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# Public Hearing

## Michael McLynn Variance Request

*Area of Variance Request: Lots 1-9 and Lots 21-24, Block 20 Grand Rapids Second  
Division*

*407 NW 6<sup>th</sup> Avenue*

**October 5, 2023**



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# Variance Request

- **Petitioners:** Michael McLynn
- **Filing Date:** August 30, 2023
- **Requested Variances:** The requested variance would permit the construction of a 74'x74' addition to the north side of the existing commercial building. As proposed, this addition would encroach into the required 30' setback on the front yard (north side) 10'.
- **Relevant portions of Zoning Ordinance:**
  - **Section 30-512 Table 2A of the Municipal Code, which lists yard and bulk requirements for non-shoreland zoning districts, specifically where the Code establishes the minimum front yard setback of 30 feet for parcels in General Business Zoning Districts.**
- **Legally Described Property:**
  - *Lots 1-9 and Lots 21-24, Block 20 Grand Rapids Second Division*



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# Variance Request

## Variance Location:

### McLynn Variance Request



40 20 0 40 80 120 160  
Foot



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# Variance Request

## Variance Details:

- **Mr. McLynn, the owner of Automotive Electric, is proposing to build a 74' x 74' addition to the north side of the existing building to expand the business.**
- **As justification for the request variance, Mr. McLynn cites a need to expand his business to meet the needs of the market and that the addition to his business will not be detrimental to the neighborhood. Mr. McLynn further states that his recent removal of the old structures in that area have already improved the neighborhood appearance.**





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# Variance Request

## Summary of requested variance:

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

- 1) Section 30-512 Table 2A of the Municipal Code, which lists District Development Regulations for Principal Structures, specifically where the Code establishes the minimum front yard setback of 30 feet for parcels in General Business Zoning Districts.

This variance would permit the proposed commercial addition at a reduced rear yard setback of 20', which is 10' less than required.



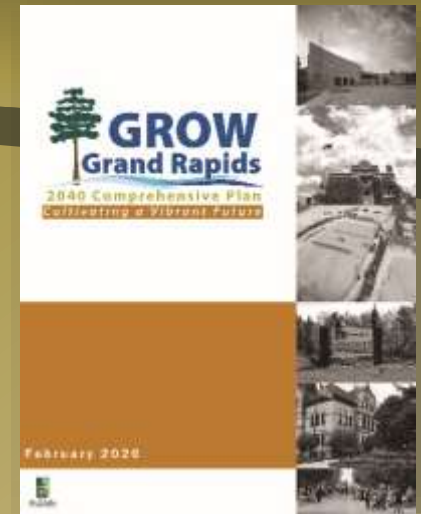
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# Variance Request

## Comprehensive Plan: Goals & Objectives related to Land Use

**Goal 1: Actively manage growth that provides supportive relationships between all land uses and assesses the potential location within the existing core or future growth areas.** At its core, land use planning aims to develop synergy between supportive land uses and minimize harmful impacts between incompatible, or conflicting, land uses. The classic example of a land use conflict is a heavy industrial use that negatively impacts surrounding properties. Single-use zoning, setback requirements, and similar standards help avoid and mitigate potential nuisances and harmful spillover effects. On the other hand, mixing compatible uses helps foster active neighborhoods by connecting residents to jobs, activities, and one another. Grand Rapids seeks to provide a balanced land use mix and flexible planning to encourage a harmonious pattern of development. The City will evaluate the future land use, density, and intensity of proposed development, particularly as these relate to the existing neighborhood context and the Future Land Use Map.

- a. Ensure that development and redevelopment is orderly, following the guidance established within the Future Land Use Map. The Future Land Use map portrays the development and redevelopment patterns that are consistent with the Community Vision, Values and Principles. Implementing the pattern in a staged and efficient process will sustain the City's community, economic, and natural infrastructure.
- b. Reduce and eliminate land use conflicts within long-range planning and identify opportunities to create synergy among uses. Recognize conflicts and synergies in setting and administering land use regulation. Conflicts may include incompatible land uses where one property is impacted from the use of an adjacent lot. Look beyond the similarity of uses (i.e. small commercial and large commercial) to maximize synergies (i.e. small commercial and multifamily residential).
- c. Promote the best use of the land, from the community's long-term perspective, for conservation, new development, or redevelopment. The City will consider the long-term consequences of development decisions as well as the value of development proposals under today's market conditions. To promote conservation of existing natural areas, the City will consider the value of land in terms of the ecosystem services it provides – including its productive value, recreational value, cultural value, and other environmental benefits.
- d. Assess opportunities and locations for growth both within new growth areas on the edges of the community and within the existing developed areas. The Comprehensive Plan guides growth to suitable locations within the City. New development and redevelopment should be sited in locations with adequate public services and utilities. Significant new developments, such as major subdivisions, should generally be located proximal to existing development. The City will evaluate the capability of land to support proposed development, ensuring adequate provision of roads, water, sewer, parking, stormwater management, and other supportive infrastructure.



**Goal 2: Promote commercial development that serves local and regional markets.** A diversity of commercial land uses offers multiple benefits to residents and visitors and enhances economic sustainability.

- a. Recognize distinct classes of commercial development that serve different markets and are compatible within different land use and transportation contexts. Different commercial uses serve distinct markets and perform best when clustered with uses that serve similar markets or require similar infrastructure. For example, a large commercial use such as a retail store typically serves a broad market area, generates substantial traffic, and requires a large amount of surface parking. Therefore, siting is most appropriate along high-volume thoroughfares.
- b. Consider opportunities for commercial development at various scales. For example, neighborhood commercial uses provide for localized commercial development that meets the needs of a neighborhood population. Neighborhood commercial supports community vitality and sense of place. It is important to provide zoning flexibility, as well as adequate land and infrastructure, for business to thrive at various scales.
- c. Explore opportunities for the introduction of mixed-use into Grand Rapids land use planning, including all types of mixed-land uses. The inclusion of mixed uses improves access to a range of needs and varied lifestyles. Mixed-use also supports community goals for active living, encourages compact development, and stimulates more variety in community development styles.
- d. Consider opportunities to support local artisans, entrepreneurs, and home-based businesses through zoning tools and creative community partnerships. Grand Rapids seeks to cultivate a creative culture and encourage entrepreneurship. Planning and zoning should support these objectives – examples



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# 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-





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# Questions/Comments?