

# REPORT / RECOMMENDATION



**To:** MAYOR AND COUNCIL

**Agenda Item #:** IV.C

**From:** Cary Teague, Community Development Director

**Action**   
**Discussion**   
**Information**

**Date:** February 5, 2013

**Subject:** Resolution No. 2013-18, Lot Division, 5700 & 5712 Grove Street

## Action Requested:

Adopt the attached resolution.

## Information / Background:

Mr. Wayne Fridlund is requesting to shift the existing lot line that divides the two properties at 5700 and 5712 Grove Street. The purpose of the request is to shift the side lot line five feet to the east to provide adequate area to build a second stall to the existing garage at 5712 Grove Street. (See property location, proposed lot line shift and narrative on pages A1–A9 of the Planning Commission staff report.) There is an existing NSP easement, with overhead wires that would have to be shifted before any garage would be constructed. (See easement on page A9 and picture on page A10.)

Planning Commission Recommendation: On January 23, 2013, the Planning Commission unanimously recommended approval of the Lot Division.

## ATTACHMENTS:

- Resolution No. 2012-18
- Draft minutes from the January 23, 2013 Edina Planning Commission meeting
- Planning Commission Staff Report, January 23, 2013



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**RESOLUTION NO. 2013-18  
APPROVING A LOT DIVISION OF  
5700 AND 5712 GROVE STREET**

WHEREAS, the following described tract of land is requested to be divided:

DESCRIPTION OF PROPERTY SURVEYED

Parcel A - 5712 Grove Street:

Lot 3, Block 2, Fridlund's Addition, Hennepin County MN.

Parcel B - 5700 Grove Street:

Lot 2, Block 2, Fridlund's Addition, Hennepin County MN.

WHEREAS, the owner of the described land desires to subdivide said tract in to the following described new and separate parcels (herein called "parcels") described as follows:

Parcel A - 5712 Grove Street:

See Attached Exhibit A

Parcel B - 5700 Grove Street:

See Attached Exhibit A

WHEREAS, the requested lot line adjustment is authorized under Code Section 810 and it has been determined to comply with the Subdivision and Zoning Regulations of the City of Edina and do not interfere with the Subdivision and Zoning Regulations as contained in the Edina City Code Sections 810 and 850;

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, that the conveyance and ownership of the above described tracts of land as separate tracts of land are hereby approved pursuant to City Code Sections 850 and 810.04 Subd. 2, and further subject, however, to the provision that the NSP easement that runs along the existing side lot line would have to be shifted five feet to the east, and the overhead power lines would have to be moved five feet to the east before issuance of a building permit for a garage addition.

Adopted this 5<sup>TH</sup> day of February, 2013.

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**CITY OF EDINA**

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 February 5, 2013, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
City Clerk

## Exhibit A

PROPOSED LEGAL DESCRIPTION FOR PARCEL "A":

Lot 3, Block 2, Fridlund's Addition, Hennepin County, Minnesota, and the West 5 feet of Lot 2, Block 2, Fridlund's Addition, lying South of the Easterly extension of the North line of said Lot 3.

PROPOSED LEGAL DESCRIPTION FOR PARCEL "B":

Lot 2, Block 2, Fridlund's Addition, Hennepin County, Minnesota, except the West 5 feet of said Lot 2 lying South of the Easterly extension of the North line of Lot 3, Block 2, Fridlund's Addition, Hennepin County, Minnesota.

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## A. Lot Division. 5700 and 5712 Grove Street

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### Planner Presentation

Planner Teague informed the Commission that Wayne Fridlund is requesting to shift the existing lot line that divides the two properties at 5700 and 5712 Grove Street. The purpose of the request is to shift the side lot line five feet to the east to provide adequate area to build a second stall to the existing garage at 5712 Grove Street. There is an existing NSP easement, with overhead wires that would have to be shifted before any garage would be constructed.

Planner Teague concluded that staff recommends that the City Council approve the Lot Division of 5700 and 5712 Grove Street. Approval is subject to the following findings:

1. The proposed lot line adjustment does not create a new lot.
2. The purpose of the lot line adjustment is to provide area to expand the existing garage.
3. The resulting lots would exceed the median lot area requirement.

Approval is also subject to the following Conditions:

1. All building activity on either lot must comply with all minimum zoning ordinance standards.
2. The NSP easement that runs along the existing side lot line would have to be shifted five feet to the east, and the overhead power lines would have to be moved five feet to the east before issuance of a building permit for the garage addition.

### Motion

**Commissioner Forrest moved to recommend lot division approval based on staff findings and subject to staff conditions. Commissioner Potts seconded the motion. All voted aye; motion carried.**



## PLANNING COMMISSION STAFF REPORT

Originator <b>Cary Teague</b> Community Development Director	Meeting Date <b>January 23, 2013</b>	Agenda # <b>VI.A.</b>
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### INFORMATION & BACKGROUND

#### Project Description

Mr. Wayne Fridlund is requesting to shift the existing lot line that divides the two properties at 5700 and 5712 Grove Street. The purpose of the request is to shift the side lot line five feet to the east to provide adequate area to build a second stall to the existing garage at 5712 Grove Street. (See property location, proposed lot line shift and narrative on pages A1–A9.) There is an existing NSP easement, with overhead wires that would have to be shifted before any garage would be constructed. (See easement on page A9 and picture on page A10.)

#### Surrounding Land Uses

The surrounding properties and uses include single-family homes zoned and guided low-density residential to the north east and south; and the Good Samaritan Church, zoned and guided low-density residential located to the west. (See page A3.)

#### Existing Site Features

Single-family homes are located on both parcels.

#### Planning

Guide Plan designation: Low-density residential  
Zoning: R-1, Single-family residential

#### Primary Issue

- Is the proposed lot division reasonable?

Yes. The resulting lot line shift does not create an additional lot. As demonstrated below, both lots would still exceed the median lot area and width in the neighborhood. The lot depths of both lots would remain the same.

<b>Minimum Lot Size Requirements</b>	Existing 5712 Grove St.	Existing 5700 Grove St.	Proposed 5712 Grove St.	Proposed 5700 Grove St.
<b>Lot Area – 12,077 s.f.</b>	13,293 s.f.	18,429 s.f.	13,918 s.f.	17,804 s.f.
<b>Lot Width – 90 feet</b>	104 feet	126 feet	109 feet	121 feet
<b>Lot Depth – 134 feet</b>	124 feet	145 feet	124 feet	145 feet

Any new construction on either of these two lots would be subject to conformance with all of the City’s rules and regulations regarding lot coverage, building height, and setbacks.

Before the proposed garage addition was built, the existing NSP easement and overhead power line would have to be relocated.

**Staff Recommendation**

Recommend that the City Council approve the Lot Division of 5700 and 5712 Grove Street:

Approval is subject to the following findings:

1. The proposed lot line adjustment does not create a new lot.
2. The purpose of the lot line adjustment is to provide area to expand the existing garage.
3. The resulting lots would exceed the median lot area requirement.

Approval is subject to the following Conditions:

1. All building activity on either lot must comply with all minimum zoning ordinance standards.
2. The NSP easement that runs along the existing side lot line would have to be shifted five feet to the east, and the overhead power lines would have to be moved five feet to the east before issuance of a building permit for the garage addition.

**Deadline for a city decision:** March 5, 2013

# APPLICANT NARRATIVE

Request:

We would like to add 5'0" to 5712 Grove Street on the East lot side (PARCEL A), taken from 5700 Grove Street WEST lot side (PARCEL B). This would allow us the possibility of constructing a two car garage, instead of the existing one car garage, and still maintain the 5'0" distance between possible garage addition and new lot line.

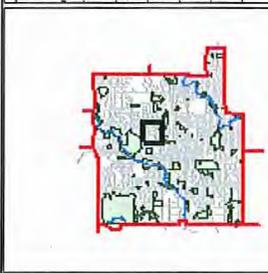
We realize there is a 5'0" Northern States Power Company easement here also, but after some discussions with N.S.P. that easement could possibly move to the "new" 5'0" to be added on the EAST lot line.

Wayne V. Johnson

# City of Edina



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

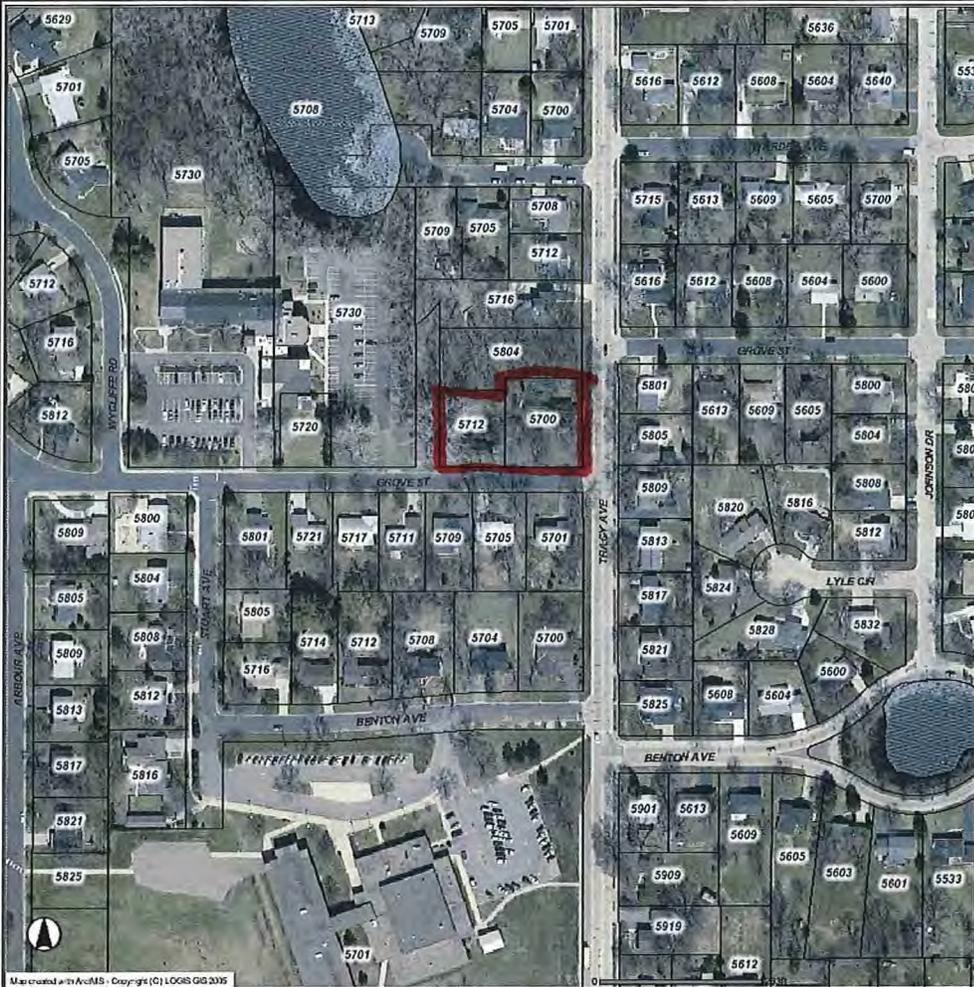


PID: 3211721420030

5712 Grove St  
Edina, MN 55436



# City of Edina



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  - Parks
  - Parcels
  - 2009 Aerial Photo

Map created with ArcGIS - Copyright (C) LOGS GIS 2005



**PID: 3211721420029**

**5700 Grove St  
Edina, MN 55436**





PLANNING DEPARTMENT  
 DEC 17

AA

# City of Edina



- Legend
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Map created with ArcGIS - Copyright (C) LOGS-GO 2005



**PID: 3211721420029**

**5700 Grove St  
Edina, MN 55436**





**ADVANCE SURVEYING & ENGINEERING CO.**

5300 S. Hwy. No. 101 Minnetonka, MN 55345 Phone (952) 474 7964 Fax (952) 225 0502

SURVEY FOR: **WAYNE FRIDLUND**

**PROPOSED**

SURVEYED: April, 2010

DRAFTED: November 20, 2012

**ORIGINAL LEGAL DESCRIPTIONS:**

Lots 1, 2, and 3, Block 2, Fridlund's Addition, Hennepin County, Minnesota.

**PROPOSED LEGAL DESCRIPTION FOR PARCEL "A":**

Lot 3, Block 2, Fridlund's Addition, Hennepin County, Minnesota, and the West 5 feet of Lot 2, Block 2, Fridlund's Addition, lying South of the Easterly extension of the North line of said Lot 3.

**PROPOSED LEGAL DESCRIPTION FOR PARCEL "B":**

Lot 2, Block 2, Fridlund's Addition, Hennepin County, Minnesota, except the West 5 feet of said Lot 2 lying South of the Easterly extension of the North line of Lot 3, Block 2, Fridlund's Addition, Hennepin County, Minnesota.

**SCOPE OF WORK & LIMITATIONS:**

1. Showing the length and direction of boundary lines of the above legal description. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct, and that any matters of record, such as easements, that you wish shown on the survey, have been shown.
2. Showing the location of existing improvements we deemed important.
3. Setting new monuments or verifying old monuments to mark the corners of the property.

**STANDARD SYMBOLS & CONVENTIONS:**

"●" Denotes 1/2" ID pipe with plastic plug bearing State License Number 9235, set, unless otherwise noted.

**CERTIFICATION:**

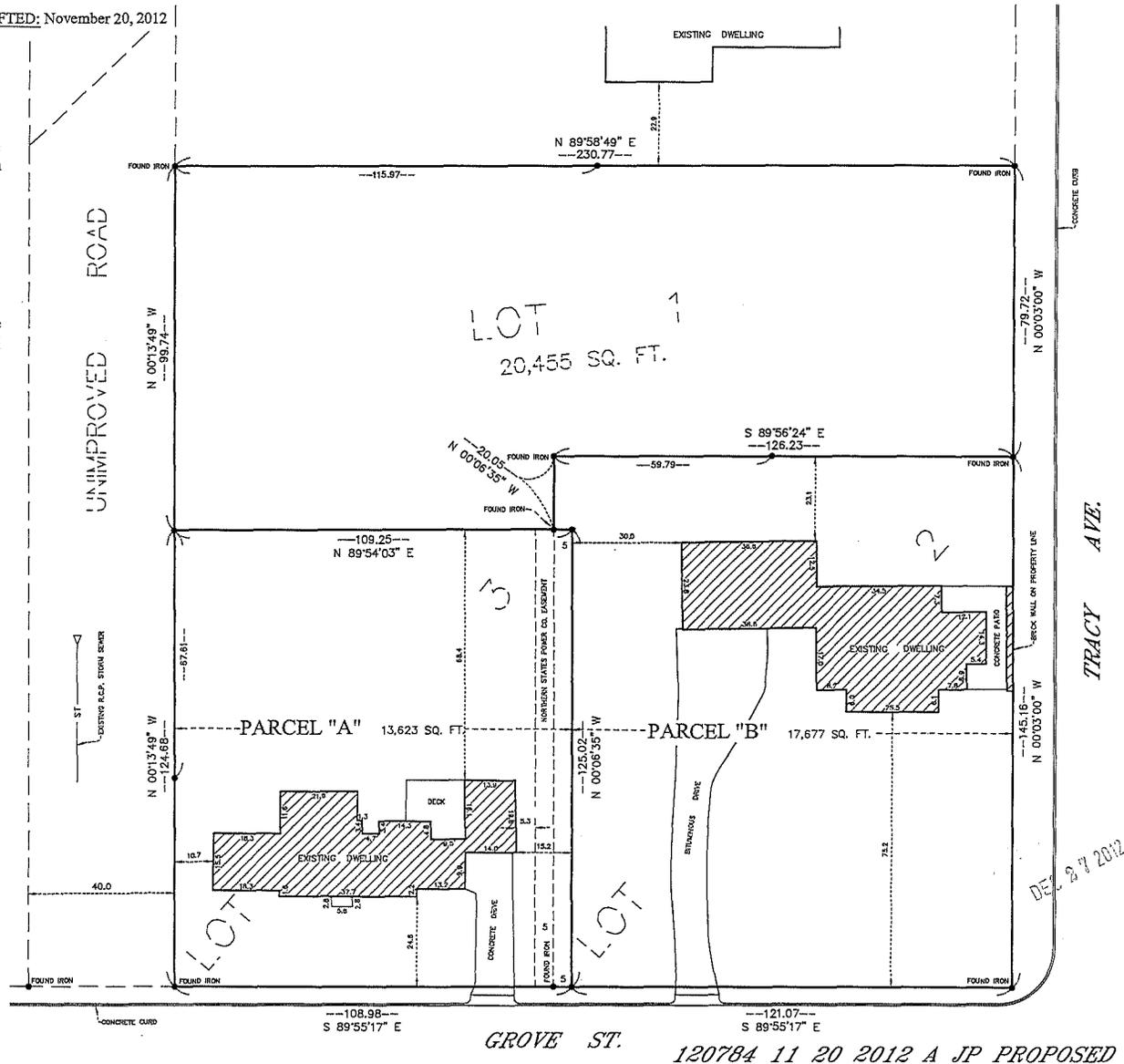
I hereby certify that this survey was prepared by me or under my direct supervision and that I am a Professional Engineer and a Professional Surveyor under the Laws of the State of Minnesota.

*James H. Parker*  
James H. Parker P.E. & P.S. No. 9235

GRAPHIC SCALE



( IN FEET )



GROVE ST.

120784 11 20 2012 A JP PROPOSED

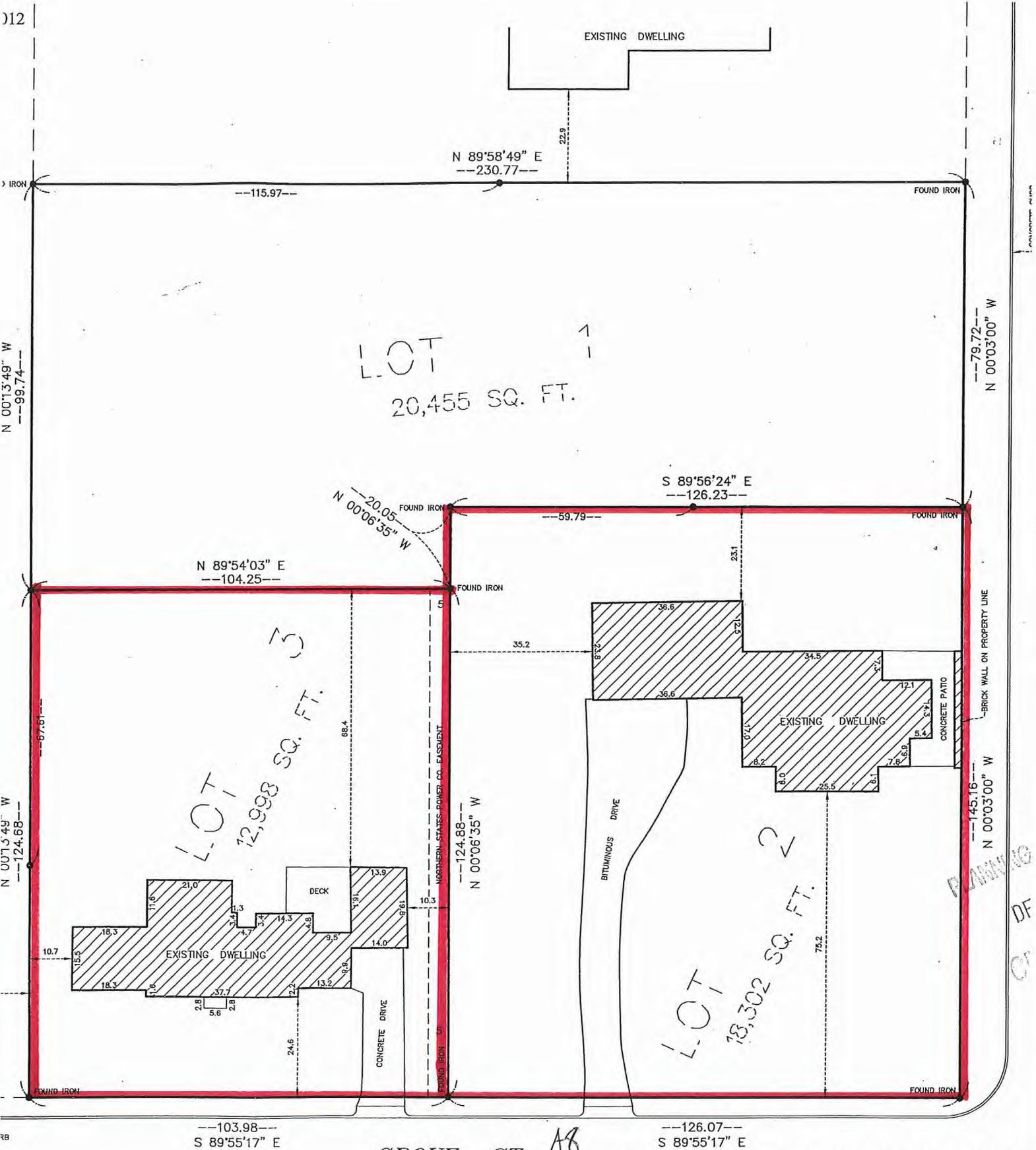
DEC 27 2012

A7

G CO.

2) 225 0502

**EXISTING**



LOT 1  
20,455 SQ. FT.

LOT 3  
12,998 SQ. FT.

LOT 2  
18,302 SQ. FT.

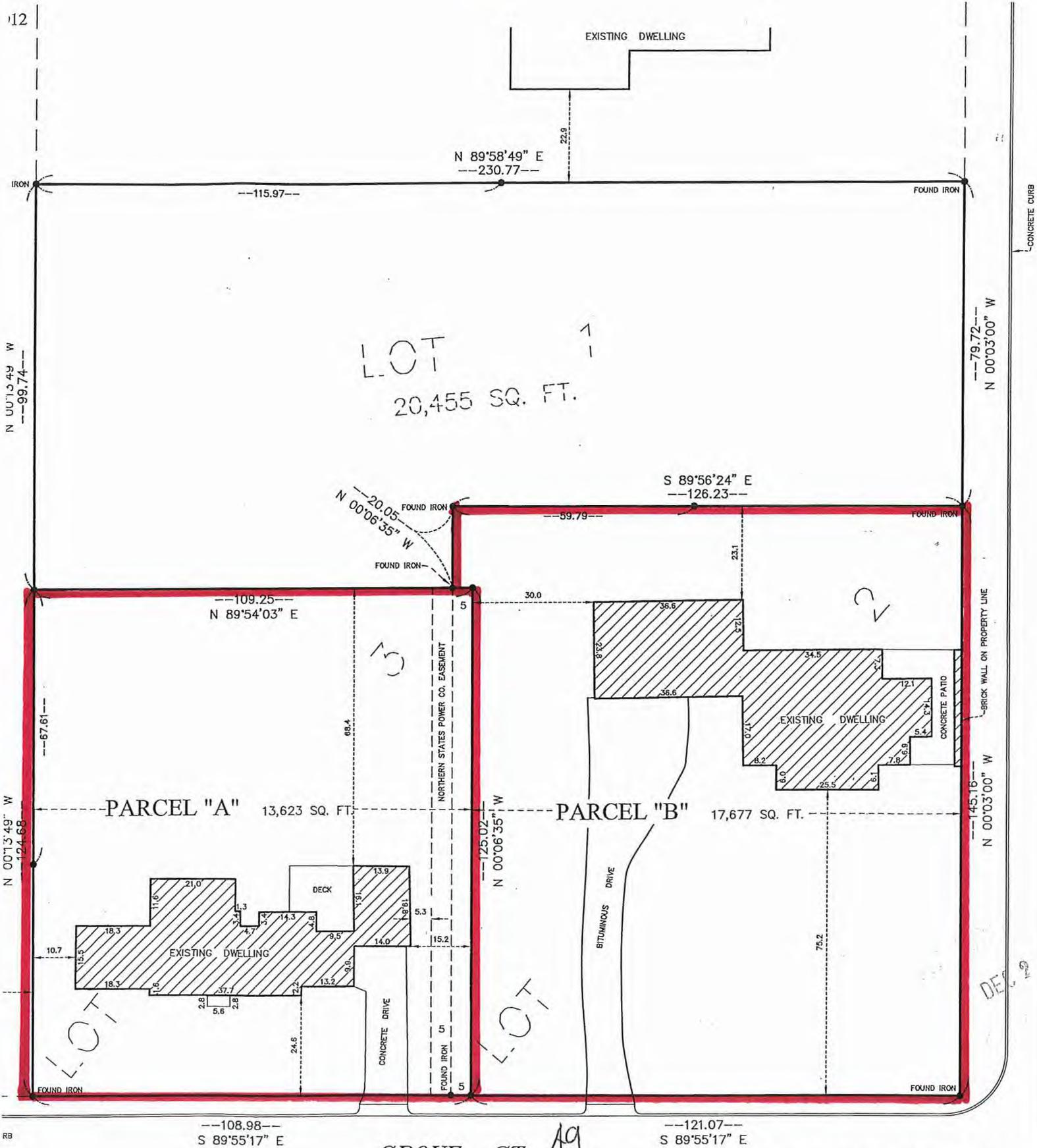
GROVE ST. AB

120784 11 20 2012 A JP EXIST

G CO.

) 225 0502

**PROPOSED**



LOT  
20,455 SQ. FT.

PARCEL "A" 13,623 SQ. FT.

PARCEL "B" 17,677 SQ. FT.

GROVE ST. A9

120784 11 20 2012 A JP PROPO.



A10