Board of Supervisors
ED M. PRUDHON, *Chair*
STEVEN A. RUZEK
SCOTT E. MCCUNE

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
FEBRUARY 20, 2019

1. **8:00 a.m.** Call Meeting to Order at Township Office Conference Room, 1281 Hammond Road.

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

4. **Nathan Landucci, 5508 West Bald Eagle Boulevard** – Request for the Following Variances:

   - 17' Right-of-Way Setback Variance
   - 46.5' Lakeshore Setback Variance
   - 11.3' Height Variance
   - .5 Side Setback Variance
   - 15.1% Green Area Variance

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
February 20, 2019

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

Subject: Call to Order – 8:00 p.m.
Administrative Conference Room
1281 Hammond Road

Approval of February 20, 2019 Agenda
Approval of January 16, 2018 Minutes

Documentation: February 20, 2019 Agenda
January 16, 2018 Minutes

Action / Motion for Consideration:

Call meeting to order:	8:00 a.m.
Approval of Agenda:	February 20, 2019 (additions/deletions)
Approval of Minutes:	January 16, 2018

MINUTES
VARIANCE BOARD MEETING
JANUARY 16, 2019

The meeting was called to order at 8:00 a.m.

Present: Members: Christopherson, Denn, Johnson; Planner: Riedesel; Tom Fleming & Bill Short.

APPROVE AGENDA: The agenda was approved as submitted.

APPROVE MINUTES: Johnson moved approval of the Minutes of October 16, 2018.

MIKE & KATHERINE FLEMING, 5518 & 5520 SHADYSIDE LANE – Request for 25' Right-of-Way Setback Variance & a 1' Side Yard Setback Variance to Allow a Minor Subdivision/Lot Line Rearrangement: Riedesel summarized the Fleming request to construct a new home using the existing foundation and add a new garage at 5518 Shady Side Lane. A lot lien rearrangement is also proposed in order to accommodate a new garage for 5518 Shady Side. The additional property would come from 5520 Shady Side Lane.

The majority of the foundation planned to be reused meet setback requirements. An area of approximately 12 square feet encroaches one foot into the side yard setback area. The new garage is proposed 10' from the public right-of-way. An existing garage and shed, both of which encroach into the right-of-way setback area are proposed to be removed. Both of these structures are located closer to the right-of-way than the proposed garage.

Tom Fleming provided a summary of the proposal.

Johnson noted several existing garages along Shady Side Lane are very close to the right-of-way. This garage location will set a setback precedent for future garages along Shady Side Lane.

Short noted other similar requests for variances for lakeshore properties on Shady Side Lane and Hugo Road.

The Variance Board discussed the proposal. All were in agreement that a non-conformity is being decreased as two structures close to the right-of-way are being replaced by a new garage further from the right-of-way.

In addition, the limited lot size and configuration of the lot and right-of-way create a practical difficulty and green area requirements are being met.

Denn noted that the right-of-way where the garage is proposed functions like a side yard due to the configuration, and also that the right-of-way serves only one home north of this property.

DRAFT

Denn moved to recommend to the Planning Commission to recommend to the Town Board to approve a 25' right-of-way setback variance to allow construction of a new garage and a 1' side yard setback variance to allow reuse of an existing foundation since the plan as proposed, will eliminate two non-conforming structures on the property and creates a greater setback on the property, and the plans as proposed, meet the standards set forth by the Zoning Ordinance to approve a variance. Johnson seconded. Ayes all.

The meeting adjourned at 8:25 a.m.

Respectively Submitted,

Tom Riedesel
Planner

DRAFT

WHITE BEAR TOWNSHIP

Variance Board Meeting
February 20, 2019

Agenda Number: **4**

Subject: **Nathan Landucci, 5508 West Bald Eagle Boulevard** – Request for the Following Variances:

- 17' Right-of-Way Setback Variance
- 46.5' Lakeshore Setback Variance
- 11.3' Height Variance
- .5 Side Setback Variance
- 15.1% Green Area Variance

Documentation: Staff Memo w/attachments
Variance Application

Action / Motion for Consideration:

Receive Information / Discuss

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: FEBRUARY 15, 2019

SUBJECT: GARAGE RECONSTRUCTION

REQUESTS:
17' RIGHT-OF-WAY SETBACK VARIANCE
46.5' LAKESHORE SETBACK VARIANCE
11.3' HEIGHT VARIANCE
.5 SIDE SETBACK VARIANCE
15.1% GREEN AREA VARIANCE

LOCATION: 5508 WEST BALD EAGLE BOULEVARD
ZONING: R-1, SUBURBAN RESIDENTIAL
APPLICANT: NATHAN LANDUCCI

Mr. Landucci is requesting Town approval of setback variances and Conditional Use Permit which would allow demolition of the existing garage and replacement of a new 2 story garage located on West Bald Eagle Boulevard. The existing garage has a footprint of 26' wide by 24' deep. The garage footprint is proposed to be expanded to 26' wide by 26' deep. The garage is proposed to have a second story with a refuge area. The refuge area proposes open space with a utility area and bathroom fixtures including a toilet, sink and shower. The height of the garage is 21'3", as measured to the average of the highest gable.

The Variance Board met with Mr. Landucci in November of 2018 and requested that he consider eliminating the kitchen and reducing the size of the living area in what was proposed as a guest cottage. The Variance Board did not feel that the property qualifies for a guest cottage per the Zoning Ordinance requirements. The refuge area was discussed and it was agreed that without kitchen facilities, the second story area is not considered a guest cottage.

The garage is located on a 2,613 square foot lot on West Bald Eagle Boulevard. The garage serves 1 Bald Eagle Island and is the only structure, other than the driveway, located on the lot. The existing garage is a single story. The new garage is proposed to be demolished and replaced in approximately the same location with the 2 story garage. The lot is 41.5' wide and subject to the following setbacks:

- 50' lakeshore setback
- 6.00' side setbacks
- 35' right-of-way setback
- 10' maximum height for a lakeshore accessory structure

Mr. Landucci is requesting the following setbacks:

- A 3.5' lakeshore setback - requiring a 46.5' variance
- A 5.5' side setback - requiring a .5' side setback variance on one side of the garage
- A 9.4' side setback – no variance required
- A 18' right-of-way setback requiring a 17' variance
- An 11.3' height variance

The garage is proposed to have a 26' x 26' footprint or 676 square feet in area. The upper portion of the garage is proposed to be 886 square feet in area. A 4' balcony is proposed on the lake side of the garage. Twenty-five percent maximum coverage is permitted on the lot. The lot is 2,613 square feet in area. The garage is proposed to cover 25.9% of the lot. The driveway covers another 390 square feet of the lot. If the island is included in the square footage of the property, the 25% impervious area maximum is not exceeded when including the garage lot. However, after contacting Ramsey County Property Records & Revenue Department it was found that due to the distance between the island and the garage lot, the two cannot be combined for tax purposes. The Variance Board reviewed the proposal and recommends that Mr. Landucci attach the properties using deed restrictions on both lots (requiring that they remain together). Without this lot combination, the coverage on the garage lot is proposed to be 40.1% requiring a 15.1% green area variance.

It must be noted that the garage lot area was purchased from the property at 5505 West Bald Eagle Boulevard. The use of this property had some limitations on it. They include:

- The easement may be used by the Van Brunts, their heirs and assigns, their families, and guests for all riparian rights including, but not limited to the following: Construction and maintenance of a garage and driveway, said garage of a dimension not to exceed 26 feet by 26 feet; installation and use of a dock for boating and swimming; storage of dock sections, boats and other water crafts; landscaping and gardening; parking of motor vehicles.
- The easement conveyed herein shall be perpetual, and it shall be appurtenant to and run with Parcel 2, as above described. Nothing herein shall constitute a dedication of any interest in the easement to the public or give any members of the public any rights hereunder.
- Should any portion of the easement area be taken by eminent domain, the Van Brunts, their heirs and assigns, shall receive the entire compensation for loss of use or said easement area.
- The Van Brunts, as owns of Parcel 2, and their heirs and assigns, shall be solely responsible for the maintenance of the easement. For purposes of valuation for

real property taxation and for special assessments for local improvements, the easement shall be considered as appurtenance to Parcel 2, as above described.

Section 9-6.4 of the Zoning Ordinance sets the standards which must be met in order to approve a variance. It states:

(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.

In addition to the variances being requested, Mr. Landucci is requesting approval of a Conditional Use Permit which would allow the second level of the garage to be used as a refuge area. Previous review of the Landucci proposal included a request for a guest cottage which is permitted in the R-1 residential zoning district. A guest cottage must meet the following requirements in order for Conditional Use Permit approval. They include:

- The residential lot in a sewered area must be at last 24,000 square feet in area.

  The lot where the garage/guest cottage is proposed is 2,613 square feet in area. The island is 2.33 acres.

- The structure design, building materials and color shall be compatible with the principal structure and surrounding land uses.

  The garage is proposed to be consistent with the home on the island.

- The structure shall not be used for rental purposes.

No rental of the guest cottage/refuge area is planned.

- A guest cottage must pay one service (sewer & water) for each utility serving the property.

  A Metro sewer availability charge (SAC) and local sewer availability charge and water availability charge (WAC) must be paid in addition to the Utility Connection Fee as the property was not assessed in the past. These fees will amount to $25,425.00.

- A guest cottage shall not cover more than 700 square feet of land and shall not exceed 15' in height.

  The footprint is proposed to be 676 square feet in area. The area of the guest cottage/refuge area is proposed to be 886 square feet in area. The height is proposed to be 21'3".

- A guest cottage in the Shoreland Management District must be designed to reduce its visibility as viewed from the lake (Bald Eagle).

The refuge area is proposed to be used in the event of poor weather, which would limit access to the island. There are no plans to rent the living quarters, which would not be allowed or to utilize the building for living purposes, full time.

A total of 4 variances are being requested in addition to the Conditional Use Permit for the refuge area. At the two previous Variance Board meetings, the Variance Board discussed ordinance amendments which may be preferred to approving the requested variances. Options considered include:

1. Rezone the garage lot from R-1 to BEI so it is consistent with the island zoning. Specific requirements allowing a guest cottage/refuge area would have to be adopted to accommodate the guest cottage/ refuge area.

2. Amend the height requirements of the guest cottage section of the ordinance allowing structure height up to 21 feet (15' maximum height is currently permitted). In the alternative, allow a lakeshore accessory structure to be 21.3' high. The current request for a lakeshore accessory structure is 10'.

If recommended, the Variance Board may want to also consider amending the green area requirements allowing a guest cottage to cover up to 40.1% of a lot or acknowledge that deed restrictions tying the lots together must be provided by the owner.

If the Zoning Ordinance is amended to accommodate the Landucci proposal as defined above, a right-of-way setback variance, a lakeshore setback variance and side yard setback variance must also be approved for the new structure.

Conditional Use Permit:

A guest cottage meeting Zoning Ordinance requirements is permitted in the R-1 Zoning District. Since the structure is proposed to be 6' taller than is permitted by the ordinance, and 186 square feet larger, the building must be reduced in height and size or height and square footage variances must be approved by the Town. In the alternative, the Zoning Ordinance may be amended. If the Conditional Use Permit is recommended for approval, it must be subject to approval of the requested variances and payment of a utility connection fee and payment of SAC, WAC and local SAC fees.

If the Town feels that the request as proposed does not qualify as a "guest cottage/refuge area", then the structure will not qualify as a guest cottage and will be considered a lakeshore accessory structure. No Conditional Use Permit is required for a lakeshore accessory structure. Approval of variances will be required however.

Variances:

The following variances are requested:

- A 6' 3" guest cottage/refuge area height variance or 11.3' lakeshore accessory structure height variance
- A 46.5' lakeshore setback variance
- A 17' right-of-way setback variance
- A .5 side yard setback variance
- A 15.1% green area variance (not required if the properties are tied together per deed restrictions)

Guest cottages are limited to 15' in height. If this were a two story garage, no height variance would be required providing that the garage does not exceed 25' in height. Lakeshore accessory structures are limited to 10' in height. Since the garage is located on a lakeshore, it is considered a lakeshore accessory structure. Height variances are unprecedented in the Town, for the past 25 plus years. Previously when an applicant wanted to exceed height requirements, the Zoning Ordinance was amended rather than approval of a height variance. Zoning Ordinance amendments to exceed height requirements were approved for Schwing America and Cortec Corporation, both businesses. No height variances have been requested in a residential zone recently.

Lakeshore Setback Variance:

A 50' lakeshore setback variance is required as measured to the 100 year high water elevation, which is 913' for Bald Eagle Lake. A 3.5' lakeshore setback is proposed. Since the maximum depth of the lot is less than 70', either a lakeshore or right-of-way setback variance must be approved, or both to allow any structure on the lot.

Right-of-Way Setback Variance:

A 35 right-of-way setback is required. An 18' setback is proposed which is 5' further from the right-of-way than the existing garage. The 18' setback was determined by measuring from the property line to the foundation (19.5') and subtracting the front overhang which is 2'6", but allows for a 1' overhang encroachment into the setback area.

Side Setback:

A .5' minimum side setback variance is requested. Based on the proposed width of the garage. One side yard setback variance must be approved.

The following are recommendations for the Variance Board to consider:

1. Approve:

   - A 17' right-of-way setback variance
   - A 46.5' lakeshore setback variance
   - A .5' side yard setback variance
   - A 11.3' height variance
   - A 15.1% green area variance

2. Approve an amendment to Section 7-9.7(d) as follows:

   A guest cottage shall not cover more than 700 square feet of land surface and shall not exceed ~~15'~~ 21'.3" in height.

   In addition Section 7-9.7 or Ordinance No. 35 should also be amended reducing the minimum lot size permitted from 24,000 square feet to 2,613 (2,500) square feet unless deed restrictions are provided. If recommended for approval, the following variances must still be approved:

   - 17' right-of-way setback variance
   - 46'.5" lakeshore setback variance
   - .5' side yard setback variance

3. Rezone the garage lot from R-1 to BEI Zoning. Set the following BEI zoning requirements:

Minimum right-of-way setback requirement	=	15'
Minimum lakeshore setback requirement	=	3.5'

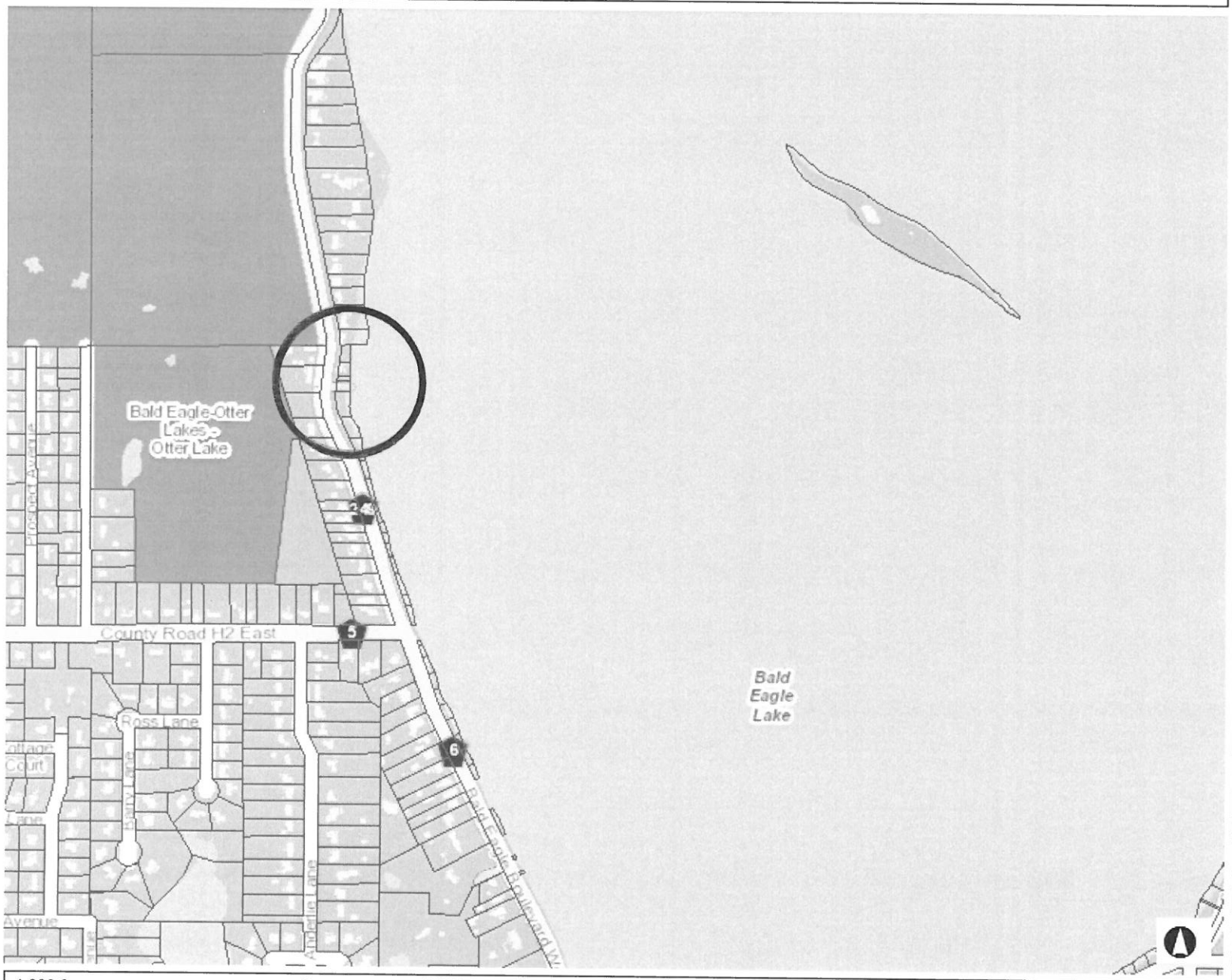
4. Deny the variances as requested since as requested they do not meet the standards set forth by the Zoning Ordinance to approve.

5. Deny the Conditional Use Permit request for the guest cottage/refuge since the lot is 2,613 square feet in area not meeting the 24,000 square foot minimum lot size, the proposed building exceeds the square footage and height requirements permitted by Section 7-9.7(d) of the Zoning Ordinance.

6. Approve the Conditional Use Permit as requested, subject to approval of the variances as requested or in the alternative, the Zoning Ordinance amendments as discussed.

TR/psw
cc:admin/add.file
b:landuccigarage19

MapRamsey



1,333.3 0 666.67 1,333.3 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

LOCATION SURVEY

FOR: Landucci Homes

EXISTING LEGAL DESCRIPTION

Certificate of Title Number 337209
Charles H. Hildebrandt, owner

The North 1/2 of Lot 23, Victoria Addition to Bald Eagle; Lot 24, Victoria Addition to Bald Eagle;
That part of Lot 25, Victoria Addition to Bald Eagle lying Westerly of present road know as Bald Eagle Blvd West; all in Ramsey County, Minnesota.

NOTE: only the portion of the above described property lying easterly of Bald Eagle Drive is shown.

LEGEND:

- FOUND MONUMENT
- SET 1/2" IRON PIPE MARKED RLS NO. 25718
- CABLE TV PEDESTAL
- ELECTRIC PEDESTAL
- ELECTRIC TRANSFORMER
- GUY WIRE
- POWER POLE
- TELEPHONE PEDESTAL
- FLARED END SECTION
- STORM MANHOLE
- OVERHEAD UTILITY
- BITUMINOUS SURFACE

NORTH

NOTE: SEE OTHER SHEETS FOR EASEMENT SKETCH AND DESCRIPTION AND SITE PLAN PREPARED BY CORNERSTONE LAND SURVEYING, INC FOR THIS PROJECT.

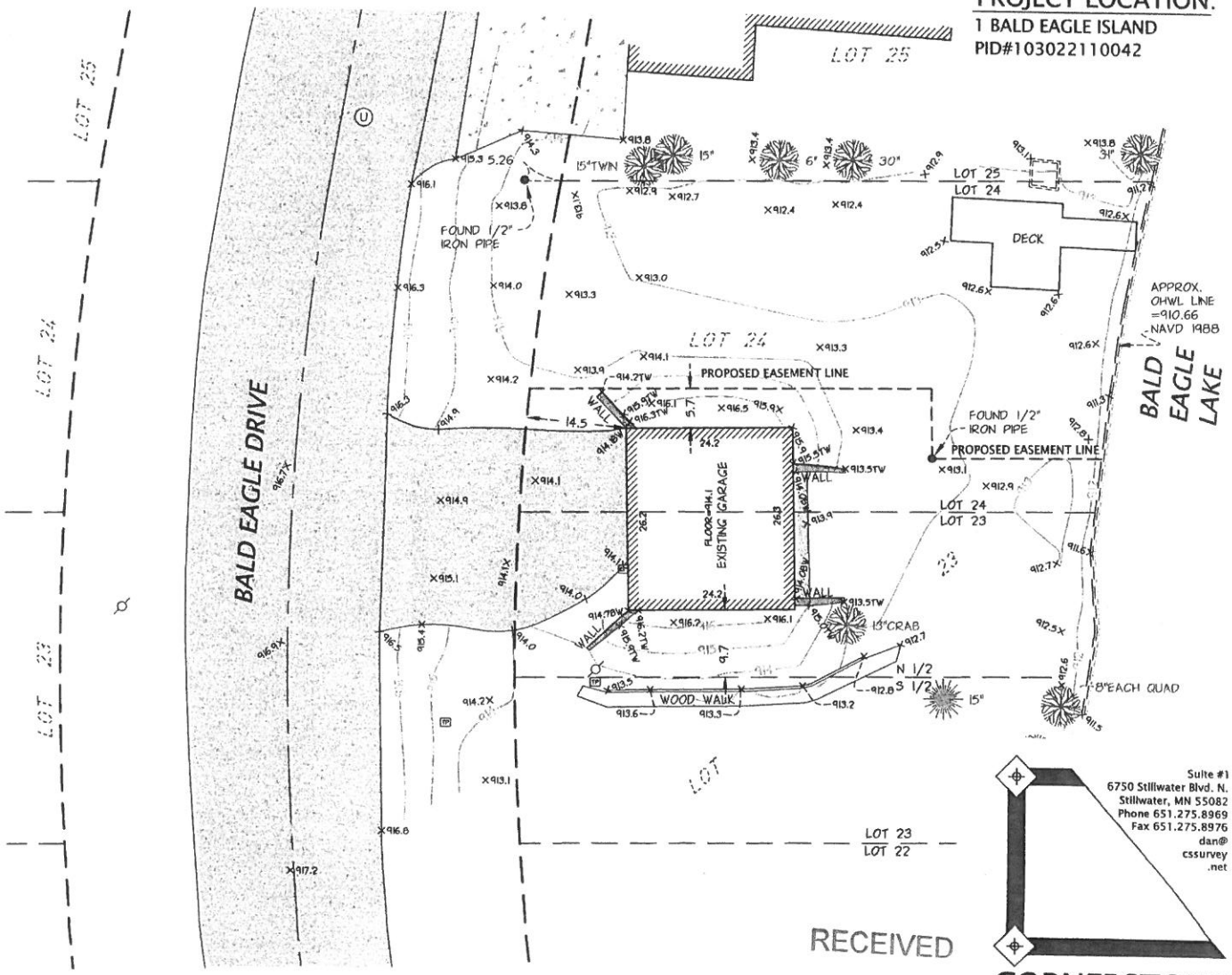
0 15 30

CERTIFICATION

I hereby certify that this survey, plan 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.

DANIEL L. THURMES
License No. 25718

Date: 4-11-18
Project: LAD18004



PROJECT LOCATION:

1 BALD EAGLE ISLAND
PID#103022110042

Suite #1
6750 Stillwater Blvd. N.
Stillwater, MN 55082
Phone 651.275.8969
Fax 651.275.8976
dan@cssurvey.net

CORNERSTONE
LAND SURVEYING, INC.

RECEIVED
FEB 08 2019
TOWN OF WHITE BEAR

EASEMENT SKETCH

FOR: Landucci Homes

NOTE: SEE OTHER SHEETS FOR LOCATION SURVEY AND SITE PLAN PREPARED BY CORNERSTONE LAND SURVEYING, INC FOR THIS PROJECT.

EXISTING EASEMENT DESCRIPTION

(INGRESS AND EGRESS EASEMENT PER DOC. 871734)

A perpetual easement over and across that part of the North half of Lot 23 and all of Lot 24, Victoria Addition to Bald Eagle, Ramsey County, Minnesota described as follows: Commencing at the Meander Post No. 12 on the North line of Government Lot 1, Section 10, Township 30 North, Range 22 West of the 4th Principal Meridian; thence Easterly 12.21 feet along said North line; thence southerly, deflecting to the right 95 degrees 17 minutes 09 seconds, a distance of 214.19 feet to the South line of said North half of Lot 23, said point being the beginning of the easement to be described; thence Northerly 41.35 feet along the last described line to a point on a line 30 feet South of and parallel with the North line of said Lot 24; thence Easterly, parallel with the North line of said Lot 24 a distance of 48 feet; thence Southerly at right Angles to the last described line a distance of 10 feet; thence Easterly parallel with the North line of said Lot 24 to the shoreline of Bald Eagle Lake; thence Southerly along said shoreline to the south line of the North half of said Lot 23; thence Westerly along said South line to the point of beginning and there terminating.

REVISED EASEMENT DESCRIPTION

(TO REPLACE INGRESS AND EGRESS EASEMENT PER DOC. NO. 871734)
A perpetual easement over and across that part of the North Half of Lot 23 and all of Lot 24, VICTORIA ADDITION TO BALD EAGLE, Ramsey County, Minnesota which lies southerly of the following described line and its easterly and westerly projections and which lies easterly of the easterly right of way line of Bald Eagle Drive:

COMMENCING at the North Quarter corner of Section 10, Township 30, Range 22; thence on an assumed bearing of North 89 degrees 20 minutes 36 seconds East along the north line of the Northeast Quarter and the north line of Government Lot 1 and it's easterly extension a distance of 2,475.15 feet; thence South 00 degrees 39 minutes 25 seconds East a distance of 182.07 feet to a point hereinafter referred to as "Point A"; thence North 89 degrees 21 minutes 24 seconds East a distance of 25 feet more or less to the shoreline of Bald Eagle Lake and the POINT OF BEGINNING; thence South 89 degrees 21 minutes 24 seconds West along last described line a distance of 25 feet more or less to the aforementioned "Point A"; thence North 00 degrees 39 minutes 25 seconds West a distance of 10.00 feet; thence South 89 degrees 20 minutes 35 seconds West a distance of 58 feet more or less to the easterly right of way line of Bald Eagle Drive and said line there terminating.

CERTIFICATION

I hereby certify that this survey, plan 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.

DANIEL L. THURMES
License No. 25718

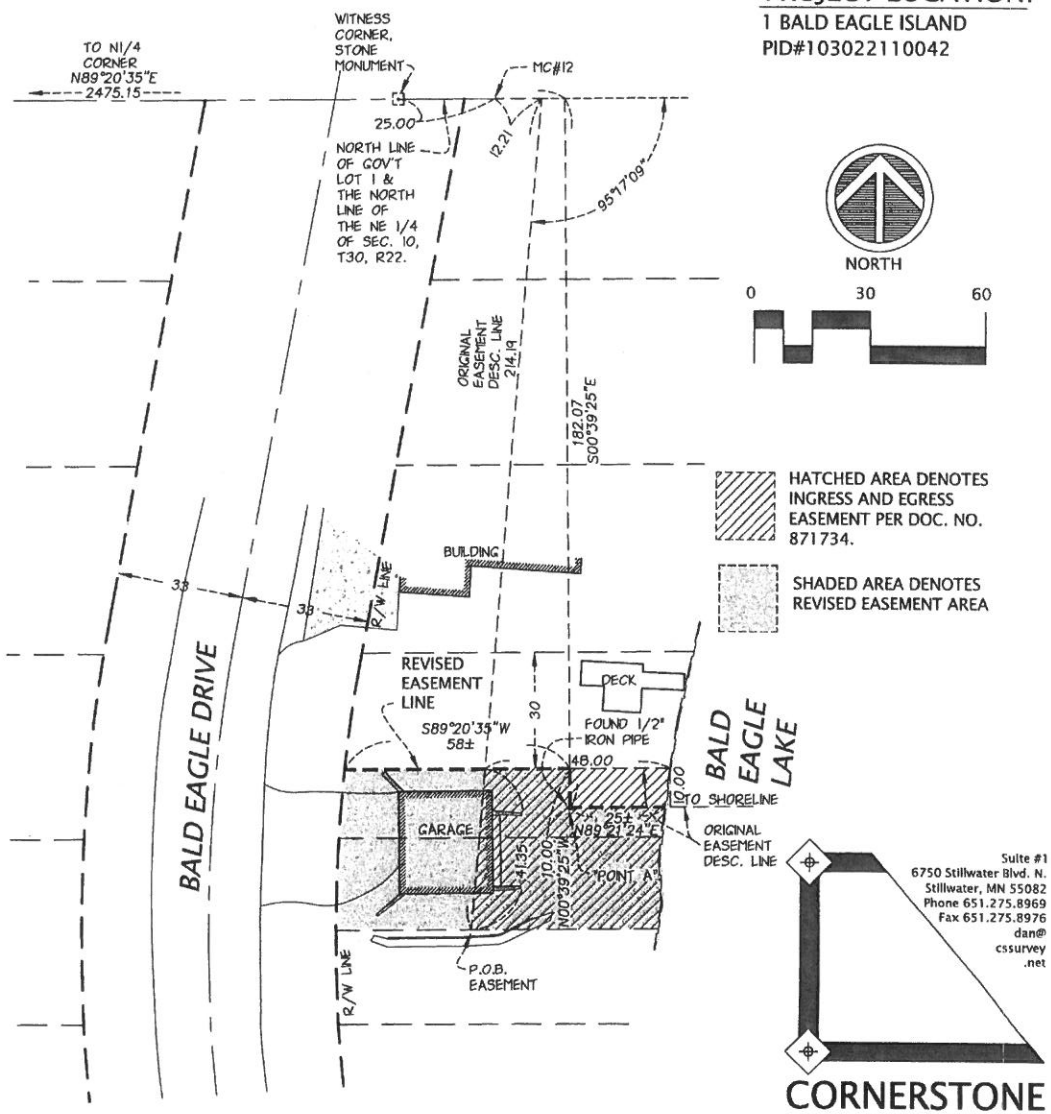
Date: 4-11-18
Project: LAD18004

NOTES:

1. VARIOUS ITEMS APPEAR TO BE IN ERROR WITH THE ORIGINAL EASEMENT DESCRIPTION. CONSULT AN ATTORNEY TO RECTIFY THE MATTER.
2. THE UNDERLYING PARCEL THAT THE EASEMENT OCCUPIES IS TORRENS TITLE.

PROJECT LOCATION:

1 BALD EAGLE ISLAND
PID#103022110042



Suite #1
6750 Stillwater Blvd. N.
Stillwater, MN 55082
Phone 651.275.8969
Fax 651.275.8976
dan@cssurvey.net

CORNERSTONE
LAND SURVEYING, INC.

SITE PLAN

FOR: Landucci Homes

PROPOSED BUILDING ELEVATIONS

HOUSE TYPE = SLAB ON GRADE
GARAGE FLOOR = 914.5

PROPOSED LEGEND

⊠	DENOTES OFFSET HUB
x 985.0	DENOTES EXISTING ELEV.
985.0	DENOTES PROPOSED ELEV.
⇨	DIRECTION OF PROP. SURFACE DRAINAGE
930	PROPOSED CONTOURS
X=931.6	EXISTING ELEVATIONS
930	EXISTING CONTOURS

EROSION CONTROL MEASURES

SF — DENOTES SILT FENCE

NORTH

NOTE: SEE OTHER SHEETS FOR EASEMENT SKETCH AND DESCRIPTION AND LOCATION SURVEY PREPARED BY CORNERSTONE LAND SURVEYING, INC FOR THIS PROJECT.

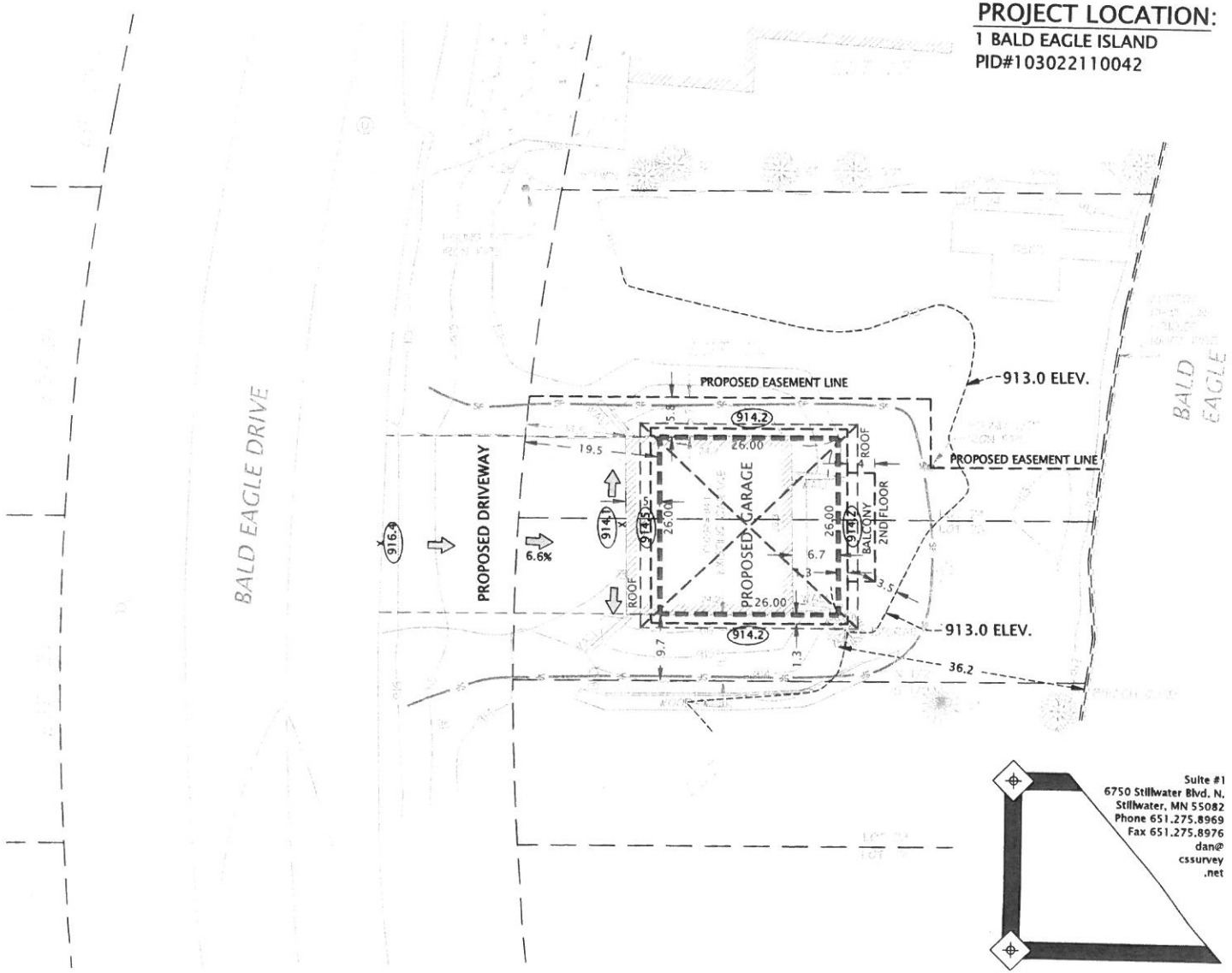
0 15 30

CERTIFICATION

I hereby certify that this survey, plan 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.

DANIEL L. THURMES
License No. 25718

REVISED 2-12-19
REVISED 3-7-18
Date: 2-16-18
Project: LAD18004



PROJECT LOCATION:

1 BALD EAGLE ISLAND
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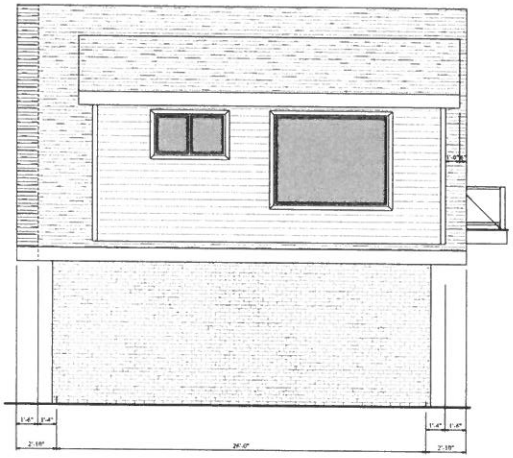
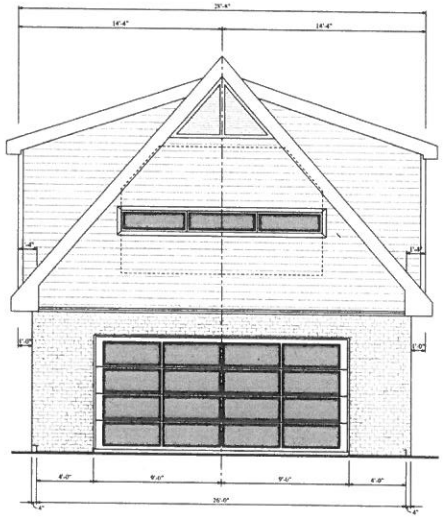
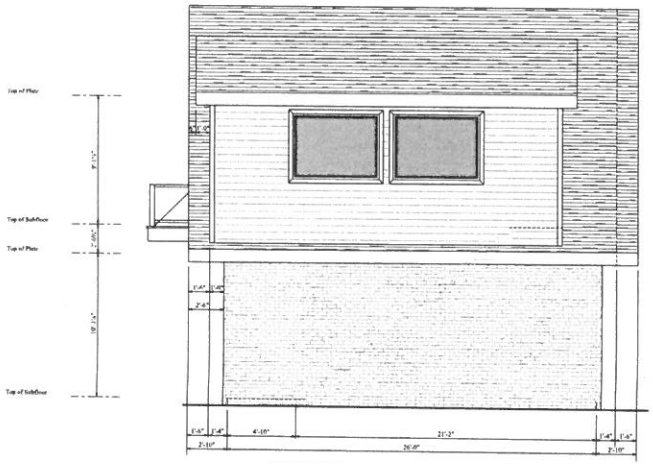
CORNERSTONE
LAND SURVEYING, INC.



SOUTH ELEVATION

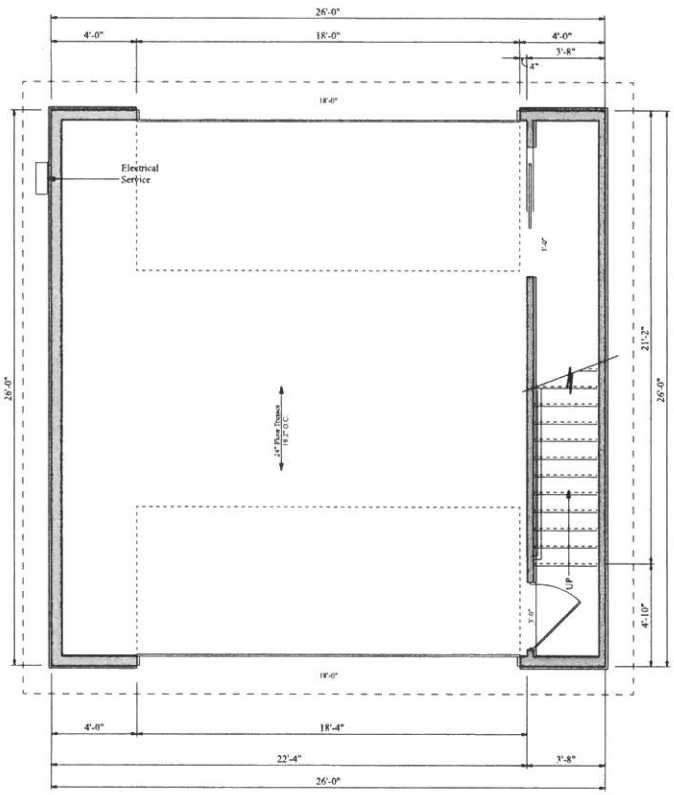


WEST ELEVATION

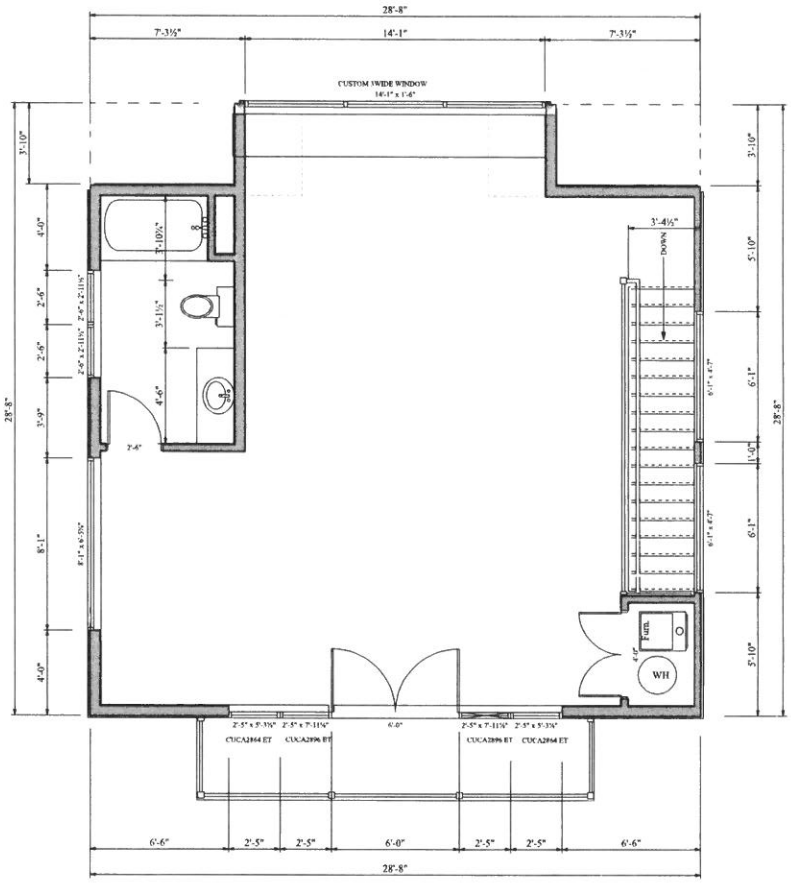


NORTH ELEVATION

EAST ELEVATION (LAKE)



MAIN FLOOR GARAGE - 2.14.2019
SF = 676



UPPER FLOOR GARAGE 2.14.2019
FSF = 678 (does not include stair or mechanical)

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

WHITE BEAR TOWNSHIP
1858
RAMSEY COUNTY
MINNESOTA

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) Nathan Landucci PHONE (Home) 651-894-2582
(Business) _____
(Cell) 651-894-2582

ADDRESS 1 Bald Eagle Island
WBT, MN

PROPERTY OWNER Nathan Landucci

ADDRESS OF SITE 5508 W. Bald Eagle Blvd, WBT ZONING RS/BEI

EXISTING USE OF SITE Garage

DESCRIPTION OF VARIANCE REQUEST Garage w/ Bonus ⇒ Place of Refuge

SETBACKS:	Required	Existing	Requested
Front Yard		14.5	19.5
Side Yard (L)		5.7	5.7
Side Yard (R)		9.7	9.7
Rear Yard		43.2	36.2
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)

2/7/2019
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 _____

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: 5508 W. Bald Eagle Blvd. I am requesting that the Town of White Bear grant me a variance from Ordinance No. _____, for the following purpose:
Demo and rebuild a Garage w/ place of refuge

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: Nathan Landucci Address: 1 Bald Eagle Island, WBT, MN
Phone: (Home) 651-894-2582
(Bus.)
(Cell) 651-894-2582

Comments:

Date: 2/7/2019 Signatures:

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

Comments:

Date: Signatures: /

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

Comments:

Date: Signatures: /

WHITE BEAR TOWNSHIP

CONDITIONAL USE PERMIT APPLICATION FORM

INTRODUCTION

A Conditional Use Permit may be granted or denied by the Town Board after recommendation by the Planning Commission in accordance with Ordinance No. 35 (Zoning), Section 9-4, Conditional Use Permit Procedure.

APPLICANT(S) Nathan Landucci

PHONE (Home) 651-894-2582
(Business)
(Cell) 651-894-2582

ADDRESS 1 Bald Eagle Island WBT, MN

PROPERTY OWNER Nathan Landucci

ADDRESS OF SITE 5508 W. Bald Eagle Blvd, WBT

ZONING Res / BEI

EXISTING USE OF SITE Garage

DESCRIPTION OF CONDITIONAL USE BEING REQUESTED
Garage w/ bonus → Place of refuge

_____ Fee ($75.00 plus $200.00 Expense Deposit)

CHECKLIST:

_____ Site Plan

- ✓ Building locations (dwelling, garage, accessory building).
- ✓ Site improvements (parking areas, drives, sidewalks, fences, decks, lighting, etc.).
- ✓ Yard (front, side, rear setbacks).
- ✓ Wetlands (delineation of streams, water bodies, wetlands & 100 year storm elevation).
- ✓ Existing trees (6 inch in diameter or more), large shrubs & proposed landscaping.
- ✓ Location of site, with adjacent land use.
- ✓ Topography, grading.

✓ Schedule (when applicant intends to construct) Spring 2019

✓ Additional information, if required.

✓ Permits or written comments from other agencies (DNR, RCWD, VLAWMO, Ramsey County, MNDot, US Army Corps of Engineers.

✓ Certificate of Survey, or full legal description

✓ Building plans (size, intended use of structures, exterior finishes, floor plans and elevations).

REVIEW PROCESS:

1. Submit 15 copies of application and all supporting information to Town Planner (minimum of 3 weeks prior to Planning Commission Meeting).

2. Planning Commission _____ (4th Thursday of the month @ 7:00 p.m. at the Town Hall).

3. Town Board (Call Public Hearing) _____ (1st Monday of the following month @ 7:00 p.m. at the Town Hall).

4. Town Board _____ Public Hearing

5. Town Board _____ (Action subject to Public Hearing Schedule)

STANDARDS:

The Town Board will approve a Conditional Use Permit only if the following facts are established:

_____1. There will be no detraction from the appearance of adjacent properties, or Town as a whole.

_____2. There will not be aesthetic incompatibility.

_____3. There will not be aural incompatibility (noise).

_____4. There will not be damage to vegetation.

_____5. Traffic patterns will not be negatively affected.

_____6. There is no unnecessary loss of existing natural features.

_____7. Will not cause soil erosion.

_____8. Will not increase flood potential.

_____9. The proposal is consistent with Comprehensive Plan and complies with other Ordinances.

It is the policy of White Bear Township that all identifiable costs associated with Conditional Use Permits 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) _____ Date 2/7/2019

To Be Completed By Office:

Date Request Received _____

By _____ (Staff Member)

$75.00 Fee + $200 Deposit Received ☐ Yes ☐ No

Date Application Complete _____

WHITE BEAR TOWNSHIP

Variance Board Meeting
February 20, 2019

Agenda Number: **5 - 6**

Subject: Added Agenda Items

Adjournment

Documentation:

Action / Motion for Consideration:

Added Agenda Items

Adjourn Meeting