14A Resolution approving a conditional use permit for an accessory structure in excess of 1,000 square feet at 4124 Thomas Ave.

Attached is correspondence received after the packet was distributed.
ITEM 14A – 4124 Thomas Ave. conditional use permit

The attached comments were received after the packet was distributed.
Dear City Council Member,
dear Mr Mayor,
dear Mr Gordon:

I am the owner of the property 4112 thomas ave, minnetonka mn 55372
I am in the process of building an beautiful sfh .plans are approved and permit has been granted.

Now to the Gerten residence :

1) and this is important:
   The Minnesota Supreme Court ruled on 03/18/2015 (a13-0310) that a conditional use permit application on the ground that proposed use would be injurious to the surrounding neighborhood, or otherwise harm the public health, safety and welfare or, is harmful can be properly denied by the city/ council

2) to the best of my knowledge an environmental study has not been done. why not?
3) the impact of the runoff water will be significant and hence will flood my yard. this not been taken into consideration. why not?

4) it is NOT clear what Mr Gerten intends to do with a 1500sf garage on the first floor, 1200 on the second floor and 400 sf overhang. this adds up to nearly 3000sf. if this is for hobby purposes it is well above the reguar 1000 that the ordinance allows and exuberant

   fact is that mr gerten runs a construction business out of his home and the likely hood that this will happen again is high. for a hobby garage he does not need a 2 story. other neighbors have also 1000 sf garages in our street but followed the ordinances

5) it is also not clear why Mr Gerten states to neighbors that he only wanted a 2 car garage but and i quote: “the city told me to do the big garage” i have a hard time believing him so he needs to be asked

6) Mr Gerten s lot is much higher then mine. i am guessing that i am at least 13 feet lower.
therefore i will look from my new house and from my garden at a 24+ high ugly structure. This is devaluating my property. the appraisal institute also confirmed this even if i would plant trees all along my property ( certainly at mrs gerten’s expense) those trees would never reach the height to block the horrible view - at least not in my lifetime nor resolve water, mudslide and other problems

7) i will have a seasoned real estate agent testify to the loss of value and also be happy to get more realtors or appraisers of mutual choice to confirm

8) there will also be a specialist testifying the other harmful impacts that this proposed building will cause

9) it is required that the building needs to be conforming to the existing house - IT IS NOT

10) the neighborhood has been preserved to a different style and this building would destroy that picture

11) i will with all venues the law allows me to prevent this building and protect the value of my property therefore:

i am asking the city council to deny the application and reduce this so called garage to the limit of 1000sf. further it needs to be made clear to mr gerten that this is not a commercial use garage, and noise and machines or materials moved are not allowed

12) mr gerten has other options to integrate a large garage to the house. e.g. a great garage to the left and if necessary one on the right side too but mr gerten chooses the way of confrontation instead of working with his neighbors

i truly hope that we can get this resolved tonight so that all parties involved are happy

warm regards,

Dean HPeter
I am writing with regard to the Gerten Accessory Project on the City Council agenda tonight. I ask that these comments be provided to the City Council members with the change notice materials.

I previously sent comments prior to the Planning Commission meeting, and feel that the issues I raised in those comments, particularly with regard to water diversion as a result of the project, have not been adequately addressed. I remain opposed to the approval of this permit request.

In addition, within the last 3 days, Mr. Gerten informed me that his initial request to the Minnetonka planning staff was for a 2 car garage. This request somehow morphed into a 30 x 50 foot, 2 story barn that is larger than both his home and my home. The structure does not match the architecture of Mr. Gerten’s home or any other home in the neighborhood, and far exceeds the 1000 square foot limit in the Minnesota zoning ordinance.

Theresa Kowalski