

6:30 PM

A thriving, connected community with deep roots: a great place to live for a lifetime.

A city that leads, serves, and governs to enhance the quality of life for all community members.

CHAIR: ROBERT GROHMANN
MEMBER: JIM SARCLETTI
MEMBER: DAN LESHER
MEMBER: MIKE SHERMAN
MEMBER: TINA ZELLMAN
ALTERNATE MEMBER: J.D. LUDFORD

NOTE: TO ENSURE THAT YOU ARE PRESENT FOR ITEMS OF INTEREST, PLEASE BE PRESENT AT 6:30 P.M.

Those with items on the agenda should reach out to their staff contact. Others who wish to participate in the meeting, please contact the Community Development Director at 952-442-3106 or lbraaten@waconia.org to make certain that you are called upon during the meeting.

1. **Call meeting to order and roll call**
2. **Adopt Agenda**
3. **Minutes Approval**
 - 1) [May 5, 2022 Planning Commission Meeting Minutes](#)
Motion to adopt the May 5, 2022 Planning Commission Meeting Minutes
4. **New Business**
 - 1) [PUBLIC HEARING - Variance Request by John Rosenau](#)
Open the Public Hearing.
Motion to close the Public Hearing.
Motion recommending either approval or denial of a variance to construct a porch addition, which proposes to improve the property to 28.4% impervious surface versus the 25% maximum allowed in the Shoreland Overlay District and be located 21.6 ft. from the rear yard versus the minimum 30 ft. rear yard setback allowed in the R-2, Single Family District
5. **Old Business**
6. **Other**

Adjourn



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		June 2, 2022					
Item Name:		May 5, 2022 Planning Commission Meeting Minutes					
Originating Department:		Community Development					
Presented by:		Lane Braaten					
Previous Council Action (if any):							
Item Type (X only one):	Consent		Regular Session	X	Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Motion to adopt the May 5, 2022 Planning Commission Meeting Minutes							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
See attached May 5th, 2022 Planning Commission meeting minutes for review and consideration.							
<u>Attachments:</u>							
1. May 5 2022 Planning Commission Meeting Minutes.pdf							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Budget Information: _____ Budgeted _____ Non Budgeted _____ Amendment Required				Planning Commission			
				Parks and Recreation Board			
				Safari Island Advisory Board			
				Other			

WACONIA PLANNING COMMISSION
THURSDAY May 5, 2022

Pursuant to due call and notice thereof, a regular meeting of the Waconia Planning Commission was called to order by Chairperson Grohmann at 6:30 p.m.

CALL MEETING TO ORDER.

MEMBERS PRESENT: Sherman, Sarcletti, Leshner, Zellman, Grohmann
MEMBERS ABSENT: Ludford-absent
ALTERNATE: Ludford-absent
STAFF PRESENT: Braaten, Nelson, Stein, Havlik
VISITORS: See attached sheet
CITY COUNCIL LIAISON: Sorensen

No changes to the agenda.

2. ADOPT AGENDA: MOTION BY SARCLETTI, SECOND BY SHERMAN TO APPROVE THE AGENDA AS PRESENTED. ALL PRESENT VOTED AYE. MOTION CARRIED.
3. ADOPT MINUTES: MOTION BY SHERMAN SECOND BY ZELLMAN TO APPROVE THE MARCH 3, 2022, PLANNING COMMISSION MEETING. ALL PRESENT VOTED AYE. MOTION CARRIED.

ADOPT MINUTES: MOTION BY SARCELETTI, SECOND BY GROHMANN TO APPROVE THE APRIL 7, 2022, PLANNING COMMISSION MEETING. ALL PRESENT VOTED AYE. MOTION CARRIED.

4. NEW BUSINESS:

**1) SITE PLAN AND DESIGN REVIEW – WACONIA FIRE STATION
LOCATED AT 10451 10TH STREET WEST.**

Braaten introduced the site plan for the property located at 10451 10th Street West. The application proposes the construction of a new fire station on the subject parcel. Braaten stated that based on a staff review of the plan set provided by the applicant for the fire station, the site plan and the building design requirements stated in the zoning district and the design district meet the City standards.

Bruce Schwartzman and Mike Healy from BKV Group.

Mr. Schwartzman and Mr. Healy explained the process the City has taken to get to this point. They explained the current deficiencies in the existing fire station and how the new fire station will function at its proposed location.

Discussion followed.

MOTION BY LESHER, SECOND BY LUDFORD TO RECOMMEND APPROVAL OF THE SITE PLAN AND DESIGN REVIEW APPLICATION FOR THE NEW WACONIA FIRE STATION AT 10451 10TH STREET ALONG WITH THE 5

RECOMMENDATED CONDITIONS OF APPROVAL. ALL IN FAVOR VOTED AYE. MOTION CARRIED.

**2) PUBLIC HEARING TO BE CONTINUED TO THE JUNE 2ND, 2022
PLANNING COMMISSION – WOODLAND CREEK 5TH ADDITION
PRELIMINARY PLAT.**

Staff reviewed the proposed Preliminary Plat and PUD Rezoning applications submitted by Hartman Communities, LLC and have noted revisions will be necessary. The applicant is currently working through revisions and is not ready for Planning Commission review. Staff recommends the Planning Commission continue the Public Hearing to June 2nd, 2022, regular meeting.

MOTION BY GROHMAN TO OPEN THE PUBLIC HEARING.

No comments.

MOTION BY LESHER TO CONTINUE THE PUBLIC HEARING UNTIL JUNE 2, 2022, SECOND BY SCARCLETTI. ALL IN FAVOR VOTED AYE. MOTION CARRIED.

**3) PUBLIC HEARING – WINDMILL CREEK 8TH ADDITION PRELIMINARY
PLAT – OUTLOT A, WINDMILL CREEK.**

Braaten displayed the proposed subdivision. The property is currently undeveloped but was anticipated to develop in association with the Waterford residential development directly to the east.

The applicant is proposing access to the development via Longmeadow Lane, which is consistent with the previous Waterford 7th Addition approvals.

Braaten talked about the three lots and the setback requirements from the existing wetlands. The property is guided L, Low Density Residential and located within the Shoreland Overlay District. The property is zoned R-1, Single Family Residential and the three (3) proposed parcels meet minimum sizing requirements identified in the aforementioned districts.

City Ordinance requires at least 10% of the gross land in a subdivision shall be dedicated for parks, schools, playgrounds, and open space. Braaten informed the Commission that the staff report was incorrect, and the applicant/property owner would be required to either pay park dedication or provide land, which is dependent upon the recommendation of the Park Board.

The proposed landscape plan appears to conform to City Ordinance requirements. Outlot A is heavily wooded and the future development of said parcel will require compliance with City code pertaining to tree replacement and restitution. Braaten stated that this parcel was part of the overall Windmill Creek development and could not be developed under the City's wooded lot standard.

Sarcletti asked if there should be a conversation with Trumpy Home Builders regarding the comment of the areas identified as floodplain be platted as an outlot and deeded to the city. Braaten stated that he had conversed with both representatives from Trumpy Homes

and the DNR as staff was now comfortable with the lots as proposed as the drainage and utility easements and buffers necessary have been identified on the plat.

Sherman inquired about the proposed lot size. Braaten mentioning the Shoreland Overlay maximum impervious surface of 25% and the limited building envelope due to setback requirements from the identified wetlands would significantly limit the development on each of the parcels.

Grohmann asked if the City had received any comments from the DNR regarding the proposed subdivision. Braaten mentioned that the DNR stated that it appeared to meet all requirements and therefore had no comment.

GROHMAN OPENED THE PUBLIC HEARING.

Tim Zhorne, 843 Goldfinch Drive, Waconia, MN 55387

Comments and Concerns:

- Protect the wetlands, marsh, and wildlife in this area.
- Quality of life to have this nature in the back yard.
- Concerns that there will be more than the three homes.
- Concern about retaining the large tree.
- Wants to know the timeline of this project.

Cara Otto, Otto and Associates

Comments and Concerns:

- This development is proposed to be served by the planned Waterford road system. The development includes three lots and a heavily wooded outlot A. Cara stated that a timeline is to continue final plat through this summer.
- Trumpy is a small local builder that builds custom homes that build a couple homes per year.
- Trumpy does a couple homes per year and is in no hurry to build.

Jodi Berg, 843 Goldfinch Drive, Waconia, MN 55387

Comments and Concerns:

- Asked for clarification regarding where the closest home to their property would be located. Cara Otto explained the proposed location, indicating the proposed home would be a walk out and the wetland in between the proposed development and their stormwater pond would not be touched.

MOTION BY SARCELETTI, SECOND BY ZELLMAN TO CLOSE THE PUBLIC HEARING. ALL IN FAVOR VOTED AYE. MOTION CARRIED.

Most of the Commissioners concerns were answered.

Outlot A would remain undeveloped for the time being. The city previously adopted a definition for a wooded lot. This parcel would not meet that standard as it would be considered part of the Windmill Creek Development. It is staff's intent to identify this in the future Development Agreement for Windmill Creek 8th Addition. They would need to meet our tree preservation and restitution requirements rather than the wooded lot standard.

Braaten stated that if the Planning Commission decides to recommend approval of the preliminary plat staff would recommend a 15th condition of approval be added that

would require the payment or dedication of the required park dedication per the recommendation of the Park Board.

Leshner commented that he remained concerned that the developer is squeezing three homes in small building envelopes on each of the parcels.

If the Planning Commission recommends approval of the Windmill Creek 8th Addition Preliminary Plat, staff has included the following conditions for consideration:

1. The Windmill Creek 8th Addition Preliminary Plat shall be completed as approved and as conditionally revised by the Planning Commission and the City Council.
2. All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
3. The applicant shall obtain Carver County Watershed Management Organization (CCWMO) approval and permitting for erosion control and stormwater management. A copy of any approvals or permits shall be submitted prior to any land disturbing activities.
4. The applicant shall obtain a General Construction Stormwater Permit (NPDES) from the Minnesota Pollution Control Agency and submit a copy to the City prior to any land disturbing activities.
5. All indirect costs related to the permitting, review, and plans associated with engineering and administrative costs shall be paid by the applicant/owner.
6. The City shall provide the necessary street signage. The applicant shall provide the necessary escrow funds to cover all street signage and installation costs.
7. The watermain, sanitary sewer, grading, and stormwater issues shall be resolved to the satisfaction of the City Engineer and Public Services Director prior to commencement of construction activities for the Windmill Creek 8th Addition residential development.
8. Compliance with applicable items contained in Chapter 1000 of the City of Waconia Subdivision Ordinance.
9. Compliance with applicable items contained in Section 900.06, Subd. 6. Flood Plain Overlay Regulations.
10. Execution of a Developer's Agreement prior to execution of the Final Plat.
11. All single-family home parcels that are located fully or partially within the Shoreland Overlay District shall be limited to a maximum impervious surface of 25%.
12. The sidewalk shall be constructed as proposed and as conditionally revised by the City Council. All sidewalks within the development shall be 6 feet wide.
13. The wetland buffer areas shall be signed accordingly and improvements within said areas shall not be allowed.
14. The applicant shall file an application of final plat approval within six (6) months following the approval of the Windmill Creek 8th Addition Preliminary Plat unless an extension of time is requested in writing by the subdivider and granted by the Council prior to the six (6) month expiration date.

MOTION BY SHERMAN, SECOND BY ZELLMAN TO APPROVE THE WINDMILL CREEK 8TH ADDITION PRELIMINARY PLAT WITH THE 14 RECOMMENDED CONDITIONS OF APPROVAL AND THE ADDITION OF A CONDITION REQUIRING COMPLIANCE WITH THE CITY'S PARK DEDICATION REQUIREMENTS. ALL IN FAVOR VOTED AYE. MOTION CARRIED.

4) PUBLIC HEARING – VARIANCE REQUEST BY PATRICK OLSON, 115 MAPLE TERRACE.

Staff received a Variance application from Patrick Olson requesting approval of a variance to construct a 442 sq. ft. permeable patio, a 371 sq. ft. synthetic putting green and other stormwater improvements which is proposed to improve the property to 42% impervious surface versus the 35% maximum allowed in the PUD District.

Nelson explained the Variance Criteria to the Commissioners as he displayed the location of the property on a map of the Shores of Lake Waconia residential development. Charles Cudd developed the West side, and M/I Homes has the development to the East of County Road 92. In September of 2020, the developer requested to increase the maximum hardcover from 35% to 45%. This request was denied by the City Council.

The applicant is proposing to add 773 sq ft of patio and synthetic putting green. Both areas are proposed with a pervious design under the surface to allow drainage into the proposed rain garden adjacent to the improvements.

The Public Service Director and City Engineer have reviewed the proposed stormwater plan and are not in favor of the plans as proposed as the design would cause additional runoff into the adjacent natural wooded area held in the City outlot. Additionally, heavy clay content in the soils was also a concern.

Nelson showed the site survey and pictures of the property pointing out the existing impervious coverage and described in detail the proposed plan.

Sherman asked why paver patio is not permeable. Nelson gave an explained that City Ordinances does not currently make allowances for the use of pervious materials and therefore the use of them as a stormwater mitigation tool, or to stay under the required impervious surface requirements, requires a variance.

GROHMANN OPEN THE PUBLIC HEARING

Pat and Marnie Olson, 115 Maple Terrace, Waconia, MN 55387

James Sherson, North Metro Companies, Project Manager-Landscaper

Comments and Concerns:

- Purchased the home December and started to organize the landscaping.
- Did not know about the 35% impervious maximum.
- Trying to do this the correct way.
- Consider the rain garden along with the project and additional drainage.
- Willing to make changes to make this work.
- The other half of the development on the West side does allow the 45%.
- Landscaper-good design, not a lot of pitch to the property that would runoff to the outlot.

Leshar asked about the putting green surface being permeable? Sherson mentioned that the design has base rock under the putting green for drainage, which is better than the existing clay.

Nelson received two written comments from the public in support of their project.

MOTION BY LESHER, SECOND BY SARCLETTI TO CLOSE THE PUBLIC HEARING. ALL IN FAVOR VOTED AYE. MOTION CARRIED.

Leshner added that the decision on this application will affect others in the area that may want to request the same, or similar, improvements.

Sarcletti commented that the City Engineer and Public Service Director were not in favor of the proposed submittal.

Discussion followed with Braaten explaining that the Planning Commission really had three options: 1) continue this item and request further information/revisions to the plan, 2) recommend denial, or 3) recommend approval with a condition requiring the plan be revised to the satisfaction of the City Engineer and Public Services Director.

Discussion followed regarding the variance criteria and rain garden design.

MOTION BY SHERMAN, SECOND BY GROHMANN TO RECOMMEND APPROVAL OF THE VARIANCE REQUEST BY PATRICK OLSON WITH THE UNDERSTANDING THAT APPROVAL FROM THE PUBLIC SERVICES DIRECTOR AND CITY ENGINEER ARE REQUIRED. MOTION PASSED VIA A THREE TO TWO VOTE IN FAVOR. MOTION CARRIED.

5. OLD BUSINESS:

1) After-the-Fact Steep Slope Permit for 233 Lakeview Terrace Blvd. - CONTINUED

Braaten explained the continuation of the After-The-Fact Steep Slope Alteration Permit request by Tim Lovett, Cornerstone Landscaping the property located at 233 Lakeview Terrace Blvd. The Planning Commission first discussed this application in September of 2021. At this time staff recommended that the Planning Commission continue the discussion to allow the applicant an opportunity to meet on site with representatives from Carver Soil & Water and the DNR. This onsite meeting took place 2 weeks after the Planning Commission meeting and the applicant provided the landscaping plan to both parties for review and comments. Neither the DNR, nor Soil & Water, received a response from Mr. Lovett regarding their review comments.

February of 2022 the applicant requested some additional time with the Planning Commission to talk about the permit application which is why the Planning Commission again discussed the after-the-fact Steep Slope Permit without a finalized plan review.

Applicant again was in front of the Planning Commission on April 7th and directed by the Commission to work with the DNR and Soil & Water on a revised plan for the review in May.

Braaten displayed the location and the site survey along with pictures taken during install and what was currently installed. Two revised plans were submitted. Seth Ristow, Carver Soil and Water indicated further revisions were necessary per the email provided in the packet.

Tim Lovett, Cornerstone Landscaping and Michael Swoboda, property owner.
Comments and Concerns:

-Lovett stated a plan was submitted to Soil and Water. They would like to see the existing non-native plantings removed. Lovett feels its not necessary.

- Grohmann reminded applicant the Planning Commission takes recommendation and information from the experts such as Soil & Water and the DNR. Grohmann feels the Commission is still waiting on an acceptable plan.
- Lovett stated he thinks Soil and Water needs to see a full restoration plan with all native plantings. Hoping to find a medium ground.

Further discussion regarding options from the Planning Commission and Lovett.
Reminder from the Commission that this is an after-the-fact request.

Additional discussion regarding a possible denial outcome for the permit application.
This then becomes an enforcement issue.

MOTION BY LESHER TO APPROVE THE AFTER THE FACT STEEP SLOPE ALTERATION PERMIT FOR THE PROPERTY LOCATED AT 233 LAKEVIEW TERRACE BLVD. WITH THE THREE CONDITIONS NOTED AND AN ALTERATION CONDITION TO NUMBER TWO STRIKING A REVIEW THAT WILL COME BACK TO THE PLANNING COMMISSION BUT SENT TO CITY COUNCIL, SECOND BY GROHMAN. MOTION PASSED WITH A 4 TO 1 VOTE IN FAVOR. MOTION CARRIED.

6. OTHER:

THERE BEING NO FURTHER BUSINESS, MOTION BY LESHER TO ADJOURN AT 8:42 PM, SECOND BY ZILLMAN. ALL PRESENT VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Brenda Stein
Recording Secretary



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: June 2, 2022
Item Name: PUBLIC HEARING - Variance Request by John Rosenau
Originating Department: Community Development
Presented by: Ethan Nelson

Previous Council Action (if any):

Item Type (X only one):	Consent		Regular Session	X	Discussion Session	
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RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED *(Include motion in proper format.)*

Open the Public Hearing.
Motion to close the Public Hearing.
Motion recommending either approval or denial of a variance to construct a porch addition, which proposes to improve the property to 28.4% impervious surface versus the 25% maximum allowed in the Shoreland Overlay District and be located 21.6 ft. from the rear yard versus the minimum 30 ft. rear yard setback allowed in the R-2, Single Family District

EXPLANATION OF AGENDA ITEM *(Include a description of background, benefits, and recommendations.)*

BACKGROUND

Applicant: John Rosenau
Owner: Gary & Holly Zajicek
Address: 24 Dana Circle
PID# 752970180
Zoning: R-2, Single Family District
Special District: Shoreland Overlay District

REQUEST:

The City has received a variance application from John Rosenau (the "Applicant") requesting approval of a variance to construct a porch addition that would be located 21.6 ft. from the rear yard versus the minimum 30 ft. year yard setback allowed in the R-2 Single Family District and increase the impervious surface to 28.4% versus the maximum 25% allowed in the Shoreland Overlay District. The applicants indicated the variance is necessary due to the limited living space, privacy needs and to limit headlight shine into the home.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05 – District Regulations, Subd. 2.B. - R-2, Single Family District
2. Section 900.06.7 - Shoreland Overlay Regulations
3. Section 900.12 – Administration, Enforcement and Procedures, Subd. 4 – Variances

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statute 462.357, Subd. 6 establishes criteria to be considered when contemplating the issuance of a Variance in terms of “practical difficulty” as follows: “Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the Variance are consistent with the Comprehensive Plan.” So a City evaluating a Variance application should make findings as to:

1. Is the Variance in *harmony* with the purposes and intent of the ordinance?
2. Is the Variance *consistent* with the Comprehensive Plan?
3. Does the proposal put the property to use in a *reasonable* manner?
4. Are there *unique circumstances* to the property not created by the landowner?
5. Will the Variance, if granted, alter the *essential character* of the locality?

State Statute specifically notes that economic considerations alone cannot create a practical difficulty. Whereas, practical difficulties exist only when the three statutory factors are met (1. Reasonableness, 2. Uniqueness, and 3. Essential character).

VARIANCE ANALYSIS:

The subject property currently includes an existing principal structure, driveway, concrete patios and a shed. The property has received permit approvals in the late 90's and early 2000's for various improvements that encroach beyond existing City Code requirements. The applicant is proposing a 360 square foot porch attached to the rear portion of the principle structure, replacing the existing 221 square foot porch. The applicant is also proposing to remove a rear yard patio area and a shed. Since patios do not require a permit with the city, it is believed the patio improvements along with the existing rear yard shed were made at some point after the last city permit review and would not be counted towards the existing impervious surface below. The existing lot circumstances, legal nonconformities and proposed changes to the lot conditions are reflected in Table 1.1 below.

Table 1.1

	Lot Requirements R-2 Single Family Residential District & Shoreland Overlay District	Existing Conditions	Proposed Conditions
Minimum Lot Size	15,000 sq. ft.	12,706 sq. ft.	12,706 sq. ft.
Maximum Impervious Surface	25%	27.27%	28.4%*
Front Yard Setback	25 ft.	19.6 ft.	19.6 ft.
Left Side Yard Setback	10 ft.	17.1 ft.	17.1 ft.
Right Side Yard Setback	10 ft.	20.3 ft.	19.9 ft.
Rear Yard Setback	30 ft.	23.1 ft.	21.6 ft.*

*Proposed improvements beyond existing legal nonconformities that require a variance.

PLANNING CONSIDERATIONS:

1. The subject property currently has an impervious surface of 30.9% versus the 25% maximum allowed in the Shoreland Overlay District. It is important to note that the last city permit review

of the property occurred in 2004 and approved 27.27% of impervious surface. Since the last staff approval, the property has had additional patio surface and a shed installed that have increased the impervious surface to 30.9%. Despite proposed removals of the aforementioned patio and shed areas, these improvements do not appear to have been reviewed or approved via city permits based upon existing city records. Therefore, staff considers the variance request as a 1.13% increase to the approved existing impervious surface of 27.27% to the proposed 28.4%.

2. The applicant is proposing to demolish the previously approved 221 sq. ft. attached porch and replace it with a 360 sq. ft. attached porch and two rain barrels with drip irrigation. The Public Services Director and City Engineer reviewed the proposed stormwater plan and are not in favor of the plan as proposed and the expansion of hard cover.
3. The Planning Commission should review the proposed location and property circumstances and determine if the request meets **all** of the variance criteria.

PUBLIC NOTICE/COMMENT

The notice was published in the WACONIA PATRIOT on May 19th, 2022 and posted at Waconia City. Individual notices were mailed to all property owners within 350 feet of the subject parcel. The DNR was emailed and indicated they had no comment on the application. As of the date and time of this report the City has not received any public comment regarding the proposed Variance.

RECOMMENDATION

The Planning Commission should hold the public hearing, review the Variance application based upon the Variance Criteria stated above and the information provided and make a recommendation to the City Council. Upon a formal recommendation by the Planning Commission this application will be forwarded to the City Council for review at their upcoming meeting on June 20th, 2022.

Attachments:

1. [Location Map \(1 Page\).pdf](#)
2. [Public Hearing_Variance_24 Dana Circle \(1 Page\).doc](#)
3. [Variance Application \(3 Pages\).pdf](#)
4. [Variance Letter \(1 Page\).pdf](#)
5. [Proposed Site Plan \(1 Page\).pdf](#)
6. [Stormwater Plan \(1 Page\).pdf](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Budget Information:

☐ Budgeted
☐ Non Budgeted
☐ Amendment Required

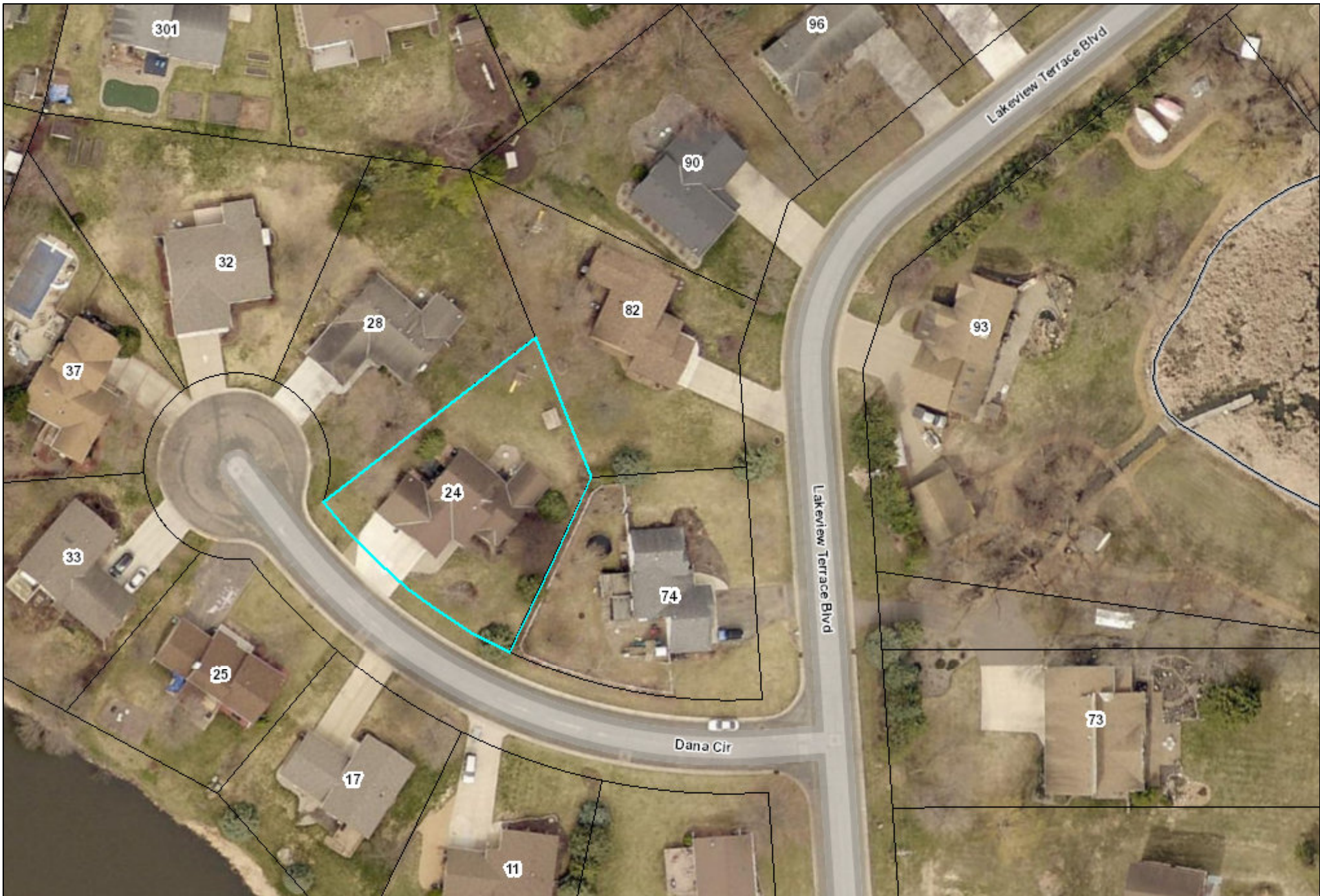
ADVISORY BOARD RECOMMENDATIONS:

Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other



City of Waconia

201 Vine Street South, Waconia, MN 55387

Waconia GIS

May 2022
13

CITY OF WACONIA, MN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Waconia, MN, will hold a public hearing on June 2nd, 2022 at 6:30 p.m. to consider a Variance request to make improvements that exceed the 30 ft. minimum rear yard setback and the 25% impervious surface maximum allowed for the property located at 24 Dana Circle (PID# 752970180), which is zoned R-2, Single Family Residential District and is located in the Shoreland Overlay District.

The applicant, John Rosenau, is requesting approval of a variance to construct a porch addition that would be located 21.6 ft. from the rear yard versus the minimum 30 ft. year yard setback allowed in the R-2 Single Family District and increase the impervious surface to 28.4% versus the maximum 25% allowed in the Shoreland Overlay District.

Pertinent information pertaining to this request is available at City Hall. Interested persons may submit written or oral comments pertaining to this matter any time prior to the hearing, or at the hearing, which will be held on Thursday, June 2nd, 2022. Written comments will be distributed to the Planning Commission for review and consideration. Please submit written comments by mail, email or in person as follows:

Mail/in person: Ethan Nelson, 201 South Vine Street, Waconia, MN 55387
Email: enelson@waconia.org

By: WACONIA PLANNING COMMISSION
ATTEST: Ethan Nelson, Assistant Planner

(Published in the May 19th Waconia Patriot newspaper)



CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135
www.waconia.org

VARIANCE

APPLICANT INFORMATION

1. Owner's Name: Holly & Gary Zajick
2. Address of Property: 24 Dana Circle
3. Legal Description: Lot 7 Block 3 Harms Lake View Terrace 2nd Addition
4. Applicant's Name: John Rosenau
5. Mailing Address: 1498 Mallard Pl. Waconia MN 55387
6. Daytime Phone(s): 612.327.9996
7. Email Address: John@wildprairiehomes.net

The City will distribute copies & appropriate information to applicant via email

OFFICE USE ONLY

Date Received: _____

Fee: \$ _____

Receipt #: _____



CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135

VARIANCE APPLICATION

1. Present Zoning: _____
 2. Existing use of Property: Single Family
 3. Has request for a variance on this property been sought previously? If so, when? No
-

IMPORTANT

Subd. 4. Variances

- A. No variance shall be granted to allow a use not permitted under the terms of this Ordinance in the district involved. In granting a variance the Board may prescribe appropriate conditions in conformity with this Ordinance. When such conditions are made part of the terms under which the variance is granted, violation of the conditions is a violation of this Ordinance. A variance shall not be granted by the Board unless it conforms to the following standards:
1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and do not result from the actions of the petitioner.
 2. Literal interpretation of the provisions of this Ordinance would deprive the petitioner of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
 3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
 4. The proposed variance will not impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.
 5. FINANCIAL SAVINGS WILL NOT CONSTITUTE A HARDSHIP.

THE FOLLOWING INFORMATION MUST BE FURNISHED IN ORDER TO PROCESS THE APPLICATION

1. A letter from the applicant(s) which should address the following:
 - Explain (in detail) the variance you are requesting (giving distances where appropriate).
 - Conditions or peculiar difficulties to the structure or land, which makes a variance necessary.
 - Why do you feel a variance should be granted in this instance?
2. Payment of application fee (**\$125 residential; \$275 non-residential**)
3. **Residential applications requiring the submittal of a stormwater plan shall submit a \$150 non-refundable stormwater plan review fee.**
4. **Non-residential variance requests are required to submit an escrow payment in the amount of \$1,000.00.**

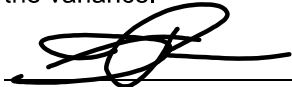
****Additional information may be requested by staff, based on the proposal. Additional consulting review fees may apply, such as civil engineering and legal counsel.**

5. Certificate of Survey with north arrow indicating existing structures and proposed additions or modification to structures.
6. Show all distances of buildings and structures from property lines.
7. Show any unique features to property associated with variance request (i.e. trees, ravines, steep slopes, etc.).
8. Stormwater Plan for all properties located within the Shoreland Overlay District and for all properties that currently exceed, or propose to exceed, the hardcover maximum identified in the applicable zoning district.

The Planning Commission may or may not hold a public hearing on the request (based on the amount of the variance requested). The Planning Commission should make a recommendation to the City Council within sixty (60) days. If they do not, the City Council may proceed without the Planning Commission's recommendation.

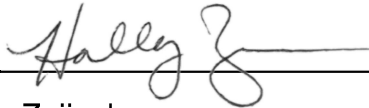
The City Council may approve, approve with conditions, or deny the variance. If a variance is denied the applicant cannot resubmit a variance request for that same property until six (6) months has lapsed. If a variance is approved, it should be made use of within one (1) year or it will become void.

A violation of any condition set forth in the granting of the variance shall be a violation of the zoning ordinance and automatically terminate the variance.

Applicant's Signature: _____

Date: 4.15.2022

Printed Name: John Rosenau

Property Owner Signature: _____

Date: 4-25-22

Printed Name: Holly Zajicek

Dear Planning Commission,

Like many other families, the pandemic has highlighted for us, that we need more space in our home for our family. We love living in Waconia and especially our neighborhood. The most affordable option for our family is to expand our existing home. Our plan is to replace an existing porch which has limited seasonal use, with an integrated addition that will open up our main floor living space. Based on our existing structure, specifically the roof line and the rest of our home on the northwest side, this limits the width of the addition that we can build. To gain the necessary square footage we need, we are planning to extend the addition to the northeast 18 feet. This would be 2 feet past the existing structure, and requires your approval of this variance. A key consideration for our addition is our proximity to Lakeview Terrace Blvd. We live along a fairly busy portion of this street, with line of sight to traffic, specifically headlights that commonly shine into our home. We have designed the addition to limit the impact of this effect into the main floor, and the added width and length will help to block line of sight to the windows on the back of our home. Once completed, another benefit we will realize, will be the additional privacy area created behind our home. This will be partially blocked from the view of passing traffic and we are hope traffic noise is reduced as well.

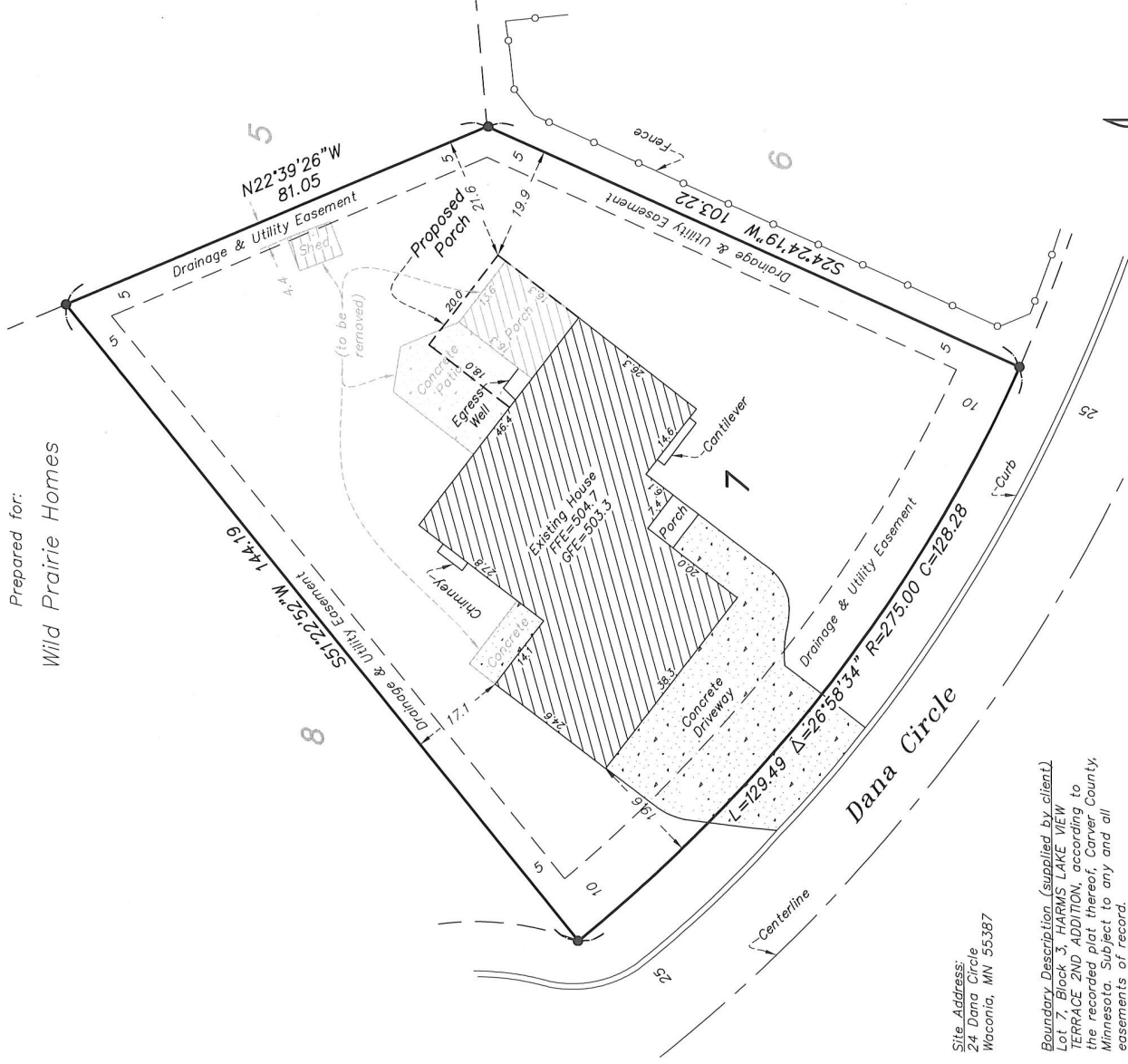
We appreciate your time, your attention to the details of our project and your consideration of our application for this variance.

Sincerely,

Gary and Holly Zajicek

Certificate of Survey

Prepared for:
Wild Prairie Homes



Site Address:
24 Dana Circle
Waconia, MN 55387

Boundary Description (supplied by client):
Lot 7, Block 3, HARMS LAKE VIEW
TERRACE 2ND ADDITION, according to
the recorded plat thereof, Carver County,
Minnesota. Subject to any and all
easements of record.

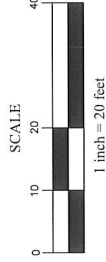
Proposed Impervious Surfaces (sq. ft.)	
House	2,243
Concrete Driveway	936
Front Porch	42
Cantilever	14
Chimney	9
Proposed Porch	360
Total Proposed Impervious	3,604

Lot Area = 12,706 sq. ft.

Percent Impervious = 28.4%

Other surfaces (sq. ft.)	
Egress Well	14 --- under proposed porch
Concrete Pad	82 --- to be removed
Concrete Patio	314 --- to be removed
Rear Porch	221 --- to be removed
Shed	51 --- to be removed

Legend
● Found Iron Monument



Bearings & elevations based on assumed datum.

A SCHOBORG
LAND SERVICES
INC.

763-972-3221 8997 Co. Rd. 13 SE
www.SchoborgLand.com Delano, MN 55328

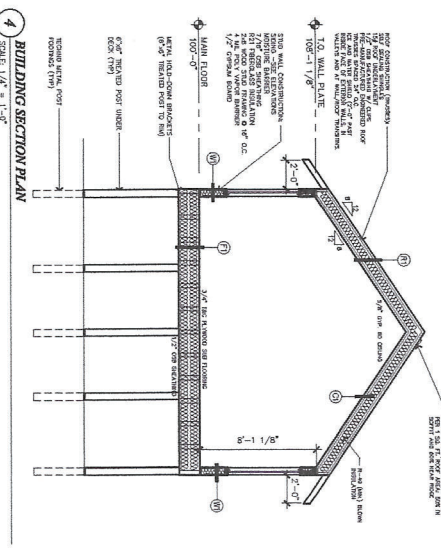
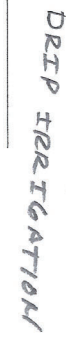
I hereby certify that this certificate of survey was
prepared by me or under my direct supervision and
that I am a duly Registered Land Surveyor under the
laws of the State of Minnesota.

Paul B. Schoborg
Paul B. Schoborg

Date: APRIL 29, 2022 Registration No. 14700

Job Number: 9435
Survey Date: 4/4/22
Drawing Name: WPH.dwg
Drawn by: DMS
Revisions: 4/29/22 (proposed porch)

INSTALL ON BOTH CORNERS OF PORCH



SECTION NOTES

	ROOF TYPES
(H)	NO. 15 CORrugATED METAL/CLAY; 1" FL. ROOF UNDERLAYMENT; 1" POLYSTYRENE INSULATION; PRE-ANVASTRICH FEMERED ROOF DECKING; 1" IC AND 1" PWB SHEET (2" OF PAST VALUETS) ON 2" X 12" S.P. JOIST TRAINING.
	CEILING TYPES
(C)	CEILING CONSTRUCTION (RAVIB): 5/8" PL. OFR BR. 1" POLYSTYRENE INSULATION; PRE-ANVASTRICH FEMERED R-49 (UND) LEAD INSULATION
(P)	STUD WALL CONSTRUCTION 5/8" PL. OFR BR. SHIMING - SET LEVENSING 5/8" PL. OFR SHEATHING NO. 15 FEMERED SLATING 5/8" PL. OFR BR.

FLOOR LINES

- 4. ALL FLOOR VERTICAL BARRIER
- 1/2" OLYMPIAN ROUND

FLOOR CONSTRUCTION:

- 3/4" x 6" PLYWOOD SUB FLOOR
- 1" OAK PARQUET
- 10" FLOOR INSULATED @ 10-2" O.C.

ROOF PLAN NOTES:

1. ALL ROOF MEMBRANES ARE 2" OF DUNLOP NOTED OTHERWISE.
2. 1" DEET VENT FLASHING AT ROOF DRAINAGE.
3. FLASHING AT ALL WALL TO ROOF
4. DAVIS LIFT ROOF PENETRATIONS TOGETHER WITH BARRIER ROSEBUD AND ONE STANDARD OR VENT OR HVAC FLUE.
5. PROVIDE C-8 AND WATER SHIELD ABOVE PENETRATOR OF HEATED AREAS AND IN ALL THE ICE SPACE OF THE EXTERIOR WALL. BEYOND THE FLASHING.
6. ALL WALL FLASHING TO BE PRE-FINISHED, G-WARRANTED GARDEN WITH IF EACH SET AT ALL WALLS. CONDITIONS.
7. INSURE FLASHING FOR EXACT ROOF VENTURE. SEE ATTACHED DRAWING.
8. ROOF DRAINAGE AND SECTIONS FOR ROOF SLOPE.
9. ROOF DRAINING TO BE 30 YDN. AROUND.
10. ROOF CHIMNEY TO PROVIDE 100% VENTILATION.
11. CAPPED ROOF LIFT AND ALL WALLS SHIELD UP 1'-0" AT DRAIN. SENSUAL AT WALL ROOF TRANSOMERS.