



Approved: October 4, 2023

**CITY OF ARDEN HILLS, MINNESOTA
PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 6, 2023
6:30 P.M. - ARDEN HILLS CITY HALL**

CALL TO ORDER/ROLL CALL

Pursuant to due call and notice thereof, Vice Chair Wicklund called to order the regular Planning Commission meeting at 6:30 p.m.

ROLL CALL

Present were: Commissioners Shelley Blilie, Joshua Collins, Arlene Mitchell, Kurtis Weber, and Jonathan Wicklund.

Absent: Chair Paul Vijums and Commissioner Brad Bjorklund.

Also present were: Community Development Director Jessica Jagoe, Senior Planner Elena Fransen and Councilmember Emily Rousseau.

APPROVAL OF AGENDA – SEPTEMBER 6, 2023

Commissioner Weber moved, seconded by Commissioner Mitchell to approve the September 6, 2023, agenda as presented. The motion carried unanimously (5-0).

APPROVAL OF MINUTES

August 9, 2023 – Planning Commission Regular Meeting

Vice Chair Wicklund requested a change to the minutes on Page 4 under Item B noting the comment should read Community Development Director Jagoe stated that.

Commissioner Collins moved, seconded by Commissioner Weber, to approve the August 9, 2023, Planning Commission Regular Meeting as amended. The motion carried unanimously (5-0).

PLANNING CASES

- A. **Planning Case 23-016; 1945 Edgewater Avenue - Variance – *Public Hearing Not Required***

Senior Planner Fransen stated Robert Williams (“Applicant”) has requested a variance to construct an addition to the north and south elevation of an existing detached garage on the property located at 1945 Edgewater Avenue (“Subject Property”). The Applicant has requested a variance to decrease the required side yard setback for corner lots from the minimum requirement of 40 feet to 5.8 feet and decrease the required front yard setback from the minimum requirement of 40 feet to 39.2 feet. The Applicant is proposing a four-foot-wide addition on both sides of the garage to expand the existing garage width from 18.4 feet to 26.4 feet. The addition would add 128 square feet to the existing garage.

Senior Planner Fransen reviewed the surrounding area, the Plan Evaluation and provided the Findings of Fact for review:

General Findings:

1. City Staff received a land use application for a variance request to the required R-2 Zoning District side yard setback for corner lots and the front yard setback at the Subject Property 1945 Edgewater Avenue.
2. A single-family dwelling is a permitted use within the R-2 Zoning District.
3. The garage addition will not impede sight lines or obstruct the clear vision area from the roadways since the existing building line along Prior Avenue will remain the same.
4. The existing detached garage is legal nonconforming with a side yard setback of 1.4 feet.
5. The proposed garage addition would have a side yard setback for a corner lot of 5.8 feet and does not increase the nonconformity of the lot.
6. The proposed garage addition would decrease the required front yard setback to 39.2 feet.

Variance Findings:

1. Variances are only permitted when they are in harmony with the general purposes and intent of the ordinance.
2. The proposed garage addition would not alter the essential character of the neighborhood because the proposed design will fit with the neighborhood and will not encroach further into the existing garage’s corner side yard setback.
3. The variance request is not based on economic considerations alone.

Senior Planner Fransen reviewed the options available to the Planning Commission for Planning Case 23-016 for a Variance at 1945 Edgewater Avenue:

1. Recommend Approval with Conditions
 - 1) A Building Permit shall be issued prior to commencement of construction.
 - 2) The proposed building shall conform to all other standards and regulations in the City Code.
2. Recommend Approval as Submitted
3. Recommend Denial
4. Table

Vice Chair Wicklund opened the floor to Commissioner comments.

Commissioner Collins asked why the Commission was reviewing this request when City setbacks were not being met by the existing detached structure.

Senior Planner Fransen explained a detached structure that was nonconforming could not be expanded without going through the variance process.

Commissioner Weber questioned what the implications were for the property should the homeowner decide to sell.

Senior Planner Fransen reported if the homeowner were to sell, the variance would be for the garage addition specifically proposed in this planning case. She stated any further expansion would have to be reviewed by the City.

Commissioner Weber asked if the home were demolished and rebuilt, could the new home have the requested setbacks.

Community Development Director Jagoe reviewed the language regarding non-conforming structures, noting it was the same language within State Statute. She reported that City Code for detached structures with non-conformities are allowed to be repaired and maintained but cannot be expanded without a variance. She explained the property owner would be allowed to rebuild the house and detached structure if a fire were to occur subject to compliance with city code and State Statute language. She further noted that the setbacks being requested specifically apply to the proposed garage addition illustrated in the planning case and would not be applicable to separate improvements or further expansion to the Subject Property without a variance.

Commissioner Blilie indicated she supported the proposed variance request.

Commissioner Weber moved and Commissioner Collins seconded a motion to recommend approval of Planning Case 23-016 for a Variance at 1945 Edgewater Avenue based on the findings of fact and the submitted plans, as amended by the conditions in the September 6, 2023, report to the Planning Commission. The motion carried unanimously (5-0).

UNFINISHED AND NEW BUSINESS

None.

REPORTS

A. Report from the City Council

Councilmember Rousseau provided the Commission with an update from the City Council. She reported the Council approved the fencing Ordinance and would require snow fencing to be removed no later than April 1. She indicated the Council also approved the low potency/hemp regulations with amendments. She stated the Economic Development Commission met in August and was addressing the City's sign code ordinance.

B. Planning Commission Comments and Requests

Vice Chair Wicklund stated Commissioner Clayton Zimmerman had resigned his position from the Planning Commission. He noted the City would be seeking a volunteer for this alternate seat on the Commission.

ADJOURN

Commissioner Blilie moved, seconded by Commissioner Mitchell, to adjourn the September 6, 2023, Planning Commission Meeting at 7:03 p.m. The motion carried unanimously (5-0).