



CITY OF RANIER

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Gateway City to Voyageur's National Park

**CITY OF RANIER
LAND USE PLANNING COMMISSION
MEETING MINUTES
SEPTEMBER 7, 2016 @ 6:00 PM**

Present: Larry Keep, Planning and Zoning Commissioners: Jeff McHarg, Sue Swendsen and Ron Wilcox, Land Use Administrator Sherril Gautreaux.

RE: ZONING VARIANCE REQUEST – PARCEL # 98-060-02011 LOT 1 BLOCK 2 OF THE THREE POINTS NORTH PLAT

Mr. Larry Keep has filed a request for a variance from the R-1 zoning 35 foot rear yard setback rule. Mr. Keep intends to build a 68'x40' garage on the parcel within 13 feet of the rear property line. Due to the topography of the parcel and the existence of a sewer easement, the rear wall of the proposed structure will have to be built 13 feet from the rear property line.

The R-1 zoning requires a front yard setback of "the smaller of 25 feet or average of adjacent developed lots and a rear yard setback of 35 feet.

A notice of the public meeting to hear the variance request was published in the International Falls Journal on September 3, 2016. Letters were sent to abutting property owners notifying them of the meeting.

The commission finds that:

1. A variance is a means of departure from the literal requirements of the Unified Land Use ordinance where strict adherence would cause practical difficulties due to special conditions or circumstances unique to the property not created by the landowner.
2. Because of the particular surroundings, or the shape, configuration, topography or other conditions of the specific parcel of land involved, strict adherence to the regulations of the land use ordinance would cause practical difficulties: *Because the western portion of the parcel is composed of solid bedrock, the proposed structure cannot be situated in another spot on the property without extensive rock blasting. Additionally, a sewer easement exists to the west of the proposed building.*
3. The conditions upon which the petition for variance is based are unique to the parcel of land for which the variance is sought and are not applicable, generally, to other property within the same zoning classification: *Because the parcel is composed mostly of solid*

bedrock, the proposed structure cannot be situated in another spot on the property without extensive rock blasting. The topography is mostly unique to this parcel.

4. The alleged practical difficulty has not been created by any persons presently having an interest in the parcel of land. *The practical difficulty was not caused by the property owner but is due to the topography of the parcel and the existing easement.*
5. The granting of the variance will not alter the essential character of the locality or be injurious to other property in the vicinity in which the parcel of land is located or substantially diminish property values. *The proposed building is neither injurious to properties in the vicinity nor anticipated to substantially diminish property values. The adjacent property has a similar structure (large garage) on it.*
6. The proposed variance will not substantially increase the congestion of the public streets or be detrimental to the public welfare or endanger the public safety. *The proposed structure will not increase street congestion nor endanger public safety.*
7. It has been demonstrated that the granting of the variance will be in keeping with the spirit and intent of ordinance and is consistent with the Community Plan. *The purpose of the R-1 Residential zoning district is established to provide for a variety of housing types including single-family detached dwellings, two-family dwellings, and multi-family dwellings. A limited number of ancillary and supportive non-residential uses may be allowed where appropriate. The adjacent property has a similar structure (large garage) on it.*

MOTION

A motion was made by Wilcox; seconded by McHarg and carried unanimously to recommend approval of the variance request to the council.