



PLANNING COMMISSION / BOARD OF ADJUSTMENT MEETING

AGENDA ITEM

Prepared By: <i>Jerry Bohnsack, Planning and Zoning Administrator</i>	Meeting Date: <i>7/14/2026</i>	Item Name: <i>Variance Application V-26-001 Pass 8784 Breezy Point Drive</i>
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Application: Variance V-26-001

Applicant: Amber Pass

Property Address: 8784 Breezy Point Drive, Drive Breezy Point MN 56472

Property ID: 10210765

Legal Desc: 6TH ADDITION TO BREEZY POINT ESTATES LOT 17

Zoning: (R-3) Original Neighborhood

Applicable Code: Section §153.033, §153.044, §153.045, §153.120, §153.007

Request

Construct 20' x 20' proposed Addition to existing dwelling considered Legal Nonconforming use.

Property

The property is located at 8784 Breezy Point Drive. The existing dwelling is 40' x 28' single story dwelling. Front Setback 47' Rear Setback 61' Side Setback 8' and 4.9'. Property abuts the Traditional Golf Course. Property serviced by municipal sewer. Dwelling was constructed in 1975. Variance was approved for 5' Side yard Setback. The current impervious coverage is 34.6 %.

Owner is proposing to construct 20' x 20' addition to rear of existing dwelling 41 feet from the Rear Property line. 4.9' from side property line (N). Owner proposed to replace 550+- sq. ft. of driveway (with lawn) to yield impervious coverage of 30%.

153.033 Zoning of Property is R-3 Original Neighborhood.

Lot Size 10,000 sq. ft.

Front 35 ft.

Rear 35 ft.

Imperious Coverage 30%

VARIANCE. A legally permitted deviation as provided in M.S. § 462.357, Subd 6, as it may be amended from time to time, from the provision of this chapter as deemed necessary by the Board of Adjustment when the strict interpretation of the ordinance would create practical difficulty and be impractical because of circumstances, relating to lot size, shape, topography or other characteristics of the property, and when the deviation from the ordinance with any attached conditions will still be in keeping with the spirit and intent of the ordinance. Variances cannot create a land use not permitted in a zone.



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Variance Review:

- Variance Review §153.120 E 1-5

(E) Variances shall be decided within a reasonable time with considerations for the following:

- (1) The strict interpretation of the ordinance would be impractical because of circumstances relating to lot size, shape, topographic or other characteristics of the property not created by the land owner;
- (2) The deviation from the ordinance with any attached conditions will still be in keeping with the spirit and intent of the ordinance;
- (3) The land use created by the variance is permitted in the zoning district where the property is located;
- (4) The variance will not alter the essential character of the locality; and
- (5) The variance is not for economic reasons alone, but reasonable use of the property does not exist under the ordinance.

Findings:

- 1) The applicant contends that the practical difficulty is _____.
- 2) Impervious Coverage is proposed to be 30%.
- 3) The use is consistent with the character of the surrounding neighborhood.
- 4) Use is a permitted use.
- 5) City Attorney has advised that a Variance is necessary to expand volume of legal non-conforming use.

The following finding of fact may be used to support denial of the Variance request. The Planning Commission / Board of Adjustment finds that no practical difficulty exists. The following may be used to support Approval of the Variance request.

- 1) Variance for existing structure. (5' side yard) was approved in 1975.
- 2) Proposed impervious coverage is 30%.
- 3) The use is reasonable and is consistent with the character of the existing neighborhood.
- 4) The practical difficulty is _____.

If approved the following may be conditions of Approval.

- a) Building permit to be obtained and building to conform to Minnesota State Building Code.
- b) All surface water to be confined to site.
- c) Addition to be 10 ft. from side property line.
- d) Other.

Planning Commission/Board of Review Direction

The Board may by resolution choose to approve, deny, or modify the requested variance. The resolution should clearly state the practical difficulty and reasons for approval, denial, or modification of the variance.