

CITY OF MINNETRISTA



CITY COUNCIL CONSENT AGENDA ITEM

Subject: Application from Samuel Raser & Shannon Kennedy-Raser for a front yard setback variance at 8420 Ox Yoke Circle.

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

Meeting Date: May 4, 2026

Overview: Samuel Raser & Shannon Kennedy-Raser (the “Applicants”) have made a request for a front yard setback variance to reduce the required setback from 60 feet to 14 feet to allow for the construction of a 40’ x 48’ detached accessory structure at 8420 Ox Yoke Circle; A: Agriculture Zoning District; PID# 05-117-24-12-0005 (the “Property”).

Background: The Applicants contacted the City regarding their desire to construct a detached accessory structure on their Property. However, while the Property is large in area, it is encumbered by a great amount wetland and floodplain. This really limits where the Applicants could locate the accessory structure, especially when setbacks are considered. The Applicant considered all the factors, 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 Property and proposed structure location are on a cul-de-sac, so there shouldn’t be much traffic along the street. This minimizes the impact of the

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structure being closer than required. There is also a large boulevard between the edge of the road and the property line, which will help increase the separation of the road and the structure.

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 detached accessory structure is located in the most minimally invasive location relative to the sensitive environment located on the Property and any impacts are proposed to be mitigated as required.

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 a detached accessory structure, which is a reasonable use of the Property. The size of the structure is reasonable as well for an Agriculture zoned property. The location of the detached accessory structure is reasonable given the unique circumstances of the Property.

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.

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The Property contains a large amount of wetlands, which limits the buildable area. The remaining buildable area is occupied by the existing dwelling and private sewer system, further limiting potential locations. What remains is encumbered by floodplain that seasonally floods. These factors were not created by the landowner and make the proposed location the most logical.

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 structures. The size of the proposed structure is also similar to 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 Applicants' request was presented to the Planning Commission at their April 27, 2026 meeting. At that meeting, the Planning Commission reviewed the Applicants' request and held the required public hearing. No one besides the Applicants were present. After hearing no public testimony during the public hearing and having considered the entire record before them, the Planning Commission made a motion to recommend the City Council approve the requested front yard setback variance at 8420 Ox Yoke Circle, based on certain findings of fact and subject to conditions. Motion passed 5-0. Absent: Gangestad, Taylor, Rognli, and Gehring.

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 Applicant is proposing a detached accessory structure, which is a reasonable use of the Property. The Property and proposed structure location are on a cul-de-sac, so there shouldn't be much traffic along the street. This minimizes the impact of the structure being closer than required. There is also a large boulevard between the edge of the road and the property line, which will help increase the separation of the road and the structure;
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 detached accessory structure is located in the most minimally invasive location

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- relative to the sensitive environment located on the Property and any impacts are proposed to be mitigated as required;
3. The Applicants propose to use the Property in a reasonable manner because the Applicants are proposing a detached accessory structure, which is a reasonable use of the Property. The size of the structure is reasonable as well for an Agriculture zoned property. The location of the detached accessory structure is reasonable given the unique circumstances of the Property;
 4. The requested variance is the result of unique circumstances not created by the landowner because the Property contains a large amount of wetlands, which limits the buildable area. The remaining buildable area is occupied by the existing dwelling and private sewer system, further limiting potential locations. What remains is encumbered by floodplain that seasonally floods. These factors were not created by the landowner and make the proposed location the most logical; and
 5. The requested variance will not alter the character of the locality because many properties in the area and zoning district have the same or similar structures. The size of the proposed structure is also similar to those in the area.

Recommended Action: Motion to adopt a resolution approving the requested front yard setback variance at 8420 Ox Yoke Circle 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 complete any necessary floodproofing or floodplain mitigation as required based on the proposed building location;
3. 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;
4. The Applicants are responsible for all fees incurred by the City in review of this application; and
5. 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. 55-26 Approve Setback Variance at 8420 Ox Yoke Circle

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8420 Ox Yoke Circle



1 in = 200 Ft

 City Boundary

 City Mask

 Address Labels

 Parcels





February 26, 2026

RE: 8420 Ox Yoke Cir Minnetrista Proposed Shed Variance Narrative

- a) Current Owners – Samuel A Raser & Shannon M Kennedy-Raser
- b) Lot Information
 - i. Lot 11, Block 1, Melquist Acres, Hennepin County, Minnesota (*per Warranty Deed Doc No. T05361119*)
 - ii. Parcel Size 483,268 SF (11.09 AC)
 - iii. Existing land used per comp plan is Single Family Detached and Undeveloped
 - iv. Site Zoned Agricultural
- c) City Code
 - i. Sec. 505.29 Subd. 2 – Front yard setback for accessory structures >1,000 sf – 60'
- d) The applicant proposes to construct a 40'x56' accessory structure. The proposed shed will be used for residential storage and to support a maple syrup and honey operation utilizing trees on the site.

The proposed shed would be constructed in the southwest corner of the site. The shed does not fit within the required front setback. The proposed shed would sit 14' from the front.

The shed location was chosen for the following reasons:

 - The location fits with existing topography and reduces grading. This is critical as the site sits in a floodplain, so any fill requires compensatory storage.
 - No tapped maple trees would be removed. Up to 6 trees would be removed if the shed were moved to a compliant area south of the existing house.
 - The proposed location does not inhibit access to the septic system. Access to the septic system would be limited for maintenance and future replacement if the shed were placed south of the house.
 - This location requires minimal new pavement which reduced total impervious on the site.
- e) We contacted Nick Nickolas Olson about the project, and he confirmed a variance is required for the setbacks. He suggested that we reconsidered the shed location. Alternate locations were considered but not pursued per the reasons laid out in item d.
- f) The proposed shed is in harmony with the general purpose of the city code. Setbacks are intended to promote orderly development, protect wetlands, and preserve the neighborhood character. The location was chosen to reduce environmental impact and tree removal while maintaining separation from the adjacent lot. The request is also consistent with the comprehensive plan, which aims to maintain a low-density residential character and support small-scale rural agricultural activities. A maple syrup/honey operation is consistent with this character and does not change the primary use of the property.

g)

- i. The proposed shed is an acceptable accessory building for a lot zoned agricultural. The owner plans to use the shed for storage and maple syrup and honey processing.
- ii. The lot is unique because of the topography, the wetland, and the trees. This limits reasonable areas to build on the site due to conditions not created by the owner.
- iii. If granted, the variance would not alter the essential character of the locality. The property will remain residential and will not introduce industrial or high-traffic activity.

h) The variance request is not based on increasing property value or income potential. The owner does plan to begin a small-scale maple syrup and honey operation, but the request is due to site constraints. The proposed shed location reduces grading and tree removal while still maintaining separation from the wetland.

i) If granted, the variance will not adversely affect health and safety, impair the supply of light or air, negatively impact surrounding properties, increase congestion, endanger public safety, or diminish neighborhood property values.

The structure will follow applicable building codes and will remain accessory to the residential use of the property. Maple syrup and honey operations are seasonal and have insignificant impacts on traffic or other impacts on the surrounding neighborhood.

Sincerely,



Lance Elliott, P.E.
Civil Engineer



NOTES:

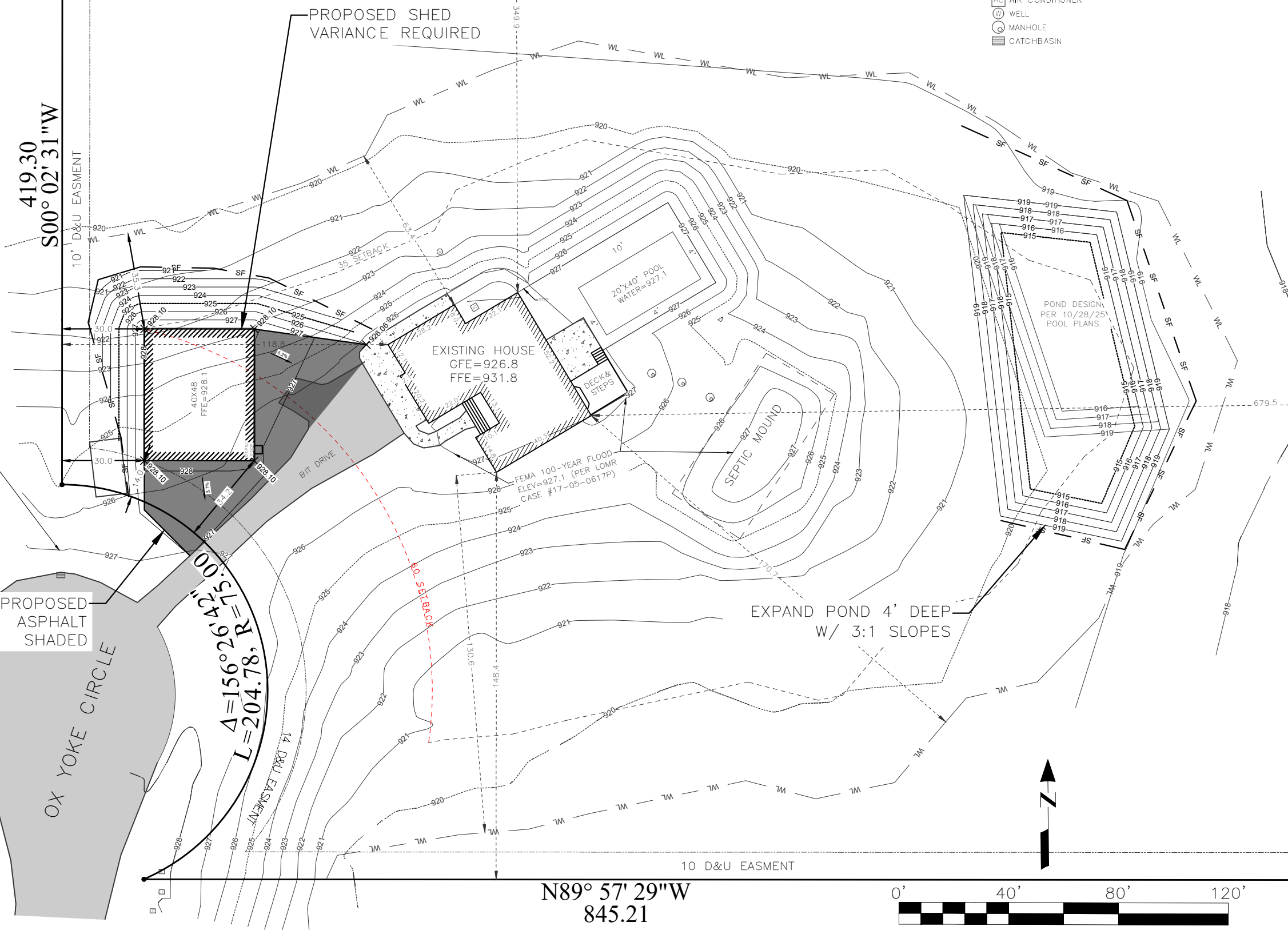
1. SITE PLAN BASED ON CERTIFICATE OF SURVEY FROM SCHOBER LAND SERVICES INC. 07/07/25
2. POOL, DECK, AND EXISTING POND SHOWN PER ELLIOTT DESIGN BUILD INC. PLANS DATED 10/28/25
3. VERIFY BUILDING DIMENSIONS AND DETAILS PER ARCH. PLANS.
4. VARIANCE REQUIRED FOR PROPOSED BUILDING LOCATION.

GRADING & EROSION CONTROL NOTES:

1. MAX 3:1 SLOPES
2. SILT FENCE TO BE INSTALLED AROUND DISTURBED AREAS PRIOR TO CONSTRUCTION

LEGEND

● FOUND IRON	— WL — WL — WETLAND
○ SET IRON	— SF — SF — SILT FENCE
⊞ ELECTRIC PEDESTAL	
⊞ UTILITY PEDESTAL	
⊞ AC AIR CONDITIONER	
⊞ WELL	
⊞ MANHOLE	
⊞ CATCHBASIN	



FEMA 100-YEAR FLOOD ELEV=927.1 (PER LOMR CASE #17-05-0617P)

EXISTING IMPERVIOUS		PROPOSED IMPERVIOUS	
HOUSE	2,585	HOUSE	2,585
DECK & STEPS	242	DECK & STEPS	242
SHED	211	SHED	211
CONC.	1,044	CONC.	1,044
POOL	800	POOL	800
POOL DECK	1,151	POOL DECK	1,151
EX. DRIVE	1,601	PROP. DRIVE	3,561
TOTAL	7,634	TOTAL	11,514
	1.6%		2.4%

COMPENSATORY STORAGE CALCULATION	
PROPOSED FILL	484 CY
PROPOSED CUT	497 CY



ELLIOTT DESIGN BUILD INC.
 7514 OLIVER AVE S
 MINNEAPOLIS, MN 55423
 BUS: (952)220-0152
 EMAIL: INFO@ELLIOTTDESIGNBUILD.COM

CERTIFICATION
 I HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA
 LANCE A. ELLIOTT
 REGISTRATION NO. 26862
 DATE: 03/03/26

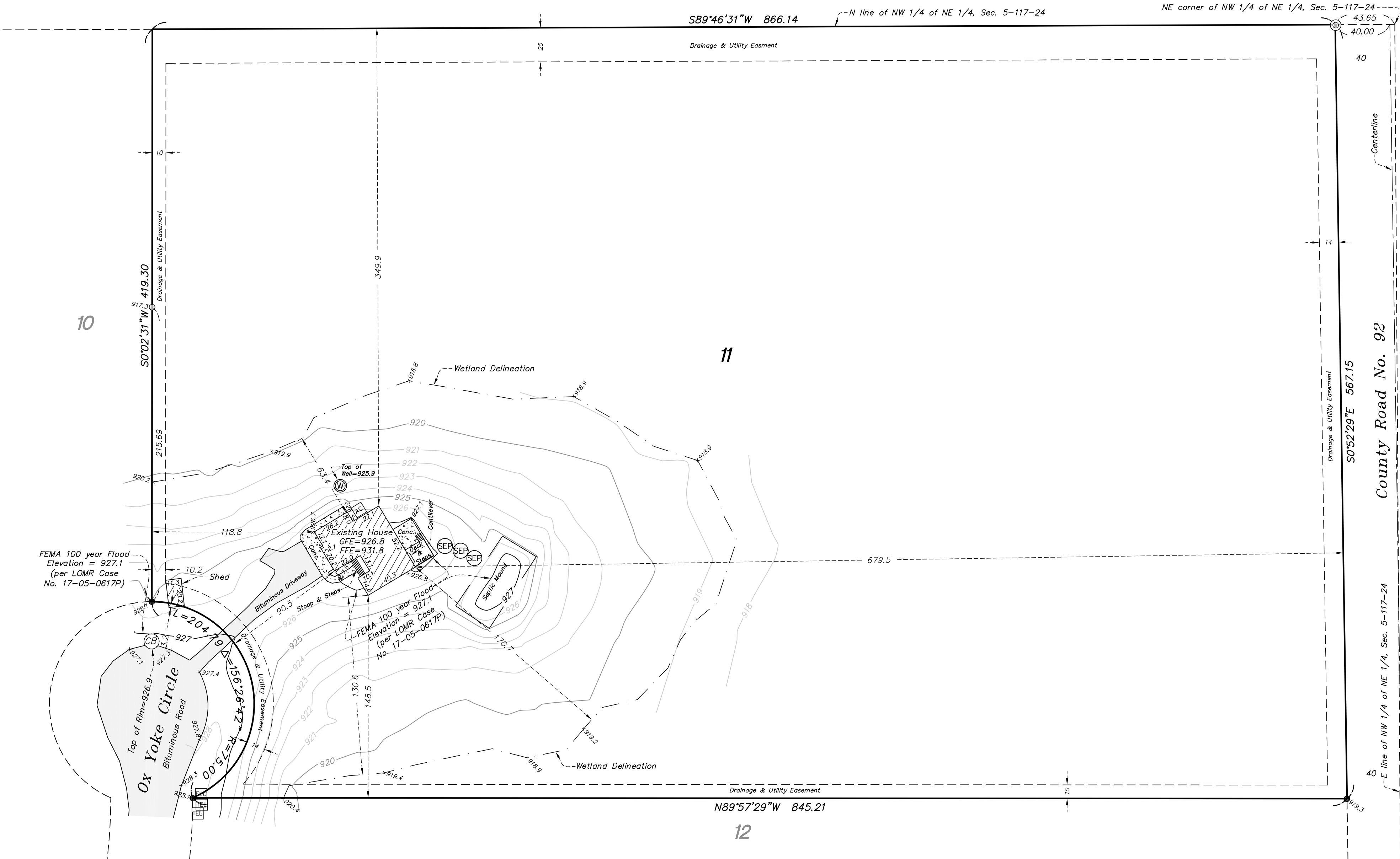
PREPARED FOR
RASER RESIDNECE

PROPOSED SHED SITE, GRADING, AND EROSION CONTROL PLAN
 8420 OX YOKE CIR,
 MINNETRISTA, MN

REVISION	N ^o	DATE	DRAWN BY
SHED	1	03/31/26	B. PASSOLT
			CHECKED BY
			L. ELLIOTT
			DATE
			03/03/26
			PAGE N ^o
			1 OF 1
			PROJECT #
			E627
			REV
			1
			SIZE
			11"X17"

Certificate of Survey

Prepared for:
Sam Raser

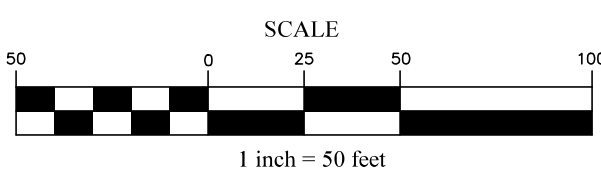


FEMA 100 year Flood
Elevation = 927.1
(per LOMR Case
No. 17-05-0617P)

FEMA 100 year Flood
Elevation = 927.1
(per LOMR Case
No. 17-05-0617P)

Site Address:
8420 Ox Yoke Circle
Minnetrista, MN

Boundary Description (per Doc. No. T05361119)
Lot 11, Block 1, MELQUIST ACRES, according to the
recorded plat thereof, Hennepin County, Minnesota.
Subject to any and all easements of record.



- Legend**
- Found Iron Monument
 - Set Iron Monument (LS 48328)
 - ⊙ Cast Iron Monument
 - × 000.0 Existing Elevation
 - 000 — Existing Contour
 - ⊕ Existing Well
 - ⊕ Catch Basin
 - ⊕ Septic System
 - ⊕ Electrical Pedestal
 - ⊕ Air Conditioner
 - ⊕ Telephone Pedestal

Reference Benchmark:
Hennepin County Control Point "KILBO_RESET",
located approx. 3,040 ft SWly of the SE
corner of subject parcel.
Elevation = 979.93 NAVD88,
converted to 979.57 NGVD29 (see note)

Note:
Per MN DNR lake water level report
on Ox Yoke Lake, subtract 0.36 ft
from NAVD88 to equal NGVD29.
(NAVD88 - 0.36ft = NGVD29)

Elevations based on NGVD29 datum.
Bearings based on Hennepin County Coordinate System.

I hereby certify that this certificate of survey was prepared by me
or under my direct supervision and that I am a duly Registered
Land Surveyor under the laws of the State of Minnesota.

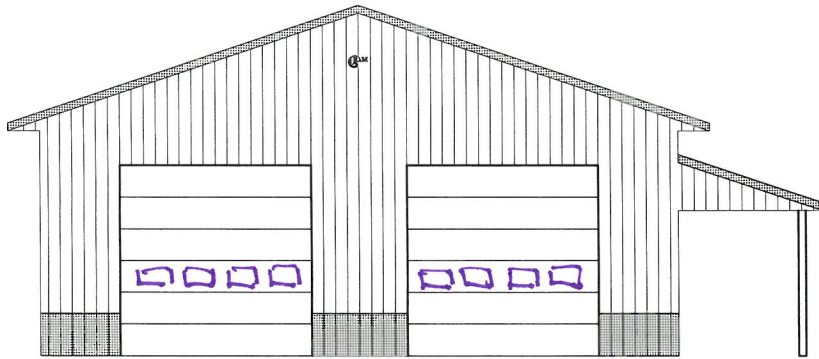
Kelly L. Brouwer
Kelly L. Brouwer

Job Number:	9926
Survey Date:	06/10/25
Drawing Name:	Raser.dwg
Drawn by:	SKH
Revisions:	

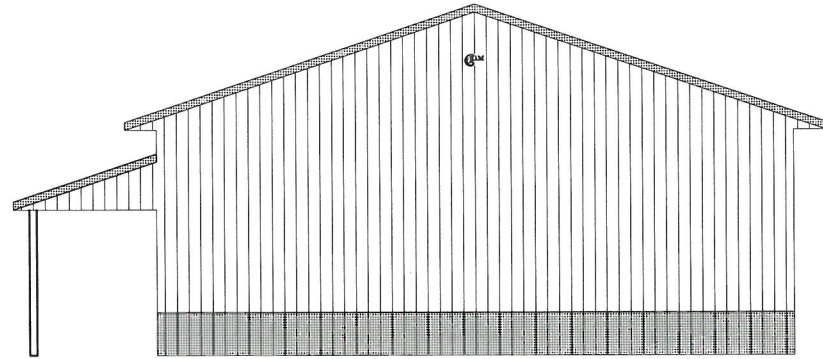
Date: July 7, 2025 Registration No. 48328

SCHOBORG
LAND SERVICES
INC.

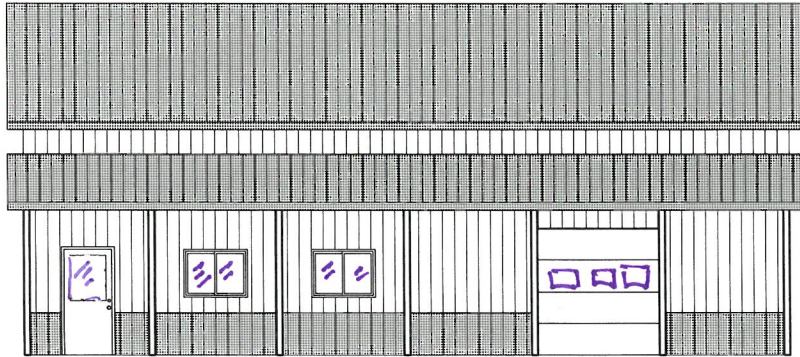
763-972-3221 8997 Co. Rd. 13 SE
www.SchoborgLand.com Delano, MN 55328



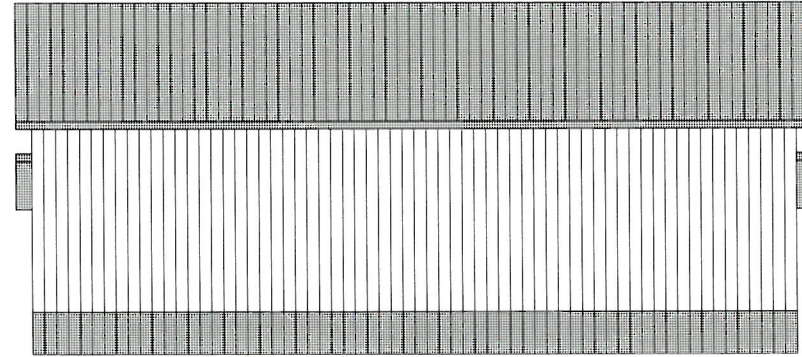
ENDWALL 1



ENDWALL 2



SIDEWALL 1



SIDEWALL 2

X _____

CUSTOMER SIGNATURE

DATE

BY SIGNING THIS DRAWING YOU ARE AGREEING TO THE LAYOUT AND DESIGN OF YOUR NEW RAM BUILDING.

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DRAWN BY: J. B.
 TERRITORY: DON S.
 PROCESSOR: _____
 DATE: 3/24/2026
 SHEET 1 OF 2

PROJECT NAME: SAM RASER

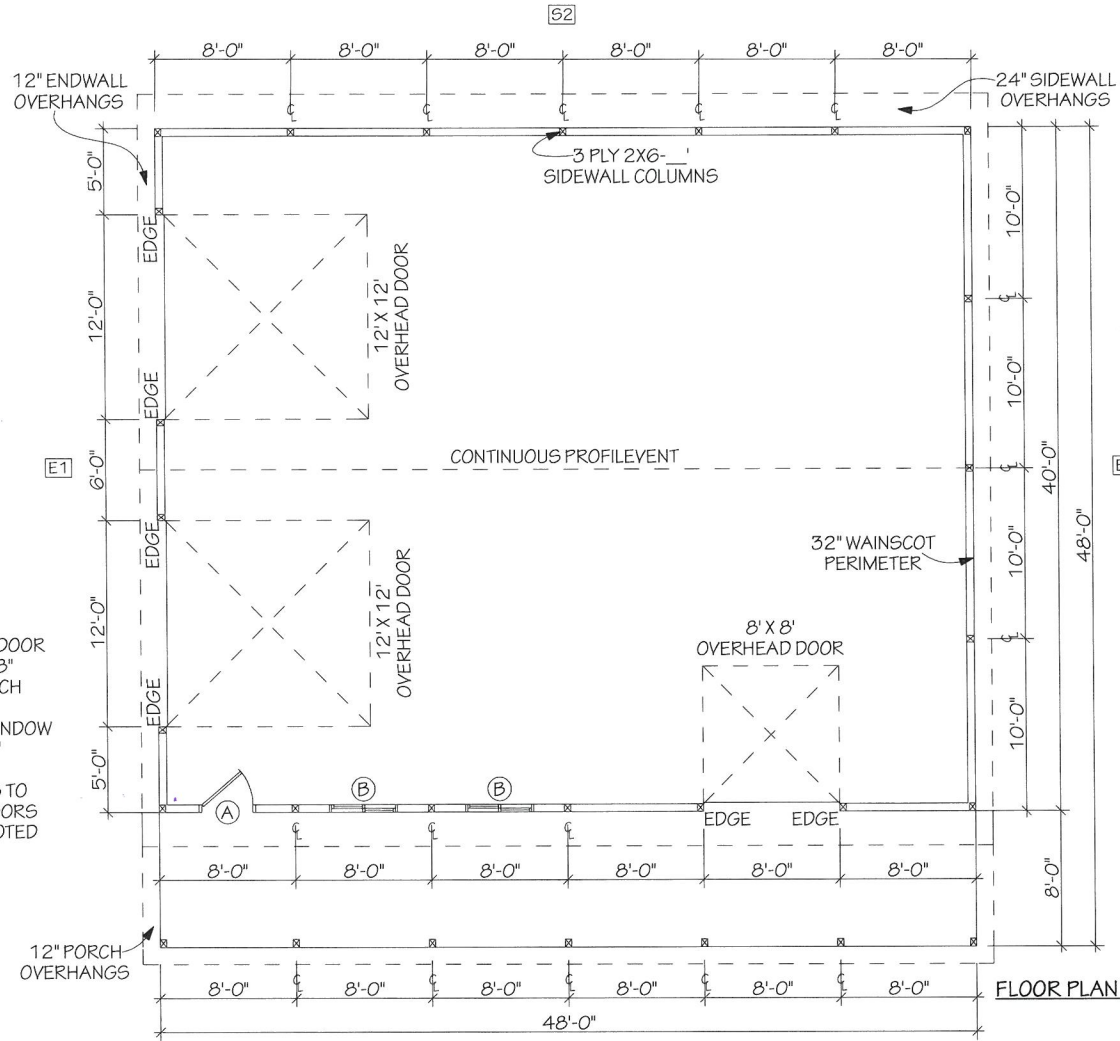
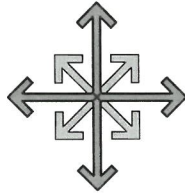
PROJECT NUMBER: (26-__)

BUILDING DESCRIPTION: 40'-0" X 48'-0" X 14'-0"

DESIGN NUMBER: P26140

582 Industrial Drive
 Winnetka, Minnesota 55395
 320-485-2844 650-710-4726
 Fax 320-485-3625
 www.rambuildings.com
 Contractor License Number 2017976





- (A) 3'0" X 6'8" *I-lite* WALKDOOR
R.O. = 40 5/16" X 81 1/8"
KNOB/KNOB KEYED LATCH
- 4836 VINYL SLIDING WINDOW
R.O. = 48 1/4" X 36 1/4"
- NOTE: TOP OF WINDOWS TO
MATCH TOP OF WALKDOORS
UNLESS OTHERWISE NOTED

X _____

CUSTOMER SIGNATURE

DATE

BY SIGNING THIS DRAWING YOU ARE AGREEING TO THE LAYOUT AND DESIGN OF YOUR NEW RAM BUILDING.

PLEASE LOCATE:



ATTIC ACCESS



JACKSHAFT
OPERATOR



ELECTRICAL
PANEL

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DRAWN BY: J.B.
TERRITORY: DON.S.
PROCESSOR: 3/24/2026
DATE: 2 OF 2
SHEET

SAM RASER

PROJECT NAME:
PROJECT NUMBER: (26-___)

BUILDING DESCRIPTION:
40'-0" X 48'-0" X 14'-0"

DESIGN NUMBER: P261140

592 Industrial Drive
Winsted, Minnesota 55395
320-485-2844 800-761-4726
www.rambuildings.com
Contractor License Number 2017976



RESOLUTION NO. 55-26

CITY OF MINNETRISTA

RESOLUTION APPROVING A FRONT YARD SETBACK VARIANCE FOR SAMUEL RASER AND SHANNON KENNEDY-RASER FOR THE CONSTRUCTION OF A DETACHED ACCESSORY STRUCTURE AT 8420 OX YOKE CIRCLE

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, Samuel Raser & Shannon Kennedy-Raser (the “Applicants”) have made a request for a front yard setback variance to reduce the required setback from 60 feet to 14 feet to allow for the construction of a 40’ x 48’ detached accessory structure at 8420 Ox Yoke Circle (the “Property”) and which is legally described on Exhibit A attached hereto; and

WHEREAS, on April 27, 2026, 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 Applicant is proposing a detached accessory structure, which is a reasonable use of the Property. The Property and proposed structure location are on a cul-de-sac, so there shouldn’t be much traffic along the street. This minimizes the impact of the structure being closer than required. There is also a large boulevard between the edge of the road and the property line, which will help increase the separation of the road and the structure;
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 detached accessory structure is located in the most minimally invasive location relative to the sensitive environment located on the Property and any impacts are proposed to be mitigated as required;
3. The Applicants propose to use the Property in a reasonable manner because the Applicants are proposing a detached accessory structure, which is a reasonable use of the Property. The size of the structure is reasonable as well for an Agriculture zoned property. The

location of the detached accessory structure is reasonable given the unique circumstances of the Property;

4. The requested variance is the result of unique circumstances not created by the landowner because the Property contains a large amount of wetlands, which limits the buildable area. The remaining buildable area is occupied by the existing dwelling and private sewer system, further limiting potential locations. What remains is encumbered by floodplain that seasonally floods. These factors were not created by the landowner and make the proposed location the most logical; and
5. The requested variance will not alter the character of the locality because many properties in the area and zoning district have the same or similar structures. The size of the proposed structure is also similar to 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 accessory structure at the property generally located at 8420 Ox Yoke Circle, 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 complete any necessary floodproofing or floodplain mitigation as required based on the proposed building location;
3. 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;
4. The Applicants are responsible for all fees incurred by the City in review of this application; and
5. 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 4th day of May, 2026 by a vote of ___ Ayes and ___ Nays.

Lisa Whalen, Mayor

ATTEST:

Ann Meyerhoff, City Clerk

EXHIBIT A

Legal Description of 8420 Ox Yoke Circle:

Lot 11, Block 1, MELQUIST ACRES, according to the recorded plat thereof, Hennepin County, Minnesota. Subject to any and all easements of record.