

**City of Columbus**  
**Public Hearing – 18788 Lexington Ave. NE Variance Application (PC-16-119)**  
**(Pavel and Alena Bodnar – applicants and owners)**  
**September 21, 2016**

The September 21, 2016 Public Hearing to receive testimony regarding the request for a variance to 18788 Lexington Avenue NE from the required side or rear yard placement to a front yard location for an accessory building (stable) was called to order at 7:24 p.m. by Chair Garth Sternberg at the City Hall. Present were Commission members: James Watson, Pam Wolowski, Jesse Preiner, and Jody Krebs; City Administrator Elizabeth Mursko, Planner Dean Johnson, Public Communications Coordinator Jessica Hughes, and Recording Secretary Karen Boland.

Also in attendance were City Council members Denny Peterson and Bill Krebs; Russ Hanes, Pavel Bodnar, and Michelle Mauch.

**Sternberg:** Now we have a Public Hearing and discussion for address 18788 Lexington Avenue Northeast variance request, pages 25-40 and enclosures. And, at this time, I'd like to ask the recording secretary to read the notice as published.

Notice was read at this time by the recording secretary.

**Sternberg:** Thank you Karen. And, at this time, I'd like to ask the applicant to please come forward and state your name and address for the record.

**Bodnar:** Good evening. My name is Pavel Bodnar. Address is 18788 Lexington Avenue Northeast, Wyoming, Minnesota.

**Sternberg:** Thank you, sir.

**Bodnar:** 55092.

**Sternberg:** And if you could just give us a little background on what it is you are asking of us this evening.

**Bodnar:** Well, basically, we would like to place a stable as you're looking at our house, to the right of it. Um, our house is pushed way back. We have five-point-some acres, and it's pushed back all the way, kind of to the back. I think there's probably 50 feet or 40 feet of our backyard. Probably maybe even less, I'm not sure. And, um, the location where we picked, if you're facing our side, uh, the front of the house, to the right is kind of the only spot, because, when you look to the left of it, it's, um, all the plumbing system for the well, the septic. The back side does not allow, because of the size that we want to do –the setbacks probably won't meet, and, who'd want a stable in their backyard when there's so minimal space between, uh, the property line? And it really opens up only to the right side, um, because, on the left side, after all of the

plumbing stuff and all the wells, there's a pond. And right next to it is kind of where—right across from it is where we're planning to, hopefully, to get a stable in there.

**Mursko:** Can you describe for the Planning Commission what your stable is going to look like?

**Bodnar:** That's a question for my designer, but I'll do my best to describe what my wife is thinking. It's basically going to be, we're planning to do like a 30 by 30 stable. Um, it's going to sit on 6 by 6 posts. Most likely it's going to be covered either with steel, uh, commercial-grade sheeting or some sort of a wood siding. It'll have a, for sure it'll have, uh, steel roofing, which is like galvanized, rigid 12-foot sheets. And I'll have a retractable door in the front, just like a stable, sliding door, so . . .

**Sternberg:** Yup.

**Bodnar:** It'll be white, most likely.

**Krebs:** Will you have electricity out there?

**Bodnar:** Not for the stable, no.

**Preiner:** Mr. Chair.

**Sternberg:** Yeah.

**Preiner:** Is your property fenced?

**Bodnar:** Once it's, uh, we get approval for the variance, if everything goes through, we'll fence, um, both—I have a, we have probably two acres on the right side of the driveway, and probably a little bit more on the left side-- and we'll fence everything in for the, for the horses, yes. But, at the moment it's not. We started it, just, the fencing, but, we stopped as soon as I, we got called about it, and found out there is a variance required; so everything froze after that.

**Watson:** Mr. Chair?

**Sternberg:** Yeah.

**Watson:** I'm sorry, you said that it was going to be four sided?

**Bodnar:** Siding?

**Watson:** Four sides.

**Sternberg:** Is it a four-sided building or a three-sided run-in type horse stall?

**Bodnar:** Oh, it'll be, it'll be four, you know, the back two sides, and the front, but the gates are going to be going in the front.

**Watson:** Sure. Thank you.

**Sternberg:** Any questions?

**Wolowski:** I do Mr. Chair.

**Sternberg:** Go ahead.

**Wolowski:** All in total, how much acres will you be fencing in?

**Bodnar:** Probably we might, well, let's see, five, I'll probably say four. We have about 5 and a half. So then I assume the back side of the house, and it's about an acre, acre-and a half, but I'll probably—close to four acres.

**Wolowski:** Four acres?

**Bodnar:** Yeah. Not counting the driveway, because it's in the middle of the two, two sides that we have.

**Sternberg:** Any further questions?

**Krebs:** Um, so I guess this would be for Elizabeth. Just for design standards, they'd still have to come in and get those approved through the City, if this were to be sent forward to the City Council for approval and they approved it?

**Mursko:** Yeah. And during discussion I'd like to get a few more details as to what he, what the building is really going to be like, and then we can, we can go from there, yeah.

**Krebs:** Okay. Just to let you know, that would still have to get approved aside from all of this.

**Bodnar:** Yeah. I will draw, draw a more detailed sketch of how the exterior will look too. We'll have an architectural plan that we can work with and we'll do that. That should be an easy step.

**Krebs:** And I did go out and walk. I did call you, but . . .

**Bodnar:** I called you a bunch of times.

**Krebs:** Oh, did you call?

**Bodnar:** I called back a bunch of times, and I got your, I left you, I think I left you a voicemail.

**Krebs:** Okay. Um, so, I did go out and just kind of walk around, and I, I did see that the backyard is very, very small. I mean, is the treeline actually the property line?

**Bodnar:** I know. It's kind of weird, because where the property line is, the one that's further back, so it cuts through the property. So, I would say another 10-15 feet of the fence, of the, of the woods in the back.

**Krebs:** Where the trees all . . . ?

**Bodnar:** Yeah.

**Krebs:** 'Cause that's very dense back there. That would be a lot of clearing to have to clear to, um, get something back there.

**Bodnar:** Oh, yeah. There's only about ten feet of the tree line that is probably mine, and then the rest is the guy who owns it in the back.

**Krebs:** Okay.

**Bodnar:** And you saw the, the porch that we have in the back? And from that –not much.

**Krebs:** Yeah. Yeah. I saw that.

**Wolowski:** Mr. Chair. One more quick question. I, I'm looking here, and it appears that it's very, um, you had stated in your letter that it's very wooded, it's covered there, but, have you had any discussion with your neighbor on what, you know, putting a stable that close to the property line?

**Bodnar:** I talked to both my neighbors. One of the neighbors—(looking behind him) oh, she's still there—she's –if you're looking to the left of it.

**Wolowski:** Yup.

**Bodnar:** So far, if she didn't change her mind, she has no problem.

**Wolowski:** Okay.

**Bodnar:** I also talked to Angie, who's to the right of it. She has no problem.

**Wolowski:** So there's no concerns there?

**Bodnar:** There is no . . .

**Wolowski:** Okay. Thanks.

**Watson:** Mr. Chair. One quick question, and this is probably for Elizabeth, because my memory is so bad. We discussed a hundred-foot setback from, uh, for our chicken issue. How does that stand with hooved? Or is it still a hundred foot from the residence?

**Johnson:** I don't have my ordinance with me.

**Mursko:** I don't have my . . .

**Johnson:** Remember, we redid this one.

**Mursko:** I don't have my ordinance in front of me, the new ordinance in front of me. But the old ordinance did not have a setback for, um, pasture.

**Watson:** Okay.

**Mursko:** That was, so, you could put it on the line.

**Sternberg:** The chicken ordinance we reduced to 75 I thought. Um, isn't that what we picked, 75 feet? Because we figured 25 feet from the other, the other person's property, 25-foot setback, and then our 75 on the chicken deal. It would be . . .

**Johnson:** I know in your recommendation to the Council, that standard was modified, but I, I don't have a copy of the final either. So, I don't know what that final number is.

**Mursko:** I'd have to look at it.

**Watson:** I'm sorry, the question actually comes from the overhead view versus the dimensions that you've got on your drawing that would appear to be a whole lot closer than a hundred foot between where the fence is and where the house is at.

**Bodnar:** Are we talking about a hundred feet from the property line of the side?

**Watson:** To the, to the house here.

**Bodnar:** The house in the front?

**Watson:** Between where the fence is and where their house is at.

**Bodnar:** Where the stable is going to be at?

**Watson:** No. The fence.

**Bodnar:** Or the fence from the property line?

**Watson:** The fence from the residence – the folks that live just to the, uh, uh . . .

**Bodnar:** The ones right in front of the road, Lexington, right?

**Watson:** Correct. Yes sir.

**Bodnar:** You're, so your question is how far my fence is going to be from their front yard?

**Watson:** From their residence.

**Bodnar:** I wasn't aware, that, I wasn't aware that there's supposed to be . . .

**Watson:** Apparently there's not, but, I guess the question is, is do the res-, do the owners of the property realize that it's going to be that close?

**Bodnar:** Yeah. I, we were talking, I talked to everybody up there, and nobody--he's seen where I, where I put the posts, and I think I went probably 15 feet from my property line in, and, uh, he seen me working up there, putting the posts in, and I told him what's going on, and he didn't say anything about it, so . . .

**Watson:** Great.

**Bodnar:** All the direct three homeowners around me, so far, gave my blessings – their blessings. So . . .

**Watson:** Thank you.

**Sternberg:** So, and just for the record, you bought this place. This was an existing house, and it was placed there by the prior owner, and, and now you have five acres and you're trying to put horses on there.

**Bodnar:** I, we moved in here with a family in February, with two kids. So our kind of goal was to make it a small hobby farm, you know. And if our door is closed for that, I have five and a half acres of just grass, and, I, it's just . . . As far as I know, it would be a bummer, because that's, that was the reason we moved here – to kind of get away from the cities. We used to live in Brooklyn Park. We wanted to eventually get, you know, horses and stuff like that, so . . . If this doesn't go through, it would really kind of, you know . . .

**Sternberg:** So, any other questions for the applicant?

**Watson:** No sir.

**Wolowski:** No sir.

**Mursko:** Mr. Chair, it does say that animal structures, it says 100 feet from an abutting property residence, of all farm animals. 'Permanent wood structures or premanufactured farm animal structures shall be required. For the safe keeping of all farm animals, animal structures shall not be located closer than 100 feet from an abutting property residence.' So, it's determined by where the house is, not where the property line is.

**Bodnar:** Okay, so you're asking me if the stable is going to be 100 feet from my house or somebody else's house?

**Mursko:** Your, yes, your neighbor's house.

**Bodnar:** Oh, we're way above that. From my house it's probably going to be, well, I think we wrote it down . . .

**Mursko:** No, from the accessory building, from your stable.

**Bodnar:** From my stable to somebody's house. We're way more than 100 feet from any of the property houses. For instance, Angie's house, we're probably 250 easily feet. My house, I think I, we measured it from both my house—well, Michelle's house is probably 1000-some feet. She's on the way other side. The closest is either my house, which is for sure way over 150 feet, maybe 200. Angie's is either 2-250, and the guy that's in the front, I mean he's all five acres in the front of me.

**Mursko:** Okay.

**Bodnar:** I think I'm well over that 100 feet.

**Sternberg:** Yeah, I'd have to agree with that.

**Watson:** Thank you, ma'am.

**Mursko:** You're welcome.

**Sternberg:** Any other questions? Okay, at this time I'm going to open the hearing to the public. Is there anyone here from the public that wants to speak? Come on up.

**Bodnar:** Do I get out?

**Sternberg:** Yeah.

**Mauch:** And you are over 100 feet.

**Sternberg:** If you could just state your name and address for the record.

**Mauch:** Um, Michelle Mauch. And the address is 18724 Lexington Avenue, um, Columbus, Minnesota, 55092.

**Sternberg:** Thank you. Go ahead.

**Mauch:** So, Paul has talked to us, and we are on the opposite side of where he's wanting to put the stable. Um, our, we have agreed to the fence being put in on the property line. And per the other work we've seen Paul do, I have no concerns over the look and aesthetics of the building, so, um, if you want that as testament, I would be comfortable with that. Um, I also agree he's well over 200 feet from Angie's residence; and we're probably more than 1000 feet away, 'cause we're hidden back a ways. Do you guys have any questions for me as his neighbor?

**Sternberg:** Any questions? Thank you.

**Mauch:** So, we're fine with it.

**Wolowski:** So you're agreeable with it.

**Mauch:** Yes.

**Sternberg:** Thank you very much.

**Mauch:** Yup. Thank you.

**Sternberg:** Anyone else from the public? Okay, I'm going to close the hearing.

Hearing closed at 7:37 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary