

TO: Planning Commission
FROM: Jerry Bohnsack
RE: Staff Report for V-25-003 Buckli
DATE: January 13, 2026 Regular Meeting



Variance Request V-25-003

Applicant: Michael & Debra Buckli
Legal Description: Lot 5 Block 20 Whitebirch 15
Address: 31162 Spring Loop, Breezy Point MN 56472
Property Identification Number (PIN): 10080934
Zoning: Residential Medium Density R-2 Unsewered
Applicable Code: §153.032, 153.044, 153.045, 153.120

Home with attached garage built in 2020. Certificate of Occupancy issued 2022. Home attached garage built to code. Builder Petrie sold to Arnold Gennaro. Current owner Buckli purchased property May 2025.

Property purchased by Buckli hosts a home with attached garage and a 30' x 24' detached accessory structure.

City has no record of building permit for detached accessory structure.

City staff has identified property stakes along Spring Loop. Detached accessory structure located 20 feet from front property line. The required setback in R-2 Zone is 30 feet.

Property owner purchased property with existing structures. Owner would suffer extreme financial hardship to relocate existing accessory structure to conform with the ordinance. Relocation of structure may conflict with existing well.

Owner is requesting consideration of After the Fact Variance to legitimize the location of the accessory structure.

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.

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 inherited a preexisting condition. Variance would Validate the existing condition.
- 2) Accessory building less than 1280 sq. ft. permitted in R-2 Zone.
- 3) Relocation of accessory structure would conflict with existing well.

Potential Actions by board of adjustment.

- 1) Approve Variance Application
- 2) Deny Variance Application