

Memorandum

TO: Planning Commission
FROM: Izaak Peterson , Senior Planner
DATE: March 24, 2026
SUBJECT: 3192 W. Owasso Blvd - Conditional Use Permit and Variance Requests- Lisa and Felix Ankel (Public Hearing)
ITEM NUMBER: 7.A
SECTION: NEW BUSINESS

REQUESTED MOTION

To adopt Resolution No. 26-19 approving a decrease to the minimum the front yard setback requirement from 185.1 feet to 35.4 feet for an attached accessory building addition at 3192 West Owasso Street and recommend the city council adopt Resolution No. 26-18, a conditional use permit for the proposed retention of an existing 451 square foot detached accessory building garage, with the proposed establishment of an attached garage on the property located at 3192 West Owasso Boulevard. These approvals are subject to the following conditions:

Variance

1. The project must be completed in accordance with the plans submitted with the variance application, and conditions set forth through this approval. Any significant changes to these plans, as determined by the Community Development Department, will require review and approval by the Planning Commission.
2. The project is subject to the permitting requirements of the Ramsey Washington Metro Watershed District. The applicant shall fulfill all permitting requirements of the Ramsey Washington Metro Watershed District as required.
3. The proposed attached garage shall meet a minimum setback of 35.4' feet from the front property line.
4. A tree removal and replacement plan approved by the Natural Resources Coordinator shall be submitted prior to issuance of a building permit.
5. The nonconforming presence of two dwellings on the property shall not be enlarged or expanded to occupy a greater area of land or space.
6. The finished topographical grade and elevation of the sites steep slope shall not be less than five feet below the existing topographical grade and elevation.
7. A Shoreland Mitigation Affidavit is required to be signed before the building permit is issued.
8. The approvals will expire after one year if a building permit has not been issued and work has not begun on the project.
9. This variance approval is subject to a five day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.

These actions are based on the following findings of fact:

1. Practical difficulty is present as stated in Resolution 26-19.
2. The proposed front yard setback reduction is a reasonable use of the property in a reasonable manner that is allowed in the R1, Detached Residential District.
3. The character of the neighborhood will not be altered by the reduced front yard setback to allow for the proposed attached accessory building, and no expansion or alteration are proposed to the existing detached accessory garage building.

Conditional Use Permit

1. This project must be completed in accordance with the accessory building plans submitted as part of the Conditional Use Permit application, and conditions set forth in Resolution No. 26-19. Any significant change to these plans, as determined by city staff, will require review and approval by the planning commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the proposed house.
3. The garage shall be used for the storage of personal property and other garage related purposes.
4. The garage shall not be used for livable or habitable space.
5. The garage shall not be enlarged beyond its current size of 451 square feet.
6. Further expansion of the existing detached garage accessory building is prohibited.

INTRODUCTION

On [June 25, 2024](#) the commission previously reviewed variance and a conditional use permit applications proposing to demolish a 2,006 square foot home on the property located at 3192 West Owasso Blvd, and rebuild the structure with a 2,909 square foot, 2-story walkout home which would contain a two car or larger attached garage. The property contains a 451 square foot detached garage and a 760 square foot detached second single family dwelling unit (the "existing cottage") that were proposed to be retained through the application.

At that time, variance consideration to code [Sec 111-120\(a\)](#) requesting the enlargement or extension of a nonconformity to occupy a greater area of land and a variance to [Sec 107-67](#) to allow detached dwelling units within the R1 District were considered, and subsequently denied. Variance consideration to allow for reduced front yard setback of 41.9' was approved, with conditions. In addition, the submitted conditional use permit application requesting to retain an existing 451 square foot garage was recommended for approval by the commission, and approved by the city council on [September 3, 2024](#).

Following the 2024 application review, the property owners submitted modified construction plans to demolish the 2,006 square foot home on the site and construct a 3,051 square foot home as an addition attached to the existing 760 square foot cottage, which would include a 912 square foot attached garage. The proposed plan intended to retain the non-conforming cottage, and bring the building into code conformity as an Accessory Apartment. The applicants also requested to retain the existing 451 square foot detached garage, as previously approved as a conditional use. The proposed plan also required a variance to [107-65\(g\)\(2\)\(i\)](#) requesting a reduced front yard setback of 135.8', less than the average of the adjacent homes (175.1'). The planning commission reviewed the revised plans on [May 27, 2025](#) and unanimously approved the requested variance and conditional use permit, which was ultimately approved by the city council.

The applicants, Lisa and Felix Ankel, have decided to pursue reducing the scope of the proposed project, and remodel the existing house on the site in an effort to maintain the nonconforming presence of two dwellings on the property. The proposed remodel includes the addition of an attached garage, which encroaches within the required minimum front yard setback, an average of the adjacent homes front setback. In order to permit the revised plans, the applicants request the following:

- Variance to [Sec 107-65\(g\)\(2\)\(i\)](#), to allow for a minimum front yard setback of 35.4' for the proposed attached accessory building, less than the average of the front yard setbacks for such existing adjacent dwellings (185.1').

As the proposed plans have substantially changed from the time of the previous conditional use permit approval, a new conditional use permit application has been submitted requesting the retention of the existing 451 square foot detached garage. The commission is being asked to provide recommendation to the city council regarding the submitted conditional use permit application.

DISCUSSION

The subject property is a standard riparian lot in the R1-Detached Residential District. The lot is 45,151 square feet, or 1.02 acres, with an average depth of 349 feet and a lot width of 137.4 feet. The lot's elevation slopes lakeward from a 936 foot elevation at the front lot line down to 886.7 feet at the Ordinary High Water line (OHW) which constitutes a steep slope.

The existing home does not contain an attached garage, is 2,009 square feet in size and is located 58.3 feet from the front property line, and 215.8 feet from the OHW of lake Owasso. The site also contains an existing detached garage that is 451 square feet in size located along Owasso Blvd West.

In addition, the site contains a second detached single family dwelling 760 square feet in size, located between the existing house and lake Owasso. The presence of two detached single-family dwellings on an R-1 property is not otherwise permitted by [Section 107-67](#) of the Shoreview Development Code, therefore the existing condition of the property constitutes a nonconformity.

The site currently contains two driveway curb cuts from West Owasso Boulevard, providing separate access to the existing home and detached garage. The property is surrounded by riparian residential properties to the north and south. The southern property line of the subject property is the border of Shoreview and the City of Roseville.

Project Description

The applicants propose to construct a 678 square foot attached garage, located at the front of the existing house. The application does not propose modification to the existing 451 detached garage, or expand the dwellable space of either dwelling unit located on the property. Grading and retaining wall alteration is proposed in association with the addition, to accommodate the garage construction.

Applicant Statement

The applicants state that the decrease in the front yard setback is necessary as a result of the steep grade and unique topography of the site. The property does not contain an attached

garage, which proves challenging given the steepness of the property slope from Owasso Blvd, to the house itself. The applicant indicates that the proposed request will not alter the character of the neighborhood, due to similar setbacks being present along West Owasso Blvd.

Development Code Requirements

Variance Request

The Development Code requires residential construction to comply with certain design standards and setbacks. Those standards and the requested variances are summarized in the table below.

Code Standard	Allowed	Proposed
Impervious Surface Coverage	11,287.75 square feet (25% of lot area)	9,576 (21.2% of lot area)
Building Height	35 feet	14.75 feet (front elevation)
Front Setback	175.1 feet minimum	35.4 feet**
OHW Setback	103.8 feet minimum (+/- 10 feet)	217.4 feet (existing)
Side Setback (Dwelling)	10 feet	19.9 feet
Side Setback (Attached Garage)	5 feet	10.2 feet
Accessory Building Total Area	1,500 square feet	1,129 square feet

** Variance Required

Development Code Section [107-65\(g\)\(2\)\(i\)](#) prescribes that when a building addition is proposed where existing dwellings immediately abutting the site exceed the minimum front yard setback of the zoning district by more than 15 feet, the front yard setback shall be equal to the average of the front yard setbacks for such immediately adjacent dwellings. The proposal requests to reduce this setback from 185.1 feet, to 35.4 feet.

Variance Criteria

When considering a variance request, the commission must determine whether the ordinance causes the property owner practical difficulty and find that granting the variance is in keeping with the spirit and intent of the ordinance. Practical difficulty is defined as:

1. Reasonable Manner. The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations.
2. Unique Circumstance. The plight of the property owner is due to circumstances unique to the property not created by the property owner.
3. Character of the Neighborhood. The variance, if granted, will not alter the essential character of the neighborhood.

***Economic Considerations alone do not constitute a practical difficulty.*

Conditional Use Permit

[Table 107-67](#) of the Development Code requires accessory buildings over 440 square feet to receive an approved conditional use permit, if the property contains with 2-car or larger attached garage . This code section also limits the total square feet of accessory building space to 1,500 square feet for lots that are one to two acres in size. The applicants are proposing to construct a 678 square foot attached garage and would like to retain the existing 451 square

foot attached garage. The combined size of the garages is 1,129 square feet, which is permissible. In order to permit the colocation of the site, a conditional use permit is required for the detached garage.

The intent of the conditional use permit is to assess the suitability of the proposed use in the zoning district and insure harmony with the Comprehensive Plan. A conditional use permit may be granted provided the proposed use is listed as a conditional use in the zoning district, the standards of the Development Code will be satisfied and the following criteria are met:

1. The use is in harmony with the general purposes and intent of the Development Ordinance.
2. The use is in harmony with the policies of the Comprehensive Plan.
3. Certain conditions as detailed in the Development Ordinance exist.
4. The structure and/or land use conform to the Land Use Chapter of the Comprehensive Plan and are compatible with the existing neighborhood.

The exterior design of the structure must be compatible with the dwelling and be similar in appearance from an aesthetic, building material and architectural standpoint. The proposed design, scale, height and other aspects related to the accessory structure are evaluated to determine the impact on the surrounding area. Building permits may be issued upon the finding that the appearance of the structure is compatible with the structures and properties in the surrounding area and does not detract from the area. The intent of these regulations and the City's Comprehensive Plan's policies is to ensure that the residential character of the property and neighborhood is maintained and that dwelling unit remains the primary feature and use of the property.

Staff Review

Front Yard Setback Variance

After reviewing the applicants' proposal, staff agrees with the applicant that a practical difficulty present for the front yard setback variance request.

1. *Reasonable Manner.* The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations. The applicant is proposing to construct an attached accessory building to an existing house which is a permitted use. The proposed attached accessory building does not contain dwellable space, and, as a result would not be considered an expansion of the nonconforming presence of two dwellings on the property.
2. *Unique Circumstances.* The plight of the property owner is due to circumstances unique to the property not created by the property owner. There are unique circumstances that affect the placement of a home on this property. The topography of the property is a steep hill on the majority of the site, with the exception of the existing building pad and portion of flat grade immediately in front of the house. The house currently encroaches within the required setback as a nonconformity, which predates the abutting dwellings. No attached garage location to the existing house would be able to meet the required front yard setback requirement, and otherwise conform with the required bulk/size standards permissible for attached accessory buildings.
3. *Character of Neighborhood.* The variance, if granted, will not alter the essential character of the neighborhood. The character of the neighborhood will not be altered. The proposed home is in a commensurate location as the existing home as it relates to proximity to the front the front property line, which has been in place since 1951. As a result, staff does not believe the character of the neighborhood will be impacted.

Conditional Use Permit

The existing detached garage was constructed in 1951, prior to the cities adoption of bulk and setback standards for detached garages. The existing garage is 9.2 feet from the front property line, within a required 20 foot front yard setback. In addition the garage is 5.73 feet from the southern side property line, located within a required 10 foot sideyard setback. As a result of the garages age predating the adoption of these standards, it may be maintained in place to it's current dimensions. As the property owner does not propose modification or expansion of the structure through this application, variance consideration to address these encroachments is not required in order to grant the conditional use permit. Staff believe that the maintenance and continuation of the existing garage, in tandem with the newly proposed attached garage is permissible, and is permissible by city code.

SHORELAND MITIGATION

In accordance with the development code, shoreland mitigation is required of property owners who are seeking certain land use approvals through the City. A condition of approval to fulfill this obligation if the application(s) are approved has been included within the recommended conditions of approval. Staff believe the use of neutral colors and materials for the building construction, and restoration of the steep slope grading contained within the previous building site as proposed, appropriately fulfill the shoreland mitigation requirement.

PUBLIC COMMENT

Property owners within 350 feet were notified of the applicants' requests. Additionally, notice regarding the proposed conditional use was posted within the March 10th Edition of the Shoreview Press. At the time of this staff report, no public comments have been received.

RECOMMENDATION

Staff recommends the planning commission adopt Resolution No. 26-19 approving a decrease to the minimum the front yard setback requirement from 185.1 feet to 35.4 feet for an attached accessory building addition at 3192 West Owasso Street and recommends the planning commission recommend the city council adopt Resolution No. 26-18, a conditional use permit for the proposed retention of an existing 451 square foot detached accessory building garage, with the proposed establishment of an attached garage on the property located at 3192 West Owasso Boulevard. These approvals are subject to the following conditions:

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than five feet below the existing topographical grade and elevation.

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ATTACHMENTS

[Location Map](#)

[Applicant Narrative](#)

[Proposed Building Plans](#)

[Proposed Survey](#)

[Resolution No 26-18](#)

[Resolution No 26-19](#)