

CITY OF MINNETRISTA



CITY COUNCIL CONSENT AGENDA ITEM

Subject: Application from Bruce Thomas Revocable Trust for a conditional use permit for an addition onto an existing guest home over 1,000 square feet at 5810 Hardscrabble Circle.

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

Meeting Date: May 5, 2025

Overview: Bruce Thomas Revocable Trust (the “Applicant”) has made an application for a conditional use permit for an addition onto an existing guest home over 1,000 square feet at 5810 Hardscrabble Circle; R-1 – Low-Density Single-Family Residence Zoning District; PID# 26-117-24-42-0010 (the “Property”).

Background: It is the intent of the city in establishing general and specific criteria for conditional uses that such uses, by subject to careful evaluation to ensure that their location, size, and design, are consistent with the standards, purposes, and procedures of the city code and the comprehensive plan. The city may also consider whether the proposed use complies or is likely to comply in the future with all standards and requirements set out in other regulations or ordinances of the city or other governmental bodies having jurisdiction over the city.

The city may grant conditional use permits when such permits are authorized by this section and may impose conditions and safeguards in such permits to protect the health, safety and welfare of the community and assure harmony with the comprehensive plan of the city.

Discussion: When acting upon an application for a conditional use permit, the city will consider the effect of the proposed use upon the health, safety, and general welfare of the city. When considering the effect, the city should look at the following:

- (1) The factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions; parking facilities on adjacent streets and land.**

In regards to nuisances, a guest home shall be used for residential purposes and should operate in a very similar manner any other residential home, which means no discernable nuisances tied to its presence. It also will not present any additional fire or safety concerns. Since the guest home is intended for the Applicant and their family, the traffic conditions should not change and with the size of the Property, there should be ample off-street parking for the use.

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(2) The effect on surrounding properties, including valuation, aesthetics and scenic views, land uses, character and integrity of the neighborhood.

The proposed addition to the existing guest home is designed to match the existing structure and the primary residence. Taking these circumstances into consideration, there should not be a negative impact to the surrounding properties or the character of the neighborhood.

(3) Consistency with the city's comprehensive plan; impact on governmental facilities and services, including roads, sanitary sewer, water and police and fire.

The City's comprehensive plan and zoning code allow for a guest home over 1,000 square feet by conditional use permit. The Applicants has appropriately applied for a conditional use permit and, as the Commission will see later in the staff report, the criteria for a guest home are being complied with as proposed and conditioned. As the guest home is intended for family and non-paying guests of the Applicant, the property use will remain single family residential, which is consistent with the future land use map. Therefore, the proposed guest home is consistent with the comprehensive plan. The guest home will also have no negative impacts on governmental facilities and services as there should be no additional traffic as a result of the proposed guest home. It is also anticipated that the need for police and fire services will not change with a guest home.

(4) The effect on sensitive environmental features including lakes, surface and underground water supply and quality, wetlands, slopes, flood plains and soils.

The proposed addition is in the direction away from the lake and complies with the required building setbacks and hardcover requirements. There shouldn't be any direct impacts to any sensitive environmental features on or near the Property.

(5) Any other factors as found relevant by the city.

Based on the request, the information submitted with this land use application, and the lack of neighborhood concerns, there appears to be no other relevant factors to consider.

Where permitted by city code, guest homes shall be subject to the following requirements:

(1) The lot must contain an existing conforming single-family dwelling unit.

There is an existing conforming single-family dwelling unit on the Property. This requirement will be met.

(2) The guest home must be completely detached from the primary residence.

The primary home is completely detached from the guest home. This requirement will be met.

(3) The guest home must conform to accessory structure setbacks, lot coverage and all other requirements set forth by the city code that are applicable to primary residential dwellings in the zoning district in which the property is located.

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The existing guest home conforms to all the zoning requirements for an accessory structure. This requirement will be met.

(4) The height of the guest home must not exceed 25 feet.

The existing home is less than 25' from the average grade to the mean of the highest peak of the roof. This requirement will be met.

(5) The roof pitch, architectural design, and exterior materials and colors of the guest home shall be consistent with the primary residence, and the appearance of the guest home shall be that of a single-family dwelling unit.

The proposed addition is consistent with the design of the existing guest home, which matches the primary residence. This requirement will be met.

(6) The driveway to the primary residence must be used to access the guest home. No additional driveway or curb cut will be permitted.

The primary and guest home access off of the existing driveway. There are no additional curb cuts being proposed. This requirement will be met.

(7) A guest home may have an attached garage. The attached garage shall count towards the total allowed square footage of the guest home with the exception for guest homes that are located in agricultural zoning districts.

The attached garage is being considered in the overall guest home square footage. Since the total square footage is over 1,000 square feet, a conditional use permit has been applied for. This requirement will be met.

(8) The guest home shall have a separate address from the primary residence.

The guest home shall be used by the occupants residing in the primary residence on the Property, their nonpaying guests or their domestic service employees that work on the premises. There is no reason at this time to assign a separate address. This requirement will be met.

(9) The guest home must be served by the same electrical, water, and gas meters that serve the primary residence. A separate individual sewage treatment system is permitted if required by the county or other permitting authority.

This has been included as a condition of approval. As conditioned, this requirement will be met.

(10) Any riparian rights belong to the primary residence on the property. No additional boat slips will be permitted for the guest home.

This has been included as a condition of approval. As conditioned, this requirement will be met.

(11) No guest home shall be sold or conveyed separate from the primary residence.

This has been included as a condition of approval. As conditioned, this requirement will be met.

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(12) A conditional use permit is required for guest homes that have a gross floor area of more than 1,000 square feet or square footage that is 30 percent or more of the primary residence's footprint, whichever is less.

The Applicant has appropriately applied for a conditional use permit. This requirement is being met.

Neighborhood Comments: Notices were sent out to all property owners within 500 feet of the subject property. Staff corresponded with one neighboring property owner, but did not received any written comments or concerns regarding this request as a result of sending the public notice.

Planning Commission Recommendation: The Planning Commission reviewed the Applicant's request at their April 28, 2025 meeting and held the required public hearing. No one besides the Applicant was present to speak. After reviewing of the application and hearing testimony at the public hearing, the Planning Commission made a motion to recommend the City Council approve the request conditional use permit for a guest home over 1,000 square feet at 5810 Hardscrabble Circle, based on certain findings of fact and subject to conditions. Motion passed 5-0. Absent: Hussain, 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 proposed accessory building over 1,000 square feet is allowed with a Conditional Use Permit;
2. The proposed use does not pose any discernable concerns to the general public health, safety, morals, comfort or general welfare of the inhabitants of the city; and
3. The request is consistent with the Minnetrista Comprehensive Plan.

Recommended Action: Motion to adopt a resolution approving the requested conditional use permit for a guest home over 1,000 square feet at 5810 Hardscrabble Circle, based on the findings of fact outlined in the staff report and subject to the following conditions:

1. The property owner and its contractors must create on-site parking for all construction/demolition vehicles (including, without limitation, pick-up trucks, cars, vans, and other similarly-sized vehicles). All construction vehicles shall be at all times be parked on the site of the demolition activity and NOT on Hardscrabble Circle.
2. Delivery of materials and equipment and removal of materials must be completed in an expedited manner. Empty trailers must not remain parked on Hardscrabble Circle or any other public road except for the period necessary to load and unload. Deliveries and material removal must be coordinated and staged in such a way so as to always allow access for emergency vehicles to all residential driveways.
3. The property owner and its contractors are responsible for sweeping/removing debris from Hardscrabble Circle and any other public roadways at the end of each work day and complete repairs for (a) damaged or destroyed asphalt or other public

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- property within 30 days; and (b) damaged or destroyed private property (e.g. mailboxes, signs, landscaping, utilities, and other items subject to damage by construction vehicles) as soon as possible.
4. The City may require you to install temporary “NO PARKING” signs in areas of congestion as needed in order to ensure access for emergency vehicles to all residential driveways.
 5. The guest home shall not be sold or conveyed separate from the primary residence;
 6. The guest home must be served by the same electrical, water, and gas meters that serve the primary residence;
 7. No additional driveway or curb cut shall be permitted for the guest home;
 8. No additional boat slips shall be permitted for the guest home;
 9. The Property shall be developed in accordance with the plans submitted with this land use application last dated March 28, 2025;
 10. The Applicant shall obtain all necessary permits and approvals from the City and other applicable agencies with jurisdiction over the Property prior to any construction;
 11. The Applicant is responsible for all fees incurred by the City in the review of this application;
 12. The Applicant has one year from approval to be a building permit has been issued for the Property. If no building permit is issued, this approval will become void and expire; and
 13. Any other conditions as required by the City Council.

Attachments:

1. Location Map
2. Applicant Narrative
3. Property Survey
4. Building Plans
5. Res. No. 46-25 Approving CUP for Guest Home over 1,000 square feet for Bruce Thomas Revocable Trust at 5810 Hardscrabble Circle


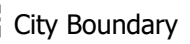

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5810 Hardscrabble Circle



1 in = 200 Ft

-  City Boundary
-  Address Labels
-  Parcels



CUP (Conditional Use Permit) Narrative

5810 Hardscrabble Circle

03/28/2025

a. Property owner:

Bruce L. Thomas Revoc Trust
Bruce Thomas
14023 Walters Way, Savage MN 55378
bthomas@beammn.com

b. Property info:

5810 Hardscrabble Circle, Minnetrista MN 55364

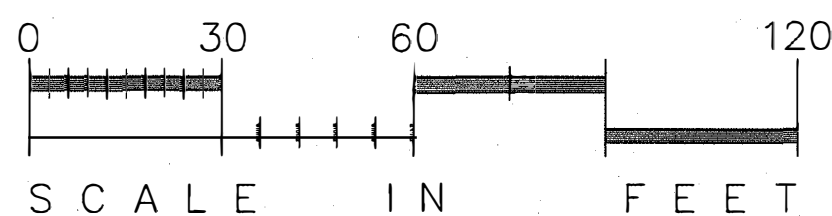
R-1, PID #2611724420010

Parcel size: 3.72 acres, 161,902 sq ft

Legal Description: Lots 15, 16 and 17, Lake Minnetonka Highlands, EXCEPT that part of Lot 17 described as follows: Commencing at the Northeasterly corner of said Lot 17; thence Southwesterly along the Northwesterly line of said lot a distance of 10 feet; thence Southeasterly on a straight line 580 feet to a point distant 30 feet Southwesterly from a point on the Northeasterly line of said lot, 578 feet Southeasterly from the Northeasterly corner thereof; thence continuing Southeasterly along said line or the same extended to the shore line of Lake Minnetonka; thence Northeasterly along the shore line of said Lake to its intersection with the Northeasterly line or the same extended of said Lot 17; thence Northwesterly along the Northeasterly line of said Lot 17 to the point of beginning.

- c. The current detached guest house is being used for the owner's family members. It is not known what the former owner used the guest house for.
- d. The proposed is to make an addition on the existing guest house for family members and or caretakers of family members similar to an ADU. The owner proposes to provide an independent living environment for part time care of family members and his disabled son. The current building does not support auxiliary or garage space for access.
- e. The proposed use would not affect the health, safety, or general welfare of the city.
- f. The proposed is a permitted use under city zoning guidelines.
- g. The proposed is a small expansion of an existing guest house that will provide the owner with more convenient, on-site care for family members, including the owner's disabled son. This expansion increases the height of the building by approx.. 27" due to a deeper garage. The total footprint increases from 1009 to 1663, mostly by expanding the garage from 10' x 20' 23' x 26' to provide more space for vehicle and human access.
- h. Proposed use doesn't conflict with nearby land uses or wetlands.
- i. Proposed use doesn't increase demands from the city resources.
- j. Construction is scheduled to begin on or around June 1st and take approximately 9 months to complete. The hours of construction would follow the city regulations.

R=1146.20
Δ=00°47' 59"
L=16.00



EXISTING HARDCOVER :

Lot area = 161,851 Sq. ft.

House = 4387 sf
Guest house = 1008 sf
Tennis court = 7079 sf
Driveway = 8064 sf
House deck & steps = 1125 sf
Pool & pool deck = 1912 sf
Concrete walk = 237 sf
Covered stoops (2) = 118 sf
Guest house deck & steps = 220 sf
Guest house stoop & walk = 173 sf
Wood steps, deck & landing = 389 sf
Boulder retaining walls (2) = 141 sf
A/C & gen. pads (4) = 40 sf

Total = 24,893 Sq. ft.

$24,893 / 161,851 \times 100 = 15.38\%$

PROPOSED HARDCOVER :



Remove stoop & walk = -64 sf

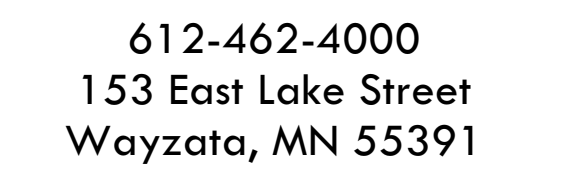
Guest house additions = +656 sf
Proposed drive = +985 sf
Proposed pad = +65 sf

Net gain = +1642 sf

$1642 + 24,893 = 26,535$ Sq. ft.

$26,535 / 161,851 \times 100 = 16.39\%$

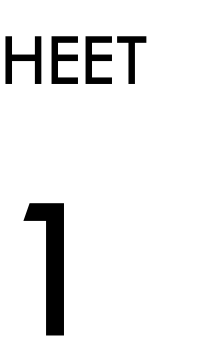
DATE	REVISIONS	I hereby certify that this plan, specification, or report was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  Mark S. Gronberg Minnesota License Number 12755	PROJECT	DATE	 GRONBERG & ASSOCIATES, INC. CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS 445 NORTH WILLOW DRIVE LONG LAKE, MN 55356 952-473-4141
3-27-25	PROPOSED ADDITION TO GUEST HOUSE			6-6-24	
3-28-25	TREES IN AREA OF PROPOSED ADDITION LOCATED, SHOWN ON DRAWING			SCALE 1"=30'	
				JOB NO 25-076	

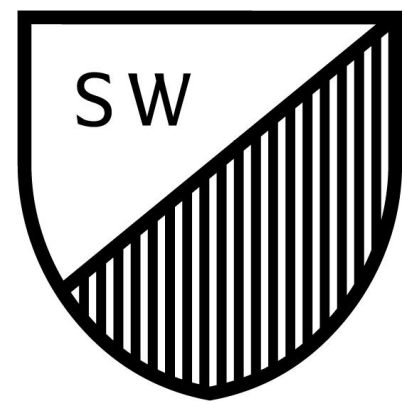


810 HARDCRABBLE CIR,
MINNETRISTA, MN 55364



MAIN LEVEL WINDOW & GLASS DOOR SCHEDULE						
MARK	UNIT		UNIT SIZE	JAMB	HEADER HEIGHT	REMARKS
	CALL NUMBER	QTY				
GH1	2W CASEMENT	1	6'-0"X5'-0"			
GH2	FIXED	1	2'-6"X4'-8"			
GH3	SWING DR	1	3'-1 1/2"X7'-0 3/4"			
GH4	FIXED	1	2'-4"X4'-8"			





HARDSCRABBLE
RESIDENCE

5810 HARDSCRABBLE CIR,
MINNETRISTA, MN 55364

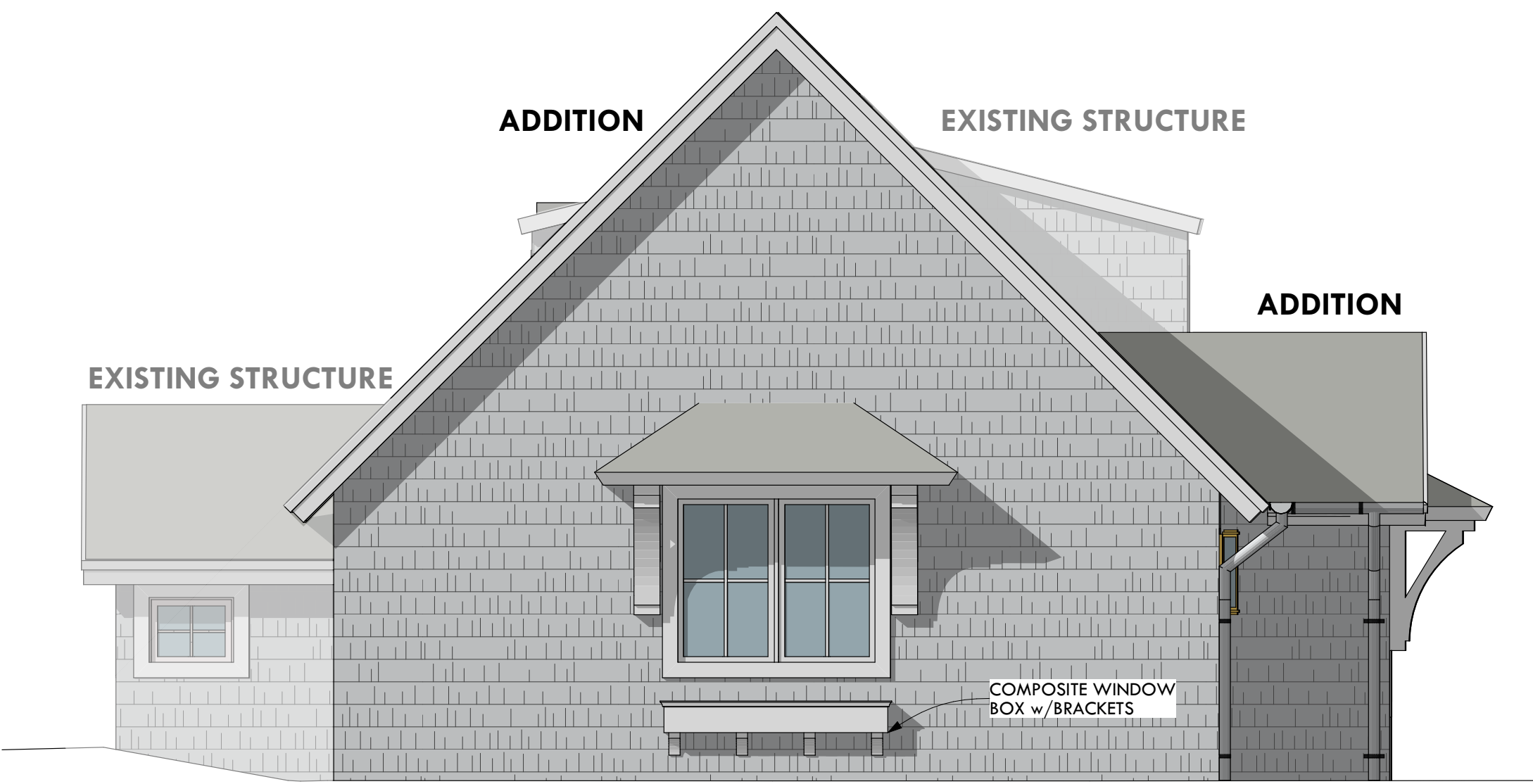
CUP APPLICATION
28 MAR 2025

SHEET

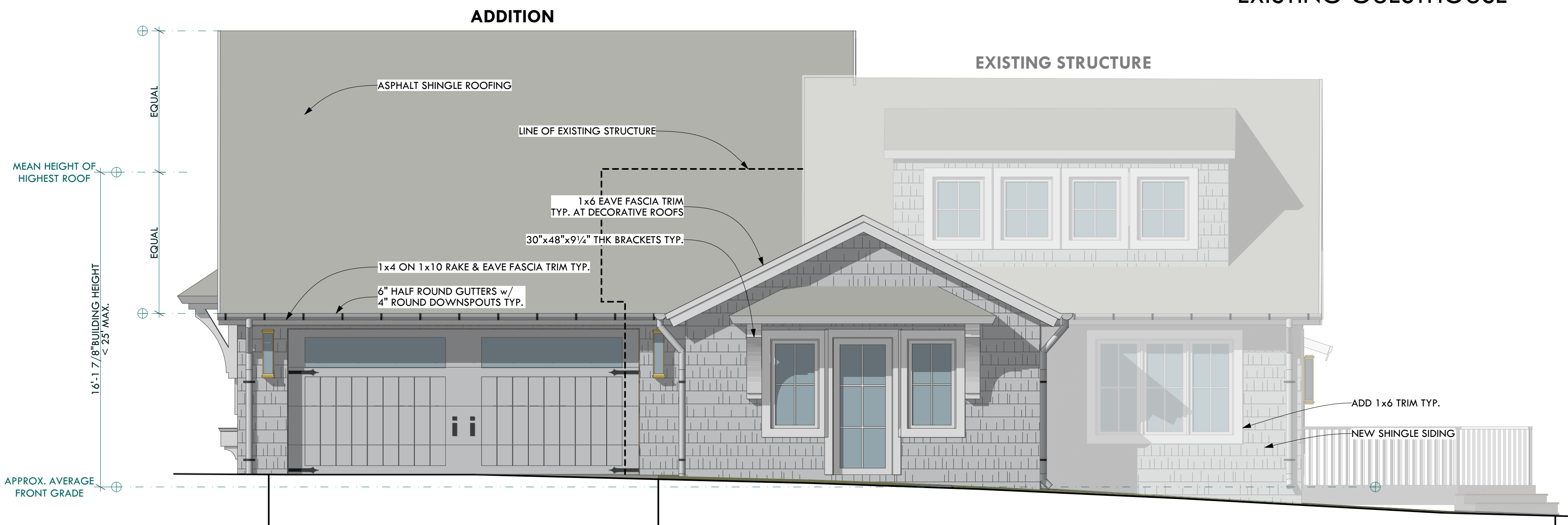
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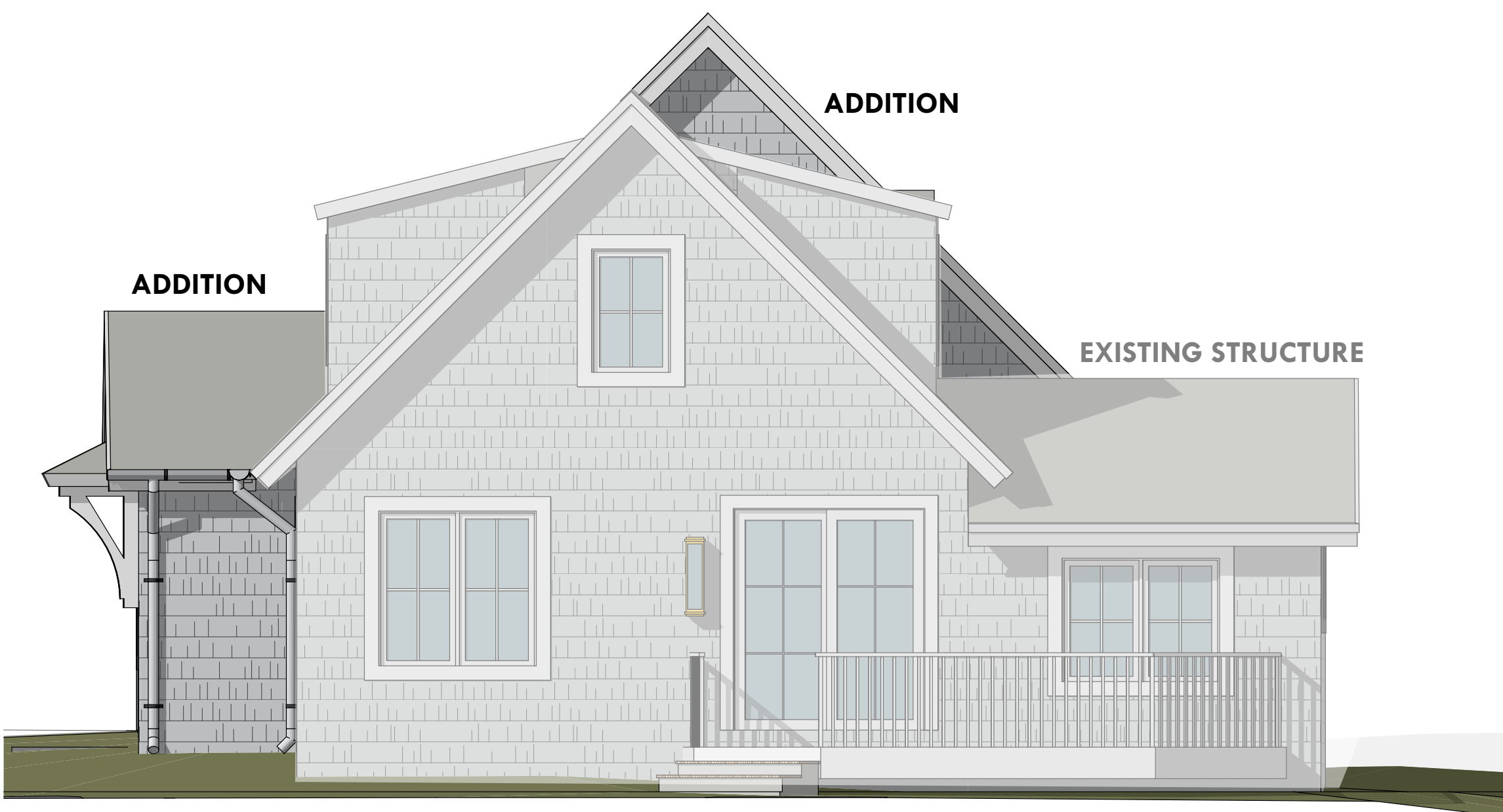
EXISTING GUESTHOUSE



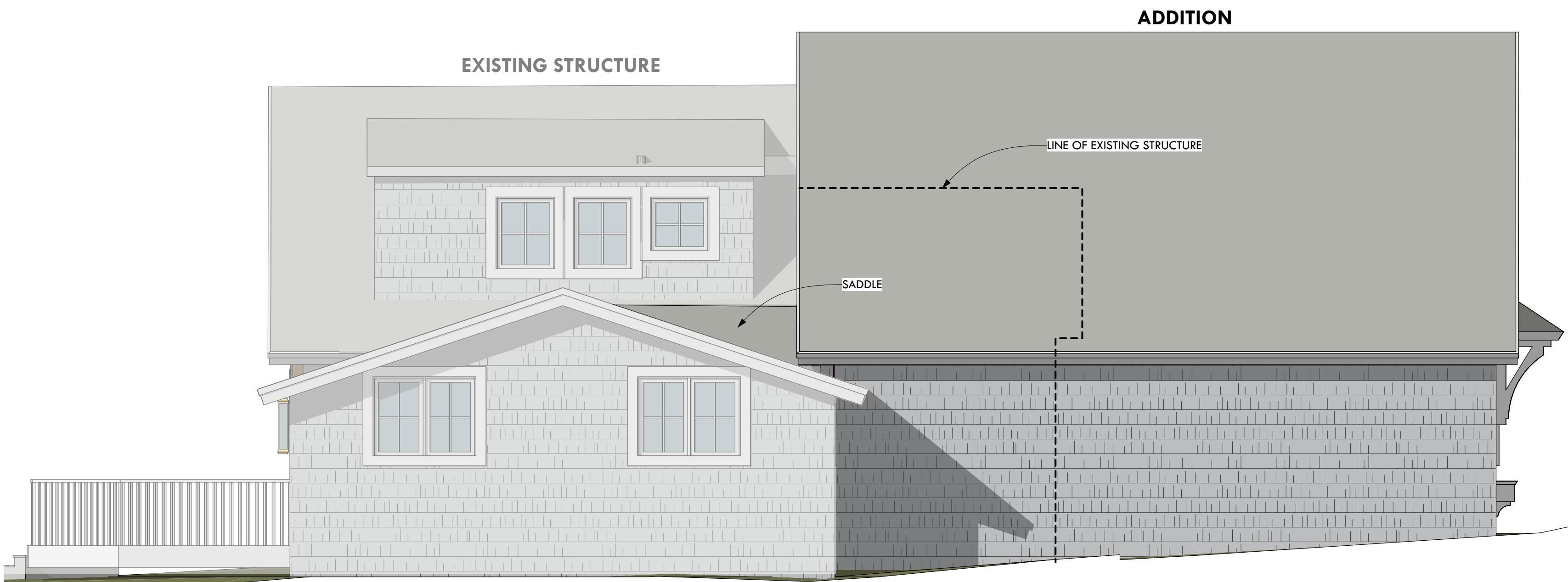
1 GUESTHOUSE NORTH ELEVATION



2 GUESTHOUSE WEST ELEVATION



3 GUESTHOUSE SOUTH ELEVATION



4 GUESTHOUSE EAST ELEVATION



ROOF SHINGLE



SHINGLE SIDING

RESOLUTION NO. 46-25

CITY OF MINNETRISTA

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR BRUCE THOMAS
REVOCABLE TRUST FOR A GUEST HOME OVER 1,000 SQUARE FEET AT 5810
HARDSCRABBLE CIRCLE**

WHEREAS, the City of Minnetrista 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, Bruce Thomas Revocable Trust (the “Applicant”) has made an application for a conditional use permit for a guest home over 1,000 square feet at the property located generally at 5810 Hardscrabble Circle (the “Property”) and which is legally described on Exhibit A attached hereto; and

WHEREAS, on April 27, 2025, the Minnetrista Planning Commission considered the requested conditional use permit, held a public hearing, and, after consideration of the record before it, voted 5-0 in favor of recommending approval of the conditional use permit; and

WHEREAS, on May 5, 2025, the City Council reviewed the application, as submitted, and has made the following findings of fact:

1. The proposed accessory building over 1,000 square feet is allowed with a Conditional Use Permit;
2. The proposed use does not pose any discernable concerns to the general public health, safety, morals, comfort or general welfare of the inhabitants of the city; and
3. The request is consistent with the Minnetrista Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Minnetrista hereby approves a conditional use permit for a guest home over 1,000 square feet at 5810 Hardscrabble Circle, as requested by the Applicant, based on the findings of fact outlined above, with the following conditions:

1. The property owner and its contractors must create on-site parking for all construction/demolition vehicles (including, without limitation, pick-up trucks, cars, vans, and other similarly-sized vehicles). All construction vehicles shall be at all times be parked on the site of the demolition activity and NOT on Hardscrabble Circle.
2. Delivery of materials and equipment and removal of materials must be completed in an expedited manner. Empty trailers must not remain parked on Hardscrabble Circle or any

other public road except for the period necessary to load and unload. Deliveries and material removal must be coordinated and staged in such a way so as to always allow access for emergency vehicles to all residential driveways.

3. The property owner and its contractors are responsible for sweeping/removing debris from Hardscrabble Circle and any other public roadways at the end of each work day and complete repairs for (a) damaged or destroyed asphalt or other public property within 30 days; and (b) damaged or destroyed private property (e.g. mailboxes, signs, landscaping, utilities, and other items subject to damage by construction vehicles) as soon as possible.
4. The City may require you to install temporary “NO PARKING” signs in areas of congestion as needed in order to ensure access for emergency vehicles to all residential driveways.
5. The guest home shall not be sold or conveyed separate from the primary residence;
6. The guest home must be served by the same electrical, water, and gas meters that serve the primary residence;
7. No additional driveway or curb cut shall be permitted for the guest home;
8. No additional boat slips shall be permitted for the guest home;
9. The Property shall be developed in accordance with the plans submitted with this land use application last dated March 28, 2025;
10. The Applicant shall obtain all necessary permits and approvals from the City and other applicable agencies with jurisdiction over the Property prior to any construction;
11. The Applicant is responsible for all fees incurred by the City in the review of this application; and
12. The Applicant has one year from approval to be a building permit has been issued for the Property. If no building permit is issued, this approval will become void and expire.

This resolution was adopted by the City Council of the City of Minnetrista on the 5th day of May 2025, by a vote of ___ Ayes and ___ Nays.

Lisa Whalen, Mayor

ATTEST:

Ann Meyerhoff, City Clerk

EXHIBIT A

Legal Description of 5810 Hardscrabble Circle:

Lots 15, 16 and 17, Lake Minnetonka Highlands, EXCEPT that part of Lot 17 described as follows: Commencing at the Northeasterly corner of said Lot 17; thence Southwesterly along the Northwesterly line of said lot a distance of 10 feet; thence Southeasterly on a straight line 580 feet to a point distant 30 feet Southwesterly from a point on the Northeasterly line of said lot, 578 feet Southeasterly from the Northeasterly corner thereof: thence continuing Southeasterly along said line or the same extended to the shore line of Lake Minnetonka; thence Northeasterly along the shore line of said Lake to its intersection with the Northeasterly line or the same extended of said Lot 17; thence Northwesterly along the Northeasterly line of said Lot 17 to the point of beginning.

Hennepin County, Minnesota.