PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS MONDAY, MAY 5, 2025 6:00 PM

1. Call to Order/ Approve Agenda
2. Approval of the Minutes
3. Public Hearings
   - A. Mighty Fine Coffee/127 14th St NW - Comprehensive Plan Amendment; Zoning Map Amendment; Preliminary Plat; Final Plat; Conditional Use Permit; Variance(s)
   - B. Blais/1216 1st St NE - Conditional Use Permit (CUP); Variances
     - 1 Resolution 2025-XXX Approve a CUP for an Accessory Structure at 1216 1st St NE
     - 2 Resolution 2025-XXX Approve Variance at 1216 1st St NE
     - 3 Resolution 2025-XXX Deny Variances at 1216 1st St NE
4. Requests to be Heard
5. Items for Discussion - None
6. Routine Business - None
7. Board & Commissions Updates & Reports
   - A. Council Retreat
8. Adjournment

Please contact the Departments of Community & Economic Development at 507-334-0100 if you need special accommodations to participate in this meeting.

Para pedir este documento en otro idioma, envíe un correo electrónico y adjunte el documento a accessibility@faribault.org.

Si aad u codsato dukumeentigan oo ku qoran luqad kale, fadlan e-mail u soo dir oo ku soo lifaaq dukumiintiga accessibility@faribault.org.

PLANNING COMMISSION MINUTES

COUNCIL CHAMBERS MONDAY, APRIL 21, 2025 6:00 PM

Meeting Items

1. Call to Order/ Approve Agenda

   The Planning Commission's regular meeting was called to order by Chair Chuck Ackman at 6:00 p.m. Commissioners Samantha Green, Barton Jackson, Ed Migilio, Michael Salt, Steve White, and Tina Wilson were in attendance. Kari Casper, Administrative Assistant II, and Harry Davis, City Planning Manager, were also in attendance.

2. Approval of the Minutes

   Motion by Samantha Green, seconded by Michael Salt, to approve the meeting minutes as presented. The motion passed on a 6/0 vote. Commissioner Wilson arrived at 6:01, just following the vote.

3. Public Hearings

A. Ordinance 2025-XX Approve a Zoning Text Amendment to Match Land Uses in Shoreland with the DNR Model Ordinance

   Staff is recommending the Planning Commission review and recommend approval of amendments aligning land uses in shoreland areas with the DNR's model shoreland ordinance, with criteria and findings as stated in the draft ordinance. After Mr. Davis gave his presentation; Chair Ackman then opened the matter up for discussion. Having none, he then opened the matter up for a public hearing at 6:05. No one came forward for discussion, and Chair Ackman then closed the public hearing at 6:05 p.m. He then brought the matter back to the board for further discussion. Commissioners White, Wilson, and Chair Ackman all commended the staff for bringing this forward.

   A motion was made by Steven White, seconded by Tina Wilson, to recommend approval to the City Council of the zoning text amendments changing land uses in Shoreland areas, with criteria and findings as stated in the draft ordinance. The motion passed unanimously.

4. Requests to be Heard

   None.

5. Items for Discussion

   None.

6. Routine Business

   None.

7. Board & Commissions Updates & Reports

   Chair Ackman asked if the Item on the Agenda was going to be removed, since no one is on any other boards besides him being on the Charter Commission. Tina Wilson stated that maybe we could add the City Council to the item, since Mr. Davis does give

a brief update on council actions previously heard by the Planning Commission on whether they have passed or not.

8. Adjournment

Motion by Michael Salt, seconded by Tina Wilson, to adjourn the meeting at 6:09 p.m. The motion passed unanimously.

By:_____
Kari Casper, Recording Secretary

REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	Harry Davis, City Planning Manager
FROM:	Leslie McGillivray-Rivas, Planner I
MEETING DATE:	May 5, 2025
SUBJECT:	Mighty Fine Coffee/127 14th St NW - Comprehensive Plan Amendment; Zoning Map Amendment; Preliminary Plat; Final Plat; Conditional Use Permit; Variance(s)

Background:

The applicant submitted a Comprehensive Plan Amendment; Zoning Map Amendment; Preliminary Plat; Final Plat; Conditional Use Permit(s); and Variance(s) for the purposes of redeveloping 123 & 127 14th Street NW for a restaurant with drive-through. Staff officially noticed the application for a public hearing on this date. Upon further review of the submittal, it was found that additional time is needed for the applicant to submit revised documents sufficient for planning commission review and city council approval.

Recommendation:

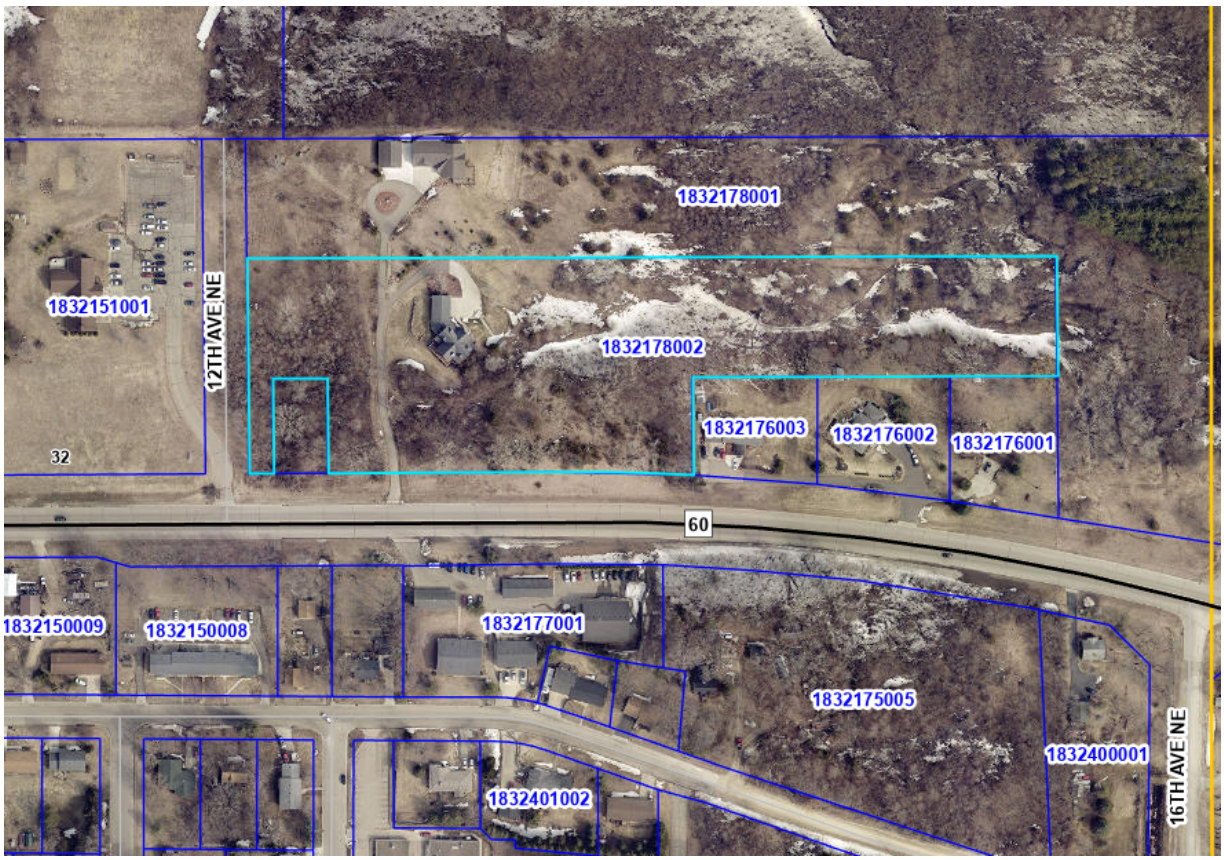
Recommend the Planning Commission continue the public hearing for Mighty Fine Coffee to the May 19, 2025 meeting.

Attachments:

Staff Report to the Planning Commission

TO:	Planning Commission
THRU:	David Wanberg, CED Director
FROM:	Harry Davis, City Planning Manager
MEETING DATE:	May 5, 2025
SUBJECT:	Blais/1216 1st St NE – CUP and Variances

Request:
David Blais (Applicant and Property Owner) requests a Conditional Use Permit (CUP) and variances at 1216 1st St NE. The subject property is zoned R-1, Single Family Residential and contains approximately 7.30 acres of land.

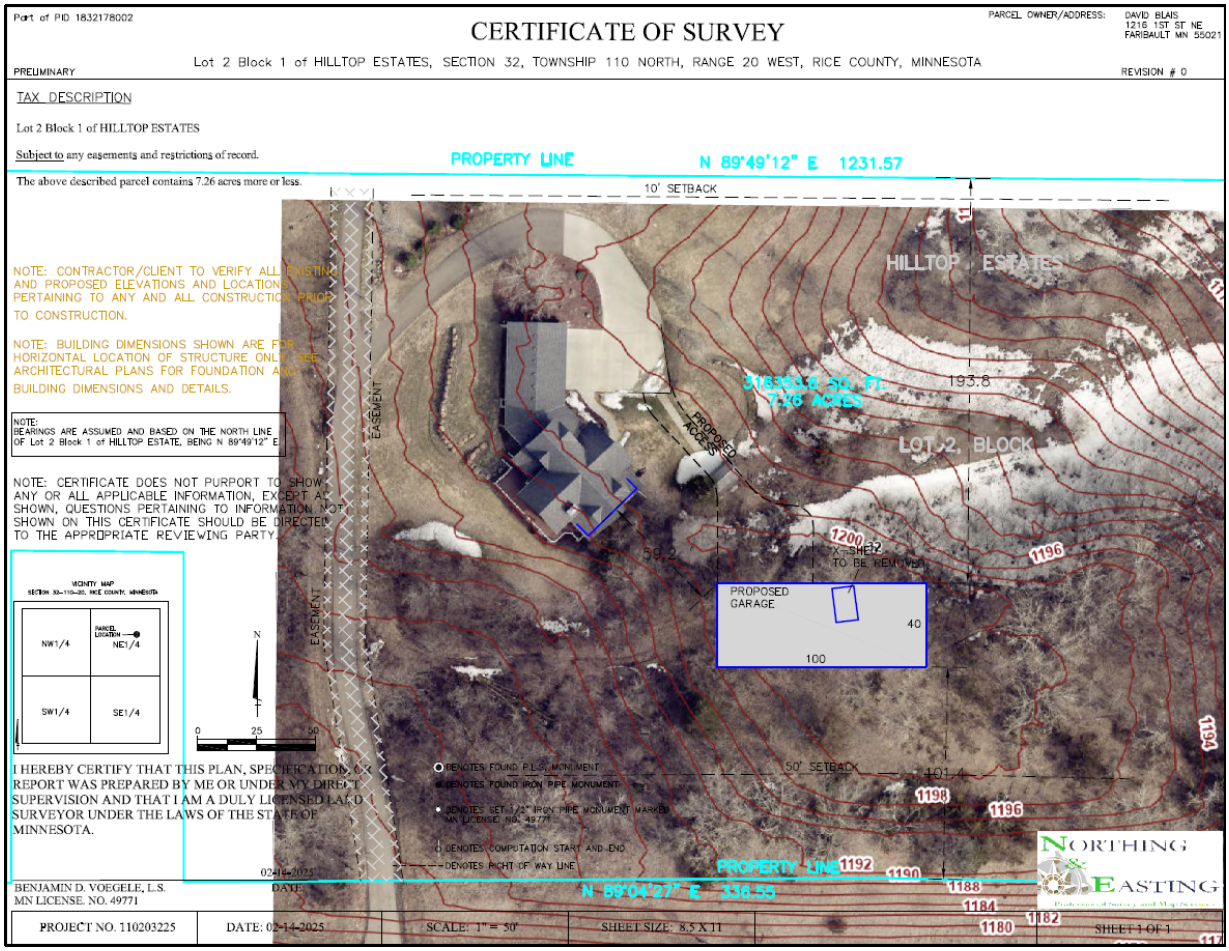


Outlined in Cyan = Property at 1216 1st St NE

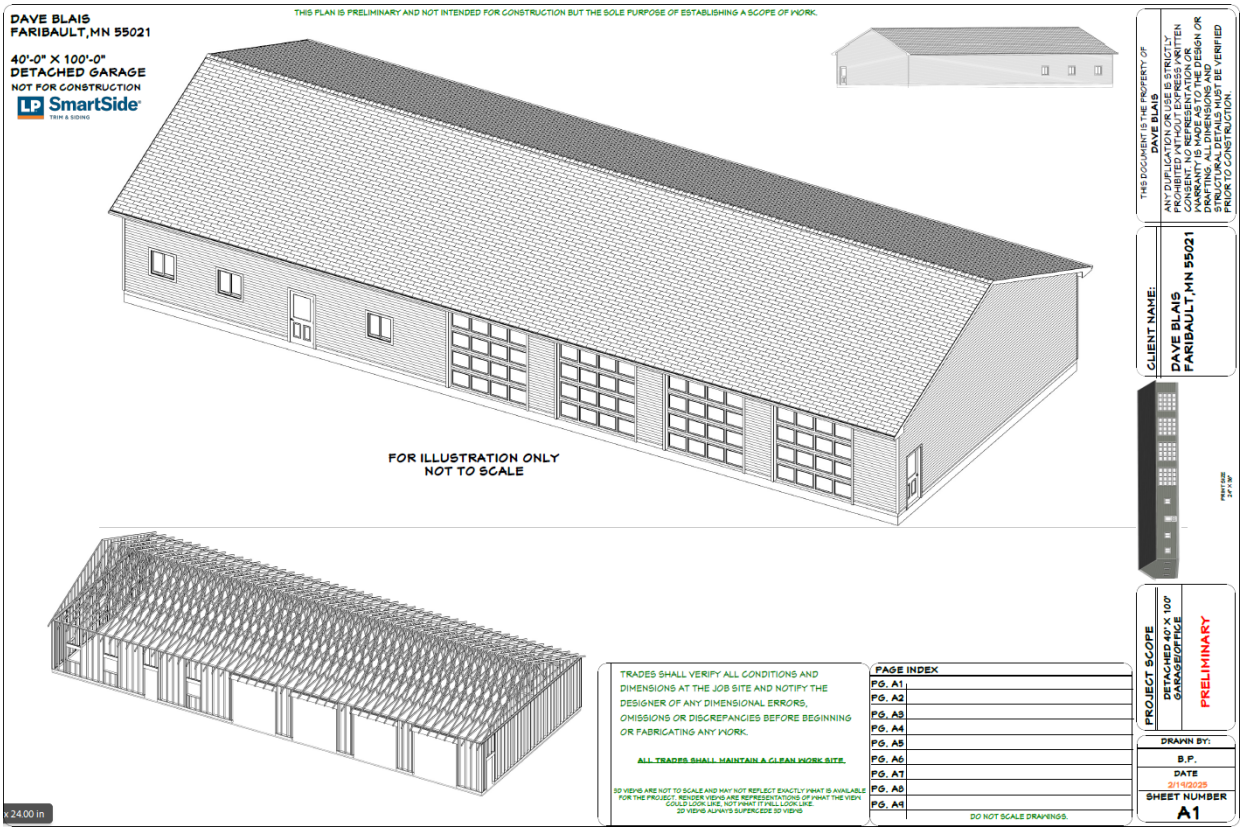
Background:
The applicant initially the CED Department in February and submitted a complete application in March/early April.

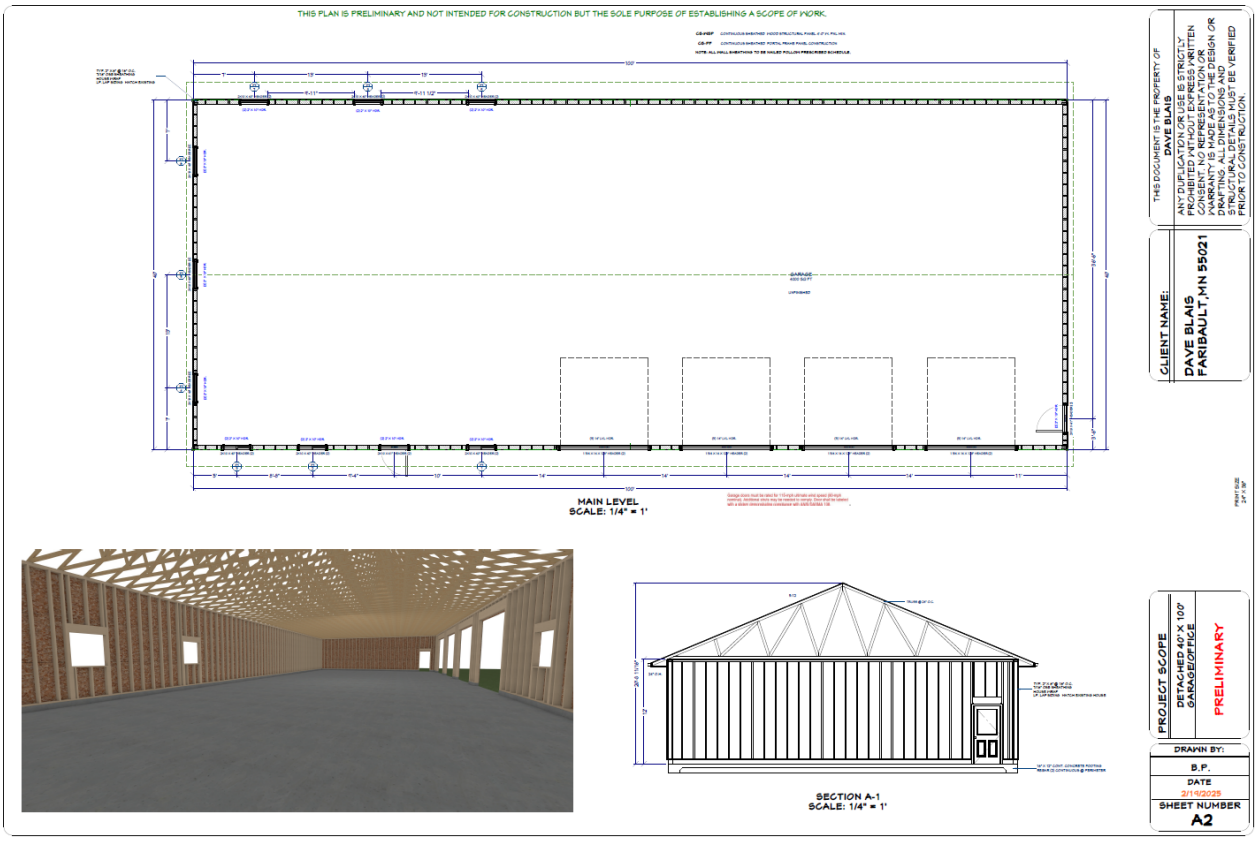
Project Description and Request:

The request by the applicant is to have a 100-foot by 40-foot (or 4,000 sq ft) accessory structure on the property. The accessory structure will be for personal use. The submitted CUP is to allow an increase of 25% as allowed in the ordinance for an accessory structure. The variances are to address the additional square footage beyond the 25% increase, the amount of accessory use in comparison to residential use, and the location of the structure in the front yard. Staff calculates, with assistance from Rice County records, that the existing home (without the garage, which is an accessory use) as the primary use is 2,772 sq ft. The total square feet proposed for accessory uses (attached garage and proposed structure) amount to 4,911 square feet.



Site Plan





Building Plans

Table 1 – Requests Table

CUP Issue	Requirement	Proposed	CUP
Accessory structure larger than allowed (Sec 6-180(C)(2))	Maximum 864 sq ft	4,000 sq ft	Allows 25% increase to maximum (864 sq ft; total of 1,080)
Variance Issue	**Requirement**	**Proposed**	**Variance**
Size of accessory structure exceeds maximum (Sec 6-180(C))	1,080 sq ft maximum (with CUP)	4,000 sq ft	2,920 sq ft
The accessory use or structure shall be subordinate in area, extent, and purpose to the principal use or structure served. (Sec 6-170(3))	Total square footage of accessory structures and uses must be smaller than the total square footage of home	Approximately 2,772 sq ft living space versus approximately 4,911 sq ft of accessory use	Approximately 2,140 sq ft
Location of garage (Sec 6-180(C)(1))	Detached accessory structures must be on the side or rear of a principal structure	Approximately 100 feet from front property line	Approximately 65 feet (house is 65 feet behind proposed structure)

To clarify staff's approach to Sec 6-170(3), the ordinance only states that the 'area, extent, and purpose' of accessory uses must be subordinate to or less than the primary use. Staff sees this phrase as broad and undefined, which leads to a determination that using square footage to assess overall principal uses (including multiple stories) through Rice County's record of 'living area' is a reasonable approach and to the benefit of the property owner. While the UDO has a section limiting attached garages and accessory uses based on comparing footprints, that requirement is spelled out in said ordinance section. Staff could use the footprint of uses to define 'area', but it goes against previous direction from Council to work with applicants and make reasonable interpretations and determinations of the ordinance. Staff sees using total square footage of living space (principal use) versus total square footage of accessory use to be a reasonable interpretation of defining uses to the benefit of the property owner.

Discussion:

The proposed CUP and one of three variances are consistent with the planning and zoning aspects of the City of Faribault's Unified Development Ordinance. The other two variances proposed by the applicant are not consistent with the planning and zoning aspects of the City of Faribault's Unified Development

Ordinance. The following provides an overview of the key planning and zoning-related items associated with:

CUP Summary

- An increase of 25% to the base accessory structure size, from 864 sq ft to 1,080 sq ft will not be detrimental to the public or nearby properties. The structure will be compatible with the primary structure and not cause any hazards or diminish property values. No additional services are needed and a 1,080 sq ft accessory structure will not create excessive demands on public infrastructure, create additional traffic, or damage any historical or natural features.

Variance Summaries

Accessory Structure in Front Yard

- The particular variance to allow the accessory structure closer to the road than the house is not unreasonable. The largest, undeveloped, and flat area of land on the property is exactly where the applicant proposes, and it happens to be in front of the home. The applicant is permitted to have a detached accessory structure, and its placement on a seven-acre, topographically challenging lot is not unreasonable. The request by the applicant is in harmony with the general purposes and intent of the City's ordinances. Much of the zoning code anticipates or guides the placement of a principal structure close to the public street. There are many reasons, from urban design and community aesthetics to safety, for the principal building to be closer to the street in urban settings. However, this particular property is over seven acres and located on the periphery of the city, with the house built farther back than required per the underlying setbacks. In addition to the topography issues of the site, locating an accessory structure up to 100 feet from the road on the periphery of the city limits is not breaking the intent of the ordinance. The request to place the accessory structure closer to the street than the house will not change the essential character of the neighborhood. As the city transitions from urban to rural, many rural properties have accessory structures closer to the road or in line with the house. The structure's location 20 feet above the road elevation will help passers-by and neighbors not see the accessory structure.

Larger Accessory Structure than Allowed/More Accessory Use and Structure than Primary Use and Structure

- The general intent by limiting accessory structure sizes and requiring more principal use than accessory use area on the property is to ensure that the property's primary or principal use (in this case, a dwelling) remains the primary use of the property for both aesthetics and functionality. Having too many or too large accessory structures can detract from the property and the neighborhood's overall look and feel. A large accessory structure may cause a visual or spatial imbalance versus other properties. A large accessory structure can even detract from and overshadow the primary structure on the property.

  The applicant has not demonstrated that the accessory structure is intended to be in harmony with the general purpose and intent of the ordinance. The applicant has applied for a CUP to allow a 25% increase for 1,080 square feet, but the overall size is approximately 270% of what is allowed with the CUP. The total amount of accessory uses (which includes the proposed structure and the attached garage) is approximately 177% of the current dwelling's square feet.

  The applicant points to the size of the property as a unique circumstance to support having a larger accessory structure. However, there are many larger lots on the periphery of town, and particularly on the east side. Many of them are zoned to allow agriculture, which rightly changes the rules regarding accessory structures since farms need room to store implements and products or protect animals. This property is not a farm and doesn't have a clear need for a large structure similar in size to what you might find on a farm or in the county. Having a large lot is not an adequate unique circumstance to be granted a variance.

  Additional points supporting the recommendation for denial are in the associated resolution.

Development Review Committee Recommendation. The City's Development Review Committee (DRC) reviewed the proposed CUP and variances on April 1, 2025. The DRC recommended in favor of the CUP and variance to allow the structure closer to the street than the primary structure but recommended against the variances for a size increase and more accessory use area than the primary use.

Building Codes

> The Building Official, John Rued, notes that the proposed structure's size elevates it from a residential garage to a different building classification. Should the CUP and variances be approved by Council, an architect and engineer are required to produce documents and/or plans for the project prior to receiving a permit.

Public Comment. City Staff received no public comment prior to publishing this report. Notification for this item was published in the paper on April 24, 2025, and letters sent to property owners within 350 feet.

Recommendation:

The DRC and City Planning Manager recommend approval of the CUP and one of three variances to the City Council, based on the criteria and findings in the associated resolutions. The DRC and City Planning Manager recommend denial of the other two variances to the City Council, based on the criteria and findings in the associated resolution.

If the Planning Commission is inclined to recommend approval of all the submitted applications, staff recommends the Planning Commission continue discussion to the next meeting to allow staff to prepare amended resolutions. The Planning Commission should give direction on recommended findings for the criteria.

APPLICATION FOR REQUESTED ACTION
Conditional Use Permit

Planning Case # _____
Filing Fee _____
Hearing Date _____

SITE ADDRESS 1216 1st st ne, faribault, mn 55021

APPLICANT David W Blais E-MAIL david@blaismicroscope.com

PHONE 612 203 6535 (H)_____(W)_____(FAX)

ADDRESS 1216 1st st ne, faribault, mn 55021

DEVELOPER (if other than applicant)_____

PHONE_____(H)_____(W)_____(FAX)

ADDRESS_____

LEGAL DESCRIPTION_____

ACREAGE/SIZE OF PROPERTY 7.26 acres

CURRENT ZONING residental

EXISTING USE OF PROPERTY residental

PROPOSED USE OF PROPERTY personal/residental
(Including number of units per acre and types of uses if mixed use)

IDENTIFY ALL ADJACENT LAND USES _____

SIGNATURE OF OWNER_____**DATE** 03/16/2025

SIGNATURE OF APPLICANT_____**DATE** 03/16/2025
(Must submit proof of property control)

PLEASE PROVIDE ALL INFORMATION REQUESTED ON THIS FORM AND THE ATTACHED CHECKLIST.

Revised 8/26/2016

CONDITIONAL USE PERMIT
Required Submittals

- **Site plan**

  - ❑ Drawn to scale, with scale noted
  - ❑ Date and North arrow
  - ❑ Boundaries and dimensions shown graphically
  - ❑ Location of any streets, public trails, railroads, or waterways
  - ❑ Present and proposed topography of the site and adjacent areas within 50 feet by contour lines at an interval of not more than 5 feet, and by use of directional arrows, the proposed flow of storm water runoff from the site
  - ❑ Location of existing and proposed structures (height and gross floor area noted), with distance from property lines noted
  - ❑ Location and dimensions of existing and proposed off-street parking and loading spaces, curb cuts, aisles, and walkways, with distance from property lines noted
  - ❑ Location, height, and material for screening walls and fences
  - ❑ Type of surfacing and base course proposed for all parking area, loading areas, and walkways
  - ❑ Location of all existing and proposed water lines, hydrants, sanitary sewer lines and storm drainage systems
  - ❑ Existing and proposed public streets or rights-of-way, easements, or other reservations of land on the site
  - ❑ Location and method of screening of outdoor trash storage areas
  - ❑ Location and size of all proposed signage
  - ❑ Location and height of proposed lighting facilities
  - ❑ Elevation views of all proposed buildings or structures, with building materials and proposed colors noted
  - ❑ Indicate the ultimate development of the site and proposed development phases when a site is to be developed in stages
  - ❑ Landscaping plan

- **Required supplemental information**

  - ❑ Describe the project in detail (Include: Size of all structures existing and proposed and any modifications to existing, type of business and associated storage/display, type of clientele, hours of operation, number of employees, number of customer seats if food service related, handling of deliveries, unique site characteristics, proposed modifications to topography and/or drainage, development schedule, etc.)
  - ❑ Written summary explaining how the proposed use is compatible with the neighborhood
  - ❑ Written summary explaining if and how the proposed development will impact traffic
  - ❑ Written statement as to why you feel the conditional use permit should be approved
  - ❑ Other information as required

- **Filing fee**

SIGNATURE OF APPLICANT_____**DATE**__4/2/2025_____

Planning case # _____

APPLICATION FOR REQUESTED ACTION

Variance

Planning Case # _____
Filing Fee _____
Hearing Date _____

SITE ADDRESS 1216 1st st ne, faribault mn 55021

APPLICANT david blais E-MAIL david@blaismicroscope.com

PHONE 612 203 6535 (H)_____(W)_____(FAX)

APPLICANT ADDRESS 1216 1st st ne, faribault mn 55021

OWNER (if other than applicant)_____

PHONE_____(H)_____(W)_____(FAX)

OWNER'S ADDRESS_____

LEGAL DESCRIPTION residental

ACREAGE/SIZE OF PROPERTY 7.26

CURRENT ZONING residental

EXISTING USE OF PROPERTY residental

PROPOSED USE OF PROPERTY personal/residental
(Including number of units per acre and types of uses if mixed use)

IDENTIFY ALL ADJACENT LAND USES Commercial and residental

SIGNATURE OF APPLICANT_____**DATE**_____
(Must submit proof of property control)

SIGNATURE OF THE OWNER _____ **DATE** 4/2/2025
(If other than the applicant)

PLEASE PROVIDE ALL INFORMATION REQUESTED ON THIS FORM AND THE ATTACHED CHECKLIST.

Revised 8/23/2016

VARIANCE
Required Submittals

☐ **Site plan**

- ❑ Drawn to scale, with scale noted
- ❑ Date and North arrow
- ❑ Boundaries and dimensions shown graphically
- ❑ Location of any streets, public trails, railroads, or waterways
- ❑ Location of existing and proposed structures, with distance from property lines noted
- ❑ Location and dimensions of existing and proposed off-street parking and loading spaces, with distance from property lines noted (when applicable)

☐ **Required supplemental information**

- ❑ Written summary stating the specific variation requested, giving distances as needed
- ❑ Written summary stating exceptional conditions/peculiar difficulties which make the variance necessary
- ❑ Written statement as to why you feel a variance should be granted
- ❑ Other information as required

☐ **Filing fee**

☐ **SIGNATURE OF APPLICANT**_____**DATE**_____ 4/2/2025

Planning Case # _____

Please answer the following questions as they relate to your specific variance request:

1. In your opinion, is the variance in harmony with the purposes and intent of the ordinance?
   Yes (x) No ( ) Why or why not?
   Proposed building is a storage garagepersonal use.

2. In your opinion, is the variance consistent with the comprehensive plan?
   Yes (x) No ( ) Why or why not?
   low desnity residental, large lot in city limits.

3. In your opinion, does the proposal put property to use in a reasonable manner?
   Yes (x) No ( ) Why or why not?
   Residental 7.26 acre lot in city limits. Storage garage

4. In your opinion, are there circumstances unique to the property?
   Yes (x) No ( ) Why or why not?
   7.26 acre lot in city limits. We are on our own septic and well. Located on highway 60, 45mph zone. Low density residental. The proposed building would have zero negative affects on anyone. Plenty of green space for drainage

5. In your opinion, will the variance maintain the essential character of the neighborhood?
   Yes (x) No ( ) Why or why not?
   Rural property in city limits. Appartment complex across highway 60, large church directly next door.

6. In your opinion, is the variance requested the minimum variance which would alleviate the practical difficulty?
   Yes (x) No ( ) Why or why not?
   Yes, this is the smallest shed I want to build

7. In your opinion, do the economic conditions alone constitute the practical difficulty?
   Yes (x) No ( ) Why or why not?

The City Council must make an affirmative finding on all of the seven criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the City Code and other applicable ordinances.

Applicant's Signature: Date: 4/2/2025

Part of PID 1832178002

CERTIFICATE OF SURVEY

PARCEL OWNER/ADDRESS: DAVID BLAIS
1216 1ST ST NE
FARIBAULT MN 55021

Lot 2 Block 1 of HILLTOP ESTATES, SECTION 32, TOWNSHIP 110 NORTH, RANGE 20 WEST, RICE COUNTY, MINNESOTA

PRELIMINARY

REVISION # 0

TAX DESCRIPTION

Lot 2 Block 1 of HILLTOP ESTATES

Subject to any easements and restrictions of record.

The above described parcel contains 7.26 acres more or less.

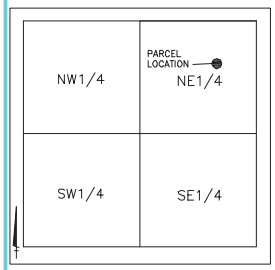
NOTE: CONTRACTOR/CLIENT TO VERIFY ALL EXISTING AND PROPOSED ELEVATIONS AND LOCATIONS PERTAINING TO ANY AND ALL CONSTRUCTION PRIOR TO CONSTRUCTION.

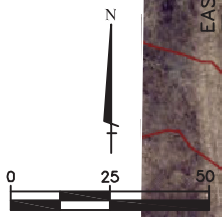
NOTE: BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL LOCATION OF STRUCTURE ONLY. SEE ARCHITECTURAL PLANS FOR FOUNDATION AND BUILDING DIMENSIONS AND DETAILS.

NOTE:
BEARINGS ARE ASSUMED AND BASED ON THE NORTH LINE OF Lot 2 Block 1 of HILLTOP ESTATE, BEING N 89°49'12" E.

NOTE: CERTIFICATE DOES NOT PURPORT TO SHOW ANY OR ALL APPLICABLE INFORMATION, EXCEPT AS SHOWN, QUESTIONS PERTAINING TO INFORMATION NOT SHOWN ON THIS CERTIFICATE SHOULD BE DIRECTED TO THE APPROPRIATE REVIEWING PARTY.

VICINITY MAP
SECTION 32-110-20, RICE COUNTY, MINNESOTA





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.

02-14-2025
DATE:

BENJAMIN D. VOEGELE, L.S.
MN LICENSE. NO. 49771

PROPERTY LINE N 89°49'12" E 1231.57

10' SETBACK

HILLTOP ESTATES

316353.6 SQ. FT.
7.26 ACRES

193.8

LOT 2, BLOCK 1

EASEMENT

EASEMENT

PROPOSED ACCESS

59.2

1200 32
X-SHED
TO BE REMOVED

PROPOSED GARAGE
40
100

1196

1194

DENOTES FOUND P.L.S. MONUMENT

DENOTES FOUND IRON PIPE MONUMENT

DENOTES SET 1/2" IRON PIPE MONUMENT MARKED MN LICENSE NO. 49771

DENOTES COMPUTATION START AND END

DENOTES RIGHT OF WAY LINE

50' SETBACK

101.4

1198

1196

PROPERTY LINE N 89°04'27" E 336.55

1192

1190

1188

1184

1182

1180

NORTHING & EASTING
Professional Survey and Map Services

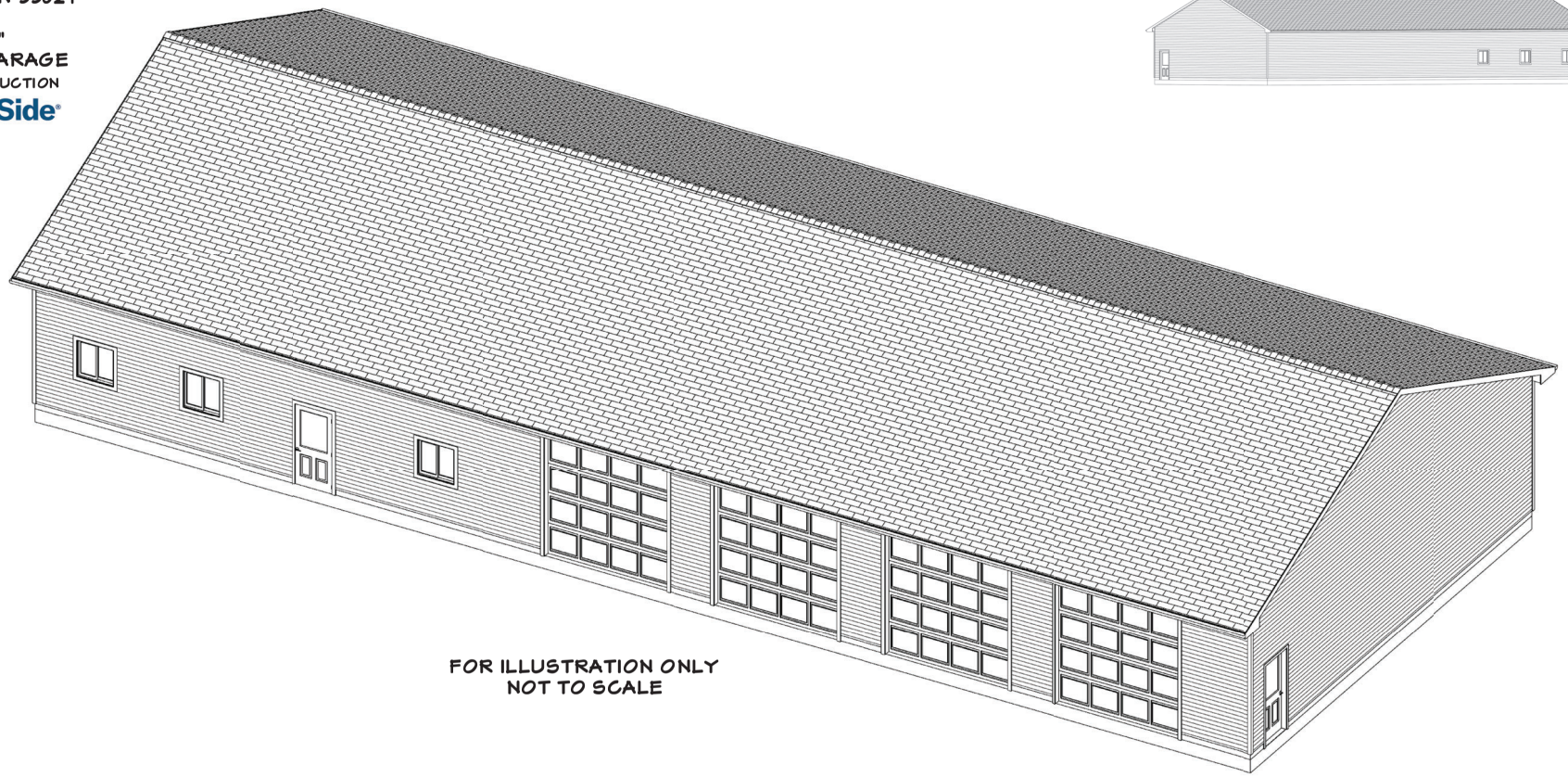
PROJECT NO. 110203225	DATE: 02-14-2025	SCALE: 1" = 50'	SHEET SIZE: 8.5 X 11	SHEET 1 OF 1

THIS PLAN IS PRELIMINARY AND NOT INTENDED FOR CONSTRUCTION BUT THE SOLE PURPOSE OF ESTABLISHING A SCOPE OF WORK.

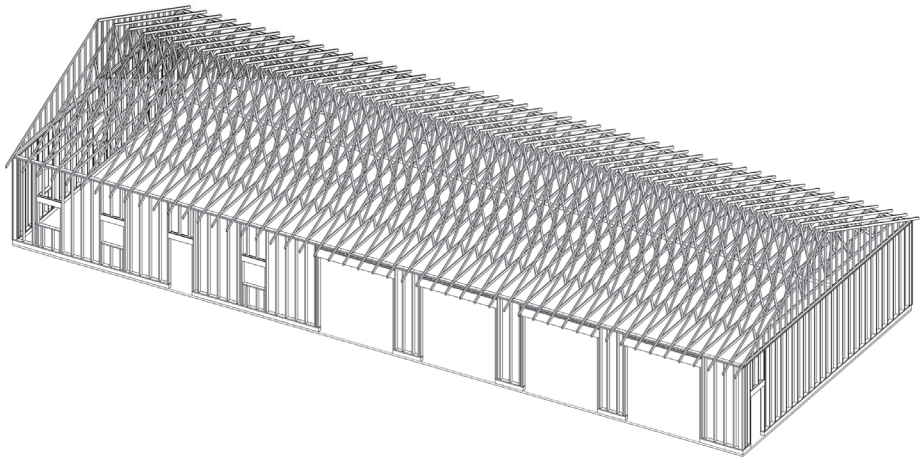
DAVE BLAIS
FARIBAULT,MN 55021

40'-0" X 100'-0"
DETACHED GARAGE
NOT FOR CONSTRUCTION

LP SmartSide TRIM & SIDING



FOR ILLUSTRATION ONLY
NOT TO SCALE



TRADES SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE DESIGNER OF ANY DIMENSIONAL ERRORS, OMISSIONS OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

ALL TRADES SHALL MAINTAIN A CLEAN WORK SITE.

3D VIEWS ARE NOT TO SCALE AND MAY NOT REFLECT EXACTLY WHAT IS AVAILABLE FOR THE PROJECT. RENDER VIEWS ARE REPRESENTATIONS OF WHAT THE VIEW COULD LOOK LIKE, NOT WHAT IT WILL LOOK LIKE.
2D VIEWS ALWAYS SUPERCEDE 3D VIEWS

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DO NOT SCALE DRAWINGS.

THIS DOCUMENT IS THE PROPERTY OF
DAVE BLAIS

ANY DUPLICATION OR USE IS STRICTLY PROHIBITED WITHOUT EXPRESS WRITTEN CONSENT. NO REPRESENTATION OR WARRANTY IS MADE AS TO THE DESIGN OR DRAFTING. ALL DIMENSIONS AND STRUCTURAL DETAILS MUST BE VERIFIED PRIOR TO CONSTRUCTION.

CLIENT NAME:
DAVE BLAIS
FARIBAULT,MN 55021

PRINT SIZE
24" X 36"

PROJECT SCOPE
DETACHED 40' X 100' GARAGE/OFFICE

PRELIMINARY

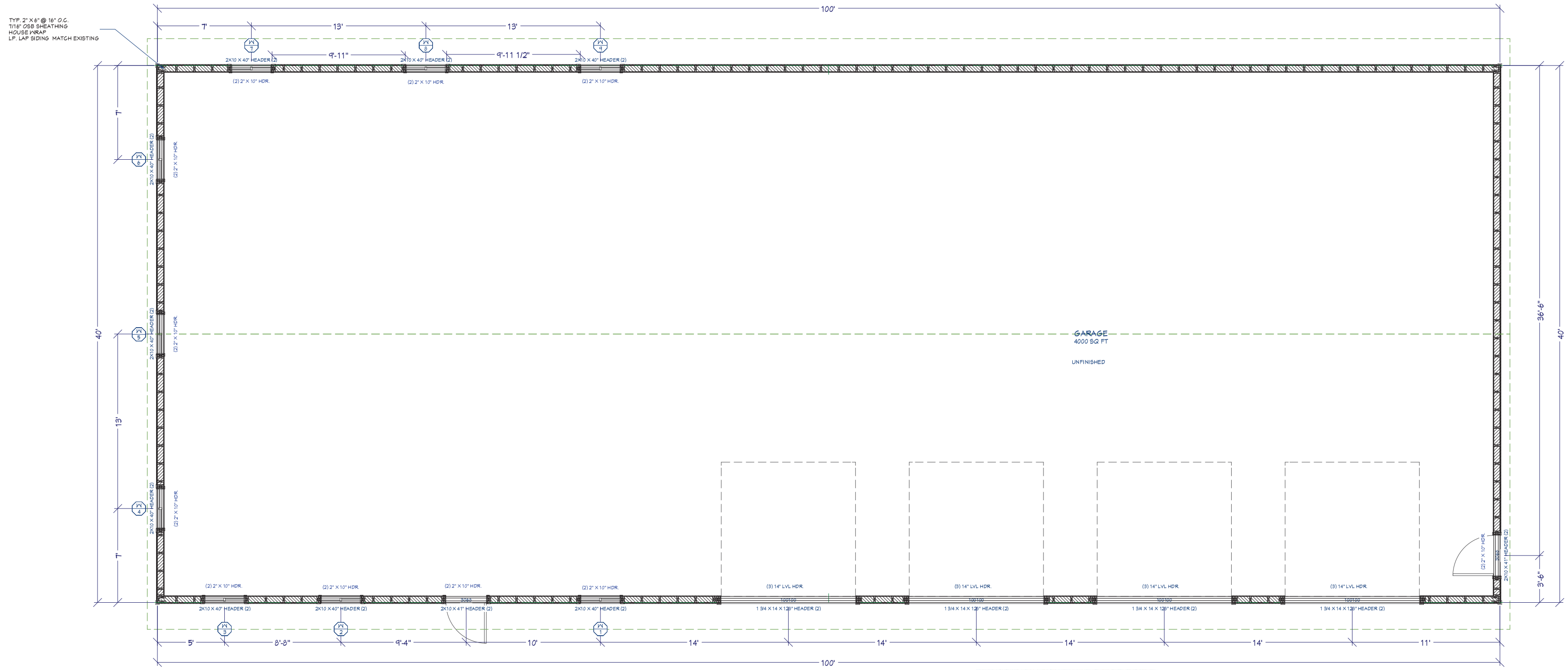
DRAWN BY:
B.P.

DATE
2/19/2025

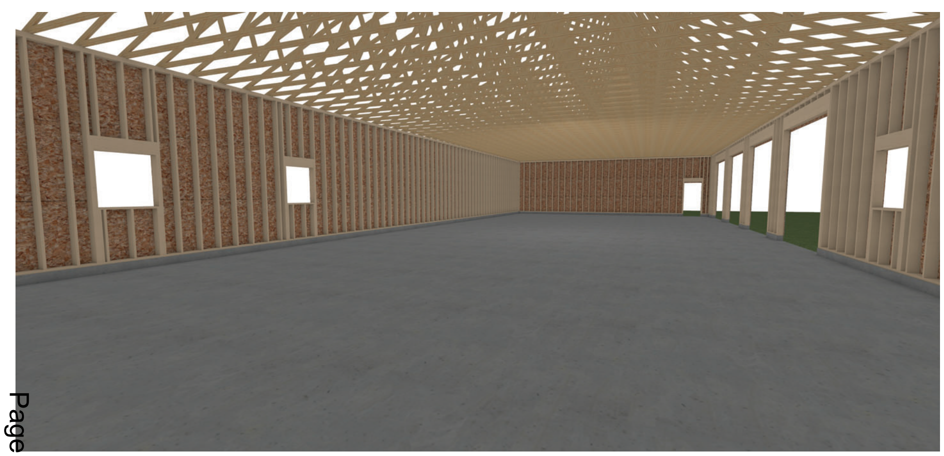
SHEET NUMBER
A1

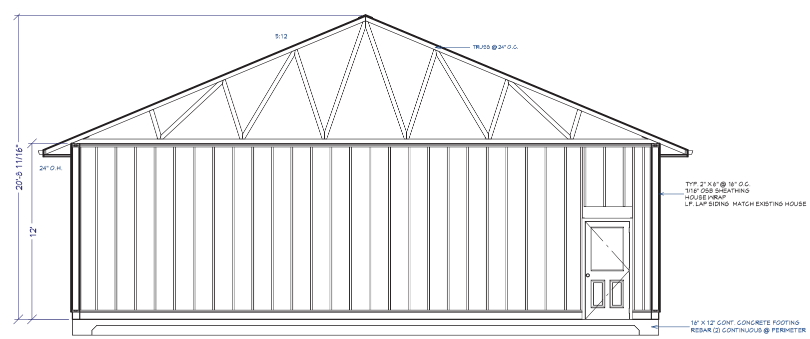
THIS PLAN IS PRELIMINARY AND NOT INTENDED FOR CONSTRUCTION BUT THE SOLE PURPOSE OF ESTABLISHING A SCOPE OF WORK.

CS-WSP CONTINUOUS SHEATHED WOOD STRUCTURAL PANEL 4'-0" W. PNL MIN.
CS-PF CONTINUOUS SHEATHED PORTAL FRAME PANEL CONSTRUCTION
NOTE: ALL WALL SHEATHING TO BE NAILED FOLLOW PRESCRIBED SCHEDULE.



MAIN LEVEL
SCALE: 1/4" = 1'





SECTION A-1
SCALE: 1/4" = 1'

PRINT SIZE
24" X 36"

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DAVE BLAIS
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CLIENT NAME:
DAVE BLAIS
FARIBAULT, MN 55021

PROJECT SCOPE
DETACHED 40' X 100' GARAGE/OFFICE
PRELIMINARY

DRAWN BY:
B.P.
DATE
2/19/2025
SHEET NUMBER
A2

REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	David Wanberg, CED Director
FROM:	Harry Davis, City Planning Manager
MEETING DATE:	May 5, 2025
SUBJECT:	Resolution 2025-XXX Approve a CUP for an Accessory Structure at 1216 1st St NE

Background:
See main agenda item.

Recommendation:
Recommend approval of the draft resolution to City Council.

Attachments:
1. Resolution 2025-XXX Approve a CUP for an Accessory Structure at 1216 1st St NE

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2025-XXX

APPROVE A CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE AT 1216 1ST ST NE

WHEREAS, David Blais (the "Applicant" and "Property Owner") requests a conditional use permit to allow a 25% increase above the allowed maximum size for an accessory structure at 1216 1st St NE (the "Property"), as depicted in Exhibit A; and

WHEREAS, Sec 6-180(C)(2) of the City of Faribault's Unified Development Ordinance states the maximum size of a detached accessory structure may be increased by up to 25% upon approval of a conditional use permit, provided lot coverage requirements are met; and

WHEREAS, City Staff completed a review of the Applicant's application and prepared a report to the Planning Commission about said request, attached as Exhibit B; and

WHEREAS, the Planning Commission, on May 5, 2025, following proper notice, held a public hearing to consider the Applicant's request; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the Applicant's conditional use permit request based on the findings required in Section 2-300 of the Unified Development Ordinance as follows:

1. **The conditional use will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare.**

   Finding: The proposed accessory structures will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare. A 25% increase in an accessory structure size is not a detriment to adjacent properties.

2. **The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**

   Finding: The proposed accessory structure will not negatively impact other nearby properties. Most properties in the immediate area are residential. A larger accessory structure located in one of the flatter areas of the property will not impede future development.

3. **The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area.**

   Finding: The proposed accessory structure is designed to be compatible with the architectural appearance of the primary structure and adjacent residential structures. The structure is wood-framed and features asphalt shingles and LP siding.

4. **The conditional use will not impose hazards or disturbing influences on neighboring properties.**

   Finding: The proposed accessory structure on its own does not generate hazards or disturbing activities that negatively affect other properties. The zoning ordinance prohibits the applicant from operating a business with substantial traffic or impacts on adjoining properties.

5. **The conditional use will not substantially diminish the value of neighboring properties.**

Finding: The proposed accessory structure at this location is unlikely to diminish nearby property values. City staff is not aware of other situations in the city where a larger detached accessory structure has diminished nearby property values.

6. **The site is served adequately by essential public facilities and services, including utilities, access roads, drainage, police and fire protection, and schools or will be served adequately as a result of improvements proposed as part of the conditional use.**

   Finding: The accessory structure does not increase the need for public facilities or services. The current plans do not show additional utility needs.

7. **Development and operation of the conditional use will not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.**

   Finding: As stated before in this resolution, the accessory structure does not create additional cost on public facilities or services. This structure does not impact the economic vitality or welfare of the community.

8. **Adequate measures have been or will be taken to minimize traffic congestion in the public streets and to provide for adequate on-site circulation of traffic.**

   Finding: The proposed accessory structure does not have an impact on traffic congestion or on-site circulation.

9. **The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance to the community.**

   Finding: The accessory structure's location is along a major entryway into city limits, but the placement on top of a hill well above the road level will lessen the impact on people's views.

10. **The conditional use is consistent with the applicable policies and recommendations of the City's Land Use Plan or other adopted land use studies.**

Finding: The City's Comprehensive Plan guides the property for Planned Residential Neighborhood. The accessory structure of a residential use is consistent with the land use plan.

11. The conditional use, in all other respects, conforms to the applicable regulations of the district in which it is located.

Finding: The accessory structure as proposed does not conform to the Unified Development Ordinance requirements for location in the front yard, an increased size above what is allowed in this CUP Resolution, and size of accessory uses versus the primary use. These issues are addressed in separate variance Resolutions.

WHEREAS, the City Council, during a public meeting on May 13, 2025, considered the Applicant's conditional use permit request; and

WHEREAS, based on the City Staff report, the results of the public hearing, and the written findings of the Planning Commission as noted above, the City Council concurs with the findings of the Planning Commission and makes identical findings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARIBAULT, MINNESOTA, AS FOLLOWS:

Section 1: Approval of a Conditional Use Permit. The City Council hereby approves the Applicant's conditional use permit request for a 25% increase in the allowed accessory structure size from 864 to 1,080 square feet at 1216 1st St NE legally described in Exhibit A of this Resolution, subject to the conditions in Sections 2 and 3 of this Resolution.

Section 2: Conditions of Approval. The conditional use permit is approved subject to conditions listed herein as authorized under Section 2-310 of the Unified Development Ordinance, which are deemed necessary to mitigate potential adverse impacts associated with the conditional use, to protect neighboring properties, and to achieve the objectives identified in the Unified Development Ordinance. The conditions of approval are as follows:

1. The Owner must successfully obtain variances for the aspects of this proposal that do not conform with the Unified Development Ordinance. Failure to obtain one or more of these

variances will keep the applicant from constructing the Project substantially similar to the Applicant's submittal included in Exhibit B of this Resolution. Final construction of this Project must be compliant with the UDO, exempting any successfully-obtained variance. Any significant change or additional variances beyond what is identified with this submittal, as determined by the City's Development Review Committee, would require approval of a conditional use permit amendment. Adjust the accessory structure size down to 1,080 square feet shall not be considered a significant change.

2. The property owner is prohibited from running any businesses in the accessory structure that are non-compliant with Chapter 6, Article 7 Home Occupations. Machine shops, body shops, repair of internal combustion engines (other than small engine repair), welding, manufacturing, or any other objectionable use as determined by the city council shall not be permitted as a home occupation. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling.

3. The applicant must have a hard surface driveway compliant with UDO Chapter 8, Article 2, Sec 8-100.

Section 3: Additional Conditions of Approval. This conditional use permit includes the following additional conditions of approval:

1. Failure of the City to act on a violation of a condition, covenant, or term of this permit is not a waiver of such condition, covenant, or term, or any subsequent violation of the same or any other condition, covenant, or term.

2. The City may inspect the Property at all reasonable times to ensure compliance with the conditions of this permit.

3. This permit is subject to the City's code requirements. The Owner must comply with all applicable federal, state, and local laws, rules, and ordinances and obtain other permissions and permits as may be required.

4. The violation of any terms or conditions of this permit, including but not limited to any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The City must give the Owner written notice of any

violation and reasonable time, as determined by the City, to cure the violation before the permit revocation.

5. This permit and its conditions are binding on the parties, their successors, and assigns. This permit runs with the Property and does not affect the subsequent sale, lease, or change from current ownership. The Owner's obligations under this permit shall also be the obligations of any subsequent owners or assigns of the Property.

6. Use of the Property as allowed by this permit signifies the agreement of the permit's terms and conditions without qualification, limitation, or reservation.

7. If substantial development or construction of the Project has not taken place within one (1) year of the date of approval of the conditional use permit, such permit shall be void unless the City Council grants a time extension. The Owner must submit an extension request in writing at least thirty (30) days before the expiration of the conditional use permit.

Section 4. Findings and Incorporation of Recitals and Exhibits. Where applicable, the recitals and exhibits incorporated in this Resolution constitute the written findings of the City Council, all of which protect the public's health, safety, and welfare.

Section 5. Authorization to take Additional Steps. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this Resolution.

Section 6. Effective Date. This Resolution shall be effective upon passage.

(The remainder of this page has been left blank intentionally.)

Date Adopted: May 13, 2025

Faribault City Council

_____
Thomas J. Spooner, Mayor

ATTEST:

_____
Jessica L. Kinser, City Administrator

Exhibit A
Legal Description of the Property

Lot 1, Block 1, FARIBAULT HILLSIDE ADDITION, Rice County, Minnesota

AND

East Sixty feet (60’) of Lot Four (4) and the East Sixty feet (60’) of the North Thirty-Four feet (34’) of Lot Five (5), in Block Seventy-Seven (77) of the Original Town of Faribault, Rice County, Minnesota

Abstract

Exhibit B
Staff Report

(Refer to the following pages.)

REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	David Wanberg, CED Director
FROM:	Harry Davis, City Planning Manager
MEETING DATE:	May 5, 2025
SUBJECT:	Resolution 2025-XXX Approve Variance at 1216 1st St NE

Background:
See main agenda item.

Recommendation:
Recommend approval of the draft resolution to City Council.

Attachments:
1. Resolution 2025-XXX Approve Variance at 1216 1st St NE

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2025-XXX

APPROVE VARIANCE FOR PLACING AN ACCESSORY STRUCTURE IN A FRONT YARD AT 1216 1ST ST NE

WHEREAS, David Blais (the "Applicant" and "Property Owner") requests a variance to place an accessory structure in a front yard at 1216 1st St NE described and depicted in Exhibit A (hereinafter the "Subject Property"); and

WHEREAS, the Applicant requests to place an accessory structure in the front yard up to 100 feet from the front property line, approximately 65 feet in front of the primary structure, as depicted in Exhibit B; and

WHEREAS, under Appendix B (the Unified Development Ordinance [UDO]), Chapter 6, Article 4, Sec 6-180(C)(1) an accessory structure is "not permitted within the front yard"; and

WHEREAS, Appendix B UDO, Chapter 1, Sec 1-120 defines a front yard as "a space extending across the full width of the lot between any building and the front lot line and measured perpendicular to the building at the closest point to the front lot line"; and

WHEREAS, City Staff has completed a review of the application and made a report to the Planning Commission, as depicted in Exhibit C; and

WHEREAS*,* the Planning Commission, on May 5, 2024, following proper notice, held a public hearing regarding the requests; and

WHEREAS, following said public hearing, the Planning Commission recommended approval of the variance based on the following criteria and findings as required by Section 2-460 of the City's Unified Development Ordinance:

1. **The variance is in harmony with the general purposes and intent of the City's ordinances.**

   Finding: The request by the applicant is in harmony with the general purposes and intent of the City's ordinances. Much of the zoning code anticipates or guides the placement of a principal structure close to the public street. There are many reasons, from urban design and community aesthetics to safety, for the principal building to be closer to the street in urban settings. However, this particular property is over seven acres and located on the periphery of the city, with the house built farther back than required per the underlying setbacks. In addition to the topography issues of the site, locating an accessory structure up to 100 feet from the road on the periphery of the city limits is not breaking the intent of the ordinance.

2. **The variance is consistent with the Comprehensive Plan.**

   Finding: The property is guided for Planned Residential Neighborhood, which is intended for areas on the periphery of the city that may be subdivided and redeveloped in the future. Due to topography on just the subject property alone, future development of this area will be limited, so utilizing available, flat areas of land for the property is not out of alignment with the Comprehensive Plan.

3. **The applicant proposes to use the property in a reasonable manner not permitted by the City's ordinances.**

   Finding: The particular variance to allow the accessory structure closer to the road than the house is not unreasonable. The largest, undeveloped, and flat area of land on the property is exactly where the applicant proposes, and it happens to be in front of the home. The applicant is permitted to have a detached accessory structure, and its placement on a seven-acre, topographically challenging lot is not unreasonable.

4. **Unique circumstances apply to the property, which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owner of the property has not had control. The unique circumstances do not result from the actions of the applicant.**

   Finding: As alluded to above, the property is unique for its topography and lack of suitable building sites located behind or in line with the principal structure. The existing topography is not a result of the applicant's doing.

5. **The variance does not alter the essential character of the neighborhood.**

   Finding: The request to place the accessory structure closer to the street than the house will not change the essential character of the neighborhood. As the city transitions from urban to rural, many rural properties have accessory structures closer to the road or in line with the house. The structures location 20-feet above the road elevation will help passers-by and neighbors not see the accessory structure.

6. **The variance requested is the minimum variance, which would alleviate the practical difficulties.**

   Finding: Due to topography, the applicant's chosen location for the accessory structure is the most suitable location for the proposed project. It is therefore the minimum variance necessary to grant.

7. **Economic conditions alone do not constitute practical difficulties.**

   Finding: As established earlier in this Resolution, the applicant has a practical difficulty apart from any economic concerns or conditions. Topography and a lack of suitable building locations makes the applicant's proposed location the best on the subject property's seven acres.

WHEREAS, the City Council, at a public meeting, on May 13, 2025, considered the request and concurred with all findings of the Planning Commission and City Planner as stated in the above recitals and hereby makes the identical findings.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY FARIBAULT, MINNESOTA AS FOLLOWS:

Section 1: Approval of the Requested Variance. The City Council hereby approves the requested variance as stated in the second, third, and fourth recitals of this Resolution from Chapter 6, Article 4, Sec 6-180(C)(1), of the City's Unified Development Ordinance. Said approval is based on the foregoing recitals, which are incorporated herein by reference, and which constitute the findings of the City Council, all of which are to protect the public's health, safety, and welfare.

Section 2: Conditions of Approval. The variance is approved subject to conditions listed herein as authorized under Section 2-470 of the Unified Development Ordinance, which are deemed necessary to mitigate potential adverse impacts associated with the conditional use, to protect neighboring properties, and to achieve the objectives identified in the Unified Development Ordinance. The conditions of approval are as follows:

1. The placement of the accessory structure may not conflict with any primary or secondary septic field locations identified for the property. If the placement does conflict with any primary or secondary septic field locations, City Council gives city staff the ability to work with the applicant and adjust the final location of the structure.

Section 3. Compliance. The City Council authorizes the Mayor, City Administrator, City Planner, and the City Attorney to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 4. Effective Date. This resolution shall become effective immediately upon its passage and without publication.

(The remainder of this page has been left blank intentionally.)

Date Adopted: May 13, 2025

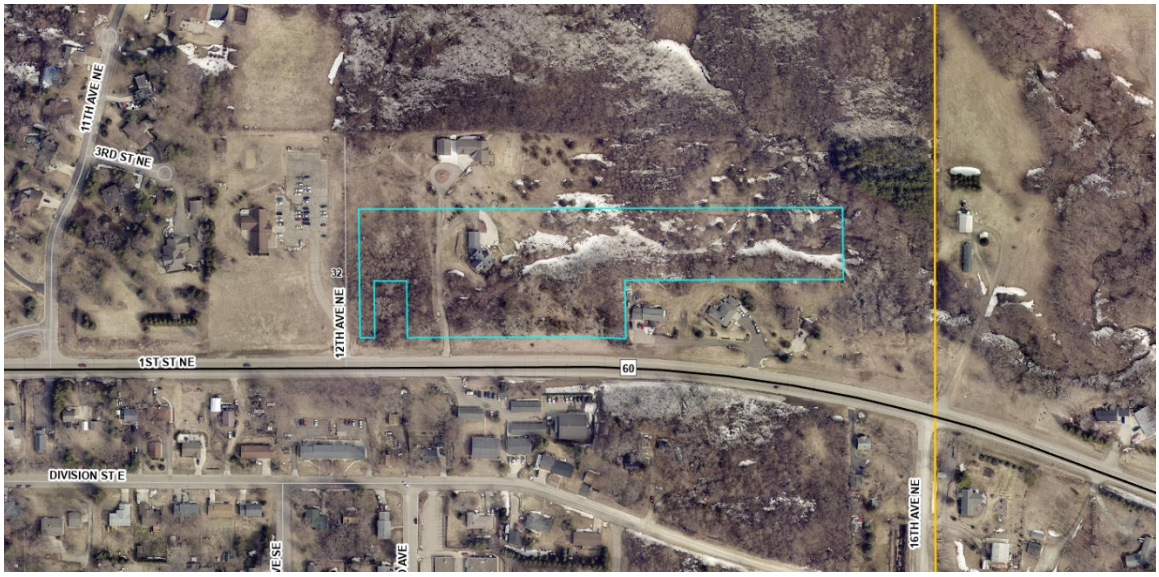
Faribault City Council

_____
Thomas J. Spooner, Mayor

ATTEST:

_____
Jessica L. Kinser, City Administrator

Exhibit A
Property Description



Blue Outline = Subject Property

PID 18.32.1.78.002 – 1216 1st St NE

Legal Description:

Lot 2, Block 1, Hilltop Estates

Exhibit B
Depiction of Variance

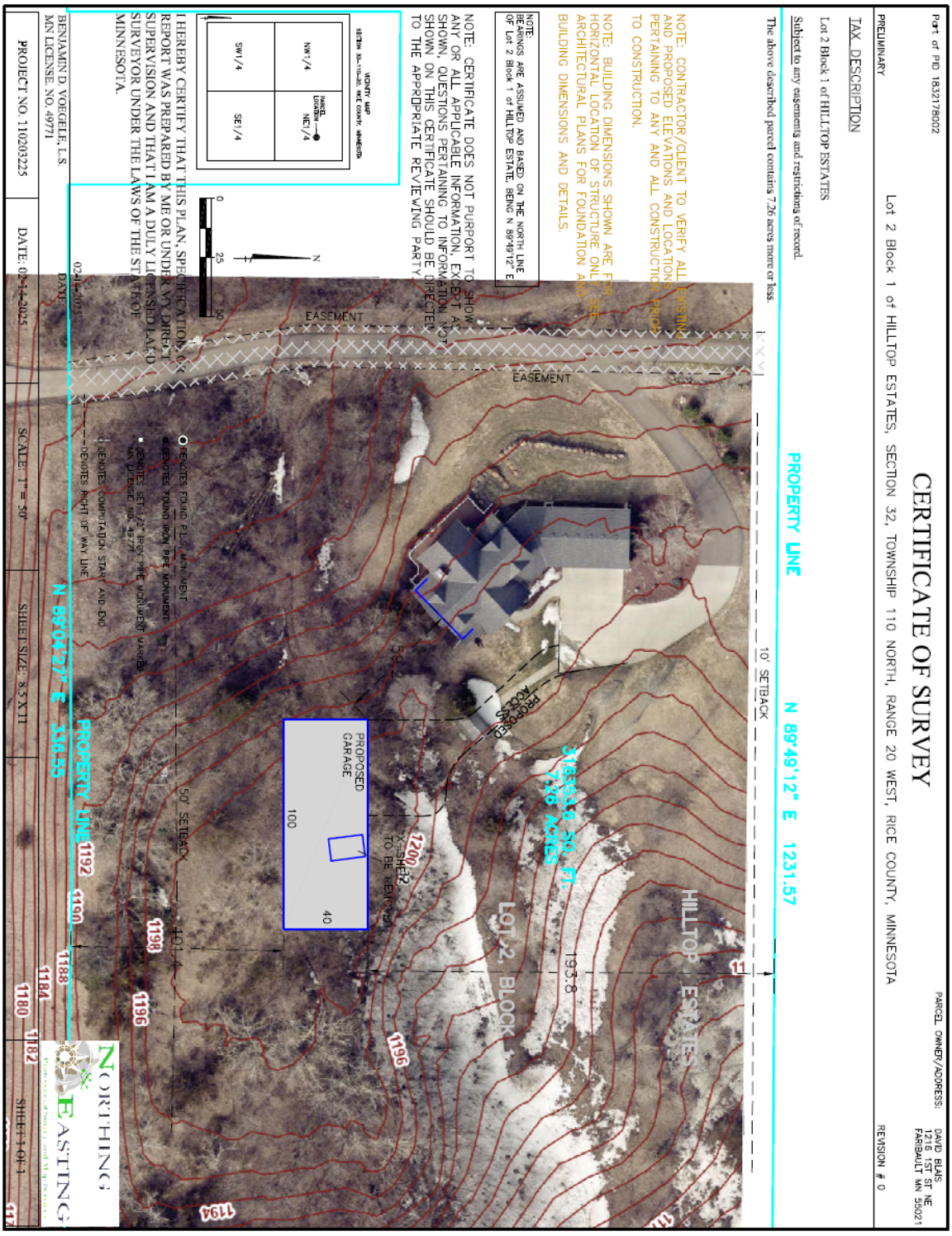

CERTIFICATE OF SURVEY
PRELIMINARY
Lot 2 Block 1 of HILLTOP ESTATES, SECTION 32, TOWNSHIP 110 NORTH, RANGE 20 WEST, RICE COUNTY, MINNESOTA
TAX DESCRIPTION
Lot 2 Block 1 of HILLTOP ESTATES
Subject to any easements and restrictions of record.
The above described parcel contains 7.26 acres more or less.
NOTE: CONTRACTOR/CLIENT TO VERIFY ALL EXISTING AND PROPOSED ELEVATIONS AND LOCATIONS PERTAINING TO ANY AND ALL CONSTRUCTION PRIOR TO CONSTRUCTION.
NOTE: BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL LOCATION OF STRUCTURE ONLY. SEE ARCHITECTURAL PLANS FOR FOUNDATION AND BUILDING DIMENSIONS AND DETAILS.
NOTE: BEARINGS ARE ASSUMED AND BASED ON THE NORTH LINE OF Lot 2 Block 1 of HILLTOP ESTATE, BEING N 89°49'12" E
NOTE: CERTIFICATE DOES NOT PURPORT TO SHOW ANY OR ALL APPLICABLE INFORMATION, EXCEPT AS SHOWN. QUESTIONS PERTAINING TO INFORMATION NOT SHOWN ON THIS CERTIFICATE SHOULD BE DIRECTED TO THE APPROPRIATE REVIEWING PARTY.
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.
BENJAMIN D VOEGELE, L.S.
MN LICENSE NO. 49771
DATE: 02-14-2025
PROJECT NO. 110203225
DATE: 02-14-2025
SCALE: 1" = 50'
SHEET SIZE: 8.5 X 11
SHEET 1 OF 1
PARCEL OWNER/ADDRESS:
DAVID BLAIS
1216 1ST ST NE
FARIBAULT MN 55021
REVISION # 0
Part of PID 183178022
PROPERTY LINE
N 89°49'12" E 1231.57
10' SETBACK
EASEMENT
EASEMENT
PROPOSED GARAGE
100
40
PROPOSED ROAD
50' SETBACK
401.4
PROPERTY LINE
N 89°49'12" E 536.55
HILLTOP ESTATES
LOT 2 BLOCK 1
7.26 ACRES
316,552 SQ. FT.
193.8
120
X-SHED TO BE REMOVED
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Exhibit C
Staff Report from Planning Commission

(insert document after this page)

REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	David Wanberg, CED Director
FROM:	Harry Davis, City Planning Manager
MEETING DATE:	May 5, 2025
SUBJECT:	Resolution 2025-XXX Deny Variances at 1216 1st St NE

Background:
See main agenda item.

Recommendation:
Recommend approval of the draft resolution to City Council, denying the requested variances.

Attachments:
1. Resolution 2025-XXX Deny Variances at 1216 1st St NE

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2025-XXX

DENY VARIANCES FOR A LARGER ACCESSORY STRUCTURE THAN ALLOWED AND FOR MORE ACCESSORY USE AND STRUCTURE AREA THAN PRIMARY USE AND STRUCTURE AT 15 3RD AVE SW

WHEREAS, David Blais (the "Applicant" and "Property Owner") requests variances from the maximum accessory structure size and the amount of accessory use versus primary use requirements at 1216 1st St NE described and depicted in Exhibit A (hereinafter the "Subject Property"); and

WHEREAS, the Applicant requests permitting a 4,000 square foot accessory structure where the maximum (with a Conditional Use Permit) is 1,080 square feet, as limited under Appendix B (the Unified Development Ordinance [UDO]), Chapter 6, Article 4, Sec 6-180(C)(2), as depicted in Exhibit B; and

WHEREAS, the Applicant requests approximately 4,911 square feet of accessory use versus approximately 2,772 square feet of principal use (living space) where the accessory uses must be smaller than the principal uses as required under Appendix B UDO, Chapter 6, Article 4, Sec 6-170(3), as depicted in Exhibit B; and

WHEREAS, City Staff has completed a review of the application and made a report to the Planning Commission, as depicted in Exhibit C; and

WHEREAS*,* the Planning Commission, on May 5, 2025 following proper notice, held a public hearing regarding the requests; and

WHEREAS, following said public hearing, the Planning Commission recommended denial of the size and accessory use versus principal use

variances based on the following findings as required by Section 2-460 of the City's Unified Development Ordinance:

1. **The variance is in harmony with the general purposes and intent of the City's ordinances.**

   Finding: The general intent by limiting accessory structure sizes and requiring more principal use than accessory use area on the property is to ensure that the property's primary or principal use (in this case, a dwelling) remains the primary use of the property for both aesthetics and functionality. Having too many or too large accessory structures can detract from the property and the neighborhood's overall look and feel. A large accessory structure may cause a visual or spatial imbalance versus other properties. A large accessory structure can even detract from and overshadow the primary structure on the property.

   The applicant has not demonstrated that the accessory structure is intended to be in harmony with the general purpose and intent of the ordinance. The applicant has applied for a CUP to allow a 25% increase for 1,080 square feet, but the overall size is approximately 270% of what is allowed with the CUP. The total amount of accessory uses (which includes the proposed structure and the attached garage) is approximately 177% of the current dwelling's square feet. The variances requested by the applicant are not in harmony with the general purposes and intent of the City's ordinances.

2. **The variance is consistent with the Comprehensive Plan.**

   Finding: The property is guided for Planned Residential Neighborhood per the Comprehensive Plan to accommodate any future subdivision of land in the wider area. The Comprehensive Plan does have language in the implementation chapter about enhancing Faribault's gateways, and that the government should balance community interests and goals with individual rights. This property, although on the periphery of the city, is on Highway 60, a major route for people coming

to and exiting Faribault. A 4,000 square foot accessory structure, although 20-feet above the road, does not enhance one of Faribault's major gateways. The size of the structure would be noticeable from farther up or down the road. As stated in the previous criterion, Faribault regulates accessory structures for a variety of reasons to ensure compatibility, property value, and aesthetics. In this case, the government interest is balancing restrictions with individual property rights. City Staff does not see how the variance requests comply with the Comprehensive Plan.

3. The applicant proposes to use the property in a reasonable manner not permitted by the City's ordinances.

Finding: The applicant did not provide much justification for the size of the garage aside from that the property is large, rural in character, and the applicant will use it for storage. These points are not substantial enough to prove that there is a reasonable use for their size. The applicant has not demonstrated a practical difficulty why the proposed structure must be 4,000 square feet or why it is needed to have more accessory uses on the property than the primary use. Having a larger lot is not a substantial justification for the requests.

4. Unique circumstances apply to the property, which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owner of the property has not had control. The unique circumstances do not result from the actions of the applicant.

Finding: The applicant points to the size of the property as a unique circumstance to support having a larger accessory structure. However, there are many larger lots on the periphery of town, and particularly on the east side. Many of them are zoned to allow agriculture, which rightly changes the rules regarding accessory structures since farms need room to store implements and products or protect animals. This property is

not a farm and doesn't have a clear need for a large structure similar in size to what you might find on a farm or in the county. Having a large lot is not an adequate unique circumstance to be granted a variance.

5. The variance does not alter the essential character of the neighborhood.

Finding: Although the applicant states the area is rural, accessory structures on adjoining and nearby residential properties like the subject property do not contain accessory structures anywhere close to the proposed size or that result in more accessory use than primary use. A large accessory structure does not fit the character of the area. Although this is speculative, under the current home occupation rules, the applicant (or a future owner) could utilize 30% of the structure for a home business. This, coupled with the amount of garage doors and interior space, could result in a wide array of large home businesses (whether permitted or unpermitted) that would potentially not be compatible at this location.

6. The variance requested is the minimum variance, which would alleviate the practical difficulties.

Finding: The applicant states succinctly that the 4,000 square foot accessory structure is the smallest shed they want to build. Based on the previous findings for other criteria, the applicant is almost doubling or tripling the limit of allowed accessory use versus primary use and accessory structure size, respectively. Due to the applicant's proposal well exceeding limits, City Staff does not see a minimum necessary variance in the applicant's proposal.

7. Economic conditions alone do not constitute practical difficulties.

Finding: The applicant stated that the economic conditions alone do constitute a practical difficulty, but did not expand on their reasoning. As previously established, the applicant does not have a practical difficulty with the request, so regardless of

whether the economic conditions alone are or are not a practical difficulty, they cannot be the lone reasoning for granting a variance.

WHEREAS, the City Council, at a public meeting, on May 13, 2025, considered the request and concurred with all findings of the Planning Commission and City Planner as stated in the above recitals and hereby makes the identical findings.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY FARIBAULT, MINNESOTA AS FOLLOWS:

Section 1: Denial of the Requested Variances. The City Council hereby denies the requested variances as stated in the second and third recitals of this Resolution from Chapter 6, Article 4, Sec 6-180(C)(2) and Chapter 6, Article 4, Sec 6-170(3), of the City's Unified Development Ordinance. Said denial is based on the foregoing recitals, which are incorporated herein by reference, and which constitute the findings of the City Council, all of which are to protect the public's health, safety, and welfare.

Section 2. Compliance. The City Council authorizes the Mayor, City Administrator, City Planner, and the City Attorney to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 3. Effective Date. This resolution shall become effective immediately upon its passage and without publication.

Date Adopted: May 13, 2025

Faribault City Council

_____

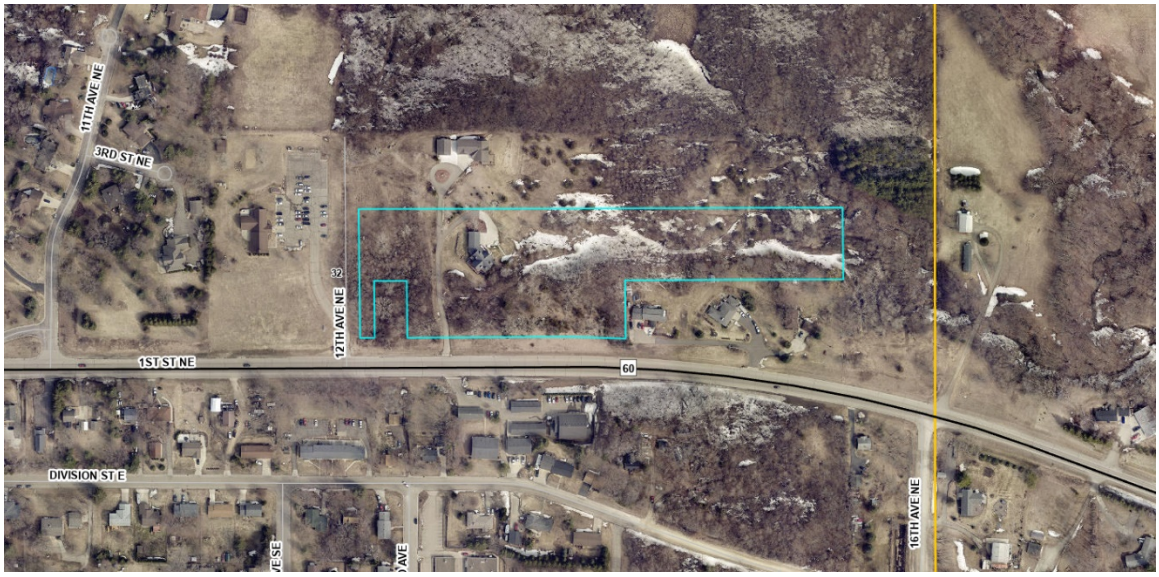
Thomas J. Spooner, Mayor

ATTEST:

_____

Jessica L. Kinser, City Administrator

Exhibit A
Property Description



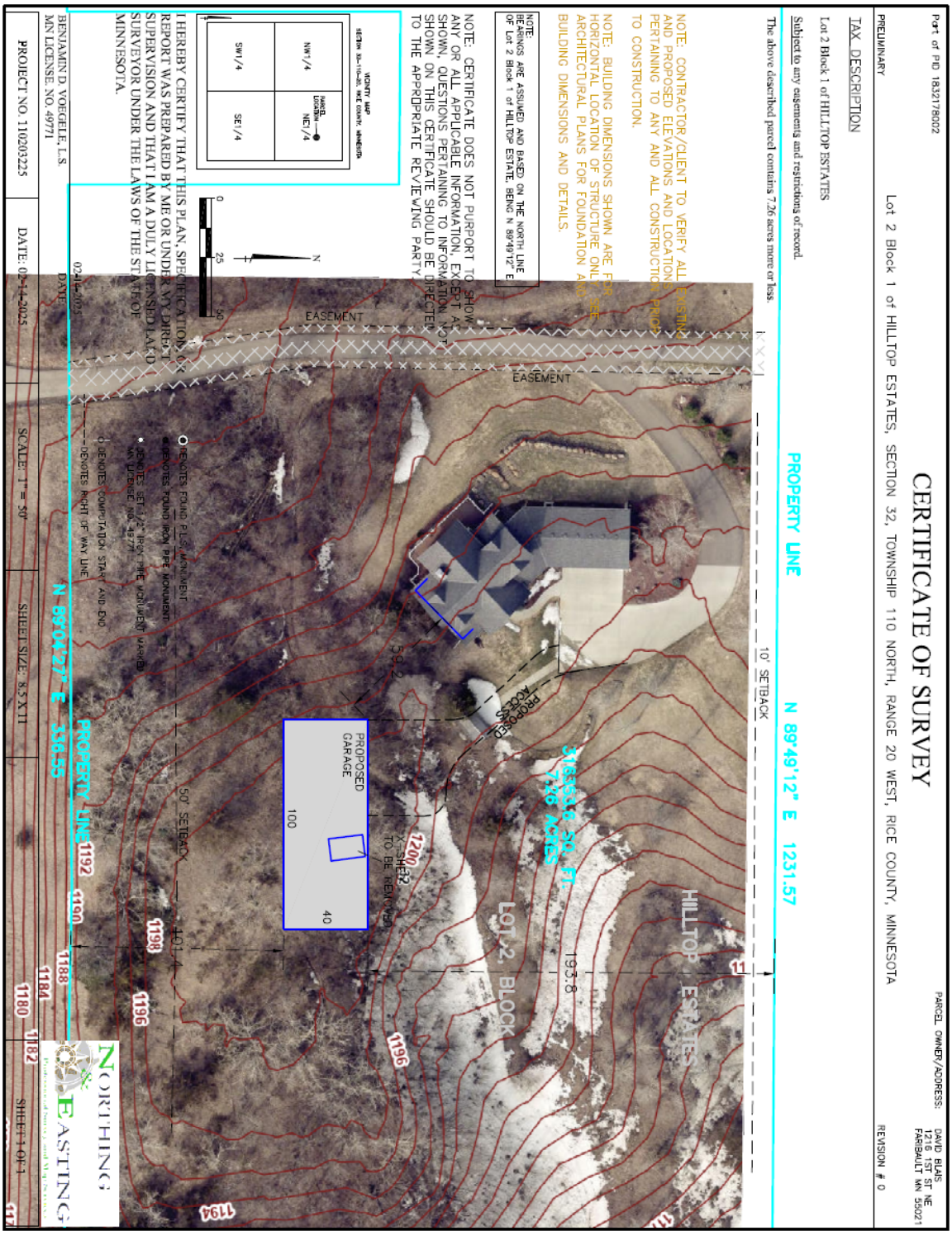
Blue Outline = Subject Property

PID 18.32.1.78.002 – 1216 1st St NE

Legal Description:

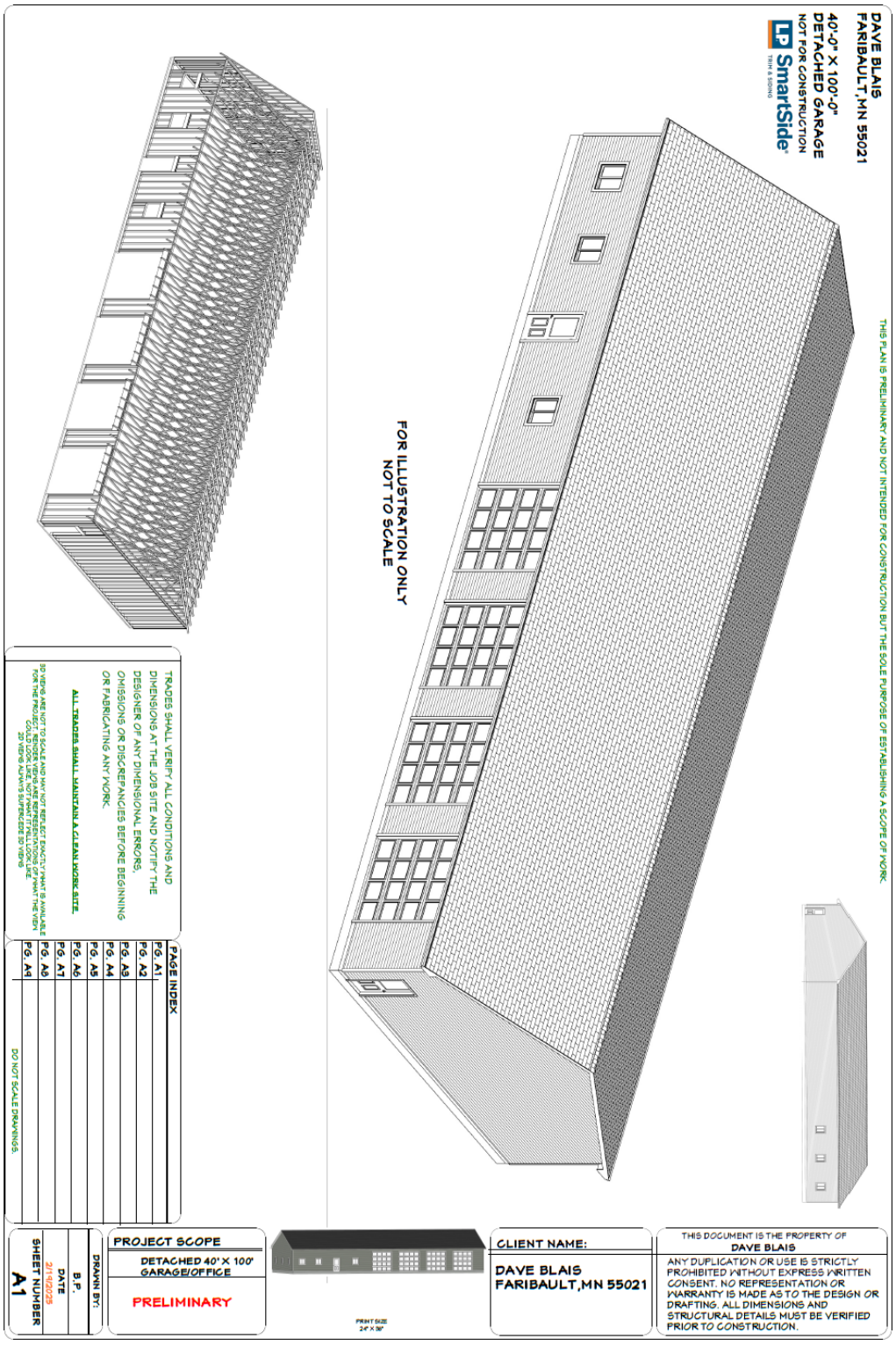
Lot 2, Block 1, Hilltop Estates

Exhibit B
Depiction of Variance



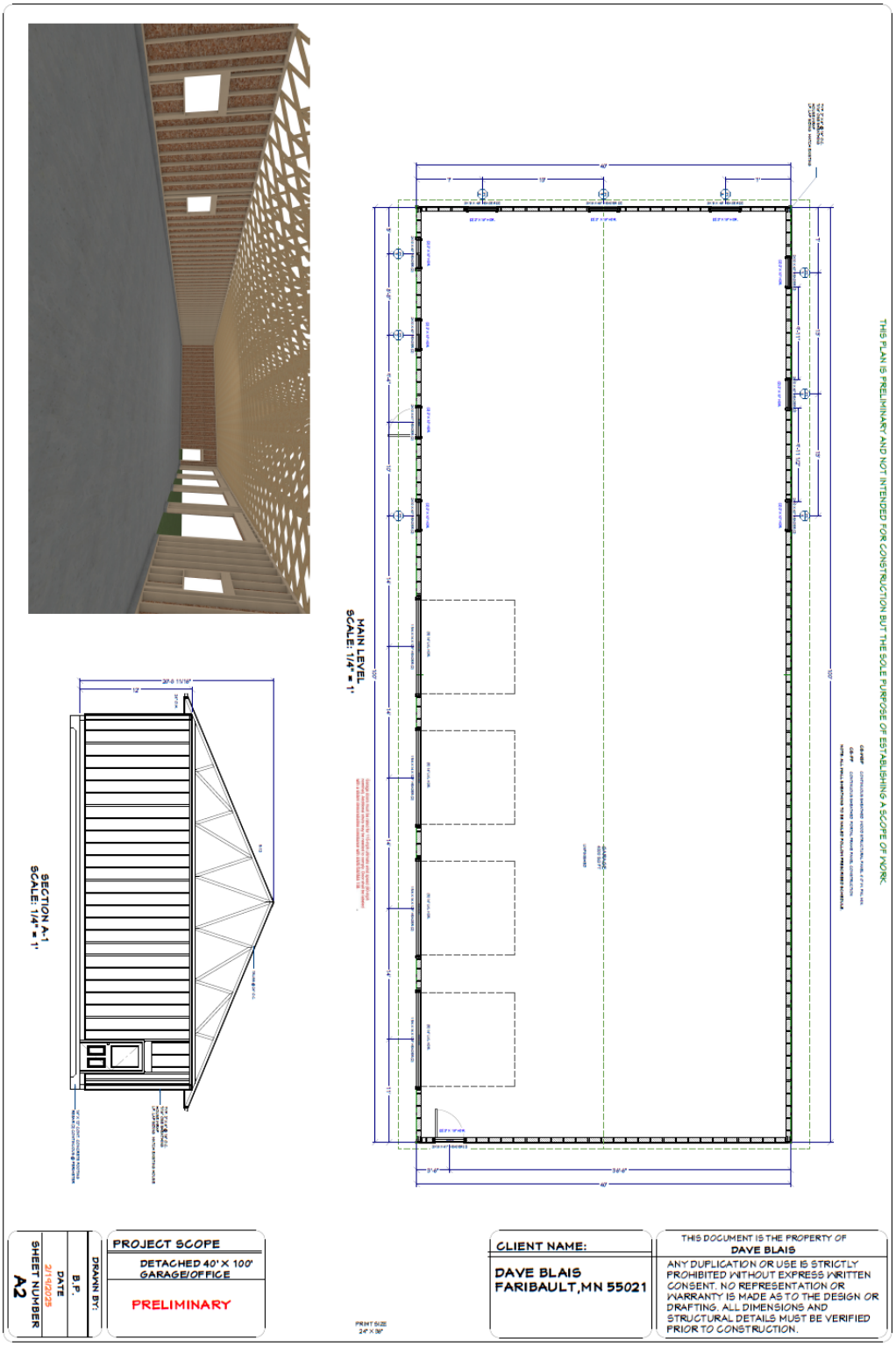
Site Plan

Exhibit B (contd.)



Building Exterior

Exhibit B (contd.)

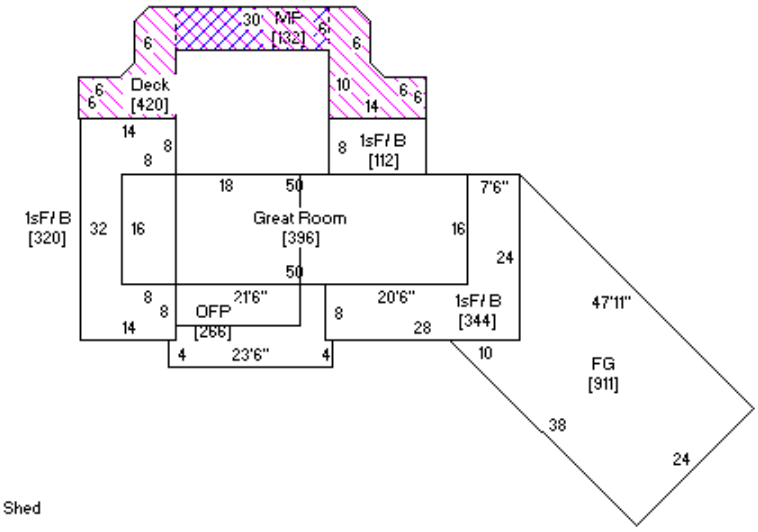


Building Interior

Exhibit B (contd.)

Residential Dwellings

Residential Dwelling	
Style	2 Story Frame
Architectural Style	N/A
Year Built	2014
Exterior Material	Composite Siding
Total Gross Living Area	2,772 SF
Attic Type	None;
Number of Rooms	9 above; 4 below
Number of Bedrooms	3 above; 1 below
Basement Area Type	Full
Basement Area	1,972
Basement Finished Area	1,860 - Living Qtrs. W/ Walk-out
Plumbing	1 Standard Bath - 3 Fixt; 1 Shower Stall Bath -3 Fixt; 2 Toilet Room (1/2 Bath); 2 Sink; 1 Fbgls Service Sink; 1 Cust Bath - 4 Fixt;
Central Air	Yes
Heat	Yes
Fireplaces	1 Gas; 1 Masonry w/Gas Insert;
Porches	1S Frame Open (266 SF);
Decks	Vinyl/CompoDeck (420 SF); Concrete Patio (132 SF);
Additions	1 Story Frame (320 SF) (320 Bsmt SF); 1 Story Frame (112 SF) (112 Bsmt SF); 1 Story Frame (344 SF) (344 Bsmt SF); High Ceiling-Frame (396 SF) (396 Bsmt SF);
Garages	911 SF - Att Frame (Built 2014);



Sketch by www.camavision.com

Property Details via Beacon GIS – Rice County

Exhibit C
Staff Report from Planning Commission

(insert document after this page)

REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	David Wanberg, CED Director
FROM:	Harry Davis, City Planning Manager
MEETING DATE:	May 5, 2025
SUBJECT:	Council Retreat

Background:
Recap of 4/29 City Council Retreat to be presented during meeting.

Recommendation:
No action needed.

Attachments: