



Wayzata Planning Commission

Meeting Agenda

Monday, August 3, 2015

Community Room,
600 Rice Street East,
Wayzata, Minnesota

- 7:00 p.m.**
- 1. Call to Order and Roll Call**
 - 2. Regular Agenda Public Hearing Items:**
 - a. 133 Ridgeview Drive E – Graham and Nancy Gnos
 - i. Sideyard Setback Variance for Garage Addition
 - 3. Other Items:**
 - a. Review of Development Activities
 - b. Other items
- 9:00 p.m.**
- 4. Adjournment**

NOTES:

¹ Time(s) are estimated and provided for informational purposes only.

² Members of the Planning Commission and some staff may gather at the Wayzata Bar and Grill immediately after the meeting for a purely social event. All members of the public are welcome.



Planning Report
August 3, 2015
Wayzata Planning Commission Meeting

File Case No: PR 2015-10
Owner: Graham and Nancy Gnos
Address of request: 133 Ridgeview Drive E
PID number: 31-118-22-33-0023
Prepared By: Bryan Gadow, Director of Planning and Building
Project Summary: The Application is for a Variance from the Ten (10) ft Sideyard Setback requirement in the R-2 District.

Section 1: Background.

Graham and Nancy Gnos (collectively, the “Owner” or “Applicant”) have submitted a development application (the “Application”) requesting approval to construct a four (4) ft wide by twenty five (25) ft long, one hundred square foot (100 SF) expansion to an existing attached garage (the “Project”) at 133 Ridgeview Drive E (the “Property”). The Application requests approval to encroach into the ten (10) ft sideyard setback to a distance of 5.6 ft to allow for the location of a driveway to a side loading garage (the “Project”). The proposed site plan and building plans for the garage expansion are included as Attachment A to this Report.

The zoning request included in the Application is:

- A Variance from the Ten (10) ft Sideyard Setback in the R-2 District (Section 801.54.6.B.1.b) to a distance of 5.6 ft (the “Setback Variance”)

1.1 Approval Requests.

The Project includes one (1) approval requests associated with the Application:

A. *Variance for Sideyard Setback*

The southeast corner of the existing garage attached to the residence on the Property is pre-existing at 9.6 ft. The Applicant proposes a four (4) ft wide, 100 SF garage addition on the east side of the garage to a distance of 5.6 ft from the side property line. The request required approval of a

Setback Variance from the ten (10) ft side yard setback requirement in the R-2 Medium Density Single Family District.

1.2 Applicant's Narrative.

The Applicant provided the following narrative describing their request:

Prior to buying our house at 133 Ridgeview Drive in 2003, the previous owner expanded the kitchen, which sits directly next to the garage's West interior wall. The previous owner expanded the kitchen out into the garage approximately 4'. While from the street the garage still looks like a two car garage, you are unable to park more than one car in the garage at any time. Our objective of bumping the garage out by 4' is to bring the garage back as well as the house to rhythm of the neighborhood, where every house has a two car garage. This would allow us to park both of our cars in the garage together. In addition to seeking a garage that fits with the rest of the neighborhood that allows two cars to be parked in it, our home at 133 Ridgeview Drive is also on the market for sale. We have bought a house/lot a block down the road on Margaret Circle and will begin building in the coming weeks. Having a two car garage at 133 Ridgeview will also put us in a better competitive position with all of the other homes currently on the market in Wayzata and at our price point. We have been told by many buyers that they would buy our home, but will not, given the current garage footprint. That said, we would still seek the variance regardless of moving or not.

1.2 Relevant Property Information.

Zoning:	R-2 Medium Density Single Family District
Comp Plan:	Low Density Single Family
Total lot size:	14,987 square feet (SF) or 0.34 acres

Map 1: Existing Property Aerial



1.3 Legal Description.

A copy of the legal description for the subject properties are on file and available for viewing at City Hall. The following properties are included in the project area of the Application:

133 Ridgeview Drive E	31-118-22-33-0023	Graham and Nancy Gnos
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1.4 Public Noticing Requirements.

Zoning Ordinance Section 801.05 requires the Planning Commission to hold a public hearing on the Application. The Notice of Public Hearing was published in the Lakeshore Weekly on July 21, 2015. A copy of the Notice of Public Hearing was also mailed to all property owners located within 350 feet of the subject property on July 23, 2015.

Section 2. Summary of Issues.

2.1 Zoning Analysis.

Adjacent property uses are:

Adjacent Property	Zoning	Uses
North	R-2	Single Family

		Residences
West	R-2	Single Family Residences
East	R-2	Single Family Residences
South	R-2	Single Family Residences

A comparison of the R-2 Standards and the proposed Project is as follows:

R-2 District	Code Standard	Proposed
Minimum Lot Area	15,000 square feet (SF)	14,987 SF
Minimum Lot Width	100 ft	100 ft
Minimum Lot Depth	100 ft	150 ft
Front Yard Setback (min.)	25 ft	48 ft
Side Yard Setback (West)	10 ft	17.2 ft
Side Yard Setback (East)	10 ft	9.6 ft (Existing) 5.6 ft (Proposed)
Rear Yard Setback (min.)	20 ft	48 ft
Lot Coverage	20%	17.6% (2,643 SF)
Impervious Surface	30%	25.7% (3,847 SF)

Section 3. Applicable Review Criteria:

3.1 Zoning Ordinance Variance Standards. Section 801.05.1.C provides the criteria for reviewing variances from the Zoning Ordinance. The Variance requested in the Application is a Setback Variance. The variance review criteria are as follows (with Staff's comments included in *italics*):

- A. Variances shall only be permitted when they are:
- (i) in harmony with the general purposes and intent of this Ordinance; and
 - (ii) consistent with the Comprehensive Plan.

The Property is guided for Low Density Single Family residential use. The Application proposes to construct an expansion to an existing attached garage on the Property, and encroach 4.6 ft into the required ten (10) ft side yard setback. The Planning Commission and City Council should make a finding of fact on whether or not the variance requests are in harmony with the general purpose and intent of the ordinance and consistent with the Comprehensive Plan.

- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.

The Planning Commission and City Council should make a finding of fact on whether or not the Applicant has established that there are practical difficulties in complying with the Ordinance.

- C. “Practical difficulties,” as used in connection with the granting of a variance, means that:
- (i) the property owner’s proposal for the property is reasonable but not permitted by this Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.

The Property is currently guided for single family use, and the Applicant desires to continue that use and construct an expansion to an existing attached garage on the Property. The Planning Commission and City Council should make a finding of fact on whether or not the Project meets the practical difficulties and reasonableness standard.

- D. 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.

The Planning Commission and City Council should make a finding of fact on whether or not economic considerations are the sole reason for the practical difficulties.

- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.

Not applicable in this case, as the Applicant is not proposing earth sheltered construction.

- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person’s land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.

The proposed addition to the existing garage of the existing single family detached house is a permitted use in the R-2 District.

- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

The Planning Commission and City Council should determine if there are any applicable conditions that apply, if the Project is recommended for approval.

- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

The Applicant has provided a narrative, included in Section 1.2 of this Report, to describe their reasons for requesting the Variance.

Section 4. Action Steps.

After considering the items outlined in this Report, the Planning Commission should pursue the following as an action step:

1. Direct staff to prepare a *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the Application for review and adoption at the next Planning Commission meeting.

Attachments:

1. Attachment A: Letter of Recusal
2. Attachment B: Submitted Plan Set
 - Existing Conditions Site Plan
 - Proposed Site Plan
 - Garage Remodel Plans

Attachment A

Mr. Tom Vanderheyden, Chair
Wayzata Planning Commission
Re: August 3rd Planning Meeting
July 28, 2015

Chairman Vanderheyden

I wanted to make you aware that I have submitted a side setback variance request for our home at 133 Ridgeview Drive for consideration during the August 3rd, 2015 planning commission meeting. As a result of this request, I wanted to make you aware that I am planning on recusing myself during this portion of the August 3rd meeting and any subsequent discussion on my application request.

Please let me know if you have any questions.

Regards,

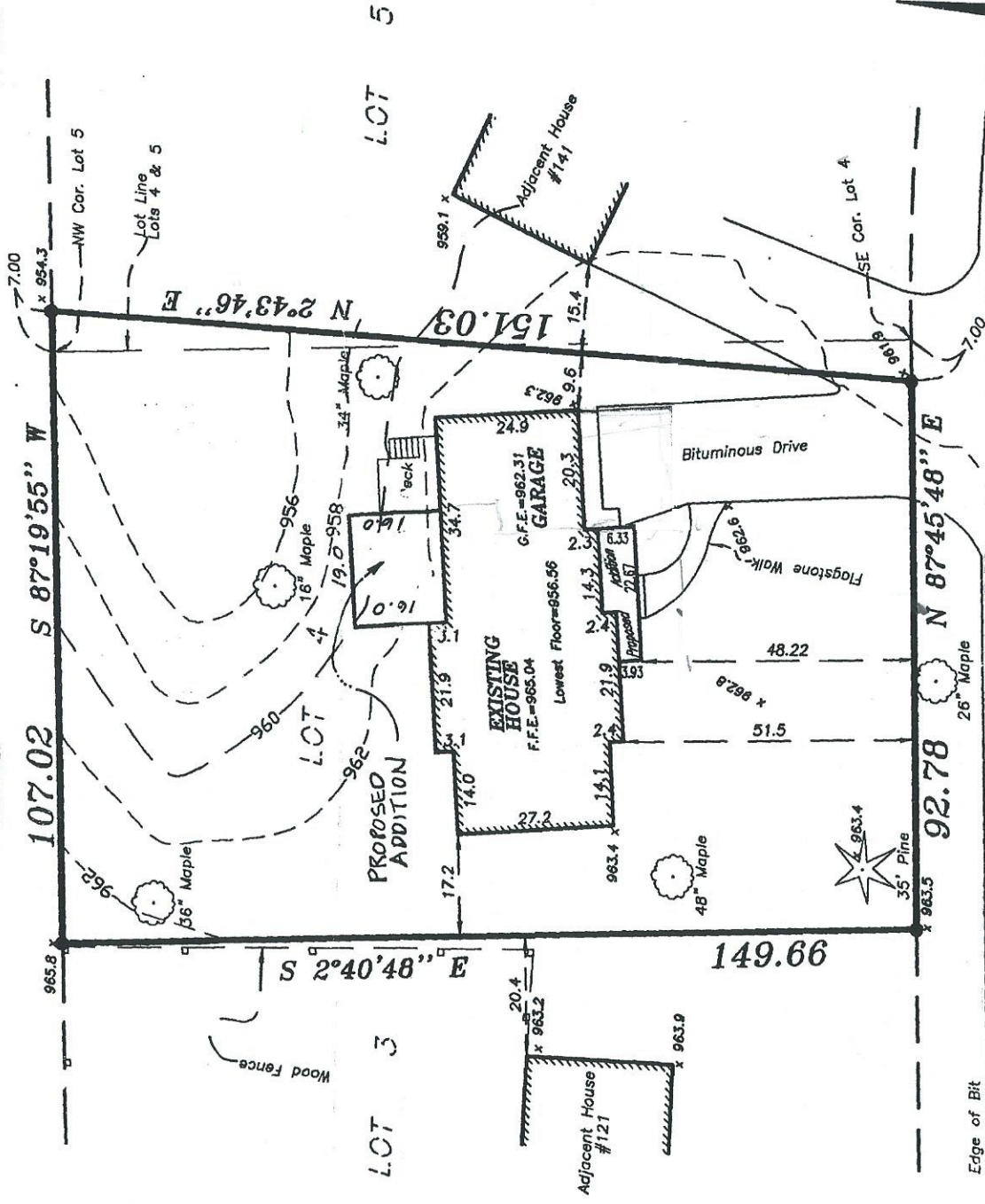
Graham L. Gnos

CERTIFICATE OF SURVEY Attachment B

FOR: GRAHAM AND NANCY GNOS

LEGAL DESCRIPTION

That part of lots 4 and 5, Block 1, Second Addition To Ridgeway Heights, lying westerly of a line drawn from a point on the south line of said Lot 4, a distance of 7.00 feet west from the southeast corner thereof, to a point in the north line of said lot 5, a distance of 7.00 feet east from the northwest corner thereof.



These are the existing hardcover calculations

RIDGEVIEW DRIVE EAST
 Site Address
 133 Ridgeway Drive E.
 Wayzata, MN 55391

Existing Hardcover

House/Deck 2,115.7 Sq. Ft.
 Stoop/Walks/Drive 1,247.3 Sq. Ft.
 Total Hardcover 3,363.0 Sq. Ft.
 Lot Area 14,987.4 Sq. Ft.
 Percent of Hardcover = 22.4%

Proposed Hardcover

House/Deck 2,643.11 Sq. Ft.
 Stoop/Walks/Drive 1,204.3 Sq. Ft.
 Total Hardcover 3,747.41 Sq. Ft.
 Lot Area 14,987.4 Sq. Ft.
 Percent of Proposed Hardcover = 25.0%
 -Addition to match existing grades-

○ Denotes iron monument
 ● Denotes found monument
 x 000.0 Denotes existing elev.

**DEMARS-GABRIEL
 AND SURVEYORS, INC.**

3030 Harbor Lane No.
 Plymouth, MN 55447
 Phone: (763) 559-0908

I hereby certify that this is a true and correct representation of a survey of the boundaries of the above described land and of the location of all buildings, if any, thereon, and all visible encroachments, if any, from or on said land.

As surveyed by me this 20th day of November, 2006.

David E. Crook

David E. Crook

Minn. Reg. No. 22414

File No.
 13284

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Scale
 1"=30'

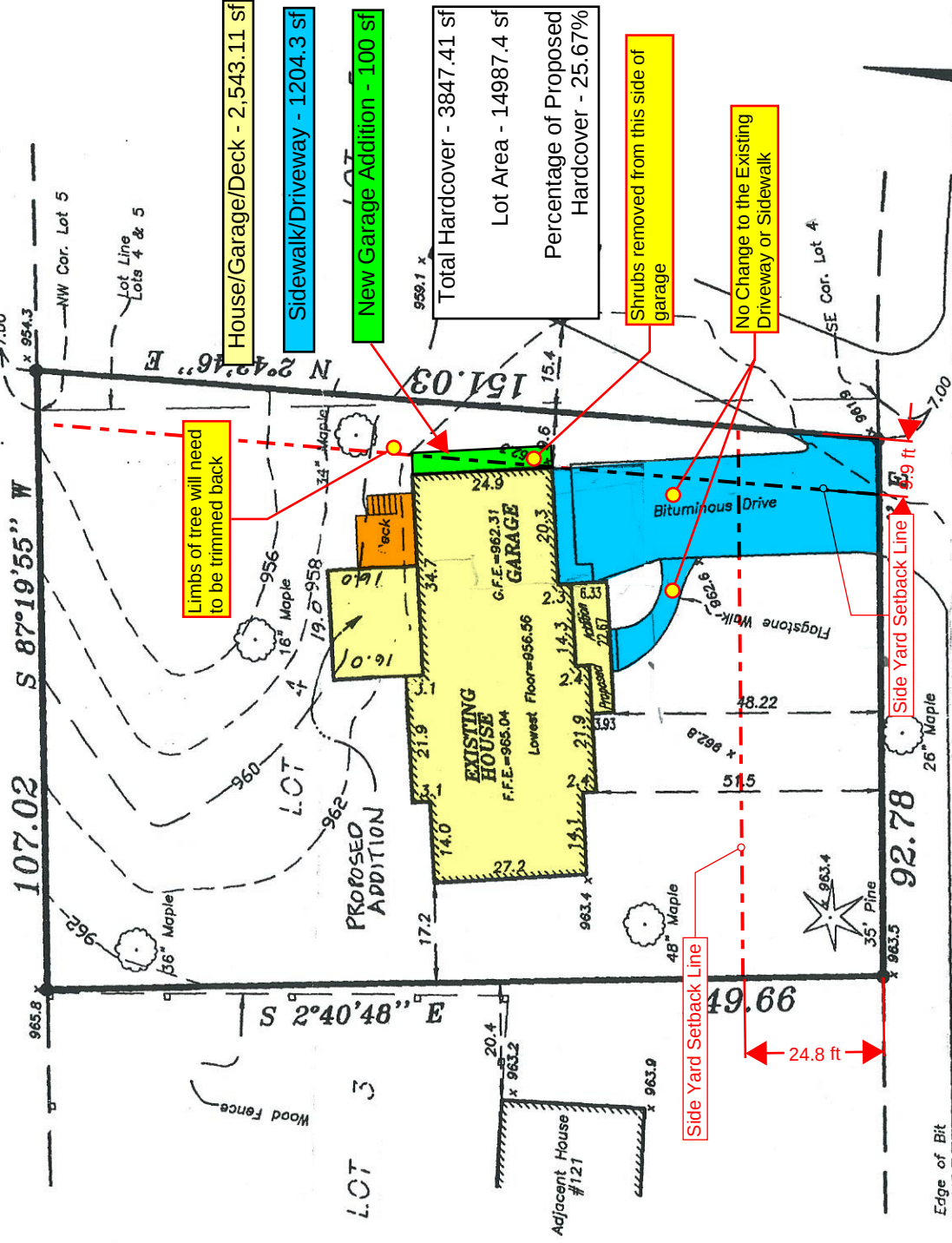
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CERTIFICATE OF SURVEY Attachment B

FOR: GRAHAM AND NANCY GNOS

LEGAL DESCRIPTION

That part of lots 4 and 5, Block 1, Second Addition To Ridgerview Heights, lying westerly of a line drawn from a point on the south line of said Lot 4, a distance of 7.00 feet west from the southeast corner thereof, to a point in the north line of said lot 5, a distance of 7.00 feet east from the northwest corner thereof.



Existing Hardcover

House/Deck
Stoop/Walks/Drive

Total Hardcover
Lot Area

Percent of Hardcover = 22.4%

RIDGEVIEW DRIVE EAST

Proposed Hardcover

House/Deck

Stoop/Walks/Drive

Total Hardcover

Lot Area

Percent of Proposed Hardcover = 25.0%

-Addition to match existing grades-

Site Address
133 Ridgerview Drive E.
Wayzata, MN 55391

2,543.11 Sq. Ft.

1,204.3 Sq. Ft.

3,747.41 Sq. Ft.

14,987.4 Sq. Ft.

○ Denotes iron monument
● Denotes found monument
x 000.0 Denotes existing elev.

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As surveyed by me this 20th day of November, 2006.

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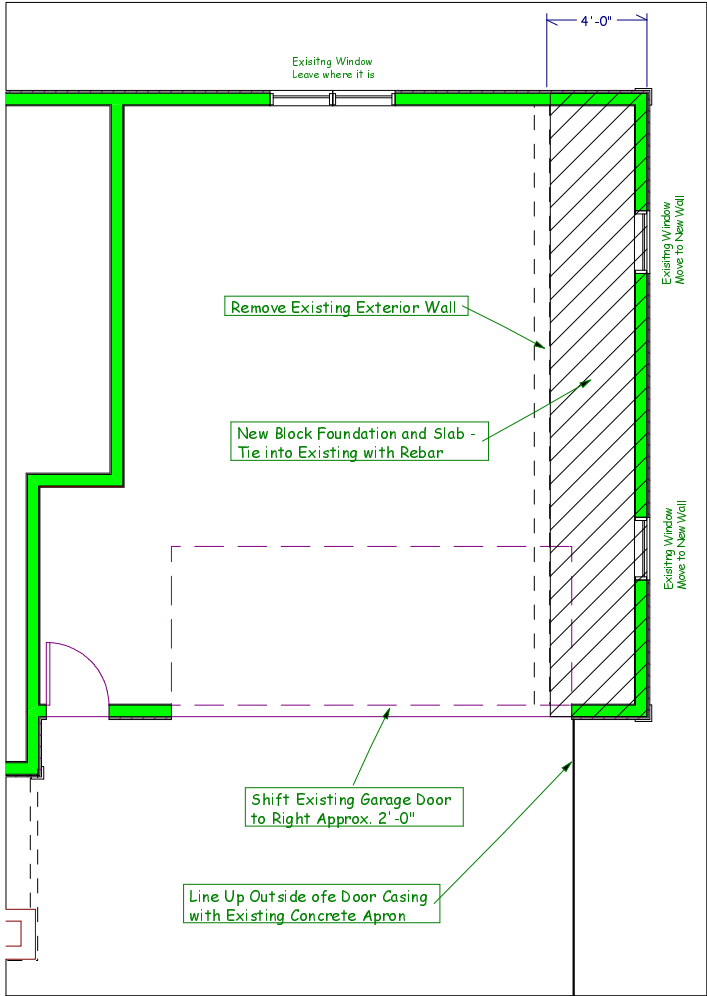
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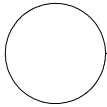
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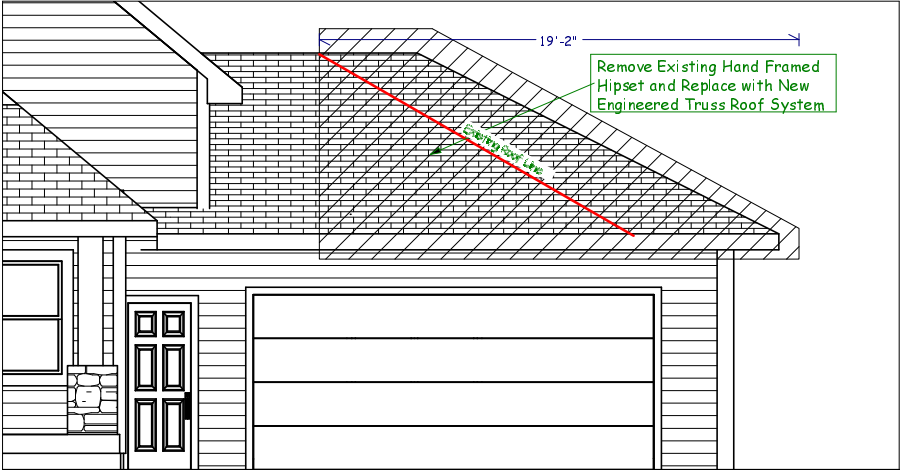
1"=30'

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 Floor Plan
1/8" = 1'-0"

<i>Graham and Nancy Gnos</i> Ridgeview Drive E. Wayzata, MN		Orig. Draft: 05/20/2015
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○ Front Elevation
1/8" = 1'-0"



○ Side Elevation
1/8" = 1'-0"

Orig. Draft:
05/20/2015

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Graham and Nancy Gnos
Ridgeview Drive E. Wayzata, MN

Revisions:

Denali
Custom Homes, Inc.