



Petition for Variance
 Community Development Department
 420 North Pokegama Ave.
 Grand Rapids, MN 55744
 Tel. (218) 326-7601 Fax (218) 326-7621
 Web Site: www.cityofgrandrapidsmn.com

The undersigned do hereby respectfully request the following be granted by support of the following facts herein shown:

Michael McLynn

Name of Applicant*¹
 407 NW 6th Ave

Name of Owner (If other than applicant)

Address
 Grand Rapids MN 55744

Address

City State Zip
 218-326-6549

City State Zip

Business Telephone/e-mail address

Business Telephone/e-mail address

*¹ If applicant is not the owner, please describe the applicant's interest in the subject property.

Parcel Information:

Tax Parcel # 91-420-2020

Property Size: 123x225=27,675 SF

Existing Zoning: General Business

Existing Use: Automotive Repair

Property Address/Location: 407 6th Ave NW
 Lots 1-9, and Lots 19-24, Block 20, GRAND RAPIDS SECOND DIVISION

Legal Description: according to the recorded plat thereof, Itasca County, MN, and the
 vacated east 20 feet of Seventh Avenue NW, lying adjacent to said
 Lots.
 (attach additional sheet if necessary)

I(we) certify that, to the best of my(our) knowledge, information, and belief, all of the information presented in this application is accurate and complete and includes all required information and submittals, and that I consent to entry upon the subject property by public officers, employees, and agents of the City of Grand Rapids wishing to view the site for purposes of processing, evaluating, and deciding upon this application.

8-30-2023

Signature(s) of Applicant(s)

Date

Signature of Owner (If other than the Applicant)

Date

Office Use Only

Date Received 8/30/23 Certified Complete RAW Fee Paid

Planning Commission Recommendation: Approved _____ Denied _____ Meeting Date _____

Summary of Special Conditions of Approval: _____

Required Submittals:

Application Fee - \$252.50 *2

Site Map- Drawn to scale, showing the property dimensions, existing and proposed, building(s)/addition(s) and their size(s) including: square footage, curb cuts, driveways, access roads, parking spaces, sidewalks and wells & septic systems.

**2The application fees charged are used for postage to mail the required notices to adjacent properties, publication of the public hearing notice in the Grand Rapids Herald Review, and for a small portion of staff time for case review and preparation of documents. It is the policy of the City of Grand Rapids to require applicants for land use approvals to reimburse the City for costs incurred by the City in reviewing and acting upon applications, so that these costs are not borne by the taxpayers of the City.*

Proposed Variance:

A. Please describe in detail the proposed or requested variance:

Request is for a 20' front yard setback in lieu of the existing 30' setback. Owner recently purchased the adjacent North property which fronts NW 5th Street. As a result, the "front" of the property is now on NW 5th Street rather than 6th Ave. The proposed addition to the North falls within the 30' setback.

B. Provide an itemization of the required regulations pertaining to this variance (i.e., setback lines, lot coverage ratios, parking requirements).

The 30' front building setback is the only regulation that pertains to this variance request.

Justification of Requested Variance: Provide adequate evidence indicating compliance with the following provisions of the ordinance concerning variances (Section 30-453(e) "Findings for Variances"). Detailed answers are needed because the Planning Commission shall grant a variation only when they have determined, and recorded in writing, that all of the following provisions have been met.

A. That the requested variance does not allow a use that is otherwise excluded from the particular zoning district in which it is requested.

Applicant justification (refer to Table of Uses in City Code Section 30-512):

City Code 30-512 General Business lists "Automotive Repair" as an "R" Restricted use. Therefore:

3)a No repairs outside the building. The owner does not perform repairs outside the building.

3)b Damaged/ Disassembled vehicles stored overnight to be within enclosure. The owner does not store disassembled or damaged vehicles outside.

B. Does the proposal put property to use in a reasonable manner?

Applicant justification - Describe how your situation applies to the above statement:

The property will be used in the same, but expanded manner. It is reasonable to continue use as an auto repair shop.

C. The plight of the landowner is due to circumstances unique to the property in question, and not created by the landowner subsequent to the adoption of this ordinance.

Applicant justification - Describe how your situation applies to the above statement:

The applicant purchased the adjacent North property, and had the existing house/garage demolished, in anticipation of constructing an addition to his current building. The setback off NW 5th Street was 15'. However, once the property was combined, the shortest property line became NW 5th Street, so it is considered the "front". As a result, the 15' street side yard is now a 30' front yard setback. The proposed addition falls 5'+/- within the 30' setback. The owner is requesting a variance so his addition can house a safe and efficient business. Each service bay requires room for a vehicle, as well as tools and equipment, and access space. A shop that is too small could be unsafe. A minimum building size is critical to justify building the addition.

D. That the variance, if granted, shall be in harmony with purposes and intent of the ordinance, and will not be detrimental to the public welfare or the property or improvements in the neighborhood, and will not alter the essential character of the locality.

Applicant justification - Describe how your situation applies to the above statement:

The business is allowed by the ordinance and improving the business would be in harmony with the ordinance's intent. This is a well-established business in this location. The addition is necessary to meet the needs of an increased market. The addition will not be detrimental to the property. The addition will not be detrimental to improvements in the neighborhood. The addition will not alter the essential character of the locality. In fact, the previous demolition of the house and garage has already improved the character of the locality. The addition will not extend as far to the North property line as the previously demolded buildings.

E. That the variance, if granted, shall be consistent with the comprehensive plan.

Applicant justification - Describe how your situation applies to the above statement:

The existing use (auto service) is allowed by the zoning ordinance. Business in an expanded building will continue to be a consistent use.

City Process:

1. Applicant submits a completed application to the Grand Rapids Community Development Department by the 15th of the month.
2. Review by staff for completeness of application.
3. Notification of adjoining property owners.
4. Publish Notice of Public Hearing.
5. Prepare Staff Report and background information.
6. Public Hearing and action at Planning Commission Meeting (First Thursday of each month).

Findings for Approval:

The Planning Commission, in support of its action, will make findings of fact based on their responses to the following list of considerations:

- Is this an "Area" variance rather than a "Use" variance?
- Does the proposal put property to use in a reasonable manner?
- Are there unique circumstances to the property not created by the landowner?
- Is the variance in harmony with the purposes and intent of the ordinance?
- Will the variance, if granted, alter the essential character of the locality?
- Is the variance consistent with the comprehensive plan?

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

More information may be requested by the City of Grand Rapids Planning Commission, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.