

# REPORT / RECOMMENDATION



**To:** Mayor and City Council

**Agenda Item #:** VI. A.

**From:** Kris Aaker  
Assistant City Planner

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

**Date:** February 5, 2013

**Subject:** Public Hearing for Variance appeal, B-12-12, 5801 Crescent Terrace, Applicant:  
Nicole Sunberg, Appellant: Kevin Gilligan.

## Action Requested:

Continue the Public Hearing to the February 19, 2013, meeting of the Edina City Council. Please see attached request by the applicant and the appellant. The applicant is requesting the continuance in an effort to respond to nearby neighbors with a resolution to the concerns they expressed.

## Kris Aaker

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**From:** Nate Wissink <nate@elevationhomes.com>  
**Sent:** Tuesday, January 29, 2013 2:28 PM  
**To:** Kris Aaker  
**Subject:** 5801 Crescent Terrace Continuance

Kris,

On behalf of my client Nicole Sunberg, we request that the appeal to the front yard setback variance be continued from the February 5<sup>th</sup> City Council meeting until the February 19<sup>th</sup> City Council meeting. We are requesting the continuance in an effort to respond to the nearby neighbors with a resolution to the concerns they expressed.

Please let me know me know if this request will be implemented. Thanks.

Nate Wissink | Project Director | Streeter & Associates, Inc. | Direct 952.346.2488 |

## Kris Aaker

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**From:** Sarah M. Zach <szach@lindquist.com>  
**Sent:** Tuesday, January 29, 2013 10:07 AM  
**To:** Kris Aaker  
**Cc:** Cary Teague; Marcus Mollison; Deb Mangen; Scott Neal; Nate Wissink (nate@elevationhomes.com)  
**Subject:** RE: Consent to Defer 5801 Crescent Terrace Variance Appeal Hearing to 2/19/13

Thank you, Kris.

**LINDQUIST**  
LINDQUIST & VENNUM

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Sarah M. Zach | Associate, Real Estate | 612.371.6239 | [szach@lindquist.com](mailto:szach@lindquist.com) | [Biography](#)  
Lindquist & Vennum LLP | 4200 IDS Center, 80 S 8<sup>th</sup> Street, Minneapolis, MN 55402  
Legal Administrative Assistant: Marilyn Olson | 612.752.1074 | [molson@lindquist.com](mailto:molson@lindquist.com)

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**From:** Kris Aaker [<mailto:KAaker@EdinaMN.gov>]  
**Sent:** Tuesday, January 29, 2013 9:52 AM  
**To:** Sarah M. Zach  
**Cc:** Cary Teague; Marcus Mollison; Deb Mangen; Scott Neal; Nate Wissink ([nate@elevationhomes.com](mailto:nate@elevationhomes.com))  
**Subject:** RE: Consent to Defer 5801 Crescent Terrace Variance Appeal Hearing to 2/19/13

Dear Sarah,

Thank you for your e-mail. I am in receipt of this consent. The consent herein and the change of the hearing date to the February 19, 2013, Edina City Council Meeting will in no way affect the rights of or operate as a waiver of any appeal rights by the appealing party.

Sincerely,  
Kris Aaker



**Kris Aaker, Assistant City Planner**

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[KAaker@EdinaMN.gov](mailto:KAaker@EdinaMN.gov) | [www.EdinaMN.gov/Planning](http://www.EdinaMN.gov/Planning)

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**From:** Sarah M. Zach [<mailto:szach@lindquist.com>]  
**Sent:** Tuesday, January 29, 2013 9:36 AM  
**To:** Kris Aaker  
**Cc:** Cary Teague; Marcus Mollison  
**Subject:** Consent to Defer 5801 Crescent Terrace Variance Appeal Hearing to 2/19/13

Kris,

Thank you again for your call this morning.

On behalf of appealing party Kevin Gilligan, we consent to the deferral, from February 5, 2013 to February 19, 2013, of the Edina City Council's hearing of the appeal of the Edina Planning Commission's approval of the 5801 Crescent Terrace variance.

Please confirm in writing by responding to this email: (1) your receipt of this consent; and (2) that the consent herein and the change of the hearing date will in no way affect the rights of, or operate as a waiver of any appeal rights, by the appealing party.

Please contact me with any questions.

Thank you,  
Sarah

**LINDQUIST**  
LINDQUIST+VENNUM

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Sarah M. Zach | Associate, Real Estate | 612.371.6239 | [szach@lindquist.com](mailto:szach@lindquist.com) | [Biography](#)  
Lindquist & Vennum LLP | 4200 IDS Center, 80 S 8<sup>th</sup> Street, Minneapolis, MN 55402  
Legal Administrative Assistant: Marilyn Olson | 612.752.1074 | [molson@lindquist.com](mailto:molson@lindquist.com)

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## Kris Aaker

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**From:** Nate Wissink <nate@elevationhomes.com>  
**Sent:** Monday, January 28, 2013 1:13 PM  
**To:** Kris Aaker  
**Subject:** Extension

Kris,

Just letting you know that we would like to extend our hearing date two more weeks for 5801 Crescent Terrace. Please confirm this is ok to do.

Thanks.

Nate Wissink | Project Director | Streeter & Associates, Inc. and Elevation Homes | Direct 952.346.2488 | Fax 952.449.4987 | email: [nate@elevationhomes.com](mailto:nate@elevationhomes.com) | [www@elevationhomes.com](http://www@elevationhomes.com)