

CITY OF MINNETRISTA



CITY COUNCIL CONSENT AGENDA ITEM

Subject: Application from Tanner Walker for a front yard setback at 7610 County Road 15.

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

Meeting Date: July 14, 2025

Overview: Tanner Walker (the “Applicant”) has made a request for a front yard setback variance to reduce the required setback from 60 feet to 35.7 feet for the construction of a detached accessory structure at 7610 County Road 15; A – Agriculture Zoning District; PID# 09-117-24-34-0001 (the “Property”).

Background: The Applicant contacted the City regarding their desire to construct a detached accessory building on their Property. Given the size of their property, there aren’t many options for locations of a detached structure. Staff discussed the setbacks with the Applicant and walked through various options, including attaching it to the primary structure. The Applicant considered all the options, but after long consideration determined the proposed location made the most sense for the Property given various circumstances. As such, the Applicant knew a variance would be required and has appropriately applied for said 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 detached accessory structure is a proper use of Agriculture zoned property. The proposed setback maintains a reasonable setback from County Road

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15 and is located in an area that is screened by a tree line, which will lessen the impact on the inhabitants of the City.

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 Rural land use in the 2040 Minnetrista Comprehensive Plan. The requested variance would allow for a detached accessory structure, 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 addition does not add additional hardcover and preserves mature tree growth, which minimizes the impact on the environment and adjacent properties.

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 Applicant is proposing a detached accessory structure, which is a reasonable use of the Property. The location of the detached accessory structure is reasonable given its flat area of the Property that is part of the gravel driveway, so its already an impervious surface. The location is also screened by a line of vegetation and trees that protect the view from adjacent properties and the road.

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 Property is an existing non-conforming lot of record. This limits the Applicant's options when compared to a standard lot in the same zoning district.

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The Property also slopes from north to south, which makes pushing the accessory structure back away from the road more intrusive. The proposed location also takes into consideration the location of existing mature trees and aims to protect them from impacts. The private septic system also takes up a portion of the rear yard where the building otherwise could've been located.

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.

The proposed detached accessory structure won't be out of place because many properties in the area and zoning district have the same or similar buildings. The size of the proposed structure is also similar or in some cases smaller than those in the area.

Neighborhood Comments: Notices were sent out to all property owners within 500 feet of the subject property. To date, staff has not received any written comment or spoke to anyone regarding the request as a result of sending the public notice.

Planning Commission Recommendation: The Planning Commission reviewed the Applicant's request at their June 23, 2025 meeting. At that meeting, the required public hearing was held and no one besides the Applicant was present to speak. After hearing no testimony at the public hearing and reviewing the Applicant's request amongst themselves, a motion was made by Taylor and seconded by Hussain to recommend approval of the requested setback variance. Motion passed 6-0. Absent: Livermore, Gangestad, 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 Applicant may be as follows:

1. The requested variance is in harmony with the purpose and intent of the City's zoning ordinances because the Applicant is proposing a detached accessory structure, which is a reasonable use of the Property. The location of the detached accessory structure is reasonable given its flat area of the Property that is part of the gravel driveway, so its already an impervious surface. The location is also screened by a line of vegetation and trees that protect the view from adjacent properties and the road;
2. The requested variance is consistent with the City's comprehensive plan because the Property is guided for long term Rural land use in the 2040 Minnetrista Comprehensive Plan. The requested variance would allow for a detached accessory structure, 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 addition does not add additional hardcover and preserves mature tree growth, which minimizes the impact on the environment and adjacent properties;

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3. The Applicant proposes to use the Property in a reasonable manner because the Applicant is proposing a detached accessory structure, which is a reasonable use of the Property. The location of the detached accessory structure is reasonable given its flat area of the Property that is part of the gravel driveway, so its already an impervious surface. The location is also screened by a line of vegetation and trees that protect the view from adjacent properties and the road;
4. The requested variance is the result of unique circumstances not created by the landowner because the Property is an existing non-conforming lot of record. This limits the Applicant's options when compared to a standard lot in the same zoning district. The Property also slopes from north to south, which makes pushing the accessory structure back away from the road more intrusive. The proposed location also takes into consideration the location of existing mature trees and aims to protect them from impacts. The private septic system also takes up a portion of the rear yard where the building otherwise could've been located; and
5. The requested variance will not alter the character of the locality because the proposed detached accessory structure won't be out of place because many properties in the area and zoning district have the same or similar buildings. The size of the proposed structure is also similar or in some cases smaller than those in the area.

Recommended Action: Motion to adopt a resolution approving the requested front yard setback variance at 7610 County Road 15 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 Applicant 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 Applicant is 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. Applicant's Narrative
 3. Proposed Survey
 4. Proposed Plans
 5. Res. No. 64-25 Approve Setback Variance at 7610 County Road
- 15

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7610 County Road 15



-  City Boundary
-  Address Labels
-  Parcels

1 in = 100 Ft



Written Statements for Setback Variance Request

a. List of Property Owners/Applicants

- **Property Owner:** Tanner Walker

b. Site Data

- **Legal Description:** Lot 6, Parcel ID# 09-117-24-34-0001
- **Current Zoning:** Agriculture

c. Minnetrista City Code Provision for Variance

I am seeking a variance from **Minnetrista City Code Section 505.15** regarding **front setback requirements**, which currently require a **60 ft setback** from the road. I am requesting a variance to allow for a **35-40 ft setback** instead, as shown in the attached land survey.

d. Proposal Description and Deviation from City Code

The proposed variance seeks to allow construction of a detached garage **35-40 feet from the road**, instead of the **60 ft setback requirement**. This request is based on the natural conditions of the land, as meeting the full setback would require unnecessary tree removal, increased impervious surface, and a reduction in the functional use of the property.

e. Pre-Application Discussions

I have had email and phone discussions with **Nickolas Olson**, where we explored alternative locations for the garage, including attaching it to the home. However, these alternatives were found to be impractical and undesirable due to site constraints and aesthetic concerns.

f. Harmony with Minnetrista City Code and Comprehensive Plan

The proposal aligns with the **general intent of Minnetrista City Code** and the **Comprehensive Plan** by:

- Preserving the natural landscape and minimizing environmental impact.
- Maintaining the aesthetic character of the neighborhood.
- Ensuring practical and functional use of the land without negatively impacting adjacent properties.

g. Practical Difficulties in Complying with City Code

1. **Reasonable Use:** The proposed placement is a reasonable use of the property and does not create an undue burden on the surrounding area.

2. **Unique Circumstances:** The hardship stems from **existing site conditions**, including tree coverage and topography, which make the required **60 ft setback impractical**. This situation was not created by me as the landowner.
3. **Character of the Locality:** Granting this variance will **not alter the essential character** of the locality, as it remains consistent with surrounding properties and will not disrupt the visual or functional aspects of the neighborhood.

h. Financial Justification

The requested variance **is not for financial gain or increased property value**. It is purely to maintain the **natural landscape, minimize environmental impact, and support the best functional use of the land**.

i. Impact on Neighborhood & Public Interest

Granting this variance will **not**:

1. **Adversely affect** the health or safety of residents.
2. **Impair access to light or air** for adjacent properties.
3. **Be injurious** to neighboring property values or improvements.
4. **Increase traffic congestion** or create hazards.
5. **Endanger public safety** in any way.
6. **Diminish neighborhood property values** or negatively impact the community.

The variance request **prioritizes environmental preservation, functional land use, and aesthetic consistency** while posing no negative effects on surrounding properties or public interests.

Date: 5/08/2025 - 3:43 PM

Design Name: tanner

Design ID: 326853228106

Estimated Price: \$22,471.40

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

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How to recall and purchase your design at home:



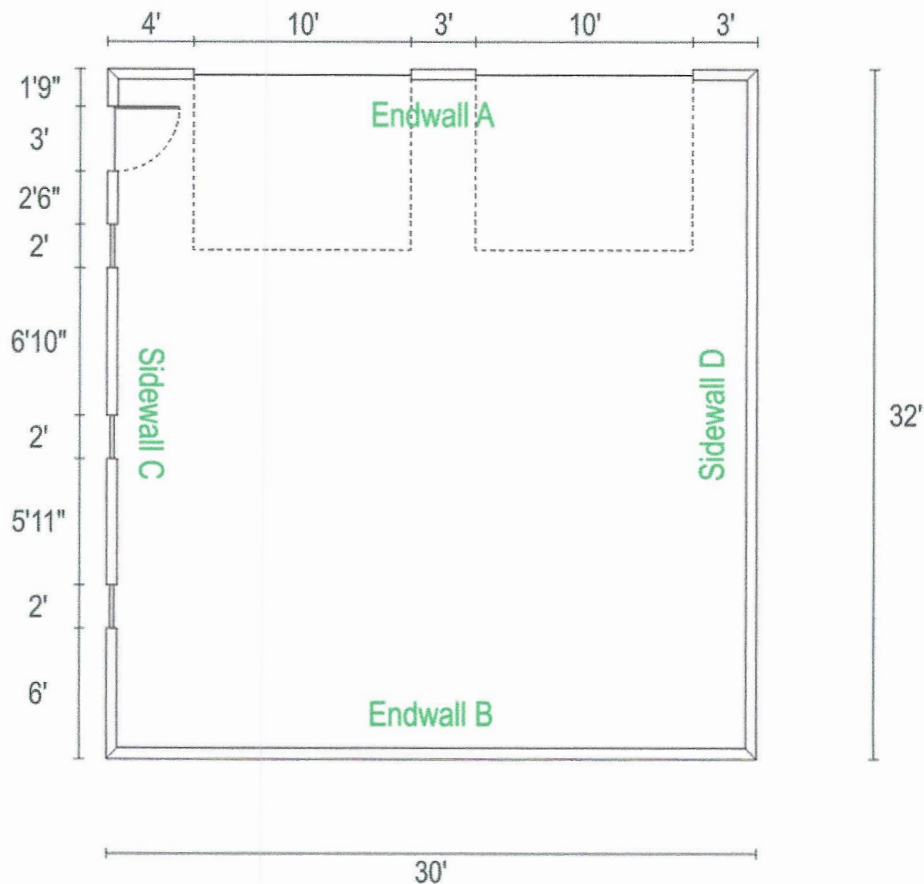
OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Garage Designer
3. Recall your design by entering Design ID: 326853228106
4. Follow the on-screen purchasing instructions

How to purchase your design at the store:

1. Enter Design ID: 326853228106 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions

Garage Image



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Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions.

MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully.

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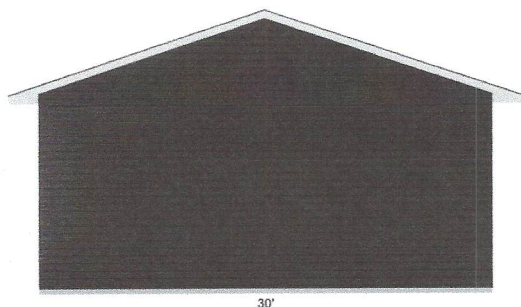
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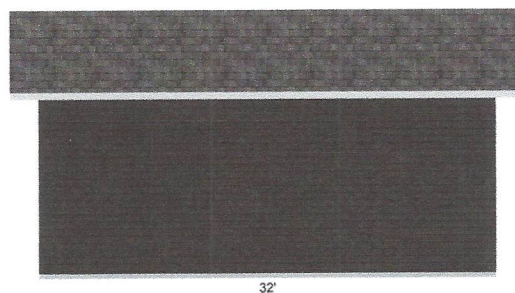
Dimensions

Wall Configurations

*Some items like wainscot, gutter, gable accents, are not displayed if selected.



ENDWALL B



SIDEWALL D

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Design Name: tanner

Design ID: 326853228106

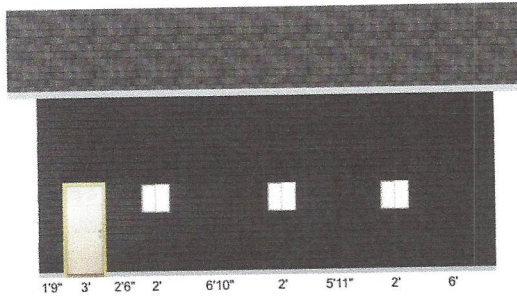
Estimated Price: \$22,471.40

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SIDEWALL C

Mastercraft® 36W x 80H Primed Steel 6-Panel
24"W x 24"H Jeld-Wen® Slider Window with Nailing Flange
24"W x 24"H Jeld-Wen® Slider Window with Nailing Flange
24"W x 24"H Jeld-Wen® Slider Window with Nailing Flange



ENDWALL A

10X8 White Designer Panel SQ24 Window EZ Set Torsion Spring (R-Value 12.9)
10X8 White Designer Panel SQ24 Window EZ Set Torsion Spring (R-Value 12.9)

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Materials

Building Type

Building Location Zip Code: 55364
Building Type: Gable

Building Info

Building Width: 30'
Building Length: 32'
Building Height: 12' (studs must be cut to length)
Wall Framing Stud: 2 x 6
Roof Framing: Truss Construction (Sealed truss designs available on request)
Truss Type: Common (24" on center spacing)
Roof Pitch: 4/12 Pitch
Gable Overhang: 24"
Eave Overhang: 24"
Curb: Poured Curb
Curb Height: 4"
Foundation Type: Poured
Building Plan: Yes I need a Building Plan

Wall Info

Siding Material Types: LP Engineered Wood
LP Engineered Wood Siding: Sherwin-Williams Prefinished 3/8 x 6 x 16' Textured Lap Siding(15 Yr Paint Warranty), Color: Carbon Black
Engineered Wood Corner Trim Color: Carbon Black
Accent Material Type: None
Wainscot Material Type: None
Wall Sheathing: 7/16 x 4 x 8 OSB(Oriented Strand Board)
House Wrap: Kimberly-Clark BLOCK-IT®9'x75'House Wrap
Gable Vents: None

Roof Info

Roof Sheathing: 1/2 x 4 x 8 OSB(Oriented Strand Board)

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Roofing Material Type:

Architectural Roofing:

Roof Underlayment:

Ice and Water Barrier:

Fascia Material Type:

Fascia:

Soffit Material Type:

Soffit:

Gutter Material Type:

Ridge Vent:

Roof Vents:

Architectural Shingle

Owens Corning® TruDefinition® Duration® Limited Lifetime
Warranty Architectural Shingles (32.8 sq. ft.), Color: Estate
GrayOwens Corning® ProArmor® Synthetic Roofing
Underlayment 42" x 286' (1,000 sq. ft.)Owens Corning® WeatherLock® G 3' x 66.7' Granulated Self-
Sealing Ice and Water Barrier (200 sq. ft.)

Textured Aluminum Fascia

6" x 12' Aluminum Rustic Fascia, Color: White

Aluminum Soffit

16" x 12' Aluminum Vented Soffit, Color: White

None

None

None

Openings

Service Door:

Overhead Door:

Additional Information:

Overhead Door:

Additional Information:

Overhead Door Trim Type:

Vinyl Trim Color:

Windows:

Windows:

Windows:

Mastercraft® 36W x 80H Primed Steel 6-Panel

10X8 White Designer Panel SQ24 Window EZ Set Torsion
Spring (R-Value 12.9)

MR1SU EZ Set Torsion Spring

10X8 White Designer Panel SQ24 Window EZ Set Torsion
Spring (R-Value 12.9)

MR1SU EZ Set Torsion Spring

Vinyl

White

24"W x 24"H Jeld-Wen® Slider Window with Nailing Flange

24"W x 24"H Jeld-Wen® Slider Window with Nailing Flange

24"W x 24"H Jeld-Wen® Slider Window with Nailing Flange

None

None

Additional Options

Ceiling Insulation:

Wall Insulation:

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Ceiling Finish:

None

Wall Finish:

None

Mounting Blocks:

No

Hydronic Radiant Heat:

No

Anchor bolt:

Grip Fast® 1/2 x 10 HDG Anchor Bolt w/ Nut & Washer

Framing Fasteners:

Grip Fast® 3-1/4 16D Vinyl-Coated Smooth Shank Sinker Nail
- 5 lb. Box

Sheathing Fasteners:

Grip Fast® 2-1/2 8D Vinyl-Coated Smooth Shank Sinker Nail -
5 lb. Box

Roofing/Shingle Fasteners:

Grip Fast® 1-1/4 Electro-Galvanized Coil Roofing Nails -
7,200 Count

Truss Fastener:

FastenMaster® TimberLOK® 5/16 x 6 Hex Drive Black Hex
Head Timber Screw - 50 Count

Overhead Opening Hardware:

No

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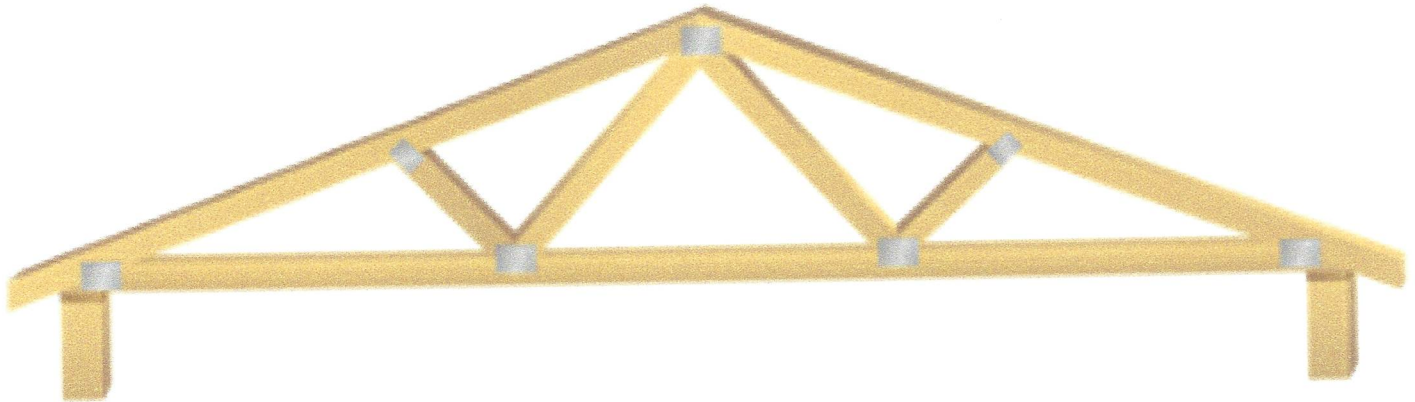
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Helpful Hints for Garage Construction

- Studs are estimated 16 inches on center with single treated bottom plate and double top plate.
- For 10- and 12-foot-tall buildings studs should be cut for an approximate 10- or 12-foot plate height.
- If steel is estimated (Pro-Rib or Pro-Snap), the steel lengths should be verified based off the actual framing. Plate height (stud length), truss heel and other framing should be confirmed. Steel is estimated to the inch, make sure the lengths are accurate based on final overall building design.
- Trusses included are estimated at 2 feet on center spacing. The design is based on the zip code provided, design and loading should be verified.
- Trusses should not be cut or modified with the exception of trimming the truss tails to the correct overhang.
- The bottom chord is designed to support standard ceiling and insulation materials.
- Dropped end trusses are estimated with 18 inch and 24 inch gable overhangs.



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Menards Building Checklist Planning

- Get a permit. Check restrictions, building codes or local zoning to make sure your design complies with all requirements.
- Contact local utilities to ensure construction will not disturb any electrical, cable or plumbing.
- If necessary, hire a professional to help with planning and construction.
- Consider site conditions including soil type, grade, and runoff before finalizing your design.
- Material estimates are calculated based on approximate plate heights of 97", 109", 121" and 145".
- STEEL LENGTHS if selected should be verified prior to purchase.
- Menards offers professional delivery of materials. Delivery is extra based on the distance from your local Menards store to your building site.
- Practice good safety habits, use PPE including eye protection & dust masks during construction.
- Make sure to follow good building practice and all manufacturer's instructions. Use all the hardware and fasteners recommended.

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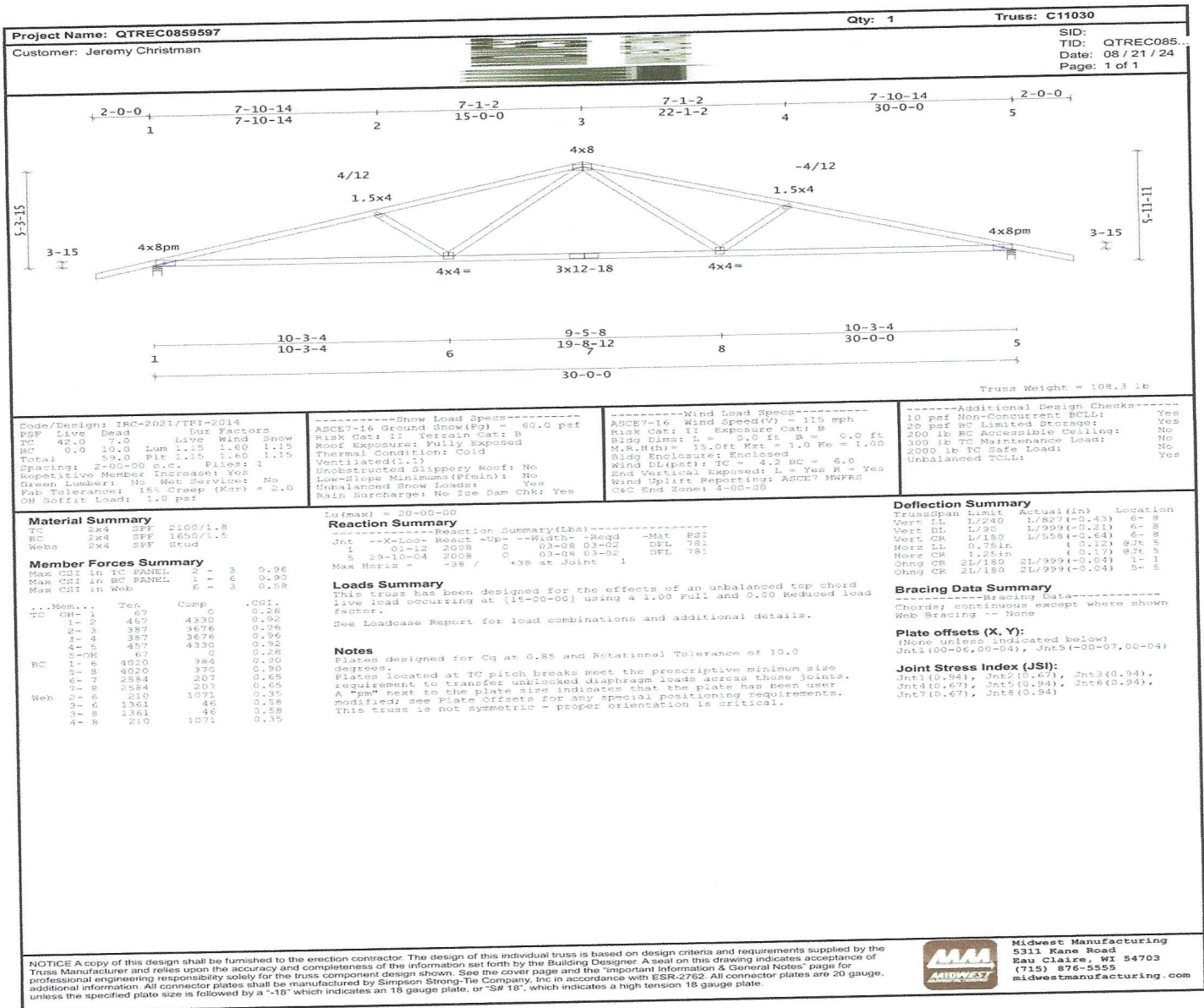
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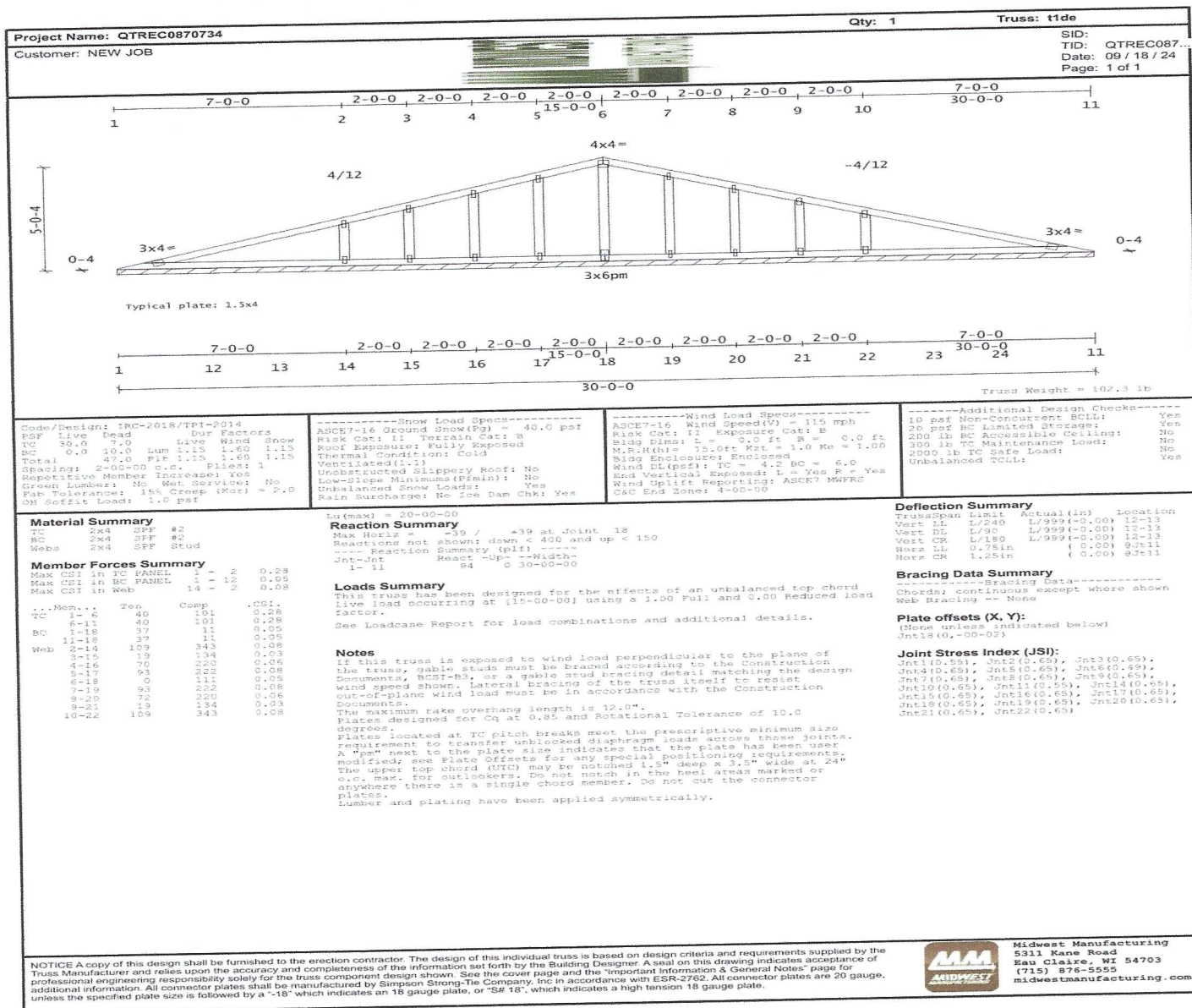
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RESOLUTION NO. 64-25

CITY OF MINNETRISTA

RESOLUTION APPROVING A FRONT YARD SETBACK VARIANCE FOR TANNER WALKER FOR THE CONSTRUCTION OF A DETACHED GARAGE AT 7610 COUNTY ROAD 15

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, Tanner Walker (the “Applicant”) has made an application for a front yard setback variance to reduce the required setback from 60 feet to 35.7 feet for the construction of a detached garage at 7610 County Road 15 (the “Property”) and which is legally described on Exhibit A attached hereto; and

WHEREAS, on June 23, 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 6-0 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 Applicant is proposing a detached accessory structure, which is a reasonable use of the Property. The location of the detached accessory structure is reasonable given its flat area of the Property that is part of the gravel driveway, so its already an impervious surface. The location is also screened by a line of vegetation and trees that protect the view from adjacent properties and the road;
2. The requested variance is consistent with the City’s comprehensive plan because the Property is guided for long term Rural land use in the 2040 Minnetrista Comprehensive Plan. The requested variance would allow for a detached accessory structure, 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 addition does not add additional hardcover and preserves mature tree growth, which minimizes the impact on the environment and adjacent properties;
3. The Applicant proposes to use the Property in a reasonable manner because the Applicant is proposing a detached accessory structure, which is a reasonable use of the Property. The location of the detached accessory structure is reasonable given its flat area of the Property that is part of the gravel driveway, so its already an impervious surface. The location is

also screened by a line of vegetation and trees that protect the view from adjacent properties and the road;

4. The requested variance is the result of unique circumstances not created by the landowner because the Property is an existing non-conforming lot of record. This limits the Applicant's options when compared to a standard lot in the same zoning district. The Property also slopes from north to south, which makes pushing the accessory structure back away from the road more intrusive. The proposed location also takes into consideration the location of existing mature trees and aims to protect them from impacts. The private septic system also takes up a portion of the rear yard where the building otherwise could've been located; and
5. The requested variance will not alter the character of the locality because the proposed detached accessory structure won't be out of place because many properties in the area and zoning district have the same or similar buildings. The size of the proposed structure is also similar or in some cases smaller than those in the area.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Minnetrista hereby approves the requested front yard setback variance for the construction of a detached garage at the property generally located at 7610 County Road 15, 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 Applicant 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 Applicant is 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 14th day of July, 2025 by a vote of ___ Ayes and ___ Nays.

Lisa Whalen, Mayor

ATTEST:

Ann Meyerhoff, City Clerk

EXHIBIT A

Legal Description of 7610 County Road 15:

(Per Warranty Deed Document No. A10739776)

Parcel 1: South 200 feet of the east 200 feet of the Southeast 1/4 of the Southwest 1/4, Section 9, Township 117, Range 24. Together with and easement for driveway purposes over the South 33 feet of the West 350 feet of the East 550 feet of the Southeast 1/4 of the Southwest 1/4 of Section 9, Township 117, Range 24, and

Parcel 2: That part of Government Lot 6, Section 16, Township 117, Range 24 described as follows: Commencing at the Northeast corner of said Government Lot 6; thence South 61 feet to the North line of county road; thence Northwesterly along the North line of said county road, to the North line of Government Lot 6, thence East along the North line of Government Lot 6, 262 feet to the point of beginning.

Abstract Property.