



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/17/16

CONSENT

ITEM #: 20

MOTION

AGENDA ITEM: An exception to Section 154.406, D to allow accessory structure closer to front lot line than principal structure.

SUBMITTED BY: Stephen Wensman, Planning Director

REVIEWED BY: Kristina Handt, City Administrator
Emily Becker, City Planner

BACKGROUND:

Mae Vue and Jeerasak Poophakumpanart, the owner of a 40 acre parcel at 2675 Legion Avenue, are requesting an exemption from the requirement that accessory structures be located no closer to the front lot line than the principal structure. The City of Lake Elmo Code, Section 154.406, D. prohibits accessory structures from being located closer to the front lot line than the principal structure unless by Resolution of City Council, an exception is granted. The owners are requesting such an exemption.

ISSUE BEFORE COUNCIL:

Approve Resolution 2016-43 to grant an exemption to allow an accessory structures to be located closer to the front lot line than the principal structure.

PROPOSAL DETAILS/ANALYSIS:

The owners of 2675 Legion Avenue, recently constructed a home on the northwest corner of their property, more or less on the high point of the property. Access to their property is from a long driveway that extends over an unbuilt Legion Avenue right of way, to the south of the property. The City Council recently granted an encroachment to the Legion Avenue right of way for their driveway in order to allow the construction of the driveway on the Legion Avenue right of way, providing access to the property. Although the property access is to the south, the front property line is along the Legion Avenue easement on the west side of the property. This unbuilt Legion Avenue easement is 41.48 foot wide, at present, too narrow to construct a street without additional right of way from the property to the west. There are no plans to construct an extension of Legion Avenue, nor are there any public utilities planned for the easement at this time. The owners would like to locate an accessory structure to the south and west of their home, closer to the front property line than the principal structure. The new accessory structure would be located 25' from the Legion Avenue easement. The home is located 68.4 feet from Legion Avenue easement (the front property line).

FISCAL IMPACT:

None

OPTIONS:

To deny or approve.

RECOMMENDATION:

Staff recommends the City Council approve Resolution 2016-43 approving an exemption to allow an accessory structure closer to the front property line than the principal structure. If this item is removed from the Consent Agenda, Staff recommends the following motion:

“Move to recommend approval of Resolution 2016-43 approving an exemption to allow an accessory structure closer to the front property line than the principal structure at 2675 Legion Avenue”.

ATTACHMENT:

- Resolution 2016-43
- Site Plan/Survey