

CITY OF MINNETRISTA



CITY COUNCIL CONSENT AGENDA ITEM

Subject: Application from Jason and Anna Wilkerson for a front yard setback variance at 5995 Loring Drive.

Prepared By: Nickolas Olson, Senior City Planner
Through: David Abel, Community Development Director

Meeting Date: December 8, 2025

Overview: Jason and Anna Wilkerson (the “Applicants”) has made a request for a front yard setback variance to reduce the required setback from 35 feet to 28.9 feet for a front porch addition onto the existing home at 5995 Loring Drive; R-1: Low-Density Single-Family Residence Zoning District; PID # 35-117-24-12-0009 (the “Property”).

Background: The Applicants contacted the City regarding a remodel project they were considering for the existing home on their Property. Most of the remodel project meets the required setbacks, except for a covered front porch addition. However, the existing home is non-conforming and while the covered front porch does not extend past the existing home, it does still extend into the required front setback. Because City Code does not exempt covered front porches from the required setbacks, a variance is required. The Applicants have appropriately applied for the required variance, and the application materials have been attached for the City Council to review. The City Council should consider the standard variance criteria when reviewing the request and making a motion.

Variance Request: City Code Section 505.05 Subd. 9 allows the City to issue variances from the provisions of the zoning code. A variance is a modification or variation of the provisions of the zoning code as applied to a specific piece of. A variance is only permitted when:

- a. **The variance is in harmony with the general purposes and intent of this ordinance.**

Section 505.03 Subd. 1 outlines the specific purpose and intent of the City’s zoning ordinance. One of those purpose and intent is to protect the general health and safety of the inhabitants of the City. This is accomplished through the promotion of proper use of land and structures with reasonable standards to which buildings, structures, and land will conform to for the benefit of all.

The proposed front porch addition does not change the use from a single-family home, which is a proper use of R-1 Low-Density Single-Family Residence zoned property. The proposed front porch does not extend closer to the roadway, which will help preserve the boulevard and space between the home and street.

Mission Statement:

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

b. The variance is consistent with the comprehensive plan.

The basic intent of the comprehensive planning process is to provide a well-founded and coordinated decision-making framework to guide both public and private development and community improvements. In this regard, the comprehensive plan represents the development framework to guide and direct future land development decisions within the City. The Land Use Plan is a narrative and graphic representation of the community's land use and growth management goals and policies that provides the background and rationale for land use designations as represented on the Proposed Land Use Map.

The Property is guided for long term Residential Low land use in the 2040 Minnetrista Comprehensive Plan. The requested variance does not change the use from a single-family home, which is a use consistent with the long-term plan for the Property. In addition to simply complying with the Proposed Land Use Map, the proposed front porch addition does not further encroach upon the roadway or adjacent properties which helps minimize its impact.

A variance may be granted when the applicant establishes there are practical difficulties in complying with this ordinance. Practical difficulties, as used in connection with granting a variance, means:

1. The property owner proposes to use the property in a reasonable manner not permitted by this ordinance.

This factor means that the landowner would like to use the property in a particular reasonable way, but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance.

The Applicants are proposing to attached a covered front porch onto the existing home which does not extend beyond the current forward most protrusion of the existing home. This will not change the use of the Property. A covered front entry is reasonable and the size is appropriate relative to the home.

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property.

The location of the existing home is really what is limiting the Applicants. With the home already in the front setback and the existing layout of the home, the proposed location of the front porch is really the only place that makes sense. Since the homeowners did not build the home themselves in the current location nor design its layout, they did not create their owner plight.

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3. The variance would not alter the essential character of the locality.

Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.

Most of the proposed addition meets the City Code requirements, but the front porch does not. The front porch itself is not out of place or out of scale as the resulting structure is consistent in size and massing to those in the neighborhood and many of the other homes also have a covered front entry.

Neighborhood Comments: Notices were sent out to all property owners within 500 feet of the subject property. To date, staff has not spoken with any neighboring property owners nor received any written comments or concerns regarding this request as a result of sending the public notice.

Planning Commission Recommendation: The Applicants' request was presented to the Planning Commission at their November 24, 2025 meeting. At that meeting, the Planning Commission held the required public hearing. There was no one besides the Applicants present to speak. After holding the required public hearing, hearing no public testimony, and reviewing the request amongst themselves, the Planning Commission made a motion to recommend the City Council approve the request, based on certain findings of fact and subject to conditions. Motion passed 5-0. Absent Hussain, Livermore, Taylor, and Rognli.

Conclusion: The City Council should review the staff report and the recommendation of the Planning Commission. After review, the City Council should consider the entire record before it prior to making a motion. Along with making a motion, findings of fact should be established which support the motion. Findings of fact based on the information submitted by the Applicants may be as follows:

1. The requested variance is in harmony with the purpose and intent of the City's zoning ordinances because the proposed front porch addition does not change the use from a single-family home, which is a proper use of R-1 Low-Density Single-Family Residence zoned property. The proposed front porch does not extend closer to the roadway, which will help preserve the boulevard and space between the home and street;
2. The requested variance is consistent with the City's comprehensive plan because the Property is guided for long term Residential Low land use in the 2040 Minnetrista Comprehensive Plan. The requested variance does not change the use from a single-family home, which is a use consistent with the long-term plan for the Property. In addition to simply complying with the Proposed Land Use Map, the proposed front porch addition does not further encroach upon the roadway or adjacent properties which helps minimize its impact;
3. The Applicant proposes to use the Property in a reasonable manner because the Applicants are proposing to attached a covered front porch onto the existing home which does not extend beyond the current forward most protrusion of the existing home. This will not change the use of the Property. A covered front entry is reasonable and the size is appropriate relative to the home.;

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4. The requested variance is the result of unique circumstances not created by the landowner because the existing home was built in 1920, which is well prior to the Applicants owning the Property. The home has always been in its existing location and the roof angles appear original as well. The Applicants did not choose the home location nor design the roof angles; and
5. The requested variance will not alter the character of the locality because the front porch addition is not out of place or out of scale as the resulting structure is consistent in size and massing to those in the neighborhood and many of the other homes also have a covered front entry.

Recommended Action: Motion to adopt a resolution approving the requested front yard setback variance at 5995 Loring Drive based on certain findings of fact outlined in the staff report and subject to the following conditions:

1. Any required grading shall maintain existing drainage patterns or improve the existing drainage of the lot and adjacent lots;
2. The Applicants shall obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property prior to any construction;
3. The Applicants are responsible for all fees incurred by the City in review of this application; and
4. The variance approval is valid for one year from the date of approval and will become void and expire unless a building permit has been issued for the site.

Attachments:

1. Location Map
2. Applicants' Narrative
3. Proposed Survey
4. Proposed Plans
5. Res. No. 106-25 Approve Front Yard Setback Variance at 5995 Loring Drive


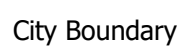

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5995 Loring Drive



1 in = 100 Ft

-  City Boundary
-  Address Labels
-  Parcels



November 18, 2025
Map Powered By Datafi



Variance Application

Current Property Owners: Jason & Anna Wilkerson

Subject Property: 5995 Loring Drive, Minnetrista MN 55364
Lot 2, Block 2 of Loring Acres
Property ID 35-117-24-12-0009
R-1 Residential

City Code: Section 505.15 Subd. 2. Lot area, depth, width, coverage, **setbacks**, and height standards.

Proposal: Property owners seek approval to have a porch in front of their to-be-built front entry addition. The porch is 28.9' back from the front property line, plus roof overhang. See survey and drawings.

Remodel plans for this home are being finalized and submitted for permits and approvals. (The new portions of structure fall within the setbacks of the City Code, therefore no variances are requested for the building.)

A portion of the existing structure, however, is inside the front setback of 35 feet, at 26.4' from front property line. This was built 30+ years ago by a previous property owner. The new structure includes a front-facing entry and front door and is 35.9 feet back from the front property line. The property owners are seeking a variance to put a porch (floor, roof, and posts) in front of that entry and door. This porch is 28.9' back from the front property line, but behind the existing front-most part of the home.

Pre-Application Discussions: Both Anna Wilkerson and the builder, Shawn Paine, have had discussions with Nick Olson.

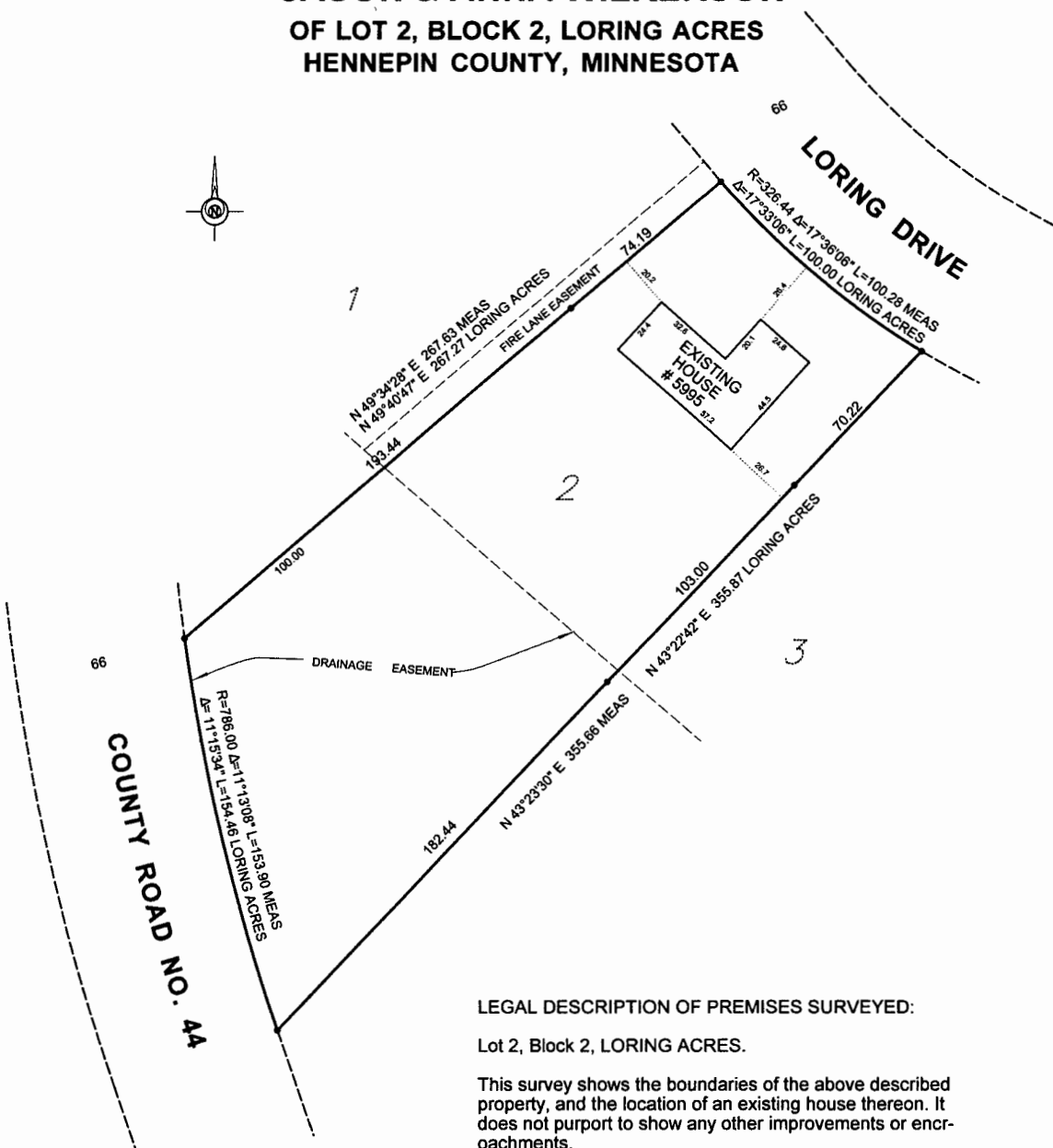
Harmony & General Purpose: This porch will make the home look and function better. Porches are common on this street, they also provide the functionality of protection from the weather.

Practical difficulty in complying is presented by the existing structure – it was built by a previous owner and plans have been made to work with it.

Justification: A porch will make the house look better. It also will lessen the amount of rain and snow that come in the front door.

Further Justification: This porch will not affect anyone else's view, health, light, or air. If anything, it will be a dramatic improvement from the current state of the home.

**CERTIFICATE OF SURVEY FOR
JASON & ANNA WILKERSON
OF LOT 2, BLOCK 2, LORING ACRES
HENNEPIN COUNTY, MINNESOTA**



LEGAL DESCRIPTION OF PREMISES SURVEYED:

Lot 2, Block 2, LORING ACRES.

This survey shows the boundaries of the above described property, and the location of an existing house thereon. It does not purport to show any other improvements or encroachments.

- : Iron marker found
- : Iron marker set

Bearings shown are based upon an assumed datum



SCALE IN FEET

DESIGNED	REVISION	DATE	DESCRIPTION



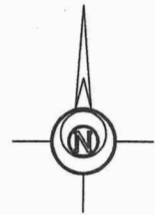
GRONBERG & ASSOCIATES, INC.
CONSULTING ENGINEERS, LAND SURVEYORS
SITE PLANNERS
445 N. WILLOW DR. LONG LAKE, MN. 55356
952-473-4141

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

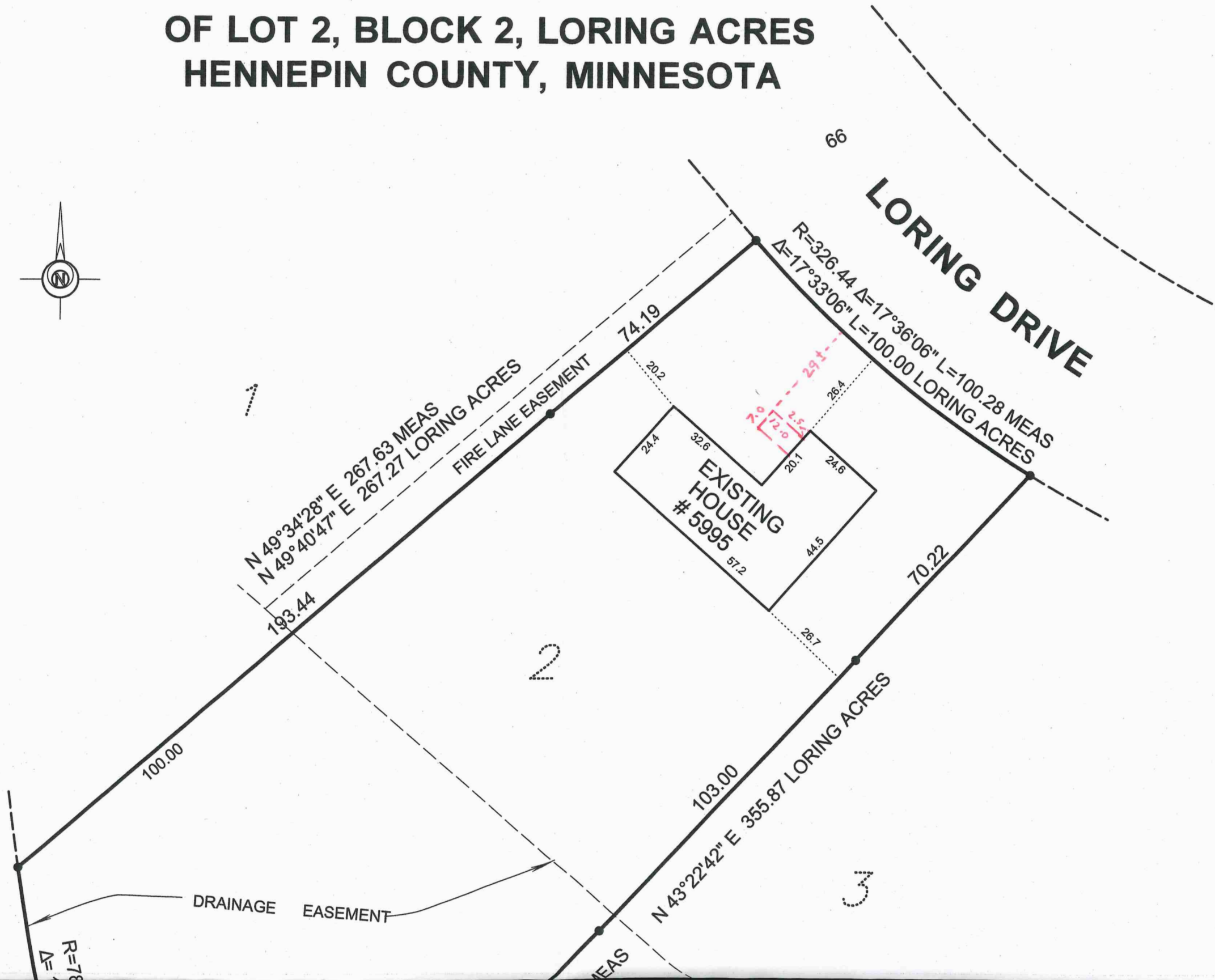
DATE _____ MN LICENSE NUMBER _____

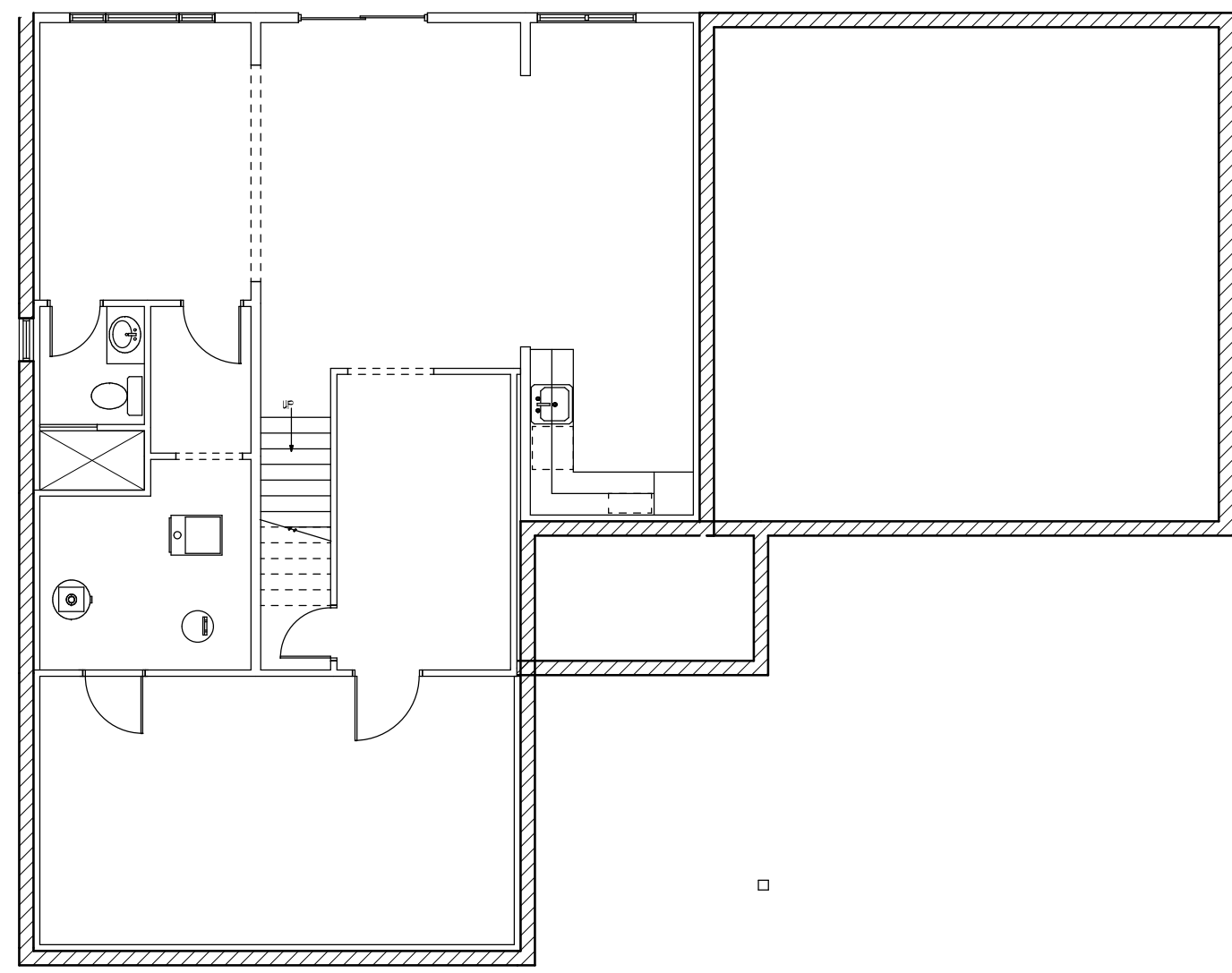
SCALE 1"=30'
DATE 1-21-15
JOB NO. 15-020

**CERTIFICATE OF SURVEY FOR
JASON & ANNA WILKERSON
OF LOT 2, BLOCK 2, LORING ACRES
HENNEPIN COUNTY, MINNESOTA**



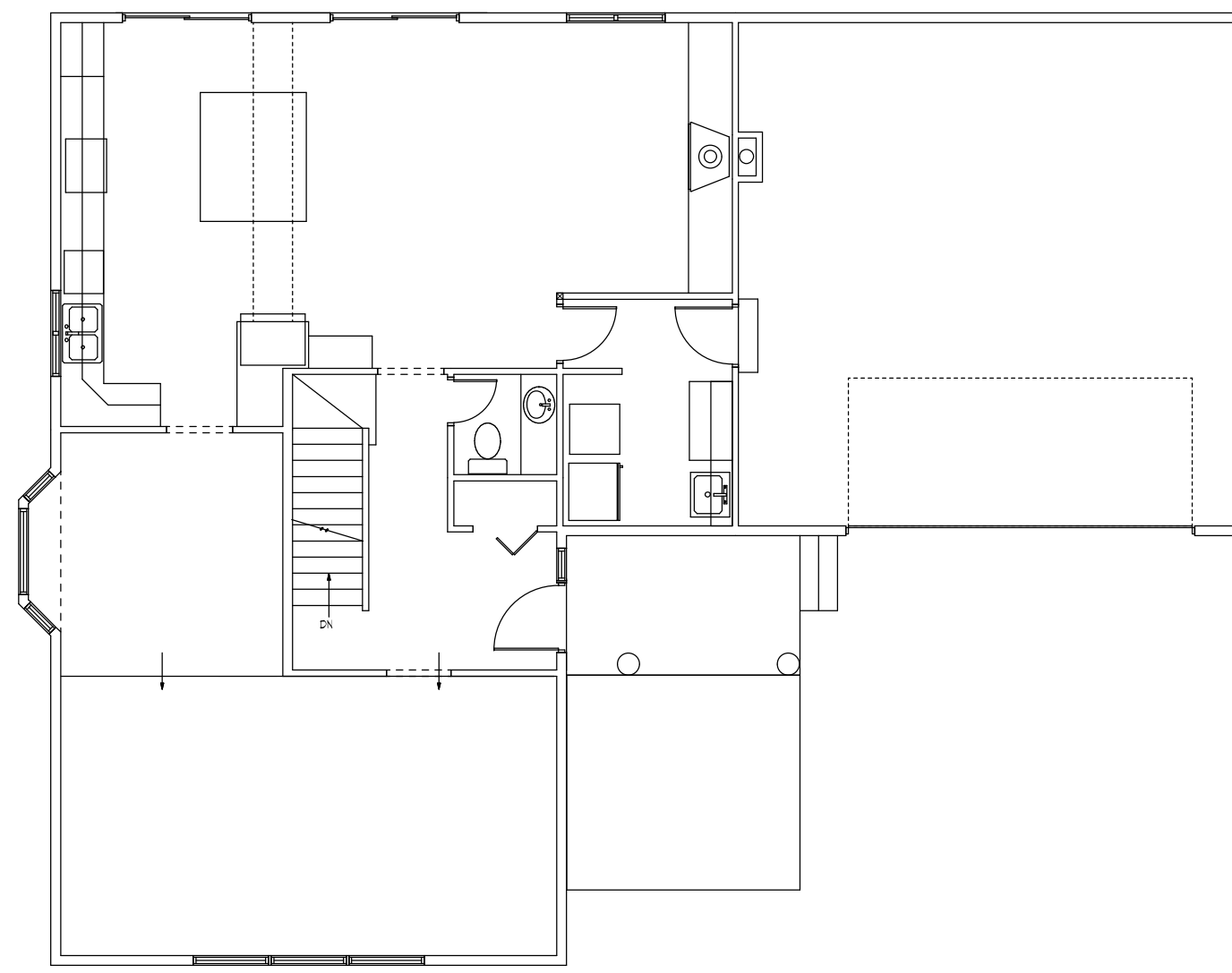
66





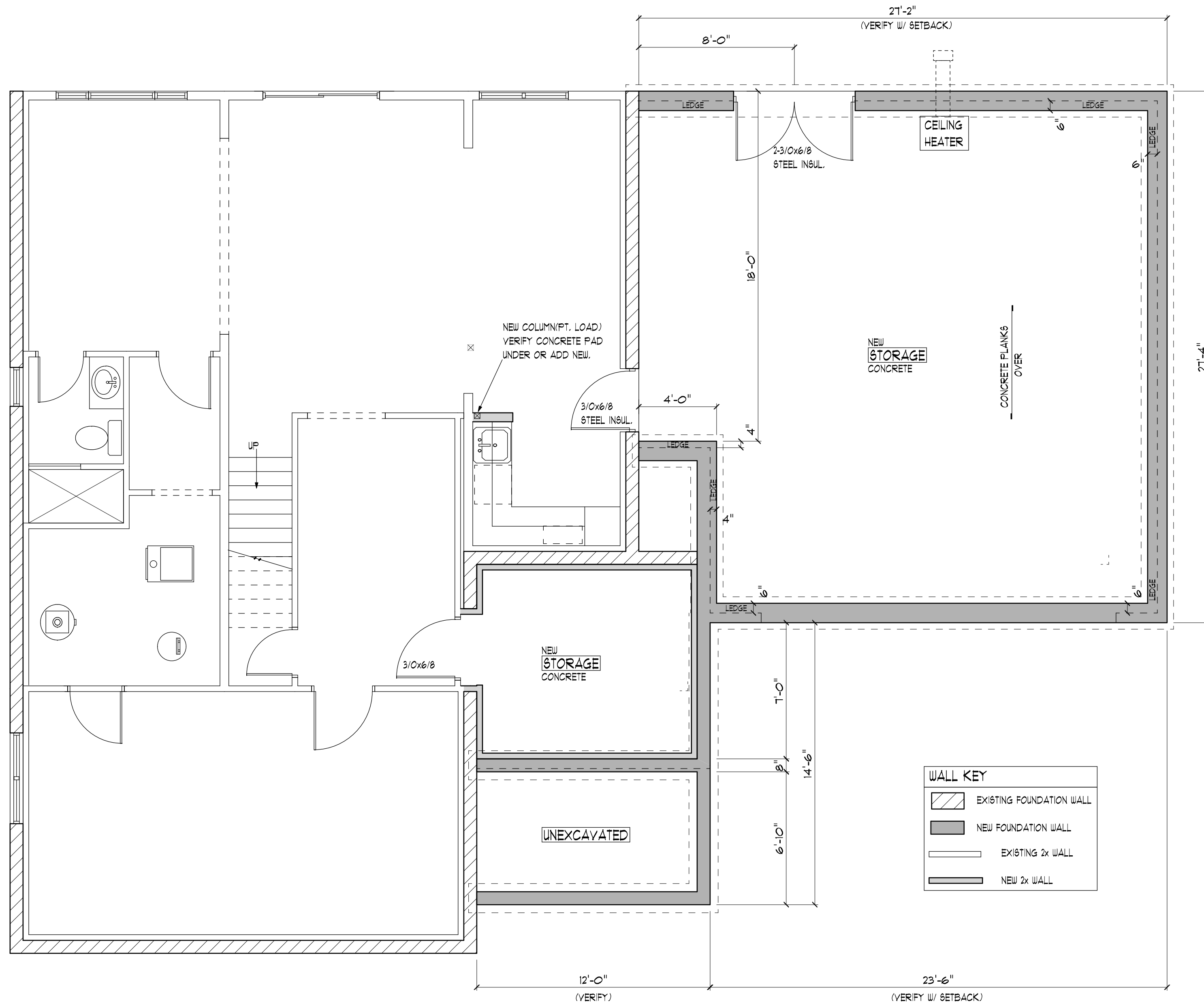
LOWER LEVEL

1/8"=1'-0"



MAIN LEVEL - EXISTING

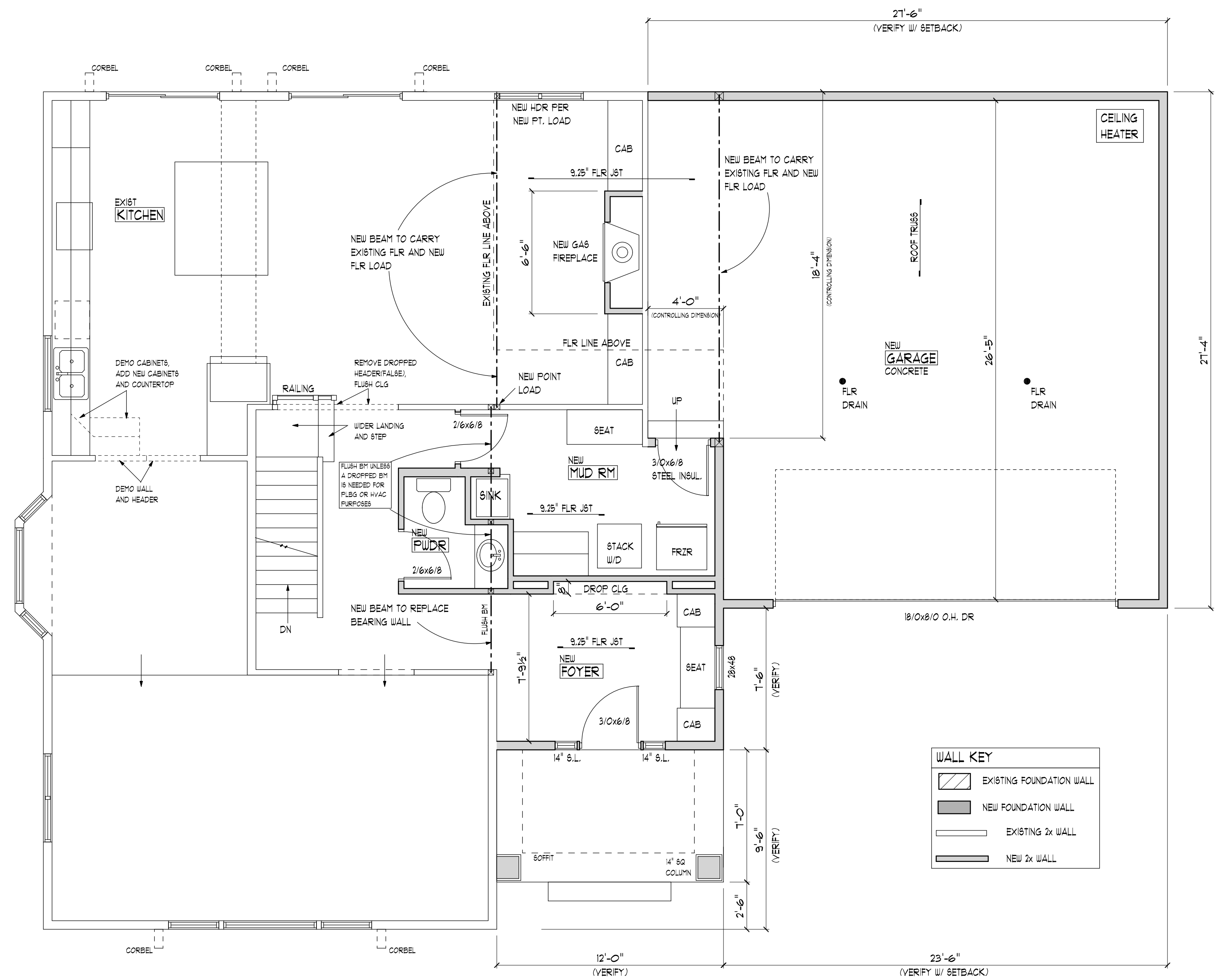
1/8"=1'-0"



LOWER LEVEL (PROPOSED)

1/4"=1'-0"

NOTE: REPLACE ALL EXISTING WINDOWS AND DOORS. DOORS AND WINDOWS NOTED BY SIZE ARE EITHER NEW WINDOWS OR NEW WINDOW SIZES (PER CODE REQUIREMENTS) AT EXISTING OPENINGS.



MAIN LEVEL (PROPOSED)

1/4"=1'-0"

NOTE: REPLACE ALL EXISTING WINDOWS AND DOORS. DOORS AND WINDOWS NOTED BY SIZE ARE EITHER NEW WINDOWS OR NEW WINDOW SIZES (PER CODE REQUIREMENTS) AT EXISTING OPENINGS.

REVISIONS

WILKERSON RESIDENCE
5995 LORING DRIVE
MINNETRISTA, MN 55364

TRITCH DESIGN
RESIDENTIAL ARCHITECTURE
300 BENTLEY DRIVE • CHICAGO, MN 55425 • 952.228.8888 • FAX 952.228.8889
www.tritchdesign.com • tritch@tritchdesign.com

DATE: 06/30/23

CONTRACTOR: PLACE AND DATE THIS PLAN AND PERMITS BE OBTAINED AND THE PERMITS ARE VALID FOR 180 DAYS FROM THE DATE OF ISSUANCE. THIS PLAN IS DEVELOPED FOR THE PROJECT ONLY AND IS NOT TO BE USED FOR ANY OTHER PROJECTS WITHOUT THE WRITTEN CONSENT OF TRITCH DESIGN. TRITCH DESIGN IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHER PROFESSIONALS OR FOR THE CONSTRUCTION OF THE PROJECT. THIS IS PRELIMINARY. CONTACT TRITCH DESIGN FOR MORE INFORMATION.

SHEET

A2

of 5

RESOLUTION NO. 106-25

CITY OF MINNETRISTA

RESOLUTION APPROVING FRONT YARD SETBACK VARIANCE FOR JASON AND ANNA WILKERSON FOR THE CONSTRUCTION OF A COVERED FRONT PORCH AT 5995 LORING DRIVE

WHEREAS, the City of Minnetrista (the “City”) is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Minnetrista has adopted zoning and subdivision regulations, per Chapter 5 of the Municipal Code, to promote the orderly, economic and safe development and utilization of land within the city; and

WHEREAS, Jason and Anna Wilkerson (the “Applicants”) have made an application for a front yard setback variance to reduce the required setback from 35 feet to 28.9 feet for the construction of a covered front porch at 5995 Loring Drive (the “Property”) and which is legally described on Exhibit A attached hereto; and

WHEREAS, on November 24, 2025, the Minnetrista Planning Commission considered the requested front yard setback variance, held a public hearing and, after consideration of the entire record before it, voted 5-0 in favor of recommending approval of the requested setback variance; and

WHEREAS, the Minnetrista City Council has reviewed the application, as submitted, and has made the following findings of fact:

1. The requested variance is in harmony with the purpose and intent of the City’s zoning ordinances because the proposed front porch addition does not change the use from a single-family home, which is a proper use of R-1 Low-Density Single-Family Residence zoned property. The proposed front porch does not extend closer to the roadway, which will help preserve the boulevard and space between the home and street;
2. The requested variance is consistent with the City’s comprehensive plan because the Property is guided for long term Residential Low land use in the 2040 Minnetrista Comprehensive Plan. The requested variance does not change the use from a single-family home, which is a use consistent with the long-term plan for the Property. In addition to simply complying with the Proposed Land Use Map, the proposed front porch addition does not further encroach upon the roadway or adjacent properties which helps minimize its impact;
3. The Applicant proposes to use the Property in a reasonable manner because the Applicants are proposing to attached a covered front porch onto the existing home which does not extend beyond the current forward most protrusion of the existing home. This will not change the use of the Property. A covered front entry is reasonable and the size is appropriate relative to the home;

4. The requested variance is the result of unique circumstances not created by the landowner because the existing home was built in 1920, which is well prior to the Applicants owning the Property. The home has always been in its existing location and the roof angles appear original as well. The Applicants did not choose the home location nor design the roof angles; and
5. The requested variance will not alter the character of the locality because the front porch addition is not out of place or out of scale as the resulting structure is consistent in size and massing to those in the neighborhood and many of the other homes also have a covered front entry.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Minnetrista hereby approves the requested front yard variance for the construction of a covered front porch at the property generally located at 5995 Loring Drive, subject to the following conditions:

1. Any required grading shall maintain existing drainage patterns or improve the existing drainage of the lot and adjacent lots;
2. The Applicants shall obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property prior to any construction;
3. The Applicants are responsible for all fees incurred by the City in review of this application; and
4. The variance approval is valid for one year from the date of approval and will become void and expire unless a building permit has been issued for the site.

This resolution was adopted by the City Council of the City of Minnetrista on the 8th day of December, 2025 by a vote of ___ Ayes and ___ Nays.

Lisa Whalen, Mayor

ATTEST:

Ann Meyerhoff, City Clerk

(SEAL)

EXHIBIT A

Legal Description of 5995 Loring Drive:

Lot 2, Block 2, Loring Acres, Hennepin County, Minnesota.