

**CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION**

October 10, 2018

No. 18-32

**RESOLUTION TO APPROVE THE APPLICATION GRANTING A
VARIANCE AT 1411 LARPEUR AVE WEST**

WHEREAS, the owner of 1411 Larpenteur Ave West, Falcon Heights, MN 55113 PID: 152923340131 Legal Description: The West 123.76 feet of the South 189.5 feet of the East 1/2 of the West 1/2 of the Southeast Quarter of the Southwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota and the South 207 feet of the West 1/2 of the East 1/2 of the West 1/2 of the Southeast Quarter of the Southwest Quarter of Section 15, Township 29, Range 23, EXCEPT the West 123.76 feet thereof, Ramsey County, Minnesota. EXCEPT The West 123.76 feet of the North 17.5 feet of the South 207 feet of the West 1/2 of the East 1/2 of the West 1/2 of the Southeast Quarter of the Southwest Quarter of Section 15, Township 29, Range 23, Ramsey County, Minnesota ; and

WHEREAS, the owner(s), Carl and Sherlyn Richardson proposing to construct an eight (8) foot tall privacy fence near the east property line. The Zoning Ordinance requires that no fence be taller than six (6) feet in height. The applicant is required to apply for a variance for the construction of the fence which exceeds the maximum height restriction by two (2) feet; and

WHEREAS, the Planning Commission held a posted and held a public hearing on October 3, 2018; and

WHEREAS, the Planning Commission and City Staff made recommendation for APPROVAL of the application for a variance;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Falcon Heights, Minnesota adopt the following findings for granting the variance at 1411 Larpenteur Ave West, Falcon Heights, MN:

1. That the granting of the variance will not be detrimental to the public welfare;
2. That the granting of the variance will not substantially diminish or impair property values or improvements in the area;
3. That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights;
4. That the variance will not impair an adequate supply of light and air to adjacent property.
5. That the amended variance will not impair the orderly use of the public streets;
6. That the variance will not increase the danger of fire or endanger the public safety;

7. That a particular practical difficulty, as distinguished from mere inconvenience to the owner, would result if the strict letter of the chapter were carried out.
8. That the variance is not sought principally to increase financial gain of the owner of the property and that a substantial hardship to the owner would result from a denial of the variance.

Moved by: Miazga

Approved by: Peter Lindstrom
Peter Lindstrom
Mayor

LINDSTROM
GUSTAFSON
HARRIS
LEEHY
MIAZGA

In Favor
 Against

Attested by: Sack Thongvanh
Sack Thongvanh
City Administrator