

Wrenshall City Council

May 14, 2018, at 6:30 PM-Public Hearing

Attendance: DonnaMae Weiderman, Jeff Kimmes, Gary Butala, Duane Ziebarth, Melvin Martindale, Alieca Johnson, Renae House, Darren Weets and Don Proulx.

The purpose of the public hearing was to review an application from 3W Properties, Inc., for a variance from the City of Wrenshall Zoning Ordinance to allow the division of real property described as Block 1, Lot #16, Pleasant View Estates, into two approximately equal sized lots and to reduce the setback requirements of these parcels.

Darren Weets from 3W Properties provided an overview of his plan to build a duplex as allowed in an R-2 District and explained that he is asking for the variance to have the option of splitting the lot and selling each unit.

Don Proulx provided the only public comment. As the majority land owner in Pleasant View Estates he asked that if the City sees a benefit in allowing Lot #16 to be split that they also take the necessary steps to amend city ordinance to allow for other lots throughout the city have the same option.

Motion by Weiderman; seconded by Martindale to approve Resolution 18-02, as set forth below:

A RESOLUTION ADOPTING FINDINGS OF FACT AND REASONS FOR APPROVAL FOR VARIANCE APPLICATION OF 3W PROPERTIES, INC. AT BLOCK 1, LOT 16, PLEASANT VIEW ESTATES.

FACTS

1. 3W Properties, Inc. is the owner of a parcel of land located at Block 1, Lot 16, Pleasant View Estates, Wrenshall, Minnesota; and,
2. The subject property is legally described as found on Exhibit A; and,
3. 3W Properties, Inc. has applied to the City for a variance from the City of Wrenshall Zoning Ordinance allowing the division of certain real property described on (Exhibit A) into approximately equal size lots and to reduce setback requirements on those parcels. 3W Properties, Inc. will also be requesting approval of a plat dividing the real property into two equal size lots under the Subdivision Control Ordinance Chapter 152.
4. The proposal would vary from City Ordinances 151.22(E)(2) regarding lot width and 151.22(E)(3)(a) regarding required setbacks.

5. The Wrenshall Planning Commission has recommended approval of the variance at the City Council Meeting May 3, 2018.
6. The City Council of the City of Wrenshall has reviewed the requested variance and has heard comments from concerned residents at a public hearing on Monday, May 14, 2018.

APPLICABLE LAW

7. Minnesota Statute Section 462.357, subd. 6 provides:
 - a. Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are 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 the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.

CONCLUSIONS OF LAW

8. The requested variance is in harmony with the purposes and intent of the ordinance because the area is zoned R-2 allowing for one and two-family dwellings.
9. The requested variance is consistent with the comprehensive plan because the City is committed to working with land owners and developers to promote growth.
10. The property owner does propose to use the property in a reasonable manner because the building of a multi-family dwelling is allowed in an R-2 Residential District and the approval of the plat under the subdivision control ordinance will not adversely affect adjacent property owners. The setback requirements for the side of the lots will be maintained and the variance for the setback at the front of the lot will allow the split parcels to maintain setbacks consistent with neighboring properties.
11. The City acknowledges that there are not circumstances unique to the property, but is willing to waive this requirement as the effect on the surrounding properties is minimal and outweighed by the benefits of promoting growth within the City.
12. The variance will maintain the essential character of the locality because as stated above it will not change the characteristics of the platted subdivision.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY WRENSHALL, MINNESOTA AS FOLLOWS:

The application to issue a variance to allow 3W Properties, Inc., to deviate from the requirements of Title XV, Chapter 151 to divide Block 1, Lot 16, Pleasant View Estates into two equal sized parcels, and to allow a smaller setback requirement on the front of these parcels is hereby approved. Upon completion of the framing of the structure to be built on the property 3W Properties, Inc. shall submit to the City for approval a plat dividing the property into two equal size lots, which plat shall comply with the applicable requirements of Minnesota Statutes Chapter 505.

Weiderman-YES; Kimmes-YES; Ziebarth-YES, Martindale-YES; Butala-YES. Motion carried.

Motion by Weiderman; seconded by Ziebarth to adjourn the meeting at 6:50 PM. Motion carried.