

**CITY OF ARDEN HILLS
RAMSEY COUNTY, MINNESOTA**

IN RE:

**APPLICATION OF ROBERT KUNZE
FOR VARIANCE FOR PROPERTY AT
4073 VALENTINE COURT, ARDEN
HILLS, MINNESOTA
(PLANNING CASE 21-006)**

**FINDINGS OF FACT
AND DECISION**

The City received the Applicant’s Application for a Variance on March 31, 2021. On May 5, 2021, the Arden Hills Planning Commission met to consider the application of Robert Kunze (“Applicant”) to decrease the required side yard setback of the single-family detached dwelling located at 4073 Valentine Court, Arden Hills, Minnesota (“Subject Property”) from 40 feet to 7.82 feet for the addition of a proposed garage.

The Applicant presented that the Subject Property includes unique circumstances due to its non-traditional shape. The front of the Subject Property includes one curved section and three straight sections that make it difficult for the Applicant to conform to current setback requirements. The proposed garage would be an added third stall to the existing garage and would be located 7.82 feet from the northwest side yard property line.

A public meeting notice was mailed to property owners within 500 feet of the Subject Property and was published in the Pioneer Press.

The Planning Commission duly held a hearing on May 5th and all persons present at said meeting were given an opportunity to be heard and present written statements.

On May 24th, the City Council considered the following information on the proposal: the application and materials submitted by the Applicant; materials and reports provided by City Staff; information from the Public Hearing and Planning Commission meetings on the application including its report and recommendation; written comments and testimony from all interested persons; and based upon its knowledge of the Subject Property, the neighborhood and the community, now makes the following:

FINDINGS OF FACT

1. The Subject Property located at 4073 Valentine Court is located in the R-1 Single Family Residential District, and is guided as Low Density Residential in the land use plan, and is currently non-conforming because it does not meet the R-1 District standards for side

- yard setback on a corner lot: Section 1320.06 of the Arden Hills City Code requires a side yard setback of 40 feet on corner lots.
2. The City received the Applicant's Application for a Variance on March 31, 2021 requesting a variance to decrease the required side yard setback from 40 feet to 7.82 feet to accommodate the proposed garage addition. The rectangular shaped lot, though relatively narrow compared to its length, is of substantial size for lots in the neighborhood, having a lot area over twice the minimum lot size of 14,000 square feet (property is 37,541 square feet).
 3. The scope or scale of the Variance request is very large, asking to reduce a 40 foot setback to 7.82 feet.
 4. The large Variance request would further reduce the green space in the side yard area and require ongoing maintenance of the current screening, or further plantings to provide additional screening, all of which would need to be located in the City's right-of-way.
 5. Granting of the Variance would increase responsibility on the City to maintain vegetative buffer from the traveled portion of the right-of-way.
 6. The size and layout of the Subject Property provides multiple alternative options for the Applicant that would allow for increased accessory structure and floor area, and the shape of the lot is not unique in that lots in the neighborhood all have odd shapes and sizes.

DECISION

Based upon these Findings of Fact and the Council's knowledge of the Subject Property, the neighborhood and the community, the application for the proposed Variance, the City Council hereby denies Applicant's Variance request.

ADOPTED by the Arden Hills City Council this ____ day of _____, 2021.

CITY OF ARDEN HILLS

By: _____
David Grant, Its Mayor

ATTEST:

Julie Hanson, Its City Clerk