



City of
BRAHAM

"Building A Better Tomorrow"

201 Broadway Avenue South
PO Box 521
Braham, MN 55006
Phone: 320.396.3383
Fax: 320.396.3478

**Planning Commission Meeting
September 23rd, 2024 at 5:00pm
Braham City Hall Council Chambers**

AGENDA

1. Call to Order and Pledge of Allegiance
2. Roll Call / Introductions
3. Approve Planning Commission Meeting minutes from April 22, 2024.
4. Discuss Variance proposal for PID NO. 14.056.0700
5. Discussion on the Comprehensive Plan Update.
6. Adjournment



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Variance Request Staff Report

Prepared by: Kevin Stahl Interim City Administrator

Property Address: PID NO. 14.056.0700 per doc NO A529494

Lot is located on the North East Corner of the intersection of 2nd street SE, and Beechwood Avenue South.

Why is Variance Needed?

The applicant is requesting to build a duplex that would be positioned 12.5 feet from the back of the proposed residence to the north property line. The proposed residences set back from both streets meets the ordinance requirements.

Zoning Code Language

§ 154.045 FRONT, SIDE, REAR YARD REQUIREMENTS.

- (A) *Front yard.* A front yard of not less than 30 feet is required.
 - (B) *Side yards.* Two side yards are required, each with a width of not less than eight feet each. Where a lot is located at the intersection of two or more streets, the width of the yard along the side street shall not be less than 30 feet.
 - (C) *Rear yard.* A rear yard with a depth of not less than 25 feet.
- (Ord. 199, passed 2-7-2000)

§ 154.397 CONDITIONS FOR GRANTING VARIANCES.

- (A) The City Council, acting as the Board of Adjustments and Appeals, may not permit, as a variance, any use that is not permitted under this chapter for property in the zone where the affected person's land is located.
- (B) A variance may be granted only when there exists a non-economic hardship in the reasonable use of a specific parcel of property. A non-economic hardship shall exist by reasons of one, or any, of the following:
 - (1) Narrowness, shallowness, or shape of a specific parcel of property or a lot existing, and of record, upon the effective date of this chapter;
 - (2) Exceptional topographic or water conditions of a specific parcel of land or lot;
 - (3) The property cannot be put to reasonable use if used under the conditions allowed by this chapter;
 - (4) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - (5) Granting the variance will not alter the essential character of the locality.
 - (a) Economic considerations alone do not constitute an undue hardship if reasonable use for the property exists under the terms of this chapter.

(b) A variance may be granted for in divisions (B)(1) through (B)(4) above when the strict application of the provisions of this chapter would result in exceptional difficulties in developing the property in a legally permissible manner. The Board of Adjustment and Appeals may impose conditions in granting the variance to ensure compliance to protect adjacent properties.
(Ord. 199, passed 2-7-2000)

According to the League of Minnesota Cities "State Law Says, 'Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the variance are consistent with the comprehensive plan'. This is in addition to the three-factor difficulties test. So, a city evaluating a variance application should make findings on whether:

- The variance is in harmony with the purposes and intent of the ordinance.
- The variance is consistent with the comprehensive plan.
- The proposal puts the property to use in a reasonable manner.
- There are unique circumstances to the property not created by the land owner.
- The variance, if granted, will not alter the essential character of the locality.

Next steps

The Planning Commission should discuss the variance criteria and determine whether to grant the variance.

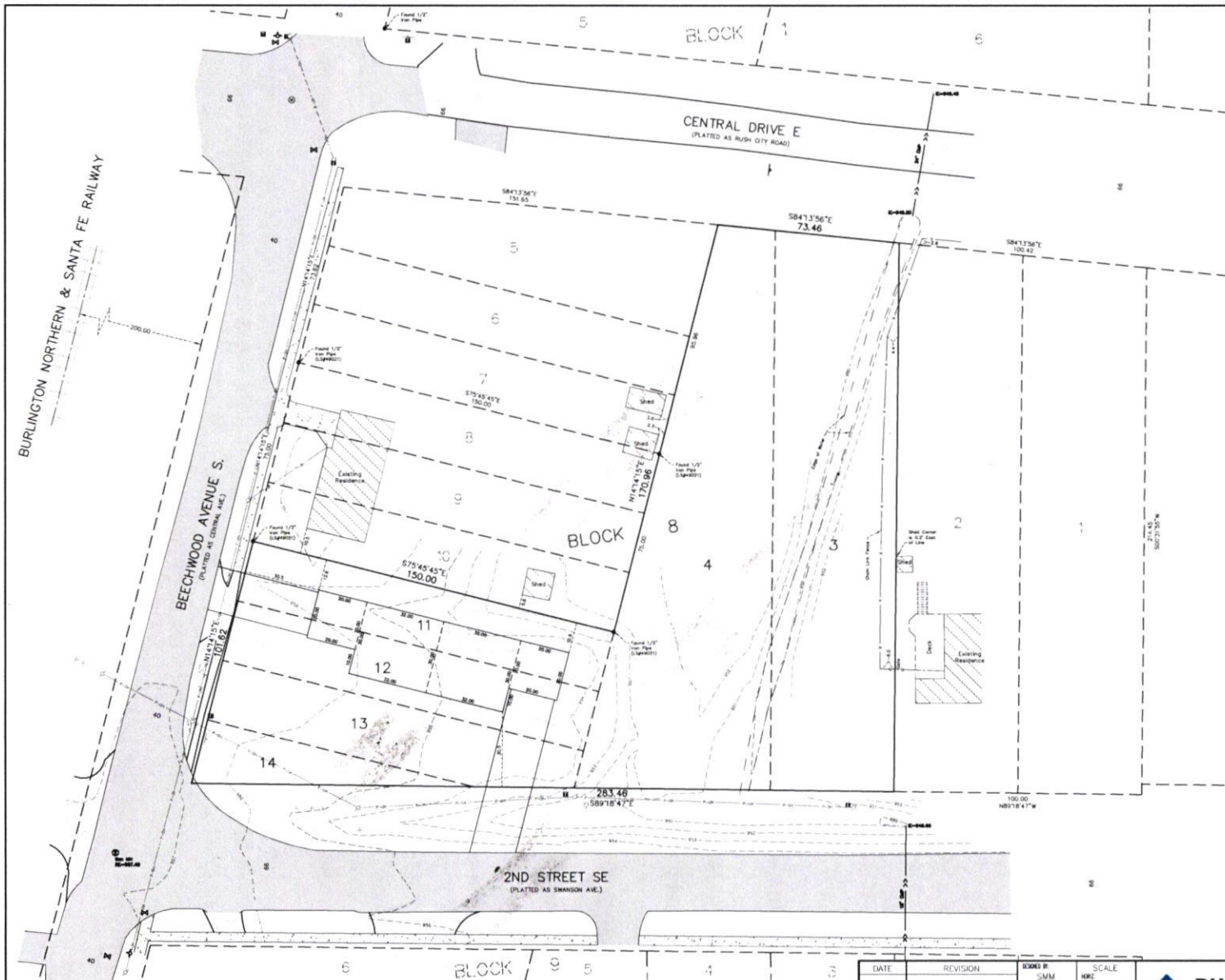
Once the Planning commission makes their decision, staff will prepare official findings of fact to be sent to the City Council for their consideration of the variance request.

Items to Consider.

Side yard separation per ordinance is a minimum of 8 feet. If a person would build a home oriented with the front towards Beechwood, then 12.5 feet is greater than required by ordinance.

Attachments

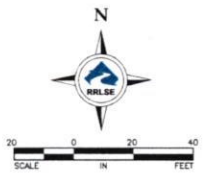
Site plan submitted by applicant.



DESCRIPTION OF PROPERTY SURVEYED:
 (PLOT NO. 14) (PLOT NO. 13) (PLOT NO. 12) (PLOT NO. 11) (PLOT NO. 10) (PLOT NO. 9) (PLOT NO. 8) (PLOT NO. 7) (PLOT NO. 6) (PLOT NO. 5) (PLOT NO. 4)
 LOT 4, 11, 12, 13 and 14, Block 8, Original Townsite of Block 8, according to the plot thereof on file and of record in the office of the County Recorder, Isanti County, Minnesota.

- NOTES:**
- Contractor to verify all building dimensions and elevations.
 - In providing this survey no attempt has been made to show or show data concerning existence, size, depth, condition, capacity or location of any utility existing on the site, whether private, municipal or public owned.
 - The professional surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and correct title search may disclose.
 - Square footage of property is xxx.xx Sq.Ft. or xxx Acres.
 - Builder/Owner place retaining walls as needed.
 - House pad needs to be cleared - YES NO
 - Lowest Floor Elevation is subject to soil/water table conditions and approval by the local building official.
 - Bearings are based on the Isanti County Coordinate System.
 - Address of Surveyed Property is Unassigned.

PROPOSED ELEVATIONS
 Lowest Floor Elevation: xxx.x
 Top of Slab Elevation: xxx.x
 Garage Slab Elevation: xxx.x



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Minnesota.

PRELIMINARY 06/04/24
 Brian Person, MN License No. 49138 Date

DATE	REVISION	DRAWN BY	SCALE
		SMM	1" = 20'
		SMM	
		BP	



CERTIFICATE OF SURVEY
 FOR
KDJ CUSTOM HOMES
 DATE 06/04/24 FILE NO. P-3934.14 SHEETS 1 OF 1

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