

TO: Cannon Falls City Council

FROM: Neil Jensen, City Administrator

SUBJECT: Variance for Erik and Lori Smith at 1208 W. State Street

DATE: September 1, 2020

Variance for Erik and Lori Smith at 1208 W. State Street

A public hearing was held on Monday, August 17, 2020 to consider a request by Erik and Lori Smith for a Variance. Planning Commission approved the Variance for Erik and Lori Smith at 1208 W. State Street unanimously on August 17, 2020. The Variance would allow Eric and Lori Smith to widen their driveway to within two feet of their property line at 1208 W. State Street (PID 52.120.0490). The lot is zoned *R-2 Single Family Residential District*.

The following exhibits are enclosed to further describe the proposal:

1. Survey provided by the homeowner
2. GIS overhead depiction of lot with current driveway and curb cut indicated
3. 152.258 Parking Stall, Aisle and Driveway Design Standards (G) through (L)

During the street project a double wide apron was installed in front of the property at 1208 W. State Street, and Erik and Lori Smith would like to utilize that space for a wider driveway. They have located all of property pins that verify exactly where their property line is so as not to go over the proposed variance and they will stay within the 26 ft. driveway/curb cut access required by code.

Resolution No. 2503

Cannon Falls City Council is asked to consider Resolution 2503. Staff recommends approval of the application.

**CITY OF CANNON FALLS
GOODHUE COUNTY MINNESOTA**

RESOLUTION NUMBER 2503

VARIANCE FOR ERIK AND LORI SMITH AT 1208 W. STATE STREET

WHEREAS, Erik and Lori Smith have made application for a 3 ft. Variance on a 5 ft. setback to allow them to widen their driveway to within two feet of their property line at 1208 W. State Street (PID 52.120.0490) as regulated by the Zoning Ordinance; and

WHEREAS, the Planning Commission conducted a hearing on August 17, 2020 to accept testimony relating to the application; and

WHEREAS, the Planning Commission finds the granting of the Variance is reasonable and in conformance with the City of Cannon Falls Comprehensive Plan.

WHEREAS, the Cannon Falls Planning Commission hereby recommends to the Cannon Falls City Council that the application for Variance be approved.

NOW THEREFORE LET IT BE RESOLVED BY THE CITY OF CANNON FALLS, GOODHUE COUNTY, MINNESOTA, that based on the findings of the Planning Commission which are hereby adopted by the City Council that the Variance be approved subject to compliance with all applicable requirements of the City of Cannon Falls Zoning Code Chapter 152 and the State of Minnesota Building Code requirements.

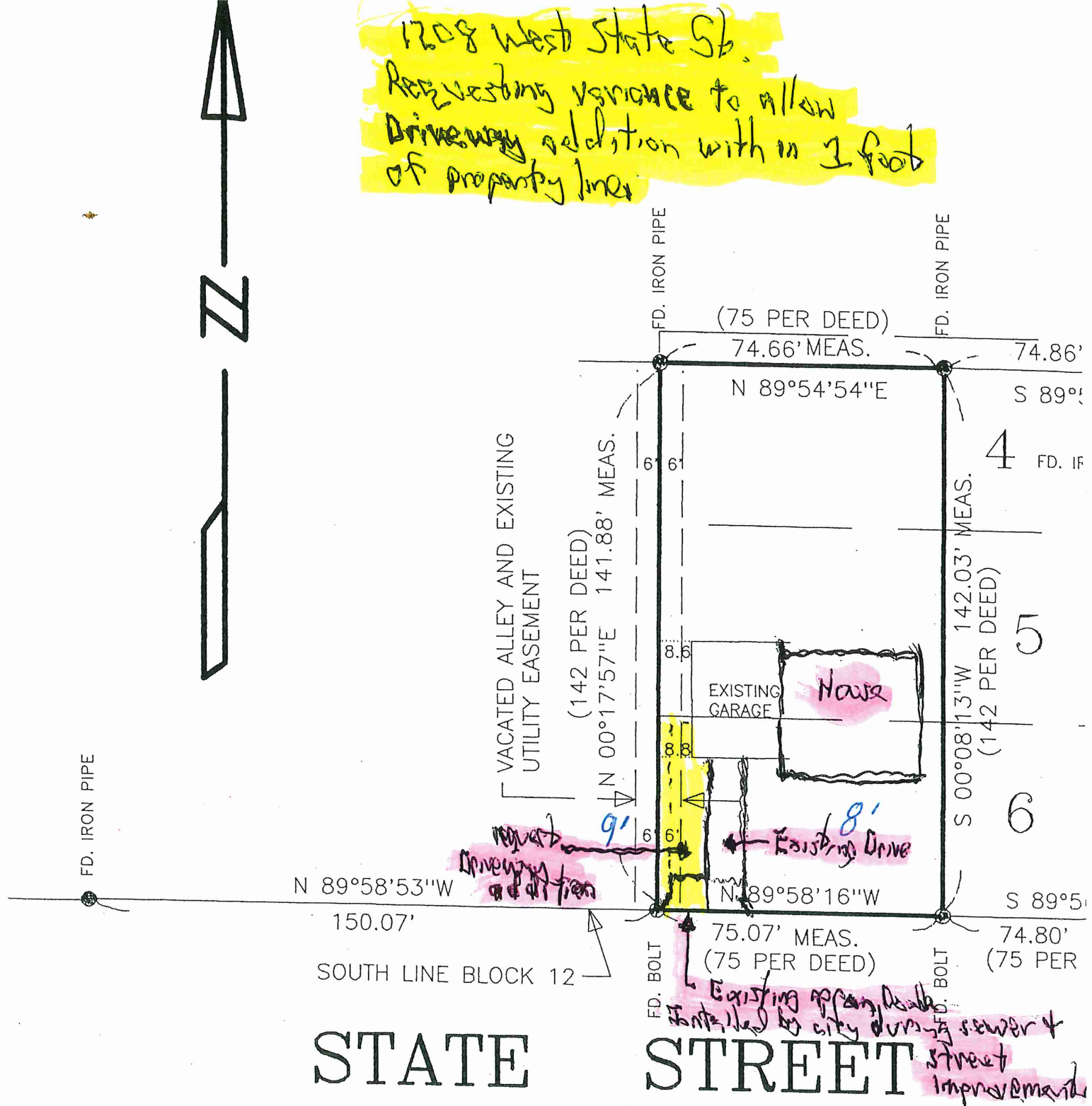
ADOPTED by the City Council of Cannon Falls this 1st day of September, 2020.

CITY OF CANNON FALLS

John O. Althoff, Mayor

ATTEST: _____
Neil L. Jensen, City Administrator

1208 West State St.
 Requesting variance to allow
 Driveway addition within 3 feet
 of property line



STATE STREET

EXISTING LEGAL DESCRIPTION

Part of Block 12 of the Cannon Falls Central Additon to the City of Cannon Falls, Minnesota. Beginning at a point 75 feet west of the southeast corner of said Block 12; thence north 142 feet; thence east 75 feet; thence south 142 feet to t

Please Note: Alley location based on original plat which states: Lots 50 feet wide unless otherwise indicated on this map INCLUDING PARTS OF ALLEYS.

Current driveway
Curb cut

ArcGIS WebMap

Smith



July 20, 2020

- Township or Other Roads
- Township or Other Roads
- Township or Other Roads
- House Number
- Parcels

Driveways

(E) *Within structures.*

(1) The off-street parking requirements may be furnished by providing a space so designed within the principal building or detached accessory structure.

(2) Unless alternative provisions in compliance with this subchapter and chapter are made, no building permit shall be issued to convert the parking structure into a dwelling unit or living area or other activity.

(F) *Circulation.*

(1) Except in the case of single-family, two-family, townhouse and quadraminium dwellings, access and parking areas shall be designed so that circulation between parking bays or aisles occurs within the designated parking lot and does not depend upon a public street or alley.

(2) Except in the case of single-family, two-family, townhouse and quadraminium dwellings, access and parking area design which requires backing into the public street is prohibited.

✓(3) Subject to approval of an administrative permit by the Zoning Administrator, the required parking spaces serving one- and two-family dwellings constructed prior to the effective date of this subchapter, may be designed for parking not more than two vehicles in a tandem arrangement for each dwelling unit in order to comply with the requirements of this subchapter. In no case shall the space project into a sidewalk or public or private street or driveway.

(G) *Curb cut location/driveway access spacing.* Curb cut locations and driveway access spacing shall meet the following setbacks.

(1) No curb cut/driveway access shall be located less than 30 feet from the intersection of two or more local street rights-of-way. This distance shall be measured from the intersection of lot lines. Curb cut/driveway access setbacks from the intersection of streets with higher functional classifications shall be consistent with the recommendations of the Comprehensive Plan and require approval by the city.

(a) Street functional classification shall be defined by the Comprehensive Plan.

(b) The setback measurement shall be measured from the edge of the street right-of-way to the nearest edge of the curb cut.

(c) Driveways onto arterials and major collectors shall be prohibited where alternative street access is available. For existing lots of record, where alternative access is not available, direct access onto arterial and major collectors may be permitted, provided a site plan is submitted for review and approval of the city staff. Approval is also subject to the conditions of this subchapter.

(2) Except for single-, two-family and townhouse dwellings, quadraminium curb cut/driveway access on a public street shall not be located less than 40 feet from one another.

(3) Unless otherwise approved by the city staff, curb cut openings and driveways shall be a minimum of five feet from the side yard property line in all districts. Any shared driveway shall include a maintenance and access agreement.

(H) *Curb cut width.* No driveway curb cut access within the public right-of-way shall exceed the following unless approved by the City Engineer.

<i>Use</i>	<i>Driveway Curb Cut Access</i>
Single-family dwellings with two stall garages	26 feet
Single-family dwellings with three stall garages	26 feet
All other uses	26 feet

(I) *Property lines.* Except as allowed by administrative permit, curb cut openings shall be a minimum of five feet from the side yard property line in all districts.

(J) *Grade elevation.*

(1) *Parking spaces and areas.* The grade elevation of any parking area shall not exceed 5%, except as approved by the City Engineer.

(2) *Driveways.* Unless approved by the City Engineer, the grade elevation of any driveway shall not exceed:

- (a) Ten percent for single-family and two-family dwellings; and
- (b) Five percent for all other uses.

(K) *Number allowed.* Each property shall be allowed one curb cut access for each 125 feet of street frontage, except by administrative permit, subject to the following criteria.

- (1) The additional access is necessary to provide adequate on-site circulation.
- (2) The additional access shall create a minimum of conflict with through traffic movement and shall comply with the requirements of this chapter.

(L) *Surfacing.*

(1) All areas intended to be utilized for parking space and driveways shall be surfaced with impervious surface.