



**WHITE BEAR
TOWNSHIP**

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750

FAX 651-426-2258

Email: wbt@whitebeartownship.org

Board of Supervisors
ROBERT J. KERMES, *Chair*
ED M. PRUDHON
STEVEN A. RUZEK

**AGENDA
VARIANCE BOARD MEETING
APRIL 26, 2018**

1. **2:00 p.m.** Call Meeting to Order at Township Office Conference Room, 1281 Hammond Road.
2. Approve Agenda (Additions/Deletions).
3. Approve Minutes of April 17, 2018.
4. **Jason LeClaire, 2064 Stillwater Street** – Request for 9% Green Area Variance to Pave a Driveway.
5. Added Agenda Items.
6. Adjournment.





Variance Board Meeting April 26, 2018

Agenda Number: 1 - 2 - 3

Subject: Call to Order – 7:30 a.m.
Administrative Conference Room
1281 Hammond Road

Approval of April 26, 2018 Agenda
Approval of April 17, 2018 Minutes

Documentation: April 26, 2018 Agenda
April 17, 2018 Minutes

Action / Motion for Consideration:

Call meeting to order:	7:30 a.m.
Approval of Agenda:	April 26, 2018 (additions/deletions)
Approval of Minutes:	April 17, 2018

**MINUTES
VARIANCE BOARD MEETING
APRIL 17, 2018**

The meeting was called to order at 7:50 a.m.

Present: Members: Short, Johnson, Denn; Planner: Riedesel; Applicant: Adam Moore.

APPROVE AGENDA: The agenda was approved as submitted.

APPROVE MINUTES: Johnson moved approval of the March 13, 2018 Minutes. Denn seconded. Ayes all.

Adam & Nicole Moore, 5707 Birch Road – Request for 8.4% Green Area Variance to Allow Driveway Addition: Riedesel summarized the request to add to the existing driveway. The Moore's are completing a remodel and an addition to the home. The addition on the Birch Road side of the home includes a garage with living quarters above. The driveway is planned to be widened, but will remain narrow at the road right-of-way.

The Moore's lot is 9,583 square feet in area, and 40' wide at the Birch Road right-of-way. The lot is considered an undersized lot of record.

Riedesel reviewed several green area variances approved in the neighborhood in the past. They included:

- a 7% green area variance at 5735 Birch Road in 2002
- a 13% green area variance at 5717 Birch Rod in 2010
- a 9.9% green area variance at 5711 Birch Road in 2005

It was noted that one additional green area variance was approved at 5713 Birch Road in 2005. A 13% green area variance was approved.

The Variance Board discussed options with Mr. Moore to reduce the coverage on the lot. Pavers: interlocking pavers were considered but Mr. Moore prefers a concrete driveway after considering the options which were discussed with Mr. Johnson prior to application for the variance.

Johnson noted that the soils are marginal in the area where the driveway is proposed and should be replaced if pavers are used.

Short felt that the Moore's should not be held to a higher standard than others in the neighborhood.

Denn noted that cost is not a factor when considering a variance.

**Minutes
Variance Board Meeting
April 17, 2018**

Short moved to recommend to the Planning Commission to recommend to the Town Board to approve an 8.4% green area variance as requested since the green area variance requested is less than or consistent with other variances approved in the immediate neighborhood, the driveway has been reduced in width at the right-of-way, and is a suitable width at the garage, and the variance as requested meets the standards set forth to approve a variance. Johnson seconded. Ayes all.

The meeting adjourned at 7:50 a.m.

Respectfully Submitted,

Tom Riedesel
Planner

DRAFT



**Variance Board Meeting
April 26, 2018**

Agenda Number: 4

Subject: Jason LeClaire, 2064 Stillwater Street – Request for 9%
Green Area Variance to Pave a Driveway

Documentation: Staff Memo
Variance Application
Plans

Action / Motion for Consideration:

Receive Information / Discuss

MEMORANDUM

TO: VARIANCE BOARD
FROM: TOM RIEDESEL
DATE: APRIL 25, 2018

SUBJECT: DRIVEWAY ADDITION

REQUEST: 9% GREEN AREA VARIANCE

LOCATION: 2064 STILLWATER STREET
APPLICANT: JASON LECLAIRE

Mr. LeClaire is requesting approval of a 9% green area variance which would allow him to pave/replace his driveway. The driveway is paved from the house to Stillwater Street. The back half of the driveway is gravel. The garage is located in the rear portion of the property.

The lot is 70' wide and 10,454 square feet in area. It is considered an undersized lot of record. The Town requires 75% of the lot be maintained as green area. The property is located in the Shoreland Management Zone (within 1000' of Bald Eagle Lake). If the lot were outside of the shoreland zone, the green area requirement is reduced to 70%. The paved area of the driveway is approximately 780 square feet. An area of approximately 1,080 square feet is planned to be paved in addition to the existing paved area. The total square footage of the driveway is proposed to be 1,860 square feet, or just under 18% of the lot.

The Town has reviewed and approved several green area variances for undersized lots. The approved variances are primarily located along the lakeshore of Bald Eagle Lake. The location of the garage behind the home creates the need for a long driveway.

When reviewing variances, Section 9-6.1 and 9-6.4 must be considered. These sections state:

9-6.1. GENERAL. The Town Board shall have the exclusive power to order the issuance of variances from the terms of this Ordinance including restrictions placed on non-conformities. Variances from the literal provisions of this Ordinance shall only be permitted when they are in harmony with the general purposes and intent of this Ordinance, and when the terms of the variance are consistent with the Comprehensive Plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the provisions of this Ordinance. "Practical Difficulties", as used in connection with the granting of a variance, means that the property owner proposes to use the property

in a reasonable manner not permitted by this Ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, when in harmony with this Ordinance. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The Town Board may impose conditions in granting a variance that are directly related to and in rough proportion to an impact created by the variance.

9-6.4. STANDARDS. In considering all requests for variance and in taking subsequent action, the Town Board shall approve the variance only if the following facts are established:

(1). Without issuance of a variance, the provisions of this Ordinance would deprive the applicant of a reasonable use of property under the terms of this Ordinance.

(2). That the special conditions and circumstances do not result from the actions of the applicant.

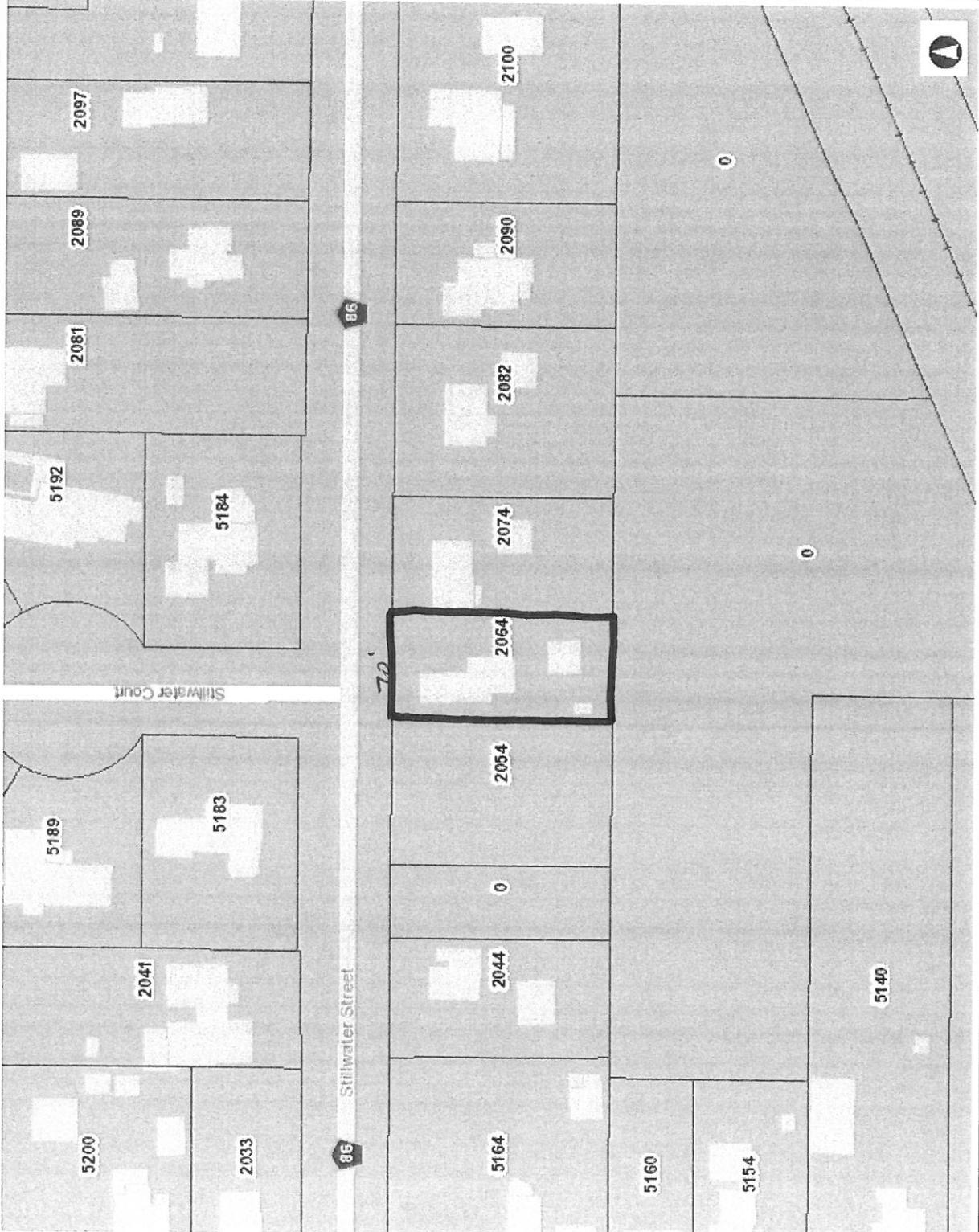
(3). That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.

(4). That the proposed action will not unreasonably increase the congestion on public streets.

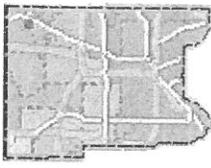
(5). That the proposed action will not increase the danger of fire or endanger the public safety.

(6). That the proposed action will not unreasonably diminish or impair established property values within the neighborhood or in any other way be contrary to the intent of this Ordinance.

TR/psw
cc:admin/add.file
b:leclair



Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

Notes

Enter Map Description

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION



NAD_1983_HARN_Adj_MN_Ramsey_Feet
 © Ramsey County Enterprise GIS Division

N ↑

STILLWATER STREET

2064

NEW 6x6R

NEW 6x6R

EXISTING

10'0"

NEW 24"

10'0"

HOUSE

1388 FT²

NEW

EXISTING

↑ DRAINAGE

20'0" NEW

NEW 26'0" NEW

NEW

↓ DRAINAGE

40'0"

PARCELL I.D.

113 022420057

10,454.4 FT² LOT

3'0"

NEW

22'6"

NEW

27'

NEW

GARAGE

576 FT²

BASE ROCK

10'0"



VARIANCE APPLICATION FORM

White Bear Township
 1281 Hammond Road
 White Bear Township, MN 55110
 Phone 651-747-2750 Fax 651-426-2258
www.ci.white-bear-township.mn.us

INTRODUCTION

Variations from the literal provisions of this Ordinance shall only be permitted when they are in harmony with the general purposes and intent of this Ordinance, and when the terms of the variance are consistent with the Comprehensive Plan. Variations may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the provisions of this Ordinance. "Practical Difficulties", as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by this Ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variations shall be granted for earth sheltered construction as defined in Minnesota Statutes, when in harmony with this Ordinance. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The Town Board may impose conditions in granting a variance that are directly related to and in rough proportion to an impact created by the variance. Conditions may be imposed in the granting of variations to insure compliance and to protect adjacent properties.

_____ Fee \$225

APPLICANT(S) Jason LeClair PHONE (Home) _____
 (Business) 651-255-1939
 (Cell) 651-395-1293

ADDRESS 2064 Stillwater St
White Bear Township MN
55110

PROPERTY OWNER Jason LeClair

ADDRESS OF SITE 2064 Stillwater St ZONING R1

EXISTING USE OF SITE Primary residence

DESCRIPTION OF VARIANCE REQUEST Pave remaining portion of driveway to garage. Current impervious ratio: 25% Proposed 34%

SETBACKS:	<u>Required</u>	<u>Existing</u>	<u>Requested</u>
Front Yard	_____	_____	_____
Side Yard	<u>10'</u>	<u>10'</u>	<u>10'</u>
Side Yard	_____	_____	_____
Rear Yard	_____	_____	_____
Other (Specify)	_____	_____	_____



**Variance Board Meeting
April 26, 2018**

Agenda Number: 5 - 6

Subject: Added Agenda Items
Adjournment

Documentation:

Action / Motion for Consideration:

Added Agenda Items

Adjourn Meeting