

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA**

**TUESDAY, MAY 21, 2013 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue**

1. CALL TO ORDER

2. APPROVAL OF PLANNING COMMISSION MINUTES FOR May 7, 2013.

3. APPLICANT REQUESTS AND PUBLIC HEARINGS

3.01 PAWN AMERICA - CASE NO. 13-15V

Consider a Variance to allow a wall sign 183 square feet in size whereas 100 square feet is the maximize size allowed for the property located at 5300 South Robert Trail.

Planning Commission Action _____

3.02 DAMIAN GUON – CASE NO. 13-14CV

Consider the following requests for property located at 7175 Angus Avenue:

A Conditional Use Permit to allow sheet metal siding on an accessory building in the A, Agricultural zoning district.

Planning Commission Action _____

A Variance to allow a 2,400 square foot accessory building whereas 1,600 square feet is the maximum size allowed.

Planning Commission Action _____

4. OTHER BUSINESS

5. ADJOURN

This document is available upon 3 business day request in alternate formats such as Braille, large print, audio recording, etc. Please contact Kim Fox at 651.450.2545 or kfox@invergroveheights.org

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, May 7, 2013 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

Chair Hark called the Planning Commission meeting to order at 7:00 p.m.

Commissioners Present: Armando Lissarrague
Tony Scales
Dennis Wippermann
Annette Maggi
Paul Hark
Harold Gooch
Victoria Elsmore

Commissioners Absent: Pat Simon (excused)
Bill Klein (excused)

Others Present: Tom Link, Community Development Director
Allan Hunting, City Planner
Heather Botten, Associate Planner

APPROVAL OF MINUTES

The minutes from the April 16, 2013 Planning Commission meeting were approved as submitted.

BRIAN AND JULIE LEHMAN – CASE NO. 13-04ZA

Reading of Notice

The public hearing notice was read at the April 2, 2013 Planning Commission meeting.

Presentation of Request

Allan Hunting, City Planner explained the request as detailed in the report. He advised that the applicant is proposing to open a dog grooming business out of their home, which is located in the E-1 Zoning District. In order to do this they would have to amend the zoning ordinance to allow for dog grooming operations in residential areas. Currently the ordinance allows for commercial uses involving animals only in the commercial or agricultural districts. Also, because they are proposing to have outside employees and a separate entrance, it cannot be considered a home occupation. Staff is concerned about potential issues regarding noise, parking and hours of operation associated with such a use in a residential area. If the Planning Commission finds that this is an appropriate use for residential areas, staff has drafted a code amendment allowing for dog grooming businesses in the larger lot areas of the City as a conditional use. He advised that if the ordinance amendment were approved by City Council, the applicants would then have to apply for a conditional use permit, at which time the neighbors would be notified of the request. Staff recommends denial of the request.

Chair Hark asked staff to discuss an option listed in the report regarding Interim Use.

Mr. Hunting advised that the use could be allowed by interim use rather than conditional use. An interim use would differ from a CUP in that it would not run with the land. Rather, it would allow the use for a set period of time, at which time the use would have to cease. The code does allow, however, for a one-time only extension. He advised that an interim use would still require amending the ordinance to allow dog grooming by interim use in a specific zoning district.

Chair Hark asked if an interim use would become invalid if the current homeowner sold the house.

Mr. Hunting replied that situation had never occurred before; however, he believed the use would continue with the property should the new owner want to continue that operation. If the original homeowner moved to a different location in the City; however, they would have to request another interim use permit for the new address.

Commissioner Gooch asked for clarification of whether the neighbors had been notified.

Mr. Hunting replied that the neighbors had not been notified which was the standard process for an ordinance amendment.

Commissioner Gooch noted that the Commission had received one letter from a neighbor, however. He asked what other types of businesses would be in the same category as dog grooming.

Mr. Hunting replied it could be part of a pet shop or could perhaps fall under a general retail type service operation, both of which are allowed in the B-3 district.

Commissioner Gooch asked if this were to be approved, would neighbors then have the ability to request other B-3 uses in residential areas, such as a beauty shop or auto parts store.

Mr. Hunting replied they would not as business type uses are not allowed in a residential area. He noted that one chair beauty salons; however, are allowed by conditional use permit.

Commissioner Lissarrague asked if there were currently any similar businesses in a residential neighborhood.

Mr. Hunting replied none that they were aware of.

Opening of Public Hearing

Julie and Brian Lehman, 1123 – 105th Street East, advised they were available to answer any questions.

Chair Hark asked if the applicants understood and agreed with the conditions listed in the report.

Ms. Lehman replied in the affirmative, and stated the dog grooming area would have a separate entrance.

Chair Hark asked how many customers they anticipated averaging per day.

Ms. Lehman replied seven dogs per day.

Chair Hark asked what their anticipated maximum was.

Ms. Lehman replied they preferred to groom only seven dogs per day.

Mr. Lehman advised they were using this as a stepping stone to getting their own storefront.

Todd Lienemann, 6930 Cloman Avenue East, asked if the main issue was that the applicants wanted to hire outside employees.

Chair Hark replied that the main issue seemed to be that they were asking to put a commercial business in a residential area.

Commissioner Wippermann asked the applicant to explain the statement in their business plan that they would allow limited self-serve dog bathing.

Mr. Lehman replied that is something they would probably not do after all.

Chair Hark asked if the applicants would be opposed to an interim use rather than a conditional use permit.

Ms. Lehman replied they would be willing to discuss it further.

Mr. Lehman stated it would depend on how long the interim use permit would be in effect.

Chair Hark noted that if an interim use was approved the applicants would be allowed a one time extension.

Mr. Lehman stated he did not have an issue with an interim use permit, noting they did not want the business in their home forever anyway.

Chair Hark closed the public hearing.

Planning Commission Discussion

Chair Hark stated he preferred this use be allowed be interim use rather than conditional use and he would recommend a five year time period.

Commissioner Elsmore asked for clarification of the procedure for an interim use permit.

Mr. Hunting clarified that if the applicants decided to withdraw their current request and go the route of an interim use permit, the process would essentially start over because staff would have to republish the request to amend the ordinance for an interim use to allow dog grooming and it would then have to go through the public hearing process.

Chair Hark asked if the applicant would have to pay another fee.

Mr. Hunting replied they would not.

Commissioner Elsmore stated that the conditions listed in the proposed ordinance did not seem very limiting and she asked if the Commission could add language.

Mr. Hunting replied that the Commission could add additional language or conditions if they so desired.

Commissioner Wippermann advised he was opposed to the request, stating it would set a precedent for a variety of uses to be requested as home occupations thus bringing commercial uses into residential areas.

Commissioner Scales advised he was opposed to the request as well and would not support a conditional use or an interim use.

Chair Hark stated he understood their concerns, but noted that this particular area had large lots with a lot of space between homes.

Commissioner Gooch advised he was opposed to the request, stating there was small retail space

available in the City and he was concerned that the neighbors had not been notified.

Chair Hark stated the neighbors would be notified at such time as the applicants came back for a conditional use permit. He added that in his opinion this should go the route of interim use rather than conditional use.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Lissarrague, to deny the request for an ordinance amendment to allow dog grooming as a conditional use in the A, Agricultural and E-1, Estate Residential Zoning Districts, based on the reasons stated in the staff report.

Motion carried (6/1 - Hark). This item goes to the City Council on May 13, 2013.

JOE AMUNDSON (J & B AUTO SALES) - CASE NO. 13-12CA

Reading of Notice

Commissioner Scales read the public hearing notice to consider the request for a conditional use permit amendment to operate an automobile and off highway vehicle sales lot, for the property located at 6360/6370 Concord Boulevard. 19 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is requesting to amend their conditional use permit to allow them to expand the auto sales lot located at 6360 Concord Boulevard. A CUP was approved for the property in 2008 to allow for a 12 spot used car sales lot. At that time the property was a multi-tenant site. Since then the restaurant has closed and the tree service no longer stores equipment on the property. The applicant is planning to demolish the existing restaurant building and utilize the existing office building with the remainder of the property being a sales lot. The applicants are being required to maintain a ten foot setback from the sidewalk. Staff recommends approval of the request with the 13 conditions listed in the report. Ms. Botten noted that staff received notice from one resident in the area who was not in support of the request.

Chair Hark asked if the City had received other complaints in the past regarding illegal parking, etc. on this sales lot.

Ms. Botten replied they have not.

Commissioner Lissarrague asked if the conditions in the report were part of the original CUP.

Ms. Botten stated many of the conditions carried over from the original CUP as they were standard for car lots in the City. The conditions regarding demolition of the existing building and the ones relating to engineering comments were added specifically for this CUP.

Commissioner Lissarrague asked staff to address the parking violations shown in the photos submitted by the resident.

Ms. Botten stated the original CUP allowed for 12 spots. Once the restaurant closed the applicants had more flexibility as they were able to utilize the entire site. Staff did not monitor closely where those vehicles were parked as fewer handicapped spots were now required. When she received the complaint she contacted the owners and they moved their vehicles.

Commissioner Maggi asked if the parking spots were required to be marked on the ground as a

physical reminder of the mandatory setback.

Ms. Botten replied they were not.

Opening of Public Hearing

Joe Amundson and Brian Williams, 6360 Concord Boulevard East, advised they were available to answer any questions.

Chair Hark asked if the applicants understood and agreed with the conditions listed in the report.

Mr. Amundson replied in the affirmative.

Chair Hark gave the applicants a copy of the photos taken by the complainant showing CUP violations and asked the applicant to address the situation.

Mr. Amundson advised that the April snow flooded their back parking lot and therefore they moved the vehicles out of the way until the issue was resolved.

Mr. Williams replied they were not parked there very long.

Commissioner Elsmore asked how long the demolition process would take.

Mr. Williams replied the demolition of the restaurant building was anticipated to take six hours total.

Commissioner Lissarrague asked if the applicant had received any complaints prior to the one referenced tonight.

Mr. Amundson replied he had not.

Commissioner Lissarrague warned that they could not have vehicles for sale parked in the handicapped spots.

Mr. Amundson stated once the restaurant was demolished all the handicapped and employee parking spots would be marked.

Commissioner Gooch asked if the applicants planned to address the drainage on the site so as to avoid future flooding.

Mr. Amundson replied in the affirmative, stating they planned to construct a rain garden.

Commissioner Wippermann asked if the entire lot would be paved at the same time as the demolished restaurant site was paved.

Mr. Amundson replied that eventually the site would have all new pavement.

Chair Hark closed the public hearing.

Planning Commission Discussion

Commissioner Gooch stated he supported the request.

Planning Commission Recommendation

Motion by Commissioner Wippermann, second by Commissioner Elsmore, to approve the request for a conditional use permit amendment to operate an automobile and off highway vehicle sales lot,

for the property located at 6360/6370 Concord Boulevard, with the 13 conditions listed in the staff report.

Motion carried (7/0). This item goes to the City Council on May 13, 2013.

160 INVESTMENTS, LLC (ARGENTA HILLS 7TH ADDITION) - CASE NO. 13-11PUD

Reading of Notice

No public notice required.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant is requesting approval of the final plat and final PUD development plan for the 7th Addition of Argenta Hills, consisting of ten single family lots on the west end of Addison Court. The street will ultimately continue northward and interconnect with future developments to the north instead of dead-ending as a cul-de-sac. Staff recommends approval of the request with the 36 conditions listed in the report.

Opening of Public Hearing

Jacob Fick, 16972 Brandtjen Farm Drive, Lakeville, stated there were only two lots left in the first phase of Robert Thomas Homes and therefore they were requesting to develop ten additional lots. As a result of a meeting with City staff and the County, the previous cul-de-sac has now been extended and will interconnect with future developments to the north and west.

Chair Hark asked why there were no sidewalks in front of the homes, stating one section of the first phase had sidewalks and he felt they were valuable to neighborhoods.

Mr. Fick stated none of the phases have had sidewalks in the cul-de-sac areas. It is their intent, however, to have sidewalks on the through roads to connect neighborhoods as well as trail connections.

Commissioner Wippermann asked if the proposed plat would impact the existing stand of pine trees.

Mr. Fick replied that the proposed plat would not include the pine tree area.

Planning Commission Discussion

Commissioner Wippermann advised that in all past phases of this development he has consistently voted no, and would continue to do so tonight, as he would prefer a larger separation between houses. He added there was a potential for the close proximity of the homes to result in future variance requests.

Commissioner Elsmore stated she supported the request.

Planning Commission Recommendation

Motion by Commissioner Gooch, second by Commissioner Maggi, to approve the request for a final plat and final PUD plan for Argenta Hills 7th Addition, consisting of platting ten single-family lots, for the property located along the west side of Addison Court.

Motion carried (6/1 – Wippermann). This item goes to the City Council on May 28, 2013.

CITY OF INVER GROVE HEIGHTS (URBAN CHICKENS) – CASE NO. 13-13ZA

Reading of Notice

Commissioner Scales read the public hearing notice to consider the request for an ordinance amendment to Title 10 of the City Code (Zoning Ordinance) to allow chickens in single family residential zoning districts. No notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the City Council directed staff to prepare a city code amendment for their review that would allow chickens in the R-1A, R-1B, R-1C and R-2 zoning districts. Currently they are allowed only in the E-1 and agricultural zoning districts. The Council has already approved two readings of the ordinance and will review the third reading on May 13. Staff recommends approval of the zoning ordinance amendment so zoning is consistent with the code change allowing chickens in single family residential areas being discussed by the City Council.

Chair Hark asked staff to discuss permits being required in certain zoning districts.

Mr. Hunting replied that a license would be required in the R-1A, R-1B, R-1C and R-2 zoning districts, with a maximum of six chickens being allowed per lot. In the E-2 zoning district homeowners would not have to follow the established regulations regarding licensing, standards, shelter and enclosure requirements, etc.

Chair Hark asked why the line was drawn at E-2.

Mr. Hunting advised that in the original draft the E-2 zoning district was also required to adhere to the established regulations; however, Council chose to remove it.

Chair Hark stated in his opinion R-1A should be exempt from the regulations as well because of the large lot size.

Commissioner Wippermann asked what would happen to residents that had already invested in chickens if the ordinance was adopted and a few years down the road they found it was not a good idea (i.e. would the homeowners get to keep their chickens until they died, but not replace them?).

Mr. Hunting replied he was not sure as he was unfamiliar with the laws regarding licensing.

Chair Hark asked it might be similar to the previous OWB issue in which residents invested money in wood burners and they were later banned.

Commissioner Wippermann advised that in that instance residents were given a year to stop using their OWBs.

Commissioner Lissarrague stated he did not think chickens were appropriate on smaller city lots, he questioned whether people would want to purchase a home next to a lot with chickens, coops and runs, and he questioned how the ordinance would be enforced.

Mr. Hunting advised if there was a complaint the permit and site plan would be reviewed and the Code Compliance Specialist would go out to the property and determine if they were in compliance with the regulations. If they were not in compliance it would likely be brought before City Council to determine if the license should be continued or revoked.

Chair Hark asked if there was a notice requirement for contiguous properties.

Mr. Hunting explained that a resident wanting chickens would make application. The City would then notify the directly abutting property owners and give them an opportunity to comment. If any neighbor objected and submitted comments in writing, the license application would go in front of the City Council so they could determine how to proceed with the particular application. If there were no objections the City Clerk would issue the permit.

Commissioner Elsmore asked why the standard requiring that the animal control officer inspect the premises was removed from the ordinance.

Mr. Hunting stated the animal control officer was a part-time position and he believed the City Council felt it was most appropriate to be handled by the Code Compliance Specialist, a full-time position.

Commissioner Elsmore noted the ordinance was changed to allow six chickens per lot, and asked how many were allowed on previous drafts.

Mr. Hunting replied the first draft had a limit of three, the second draft was given to Council with a limit of five, but they asked that it be changed to six.

Commissioner Gooch asked how small of a lot would be allowed to have chickens.

Mr. Hunting replied there would be no minimum lot size.

Commissioner Elsmore noted homeowners would still have to meet setbacks, however, so there may be some properties that would be too small.

Mr. Hunting advised that the coop had to be at least 25 feet from principal structures on adjacent lots and the run had to maintain a 10 foot setback from property lines. They also were allowed only in rear yards.

Opening of Public Hearing

Todd Lienemann, 6930 Cloman Avenue, stated he was not necessarily against the ordinance but felt chickens were not appropriate on smaller lots and could be noisy and smelly. He stated that residents living on city lots probably moved there because they were not interested in living near chickens or farm animals.

Chair Hark advised that most people raised chickens for the eggs, and he stated he previously raised chickens and they did not smell and were not noisy. He advised that urban chickens seem to be a recent trend and are allowed in several metro cities. He stated he supported the request but would prefer that R-1A be omitted from the list of zoning districts requiring a permit. He advised that he has been following this issue and felt that City Council has done good work on this ordinance. He noted that he received an email from Jill Sampson who agreed that the R-1A zoning district should be exempt from permit requirements.

Commissioner Scales stated he supported the ordinance amendment.

Chair Hark closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Elsmore, second by Commissioner Scales, to recommend approval of an ordinance amendment to Title 10 of the City Code (Zoning Ordinance) to allow chickens in single family residential zoning districts.

Motion carried (5/2 - Maggi, Gooch). This item goes to the City Council on May 13, 2013.

ADJOURNMENT

The meeting was adjourned by unanimous vote at 8:04 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

DRAFT

complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

The signage request is in harmony with the zoning of the property and is typical wall signage found on commercial buildings. The use of the building and signage would also be consistent with the commercial designation in the comprehensive plan.

2. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

The property would continue to be used in a reasonable manner. The sign letter size is not changing, only the re-arrangement of the lettering causes the calculated sign size to be larger than allowed. While there is consolidation of signs, the content and letter size is the same as currently exists on the building, only the letters are spaced farther apart.

3. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

The angle of the building and its orientation to South Robert Trail causes the visual of the sign to be at an angle which compresses the lettering spacing. This makes it difficult to read for customers using South Robert to travel to the store.

4. *The variance will not alter the essential character of the locality.*

The variance would not alter the character of the area. The building wall is large enough such that the re-arranged sign would not appear too large and out of scale to the building. Since the letters are not increasing in size, no additional signage is being added. Only spacing and re-arrangement cause the larger sign size. The amount of wall area taken up by the existing lettering would only increase by 20 square feet.

5. *Economic considerations alone do not constitute an undue hardship.*

Economic considerations do not appear to be a basis for this request.

ALTERNATIVES

The Planning Commission has the following alternatives available for the requested action:

- A. **Approval** If the Planning Commission finds the requests to be acceptable, the Commission should recommend approval of the variance request with at least the following condition:

1. The signage shall be consistent with the signage plan dated 11/28/12 on file with the Planning Division.

B. Denial If the Planning Commission does not favor the proposed variance, the above request should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

RECOMMENDATION

Staff recommends approval of the variance request based on practical difficulty being:

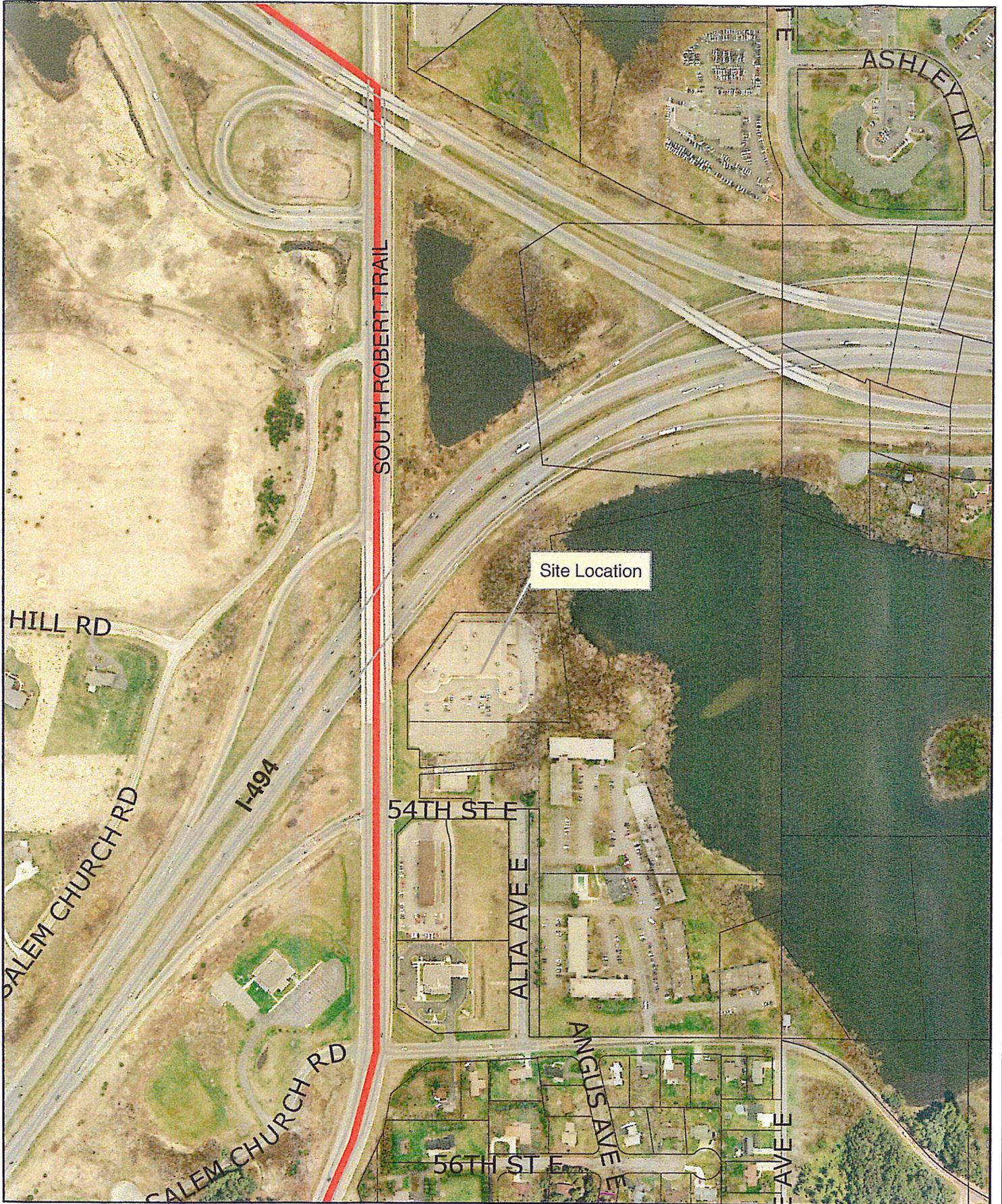
1. The sign letter size is not changing, only the re-arrangement of the lettering causes the calculated sign size to be larger than allowed.
2. The angle of the building and its orientation to South Robert Trail causes the visual of the sign to be at an angle which compresses the lettering spacing.

Attachments: Exhibit A - Location Map
Exhibit B - Applicant Narrative
Exhibit C - Signage Plans (4 sheets)



Location Map

Case No. 13-15V



May 1, 2013



Mr. Alan Hunting
Department of Planning and Economic Development
City of Inver Grove Heights Minnesota
8150 Barbara Avenue
Inver Grove Heights, MN 55077

RE: Signage Variance Request

Dear Mr. Hunting,

On behalf of Pawn America, Lawrence Sign respectfully requests review and consideration of a signage variance for the Salem Square Pawn America location at 5300 Robert Trail South in Inver Grove Heights.

The request relates to the south storefront elevation and the reconfiguration of the existing signage plus the addition of an additional sign for Payday America, a secondary business entity operated by Pawn America within the lease space.

The Salem Square site is unique in that the main view of the storefront on the south elevation is at an angle from the traffic on Robert Trail S. and provides for off axis viewing of the south facing storefront signage. Off axis viewing of the PAWN AMERICA and tagline signage with the current letter spacing creates a smear effect where there is little definition between each letter making up the sign. This smear effect is magnified at night when the sign elements are illuminated. Reconfiguration of the sign to add additional space between each letter will greatly improve visibility and readability for the public along the Robert Trail S. approach.

Currently in place on the south elevation are a set of 41" tall x 350" long PAWN AMERICA letters with a total sign area of 99.65 square feet along with the stacked tagline letters reading GOLD, JEWELRY, DIAMONDS, AUDIO & VIDEO with a total sign area of 63.5 square feet. Both signs currently meet the requirements for sign area within the B-3 zoning district of the Inver Grove Heights sign ordinance

The change requested involves removal of the existing signage on the south elevation and reinstallation of the PAWN AMERICA letters with increased spacing between each letter. The sign will be centered within the storefront sign area and the tagline letters will be removed and reinstalled under the PAWN AMERICA sign. This new configuration of the existing signage elements will have a total sign area 183.34 square feet which exceeds the sign ordinance mandate that no single sign may exceed 100 square feet in area within the B-3 zoning district.

This request is for a variance of 83.34 square feet, thus allowing the reconfiguration of the existing sign elements to enhance legibility and reduce the amount of viewing time required to identify the business by drivers on S. Robert Trail.

The attached application has scaled drawings of the existing conditions, the new signage configuration and additions, a scaled site plan and the necessary filing requirements based on the variance application checklist.

Please feel free to call me with any questions you have.

Best regards,

A handwritten signature in blue ink, appearing to read "John Hollenbeck", with a long horizontal flourish extending to the right.

John Hollenbeck
Lawrence Sign

INVER GROVE HEIGHTS MN

SQUARE FOOTAGE: 99.65

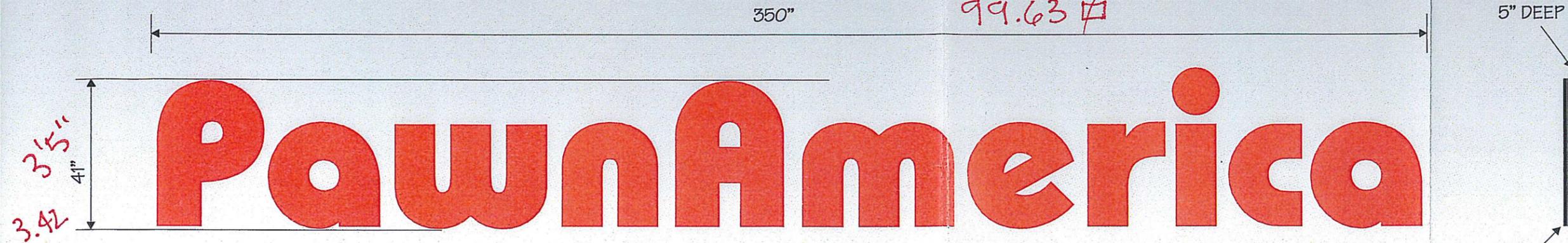
* EXISTING CONDITIONS

29' 2"

29.16 FT

350"

99.63 #



**ILLUMINATED
CHANNEL LETTERS**

FACES: #2283 RED
TRIM CAP: BLACK
RETURNS: BLACK
LIGHTING: RED LED

5" DEEP
1" TRIM CAP

**Lawrence
Sign**

945 PIERCE BUTLER ROUTE, ST. PAUL, MN 55104
WWW.LAWRENCESIGN.COM

PawnAmerica

PAWN AMERICA
CLIENT-

INVER GROVE HEIGHTS
LOCATION-

TED KROSKA
ACCOUNT EXECUTIVE-

RICH RETTERER
DESIGNER-

DRAWING-

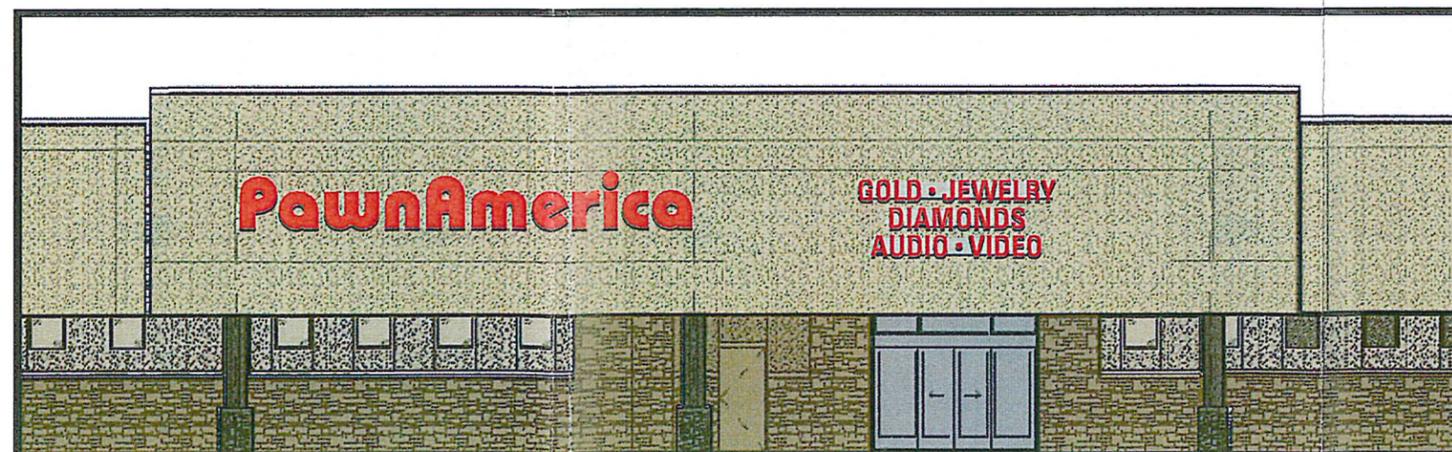
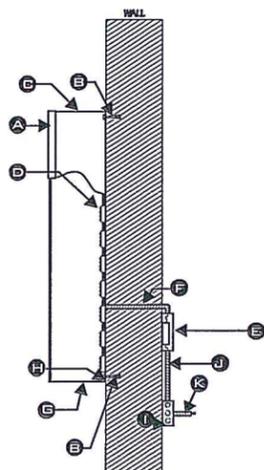
01-30-12
DATE-

05.07.12
REVISION-

~~X~~
CUSTOMER APPROVAL

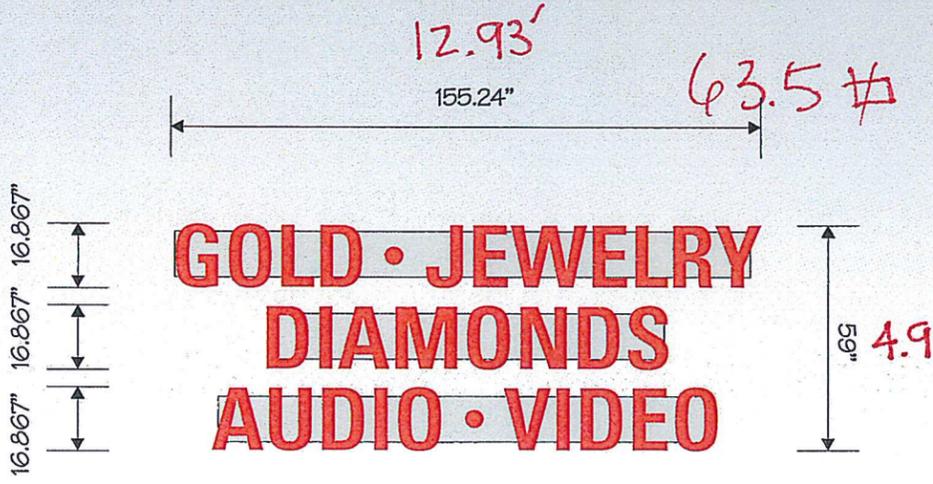
THESE PLANS ARE THE EXCLUSIVE PROPERTY OF LAWRENCE SIGN AND ARE THE RESULT OF THE ORIGINAL WORK OF ITS EMPLOYEES. THEY ARE SUBMITTED TO YOUR COMPANY FOR THE SOLE PURPOSE OF YOUR CONSIDERATION OF WHETHER TO PURCHASE THESE PLANS OR TO PURCHASE FROM LAWRENCE SIGN A SIGN MANUFACTURED ACCORDING TO THESE PLANS. DISTRIBUTION OR EXHIBITION OF THESE PLANS TO ANYONE OTHER THAN EMPLOYEES OF YOUR COMPANY, OR USE OF THESE PLANS TO CONSTRUCT A SIGN SIMILAR TO THE ONE EMBODIED HEREIN, IS EXPRESSLY PROHIBITED AND WILL RENDER THE USER LIABLE FOR DAMAGES. COPYRIGHT 2012 © LS, INC. ALL RIGHTS RESERVED.

- (A) 1" TRIM CAP
- (B) 5/8" LAG BOLTS AS REQUIRED PER WALL STRUCTURE
- (C) .050" ALUMINUM RETURNS
- (D) HIGH INTENSITY LED CLUSTERS
- (E) LED POWER SUPPLY
- (F) 1/2" SEALTITE CONDUIT RUNNING TO SECONDARY CONNECTION
- (G) 1/4" DRAIN HOLES
- (H) SILICONE BEAD TO SEAL SEAM BETWEEN RETURN & ALUMINUM BACK
- (I) HOV BOX FOR CONNECTION TO PRIMARY ELECTRICAL
- (J) EACH LETTER WILL HAVE A 5'-6" WHIP / WIRE & CONNECTOR
- (K) PRIMARY ELECTRICAL



SQUARE FOOTAGE: 63.60

945 PIERCE BUTLER ROUTE, ST. PAUL, MN 55104
WWW.LAWRENCESIGN.COM



**RACEWAY MOUNTED
ILLUMINATED
CHANNEL LETTERS**

FACES: #2283 RED
TRIM CAP: BLACK
RETURNS: BLACK
LIGHTING: RED LED
RACEWAY: PAINTED TO MATCH EIFS

PawnAmerica

PAWN AMERICA

CLIENT-

INVER GROVE HEIGHTS

LOCATION-

TED KROSKA

ACCOUNT EXECUTIVE-

RICH RETTERER

DESIGNER-

DRAWING-

01-30-12

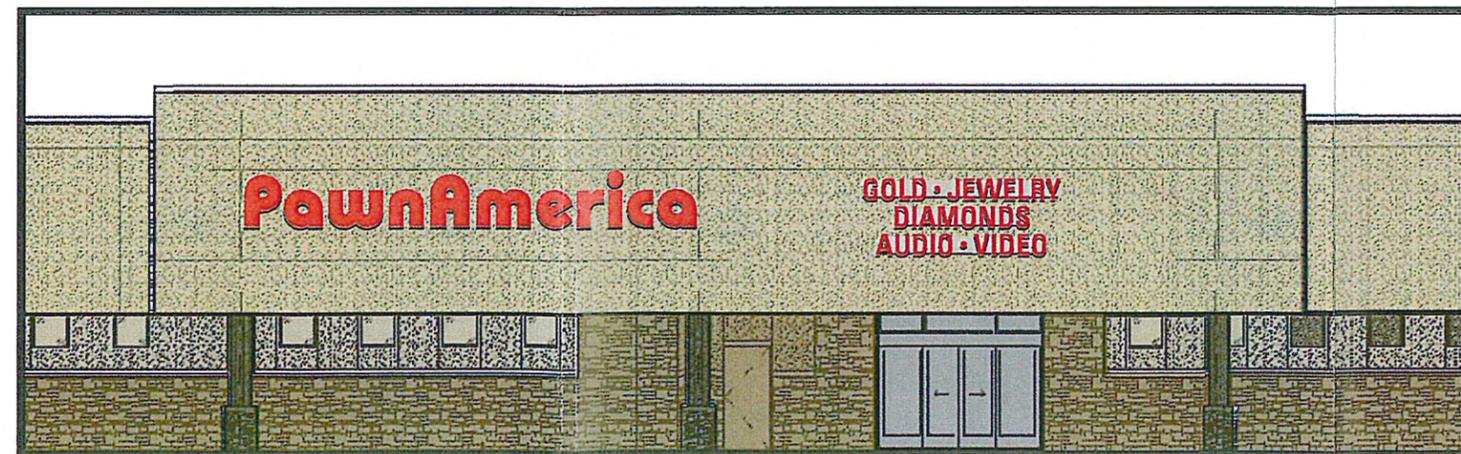
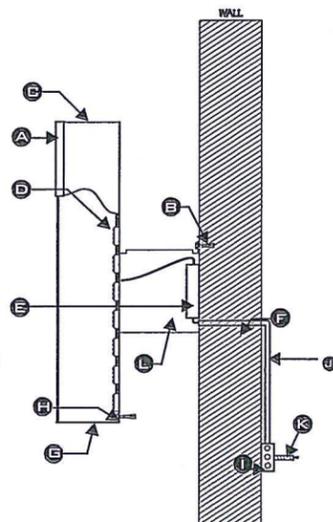
DATE-

05.07.12

REVISION-

X
CUSTOMER APPROVAL

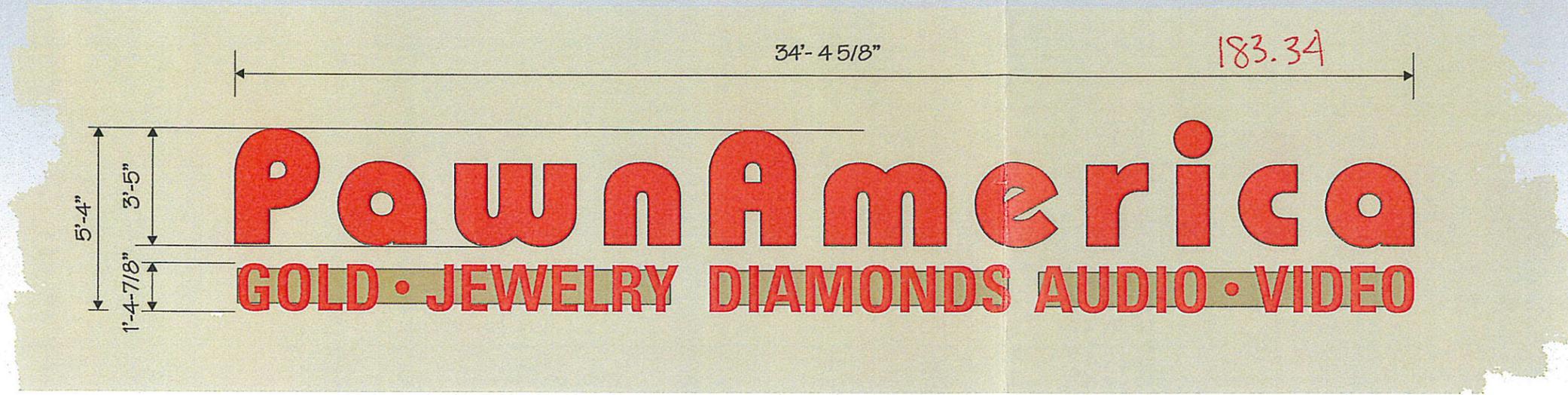
- (A) 1" TRIM CAP
- (B) 5/8" LAG BOLTS AS REQUIRED PER WALL STRUCTURE
- (C) .060" ALUMINUM RETURNS
- (D) HIGH INTENSITY LED CLUSTERS
- (E) LED POWER SUPPLY
- (F) 1/2" SEALTITE CONDUIT RUNNING TO SECONDARY CONNECTION
- (G) 1/4" DRAIN HOLES
- (H) SILICONE BEAD TO SEAL SEAM BETWEEN RETURN & ALUMINUM BACK
- (I) HOV BOX FOR CONNECTION TO PRIMARY ELECTRICAL
- (J) EACH LETTER WILL HAVE A 6'-6" WHIP / WIRE & CONNECTOR
- (K) PRIMARY ELECTRICAL
- (L) FABRICATED ALUMINUM RACEWAY



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INVER GROVE HEIGHTS MN

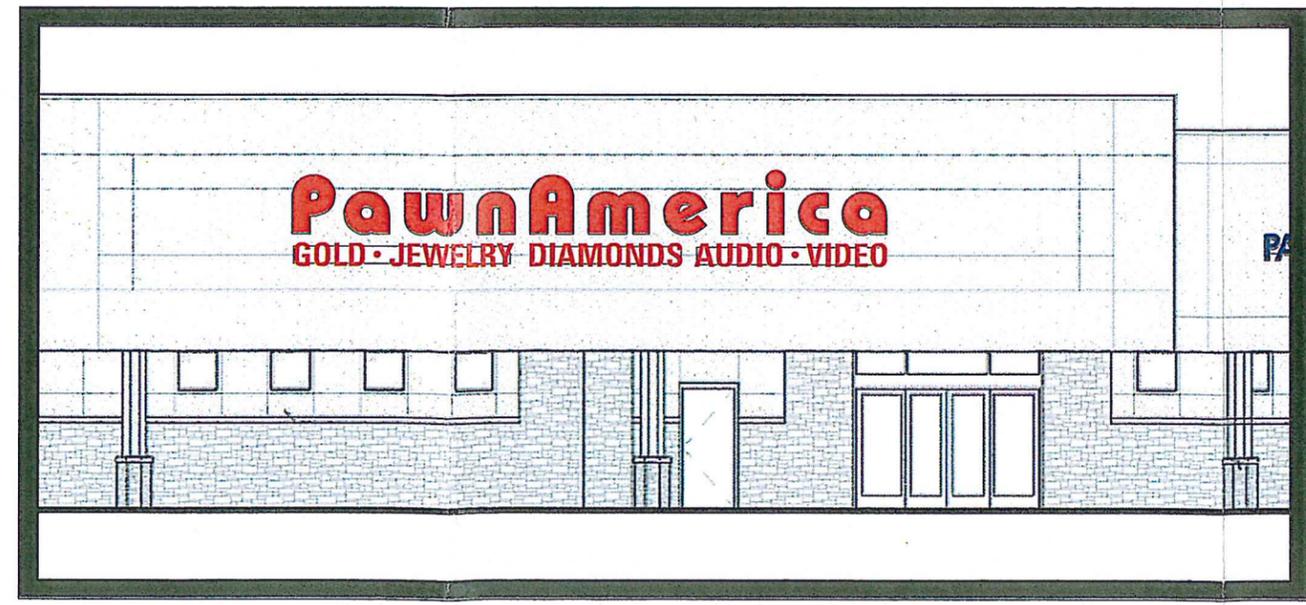
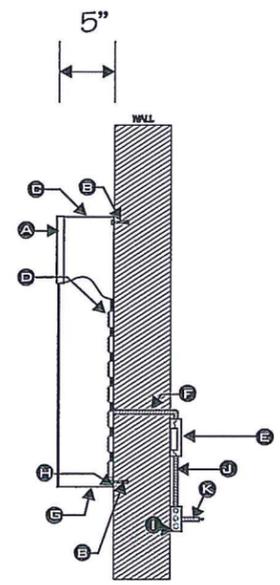
SQUARE FOOTAGE: 183.4 (BOTTOM OF SMALL LETTERS TO HEIGHT OF "P" AND TOTAL WIDTH)



**ILLUMINATED
CHANNEL LETTERS**

FACES: #2283 RED
TRIM CAP: BLACK
RETURNS: BLACK
LIGHTING: RED LED

- (A) 1" TRIM CAP
- (B) 5/8" LAG BOLTS AS REQUIRED PER WALL STRUCTURE
- (C) .050" ALUMINUM RETURNS
- (D) HIGH INTENSITY LED CLUSTERS
- (E) LED POWER SUPPLY
- (F) 1/2" SEALTITE CONDUIT RUNNING TO SECONDARY CONNECTION
- (G) 1/4" DRAIN HOLES
- (H) SILICONE BEAD TO SEAL SEAM BETWEEN RETURN & ALUMINUM BACK
- (I) HOV BOX FOR CONNECTION TO PRIMARY ELECTRICAL
- (J) EACH LETTER WILL HAVE A 5'-6" WHIP / WIRE & CONNECTOR
- (K) PRIMARY ELECTRICAL



PawnAmerica

PAWN AMERICA
CLIENT-

INVER GROVE HEIGHTS
LOCATION-

TED KROSKA
ACCOUNT EXECUTIVE-

RICH RETTERER
DESIGNER-

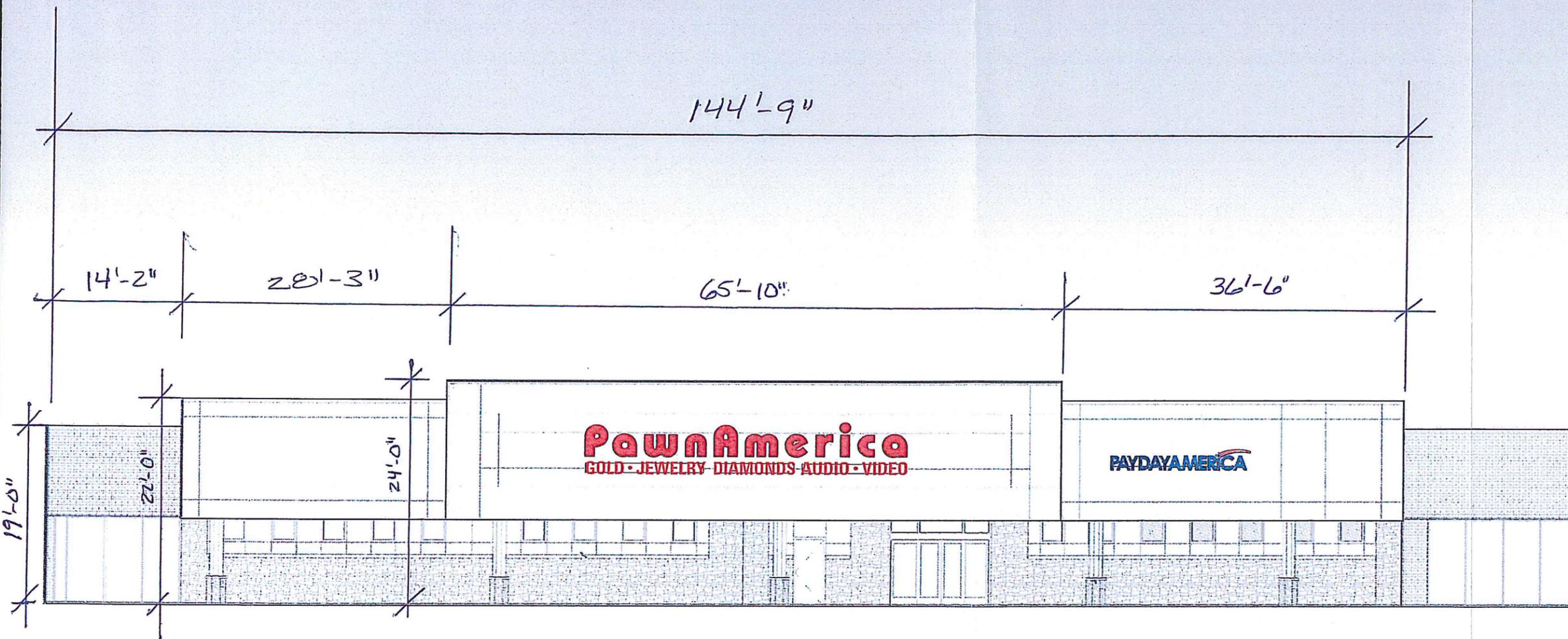
DRAWING-

01-30-12
DATE-

11.28.12
REVISION-

X
CUSTOMER APPROVAL

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NEW PROPOSED LAYOUT

PawnAmerica

PAWN AMERICA
CLIENT-

INVER GROVE HEIGHTS
LOCATION-

TED KROSKA
ACCOUNT EXECUTIVE-

RICH RETTERER
DESIGNER-

DRAWING-

01-30-12
DATE-

11.28.12
REVISION-

~~X~~
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PLANNING REPORT CITY OF INVER GROVE HEIGHTS

REPORT DATE: May 16, 2013

CASE NO.: 13-14CV

HEARING DATE: May 21, 2013

APPLICANT AND PROPERTY OWNER: Damian Guon

REQUEST: A variance to construct an accessory building larger than 1,600 square feet and a conditional use permit to allow sheet metal siding on an accessory building.

LOCATION: 7175 Angus Avenue

COMP PLAN: LDR, Low Density Residential

ZONING: A, Agricultural

REVIEWING DIVISIONS: Planning

PREPARED BY: Heather Botten
Associate Planner



BACKGROUND

The applicant would like to construct a 2,400 square foot, sheet metal accessory building on his property. The applicants' property is 4.74 acres in size and zoned A, Agricultural. City Code allows property in the A or E-1 districts, 2.5 acres – 5 acres in size, one detached accessory building up to 1,600 square feet. Sheet metal siding is allowed on pole buildings in the A and E-1 zoning districts by conditional use permit (CUP).

The applicant has stated that the additional size is needed to store his own personal items, which includes a 42 foot boat among other toys and lawn equipment. The accessory building would be in compliance with setbacks and impervious surface standards. The closest neighboring home would be about 250 feet away from the accessory building. The property is wooded with some topography changes. There is currently a small shed on the property that would be removed.

The applicant received a variance in March 2006 to build a 2,400 square foot accessory building; the building was not constructed and the variance has since lapsed.

SPECIFIC REQUEST

The following specific applications are being requested:

- A.) A **Variance** to construct an accessory building 2,400 square feet in size whereas 1,600 square feet is allowed by code.
- B.) A **Conditional Use Permit** to allow sheet metal siding on an accessory building in the A, Agricultural district.

SURROUNDING USES: The subject site is surrounded by the following uses:

North, West, East, and South - Single-family; zoned A, Agricultural guided
LDR, Low Density Residential

EVALUATION OF REQUEST:

Variance City Code Title 10, Chapter 3. **Variations**, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

The City Council reviewed the accessory structure size requirements in 2006. Prior to 2006 all lots less than 5 acres were allowed a 1,000 square foot accessory building. The Council revised the ordinance, Section 10-15-18C states: *On lots 2.5 acres or more, but less than 5 acres in size which are located in an A or E-1 zoning district, detached accessory structures to single-family residential uses shall not exceed a gross floor area of 1,600 square feet.*

With this in mind, granting the variance may establish a precedence that is contrary to the intent of the City Code.

2. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

The applicant's property is in the MUSA area and is guided for low density residential. City Code allows for larger accessory buildings on lots 2.5 acres or greater; allowing a structure larger than 1,600 square feet could set a precedent for other homes in a designated urban area. The maximum accessory building size standards are not precluding the homeowner from reasonable use of the property.

3. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

The property is 4.74 acres in size. The applicant has an attached garage and is allowed a 1,600 square foot detached building. The request for a larger structure would be for the property owners own personal use. This variance may be considered a convenience to the applicant, not a practical difficulty.

4. *The variance will not alter the essential character of the locality.*

The applicant's property is located towards the end of a private road. The lots are acreage lots and wooded. There are other detached accessory buildings in the neighborhood but the proposed 2,400 square foot structure would be one of the largest in the area.

5. *Economic considerations alone do not constitute an undue hardship.*

Economic considerations do not appear to be a basis for this request.

Conditional Use Permit Sheet metal siding on pole buildings is a conditionally permitted use in the A, Agricultural zoning district. Two sets of zoning code review criteria apply to sheet metal pole buildings. The first set is specific to sheet metal sided accessory buildings. The second is a general set of criteria applicable to all conditional use permits.

Sheet Metal Siding CUP Criteria

Section 10-15-17 and 10-15-18 of the Zoning Regulations list criteria for accessory buildings.

1. *The sheet or corrugated steel or aluminum metal siding has a thickness of at least 29 gauge, and comes with a manufacturer's warranty of at least 20 years.*

The applicant has stated the proposed building meets these specifications.

2. *There shall be a minimum space of six (6) feet between the principal and accessory structure unless attached, and a minimum space of six (6) feet between all other accessory structures.*

This criterion has been met. The pole building is proposed to be located over six feet away from the house.

3. *Any detached accessory structure that exceeds a gross floor area of 1,000 square feet must have a minimum setback from all property lines of 50 feet.*

This criterion has been met. The closest property line is over 100 feet away from the proposed building.

General CUP Criteria

Section 10-3A-5 of the Zoning Regulations lists criteria to be considered with all conditional use permit requests. The proposed request meets the Conditional Use Permit criteria relating to the Comprehensive Plan and zoning consistency, land use impacts such as setbacks, drainage, and aesthetics, environmental impacts, and public health and safety impacts.

ALTERNATIVES

The Planning Commission has the following alternatives available for the requested action:

A. Approval If the Planning Commission finds the requests to be acceptable, the Commission should recommend approval of the requests with at least the following conditions:

- Approval of a **Variance** to allow a 2,400 square foot accessory building whereas 1,600 square feet is the maximum size allowed subject to the following conditions:
 1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
 2. The accessory structure shall not be used for commercial uses, storage related to a commercial use, or home occupations.
 3. A grading/erosion control plan shall be required at the time of the building permit application
 4. The existing detached structure shall be removed prior to the issuance of the building permit.
 5. A grading and erosion control plan showing existing and proposed elevations along with earthwork quantities and erosion control features shall be required at the time of building permit application.
 6. A storm water management plan indicating water flow shall be required at the time of building permit application.

- Approval of the **Conditional Use Permit** to allow sheet metal siding subject to the following conditions:
 1. The accessory structure shall not be used for commercial uses, storage related to a commercial use, or a home occupation.
 2. The sheet metal siding shall have a thickness of at least 29 gauge, and shall come with a manufacturer's warranty of at least 20 years.
 3. A grading and erosion control plan showing existing and proposed elevations along with earthwork quantities and erosion control features shall be required at the time of building permit application.
 4. The existing detached structure shall be removed prior to the issuance of the building permit.

B. Denial If the Planning Commission does not favor the proposed request(s), it should be recommended for denial, which could be based on the following rationale:

1. Denying the variance request does not preclude the applicant from reasonable use of the property.
2. Approval of the variance could set a precedent for other accessory building size variances.
3. The facts presented did not satisfy the criteria needed to show a practical difficulty on the lot to support granting a variance. The lot is 4.74 acres, has an attached garage, and allowed a 1,600 square foot accessory building.

RECOMMENDATION

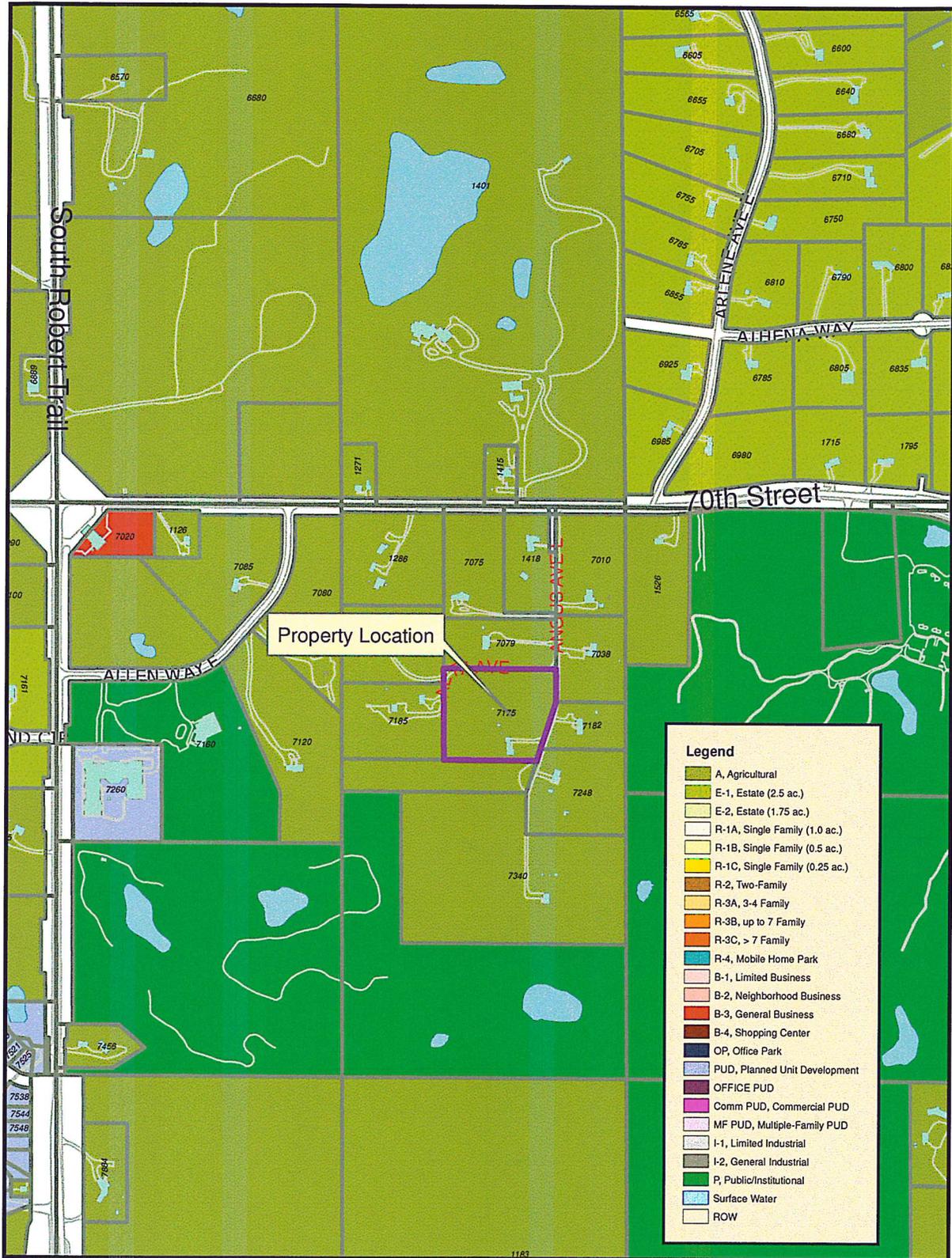
Based on the information in the preceding report staff is recommending denial of the variance request to allow a 2,400 square foot accessory building as the request does not meet the variance criteria. A denial could be based on the following rationale: Staff believes the applicant did not identify practical difficulties to comply with the ordinance as a 1,600 square foot accessory building could be constructed on the property and the size standards are not precluding the homeowner from reasonable use of the property. For the reasons listed in Alternative B staff is recommending denial of the variance request.

A conditional use permit for sheet metal siding is being requested for an accessory building. Staff would support a conditional use permit for a detached building up to 1,600 square feet in size with the conditions listed in Alternative A.

Attachments: Exhibit A – Location/Zoning Map
 Exhibit B – Applicant Narrative
 Exhibit C – Site Plan
 Exhibit D – Elevation Plan



CUP and Variance 7175 Angus Avenue



Map not to scale

Exhibit A
Zoning and Location Map

Variance

Resident and Owner: Damian Guon
Property: 7175 Angus Avenue East
Inver Grove Heights, MN 55077

Date Submitted: 04/18/2013

A variance is in request for my property I currently reside in. The request is to build a 40x60' pole barn detached accessory structure with steel siding. The reason for the variance request is to create more storage space. Currently I am storing outside my property an ATV, 8'6" plow, 48" riding lawnmower, hobby farm tractor for landscaping projects, 42' boat, and a two place snowmobile trailer. With the detached accessory structure, I am able to store everything under one roof. This building will bring safety and security of all the belongings while also creating a clean and crisp curb appeal to the property. My intentions are to blend the accessory structure to create a uniform curb appeal to match my house.

I have outgrown my two car attached garage, as this is currently only able to store some of my yard tools. I am also requesting this detached accessory structure because I am also planning on expanding my living space into the existing two car garage. I would also store my vehicle and any type of storage will be contained in the accessory building.

My property is 4.74 acres with medium to heavy topography. In the neighborhood the houses are nestled in-between trees with large parcels of land giving each neighbor plenty of privacy. With the proposed detached accessory structure, it will bring minimal change in the neighborhood, as I plan to create a wonderful curb appeal as it is currently, besides the outdoor storage.

I would greatly appreciate your consideration to my proposal for the detached accessory structure, as I am outgrowing my property quickly, and the proposed detached accessory structure will resolve all of the issues.

Thank you again for your time and consideration.

Damian Guon

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APR 22 2013

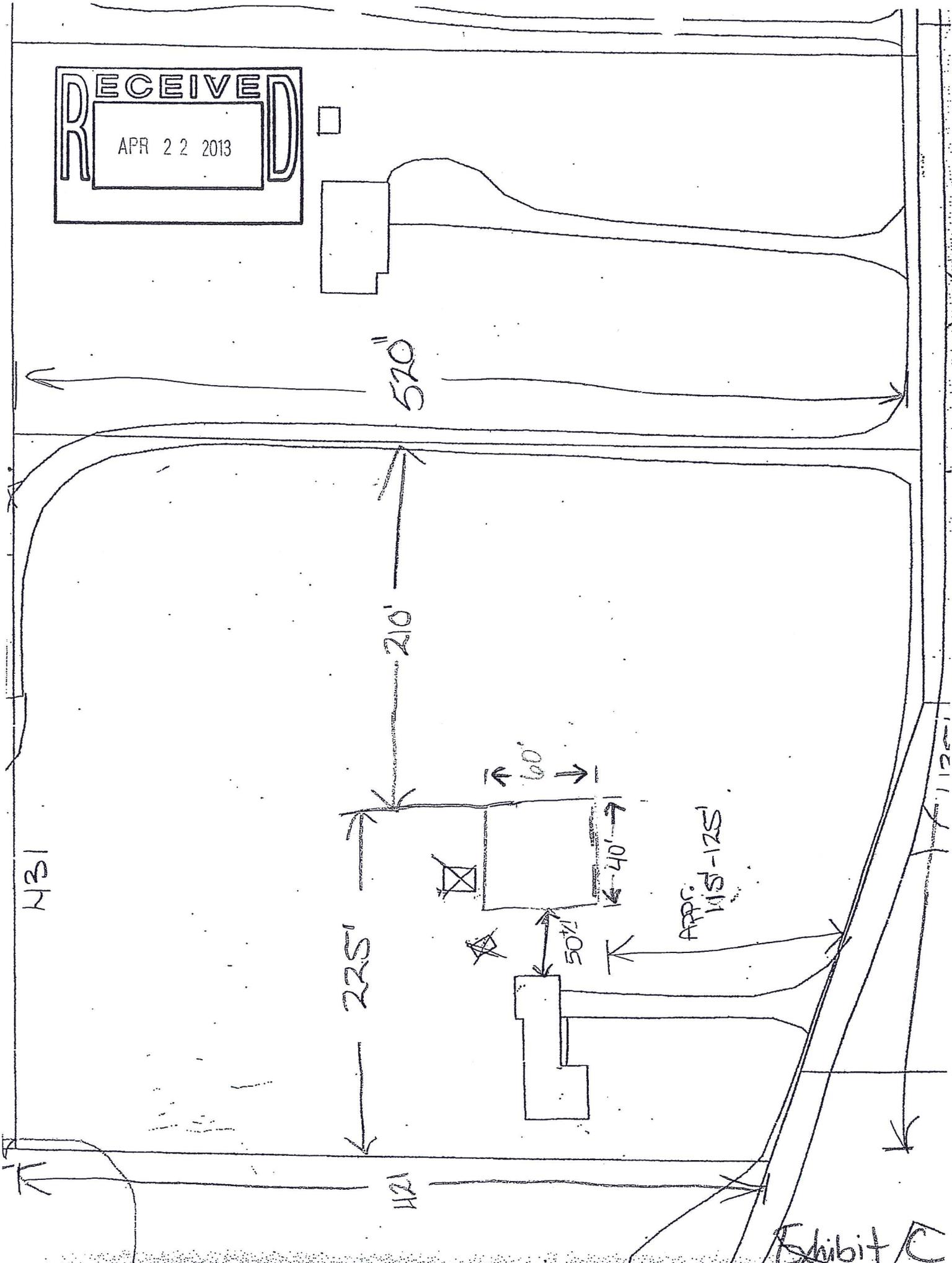
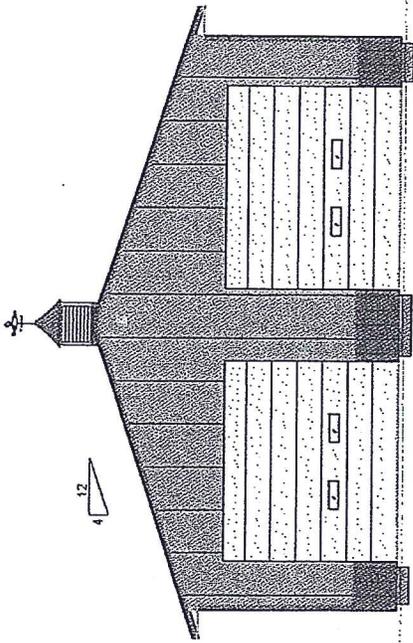
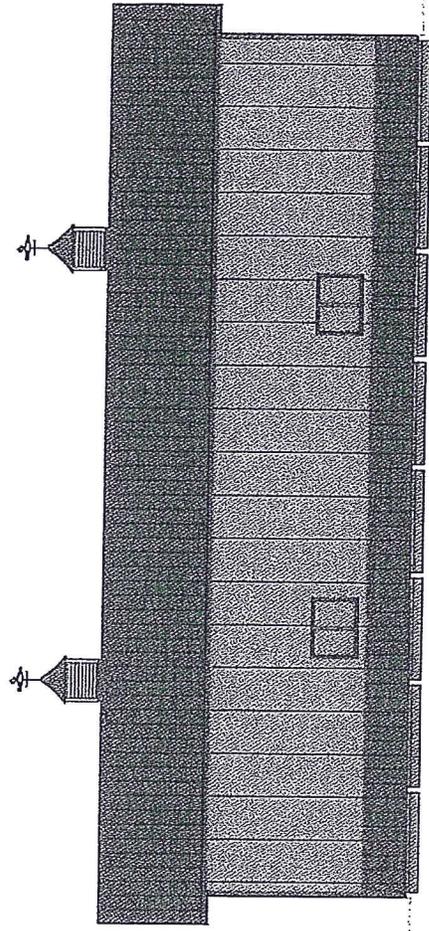


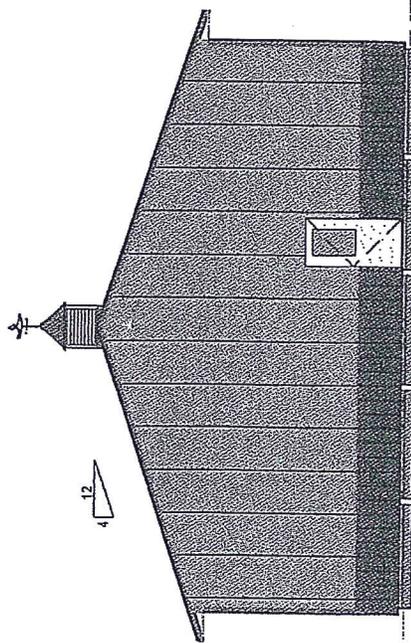
Exhibit C



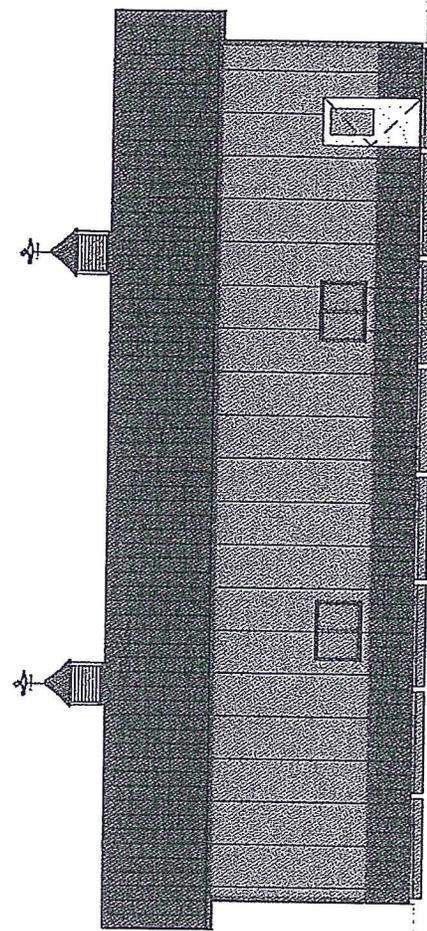
ENDWALL 1



SIDEWALL 1



ENDWALL 2



SIDEWALL 2

	DEALER INFO. Corey Larsen 473 Wilson St Winona, MN 55987	CUSTOMER INFO.	BUILDING DESCRIPTION 40'-0"x60'-1"x14'-0" U1C QP032113	Customer Approval DATE: 4/15/2013	PROJ 055A-12762-01-00 PROPOSAL DRAWINGS ONLY <small>Not intended for Construction Permits</small> * Not To Scale