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

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

AGENDA
VARIANCE BOARD MEETING
June 20, 2018

1. **7:30 a.m.** Call Meeting to Order at Township Office Conference Room, 1281 Hammond Road.

2. Approve Agenda (Additions/Deletions).
3. Approve Minutes of May 16, 2018.

4. **Larkin & Gina Adey, 5265 Grand Avenue** – Request for a 16.4' Right-of-Way Setback Variance, Minor Subdivision Requiring Lot Size & Width Variances to Allow Construction of a Front Entryway & Lot Subdivision.

5. Added Agenda Items.
6. Adjournment.

White Bear Township's
Mission:

To provide White Bear Township residents, businesses and visitors with reliable, high quality municipal services while serving as open and responsible stewards of the public trust.

recycled paper

WHITE BEAR TOWNSHIP

Variance Board Meeting
June 20, 2018

Agenda Number: **1 - 2 - 3**

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

Approval of June 20, 2018 Agenda
Approval of May 16, 2018 Minutes

Documentation: June 20, 2018 Agenda
May 16, 2018 Minutes

Action / Motion for Consideration:

Call meeting to order:	7:30 a.m.
Approval of Agenda:	June 20, 2018 (additions/deletions)
Approval of Minutes:	May 16, 2018

MINUTES
VARIANCE BOARD MEETING
MAY 16, 2018

The meeting was called to order at 2:02 p.m.

Present: Members: Short, Johnson, Denn; Planner: Riedesel; Applicants: Joe Levins & Kristen Lippert Peinado.
Absent: None.

APPROVE AGENDA: Denn moved approval of the agenda as submitted. Johnson seconded. Ayes all.

APPROVE MINUTES: Johnson moved approval of the April 26, 2018 Minutes. Denn seconded. Ayes all.

Kristen Lippert Peinado & Hilario Peinado Zepeda, 2360 Hoxie Avenue – Request for a 20.1' Right-of-Way Setback Variance from Hoxie Avenue & 28.1' Right-of-Way Setback Variance to Add a Second Story on the Existing Home and a 30.1' Right-of-Way Setback Variance from O'Connors Alley, a 6.4' Side Yard Setback Variance to Reconstruct/Relocate a Garage and a 27.1% Green Area Variance: Riedesel summarized the request to add a second story onto the existing home and reconstruct/relocate the existing garage on the property at 2360 Hoxie Avenue.

The existing home is proposed to add a second story to a portion of the existing home, utilizing the current walls and current setbacks. Because the home does not meet setback requirements and is proposed to be increased in height, variances are required. In addition, the applicants would like to relocate the garage and attach it to the home.

As part of the garage relocation, existing asphalt can be removed between the current garage and O'Connors Alley plus additional asphalt can be removed between the home and alley. Relocation of the garage and removal of the asphalt will increase the green area on the property.

The Variance Board discussed the variances as requested.
The consensus of the Board was the second story addition fits the standards for approval of a variance.

The garage was discussed.

Ms. Lippert Peinado stated that they prefer an attached garage which would be in a different location.

Johnson noted that an attached garage would create additional green space on the lot, especially if existing asphalt is removed as part of the additions. A greater setback from O'Connors Alley would also be achieved if the garage were to be attached as shown.

DRAFT

Johnson noted that the existing garage could be reconstructed in the same location as a variance was approved for the garage in 1985.

It was the consensus of the Variance Board that the variances as requested can be supported with the garage being shifted and attached to the home.

Short moved to recommend to the Planning Commission to recommend to the Town Board approval of the variances as requested as the proposed second story will have the same setback as the first story and that the proposed new garage will result in more green area and a greater setback. Denn seconded. Ayes all.

It was noted that the green area must be recalculated with the attached garage option.

Frank (Joe) Levins & Anna-Lise Levins - Request for a 27.5' Right-of-Way Variance from Ridgeway Avenue & a 4' Right-of-Way Setback Variance from an Undeveloped Right-of-Way to Construct a Four Season Porch onto the East Side of the Home: Riedesel summarized the request to add a porch to the east side of the Levin's home. The porch is proposed to be 12' x 40' and would replace a deck.

The home is located in the northwest corner of the lot 7.5' from the Ridgeway right-of-way. In addition there is an undeveloped right-of-way on the west side of the home. The addition is proposed to be located on the opposite side of the home from the right-of-way, 31' away. A 4' variance is requested from the undeveloped right-of-way.

Previous variances were approved on the property to add a second story to the home and to construct the deck in its current location (to be replaced by the porch).

The Variance Board discussed the proposal.

Denn noted that he supported the variance as requested since the addition would be no closer to the right-of-way than the existing home.

Johnson noted that the front door should stay in its current location due to the home design.

The Variance Board noted that the porch is proposed to be larger than the deck but will meet the standards set forth by the Zoning Ordinance to approve a variance.

Johnson moved to recommend to the Planning Commission to recommend to the Town Board approval of the variances as requested since the home is an existing non-conforming structure, the current building line will be maintained and subject to reconfiguration of the proposed eave so it is no closer to the right-of-way than the existing eave. Short seconded. Ayes all.

The meeting adjourned at 8:05 a.m.

DRAFT

WHITE BEAR TOWNSHIP

Variance Board Meeting
June 20, 2018

Agenda Number: **4**

Subject: Larkin & Gina Adey, 5265 Grand Avenue – Request for 16.4' Right-of-Way Setback Variance & a Minor Subdivision Requiring Lot Size & Width Variances to Allow Construction of a Front Entryway & Lot Subdivision

Documentation:
Staff Memo
Variance Application
Plans

Action / Motion for Consideration:

Receive Information / Discuss

MEMORANDUM

TO: **PLANNING COMMISSION**
FROM; **TOM RIEDESEL**
DATE: **JUNE 13, 2018**

SUBJECT: CONSTRUCTION OF A FRONT ENTRYWAY & LOT SUBDIVISION

REQUESTS: **16.4' RIGHT-OF-WAY SETBACK VARIANCE**
MINOR SUBDIVISION REQUIRING LOT SIZE & WIDTH VARIANCES

LOCATION: **5265 GRAND AVENUE**
ZONING: **R-1**
APPLICANTS: **LARKIN & GINA ADEY**

The Adey's are requesting approval of a minor subdivision, requiring lot width and lot size variances, and a 16.4' right-of-way setback variance. The right-of-way setback variance is requested to allow construction of an entryway into the home. The home currently has a small deck at the front. The Adey's would like to add a covered entryway in the location of the deck. The front deck is located 18.6' from the Grand Avenue right-of-way. A 16.4' right-of-way setback variance is required to replace the non-conforming deck with a larger structure.

In addition to the right-of-way setback variance, the Adey's would like to separate the southerly portion of the lot, creating a new buildable lot. The Adey property consist of 4, 43' wide lots which were tied together for tax purposes. The Adey's home and garage are located on the northerly 3 parcels. Lot #4 is vacant. The total area of the 4 lots is 24,982 square feet in area. The Town's minimum lot square footage requirement is 12,000 square feet. Lot width requirements are 80' for an interior lot and 105' for a corner lot. The proposed parcels are:

Parcel A – 15,984 square feet in area. The width of this corner lot is proposed to be 109.91 x 145.61. The Adey home and garage are located on the proposed Parcel A.

Parcel B - 8,998 square feet in area. The width of this lot is proposed to be 61.97' wide.

Parcel A as proposed meets the Town's minimum lot width and square footage requirements.

Parcel B as proposed will require two variances:

1. An 18.03 lot width variance
2. A 3,002 square foot lot size variance

The property is located in the White Bear Beach neighborhood. Lot sizes vary but there are several undersized lots of record. Many of the lots were platted with lot width's between 40' and 50' wide. Most were combined to create larger lots. Several were developed as individual lots, however. The block where the Adey's home is located has 9 homes. Four of these lots with homes are 43' wide. One corner lot is 45' wide. The Adey lot is 171.88' wide and the remaining three lots are 105' wide (corner lot) and two are 86' wide. One of the 86' wide lots is a corner lot. Six of the nine lots are undersized lots of record. Three of these properties are in the City of White Bear Lake.

The block across the street from the Adey's home has six homes, of which all lots exceed 80' in width. Three of the four corner lots are less than 105' wide, however.

The block south of Adey's has five homes in the Township and two in the City of White Bear Lake.

Three of the five homes in the Township are constructed on undersized lots of record.

The block north of Adey's has all but one lot which meets current lot size requirements.

Other blocks in the White Bear Beach neighborhood have varying lot sizes, many of which are undersized.

Right-of-Way Setback Variance:

The right-of-way setback variance is requested to add a front entryway onto the home Currently there is an at grade deck which is proposed to be replaced by the entryway. The Adey garage is placed closer to the 2nd Street right-of-way than the porch which is proposed abutting Grand Avenue. It appears that the homes at 5255 Grand, 2560 2nd Street, 2559 1st Street all have the front facing portions of their homes closer to the right-of-way than what the Adey's are requesting. Based on the character of the neighborhood, especially this block, the porch addition appears to be consistent with several of the other homes in the neighborhood. A 16.4' right-of-way setback variance must be approved to allow the entryway addition.

Subdivision Requiring Lot Size & Width Variances:

This unique block in the White Bear Beach neighborhood has homes on conforming sized lots and homes on small undersized lots. A new home has been designed which will meet setback requirements if the Adey's are permitted to subdivide their lot. The Town must review and take action on the variance requests including:

An 18.03' lot width variance request.
A 3,002 square foot lot size request.

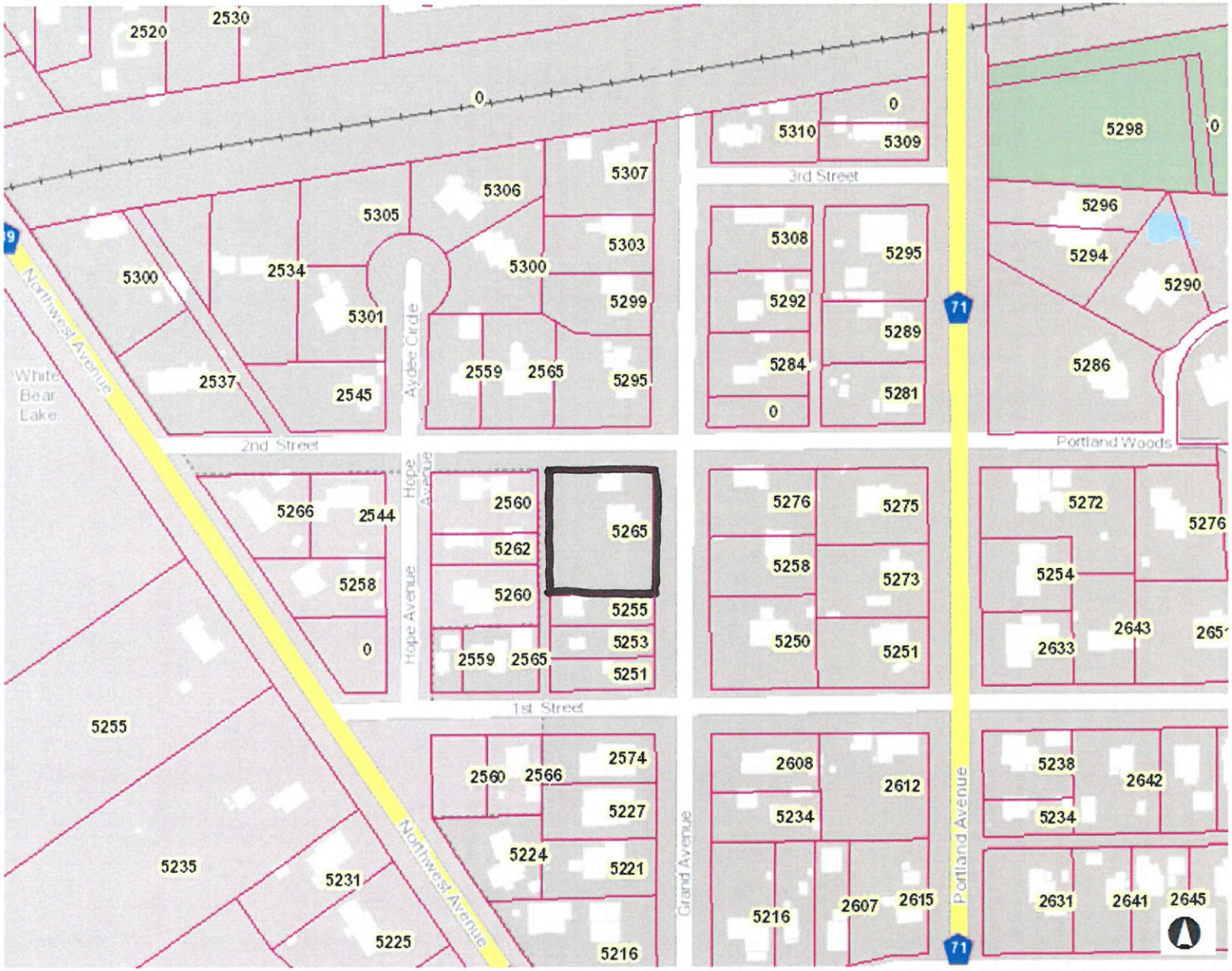
There are five mature trees which will most likely have to be removed to make way for a new home. It appears that of these five, three may be able to be worked around. The large oak tree in the rear yard would be worth working around if possible.

If the subdivision is approved as requested, the following are recommended conditions for approval:

A. Payment of a park dedication fee for Parcel B.
B. Payment of a Utility Hook-Up fee for the future home on Parcel B.
C. The builder shall consider a home design which will avoid destruction of all mature trees on the lot.
D. Approval of an 18.03' lot width variance for Parcel B.
E. Approval of a 3,002 square foot lot size variance for Parcel B.
F. Provision of 10' drainage and utility easements along the lot lines for parcels A & B (easements shall not be located over any existing buildings).

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

MapRamsey



400.0 0 200.00 400.0 Feet

NAD_1983_HARN_Adj_MN_Ramsey_Feet

© Ramsey County Enterprise GIS Division

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

Legend

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

Notes

Enter Map Description

CONCEPT PLAN

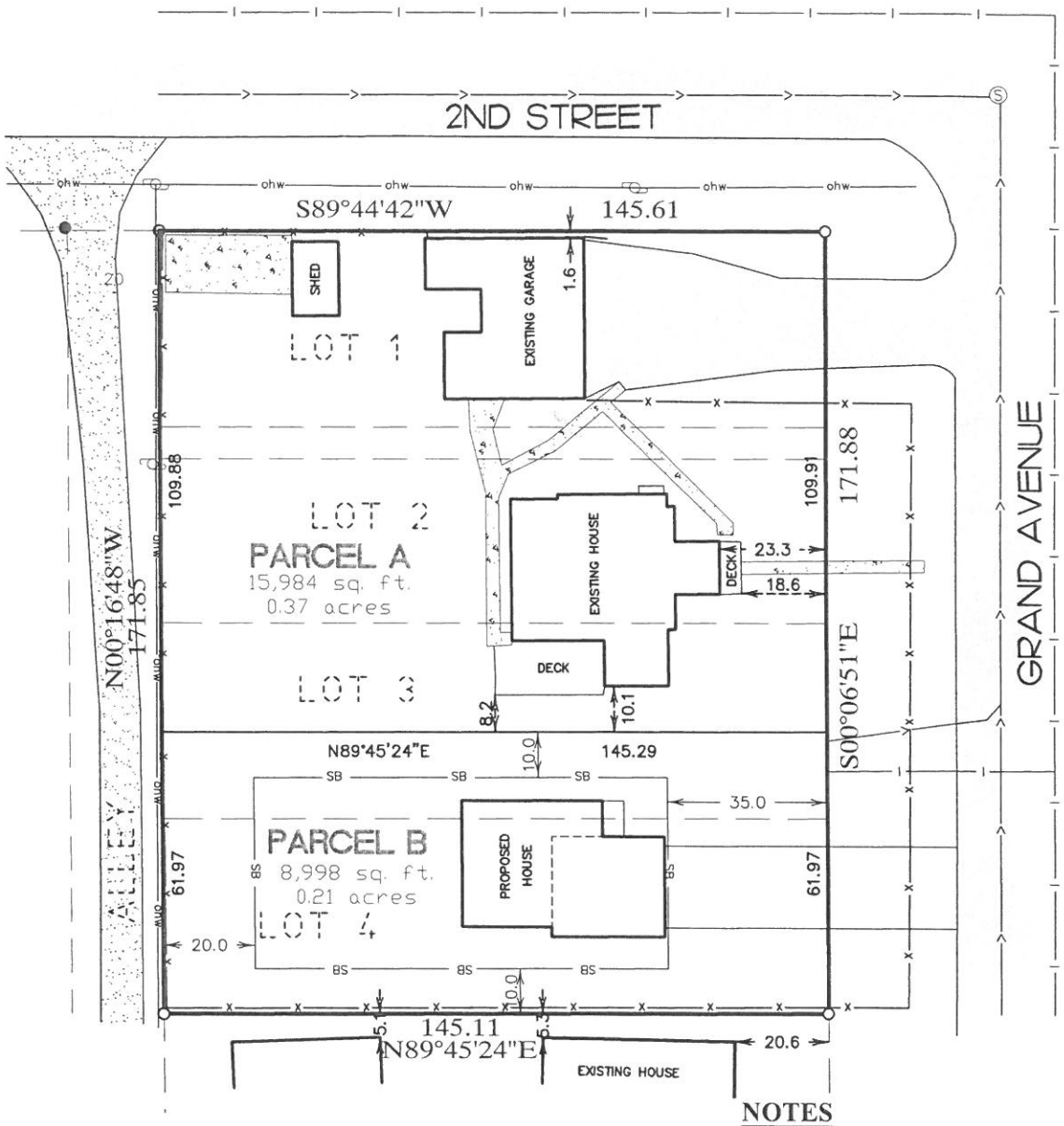
FOR: LARKIN ADEY

ADDRESS: 5265 GRAND AVENUE, WHITE BEAR TWP.

0 30

(IN FEET)
1 inch = 30 ft.

NORTH



NOTES

- *BEARING'S SHOWN ARE ON ASSUMED DATUM.*

DENOTES UTILITY POLE
DENOTES SANITARY SEWER MANHOLE
DENOTES OVERHEAD WIRE
DENOTES WATERMAIN
DENOTES SANITARY SEWER
DENOTES GRAVEL
DENOTES CONCRETE
DENOTES BITUMINOUS

LEGAL DESCRIPTION

Lot 4, Lot 3, and South 36 feet of Lot 2, Block 21, White Bear Beach. ALSO that part of Section 12, Township 30, Range 22, described as follows to-wit: Beginning at a point on the West line of Grand Avenue, 50 South of the South line of Second Street, thence North to South line of Second Street, thence West 145.51 feet, thence South 50 feet; thence East to point of beginning, Ramsey County, Minnesota.

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

JOSHUA P. SCHNEIDER Date: 5-22-18 Reg. No. 44655

JOB#18087

ACRE LAND SURVEYING
Blaine, MN 55449
763-238-6278 js.acrelandsurvey@gmail.com

C:\Land Projects 2008\08000-Template\dwg\template-1.dwg 5/3/2013 2:29:02 PM CDT

WHITE BEAR TOWNSHIP

MINOR SUBDIVISION APPLICATION FORM

INTRODUCTION

A minor subdivision is a division of one parcel into two lots. Neither parcel can be further subdivided. The newly created lot must front on an existing street and cannot require the extension of municipal facilities or any public improvement. Utility connection charges and park dedication fees may apply.

APPLICANT(S) Larkin L. Adey
Gina L. Adey

PHONE (Home) 952 818 6010
(Business) 612 735 1674
(Cell) _____

ADDRESS 5265 Grand Ave.
White Bear Township MN

PROPERTY OWNER Larkin L. Adey
Gina L. Adey

ADDRESS OF SITE 5265 Grand Ave.

ZONING R1

EXISTING USE OF SITE Residential

_____ Fee ($35.00 plus $150.00 Initial Expense Deposit, Plus All Related Additional Costs Incurred Regarding the Request)

It is the policy of White Bear Township that all identifiable costs associated with a Minor Subdivision within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.

Signature of Applicant(s)

5/30/2018
Date

To Be Completed By Office:

Date Request Received 5/30/2018

By _____
(Staff Member)

$35.00 Fee + $150 Deposit Received ☑ Yes ☐ No

Date Application Complete _____

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

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 in 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 variances to insure compliance and to protect adjacent properties.

_____ Fee $225

APPLICANT(S) Larkin L. Adey
Gina L. Adey

PHONE (Home) 952 818 6010
(Business) _____
(Cell) 612 735 1674

ADDRESS 5265 Grand Ave.

PROPERTY OWNER Larkin + Gina Adey

ADDRESS OF SITE 5265 Grand Ave. ZONING R1

EXISTING USE OF SITE Home

DESCRIPTION OF VARIANCE REQUEST Add front covered front entry encroaching into setback area.

SETBACKS:	Required	Existing	Requested
Front Yard	35	23.3	~~23~~ 18.6
Side Yard	10	71.98	NA
Side Yard	10	—	NA
Rear Yard	10	—	NA
Other (Specify)			

Applicant understands that the Variance Application fee will not be refunded if, after being submitted, the application is denied or the applicant chooses to withdraw.

It is the policy of White Bear Township that all identifiable costs associated with a Variance Application within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.

*Signature of Applicant(s)

5/30/2018
Date

*Prior to applying for a variance it is recommended that the applicant contact Town staff in order to discuss the proposal.

To Be Completed By Office:

Date Request Received 5/30/2018

By _____ (Staff Member)

$225.00 Fee Received ☑ Yes ☐ No

Date Application Complete _____

STATEMENT OF AFFECTED PROPERTY OWNERS

If a signed statement is not provided by the applicant for a variance, the Town Board shall order a public information meeting which will include printed notice to all property owners within 350' of the property where the variance is requested. Public Notice publication costs will be the responsibility of the applicant.

I am the owner of the property at: 5265 Grand Ave. I am requesting that the Town of White Bear grant me a variance from Ordinance No. _____, for the following purpose:

Front exterior entry extension + remodel. Minor subdivision.

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

PROPERTY OWNERS

1. Name: Ken Petronack Address: 5299 Grand Ave
   Phone: (Home) 651 407 6014
   (Bus.)
   (Cell) " "
   Comments: Great...
   Date: 5/30/2018 Signatures:

2. Name: Jean Begbie Address: 5295 Grand Ave.
   Phone: (Home)
   (Bus.)
   (Cell) 651-707-7611
   Comments:
   Date: 5/30/18 Signatures: Jean Begbie

3. Name: Patricia Lebakken Address: 5292 Grand Ave
   Phone: (Home)
   (Bus.)
   (Cell) 651-270-4031
   Comments: Looks good!
   Date: 5-30-18 Signatures: Patricia A. Lebakken

STATEMENT OF AFFECTED PROPERTY OWNERS

If a signed statement is not provided by the applicant for a variance, the Town Board shall order a public information meeting which will include printed notice to all property owners within 350' of the property where the variance is requested. Public Notice publication costs will be the responsibility of the applicant.

I am the owner of the property at: _____. I am requesting that the Town of White Bear grant me a variance from Ordinance No. _____, for the following purpose:

_____

_____

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

PROPERTY OWNERS

1. Name: JoAnn Naegeli Address: 5258 Grand Ave.
Phone: (Home) 651 340-2864
(Bus.) _____
(Cell) _____

Comments: _____

Date: 5-30-2018 Signatures: JoAnn Naegeli

2. Name: BRENT D. HARRY Address: 5250 GRAND AVE
Phone: (Home) (651) 426-3727
(Bus.) _____
(Cell) _____

Comments: _____

Date: 5-30-2018 Signatures: Brent D. Harry

3. Name: Jim & Cheryl Miller Address: 5262 Hope Ave
Phone: (Home) 651-409-1988
(Bus.) _____
(Cell) 651 262-9710

Comments: _____

Date: 6/7/18 Signatures: [illegible] / Cheryl Miller

STATEMENT OF AFFECTED PROPERTY OWNERS

If a signed statement is not provided by the applicant for a variance, the Town Board shall order a public information meeting which will include printed notice to all property owners within 350' of the property where the variance is requested. Public Notice publication costs will be the responsibility of the applicant.

I am the owner of the property at: _____. I am requesting that the Town of White Bear grant me a variance from Ordinance No. _____, for the following purpose:

_____

_____

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

PROPERTY OWNERS

1. Name: Meghan Davis Address: 5284 Grand Av
   Phone: (Home) 612-978-0349
   (Bus.) _____
   (Cell) _____

   Comments: _____

   Date: 6/7/18 Signatures: _____ / _____

2. Name: _____ Address: _____
   Phone: (Home) _____
   (Bus.) _____
   (Cell) _____

   Comments: _____

   Date: _____ Signatures: _____ / _____

3. Name: _____ Address: _____
   Phone: (Home) _____
   (Bus.) _____
   (Cell) _____

   Comments: _____

   Date: _____ Signatures: _____ / _____

Variance Board Meeting
June 20, 2018

Agenda Number: **5 - 6**

Subject: Added Agenda Items

Adjournment

Documentation:

Action / Motion for Consideration:

Added Agenda Items

Adjourn Meeting