

CITY OF GRAND RAPIDS

*NOTICE OF MEETING
PLANNING COMMISSION*



CITY OF
GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

Meeting Agenda Full Detail

Tuesday, July 8, 2014

4:00 PM

Council Chambers

Planning Commission

*COUNCIL CHAMBERS
CITY HALL - 420 N. Pokegama Ave.
Grand Rapids, MN 55744*

Call To Order**Call of Roll**

Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.

Approval of Minutes

14-0615 Approve the minutes of the June 5, 2014, 4:00 pm regular meeting.

Attachments: [June 5, 2014 Meeting Minutes](#)

Public Hearings

14-0618 Conduct a Public Hearing to consider a variance petition submitted by Clifton Builders.

Attachments: [Clifton Builders Variance: Staff Report w/maps](#)
[Rules for PH & Variance Considerations](#)
[Clifton Builders Variance: Application](#)
[Clifton Builders Variance: Application Attachments](#)

Public Input

Individuals may address the Planning Commission about any non public hearing item or any item not included on the Regular Meeting Agenda. Speakers are requested to come to the podium, state their name and address for the record and limit their remarks to three (3) minutes.

Miscellaneous\Updates**Adjourn**

*NEXT REGULAR PLANNING COMMISSION MEETING IS SCHEDULED FOR:
Thursday, August 7, 2014*



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 14-0615 **Version:** 1 **Name:** Approve the minutes of the June 5, 2014, 4:00 pm regular meeting.

Type: Minutes **Status:** Approved

File created: 6/25/2014 **In control:** Planning Commission

On agenda: 7/8/2014 **Final action:**

Title: Approve the minutes of the June 5, 2014, 4:00 pm regular meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [June 5, 2014 Meeting Minutes](#)

Date	Ver.	Action By	Action	Result
7/8/2014	1	Planning Commission	Approved as Presented by Commission	

Approve the minutes of the June 5, 2014, 4:00 pm regular meeting.

Background Information:

See attached draft meeting minutes.

Staff Recommendation:

Approve the minutes of the June 5, 2014, 4:00 pm regular meeting.



CITY OF GRAND RAPIDS

NOTICE OF MEETING
PLANNING COMMISSION

Minutes - Final Planning Commission

COUNCIL CHAMBERS
CITY HALL - 420 N. Pokegama Ave.
Grand Rapids, MN 55744

Thursday, June 5, 2014

4:00 PM

Council Chambers

Call To Order

Call of Roll

- Present** 5 - Chairperson Julie Fedje-Johnston, Commissioner Michael Twite, Commissioner Mark Gothard, Commissioner Katherine Sedore, and Commissioner Charles Burress
- Absent** 2 - Commissioner Shane McKellep, and Commissioner Marn Flicker

Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.

Approval of Minutes

Approve the minutes of the May 1, 2014, 4:00 pm regular meeting.

Approved as Presented by Commission

Public Hearings

Conduct a Public Hearing to consider a variance petition submitted by Eugene Shadley.

Motion by Commissioner Twite, second by Commissioner Sedore to open the public hearing. The following voted in favor thereof: Gothard, Burress, Fedje-Johnston, Twite, Sedore. Opposed: None, passed unanimously

Mr. Eugene Shadley, 209 NW 17th Street the property owner appreciates the rural setting and would like to be able to keep that feel without having to cut down trees.

Motion by Commissioner Twite, second by Commissioner Burress to close the public hearing. The following voted in favor thereof: Sedore, Twite, Fedje-Johnston, Burress, Gothard. Opposed: None, passed unanimously.

The Commissioners reviewed the considerations.

Motion by Commissioner Twite, second by Commissioner Gothard that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby grant the following variance to Eugene Shadley for the property legally described as: Lot 16, Less 189.61 ft. & that part

of VAC Division Avenue LYG E of and ADJ to Lot 16, McKinney Lake Addition to Grand Rapids, Itasca County, Minnesota;

- to allow a one-time waiver of the requirements of Section 30-563(2)c of the Municipal Code for the construction of a 12' X 20' detached accessory building, which would be located 11' closer to the front lot line than the property's principal building (home), as depicted in the variance application submitted by Mr. Shadley.

Commissioner Twite read his considerations for the record.

1. Is this an "Area" variance rather than a "Use" variance?

Area variance for a 11' difference in accessory structure location in front of the primary structure.

2. Does the proposal put property to use in a reasonable manner?

Why/Why not-

Yes, accessory structures of this size are allowed by City Ordinance. The N/S orientation is preferred by the owner.

3. Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner?

Why/Why not-

Yes, topography slopes to the NW, shifting the structure North 11' would cause timber removal. Property is rural residential in nature, thus the site line intent of existing ordinance is less relevant.

4. Is the variance in harmony with the purposes and intent of the ordinance?

Why/Why not-

Yes, the intent of section 30-563 (2)c for R-1/SR-1 is to not have accessory structure in front of the principal structure for site line. The neighbors house is set 35 feet from the property line therefore the garage would not impede their site line.

5. Will the variance, if granted, alter the essential character of the locality?

Why/Why not-

No, the neighborhood will remain residential in nature and well screened from the front property line. This parcel has rural residential character.

6. Is the variance consistent with the comprehensive plan?

Why/Why not-

Yes, the comp plan allows for orderly development.

The following voted in favor thereof: Gothard, Burress, Fedje-Johnston, Twite. Opposed: None, Sedore abstained, motion passed.

Public Input

Miscellaneous\Updates

Chair Fedje-Johnston noted Commissioner McKellep submitted his resignation which will be forwarded to the City Council.

Chair Fedje-Johnston inquired on the status of the density requirements

sub-committee. Mr. Mattei said staff is preparing information and will set up a time for that meeting.

Adjourn

Adjourn



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 14-0618 **Version:** 1 **Name:** Conduct a Public Hearing to consider a variance petition submitted by Clifton Builders.

Type: Public Hearing **Status:** PC Public Hearing

File created: 6/26/2014 **In control:** Planning Commission

On agenda: 7/8/2014 **Final action:**

Title: Conduct a Public Hearing to consider a variance petition submitted by Clifton Builders.

Sponsors:

Indexes:

Code sections:

Attachments: [Clifton Builders Variance: Staff Report w/maps](#)
[Rules for PH & Variance Considerations](#)
[Clifton Builders Variance: Application](#)
[Clifton Builders Variance: Application Attachments](#)

Date	Ver.	Action By	Action	Result
7/8/2014	1	Planning Commission		
7/8/2014	1	Planning Commission		

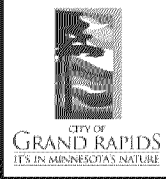
Conduct a Public Hearing to consider a variance petition submitted by Clifton Builders.

Background Information:

See attached Staff Report and Background Information.

Staff Recommendation:

Conduct a Public Hearing to consider a variance petition submitted by Clifton Builders.



Planning Commission Staff Report

Agenda Item #2	Community Development Department	Date: 7/8/2014
Statement of Issue:	Conduct a Public Hearing to consider a variance petition submitted by Clifton Builders.	
Background:	<p>Mr. David Clifton, d.b.a. Clifton Builders has applied for one variance, which if granted, would allow for the construction of a 1,064 sq. ft. single family home with attached garage, located in the plat of Forest Hills.</p> <p>The subject property is a 9,459 sq. ft. parcel, and is located within a R-1 (One-Family Residential) zoning district. The property is legally described as: <i>Lot 2, Block 3, Forest Hills Addition to Grand Rapids, Itasca County, Minnesota.</i></p> <p>Mr. Clifton would like to construct a 28' X 38' single family dwelling, with an attached 24' X 24' attached garage, which as proposed, would encroach 13 ft. (<i>equating to 316 sq. ft. of building (see map 2)</i>) into the required 30 ft. rear yard setback for principal structures.</p> <p>The applicant, within the variance petition, cites the unique shape of the lot, the proposed design of the home- <i>split level rather than slab-on-grade</i>, and the need for working with the contours of the lot- <i>so as to not create drainage issues for the subject property, or adjacent properties</i>, as reasons for the proposed building location and variance request.</p> <p>The construction of the single family dwelling, as proposed, would require the Planning Commission's approval of one variance.</p> <ol style="list-style-type: none"> 1. Section 30-512-Table 2-A, District Development Regulations for Principal Structures, which establishes a 30' minimum setback from the rear yard (west) lot line. 	
Considerations:	When reviewing a request for a variance, the Planning Commission must make findings based on the attached list of considerations.	
Recommendation:	<p>Staff recommends that the Planning Commissioners visit the site and look at the situation.</p> <p>Prior to making a motion to approve or deny the request, the Planning Commission should make specific findings to support its recommendation and reference those specific findings in their motion to either approve or deny the variance(s).</p>	

<p>Required Action:</p>	<p>Approve a motion to either: approve, approve with additional conditions, or deny the petitioned variance.</p> <p><u>Example Motion:</u></p> <p>Motion by _____, second by _____ that, based on the findings of fact presented here today, and in the public’s best interest, the Planning Commission does hereby (grant)(deny) the following variance to David Clifton, d.b.a. Clifton Builders for the property legally described as: <i>Lot 2, Block 3 , Forest Hills Addition to Grand Rapids, Itasca County, Minnesota;</i></p> <ul style="list-style-type: none"> • to allow a one-time waiver of the requirements of Section 30-512 Table-2A of the Municipal Code for the construction of a single family dwelling, which would encroach 13 ft. (equating to 316 sq. ft. of building) into the required 30 ft. rear yard setback for principal structures, as depicted in the variance application submitted by Mr. Clifton. <p><i>(If the Planning Commission wishes to place conditions upon their approval, the following should be added to the motion:)</i></p> <p>and that the following condition(s) shall apply:</p> <ul style="list-style-type: none"> • _____
<p>Attachments:</p>	<ul style="list-style-type: none"> • Site Maps • Copy of the variance petition and associated documentation • List of the Planning Commissions Variance Considerations

Clifton Builders Variance Request



50 25 0 50 Feet

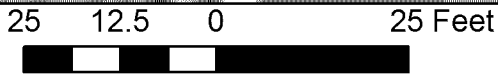


Clifton Builders Variance Request



Portion of SFD encroaching into rear yard setback: approx. 316 sq. ft.

30' rear yard setback



Grand Rapids Planning Commission
Grand Rapids - City Hall

RULES FOR A PUBLIC HEARING

1. After the Chairperson opens the Public Hearing, background on the issue at hand will be given by our Community Development Department Staff and by other presenters.
2. Anyone who wishes to address the Commission about the issue may do so, and all who wish to speak will be heard. Please step to the lectern to use the microphone, and state your name and address for the public record. **These Proceedings are recorded.** Please keep your comments relative to the issue. Please keep in mind that you are addressing the Planning Commission, not debating others in the audience who may have conflicting viewpoints. At all times, be courteous and refrain from interrupting any other speaker present on the floor.
3. After everyone has spoken, the Public Hearing will be closed. At this point, Planning Commissioners may ask clarifying questions from citizens and presenters.
4. The Chairman will go through the legal Considerations for the Issue of the Public Hearing, after which the Commissioners will vote on the issue.

PLANNING COMMISSION

Considerations

VARIANCE

1. Is this an "Area" variance rather than a "Use" variance?
2. Does the proposal put property to use in a *reasonable manner*?
Why/Why not-
3. Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner?
Why/Why not-
4. Is the variance in *harmony with* the purposes and intent of the *ordinance*?
Why/Why not-
5. Will the variance, if granted, alter the *essential character* of the locality?
Why/Why not-
6. Is the variance *consistent with* the *comprehensive plan*?
Why/Why not-



CITY OF GRAND RAPIDS
IN AN URBAN NATURE

Petition for Variance

Community Development Department
420 North Pokegama Ave.
Grand Rapids, MN 55744
Tel. (218) 326-7601 Fax (218) 326-7621
Web Site: www.grandrapidsmn.org

The undersigned do hereby respectfully request the following be granted by support of the following facts herein shown:

CLIFTON Builders
Name of Applicant*¹

Name of Owner (If other than applicant)

1932 Glenwood DR.
Address

Address

GRAND RAPIDS MN 55744
City State Zip

City State Zip

218 326 1571 cliftnse@pulsbnym.net
Business Telephone/e-mail address

Business Telephone/e-mail address

*¹ If applicant is not the owner, please describe the applicant's interest in the subject property. _____

Parcel Information:

Tax Parcel # 91-534-0310

Property Size: Acres .21

Existing Zoning: R-1

Existing Use: Residential

Property Address/Location: Forest Hills

Legal Description: Sec 29 TWP 55.0 R 25 lot 2 Blk 3
(attach additional sheet if necessary)

I (we) certify that, to the best of my(our) knowledge, information, and belief, all of the information presented in this application is accurate and complete and includes all required information and submittals, and that I consent to entry upon the subject property by public officers, employees, and agents of the City of Grand Rapids wishing to view the site for purposes of processing, evaluating, and deciding upon this application.

David R Clifton (pres)
Signature(s) of Applicant(s)

6/6/14
Date

Signature of Owner (If other than the Applicant)

Date

Office Use Only

Date Received JUN 10 2014 Certified Complete 6/11/2014

Fee Paid 252.50

Planning Commission Recommendation:

Approved _____ Denied _____

Meeting Date 7/8/2014

Summary of Special Conditions of Approval: _____

Required Submittals:

Application Fee - \$252.50 *²

Site Map- Drawn to scale, showing the property dimensions, existing and proposed, building(s)/addition(s) and their size(s) including: square footage, curb cuts, driveways, access roads, parking spaces, sidewalks and wells & septic systems.

**²The application fees charged are used for postage to mail the required notices to adjacent properties, publication of the public hearing notice in the Grand Rapids Herald Review, and for a small portion of staff time for case review and preparation of documents. It is the policy of the City of Grand Rapids to require applicants for land use approvals to reimburse the City for costs incurred by the City in reviewing and acting upon applications, so that these costs are not borne by the taxpayers of the City.*

Proposed Variance:

A. Please describe in detail the proposed or requested variance:

See Attached.

B. Provide an itemization of the required regulations pertaining to this variance (i.e., setback lines, lot coverage ratios, parking requirements).

13 ft. relief from required 30 ft. Rear yard setback.

Justification of Requested Variance: Provide adequate evidence indicating compliance with the following provisions of the ordinance concerning variances (Section 30-453(e) "Findings for Variances"). Detailed answers are needed because the Planning Commission shall grant a variation only when they have determined, and recorded in writing, that all of the following provisions have been met.

A. That the requested variance does not allow a use that is otherwise excluded from the particular zoning district in which it is requested.

Applicant justification (refer to Table of Uses in City Code Section 30-512):

Section 30-512 Table 2A District Development Regulations for Principal Structures.

B. Does the proposal put property to use in a reasonable manner?

Applicant justification - Describe how your situation applies to the above statement:

See Attached

C. The plight of the landowner is due to circumstances unique to the property in question, and not created by the landowner subsequent to the adoption of this ordinance.

Applicant justification - Describe how your situation applies to the above statement:

See Attached

D. That the variance, if granted, shall be in harmony with purposes and intent of the ordinance, and will not be detrimental to the public welfare or the property or improvements in the neighborhood, and will not alter the essential character of the locality.

Applicant justification - Describe how your situation applies to the above statement:

See Attached

E. That the variance, if granted, shall be consistent with the comprehensive plan.

Applicant justification - Describe how your situation applies to the above statement:

See Attached.

City Process:

1. Applicant submits a completed application to the Grand Rapids Community Development Department by the 15th of the month.
2. Review by staff for completeness of application.
3. Notification of adjoining property owners.
4. Publish Notice of Public Hearing.
5. Prepare Staff Report and background information.
6. Public Hearing and action at Planning Commission Meeting (First Thursday of each month).

Findings for Approval:

The Planning Commission, in support of its action, will make findings of fact based on their responses to the following list of considerations:

- Is the variance in harmony with the purposes and intent of the ordinance?
- Is the variance consistent with the comprehensive plan?
- Does the proposal put property to use in a reasonable manner?
- Are there unique circumstances to the property not created by the landowner?
- Will the variance, if granted, alter the essential character of the locality?

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

More information may be requested by the City of Grand Rapids Planning Commission, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.

Clifton Builders Inc.

Proposed Variance For

Forest Hills Lot 2 BLK 3 Grand Rapids MN.

A) The description in the lot in question is as follows.

Many of the lots in the area are small due to the original engineering lot sizes

In addition to size, the easement for water runoff makes it even smaller.

We are asking for a small reduction on the rear South west corner of our lot due to the fact that the lot is not square. A portion of the propose building would be 17' from the back lot line other than the recommended 30' set back.

Note: If a free standing Garage was built, 10' would be in compliance from the Back lot line.

The drainage dig separating all lots in question gives a good buffer zone between them.

Another reason for this variance, the lot to the south is 4' higher than, our lot making water flow very difficult. Due to this fact changing our existing plan to apply to the 30' set back will make water drainage very difficult. Due to our egress windows in our basement. Requiring egress window wells necessary.

If the variance is granted the project would create better water flow for all parties and enhance the appearance by give more space between our building and our neighbors to the south.

Street Front

90'

30' Front Set Back

6' Side Set Back

SCALE 1" = 12'

House

Garage

28'

14'

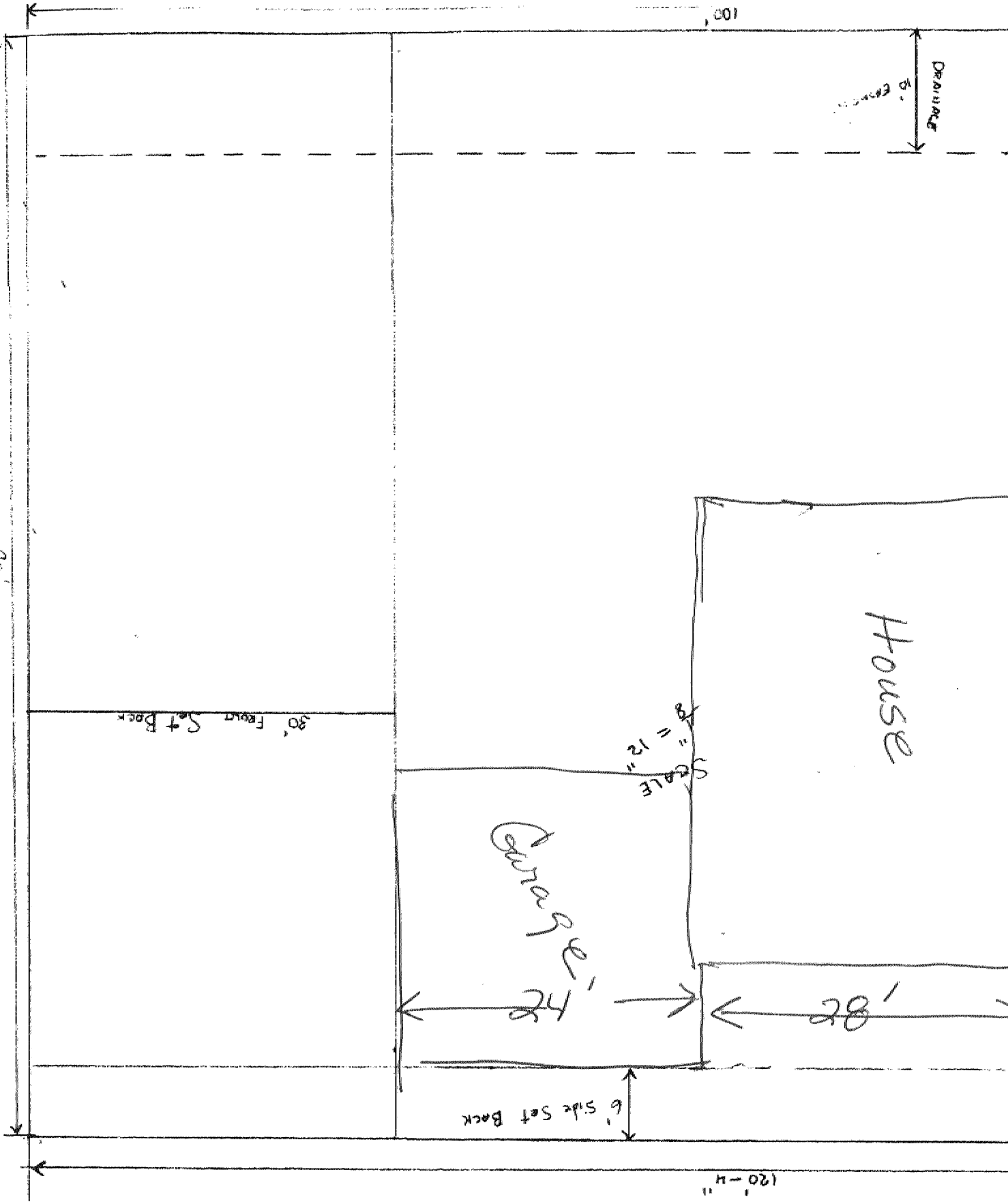
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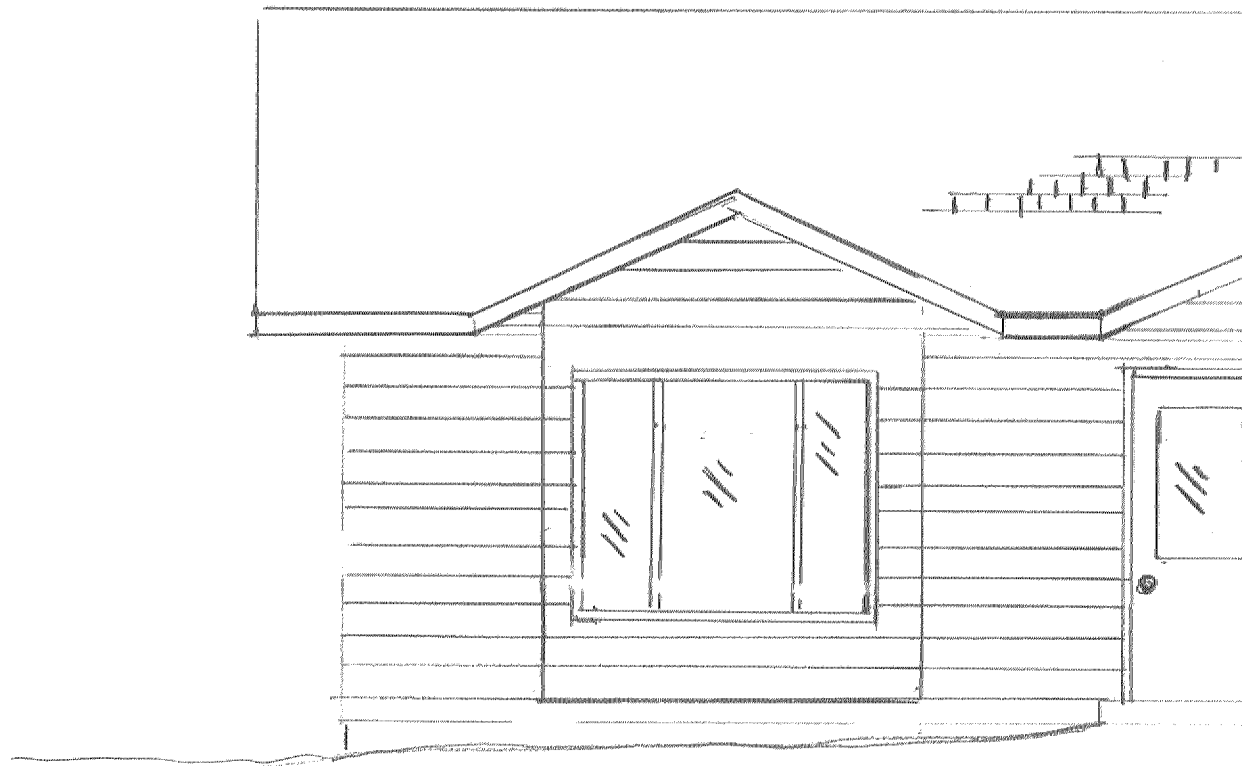
N 50° E

Drainage

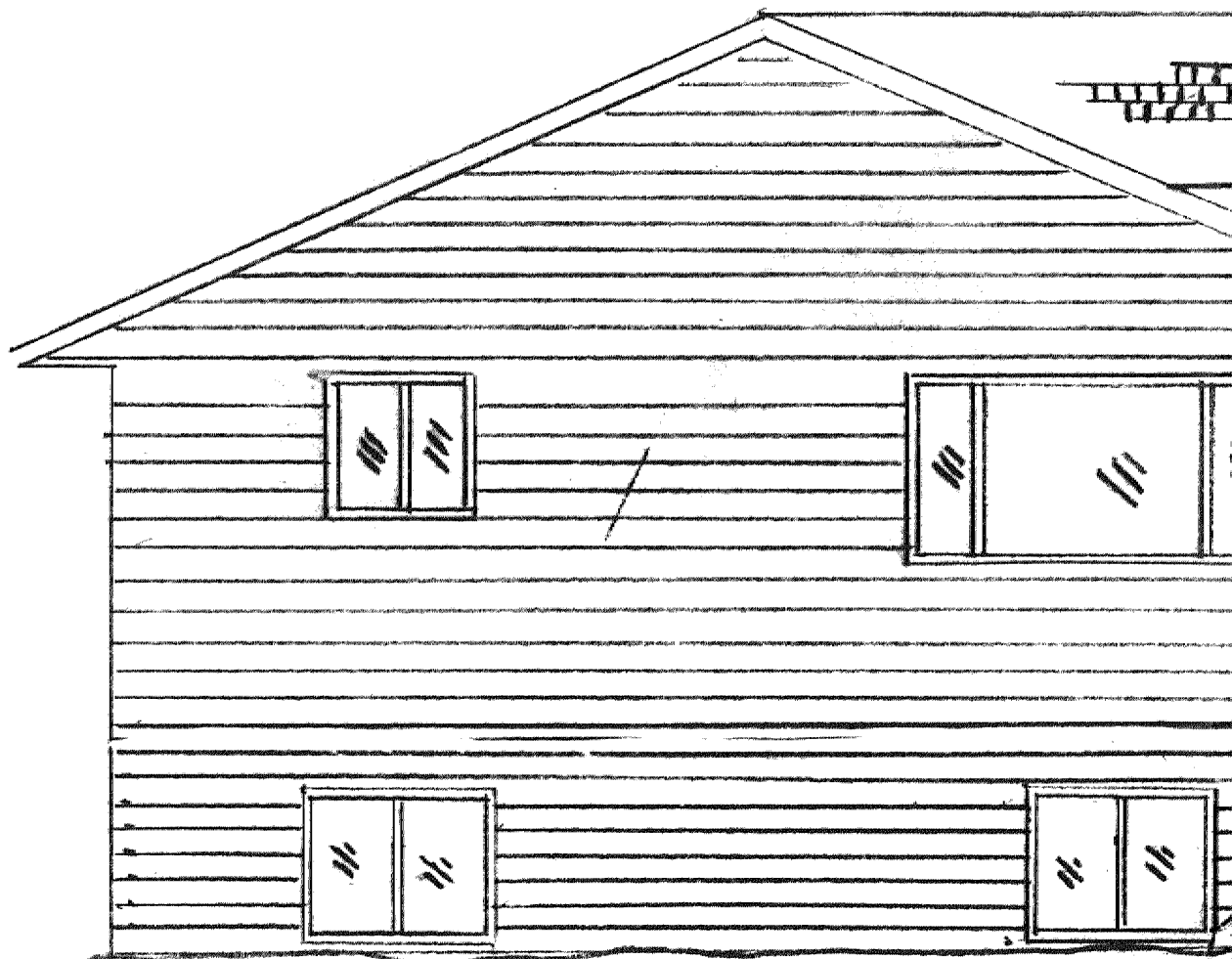
to Easement

100'





VIEW FROM



Drainage Dig

VIEW LOOK