



# Planning Commission

May 21, 2025

7:00 PM

Fridley City Hall, 7071 University Avenue NE

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## Minutes

### **Call to Order**

Chair Hansen called the Special Planning Commission Meeting to order at 6:00 p.m.

### **Present**

Aaron Brom  
Mark Hansen  
Mike Heuchert  
Aaron Klemz  
Ross Meisner  
Paul Nealy

### **Absent**

Pete Borman

### **Others Present**

Stacy Stromberg, Planning Manager  
Nancy Abts, Associate Planner  
Sarah Sonsalla, City Attorney  
Anthony DeForge, Building Official  
Scott Hickok, Community Development Director  
Ann Bolkom, Councilmember

### **Approval of Meeting Minutes**

### **Public Hearing**

### **Other Business**

#### 1. Appeal Item

Sarah Sonsalla, City Attorney, explained that the Commission tonight is acting as the Board of Appeal and Adjustment to hear an appeal from a resident who was denied a request for an accessory dwelling unit (ADU) permit. She explained the process that will be followed for the meeting.

Nancy Abts, Associate Planner, stated that the appeal tonight is related to the denial of an ADU permit application for the property located at 6187 Heather Circle. The application was received electronically on February 10, 2025, and a number of the fields on the application were left blank. On February 13, 2025, the applicant submitted some amendments to the application. She provided

additional information on the ADU permit history with dates. She stated that after staff held a Development Review Committee meeting, the decision was made to request a meeting with the applicant to discuss the application, as there were still some details that were unclear. Staff met with the applicant on March 6, 2025. Conversation focused on revisions needed to the plans to limit the number of bedrooms to two and to address construction that had already occurred without permits. She reviewed the email received from the applicant on March 24, 2025, refusing to revise their plans and stating that they would like any response from the City to be a formal, written response. A letter to the applicant was sent on April 1, 2025, denying the request and expressing concerns related to the size, number of ADUs, zoning requirements, building code provisions, and parking.

Ms. Abts explained that ADUs and related principal structures must conform to Zoning Code requirements. She stated that the revised plans submitted on February 13<sup>th</sup> showed five bedrooms and two bathrooms for the basement ADU. She stated that the plans also show the main home to have four bedrooms and two bathrooms on the main floor and six bedrooms and one bathroom on the second floor. She stated that it seemed like a high number of bedrooms for a home in Fridley, and therefore, she requested additional information from the assessing department. It was noted that the home was permitted for construction in 1982, at which time five bedrooms were constructed. In 2016, an additional four bedrooms were noted through inspection. She stated that there is no evidence in City records that the home had any more than nine bedrooms. She commented that a thorough review of permit history for the property was completed, and no permits were pulled at any time for the creation of additional bedrooms. She stated that ADUs must meet the current building code and have sufficient parking, and noted that the construction had never been permitted. She commented that this property has been the subject of a large number of police citations for parking violations and provided that information. She commented that for those reasons, the permit was denied. She commented that there are three ADU permits which have recently been approved and noted that each of those required back and forth between staff and the applicant, and related revisions to the plans to ensure a safe living space is created.

Commissioner Klemz asked why the number of bedrooms was suggested to be reduced from five to two. Ms. Abts replied that the reduced number of bedrooms would likely reduce the parking impact. Commissioner Klemz asked if five bedrooms for the ADU would be acceptable if the main home had a smaller number of bedrooms. Ms. Abts replied that the current requirement is that the ADU has less than 50 percent of area of the main home. She noted that there are some circumstances where an ADU can take up an entire level of the home. Commissioner Klemz asked and received confirmation that these plans indicate that part of one floor of the home would become the ADU.

Commissioner Brom asked if a permit was issued in 2014 for the additional bedrooms and asked if there was any course of action on the part of the City when the additional bedrooms were discovered. Ms. Abts replied that a permit was not issued. She explained that the City did not take any action in 2016 as the bedrooms were identified as part of an assessment inspection. She explained that assessing staff capture the current conditions related to future sale value and do not complete code enforcement. Commissioner Brom asked if the additional bedrooms were part of a remodel or expansion. Ms. Abts was unsure, but based on limited exterior modifications, it would seem to be changes to the inside of the home rather than an expansion.

Commissioner Meisner asked when the current property owners purchased the home. Ms. Abts replied that the property owners purchased the home in 2017.

Chair Hansen invited the applicant to speak.

Tim Stone, architect for the applicant, stated that when he was hired, he was told by the applicant that, based on their conversations with building/planning staff, he needed to verify that the ADU space would meet the health, safety, and welfare of building permitting and construction. He stated that he visited the space to verify that the space had its own cooking area, bathroom, and to confirm the ADU's square footage. He stated that he marked items that he felt needed to be addressed to meet the City requirements. He commented that through the presentation just made, there was a lot of information he was not aware of, and therefore, he believes it best to simply explain his involvement.

Commissioner Klemz asked if the drawings submitted were drawn by Mr. Stone. Mr. Stone replied that he did not provide those; those drawings were provided by the applicant. He stated that he did package a drawing for the applicant, which included the square footage, requirements for egress windows, travel distances from the space, verifying the kitchen and bathrooms, and other elements such as CO2 detectors and fire extinguishers.

Commissioner Heuchert asked if Mr. Stone had completed the visual inspection of what could be seen, but could not verify the elements behind the walls. Mr. Stone confirmed that is correct, and he was made to understand that the property owners purchased the home in this manner, and therefore, he believed that the building code requirements had been met.

Commissioner Meisner asked if Mr. Stone assessed the parking. Mr. Stone stated that he did look at the City requirements for residential parking, which would seem to require four parking stalls for two dwelling units. He stated that he made the recommendation that the garage bays be split between dwelling units, which would then provide three off-street parking spaces per dwelling unit.

Commissioner Klemz referenced a statement from the applicant, which states that they have documentation that all required inspections were completed and passed, and would provide that to the commission. He asked if Mr. Stone has that documentation. Mr. Stone replied that he did not have that information and did not see any information on inspections. He reiterated that in his conversations with the property owner, it was communicated that they purchased the home in the way it exists today, noting that information has been provided tonight, which proves that to be inaccurate.

Commissioner Nealy asked if the applicant has been in possession of the property since 2017. It was confirmed that the applicant purchased the property in 2017.

Chair Hansen noted that there were nine bedrooms when the home was purchased in 2017 and asked if there are more bedrooms now or more bedrooms being proposed now. Mr. Stone commented that when he visited the property, there were 15 total bedrooms.

Commissioner Klemz asked if the five rooms shown in the basement have already been constructed. Mr. Stone confirmed that the bedrooms already exist.

Commissioner Meisner asked if Mr. Stone is being asked to do any work on the home. Mr. Stone commented that he is not being asked to do any work. He stated that the home is a single-family dwelling, and he was asked to reclassify the walk-out basement as an ADU, which would make the home two separate dwellings. He stated that he recommended that the applicant go through the zoning process to rezone the property to a two-family dwelling.

Ms. Abts provided some draft potential findings of fact for the Commission to consider. She agreed with the statements of Mr. Stone and commented that the bedrooms were not permitted and therefore are not eligible for an ADU permit.

Commissioner Meisner recapped that in 2017, there were nine bedrooms, several of which were not permitted, and since that time, an additional six bedrooms were added that also do not appear to be permitted.

Commissioner Klemz commented that it is clear there is not adequate parking for the number of bedrooms, and the on-street parking is not sufficient to accommodate all the vehicles.

Commissioner Heuchert stated that he does have safety concerns in the applicant requesting the City sign off on the safety of the space when the work was not permitted.

Commissioner Brom expressed similar concern with the unpermitted work on the home. He asked the course of action the City could take when work is done without a permit.

Commissioner Nealy asked if there is any information on those living in the home, referencing the City Code requirement that no more than two family units could occupy a single-family home.

Chair Hansen commented that the applicant has not followed up appropriately to address the concerns of staff. He stated that this would seem to be turning into a group home, which is not the intent of an ADU. He noted that there is already a history of parking violations, nonconformance, and disregard of the permit process. He stated that he would uphold the staff decision.

Commissioner Meisner asked the path for remedy for a homeowner with unpermitted work. Ms. Abts stated that a property owner can work with a building inspector to ensure that the work completed meets the building code. She stated that the decision tonight is whether or not the decision to deny the ADU permit was correct.

*Motion by Commissioner Klemz to uphold the staff decision based on the written findings of fact as presented to the Commission. Seconded by Commissioner Meisner.*

*Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously.*

## **Adjournment**

*Motion by Commissioner Meisner to adjourn the meeting. Seconded by Commissioner Heuchert.*

*Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously and the meeting adjourned at 6:55 p.m.*

Respectfully submitted,

Stacy Stromberg, Staff Liaison