 feet

**STAFF REVIEW**

The survey submitted demonstrates that both new lots have frontage and access on a public right-of-way and will have adequate buildable area for new detached single-family structures that will meet the minimum setback requirements.

The existing accessory buildings will need to be removed prior to the deed being recorded. According to Shoreview's Development Code Section 205.082, detached residential is the only principle use allowed on R-1 lots. Subdividing the property without removing the accessory buildings would create a nonconforming use on Parcel A. Staff recommends as a condition of approval, the removal of the three detached accessory buildings (a barn, garage and shed) prior to the city endorsing the deeds for recording.

Water and sanitary sewer connections will need to be installed for Parcel A. The City has water and sanitary sewer lines in the Turtle Lake Road right-of-way. Escrows and associated permit fees will be required prior to the installation of the new driveway for Parcel B.

Tree impacts will be evaluated further during the building permit process and replacements will be required per city code. A tree survey will be required as part of a future building permit application. A grading and drainage plan will also be required.

**PUBLIC COMMENTS**

Property owners within 350 feet were mailed notice of the subdivision application. At the time the staff report was written, staff had not received any comments.

## **AGENCY COMMENTS**

All agency comments have been incorporated into the recommended conditions.

## **RECOMMENDATION**

To approve the minor subdivision at 5641 Turtle Lake Road, submitted by property owner Tom Zawadski, subject to the following conditions:

1. The three existing detached accessory buildings on proposed Parcel A shall be removed before the city will endorse the deeds for recording with Ramsey County.
2. A Public Recreation Use Dedication fee, as required by Section 204.020, shall be paid for Parcel A prior to any deeds being endorsed by the city. The fee will be a maximum of four percent of the fair market value of the lot at the time of subdivision.
3. Public drainage and utility easements shall be dedicated to the city as required by the director of public works. A description of the easements shall be recorded with the new deeds.
4. Municipal water and sanitary sewer services shall be provided to Parcel A.
5. The applicant shall enter into a subdivision agreement with the City. The agreement shall be executed prior to the City's release of the deeds for recording.
6. This approval shall expire after one year if the deeds have not be recorded with Ramsey County.

This recommendation of approval is based on the following findings of fact:

1. The proposed land use is consistent with the policies of the Comprehensive Plan.
2. The proposed subdivision is supported in the policies of the Comprehensive Plan by providing additional housing opportunity in the city.
3. The parcels will comply with the minimum standards of the R1, Detached Residential zoning district.

## **ATTACHMENTS**

[Location Map](#)

[As-Built with Proposed Property Lines](#)

5641 Turtle Lake Road  
Location Map



# MINOR SUBDIVISION

~for~ **TOM ZAWADSKI**  
 ~of~ **5641 TURTLE LAKE ROAD**  
**SHOREVIEW, MN 55126**

## EXISTING PROPERTY DESCRIPTION

[DESCRIPTION PER CAMBRIA TITLE, AS ISSUING AGENTS FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 101818-1.]

The East 454.5 feet of the SW1/4 of Section 1, Township 30 N, Range 23 W, Ramsey County, Minnesota, lying Northerly of the Northern States Power Co. 50 foot right-of-way, except the North 1223 feet thereof; subject to Turtle Lake Road over the East 33 feet and a 60 foot road easement adjacent to the North line of said Northern States Power Co. right-of-way.

## ZONING AND SETBACKS

R1 - DETACHED RESIDENTIAL

FRONT YARD ..... 25 FEET  
 HOUSE SIDE YARD ..... 10 FEET  
 GARAGE SIDE YARD ..... 5 FEET  
 REAR YARD ..... 30 FEET  
 SIDE STREET ..... 30 FEET

MINIMUM AREA ..... 10,000 S.F.  
 MINIMUM DEPTH ..... 125 FEET  
 MINIMUM LOT WIDTH ..... 75 FEET

## DEVELOPMENT DATA

TOTAL AREA = 3.33± ACRES  
 PROPOSED NUMBER OF LOTS = 2 LOTS  
 EXISTING RIGHT-OF-WAY = 0.82± ACRES  
 DENSITY = 0.80 LOTS PER ACRE

## NOTES

- Field work was completed by E.G. Rud and Sons, Inc. on 10/25/2023.
- Bearings shown are Ramsey County Coordinate System.
- Parcel ID Number: 013023340021.
- This survey is based upon information found in the commitment for title insurance prepared by Cambria Title, as issuing agents for Old Republic National Title Insurance Company, File No. 101818-1, dated effective October 2nd, 2023.
- Contours shown are from MNGEO LIDAR Topography.

## BOUNDARY NOTE

- The southerly boundary line location is based on the location of the Northern States Power Company right of way as was determined on the recorded plat of WOODVIEW ADDITION. See said plat for additional information. Said location also fits the monuments found on the south side of said right of way.
- The boundary lines shown are based on the current Ramsey County Section Breakdown. Monuments found along the north and west property line appear to have been set prior to Ramsey County having established the center of section.

## ROAD EASEMENT NOTE

- Document No. 1452366 creates a non-exclusive ingress and egress easement over the southeasterly 40 feet of the surveyed premises. Other documents make reference to a 60 foot road easement as shown.

## PROPOSED PARCEL A DESCRIPTION

That part of the East 454.50 feet of the Southwest Quarter of Section 1, Township 30 North, Range 23 West, Ramsey County, Minnesota, lying Northerly of the northerly right of way line of Northern States Power Company, except the the North 1223.00 feet thereof.

ALSO EXCEPT

That part of the Southwest Quarter of Section 1, Township 30 North, Range 23 West, Ramsey County, Minnesota, described as follows:

Beginning at the intersection of the East line of said Southwest Quarter with the South line of the North 1273.00 feet of said Southwest Quarter; thence on an assumed bearing of South 89 degrees 00 minutes 51 seconds West, along said South line of the North 1273.00 feet of the Southwest Quarter, a distance of 207.00 feet to the west line of the East 207.00 feet of said Southwest Quarter; thence South 00 degrees 44 minutes 52 seconds East, along said West line of the East 207.00 feet of the Southwest Quarter, a distance of 82.89 feet; thence South 31 degrees 18 minutes 55 seconds East a distance of 100.54 feet to a line parallel with and distant 50.00 feet Northerly from the Northerly right of way line of Northern States Power Company; thence North 58 degrees 41 minutes 05 seconds East, along said line parallel with and distant 50.00 feet Northerly from the Northerly right of way line of Northern States Power Company, a distance of 142.70 feet to the Westerly right of way line of Turtle Lake Road; thence North 89 degrees 00 minutes 51 seconds East, along a line parallel with the North line of said Southwest Quarter, a distance of 33.00 feet to said East line of the Southwest Quarter; thence North 00 degrees 44 minutes 52 seconds West, along said East line of the Southwest Quarter, a distance of 97.61 feet to said point of beginning.

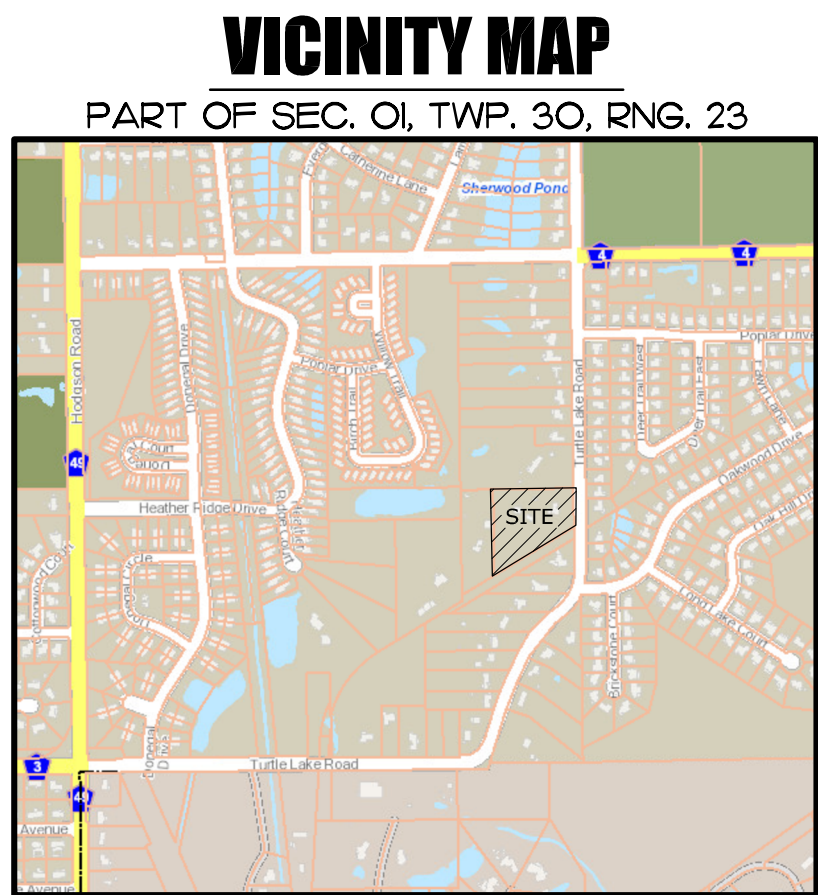
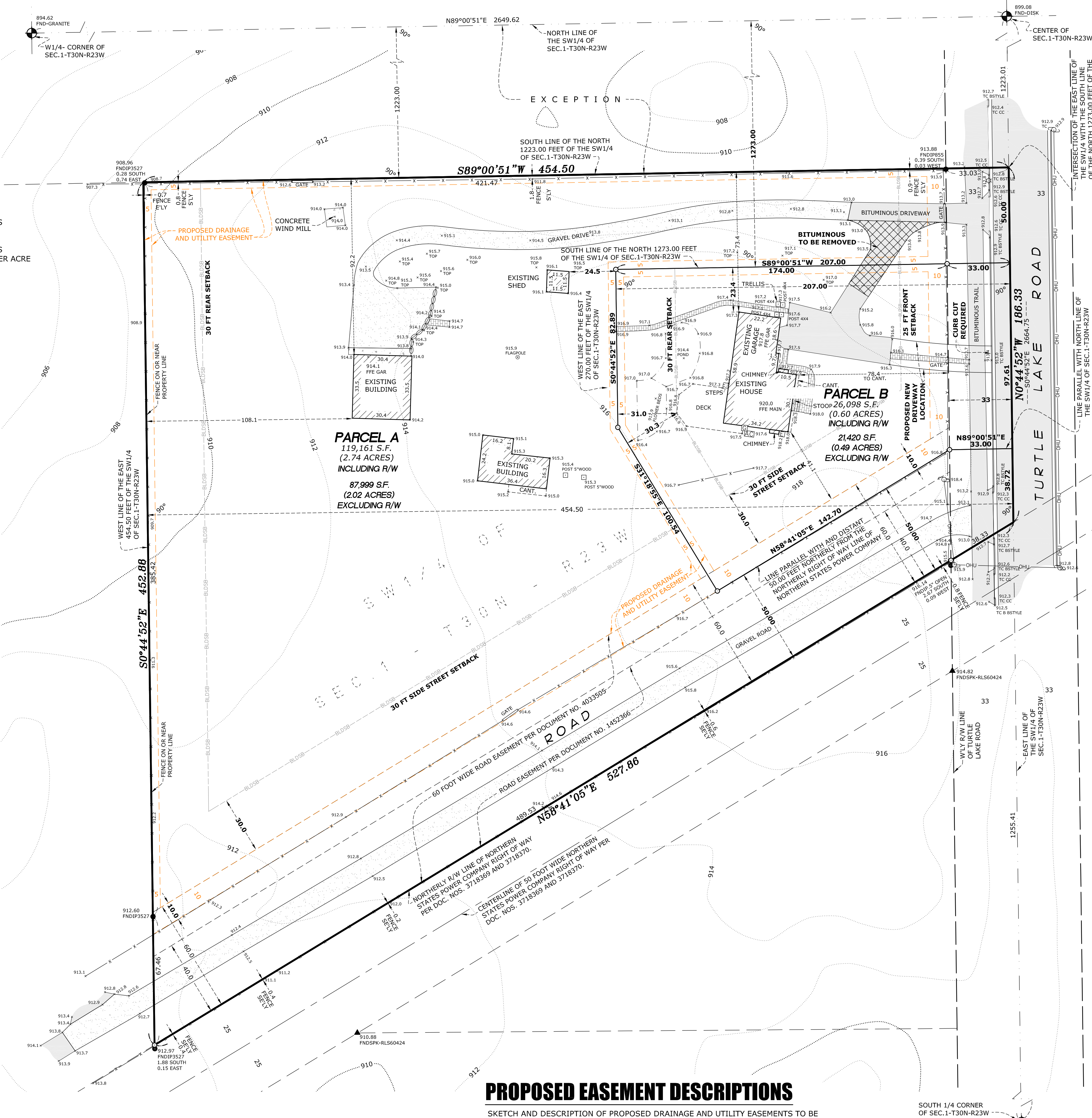
Subject to Turtle Lake Road over the East 33 feet adjacent to and contiguous with the East line of said Southwest Quarter and a road easement which is 60 feet wide and adjacent to and contiguous with said Northerly right of way line of Northern States Power Company.

## PROPOSED PARCEL B DESCRIPTION

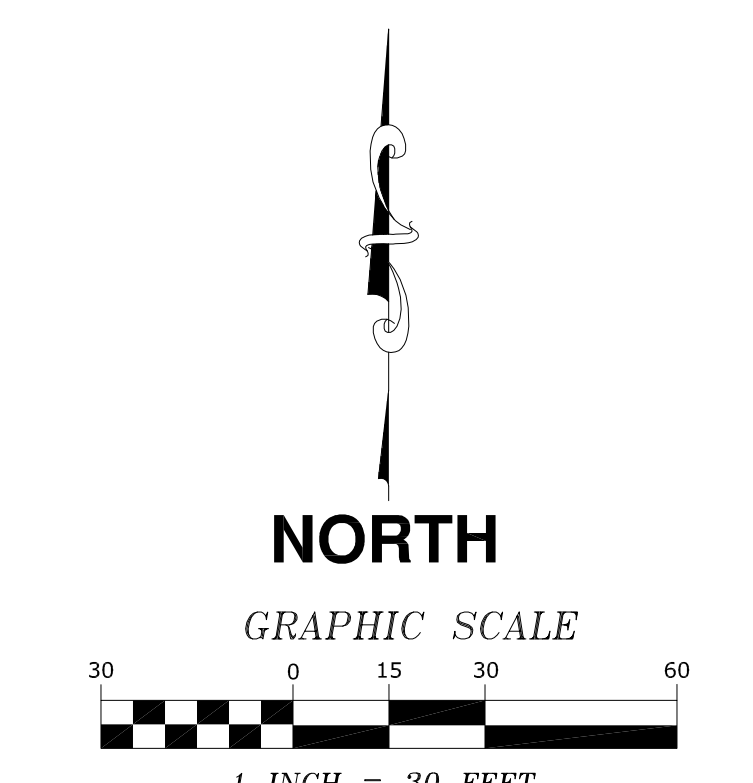
That part of the Southwest Quarter of Section 1, Township 30 North, Range 23 West, Ramsey County, Minnesota, described as follows:

Beginning at the intersection of the East line of said Southwest Quarter with the South line of the North 1273.00 feet of said Southwest Quarter; thence on an assumed bearing of South 89 degrees 00 minutes 51 seconds West, along said South line of the North 1273.00 feet of the Southwest Quarter, a distance of 207.00 feet to the west line of the East 207.00 feet of said Southwest Quarter; thence South 00 degrees 44 minutes 52 seconds East, along said West line of the East 207.00 feet of the Southwest Quarter, a distance of 82.89 feet; thence South 31 degrees 18 minutes 55 seconds East a distance of 100.54 feet to a line parallel with and distant 50.00 feet Northerly from the Northerly right of way line of Northern States Power Company; thence North 58 degrees 41 minutes 05 seconds East, along said line parallel with and distant 50.00 feet Northerly from the Northerly right of way line of Northern States Power Company, a distance of 142.70 feet to the Westerly right of way line of Turtle Lake Road; thence North 89 degrees 00 minutes 51 seconds East, along a line parallel with the North line of said Southwest Quarter, a distance of 33.00 feet to said East line of the Southwest Quarter; thence North 00 degrees 44 minutes 52 seconds West, along said East line of the Southwest Quarter, a distance of 97.61 feet to said point of beginning.

Subject to Turtle Lake Road over the East 33 feet adjacent to and contiguous with the East line of said Southwest Quarter and a road easement which is 60 feet wide and adjacent to and contiguous with said Northerly right of way line of Northern States Power Company.



RAMSEY COUNTY, MINNESOTA (NO SCALE)



## BENCHMARK

RAMSEY COUNTY BENCHMARK NO. 9013  
 ELEVATION = 892.81 FEET (NAVD88)

## LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- DENOTES FOUND PKNAIL
- ▲ DENOTES RAMSEY COUNTY MONUMENT
- DENOTES AIR CONDITIONING UNIT
- DENOTES ELECTRICAL BOX
- x 952.36 DENOTES EXISTING SPOT ELEVATION
- DENOTES GAS METER
- DENOTES HYDRANT
- DENOTES LIGHT POLE
- DENOTES POWER POLE
- DENOTES FENCE
- DENOTES RETAINING WALL
- DENOTES LIDAR CONTOURS
- DENOTES OVERHEAD UTILITY
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES PAVER SURFACE
- DENOTES PROPOSED DRAINAGE AND UTILITY EASEMENT LINE

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

*Jason E. Rud*  
 JASON E. RUD  
 Date: 4-02-2024 License No. 41578

DRAWN BY: JEN	JOB NO: 231077PP	DATE: 04/02/24	
CHECK BY: JER	FIELD CREW: RW-MR		
1			
2			
3			
NO.	DATE	DESCRIPTION	BY

**E.G. RUD & SONS, INC.**  
 EST. 1977  
 Professional Land Surveyors  
 6776 Lake Drive NE, Suite 110  
 Lino Lakes, MN 55014  
 Tel. (651) 361-8200 Fax (651) 361-8701

## PROPOSED EASEMENT DESCRIPTIONS

SKETCH AND DESCRIPTION OF PROPOSED DRAINAGE AND UTILITY EASEMENTS TO BE PREPARED BY E.G. RUD & SONS, INC. UPON APPROVAL OF THE MINOR SUBDIVISION.

SOUTH 1/4 CORNER OF SEC. 1-T30N-R23W

# Memorandum

**TO:** Planning Commission  
**FROM:** Izaak Peterson , Associate Planner  
**DATE:** June 25, 2024  
**SUBJECT:** 3192 W. Owasso Blvd - Conditional Use Permit and Variance Requests  
**ITEM NUMBER:** 7.B  
**SECTION:** NEW BUSINESS

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## **REQUESTED MOTION**

If the Planning Commission finds that there is not practical difficulty to keep both dwelling structures. Please use Motions 1, 2 and 3.

If the Planning Commission finds that there is practical difficulty to keep both dwelling structures. Please use Motion 1 and Alternative Motions 2 and 3, including the findings of practical difficulty for Alternative Motion 3.

Motion 1: To recommend the city council adopt Resolution No. 24-34, a conditional use permit for the proposed retention of an existing 451 square foot detached accessory building garage, with the proposed establishment of an attached garage on the property located at 3192 West Owasso Boulevard:

1. This project must be completed in accordance with the accessory building garage plans submitted as part of the Conditional Use Permit application, and conditions set forth in Resolution No. 24-97. Any significant change to these plans, as determined by city staff, will require review and approval by the planning commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the attached garage.
3. The garage shall be used for the storage of personal property and other garage related purposes.
4. The garage shall not be used for livable or habitable space.
5. The garage shall not be enlarged beyond it's current size of 451 square feet.
6. Further expansion of the existing detached garage accessory building is prohibited.

Motion 2: To adopt Resolution No. 24-35 for a decrease to the minimum the front yard setback requirement from 175.2 feet to 41.9 feet, with the following conditions:

1. The project must be completed in accordance with the plans submitted with the variance application, and conditions set forth through this approval. Any significant changes to these plans, as determined by the Community Development Department, will require review and approval by the Planning Commission.
2. The proposed application proposes to extension of a nonconformity to occupy a greater area of land. The nonconforming dwelling use of existing building No. 3, as labeled on the proposed survey, shall be demolished or otherwise brought into code compliance prior to a building permit being issued for the proposed house expansion and associated

front yard setback variance.

3. The project is subject to the permitting requirements of the Ramsey Washington Metro Watershed District. The applicant shall fulfill all permitting requirements of the Ramsey Washington Metro Watershed District as required.
4. The proposed house shall meet a minimum setback of 41.9 feet from the front property line.
5. A tree removal and replacement plan approved by the Natural Resources Coordinator shall be submitted prior to issuance of a building permit.
6. The finished topographical grade and elevation of the sites steep slope shall not be less than five feet below the existing topographical grade and elevation.
7. A Shoreland Mitigation Affidavit is required to be signed before the building permit is issued.
8. The approvals will expire after one year if a building permit has not been issued and work has not begun on the project.
9. This variance approval is subject to a five day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.

These actions are based on the following findings of fact:

1. Practical difficulty is present as stated in Resolution 24-35.
2. The proposed front yard setback reduction is a reasonable use of the property in a reasonable manner that is allowed in the R1, Detached Residential District.
3. The character of the neighborhood will not be altered by the reduced front yard setback to allow for the construction of a new detached dwelling, and no expansion or alteration are proposed to the existing detached accessory garage building.

Motion 3: To adopt Resolution 24-37 and deny the reestablishment of two detached single family dwellings on the zoned R-1 property and the enlarging or extension of a nonconformity to occupy a greater area of land, at the property located at 3192 West Owasso Boulevard.

This action is based on the following findings of fact:

1. The R-1 detached residential zoning district permits one detached residential dwelling as a principal use per property. The presence of two detached dwelling units on the property constitutes a nonconformity.
2. Development Code Section 207.050(B)(1) requires that nonconforming principal use shall not be enlarged or extended to occupy a greater area of land or a larger portion of a structure, but may continue at the size, intensity and in the manner of operation existing upon the date on which the use became nonconforming.
3. A practical difficulty is not found, as no unique circumstance is present necessitating the request.

Alternative Motion 2: To adopt Resolution No. 24-35 for a decrease to the minimum the front yard setback requirement from 175.2 feet to 41.9 feet, with the following conditions:

1. The project must be completed in accordance with the plans submitted with the variance application, and conditions set forth through this approval. Any significant changes to these plans, as determined by the Community Development Department, will require review and approval by the Planning Commission.
2. The project is subject to the permitting requirements of the Ramsey Washington Metro Watershed District. The applicant shall fulfill all permitting requirements of the Ramsey

Washington Metro Watershed District as required.

3. The proposed house shall meet a minimum setback of 41.9 feet from the front property line.
4. A tree removal and replacement plan approved by the Natural Resources Coordinator shall be submitted prior to issuance of a building permit.
5. The finished topographical grade and elevation of the sites steep slope shall not be less than five feet below the existing topographical grade and elevation.
6. A Shoreland Mitigation Affidavit is required to be signed before the building permit is issued.
7. The approvals will expire after one year if a building permit has not been issued and work has not begun on the project.
8. This variance approval is subject to a five day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.

Alternative Motion 3: To approve the reestablishment of two detached single family dwellings on the zoned R-1 property and the enlarging or extension of a nonconformity to occupy a greater area of land, at the property located at 3192 West Owasso Boulevard, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted with the variance and residential design review applications. Any significant change to these plans, as determined by the community development department, will require review and approval by the planning commission.
2. The variance approvals are subject to a five day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
3. The project is subject to the permitting requirements of the Ramsey Washington Metro Watershed District. The applicant shall fulfill all permitting requirements of the Ramsey Washington Metro Watershed District as required.
4. Shoreland Mitigation Affidavit is required to be signed before the building permit is issued.
5. The approvals will expire after one year if a building permit has not been issued and work has not begun on the project.

This action is based on the following findings of fact:

1. A Practical difficulty is as described in Resolution 24-37 present\*\* Should the Planning Commission find practical difficulty for the establishment and extension of the nonconformity to occupy a greater area of land, they must be included in the record as part of the approval.

## **INTRODUCTION**

The homeowners/applicants, Lisa and Felix Ankel, are proposing to demolish the existing 2,006 square foot home on the property located at 3192 West Owasso Blvd, and rebuild the structure with a 2,909 square foot, 2-story walkout home which would contain an attached garage with dwelling space above. The subject property is located along the western shore of Lake Owasso and is a standard riparian lot. The property also contains a 451 square foot detached garage and and a 770 square foot detached second single family dwelling unit that

are proposed to be retained through the application. The presence of two detached dwelling units on an R-1 Detached Residential zoned property constitutes a nonconformity, that otherwise is not permitted within the zoning district.

As the property currently contains only a detached accessory building, and proposes to add an attached accessory building in the form of a garage containing two or more stalls, conditional use permit consideration of the existing detached garage is required as outlined in Table 205-A of the Shoreview Development Code.

The proposed building location is less than the average of the abutting properties front setback +/- 10 feet. In addition, the presence of two detached dwelling units on the subject property constitutes a nonconformity within the R-1 Detached residential district. As the applicants propose to remove the nonconforming condition through the demolition of one of the dwelling units, and reestablish the nonconformity with an expanded footprint, the following variances are needed:

1. A variance to Code Section 205.082(D)(2) requesting a reduced front yard setback of 41.9' from the front property line, less than the average +/-10' of the adjacent homes (175.2').
2. A variance to Code Section 205.082, requesting to reestablish two (2) detached dwelling units within the R1, Detached Residential zoning district.
3. A variance to Code Section 207.050(B)(1), requesting the enlargement or extension of a nonconformity to occupy a greater area of land.

## **DISCUSSION**

The subject property is a standard riparian lot in the R1-Detached Residential District. The lot is 45,151 square feet, or 1.02 acres, with an average depth of 349 feet and a lot width of 137.4 feet. The lot's elevation slopes lakeward from a 936 foot elevation at the front lot line down to 886.7 feet at the Ordinary High Water line (OHW) which constitutes a steep slope.

The existing home does not contain an attached garage, is 2,009 square feet in size and is located 58.3 feet from the front property line, and 215.8 feet from the OHW of lake Owasso. The site also contains an existing detached garage that is 451 square feet in size located along Owasso Blvd West.

In addition, the site contains a second detached single family dwelling 770 square feet in size, located between the existing house and lake Owasso. The presence of two detached single-family dwellings on an R-1 property is not otherwise permitted by Section 205.082 of the Shoreview Development Code, therefore the existing condition of the property constitutes a nonconformity.

The site currently contains two driveway curb cuts from West Owasso Boulevard, providing separate access to the existing home and detached garage.

The site is surrounded by riparian residential properties to the north and south. The southern property line of the subject property is the border of Shoreview and the City of Roseville.

## **Project Description**

The applicants propose to demolish and reconstruct the existing house on the site, and construct a larger two story house including a 971 square foot attached garage in it's place,

while retaining the existing 451 detached garage, and 770 square foot detached dwelling unit. The proposed house is located in the general location of the dwelling to be removed. The location of the new house would have a reduced setback of 41.9 feet to the front property line. The application does not propose modifications to either the 451 detached garage or the 770 square foot detached dwelling unit.

### **Applicant Statement**

The applicants state that the decrease in the front yard setback is necessary as a result of the steep grade and unique topography of the site. The applicant indicates that utilization of the general location of the sites existing house in combination with raising the elevation of the foundation, would result in the most effective means to mitigate the steep slope of the site. In addition, the applicant notes that the location of the proposed attached garage is necessary to ensure a reasonable grade and slope to the house from West Owasso Boulevard. Further, the application indicates that retention of the sites existing detached garage is necessary as it serves to support existing grades on the site. The applicant does not believe that the setback proposal and retention of the second dwelling unit will negatively impact the character of the neighborhood due to the properties size, and the presence of two dwelling units on properties located in the City of Roseville nearby to the south.

### **Development Code Requirements**

#### **Conditional Use Permit**

Section 205.082 of the Development Code requires accessory buildings over 440 square feet to receive an approved conditional use permit, if the property contains with 2-car or larger attached garage . This code section also limits the total square feet of accessory building space to 1,500 square feet for lots that are one to two acres in size. The applicants are proposing to construct a 971 square foot attached garage and would like to retain the existing 451 square foot attached garage. The combined size of the garages is 1,422 square feet which is permissible. In order to permit the colocation of the site, a conditional use permit is required for the detached garage.

The intent of the conditional use permit is to asses the suitability of the proposed use in the zoning district and insure harmony with the Comprehensive Plan. A conditional use permit may be granted provided the proposed use is listed as a conditional use in the zoning district, the standards of the Development Code will be satisfied and the following criteria are met:

1. The use is in harmony with the general purposes and intent of the Development Ordinance.
2. The use is in harmony with the policies of the Comprehensive Plan.
3. Certain conditions as detailed in the Development Ordinance exist.
4. The structure and/or land use conform to the Land Use Chapter of the Comprehensive Plan and are compatible with the existing neighborhood.

The exterior design of the structure must be compatible with the dwelling and be similar in appearance from an aesthetic, building material and architectural standpoint. The proposed design, scale, height and other aspects related to the accessory structure are evaluated to determine the impact on the surrounding area. Building permits may be issued upon the finding that the appearance of the structure is compatible with the structures and properties in the surrounding area and does not detract from the area. The intent of these regulations and the City's Comprehensive Plan's policies is to ensure that the residential character of the property and neighborhood is maintained and that dwelling unit remains the primary feature and use of the property.

The existing detached garage was constructed in 1951, prior to the cities adoption of bulk and setback standards for detached garages. The existing garage is 9.2 feet from the front property line, within a required 20 foot front yard setback. In addition the garage is 5.73 feet from the southern side property line, located within a required 10 foot sideyard setback. As a result of the garages age predating the adoption of these standards, it may be maintained in place to it's current dimensions. As the property owner does not propose modification or expansion of the structure through this application, variance consideration to address these encroachments is not required in order to grant the conditional use permit.

### Variance Requests

The Development Code requires residential construction to comply with certain design standards and setbacks. Those standards and the requested variances are summarized in the table below.

<b>Code Standard</b>	<b>Allowed</b>	<b>Proposed</b>
Impervious Surface Coverage	11,287.75 square feet (25% of lot area)	10,945 square feet (24.2% of lot area)
Building Height	35 feet (highest roof peak to lowest grade)	35 feet
Front Setback	185.2 feet minimum (+/- 10 feet)	41.9 feet**
OHW Setback	110.4 feet minimum (+/- 10 feet)	208.8 feet
Side Setback (Dwelling)	10 feet	55.7 feet
Side Setback (Attached Garage)	5 feet	10.2 feet
Accessory Building Total Area	1,500 square feet	1,422 square feet

\*\* Variance Required

Development Code Section 205.080(D)(1)(g)(i) prescribes that when new construction is proposed where existing lots immediately abutting the site exceed the minimum front yard setback of the zoning district (40-feet), the front yard setback for a dwelling to be constructed on the vacant lot shall be equal to the average of the front yard setbacks for such immediately adjacent dwelling plus or minus 10-feet. The proposal requests to reduce this setback from 175.2 feet, to 41.9 feet.

In addition, the site currently contains two detached dwelling units, built prior to the city's adoption residential zoning regulations. Development Code Section 2085.082 permits one single family detached unit per property as a principal use. As the site contains two detached dwellings, they exist together as nonconformities.

The Development Code recognizes the existence of uses, structures and lots which were lawfully established but which do not currently comply with the City's Development Regulations. The Development Code generally permits the maintenance of nonconformities, but to prohibit the enlargement, expansion or extension of nonconforming principal uses and structures. Specifically, Section 207.050(B)(1) outlines a nonconforming principal use shall not be enlarged or extended to occupy a greater area of land or a larger portion of a structure,

but may continue at the size, intensity and in the manner of operation existing upon the date on which the use became nonconforming.

As the applicant proposes to eliminate one of the detached dwellings, otherwise bringing the nonconformity into compliance, and reestablish the dwelling with an expanded area, variance approvals to Development Code Sections 205.082 and 207.050(B)(1) are necessary.

### **Variance Criteria**

When considering a variance request, the commission must determine whether the ordinance causes the property owner practical difficulty and find that granting the variance is in keeping with the spirit and intent of the ordinance. Practical difficulty is defined as:

1. Reasonable Manner. The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.
2. Unique Circumstance. The plight of the property owner is due to circumstances unique to the property not created by the property owner.
3. Character of the Neighborhood. The variance, if granted, will not alter the essential character of the neighborhood.

*Economic Considerations alone do not constitute a practical difficulty.*

### **Staff Review**

#### **Front Yard Setback Variance**

After reviewing the applicants' proposal, staff agrees with the applicant that a practical difficulty present for the front yard setback variance request.

1. *Reasonable Manner. The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.* The applicant is proposing to use the property in a reasonable manner as single family residential use, which is a permitted use.
2. *Unique Circumstances. The plight of the property owner is due to circumstances unique to the property not created by the property owner.* There are unique circumstances that affect the placement of a home on this property. The topography of the property is a steep hill on the majority of the site, with the exception of the existing building pad. Through the filling of the existing building pad, and utilization of a portion of the existing foundation area, greater grading impacts to the existing steep slope may be avoided by locating the house closer to the front property line.
3. *Character of Neighborhood. The variance, if granted, will not alter the essential character of the neighborhood.* The character of the neighborhood will not be altered. The proposed home is in a commensurate location as the existing home as it relates to proximity to the front the front property line, which has been in place since 1951. As a result, staff does not believe the character of the neighborhood will be impacted.

#### **Variations to Reestablish Two Dwelling Units and Enlarge or Extend a Nonconformity to Occupy a Greater Area of Land**

After reviewing the applicants' proposal, staff disagrees with the applicant that a practical difficulty is present necessitating the reestablishment and enlargement of a second dwelling on the subject property.

1. *Reasonable Manner. The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.* The applicant is

proposing to use the property in a reasonable manner as single family residence, which is a permitted principal use. The proposed presence and enlargement of two principal uses on the site is not a reasonable use within the R-1 zoning district.

2. *Unique Circumstances. The plight of the property owner is due to circumstances unique to the property not created by the property owner.* The applicant is permitted to maintain the dwellings on the property to their current size and area as nonconformities. The desire to expand the nonconformity when alternatives such as maintaining the existing size of the nonconformity, removal of the second dwelling to otherwise bring the property into compliance, or potential attachment of the smaller dwelling to a new house as an accessory apartment exist, the reestablishment and enlargement of the nonconformity is a result of the actions of the property owner and/or previous property owners, rather than necessity caused by a unique circumstance. Although staff appreciates the applicants proposed investment in the property, staff does not believe plight of the property owner is due to circumstances unique to the property not created by the property owner
3. *Character of Neighborhood. The variance, if granted, will not alter the essential character of the neighborhood.* Staff generally does not believe the character of the neighborhood would be altered as a result of the request, as the site has contained two dwelling units since the 1950's.

### **SHORELAND MITIGATION**

In accordance with the development code, shoreland mitigation is required of property owners who are seeking certain land use approvals through the City. A condition of approval to fulfill this obligation if the application(s) are approved has been included within the recommended conditions of approval.

### **PUBLIC COMMENT**

Property owners within 350 feet were notified of the applicants' requests. Additionally, notice regarding the proposed conditional use was posted within the June 4th edition of the Shoreview Press. At the time of this staff report, no public comments have been received.

### **RECOMMENDATION**

Staff recommends the planning commission recommend the city council adopt Resolution No. 24-34, for the proposed establishment of an attached garage with detached garage greater than 440 square feet, and adopt on the property located at 3192 West Owasso Boulevard subject to the following conditions:

1. This project must be completed in accordance with the accessory building garage plans submitted as part of the Conditional Use Permit application, and conditions set forth in Resolution No. 24-97. Any significant change to these plans, as determined by city staff, will require review and approval by the planning commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the attached garage.
3. The garage shall be used for the storage of personal property and other garage related purposes.
4. The garage shall not be used for livable or habitable space.
5. The garage shall not be enlarged beyond its current size of 451 square feet.
6. Further expansion of the existing detached garage accessory building within the required sideyard setback is prohibited.

In addition, staff recommends the planning commission adopt Resolution No. 24-35 for a decrease to the minimum the front yard setback requirement from 175.2 feet to 41.9 feet, with the following conditions:

1. The project must be completed in accordance with the plans submitted with the variance application, and conditions set forth through this approval. Any significant changes to these plans, as determined by the Community Development Department, will require review and approval by the Planning Commission.
2. The proposed application proposes to extension of a nonconformity to occupy a greater area of land. The nonconforming dwelling use of existing building No. 3, as labeled on the proposed survey, shall be demolished or otherwise brought into code compliance prior to a building permit being issued for the proposed house expansion and associated front yard setback variance.
3. The project is subject to the permitting requirements of the Ramsey Washington Metro Watershed District. The applicant shall fulfill all permitting requirements of the Ramsey Washington Metro Watershed District as required.
4. The proposed house shall meet a minimum setback of 41.9 feet from the front property line.
5. A tree removal and replacement plan approved by the Natural Resources Coordinator shall be submitted prior to issuance of a building permit.
6. The finished topographical grade and elevation of the sites steep slope shall not be less than five feet below the existing topographical grade and elevation.
7. A Shoreland Mitigation Affidavit is required to be signed before the building permit is issued.
8. The approvals will expire after one year if a building permit has not been issued and work has not begun on the project.
9. This variance approval is subject to a five day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.

These actions are based on the following findings of fact:

1. Practical difficulty is present as stated in Resolution 24-35.
2. The proposed front yard setback reduction is a reasonable use of the property in a reasonable manner that is allowed in the R1, Detached Residential District.
3. The existing detached garage is proposed to be maintained as a non-conformity, with no expansion or enlargement proposed.
4. The character of the neighborhood will not be altered by the reduced front yard setback to allow for the construction of a new detached dwelling, and no expansion or alteration are proposed to the existing detached accessory garage building.

Lastly, staff recommends the planning commission adopt Resolution 24-37 and deny the reestablishment of two detached single family dwellings on the zoned R-1 property and the enlarging or extension of a nonconformity to occupy a greater area of land, at the property located at 3192 West Owasso Boulevard.

This action is based on the following findings of fact:

1. The R-1 detached residential zoning district permits one detached residential dwelling as a principal use per property. The presence of two detached dwelling units on the property constitutes a nonconformity.

2. Development Code Section 207.050(B)(1) requires that nonconforming principal use shall not be enlarged or extended to occupy a greater area of land or a larger portion of a structure, but may continue at the size, intensity and in the manner of operation existing upon the date on which the use became nonconforming.
3. Practical difficulty to enlarge the nonconformity to occupy a greater area of land is not present for the variances requested in Resolution 24-37.

**ATTACHMENTS**

[Location Map](#)

[Applicant Narrative](#)

[Proposed Survey](#)

[Proposed Building Elevations](#)

[Proposed Interior Floor Plan](#)

[Draft Resolution 24-34](#)

[Draft Resolution 24-35](#)









[Draft Resolution 24-37](#)

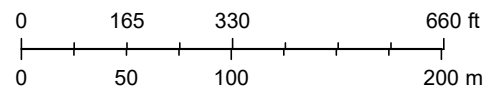
# 3192 W Owasso Blvd



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-  Override 1
-  County Offices
-  Personal Property
-  2022 Aerial
-  Tax Parcels
-  Red: Band\_1
-  Green: Band\_2
-  Blue: Band\_3



June 20, 2024

**Izaak Peterson**  
**City of Shoreview**

**Regarding:** Consolidated narrative to variance request for 3192 W Owasso Blvd

This is a request for the following variances for the property located at 3192 W Owasso Blvd:

1. A conditional use permit for the proposed retention of an existing 451 sq foot detached garage, with the proposed establishment of an attached garage on the property. To allow a detached accessory building to exceed the maximum allowed size of 440 sq feet.
2. A variance of Code Section 205.082(D)(2). Decrease the minimum front yard setback to 41.9 feet from the front property lines, less than the average of +/- 10' of the adjacent homes, which is 175.2'.
3. A variance of Code Section 205.082, requesting to reestablish 2 detached dwelling units within the R1, Detached Residential zoning district.
4. A variance to Code Section 207.050(B)(1), requesting the enlargement or extension of a nonconformity to occupy a greater area of land.

The subject property is a standard riparian lot in the RI-Detached Residential District. The lot is 45,151 sq. feet, or 1.02 acres, with an average depth of 349 feet and an average width of 141.3 feet. The lot's elevation slopes lakeward from a maximum 938 foot elevation at the front lot line down to 886.7 at the OHW line. There is an existing home which is set back 58.3 feet from the road and 215.8 feet from the OHW line, at an elevation of 923.7 feet (measured at the first floor of the existing home). The property also has a detached garage at the road, and a secondary dwelling unit that was the original building on the property, originally a summer cottage.

The property has unique conditions due to the steep grade of the lot between the road and the house. Like most lots along this portion of W Owasso Blvd, the lot slopes downward west-to- east, from the street down towards Lake Owasso. However, unlike the neighboring lots, this lot is extremely steep on the western side of the lot, nearest the road, and is flatter on the eastern portion of the lot, at lakeside. There is a 14+ foot drop from the road to the grade of the existing home, representing an approximate 24% slope.

I am attaching 6 photos to provide some visual information regarding the existing conditions on the property. Photo 1 is taken from the road, and shows the detached garage at the road. The roofline of the primary residence is somewhat visible from the road. Photo 2 is taken at the level of the existing house, looking up to the road. It shows the back of the detached garage and a retaining wall. Photo 3 is a close up of the retaining wall which holds up the grade at the road. Photo 4 is also at the road, looking down towards the driveway and house. Photo 5 is from the road looking down the driveway, which leads to a lower parking level off street. It's difficult to convey the steepness of a slope in a photo, but you can clearly see the significant difference in elevation from the road to the house, and how the driveway drops away significantly from the road. Finally, Photo 6 shows the existence of the City's electrical panel on the property, which impedes relocating the driveway entrance further north on the lot.

My family has lived on this property since the 1940s. My grandparents purchased the property

with a summer cottage on it, constructed during the 1920s, and lived there in the summer. My mother grew up spending her summers in the cottage. In 1951, my grandparents build the existing principal residence as a year round home, along with the detached garage at the road, and began living there full time. They kept the summer cottage in place and used it regularly. My parents acquired the property and moved into the primary residence in the 1980s. They added a driveway partially. After my parents acquired the property, the cottage was improved to include heating, and be usable year-round, which it has been now for decades

In 2018, the property immediately to the north of my family's lot was purchased by its neighbor to the north, and the home on it was demolished. My parents acquired the southern 20 feet of that parcel, and with the other purchaser, requested a subdivision/lot combination, which was granted by the City of Shoreview. This allowed for our property to become a standard riparian lot, and also increased the setback of the cottage from the new property line. No concerns were raised about the continued use of the cottage at that time. After my mother passed away, I acquired the property from my father this year. He now spends winters elsewhere, but plans to live with my family in Minnesota during the summer.

The primary residence does not have an attached garage, which, to reasonably and safely use the house year-round, my family is now looking to add to the property. It is difficult to traverse the steps down to the house, particularly in the winter. We initially considered attaching a garage to the existing home (which we would have remodeled to update several aspects of the home), and discussed this possibility with City Staff. Although we learned the attachment of this garage would be considered an expansion of a nonconformity because there are two dwellings on the property, we were informally told by Staff that they would support this, given the unique circumstances presented by the topography of the lot and the separation from the existing garage at the road and the house..

Once we explored designs for our project, we learned that the possible locations for attaching a garage to the existing primary residence are extremely limited. There are really only 2 possible locations, as shown in the attachments Option 1 and Option 2. Both options result in a driveway with an approximate 20.8% grade, which ultimately doesn't achieve our primary objective of establishing a reasonable and safe driveway for the property. In addition, as the home is only around 25 feet from the south property line, to fit a garage in Option 1, the garage would need to be between the existing home and the back of the existing detached garage. Adding a garage in that location is not recommended from a structural standpoint, as it would put the addition very close to the detached garage, potentially undermining its structural integrity. Removing the detached garage is not recommended either, as it works as a support to holding back the steep grade change between the road and the house, which grade change would be extremely challenging and expensive to manage if the existing detached garage was removed. With Option 1 essentially eliminated, the remaining possible location for attaching a garage to the existing home is on its north end, shown in Option 2, but that would result in a drop of 24% from the road to the new garage. Also note that the location of the driveway entrance is limited, and cannot be moved to the north edge of the property, due to the existence of an electrical panel used by the City for a lift station on the property near the lake, which cannot be moved. See Photo 6, which shows the City's electrical panel on the property,

A driveway with a 20+% grade is exceptionally steep and, in our opinion, would not be a reasonable

or safe driveway. As a result, we considered alternatives in order to have an attached garage on the primary residence. After considering many design alternatives, we concluded that raising the grade of the lot by several feet at the garage/first floor level and moving the location of the primary residence slightly, to allow for an angled attached garage, would result in the best option for a traversable driveway at a safe slope. This also maintains enough distance between the new garage and the existing detached garage to allow it to maintain its structural integrity.

Raising the grade to address the slope of the driveway necessitates tearing down the existing primary residence and building a new one. We propose to raise the grade of the home by approximately 3 feet to 926 feet, and move the entrance of the driveway approximately 15 feet to the north. The proposed location of the house puts the attached garage on the south side of the property which allows for a longer driveway over which the slope may be spread out, and the raised elevation of the house reduces the drop between the road and the home. By doing this, we are able to reduce the slope of the driveway to much more reasonable and safe 13.3%. See enclosure labeled "driveway slope - proposed."

This is significantly flatter than if we were to attach a garage to the existing home, and we feel is a much safer option not just for us, but for guests and potential public safety vehicles like fire engines and ambulances.

We are proposing to build a new home with a footprint of 2078.25 sq. ft., which approximates the size of the existing home's footprint of 2030.6 sq. ft., although it is technically 47.65 sq. ft. larger. The proposed attached garage is 959 sq. ft. Most of the increase to the footprint of the primary residence (slightly more than 2%) is to accommodate the angle between the garage and the primary residence. The angled design keeps the garage from encroaching on the existing detached garage without pushing the residence further down the property towards the lake, which would exacerbate the slope of the driveway. The garage also has living space above it, which increases the square footage overall. Since the topography dictates that we demolish and rebuild the primary residence in order to add an attached garage, we propose including living space above the garage. This is consistent with the style of the house, complements the front elevation and is economical square footage to add. We do not feel it makes sense to be artificially stuck with the dimensions of the older home which no longer fits the neighborhood.

We understand that, in lieu of requesting these variances, we could instead choose to demolish the secondary dwelling, the original, 100-year old cottage on the property. If we were to do that, we could construct a home with a much larger footprint than the existing home and without several of the restrictions we now face with this project. We think that would be more disruptive to the site and to our neighbors. We also believe that our more modest proposal fits better in the neighborhood than would a significantly larger new home on the property.

Our family has owned this property for nearly 80 years and we intend for our family to own this property for generations to come. We also plan to use the cottage for multi-generational living. One of our sons has health issues and we anticipate that he will need family support throughout his life, which will limit his ability to live independently. Having a secondary dwelling on the property would allow us to keep our family together on this large property, while also trying to provide him the most independent living situation possible. We would be able to care for him, but he could still live in a separate dwelling.

We also considered attaching the primary residence to the cottage. By attaching the cottage to the primary residence, there would only be one dwelling unit, and the property would not have a nonconformity. We could then have a primary residence with a footprint significantly larger than it currently is. We've seen this approach (not necessarily with pre-existing structures) elsewhere on the lake. This approach would significantly increase the size of the structures on the property, the disruptions to the site that would be required for our construction, and the impact on the neighbors. The cottage also has a wood foundation that has required unique solutions to maintain. In the 2000s, the foundation was reinforced with wall anchors and cables attached to helical piers. Digging near the cottage to attach another structure would be challenging and increase the scope and complexity of our proposed project.

The century-old cottage is a charming structure that is unique to the property and the area. Over the years, many neighbors and others have commented on this. We think preserving it while investing in the property overall takes into consideration the uniqueness of the property, is reasonable and preserves the neighborhood's existing character. Given this, we are hopeful the preservation of this structure is something the Planning Commission will support.

**Reasonable Manner:** Lot usage for the parcel is consistent with the area and with the City of Shoreview Development Regulations-a single family detached home, which is a permitted use. The City's Comprehensive Plan encourages investment into residential properties. We are doing exactly that by removing an outdated home over 70 years old that no longer fits in this lake front neighborhood and replacing it with an upgraded, modernized home. We desire to have an attached garage, which does not exist on the current home, for safety reasons. Our desire to reinvest into our property in a manner that is consistent with the area and neighboring properties and that improves the overall usability and safety of the property constitutes a reasonable use of the property.

**Unique Circumstances:** The topography of this lot poses unique challenges to adding an attached garage to the primary residence, as well as locating the home within the required setbacks. This results in a very steep driveway, currently at a grade over 23% at its steepest. The existing location of the primary residence is the best location for a home. The lot continues to slope away from the road, which would exacerbate the steepness of the driveway if the home were relocated to within required setbacks.

**Character of the Neighborhood:** The character of the neighborhood will not be altered by the passing of these variances. Throughout this area of W Owasso Boulevard, there are numerous other homes that have similar front yard setbacks as this property - see 3166, 3150, 3102, 3094, and 3088 W Owasso Blvd. In addition, there are 2 dwellings located on the lot at 3170 W. Owasso, and the lot at 3166 W. Owasso was subdivided front to back, essentially locating a second dwelling at 3164 W. Owasso, on a similarly sized lake lot. The proposed home, though slightly larger in footprint and square footage than the existing home, will by no means be the largest in the neighborhood. Many neighboring homes have been extensively remodeled, enlarged or rebuilt and our proposed home will be consistent in size with homes on the lake.

The passing of these variances will not impact the adjoining properties. The decrease in the front yard setback will help preserve privacy for the neighbors to the north and south, by maintaining the existing location for the principal residence. The unique topography eliminates the majority of the home's visibility from the Owasso right of way. We have spoken with our neighbors to the north and

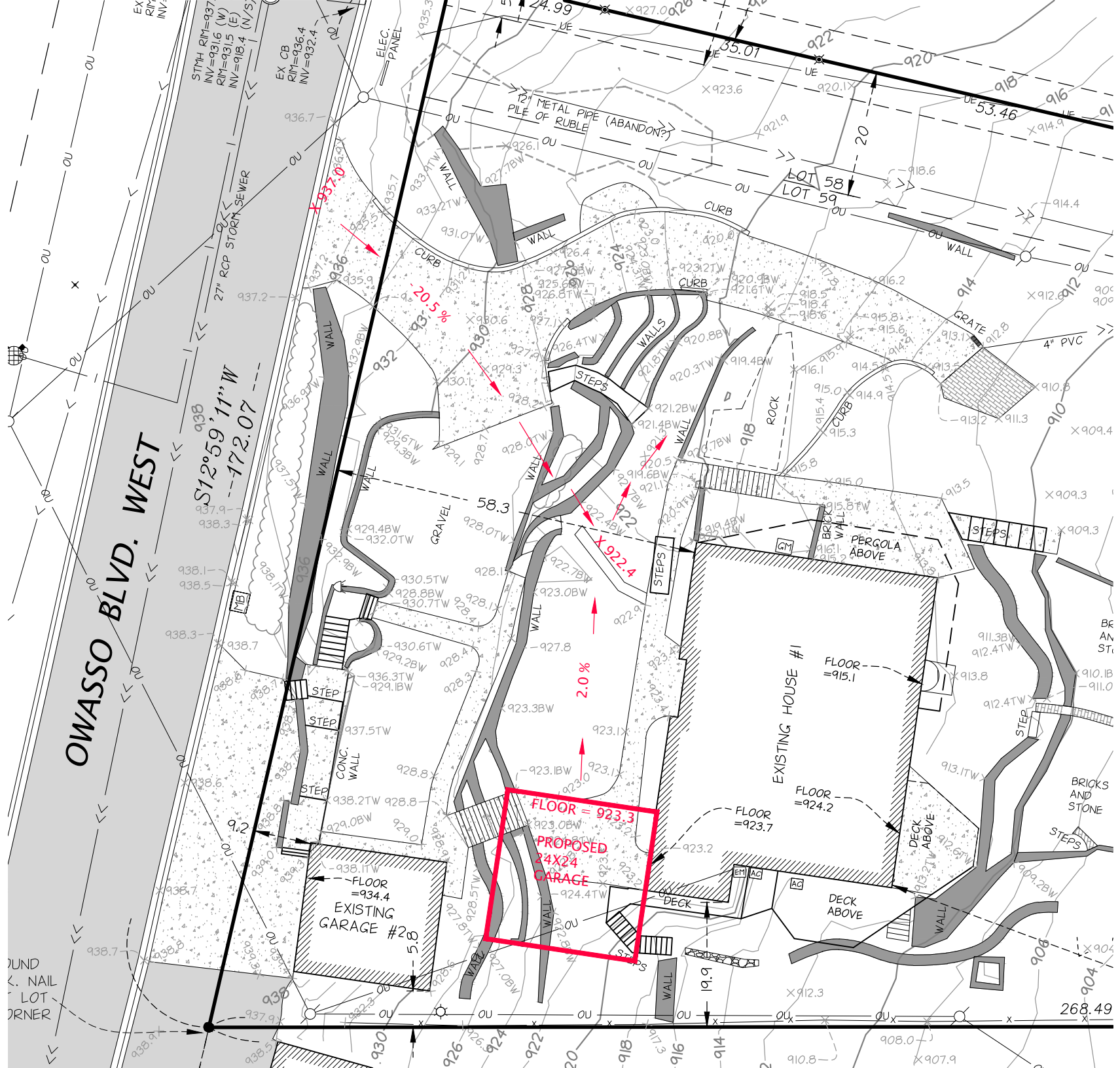
south, and across the street, about our proposed reconstruction, and each of them verbally supported it.

In conclusion, our request for variances to demolish the existing home and build a new one with an attached garage meets the standard set forth in MN Stat. §394.27 Subd. 7, and allows the City to approve them. Our request is driven by practical difficulties of the lot which are not caused by us and are unique to the circumstances of the property. Our solution is a reasonable one, designed to address these circumstances, and which will not alter the essential character of the neighborhood.

Thank you for your consideration.

A handwritten signature in cursive script that reads "Lisa Holter Ankel and Felix Ankel". The signature is written in black ink and is positioned above the printed names.

Lisa Holter Ankel and Felix Ankel



OWASSO BLVD. WEST

S12°59'11" W  
--172.07

FLOOR = 923.3  
PROPOSED  
24X24  
GARAGE

FLOOR = 915.1

FLOOR = 924.2

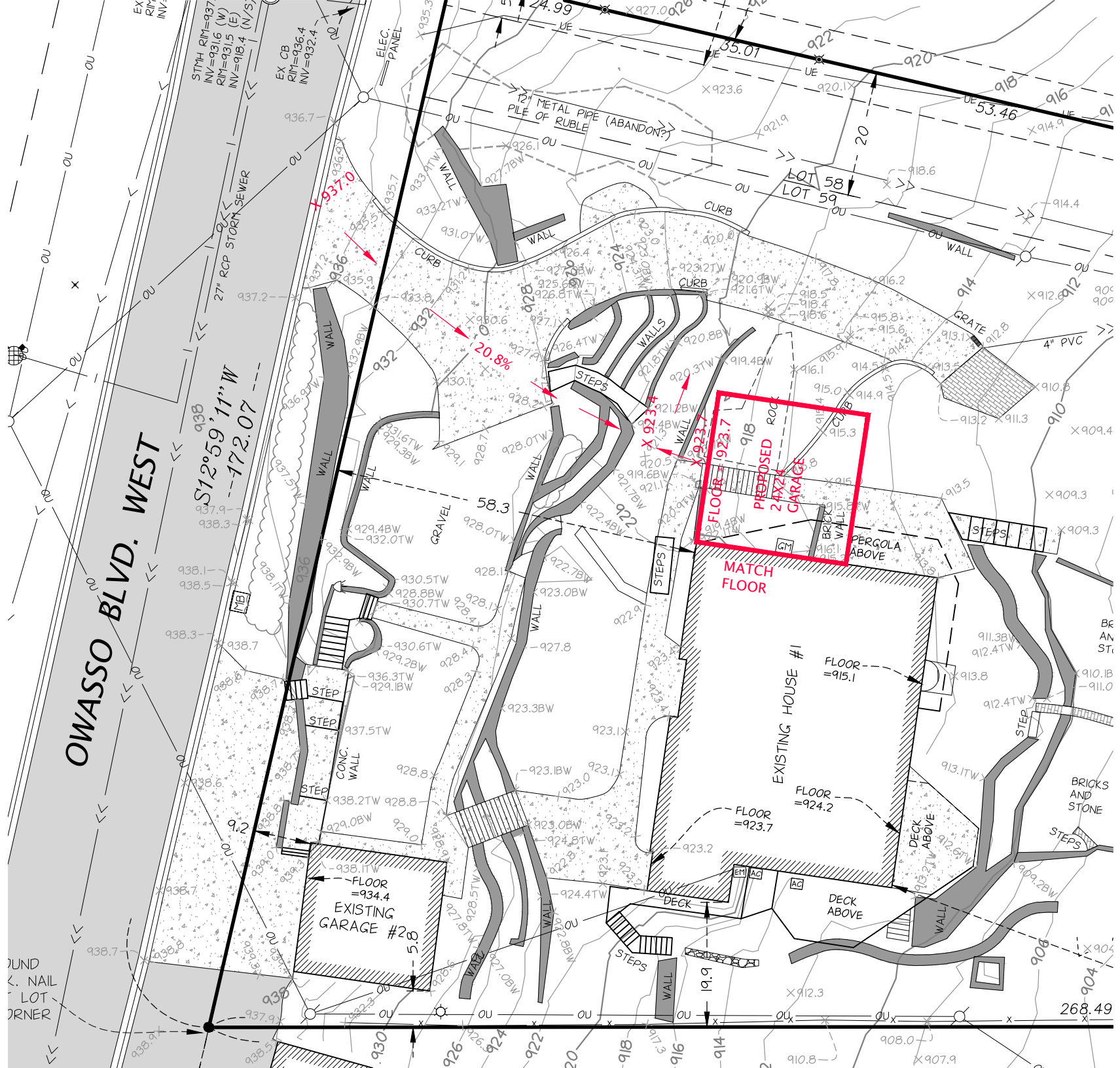
FLOOR = 934.4  
EXISTING  
GARAGE #28

DECK ABOVE

DECK ABOVE

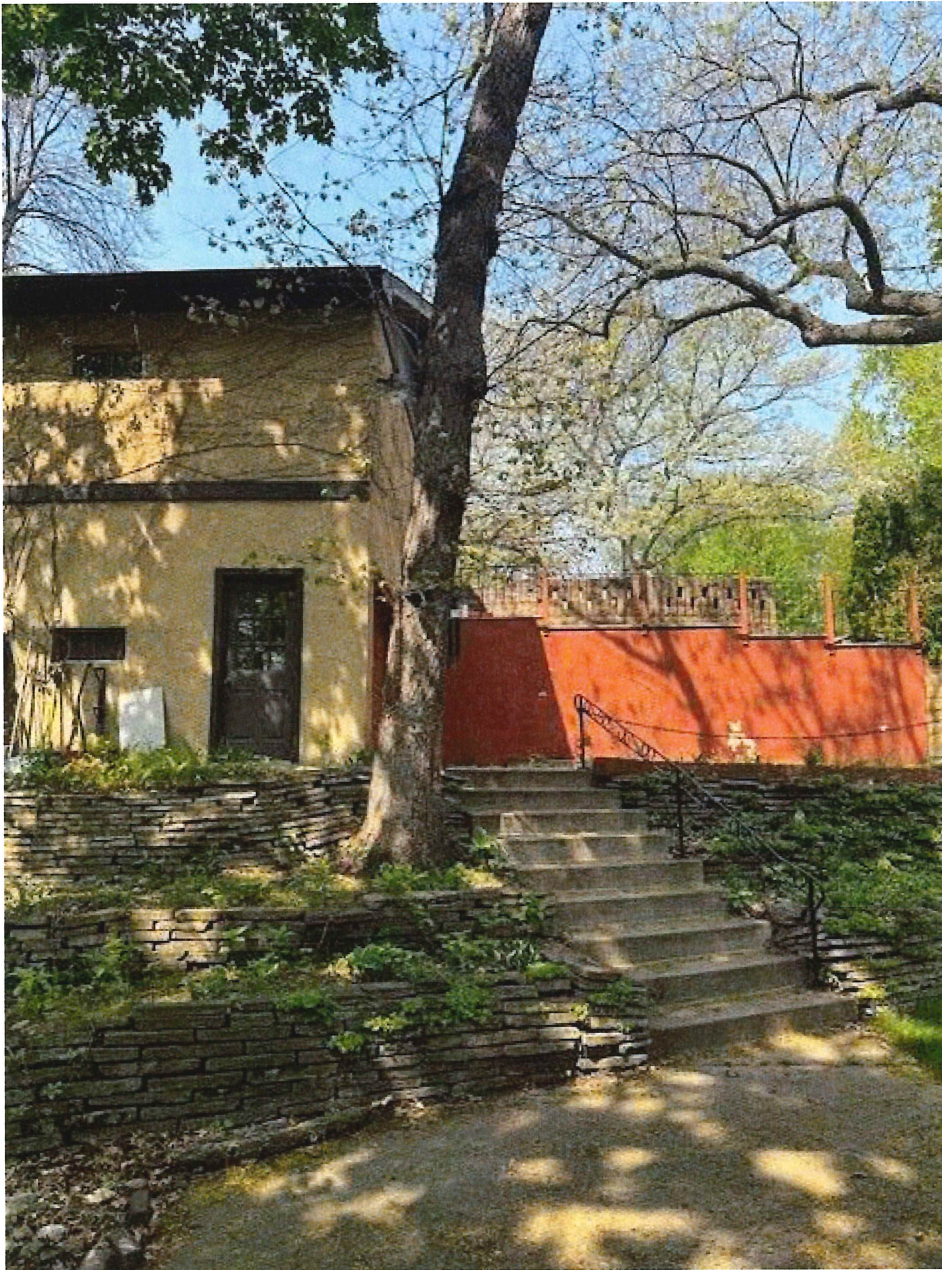
PERGOLA ABOVE

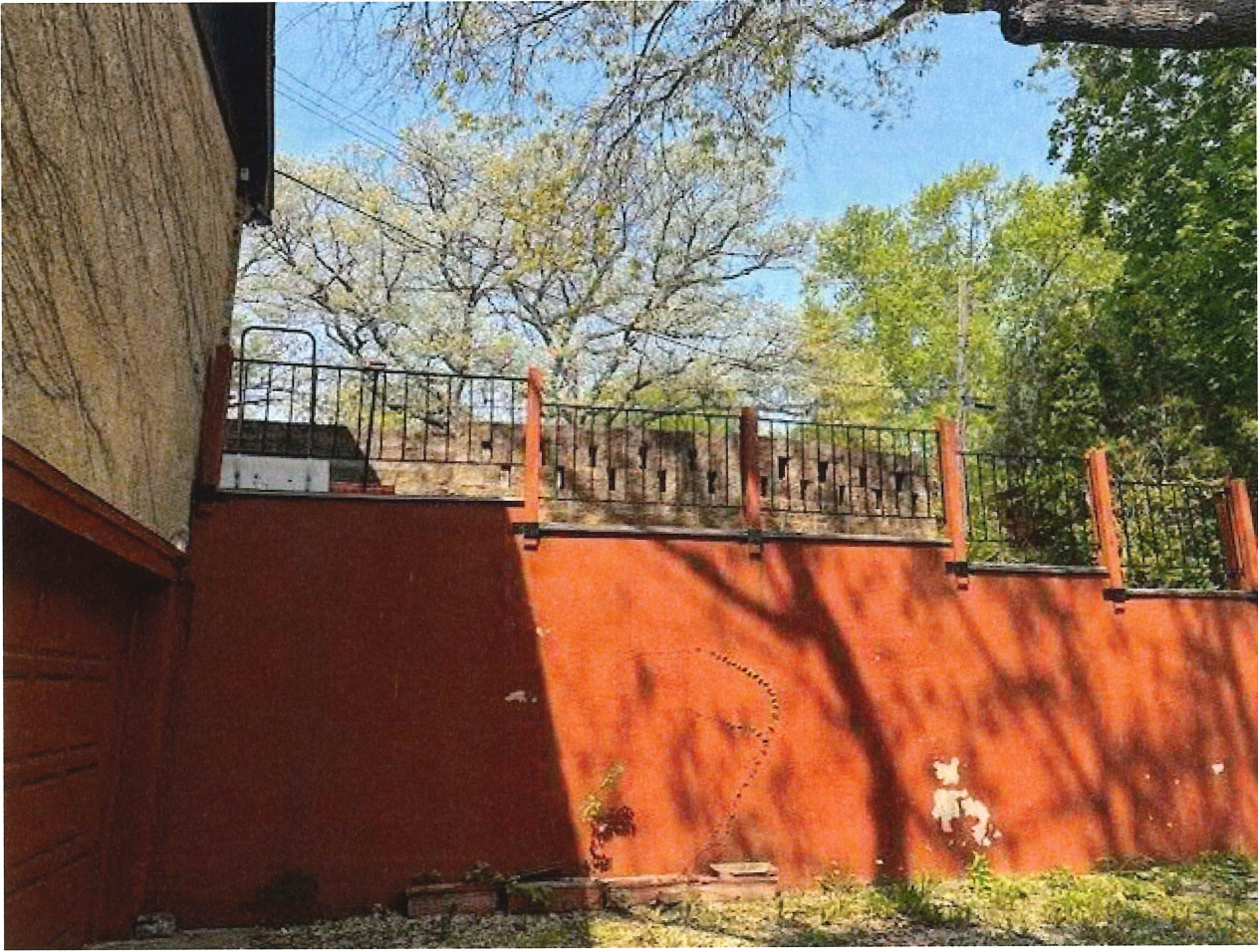
12" METAL PIPE (ABANDON?)  
PILE OF RUBBLE

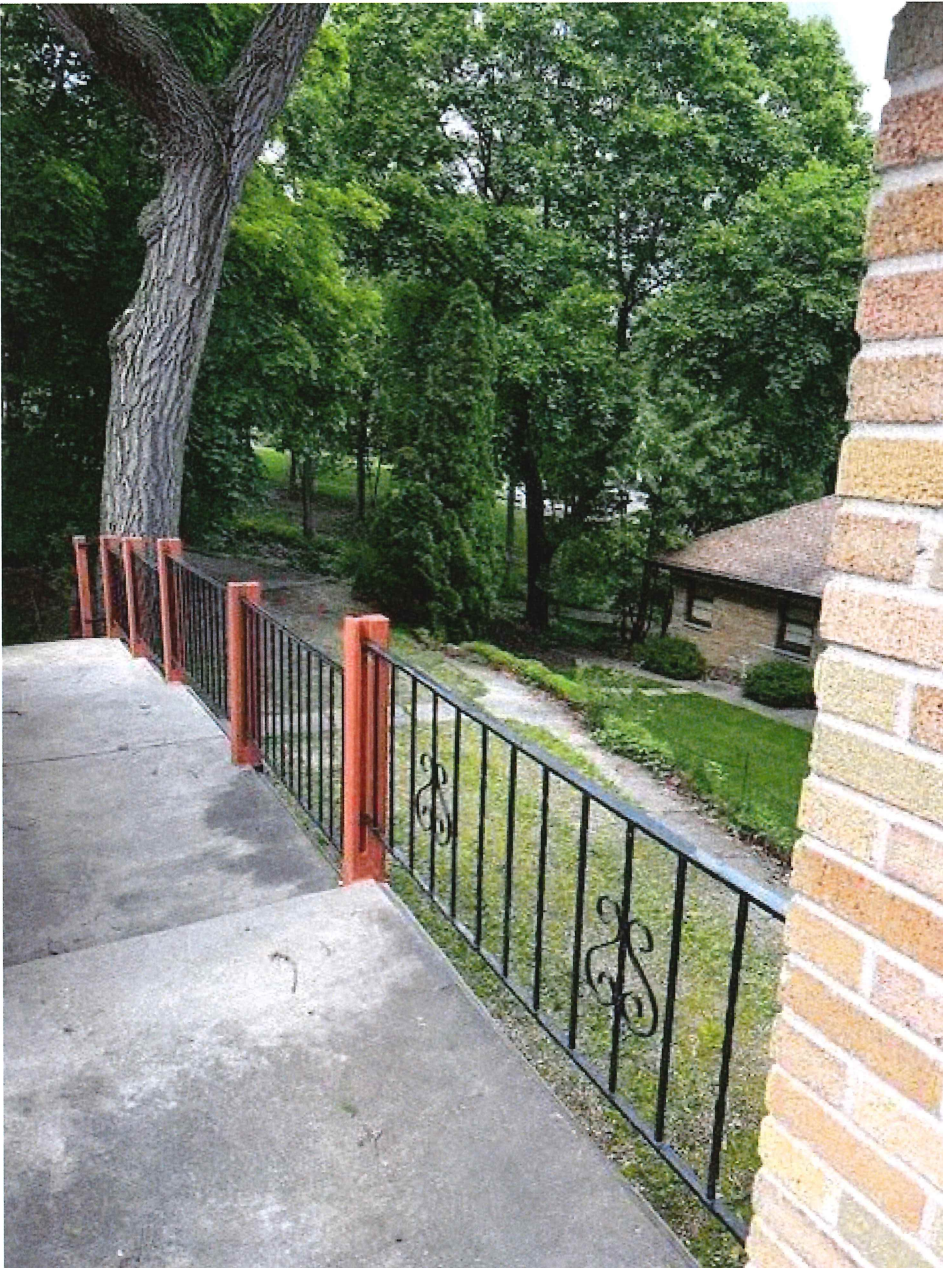
















BUILDER TO VERIFY HOUSE DIMENSIONS, SEWER DEPTH AND FOUNDATION DEPTH.  
 DRIVEWAYS ARE SHOWN FOR GRAPHIC PURPOSES ONLY. FINAL DRIVEWAY DESIGN AND LOCATION TO BE DETERMINED BY CONTRACTOR.  
 FINISHED GRADE ADJACENT TO HOME SHALL BE 0.5 FEET BELOW TOP OF FOUNDATION EXCEPT AT DRIVEWAY AND PATIO.  
 AREA OF DISTURBANCE = 19,668 S.F.

1. PRIOR TO ROUGH GRADING, INSTALL SILT FENCE OR BIO ROLLS AT LOCATIONS SHOWN. ADDITIONAL SILT FENCE WILL BE REQUIRED WHERE LOCAL CONDITIONS REQUIRE.
2. ANY GRADING SHALL PROCEED ON AN AREA BY AREA BASIS TO MINIMIZE UNCOMPLETED AREAS.
3. AS EACH AREA IS GRADED, PROVIDE NATIVE TOPSOIL, SEED, AND MULCH ANCHORED WITH A STRAIGHT SET DISC WITHIN 7 DAYS AFTER ROUGH GRADING.
4. MAINTAIN AND REPAIR SILT STOP FENCES AND BIO ROLLS (INCLUDING REMOVAL OF ACCUMULATED SILT) UNTIL VEGETATION IS ESTABLISHED.

**EXISTING LEGAL DESCRIPTION:**

(AS SHOWN ON CERTIFICATES OF TITLE NO.'S 621272 & 607894)

Lot 59, LAKE OWASSO HEIGHTS, according to the plat thereof on file in the office of the Registrar of Titles of Ramsey County, Minnesota.

and

The South 20.00 feet of Lot 58, LAKE OWASSO HEIGHTS, according to the plat thereof on file in the office of the Registrar of Titles of Ramsey County, Minnesota.

**EASEMENT NOTES:**

(AS SHOWN ON CERTIFICATES OF TITLE NO.'S 621272 & 607894)

1. SEWER EASEMENT PER DOC. NO. 599229. (AS SHOWN ON SURVEY)
2. DRAINAGE & UTILITY EASEMENT PER DOC. NO. 2604779. (AS SHOWN ON SURVEY)

**SURVEY NOTES:**

1. BEARINGS SHOWN ARE ASSUMED.
2. UNDERGROUND UTILITIES SHOWN PER GOPHER ONE LOCATES AND AS-BUILTS PLANS PROVIDED BY THE CITY OF SHOREVIEW PUBLIC WORKS DEPARTMENT.
3. THERE MAY BE SOME UNDERGROUND UTILITIES, GAS, ELECTRIC, ETC. NOT SHOWN OR LOCATED.
4. ELEVATIONS BASED ON INFORMATION PROVIDED BY THE CITY OF SHOREVIEW PUBLIC WORKS DEPARTMENT.
5. UPDATE ON 11-17-22. REMOVED BITUMINOUS AND WALL AT THE DIRECTION OF THE OWNER. NO FIELD VERIFICATION WAS DONE.

**AREA:**

TOTAL AREA AS SHOWN = 45,151 SQ.FT.  
 TO THE ORDINARY HIGH WATER LINE OF LAKE OWASSO.

**UNDERGROUND UTILITIES NOTES:**

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THIS SURVEY HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. GOPHER STATE ONE CALL LOCATE TICKET NUMBER(S) 190952209. SOME MAPS WERE RECEIVED, WHILE OTHER UTILITIES DID NOT RESPOND TO THE LOCATE REQUEST. ADDITIONAL UTILITIES OF WHICH WE ARE UNAWARE MAY EXIST.

CALL BEFORE YOU DIG  
**Gopher State One Call**  
 TWIN CITY AREA: 651-454-0002  
 TOLL FREE: 1-800-253-1166

**CONTACT:**

Lisa Holter Ankel  
 lholterankel@avisenlegal.com  
 1894 Alta Vista Drive  
 Roseville MN 55113  
 Phone is 651-999-9883

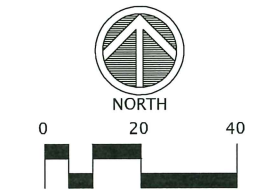
**COUNTY/CITY:**

**RAMSEY COUNTY**

**CITY OF SHOREVIEW**

**REVISIONS:**

DATE	REVISION
4-12-19	TOPOGRAPHY
11-17-22	REMOVE BITUMINOUS & WALL



**CERTIFICATION:**

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

**PRELIMINARY**  
 Registration Number: 25718  
 Date: 4-12-19

**PROJECT LOCATION:**

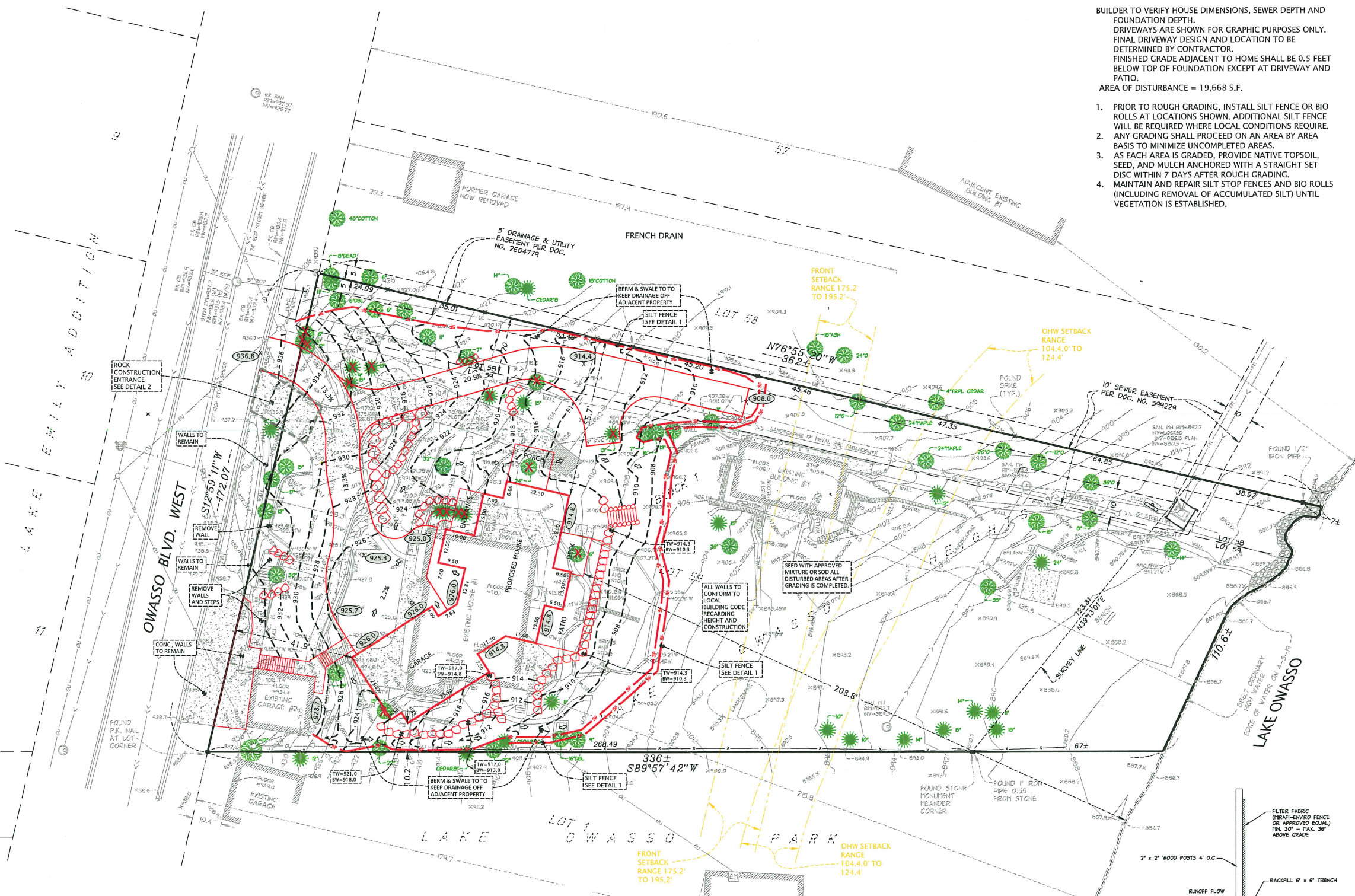
**3192**  
**W. OWASSO BLVD.**  
**PID#353023440050**

Suite #200  
 1970 Northwestern Ave.  
 Stillwater, MN 55082  
 Phone 651.275.8969  
 dan@cssurvey.net

**CORNERSTONE LAND SURVEYING, INC.**

FILE NAME SURVZZ542  
 PROJECT NO. 1225542

**SITE/GRADING PLAN**



(IN SQUARE FEET)

**EXISTING IMPROVEMENT AREAS:**

HOUSE #1 = 2006	DECK = 497	CONC. STEPS BY #1 = 1074	WALLS BY #1 = 471
GARAGE #2 = 451	BITUMINOUS BY #2 = 93	CONC. & STEPS BY #2 = 812	WALLS BY #2 = 306
BUILDING #3 = 770	CONC. & PAVERS BY #3 = 630	WALLS BY #3 = 520	
DRIVEWAY, CONCRETE, CURB & STEPS BY DRIVEWAY = 1,638	WALLS BY DRIVEWAY = 308		
TOTAL IMPROVEMENTS = 9,576 SQ.FT. = 21.2% (% OF OHW AREA)			

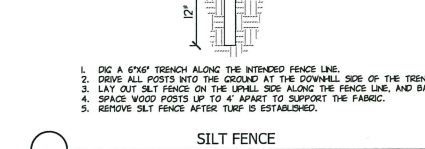
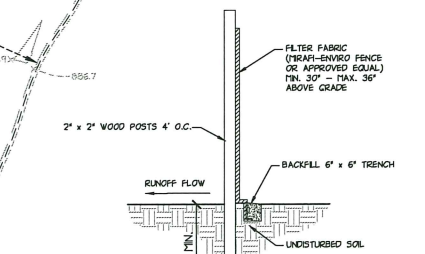
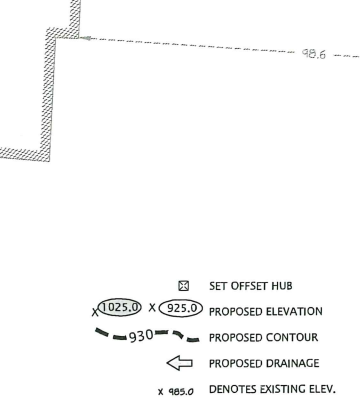
**PROPOSED IMPROVEMENT AREAS:**

EXISTING TO REMAIN	(IN SQUARE FEET)
BUILDING #3 = 770	CONCRETE & PAVERS BY #3 = 630
WALLS BY #3 = 520	BUILDING #2 = 451
CONC./WALLS BY #2 = 375	TOTAL = 2746
PROPOSED	
HOUSE = 2909	PORCH = 189
DECK = 145	ENTRANCE = 128
SIDEWALK = 39	DRIVEWAY = 2027
ACCESS DRIVE = 1870	PATIO = 367
WALLS = 325	STEPS TO GARAGE = 200
TOTAL PROPOSED = 8,199	
TOTAL EXISTING TO REMAIN + PROPOSED = 10,945 SQ.FT. 24.2% (% OF OHW AREA)	

**PROPOSED BUILDING ELEVATIONS:**

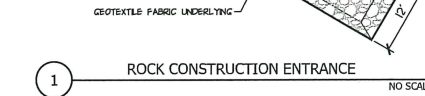
TOP OF FOUNDATION = 926.5 (12' POURED)  
 GARAGE FLOOR = 926.0 VERIFY  
 BASEMENT FLOOR = 915.3

ELEVATIONS DETERMINED BY THE ARCHITECT.  
 DIMENSIONS SHOWN PER SHEET \_\_\_\_\_ ON PLANS BY \_\_\_\_\_, DATED \_\_\_\_\_

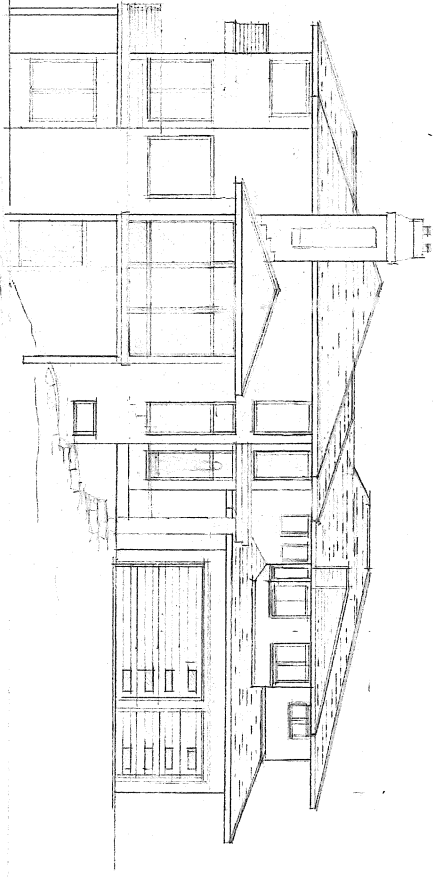


**LEGEND:**

● FOUND MONUMENT	○ SET 12" IRON PIPE MARKED RLS NO. 25718	⊕ FIRE DEPT. CONNECTION	⊕ HYDRANT
⊕ CABLE TV PEDESTAL	⊕ AIR CONDITIONER	⊕ WATER WELL	⊕ WATER MANHOLE
⊕ ELECTRIC MANHOLE	⊕ ELECTRIC METER	⊕ POST INDICATOR VALVE	⊕ WATER VALVE
⊕ ELECTRIC PEDESTAL	⊕ ELECTRIC TRANSFORMER	⊕ FLAG POLE	⊕ MAIL BOX
⊕ GUY WIRE	⊕ POWER POLE	⊕ TRAFFIC SIGN	⊕ UNKNOWN MANHOLE
⊕ GAS MANHOLE	⊕ GAS METER	⊕ TELEPHONE MANHOLE	⊕ TELEPHONE PEDESTAL
⊕ SANITARY CLEANOUT	⊕ SANITARY MANHOLE	⊕ CATCH BASIN	⊕ STORM DRAIN
⊕ FLARED END SECTION	⊕ STORM MANHOLE	⊕ UNDERGROUND ELECTRIC	⊕ UNDERGROUND CABLE TV
⊕ UNDERGROUND FIBER OPTIC	⊕ UNDERGROUND TELEPHONE	⊕ OVERHEAD UTILITY	⊕ UNDERGROUND GAS
⊕ SANITARY SEWER	⊕ STORM SEWER	⊕ WATERMAIN	⊕ FENCE
⊕ CURB (TYPICAL)	⊕ CONCRETE SURFACE	⊕ BITUMINOUS SURFACE	

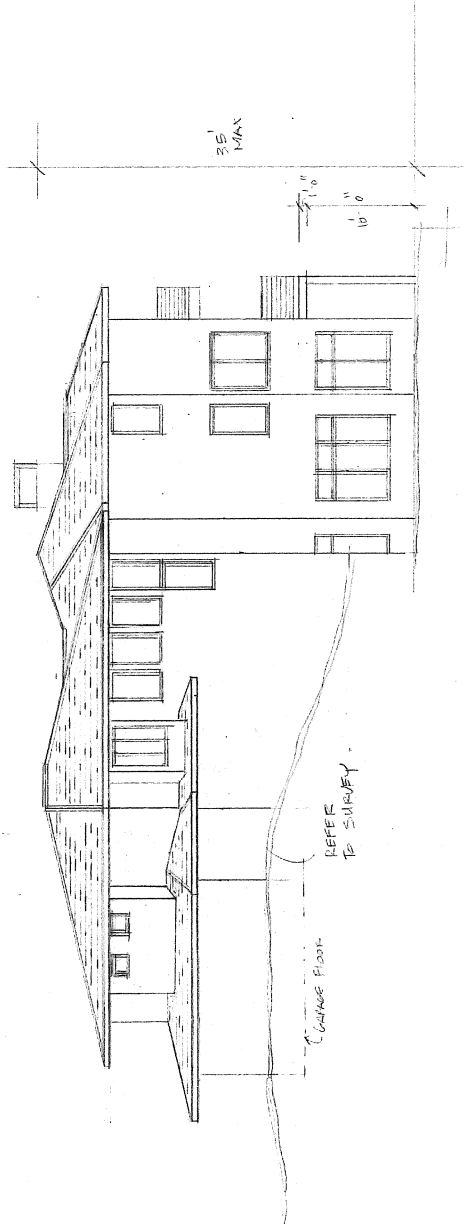


NORTH ELEVATION



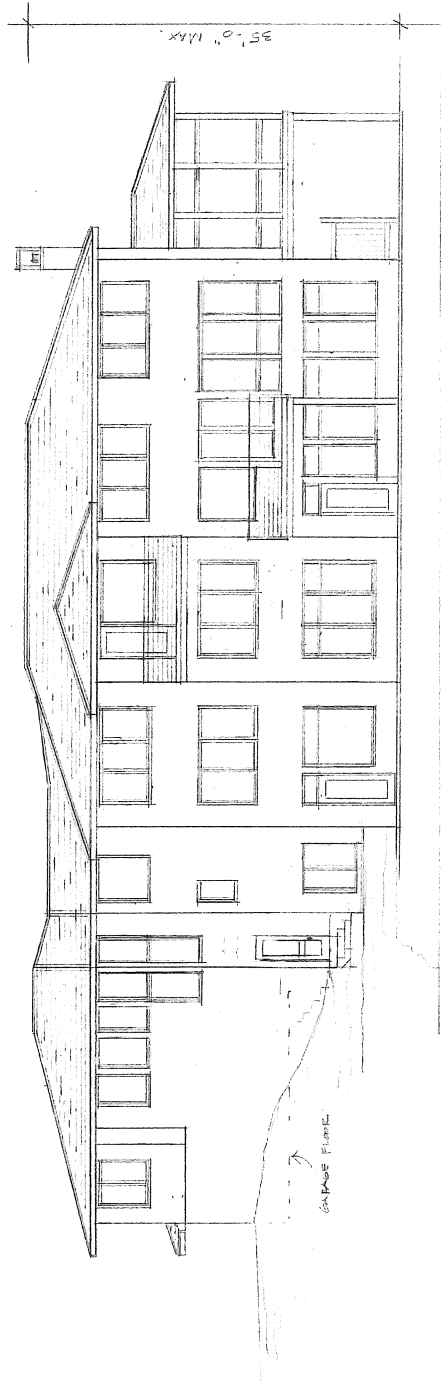
DATE: 04/13/2024

SCALE: 1/8" = 1'-0"



09/13/24  
 SCALE: 1/8" = 1'-0"

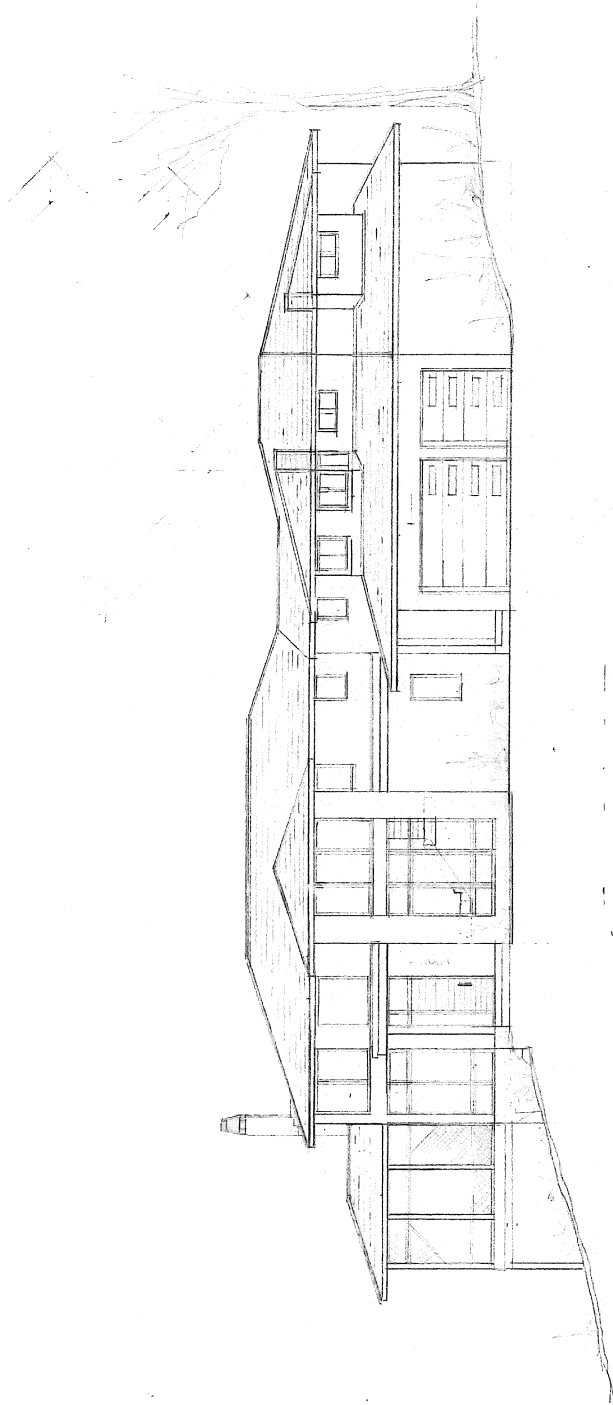
SOUTH ELEVATION



04/13/2024

SCALE: 1/8" = 1'-0"

(EAST) LAKE ELEVATION



DATE: 04-13/2024

SCALE: 1/8" = 1'-0"

WEST ELEVATION



**EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF SHOREVIEW, MINNESOTA  
HELD JUNE 25, 2024**

Pursuant to due call and notice thereof, a meeting of the City Council of the City of Shoreview, Minnesota was duly called and held at the Shoreview City Hall in said City on \_\_\_\_\_, 2024 at 7:00 PM.

The following members were present:

And the following members were absent:

Member \_\_\_\_ introduced the following resolution and moved its adoption.

\* \* \* \* \*

**RESOLUTION NO. 24-34  
CONDITIONAL USE PERMIT**

WHEREAS, Lisa and Felix Ankel submitted a conditional use permit application for the following described property:

Lot 59, LAKE OWASSO HEIGHTS, according the plat thereof on file in the office of the Registrar of Titles of Ramsey County, Minnesota

And

The South 20.00 feet of Lot 58, Lake Owasso Heights, according the plat thereof on file in the office of the Registrar of Titles of Ramsey County, Minnesota

***(This property is commonly known as 3192 West Owasso Boulevard)***

**WHEREAS**, in accordance with the Development Code, greater than 1 acre but less than 2 acres, detached accessory structures may exceed the maximum allowable square footage permitted as a Conditional Use Permit provided certain standards are met and,

**WHEREAS**, detached accessory structures over 440 square feet a conditional use permit is required. The combined area of all accessory structures cannot 1,500 square feet; and,

**WHEREAS**, the property has a lot area of 1.02 acres and is within the R1, Single Family Detached Zoning District and Shoreland Overlay District of Lake Owasso; and

**WHEREAS**, the detached structure has a floor area of 451 square feet, increasing the total floor area of accessory buildings to 1,422 square feet, as detailed in the submitted plans; and

**WHEREAS**, the Planning Commission held a public hearing on the proposal and found that the proposed use was consistent with the Comprehensive Plan and that the proposed use would not have a detrimental effect on the character and development of the neighborhood; and

**WHEREAS**, the City Council is authorized by state law and the City of Shoreview Development Code to make final decisions on conditional use permit requests.

**NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW CITY COUNCIL**, that the above-described conditional use permit be approved on the basis of the following findings of fact:

1. The applicant proposes to use the property in a reasonable manner that is allowed in the Shoreland Overlay District and R1, Detached Residential Zoning District.
2. The proposed structure is a nonconformity and no further modification or expansion is requested through the application.
3. The character of the neighborhood will be not be altered by the construction of the accessory structure

**NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE SHOREVIEW CITY COUNCIL** that a Conditional Use Permit allowing the retention of the 451 square foot structure is hereby approved, subject to the following conditions:

1. This project must be completed in accordance with the accessory building garage plans submitted as part of the Conditional Use Permit application, and conditions set forth in Resolution No. 24-34. Any significant change to

these plans, as determined by city staff, will require review and approval by the planning commission.

2. This approval will expire after one year if a building permit has not been issued and work has not begun on the attached garage.
3. The garage shall be used for the storage of personal property and other garage related purposes.
4. The garage shall not be used for livable or habitable space.
5. The garage shall not be enlarged beyond its current size of 451 square feet.
6. Further expansion of the existing detached garage accessory building is prohibited.

The motion was duly seconded by Council Member \_\_\_\_\_ and upon a vote being taken thereon, the following voted in favor thereof:

\_\_\_\_\_

And the following voted against the same:

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Sue Denking, Mayor

ATTEST:

\_\_\_\_\_  
Brad Martens, City Manager

**STATE OF MINNESOTA)**

**COUNTY OF RAMSEY )**

**CITY OF SHOREVIEW )**

I, the undersigned, being the duly qualified and acting Manager of the City of Shoreview of Ramsey County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of said City of Shoreview City Council held on the \_\_\_\_\_ day of \_\_\_\_\_2024 with the original thereof on file in my office and the same is a full, true and complete transcript there from insofar as the same relates to adopting Resolution 24-34.

**WITNESS MY HAND** officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Brad Martens  
City Manager

SEAL

**EXTRACT OF MINUTES OF MEETING OF THE  
PLANNING COMMISSION OF SHOREVIEW, MINNESOTA  
HELD JUNE 25, 2024**

\* \* \* \* \*

Pursuant to due call and notice thereof, a meeting of the Planning Commission of the City of Shoreview, Minnesota was duly called and held at Shoreview Community Center, at 7:00 P.M.

The following members were present:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption.

**RESOLUTION NO. 24-35  
VARIANCE TO DECREASE THE FRONT YARD SETBACK FROM 175.2 FEET TO 41.9  
FEET**

**WHEREAS**, Lisa and Felix Ankel, submitted a variance application for the following described property:

Lot 59, LAKE OWASSO HEIGHTS, according th the plat thereof on file in the office of  
the Registrar of Titles of Ramsey County, Minnesota

And

The South 20.00 feet of Lot 58, Lake Owasso Heights, according the plat thereof on  
file in the office of the Registrar of Titles of Ramsey County, Minnesota

***(This property is commonly known as 3192 West Owasso Boulevard)***

**WHEREAS**, the property is a standard riparian lot and is subject to the front yard setback requirements in Development Code Section 209.080; and

**WHEREAS**, the property abuts a riparian lot to the north with a front yard setback of 190.6 feet and a riparian lot to the south with a front yard setback fo 179.7 feet ; and

**WHERAS**, the property the property has a front yard setback requirement of 185.2 feet; and

**WHERAS**, the applicant is proposing to construct a new single-family home and attached garage with a front yard setback of 41.9 feet; and

**WHEREAS**, the Shoreview Planning Commission is authorized by State Law and the City of Shoreview Development Regulations to make final decisions on variance requests; and

**NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION**, on June 25, 2024, approved the variance and adopted the following findings of fact:

1. *Reasonable Manner.* The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations. The applicant is proposing to use the property in a reasonable manner as single family residential use, which is a permitted use.
2. *Unique Circumstances.* The plight of the property owner is due to circumstances unique to the property not created by the property owner. There are unique circumstances that affect the placement of a home on this property. The topography of the property is a steep hill on the majority of the site, with the exception of the existing building pad. Through the filling of the existing building pad, and utilization of a portion of the existing foundation area, greater grading impacts to the existing steep slope may be avoided by locating the house closer to the front property line.
3. *Character of Neighborhood.* The variance, if granted, will not alter the essential character of the neighborhood. The character of the neighborhood will not be altered. The proposed home is in a commensurate location as the existing home as it relates to proximity to the front the front property line, which has been in place since 1951.

**NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION**, that the variance request for property described above is subject to the following conditions:

1. The project must be completed in accordance with the plans submitted with the variance application, and conditions set forth through this approval. Any significant changes to these plans, as determined by the Community Development Department, will require review and approval by the Planning Commission.
2. The proposed application proposes to extension of a nonconformity to occupy a greater area of land. The nonconforming dwelling use of existing building No. 3, as labeled on the proposed survey, shall be demolished or otherwise brought into code compliance prior to a building permit being issued for the proposed house expansion and associated front yard setback variance.
3. The project is subject to the permitting requirements of the Ramsey Washington Metro Watershed District. The applicant shall fulfill all permitting requirements of the Ramsey Washington Metro Watershed District as required.

4. The proposed house shall meet a minimum setback of 41.9 feet from the front property line.
5. A tree removal and replacement plan approved by the Natural Resources Coordinator shall be submitted prior to issuance of a building permit.
6. The finished topographical grade and elevation of the sites steep slope shall not be less than five feet below the existing topographical grade and elevation.
7. A Shoreland Mitigation Affidavit is required to be signed before the building permit is issued.
8. The approvals will expire after one year if a building permit has not been issued and work has not begun on the project.
9. This variance approval is subject to a five day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
5. Shoreland Mitigation Affidavit is required to be signed before the building permit is issued.

\* \* \* \* \*

The motion was duly seconded by Member \_\_\_\_\_ and upon a vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Adopted this 25<sup>th</sup> day of June, 2024

\_\_\_\_\_  
Chris Anderson, Chair  
Shoreview Planning Commission

**STATE OF MINNESOTA)**

**COUNTY OF RAMSEY)**

**CITY OF SHOREVIEW )**

I, the undersigned, being the duly qualified and acting Manager of the City of Shoreview of Ramsey County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of said City of Shoreview Planning Commission held on the 25<sup>th</sup> day of June, 2024 with the original thereof on file in my office and the same is a full, true and complete transcript there from insofar as the same relates to adopting Resolution No. 24-35.

**WITNESS MY HAND** officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Brad Martens  
City Manager

SEAL

Drafted by: Izaak Peterson  
Associate Planner  
4600 Victoria Street N.  
Shoreview, MN 55126

**EXTRACT OF MINUTES OF MEETING OF THE  
PLANNING COMMISISON OF SHOREVIEW, MINNESOTA  
HELD JUNE 25, 2024**

\* \* \* \* \*

Pursuant to due call and notice thereof, a meeting of the Planning Commission of the City of Shoreview, Minnesota was duly called and held at Shoreview Community Center, at 7:00 P.M.

The following members were present:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption.

**\*\*\*\*\* DENIED \*\*\*\*\***

**RESOLUTION NO. 24-37  
VARIANCE TO REESTABLISH TWO DETACHED DWELLING UNITS ON A ZONED  
R-1 PROPERTY  
AND  
VARIANCE TO ENLARGE OR EXTEND A NONCONFORMITY TO OCCUPY A  
GREATER AREA OF LAND**

**WHEREAS**, Lisa and Felix Ankel, submitted a variance application for the following described property:

Lot 59, LAKE OWASSO HEIGHTS, according to the plat thereof on file in the office of the Registrar of Titles of Ramsey County, Minnesota

And

The South 20.00 feet of Lot 58, Lake Owasso Heights, according the plat thereof on file in the office of the Registrar of Titles of Ramsey County, Minnesota

***(This property is commonly known as 3192 West Owasso Boulevard)***

**WHEREAS**, the property is located within the zoned R-1 Detached Residential Zoning District; and

**WHEREAS**, the property contains an existing 2,006 square foot detached dwelling unit and a 770 square foot detached dwelling unit; and

**WHEREAS**, the applicant proposes to demolish the 2,006 square foot dwelling unit to accommodate a new 2,909 square foot detached dwelling units construction; and

**WHEREAS**, Section 205.082 permits one detached dwelling structure as a principal use per lot within the R-1 District; and

**WHEREAS**, the applicants request to retain two dwelling units on the property, and expand one of the detached dwelling units on the property; and

**WHEREAS**, Section 207.050(B)(1) outlines a nonconforming principal use shall not be enlarged or extended to occupy a greater area of land or a larger portion of a structure; and

**WHEREAS**, the Shoreview Planning Commission, did not find a practical difficulty necessitating the variances requests at their June 25, 2024 meeting; and

**NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION, on June 25, 2024, denied the variance requests and adopted the following findings of fact:**

1. The R-1 detached residential zoning district permits one detached residential dwelling as a principal use per property. The presence of two detached dwelling units on the property constitutes a nonconformity.
2. Development Code Section 207.050(B)(1) requires that nonconforming principal use shall not be enlarged or extended to occupy a greater area of land or a larger portion of a structure, but may continue at the size, intensity and in the manner of operation existing upon the date on which the use became nonconforming.
3. A practical difficulty is not found, as no unique circumstance is present necessitating the request.

**NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW PLANNING COMMISSION**, that the variance requests for the property as described above are denied.

\* \* \* \* \*

The motion was duly seconded by Member \_\_\_\_\_ and upon a vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Adopted this 25<sup>th</sup> day of June, 2024

---

Chris Anderson, Chair  
Shoreview Planning Commission

**STATE OF MINNESOTA)**

**COUNTY OF RAMSEY)**

**CITY OF SHOREVIEW )**

I, the undersigned, being the duly qualified and acting Manager of the City of Shoreview of Ramsey County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of said City of Shoreview City Council held on the 25<sup>th</sup> day of June, 2024 with the original thereof on file in my office and the same is a full, true and complete transcript there from insofar as the same relates to Resolution No. 24-37.

**WITNESS MY HAND** officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this 25<sup>th</sup> day of June, 2024.

---

Brad Martens  
City Manager

SEAL

Drafted by: Izaak Peterson  
Associate Planner  
4600 Victoria Street N.  
Shoreview, MN 55126

# Memorandum

**TO:** Planning Commission  
**FROM:** Niki Hill, AICP , Assistant Community Development Director  
**DATE:** June 25, 2024  
**SUBJECT:** City Council Meeting Assignments  
**ITEM NUMBER:** 8.A  
**SECTION:** MISCELLANEOUS

---

## **REQUESTED MOTION**

### **INTRODUCTION**

June city council assignments are as follows:

July 1st - No meeting

July 15th - Cordes

### **DISCUSSION**

### **RECOMMENDATION**

### **ATTACHMENTS**

[2024 City Council Meeting Assignments](#)



## 2024 CITY COUNCIL MEETINGS PLANNING COMMISSIONER ASSIGNMENTS

JANUARY	3 (T)	Westadt
	16	Yarusso
FEBRUARY	5	Solomonson
	20 (T)	John
MARCH	4	Helgen
	18	Anderson
APRIL	1	Cordes
	15	Westadt
MAY	6	Yarusso
	20	Solomonson
JUNE	3	John
	17	Helgen
JULY	1	Anderson
	15	Cordes
AUGUST	5	Westadt
	19	Yarusso
SEPTEMBER	3(T)	Solomonson
	16	John
OCTOBER	7	Helgen
	21	Anderson
NOVEMBER	4	Cordes
	18	Westadt
DECEMBER	2	Yarusso
	16	Solomonson