



112 West Washington Avenue

Fergus Falls, MN 56537

Phone: 218-332-5434

e-mail: building.zoning@ci.fergus-falls.mn.us

www.ci.fergus-falls.mn.us

Variance

Application fee should be made payable to The City of Fergus Falls upon submittal of completed application. Please complete the application by typing or printing in ink. Use additional paper if necessary.

1. Property Owner Information:

Company name: Bethel Lutheran Church

Last name: Synsteliën First name: Daryl

Address: 702 Alcott Ave W City/State/Zip: Fergus Falls, MN

Phone number: 218-736-7322 Email address: daryl@scslife.com

2. Applicant Information: (if different from above)

Company name: Brad Lechtenberger, AIA

Last name: Lechtenberger First name: Brad

Address: 3052 N. Aspen Ave City/State/Zip: Broken Arrow, OK

Phone number: 918-697-6372 Email address: blechtenberger@yahoo.com

3. Address(es) of Property Involved: (if different from above)

4. Zoning Designation: R-2

5. Comprehensive Plan Designation: NA

6. Statement of Intent: State exactly what is intended to be done on or with the property which does not conform to City Code requirements.

7. Additional Required Information: a. Legal Description and PIN: Provide the Parcel Identification Number(s) and the complete legal description(s) of the property involved.

b. Written Narrative: This narrative should fully explain the "practical difficulty" that justifies the departure from the strict application of the Code. Neither mere inconvenience nor reduction in value is sufficient on its own to justify a variance, and the inability to put property to its highest and best use is not considered a practical difficulty. The problem that justifies the variance must be caused by conditions beyond the control of the applicant. The applicant cannot create the condition that requires the variance.

c. Proposed Plans: Including but not limited to a scaled site plan, a landscape plan, grading and drainage plan, and exterior building elevation drawings showing building materials may also be required if deemed necessary by the Building and Zoning Department. Such plans shall be on 8½"x 11" or 11"x 17" paper or in PDF digital format. In cases of multiple variances, the applicant may be required to submit a property boundary and building survey.

8. Signature(s): By signing below, you attest that the information above and attached is true and correct to the best of your knowledge.

Daryl Synstelien, Chairman

For Bethel Lutheran Church

Property Owner: _____

Date: February 20, 2020

Applicant: _____

Date: 2/21/2020

Applications for Variance must be received by the close-of-business on the second and fourth Friday of each month; Applications received after this date will not be processed until the following deadline date.

6. Statement of Intent

The existing Church has a building height of 38 feet 3 inches from the grade to the highest roof peak which calculates to 26 feet 3 inches as the mean height. The new building addition to the Church has a building height of 46 feet 8 inches from grade to the highest roof peak which calculates to 38 feet 10 inches as the mean height. The new building addition height exceeds the mean height limit of 30 feet for R-2 Zoning. In addition, the new building is an addition to a structure that was built in 1955 with a non-conforming original front yard setback of 10 feet 2 inches which is less than the 30 feet required setback. This will need to be considered as well.

7. Additional Required Information

a. Legal Description

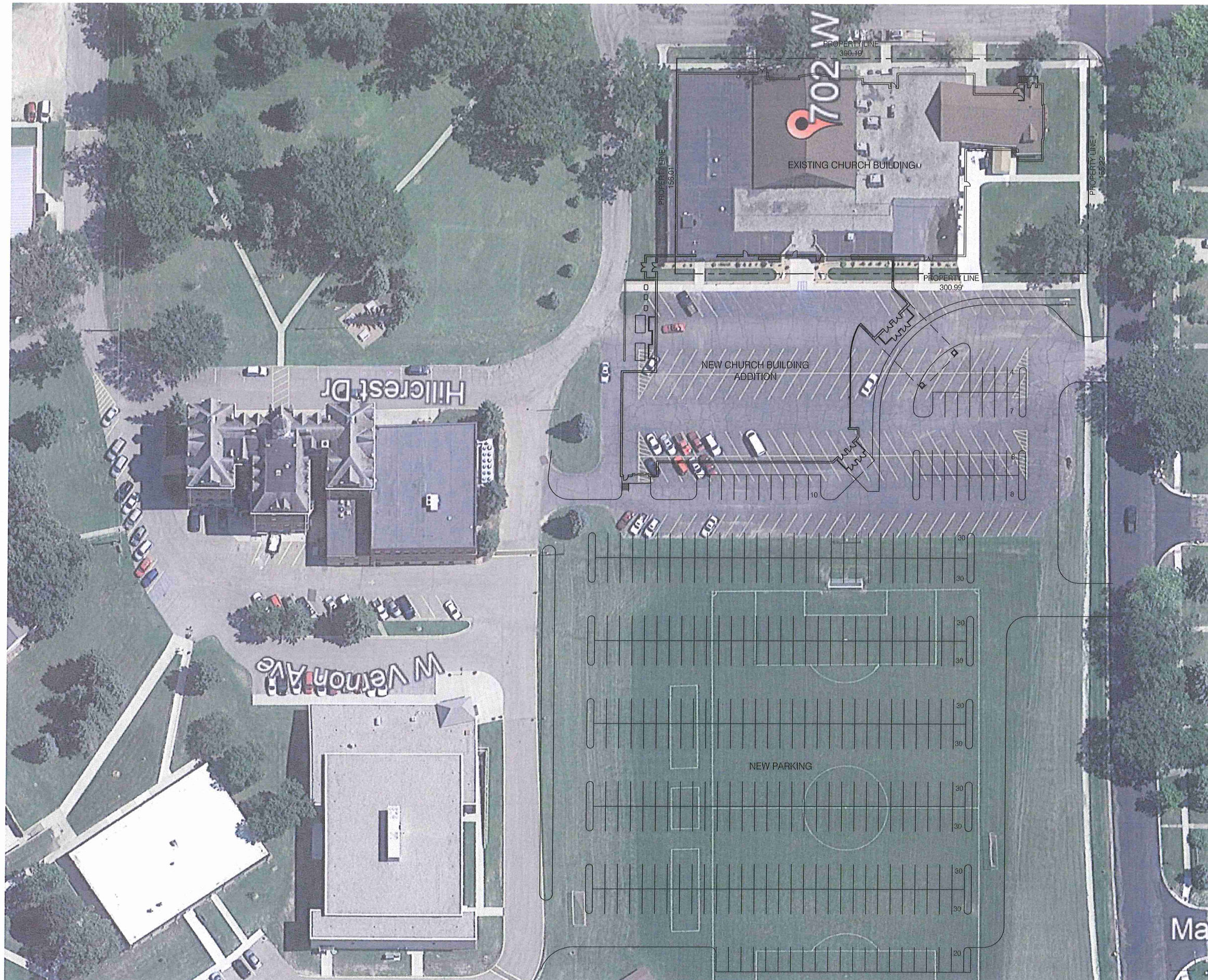
Lots 1, 2, 3, 10, 11, 12 and east 5 feet of lots 4 & 9 all in Block 11 of Riverside Addition, on file & of record in the office of the county recorder in & for Otter Tail County, Minnesota, together with that part of the vacated alley in Block 11 of which lies east of the west line of the 5 feet of said lots 4 & 9 and their extensions.

Parcel Identification Number

71004990577002

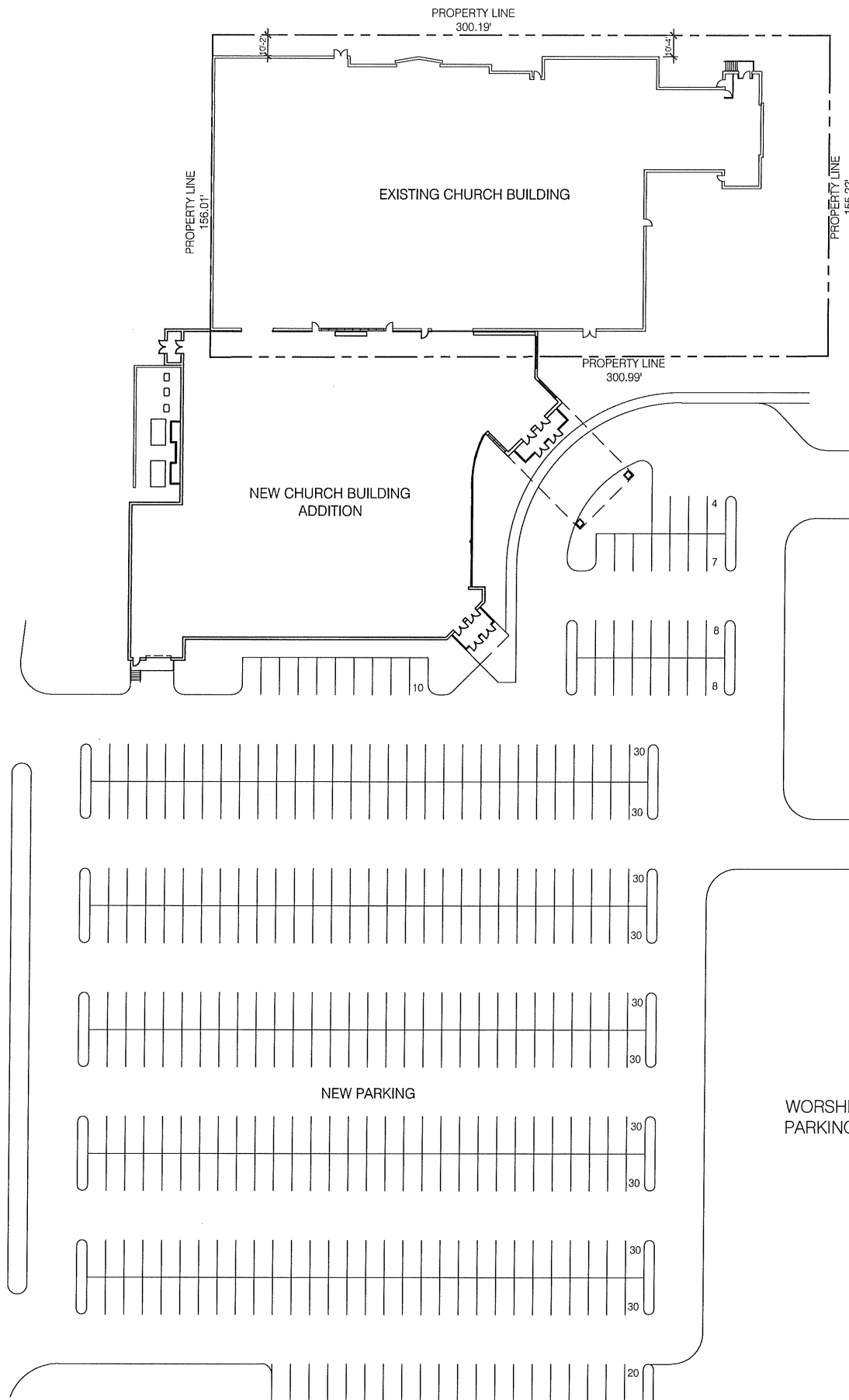
b. Written Narrative

Bethel Lutheran Church plans to build a new 25,560 sq feet worship center as an addition to their existing Church. The new building addition will be a 736 seat worship center with stadium type riser seating as well as seating on the main floor. This style of seating is a typical design in the new style of church worship facilities. The seating style and size of the worship facility require a higher roof design. The higher roof allows for the stadium style seating and room for the deeper structural members due to the span of the structure, HVAC air ducting systems, audio equipment for sound systems and lighting systems. (Refer to the attached Building Section). The scale of this building addition and its height is comparable with the design height of the existing church building's height. Items of interest are the existing Hillcrest Academy Building to the north is taller than the proposed church building addition. The new proposed church building addition is mostly masked from the housing to the east from the existing church structure. The location of the new proposed church building addition is at a lower elevation than West Alcott Drive and the housing to the south of the property. There are no immediate residences directly to the west or north of the proposed church building addition.



 GOOGLE EARTH SITE PLAN VIEW

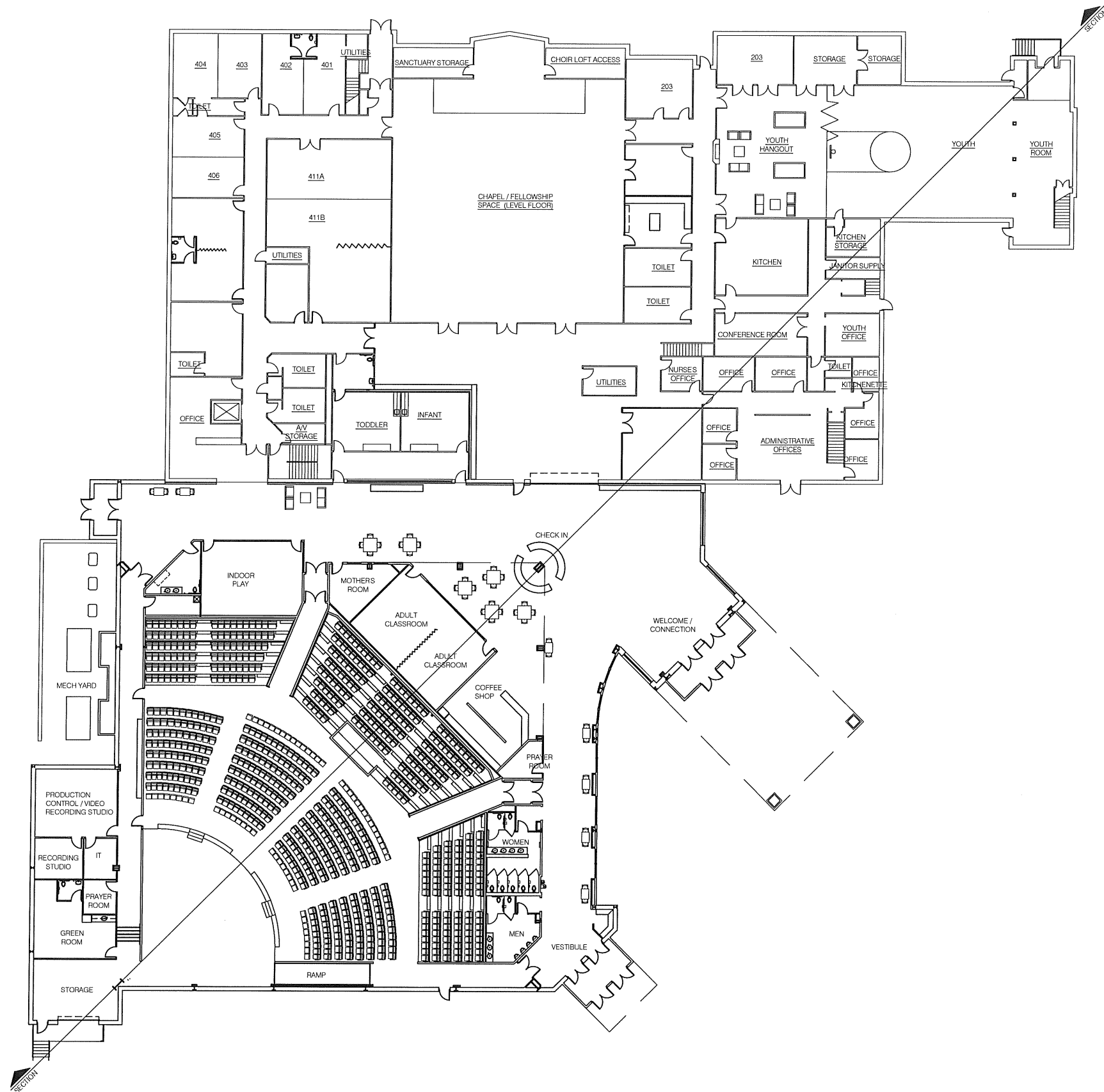
BETHEL LUTHERAN CHURCH
702 W ALCOTT
FERGUS FALLS, MN 56537



WORSHIP SEATS 736
 PARKING SPACES 377


 NORTH
ARCHITECTURAL SITE PLAN
 SCALE: 3/32"=1'-0"

BETHEL LUTHERAN CHURCH
 702 W ALCOTT
 FERGUS FALLS, MN 56537



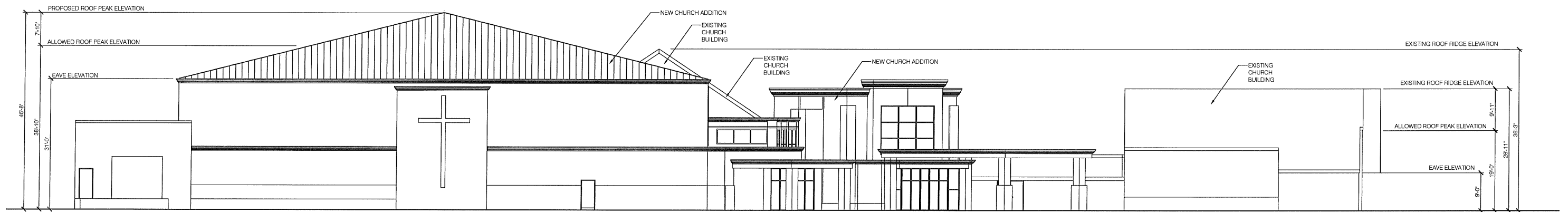

FLOOR PLAN
 SCALE: 1/16" = 1'-0"
 NORTH

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 FERGUS FALLS, MN 56537



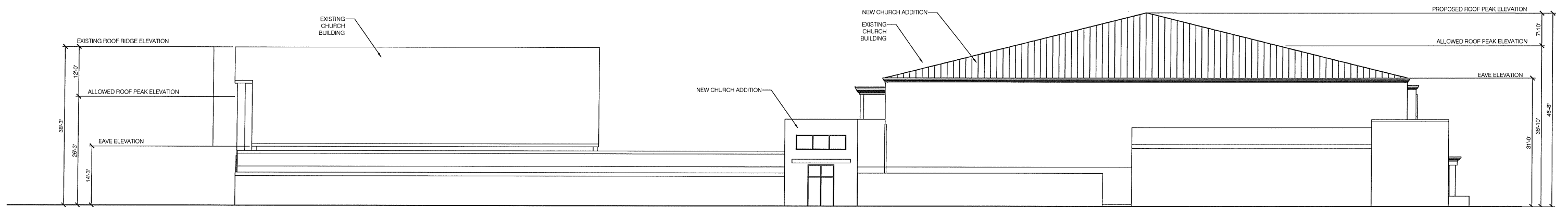
EXTERIOR BUILDING ELEVATION LOOKING NORTH

SCALE: 3/32 = 1'-0"



EXTERIOR BUILDING ELEVATION LOOKING EAST

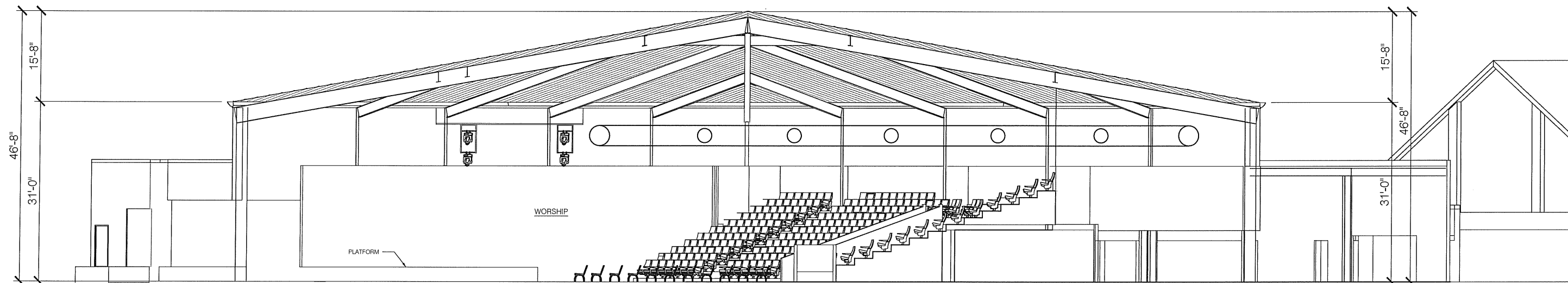
SCALE: 3/32 = 1'-0"



EXTERIOR BUILDING ELEVATION LOOKING WEST

SCALE: 3/32 = 1'-0"

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 702 W ALCOTT
 FERGUS FALLS, MN 56537



NEW CHURCH BUILDING ADDITION SECTION

SCALE: 1/8" = 1'-0"

BETHEL LUTHERAN CHURCH
702 W ALCOTT
FERGUS FALLS, MN 56537



Planning Commission Staff Report

Planning Commission Public Hearing Date: March 23, 2020

City Council Meeting: April 6, 2020

Subject: Case# V-2020-02: Bethel Lutheran Church.

Bethel Lutheran Church is asking for a variance to construct an addition to an existing non-conforming structure (front setback) that is within the 50' structure setback for a church in the R-2 zone and to be at 38 feet 10 inches in height.

	DATE
Application Received	February 21, 2020
Notices Published in Daily Journal	March 11, 2020
Notices Mailed to 350 feet area	March 12, 2020
PC Hearing to be held	March 23, 2020
60 Day Deadline	April 22, 2020

Standards of Evaluation

- City of Fergus Falls Zoning and Subdividing Ordinance
 - 154.017 (B)(1)

The practical difficulties test, consists of the following criteria:

 - The property owner proposes to use the property in a reasonable manner, but one which is not allowed by the city's zoning ordinance
 - The land owner's situation is due to circumstances unique to the property not caused by the landowner. Uniqueness generally relates to the physical characteristics of the particular piece of property and economic considerations alone "do not constitute practical difficulties."
 - The variance, if granted, will not alter the essential character of the locality. This factor generally contemplates whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.
 - The request must also be consistent with the ordinance criteria and comprehensive plan.
- 154.032 R-2 One- and -Two Family Residence District (B)(1) Which allows:
 - 154.031 (B) (5) R-1 zone permitted uses.
 - Churches; provided that, no building shall be located within 50 feet of any lot line of an abutting lot in any of the classes of residence district.
- Minnesota Statute Section 462.357, SUBD. 6 provides:
 - a. Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are consistent with the comprehensive plan.
 - b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;

(b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.

Department Comments:

The original church was built in 1955 with a non-conforming setback of 10 feet to the front line. The Church was added onto before and is now looking to expand their seating and parking area. The R-2 zone allows for structures to be up to 30 feet tall. The code also allows churches in this zone as long as they are 50 feet from any lot line with a residential zone neighboring.

The request here is for an addition that will be 38 feet 10 inches in height (46 feet 8 inches to the peak), expand on the original non-conforming building, and be 5-10 feet from the north property line. The code defines: Building Height. *The vertical distance from the average of the highest and lowest point of that portion of the lot covered by the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs and to the mean height between eaves and ridge for gable, hip and gambrel roofs.*

To the north of the church is Hillcrest Academy. Their main building is located in the R-2 and exceeds the height limits as well. The area to the east and south are mainly residential uses with single or two family dwellings. To the west of the parcels is the Academy football field.



SiteMap



Street View

Proposed Findings (showing approval):**Height**

1. The variance is in harmony with the general purposes and intent of the City's Zoning Ordinance, because the deviation of eight feet is not out of line. The building will be as far away from the residential uses as possible.
2. The city does not have a comprehensive plan; therefore, this criteria question is not applicable.
3. The applicant proposes to use the property in a reasonable manner, because this has been historically used as a church. The existing church building will screen a good portion of the addition to the neighbors to the east and the adequate parking will be available here.
4. The plight of the landowner is due to circumstances unique to the property, not created by the landowner, because the need for the additional height is due to the span of the structure and needing deeper structural members and the ability to provide utilities within the roof. The addition is also located on the lowest elevation of the property and will be lower than the existing roadway.
5. The variance, if granted, will not alter the essential character of the locality, because there are existing buildings to the north that are also over the height limits, so it will be blended in between the academy building and the existing church building.
6. The need for the variance involves more than economic considerations, because the building needs to have a higher pitch due to the span of the structure and to accommodate utilities within the structure.

Setback and Expansion

1. The variance is in harmony with the general purposes and intent of the City's Zoning Ordinance, because the standard setback of 5' would be met, it is only the fact that it is a church that requires the 50 foot setback.
2. The city does not have a comprehensive plan; therefore, this criteria question is not applicable.
3. The applicant proposes to use the property in a reasonable manner, because this has been historically used as a church. The existing church building will screen a good portion of the addition to the neighbors to the east and the adequate parking will be available here. The current church is about 35 feet off of the northern property line, which is currently within the requirement as well. The addition will be in relatively close to the same distance to the northern property line as the existing structure.
4. The plight of the landowner is due to circumstances unique to the property, not created by the landowner, because the existing structure was built before the zoning regulations were placed and the northern property line is a shared entrance between the academy and the church to the parking lot. So, the shared driveway will give a buffer between the lots.
5. The variance, if granted, will not alter the essential character of the locality, because the existing structure is within the front and side setbacks. The addition will be similar to existing setbacks and not be out of character for this area.
6. The need for the variance involves more than economic considerations, because the expansion and northern property line setbacks are proposed due to the existing structure placement that was built in 1955, prior to the zoning regulations we have today.

Staff Comments:

The above findings are proposed to show approval of the variance request. If the commission does not agree with any of the findings, then the commission should look at are there conditions to help to create a positive finding or look at a denial finding and create a set of findings to support denial.

Recommended Conditions:

1. Screening by means of vegetation or fencing must be established and maintained between the parking lot and the southern lot line.

However, the Planning Commission should consider all facts and testimony after conducting the public hearing and render a decision accordingly.

Alternative Courses of Action:

Motion to Approve:

Should the Planning Commission choose to recommend approval of the variance, a motion should be made to recommend approval of the variance based on findings of fact.

Motion to Deny:

Should the Planning Commission choose to recommend denial of the variance, a motion should be made to recommend denial of the variance, stating the reason(s) for denial.

Motion to Continue:

Should the Planning Commission need further information to make an informed decision on the variance request, a motion should be made to recommend continuing the item until the next Planning Commission meeting, stating the reason(s) for tabling, including the information requested.

Originating Department: Community Development Department

Respectfully Submitted: Darrin Welle

Attachments:

- Application
- Public Hearing Notice