



Legislation Details (With Text)

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11/15/2018	1	Zoning Board of Appeals	close the Public Hearing	Pass
11/15/2018	1	Zoning Board of Appeals	approve	Pass

Date: November 15, 2018

To: Members of the Zoning Board of Appeals

From: Scott Tempel, City Planner

Resolution - Variance 1700 Dundas Boulevard

Action Requested:

The Zoning Board of Appeals is requested to consider a setback variance request for a home at 1700 Dundas Boulevard.

Summary Report:

1700 Dundas Boulevard is zoned Agricultural (A-S) and is located west of the Cannon River on the Northfield border. It is also in the Wild and Scenic River Overlay zone. The property owner would like to construct a home in the style of architecture circa 1920. The original home on the property has been demolished. The applicant is proposing to build a small one-bedroom home just west of the original building site.

The criteria for approving a variance, according to Section 5.5.16(C), are as follows:

- (1) Pursuant to Minn. Stat. §462.357, Subd 6, as it may be amended from time to time, the zoning board of appeals may only grant applications for variances where practical difficulties in complying with this LDC (Land Development Code) exist and each of the following criteria are satisfied:
 - (a) The variance is in harmony with the general purposes and intent of this LDC; and,
 - (b) The variance is consistent with the Comprehensive Plan; and
 - (c) The property owner proposes to use the property in a reasonable manner not permitted by this LDC; and
 - (d) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and

- (e) The variance, if granted, will not alter the essential character of the locality.

VARIANCE

Northfield Land Development Code Section 3.2.6 A-S (Agricultural) District Site Development Standards set the minimum front yard setback at 70 feet. The applicant is requesting a front setback of 20 feet.

Analysis of the variance request is addressed below.

Criterion (a) The variance is in harmony with the general purposes and intent of the LDC.

The purpose of the Agricultural (A-S) district is to allow primarily for agricultural uses and open space within the city limits while recognizing that privately owned land may be developed for non-agricultural purposes in the near to long-term. It is designed specifically for areas within the city that are presently agricultural uses not zoned as PB-S, Public Benefit, but will remain as long term agricultural uses, or that may be converted to non-agricultural urban uses in the future.

Finding: The project is in harmony with the general purposes and intent of the LDC. The proposed use is consistent with the general goals for the A-S zone district as a continuation of an existing residential use.

The Land Development Code was adopted to protect and promote the public health, safety, morals, and general welfare of the city. More specifically, the purpose of these regulations is to:

- 1.1.1 Maintain and enhance the community's distinct small town character.
- 1.1.2 Preserve and protect the area's natural, historic, and cultural resources while providing for improved methods of integrating these resources in the community.
- 1.1.3 Encourage growth in infill locations as the desired location of development with expansion on the edge of the city a secondary priority.
- 1.1.4 Create residential community areas with strong neighborhood qualities including pedestrian-friendly streets, community gathering spaces, and basic commercial needs within walking distance.
- 1.1.5 Encourage the development of neighborhoods that incorporate a variety of housing types to serve the needs of a diverse population.
- 1.1.6 Allow for places with a mixture of uses that are distinctive and contribute to the city's overall vitality.
- 1.1.7 Provide standards and guidelines for continuing strategic growth and sustainable development.
- 1.1.8 Provide for the expansion and diversification of the economic base to assure a strong economy.
- 1.1.9 Promote an ethic of sustainability in all activities to ensure that proposed development and redevelopment will, at a minimum, conserve energy and natural resources.
- 1.1.10 Improve and promote connectivity to better serve residents and to improve the function of the overall street network.
- 1.1.11 Ensure that proposed development is of human scale, primarily pedestrian-oriented to the extent appropriate, and designed to create exceptional streetscapes and pedestrian spaces.
- 1.1.12 Minimize vehicle traffic by providing for a mixture of land uses, pedestrian-oriented development, compact community form, safe and effective multi-modal traffic circulation (e.g., pedestrian, bicycle, and vehicular), and adequate on- and off-street parking facilities.
- 1.1.13 Protect the rural character of certain areas of the community as identified in the comprehensive plan.
- 1.1.14 Encourage vibrancy in the downtown core and fringe areas.
- 1.1.15 Ensure compatibility between different types of development and land uses.
- 1.1.16 Create a comprehensive and stable pattern of land uses upon which to plan transportation, water supply, sewerage, energy, and other public facilities and utilities.

The proposal is not in conflict with any LDC goals. It meets the following purposes:

- 1.1.1 Maintain and enhance the community's distinct small town character.
- 1.1.13 Protect the rural character of certain areas of the community as identified in the comprehensive plan.

Criterion (b) The variance is consistent with the Comprehensive Plan.

The Land Use chapter of the Comprehensive Plan will be consulted for any development proposal based on the following steps. If a proposal is not consistent with recommendations of any one of these steps, the proponent should re-evaluate and make adjustments (or provide justification for deviation) if the proposal is not aligned with the following three aspects:

1. **Intent:** Development proposals will reflect the spirit and values expressed in the 12 **principles** (statements of intent) (pages 4.9 to 4.13).
2. **Location:** Development proposals will be consistent with the **Conservation and Development Map** (page 4.18) and location descriptions (pages 4.14 to 4.15).
3. **Character:** Development proposals will be consistent with the **Framework Map** (page 4.19) and recommendations and context descriptions (pages 4.15 to 4.17).

Finding: The variance is consistent with the Comprehensive Plan.

Intent:

1. The small town character will be enhanced.

The proposal is to construct a home in the style of architecture circa 1920, which reflects the central elements of Old Northfield. It will enhance the historical nature of the property, mirroring its original use.

2. The natural environment will be protected, enhanced and better integrated in the community.

The location of the proposed home is further from the Cannon River and will leave more green space between development and the Scenic River.

3. The preference for accommodating future growth is in infill locations, then redevelopment/land intensification opportunities, and then on the edge of existing developed areas.

This project replaces a previously existing home.

4. New and redeveloped residential communities (areas) will have strong neighborhood qualities.
n/a

5. Environmentally-sensitive and sustainable practices will be integrated into new developments and redeveloped areas.

The proposed home employs context sensitive design to ensure the home fits with the environment. The proposed location preserves 4 original sugar maple trees, each over 100 years old and planted by the original homesteader. The new site is further away from the floodplain and soggy riverbank soils.

6. Places with a mix of uses that are distinctive and contribute to increasing the city's overall vitality are preferred.

n/a

7. **Neighborhood-serving commercial will be small scale and integrated with the residential context.**

n/a

8. **A wider range of housing choices will be encouraged - in the community as well as in neighborhoods.**

The new custom home is unique and is designed for single-level living.

9. **Rural character of certain areas of the community will be protected.**

The new home will fit with the rural character of the area.

10. **Streets will create an attractive public realm and be exceptional places for people.**

n/a

11. **Places will be better connected, in part to improve the function of the street network and also to better serve neighborhoods.**

n/a

12. **Opportunities will be created to walk and bike throughout the community.**

n/a

Location:

The project is located in the Preserve Area of the Conservation and Development map. Replacing the home on the property represents no change to its historic use.

Character:

The project is located in the Preserve area of the Framework Map. Replacing the home on the property represents no change to its historic use.

Criterion (c) Property Owner proposes to use the property in a reasonable manner not permitted by the LDC.
Finding: The requested variance will result in a reasonable use of the property otherwise not permitted by the LDC. The A-S front setback combined with the Wild and Scenic Overlay District 75 foot minimum building setback from the ordinary high water mark preclude any development on the north half of the parcel near the access to the lot. The front lot line is separated from Dundas Blvd. by railroad ROW, putting the building site 185 ft. from the road.

The variance request is based upon the requirements and elements necessary for this type of permitted use on this site to be functional. There is no financial benefit or impact in regards to building location.

Criterion (d) The plight of the landowner is due to circumstances unique to the property not created by the landowner.

Finding: The plight of the landowner is not self-created. The east boundary of this property is in the center of the Cannon River and the eastern half of the property is within the 100-year floodplain. Wild and Scenic River Overlay zoning imposes an additional 75 foot setback from the floodplain, preventing reconstruction of the home on the original building site.

The applicant purchased the property in 2017. The original home was built in 1923, but had deteriorated beyond reasonable repair. Mr. Skog had the house demolished in 2017.

Criterion (e) The variance, if granted, will not alter the essential character of the locality.

Supported: Granting the variance will not alter the essential character of the locality. The project will be compatible with the character of the surrounding properties. The site has been used as a residence for 95 years and is a part of the essential character of the area. Improving the building will improve the aesthetic appeal of the property.

Financial Impacts:

There are no direct financial impacts to the City due to approving these variances.