



AGENDA
Planning Commission Regular Meeting
Tuesday, June 23, 2026
6:30 PM
City Council Chambers, City Hall

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**
- 2. ADDITIONS TO AGENDA**
- 3. AUDIENCE INPUT**
- 4. CONSENT AGENDA**
 - a. Minutes of the May 26, 2026 Regular Meeting Minutes
- 5. OLD BUSINESS**
- 6. PUBLIC HEARINGS**
 - a. Request by Marcus Ramos and KDP Biscayne, LLC for a Conditional Use Permit for a Major Auto Repair Business located within the Biscayne Business Park.
 - b. Request by Zamira Selyukov for a variance increasing the maximum area of an Accessory Dwelling Unit to 1,000 square feet.
- 7. NEW BUSINESS**
- 8. DISCUSSION**
- 9. ADJOURNMENT**

**ROSEMOUNT PLANNING COMMISSION
REGULAR MEETING PROCEEDINGS
MAY 26, 2026**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Pursuant to due call and notice thereof a regular meeting of the Planning Commission was held on Tuesday, May 26, 2026, at 6:30 PM. in Rosemount Council Chambers, 2875 145th Street West.

Chairperson Kenninger called the meeting to order with Commissioners Rivera, Buggi, Reed, Beadner, and Ellis. Commissioner Arnob was absent.

Staff present included the following; Community Development (CD) Director Adam Kienberger, Senior Planner Anthony Nemcek, Planner Julia Hogan, and CD Technician Liz Kohler.

The Pledge of Allegiance was said.

ADDITIONS TO AGENDA

None.

AUDIENCE INPUT

None.

CONSENT AGENDA

- a. Minutes of the April 28, 2026 Regular Meeting Minutes

Motion by Kenninger **Second by** Reed

Motion to approve the April 28, 2026 Regular Meeting Minutes.

Ayes: 6.

Nays: None. Motion Carried.

OLD BUSINESS

- a. Request by Zamira Selyukov for an amendment to the Rosemount zoning map to rezone the properties on 132nd Court from R-1 Low Density Residential to R-2 Low to Medium Density Residential.

Senior Planner Anthony Nemcek presented on the continuation of a request by Zamira Selyukov for an amendment to the Rosemount zoning map to rezone the properties on 132nd Ct from R-1 Low Density Residential to R-2 Low to Medium Density Residential. Nemcek presented a summary of the request and showed the proposed zoning. He discussed staff's research of other solutions to the problem. Nemcek noted some context of accessory dwelling units. He stated that although there could not be a use variance, there could be a dimensional variance. He noted that staff would need to make findings and that staff could see a path forward through that method. Nemcek also discussed some of staff's other potential options that they saw as less feasible. Staff recommended approval of the rezoning, but acknowledged the option of the variance. Nemcek further explained how each of the two options would play out.

Commissioner Reed asks about concerns from staff about the variance being granted. Nemcek stated that the finding could be used in other cases. He stated that it could have a larger impact than the rezoning. Chairperson Kenninger asked about the other existing legal nonconforming duplexes. Nemcek clarified that those properties could maintain the property but could not expand the dwellings. Commissioner Ellis expressed concerns over granting the variance and the possible effects it could have on future variance findings. Commissioners Reed, Buggi, and Beadner stated that they were in favor of the variance. Kienberger reiterated that neighborhood opposition shouldn't be the sole reason for denial for the Planning Commission. Commissioner Reed clarified that his opinion leaned more on consistency of city standards.

Chairperson Kenninger stated potential findings for a variance. Commissioner Rivera expressed support for the variance. Commissioner Ellis voiced that, as he understands it, originally R-2 zoning could have been chosen for the area and that he would be in favor of the rezone.

Motion by Reed Second by Rivera

Motion to recommend the City Council deny an amendment to the Rosemount zoning map to rezone the properties in the Lan-O-Ken subdivision from R-1 Low Density Residential to R-2 Low to Medium Density Residential.

Ayes: 5.

Nays: Ellis. Motion Carried.

Chairperson Kenninger explained the next steps for the item.

PUBLIC HEARINGS

a. Proposed Revisions to the City of Rosemount's Zoning Map

Planner Julia Hogan presented proposed revisions to the City of Rosemount zoning map changing two parcels from I-1 PUD General Industrial Planned Unit Development to B-2 PUD Employment District Planned Unit Development. Hogan presented a summary of the request, showed the site location and the land use map. Hogan showed the zoning map revisions and explained how the change would bring alignment between the land use map and the zoning designation following the properties being incorrectly rezoned in the 2024 zoning code and map update process. Staff recommended approval.

Chairperson Kenninger asked if outdoor storage was allowed in B-2. Hogan confirmed it was. She also clarified that the PUD overlay will still stand for both properties. There was a discussion on the map and cleaning up any additional areas that may have been zoned incorrectly. Commissioner Rivera asked if the right of way distance was the same. Hogan confirmed it was.

Motion by Kenninger Second by Buggi

Motion to close public hearing

Ayes: 6.

Nays: None. Motion Carried.

Motion by Buggi Second by Ellis

Motion to recommend the City Council approve the rezoning of Lot 1, Block 1, BMR and Lot 1, Block 1, JJT Business Park Second Addition from I-1 PUD – General Industrial Planned Unit

Development to B-2 PUD – Employment Planned Unit Development.

Ayes: 6.

Nays: None. Motion Carried.

NEW BUSINESS

None.

DISCUSSION

Commissioner Rivera noted the upcoming ribbon cutting for the Armory. Kienberger discussed a possible worksession meeting with City Council and the Planning Commission prior to the June 23rd meeting. Chairperson Kenninger went over the upcoming meeting schedule.

ADJOURNMENT

There being no further business to come before the Planning Commission at the regular commission meeting, the meeting was adjourned at 7:11 p.m.

Respectfully submitted,

Liz Kohler
Community Development Technician

Planning Commission Regular Meeting: June 23, 2026

Tenative City Council Meeting: July 21, 2026

AGENDA ITEM: Request by Marcus Ramos and KDP Biscayne, LLC for a Conditional Use Permit for a Major Auto Repair Business located within the Biscayne Business Park.	AGENDA SECTION: PUBLIC HEARINGS
PREPARED BY: Julia Hogan, Planner	AGENDA NO. 6.a.
ATTACHMENTS: Site Location, Applicants Narrative, Additional Materials, Parking Use Tenant Placement Report	APPROVED BY: AK
RECOMMENDED ACTION: Motion to recommend the City Council approve a Conditional Use Permit for a Major Automotive Repair and Service business within the Biscayne Business Park located at 2501 158th Circle West.	

BACKGROUND

Applicant:	Marcus Ramos
Property Owner:	KDP Biscayne, LLC
Site Location:	2501 158th Circle West
Site Area in Acres:	4.7 Acres
Current Zoning:	B-2 PUD — Employment Planned Unit Development
Comp Plan Designation:	BP - Business Park

The Planning Commission is being asked to consider a Conditional Use Permit (CUP) request submitted by Marcus Ramos to operate a Major Automotive Repair and Service business at 2501 158th Circle West, located within the Biscayne Business Park. The property is zoned B-2, Employment District, where Major Automotive Repair and Service is a conditionally permitted use. Staff finds the proposed use to be consistent with the Comprehensive Land Use Plan and compliant with applicable City Code requirements. Accordingly, staff recommends approval of the Conditional Use Permit.

The subject property is located within the Biscayne Business Park Planned Unit Development (PUD), which was approved in 2019 and is situated in the southern portion of the city near the intersection of Biscayne Avenue and 160th Street West (CSAH 46). The business park was designed with a private roadway network that provides access to the individual parcels, while stormwater is managed through several perimeter ponds. The PUD agreement includes two deviations from the zoning ordinance related to lot standards, specifically allowing shared driveways and parcel access via the private roadway system. No deviations related to development standards, such as setbacks, building materials,

or other site design requirements, were approved as part of the PUD.

In the fall of 2024, Keystone Development received Site Plan Review approval for the construction of five multi-tenant office/warehouse buildings across three parcels within Biscayne Business Park. The development consists of two building configurations: centrally located double-loaded buildings with units arranged back-to-back and single-loaded buildings located in the northwest portion of the site. Parking is provided adjacent to individual tenant entrances, with additional parking located around the perimeter of the development. The Planning Commission approved the site plan in November 2024, and construction of the buildings is currently underway.

To date, development within Biscayne Business Park has included one speculative industrial building constructed by the original developer, which is currently occupied by Valley's Own Bakehouse and Conquer Ninja Gym. As construction of the multi-tenant buildings progresses, tenant spaces are expected to become available for occupancy upon completion. The proposed Major Automotive Repair and Service business would occupy space within one of these new multi-tenant buildings.

ISSUE ANALYSIS

Legal Authority

Conditional use permits (CUP) are considered quasi-judicial actions. In such cases, the City is acting as a judge to determine if the regulations within the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance are being followed. Generally, if the application meets these requirements, it must be approved.

CONDITIONAL USE PERMIT

The Zoning Ordinance lists Automotive Repair, Major as a conditional use in the B-2 Employment District. All conditional uses must meet seven general conditions in order to be permitted. These seven conditions are in addition to any use-specific conditions within the Zoning Ordinance. The Rosemount Zoning Ordinance has twelve standards that the Major Automotive Repair use must meet prior to a conditional use permit request being approved. Several of the standards are related to the ongoing operation of the proposed use. Therefore, the findings made by staff are that the applicant or operator of the use risks revocation of the CUP should the City find certain conditions are not being met. The standards are listed below along with staff's findings for each.

1. *Will not be detrimental to or endanger the public health, safety, or general welfare of the neighborhood or the city.* Finding: Staff finds that the proposed use will not be dangerous or detrimental, and staff notes the 2020 improvement project that upgraded Biscayne Avenue to urban standards and the ongoing work to improve safety at the intersection of Biscayne Avenue and County Road 42.
2. *Will be harmonious with the objectives of the comprehensive plan and city code provisions.* Finding: The proposed automotive repair business is harmonious with the objectives of the Comprehensive Plan and City Code. The subject property is designated for Business Park development and the proposed use is consistent with the B-2 Employment zoning district.
3. *Will be designed, constructed, operated and maintained so as to be compatible or similar in an architectural and landscape appearance with the existing or intended character of the general*

vicinity and will not change the essential character of that area, nor substantially diminish or impair property values within the neighborhood. Finding: The building that the business will be located in is consistent with the architectural and landscape standards of the B-2 Employment zoning district.

4. *Will be served adequately by existing (or those proposed in the project) essential public facilities and services, including streets, police and fire protection, drainage, structures, refuse disposal, water and sewer systems and schools.* Finding: Public roads and utilities are already in place to serve the site. No additional improvements to municipal services will be required to support the proposed Conditional Use within the development site.
5. *Will not involve uses, activities, processes, material equipment, and conditions of operation that will be hazardous or detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.* Finding: The proposed operation will occur within the principal building and will have to conform to all building codes related to a vehicle repair facility.
6. *Will have vehicular ingress and egress to the property which does not create traffic congestion or interfere with traffic on surrounding public streets.* Finding: Finding: The site is accessed by two driveways connecting to the private roadway of 158th Circle West. Traffic circulation is designed to flow east to west around the three buildings, with parking areas located along the perimeter of the site. The applicant submitted a Parking Use and Tenant Placement Report illustrating the on-site traffic circulation and parking layout. This report is included in the attachments.
7. *Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance and will comply with all local, state, and federal environmental quality standards.* Finding: The subject property contains no natural, scenic, or historic features of significant importance. The site was previously prepared for development by the developer of Biscayne Business Park. Building plans for the existing structures were reviewed for compliance with applicable state building codes, and all required infrastructure and utility systems were installed to ensure that the site's use would not adversely affect municipal sewer, water, or stormwater management systems.

In addition to the above seven standards, the following standards apply for Major Automotive Repair uses:

1. *The site and building(s) shall be designed to limit the effects of this use on adjacent properties and public rights-of-way. No automotive repair use shall be located on a site abutting any residential use or district.* Finding: The site does not abut any residential uses or public rights-of-way. Landscaping will be used to minimize the impact of the site on adjacent properties.
2. *All repair, assembly, disassembly or maintenance of vehicles shall occur within a closed building, except minor maintenance, including tire inflation, adding oil, wiper replacement and the like. All overhead vehicle doors on the building shall remain closed except when a vehicle is entering or exiting the building.* Finding: The proposed Automotive Repair business is planned to occupy one of the vacant tenant spaces within the multi-tenant building located on the eastern portion of the property. According to the applicant's narrative, all automotive repair, maintenance, assembly, disassembly, and fabrication activities will be conducted entirely within the enclosed

- building, with no such operations occurring outdoors.
3. *Gasoline pumps/sales shall require an additional conditional use permit subject to the performance standards outlined in this subsection for non-service motor fuel stations.* Finding: No gasoline pumps or sales are proposed with this project.
 4. *Outdoor storage of parts, materials, and equipment may be allowed in the B-2 District subject to the performance standards outlined in those districts for outdoor storage and outdoor display or sales.* Finding: The proposed site plan contains no outdoor storage areas. The applicant's narrative states that outdoor activities will be limited to minor vehicle related functions such as customer drop-off and pick-up.
 5. *Automotive repair uses shall designate on a site plan separate areas for customer parking and storage of inoperable vehicles awaiting repair or repaired vehicles awaiting pick up. These areas shall meet the design standards outlined in section [11-7-3](#), "Off Street Parking and Loading Requirements" of this title and be screened as follows:*
 6. *Customer parking areas shall meet the applicable screening standards outlined in this title including, but not limited to, section [11-7-3](#), "Off Street Parking and Loading Requirements" of this title and this subsection.* Finding: The submitted Parking Use and Tenant Placement Report indicates that the proposed Major Automotive Repair business will be assigned four parking stalls located directly across from its tenant space along the east side of the property adjacent to Biscayne Avenue. According to the applicant's narrative, vehicles awaiting repair or pickup will be stored in designated areas on the property and screened in accordance with City requirements. The applicant further states that the site will be maintained in an orderly manner and that the accumulation of inoperable vehicles, scrap materials, or outdoor dismantling activities will not be permitted.
 7. *Inoperable vehicles awaiting repair or repaired vehicles awaiting pick up shall be stored behind the principal building. Landscaping and berming shall be a secondary source for screening said vehicles. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty-five (25) feet without a change in architecture to reduce their mass and appearance. Stacking areas shall have a minimum ninety percent (90%) opacity screen to a height of six (6) feet.* Finding: The subject property abuts the Biscayne Avenue right-of-way along its eastern property line. The approved landscape plan for the development includes perimeter tree plantings that provide visual screening along all property boundaries, helping to buffer views from both public and private roadways. In addition, the existing principal buildings contribute to site screening, particularly from the western portion of the property and segments of the adjacent private roadway.
 8. *In the B-1 and B-2 districts, junk or unlicensed vehicles awaiting repair or pick up shall be stored completely inside a closed building in accordance with the performance standards for outdoor storage outlined in section [11-6-8](#) of this chapter.* Finding: If it is found that this condition is not being met, the City retains the right to revoke the conditional use permit unless the applicant or operator can demonstrate that they are in compliance with the City Code.
 9. *Parking of vehicles on public right-of-way shall be prohibited.* Finding: Parking is not allowed on Biscayne Avenue.
 10. *All painting must be conducted in an approved paint booth. All paint booths and all other activities of the operation shall thoroughly control the emission of fumes, dust, or other particulate matter in compliance with Minnesota pollution control standards and applicable fire*

and building codes. Finding: Noncompliance with this condition could result in revocation of the CUP for the subject property.

11. *All flammable materials, including liquids and rags, shall conform to the applicable provisions of the Minnesota fire code.* Finding: Noncompliance with this condition could result in revocation of the CUP for the subject property.
12. *No public address system shall be audible from a noncommercial or nonindustrial use or district.* Finding: The site is surrounded by commercial and industrial uses, therefore this condition is met.

RECOMMENDATION

Staff finds that the subject property and proposed Major Automotive Repair and Service use meet the standards of the zoning ordinance. Therefore, staff is recommending approval of a Conditional Use Permit for a Major Automotive Repair and Service business at 2501 158th Circle West. This recommendation is based on information provided by the applicant and reviewed in this report.



Conditional Use Permit Operations Narrative

Automotive Repair and Service, Major

The applicant is requesting approval of a Conditional Use Permit for an Automotive Repair and Service, Major use within the applicable zoning district. The proposed business will provide general automotive repair, diagnostics, maintenance, performance upgrades, suspension and steering repair, brake service, alignment, engine and transmission repair, and related automotive services.

The business is intended to operate as a clean, professional, and well-maintained automotive repair facility designed to be compatible with surrounding commercial and industrial uses.

Operations and Indoor Repair Activities

All major automotive repair, assembly, disassembly, fabrication, and maintenance activities will occur entirely within the enclosed building. Overhead service doors will remain closed except during vehicle entry and exit or as otherwise necessary for ventilation and operational efficiency consistent with city requirements.

Outdoor activities will be limited to minor vehicle-related functions such as customer drop-off and pick-up, tire inflation, adding fluids, wiper replacement, and similar incidental activities permitted by ordinance.

Vehicle Storage and Parking

The site plan designates separate areas for:

- Customer and employee parking
- Vehicles awaiting repair
- Vehicles awaiting customer pick-up

Customer parking areas will remain organized and maintained in compliance with applicable city parking and screening requirements.

Vehicles awaiting repair or pick-up will be stored in designated areas on the property and screened in accordance with city requirements. The business will maintain an orderly appearance and will not permit the accumulation of junk vehicles, scrap materials, or outdoor dismantling activities.

Any inoperable or unlicensed vehicles will be stored in compliance with applicable city ordinances and zoning requirements.

No vehicles associated with the business will be parked or stored within the public right-of-way.

Outdoor Storage and Site Maintenance

Any approved outdoor storage will be limited, organized, and maintained in a clean and orderly manner. Automotive parts, equipment, cores, tires, and materials will not be stored in a manner that creates visual clutter or nuisance conditions for adjacent properties.

The site will be maintained to support a professional appearance through regular property maintenance, trash removal, and compliance with all landscaping and screening requirements.

Noise, Odor, and Environmental Controls

The business will operate in a manner that minimizes impacts to surrounding properties. Noise-generating activities will primarily occur indoors. No outdoor public address system will be used in a manner audible from noncommercial or nonindustrial properties.

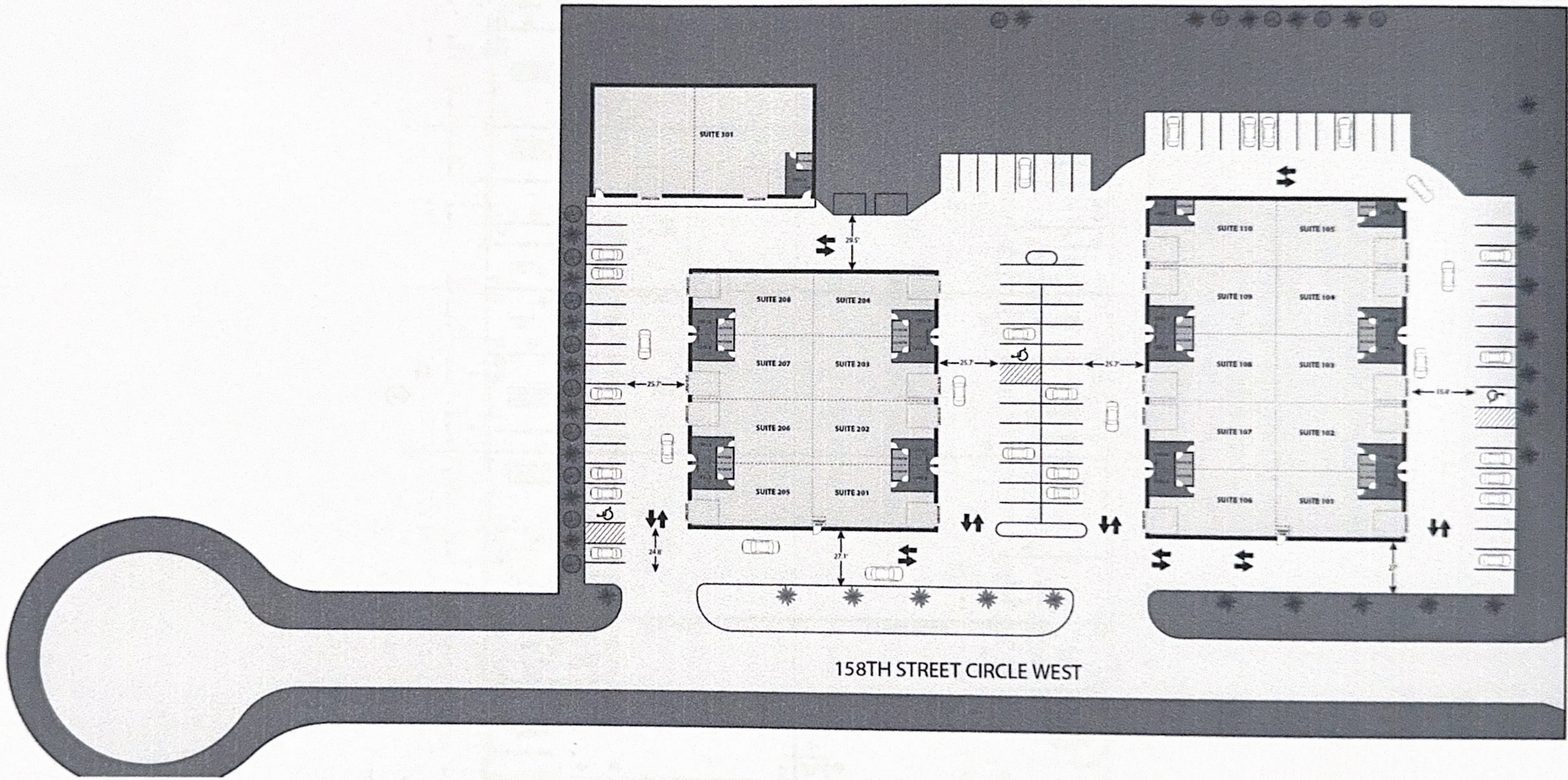
All automotive fluids, chemicals, and flammable materials will be stored and handled in accordance with Minnesota Fire Code requirements and applicable environmental regulations.

Any painting operations conducted onsite will occur only within an approved paint booth compliant with applicable fire, building, and Minnesota Pollution Control Agency standards.

Business Operations

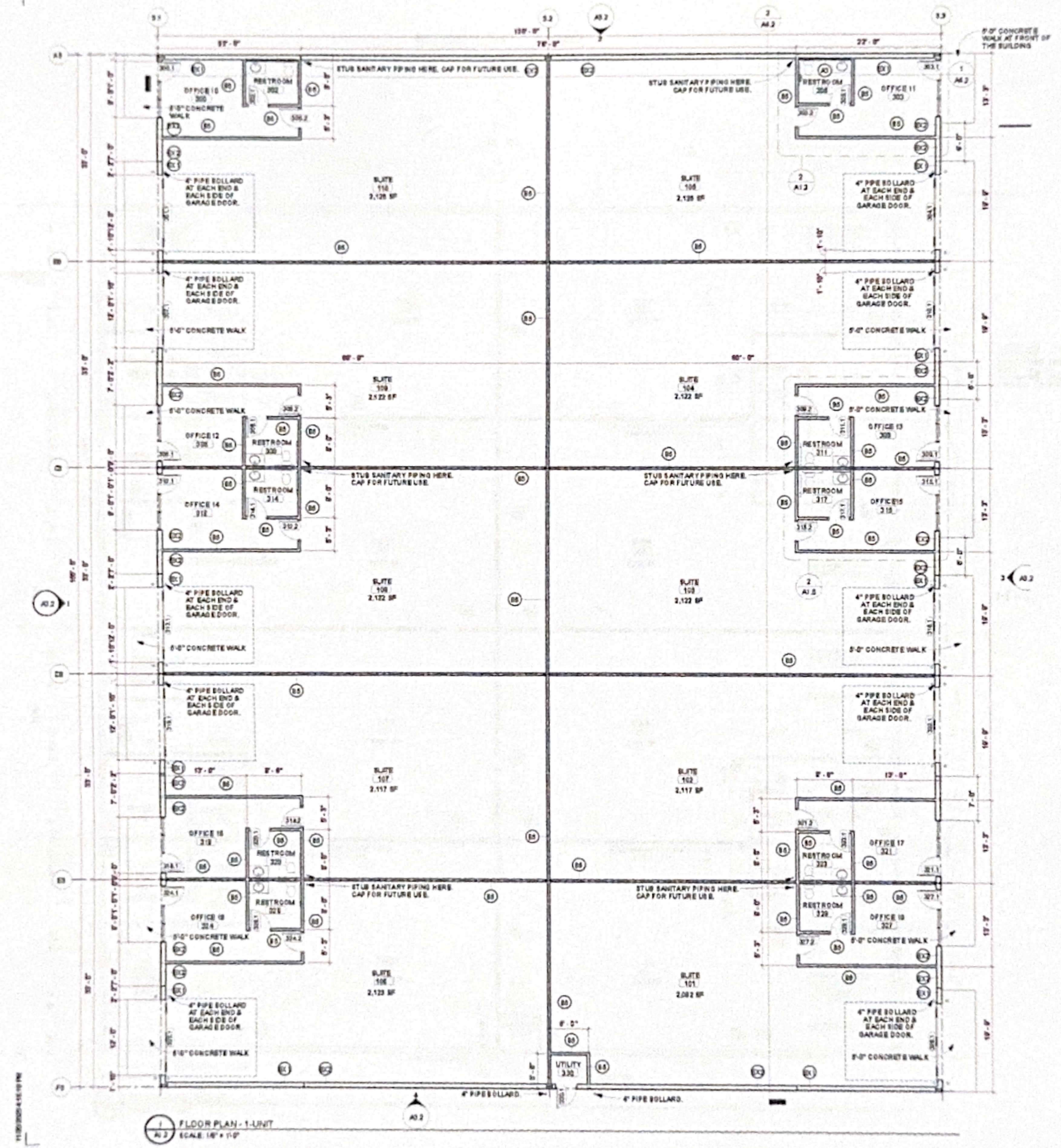
The business is intended to serve customers in a professional manner while maintaining compatibility with surrounding land uses. The applicant is committed to maintaining the property in compliance with all applicable city codes, permit conditions, and operational standards associated with the Conditional Use Permit.

The applicant respectfully requests approval of the Conditional Use Permit.

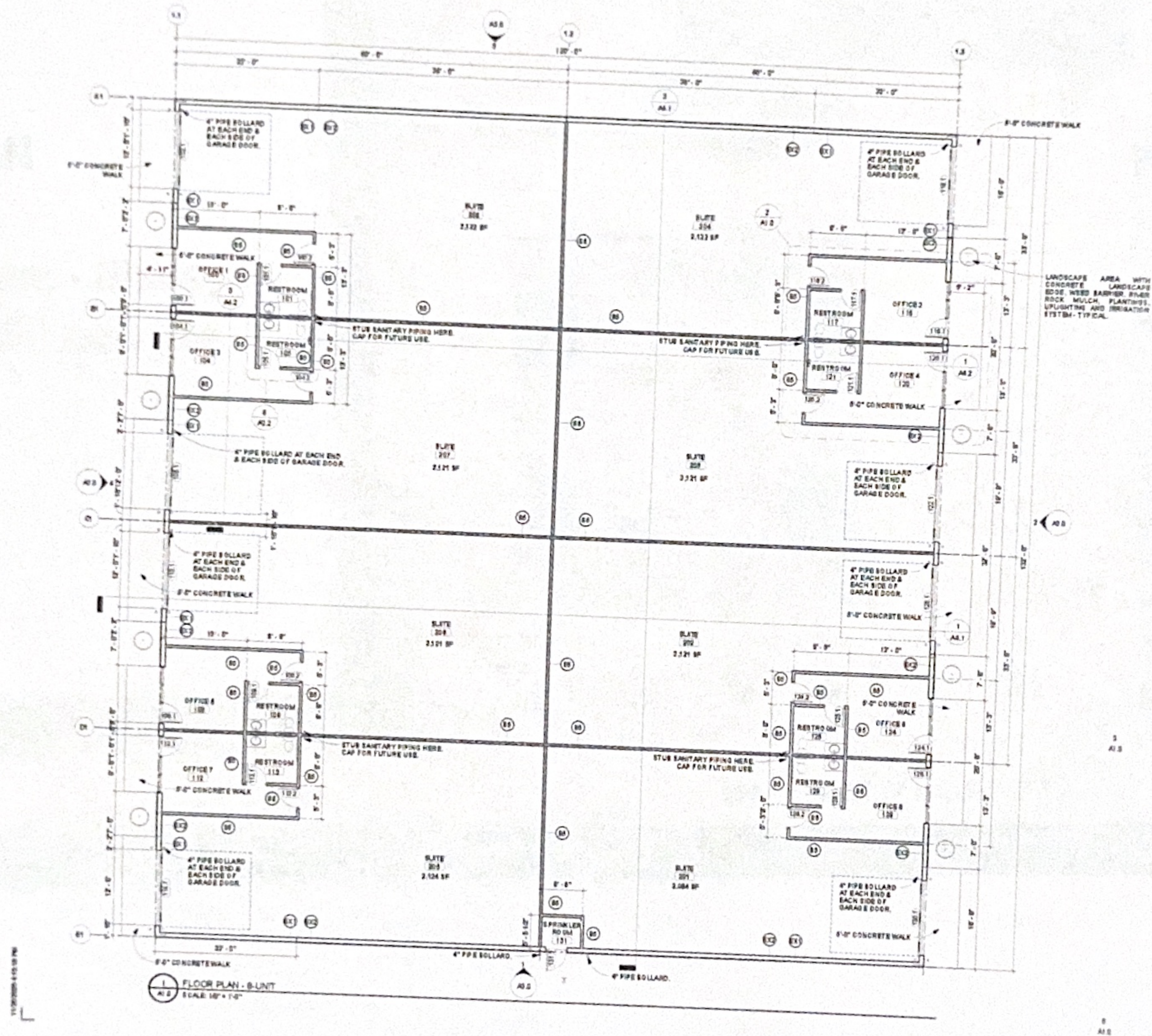


158TH STREET CIRCLE WEST

10-UNIT BUILDING

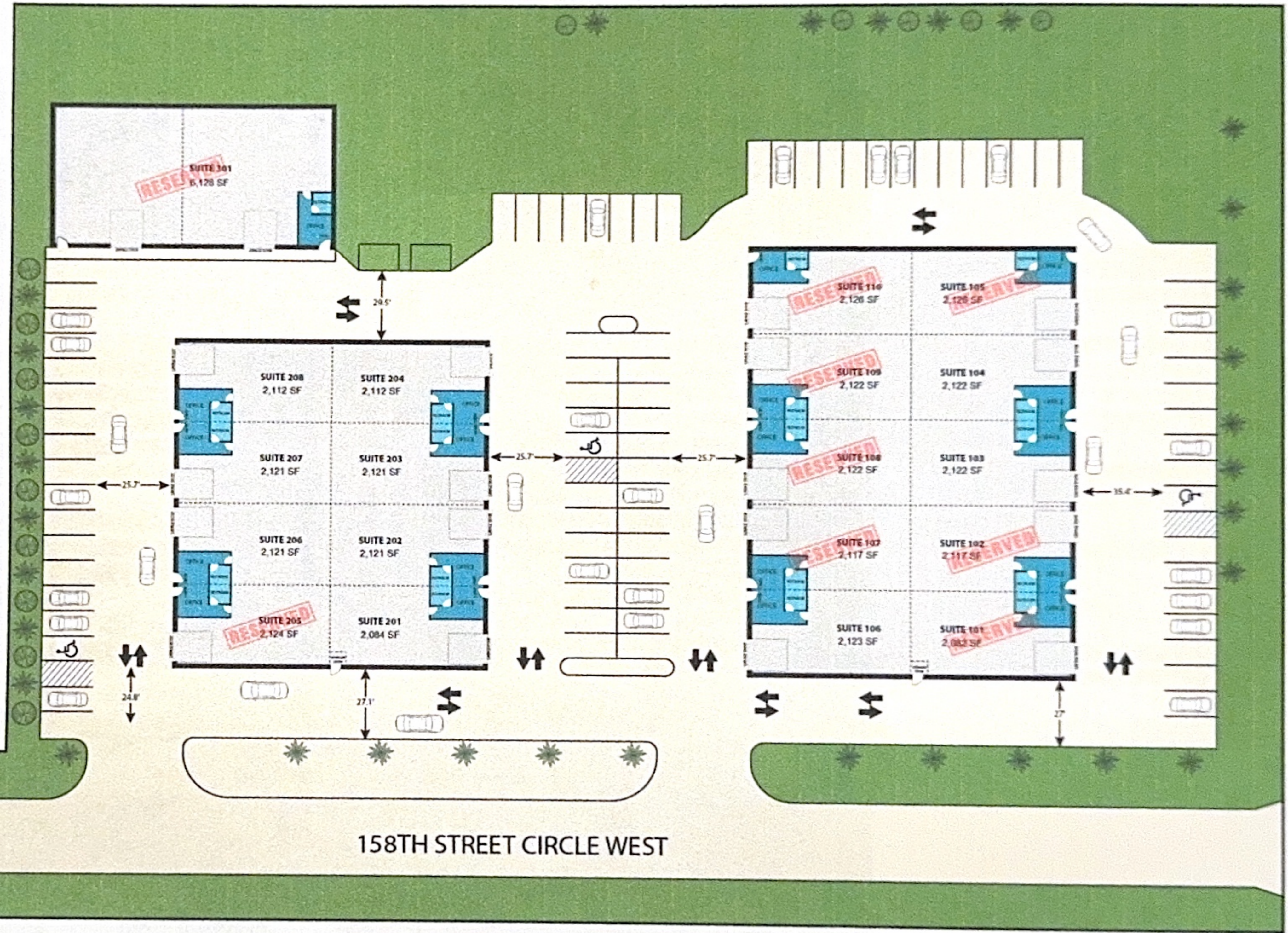


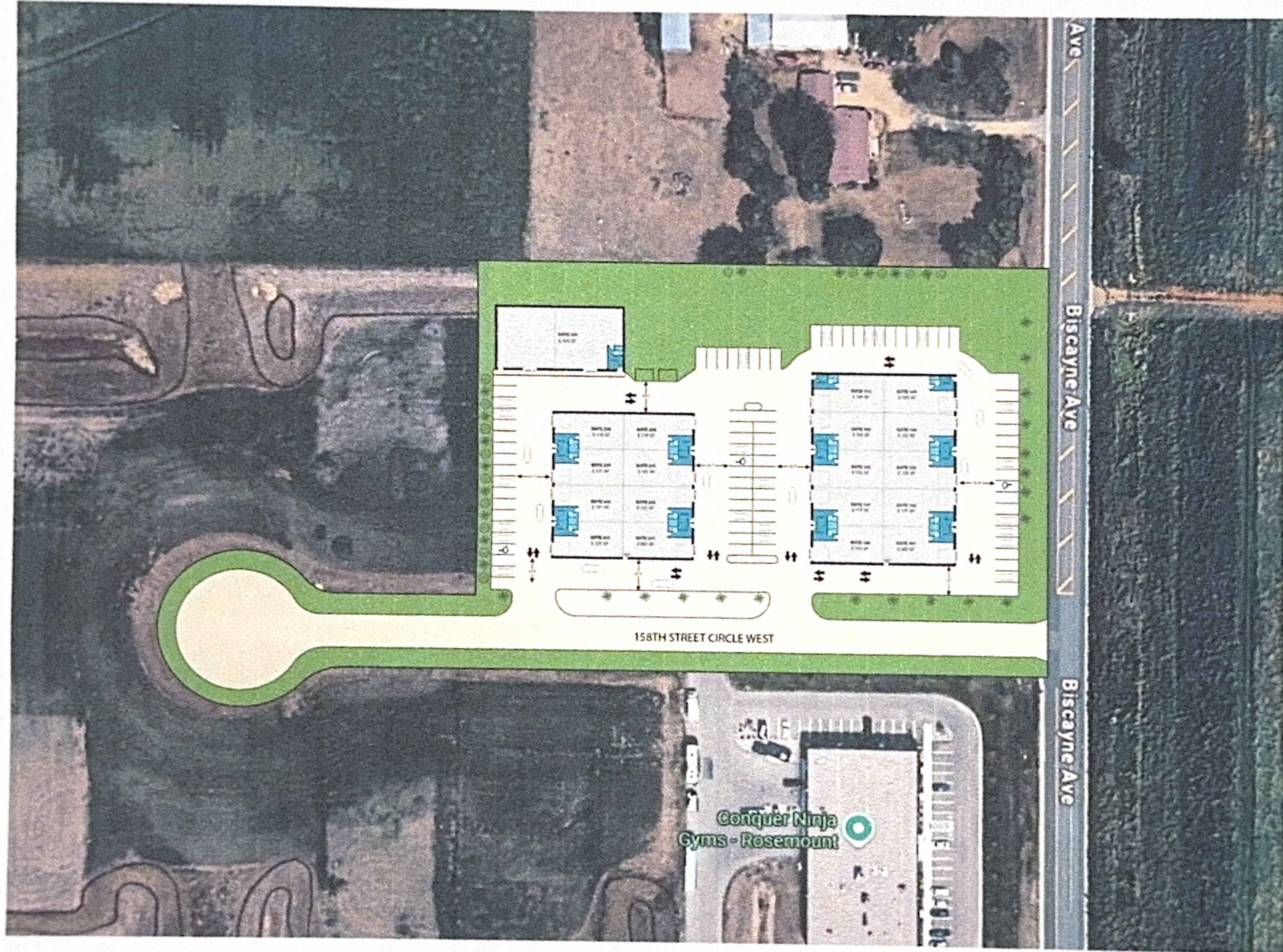
8-UNIT BUILDING



SITE PLAN

Keystone Business Park - Biscayne
19 units = 44,223 SF Leasable





Keystone Business Park – Biscayne Parking Use & Tenant Placement Report

Prepared for Rosemount Planning Commission · June 23, 2026 Public Hearing

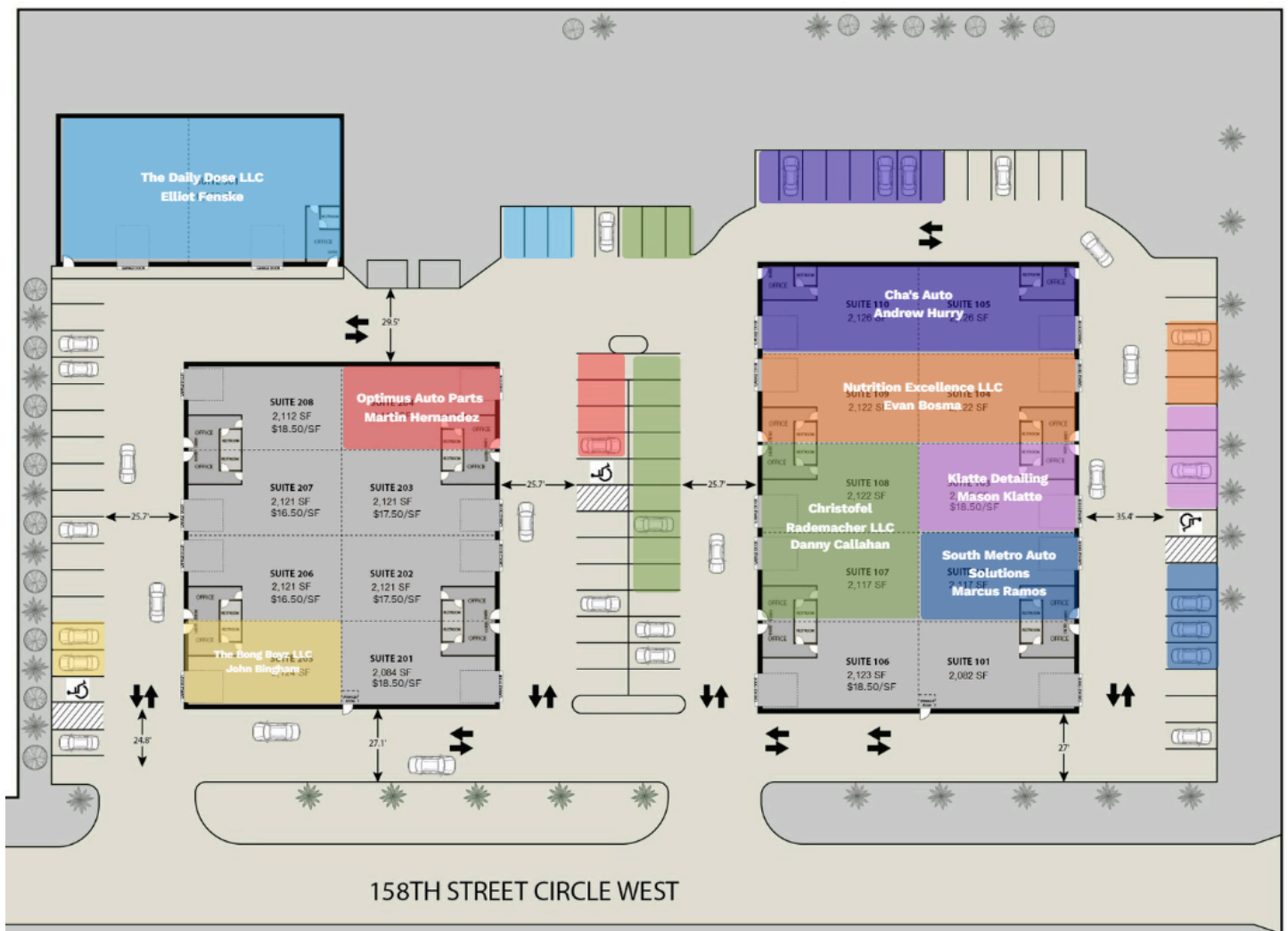
Keystone Development Partners

2501, 2507 & 2515 158th Circle West
Rosemount, MN 55068
Prepared June 2026

Total parking spaces (est. after island removal) **88**
Suites reserved before completion **(13 of 20) 62%**
Current peak parking demand across all tenants **~40**
Surplus spaces at current peak use **~50**

Site Layout — Tenant Placement & Color-Coded Parking Zones

*No parking spots will be assigned, colors are for general accounting reference only



Tenant Parking Summary

Suite(s)	Tenant / Business	Use Type	SF	Spaces Needed	Peak Hours	Start Date
107 + 108	Christofel Rademacher LLC (CrossFit)	Fitness / gym	4,239	12 (outside typical business hours)	5–9 am & 6–9 pm	TBD
105 + 110	Cha's Auto (Andrew Hurry)	Light auto mechanical	4,252	8	Business hours	Jul 1, 2026
109 + 104	Nutrition Excellence LLC (Evan Bosma)	Light industrial / warehouse	4,244	2–3 (back-to-back, less front demand)	Business hours	Jul 15, 2026
102	South Metro Auto Solutions (Marcus Ramos)	Auto mechanical	2,117	4	Business hours	Jul 1, 2026
103	Klatte Detailing (Mason Klatte)	Auto detailing	2,122	4	Business hours	Aug 1, 2026
204	Optimus Auto Parts LLC (Martin Hernandez)	Automotive parts / repair	2,112	4	Business hours	Aug 1, 2026
301	The Daily Dose LLC (Elliot Fenske)	Cannabis cultivation / distribution	6,128	2–3	Business hours	*Mar 1, 2026
205	The Bong Boyz LLC (John Bingham)	Cannabis manufacturing	2,124	1–2	Business hours	Jul 1, 2026
101, 106	Prospects (private hobby use)	Private storage / hobby cars	~4,125	0	Non-business, irregular	—
Total peak demand (current)				~40 spaces	CrossFit off-hours use offsets daytime auto tenant peak	

Lot configuration and civil redesign provided 22 additional spots

Island removal adds 3–5 additional stalls beyond the original 83, creating a total of 88.

Each tenant has been placed strategically to account for parking use and neighboring tenant's parking.

Remaining spaces will be given to tenants that fit the parking profile.

Continued demand from light industrial and manufacturing tenants with commitments pending

CrossFit hours have minimal overlap with auto tenants

Gym members use the facility at 5–9 am and 6–9 pm. All automotive and light-industrial tenants operate during standard business hours, with zero peak overlap between the two use groups.

Back-to-back suites reduce front-row pressure

Evan Bosma (109/104) and Andrew Hurry (105/110) are back-to-back configurations: vehicles load from the rear lane, significantly reducing front-row parking demand for those units.

Suites 101 and 106 potential for zero parking demand

These units have gained a lot of interest from private hobby / collector car use. I.e. no customer traffic, employees, etc.

Auto tenants are strategically distributed across buildings

Marcus Ramos (102) and Klatte Detailing (103) are positioned in the Aspen building with dedicated east-side stalls. Optimus Auto Parts (204) is in the Breck building with front-row access. No single row is over-concentrated.

Planning Commission Regular Meeting: June 23, 2026
 Tentative City Council Meeting: N/A

AGENDA ITEM: Request by Zamira Selyukov for a variance increasing the maximum area of an Accessory Dwelling Unit to 1,000 square feet.	AGENDA SECTION: PUBLIC HEARINGS
PREPARED BY: Anthony Nemcek , Senior Planner	AGENDA NO. 6.b.
ATTACHMENTS: Resolution, Site Location	APPROVED BY: AK
RECOMMENDED ACTION: Motion to adopt a resolution approving a variance to increase the maximum area of an accessory dwelling unit from 800 square feet to 1,000 square feet at 2645 132nd Court West.	

BACKGROUND

The applicant purchased the property at 2645 132nd Court West as a duplex with active rental licenses. When the applicant applied for building permits to make some improvements to the property, staff discovered that the property never received permits for the work to convert the structure from a single-family dwelling to a duplex. Additionally, given the neighborhood's zoning of R-1, a duplex is not a permitted use. When the issue initially arose, staff recommended the applicant seek a rezoning of the neighborhood to R-2. This was due primarily to the fact that there are existing duplexes in the neighborhood, and a rezoning to R-2 would be consistent with the existing conditions.

The Planning Commission did not support rezoning the entire neighborhood, and directed staff to look for a path forward that would allow the applicant to have a legal duplex without amending the zoning map. The zoning ordinance allows accessory dwelling units (ADUs) in the R-1 zoning district, and staff discussed reducing the size of the basement unit to 800 square feet to allow the unit to be permitted as an ADU. The applicant finds this to be unfeasible given the existing layout of that unit. At the May 26 Planning Commission meeting, staff suggested that the Commission might be able to make findings to support a variance that would increase the maximum area of the lower unit to 1,000. The Commission directed staff to work with the applicant to use the variance process to achieve their goal of making the lower unit at 2645 132nd Court West legal. The applicant has withdrawn their rezoning request and applied for a variance.

ISSUE ANALYSIS

Variance Standards

According to Section 11-12-2.G, there are five criteria for the Board of Appeals and Adjustments to review when considering a variance request. The five criteria used to assess each request, along with staff's findings for each, are listed below. While weighing a variance request against these criteria, there are also two key issues to consider. The first is whether the variance request allows for reasonable use of the property. The second is whether the project can be redesigned to eliminate or

reduce the need for a variance. The Board of Zoning Appeals and Adjustments must approve or deny each request based on findings related to each of the five standards.

1. *The variance is in harmony with the purposes and intent of the ordinance.* **Finding:** The variance request is in harmony with the purposes and intent of the ordinance. The standards applied to ADUs are to ensure that the unit is accessory, or subordinate, to the primary dwelling unit. Even at 1,000 square feet, the proposed unit will be less than 75% of the primary unit.
2. *The variance request is consistent with the Comprehensive Plan.* **Finding:** The proposed dwelling unit will not exceed the maximum density allowed by the Comprehensive Plan. The Comprehensive Plan allows for twin homes and duplexes in the LDR land use designation.
3. *The property owner proposes to use the property in a reasonable manner.* **Finding:** The variance permits the homeowner to use the property in a reasonable manner that is consistent with others in the vicinity.
4. *There are unique circumstances to the property which are not created by the landowner.* **Finding:** The existing, illegal dwelling unit on the lower level of the structure was not designed, nor created by, the current property owner. The applicant indicates that reconfiguring the unit to meet the maximum square footage standard of 800 square feet is not feasible.
5. *Granting the variance does not alter the essential character of the locality.* **Finding:** The essential character of the locality would not be altered by granting the variance as there are existing duplexes that do not meet the standards for ADUs, and the applicant will be using the property similarly to how it has been used prior to their ownership.

RECOMMENDATION

Staff is recommending approval of the Variance request by the Board of Appeals and Adjustments based on the information contained in this report and provided by the applicant.

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION BA2026-XX

**A RESOLUTION APPROVING A VARIANCE TO INCREASE THE MAXIMUM AREA
OF AN ACCESSORY DWELLING UNIT FROM 800 SQUARE FEET TO 1,000
SQUARE FEET AT 2645 132ND COURT WEST.**

WHEREAS, Zamira Selyukov, 1892 Boulder Way, Carver, MN, (the “Applicant”) has submitted an application to the City of Rosemount (the “City”) for a variance from 11-6-7 to increase the maximum area of an accessory dwelling unit at 2645 132nd Court West from 800 square feet to 1,000 square feet.

WHEREAS, notice has been published, mailed and posted pursuant to the Rosemount Zoning Ordinance, Section 11-9-1; and

WHEREAS, the Rosemount Board of Appeals and Adjustments held a public hearing to review the request on June 23, 2026; and

NOW, THEREFORE, based on the testimony elicited and information received, the Rosemount Board of Appeals and Adjustments makes the following:

FINDINGS

1. That the procedures for obtaining said Variance are found in the Rosemount Zoning Ordinance, Section 11-9-5.
2. That all the submission requirements of said Section 11-9-5 have been met by the Applicant.
3. That the proposed variance will allow an Accessory Dwelling Unit up to 1,000 square feet at 2645 132nd Court West.
4. That the Variance will be located on property legally described as follows: Lot 6, Block 1, Lan-O-Ken, Dakota County, Minnesota.
5. That the variance request is in harmony with the purposes and intent of the ordinance. The standards applied to ADUs are to ensure that the unit is accessory, or subordinate, to the primary dwelling unit. Even at 1,000 square feet, the proposed unit will be less than 75% of the primary unit.
6. That the proposed dwelling unit will not exceed the maximum density allowed by the Comprehensive Plan. The Comprehensive Plan allows for twin homes and duplexes in the LDR land use designation.

7. That the variance permits the homeowner to use the property in a reasonable manner that is consistent with others in the vicinity.
8. That the existing illegal dwelling unit on the lower level of the structure was not designed nor created by the current property owner.
9. That the essential character of the locality would not be altered by granting the variance as there are existing duplexes that do not meet the standards for ADUs, and the applicant will be using the property similarly to how it has been used prior to their ownership.

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicant's application for a Variance is granted, subject to the applicants receiving any required permits for the accessory structure.

Passed and duly adopted this 23rd day of June, 2026, by the Board of Appeals and Adjustments of the City of Rosemount, Minnesota.

Melissa Kenninger, Chair

ATTEST:

Liz Kohler,
Community Development Technician



132ND CT W

132ND CT W

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