



ITEM REPORT PLANNING AND ZONING COMMISSION

Agenda Date: 7/8/2025
Agenda Section: New Business

TO: Baxter Planning and Zoning Commission

FROM: Matthew Gindele, City Planner

REQUEST: PUBLIC HEARING. Variance to allow a front yard porch to be in within the 40-foot setback for property located at 12609 Chestnut Drive (Lot 6, Block 1, Valley View Estates, Crow Wing County, Minnesota) (City file 2025-022)

APPLICANT: New View Renovations LLC, 5755 Mapleton Road, Baxter, MN, 56425
R-1, Low Density Residential

ZONING:

1. Application Request

The applicant is proposing to reconstruct and expand a porch on the road-side of an existing home and has requested a variance to allow it to extend into the required 40-foot front yard setback. Specifically, the applicant is requesting that the porch be allowed to have a 36-foot 2-inch front yard setback rather than 40 feet.

2. Context

Adjacent Land Use and Zoning

	Adjacent Land Use	Zoning
North	Single Family Residential	R-1, Low Density Residential
East	Single Family Residential	R-1, Low Density Residential
South	Single Family Residential	R-1, Low Density Residential
West	Single Family Residential	R-1, Low Density Residential

Characteristics of the Site

The subject property is lightly wooded around the perimeter with an open yard around the home and is flat. A modest sized home and attached garage are also located on property. The subject property is not in a floodplain or in a shoreland overlay district.

3. Analysis of Request

Variance

The applicant is proposing to construct a 22' 4" x 7' 7" porch that would extend 7' 7" out from the house toward the street, 3-feet 10-inches into the front yard setback. The existing home and porch are currently located at the 40-foot setback.

The applicant has stated that the existing porch only extends 4 feet out from the house and is degraded and needs to be replaced. The applicant also states that current porch is too small and doesn't allow enough area to safely and conveniently open the front door to enter the house which is why the home owner is requesting the variance to make the porch more functional and user friendly.

The variance standards are established by Minnesota Statute §462.357, Subd. 6.2. The burden of proof is on the applicant to show that the variance standards have been met. Staff has reviewed the application for consistency with the variance standards, as follows:

a) That there are practical difficulties in complying with the Zoning Ordinance.

There are practical difficulties in complying with the Zoning Ordinance because the home was constructed at the front yard setback with a porch entering the house that is too small to safely and conveniently enter the house.

b) That the conditions upon which a petition for a variation is based are unique to the parcel of land for which the variance is sought and were not created by the landowner.

The conditions are unique to the parcel of the land and were not created by the landowner because the home and existing porch were constructed by a previous owner of the home and the existing design does not meet the needs of the current homeowner.

c) That the granting of the variation will not alter the essential character of the locality.

The granting of this variance will not alter the essential character of the locality because front porches are commonplace in single-family residential neighborhoods.

d) The proposed variance would be in harmony with the general purposes and intent of the Ordinance.

The variance would be in harmony with the general purposes and intent of the ordinance. Staff finds that, porches are a permitted use in residential districts and that the request is reasonable and is the minimum action needed to serve the needs of the homeowner.

e) The variance is consistent with the Comprehensive Plan.

The comprehensive plan and zoning ordinance identify this property as a residential use where porches are a permitted use and are common to have.

4. Recommendation

Staff recommends approval of the variance, subject to the findings and conditions in the draft resolution.

Attachments

1. Draft Resolution 2025-058
2. Site Location Map
3. Site Plan
4. Construction Drawing