

MISSION STATEMENT: “The City of Mound, through teamwork and cooperation, provides, at a reasonable cost, quality services that respond to the needs of all citizens, fostering a safe, attractive and flourishing community.”

**MOUND PLANNING COMMISSION REGULAR MEETING AGENDA
TUESDAY, JUNE 3, 2025, 6:00 P.M.
COUNCIL CHAMBERS, MOUND CENTENNIAL BUILDING
5341 MAYWOOD ROAD, MOUND, MN**

- 1. Call to Order**
- 2. Roll Call**
- 3. Review and approval of agenda, including any amendments**
- 4. Review and action**

A. April 1, 2025 regular meeting minutes

Pages 1 - 3

5. Board of Adjustment and Appeals

- A. Review/recommendation – Planning Case No. 25-05
Variance – Variance for fence height in front setback at 2881 Westedge
Boulevard
Applicant: Tim and Ellen Williams

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6. Old / New Business

- A. City Council Liaison and Staff Project Update / Report
- B. Next Regular Meeting- Tues., July 1, 2025 at 6:00 p.m.

7. Information Items - None

8. Adjourn

The Planning Commission is an advisory body to the City Council. One of the Commission’s functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters. Mound City Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may for other reasons postpone final action on an application. For each agenda item the Commission will receive reports prepared by the City staff, open the hearing to the public, and discuss the action on the application.”

QUESTIONS: Call Sarah Smith at 952-472-0604

MEETING MINUTES
REGULAR PLANNING COMMISSION
APRIL 1, 2025

1. Call to Order

David Goode called the meeting to order at 6:00 p.m.

2. Roll Call

Members present: David Goode, Kathy McEnaney, Sheri Wallace, Jason Baker, Drew Heal, Samantha Wacker, and Kristin Young

Members absent: Nick Rosener

Staff present: Sarah Smith, Rita Trapp, Sarah Lenz

Others present: James Barnes, Helen Canning

3. Review and approval of agenda, including any amendments

Goode outlined an amendment to the agenda to correct 6 A, B & B to say 6 A, B & C.

MOTION by Baker, seconded by Wallace and approve the agenda as amended. **MOTION** passed unanimously.

4. Review and action

A. March 4, 2025 regular meeting minutes

MOTION, by Baker, seconded by Wallace, to approve the March 4, 2025 meeting minutes. **MOTION** passed unanimously.

5. Board of Adjustment and Appeals

A. Review/recommendation - 1-year Extension for Expansion Permit

Approved for 4870 Edgewater Drive (Planning Case No. 24-05)

James Barnes

Smith presented a summary overview of the request. Mr. Barnes requested a one-year extension for the previously issued expansion permit due to unforeseen delays. The project is moving forward and making progress but there is concern it will not be completed before the permit expiration date. Smith explained that the City received a request for the extension within the allowed amount of time with provided reasoning which is allowed under current regulations. Staff believes it is a reasonable request and recommends the extension be granted. The Commission had no additional comments or questions for Barnes.

MOTION, by Baker, seconded by McEnaney, to approve the one-year extension for the expansion permit at 4870 Edgewater Drive. **MOTION** passed unanimously.

6. Old / New Business

A. 2025 Planning Commission Work Plan

i. Review/discussion – setbacks for corner lots

Trapp outlined that the goal of the evening is to seek direction from the Planning Commission so Staff can prepare code amendments as needed. Trapp reviewed all areas of the Code which pertain to corner lots regarding Principal Structures and Accessory Structures.

Trapp pointed out that Code for corner lots is located in multiple places and she asked if all of it is needed or if it can be paired down, combined and cleaned up to be more straight-forward and less confusing.

McEnaney asked what Trapp would recommend since she has experience working with these lots.

Trapp pointed out that in one section of the code it states lots which abut on more than one street shall provide the required front yards along every street, indicating there are two front yards. Trapp explained that other communities have removed the term “front yard” for both the street facing yards and started using the terms “interior side yard” and “street side yard” with only the yard acting as the front of the house being called “front yard” to ensure there really is only one front yard.

Discussion ensued about different types of lots and how the front yard is determined.

Trapp showed example graphics and tables of Principle Structure setback requirements and asked if relief should be provided for smaller or narrower lots. The Planning Commission agrees that there should be relief for smaller lots and it is reasonable to have tiered levels of relief dependent on the depth and/or width of the lot, with Accessory Structures being treated the same.

Trapp summarized the discussion and asked for verification that the Planning Commission likes the concept of the setbacks for Principal and Accessory Structures that are in place but the language is confusing and needs to be cleaned up to make it read easier.

Goode asked if the members of the Planning Commission agreed about the summary Trapp provided.

Baker asked if the house is already non-conforming would a new accessory structure need to meet the standard setback or meet the setback of the existing, non-conforming house.

Wallace, Baker and Young approve of the new structure meeting the non-conforming setback to match the existing Principal Structure. Smith, Trapp and Heal disagree and would advise the new structure would need to meet the correct current regulation for setbacks.

Trapp noted that some lots in Mound are unique and are difficult to fit into the standard setback requirements and stated that’s why there is a variance process.

Smith mentioned there is a provision for averaging with vacant lots that may offer relief but that topic will need to be revisited at a later date.

Wacker asked how dead-end streets are defined. Trapp explained they are generally considered a typical lot but it can be defined as other types of lots with varying situations.

Trapp pulled up examples and explained different situations on how the definition would be applied.

Goode asked if there were any further comments, there were none.

B. City Council Liaison and Staff Project Update / Report

McEnaney highlighted the hydrant flushing which started today and will continue over the next month. Other upcoming events include the following:

- Minnetrista clean-up day on May 3rd from 8 a.m. – 3:00 p.m.
- Bingo at the Gillespie Center on Thursday April 3rd at 2:00 p.m.
- Spring Fling at the Gillespie Center on Saturday April 5th from 5:00 p.m. – 8:00 p.m.
- Bingo at the Gillespie Center on Sunday April 6th at 2:00 p.m.
- Paint & Sip class on April 9th for \$40 at 6:00 p.m.
- Coffee with a Cop on Wednesday April 16th from 7:30 a.m. – 8:30 a.m. at the Mound Caribou

Smith outlined events that will take place over the next several months including the following:

- Music in the Park
- The Farmers' Market
- Annual Fish Fry
- Spirit of the Lakes Festival
- Fishing contests

Also, Smith mentioned that the public hearing for The Fern Lane Townhomes is scheduled for Tuesday April 8th City Council meeting at 6:00 p.m.

C. Next Meeting- Tues., May 6, 2025 at 6:00 p.m.

Goode noted that the next meeting will be held Tuesday May 6th at 6:00 p.m.

7. Information Items – None

8. Adjourn

MOTION by Baker, seconded by McEnaney, to adjourn at 7:01 p.m. **MOTION** passed unanimously.

Submitted by Sarah Lenz



PLANNING REPORT

TO: Planning Commission
FROM: Sarah Smith, Community Development Director; Andy Drilling
Field Officer
DATE: May 30, 2025
SUBJECT: Variance – Fence Height in Front Setback (North Side)
PLANNING CASE: 25-05
APPLICANT: Tim and Ellen Williams
LOCATION: 2881 Westedge Boulevard
MEETING DATE: June 3, 2025
COMPREHENSIVE PLAN: Low Density Residential
ZONING: R-1 Single Family Residential

BACKGROUND

The property owners, Tim and Ellen Williams, who reside at 2881 Westedge Boulevard, have submitted an application to the City of Mound requesting variance approval to install a 6 foot fence within a portion of the 30 foot front setback along Pine Road. The subject property is a corner lot with frontage on both Westedge Boulevard on the east side and Pine Road on the north side. Based on information from the applicant, they are planning to replace an existing 5 foot chain link fence with a 6 foot fence for privacy. The fence is proposed to be installed in the front setback along Pine Road to line up with the north side of the house and in the vicinity of the west property line.

Mound City Code allows fence height up to 4 feet within front setback areas for residential lots. Pine Road is considered “a front” because the property is a corner lot with improved road frontage both on Pine Road and Westedge Boulevard. Fences in side and rear locations (non-lakeshore) are allowed up to 6 feet. Mound City Code does not allow placement of a 6 foot fence within the front setback of a property.

VARIANCE

City Code Section 129-39 (a) states that a variance may be granted to provide relief to a landowner where the application of the City Code imposes practical difficulty for the property owner.

- (1) The variance proposed meets the criteria for Practical Difficulties as defined in City Code Sub. 129-2.
- (2) Granting of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to owners of other lands, structures or buildings in the same district nor be materially detrimental to property within the same zone.
- (3) The variance requested is the minimum variance which would alleviate the practical difficulty.
- (4) A variance shall only be permitted when it is in harmony with the general purposes and intent of the zoning ordinance and when the terms of the variance are consistent with the comprehensive plan.

According to City Code Sec. 129-2, "*Practical Difficulties*" is defined as follows:

Practical Difficulties, as used in conjunction with a variance, means that:

- (i) The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; and
- (ii) The plight of the landowner is due to circumstances unique to the property including unusual lot size or shape, topography or other circumstances not created by the landowner; and
- (iii) The variance, if granted, will not alter the essential character of the locality.

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems

TIMELINE FOR DECISION

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. For the purpose of Minnesota Statutes Section 15.99, "Day 1" is determined to be April 24, 2025 as provided by Minnesota Statutes Section 645.15.

NOTIFICATION

Neighbors in the vicinity of the property at 2881 Westedge Boulevard, per Hennepin County taxpayer records, were mailed a letter on May 28, 2025, to inform them of the Planning Commission's review of the application at its June 3rd regular meeting.

STAFF/CONSULTANT/DEPARTMENT/AGENCIES REVIEW

Copies of the request and supporting materials were forwarded to involved departments, consultants, and public agencies for review and comment.

SITE INFORMATION AND BACKGROUND

1. Based on information from the applicant, they are planning to replace an existing 5 foot chain link fence with a 6 foot fence for privacy. The fence is to be installed adjacent to Pine Road to line up with the north side of the house and on the inside of the west property line. The existing 5 foot chain link fence on the south side is to remain.
2. Mound City Code allows fence height up to 4 feet within front setback areas for residential lots. Pine Road is considered “a front” because the property is a corner lot. Fences in side and rear locations (non-lakeshore) are allowed up to 6 feet. Mound City Code does not allow construction of a 6 foot fence within the front setback of a property.
3. The property, which is approximately 10,700 square feet, includes a single-family house, that was constructed in 1969, based on applicant information. Neighboring properties are in residential use.
4. The zoning is R-1 single family residential.
5. The standard front setback is 30 feet. This property is located at the intersection of Pine Road and Westedge Road. Both of these roads are improved in this location so the property is considered to be a corner lot and a front setback is required on both Pine Road and Westedge Road.
6. According to the submitted survey, the existing house is located just over 16 feet from the property line adjacent to Pine Road. There is also approximately 11 feet of right of way between the property and the constructed edge of Pine Road. This means the fence will be located between 28-29 feet from the constructed edge of Pine Road.
7. The property owner met with the Field Officer to discuss the proposed fence variance. While the property has frontage on Pine Road, the area of the property is functioning as a side and there is no driveway/access on the north side. The proposed fence will not be constructed in the sight triangle.

STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend City Council approval of the requested variance to install a 6 foot permanent fence in a portion of the front setback along the north side to be in line with the north building line of the house and along the west property line, subject to the following conditions:

1. A fence permit shall be required to include all information required for the application, to include a field inspection.
2. The permanent fence to be installed on the property shall not exceed 6 feet.
3. The good side of the fence shall face the west properties and Pine Road.

Staff's recommendation for approval is based on the following findings of fact:

1. The variance has been minimized as the 6 foot privacy fence will start in the vicinity of the north side of the house.
2. Fences up to 6 feet are allowed in side and rear property areas.
3. There is more than 10 feet of right of way between constructed Pine Road and the north property line.

CITY COUNCIL REVIEW

In the event a recommendation is received from the Planning Commission at its June 3rd meeting, it is anticipated that the variance application will be considered by the City Council at its June 10th meeting with an alternate date of June 24th.



2415 Wilshire Boulevard, Mound, MN 55364
Phone 952-472-0600 FAX 952-472-0620

VARIANCE APPLICATION

Application Fee and Escrow Deposit required at time of application.

Planning Commission Date _____

Case No. _____

City Council Date _____

Please type or print legibly

SUBJECT PROPERTY LEGAL DESC.	Address <u>2881 Westedge Blvd, Mound MN 55364</u>
	Lot <u>1</u> Block <u>3</u>
	Subdivision <u>Westwood</u>
	PID # <u>2311724320031</u> Zoning <u>R1</u> R1A R2 R3 B1 B2 B3 (Circle one)
PROPERTY OWNER	Name <u>Timothy and Ellen Williams</u> Email <u>timlwms@gmail.com</u>
	Address <u>2881 Westedge Blvd, Mound MN 55364</u>
	Phone Home <u>763-301-9658</u> Work _____ Fax _____
APPLICANT (IF OTHER THAN OWNER)	Name _____ Email _____
	Address _____
	Phone Home _____ Work _____ Fax _____

1. Has an application ever been made for zoning, variance, conditional use permit, or other zoning procedure for this property? Yes () No (X). If yes, list date(s) of application, action taken, resolution number(s) and provide copies of resolutions.

2. Detailed description of proposed construction or alteration (size, number of stories, type of use, etc.):

Replace Backyard chain-link fence with 6 ft wooden privacy fence

Case No. _____

3. Do the existing structures comply with all area, height, bulk, and setback regulations for the zoning district in which it is located? Yes () No (X). If no, specify each non-conforming use (describe reason for variance request, i.e. setback, lot area, etc.):

Setback from Pine Rd to existing structure is 16 ft, not 30 ft.

SETBACKS:	REQUIRED	REQUESTED (or existing)	VARIANCE
Front Yard: (N S E W)	30 ft.	36 ft.	_____ ft.
Side Yard: (N S E W)	30 ft.	16 ft.	16 ft.
Side Yard: (N S E W)	10 ft.	> 10 ft.	_____ ft.
Rear Yard: (N S E W)	15 ft.	> 15 ft.	_____ ft.
Lakeside: (N S E W)	_____ ft.	_____ ft.	_____ ft.
_____ : (N S E W)	_____ ft.	_____ ft.	_____ ft.
Street Frontage:	_____ ft.	_____ ft.	_____ ft.
Lot Size:	10700 sq ft	_____ sq ft	_____ sq ft
Hardcover:	4280 sq ft	3065 sq ft	_____ sq ft

4. Does the present **use** of the property conform to all regulations for the zoning district in which it is located? Yes (X), No (). If no, specify each non-conforming use:

5. Which unique physical characteristics of the subject property prevent its reasonable use for any of the uses permitted in that zoning district?

() too narrow	() topography	() soil
() too small	() drainage	(X) existing situation
() too shallow	() shape	() other: specify

Please describe: Backyard (behind existing structure) extends within 30 ft zoning setback for Pine Rd (Corner lot).

Case No. _____

6. Was the practical difficulty described above created by the action of anyone having property interests in the land after the zoning ordinance was adopted (1982)? Yes (), No (X). If yes, explain:

7. Was the practical difficulty created by any other human-made change, such as the relocation of a road? Yes (), No (X). If yes, explain:

8. Are the conditions of practical difficulty for which you request a variance peculiar only to the property described in this petition? Yes (X), No (). If no, list some other properties which are similarly affected?

9. Comments: Placing a 6 ft privacy fence along the backyard boundaries in place of the existing chain-link fence will not affect the line of sight needed for drivers on public roads.

I certify that all of the above statements and the statements contained in any required papers or plans to be submitted herewith are true and accurate. I acknowledge that I have read all of the variance information provided. I consent to the entry in or upon the premises described in this application by any authorized official of the City of Mound for the purpose of inspecting, or of posting, maintaining and removing such notices as may be required by law.

Owner's Signature _____ Date 23-APR-2025

Applicant's Signature _____ Date _____

PINE ROAD

R=250.00
 $\Delta=13^{\circ}00'00''$
 L=56.72
 CH BRG = S $83^{\circ}35'30''$ E
 BRG = 56.60

50

S $89^{\circ}54'30''$ W 28.83

38.1

24.1

23.9

5.9

46.2

26.2

4.1

24.5

16.6

CONC. DRIVE

CONC. WALK

EXISTING HOUSE #2881

1

S $12^{\circ}54'30''$ W 128.70

N $00^{\circ}00'00''$ E 87.22

N $79^{\circ}59'34''$ E 115.13

0.2

0.2

0.2

2

WESTEDGE BLVD.

66



<div style="text-align: center;">REVISIONS</div> <table><tr><th>DATE</th><th>REMARKS</th></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr></table>		DATE	REMARKS											<div style="text-align: center;">DESIGNED</div> <div style="text-align: center;">DRAWN</div> <div style="text-align: center;">CHECKED</div>	<p>I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.</p> <p style="text-align: center;"><i>Mark D. Hamberg</i></p> <p>DATE: <u>7/12/85</u> EXPIRATION DATE: <u>1/85</u></p>
DATE	REMARKS														

3-17-2
1-20
25-08



GRONBERG & ASSOCIATES, INC.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
445 N. WILLOW DRIVE LONG LAKE, MN 55358
PHONE: 952-473-4141 FAX: 952-473-4435

PINE ROAD

$R=250.00$
 $\Delta=13^{\circ}00'00''$
 $L=56.72$
 $CH\ BRG = S\ 83^{\circ}35'30''\ E$
 $BRG = 56.60$

50

$S\ 89^{\circ}54'30''\ W$
 28.83

36.1

CONC DRIVE

$N\ 00^{\circ}00'00''\ E\ 97.22$

WESTEDGE BLVD.

66

$S\ 12^{\circ}54'30''\ W\ 126.70$

Existing Chain-link Fence

EXISTING
 HOUSE
 #2881

CONC WALK

$N\ 79^{\circ}58'34''\ E\ 115.13$

2



HARDCOVER CALCULATIONS

(IMPERVIOUS SURFACE COVERAGE)

PROPERTY ADDRESS: 2881 Westedge Blvd, Mound MN55364

OWNER'S NAME: Timothy and Ellen Williams

LOT AREA 10700 SQ. FT. X 30% = (for all lots) 3210 3210

LOT AREA 10700 SQ. FT. X 40% = (for Lots of Record) 4280 4280

* Existing Lots of Record may have 40 percent coverage provided that techniques are utilized, as outlined in Zoning Ordinance Section 129-385 (see back). A plan must be submitted and approved by the Building Official.

	LENGTH		WIDTH	=	SQ FT	
HOUSE	<u>45.2</u>	X	<u>26.2</u>	=	<u>1184</u>	
	<u>23.9</u>	X	<u>24.1</u>	=	<u>576</u>	
TOTAL HOUSE						<u>1760</u>

DETACHED BUILDINGS (GARAGE/SHED)	<u>8</u>	X	<u>6</u>	=	<u>48</u>	
	.....	X	.....	=	.....
TOTAL DETACHED BUILDINGS						<u>432</u>

DRIVEWAY, PARKING AREAS, SIDEWALKS, ETC.	<u>23</u>	X	<u>8</u>	=	<u>184</u>	
	<u>46</u>	X	<u>3</u>	=	<u>138</u>	
	<u>55</u>	X	<u>17</u>	=	<u>935</u>	
TOTAL DRIVEWAY, ETC <u>1257</u>						<u>1257</u>

DECKS Open decks (1/4" min. Opening between boards) with a pervious surface under are not counted as hardcover.	.....	X	.....	=	.....
	.....	X	.....	=	.....
	.....	X	.....	=	.....
TOTAL DECK (Deck over patio) .....						.....

.....	X	=		
.....	X	=		
TOTAL OTHER

TOTAL HARDCOVER / IMPERVIOUS SURFACE

3065

UNDER / OVER (indicate difference) Under 40% of lot area

1215

PREPARED BY Timothy Williams DATE 4/23/2025

Supplemental Information from Applicant -- Variance Criteria

- a. Practical difficulties – Since the existing structure on the property (built in 1969) is closer to Pine Rd than the current zoning laws permit, the existing backyard boundary edge closest to Pine Rd falls within the zoning code setback (30 ft), such that a privacy fence cannot be installed along that edge without a variance.
- b. The variance request is for a privacy fence that will not detract from the neighborhood nor cause any problems with the line of sight of drivers on Pine Rd.
- c. The variance does not request any change in land use.