



118 Central Avenue North, New Prague, MN 56071
phone: 952-758-4401 fax: 952-758-1149

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
CC: JOSHUA M. TETZLAFF, CITY ADMINISTRATOR
FROM: KEN ONDICH, PLANNING / COMMUNITY DEVELOPMENT DIRECTOR
KYRA CHAPMAN – PLANNER
SUBJECT: REQUEST FOR CONDITIONAL USE PERMIT #C1-2024 TO RELOCATE A SINGLE-FAMILY HOME TO THE VACANT LOT LOCATED AT 303 LYNDAL AVE N IN THE RL-70 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, AS PROPOSED BY DOUGLAS PINT.
DATE: FEBRUARY 29, 2024

Planning Commission Summary

At the Planning Commission meeting on February 28, 2024, the request for Conditional Use Permit #C1-2024 to relocate a single-family home onto a vacant lot located at 303 Lyndale Ave N in the RL-70 Single Family Residential Zoning District, was recommended for approval by a vote of 3-0. The recommendation is to be forwarded to the City Council on March 4th.

At the public hearing, Doug Pint, the applicant stated that for several years the lot was a garden with a shed. Rather than building a new home, Pint explained that it is more cost effective to relocate a home. The applicant intends to build a basement and make various improvements to the house this spring and plans to sell the home once it is in accordance with all Minnesota State Building Codes.

The Planning Commission's recommendation for approval is contained in the drafted resolution for the Council's consideration.

Recommendation

The Planning Commission recommends approval of the attached resolution "...Approving Conditional Use Permit #C1-2024...".

RESOLUTION #24-03-04-02

**RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
APPROVING CONDITIONAL USE PERMIT #C1-2024 TO ALLOW THE
RELOCATION OF A SINGLE-FAMILY HOME TO A VACANT LOT AT 303
LYNDALE AVE N IN THE RL-70 SINGLE FAMILY RESIDENTIAL ZONING
DISTRICT, AS PROPOSED BY DOUGLAS PINT**

WHEREAS, Douglas Pint, applicant, and Kathleen Stark, owner of the following real estate in the County of Scott to wit:

Lot 2, Block 1, Suerai Addition, according to the plat thereof, Scott County, Minnesota.

Are requesting a conditional use permit to allow the relocation of a single-family home to the vacant lot located at 303 Lyndale Ave N in the RL-70 Single Family Residential Zoning District, which is located on the above real estate; and,

WHEREAS, the New Prague Planning Commission has completed a review of the application and made a report pertaining to said request #C1-2024, a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 28th day of February, 2024, following proper notice held a public hearing regarding the request, and following due consideration of presented testimony and information, voted unanimously (3-0) to forward the matter to the City Council with a recommendation for approval subject to the findings and conditions contained in staff report #C1-2024; and,

WHEREAS, the New Prague City Council finds:

- A. The proposed relocated single-family home is an expected use of the lot which is zoned RL-70 Single Family Residential and will not burden existing parks, schools, streets or other public facilities.
- B. The proposed relocated single-family home is fully compatible with the adjacent residential properties and will not cause a depreciation in their value.
- C. The proposed relocated single-family home will not have an adverse effect upon adjacent residential homes in that it is of a similar era, style and size to other homes on the block.

- D. The proposed relocated single-family home is reasonable related to the overall needs of the City and to the existing land use as it is utilizing a residential lot that has been vacant since it was platted in 2020 and for many years prior to its platting and will fit in with the surrounding homes.
- E. The proposed relocated single-family home is consistent with the zoning ordinance as a single-family home is a permitted use in the RL-70 Single Family residential zoning district.
- F. The proposed relocated single-family home is not in conflict with the Comprehensive Plan of the City because the Comprehensive Plan designates this property as being located within the RL-70 Single Family Residential Zoning District.
- G. The proposed relocated single-family home will not cause traffic hazard or congestion as it is a use typical of a residential lot.
- H. The proposed relocated single-family home will be located on an existing residential lot with adequate roads and existing utility stubs, which will be completed with the 2024 CIP project.

WHEREAS, the New Prague City Council approves the request with the following conditions:

- 1. This conditional use permit is only valid for moving in the specifically proposed home that is currently located at Otting House Movers at 27626 Pillsbury Ave, Lakeville MN.
- 2. All requirements of Section 713 of the Zoning Ordinance for relocating structures must be met.
- 3. In accordance with the Preliminary and Final plat of Suerai Addition, the developer is responsible for the cost and installation of water, sewer, and electric services to the lot.
- 4. Property owner must limit site work within the Lyndale Avenue N right of way until reconstruction project is substantially complete. The street location and elevation will change from the existing condition.
- 5. Property owner must provide staging and access plan on how delivery and placement will occur. The site has steeper boulevard grades on Lyndale Avenue N. Trees and overhead wire may interfere with the alley.
- 6. Any damage to new street will be the responsibility of the property owner. Installation before street reconstruction would be best (if possible).
- 7. The placement of the home must be in general compliance with the submitted site plan dated 2/7/24.
- 8. The proposed parking area from the alley must be paved as required by the Zoning Ordinance.
- 9. The following improvements must be made to the home before it can be occupied:
 - House must meet Minnesota State Building Code requirements
 - New windows in bedrooms 2 & 3
 - Closet moved to east wall in bedroom 3
 - Staircase extended to meet code
 - Siding, fascia, soffit, roof repair, and paint as need
 - New full basement to be finished later
 - Possible deck off master bedroom
 - New window to be placed in dining room
 - Patio door to be placed in master bedroom
 - New laundry location on main floor
 - Install smoke and CO detectors

- Plumbing installed
- Garage: frame wall and install fascia, soffit, and siding

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, MN, that Conditional Use Permit #C1-2024 to allow the relocation of a single-family home to the vacant lot located at 303 Lyndale Ave N in the RL-70 Single Family Residential Zoning District, is hereby **approved**.

This Conditional Use Permit is approved effective immediately upon its passage and without publication.

Passed this 4th day of March 2024.

Duane J. Jirik, Mayor

State of Minnesota)
)ss. (CORPORATE ACKNOWLEDGMENT)
County of Scott & Le Sueur)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2024.

Notary Public

ATTEST: _____
Joshua M. Tetzlaff, City Administrator

State of Minnesota)
)ss. (CORPORATE ACKNOWLEDGMENT)
County of Scott & Le Sueur)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2024.

Notary Public



118 Central Avenue North, New Prague, MN 56071
phone: 952-758-4401 fax: 952-758-1149

MEMORANDUM

TO: PLANNING COMMISSION
FROM: KYRA CHAPMAN - PLANNER
SUBJECT: REQUEST FOR CONDITIONAL USE PERMIT #C1-2024 TO RELOCATE A SINGLE-FAMILY HOME TO THE VACANT LOT LOCATED AT 303 LYNDALE AVE N IN THE RL-70 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, AS PROPOSED BY DOUGLAS PINT.
DATE: 2/21/24

Background / History

The applicant has applied to relocate an existing single family home and garage onto an existing vacant lot located at 303 Lyndale Ave N. The front porch has since been removed and will not be reattached. The lot was created when it was platted in 2020 as part of the plat named Suerai.

The home is currently located in Lakeville at Otting House Movers which is it's temporary location. The home is approximately 1,199 sq ft and the detached two car garage is 451 sq ft large.

The home would be placed on a new foundation and would also include the following upgrades, in addition to being brought up to Minnesota State Building Codes, before it would be occupied:

- New windows in bedrooms 2 & 3
- Closet moved to east wall in bedroom 3
- Staircase extended to meet code
- Siding, fascia, soffit, roof repair and paint as needed
- New full basement to be finished later
- Possible deck off master bedroom
- New window to be placed in dining room
- Patio door to be placed in master bedroom
- New laundry location on main floor
- Install smoke and CO detectors
- Plumbing installed
- Garage: frame wall and install fascia, soffit, and siding

Legal Description

Lot 2, Block 1, Suerai Addition, according to the plat thereof, Scott County, Minnesota.

Zoning

The property is zoned RL-70 Single Family Residential. The relocation of a house or other principal structure is listed as a conditional use.

The Zoning Ordinance contains performance standards relating to relocating a structure to a lot within the City as follows:

713 Relocating Structures

1. Permit Required.

No person shall move any principal building from within or without the City limits to a new location within the City without first obtaining a conditional use permit in accordance with the provisions of Section 505 of this Ordinance. An application for such conditional use permit shall indicate the origin and destination of such building, and the route over which it is to be moved. The application shall also indicate the location of the lot on which the house is to be located, the dimensions of the lot and the proposed location of the structure on the lot along with setback distances. No permit to move a building shall be issued unless and until the following conditions are fully complied with and approved by the City Council.

A. The building to be moved must comply in all respects with the State Building Code and other pertinent State rules and regulations and the City Code.

B. The lot on which the building is to be located must meet all the minimum dimensional requirements of the zoning district in which it is located.

C. The building must be placed on the lot so as to meet all the front, side and rear yard requirements as set forth in this Ordinance.

D. Payment of a \$5,000 deposit, to be refunded upon final occupancy, grading and landscaping.

E. Factors that must be considered by the Planning Commission and City Council when reviewing the conditional use permit application:

1. Whether the structure is at such a variance with the established or expected pattern of development in the neighborhood that it would destroy the overall appearance of the neighborhood;

2. The extent of variance, if any, of the proposed structure with the existing age, bulk, architectural style and quality of construction; and

3. *The structure will not substantially diminish or impair property values within the neighborhood.*

2. *Electrical Corrections Requirements.*

In every case in which the removal or displacement of any overhead electrical or other wires is required, it shall be the duty of the person, association, or corporation owning, operating, or controlling said wires to remove or displace the same, so far as the same way may be necessary to effect the removal thereof, shall be authorized by such permit.

The person moving the structure must notify the person, association, or corporation owning, operating, or controlling said wires to remove or displace the same to facilitate the removal of said wires sufficiently to allow the passage of said building along the street over which said wires are suspended.

Any expenses incurred or to be incurred in the moving, removing or displacing of such wire shall be paid for by the person moving the structure.

The subject lot is 65' wide by 152.93' deep, thereby meeting the minimum lot size requirement for the RL-70 zoning district (50' wide and 7,000 sq. ft. minimum).

The home must be placed on the lot to meet the minimum setbacks. There is a 25' front setback, 30' rear setback, and a 7' side setback. The home, as proposed, will meet all setbacks.

Regarding the three factors that must be reviewed in consideration of allowing the structure to be relocated, staff offers the following opinions:

1. *Whether the structure is at such a variance with the established or expected pattern of development in the neighborhood that it would destroy the overall appearance of the neighborhood;*
 - Staff believes the age and appearance of the proposed relocated 1970s home would fit in well with the neighborhood which is of an older nature with a variety of home styles that exist. The proposed home will also utilize parking/garage access from the alley, similar to the homes on either side of it.
2. *The extent of variance, if any, of the proposed structure with the existing age, bulk, architectural style and quality of construction; and*
 - Staff believes that the home will fit in well due to its age (constructed in 1970s) and design, which is a mix of other homes on the block. North of the property (at 315 Lyndale Ave N), a home was built in 1980 and a home to the south (301 Lyndale Ave N) was built in 1890. A large majority of the homes on the block are rambler style and built in the 1950s and 60s.

3. *The structure will not substantially diminish or impair property values within the neighborhood.*

- Staff believes that the structure will fit in well at 1,199 sq. ft. on the main level which is just under the above ground sq. ft. average on the block of 1,363 sq. ft, be brought up to current building codes and have a new foundation, all of which will not diminish or impair property values within the neighborhood.

Neighborhood Conditions

The neighborhood is of an older vintage with a mix of housing ages (ranging from 1890 to 1980 on the block) as well as a mix of housing styles (houses range from one story to 2 story on the block).

The properties to the south and west are zoned RL70 Single Family Residential. Properties to the north are zoned RL70 and RL90 Single Family Residential District. Properties to the east are zoned RL90 Single Family Residential District. Northeast of the property, there is Northside Park.

Access

The proposed detached two car garage is intended to be constructed in the rear of the property with access to the alley. The detached garage must have a minimum of 20' of direct access to the entrance. The rear easement is also 20' long, therefore, the garage must be built outside of the drainage and utility easement. The driveway from the alley may either be paved with bituminous, or concrete.

Engineering / Public Works Considerations

Public Works Director Matt Rynda stated that the relocation of the home would be during the 2024 CIP (Capital Improvement Project), therefore, the relocation would have to be coordinated for when it can be moved. There may be road restrictions earlier with the warm weather, so timing will be important. The 2024 CIP project will consist of new water and sewer stubs to the lot.

City Engineer Chris Knutson provided the following comments on 2/13/2024:

1. 2nd Street NE , Lexington Avenue N, and Lyndale Avenue N are proposed for full reconstruction in 2024. Access to the property, especially for large vehicles, will be limited or impossible at times.
2. New 1" water and 4" sanitary sewer stubs will be provided with upcoming street reconstruction project. Property owner to coordinate with City on locations for these services.
3. Property owner is encouraged to coordinate private utilities.
4. Property owner must limit site work within the Lyndale Avenue N right of way until reconstruction project is substantially complete. The street location and elevation will change from the existing condition.

5. Property owner must provide staging and access plan on how delivery and placement will occur. The site has steeper boulevard grades on Lyndale Avenue N. Trees and overhead wire may interfere with the alley.
6. Any damage to new street will be the responsibility of the property owner. Installation before street reconstruction would be best (if possible).

FEMA Flood Plain

N/A

Police Chief and Fire Chief Comments

Police Chief Tim Applen stated that the New Prague Police Department will have to coordinate with the moving company on dates and times as there will likely be some traffic issues. Usually moving companies relocate the home at night to not impede traffic.

Building Official Comments

Building Official Scott Sasse visited the home at Otting House Movers at 27626 Pilsbury Ave in Lakeville on January 26th, 2024 at 9:00am with Doug Pint. The garage was cut off the house in its original condition and needs some framing, sheathing, and siding to close up the side that was attached to this home previously. The garage will remain unfinished on the inside and get the current electrical brought up to code and re-inspected by State electrical inspector. The house will require some exterior work to weatherproof. The required placement of smoke detectors in accordance with NFPA 72 and UL217 are to be in each sleeping room and outside each sleeping room within their immediate vicinity. Smoke detection is required on each level of the home that is defined as habitable. CO detection is required in homes with Fuel fired appliances. Their locations shall be outside the bedroom and not more than 10 feet from each bedroom door and on each level of the home with sleeping room(s). The egress windows in each bedroom are undersized and too high off the finished floor to be complaint. The egress windows must have an available clear space of 5.7 sq ft having the sill be 44” or less to the finished floor. The home’s electrical system will have to be inspected and passed by the Stat electrical inspector also in order to obtain a Certificate to Occupancy.

County Highway Department Comments

N/A

Conditional Use Permit Findings

Section 505 of the Zoning Ordinance states that when granting a conditional use permit the City Council shall make the following findings:

- A. The use will not create an excessive burden on existing parks, schools, streets and other public facilities which serve or are proposed to serve the area. (The proposed relocated single-family home is an expected use of the lot which is zoned RL-70 Single Family Residential and will not burden existing parks, schools, streets or other public facilities.)
- B. The use will be sufficiently compatible or separated by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land. (The proposed relocated single-family home is fully compatible with the adjacent residential properties and will not cause a depreciation in their value.)

- C. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties. (The proposed relocated single-family home will not have an adverse effect upon adjacent residential homes in that it is of a similar era, style and size to other homes on the block.)
- D. The use, in the opinion of the City Council, is reasonably related to the overall needs of the City and to the existing land use. (The proposed relocated single-family home is reasonable related to the overall needs of the City and to the existing land use as it is utilizing a residential lot that has been vacant since it was platted in 2020 and for many years prior to its platting and will fit in with the surrounding homes.)
- E. The use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use. (The proposed relocated single-family home is consistent with the zoning ordinance as a single-family home is a permitted use in the RL-70 Single Family residential zoning district.)
- F. The use is not in conflict with the Comprehensive Plan of the City. (The proposed relocated single-family home is not in conflict with the Comprehensive Plan of the City because the Comprehensive Plan designates this property as being located within the RL-70 Single Family Residential Zoning District.)
- G. The use will not cause traffic hazard or congestion. (The proposed relocated single-family home will not cause traffic hazard or congestion as it is a use typical of a residential lot.)
- H. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided. (The proposed relocated single-family home will be located on an existing residential lot with adequate roads and existing utility stubs which will be completed with the 2024 CIP project.)

Section 505 of the Zoning Ordinance also states that conditions may be placed upon the approval as are considered necessary to protect the public health, safety and welfare.

Staff Recommendation

Staff recommends approval of Conditional Use Permit #C1-2024 to allow the relocation of an existing single-family home to the vacant lot located at 303 Lyndale Ave N in the RL-70 Single Family Residential Zoning District, with the following conditions:

1. This conditional use permit is only valid for moving in the specifically proposed home that is currently located at Otting House Movers at 27626 Pillsbury Ave, Lakeville MN.
2. All requirements of Section 713 of the Zoning Ordinance for relocating structures must be met.
3. In accordance with the Preliminary and Final plat of Suerai Addition, the developer is responsible for the cost and installation of water, sewer, and electric services to the lot.
4. Property owner should limit site work within the Lyndale Avenue N right of way until reconstruction project is substantially complete. The street location and elevation will change from the existing condition.
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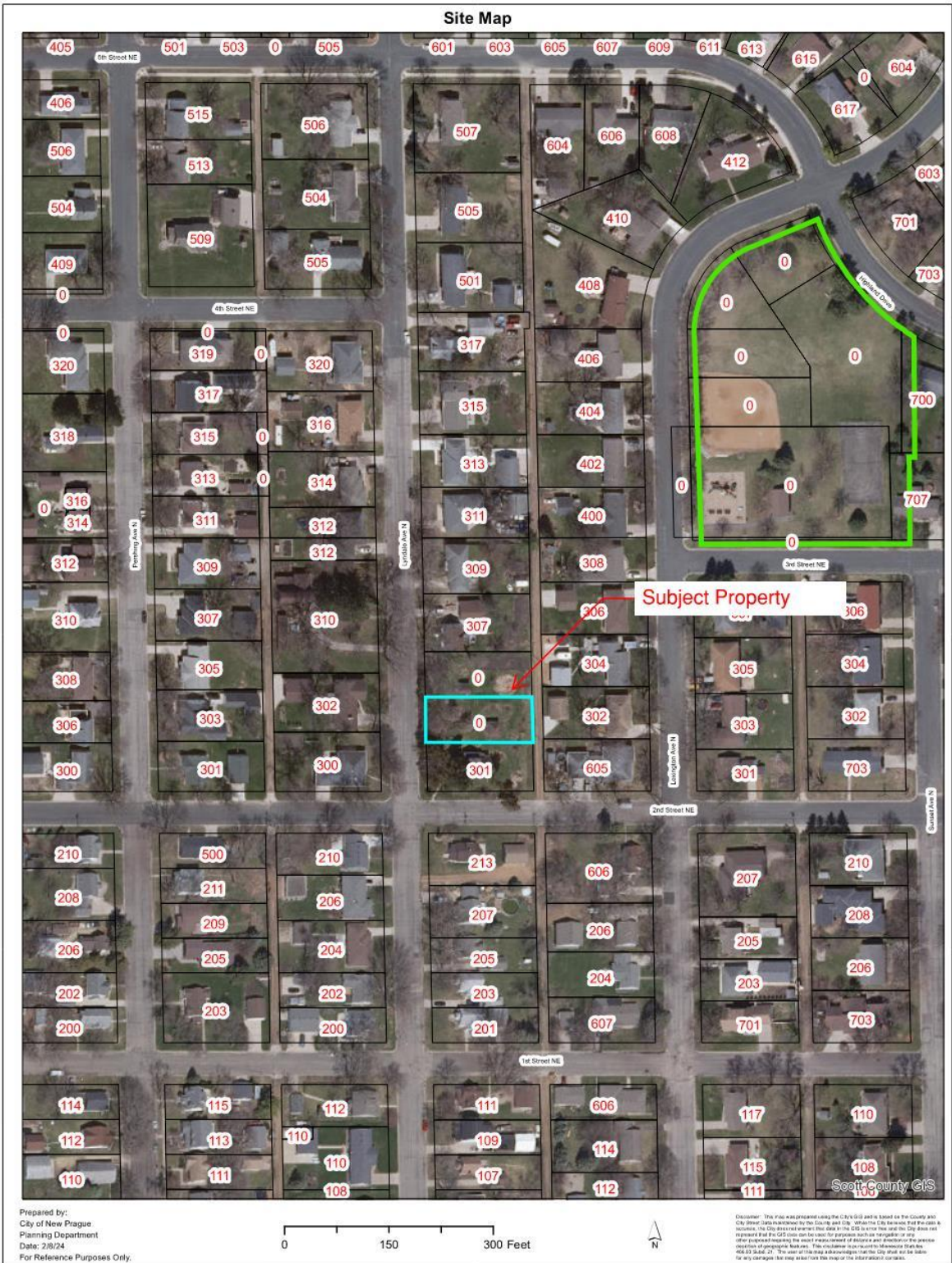
6. Any damage to new street will be the responsibility of the property owner. Installation before street reconstruction would be best (if possible).
7. The placement of the home must be in general compliance with the submitted site plan dated 2/7/24.
8. The proposed parking area from the alley must be paved as required by the Zoning Ordinance.
9. The following improvements must be made to the home before it can be occupied:
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And making the following findings to approve the conditional use permit:

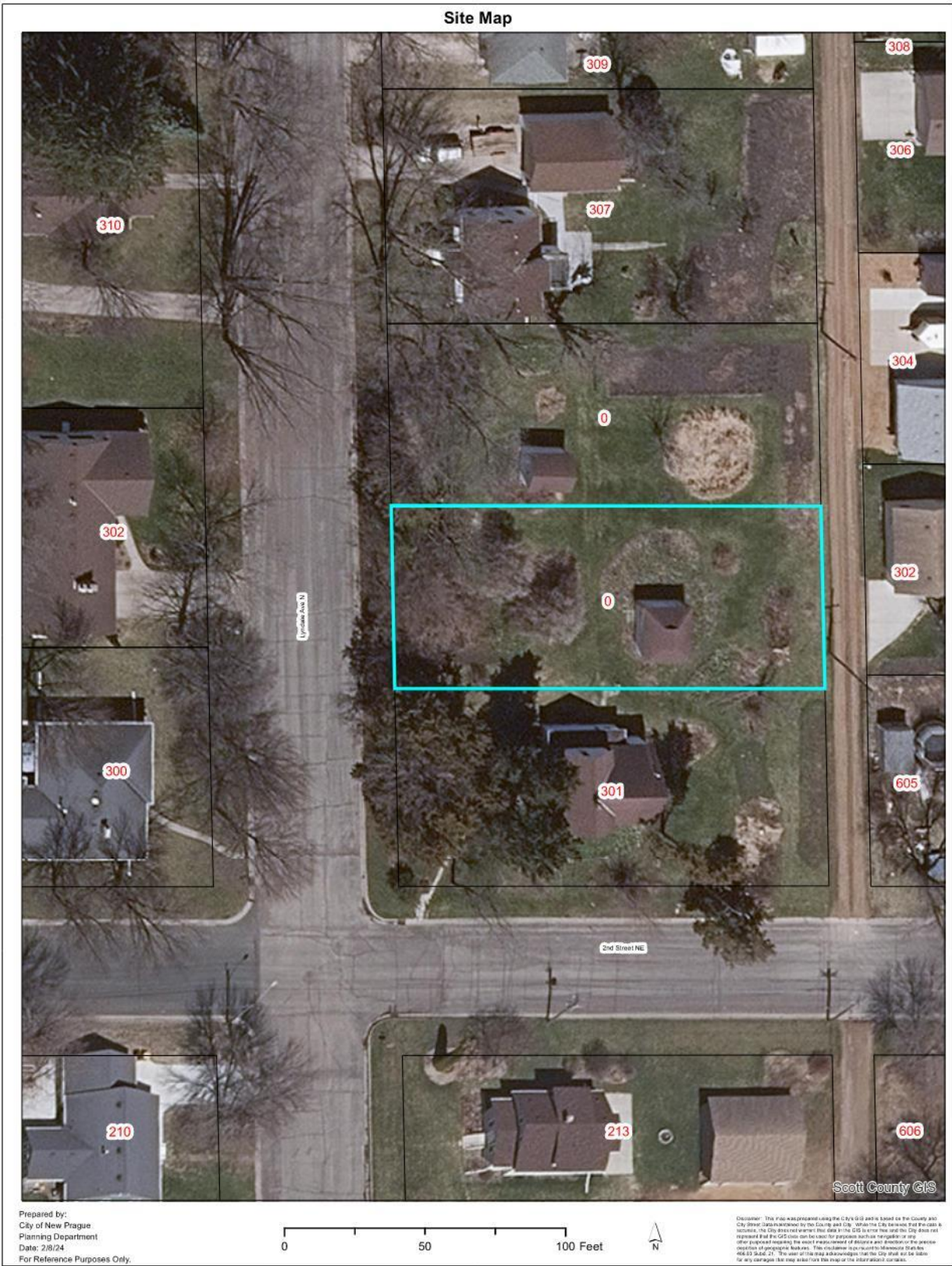
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- B. The proposed relocated single-family home is fully compatible with the adjacent residential properties and will not cause a depreciation in their value.
- C. The proposed relocated single-family home will not have an adverse effect upon adjacent residential homes in that it is of a similar era, style and size to other homes on the block.
- D. The proposed relocated single-family home is reasonable related to the overall needs of the City and to the existing land use as it is utilizing a residential lot that has been vacant since it was platted in 2020 and for many years prior to its platting and will fit in with the surrounding homes.
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- F. The proposed relocated single-family home is not in conflict with the Comprehensive Plan of the City because the Comprehensive Plan designates this property as being located within the RL-70 Single Family Residential Zoning District.
- G. The proposed relocated single-family home will not cause traffic hazard or congestion as it is a use typical of a residential lot.
- H. The proposed relocated single-family home will be located on an existing residential lot with adequate roads and existing utility stubs, which will be completed with the 2024 CIP project.

Attachments

1. Aerial Site Map – Dated 2/8/24
2. Aerial Zoning Site Map – Dated 2/8/24
3. Aerial Site Map Detail – Dated 2/8/24
4. Site Plan Dated – 2/8/24
5. Neighborhood Pictures – Dated 2/9/24 and 2/16/2024
6. Applicant's pictures of Home (interior and exterior)– Undated
7. Oblique Air Photo – Undated











Current Vacant Lot



Current Vacant Lot



Home to the South (Built in 1890)



Home to the North (Built in 1980)



Neighborhood Homes Built in the 1960s-70s (Along Lyndale Ave N)



Neighborhood Homes Built in 1960s-70s (Along Lexington Ave N)



Exterior of the Subject Home (Front)



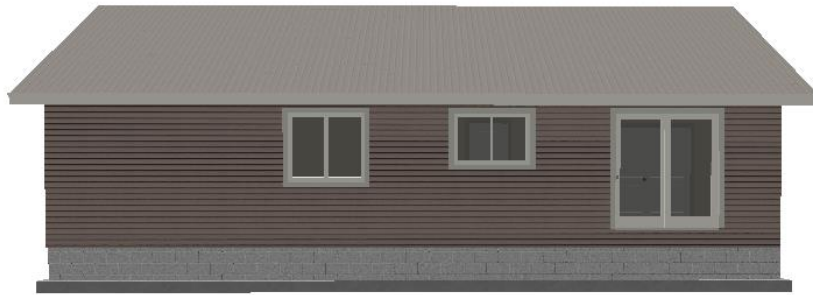
Exterior of the Subject Home (Back)



Exterior of the Subject Home (Garage)



Exterior of the Subject Home (Side)



Proposed Exterior of the Subject Home (East Elevation)



Proposed Exterior of Subject Home (West Elevation)



Interior of Subject Home (Kitchen)



Interior of Subject Home



Interior of Subject Home (Bathroom)



Interior of Subject Home



Interior of Subject Home (Bedroom)



Interior of Subject Home (Bedroom)



Oblique Air Photo View of Vacant Lot