CITY OF PLYMOUTH
AGENDA
Regular Planning Commission
Council Chambers
3400 Plymouth Boulevard, Plymouth, MN
September 2, 2026, 7:00 PM

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. PUBLIC FORUM - Individuals may address the commission about any item not contained on the regular agenda. A maximum of three minutes is allotted per individual with a total of 15 minutes for the forum. If the full 15 minutes are not needed for the forum, the commission will continue with the agenda. The commission will take no official action on items discussed at the forum, with the exception of referral to staff for future report.

3. APPROVE AGENDA - Planning Commission members may add items to the agenda for discussion purposes or staff direction only. The commission will not normally take official action on items added to the agenda.

4. CONSENT AGENDA - These items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a commission member or individual so requests, in which event the item will be removed from the consent agenda and placed elsewhere on the agenda.

4.1 Approve the August 19, 2026, minutes.
1. Minutes

4.2 Variance request to allow the construction of an attached deck within the ordinary high-water level setback of Snyder Lake at 2255 County Road 101 (Donald & Sarah Colpitts - 2026050)
1. Planning Commission Staff Report
2. Location Map
3. Variance Standards Response
4. Survey With Deck
5. Deck Plans
6. Resolution

5. PUBLIC HEARINGS

6. NEW BUSINESS

6.1 Variances to regulations for fence height and fencing material for property located at 13205 54th Avenue (Anika Kaleewoun -- 2026049)
1. Planning report
2. Location map
3. Aerial map

4. Site Photos - August 11, 2026
5. Violation notice - May 7, 2026
6. Second violation notice - June 9, 2026
7. City Attorney's letter to homeowner - July 16, 2026
8. Variance standards - Section 21030.03
9. Fence plan on survey
10. Applicant's narrative and plans
11. Correspondence received
12. Draft resolution - approval
13. Draft resolution - denial

7. ADJOURNMENT

To:	Planning Commission
Prepared by:	Lori Sommers, Planning Manager
Reviewed by:	Grant Fernelius, CED Director
Item:	**Approve the August 19, 2026, minutes.**

1. Action Requested:
Motion to adopt the minutes.

2. Background:
The Planning Commission met on August 19, 2026.

3. Budget Impact:
N/A

4. Attachments:
1. Minutes

Proposed Minutes
Planning Commission Meeting
August 19, 2026

Chair Boo called a Meeting of the Plymouth Planning Commission to order at 7:00 p.m. in the Council Chambers of City Hall, 3400 Plymouth Boulevard, on August 19, 2026.

COMMISSIONERS PRESENT: Chair Michael Boo, Marc Anderson, Greg Hansen, Neha Markanda, and Jim Willis

COMMISSIONERS ABSENT: Josh Fowler and Julie Olson

STAFF PRESENT: Planning Manager Lori Sommers and City Council Liaison Julie Pointner

Chair Boo led the Pledge of Allegiance.

Call to Order

Public Forum

Approval of Agenda

Motion was made by Commissioner Anderson and seconded by Commissioner Hansen to approve the agenda. With all Commissioners voting in favor, the motion carried.

Consent Agenda

(4.1) Variance to allow construction of a room addition that would increase impervious surface coverage to 36 percent, for property located at 320 Inland Lane (Boyer Building – 2026047)

(4.2) Variance to construct a screened porch addition with a setback of 20 feet where 25 feet is required, for property located at 4615 Fountain Lane North (Ridenour – 2026045)

(4.3) Planning Commission meeting minutes from the August 5, 2026 meeting

Motion was made by Commissioner Markanda and seconded by Commissioner Anderson to approve the consent agenda. With all Commissioners voting in favor, the motion carried.

Public Hearing

New Business

Adjournment

Chair Boo adjourned the meeting at 7:04 p.m.

Regular Planning Commission
September 2, 2026
Agenda Number: 4.2

To:	Planning Commission
Prepared by:	Kip Berglund, Senior Planner
Reviewed by:	Lori Sommers, Planning Manager Grant Fernelius, CED Director
Item:	**Variance request to allow the construction of an attached deck within the ordinary high-water level setback of Snyder Lake at 2255 County Road 101 (Donald & Sarah Colpitts - 2026050)**

1. Action Requested:

Review the variance request by Donald & Sarah Colpitts to allow the construction of an attached deck within the ordinary high-water level setback of Snyder Lake at 2255 County Road 101 and make a recommendation to the City Council.

2. Background:

See attached Planning Commision staff report

3. Budget Impact:

Not applicable

4. Attachments:

1. Planning Commission Staff Report
2. Location Map
3. Variance Standards Response
4. Survey With Deck
5. Deck Plans
6. Resolution

To: Plymouth Planning Commission

From: Kip Berglund, Senior Planner (763-509-5453)
Community and Economic Development Department

Subject: Donald & Sarah Colpitts – variance request to allow the construction of an attached deck within the ordinary high-water level (OHWL) setback of Snyder Lake at 2255 County Road 101 (2026050)

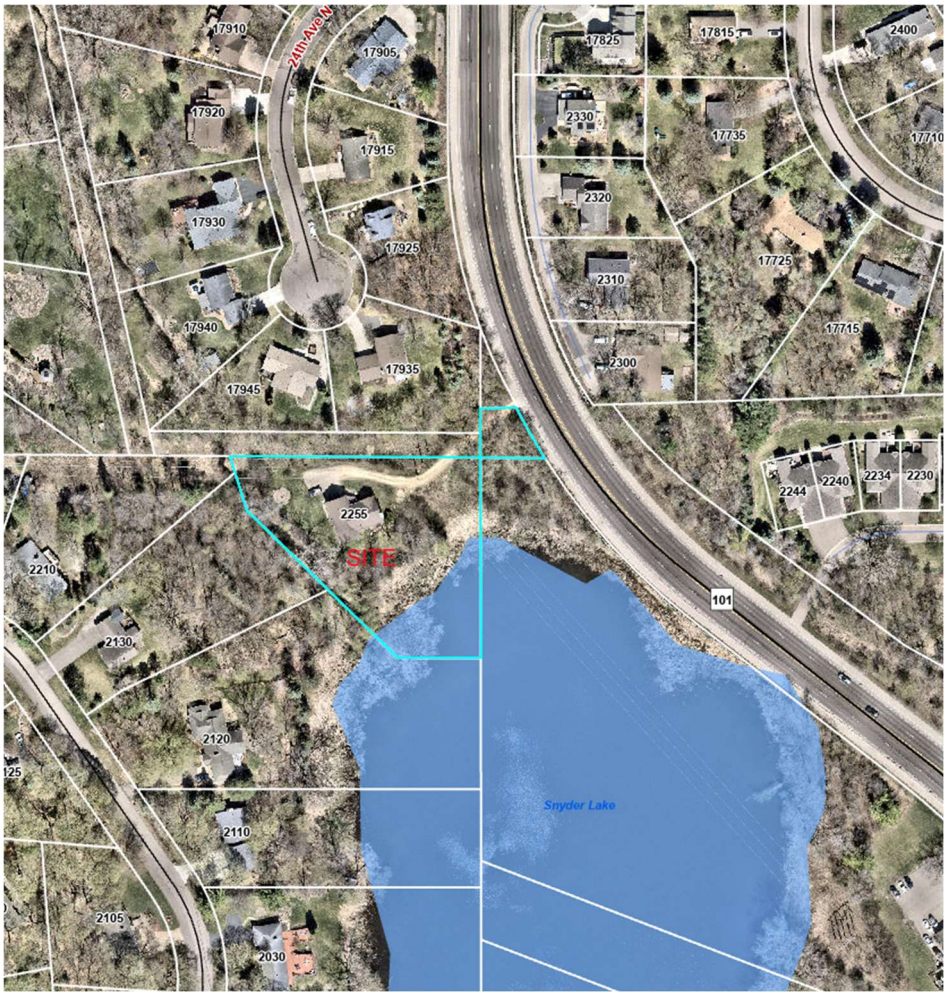
Ward 2

Deadline: December 1, 2026

Summary
Request for a variance for a 10-foot, 4 inch by 24-foot deck on the southeast corner of the existing home. The variance is to allow for a deck to encroach into the required structure setback from the ordinary high-water level (OHWL) of Snyder Lake. Under the plan, the deck would be located roughly two feet closer to the OHWL than permitted by code.

The applicants are requesting to build a deck closer than permitted to allow for a more usable deck.

An aerial view of the site is included on the right for reference on the site context.



Recommended Action
Community and Economic Development Department Staff recommend approval of the variance for the deck within the ordinary high water level setback of Snyder Lake.

Site Information

Zoning and Land Use
The property is zoned RSF-1 (single family detached 1) and guided LA-1 (living area 1).

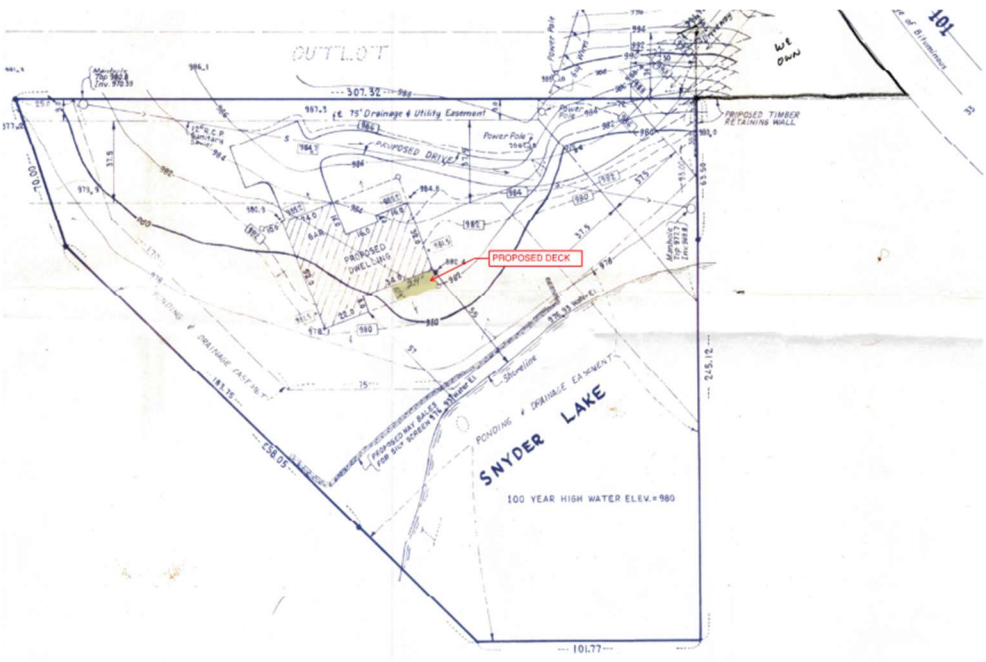
	Use	Zoning	Land Use Designation (2040 Comprehensive Plan)
Subject Property	Single-family home	RSF-1	LA-1
North	Single-family homes in the Imperial Hills Subdivision	RSF-1	LA-1
South & West	Single-family homes in the Snyder's Lakeview Subdivision	RSF-1	LA-1
East	Snyder Lake & wetlands – northern portion of the Northwest Animal Hospital property	O	CO

Natural Characteristics of Site
The lot is located in the Minnehaha Creek watershed and is within the shoreland overlay district for Snyder Lake. The lot contains a high-quality wetland in the southern portion of the property. It is not located in a floodplain management overlay district.

Previous City Actions Affecting Site
The subject lot was created in 1958 as part of the Snyder's Lakeview subdivision. The home was built in 1986.

Analysis of Request
The applicants are requesting approval of a variance to allow the construction of a deck to encroach into the required structure setback from the ordinary high-water level (OHWL) of Snyder Lake. Under the plan, the deck would be located roughly two feet closer to the OHWL than permitted by code.

The property is a riparian lot on Snyder Lake and therefore the ordinance stipulates a minimum structure setback from the ordinary high-water level (OHWL) of 75 feet. The OHWL for Snyder Lake is 977 feet. The applicants have provided a survey that includes the OHWL contour showing that the existing home is located 55 feet from the OHWL at its closest point.



The existing home was constructed prior to the current shoreland management overlay regulations and is considered legally non-conforming in regard to the structure setback from the OHWL. Section 21665.04, Subd. 2 (3) b. of the code allows for the addition of an attached deck to a structure that lawfully existed on the effective date of the current section, provided the deck encroachment toward the OHWL does not exceed 15 percent of the existing shoreline setback of the structure from the OHWL or does not encroach closer than 30 feet, whichever is more restrictive.

The southeast corner of the home is located 55 feet from the OHWL where 75 feet is required. Therefore, an 8.25-foot attached deck could be constructed to the rear of the home without a variance and be located 46.75 feet from the OHWL. The applicants are requesting a 10.33-foot deck that would be 44.67 feet from the OHWL.

The applicants state that the proposed deck size is a more practical than the size allowed without a variance, and that the wider deck would better accommodate gatherings, and allow for better and safer placement of table and seating areas. The applicants also state that effort was made in the proposed deck design to keep the footings located 8.3 feet from the home, as permitted, with a 2-foot cantilever. The deck would be approximately 10 feet above ground and allow water to drain through as opposed to running off.

Findings
In review of the request, staff finds that all the applicable variance standards would be met, as follows:

1. Would the variance, and its resulting construction or project, be in harmony with the general purposes and intent of the Zoning Ordinance, and be consistent with the comprehensive plan?
   Finding: Staff finds that the request is in harmony with the general purpose of the zoning

ordinance and comprehensive plan. Decks are a permitted use in the RSF-1 zoning district, the proposed size is more practical than permitted without a variance, and the location would be secluded from other properties.

2. The variance applicant has satisfactorily established that there are practical difficulties in complying with this Chapter. "Practical difficulties" means that:
   a. Does the applicant propose to use the property in a reasonable manner permitted by this Chapter?
      Finding: Staff finds that the request is reasonable. The property will be used in a reasonable manner, as permitted by the zoning ordinance. Upon the granting of the variance, the project will comply with the zoning ordinance.
   b. Is the plight of the landowner due to circumstances unique to the property that were not created by the landowner?
      Finding: Staff finds that the property characteristics were not caused by the applicants as the current shoreland regulations were adopted after the home was constructed.
   c. The variance, if granted, would not alter the essential character of the locality?
      Finding: Staff finds that the request would not alter the essential character of the locality as several properties within the neighborhood have attached decks that improve the outdoor spaces and livability of the homes.

3. Is the variance request based exclusively upon economic considerations?
   Finding: Staff finds that the request is not solely based on economic considerations but based upon the need to create additional outdoor living space to improve the livability of the home.

4. Would the variance, and its resulting construction or project, be detrimental to the public welfare, or would it be injurious to other land or improvements in the neighborhood?
   Finding: Staff finds that the request would not be detrimental to the public welfare and would not be injurious to other land/improvements in the neighborhood. The larger deck would be more practical and usable than what would be allowed by code without a variance.

5. Would variance, and its resulting construction or project, impair an adequate supply of light and air to adjacent properties? Or would it substantially increase traffic congestion in public streets, increase the danger of fire, endanger the public safety, or substantially diminish property values within the neighborhood?
   Finding: Staff finds that the request would not impair light and air, nor increase traffic, risk of fire, nor endanger the public safety, nor dimmish property values in the

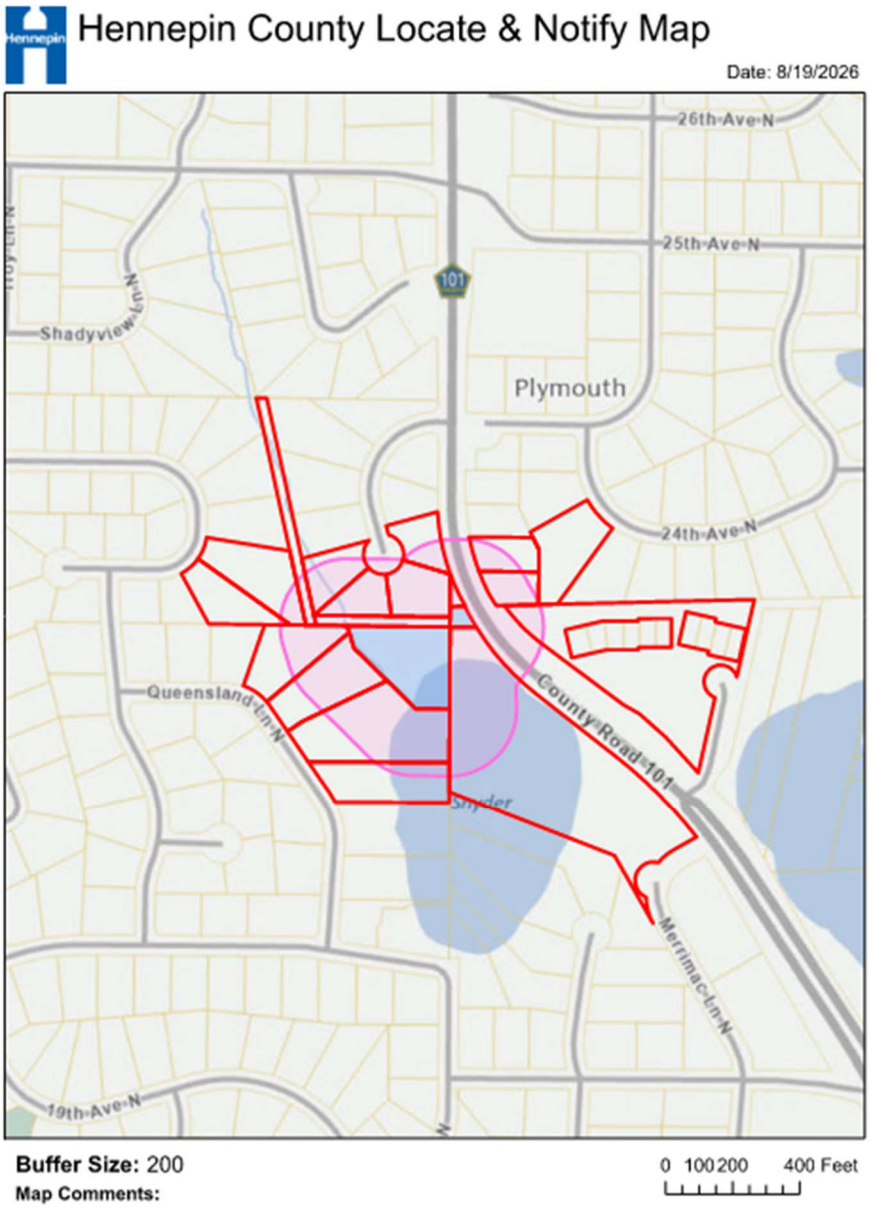
neighborhood. The deck would be in character with the neighborhood, match the architecture of the home and increase the value of the property.

6. Is the variance requested the minimum action required to address or alleviate the practical difficulties?
   Finding: Staff finds that the variance is the minimum action required to address the practical difficulties. The design and placement of the deck is based on both architectural and aesthetic purposes and would meet or exceed all other zoning requirements.

The Planning Commission must review the variance request for compliance with the standards outlined in the zoning ordinance. A copy of the variance standards is attached.

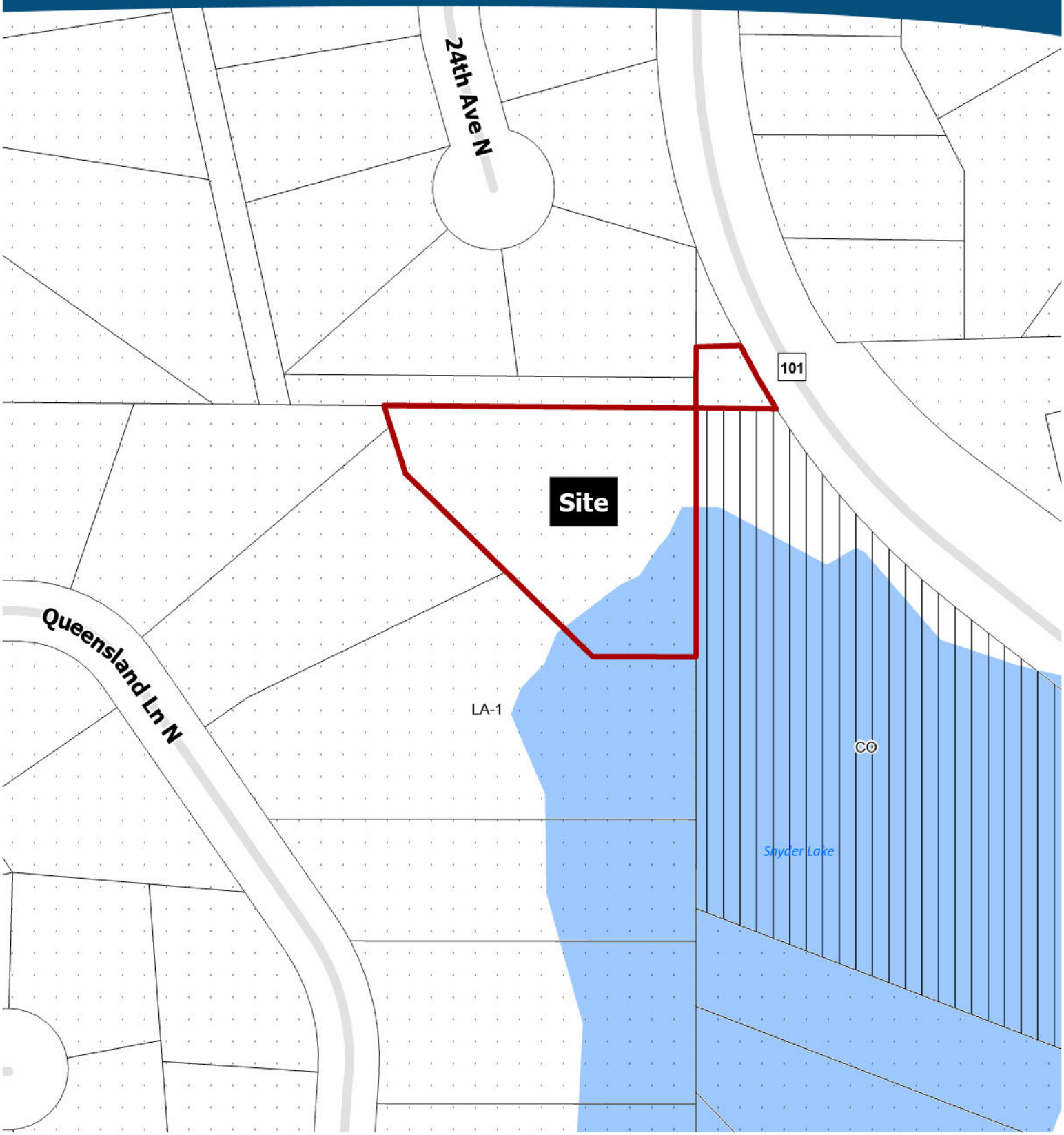
Level of Discretion in Decision-Making
The City's discretion in approving or denying a variance is limited to whether or not the proposal meets the standards for a variance. The City has a relatively high level of discretion with a variance because the burden of proof is on the applicant to show that they meet the standards for a variance.

Public Notice
Notice of the public meeting was mailed to all property owners within 200 feet of the site.



2026050 Location Map
Donald & Sarah Colpitts - 2255 Co Rd 101
Variance Application

City of Plymouth



C, Comercial
CC, City Center
CO, Commercial Office
IND, Industrial
LA-1, Living Area 1
LA-2, Living Area 2
LA-3, Living Area 3
LA-4, Living Area 4
LA-5, Living Area 5
MXD, Mixed Use
MXD-R, Mixed Use Residential
P-I, Public/Semi-Public/Institutional

N

0 160 Feet

This represents a compilation of information and data from city, county, state and other sources that has not been field verified. Information should be field verified and compared with original source documents.

City of Plymouth

Community and Economic Development Department
3400 Plymouth Blvd
Plymouth, MN 55447
(763) 509-5450

Property Location: 2255 County Road 101 N. Plymouth 55447

A variance application may be approved only upon finding that all of the following criteria, as applicable, have been met.

What is the proposed project? Explain what you're doing and why you need a variance.

Please see attached responses to all questions

Explain whether the variance, and its resulting construction or project, would be in harmony with the general purposes and intent of the Zoning Ordinance, and consistent with the Comprehensive Plan.

Explain whether the variance, and its resulting construction or project, would not be detrimental to the public welfare, or injurious to other land or improvements in the neighborhood.

Explain whether the variance, and resulting project, would impair an adequate supply of light and air to adjacent properties, substantially increase traffic congestion in public streets, increase the danger of fire, endanger the public safety, or substantially diminish property values within the neighborhood.

City of Plymouth

Community and Economic Development Department
3400 Plymouth Blvd
Plymouth, MN 55447
(763) 509-5450

Explain the "practical difficulties" present by answering the following questions:

Is the variance the minimum action required to address or alleviate the practical difficulties? Explain.

Do you plan to use the property in a reasonable manner, permitted by the Zoning Ordinance? Explain.

Would the variance, if granted, alter the essential character of the locality? Explain.

Is the variance request based exclusively upon economic considerations? Explain.

Is the difficulty due to circumstances unique to the property, and was the issue created by the property owner? Explain.

Property Owners: Don & Sarah Colpitts

Property Location: 2255 County Road 101 N. Plymouth MN 55447

Deck Variance Request to City of Plymouth:

Proposed Deck Project:

Adding a 10.3' deep x 24' wide deck to the back of our home. The current size allowed without a variance is 8.3' deep x 24' wide.

Our design proposal would be to construct the structural support of the deck within the 8.3' x 24' area and then add a 2' cantilever extension to reach the 10.3' depth. The above ground surface of the deck will be approx. 9'-9" above ground at the house connection & 10'-3" above ground at the outer most point of the deck.

By keeping the footings & supports for the deck within the 8.3' construction area would be in harmony with the general purposes and intent of the Zoning Ordinance by not encroaching or disturbing any further to the lake with the support structure.

Our home is located in a fairly seclude location in Plymouth. Our project would not be detrimental to the public welfare or injurious to other land or improvements in the immediate and surrounding neighborhoods. The deck would be hidden the majority of the year by the surrounding trees and landscaping of our property.

The variance and the deck construction would not impair an adequate supply of light and air to the adjacent and surrounding properties, nor would it increase traffic congestion or endanger public safety. It would not diminish property values, but most likely it would increase our property value.

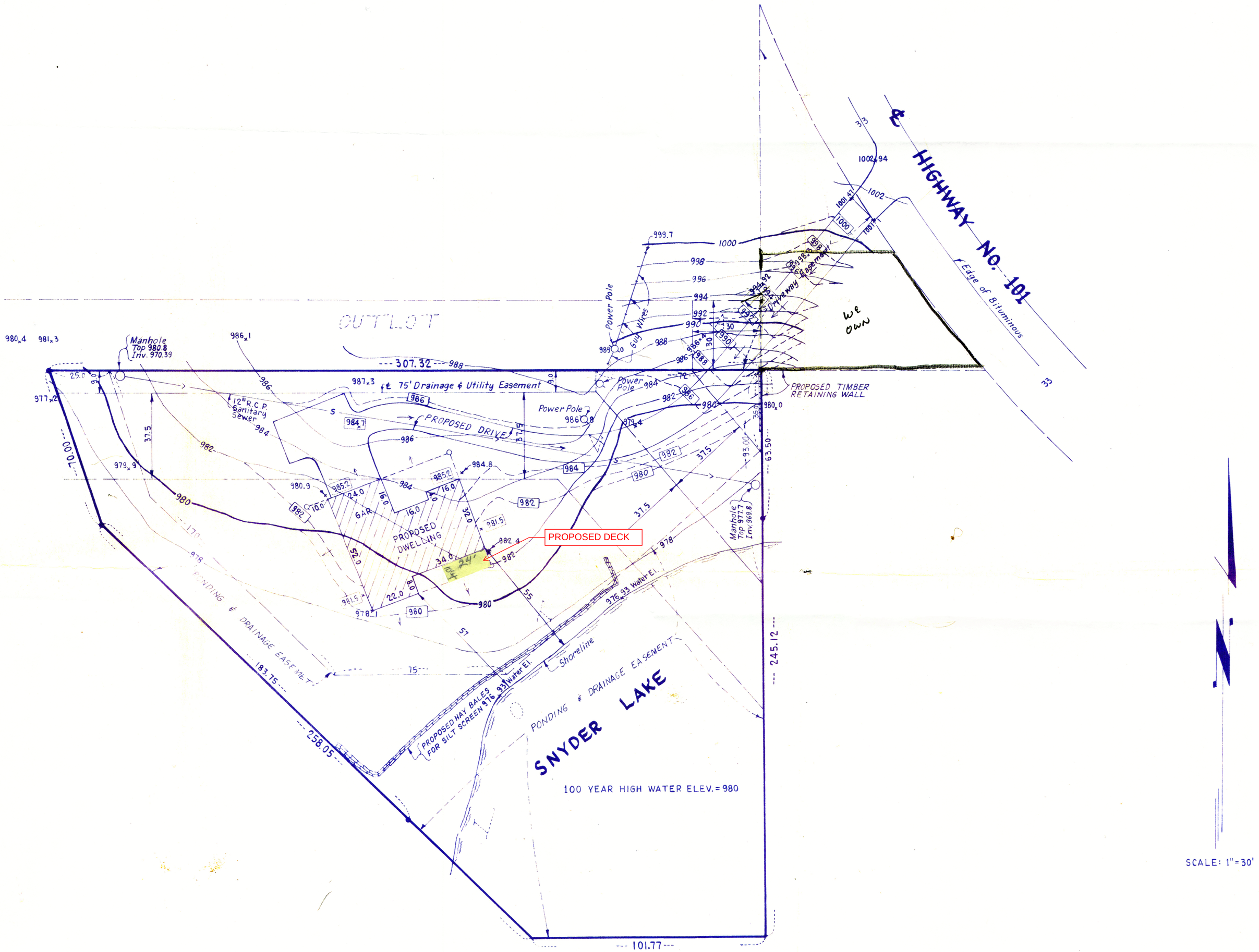
Yes, the variance will allow us to have a deck that is a more practical size. The wider deck is a safer size for gatherings when taking into consideration tables and seating areas, a wider space is safer.

We do and will continue to use our property in a safe and reasonable manner as permitted by the zoning ordinance. We don't have large gatherings or parties.

The deck will not alter the character or the property it will enhance it.

Our variance request is not based on economic considerations.

Our property is unique with utility easements to the north of our house & watershed district setbacks to the south of our house, where the deck will be located. Thus, the cantilever portion of the deck keeps the supports in the allowed construction area.



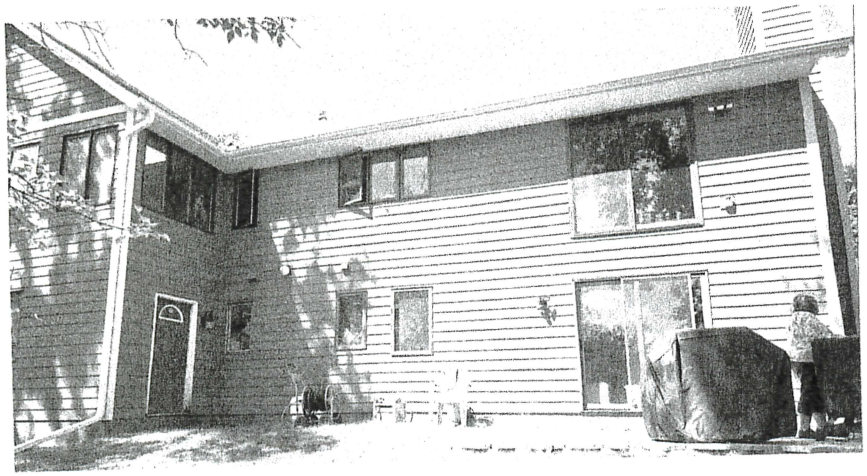
NOTE:

Placement of the proposed home will require a reduction in the volume below the 980 contour in Snyder Lake of 42 cubic yards. Since the lake covers 10.5 acres at the 980 contour, this would result in a 1/32 of 1 inch rise in the lake which would not be significant.

JOB NO. 85331

BUILD NEW DECK USING TREX FASTENED w/ HIDDEN FASTENERS
6x6 POST
2x10 FRAMING
HELICAL PIER FOOTINGS
36" ALUMINUM RAILING w/ ALUMINUM BALUSTERS (SPACING <4")

DECK MATERIAL
DECKING: TREX TRANSCEND – SPICED RUM
PICTURE FRAME: TREX TRANSCEND – SPICED RUM
FASCIA: TREX TRANSCEND – SPICED RUM
RAILING: WESTBURY RIVIERA - SPECKLED WALNUT
LIGHT: POST CAP LIGHTS





3D VIEWS ARE NOT TO SCALE AND MAY NOT REFLECT EXACTLY WHAT IS AVAILABLE FOR THE PROJECT. RENDER VIEWS ARE REPRESENTATIONS OF WHAT THE VIEW COULD LOOK LIKE, NOT WHAT IT WILL LOOK LIKE. 2D VIEWS ALWAYS SUPERCEDE 3D VIEWS

ALLAROUND

LICENSE NO: BC635665

NEW DECK PLANS FOR:
Sarah & Dan Colpitts
2255 County Rd 101 N
Plymouth , MN, 55447
EMAIL:
PHONE:

PAGE TITLE: Cover Page

DRAWN BY: D.R. Design Solutions

DATE: 8/12/2026

SCALE:

SHEET #: 1

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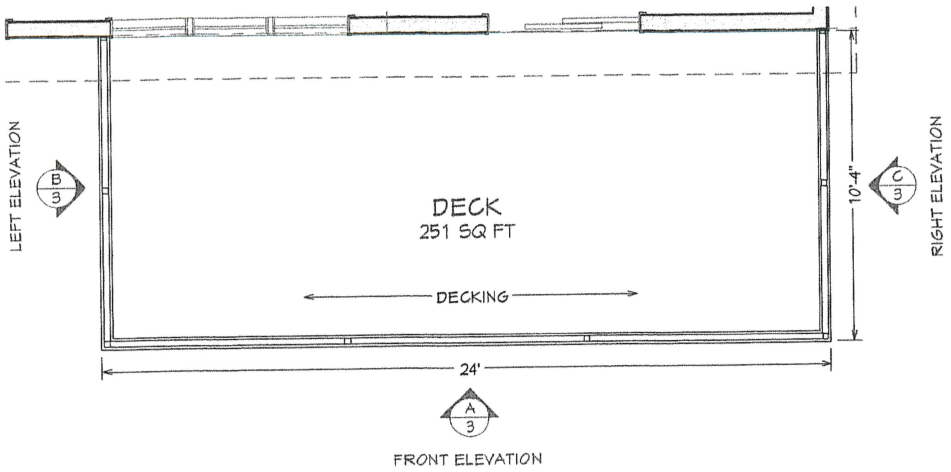

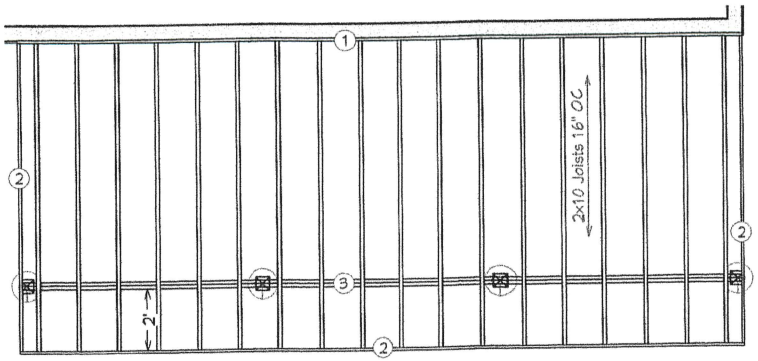

DECK FRAMING	
1	2x10 LEDGER
2	2x10 RIM JOIST
3	(2)2x10 DROP BEAM

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LICENSE NO:
BC635665

NEW DECK PLANS FOR:
Sarah & Dan Colpitts
2255 County Rd 101 N
Plymouth , MN, 55447
EMAIL:
PHONE:

PAGE TITLE:
Floorplans

DRAWN BY:
D.R. Design Solutions

DATE:
8/12/2026

SCALE:
1/4"= 1'0"

SHEET #:
2

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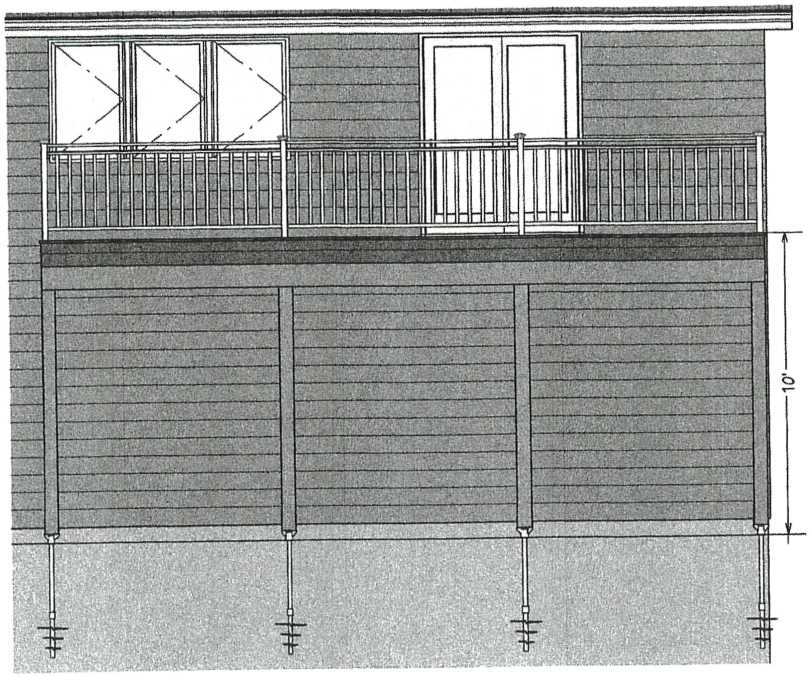
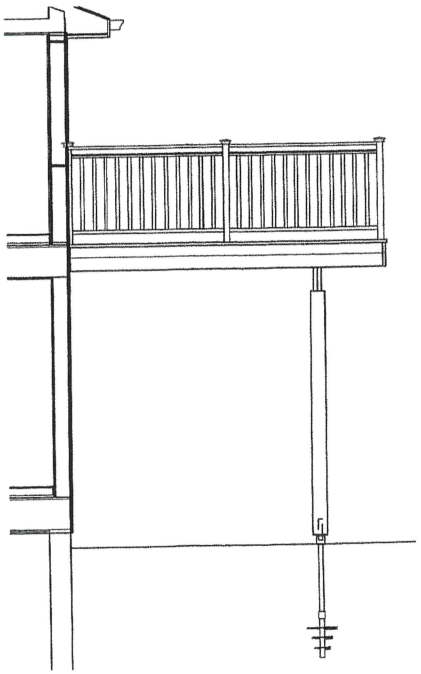
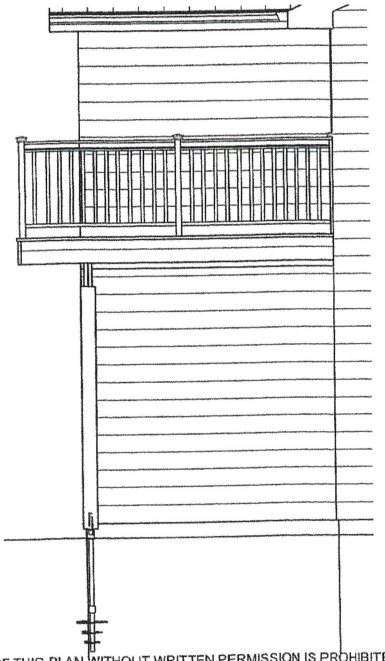
(A) FRONT ELEVATION



(B) LEFT ELEVATION



(C) RIGHT ELEVATION



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LICENSE NO:
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NEW DECK PLANS FOR:
Sarah & Dan Colpitts
2255 County Rd 101 N
Plymouth , MN, 55447
EMAIL:
PHONE:

PAGE TITLE:
Exterior Elevations

DRAWN BY:
D.R. Design Solutions

DATE:
8/12/2026

SCALE:
1/4" = 1'0"

SHEET #:
3

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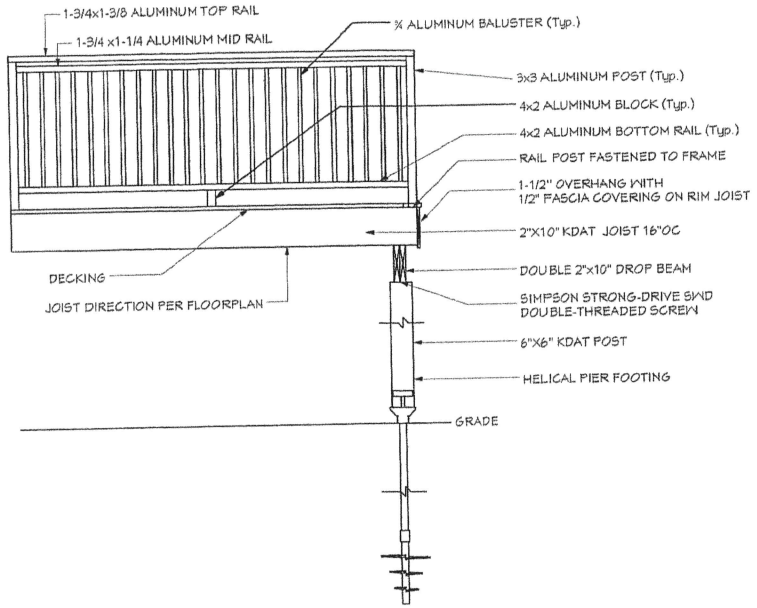

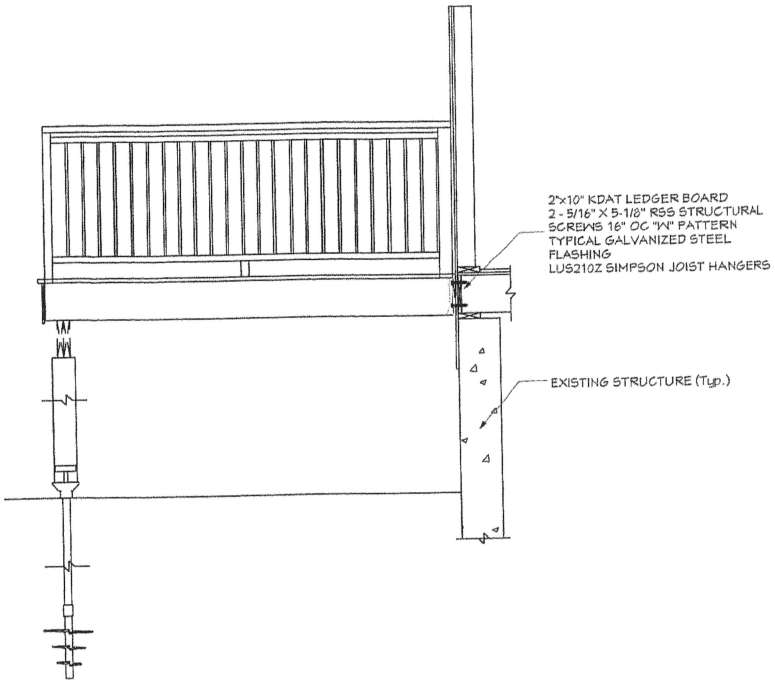

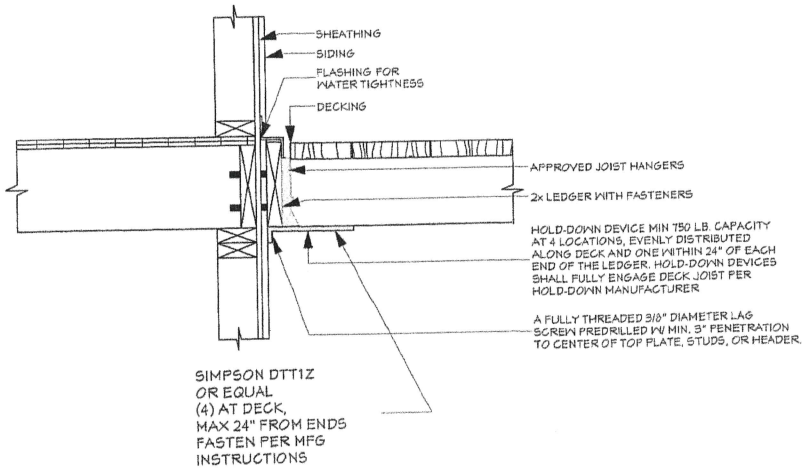

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LICENSE NO:
BC635665

NEW DECK PLANS FOR:
Sarah & Dan Colpitts
2255 County Rd 101 N
Plymouth , MN, 55447
EMAIL:
PHONE:

PAGE TITLE:
Framing Section Views

DRAWN BY:
D.R. Design Solutions

DATE:
8/12/2026

SCALE:
NTS

SHEET #:
4

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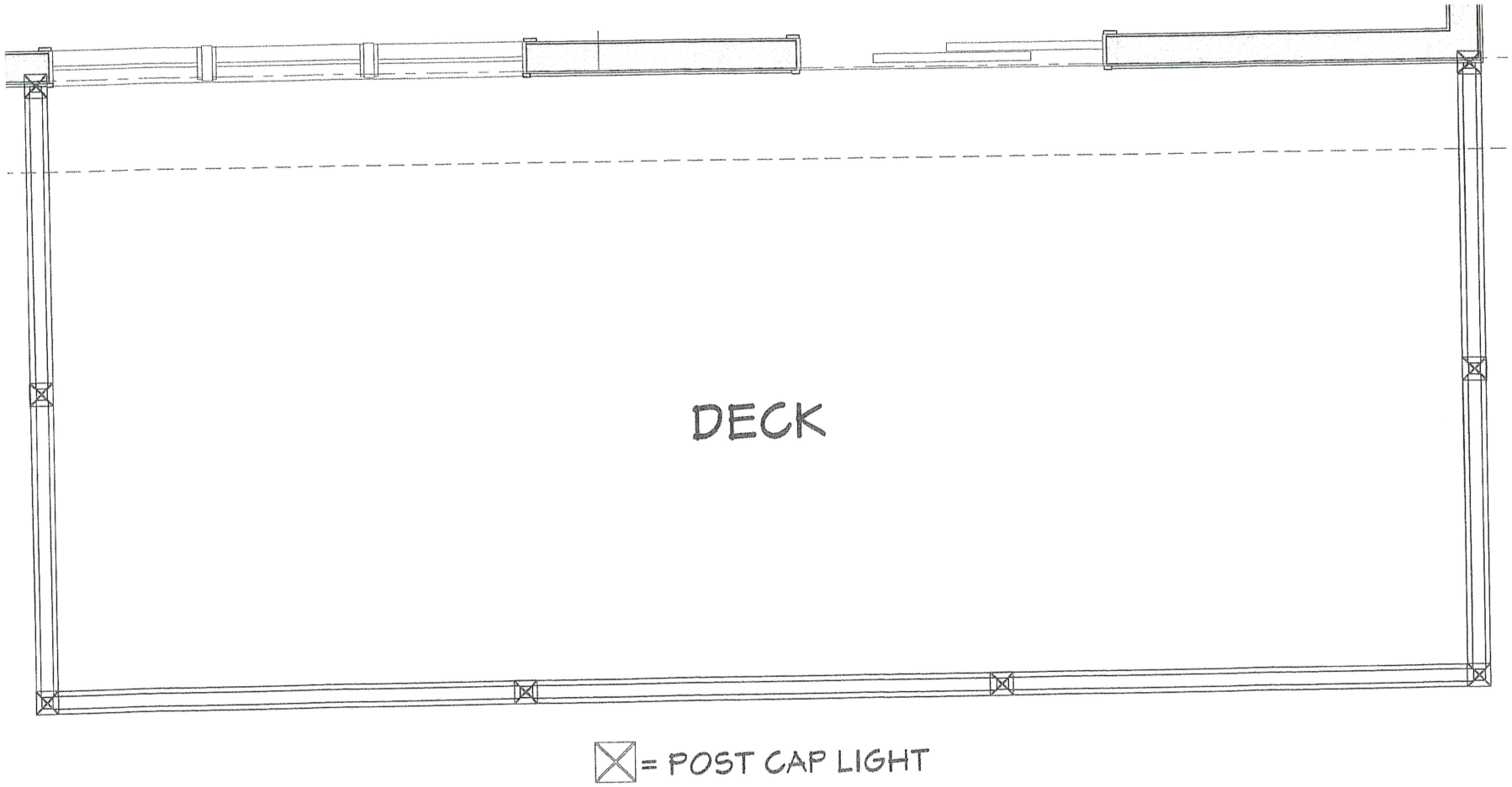

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ALLAROUND

LICENSE NO:
BC635665

NEW DECK PLANS FOR:
Sarah & Dan Colpitts
2255 County Rd 101 N
Plymouth , MN, 55447
EMAIL:
PHONE:

PAGE TITLE:
Railing & Lighting Layout

DRAWN BY:
D.R. Design Solutions

DATE:
8/12/2026

SCALE:
NTS

SHEET #:
5

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CITY OF PLYMOUTH

RESOLUTION NO. 2026-

RESOLUTION APPROVING A VARIANCE FOR DONALD & SARAH COLPITTS FOR PROPERTY LOCATED AT 2255 COUNTY ROAD 101 (2026050)

WHEREAS, Donald & Sarah Colpitts have requested approval of a setback variance to allow the construction of a deck within the ordinary high-water level (OHWL) setback of Snyder Lake; and

WHEREAS, the subject property is legally described as: Lot 4, Block 2, Snyder's Lakeview, Hennepin County, Minnesota; and

WHEREAS, the Planning Commission has reviewed said request at a duly called public meeting,

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA, that it should and hereby does approve the request by Donald & Sarah Colpitts, for a setback variance for a deck within the ordinary high-water level of Snyder Lake, for property located at 2255 County Road 101, subject to the following:

1. The requested variance to allow construction of a 10-foot, 4 inch by 24-foot attached deck, on the southeast corner of the existing home, that would encroach up to 44.67 feet from the ordinary high water level of Snyder Lake, where a minimum of 46.67 feet is required by code, is hereby approved, in accordance with the plans received by the city on August 3 & 24, 2026, except as may be amended by this resolution.

2. The requested variance is approved based on the finding that all applicable variance standards have been met, specifically:

    a) The requested variance, and its resulting construction project, would be in harmony with the general purposes and intent of the ordinance, and would be consistent with the comprehensive plan. Decks are a permitted use in the RSF-1 zoning district, the proposed size is more practical than permitted without a variance, and the location would be secluded from other properties.

    b) The applicant has demonstrated that there are practical difficulties in complying with the ordinance regulations, because:
        1. The applicant proposes to use the property in a reasonable manner, as permitted by the zoning ordinance. Upon the granting of the variance, the project will comply with the zoning ordinance.
        2. The request is due to unique circumstances not created by the property owners as the current shoreland regulations were adopted after the home was constructed.
        3. The variance would not alter the essential character of the lot or neighborhood. Several properties in the neighborhood have attached decks that improve the outdoor spaces and livability of the homes.

c) The requested variance is not based upon economic considerations but rather based upon the need for creating additional outdoor living space to improve the livability of the home.

d) The variance, and its resulting construction, would not be detrimental to the public welfare, nor would it be injurious to other land or improvements in the neighborhood. The larger deck would be more practical and usable than what would be allowed by code without a variance.

e) The variance, and its resulting construction, would not impair an adequate supply of light and air to adjacent properties, nor would it increase traffic congestion or the danger of fire, endanger the public safety, or substantially diminish property values within the neighborhood. The deck would be in character with the neighborhood, match the architecture of the home, and increase the value of the property.

f) The variance requested is the minimum action required to address the practical difficulties. The design and placement of the deck is based on both architectural and aesthetic purposes and would meet or exceed all other zoning regulations.

3. <u>A building permit is required prior to commencement of the project.</u>

4. Building code related items will be addressed at the building permit application submittal.

5. The variance shall expire one year after the date of approval, unless the property owner or applicant has commenced the authorized improvement or use, or unless the applicant, with the consent of the property owner, has received prior approval from the city to extend the expiration date for up to one additional year, as regulated under section 21030.06 of the zoning ordinance.

APPROVED by the Plymouth City Council on this **** day of *******, ****.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.

The undersigned, being the duly qualified and appointed City Clerk of the City of Plymouth, Minnesota, certifies that I compared the foregoing resolution adopted at a meeting of the Plymouth City Council on *******, with the original thereof on file in my office, and the same is a correct transcription thereof.

WITNESS my hand officially as such City Clerk and the Corporate seal of the City this _____day of _____.

_____
City Clerk

To: Planning Commission

Prepared by: Shawn Drill, Senior Planner

Reviewed by: Grant Fernelius, CED Director

Item: **Variances to regulations for fence height and fencing material for property located at 13205 54th Avenue (Anika Kaleewoun -- 2026049)**

1. Action Requested:

The Planning Commission should review the requested variances, conduct the public meeting, and subsequently provide its recommendation to the City Council.

2. Background:

See attached planning report.

3. Budget Impact:

N/A

4. Attachments:

1. Planning report
2. Location map
3. Aerial map
4. Site Photos - August 11, 2026
5. Violation notice - May 7, 2026
6. Second violation notice - June 9, 2026
7. City Attorney's letter to homeowner - July 16, 2026
8. Variance standards - Section 21030.03
9. Fence plan on survey
10. Applicant's narrative and plans
11. Correspondence received
12. Draft resolution - approval
13. Draft resolution - denial

To: Plymouth Planning Commission

From: Shawn Drill, Senior Planner (763-509-5456)
Community & Economic Development Department

Subject: Variances to regulations for fence height and fencing material for property located at 13205 54th Avenue (Anika Kaleewoun – City File No. 2026-049)

Ward: 4 (northeast area)

Deadline: December 2, 2026

SUMMARY

The applicant is requesting two variances, as follows: 1) to allow 6-foot-high chain-link fencing in the northwest portion of the front yard, where the maximum fence height specified for such fencing is 4 feet; and 2) to allow welded wire fencing, which is otherwise prohibited by city code.

RECOMMENDED ACTION

Community & Economic Development staff recommends that the Planning Commission review the application, conduct the public meeting, and provide its recommendation to the City Council.

Draft resolutions for approval and denial are attached. The Planning Commission may opt to consider the two variance requests separately, with a different recommendation for each.



SITE INFORMATION

Land Use and Zoning

The site is guided LA-2 (living area 2) on the city's comprehensive plan, and is zoned RSF-2 (single-family detached 2).

	Use	Land Use Designation (2040 Comprehensive Plan)	Zoning
Subject Site	Single-family home	LA-2	RSF-2
North ***(across 54th Ave)***	Single-family properties	LA-2	RSF-2
West	Single-family home	LA-2	RSF-2
East	Single-family home	LA-2	RSF-2
South	Single-family properties	LA-2	RSF-2

School District

The site is located in the Osseo School District (ISD #279).

Site Characteristics

The subject site contains roughly 26,710 square feet (0.61 acres).

The site:

1) lies in the Shingle Creek drainage district;
2) is not located within the flood plain or shoreland overlay district; and
3) contains wetland / stormwater basin in the south portion (see map to the right).



Previous Actions

The home was constructed in 1995. The applicant purchased the property in 2019. In May 2026, the city received a complaint that the homeowner installed fencing in the front yard — without the required fence permit and of prohibited materials (see attached photos taken August 11, 2026).

Background – Violations / Enforcement Actions

- May 6, 2026 – City received complaint of multiple violations listed as: "Blight, appearance and location of various fencing types, broken fencing laying all over the yard, makeshift garden east of the house is full of garbage and junk, multiple items all over yard and driveway."

- May 7, 2026 – City Housing Inspector/Code Compliance Officer inspected the site and observed that multiple types and heights of fencing had been installed in the front yard, with no fence permit and of prohibited materials. Some of the fencing was located beyond the front lot line and extended to the street curb within the public boulevard – where fencing is not allowed. Violation notice/correction order was sent to the homeowner that same day (copy attached) giving the homeowner until May 22 to bring the property into compliance.

- May 22, 2026 – Site was reinspected; no change–all of the fencing remained as it was on May 7. Also on May 22, the homeowner called the Planning Manager and left a voice-message requesting an administrative appeal from the fence regulations. Planning Manager responded to the homeowner that same day stating that the appeal has been denied. At homeowner's request, the date for compliance was extended to June 8.

- June 9, 2026 – Site again was reinspected; no change–all of the fencing remained as it was on May 7. Second violation notice/correction order was sent to the homeowner that same day (copy attached). The time period for compliance was further extending until June 18. The homeowner was notified that the matter would be referred to the City Attorney's office unless corrective action was taken by the June 18 deadline.

- June 15, 2026 – Homeowner submitted a fence permit application to maintain the existing non-compliant fencing that was already installed in front yard area. The fence permit was denied by the city on June 24 on the basis that the fencing did not comply with City Code.

- July 2, 2026 – Homeowner submitted an email requesting another administrative appeal and reconsideration of the fence permit that was denied on June 24. On July 14, the Planning Manager sent an email response to the homeowner with notice that the requested appeal was again denied.

- July 7, 2026 – Site was reinspected; no change–all of the fencing remained as it was on May 7. On July 9, the city's Housing Inspector/Code Compliance Officer referred the matter to the City Attorney's office.

- July 16, 2026 – City Attorney's office sent a letter to the homeowner (copy attached) giving an additional 15 days to comply before legal proceedings would commence.

- July 31 through August 4, 2026 – Homeowner applied for variances, which suspended further legal proceedings until after the variance decision is considered by City Council. During the on-going violation / code enforcement process, the homeowner presented staff with varying plan iterations and proposed modifications for the front yard fencing, which has evolved into the application in front of the Planning Commission at this time.

ANALYSIS

As previously stated, the applicant is requesting two variances, as follows:

1. **Fence 1:** to allow 6-foot-high chain-link fencing in the northwest portion of the front yard, where the maximum fence height specified for such fencing is 4 feet; and

2. **Fence 2:** to allow welded wire fencing, which is otherwise prohibited by city code.

An analysis of proposed Fence 1 and proposed Fence 2 is provided below.

Fence 1: The applicant is requesting to install an enclosed 6-foot-high fenced area with a gate in the northwest portion of the site, up to the edges of the north (front) and west (side) lot lines. See the following two exhibits. The applicant states that the fencing proposed for this area is requested to be 6 feet high in order to keep deer out. The city code limits the height of such front yard fencing to 4 feet for fencing types with less than 50 percent opacity (e.g., chain link, wrought-iron style, split rail, etc.). Note that front yard fencing with an opacity of 50 percent or greater (e.g., solid board fencing, etc.) is limited to 3 feet in height. Fencing up to 6 feet in height, and of any opacity, may be constructed in side and rear yard areas.

Plan showing proposed Fence 1 location:

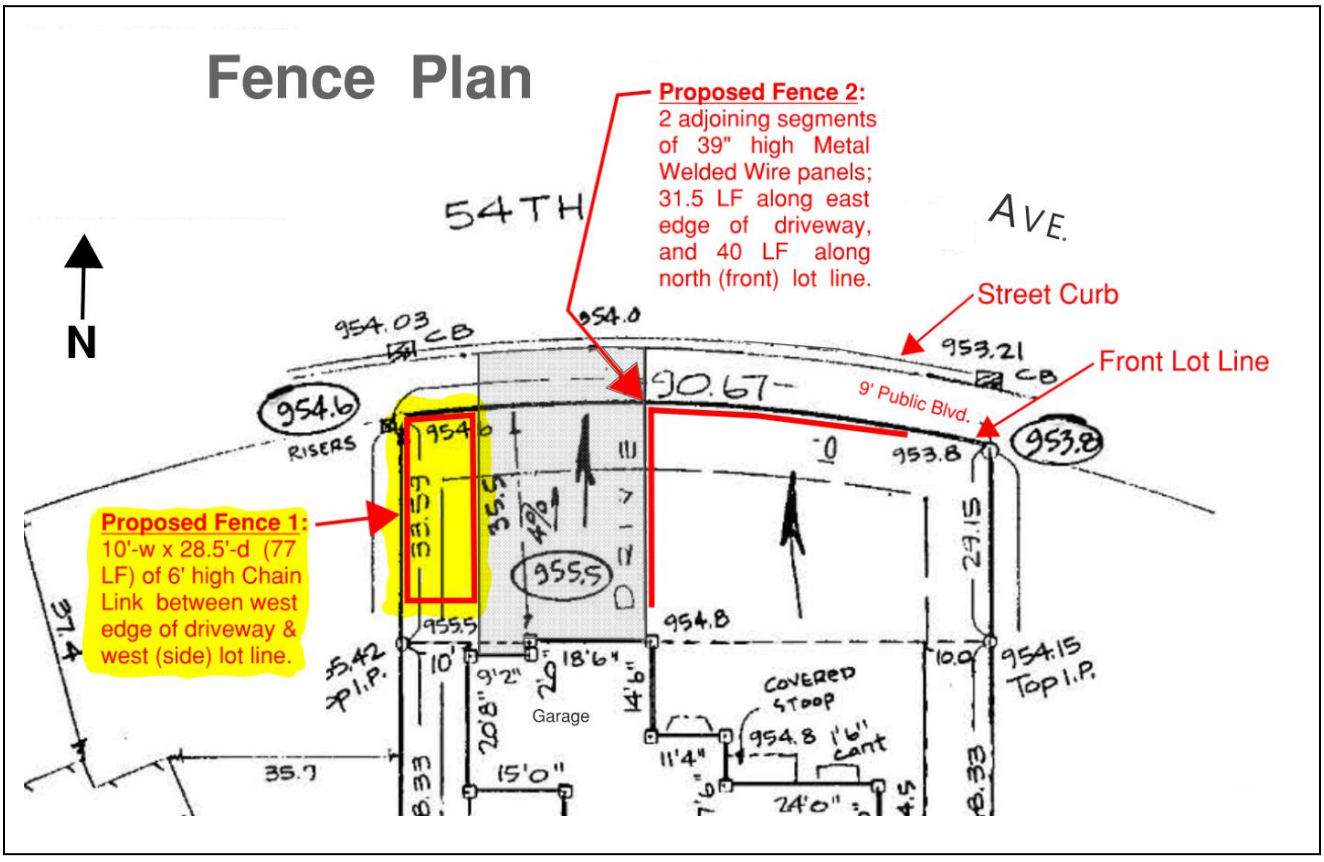


Photo example of proposed Fence 1 type and height:



The city code limits the height of fencing in front yard areas in order to:

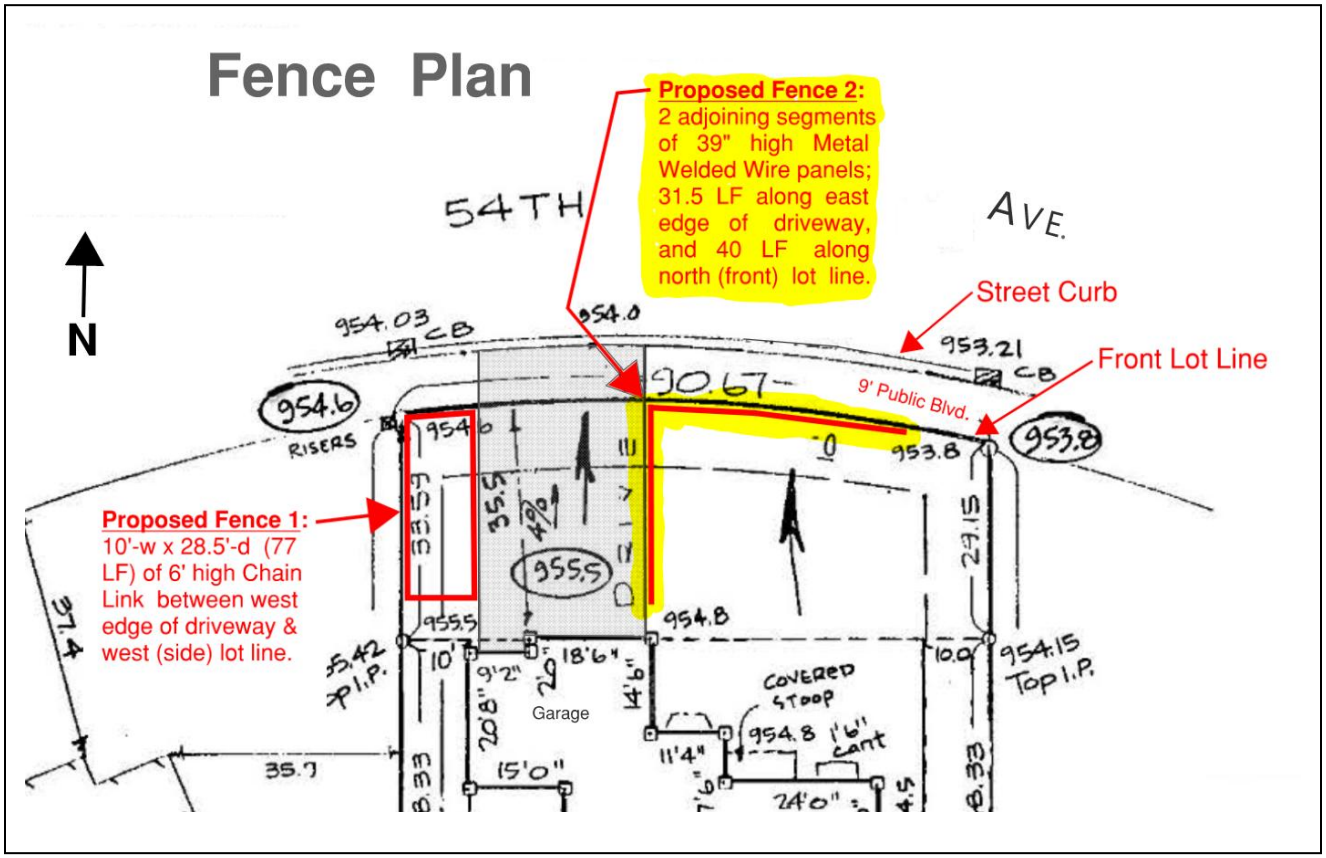
- Maintain long-standing community standards and values
- Maintain attractive streetscapes and vistas
- Preserve views for traffic safety
- Reduce bulk (sense of enclosure) along public rights-of-way / corridors in residential neighborhoods
- Preserve and protect aesthetics and property values of a site, its surrounding neighborhood, and the city as a whole.

Fence 2: The applicant is requesting to install 39-inch-high welded wire fencing panels in the northeast portion of the site, along the east side of the driveway and up to the edge of the north (front) lot line. See the following two exhibits. The applicant states that the welded wire fencing proposed for this area is being requested in order to contain balls for children playing on the site, and is a less costly type of fencing material than those allowed by the city code. Welded wire fencing is specifically prohibited by Section 21130.01, Subd. 4 (c) (1) of the Plymouth City Code (fence regulations – general provisions), which states as follows:

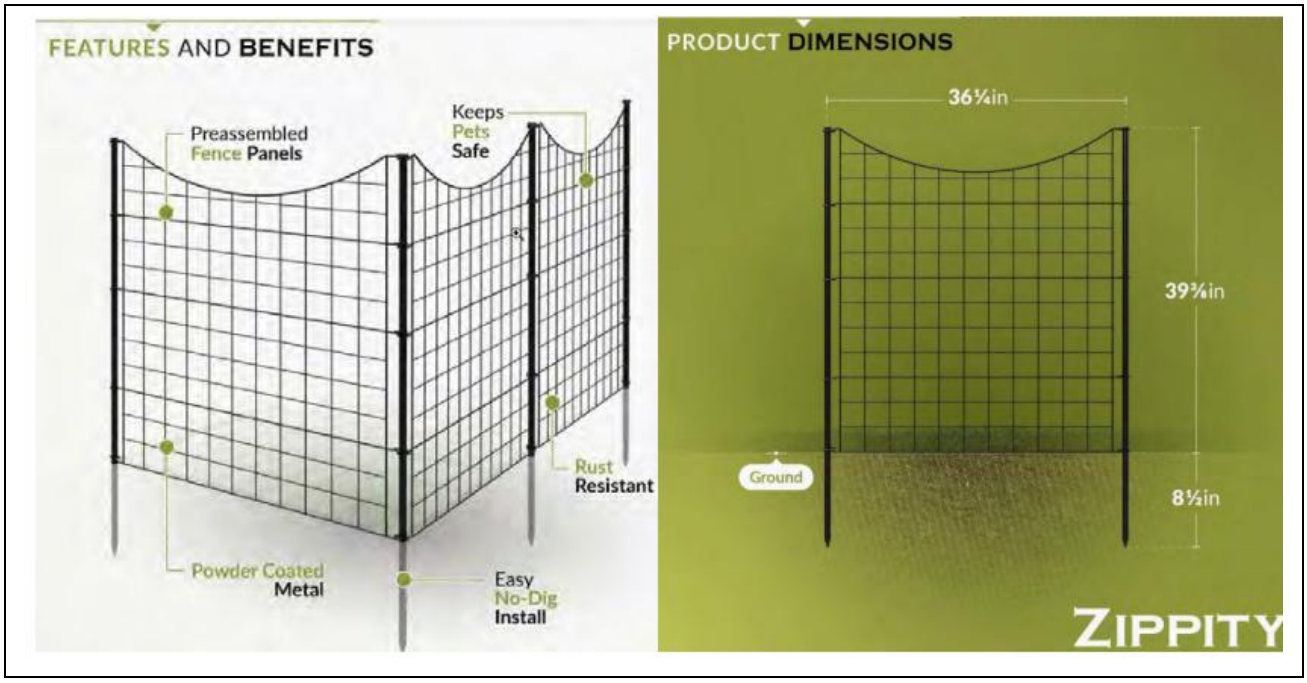
> "Fences shall not be constructed from chicken wire, **welded wire**, plastic deer fence netting or similar products, snow fence, branches, or materials originally intended for other purposes, unless upon the showing of a high degree of architectural quality achieved through the use of such materials, prior approval is granted by the Zoning Administrator."

Note that fencing that is 2 feet high or less and that directly surrounds a garden is exempt from the requirement for a fence permit and is also exempt from the regulations pertaining to fencing materials – provided any such fencing is set back at least 6 feet from all lot lines.

Plan showing proposed Fence 2 location:



Example of proposed Fence 2 type and height:



The city code regulates fencing materials, prohibiting certain materials, in order to:

- Maintain long-standing community standards and values
- Ensure fencing is constructed of high-quality materials that has a pleasing appearance, and that has long-term durability – so it can hold up without being easily damaged
- Ensure fencing is not, and does not become, an eyesore or nuisance for the site, its surrounding neighborhood, and the city as a whole
- Preserve and protect property values and aesthetics of a site, its surrounding neighborhood, and the city as a whole.

Note that the city code includes exceptions to the materials standards: 1) for rural/agricultural uses in the FRD (future restricted development) district to allow barbed wire, electrically charged fencing, etc.; and 2) for industrial uses and the Hennepin County Adult Correctional Facility site to allow razor wire, etc. with a conditional use permit.

LEVEL OF DISCRETION IN DECISION-MAKING

The city's discretion in approving or denying a variance is limited to whether the proposal meets the standards for a variance. The city has a relatively high level of discretion with a variance because the burden of proof is on the applicant to show that they meet the standards for a variance.

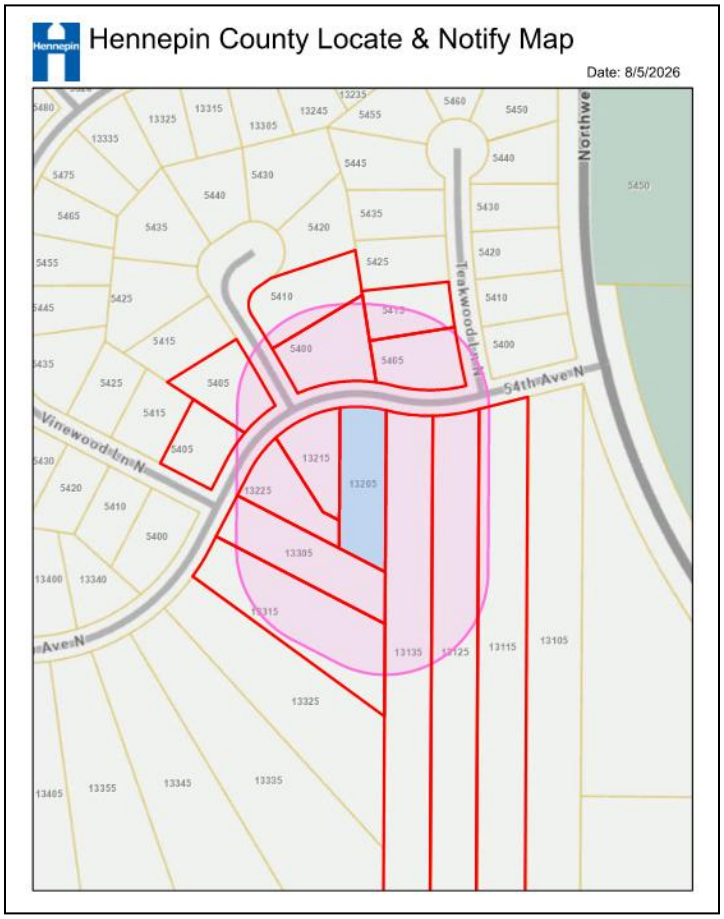
FINDINGS

The Planning Commission should review the requested variances for compliance with six standards, as listed in Section 21030.03 of the Plymouth City Code. A copy of the standards is attached. In order to approve a variance, there must be a determination that **all six** of the standards have been or would be met. In order to deny a variance, there must be a determination that **one or more** of the applicable standards has not been or would not be met. Staff has prepared proposed findings for approval and denial in the attached draft resolutions. The Planning Commission may modify (revise, add language to, or subtract language from) the draft resolutions as it finds appropriate.

Lastly, as previously noted, the Planning Commission may opt to consider the two variance requests separately, with a different recommendation for each.

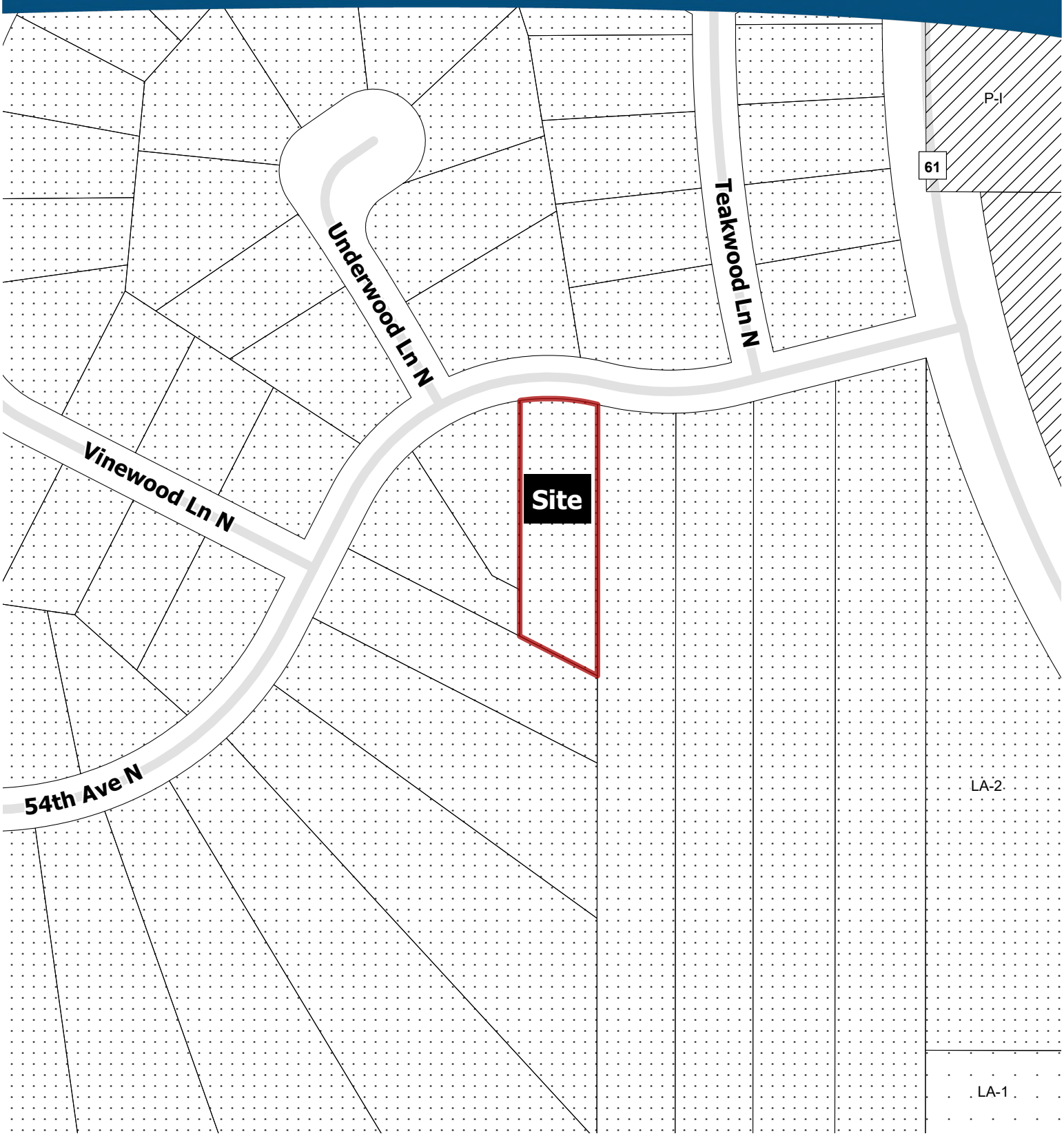
PUBLIC NOTICE

Mailed notice of the public meeting was sent to all property owners within 200 feet of the site.



2026049 Location Map
Kaleewoun - 13205 54th Ave
Variance Application

City of Plymouth



C, Comercial
CC, City Center
CO, Commercial Office
IND, Industrial
LA-1, Living Area 1
LA-2, Living Area 2
LA-3, Living Area 3
LA-4, Living Area 4
LA-5, Living Area 5
MXD, Mixed Use
MXD-R, Mixed Use Residential
P-I, Public/Semi-Public/Institutional

N

0 200 Feet

This represents a compilation of information and data from city, county, state and other sources that has not been field verified. Information should be field verified and compared with original source documents.

2026049 Aerial Map
Kaleewoun - 13205 54th Ave
Variance Application

City of Plymouth



This represents a compilation of information and data from city, county, state and other sources that has not been field verified. Information should be field verified and compared with original source documents.


13205


1325
NEENAH FOUNDRY CO








Welcome
13205




13205











City of Plymouth

Adding Quality to Life

VIOLATION NOTICE

May 07, 2026

Property Owner and Address:

PHILIP AND ANIKA KALEEWOUN
13205 54TH AVE N
PLYMOUTH, MN 55442

Description of real estate ("Property"):

13205 54TH AVE N
PLYMOUTH, MN 55442
PID: 10-118-22-12-0022

Background:

The City of Plymouth has received a complaint(s) regarding the property located at 13205 54TH AVE N. The property does not meet the minimum requirements of the Plymouth City Code and/or the International Property Maintenance Code as adopted by the City. In response to this complaint, an inspection of the property was conducted. At that time the following code violations were observed.

Description of Violation:

1) There are multiple types of fences on the property. Most would not meet the fence materials requirements, see below.
2) Installation of a fence would require a permit and review before the fence was installed.

Code Section Violation:

Fence Permit Required 21130.01 Subd. 1. Except as otherwise provided herein, no person shall erect, alter or relocate any fence or wall within the City without first having been issued a permit therefor. Fence Materials 21130.01 Subd. 4. (c) Fences shall not be constructed from chicken wire, welded wire, plastic deer fence netting or similar product, snow fence, branches, or materials originally intended for other purposes, unless upon the showing of a high degree of architectural quality achieved through the use of such, prior approval is granted by the Zoning Administrator.

CORRECTION ORDER:

Remove the fences installed in the front yard area. Obtain a permit for any fence to be installed.

Pursuant to Plymouth City Code Section 2010 subdivision 2 and IPMC section 107 you are hereby ordered to correct the above listed items. A re-inspection of the property will be completed on **May 22nd, 2026,** to ensure the violation(s) as cited have been corrected.

If you have questions regarding the content of this letter you may contact me directly by email wkulesa@plymouthmn.gov or by phone (763) 509-5445.

Sincerely,

Warren Kulesa
Housing Inspector
City of Plymouth

City of Plymouth

SECOND VIOLATION NOTICE

06/09/2026

13205 54TH AVE N
PID: 10-118-22-12-0022

PHILIP AND ANIKA KALEEWOUN
13205 54TH AVE N
PLYMOUTH, MN 55442

The City of Plymouth received a complaint about the property located at 13205 54th Ave N. A Violation Notice was issued on **May 7th, 2026**. The compliance date set in this matter was extended to **June 8th, 2026**. A re-inspection was conducted. At that time, the violation(s) as cited were not brought into compliance with Plymouth Property Maintenance Code, City Code and/or the International Property Maintenance Code as adopted (IPMC).

Description of Violation(s):

1) There are multiple types of fences on the property. Most would not meet the fence materials requirements, see below.
2) Installation of a fence would require a permit and review before the fence was installed.

21130.01 Subd. 1. Except as otherwise provided herein, no person shall erect, alter or relocate any fence or wall within the City without first having been issued a permit therefor.
21130.01 Subd. 4. (c) Fences shall not be constructed from chicken wire, welded wire, plastic deer fence netting or similar product, snow fence, branches, or materials originally intended for other purposes, unless upon the showing of a high degree of architectural quality achieved through the use of such, prior approval is granted by the Zoning Administrator.

CORRECTION ORDER:

A fence permit was not obtained for the installation of the different fences. Remove the fences.

The compliance date in this matter has been extended to **June 18th, 2026**. A re-inspection of the property will be completed on the compliance date to ensure the violation(s) as cited have been corrected.

If the code violations have not been corrected this matter will be referred to the Plymouth City Attorney's office.

If you have questions regarding the content of this letter you may contact me directly by email wkulesa@plymouthmn.gov or phone 763-509-5445.

Sincerely,

Warren Kulesa
Housing Inspector

Campbell Knutson

July 16, 2026

Mr. Philip Kaleewoun II
13205 54th Avenue N.
Plymouth, MN 55442

Re: Subject Address: 13205 54th Avenue N.
PID: 10-118-22-12-0022
Plymouth City Code Violation(s)

Dear Mr. Kaleewoun:

This office represents the City of Plymouth. The City has requested our assistance regarding a violation of the Plymouth City Code on the above-referenced property.

Enclosed for your reference is a copy of the most recent letter to you dated June 9, 2026, from Warren Kulesa, Housing Inspector.

You have 15 days from the date of this letter to correct the violations on the property. Failure to comply with in the next 15 days will result in criminal prosecution. Each violation is punishable by 90 days in jail and/or a $1,000 fine for each day the violation continues to exist.

Please make further enforcement action unnecessary by complying with this letter immediately. Please contact Warren Kulesa, Housing Inspector, at 763-509-5445 or the undersigned if you have any questions.

GRAND OAK OFFICE CENTER I
860 BLUE GENTIAN ROAD, SUITE #290
EAGAN, MN 55121

CK-LAW.COM 651-452-5000 651-234-6237

Very truly yours,

CAMPBELL KNUTSON
Professional Association



Alina Schwartz
Plymouth City Attorney

AS:nme

enc.

cc: Warren Kulesa (w/o enc.)

GRAND OAK OFFICE CENTER I
860 BLUE GENTIAN ROAD, SUITE #290
EAGAN, MN 55121

CK-LAW.COM 651-452-5000 651-234-6237

21030.03. Review Criteria.

Subd. 1. The Board or Zoning Administrator may approve a variance application (major or minor, respectively) only upon finding that all of the following criteria, as applicable, have been met:

(a) The variance, and its resulting construction or project, would be in harmony with the general purposes and intent of this Chapter, and would be consistent with the comprehensive plan.

(b) The variance applicant has satisfactorily established that there are practical difficulties in complying with this Chapter. "Practical difficulties" means that:

(1) The applicant proposes to use the property in a reasonable manner not permitted by this Chapter;

(2) The plight of the landowner is due to circumstances unique to the property that were not created by the landowner; and

(3) The variance, if granted, would not alter the essential character of the locality.

(c) The variance request is not based exclusively upon economic considerations.

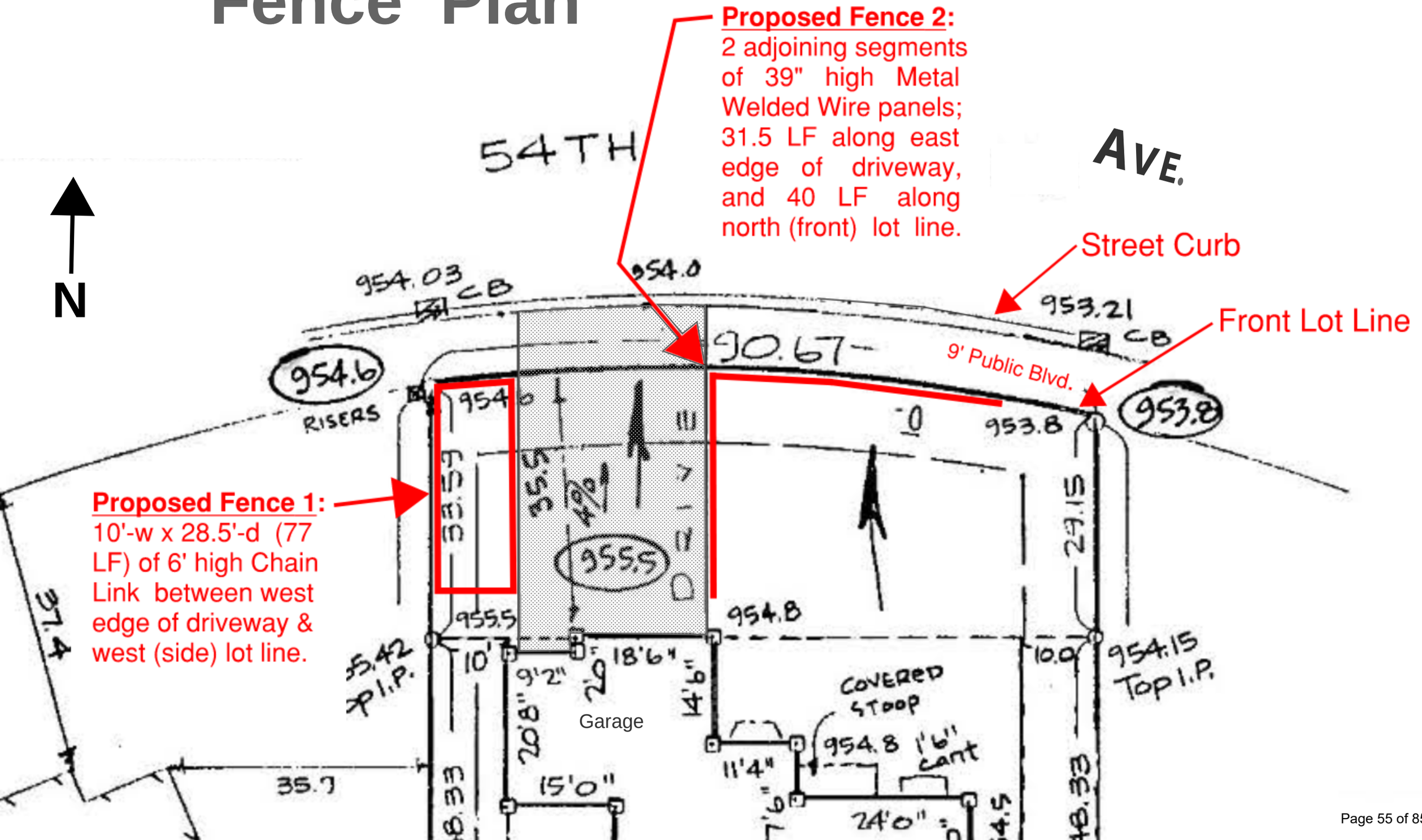
(d) The variance, and its resulting construction or project, would not be detrimental to the public welfare, nor would it be injurious to other land or improvements in the neighborhood.

(e) The variance, and its resulting construction or project, would not impair an adequate supply of light and air to adjacent properties, nor would it substantially increase traffic congestion in public streets, increase the danger of fire, endanger the public safety, or substantially diminish property values within the neighborhood.

(f) The variance requested is the minimum action required to address or alleviate the practical difficulties.

(Amended by Ord. No. 2011-22, 07/26/11)

Fence Plan



Proposed Fence 2:
2 adjoining segments of 39" high Metal Welded Wire panels; 31.5 LF along east edge of driveway, and 40 LF along north (front) lot line.
54TH
AVE.
N
Street Curb
Front Lot Line
9' Public Blvd.
954.03
CB
954.0
953.21
CB
90.67
954.6
RISERS
953.8
953.8
Proposed Fence 1:
10'-w x 28.5'-d (77 LF) of 6' high Chain Link between west edge of driveway & west (side) lot line.
955.5
955.5
954.8
954.15
Top I.P.
10'
9'2"
18'6"
14'6"
20'8"
Garage
COVERED STOOP
954.8
1'6" cant
11'4"
15'0"
24'0"
35.7
37.4
29.15

City of Plymouth

Community and Economic Development Department
3400 Plymouth Blvd
Plymouth, MN 55447
(763) 509-5450

Planning & Zoning Application Form

Please submit via email to planning@plymouthmn.gov, along with any necessary application checklists, to submit your application. Applications will be processed once all items are submitted.
Helpful links: City Fee Schedule, Application Checklists, Zoning Ordinance

Property Location: 13205 54th Avenue North, Plymouth, MN 55442 [redacted]

Legal Description: Lot 5, Block 3, Bass Lake Terrace 2nd Addition, City of Plymouth, Hennepin County, Minnesota

Property Owner Name: Philip Kaleewoun II and Anika J. Kaleewoun

Company Name: N/A Email: [redacted]

Address: 13205 54th Avenue North

City: Plymouth State: MN Zip Code: 55442

Phone Number: [redacted] Secondary Phone Number: [redacted]

Applicant/Contact Person: Anika J. Kaleewoun
(property owner)

Company Name: N/A Email: [redacted]

Address: 13205 54th Avenue North

City: Plymouth State: MN Zip Code: 55442

Phone Number: [redacted] Secondary Phone Number: [redacted]

Requested Application(s):

_____Administrative Permit
_____Comprehensive Plan Amendment
_____Conditional Use Permit
_____Final Plat
_____Home Occupation License
_____Interim Use Permit
_____Plan Modification
_____Preliminary Plat
_____PUD Amendment
_____PUD Final Plan
_____PUD General Plan
_____Site Plan or Site Plan Amendment
_____Rezoning
__X__Variance
_____Wetland-Related
_____Zoning Ordinance Text Amendment
_____Other: _____

Community and Economic Development Department
3400 Plymouth Blvd
Plymouth, MN 55447
(763) 509-5450

Brief Description of Request: Variance requests for front-yard fencing on a single-family lot: (1) from Section 21130.01, Subd. 5(b), to allow a 6 ft black vinyl-coated 9-gauge chain link fence (6.5 ft to top of posts/caps) enclosing an 77 ft perimeter garden area, where the front-yard limit is 4 ft panels and 4.5 ft posts; and (2) from Section 21130.01, Subd. 4(c)(1), to allow two seasonal sections totaling 71.5 linear ft of 3.25 ft decorative powder-coated steel no-dig panels. All prior fencing either has been removed or is in the process of being removed, including east-side vegetable garden fencing that lay within the drainage and utility easement; which is being consolidated into the single enclosure of the memorial garden on the NW side of the property. See attached narrative.

I hereby apply for the above consideration and declare that the information and materials submitted with this application are complete and accurate according to the Plymouth City Code and Zoning Ordinance requirements. I understand that the city will process the application once the Planning Division finds that it is complete. I understand and agree that the city may place a sign on my property for purposes of notification that an application is under consideration and enter the property to inspect as it relates to this application.

I agree that the City of Plymouth may transfer my application fee(s) and/or escrow(s) payments provided in this application to a new application if the terms and conditions of this application have been satisfied.

Please note: If the property fee owner is not the applicant, the applicant must provide written authorization from the property fee owner in order to make application.

Property Owner(s) Signature(s): _____

Applicant(s) Signature(s): _____

Date: 7/31/26

For City Use Only

Application Fee: $_____
Sign Fee: $_____
Wetland-Related Fees: $_____
Escrow (400-2800): $_____
Total Fees Due: $_____

Fees Approved for Deposit By: _____

Community and Economic Development Department
3400 Plymouth Blvd
Plymouth, MN 55447
(763) 509-5450

Variance Application Checklist

Please submit digital copies of the following via email to planning@plymouthmn.gov to submit your application. Applications will be processed once all items on this checklist are submitted.

Requirements

- **Completed Planning and Zoning Application Form,** signed by the property owner.
- **Answers** to the questions on page 2.
- **Accurate Certified Survey** showing the proposal, drawn to scale, including all dimensions and square footages.
- **Site Plan** showing any applicable changes in landscaping, signage, lighting, and grading.
- **Application Fee** payable to the City of Plymouth:
  - $150 for Subdivision Code variance
  - $200 for 1- and 2-family lots
  - $300 for all other lots
  - Plus, for non-residential uses within 500 lineal feet of any residential property, an additional $165 fee for a development sign on one street frontage and $50 per sign for each additional street frontage.

The fee for staff-prepared mailing labels is included in the application fee. Please contact planning@plymouthmn.gov to set up online payment or submit a check or cash with the request.

Additional information may be requested concerning operational factors or to retain expert testimony with the consent and at the expense of the applicant as necessary to establish performance conditions in relation to all pertinent sections of the zoning ordinance. For a complete list of required materials, refer to Section 21030 of the Plymouth Zoning Ordinance.

Property Location: 13205 54th Avenue North, Plymouth, MN 55442

A variance application may be approved only upon finding that all of the following criteria, as applicable, have been met.

What is the proposed project? Explain what you're doing and why you need a variance.
We are removing all prior fencing. Our east-side vegetable garden lies within the drainage and utility easement, so that fencing is being removed and the vegetable garden consolidated into the memorial garden bed: a 10 ft x 28.5ft area, 77 ft perimeter, one gate, fenced in 6 ft black vinyl-coated 9-gauge chain link with a top rail. Chain link is already permitted in front yards under Subd. 5(b); we seek relief only from the 4 ft height cap, because 4 ft does not exclude deer. Even at 6 feet it is lower than the recommended height of 8 feet to actually keep deer out, as seen here on the U of M Extension's website on how to deal with the damage deer inflict on plants and trees. Two seasonal ball-containment, used to protect our children and the neighborhood children's safety, sections (31.5 ft and 40 ft) use 3.25 ft decorative steel no-dig panels, removed each winter. See attached narrative.

City of Plymouth

Community and Economic Development Department
3400 Plymouth Blvd
Plymouth, MN 55447
(763) 509-5450

Explain whether the variance, and its resulting construction or project, would be in harmony with the general purposes and intent of the Zoning Ordinance, and consistent with the Comprehensive Plan.
Yes. The intent of Section 21130.01 is that fences are safe, durable, finished in appearance, and not built from scrap or repurposed material.

Vinyl-coated chain link with a top rail is a material the ordinance itself names as acceptable in front yards; we seek only added height on one garden. The seasonal panels are manufactured residential fencing, uniform in color and finished on both faces, allow are family and neighborhood kids to stay active and build community. The request is consistent with the Comprehensive Plan and with the City's GreenStep and Tree City commitments, Minn. Stat. 412.925, the Lawns to Legumes program, the city's commitment to environmental stewardship. Our ability to be active and healthy as well as having a yard that is a thriving habitat for pollinators will be compromised without these fences.

Explain whether the variance, and its resulting construction or project, would not be detrimental to the public welfare, or injurious to other land or improvements in the neighborhood.
It would not, both fences sit wholly within our lot, outside all public right-of-way, outside every drainage, utility and ponding easement (the east-side fencing is being removed for exactly this reason), outside any wetland or required buffer, and outside the traffic sight visibility triangles under Section 21105.05. The chain link is open mesh in a dark finish and screens no neighbor's property. We've had several people in the neighborhood stop by to give us compliments on our gardens (and that our sons help grow), inquire about where we got the fencing, and ask about what we are growing. Our gardens and the protection of our children and neighborhood children is a net positive, helping public welfare and improving our neighborhood.

Explain whether the variance, and resulting project, would impair an adequate supply of light and air to adjacent properties, substantially increase traffic congestion in public streets, increase the danger of fire, endanger the public safety, or substantially diminish property values within the neighborhood.
No to each. The chain link is open mesh of negligible opacity around a small bed, so no adjacent property loses light or air. There is no change in access, parking or driveways, so there is no traffic effect. Both fences are steel and have no combustible material. Public safety improves: the seasonal sections keep balls and children back from 54th Avenue North, and the previously cited fencing and T-posts are removed. Vinyl-coated chain link and low black decorative panels are common, maintained products; the alternative on this lot is an abandoned garden bed.

Explain the "practical difficulties" present by answering the following questions:
Is the variance the minimum action required to address or alleviate the practical difficulties? Explain.
Yes. Six feet is the least height that excludes deer from an enclosure of this size. Open-area guidance is 8 ft; 6 ft works here only because the bed is 10 ft wide and deer will not jump into a narrow space with no visible landing and exit. Scope is minimal too: one 77 ft enclosure around the garden, not the yard or the property lines, consolidated from two beds into one. We seek no relief from opacity, setback, sight-line, color, top-rail, or post standards. The 2 ft exemption in Subd. 4(k) and a 4 ft compliant fence are both ineffective against deer.

Community and Economic Development Department
3400 Plymouth Blvd
Plymouth, MN 55447
(763) 509-5450

Do you plan to use the property in a reasonable manner, permitted by the Zoning Ordinance? Explain.
Yes, growing food, maintaining a memorial and pollinator garden, and providing a safe play area for children ages 7and 8 are reasonable uses of single-family property. Fencing a garden or a play area is among the most common residential uses of a fence. Nothing proposed is commercial or intensive. The ordinance permits fences in front yards; the only open questions are height on one enclosure and material on two seasonal sections. We have consolidated to a single permanent enclosure to keep the fenced footprint as small as possible.

Would the variance, if granted, alter the essential character of the locality? Explain. No. Black vinyl-coated chain link is a standard suburban material and one the ordinance names as acceptable in front yards. The dark coated mesh recedes visually, being predominantly transparent, so not obstructing any views. It encloses one small bed rather than running along the frontage or the lot lines, so the street reads as a fenced garden, not a walled yard. Neighbors have repeatedly stopped complimenting the gardens, note that our sons help tend them, and ask where we got the fencing and what we are growing. We've shared crops, plants, dirt, and mulch to other neighbors and through the local Buy Nothing Group.

Is the variance request based exclusively upon economic considerations? Explain.
No. The request is functional: excluding deer and rabbits from a food garden and keeping children and balls out of the street. If cost were the driver we would simply buy a cheaper compliant fence, but no compliant 4 ft front-yard fence performs the wildlife-exclusion function at any price. We are in fact spending more, not less, by changing from hardware cloth to vinyl-coated chain link and by removing the east-side fencing from the easement at our own expense. As seen in the table below, chain-link fencing is the lowest cost of the compliant fencing, still more costly than the previous fencing we had around our gardens, as seen in the not compliant fencing at the bottom of the table.

Cost estimates of various fencing materials		
Compliant vs not compliant	Fence Type	Cost estimates
Compliant with the city code on fencing	Chain-link	$12.38/ft - $22.38/ft
	Aluminum	$25/ft - $50/ft
	Wood picket	$30.04/ft -$40.04/ft
	Wrought iron / ornamental steel	$35/ft - $55/ft
Not compliant with the city code on fencing	3 ft welded wire, no dig fencing	$9.00/ft
	2 ft welded wire, no dig fencing	$5.58/ft
	6 ft hardware cloth with t posts	$7-8/ft

Is the difficulty due to circumstances unique to the property, and was the issue created by the property owner? Explain. The difficulty belongs to the parcel. Our lot adjoins the drainage and ponding easement and wetland shown on the certificate of survey, which acts as a wildlife corridor; deer and rabbits enter continuously and strip unfenced beds within a season. We've lost service berry trees, sunflowers, rhubarb, lilies, hostas, squash, cucumbers, and various herbs to local wildlife. The easement, grade, and tree canopy of the back yard, means the most suitable space for growing is in the front yard, where the height cap is lowest, and the east-side bed must be vacated because it lies within the easement. We did install fencing without a permit, not knowing one was required; it has been removed.

Attachment: Variance Narrative

13205 54th Avenue North, Plymouth, MN 55442 | PID 10-118-22-12-0022 | Anika J & Philip Kaleewoun II

Summary of the request

Two variances from Section 21130.01 are requested for front-yard fencing on a single-family lot:

(1) Height, Subd. 5(b). To allow a 6-foot black vinyl-coated 9-gauge chain link fence, measuring not more than 6.5 ft to the top of posts and caps, enclosing a 10-ft by 28.5-ft garden area (77 ft perimeter, one gate). The front-yard standard for under-50-percent-opacity fencing is 4-ft fabric and 4.5 ft to post tops. Chain link is expressly named as an acceptable front-yard material in Subd. 5(b); only the height requires relief. The height requested is the same standard the ordinance already permits under Subd. 5(a) behind the front setback line.

(2) Materials, Subd. 4(c)(1). To allow two seasonal ball-containment sections, 31.5 ft and 40 ft (71.5 linear ft total), of 3.25-foot decorative black powder-coated steel no-dig panels, installed in spring and removed each winter. These comply with all height, opacity, setback, and sight-line standards.

Consolidation and removal. All previously cited fencing has been removed or is in the process of being moved, including hardware cloth on T-posts. The east-side vegetable garden fencing will be removed because that bed lies within the drainage and utility easement; the vegetable garden is being consolidated into the memorial garden bed so that a single enclosure serves both. This reduces the total fenced footprint and clears the easement entirely.

Answers to the questions on page 2

What is the proposed project? Explain what you're doing and why you need a variance.

We are replacing all prior fencing with one permanent enclosure and two seasonal sections, all located in the front yard, which is the only area of the lot with the sun exposure and access a garden and play area require. Our east-side vegetable garden lies within the drainage and utility easement, so that fencing is being removed and the vegetable garden consolidated into the memorial garden bed.

The permanent enclosure is approximately 10 ft by 28.5 ft, an 77-foot perimeter with one gate, built of 6-foot black vinyl-coated galvanized steel 9-gauge chain link with a top rail. We need a variance only from the height limit, because a 4-foot fence does not stop deer.

The two seasonal sections keep our children's balls out of the street and out of neighbors' yards. They comply with every dimensional standard; only the material is at issue, and we seek either a variance or the architectural quality approval that Subd. 4(c)(1) itself provides for.

Explain whether the variance would be in harmony with the general purposes and intent of the Zoning Ordinance, and consistent with the Comprehensive Plan.

Yes. The intent of Section 21130.01 is to ensure fences are safe, durable, finished in appearance, and not built from scrap or re-purposed material. Vinyl-coated chain link with a top rail is a material the ordinance itself names as acceptable in front yards; we seek only additional height on one small enclosure. The seasonal panels are manufactured residential fencing, uniform in color and finished on both faces with no exposed structural supports.

The project is consistent with the Comprehensive Plan and with the City's own commitments. Plymouth is a GreenStep City and a Tree City USA community and has built pollinator habitat at Fazendin Park. Minnesota Statute 412.925 requires cities to allow managed natural landscapes on private property, and the State's Lawns to Legumes program funds residents to create pollinator habitat. In June 2026 the U.S. Fish and Wildlife Service designated Twin Cities metropolitan residential areas as critical habitat for the rusty patched bumble bee, Minnesota's state bee. The fencing is what allows those plantings to survive on this lot.

Explain whether the variance would not be detrimental to the public welfare, or injurious to other land or improvements in the neighborhood.

It would not. Both fences sit wholly within our lot, outside all public rights-of-way, outside every drainage, utility, and ponding easement, outside any wetland or required wetland buffer, and outside the traffic sight visibility triangles governed by Section 21105.05. The east-side fencing is being removed precisely because that bed fell within the easement. The chain link is open mesh in a dark finish, screens no neighbor's property, and causes no change to drainage, grading, lighting, or signage.

The garden benefits the neighborhood rather than burdening it. We've had several people in the neighborhood stop by to compliment our gardens (and that our sons help in the gardens), inquire about where we got the fencing, and inquire about what we are growing. We share produce with family, friends, and neighbors, and the pollinator plantings serve the surrounding yards.

Explain whether the variance would impair light and air, increase traffic congestion, increase fire danger, endanger public safety, or diminish property values.

No to each. Light and air: the chain link is open mesh of negligible opacity around a small bed, so no adjacent structure or yard is shaded or enclosed. Traffic: no change to access, parking, or driveway use. Fire: no combustible material is added; both fences are steel and more fire-resistant than the wood fencing the ordinance permits at greater opacity. Public safety: the project improves it, by containing balls and children's activity away from 54th Avenue North and by removing the previously cited fencing and T-posts. Property values: vinyl-coated chain link and low black decorative panels are common, manufactured, maintained products. A maintained fence around a productive garden does not diminish surrounding values; the alternative on this lot is an abandoned garden bed.

Answers to the practical difficulties questions on page 3

Is the variance the minimum action required to address or alleviate the practical difficulties?

Yes. Six feet is the minimum height that excludes deer from an enclosure of this size. General guidance for open-area deer fencing is eight feet; a 6-foot fence works here specifically because the enclosure is only 10 feet wide, and deer will not jump into a narrow space where they cannot see a clear landing and exit. We are asking for the lowest height that actually functions, not the height normally recommended.

The scope is minimum as well. We have consolidated two beds into one enclosure to reduce the fenced footprint, and the variance applies to that single 77-ft enclosure, not to our property line or yard perimeter. We seek no relief from opacity, setback, sight-line, color, top-rail, or post requirements, all of which we will meet. Alternatives were considered and rejected: the 2-foot garden fence exemption in Subd. 4(k) and a 4-ft compliant fence are both ineffective against deer; relocating the garden behind the front setback is precluded by the easement, grade, and tree shading; and deer netting is prohibited by the same ordinance.

Do you plan to use the property in a reasonable manner, permitted by the Zoning Ordinance?

Yes. Growing food, maintaining a memorial garden and pollinator plantings, and providing a safe play area for children ages 6 and 8 are ordinary, permitted uses of single-family residential property, and fencing a garden or a play area is among the most common residential uses of a fence there is. Nothing about the use is commercial, intensive, or unusual. The ordinance permits fences in front yards; the only open questions are height on one enclosure and material on two seasonal sections.

Would the variance, if granted, alter the essential character of the locality?
No. Black vinyl-coated chain link is a standard suburban fencing material and one of the materials the ordinance itself names as acceptable in front yards. At 6 feet it remains almost entirely transparent, sight lines through it are preserved, and the dark coating makes the mesh visually recede at a distance. The enclosure covers a small footprint rather than running along the street frontage or the property lines, so the streetscape reads as a fenced garden, not a walled yard. The seasonal panels are the low black decorative garden fencing sold at garden centers across the metro and visible in front yards throughout Plymouth.

The neighborhood response supports this. Neighbors have repeatedly stopped to compliment the gardens, noted that our sons help tend them, and asked where we got the fencing and what we are growing.

Is the variance request based exclusively upon economic considerations?
No. The request is driven by function: excluding deer and rabbits from a food garden, and keeping children and balls out of the street. If cost were the only issue we would simply choose a cheaper compliant fence, but no compliant front-yard fence at 4 feet performs the wildlife-exclusion function at all, at any price. We are in fact spending more, not less, by moving to new vinyl-coated chain link and by removing the east-side fencing from the easement at our own expense.

Is the difficulty due to circumstances unique to the property, and was the issue created by the property owner?
The difficulty arises from the property. Our lot adjoins the drainage and ponding easement and wetland shown on the certificate of survey, which functions as a wildlife corridor. Deer and rabbits move onto the lot from that corridor continuously, and unfenced beds are stripped within a single season. Interior lots without that adjacency do not face the same pressure.

The lot's configuration compounds it. The easement, the grade, and tree shading confine the only viable sun-exposed growing area to the front yard, where the ordinance's height limit is at its lowest. The east-side bed cannot be used at all, because it lies within the easement, which is why the two gardens are being consolidated. That combination of wetland adjacency, easement location, grade, and solar orientation is a condition of the parcel as platted in 1995. We did not create the wetland, the easement, the deer population, or the lot layout.

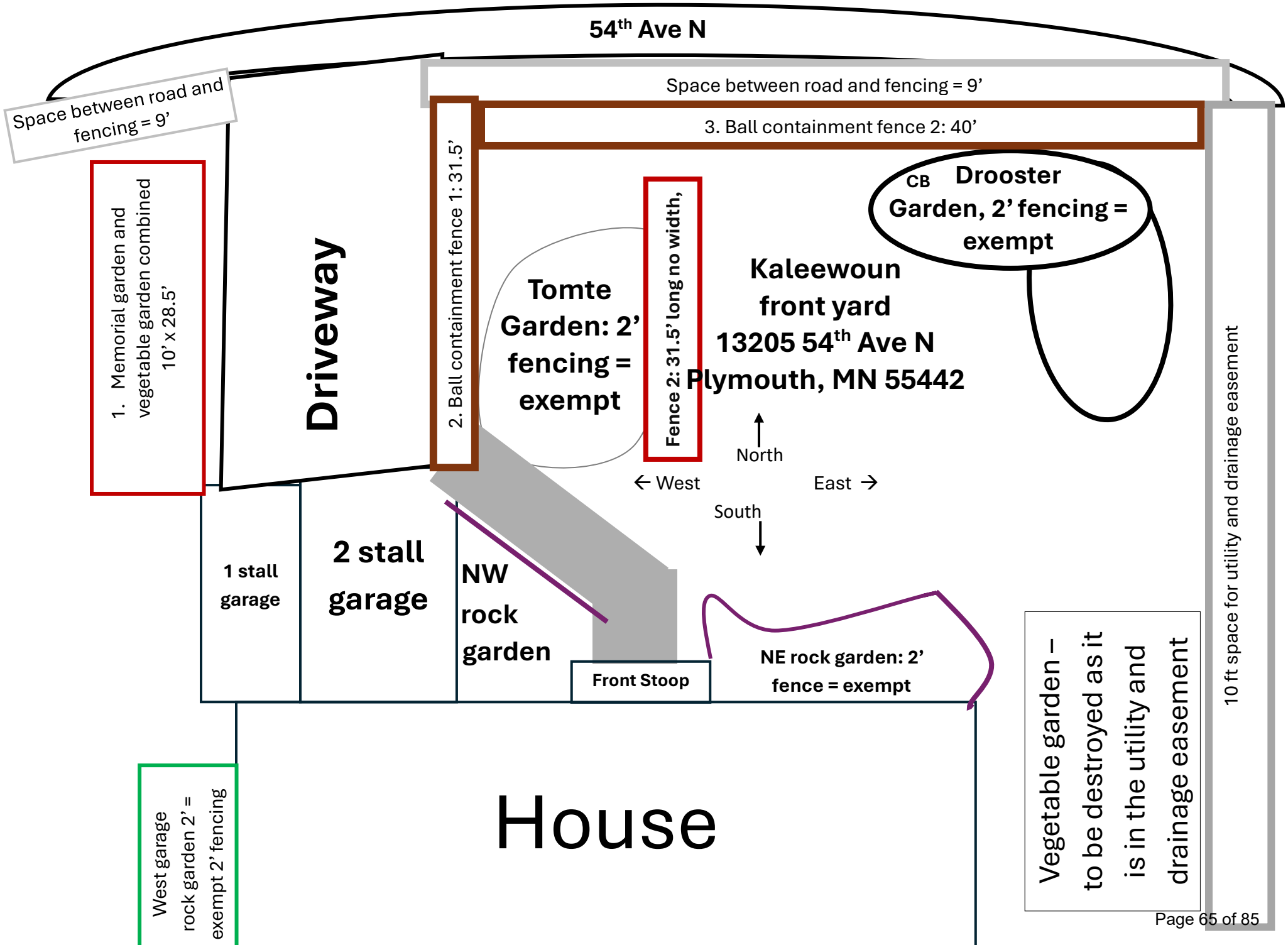
What we did create was the earlier fencing installed without a permit, because we did not know one was required for garden fencing. We accept responsibility for that, and it has been removed. This application is our effort to do it correctly, with approved materials and a proper permit.

Compliance commitments

Chain link will include a top rail with barbed ends toward the ground (Subd. 4(c)(3)); no T- or U-posts will be used (Subd. 4(c)(4)); the fence will be the same color on both sides (Subd. 4(c)(5)); the finished face will front the street (Subd. 4(c)(2)); both sides will be maintained in reasonable repair (Subd. 4(c)(6)); and no fencing will be placed in any right-of-way, easement, wetland, wetland buffer, or traffic sight visibility triangle. We will accept reasonable conditions of approval.

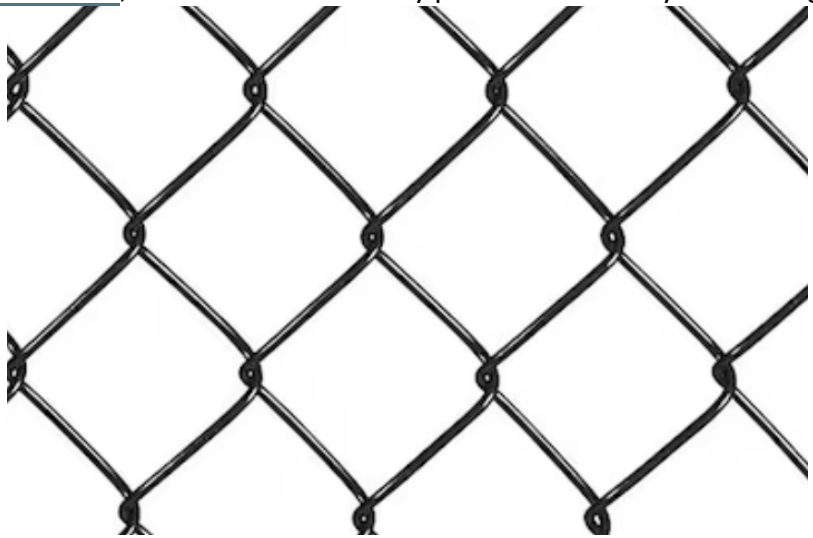
Kaleewoun Front Yard Fence Proposal Maps



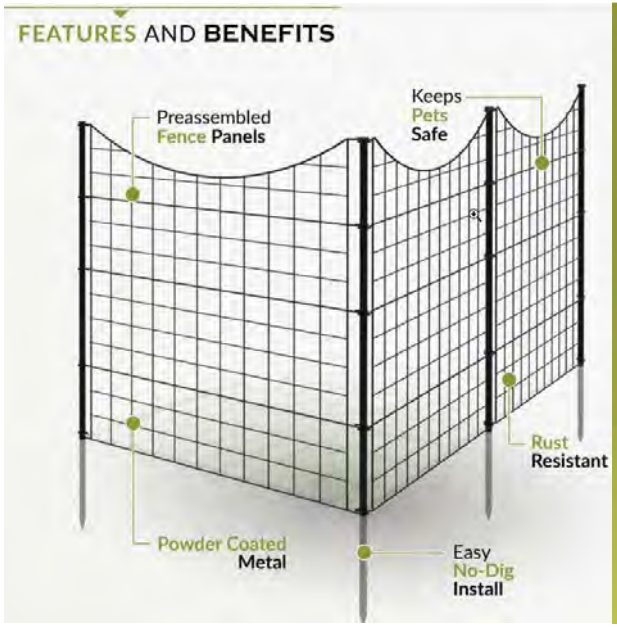

54th Ave N
Space between road and fencing = 9'
Space between road and fencing = 9'
3. Ball containment fence 2: 40'
1. Memorial garden and vegetable garden combined 10' x 28.5'
Driveway
2. Ball containment fence 1: 31.5'
Fence 2: 31.5' long no width,
CB Drooster Garden, 2' fencing = exempt
Tomte Garden: 2' fencing = exempt
Kaleewoun front yard
13205 54th Ave N
Plymouth, MN 55442
North
West
East
South
1 stall garage
2 stall garage
NW rock garden
Front Stoop
NE rock garden: 2' fence = exempt
Vegetable garden – to be destroyed as it is in the utility and drainage easement
10 ft space for utility and drainage easement
House
West garage rock garden 2' = exempt 2' fencing

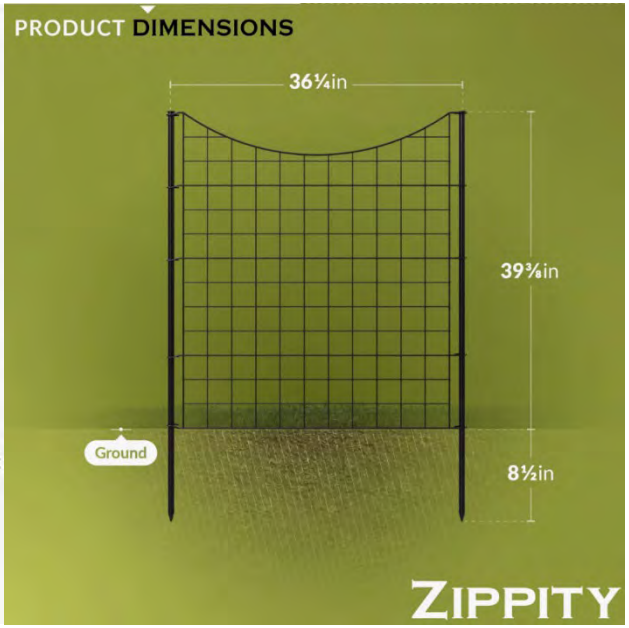
Fence 1: Memorial garden and vegetable garden combined, 10’ x 28.5’= 20 +57 = 77 ft will have 6 ft. Black Vinyl Coated Galvanized Steel 9-Gauge Chain Link Fencing with one gate seen here on the Lowe’s website, this would be our only permanent front yard fencing



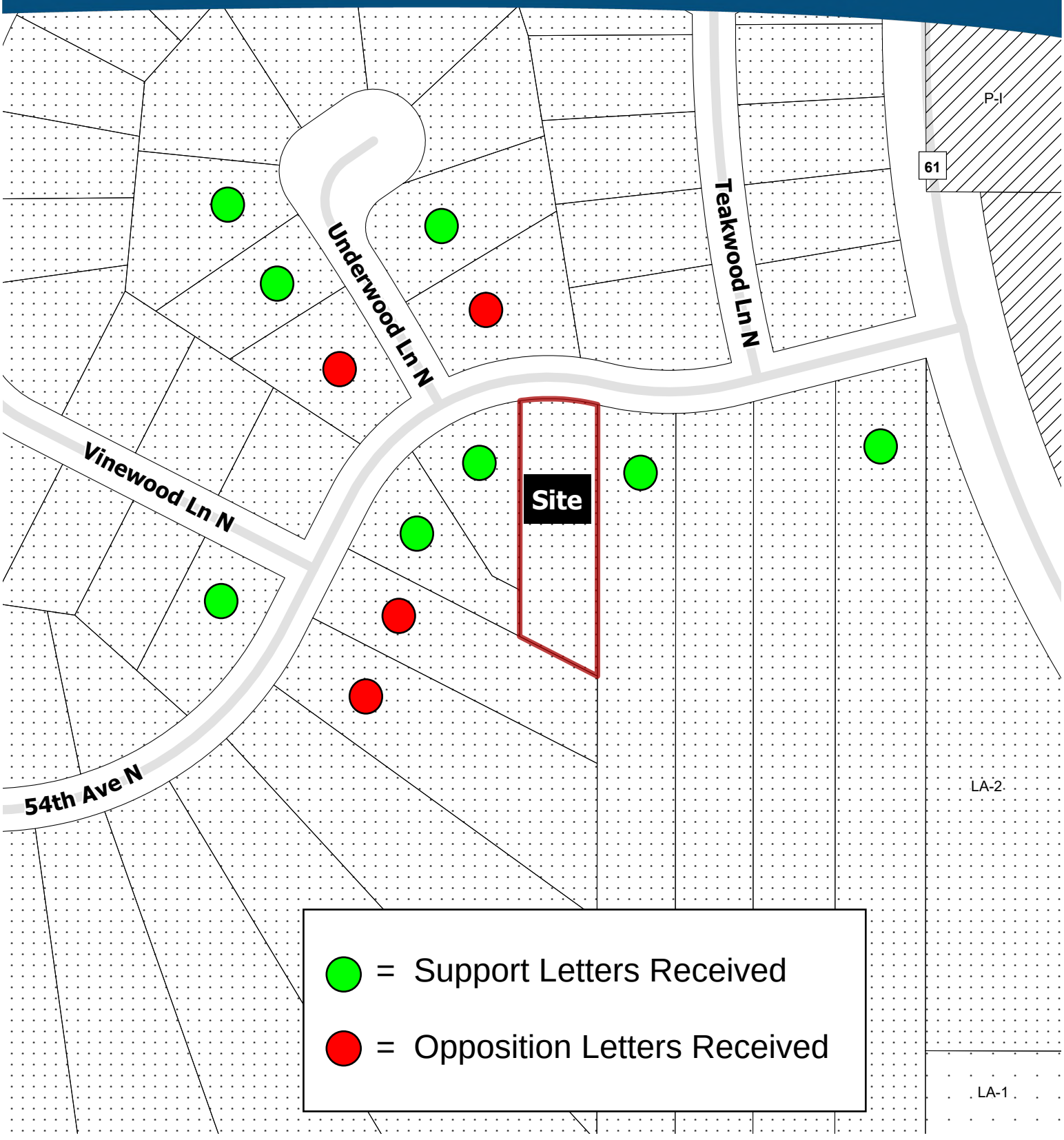


Both Fence 2 & 3: Ball containment 1: 31.5’ and Ball containment 2: 40' will have Zippity no dig temporary fence, 3.25 height, these fences will be removed in the winter





2026049 Location Map
Kaleewoun - 13205 54th Ave
Variance Application



C, Comercial
CC, City Center
CO, Commercial Office
IND, Industrial
LA-1, Living Area 1
LA-2, Living Area 2
LA-3, Living Area 3
LA-4, Living Area 4
LA-5, Living Area 5
MXD, Mixed Use
MXD-R, Mixed Use Residential
P-I, Public/Semi-Public/Institutional

N

0 200 Feet

This represents a compilation of information and data from city, county, state and other sources that has not been field verified. Information should be field verified and compared with original source documents.

Neighbor Support Letter for Fencing Variance Request
The Kaleewoun Family, 13205 54th Ave N Plymouth, MN 55442

Date: 8/6/26

To: City of Plymouth Planning Division
3400 Plymouth Blvd
Plymouth, MN 55447

Subject: Support for fencing variance request at 13205 54th Ave N Plymouth, MN 55442

Dear Planning Commission Members,

I am writing as a nearby resident of The Kaleewoun home located at 13205 54th Ave N Plymouth, MN 55442 to express my support for the fencing variance request submitted by Anika and Philip Kaleewoun located at 13205 54th Ave N, Plymouth, MN 55442.

I have reviewed the proposed fence plan and the purpose of the variance request. Based on my observations of the neighborhood, I believe the proposed fencing:

- [x] Fits the character and appearance of our neighborhood.
- [x] Will not negatively impact property values, sightlines, or safety.
- [x] Improves privacy, clarifies property boundaries, and enhances the usability of the yard.
- [x] Does not obstruct visibility for pedestrians, drivers, or nearby homes.
- [x] I have no concerns regarding the proposed fence and believe the variance would allow a reasonable improvement that maintains the quality and harmony of our neighborhood.

Thank you for your consideration.

Sincerely,

Name: Ashley and Mike Lamm

Address: 5425 Underwood Ln N. Plymouth, MN 55442

Optional phone and email:

Neighbor Support Letter for Fencing Variance Request
The Kaleewoun Family, 13205 54th Ave N Plymouth, MN 55442

Date: 8/6/26

To: City of Plymouth Planning Division
3400 Plymouth Blvd
Plymouth, MN 55447

Subject: Support for fencing variance request at 13205 54th Ave N Plymouth, MN 55442

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- [x] Will not negatively impact property values, sightlines, or safety.
- [x] Improves privacy, clarifies property boundaries, and enhances the usability of the yard.
- [x] Does not obstruct visibility for pedestrians, drivers, or nearby homes.
- [x] I have no concerns regarding the proposed fence and believe the variance would allow a reasonable improvement that maintains the quality and harmony of our neighborhood.

Thank you for your consideration.

Sincerely,

Name: Patty & Benson Hardy

Address: 5415 Underwood Lane N.

Optional phone and email: [redacted]

Shawn Drill

From: KEITH ROBERTS [redacted]
Sent: Tuesday, August 25, 2026 7:42 PM
To: Shawn Drill
Cc: Roberts, Sarah
Subject: City File #2026-049

External email >

First time sender >

[You don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Shawn,

I received a notice of Request for Variances to the regulations pertaining to fence height and fence materials for property located at 13205 54th Avenue. I cannot attend the September 2 Planning Meeting due to business travel.

I live within 200 feet of the site. I object to the variance on the basis that
1) City Code Section 21130.01 subd. 5b prohibits chain link fences over 4 feet,
2) City Code Section 21130.01 subd. 4c1 prohibits welded wire fences,
3) My property at 5405 Underwood Lane has a direct view of the subject property and have concerns about the view and the curbside appeal precedent this would set for the neighborhood.

Respectfully,

Keith Roberts

Neighbor Support Letter for Fencing Variance Request
The Kaleewoun Family, 13205 54th Ave N Plymouth, MN 55442

Date: 8/6/26

To: City of Plymouth Planning Division
3400 Plymouth Blvd
Plymouth, MN 55447

Subject: Support for fencing variance request at 13205 54th Ave N Plymouth, MN 55442

Dear Planning Commission Members,

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I have reviewed the proposed fence plan and the purpose of the variance request. Based on my observations of the neighborhood, I believe the proposed fencing:

- [x] Fits the character and appearance of our neighborhood.
- [x] Will not negatively impact property values, sightlines, or safety.
- [x] Improves privacy, clarifies property boundaries, and enhances the usability of the yard.
- [x] Does not obstruct visibility for pedestrians, drivers, or nearby homes.
- [x] I have no concerns regarding the proposed fence and believe the variance would allow a reasonable improvement that maintains the quality and harmony of our neighborhood.

Thank you for your consideration.

Sincerely,

Name: Daniel Dexter

Address: 5410 Underwood Ln N,

Optional phone and email: [redacted]

Shawn Drill

From: Rich Yablonsky [redacted]
Sent: Wednesday, August 26, 2026 8:00 AM
To: Shawn Drill
Cc: Webmail - Planning
Subject: City File #2026-049

ⓘ External email ›

ⓘ First time sender ›

[Some people who received this message don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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1) City Code Section 21130.01 subd. 5b prohibits chain link fences over 4 feet,
2) City Code Section 21130.01 subd. 4c1 prohibits welded wire fences,
3) My property at 5400 Underwood Lane has a direct view of the subject property and have concerns about the view and the precedent this would set for the neighborhood.

Respectfully,

Richard Yablonsky

Neighbor Support Letter for Fencing Variance Request
The Kaleewoun Family, 13205 54th Ave N Plymouth, MN 55442

Date: 8-6-26

To: City of Plymouth Planning Division
3400 Plymouth Blvd
Plymouth, MN 55447

Subject: Support for fencing variance request at 13205 54th Ave N Plymouth, MN 55442

Dear Planning Commission Members,

I am writing as a nearby resident of The Kaleewoun home located at 13205 54th Ave N Plymouth, MN 55442 to express my support for the fencing variance request submitted by Anika and Philip Kaleewoun located at 13205 54th Ave N, Plymouth, MN 55442.

I have reviewed the proposed fence plan and the purpose of the variance request. Based on my observations of the neighborhood, I believe the proposed fencing:

☑ Fits the character and appearance of our neighborhood.

☑ Will not negatively impact property values, sightlines, or safety.

☑ Improves privacy, clarifies property boundaries, and enhances the usability of the yard.

☑ Does not obstruct visibility for pedestrians, drivers, or nearby homes.

☑ I have no concerns regarding the proposed fence and believe the variance would allow a reasonable improvement that maintains the quality and harmony of our neighborhood.

Thank you for your consideration.

Sincerely,

Name: Susan Henslin

Address: 13215 54th Ave

Optional phone and email: [redacted]

Neighbor Support Letter for Fencing Variance Request
The Kaleewoun Family, 13205 54th Ave N Plymouth, MN 55442

Date: 4-AUG-26

To: City of Plymouth Planning Division
3400 Plymouth Blvd
Plymouth, MN 55447

Subject: Support for Fencing Variance Request at 13205 54th Ave N Plymouth, MN 55442

Dear Planning Commission Members,

I am writing as a nearby resident of The Kaleewoun home located at 13205 54th Ave N Plymouth, MN 55442 to express my support for the fencing variance request submitted by Anika and Philip Kaleewoun located at 13205 54th Ave N, Plymouth, MN 55442.

I have reviewed the proposed fence plan and the purpose of the variance request. Based on my observations of the neighborhood, I believe the proposed fencing:

- [x] Fits the character and appearance of our neighborhood.
- [x] Will not negatively impact property values, sightlines, or safety.
- [x] Improves privacy, clarifies property boundaries, and enhances the usability of the yard.
- [x] Does not obstruct visibility for pedestrians, drivers, or nearby homes.
- [x] I have no concerns regarding the proposed fence and believe the variance would allow a reasonable improvement that maintains the quality and harmony of our neighborhood.

Thank you for your consideration.

Sincerely,

Name: SANDRA & HOWARD HULET

Address: 13135 54TH AVENUE N/PLYMOUTH, MN 55442

Optional- phone and email: [redacted]

Neighbor Support Letter for Fencing Variance Request
The Kaleewoun Family, 13205 54th Ave N Plymouth, MN 55442

Date: 8/6/2026

To: City of Plymouth Planning Division
3400 Plymouth Blvd
Plymouth, MN 55447

Subject: Support for fencing variance request at 13205 54th Ave N Plymouth, MN 55442

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I have reviewed the proposed fence plan and the purpose of the variance request. Based on my observations of the neighborhood, I believe the proposed fencing:

- [X] Fits the character and appearance of our neighborhood.
- [X] Will not negatively impact property values, sightlines, or safety.
- [X] Improves privacy, clarifies property boundaries, and enhances the usability of the yard.
- [X] Does not obstruct visibility for pedestrians, drivers, or nearby homes.
- [X] I have no concerns regarding the proposed fence and believe the variance would allow a reasonable improvement that maintains the quality and harmony of our neighborhood.

Thank you for your consideration.

Sincerely,

Name: Brendan Guffey

Address: 13105 54th Ave. N, Plymouth, MN 55442

Optional phone and email: [redacted]

Shawn Drill

From: Jaclyn Gavzy [redacted]
Sent: Wednesday, August 26, 2026 9:05 PM
To: Shawn Drill
Subject: 13205 54th Ave Plymouth

External email >

First time sender >

You don't often get email from [redacted] Learn why this is important

Shawn,

I received a notice of Request for Variances to the regulations pertaining to fence height and fence materials for property located at 13205 54th Avenue.

I live within 200 feet of the site. I object to the variance on the basis that
1) City Code Section 21130.01 subd. 5b prohibits chain link fences over 4 feet,
2) City Code Section 21130.01 subd. 4c1 prohibits welded wire fences,
3) I have concerns about the view and the precedent this would set for the neighborhood.
4) I'm a Realtor and have concerns it will impact property value in our neighborhood

Additionally, the homeowner approached me this evening to sign a petition for the fence. I felt pressured to sign as I was in front of my kids and didn't want any trouble, but I didn't want to sign.

Respectfully,

Jaclyn Gavzy
[redacted]

From: Chyna Whitaker [redacted]
Sent: Monday, August 31, 2026 11:04 AM
To: Shawn Drill <SDrill@plymouthmn.gov>
Subject: Re: Fence variance request - 13205 54th Ave (2026-049)

Hello, I'm not in support. The reason why is I don't think the fencing will compliment my home or the other homes in the neighborhood.

On Wed, Aug 26, 2026 at 1:52 PM Shawn Drill <SDrill@plymouthmn.gov> wrote:

Hi Chyna. Following up on your phone call, the requesting fencing plans are attached. Fences 2 & 3 on the first attachment have been consolidated into "Fence 2" on the second attachment.

Thanks,

Shawn B. Drill, AICP I Senior Planner

City of Plymouth, Minnesota

3400 Plymouth Boulevard

Plymouth, MN 55447

Phone: (763) 509-5456

REIMAGINE PLYMOUTH
2050 Comprehensive Plan

Neighbor Support Letter for Fencing Variance Request
The Kaleewoun Family, 13205 54th Ave N Plymouth, MN 55442

Date: 8/26/26

To: City of Plymouth Planning Division
3400 Plymouth Blvd
Plymouth, MN 55447

Subject: Support for fencing variance request at 13205 54th Ave N Plymouth, MN 55442

Dear Planning Commission Members,

I am writing as a nearby resident of The Kaleewoun home located at 13205 54th Ave N Plymouth, MN 55442 to express my support for the fencing variance request submitted they have requested for their yard.

I have reviewed the proposed fence plan and the purpose of the variance request. Based on my observations of the neighborhood, I believe the proposed fencing:

- ☑ Fits the character and appearance of our neighborhood.
- ☑ Improves privacy, clarifies property boundaries, and enhances the usability of the yard.
- ☑ is a reasonable improvement that maintains the quality and harmony of our neighborhood.
- ☑ Will not negatively impact property values, sightlines, or safety.
- ☑ Does not obstruct visibility for pedestrians, drivers, or nearby homes.

Thank you for your consideration.

Sincerely,

Name: Julia Margaret

Address: 13225 54th Ave North, Plymouth, MN 55442

Optional phone and email: _____

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- ☑ is a reasonable improvement that maintains the quality and harmony of our neighborhood.
- ☑ Will not negatively impact property values, sightlines, or safety.
- ☑ Does not obstruct visibility for pedestrians, drivers, or nearby homes.

Thank you for your consideration.

Sincerely,

Name: Dustin Anderson

Address: 5400 Vinewood Ln. N Plymouth MN 55442

Optional phone and email: _____

CITY OF PLYMOUTH

RESOLUTION NO. 2026-

RESOLUTION APPROVING VARIANCES FOR FENCE HEIGHT AND FENCING MATERIAL FOR PROPERTY LOCATED AT 13205 54TH AVENUE (2026049)

WHEREAS, Anika Kaleewoun has requested approval of two variances pursuant to her August 4, 2026 application submittal, as follows: 1) a fence height variance to allow installation of "Fence 1" that would be a 6-foot-high chain link fence in the northwest portion of the required front yard area, where the maximum fence height specified for such fencing is 4 feet; and 2) a fencing material variance to allow installation of "Fence 2" in the northeast portion of the required front yard area that would consist of welded wire panels, which are otherwise prohibited by the city code; and

WHEREAS, the property is legally described as Lot 5, Block 3, Bass Lake Terrace 2nd Addition, Hennepin County, Minnesota; and

WHEREAS, the Planning Commission has reviewed said request at a duly called public meeting and recommends approval.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA, that it should and hereby does approve the August 4, 2026 request by Anika Kaleewoun for: 1) a fence height variance to allow installation of "Fence 1" that would be a 6-foot-high chain link fence in the northwest portion of the required front yard area, where the maximum fence height specified for such fencing is 4 feet; and 2) a fencing material variance to allow installation of "Fence 2" in the northeast portion of the required front yard area that would consist of welded wire panels, which are otherwise prohibited by the city code – in accordance with the following findings and conditions:

1. Regarding proposed "Fence 1" (to allow 6-foot-high chain link in front yard):

   A. The requested variance and resulting fence would be in harmony with the general purpose and intent of the fence regulations in the city code.

   B. There are "practical difficulties" in complying with the code. "Practical difficulties" means:

      1. The requested fence height variance reasonable, and would allow installation of fencing not otherwise permitted by the city code.
      2. The plight of the landowner is due circumstances that were not self-created by the landowner.
      3. The requested variance and resulting fence would not alter the essential character of the site or neighborhood.

   C. The requested variance is not based solely on economic considerations.

   D. The requested variance and resulting fence would not be detrimental to the public welfare, or injurious to other land or improvements within the neighborhood.

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E. The requested variance and resulting fence would not impair an adequate supply of light and air to adjacent properties, nor would it impact traffic congestion, increase the risk of fire, or endanger the public safety. The requested variance and resulting fence would not substantially diminish property values in the neighborhood.

F. The requested variance is the minimum action required to address or alleviate the "practical difficulties".

2. Regarding proposed "Fence 2" (to allow welded wire):

A. The requested variance and resulting fence would be in harmony with the general purposes and intent of the fence regulations in the city code.

B. There are "practical difficulties" in complying with the code. "Practical difficulties" means:

1. The requested variance for fencing material is reasonable, and would allow installation of a fencing type not otherwise permitted by the city code.
2. The plight of the landowner is due circumstances that were not self-created by the landowner.
3. The requested variance and resulting fence would not alter the essential character of the site or neighborhood.

C. The requested variance is not based solely on economic considerations.

D. The requested variance and resulting fence would not be detrimental to the public welfare, or injurious to other land or improvements within the neighborhood.

E. The requested variance and resulting fence would not impair an adequate supply of light and air to adjacent properties, nor would it impact traffic congestion, increase the risk of fire, or endanger the public safety. The requested variance and resulting fence would not substantially diminish property values in the neighborhood.

F. The requested variance is the minimum action required to address or alleviate the "practical difficulties".

3. Prior to fence installation, the applicant shall re-apply for a fence permit, based on the variance (or variances) granted.

4. All other existing front yard fencing, including the fencing within the public boulevard and the T-post fencing in the east portion of the site, must be removed -- excluding any fencing that is exempt from the city code provisions.

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5. The variance shall expire one year after the date of approval, unless the property owner or applicant has started the project, or unless the applicant, with the consent of the property owner, has received prior approval from the city to extend the expiration date for up to one additional year, as regulated under Section 21030.06 of the Zoning Ordinance.

APPROVED by the City Council on this ** day of ****, 2026.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS

The undersigned, being the duly qualified and appointed City Clerk of the City of Plymouth, Minnesota, certifies that I compared the foregoing resolution adopted at a meeting of the Plymouth City Council on _____, 2026, with the original thereof on file in my office, and the same is a correct transcription thereof.

WITNESS my hand officially as such City Clerk and the Corporate seal of the City this _____ day of _____.

_____
City Clerk

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CITY OF PLYMOUTH

RESOLUTION NO. 2026-

RESOLUTION DENYING VARIANCES FOR FENCE HEIGHT AND FENCING MATERIAL FOR PROPERTY LOCATED AT 13205 54TH AVENUE (2026049)

WHEREAS, Anika Kaleewoun has requested approval of two variances pursuant to her August 4, 2026 application submittal, as follows: 1) a fence height variance to allow installation of "Fence 1" that would be a 6-foot-high chain link fence in the northwest portion of the required front yard area, where the maximum fence height specified for such fencing is 4 feet; and 2) a fencing material variance to allow installation of "Fence 2" in the northeast portion of the required front yard area that would consist of welded wire panels, which are otherwise prohibited by the city code; and

WHEREAS, the property is legally described as Lot 5, Block 3, Bass Lake Terrace 2nd Addition, Hennepin County, Minnesota; and

WHEREAS, the Planning Commission has reviewed said request at a duly called public meeting and recommends denial.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA, that it should and hereby does deny the August 4, 2026 request by Anika Kaleewoun for: 1) a fence height variance to allow installation of "Fence 1" that would be a 6-foot-high chain link fence in the northwest portion of the required front yard area, where the maximum fence height specified for such fencing is 4 feet; and 2) a fencing material variance to allow installation of "Fence 2" in the northeast portion of the required front yard area that would consist of welded wire panels, which are otherwise prohibited by the city code – in accordance with the following findings:

1. Regarding proposed "Fence 1" (to allow 6-foot-high chain link in front yard):

    A. The requested variance and resulting fence would not be in harmony with the general purpose or intent of the fence regulations in the city code, as the purpose and intent of the regulations is to limit fence height in the front yard areas in order to:

        1. Maintain long-standing community standards and values;
        2. Maintain attractive streetscapes and vistas;
        3. Preserve views for traffic safety;
        4. Reduce bulk (sense of enclosure) along public rights-of-way/corridors in residential neighborhoods; and
        5. Preserve and protect aesthetics and property values of a site, its surrounding neighborhood, and the city as a whole.

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B. There are not "practical difficulties" in complying with the code. The "practical difficulties" analysis concludes that:

1. The requested variance is not reasonable given the site context. The 0.61-acre (26,710-square-foot) site is of typical size and shape for its neighborhood. The requested 6-foot-high fencing could be placed elsewhere on the site, in areas where fencing up to 6 feet high is allowed under the city code.
2. The plight of the landowner is due circumstances that were self-created by the landowner. There are no unique or unusual circumstances related to the site.
3. The requested variance and resulting fence would alter the essential character of the site and neighborhood.

C. The requested fence height variance does not appear to be based solely upon economic considerations.

D. The requested variance and resulting fence may be detrimental to the public welfare and/or injurious to other land or improvements within the neighborhood.

E. The requested variance and resulting fence likely would not impair an adequate supply of light and air to adjacent properties, impact traffic congestion, increase the risk of fire, or endanger the public safety. However, the requested variance and resulting fence could diminish property values in the neighborhood.

F. Not applicable for this variance: The requested variance is not the minimum action required to address or alleviate the "practical difficulties", because there are no practical difficulties or unique/unusual circumstances related to the site.

2. Regarding proposed "Fence 2" (to allow welded wire):

A. The requested variance and resulting fence would not be in harmony with the general purpose or intent of the fence regulations in the city code, as the purpose and intent in regulating fencing materials is to:

1. Maintain long-standing community standards and values;
2. Ensure fencing is constructed of high-quality materials that has a pleasing appearance, and that has long-term durability – so it can hold up without being easily damaged;
3. Ensure fencing is not, and does not become, an eyesore or nuisance for the site, its surrounding neighborhood, and the city as a whole; and
4. Preserve and protect property values and aesthetics of a site, its surrounding neighborhood, and the city as a whole.

DRAFT

B. There are not "practical difficulties" in complying with the code. The "practical difficulties" analysis concludes that:

   1. The requested variance is not reasonable given the site context. The 0.61-acre (26,710-square-foot) site is of typical size and shape for its neighborhood. The requested welded wire fencing materials could be changed to a fencing material that is allowed under the city code to accomplish the same safety goal (ball containment) for this segment of fencing.
   2. The plight of the landowner is due circumstances that were self-created by the landowner. There are no unique or unusual circumstances related to the site.
   3. The requested variance and resulting fence would alter the essential character of the site and neighborhood.

C. The requested variance for fencing material is based solely on economic considerations.

D. The requested variance and resulting fence may be detrimental to the public welfare and/or injurious to other land or improvements within the neighborhood.

E. The requested variance and resulting fence likely would not impair an adequate supply of light and air to adjacent properties, impact traffic congestion, increase the risk of fire, or endanger the public safety. However, the requested variance and resulting fence could diminish property values in the neighborhood.

F. Not applicable for this variance: The requested variance is not the minimum action required to address or alleviate the "practical difficulties", because there are no practical difficulties or unique/unusual circumstances related to the site.

ADOPTED by the City Council on this ** day of ****, 2026.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS

The undersigned, being the duly qualified and appointed City Clerk of the City of Plymouth, Minnesota, certifies that I compared the foregoing resolution adopted at a meeting of the Plymouth City Council on _____, 2026, with the original thereof on file in my office, and the same is a correct transcription thereof.

WITNESS my hand officially as such City Clerk and the Corporate seal of the City this _____ day of _____.

_____
City Clerk

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