



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

Memorandum

To:	Stillwater Town Board	Reference:	Hands Variance Application
Copies To:	<hr/> Kathy Schmoeckel , Clerk <hr/> Soren Mattick, Attorney <hr/> Doug Hands, applicant	Project No.:	<hr/> 17124.000 – Hands Variance <hr/>
From:	<hr/> Merritt Clapp-Smith, Planner	Routing:	<hr/> <hr/>
Date:	<hr/> May 2, 2019		<hr/>

SUBJECT: Variance request to height to replace a burned down garage with a new garage eight feet taller than the previous one.

MEETING DATE: May 9, 2019

LOCATION: 10157 Arcola Lane North (PID 11.030.20.34.0004)

OWNER: Douglas and Diane Hands

ZONING: St. Croix River (SCR) District

ITEMS REVIEWED: Application and plans received April 16, 2019

60-DAY PERIOD: Review period ends on June 15, 2019

PROPERTY INFORMATION

Parcel description: 10157 Arcola Lane North is a bluff top lot along the St. Croix River. The parcel is 1.7 acres in size according to the application and 1.23 acres in size according to Washington County Assessor's records.

Zoning: The parcel is located in the St. Croix River (SCR) District.

Land use: The property has a two-story, single-family home built in 1852 and previously had a detached garage which burned down last year.

Natural Features and Conditions: The topography of the property is fairly flat above the bluff, and then drops down to the river. The existing structures are on flat ground and sit back from the bluff. The property has a mix of open areas and large trees. There are no wetlands on the bluff top area of the parcel.



DESCRIPTION OF THE REQUEST:

The applicant requests a variance to the eighteen (18) foot height limit for accessory structures on parcels less than five (5) acres in size, in order to construct a garage that will be 26 feet tall at one end. The new garage will replace a garage that burned down last year,



using the same footprint as the previous garage. The additional eight (8) feet of height would enable the applicant to do a carriage house garage design, to match the historic character of the house. The garage loft space would not be used as living quarters.



Photo of former garage, largely destroyed by fire.

EVALUATION OF THE VARIANCE REQUEST

Development Code Requirements

Accessory Structures—Number and Area Standards

The Zoning Ordinance allows a maximum of one detached accessory structure with a total area of 1,600 square feet on parcels less than 5 acres in size. The proposed garage would be the one accessory structure and will be the same size as the previous garage at 1,450 square feet. The proposed number and size of accessory structures meet the ordinance requirement.

Lot Coverage

The St. Croix River District allows impervious coverage up to 25% of the parcel. The existing lot coverage is far below this level. The lot coverage with the addition of the accessory structure meets the ordinance requirement.



Building Height

The ordinance permits a maximum building height of eighteen (18) feet for accessory structures of parcels less than five (5) acres. The proposed garage height of 26 feet requires a height variance of eight (8) feet. The accessory structure height requires a variance.

Dimensional Requirements

Lot Size

The applicants' parcel is less than two (2) acres, which is a legal nonconforming lot in the St. Croix River District which has a minimum lot size of five (5) acres.

Setbacks

The applicant proposes to rebuild the garage in the exact location of the previous garage, which was nonconforming for setbacks.

- The garage location is about 30 feet closer to the roadway than the primary structure, but the primary structure is in the St. Croix River District, where the National Park Service requests that accessory structure be placed further back from the bluff than the primary structure.
- The garage location is on one corner of the odd shaped lot and both adjacent property lines would be considered side lot lines. The former garage and rebuilt garage would be 30 feet from one property line and about 10 feet from the other property. The side setback requirement is 20 feet.
- There is no rear property line near the garage.

The proposed garage location on the footprint of the former garage is nonconforming for front and side setbacks for an accessory structure.

Wastewater Treatment

No additional wastewater treatment is needed or proposed for the accessory building.

Stormwater Management

The new structure will not require stormwater management.

Applicant's Rationale for the Variance

The applicant's rationale for the variance:



- The height limit of eighteen (18) feet does not allow construction of a carriage house style garage, would be a compatible design with the historic character of the house and property.

Criteria for Variance and Findings

The Zoning Ordinance requires the Township to evaluate variance requests based on the ordinance requirements for the use and the criteria for granting a variance, as outlined in Chapter 1, Section 6. Variances are only permitted when they are in harmony with the general purpose and intent of the Comprehensive Plan and Zoning ordinance, and when practical difficulties inhibit meeting the requirements of the ordinance.

Each criteria to be considered for a variance is identified below in *italics*, followed by the Planner's findings regarding the variance request for eight (8) feet of additional height to allow the construction of a detached, carriage house style garage to replace a garage that burned down last year at 10157 Arcola Lane North.

1. *Variances shall only be permitted when they are in harmony with the general purposes and intent of the Comprehensive Plan and official controls.*

The Comprehensive Plan identifies a number of policies related to historic resources, which this property qualifies as, being part of a historic estate and having one of the oldest residences in the area. Related Comprehensive Plan goals are:

- Encourage good stewardship of historic and cultural resources in private ownership.
- Utilize the planning review process to promote protection of historic and cultural resources.

The proposed accessory building is consistent with the Comprehensive Plan because it uses a historic design for a new detached garage.





Photo of the property and home at 10157 Arcola Lane North.

- 2. The property owner proposes to use the property in a reasonable manner under the conditions allowed by official control(s).*

Single-family residences and related residential and accessory structures are reasonable uses in the St. Croix River District. The property owner is proposing to use the property in a reasonable manner.

- 3. The practical difficulties are not caused by the landowner and are unique to the property.*

The practical difficulties are related to the previous garage being damaged by fire and the desire to rebuild it in the same location, which has some nonconformities for setbacks due to the small size of the parcel and its bluff top location along the St. Croix River. The historic character of the property and existing home establish a unique design style that the owner wishes to remain compatible with in reconstruction of the detached garage. The practical difficulties were not created by the landowner and are unique to the property.

- 4. The variance, if granted, would not alter the essential character of the area.*

The area around the property includes single-family homes with accessory structures. The proposed structure will replace a previous structure, be located away from roadway



and be largely screened from view by existing trees. The variance would not alter the essential character of the area.

5. *Economic conditions alone shall not constitute practical difficulties if a reasonable use for the property exists under the terms of the Zoning Ordinance.*

The practical difficulties are related to the previous garage being destroyed by fire and the desire to replace is with a historically designed new garage, which is a bit taller than the height limits permit. The practical difficulties are not based on economic conditions.

6. *The Board may consider practical difficulties to include inadequate access to direct sunlight for solar energy system.*

The variance is not related to a need for direct sunlight for solar energy systems.

The above findings support granting the variance.

ACTION REQUESTED:

The Town Board should receive public comments at the hearing on May 9th. The Board should discuss the variance request and staff report, and can recommend the following:

1. Approval
2. Approval with conditions
3. Denial with findings
4. Table the request

PLANNING STAFF RECOMMENDATION:

The Planner recommends that the Town Board approve the proposed eight (8) foot height variance from the zoning ordinance limit for accessory structures on lots less than five (5) acres, to allow the construction of a historic style carriage house garage of 26 feet in height at 10157 Arcola Lane North. The Planner recommends the following conditions for the variance:

1. The final plans shall be in substantial compliance with the site and building plans submitted to the Township on April 16, 2019.
2. The applicant shall obtain a building permit for the accessory building.
3. The applicant shall maintain the existing vegetative screening between the structure and the roadway.



4. The Applicant shall pay all fees and escrows associated with this application.

ATTACHMENTS:

- Variance application



**STILLWATER TOWNSHIP
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. ____

**RESOLUTION APPROVING
A VARIANCE FROM CHAPTER 2, PART 3 SECTION 1.2 (4)(B) OF THE
STILLWATER TOWNSHIP ZONING ORDINANCE**

WHEREAS, on April 16, 2019, Douglas Hands (“Applicant”), applied for a variance from the Zoning Ordinance for the property legally described as:

PT OF GOV LOT 3 & 4 LYING ELY OF FOLL DESC LN COM AT PT OF INTERS OF THE WLY LN OF 3RD CARTWAY & THE SLY LN OF A 2RD CARTWAY OR EASE DESC BK 128 DEEDS PG # 508 & 509 THN ELY ALG SLY LN OF SD 2 RD CARTWAY OR EASE N89DEG56'13"E DIST OF 43 FT TO THE PT OF BEG OF THE LINE TO BE DESC THN S8DEG41'13"W A DIST OF 47 FT THN S 25DEG11'13"W A DIST OF 26 FT THN S 19DEG52'17"E A DIST OF 268.15 FT THN S14DEG36'24"E A DIST OF 475 M/L FT TO THE WLY SHORELINE OF ST CROIX RIVER & THERE TERM & LYING WLY OF THE FOLLOWING DESC LINE COMM AT THE PT OF INTERS OF THE WLY LINE OF 3 RODS CARTWAY & THE SLY LINE OF A 2 RODS CARTWAY OR EASE AS DESC IN BK # 128 OF DEEDS PG #508 & 509 RECORDED & ON FILE IN THE OFFICE OF THE REGISTRAR OF DEEDS FOR SD CO & STATE THN ELY ALONG THE SLY LINE OF SD 2 ROD CARTWAY OR EASE BEARING N89DEG 56'13"E A DIST OF 233.15 FT TO THE PT OF BEG OF THE LINE TO BE DESC THN S23DEG38'47"E A DIST OF 144FT THN S67DEG11'13"W A DIST 93FT THN S21DEG16'59"E DIST 132FT THN N77DEG09'37"E DIST 44.15FT THN S14DEG36'24"E DIST 470FT M/L TO THE WLY SHORE LN OF ST CROIX RIVER & THERE TERM TOGETHER WITH ALL RIPARIAN RIGHTS ALG THE SD RIVER EXCEPT PT GOV LOT 4 & PT GOV LOT 1 COM AT SW COR OF SD SEC 11 THN N0DEG21'51"E ASM BRG ALG W LN SD SEC 827.91FT THN N60DEG05'46"E 936.82FT THN N44DEG41'20"E 949.94FT THN S31DEG38'33"E 1465.69FT THN S64DEG50'W 24.9FT THN S31DEG27'45"E 43.37FT THN N89DEG56'13"E 43FT THN S08DEG41'13"W 47FT THN S25DEG11'13"W 26FT THN S19DEG52'17"E 268.15FT TO PT OF BEG THN N77DEG05'40"E 140.67FT THN N77DEG09'37"E 44.15FT THN S14DEG36'24"E 470FT M/L TO SHORELINE OF ST CROIX RVR THN SWLY ALONG SD SHORELINE 170FT M/L TO INTERS OF SD SHORELINE WITH A LINE BEARING S14DEG36'24"E FROM PT OF BEG THN N14DEG36'24"W 475FT M/L TO PT OF BEG Section 11 Township 030 Range 020, Washington County, Minnesota;

WHEREAS, on May 9, 2019, after published and mailed notice in accordance with Minnesota Statutes and the Zoning Ordinance, the Town Board, acting as the Board of Adjustment and Appeals, held a public hearing, at which time all persons desiring to be heard concerning this application were given the opportunity to speak thereon;

WHEREAS, the Town Board directed preparation of findings for approval of the variance.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of Stillwater Township, Minnesota hereby approves the requested variance as described above based on one or more of the following findings of fact concerning this property:

FINDINGS OF FACT:

- A1. The analysis contained within staff memos and the exhibits attached to the aforesaid memos, all minutes from the above mentioned meetings, and any and all other materials distributed at these meetings are hereby incorporated by reference.
- A2. The Subject Property is zoned St. Croix River District.
- A3. Applicant has applied for the following variance[s]:
 - i. To construct an accessory building eight (8) feet taller than the maximum eighteen (18) feet allowed for an accessory structure on a lot smaller than five (5) acres.

ANALYSIS:

- 1. *Variances shall only be permitted when they are in harmony with the general purposes and intent of the Comprehensive Plan and official controls.*

The Comprehensive Plan identifies a number of policies related to historic resources, which this property qualifies as, being part of a historic estate and having one of the oldest residences in the area. Related Comprehensive Plan goals are:

- Encourage good stewardship of historic and cultural resources in private ownership.
- Utilize the planning review process to promote protection of historic and cultural resources.

The proposed accessory building is consistent with the Comprehensive Plan because it uses a historic design for a new detached garage.

- 2. *The property owner proposes to use the property in a reasonable manner under the conditions allowed by official control(s).*

Single-family residences and related residential and accessory structures are reasonable uses in the St. Croix River District. The property owner is proposing to use the property in a reasonable manner.

- 3. *The practical difficulties are not caused by the landowner and are unique to the property.*

The practical difficulties are related to the previous garage being damaged by fire and the desire to replace it in the same location, which has some nonconformities for setbacks due to the small size of the parcel and its bluff top location along the St. Croix River. The historic character of the property and existing home establish a unique design style that the owner wishes to remain compatible with in reconstruction of the detached garage. The practical difficulties were not created by the landowner and are unique to the property.

4. *The variance, if granted, would not alter the essential character of the area.*

The area around the property includes single-family homes with accessory structures. The proposed structure will replace a previous structure, be located away from roadway and be largely screened from view by existing trees. The variance would not alter the essential character of the area.

5. *Economic conditions alone shall not constitute practical difficulties if a reasonable use for the property exists under the terms of the Zoning Ordinance.*

The practical difficulties are related to the previous garage being destroyed by fire and the desire to replace is with a historically designed new garage, which is a bit taller than the height limits permit. The practical difficulties are not based on economic conditions.

6. *The Board may consider practical difficulties to include inadequate access to direct sunlight for solar energy system.*

The variance is not related to a need for direct sunlight for solar energy systems.

DECISION:

The Applicant's request for a variance from Chapter 2, Part 3 Section 1.2 (4)(B), of the Stillwater Township Zoning Ordinance is hereby approved.

PASSED AND ADOPTED by the Town Board of Stillwater Township, Minnesota this 9th day of May, 2019.

STILLWATER TOWNSHIP

By: _____
Sheila-Marie Untiedt, Town Board Chair

ATTEST:

Kathy Schmoeckel, Township Clerk

VARIANCE
APPLICATION CHECKLIST
for residential uses

Stillwater Township
 13636 90th Street North
 Stillwater, Minnesota 55082
 PHONE: 651/439-4120

GENERAL REQUIREMENTS:

- | | <u>INCLUDED IN SUBMITTAL</u> | |
|---|---|-----------------------------|
| 1. Application Form | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| 2. Fees | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| 3. Escrow | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| 4. Complete legal description | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| 5. A letter describing the request and the practical difficulties (see page 2) | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| 6. Public Hearing mailing list of property owners within 500 feet of the affected property or to the 10 nearest properties, whichever would provide notice to the greatest number of owners. Contact Washington County Surveyor's Office: (651) 430-6875. | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| 7. Site Plan | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| - 2 plan sets, 22" x 34", if requested by Township staff or Board | | |
| - 1 plan sets, 11" x 17", suitable for copying | | |

Plan Sheet Requirements:

- Title block
- Name, address, phone number for owner, developer, surveyor, engineer
- Date of preparation and revision dates
- North Arrow
- Graphic scale not less than 1:100

SITE PLAN REQUIREMENTS

EXISTING AND PROPOSED:

- | | <u>INCLUDED IN SUBMITTAL</u> | |
|--|-------------------------------------|-----------------------------|
| 1. Property lines and dimensions | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 2. Area in acres and square feet | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 3. Building locations and dimensions | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 4. Setbacks | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 5. Buildable area | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 6. Driveways | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 7. Septic system and well | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 8. Vegetation and landscaping | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 9. Wetland delineation, if applicable to request | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 10. Waterbodies, Ordinary High Water Level and 100 year flood elevation, if applicable | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 11. Bluff line | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 12. Additional information relevant to the request, if requested by the Township | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

What is a Variance?

A Variance is a modification or variation to the rules contained in the Zoning Ordinance. The ordinance states, "Variances shall only be permitted when they are in harmony with the general purpose and intent of the Official Controls in cases when there are practical difficulties in the way of carrying out the strict letter of any official control and when the terms of the variance are consistent with the Comprehensive Plan."

"Practical Difficulties" as used in connection with the granting of a Variance means:

- A. The property owner proposes to use the property in a reasonable manner not permitted by an official control; and
- B. The plight of the landowner is due to circumstances unique to the property, not created by the landowner; and
- C. The variance, if granted, will not alter the essential character of the locality.
- D. Economic conditions alone shall not constitute a practical difficulty if a reasonable use for the property exists under the terms of the Zoning Ordinance.
- E. The Board may consider practical difficulties to include inadequate access to direct sunlight for solar energy systems in the granting of the variance.

Stillwater Township Zoning Ordinance, Chapter 1, Section 6.

Circumstances which normally constitute a hardship relate to lot size, setbacks, steep slopes and wetlands but cannot be created by the landowner, or a previous landowner. It is incumbent upon the applicant to explain the practical difficulties, which will form the basis for granting or denying the variance request.

APPLICATION FOR VARIANCE

Stillwater Township
 13636 90th Street North
 Stillwater, Minnesota 55082
 PHONE: 651/439-4120

ESCROW: \$1,200.00
 FEE: \$100.00

Receipt No.

Make checks payable to Stillwater Township.

Parcel Identification Number					
PIN: _____					
Legal Description (required for recording at Washington County): PART OF GOV. LOTS 3 AND 4 AS DESCRIBED IN REGISTRAR LAND CERTIFICATE # 4552 ON FILE. ALSO SEE COPY OF LONGER LEGAL DESCRIPTION ENCLOSED. 10157 ARCOLA LANE N. STILLWATER, MN. 55082					
Project Address					
(651)					
Owner	Address	City	State	Zip	Phone
DOUGLAS & DIANE HANDS 10157 ARCOLA LN N. STILLWATER MN. 55082 334-9636					
* DOUGLAS HANDS dohands@gmail.com DIANE HANDS dhands@gmail.com e-mail:					
Applicant (if different than Owner)	Address	City	State	Zip	Phone
e-mail:					
Description of Request and Rationale for the Variance (describe the physical characteristics or other unique situation that requires a variance from the requirements of the Zoning Ordinance): (SEE ATTACHED)					
<div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block;"> Attach another page if needed. </div>					
In connection with your request for a Variance, your signature constitutes permission for a representative of Stillwater Township, its employee, or designee, to enter upon your property, during normal business hours, for the purpose of evaluating your request. If you wish to be present during such inspection, please contact this office.					
I hereby apply for consideration of the above described request and declare that the information and materials submitted with this application are complete and accurate. I understand that no application shall be considered complete unless accompanied by fees and escrows as required by Township ordinance. Applications for projects requiring more than one type of review shall include the cumulative total of all application fees specified for each type of review.					

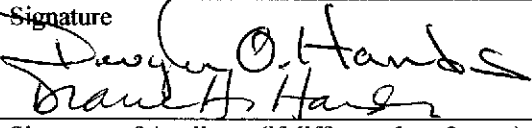
I hereby certify that I have read this application and state that the above information is correct and that I am the owner or the duly authorized agent of the owner. I agree that all work will comply with all ordinances and codes of the Township of Stillwater, the State of Minnesota, and rulings of the Zoning and Building Departments.

I understand that applicants are required to reimburse the Township for a processing fee (escrow) to cover all out-of-pocket costs incurred for reviewing and administering the application. Those costs shall include, but are not limited to, parcel searches, publication and mailing of notices, review by the Township's engineering, legal, and planning consultants, other legal costs, and recording fees. An escrow deposit to cover the processing fees will be collected by the Township at the time of application. This amount is an estimate of the typical processing fee required for most applications for this use. The Township may require applicants to increase the amount of the required escrow deposit at any time if the Township's costs are reasonably expected to exceed the minimum amount due to the specific costs related to processing this application. Any balance remaining after the application review is complete will be refunded to the applicant. No interest is paid on escrow deposits.

I understand that the Township's Planner, Engineer and Attorney do not represent the applicant. The Township's staff may provide a limited amount of general information (up to one hour) to help applicants to understand permit forms, required submittals, and the permit process. An applicant should not rely upon the Township's staff to help to design the desired project or prepare the necessary submittals. An applicant may need to retain their own professional planner, engineer, architect, or attorney to complete the required submittals or assist the applicant during the Township's review process.

I agree to make reimbursement within thirty (30) days of the date of the Township's invoice and notice of costs. In the event I do not reimburse the Township in a prompt manner, the Township may certify the uncollected charges to the County Auditor pursuant to Minn. Stat. 366.012.

Please note: If the fee owner is not the applicant, the applicant must provide written authorization by the fee owner in order for this application to be considered complete.

Signature 	Date 4/8/19 4/8/19
Signature of Applicant (if different than Owner)	Date

For Town Use Only:	Date Filed: _____
Fee and Escrow Amounts Paid in Full: <input type="checkbox"/> Yes OR <input type="checkbox"/> No	Total Amount (See Above): _____
Accepted as Complete on: _____	Received By: _____
Approved <input type="checkbox"/> Denied <input type="checkbox"/> by the Planning Commission on _____	
Approved <input type="checkbox"/> Denied <input type="checkbox"/> by the Town Board on _____	

Legal Description

ADDENDUM

GLAS & DIANE HANDS
Address: 10157 ARCOLA LANE N.

File No.: 0002678

STILLWATER (TOWNSHIP)

Case No.:

State: MN

Zip: 55082

Residential Financing Consultants

Legal Description

PT OF GOV LOT 3 & 4 113020 AS DESC IN REGISTER LAND CERTIFICATE OF TITLE # 4552 RECORDED & ON FILE IN THE OFFICE OF REGISTRAR OF TITLES FOR SD CO & STATE IN VOL # 16 PG 129 LYING ELY OF THE FOLLOWING DESC LINE COMM AT THE PT OF INTERS OF THE WLY LINE OF 3 RODS CARTWAY & THE SLY LINE OF A 2 RODS CARTWAY OR EASE AS DESC IN BK # 128 OF DEEDS PG # 508 & 509 RECORDED & ON FILE IN THE OFFICE OF THE REGISTRAR OF DEEDS FOR SD CO & STATE THN ELY ALONG SLY LINE OF SD 2 RODS CARTWAY OR EASE BEARING N89 DEG5613E A DIST OF 43 FT TO THE PT OF BEG OF THE LINE TO BE DESC THN S8DEG4113W A DIST OF 47 FT THN S 25DEG1113W A DIST OF 26 FT THN S 19DEG5217E A DIST OF 268.15 FT THN S14DEG3624E A DIST OF 475 M/L FT TO THE WLY SHORELINE OF ST CROIX RIVER & THERE TERM & LYING WLY OF THE FOLLOWING DESC LINE COMM AT THE PT OF INTERS OF THE WLY LINE OF 3 RODS CARTWAY & THE SLY LINE OF A 2 RODS CARTWAY OR EASE AS DESC IN BK # 128 OF DEEDS PG #508 & 509 RECORDED & ON FILE IN THE OFFICE OF THE REGISTRAR OF DEEDS FOR SD CO & STATE THN ELY ALONG THE SLY LINE OF SD 2 ROD CARTWAY OR EASE BEARING N89DEG 5613E A DIST OF 233.15 FT TO THE PT OF BEG OF THE LINE TO BE DESC THN S23DEG3847E A DIST OF 144 FT THN S67DEG1113 W A DIST OF 93 FT THN S21DEG1659E A DIST OF 132 FT THN N77DEG0937E A DIST OF 44.15 FT THN S14DEG3624E A DIST OF 470 M/L FT TO THE WLY SHORE LINE OF ST CROIX RIVER & THERE TERMINATING TOGETHER WITH ALL RIPARIAN RIGHTS ALONG THE SD ST CROIX RIVER EXC 95011-0311

Neighborhood Market Factors

Stillwater Township is located approximately 25 miles east of downtown Saint Paul, along the banks of the Saint Croix River, and just north of the city of Stillwater. The Township offers a diverse and affordable choice of residential living from starter homes to executive homes on large parcels as well as some typical suburban sized lots. Stillwater Township has easy access to schools, churches, shopping and essential services. Stillwater Township's residential development is comprised primarily of single family homes on 1 to 10 acre sites, ranging from starter homes to executive styles and including hobby farms. Private well and septic systems are the norm. Proximity to the Saint Croix River, as well as several lakes in the area, offer good fishing and boating opportunities.

Zoning classification and description

SFE - Single Family Estate - 16 dwelling units per 40 acres and a zoning overlay district of St. Croix River Management.

Site Comments

This approximately 1.7 Acre desirable suburban site features mature trees around the perimeter providing privacy, and sits high on the wooded bluff overlooking the Saint Croix River below. Typical of neighborhood with regard to size. No adverse easements or encroachments noted.

Additional Features

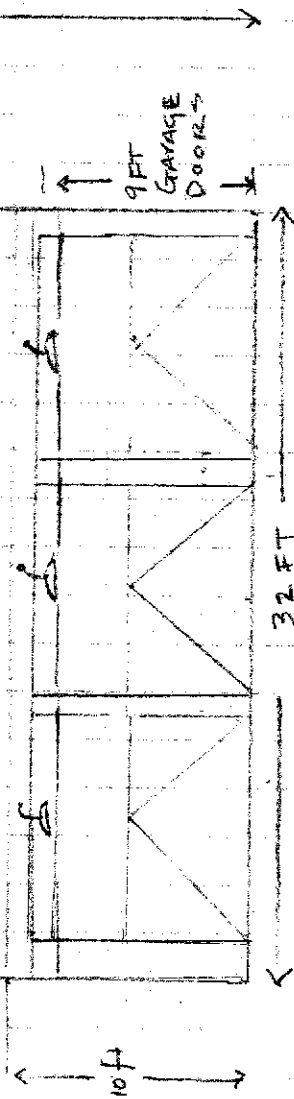
The subject property is a 2 Story style home with wood lap siding. Features include a large living room with fireplace and french doors opening to a large open front porch with screened sleeping porch above, open back porch entrance to a large eat-in farmhouse style kitchen, formal dining room, hardwood floors, 6 panel solid wood doors, high ceilings, 2 bathrooms, central air-conditioning, and oversized 2 car garage with attached workshop. An inground pool is served by an equipment room/changing house and fence. The dwelling has been updated and modernized throughout the interior, but still retains the original quality and charm of an 1850's farmhouse.

Condition of Improvements

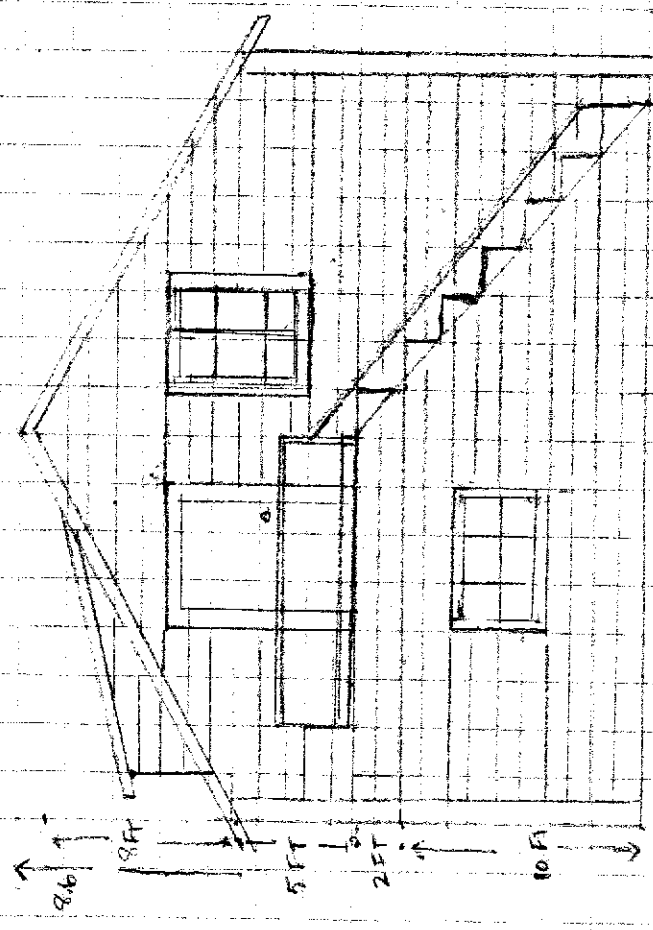
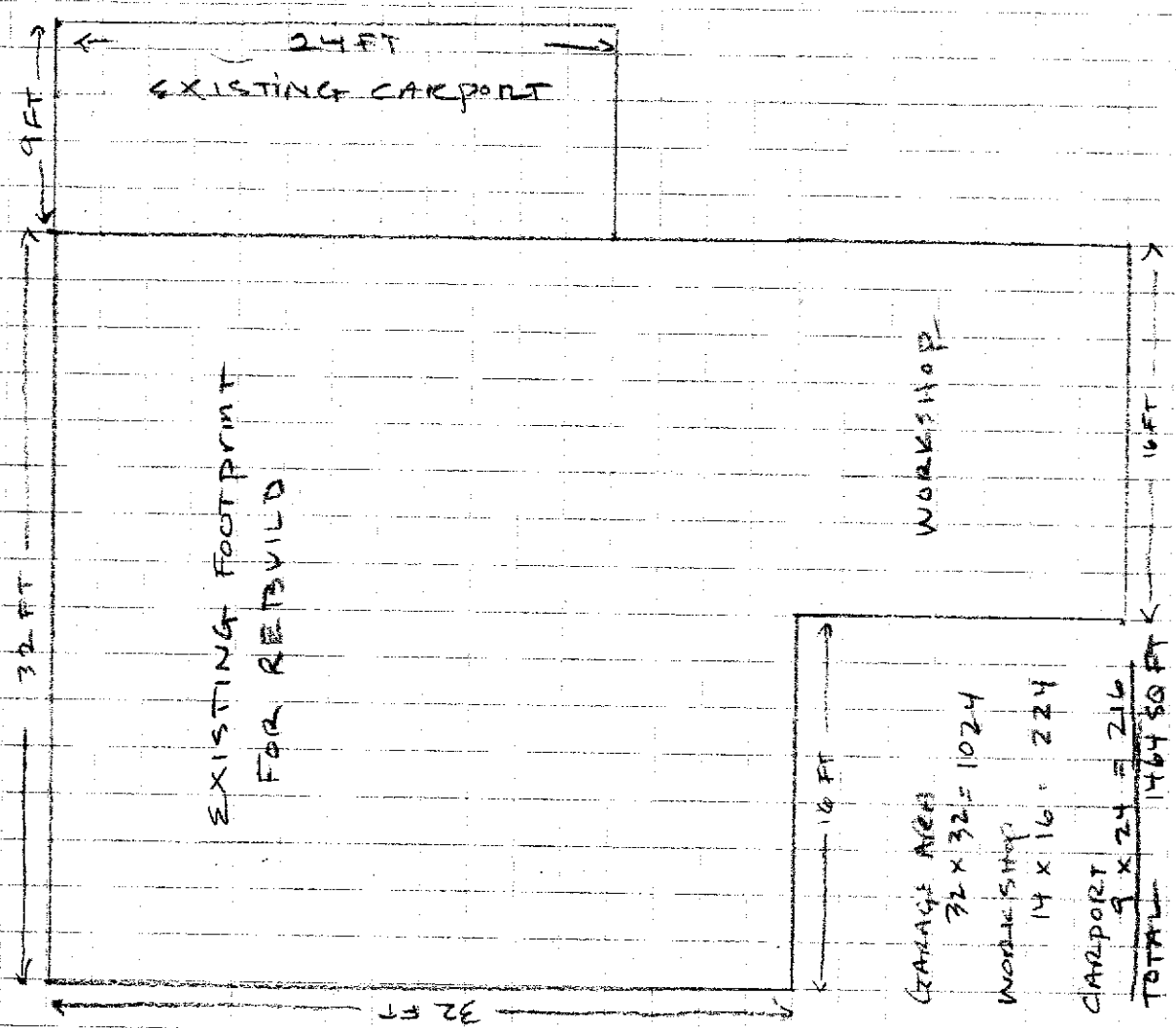
The subject is in overall average to above average condition. The dwelling has recently been updated with modern mechanical systems, including 200 Amp electrical service, newer gas forced air furnace, and central air-conditioning. The kitchen and bathrooms have been updated, however the the original clawfoot tub and kitchen cabinets have been saved, maintaining the character, quality, and style of the home. No significant deferred maintenance observed. There were no external or functional conditions noted. The structure shows foundation settlement typical of homes of this vintage throughout the area. This will not negatively impact value or marketability of the property.

Comments on Sales Comparison

The 4 comparables are relatively recent sales of 2 Story style homes from the subject's competing market area, with 2 from the immediate neighborhood and 2 similar vintage from the surrounding areas. Due to the spacing of such properties in the area and the limited recent sale inventory of MLS data, it was necessary to expand search parameters beyond 1 mile and 6 months to utilize the comparable data most pertinent to this analysis. Site adjustments are in consideration of all aspects of appeal, including size, tree cover, view, location, and topography, and are based in part on comparisons of assessed site values. Adjustments were made as warranted, to account for varied construction quality, appeal, and condition. Comparables are adjusted for dwelling square footage differences greater than 100sf, on a depreciated \$30/sf basis. Differing amenities are adjusted for, based on contributory market value, not necessarily costs. These comparables indicate a reasonable range, and all are considered in the final opinion of value.



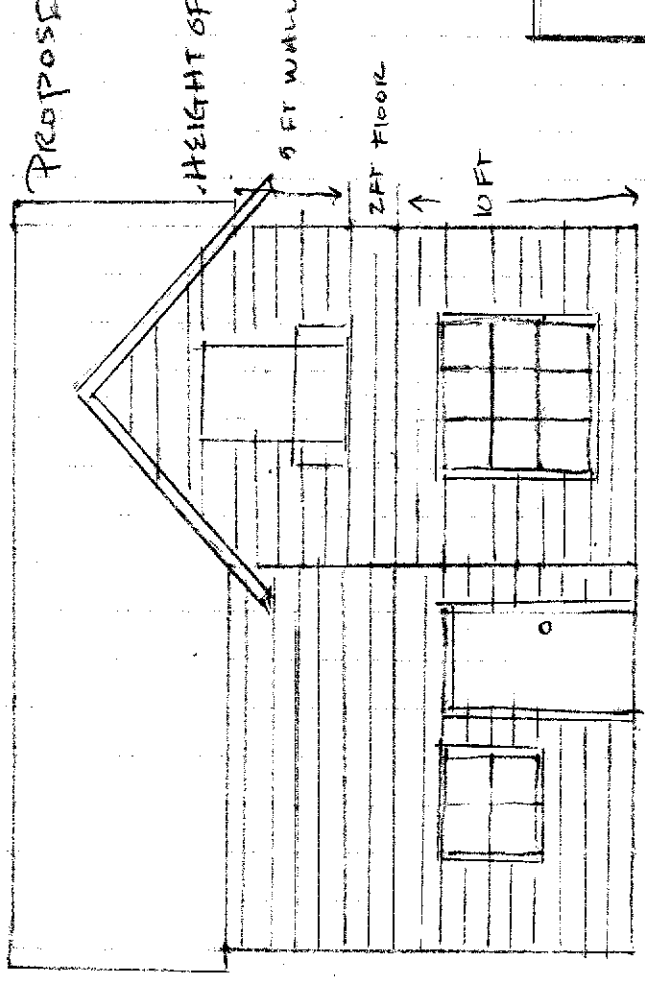
DRIVEWAY
16 FT SETBACK



NORTH/NORTHEAST FACING

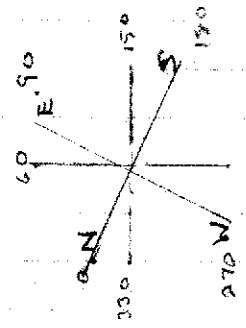
PROPOSED HEIGHT 26 FT

HEIGHT OF OLD STRUCTURE 18 FT

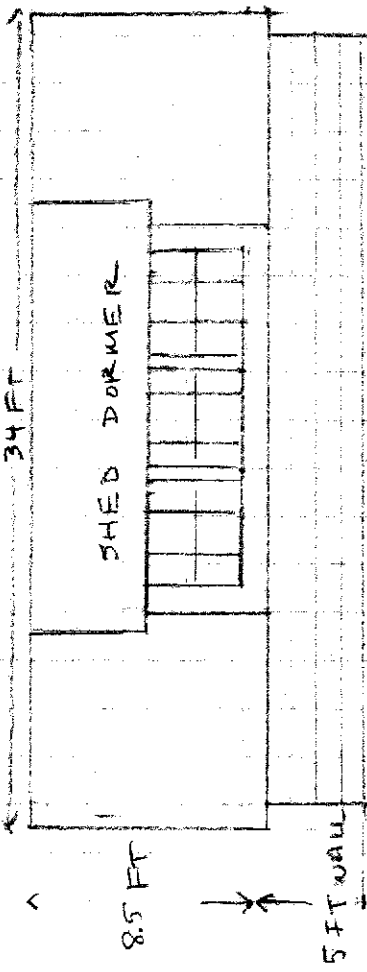


EXISTING SLABS 32"

VIEW FACING HOUSE - WEST FACING



34 FT



HANDS PROPERTY
10157 ARCOLA LANE N.
STILLWATER, MN.

4/7/18

*PROPOSED PLAN

26 (25.5) GRAVITY

CURB 18' MAX HEIGHT

8 FT VARIANCE

1 SQ. = 2 FT.

FOR STUDIO & STORAGE SPACE

CONTACT

DOUG HANDS

651.334.9636

dohands@gmail.com

26 FT



Douglas and Diane Hands
10157 Arcola Lane N
Stillwater, MN. 55082

To the Stillwater Township
Re: Request for Variance

Legal description: Part of Gov Lots 3 and 4 as described in Registrar Land Cert 4552 on file – see enclosed

Description of request and rationale for variance:

Background

Amazingly, we are only the fifth owners of an 1848 home and property that was originally over 400 acres and was first owned by David and Cornelius Lyman from Vermont. The architecture is clean and simple and representative of the look of a Federal Style home – simple, understated moldings and window treatments. The house was identified by the Minnesota Historical Society as one of the ten oldest houses in the area. As stewards of this home we have paid attention to the detail by replacing windows to return it to the original arched design and kept with the white clapboard siding and green roofing. Over the years, previous owners have sold off parts of the property including the original carriage house and the acreage reduced to its current 1.7 acres after selling the river bluff acreage to the Wild and Scenic River around 1968.

Fire

Last September of 2018 the garage building was burned down due to a carburetor fire in a 1969 Lincoln that was being restored.

Proposed Building

This juncture finds us making a decision between building an unremarkable two car 1960's replacement garage that burned down or a tastefully done "carriage house" design fit with a historic township property. The proposal is to include windows facing north and east as an artist's loft studio above the old garage. This would not be for living space but studio/attic. This would require a give of 8' variance to the maximum height restriction.

Doug and Diane Hands

PUBLIC HEARING MAILING LIST

John and Mellisa Uppgren
10145 Arcola Lane
Stillwater, Mn. 55082

FIRST SIX NAMES
ARE ON OUR LAWS
AND VISUALLY WITHIN RANGE
- MORE THAN 500 FEET

David and Laura McLean
10203 Arcola Lane
Stillwater, Mn. 55082

Sarah Roeskey
P.O. Box 539
Newcastle, CA. 95658 (Home Located at 10181 Arcola Lane)

Michelle Nelson
10161 Arcola Lane
Stillwater, Mn. 55082

Andrew Johnson (New Home Being Built)
1651 Oregon Ave. S.
St. Louis Park, Mn. 55426

Rich and Jill Lillis (From Cabin down the Hill)
419 Rohnberg Place
W. St. Paul, Mn. 55118

Resident
10460 Arcola Trail
Stillwater, Mn. 55082

Helen Josephson
Fair Oaks Farm
10630 Arcola Trail
Stillwater, Mn. 55082

Doug Rydeen
10708 Arcola Trail
Stillwater, Mn. 55082

Tom St. Clair
10250 Arcola Trail
Stillwater, Mn. 55082

John and Sandy Fundlingson
16750 108th St.
Stillwater, Mn. 55082

John and Sue Miller
16845 108th St.
Stillwater, Mn. 55082

Al Rumpotal
16755 108th St.
Stillwater, Mn. 55082

The Sommers / Josephson
10733 Quinlan Ave.
Stillwater, Mn. 55082

Resident
10767 Quinlan Ave.
Stillwater, Mn. 55082

Hands Site Plan Summary:

Statement: We believe that all setbacks and requirements have been met in the past as we are using the same footprint/slab as the before the fire; except for the height requirement of 18 feet where we are asking for 8 more feet (The Variance) ...Please find color copy of property lines and building placement.

Item	Existing	Proposed
1. Proposed Lines	Remain the same	Remain the same
2. Area in Acres	1.7 Acres	1.7 Acres
3. Building Location	Remain the Same	Remain the Same
4. Setbacks	Remain the same	Remain the same
5. Building Area	1450sq./ft.	1450sq./ft.
6. Driveways	Remain the Same	Remain the same
7. Septic and Wells	Remain the same	Remain the Same near house
8. Veg. and Landscape after construction	Remain much the same	Replacement of Gardens and Trees
9. Wetland Delin.	None	None
10. Ordinary High Water	400'+	400'+
11. Bluff Line	200'+	200'+