

Bradley C Reiland

1806 cr 14 Shakopee MN 55379 |612-366-1818| reilandbrad@gmail.com

11/19/2018

To City Council and Mayor
City of Shakopee
485 Gorman Street
Shakopee MN 55379

To City Council and Mayor:

I am appealing the November 8th, 2018 denial from the board of adjustments for a variance of over height regarding my current permitted accessory structure.

Approximately three years ago I received a permit and constructed an accessory structure on my property. This accessory structure which is the subject of this proceeding is identical in total height, setback, and length and width in size to one constructed previously in 2015 less a small wrapped porch. During the second permitting process I found that the siding used in the prior year was no longer approved and I would have to get a variance to match my new building to the prior building. I picked up the permit and hired the same contractor and proceeded to build essentially the same building.

This summer I received a stop work order as the city received a complaint from my neighbor that the new building was too large. I subsequently met with the city inspector and was informed although the new structure was exactly the same size as the 2015 structure (56' long x 36' wide with a 14 foot side wall height and a 6/12 pitch roof) now city interpretation of the code resulted in the height of the new building being too tall.

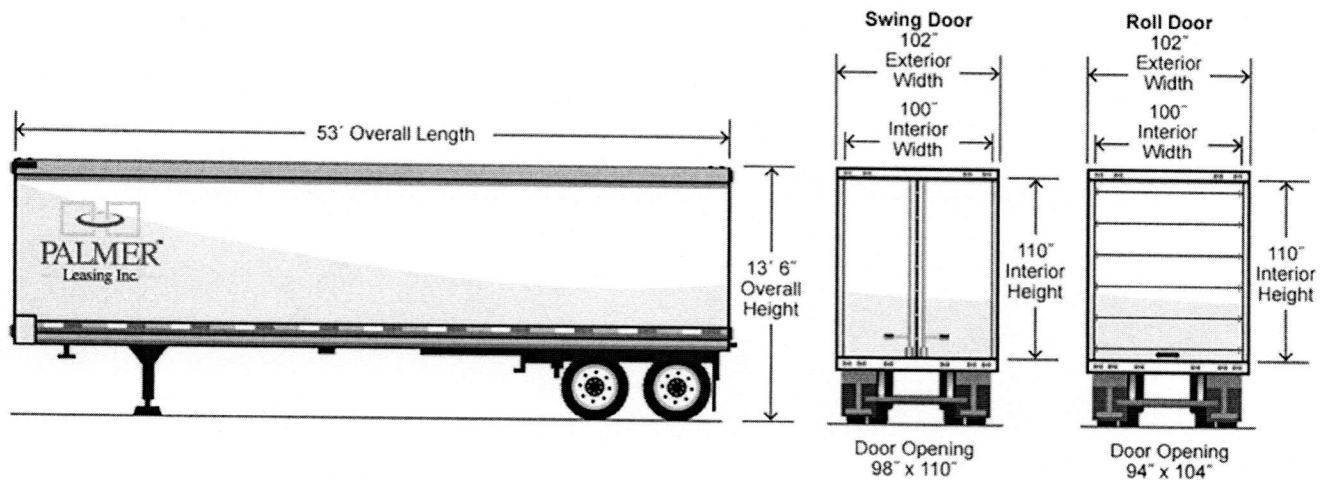
I brought the concern of over height to the BOAA meeting requesting a variance based on the recommendation from staff that I should obtain a variance. It is my understanding that the city has reviewed and approved many over height structures based on the fact that the property owners met the practical difficulties test. Staff recommended I try to work with my neighbor and determine if the height would impact his home.

At the BOAA meeting I met my neighbor face to face for the first time and afterwards have now come to a resolution and have the neighbors support.

Not until the BOAA meeting did I realize how to make a proper case and I did not fully understand the factors that I needed to address. I had asked the board to give me more time to meet with my neighbor and further explain the practical difficulties I face on my land with regard the height restriction. The board denied my request and ruled against my request for a variance for height.

Difficulties of my project are as follows:

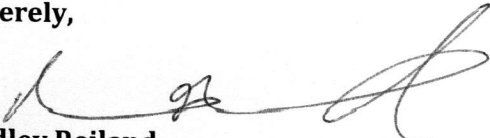
1. I received a permit and constructed an Identical structure on the same property. I now desire to have a companion structure with the same function. The use of my property for this purpose is reasonable and in line with prior interpretation of the code.
2. The location of the structure is parallel to one previously constructed and together they are an attractive improvement. Rolling slope of topography results in effecting the measurement of roof height to a difficult and subjective variable. In addition, the new structure is located so that it is not visible from any public roadways. The fact that this area of my property has rolling terrain has circumstances I did not create.
3. I intend to use the structure for hauling and storing feed for animals and a 14' door height is need to accommodate the average tractor trailer of 13'6"



4. I am sure the city code requirement for these kinds of structure are done in part to create design integrity and consistency. This is exactly what will be accomplished by the approval of my variance request since my two accessory structures will be uniform aesthetically pleasing
5. I cannot emphasize strongly enough that the variance, if granted, will not alter the essential character of this area. The only people potentially impacted by this structure could be my neighbors the Poehlings who full supports this request. Again, this structure is not visible from any public roadway

I want to base my request for granting my request on all of the above I respectfully request the approval of the variance.

Sincerely,

 11-18-18
Bradley Reiland