



PLANNING COMMISSION MEETING AGENDA

Thursday, September 07, 2023

4:00 PM

CALL TO ORDER: Pursuant to due notice and call thereof a Regular Meeting of the Grand Rapids Planning Commission will be held on Thursday, September 7, 2023 at 4:00 PM in City Hall Council Chambers, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL:

APPROVAL OF MINUTES:

1. Approve minutes for July 6, 2023.

PUBLIC HEARINGS:

2. Conduct a Public Hearing to consider a variance petition submitted by Ryan Companies.
3. Conduct a Public Hearing to consider a variance petition submitted by Jason Janesich

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.

REPORTS/ANNOUNCEMENTS/UPDATES:

ADJOURNMENT:

NEXT REGULAR MEETING IS SCHEDULED FOR OCTOBER 5, 2023 AT H:MM PM.

Hearing Assistance Available: This facility is equipped with a ready assistance system.

ATTEST: Kimberly Gibeau, City Clerk



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

PLANNING COMMISSION MEETING MINUTES

Thursday, July 06, 2023

4:00 PM

Commissioner Goggin called the meeting to order at 4:00 PM.

PRESENT: Commissioner Mark Gothard, Commissioner Patrick Goggin, Commissioner Ted Hubbes, Commissioner Bill Schnell, Commissioner Paul Bignall, Commissioner Rick Blake. ABSENT: Commissioner Betsy Johnson

STAFF: Rob Mattei, Chad Sterle

APPROVAL OF MINUTES:

1. Consider approval of minutes from the May 4, 2023 regular meeting.

Noted typographical error under General business item #2. 'petitioner is now requesting.'

Motion made by Commissioner Blake, Seconded by Commissioner Schnell to approve the minutes with noted correction. Voting Yea: Commissioner Gothard, Commissioner Goggin, Commissioner Hubbes, Commissioner Schnell, Commissioner Bignall, Commissioner Blake

PUBLIC HEARINGS:

2. Conduct a Public Hearing to consider a variance petition submitted by Steven Przytarski.

Mr. Mattei provided information on variance requested by Mike Przytarski, to increase number of units allowed within residential multi-family unit from six to nine.

Motion made by Commissioner Bignall, Second by Commissioner Hubbes to open the public hearing. Voting Yea: Commissioner Gothard, Commissioner Goggin, Commissioner Hubbes, Commissioner Schnell, Commissioner Bignall, Commissioner Blake

Mike Przytarski, petitioner, states that the property is currently for sale, but potential buyers concerns over cost outweighing return on only a six unit building is proving to be a barrier to selling.

Motion made by Commissioner Gothard, Second by Commissioner Bignall to close the public hearing. Voting Yea: Commissioner Gothard, Commissioner Goggin, Commissioner Hubbes, Commissioner Schnell, Commissioner Bignall, Commissioner Blake

Considerations:

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

- Yes, because the current space simply doesn't meet the requirements.
2. Does the proposal put property to use in a reasonable manner?
Yes, referring back to the comprehensive plan in 2020 and the need for more family housing.
 3. Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner?
Yes. The original request was already approved and expired.
 4. Is the variance in harmony with the purposes and intent of the ordinance?
Yes, the building is pre-existing and should be put to good use.
 5. Will the variance, if granted, alter the essential character of the locality?
No, this is residential multi family housing, and the location is residential and adjacent to commercial area.
 6. Is the variance consistent with the comprehensive plan?
Yes, as this is meeting goals of diversified housing with the city.

Motion made by Commissioner Bignall, Second by Commissioner Blake to approve the variance as requested. Voting Yea: Commissioner Gothard, Commissioner Goggin, Commissioner Hubbes, Commissioner Schnell, Commissioner Bignall, Commissioner Blake

3. Conduct a Public Hearing to consider a variance petition submitted by William and Kimberly Block.

Mr. Mattei provided background information relative to the requested variance, to split lot and create a lot width of less than the minimum.

Motion made by Commissioner Blake, Second by Commissioner Hubbes to open the public hearing. Voting Yea: Commissioner Gothard, Commissioner Goggin, Commissioner Hubbes, Commissioner Schnell, Commissioner Bignall, Commissioner Blake

Joe Schlader, 29279 Sunny Beach Road, concerned about development of property. How many homes/units can be in that lot? Owns property to the west and concerned that there will not be any access if the variance is granted and property is developed with multiple housing units.

Kim Block, variance petitioner, states that they do not have plans to develop the property.

Motion made by Commissioner Schnell, Second by Commissioner Bignall to close the public hearing. Voting Yea: Commissioner Gothard, Commissioner Goggin, Commissioner Hubbes, Commissioner Schnell, Commissioner Bignall, Commissioner Blake

Considerations:

1. Is this an "Area" variance rather than a "Use" variance?
Yes, not request to use for other than what's currently zoned.
2. Does the proposal put property to use in a reasonable manner?
Yes. The property isn't changing, simply allowing the house on Horseshoe Lake to be sold.
3. Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner?
Yes. Property with was not created by the owner.
4. Is the variance in harmony with the purposes and intent of the ordinance?
Yes, the property is designed for density.

5. Will the variance, if granted, alter the essential character of the locality?
No, property remains residential.
6. Is the variance consistent with the comprehensive plan?
Yes, as there is potential for development in the future.

Motion made by Commissioner Schnell, Second by Commissioner Gothard to approve variance request as presented. Voting Yea: Commissioner Gothard, Commissioner Goggin, Commissioner Hubbes, Commissioner Schnell, Commissioner Bignall, Commissioner Blake

GENERAL BUSINESS:

4. Consider a recommendation to the City Council regarding the rezoning of 7.2 acres of land (Parcel 91-030-1410) from R-1 (One Family Residential) to R-4 (Multiple-family Residential-high density).

Mr. Mattei reviewed property and zoning in area.

1. Will the change affect the character of neighborhoods?
No, this is already a residential area with other R-4 zoning.
2. Would the change foster economic growth in the community?
Yes, housing is needed.
3. Would the proposed change be in keeping with the spirit and intent of the ordinance?
Yes, lot sizes and setbacks are similar and fit the area.
4. Would the change be in the best interest of the general public?
Yes, housing is a need.
5. Would the change be consistent with the Comprehensive Plan?
Yes.

Motion made by Commissioner Blake, Second by Commissioner Hubbes to forward to the City Council a recommendation to approve the Zoning Map Amendment, as petitioned by Christian Conner and Luke Schumacher, described within the the presentation and as shown in the maps presented here today, from current R-1 (One Family Residential) zoning designation to R-4 (Multiple-Family Residential-high density), including the R-1 easterly adjacent property. Voting Yea: Commissioner Gothard, Commissioner Goggin, Commissioner Hubbes, Commissioner Schnell, Commissioner Bignall, Commissioner Blake

MISCELLANEOUS:

Mr. Mattei noted that he will be providing an overview of the downtown plan at a future meeting. Also of note, currently interviewing candidates for Assistant Community Development Director.

There being no further business, the meeting adjourned at 4:59 PM.

Respectfully submitted:

Kimberly Gibeau

Kimberly Gibeau, City Clerk



Planning Commission Staff Report

Agenda Item	Community Development Department	Date: 9/7/23
Statement of Issue:	Conduct a Public Hearing to consider a variance petition submitted by Ryan Companies.	
Background:	The background for this item will be presented in the attached PowerPoint document.	
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>	
Required Action:	<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 variances to Ryan Companies and the Grand Rapids EDA for the property legally described within the presentation.</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, which lists District Development Regulations for Principal Structures, specifically where the Code establishes the maximum building height of 40 feet within Industrial Park (I-1) zoning districts. This variance permits the construction of a distribution center that exceeds the maximum by 8 feet, as depicted in the application. <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"> 	

Attachments:	<ul style="list-style-type: none">• Site Map• Copy of the variance petition and associated documentation• List of the Planning Commissions Variance Considerations
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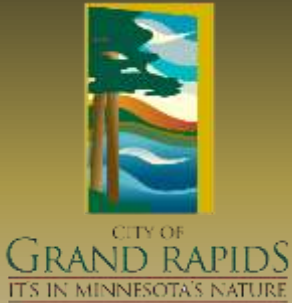
Public Hearing

Ryan Companies Variance Request

Area of Variance Request: 47 acres generally located on the east side of 7th Ave. SE at the intersection of 29th St. SE.

TBD SE 7th Ave.

September 7, 2023



Variance Request

- **Petitioners:** Ryan Companies, Inc.
- **Filing Date:** August 3, 2023
- **Requested Variances:** The requested variance would permit the construction of a 200,000 square foot distribution center at a height not to exceed 48’.
- **Relevant portions of Zoning Ordinance:**
 - Section 30-512 Table 2A of the Municipal Code, which lists District Development Regulations for Principal Structures, specifically where the Code establishes the maximum building height of 40 feet for parcels in Industrial Park (I-1) Zoning Districts.



Variance Request

- **Legally Described Property:**

- ***PID: 91-033-1410 The Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4), Section Thirty-three (33), Township Fifty-five (55) North, Range Twenty-five (25), West of the Fourth Principal Meridian, LESS the following three (3) tracts: Tract 1: South Twenty (20) acres thereof; Tract 2: North 198 feet of West 440 feet thereof; Tract 3: East 330 feet of the North Half thereof, Itasca County, Minnesota; and***
- ***PID: 91-033-1430 The South Half of the Northeast Quarter (S 1/4 NE 1/4), Section Thirty-three (33), Township Fifty-five (55) North, Range Twenty-five (25) West of the Fourth Principal Meridian LESS the East 330 feet thereof, Itasca County, Minnesota; and***
- ***PID: 91-033-4120 The North 500 feet of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4), Section Thirty-three (33), Township Fifty-five (55) North, Range Twenty-five (25), LESS the South 220 feet of the West 300 feet thereof, County of Itasca, State of Minnesota; and***
- ***PID: 91-033-4120 The East 300 feet of the South Half of the Northeast Quarter (S 1/4 NE 1/4), Section Thirty-three (33), Township Fifty-five (55) North, Range Twenty-five (25) West of the Fourth Principal Meridian, Itasca County, Minnesota.***



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Variance Request

Item 2.

Variance Details:

- Subject property is 47 acres, comprised of 3 privately owned parcels, which the Grand Rapids Economic Development Authority has secured a purchase agreement for the purpose of selling to L&M Supply for their development of a 200,000 s.f. distribution center. The site also includes a City owned parcel that is currently zoned AP (Airport).
- The requested variance would allow the maximum height of the structure to exceed the 40' maximum by 8'

Ryan Companies Variance Locations Map

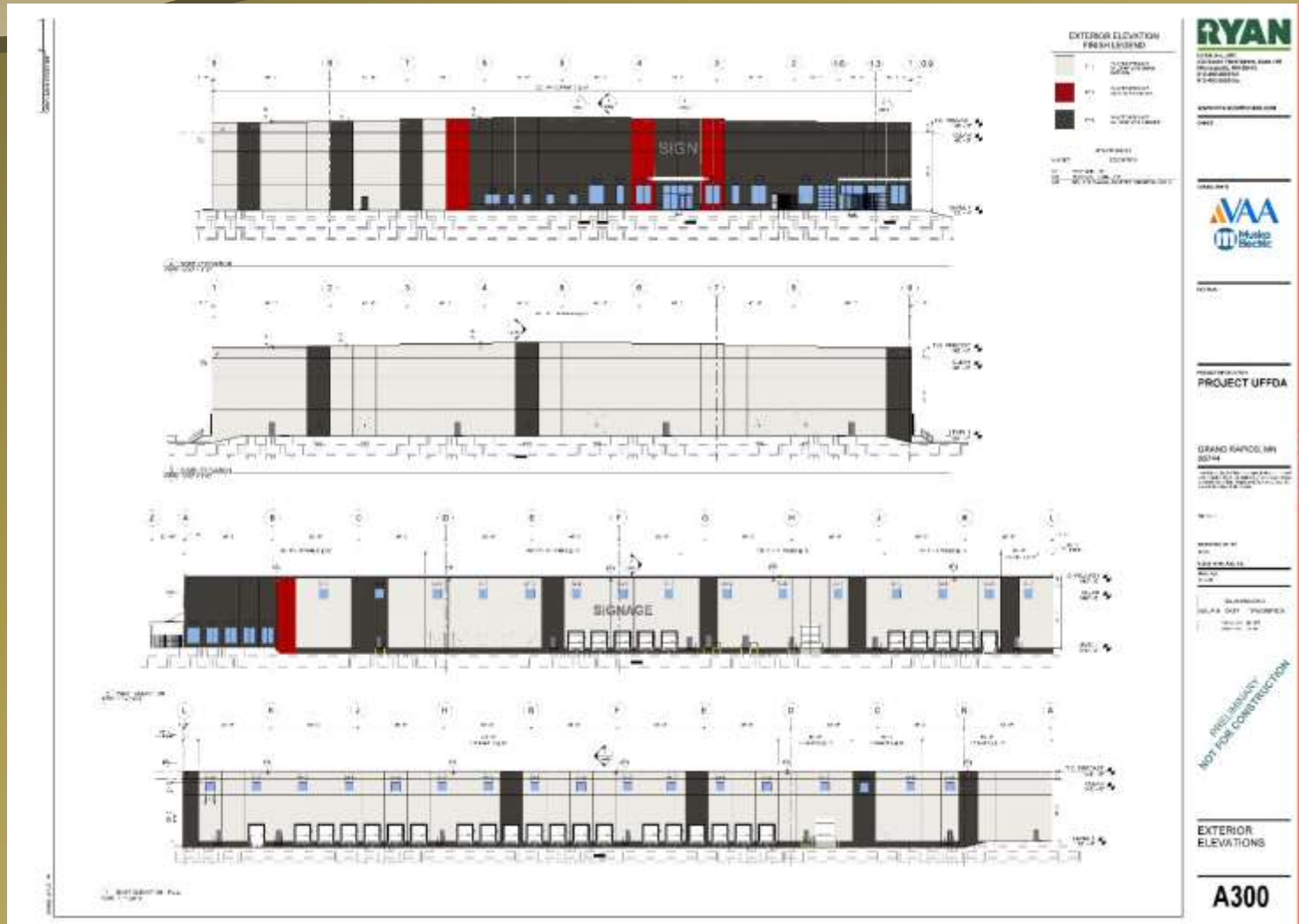




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Variance Request

Item 2.





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Variance Request

Item 2.

Subject area:

- Draft Site Plan/layout.
- Building Setbacks: (*I-1 zoning setbacks*)
 - Front (W) 50' min. - 370' proposed
 - Int. Side (N) 25' min. - 289' proposed
 - Int. Side (S) 25' min.- 549' proposed
 - Rear (E) 25' min. - 265' proposed



RYAN

Grand Rapids Warehouse • Concept Site Plan • 06.01.2023

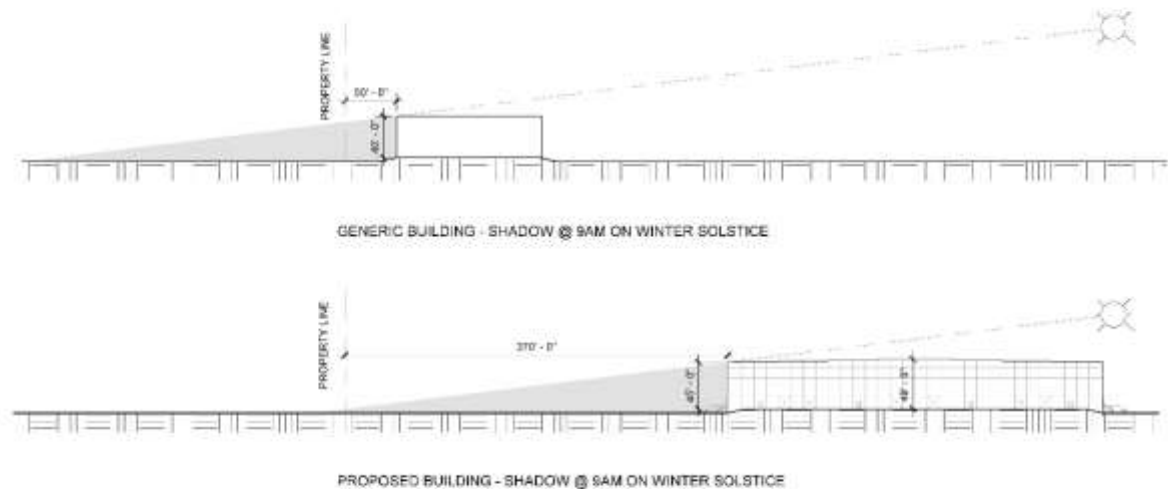


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Variance Request

Zoning Ordinances and Building Height Restrictions:

- Impairment of solar access to neighboring properties:
 - Staff asked the applicant to compare a 48 ft. tall building setback 370' ft. from the front yard property line (as proposed), with a 40 ft. tall building setback 50 ft. from the front yard property line (this is the min. setback in I-1 zoning district)

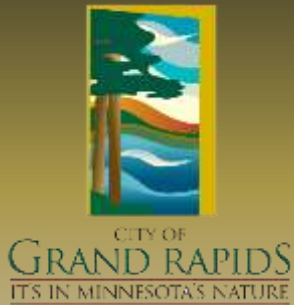




Variance Request

Zoning Ordinances and Building Height Restrictions:

- Firefighting capabilities:
 - Grand Rapids FD firefighting ladder equipment is capable of fighting fires in tall structures, such as the Blandin Paper Mill which is approximately 100 feet in height.



Variance Request

Variance Petition:

- The applicant indicates the proposed building height of 48' is required for operations and efficiency of the building.
- The applicant also indicates that the proposed project will utilize the land in accordance with its I-1 zoning designation and should not impact the character of the area or have a detrimental effect on the surrounding properties due the deep setbacks which also allow more trees to be saved as a buffer from 7th Ave.



Variance Request

Summary of requested variance:

The proposed project would require the Planning Commission's approval of one variance:

- 1) Section 30-512 Table 2A of the Municipal Code, which lists District Development Regulations for Principal Structures where the Code establishes the maximum principal structure height in Industrial Park (I-1) zoning districts at 40'.

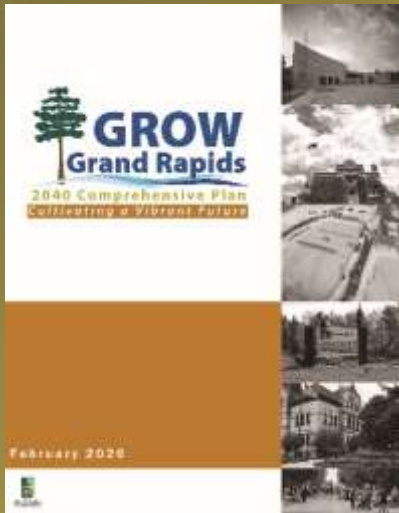
This variance would permit the proposed distribution center to exceed the maximum by 8', thus allowing a maximum building height of 48'.



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Variance Request

Comprehensive Plan: Goals & Objectives related to Economic Development and Land Use



Economic Development Goal 1: Create Jobs and Income

- *b. Enable the retention and expansion of existing businesses. Creating jobs by expanding existing businesses is the most productive way to expand economic opportunity. Grand Rapids Economic Development Authority members will be actively engaged in business retention activities, particularly for higher wage employment opportunities. The City will partner with other economic development organizations to coordinate retention/expansion activities and ensure efficient use of resources. .*

Land Use Goal 3: Provide for industrial retention and expansion.

- *e. Recognize distinct classes of industrial development and direct industrial development to the appropriate land use areas.*

Variance Request

Item 2.



Planning Commission Variance Considerations:

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-



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Item 2.

Questions/Comments?



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.cityofgrandrapidsmn.com

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

Ryan Companies - Jared Olson

Name of Applicant*¹

533 South Third Street, Suite 100

Address

Minneapolis MN 55415

City State Zip

612-492-4000 / jared.olson@ryancompanies.com

Business Telephone/e-mail address

Refer to the attached sheet

Name of Owner (If other than applicant)

Address

City State Zip

Business Telephone/e-mail address

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

property. GREDA has these properties under contract; Ryan Companies is working with GREDA to bring a tenant to this site in Grand Rapids.

Parcel Information:

Tax Parcel # 910331406, 910331410, 910331430, & 910334120 Property Size: 47 acres

Existing Zoning: I-1 Industrial Park District

Existing Use: Vacant and Single-Family Residential

Property Address/Location: 2804 Airport Rd, Grand Rapids, MN 55744

Legal Description: Refer to the attached sheet

(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.

Signature(s) of Applicant(s)

Date

Signature of Owner (If other than the Applicant)

Date

Office Use Only

Date Received _____ Certified Complete _____ Fee Paid _____

Planning Commission Recommendation: Approved _____ Denied _____ Meeting Date _____

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:

The property in question is zoned as I-1 with a maximum building height of 40'. We are proposing a precast concrete building with a maximum (parapet) height of 48' high.

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

Grand Rapids Zoning Code Section 30-512 Table 2A

- Max Building Height: 40' - We are requesting 48'

We are exceeding the building Setbacks:

- Front: 50'

- Side: 25'

- Rear: 25'

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):

We are providing a much deeper building setbacks as part of the justification of the variance. The building setback is roughly 370 feet (from property line / centerline of the road) in the front yard. This is almost the length of a football field and over 6 times the code required setback dimension. A 48' building with these deeper setbacks will lessen the view and shadow impact to surrounding properties than a 40' tall building that is the code required setback of 50'. The additional front yard also allows for a larger number of existing trees to be saved, which would provide screening from the road.

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

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

The proposed use is an industrial and warehouse type of use which is consistent with the current I-1 Zoning.

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:

The current I-1 Zoning allows for 40' tall building. The proposed building requires a building height of 48' for operations and efficiency of the building.

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:

The proposed project will utilize the land in accordance with its I-1 zoning designation and it is next to the airport. Therefore, should not have a impact to the character of the area. The additional 8' of height will not have a detrimental impact to the surrounding properties due to the deep setbacks.

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

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

The property will utilize the land in accordance with its I-1 zoning designation and does not stray from the intent of the comprehensive plan.

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).

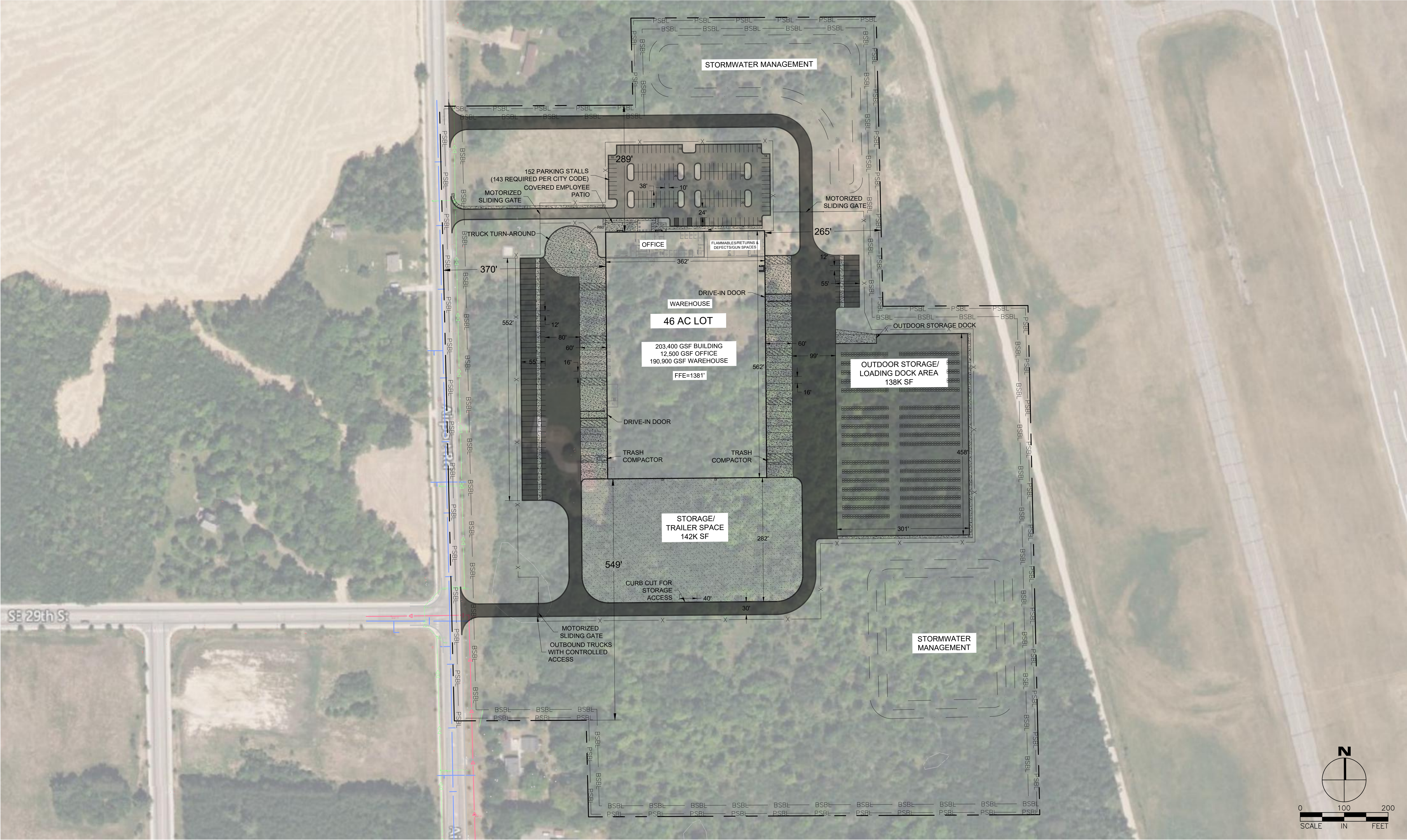
Findings for Approval:

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

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

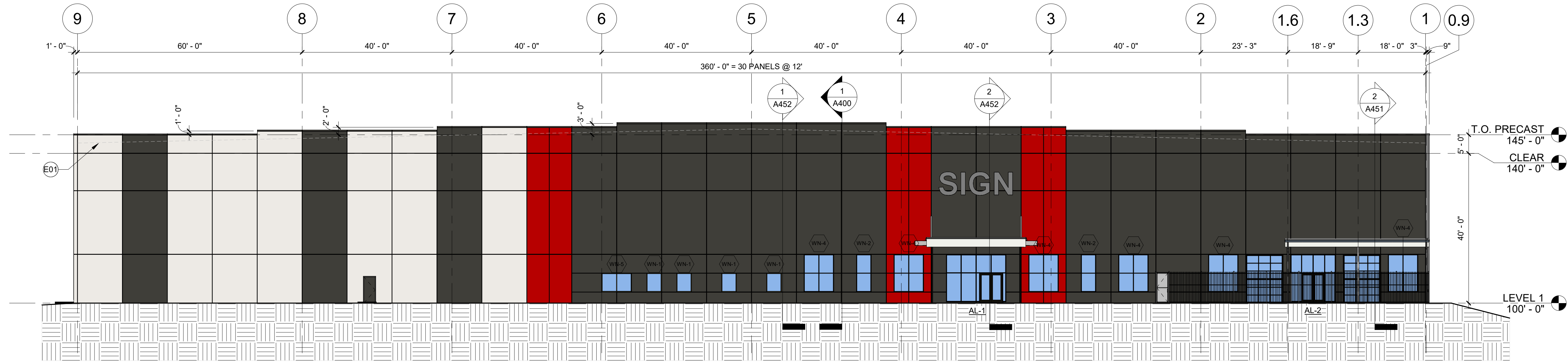
More information may be requested by the City of Grand Rapids Planning Commission, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.



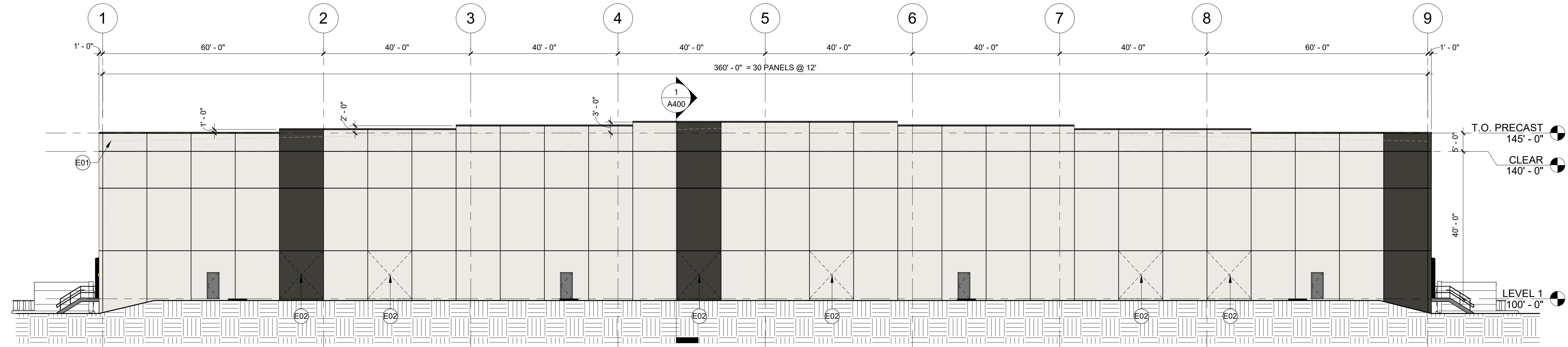
0' 2' 4' 6' 8' 10' 12' 14' 16' 18' 20' 22' 24' 26' 28' 30' 32' 34' 36' 38' 40' 42' 44' 46' 48' 50' 52' 54' 56' 58' 60' 62' 64' 66' 68' 70' 72' 74' 76' 78' 80' 82' 84' 86' 88' 90' 92' 94' 96' 98' 100'

1" = 20'-0"

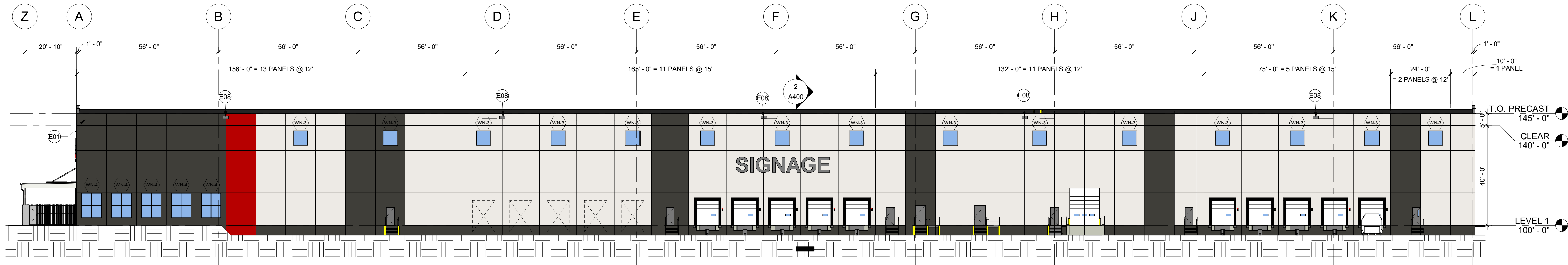
VERIFY SHEET SCALE HERE



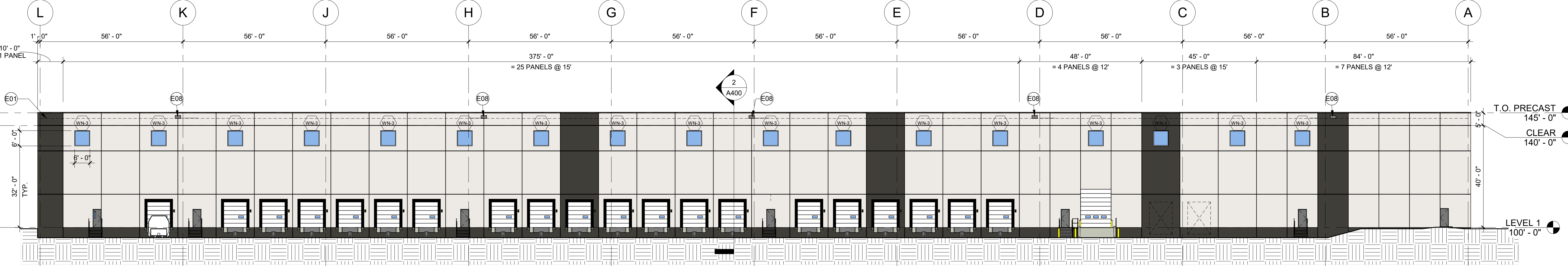
4 NORTH ELEVATION
1/16" = 1'-0"



3 SOUTH ELEVATION
1/16" = 1'-0"



2 WEST ELEVATION
1" = 20'-0"



1 EAST ELEVATION - FULL
1" = 20'-0"

EXTERIOR ELEVATION FINISH LEGEND		
	PT-7	PAINTED PRECAST VALSPAR V179 WARM OATMEAL
	PT-8	PAINTED PRECAST SW 6594 POINSETTIA
	PT-9	PAINTED PRECAST VALSPAR V115-3 MAGPIE

KEYNOTE LEGEND	
NUMBER	DESCRIPTION
E01	ROOF LINE, TYP.
E02	KNOCK-OUT PANEL, TYP.
E08	26"x14" THRU-WALL SCUPPER, SEE DETAIL 1/A510



RYAN A+E, INC.
533 South Third Street, Suite 100
Minneapolis, MN 55415
612-492-4000 tel
612-492-3000 fax

WWW.RYANCOMPANIES.COM

OWNER

CONSULTANTS



KEY PLAN

PROJECT INFORMATION
PROJECT UFFDA

GRAND RAPIDS, MN
55744

I hereby certify that this plan, specification, or report
was prepared by me or under my direct supervision
and that I am a duly Registered Architect under the
laws of the State of Minnesota

Eric Morin

REGISTRATION NO.

49323

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PROJ. NO.

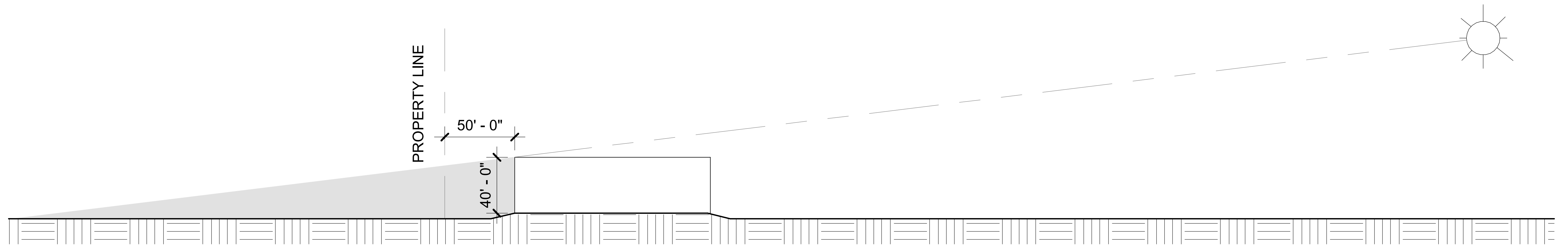
701-410

ISSUE RECORD		
ISSUE #	DATE	DESCRIPTION
	2023 06 21	SD SET
	2023 06 09	DD SET

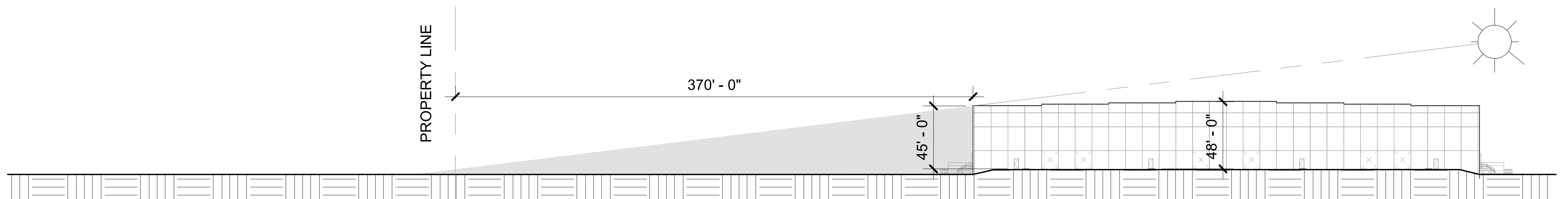
PRELIMINARY
NOT FOR CONSTRUCTION

EXTERIOR
ELEVATIONS

A300



GENERIC BUILDING - SHADOW @ 9AM ON WINTER SOLSTICE



PROPOSED BUILDING - SHADOW @ 9AM ON WINTER SOLSTICE

PLANNING COMMISSION

Considerations

VARIANCE

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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-



Planning Commission Staff Report

Agenda Item	Community Development Department	Date: 9/7/23
Statement of Issue:	Conduct a Public Hearing to consider a variance petition submitted by Jason Janesich	
Background:	The background for this item will be presented in the attached PowerPoint document.	
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>	
Required Action:	<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 Jason Janesich for the property legally described within the presentation.</p> <ul style="list-style-type: none"> to allow a one-time waiver of the requirements of Section 30-512 Table 17C-2 of the Municipal Code, which lists Minimum Setbacks and Maximum Lot Coverage Standards in Shoreland Districts, specifically where the Code establishes the minimum rear yard setback of 30 feet for parcels in Shoreland Rural Residential Zoning Districts to permit the construction of a detached garage that encroaches into the minimum rear yard setback by 10 feet, as depicted in the application. <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>	

Attachments:	<ul style="list-style-type: none">• Site Map• Copy of the variance petition and associated documentation• List of the Planning Commissions Variance Considerations
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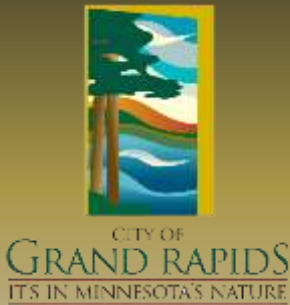
CITY OF
GRAND RAPIDS
ITS IN MINNESOTA'S NATURE

Public Hearing

Jason Janesich Variance Request

***Area of Variance Request: PID: 91-588-0340 Lot 4, Block 3 Horseshoe Addition
1481 SW 22nd Ave.***

September 7, 2023



Variance Request

- **Petitioners:** Jason Janesich
- **Filing Date:** August 15, 2023
- **Requested Variances:** The requested variance would permit the construction of a 26'x32' detached garage with a rear yard setback of 20', which is 10' less than the required 30' rear yard setback in Shoreland Rural Residential (SRR) zoning districts.
- **Relevant portions of Zoning Ordinance:**
 - Section 30-512 Table 17C-2 of the Municipal Code, which lists Minimum Setbacks and Maximum Lot Coverage Standards in Shoreland Districts, specifically where the Code establishes the minimum rear yard setback of 30 feet for parcels in Shoreland Rural Residential Zoning Districts.
- **Legally Described Property:**
 - *PID: 91-588-0340 Lot 4, Block 3 Horseshoe Addition to Grand Rapids*



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Variance Request

Item 3.

Variance Details:

- As described in the application, no driveway is proposed to be built for access to the garage from the street.
- The proposed garage will be built to match the design and character of existing structures in the neighborhood.

Janesich Variance Locations Map



90 45 0 90 180 270 360
Feet

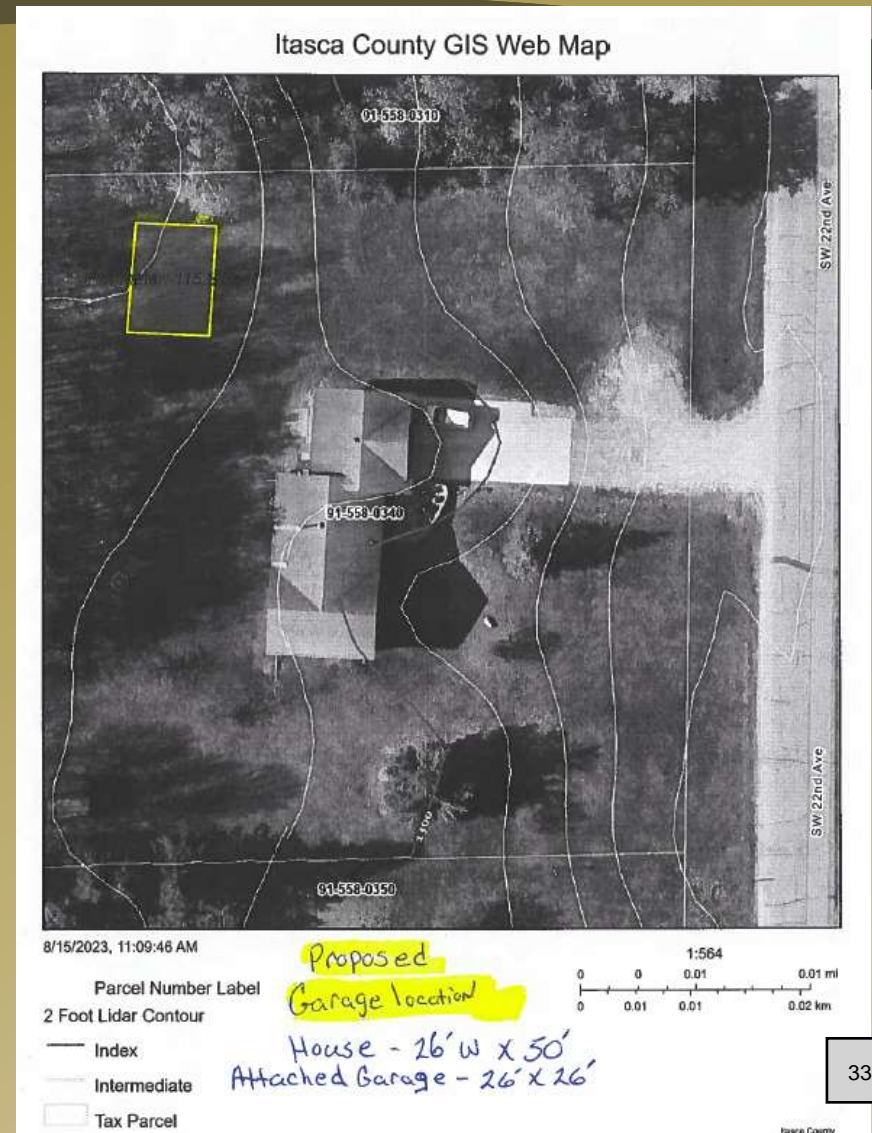


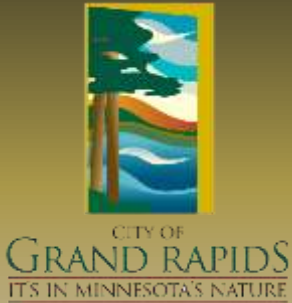
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Variance Request

Variance Details:

- Subject property is a 1-acre parcel with a single-family home and attached garage
- Mr. Janesich, the homeowner, is proposing to build a detached garage in the northwest corner of his property that meets all requirements of the Ordinance with exception to the rear yard setback minimum.
- Mr. Janesich cites the unique terrain of his parcel as the reason for the variance request and that if constructed at the required setback it would need to be built at a higher elevation into the slope, which will make access to it with vehicles more challenging.





Variance Request

Summary of requested variance:

The proposed project would require the Planning Commission's approval of one variance:

- 1) Section 30-512 Table 17C-2 of the Municipal Code, which lists Minimum Setbacks and Maximum Lot Coverage Standards in Shoreland Districts, specifically where the Code establishes the minimum rear yard setback of 30 feet for parcels in Shoreland Rural Residential Zoning Districts.

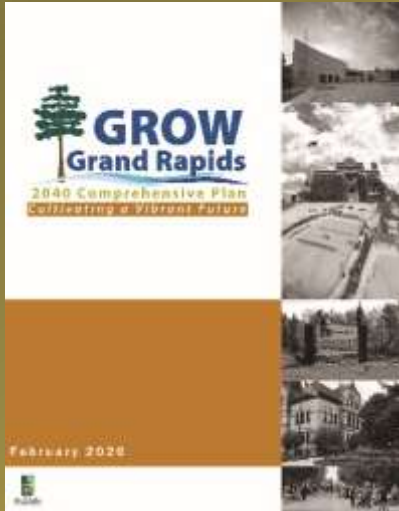
This variance would permit the proposed detached garage at a reduced rear yard setback of 20', which is 10' less than required.



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Variance Request

Comprehensive Plan: Goals & Objectives related to Land Use



Goal 4: Protect and enhance the character, amenities, variation, and livability of residential areas.

b. Promote the development, rehabilitation, and retention of neighborhoods and their existing character within urbanized areas. Traditional neighborhoods are the largest residential land use category on the Future Land Use Map. Core neighborhoods contain a variety of traditional architectural styles and naturally-occurring affordable housing. A focus on retention and enhancement of core neighborhoods helps preserve the City's cultural identity and strengthens community.

Variance Request

Item 3.



Planning Commission Variance Considerations:

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
IT'S IN MINNESOTA'S NATURE

Item 3.

Questions/Comments?

**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.cityofgrandrapidsmn.com

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

Jason Janesich

Name of Applicant*¹

1481 SW 22nd Ave

Address

Grand Rapids MN 55744

City

State

Zip

218-256-6336

jacej3@yahoo.com

Business Telephone/e-mail address

Name of Owner (If other than applicant)

Address

City

State

Zip

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 # 91-558-0340

Property Size: 1.02 Acres

Existing Zoning: Shoreline Rural Residential (SRR)

206 ft. x 215.9ft.

Existing Use: Residential single family home

Property Address/Location: 1481 SW 22nd Ave Grand Rapids MN

Legal Description: Lot 4 Block 3 Horseshoe Addition Township 55N Range 25W Section 30
 (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.

Jason Janesich
 Signature(s) of Applicant(s)

8-15-2023
 Date

Signature of Owner (If other than the Applicant)

Date

Date Received 8/15/23 Office Use Only
 Certified Complete ☒ Fee Paid ☒

Planning Commission Recommendation: Approved _____ Denied _____ Meeting Date _____

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:

To reduce the rear property line setback from 30ft. to 20ft. to accommodate a 26ft x 32ft. garage.

By reducing the setback to 20ft, it will allow the garage to have a more gradual entry for vehicles

otherwise the garage will sit too far east where the natural terrain has a steep slope and causing the vehicles undercarriage to drag as you enter the garage on the east side.

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

Zoned SRR/ Shoreland Rural Residential (See attachment Table 17C-2 Minimum Setbacks)

Private Sewer setback = 150ft./ Interior or side property setback= 15ft./ Rear property line setback= 30ft./ Maximum Lot Coverage (percent)= 25

Garage will be used mostly for storage of vehicles which are driven on special occasions.

The location of the garage in the NW corner of property is due to accessibility of vehicles due to Private septic in the front and setback of 75ft. from street would place the garage in the slope of the hill.

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):

This request follows all provisions of ordinance concerning Sections 30-453(e).

Due to the natural slope of the terrain and limited locations of flat ground the NW corner would be the only location to put the garage due to accessibility, setbacks from 22nd Ave being 75ft from public roadway would place the garage into the slope of the hill greatly increasing the expense and installing a large retaining wall.

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

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

Yes, this is the only location to put a detached garage due to the uniqueness of the property
terrain and elevation. This location also allows open ease of access to the garage from SW 22nd Ave

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:

The natural lay of the land with the difference in elevation from 22nd Ave to a flat location on the
property where a garage can be constructed.

No driveway will be installed leading to this proposed garage due to minimum traffic.

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:

This garage will be built by a reputable contractor and will have a 6;12 pitched roof with LP Smart
board siding, ledger stone on the bottom 3ft; decorative oak looking overhead doors,
matching soffit and facial all in today's modern colors.

The design and color of this garage will match the existing neighborhoods construction and design.
No driveway will be added as this will have minimum use and traffic to and from the
proposed garage.

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

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

The property is outside of the Airport zone located in a Shoreline Rural Residential Zone.
The garage will be constructed in the back (NW) corner of the property and the farthest location
from the Horseshoe Lake shoreline, approximately 750ft. to the nearest shoreline.
Minimal disturbance of soil with only 1 tree removal, within scope of project.

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

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.



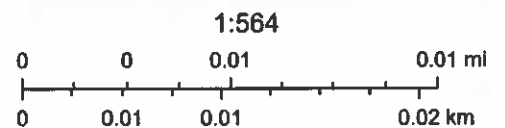
8/15/2023, 11:09:46 AM

Parcel Number Label
2 Foot Lidar Contour

— Index
— Intermediate
□ Tax Parcel

Proposed
Garage location

House - 26' W x 50'
Attached Garage - 26' x 26'



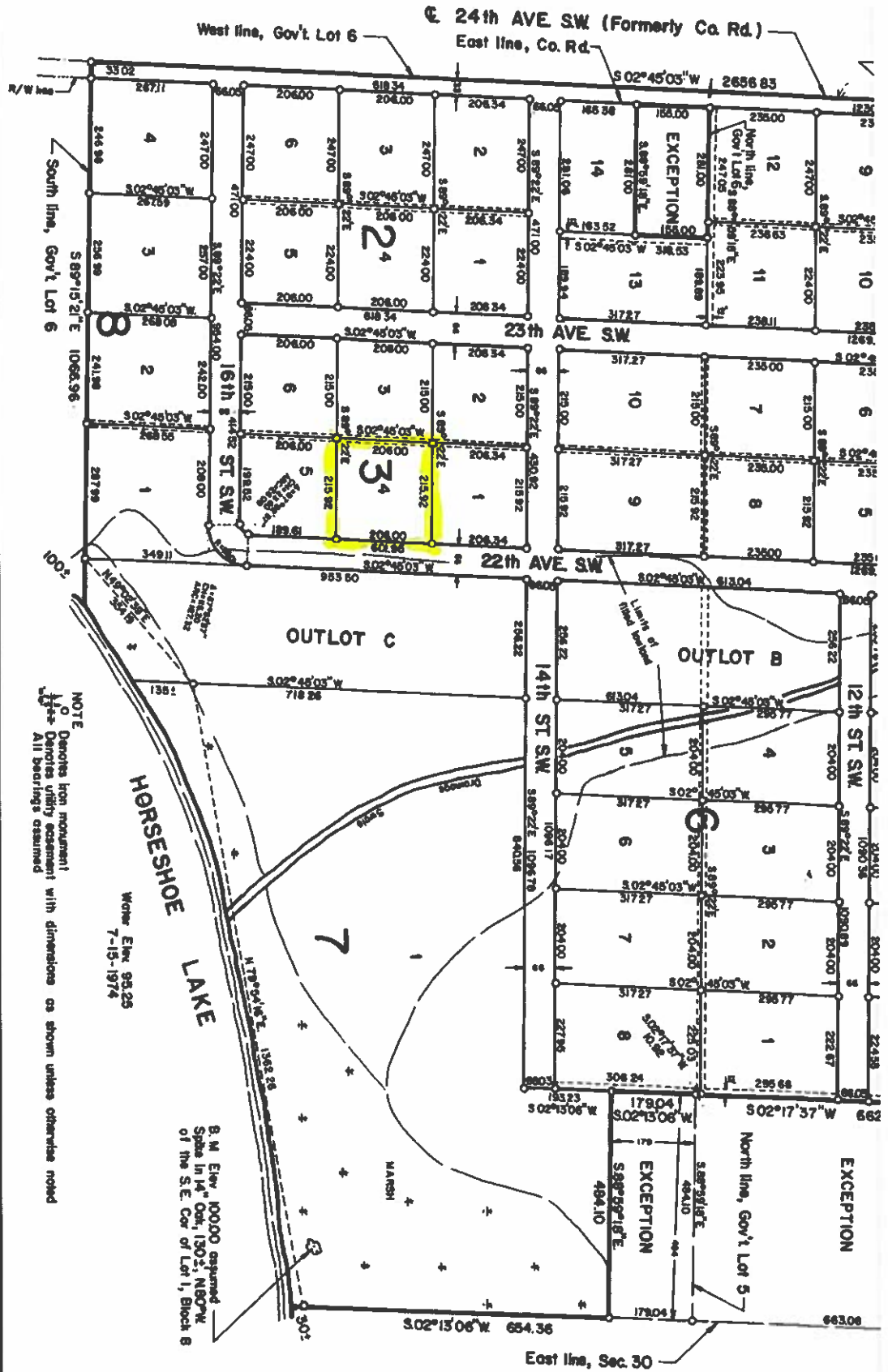


Table 17C-2 Minimum Setbacks/Coverage Standards Shoreland Districts

	SETBACK FROM OHWL (feet)			SETBACK FROM PROPERTY LINE (feet)				OTHER REQUIREMENTS		
	Building (Public Sewer)	Building (Private Sewer)	Sewage Treatment System	Front Street	Interior or Side	Street Side	Recreation	Maximum Lot Coverage (percentage) ¹	Maximum Building Height	Minimum Building Dimension
Natural Environment	(Lily Lake, Nagel Lake and Horseshoe Lake)									
SPU	150	150	150	30	10	15	10	85	60	24
SRR	150	150	150	30	15	30	30	25	35	24
SR-1	150	150	150	30	6—9 2	15	30	25	25	24
SR-1a	150	150	150	30	6	15	30	25	25	24
SR-2	150	150	150	30	6—9 2	15	30	25	25	24
SR-3	150	150	150	35	10	15	35	75	25	24
SR-4	150	150	150	35	20 ⁴	30	35	75	45	24
SLB, SGB	150	150	150	30	10	15	10	85	35	24
SM	150	150	150	30 ⁵	10	20 ⁵	15	25	45	24
SMU	150	150	150	35	30	30	35	75	45	24
SRC	150	150	150	50	25	25	25	25	35	N/A
SBP	150	150	150	50	15	25	15	85	35	24
SRC, SI-1 or SI-2	150	150	150	50	25	25	25	85	60	N/A
Recreational Development	(McKinney Lake, Crystal Lake, Hale Lake, Forest Lake)									
SPU	75	100	75	30	10	15	10	85	60	24
SRR	75	100	75	30	15	30	30	25	35	24
SR-1	75	100	75	30	6—9 2	15	30	35	25	24
SR-1a	75	100	75	30	6	15	30	35	25	24

30-563 Supplementary Use Regulations

In addition to other requirements of this division, the following shall apply:

(a) *Accessory buildings.* No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory. Only two detached accessory buildings shall be allowed, except as provided for in subsection c. Accessory buildings may be erected as part of the principal building or may be connected to it by a roofed-over porch, patio, breezeway or similar structure or it may be completely detached. If attached to the principal building, an accessory building shall be structurally a part of it and shall comply in all respects with the requirements applicable to the principal building. An accessory building not attached and not made part of the principal building shall not be nearer than six feet from any other separate structure on the same lot.

(1) Membrane structures shall be permitted uses in all residential, districts subject to the following:

- a. All membrane structures shall meet the standards of the building code. Refer to article IV of this chapter
- b. All membrane-covered buildings shall be neutral colored (i.e. dark green, tan, brown, etc.)
- c. There shall be no more than one membrane-structure per property
- d. The size shall not exceed 400 square feet.
- e. Membrane structures shall be included in hardcover calculations.
- f. Membrane structures shall be adequately anchored and/or secured to the ground.
- g. Membrane structures shall meet setback requirements for accessory buildings.
- h. Membrane structures shall not be located in the front or side yards.

(2) Accessory buildings in R-1, SR-1, R-1a, SR-1a, R-2 and SR-2 districts. The following shall apply:

- a. Structural space may be provided as accessory to a principal use not to exceed 1,000 square feet for lots smaller than 7,000 square feet and 1,300 square feet for lots greater than 7,000 square feet, total space, including an attached garage, provided:
 1. The building height does not exceed the height of the principal structure or 18 feet, whichever is greater, and the wall height does not exceed ten feet.
 2. The total building coverage does not exceed the limits outlined in Table 2-A in section 30-512.
 3. No other storage buildings shall be allowed.
- b. Where the lot size equals or exceeds 15,000 square feet, up to 1,500 square feet of structural accessory space, including an attached garage, may be provided, subject to the limitations of subsection b.1. of this section.
- c. An accessory building shall not be located any closer to the front lot line than the principal building.

(3) Accessory buildings in RR, SRR, and AG districts. Accessory buildings shall conform to the following standards:

Item 3.

- a. Structural space may be provided as accessory to a principal use not to exceed the lesser of three percent of the lot area or 10,000 square feet.
- b. No single accessory building shall exceed 25 feet in height.
- c. Accessory buildings not used for agricultural purposes shall be limited to the height of the principal residential structure with no more than 14 foot sidewalls
- d. Accessory buildings shall be designed to be compatible with the principal building and general neighborhood environments, including but not limited to exterior finish, color, materials, overhangs, soffits, and fascia.
- e. Accessory buildings located in the front or side yard shall be allowed subject to the following requirements:
 1. The accessory building is designed to architecturally match the existing principal structure including roof pitch, windows, trim, shingles, color and side materials. The roof overhang and eaves shall be at least 12 inches but no more than 30 inches.
 2. Accessory building overhead doors must be perpendicular to the road.
 3. The height of the accessory structure shall not exceed that of the principal structure and the maximum sidewall height shall not exceed 12 feet.
 4. Must be setback no less than 75 feet from the public right-of-way.
 5. The principal structure and accessory structure must share a common driveway.

(Code 1978, § 23.5(G); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007; Ord. No. 16-05-05, Exh. A, 5-23-2016)

Itasca County GIS Web Map





□ = 1'

32'

26'

3'

10'W X 8'H
OH Door

3'

10'W X 8'H
OH Door

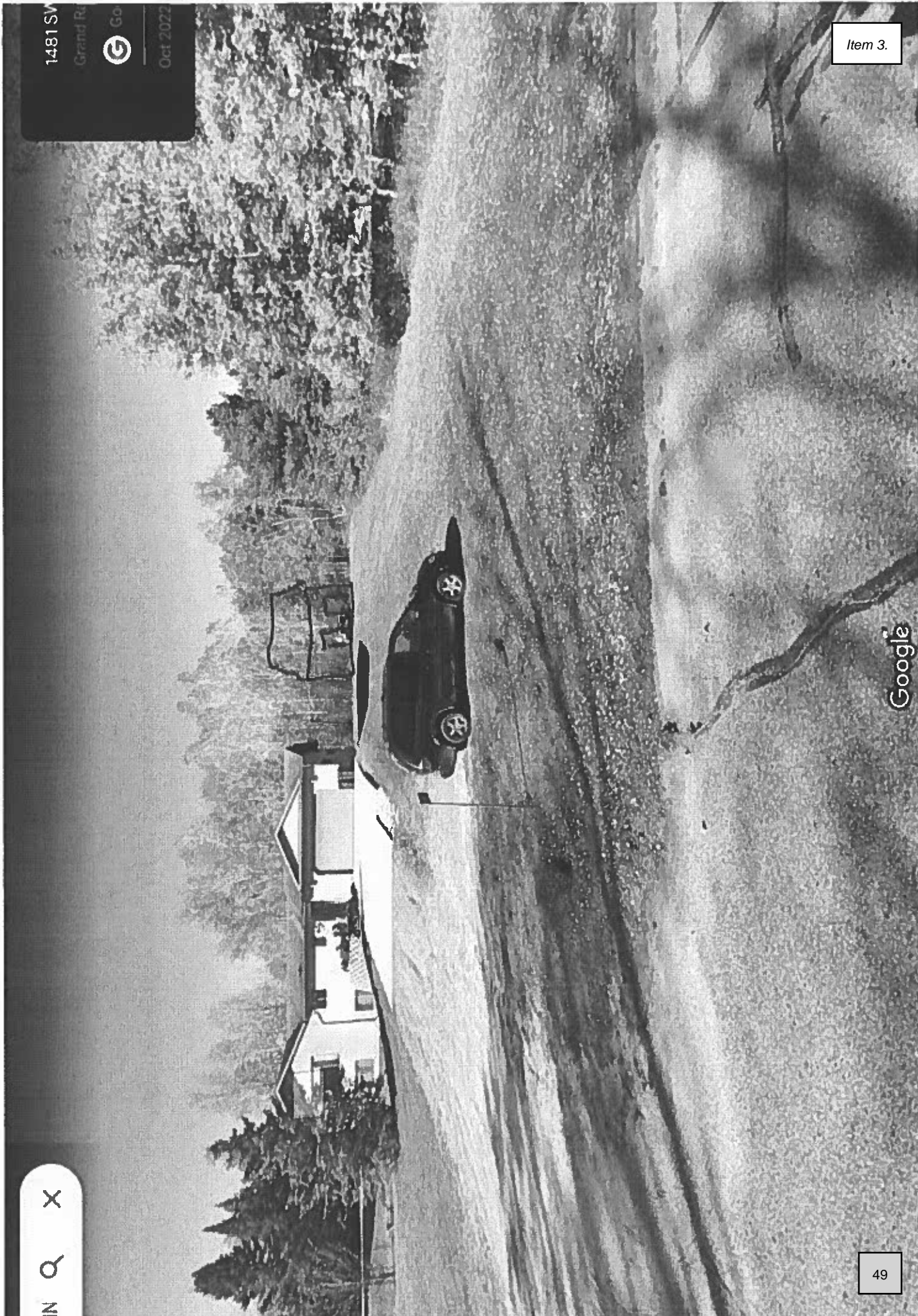
6'

36" door

4' X 2' 11"
Window

4' X 3' 11"
Window

9 ft. walls
6:12 Pitch Roof



Item 3.

Google

PLANNING COMMISSION

Considerations

VARIANCE

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6. Is the variance *consistent with* the *comprehensive plan*?
Why/Why not-