



To: MAYOR AND COUNCIL

Agenda Item #: VI.C.

From: Cary Teague, Community Development Director

Action
Discussion
Information

Date: December 4, 2012

Subject: PUBLIC HEARING – Preliminary Plat with Lot Width and Lot Area Variances. Jerrod Lindquist, 5945 Concord Avenue, Resolution No. 2012-159.

Action Requested:

Adopt the attached Resolution No. 2012-159, denying the requested Subdivision with Variances.

Information / Background:

(Deadline for a City Council Decision – December 18, 2012)

Jerrod Lindquist is proposing to subdivide his property at 5945 Concord Avenue into two lots. If the request is approved, the existing home would be torn down and new homes built on each lot. (See applicant narrative and plans on pages A7–A15 of the Planning Commission staff report.) Also attached to the back of the report are signatures from adjacent property owners that support the project. To accommodate the request the following is required:

1. A Subdivision (Preliminary Plat);
2. Lot width variances from 77 feet to 50 feet for each lot; and
3. Lot area variances from 10,028 square feet to 6,794 and 6,800 square feet.

Planning Commission Recommendation: On October 10, 2012, the Planning Commission recommended denial of the request on a vote of 5-4, per the findings outlined in the Planning Commission staff report.

ATTACHMENTS:

- Resolution No. 2012-159
- Minutes from the October 10, 2012 Edina Planning Commission meeting
- Planning Commission Staff Report, October 10, 2012
- Supplemental Information from the applicant



**RESOLUTION NO. 2012-159
DENYING A PRELIMINARY PLAT, SUBDIVISION, AND VARIANCES
FOR PROPERTY AT 5945 CONCORD AVENUE IN EDINA**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

Section 1. BACKGROUND.

1.01 Jerrod Lindquist ("Applicant") has applied for preliminary plat approval, subdivision approval, and zoning variances for property with a street address of 5945 Concord Avenue legally described as:

Lots 13 (a 50 x 135 foot lot) and 14 (a 50 x 135 foot lot), Block 9, Fairfax, Hennepin County, Minnesota ("Subject Property").

	Area	Lot Width	Depth
City Code Requirement - Median	10,028 s.f.	77 feet	135 feet
Lot 1	6,794 s.f.*	50 feet*	135 feet
Lot 2	6,800 s.f.*	50 feet*	135 feet

1.02 The applicant is the property owner and resides at the subject property.

1.03 Applicant purchased the Subject Property in 1996.

1.04 The two lots that constitute the Subject Property are held in common ownership by Applicant. Subsection 850.07, Subd. 20B4a of the Zoning Ordinance provides: "If a non-conforming lot or parcel is, or at any time since October 22, 1951, has been, held in common ownership with all or part of an adjoining or abutting parcel or lot which together comply with, or come close to complying with, the minimum width, depth, area, and lot width to perimeter ratio, requirements of this Section, then such non-conforming lot or parcel and such adjoining or abutting parcel or lot shall be considered as one lot and shall not be decreased in size below such minimum requirements. If in a group of two or more adjoining or abutting lots or parcels owned or controlled by the same person, any single lot or parcel does not meet the full minimum depth, width, area or lot width to perimeter ratio requirements of this Section, such single lot or parcel shall not be considered as a separate lot or parcel able to be conveyed and developed under this Code."



- 1.05 The Subject Property is guided Single Family Residential under the City's Comprehensive Plan and is zoned R-1, Single Dwelling Unit District.
- 1.06 Applicant proposes to subdivide and plat the Subject Property into two lots; Lots 1 and 2, Block 1, Lindquist Addition.
- 1.07 Applicant has applied for multiple zoning variances:
 1. Lot width variances from the 77 feet required in the R-1 zoning district to 50 feet for each lot.
 2. Lot area variances from the 10,028 square feet required in the R-1 zoning district to 6,794 and 6,800 square feet.
- 1.08 On October 10, 2012, the Planning Commission recommended denial of the preliminary plat, subdivision and variances.
- 1.09 On December 4, 2012, the City Council held a public hearing on the proposed subdivision.

Section 2. FINDINGS.

- 2.01 The proposed plat and subdivision do not meet ordinance standards for a subdivision, because the proposed lots do not meet the minimum Zoning Ordinance requirements for lot area, lot width, and lot depth.
- 2.02 The variance standards have not been met:
 1. The Subject Property is a conforming single-family residential lot with a new single-family house and has a taxable market value of \$266,900. Reasonable use of the property exists today.
 2. The proposed variances are not in harmony with the general purpose and intent of the zoning ordinance which is to require nonconforming lots in common ownership to be developed as a single parcel.
 3. There are no practical difficulties in complying with the zoning ordinance standards. Applicant does not propose to use the property in a reasonable manner prohibited by the zoning ordinance. The Subject Property is only 3,566 square feet larger than the required minimum lot size. The proposed lots which are approximately 32% below the minimum lot size requirement are not reasonable.
 4. The practical difficulty alleged by the applicant's proposal to subdivide the property is self-created.

- 5. The need for the variance is created only by Applicant's desire to maximize the return on its investment. Such economic considerations alone do not constitute practical difficulties.
- 6. There are no circumstances unique to the Subject Property that justify granting multiple variance to enable the Applicant to create nonconforming lots. The Subject Property is similar in size to several lots to the east.

Section 3. The preliminary plat, subdivision and variances are denied.

Adopted this 4th day of December, 2012.

ATTEST: _____
Debra A. Mangen, City Clerk

James B. Hovland, Mayor

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss.
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of December 4, 2012, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this _____ day of _____, 2012.

City Clerk

**MINUTES
CITY OF EDINA, MINNESOTA
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
October 10, 2012
7:00 P.M.**

I. CALL TO ORDER

Chair Grabiell called the meeting to order at 7:00 PM

II. ROLL CALL

Answering the roll call were Scherer, Forrest, Schroeder, Kilberg, Potts, Platteter, Cherkassy, Carpenter, Staunton Fischer and Grabiell.

III. APPROVAL OF MEETING AGENDA

The agenda was filed as submitted.

IV. APPROVAL OF CONSENT AGENDA

Commissioner Carpenter moved approval of the September 27, 2012, meeting minutes. Commissioner Staunton seconded the motion. All voted aye; motion carried.

V. COMMUNITY COMMENT

None.

VI. PUBLIC HEARINGS

A. Subdivision with Lot Width and Lot Area Variance for Jerrod Lindquist, 5945 Concord Avenue, Edina, MN

Planner Presentation

Planner Teague informed the Commission Jerrod Lindquist is proposing to subdivide his property at 5945 Concord Avenue into two lots. If the request is approved, the existing home would be torn down and new homes built on each lot. Also attached to the back of the report are signatures from adjacent property owners that support the project.

To accommodate the request the following is required:

1. A subdivision;
2. Lot width variances from 77 feet to 50 feet for each lot; and

3. Lot area variances from 10,028 square feet to 6,794 and 6,800 square feet.

Teague noted that Lot 2 would gain access off Concord Avenue, and Lot 1 would have the option of access of Concord or 60th Street.

Planner Teague concluded that staff recommends that the City Council deny the proposed two lot subdivision of 5945 Concord Avenue and the lot width variances from 77 feet to 50 feet for each lot, and lot area variances from 10,028 square feet to 6,794 and 6,800 square feet.

Denial is based on the following findings:

1. The Subject Property is a conforming single-family residential lot with a new single-family house and has a taxable market value of \$266,900. Reasonable use of the property exists today.
2. The proposed variances are not in harmony with the general purpose and intent of the zoning ordinance which is to require nonconforming lots in common ownership to be developed as a single parcel.
3. There are no practical difficulties in complying with the zoning ordinance standards. Applicant does not propose to use the property in a reasonable manner prohibited by the zoning ordinance. The Subject Property is only 3,566 square feet larger than the required minimum lot size. The proposed lots which are approximately 32% below the minimum lot size requirement are not reasonable.
4. The practical difficulty alleged by the applicant's proposal to subdivide the property is self-created.
5. The need for the variance is created only by Applicant's desire to maximize the return on its investment. Such economic considerations alone do not constitute practical difficulties.
6. There are no circumstances unique to the Subject Property that justify granting multiple variance to enable the Applicant to create nonconforming lots. The Subject Property is similar in size to several lots to the east.

Appearing for the Applicant

Jerrod Lindquist, applicant and property owner.

Discussion/Comments & Questions

Commissioner Staunton asked for clarification on the 500-foot neighborhood radius.

Planner Teague responded that the 500-foot radius is found in both the subdivision and zoning ordinances as a way to establish "neighborhood".

Chair Grabiell asked for clarification on the lot description(s). Teague responded that the subject property is identified as Lots 13 & 14, Block 9, Fairfax, Hennepin County,

Minnesota.

Application Presentation

Jerrod Lindquist addressed the Commission and delivered a power point presentation explaining his reasons for subdividing and addressing the variances requested. Lindquist said his intent is to do what's best and right for the neighborhood.

Lindquist highlighted the following:

- Home was constructed in 1948 and it's not family-friendly by today's standards.
- Cost prohibitive to improve the home.
- House is functionally obsolete and not architecturally significant.
- Legal description indicates Lots 13 and 14, Block 9 of the Fairfax Addition.
- Believes the establishment of the 500-foot radius is out of date and was meant for other parts of the city.
- A precedent was established by approving subdivisions in this area.
- Current zoning laws were created after the Fairfax addition was designed, approved and build out.
- Character of the "immediate" neighborhood is preserved and enhanced by these two lots.
- Neighborhood support.

Public Comment

Ray Sharp 5940 Ashcroft Avenue acknowledged to the Commission his "lot" is also a "double lot", adding he recognizes there are those in Edina that are opposed to subdividing and the further redevelopment of these 100-foot "lots". Concluding, Sharp said he supports the subdivision request, adding it makes sense to approve this request noting it was originally platted as two 50-foot lots in the 50-foot lot neighborhood of Fairfax.

Gary Dorrian, 4708 west 60th Street, told the Commission he does not support the subdivision request as submitted. He noted that variances are needed, adding he can't support a subdivision that doesn't align with the 500-foot neighborhood lot size requirements.

Jeff Johnson, 5825 Ashcroft Avenue stated he supports the subdivision as proposed and acknowledged his home does not fall within the 500-foot neighborhood. He said Edina is a mature fully developed City with limited options for growth. He said in his opinion Edina is chosen for its schools, adding the new houses built on these smaller lots are almost always purchased by young families with kids. He also noted architects are also finding ways to build desirable houses on the 50-foot wide lots. Concluding, Johnson said if one looks at the facts and analyses the area, 60th Street is a major divide between "neighborhoods". The lot and homes south of 60th Street are larger and

were constructed 15 years after the lots were platted and houses were built north of West 60th Street.

Mary Lokowich, 6000 Ashcroft Avenue said in her opinion she feels that allowing the applicant to build two homes on these lots makes sense. Concluding, Lokowich added the two new houses would look better than one overly large house on a larger than average lot. Edina needs to continue to allow growth for families and this is one way to encourage that.

Chair Grabiell asked if anyone else would like to speak to this issue; being none Commissioner Staunton moved to close the public hearing. Commissioner Scherer seconded the motion. All voted aye; motion carried.

Discussion/Comments

Commissioner Forrest told the applicant she appreciates his presentation and is not adverse to subdivision; however, in this instance the criteria needed to support the variances is not there. Continuing, Forrest further explained that the Commission cannot consider economic circumstances in the decision making process. Concluding, Forrest said in her opinion changing the ordinance is the way to proceed; especially in these smaller lot neighborhoods.

Commissioner Fischer acknowledged the Commission has considered a number of subdivision requests in this immediate area with differing outcomes. He added this "immediate neighborhood" was platted with 50-foot wide lots but "sits" at the edge of a change in neighborhood character. Fischer acknowledged one could come to the conclusion that in this instance the methodology the City has chosen to determine "neighborhood" does not measure its character. Fischer agreed with previous comments that the "neighborhood" changes south of West 60th Street. Concluding, Fischer acknowledged the applicants outreach to the neighborhood and the neighborhood support.

Commissioner Scherer stated she isn't persuaded by the original plat to support the subdivision request as submitted. Scherer pointed out the ordinance was changed in the 1950's to require 75-foot wide lots, adding that should also be taken into consideration. Continuing, Scherer did acknowledge the differing outcomes for recent subdivisions in the area; however, she pointed out this one is different. This subdivision not only doesn't meet the 75-foot lot width zoning ordinance requirement it doesn't meet the median required in the subdivision ordinance. Scherer concluded she can't support this request, adding in this instance she is relying on the Code.

Chair Grabiell pointed out that there is and always has been a stipulation in the zoning ordinance that allows variances so requesting a variance is permitted under Code and not unreasonable. Scherer agreed, reiterating in this instance she doesn't find a hardship.

Commissioner Carpenter said he finds this frustrating on many levels. He explained that the Commission has attended hearings where neighbors are very much opposed to a subdivision but in this instance it's the opposite; neighbors support the request. Continuing, Carpenter said it is difficult to know what the right answer is. Carpenter said what it comes down to for him is that he can't find practical difficulties to support the request for variance. He noted the lot(s) can be used by remodeling the existing home or building a new house.

Commissioner Schroeder said he agrees with comments expressed by Commissioner Carpenter on the challenge of finding practical difficulties to support the granting of variances. Schroeder said he just can't find them; a house can be constructed on this lot. Continuing, Schroeder said he finds it interesting to think in terms of character, questioning if character is the plat; lines on paper or is character what one sees. Concluding, Schroeder added whichever way one views this subdivision; one lot or two this corner will change.

Commissioner Staunton agreed with Commissioner Fischer that cataloging the requests for subdivision within this area can be difficult, adding he believes an attempt should be made to be consistent. Continuing, Staunton said for him a difficulty arises because the new "lots" do not meet the median; therefore variances are required from both the zoning and subdivision ordinances. Staunton acknowledged that the Fairfax plat is mostly comprised of 50-foot wide lots; however, this lot(s) is located at a change in neighborhood. Concluding, Staunton said he cannot support the subdivision with variances as presented.

Chair Grabiell said that best way to ask "what's the neighborhood" is to ask the residents. Grabiell said it appears that the majority of residents within this neighborhood support the request as submitted and believe they reside in an area comprised of mostly 50-foot lots in a neighborhood of families with young children.

Motion

Commissioner Forrest moved to recommend denial of the preliminary plat based on staff findings. Commissioner Scherer seconded the motion. Ayes; Scherer, Forrest, Schroeder, Carpenter, Staunton. Nays; Fischer, Potts, Platteter Grabiell. Motion to deny carried 5-4.

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- ~~B. Comprehensive Plan Amendment, Preliminary Rezoning from POD-1, Planned Office District to PUD, Planned Unit Development, and Preliminary Development Plan for Mount Properties, 4005 West 65th Street and 6500 France Avenue, Edina, MN.~~



PLANNING COMMISSION STAFF REPORT

Originator Cary Teague Community Development Director	Meeting Date October 10, 2012	Agenda Item VI.A.
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INFORMATION & BACKGROUND

Project Description

Jerrod Lindquist is proposing to subdivide his property at 5945 Concord Avenue into two lots. (See property location on pages A1–A3b.) If the request is approved, the existing home would be torn down and new homes built on each lot. (See applicant narrative and plans on pages A7–A15.) Also attached to the back of the report are signatures from adjacent property owners that support the project.

To accommodate the request the following is required:

1. A subdivision;
2. Lot width variances from 77 feet to 50 feet for each lot; and
3. Lot area variances from 10,028 square feet to 6,794 and 6,800 square feet.

Lot 2 would gain access off Concord Avenue, and Lot 1 would have the option of access of Concord or 60th Street.

Within this neighborhood, the median lot area is 10,028 square feet, median lot width is 77 feet, and the median lot depth is 135 feet. (See attached median calculations on pages A4–A6 and A15.)

Surrounding Land Uses

The lots on all sides of the subject properties are zoned and guided low-density residential.

Existing Site Features

The existing site is a corner lot and contains a single-family home and attached garage on the east side of the lot. Access is gained off of 60th Street. (See pages A3, A3a, and A11.)

Planning

Guide Plan designation: Single-dwelling residential
Zoning: R-1, Single-dwelling district

Lot Dimensions

	Area	Lot Width	Depth
REQUIRED - Median	10,028 s.f.	77 feet	135 feet
Lot 1	6,794 s.f.*	50 feet*	135 feet
Lot 2	6,800 s.f.*	50 feet*	135 feet

* Variance Required

Grading/Drainage and Utilities

The city engineer has reviewed the proposed plans and submitted comment. (See page A17.) If the project is approved, a condition of approval should be that the conditions outlined in the city engineer memo must be met. Grading and drainage plans specific to any proposed house would be reviewed at the time of building permit. Drainage from any new home, garage or driveway would have to be directed to Concord Avenue, and/or 60th Street. Sewer and water are available to the site. Specific hook-up locations would be reviewed at the time of a building permit for each lot. A Minnehaha Creek Watershed District permit would also be required.

History of Subdivision Requests in the Area

The City of Edina has considered several subdivision requests with variances in this area. (See attached area map showing this locations of these requests on page A16. Please note that the medians were smaller than the subject proposal.) The following is the history in the past five years:

Requested Subdivisions in the last five years

1. In 2006, the property at 5901 France Avenue received variances to build four (4) 66-foot wide lots consistent with the area. (**Median = 9,269 s.f. & 73 feet wide.**)

2. In 2008, 6120 Brookview Avenue was proposed to be divided into two (2) 50-foot lots by Bravura Construction; however, the applicant withdrew the request before action was taken. (**Median = 6,700 s.f. & 50 feet wide.**)
3. In 2009, a 100-foot lot at 5920 Oaklawn was granted variances to divide into two (2) 50-foot lots. (**Median = 6,699 s.f. & 50 feet wide.**)
4. In 2011, the property at 5829 Brookview was granted variances to divide into two (2) 50-foot lots. (**Median = 6,769 s.f. & 50 feet wide.**)
5. In 2012, the property at 6109 Oaklawn was denied their request to subdivide the property into two (2) 50-foot lots. (**Median = 6,701 s.f. & 50 feet wide.**)
6. In 2012, 6120 Brookview was again proposed for subdivision. That request was denied. (**Median = 6,700 s.f. & 50 feet wide.**)

Again, within the above mentioned neighborhoods, the median lot size was smaller than the subject subdivision area. The median lot sizes in these other areas were typically less than 7,000 square feet and lot width was 50 feet. The median in this neighborhood is 10,028 square feet and 77 feet wide.

Primary Issue

- **Are the findings for a variance met?**

No. Staff believes that the findings for a Variance are not met with this proposal.

Per state law and the Zoning Ordinance, a variance should not be granted unless it is found that the enforcement of the ordinance would cause practical difficulties in complying with the zoning ordinance and that the use is reasonable. As demonstrated below, staff believes the proposal does meet the variance standards, when applying the three conditions:

- a) *Will the proposal relieve practical difficulties that prevent a reasonable use from complying with the ordinance requirements?*

No. Reasonable use does not mean that the applicant must show the land cannot be put to any reasonable use without the variance. Rather, the applicant must show that there are practical difficulties in complying with the

code and that the proposed use is reasonable. "Practical difficulties" may include functional and aesthetic concerns.

Staff believes that the property already has reasonable use with a single family home that complies with all minimum lot size requirements. It is the same size as the adjacent lot to the east. (See page A2.) Additionally, while the proposed lots would be similar in size to the lots to the north, they would however, be much smaller than the lots to the west, south and east. (See pages A4–A6.) These lots all far exceed the proposed lot width of 50 feet and lot area of 6,794 and 6,800 square feet. Because these lots are larger, the median lot area and width in this neighborhood is larger than the areas that had previous requests for subdivisions. (See previous pages.)

The action or request by the applicant to subdivide the property causes the practical difficulty. The request to subdivide the lot causes the need for the variances; therefore the practical difficulties are self-created.

Applicant does not propose to use the property in a reasonable manner prohibited by the zoning ordinance. The Subject Property is only 3,566 square feet larger than the required minimum lot size. The proposed lots which are approximately 32% below the minimum lot size requirement are not reasonable.

b) *There are circumstances that are unique to the property, not common to every similarly zoned property, and that are not self-created?*

The condition of this oversized lot is not unique to this neighborhood. There are three lots to the east that are the same size as the subject property. While the lots to the west and south are smaller than the subject lot, they are much larger than the proposed new lots. (See pages A4–A6.)

Again, this is a self-created hardship or practical difficulty caused by the applicant's request to subdivide. The circumstances are self-created due to the request to subdivide the property.

c) *Will the variance alter the essential character of the neighborhood?*

Yes. To subdivide this corner lot into 50-foot wide lots, it could alter the essential character of the intersection of 60th and Concord. Each lot on the corner is currently larger than the proposed 50 foot wide and 6,800 square foot lot.

Staff Recommendation

Recommend that the City Council deny the proposed two lot subdivision of 5945 Concord Avenue and the lot width variances from 77 feet to 50 feet for each lot, and lot area variances from 10,028 square feet to 6,794 and 6,800 square feet.

Denial is based on the following findings:

1. The Subject Property is a conforming single-family residential lot with a new single-family house and has a taxable market value of \$266,900. Reasonable use of the property exists today.
2. The proposed variances are not in harmony with the general purpose and intent of the zoning ordinance which is to require nonconforming lots in common ownership to be developed as a single parcel.
3. There are no practical difficulties in complying with the zoning ordinance standards. Applicant does not propose to use the property in a reasonable manner prohibited by the zoning ordinance. The Subject Property is only 3,566 square feet larger than the required minimum lot size. The proposed lots which are approximately 32% below the minimum lot size requirement are not reasonable.
4. The practical difficulty alleged by the applicant's proposal to subdivide the property is self-created.
5. The need for the variance is created only by Applicant's desire to maximize the return on its investment. Such economic considerations alone do not constitute practical difficulties.
6. There are no circumstances unique to the Subject Property that justify granting multiple variance to enable the Applicant to create nonconforming lots. The Subject Property is similar in size to several lots to the east.

Deadline for a City Decision: January 2, 2013

City of Edina



- Legend**
- Highlighted Feature
 - Surrounding House Number Labels
 - Street Name Labels
 - City Limits
 - Creeks
 - Lake Names
 - Lakes
 - Parks
 - Parcels

Map created with ArcGIS - Copyright (C) 2006 GIS 2006



PID: 1902824310101

**5945 Concord Ave
Edina, MN 55424**



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City of Edina



- Legend**
- Surrounding House Number Labels
 - House Number Labels
 - Street Name Labels
 - City Limits
 - Creeks
 - Lake Names
 - Lakes
 - Parks
 - Parcels
 - 2009 Aerial Photo



PID: 1902824310101

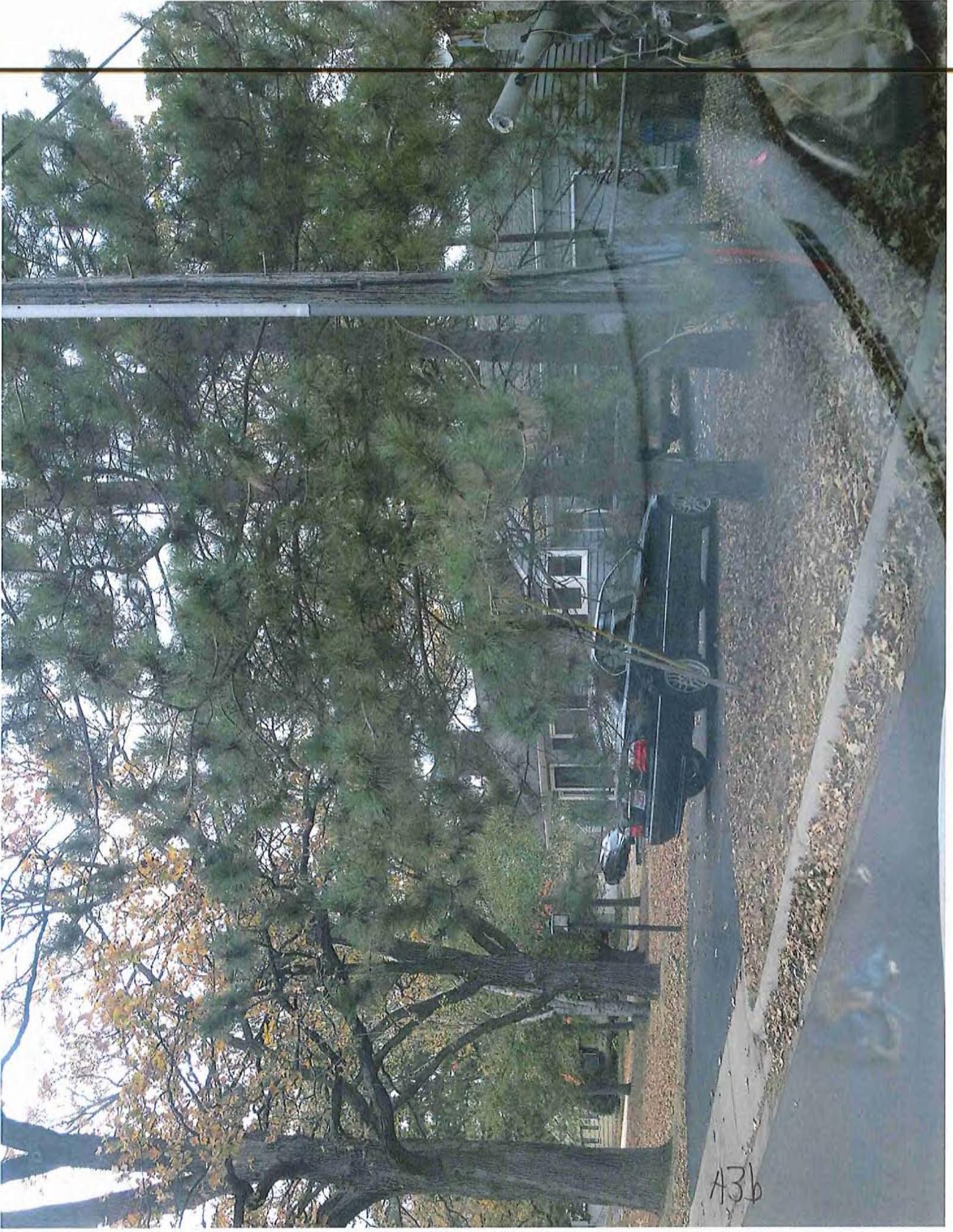
**5945 Concord Ave
Edina, MN 55424**





EXISTING HOME

A3a



A3b

City of Edina



- Legend**
- Highlighted Feature
 - Surrounding House Number Labels
 - House Number Labels
 - Street Name Labels
 - City Limits
 - Creeks
 - Lake Names
 - Lakes
 - Parks
 - Parcels

PID: 1902824310101

5945 Concord Ave
Edina, MN 55424

Median Lot Area = 10,028 s.f.

Proposed = 6,794 s.f. (Lot 1)
6,800 s.f. (Lot 2)

City of Edina



- Legend**
- Highlighted Feature
 - Surrounding House Number Labels
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PID: 1902824310101

**5945 Concord Ave
Edina, MN 55424**



Median Lot Depth = 135 feet

Proposed = 135 feet (Lot 1)
135 feet (Lot 2)

AG

JERROD C. LINDQUIST

5945 Concord Avenue, Edina, MN 55424
952.925.7921 • 952.221.0762 (cell) • jerrod@gmail.com

Applicant Narrative

My name is Jerrod Lindquist and I am the property owner at 5945 Concord Avenue in Edina. I have lived within our wonderful city for the past 20 years and at this current address for 16 years. I am seeking approval of subdivision/variance of my property at 5945 Concord Avenue in Edina into the original two platted lots, 5941 and 5945 Concord Avenue. My lots are currently recorded as lots 13 and 14 of the Fairfax Addition. I understand that this requires a subdivision and variance as the resulting lots would be less 75 feet wide at 50 feet wide, even as they were originally designed and remain shown this way. I have submitted the required applications and fees and am submitting this information to illustrate why they have been submitted and also why these applications should be approved.

In support of this endeavor, I have done much research and due diligence through which I have discovered the following:

1. **Neighborhood Support.** There is overwhelming support within the neighborhood for granting approval of the subdivision and variance applications.

I conducted an exhaustive survey of the neighborhood, focusing on and using the 500 foot circle the City uses and requires for notification purposes. The 500 foot circle encompasses 82 homes, including my home. I personally visited with the homeowners (and residents of non-homeowner occupied homes) of 80 out of the 82 homes and had the following results:

- 71 In Favor
- 0 Against
- 9 Neutral/Passive
- 2 No Answer Available/Possible

(Please see Appendix for a full description of the survey, my methodology and the results)

The overwhelming opinion of my neighbors is in support of the subdivision/variance, little apathy and precisely no opposition. The discussions with each neighbor also covered the following topics which are more fully detailed below. Also, I will bring letters of total support from the two adjacent neighbors – whom, of course, are most affected by this subdivision/variance.

2. **Lot Size.** The subdivision will result in two 50 foot lots which will match every other west-facing lot of the 5900 block of Concord Avenue. The resultant lots also match the vast majority of lots to the north and east, all of which were originally subdivided into 50 foot width lots (although not all homes were built that way, but a large majority were). These lots were all part of the Fairfax Addition. The lots to the south and west of my lots

were part of later additions (South Concord and Valley View Terrace 2nd, to be specific) which added slightly larger lots to Edina. The South Concord and Valley View Terrace 2nd additions actually begin just across the street from my lots, to the west and south, respectively and thus my lots are the most southeastern of the Fairfax Addition. I am proposing that these lots be considered with respect primarily to the rest of the Fairfax Addition and the resultant lot size is the same as the large majority in the addition and only slightly smaller than those in the adjacent additions. In conclusion, two 50 foot lots will be a) in keeping with and b) within the character of the neighborhood as well as the original plat and, once again, has the full support of the neighborhood.

3. **Resultant House(s).** The houses built/remodeled/redeveloped on the lots would better fit the neighborhood vs. one large house. There have been several houses built on 50 foot lots in the neighborhood over the last several years and building two houses on these lots, given approval, would result in a better fit for the neighborhood. One large house built, as my current house sits, in the middle of the two lots, would not fit the neighborhood as well. Two houses is much preferred over one based on the survey with the 80 homeowners/residents with which I had conversations. I know that the neighbors have noted at least one much larger house built on a larger lot in the neighborhood and while there isn't much opposition to the redevelopment that has taken place, the neighbors would much prefer the two house approach the this subdivision/variance gives.
4. **Community Investment.** As a smaller but no less valid point, the two house opportunity would result in a larger overall contribution to home values to the neighborhood, boosting per house value (not to mention a higher tax base for the city). This was also the consensus opinion of the neighbors. Plus, granting approval of this subdivision keeps investment dollars flowing into our great city.

Conclusion

Given the evidence and the history, reality of today and future resultant benefits, I humbly believe and submit that the logical conclusion is to grant acceptance of the subdivision and variance applications. I can also certainly arrange these points into the categories listed specifically in the variance application but have noted that the City Council hearings don't necessarily follow that format. I remain available at the above phone number (my cell number is best) and address if there are any questions or concerns that I can address. I thank you for your consideration.

Sincerely,



Jerrod C. Lindquist

Appendix

Neighborhood Survey Results

I endeavored to talk with each and every homeowner/resident within the 500 foot notification circle. Over the period of several weeks, I was able to have a conversation with at least one homeowner/resident of 80 of the 82 homes within this circle. Prior to giving the results, I will describe the topics covered within these conversations.

1. **Background.** I explained my history how I came to the subdivision process, which is as follows:
 - a. I was planning to improve my house through interior upgrades/renovations and perhaps an addition.
 - b. Current valuation is set at \$289.2k as an assessed value.
 - c. Current transactions for similarly-sized houses purchased just for lots (specifically for redevelopment) have been greater than this amount, in some cases significantly greater. In any case, the land is worth much more than the house, which is a unique situation, to be sure.
 - d. Conversations with several local officials and builders led me to the conclusion that it would take upgrades/additions of a very high value to realize the return of the investment, should I ever want to sell the house, especially given the large amount of redevelopment taking place in the neighborhood and city. There is just no return of investment not to mention no return on investment – return on investment, while not uncommon for residential housing, is real nonetheless and must be considered carefully in today's and the foreseeable future's economic climate.
 - e. I, along with several other experts, concluded that my house was basically obsolete and my land would be best redeveloped. As I don't need a large house, I concluded that the property should be sold and I would look for a smaller house in the neighborhood. The conclusion and consensus was also that the neighborhood and city would be best served if the lots were subdivided back to the original 50 foot lots for this redevelopment.
2. **Neighborhood Opinion Needed.** I had noted the success and failure of other subdivision endeavors in the city (though first-hand experience and research). I determined that although the city staff and many officials had supported each subdivision (especially those almost identical to my proposal), it was vocal neighborhood opposition that scuttled the few that weren't ultimately approved by the Edina City Council. So I set out to determine how my neighbors felt about my conclusions and plans before I spent the money (not a small amount!) and time in seeking approval of the subdivision/variance.
3. **Survey Designed.** I made special forms for each of the properties within the 500 foot circle, provided by the staff at the City of Edina Planning Department and set off knocking on doors.
4. **Survey Executed.** I thoroughly described my thought and research processes as thoroughly as I could (or was allowed) to each homeowner. This included as much of the information included under items 1 and 2 in this appendix and I was sure to emphasize that they could

say NO!, they didn't support my plan and they wouldn't offend me. If they were to be against it, however, I would want to know why so that I could collect the reasons and possibly correct any misconceptions that they had (but reinforcing that they could still be against it, of course), given my extensive work and research into the topic.

Results

The results of the survey are as follows:

71 In Favor
0 Against
9 Neutral/Passive
2 No Answer Available/Possible

Notes:

1. The Neutral/Passive category contains:
 - a. Mostly homeowners that sincerely had no opinion one way or the other
 - b. A few rental homes whose owners weren't available, although logic would dictate that they would be in favor of the subdivision and resultant neighborhood investment.
 - c. One home within which resides one Edina City Council member.
2. The No Answer Available/Possible category contains:
 - a. One home whose resident was just home from the hospital and I didn't want to disturb her
 - b. One home that doesn't seem to be occupied at this time, at least not with any regularity as I could never see evidence of anyone home beyond the grass being mowed one time.
3. While there were none in the Against category, there were three or four that were initially against the subdivision. After short discussions, all of these homeowners voluntarily moved their positions to In Favor or Neutral, all the while their potential vote in the Against category was not discouraged.

Conclusion

The neighbors are overwhelmingly in favor of granting acceptance of the subdivision and variance requests.

Revised
Narrative

JERROD C. LINDQUIST

5945 Concord Avenue, Edina, MN 55424
952.925.7921 • 952.221.0762 (cell) • jerrod1@gmail.com

Applicant Narrative

My name is Jerrod Lindquist and I am the property owner at 5945 Concord Avenue in Edina. I have lived within our wonderful city for the past 20 years and at this current address for 16 years. I am seeking approval of subdivision/variance of my property at 5945 Concord Avenue in Edina into the original two platted lots, 5941 and 5945 Concord Avenue. My lots are currently recorded as lots 13 and 14 of the Fairfax Addition. I understand that this requires a subdivision and variance as the resulting lots would be less 75 feet wide at 50 feet wide, even as they were originally designed and remain shown this way. I have submitted the required applications and fees and am submitting this information to illustrate why they have been submitted and also why these applications should be approved.

In support of this endeavor, I have done much research and due diligence through which I have discovered the following:

- 1. **Neighborhood Support.** There is overwhelming support within the neighborhood for granting approval of the subdivision and variance applications.

I conducted an exhaustive survey of the neighborhood, focusing on and using the 500 foot circle the City uses and requires for notification purposes. The 500 foot circle encompasses 82 homes, including my home. I personally visited with the homeowners (and residents of non-homeowner occupied homes) of 80 out of the 82 homes and had the following results:

- 67 **In Favor** (47 Signed, 20 Unsigned/Unavailable to Sign (to date))
- 2 **Against**
- 13 **Neutral/Undecided/No Answer Available or Possible**

(Please see Appendix A for a full description of the survey, my methodology and results)

The overwhelming opinion of my neighbors is in support of the subdivision/variance, little apathy and very little opposition. The discussions with each neighbor also covered the following topics which are more fully detailed below and in the letter sent to neighbors (see Appendix B). Also, I will bring the support from the two adjacent neighbors – whom, of course, are most affected by this subdivision and variance.

- 2 **Lot Size.** The subdivision will result in two 50 foot lots which will match every other west-facing lot of the 5900 block of Concord Avenue. The resultant lots also match the vast majority of lots to the north and east, all of which were originally subdivided into 50 foot width lots (although not all homes were built that way, but a large majority were). These lots were all part of the Fairfax Addition. The lots to the south and west of my lots were part of later additions (South Concord and Valley View Terrace 2nd, to be specific)

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which added slightly larger lots to Edina. The South Concord and Valley View Terrace 2nd additions actually begin just across the street from my lots, to the west and south, respectively and thus my lots are the most southeastern of the Fairfax Addition. I am proposing that these lots be considered with respect primarily to the rest of the Fairfax Addition and the resultant lot size is the same as the large majority in the addition and only slightly smaller than those in the adjacent additions. In conclusion, two 50 foot lots will be a) in keeping with and b) within the character of the neighborhood as well as the original plat and, once again, has the full support of the neighborhood.

- 3 **Resultant House(s).** The houses built/remodeled/redeveloped on the lots would better fit the neighborhood vs. one large house. There have been several houses built on 50 foot lots in the neighborhood over the last several years and building two houses on these lots, given approval, would result in a better fit for the neighborhood. One large house built, as my current house sits, in the middle of the two lots, would not fit the neighborhood as well. Two houses is much preferred over one based on the survey with the 80 homeowners/residents with which I had conversations. I know that the neighbors have noted at least one much larger house built on a larger lot in the neighborhood and while there isn't much opposition to the redevelopment that has taken place, the neighbors would much prefer the two house approach the this subdivision/variance gives.
- 4 **Community Investment.** As a smaller but no less valid point, the two house opportunity would result in a larger overall contribution to home values to the neighborhood, boosting per house value (not to mention a higher tax base for the city). This was also the consensus opinion of the neighbors. Plus, granting approval of this subdivision keeps investment dollars flowing into our great city.

Conclusion

Given that my property will be sold and slated for redevelopment as soon as this decision is made, it comes down to the simple question of one McMansion or two reasonably sized homes that better fit with the neighborhood. Given the evidence and the history, reality of today and future resultant benefits, I humbly believe and submit that the logical conclusion is to grant acceptance of the subdivision and variance applications to allow two homes to be built. I can also certainly arrange these points into the categories listed specifically in the variance application but have noted that the City Council hearings don't necessarily follow that format. I remain available at the above phone number (my cell number is best) and address if there are any questions or concerns that I can address. I thank you for your consideration.

Sincerely,



Jerrod C. Lindquist

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Appendix A

Neighborhood Survey Results

I endeavored to talk with each and every homeowner/resident within the 500 foot notification circle. Over the period of several weeks, I was able to have a conversation with at least one homeowner/resident of 80 of the 82 homes within this circle. Prior to giving the results, I will describe the topics covered within these conversations.

1. **Background.** I explained my history how I came to the subdivision process, which is as follows:
 - a. I was planning to improve my house through interior upgrades/renovations and perhaps an addition.
 - b. Current valuation is set at \$289.2k as an assessed value.
 - c. Current transactions for similarly-sized houses purchased just for lots (specifically for redevelopment) have been greater than this amount, in some cases significantly greater. In any case, the land is worth much more than the house, which is a unique situation, to be sure.
 - d. Conversations with several local officials and builders led me to the conclusion that it would take upgrades/additions of a very high value to realize the return of the investment, should I ever want to sell the house, especially given the large amount of redevelopment taking place in the neighborhood and city. There is just no return of investment not to mention no return on investment – return on investment, while not uncommon for residential housing, is real nonetheless and must be considered carefully in today's and the foreseeable future's economic climate.
 - e. I, along with several other experts, concluded that my house was basically obsolete and my land would be best redeveloped. As I don't need a large house, I concluded that the property should be sold and I would look for a smaller house in the neighborhood. The conclusion and consensus was also that the neighborhood and city would be best served if the lots were subdivided back to the original 50 foot lots for this redevelopment.
2. **Neighborhood Opinion Needed.** I had noted the success and failure of other subdivision endeavors in the city (though first-hand experience and research). I determined that although the city staff and many officials had supported each subdivision (especially those almost identical to my proposal), it was vocal neighborhood opposition that scuttled the few that weren't ultimately approved by the Edina City Council. So I set out to determine how my neighbors felt about my conclusions and plans before I spent the money (not a small amount!) and time in seeking approval of the subdivision/variance.
3. **Survey Designed.** I made special forms for each of the properties within the 500 foot circle, provided by the staff at the City of Edina Planning Department and set off knocking on doors.
4. **Survey Executed.** I thoroughly described my thought and research processes as thoroughly as I could (or was allowed) to each homeowner. This included as much of the information included under items 1 and 2 in this appendix and I was sure to emphasize that they could say NO!, they didn't support my plan and they wouldn't offend me. If they were to be

A10c

against it, however, I would want to know why so that I could collect the reasons and possibly correct any misconceptions that they had (but reinforcing that they could still be against it, of course), given my extensive work and research into the topic.

Results

The results of the survey are as follows:

- 67 In Favor (47 Signed, 20 Unsigned/Unavailable to sign)**
- 2 Against**
- 13 Neutral/Undecided/No Answer Available or Possible**

Notes:

1. The Neutral/Undecided/No Answer category contains:
 - a. Mostly homeowners that sincerely had no opinion one way or the other
 - b. A few rental homes whose owners weren't available, although logic would dictate that they would be in favor of the subdivision and resultant neighborhood investment.
 - c. One home within which resides one Edina City Council member.
 - d. One home whose resident was just home from the hospital and I didn't want to disturb her
 - e. One home that doesn't seem to be occupied at this time, at least not with any regularity as I could never see evidence of anyone home beyond the grass being mowed one time.
2. While there were two in the Against category, there were three or four others that were initially against the subdivision. After short discussions, all of these homeowners voluntarily moved their positions to In Favor or Neutral, all the while their potential vote in the Against category was not discouraged.

Conclusion

The neighbors are overwhelmingly in favor of granting acceptance of the subdivision and variance requests.

A10d

Appendix B

Neighbor Letter

Note: This letter has been updated for latest homeowner survey results and formatted for ease of reading but content is equivalent to original letter. Original letter is available for review and submitted to City Staff for inclusion at their discretion.

A10e

JERROD C. LINDQUIST

5945 Concord Avenue, Edina, MN 55424
952.925.7921 • 952.221.0762 (cell) • jerrod@gmail.com

Dear Neighbor,

As you know, I have applied for subdivision of my two lots at 5945 Concord Avenue and the other enclosed letter is the form letter notification we discussed that goes to homeowners within a 500 foot radius of my property – a total of 82 homes! I received the ok from the planning department to enclose this letter because, as we also discussed, the letter isn't very descriptive about the process and I also wanted to take this opportunity to update you on the situation as it stands today.

Over the past several weeks, I've been letting you know in person about my plans and asking for your opinions and questions about the subdivision of my two lots. To refresh your memory, my house is built in the middle of two 50' lots to make one 100' lot. Even though this was the original design, the city requires that a subdivision take place in order to build two separate houses on these lots. The support for my plan has been very positive with 80 out of 82 homes visited and 70 being positive about the plan, 2 against and 8 neutral (neutrals include rentals, a city official and others who honestly have no opinion or no desire to take a position). That is some nice neighborhood support! I thank you for this as this is important to me as my neighbors, neighborhood and Edina mean very much to me (and has been an expensive undertaking, to say the least!).

So that's the good news and now for the not so good news. The city planning department has just informed me that they intend to not support this subdivision, if only because the resultant lot sizes fall below the median for the 500 foot radius. I will describe this in more detail in the coming items. Needless to say, this is troubling to hear this late in the process and seems to ignore the facts that:

1. The neighborhood is overwhelmingly in favor of it, as the survey results mentioned above show. I am also happy to have the total support of my adjoining neighbors, which is important to me. It also makes common sense (which I will also describe) but I wanted to know there was neighbor support before starting, which there certainly was.
2. It is in keeping with the character of the neighborhood. All of the other west-facing lots on Concord Avenue are 50' lots so this subdivision makes them all the same. My two lots are the most southwestern of the Fairfax Addition to Edina while the lots immediately to the west and south were of additions of different design (non-rectangular in many cases, slightly larger design – look at the Hennepin County Assessor map for reference or call me and I'll gladly show you my map). This is why my standard two 50' lots are below median. However, a very large majority of Fairfax Addition lots are 50' wide but the 500' circle captures too many of the lots to the west and south for my subdivision to be above median.
3. Last, but most importantly, it allows two smaller houses to be built vs. one large house, again in keeping with the character of the neighborhood. We have seen the houses that have been built on 50' lots and while some believe they are too large for the lot area, it is far better than having one large McMansion built on a larger lot. We have also seen this done close by and a vast majority of us are in favor of two smaller houses, based on my talks.
4. Similar subdivisions have been granted in the past with successful, responsible redevelopment results that are popular with the neighborhood, as this one would also be.

All this being said, the city planning recommendation is just that, a recommendation and there is hope in that there is at least one precedent set for subdivisions gaining the approval of the Planning

A102

Commission and City Council that were not initially recommended. So, I am humbly asking for your help. But not just to help me but to help our neighborhood and your neighbors. Please note that there is no question that my lots will be redeveloped – it is plain economics at this point as the land is simply worth more than my house. It is not economically feasible to improve the existing house and so it must be moved or removed. It is not my first choice for the property but I (and we) cannot ignore this reality. If the lots are redeveloped as one lot, one large house will be built on them and that is not the best result. So, we must work to have the lots split into their original design.

You can help accomplish this by:

1. Appearing and testifying with me at the Planning Commission and City Council meetings. The ultimate deciding meeting is the City Council meeting but the Planning Commission meeting is also important to the process. This is the most impactful thing you can do and City Council and Planning Commission members have told me that this is an important factor. Testifying is not as scary as it looks! Plus, being involved in the process is certainly good.
2. Write a letter or email of support. You can write an email to me at JERRODL@GMAIL.COM or send a letter to my address above. I will make sure that your voice is heard at the meetings.

The Planning Commission meeting is set for 7pm on October 10th and the City Council meeting is set for November 5th, also at 7pm. Please let me know in advance if you can come and find me at the meeting to let me know you're there. Thanks so much in advance for those who can come to show and talk about their support – it means so much!

Please know that I believe the approval of the subdivision and responsible redevelopment of these two lots is in the best interest of everyone in the neighborhood. This is what we'll get with approval of the subdivision:

1. Two new families in the neighborhood, most likely with kids that will go to Concord and/or Southview! A good situation for these families, to be sure, but also for everyone else.
2. The overall valuation of two houses will almost surely be more than that of one house – resulting in a higher average home values which then results in:
 - a. More investment in the neighborhood – market momentum is a powerful thing especially with the uncertainty of the current economy, not to mention housing!
 - b. Higher home values
 - c. Potentially less expensive financing (lower rates with lower loan-to-value ratios)
 - d. Easier financing (for additions, improvements or even refinancing)
 - e. A higher tax base for the city that will keep taxes lower for all Edina residents.

In conclusion, I thank you for your attention to this letter and your support -- I hope to stay in the neighborhood, if I can. Please feel free to call me on my cell phone, 952.221.0762, to discuss your plans to support this effort, any questions you may have or if you need more information. You may call me at any time as this is the most important thing in my professional life for the next six weeks.

Sincerely,



Jerrod C. Lindquist

A10e

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5945 Concord Avenue, Edina, MN 55424
952.925.7921 • 952.221.0762 (cell) • jerrod1@gmail.com

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AJDg

- a. More investment in the neighborhood – market momentum is a powerful thing especially with the uncertainty of the current economy, not to mention housing!
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Sincerely,

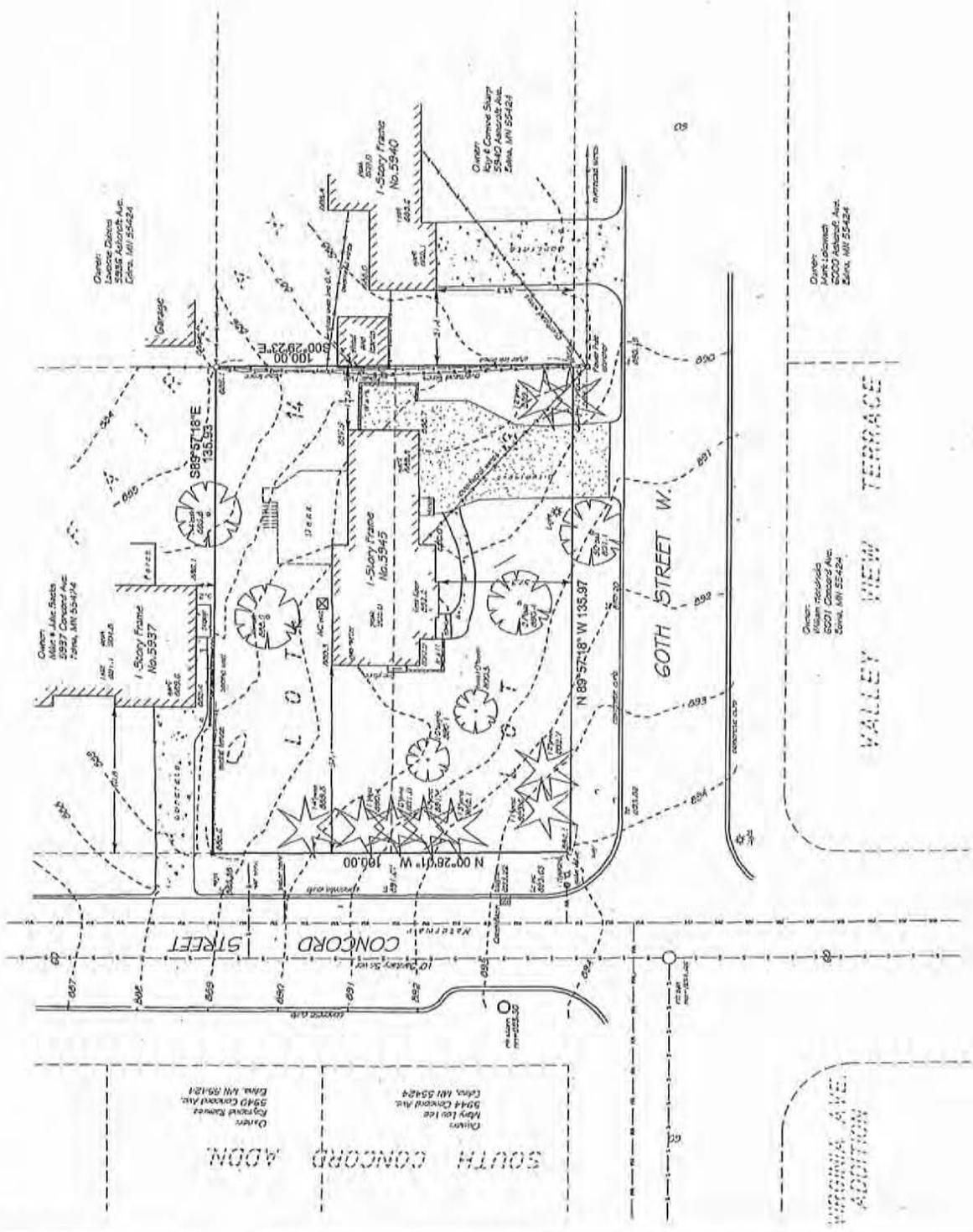


Jerrod C. Lindquist

A10h

LEGEND

- Vertical Access Corridor
- Existing Iron Manure Pit
- Existing Iron Manure Pit



Owner: Robert
 5985 Ashland Ave.
 Edina, MN 55424

Owner: Mike & Jane Bartz
 5937 Concord Ave.
 Edina, MN 55424

Owner: Ryan & Karen
 5940 Concord Ave.
 Edina, MN 55424

Owner: May Lou Lee
 5944 Concord Ave.
 Edina, MN 55424

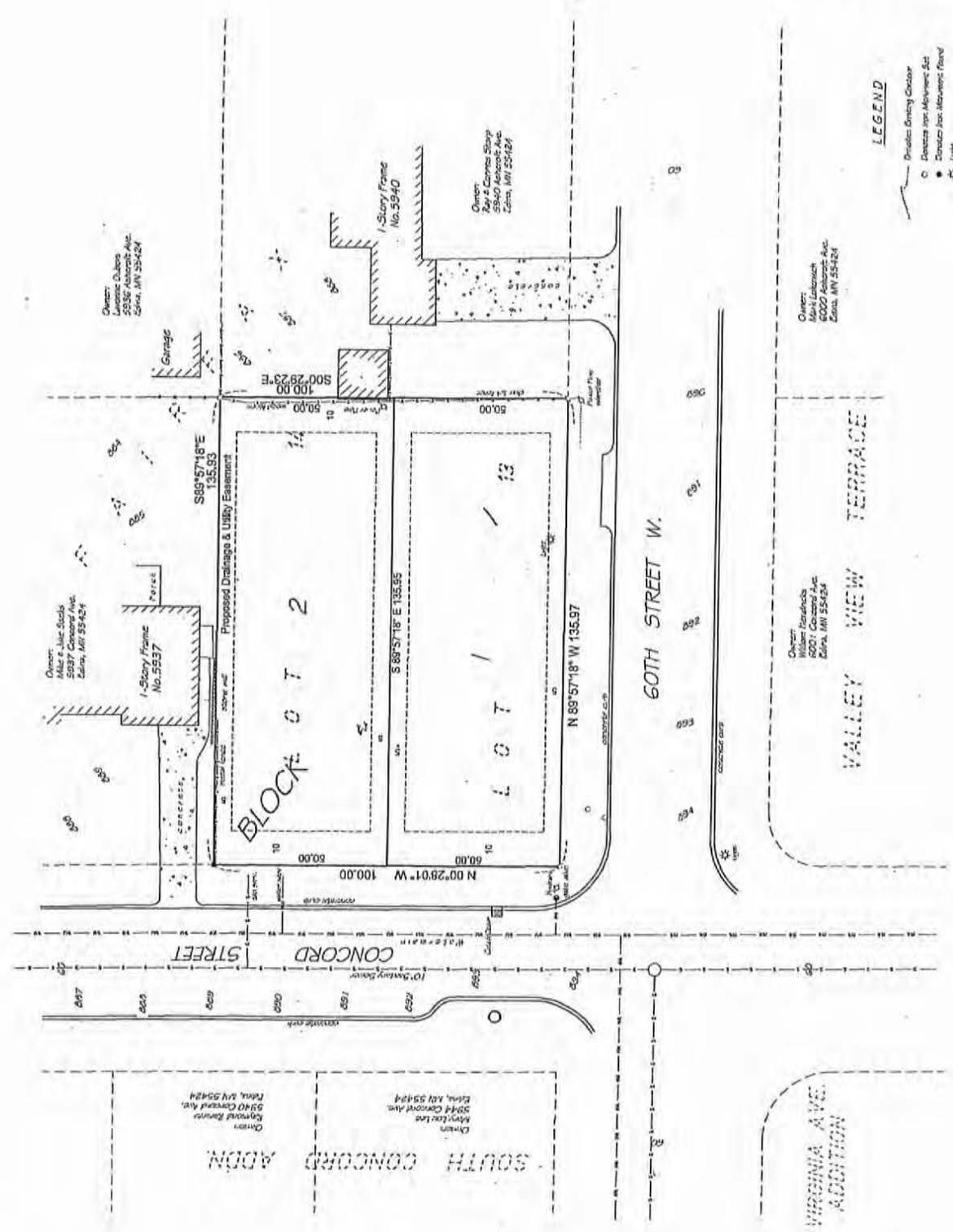
Owner: Mark Lohmeyer
 5900 Ashland Ave.
 Edina, MN 55424

Owner: Jim & Barbara
 5900 Ashland Ave.
 Edina, MN 55424

VALLEY VIEW TERRACE

VIRGINIA AVE.
 ADDITION

111



LEGEND

- Double Driveway Curb
- Driveway from Movement Set
- Concrete Area (Movement Found)
- Light
- △ Point
- ▽ Power Pole
- Catch Basin
- Manhole
- Fence
- Overhead Road
- Sidewalk/Shoulder
- Storm Sewer

Owner:
 Miller & Associates
 6020 Ashland Ave.
 Eden, MN 55424

Owner:
 Fendrich
 6001 Concord Ave.
 Eden, MN 55424

Owner:
 Reynolds
 5940 Concord Ave.
 Eden, MN 55424

A12

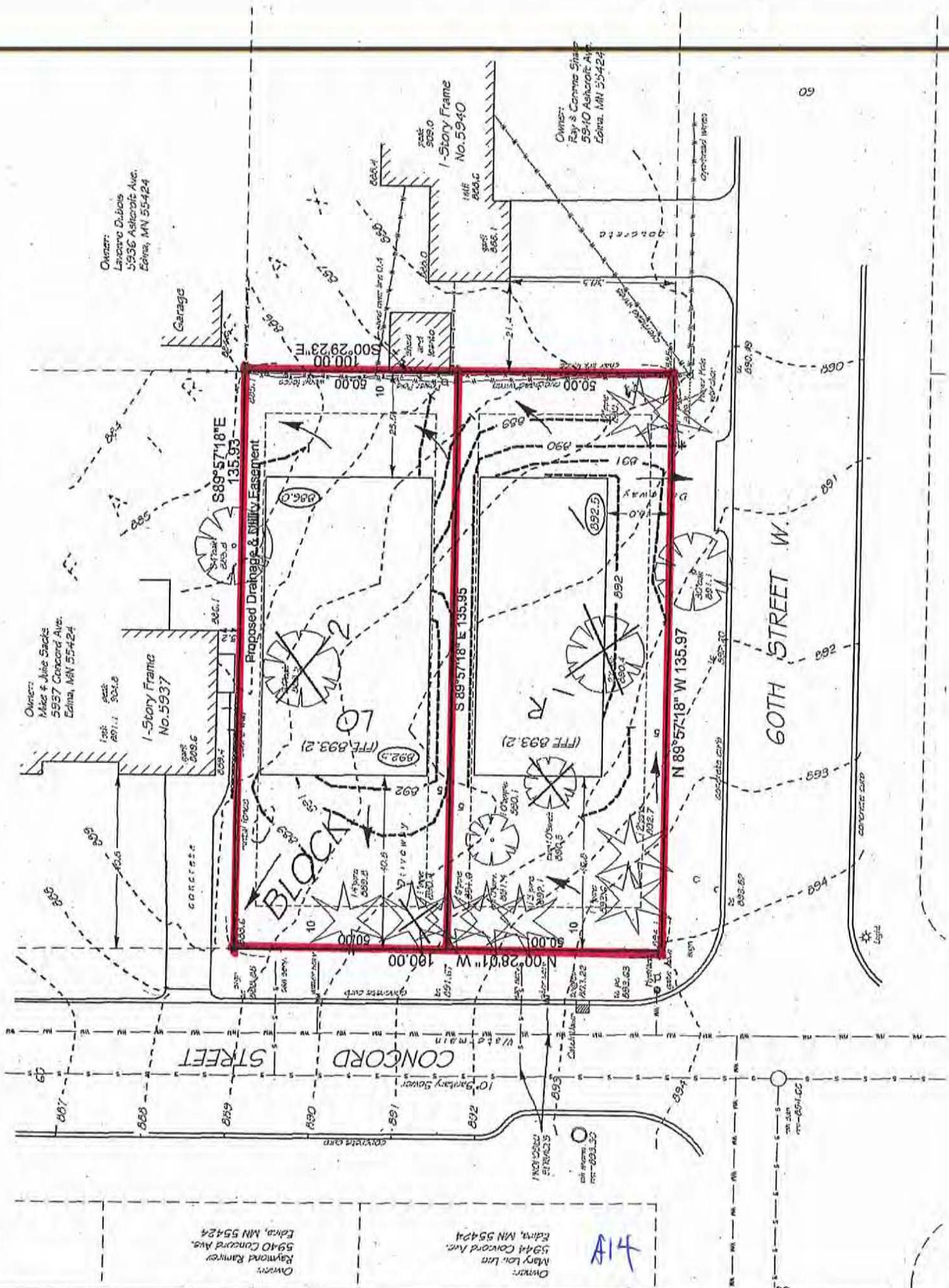
Owner:
Laverne Dubois
5936 Astorcroft Ave.
Edina, MN 55424

Owner:
Mike & Julie Sack
5937 Concord Ave.
Edina, MN 55424

Owner:
Raymond Ramseyer
5940 Concord Ave.
Edina, MN 55424

Owner:
Mary Lou Linn
5944 Concord Ave.
Edina, MN 55424

A14



R-1 LOTS WITHIN 500 FEET OF PROPOSED LINDQUIST ADDITION

Jerrod Lindquist
 5945 Concord Ave.
 Eden, MN 55424

NOTES:

Property Address: 5945 Concord Ave, Eden, MN 55424
 Property Identification Number: 14020404-0101

Existing Zoning Classification: R-1 (Single-Dwelling, Lot-Covered)
 Proposed Zoning Classification: R-1 (Single-Dwelling, Lot-Covered)

Resubdivided by: [Redacted]
 Final Year: [Redacted]

Corner: [Redacted]
 Sub: [Redacted]

Total Area of Property: 5284 sq. ft. (0.21 acres)

PLANNING DEPARTMENT
 AUG 9 2012

Legal Description:

Lot 13 and 14, Block 9, Eden, Minneapolis County, Minnesota.

LINDQUIST ADDITION

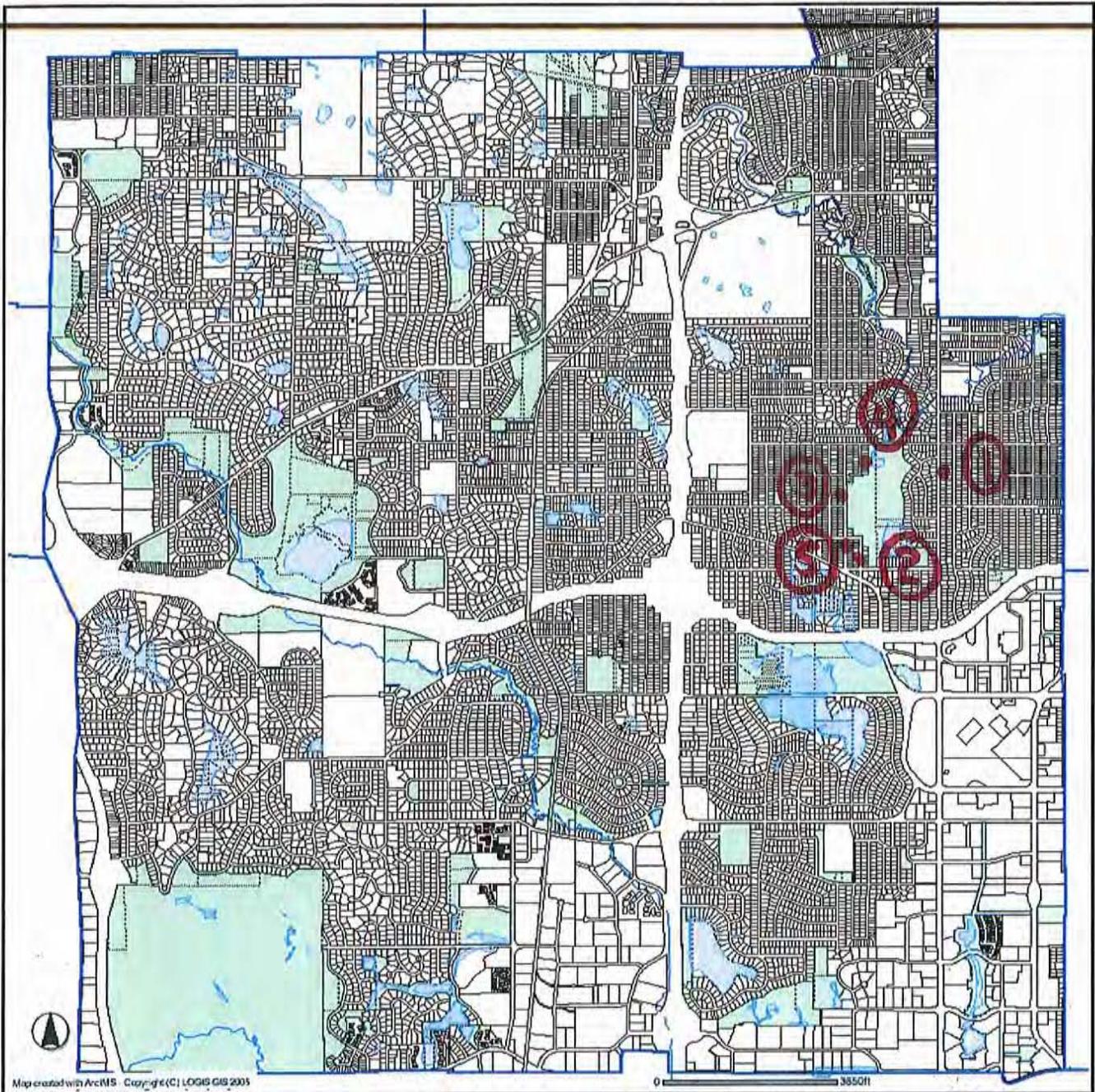
For
 Jerrod Lindquist
 5945 Concord Ave
 Eden, MN 55424

CERTIFICATION

I, [Redacted], County Auditor, do hereby certify that the above is a true and correct copy of the plat of the Lindquist Addition as shown on the attached plat of the same, and that the same has been approved by the Board of Supervisors of the County of Minneapolis, Minnesota, on this 9th day of August, 2012.

Year of Survey	2012
Surveyor	[Redacted]
City/Town	Eden, MN
County	Minneapolis
Map No.	14020404-0101
Block	9
Lot	13 and 14

Parcel ID	Address	Owner Name	Traverse Address	ACRES	SP7N	AREA OUT
1	5900 CONCORD AVE	EDEN MINN SCOA	5900 CONCORD AVE	0.21	13.5	570
2	5901 CONCORD AVE	EDEN MINN SCOA	5901 CONCORD AVE	0.21	13.5	570
3	5902 CONCORD AVE	EDEN MINN SCOA	5902 CONCORD AVE	0.21	13.5	570
4	5903 CONCORD AVE	EDEN MINN SCOA	5903 CONCORD AVE	0.21	13.5	570
5	5904 CONCORD AVE	EDEN MINN SCOA	5904 CONCORD AVE	0.21	13.5	570
6	5905 CONCORD AVE	EDEN MINN SCOA	5905 CONCORD AVE	0.21	13.5	570
7	5906 CONCORD AVE	EDEN MINN SCOA	5906 CONCORD AVE	0.21	13.5	570
8	5907 CONCORD AVE	EDEN MINN SCOA	5907 CONCORD AVE	0.21	13.5	570
9	5908 CONCORD AVE	EDEN MINN SCOA	5908 CONCORD AVE	0.21	13.5	570
10	5909 CONCORD AVE	EDEN MINN SCOA	5909 CONCORD AVE	0.21	13.5	570
11	5910 CONCORD AVE	EDEN MINN SCOA	5910 CONCORD AVE	0.21	13.5	570
12	5911 CONCORD AVE	EDEN MINN SCOA	5911 CONCORD AVE	0.21	13.5	570
13	5912 CONCORD AVE	EDEN MINN SCOA	5912 CONCORD AVE	0.21	13.5	570
14	5913 CONCORD AVE	EDEN MINN SCOA	5913 CONCORD AVE	0.21	13.5	570
15	5914 CONCORD AVE	EDEN MINN SCOA	5914 CONCORD AVE	0.21	13.5	570
16	5915 CONCORD AVE	EDEN MINN SCOA	5915 CONCORD AVE	0.21	13.5	570
17	5916 CONCORD AVE	EDEN MINN SCOA	5916 CONCORD AVE	0.21	13.5	570
18	5917 CONCORD AVE	EDEN MINN SCOA	5917 CONCORD AVE	0.21	13.5	570
19	5918 CONCORD AVE	EDEN MINN SCOA	5918 CONCORD AVE	0.21	13.5	570
20	5919 CONCORD AVE	EDEN MINN SCOA	5919 CONCORD AVE	0.21	13.5	570
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- ① 5901 France
- ② 6130 Brookview
- ③ 5920 Oaklawn
- ④ 5829 Brookview
- ⑤ 6109 Oaklawn

A16

Engineering Department • Phone 952-826-0371
Fax 952-826-0392 • www.CityofEdina.com



Date: October 4, 2012

To: Cary Teague – Community Development Director

From: Wayne Houle – Director of Engineering

Re: Linquist Addition
Dated August 30, 2012

Engineering has reviewed the above stated proposed plat and offer the following comments:

Sheet 2 of 4:

- Curb cut permits will be required for both driveways. Lot 1 will be required to access their lot from 60th Street West.

Sheet 4 of 4:

- The majority of the drainage, including all of the roof drainage, is required to drain to either Concord Avenue or 60th Street West due to potential flooding issues in the rear yards of the properties to the north.
- A full width (curb to curb / saw-cut to saw-cut) repair of Concord Avenue will be required when installing the new sanitary sewer and water service connection.

Engineering will required a more in-depth review of the project if it is advanced.

Subdivision

Susan Anderson <bssgox@aol.com>
To: jerrodl@gmail.com

Sun, Oct 7, 2012 at 10:01 AM

Jerrod,

Thank you for keeping us informed about the process of subdividing your 2 lots at 5945 Concord Avenue. We support your efforts and prefer the building of 2 homes of moderate size than to have another McMansion that doesn't fit the character of our neighborhood.

Best of luck in having your issues successfully resolved.

Bryan and Susan Anderson
5941 Ashcroft Ave..

Upcoming Planning Commission Meeting

marcia cabot <mtcuandme@yahoo.com>
Reply-To: marcia cabot <mtcuandme@yahoo.com>
To: Jerrod Lindquist <jerrodl@gmail.com>

Mon, Oct 8, 2012 at 3:32 PM

Jerrod:

Tom and I will be sending an e-mail in support of your subdivision.

Good Luck.

Marcia

5925 Concord Avenue

Upcoming Planning Commission Meeting

Mary Nelson <jmjt33@gmail.com>
To: Jerrod Lindquist <jerrodl@gmail.com>

Tue, Oct 9, 2012 at 11:28 AM

Jerrod,

I am out of town, but want to make certain that you and the commission have my full support of your proposal to subdivide.

It is practical, sensible and reasonable.

You have been thoughtful and communicated clearly.

I have no objections whatsoever.

Sincerely,

Mary J. Nelson

4701 W 60th St
Edina, MN
612-940-6772
Sent from my iPhone

Sacks, Mike <MSACKS1@fairview.org>
To: Jerrod Lindquist <jerrodl@gmail.com>

Mon, Oct 8, 2012 at 1:43 PM

Edina City Council; Edina Planning Commission:

My name is Mike Sacks. My address is 5937 Concord Ave. My property is immediately adjacent to the north of Jerrod Lindquist's property at 5945 Concord Ave. My wife, Julia, and I have been in residence since Dec. 1990.

Mr. Lindquist has been up front and informative about his attempt to sub-divide his property into two buildable lots. My wife and I feel we are well informed on the repercussions of this subdivision and support Mr. Lindquist's efforts in this matter.

Thanks you for your consideration,

Mike and Julia Sacks

5937 Concord Ave.

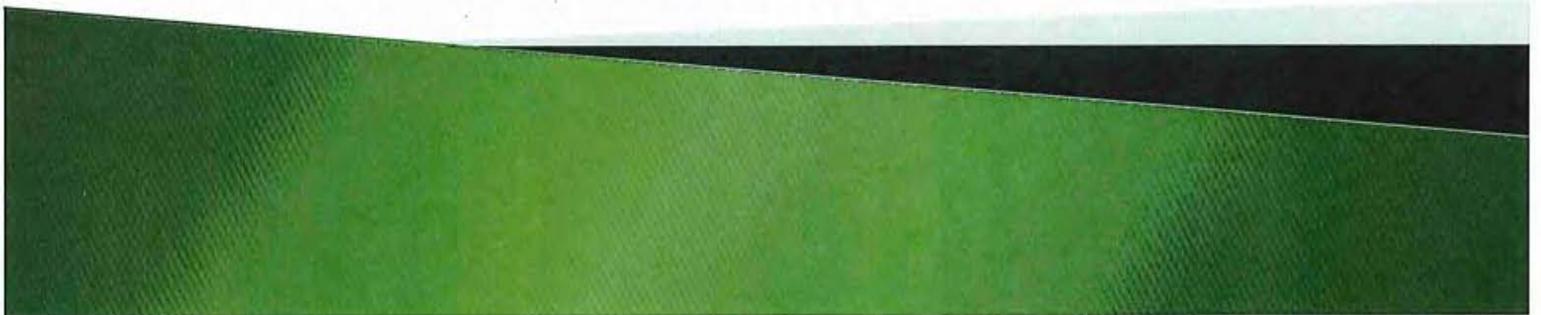
Edina, MN. 55424

952-927-4463

**Subdivision
5945 Concord Avenue**

**Back to the Original Design
&
The Best Path Forward**

Jerrod Lindquist, Property Owner



Jerrod Lindquist, Property Owner

- Edina Resident
 - 20 Years
 - 16 Years at this address
- Involved in the community
- Interested in doing what's best and right for the neighborhood



Overview

- My Home
- My Lots
- Neighborhood Definition
- Variance Finding Are Met
- Location within Our City
- Neighbor Survey
- Conclusion



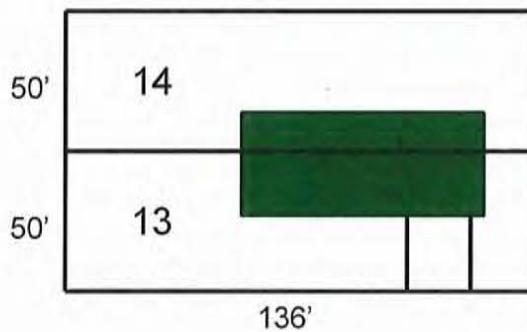
My Home

- ❑ Built in 1948
 - ❑ 2 Bedroom, 1 ½ bath = not family-friendly by today's standards
 - ❑ Based on building activity, it is cost prohibitive to improve the home which has led to redevelopment
 - ❑ House is functionally obsolete and not architecturally, historically significant
 - ❑ Change is difficult to embrace and met with trepidation, but it is here today for you to decide upon
- 

My Lots

- Legal description

Lots 13 and 14, Block 9 of the Fairfax Addition



Neighborhood Definition

- The 500 foot radius neighborhood definition seems out of date and is the main reason for City Staff's opinion of not meeting variance requirements
 - Meant for other parts of the city for new development
 - Does not account for existing lot design, modern building practices and design
 - Is not followed consistently to define character of neighborhoods
 - Evidenced by changes contemplated by Edina
 - * No changes yet, handling each on case-by-case basis
- 

Variance Findings ARE met

- ❑ Practical difficulties = The current zoning laws cause practical difficulties in building two homes as the lots were designed and the use of two lots for two homes is certainly reasonable. There is precedent for approving subdivision here.
 - ❑ Relieve practical difficulties = The current zoning laws were created after the Fairfax addition was designed, approved and built-out. Approving this subdivision to allow two homes to be built to best fit the character of the neighborhood is best.
 - ❑ Functional and aesthetic concerns are key to the neighborhood and the primary reason for overwhelming neighbor support.
- 

Variance Findings ARE met

- The circumstances that are unique to the property are that it was designed as two lots, the lots were combined for tax purposes only in 1948 and now the city is best served by subdividing them back to the original design to allow two homes to be built rather than one big house.
- This circumstance is not self-created. It is created by the development of the 50' lots in the neighborhood. Which is a good thing, by the way.
- The character of the neighborhood will be enhanced by the subdivision of the two lots. Please see the following pictures:



The Four Corners of 60th & Concord



As viewed from Concord Avenue for each picture

Houses are close together...except



Variance Findings ARE met

- My house has much room around it
 - Every other house on 60th & Concord has minimal space between houses (as is every other house on the block, even to the south).
 - Drive down Concord, my house is different.
 - In fact, there is only one other house not built that way within the 500 foot radius.
 - It is standard, even for new homes, to have minimal space between homes to allow larger front and back yards. My house and the other are exceptions to the character of the neighborhood.
 - Therefore, the character of the neighborhood is preserved, even enhanced, with two 50' lots vs. one.
- 

Example of Subdivison/Variances Granted

Example: 5920 Oaklawn *, Granted subdivision/variance of two 50 foot lots

Conclusion: Every part of section two is met with the condition of 5945 Concord Avenue

Resolution 2009-72, Findings, Section 2	5945 Concord Avenue Comparison
a. "There is a unique hardship to the property caused by the existing property which is two times the size of every lot on the block."	Every lot on the west side of Concord Avenue ending with 5945 Concord Avenue, the very western edge of the Fairfax Addition, is half the size of this lot. It would be equal to the size with a granted subdivision.
b. "The requested variances are reasonable in the context of the neighborhood. The existing lot is both larger and wider than most properties in the area, including every lot on the block. The proposed subdivision would result in two lots more characteristic of the neighborhood."	This entire statement is true of 5945 Concord Ave
c. "The proposed lots would be the same as the lots were originally platted."	This entire statement is true of 5945 Concord Ave
d. "The variances would meet the intent of the ordinance because the proposed lots are of similar size to others in the neighborhood."	This entire statement is true of 5945 Concord Ave
e. "The property owner owns a lot that was originally platted as two lots on the block, and without the benefit of a subdivision, can't do what the neighboring property owners do with the same space."	This entire statement is true of 5945 Concord Ave
f. "The City approved a small lot subdivision in the 5900 block of Ewing & France, subject to the condition that building footprints, setbacks and building height be consistent with existing homes in the neighborhood."	This entire statement is true of 5945 Concord Ave

* See attachment for outlines paragraphs



Example of Subdivison/Variances Granted

Example: 5920 Oaklawn, Granted subdivision of two 50 foot lots

Conclusion: Every part of section two is met with the condition of 5945 Concord Avenue. The recommendation is the opposite, however. Incidentally, 5901 Oaklawn Avenue is larger than stated in the report and thus many statements aren't entirely correct. This subdivision was approved by an 8-1 vote of the Edina Planning Commission and 3-2 by the Edina City Council.

Many other subdivisions that were recommended for passage and were ultimately successful follow many, if not most or all of these points. They also apply to 5945 Concord Avenue and I ask that they be applied using the same standard.

Planning Commission Staff Report, Primary Issue Section	
Is the proposed four lot subdivision reasonable for this site? Yes. Staff believes this site is reasonable for three reasons:	
1. "The proposed lot areas, lot widths and lot depths would be consistent with the original plat and every lot on this block. Most lots are 50 feet wide and 134 feet deep as proposed."	This is true for 5945 Concord Avenue as every west-facing lot of the 5900 block of Concord Avenue is 50 feet wide and 136 feet deep. (The facing lots average under 65 feet wide and 135 feet deep but were also part of different additions)
2. "Reduced building footprint...."	This is true for two subdivided lots as two homes must necessarily have a smaller footprint over one home.
3. "The proposal meets the finding for a variance..."	
a. "The hardship is due to the fact that the subject property is double the size of all lots on the block. This area was originally platted with 50 foot lots, including the subject property....If the variances were denied, the applicant would be denied a subdivision of his property of which the lots would be the same as existing lots in the area."	This is true for 5945 Concord Avenue.
b. "The condition of this oversized lot is generally unique to the Oaklawn area. Most lots are 50 feet wide. Every lot on this block is 50 feet wide, with the exception of the subject lot. The applicant did not combine the original lots."	This is also true for 5945 Concord Ave, as previously stated. I also did not combine the original lots and they were combined for property tax purposes, mainly. Edina benefits from more property taxes from subdividing these lots.
c. "The variance will result in an improved plat with single family homes built on each lot."	This is true for 5945 Concord Avenue.
d. "No. Given the size of other lots in the area, the variances would not alter the character of the neighborhood. The resulting lots would be the same size as every other lot on the block."	This is true for 5945 Concord Avenue as stated under item 1 of this section.

Variance Findings ARE met

Precedents have been set:

- Note the example, which was recommended and granted a subdivision & variance, in addition to others
- The conditions here are similar:

“Two times the size of every lot on the block”

“reasonable in the context of the immediate neighborhood...larger and wider....two lots more characteristic of the neighborhood”

“same size as the lots were originally platted”

“The variances would meet the intent of the ordinance because the proposed lots are similar to the others in the neighborhood.”



Variance Findings ARE met

5920 Oaklawn (cont):

“The variances would meet the intent of the ordinance because the proposed lots are similar to the others in the neighborhood.”

“The property owner owns a lot that was originally platted as two lots on the block, and without the benefit of subdivision, can’t do what the neighboring property owners do with the same space.”

“The City approved a small lot subdivision in the 5900 block of Ewing & France.”



Variance Findings ARE met

5920 Oaklawn (cont):

“The proposed lot areas, lot widths and lot depths would be consistent with the original plat and every lot on this block. Most lots are 50’ wide and 134’ deep as proposed.”

“Reduced building footprint...”

Hardship NOT self-created: “Hardship is due the fact....

“double the size” “originally platted with 50 foot lots”

“The applicant did not combine the original lots”

“The variance will result in an improved plat with single family homes built on each lot” – better city planning



Variance Findings ARE met

5920 Oaklawn (cont):

“The property owner owns a lot that was originally platted as two lots on the block, and without the benefit of subdivision, can’t do what the neighboring property owners do with the same space.”

“The City approved a small lot subdivision in the 5900 block of Ewing & France.”

❑ Subdivision was granted to Kirby Herman in 2011 was a similar situation, not recommended by Edina Staff but wisely passed by the Planning Commission and City Council



**Location
within Our City**





HIGHWAY 106

BENTON AVE



Fairfax Addition Plat Map

5801 ST W									
5801	5800	5801	5800	5801	5800	5801	5800	5801	5800
5805	5804	5805	5804	5805	5804	5805	5804	5805	5804
5809	5808	5809	5808	5809	5808	5809	5808	5809	5808
5813	5812	5813	5812	5813	5812	5813	5812	5813	5812
5817	5816	5817	5816	5817	5816	5817	5816	5817	5816
5821	5820	5821	5820	5821	5820	5821	5820	5821	5820
5825	5824	5825	5824	5825	5824	5825	5824	5825	5824
5829	5828	5829	5828	5829	5828	5829	5828	5829	5828
5833	5832	5833	5832	5833	5832	5833	5832	5833	5832
5837	5836	5837	5836	5837	5836	5837	5836	5837	5836
5841	5840	5841	5840	5841	5840	5841	5840	5841	5840
5845	5844	5845	5844	5845	5844	5845	5844	5845	5844

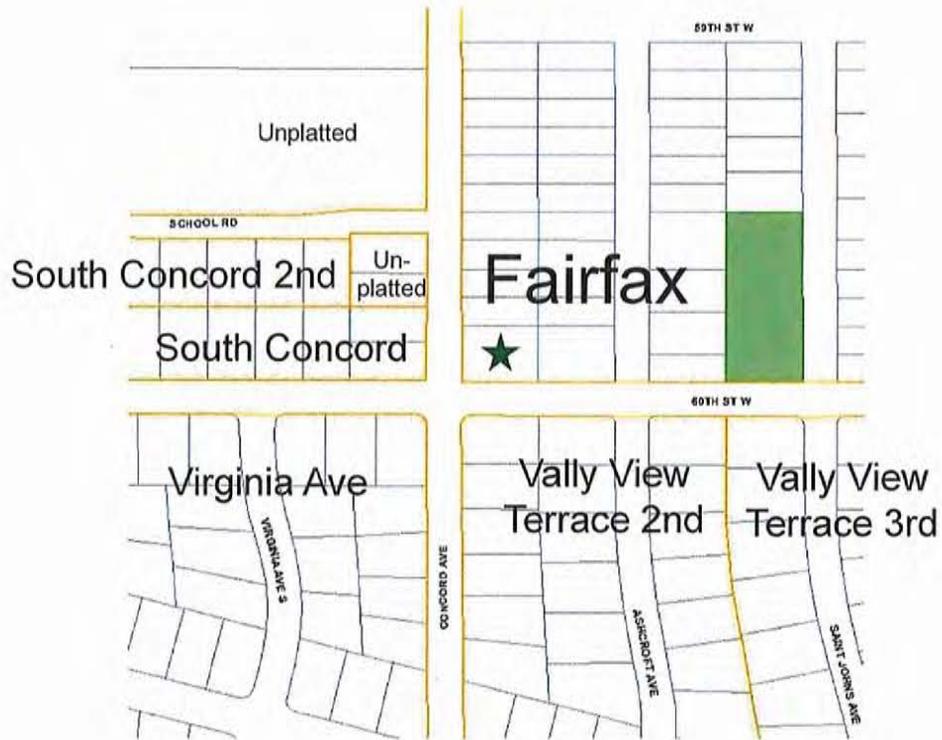
5901 ST W		5901 ST W		5901 ST W		5901 ST W		5901 ST W	
5901	5900	5901	5900	5901	5900	5901	5900	5901	5900
5905	5904	5905	5904	5905	5904	5905	5904	5905	5904
5909	5908	5909	5908	5909	5908	5909	5908	5909	5908
5913	5912	5913	5912	5913	5912	5913	5912	5913	5912
5917	5916	5917	5916	5917	5916	5917	5916	5917	5916
5921	5920	5921	5920	5921	5920	5921	5920	5921	5920
5925	5924	5925	5924	5925	5924	5925	5924	5925	5924
5929	5928	5929	5928	5929	5928	5929	5928	5929	5928
5933	5932	5933	5932	5933	5932	5933	5932	5933	5932
5937	5936	5937	5936	5937	5936	5937	5936	5937	5936
5941	5940	5941	5940	5941	5940	5941	5940	5941	5940
5945	5944	5945	5944	5945	5944	5945	5944	5945	5944

A preponderance of 50 foot lots

6001 ST W		6001 ST W		6001 ST W	
6001	6000	6001	6000	6001	6000
6005	6004	6005	6004	6005	6004
6009	6008	6009	6008	6009	6008
6013	6012	6013	6012	6013	6012
6017	6016	6017	6016	6017	6016
6021	6020	6021	6020	6021	6020
6025	6024	6025	6024	6025	6024
6029	6028	6029	6028	6029	6028
6033	6032	6033	6032	6033	6032
6037	6036	6037	6036	6037	6036
6041	6040	6041	6040	6041	6040
6045	6044	6045	6044	6045	6044

6101 ST W		6101 ST W		6101 ST W	
6101	6100	6101	6100	6101	6100
6105	6104	6105	6104	6105	6104
6109	6108	6109	6108	6109	6108
6113	6112	6113	6112	6113	6112
6117	6116	6117	6116	6117	6116
6121	6120	6121	6120	6121	6120
6125	6124	6125	6124	6125	6124
6129	6128	6129	6128	6129	6128
6133-37	6132	6133	6132	6133	6132
4412	6136	6137	6136	6137	6136
4404	6140	6141	6140	6141	6140
4400	6144	6145	6144	6145	6144





A Crossroads of Additions



Fairfax Addition Plat Map

58TH ST W									
5801	5800	5801	5800	5801	5800	5801	5800	5801	5800
5805	5804	5805	5804	5805	5804	5805	5804	5805	5804
5809	5808	5809	5808	5809	5808	5809	5808	5809	5808
5813	5812	5813	5812	5813	5812	5813	5812	5813	5812
5817	5816	5817	5816	5817	5816	5817	5816	5817	5816
5821	5820	5821	5820	5821	5820	5821	5820	5821	5820
5825	5824	5825	5824	5825	5824	5825	5824	5825	5824
5829	5828	5829	5828	5829	5828	5829	5828	5829	5828
5833	5832	5833	5832	5833	5832	5833	5832	5833	5832
5837	5836	5837	5836	5837	5836	5837	5836	5837	5836
5841	5840	5841	5840	5841	5840	5841	5840	5841	5840
5845	5844	5845	5844	5845	5844	5845	5844	5845	5844

59TH ST W		59TH ST W		59TH ST W		59TH ST W		59TH ST W	
5901	5900	5901	5900	5901	5900	5901	5900	5901	5900
5905	5904	5905	5904	5905	5904	5905	5904	5905	5904
5909	5908	5909	5908	5909	5908	5909	5908	5909	5908
5913	5912	5913	5912	5913	5912	5913	5912	5913	5912
5917	5916	5917	5916	5917	5916	5917	5916	5917	5916
5921	5920	5921	5920	5921	5920	5921	5920	5921	5920
5925	5924	5925	5924	5925	5924	5925	5924	5925	5924
5929	5928	5929	5928	5929	5928	5929	5928	5929	5928
5933	5932	5933	5932	5933	5932	5933	5932	5933	5932
5937	5936	5937	5936	5937	5936	5937	5936	5937	5936
5941	5940	5941	5940	5941	5940	5941	5940	5941	5940
5945	5944	5945	5944	5945	5944	5945	5944	5945	5944

But still a part of Fairfax, designed with the rest of Fairfax. Two 50' lots fit with the rest of Fairfax, neighborhood

60TH ST W		60TH ST W		60TH ST W	
6001	6000	6001	6000	6001	6000
6005	6004	6005	6004	6005	6004
6009	6008	6009	6008	6009	6008
6013	6012	6013	6012	6013	6012
6017	6016	6017	6016	6017	6016
6021	6020	6021	6020	6021	6020
6025	6024	6025	6024	6025	6024
6029	6028	6029	6028	6029	6028
6033	6032	6033	6032	6033	6032
6037	6036	6037	6036	6037	6036
6041	6040	6041	6040	6041	6040
6045	6044	6045	6044	6045	6044

61ST ST W		61ST ST W	
6101	6100	6101	6100
6105	6104	6105	6104
6109	6108	6109	6108
6113	6112	6113	6112
6117	6116	6117	6116
6121	6120	6121	6120
6125	6124	6125	6124
6129	6128	6129	6128
6133-37	6132	6133	6132
4412	6136	6137	6136
4404	6140	6141	6140
4400	6144	6145	6144



Our Block

Currently:

- 24 Lots Total
- 18 Lots of 50 foot width
- 2 Lots of 60 foot width
- 2 Lots of ~70 foot width
- 3 Lots of 100 foot width, all consisting of two 50' lots

