Public Hearing

Reed and Wendy Larson Variance Request

Area of Variance Request: PID: 91-705-0820, Lots 1-12, Block 8 and the E 1/2 of vacated Jones Avenue (15th Ave. NW) lying adjacent thereto

1421 NW 5th St.

June 12, 2024

Variance Request

- **Petitioners:** Reed and Wendy Larson

- **Filing Date:** May 8, 2024

- **Requested Variances:** The requested variance would permit the construction of a 20'x36' addition to the east side of the single-family home at 1421 NW 5th Street that extends 20' into the required 75' setback from the ordinary high-water level (OHWL) of Forest Lake, Recreational Development classified public water.

- **Relevant portions of Zoning Ordinance:**

  - Section 30-512 Table 17C-2 of the Municipal Code, which lists Minimum Setbacks and Maximum Lot Coverage Standards in Shoreland Districts, specifically where the Code establishes the minimum setback of 75 feet from the OHWL for parcels in SR-1 (Shoreland One-Family Residential) zoning districts, located on Recreational Development lakes.

- **Legally Described Property:**

  - *PID: 91-705-3705 Lots 1-12, Block 8 and the E 1/2 of vacated Jones Avenue (15th Ave. NW) lying adjacent thereto*

Variance Request

Variance Details:

The applicant describes:

- The unique size of the parcel and location of the property between 5th St. N. and Forest Lake as a circumstance that was not created by the owner.

- The addition to the single-family home as consistent with the current zoning and in harmony with the surrounding neighborhood.

Larson Variance Location Map

Variance Request

Variance Details:

- Subject property is a 15,665 sq. ft. parcel with a single-family home and a detached garage. With the proposed addition the property will not exceed the maximum lot coverage of 35%.

- The closest point of 55' from the OHWL is located on neighboring property owned by the City and zoned as a Conservation District.

- The DNR has reviewed this request and has decided not to provide a comment (see attachment)
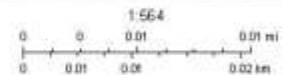

Larson Site Plan

Variance Request

Summary of requested variance:

The proposed project would require the Planning Commission's approval of one variance:

1) Section 30-512 Table 17C-2 of the Municipal Code, which lists Minimum Setbacks and Maximum Lot Coverage Standards in Shoreland Districts, specifically where the Code establishes the minimum setback of 75 feet from the OHWL for parcels in SR-1 (Shoreland One-Family Residential) zoning districts, located on Recreational Development lakes.
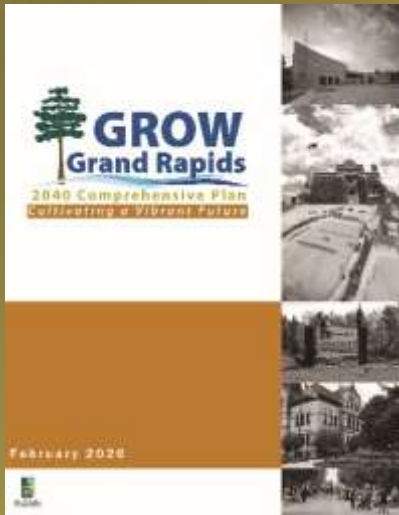
This variance would permit the proposed addition to the single-family home at a reduced OHWL setback of 55', which is 20' less than required.

Variance Request

**Comprehensive Plan: Goals & Objectives
related to _Land Use_**

Goal 4: Protect and enhance the character, amenities, variation, and livability of residential areas.

b.   Promote the development, rehabilitation, and retention of neighborhoods and their existing character within urbanized areas. Traditional neighborhoods are the largest residential land use category on the Future Land Use Map. Core neighborhoods contain a variety of traditional architectural styles and naturally-occurring affordable housing. A focus on retention and enhancement of core neighborhoods helps preserve the City's cultural identity and strengthens community.

Variance Request

**Planning Commission
Variance Considerations:**

PLANNING COMMISSION

Considerations

VARIANCE

1. Is this an "Area" variance rather than a "Use" variance?

2. Does the proposal put property to use in a *reasonable manner?*
   Why/Why not-

3. Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner?
   Why/Why not-

4. Is the variance in *harmony with* the purposes and intent of the *ordinance?*
   Why/Why not-

5. Will the variance, if granted, alter the *essential character* of the locality?
   Why/Why not-

6. Is the variance *consistent with* the *comprehensive plan?*
   Why/Why not-

Questions/Comments?