

**CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA**

**RESOLUTION NO. 2024-126**

***A RESOLUTION APPROVING A VARIANCE TO ALLOW 56.31% IMPERVIOUS  
SURFACE FOR THE PROPERTY LOCATED AT 11441 20<sup>TH</sup> STREET NORTH***

**WHEREAS**, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, Royal Golf Club LLC, 11455 20<sup>th</sup> Street North, Lake Elmo, MN 55042 (the “Applicant”), have submitted an application to the City of Lake Elmo (the “City”) to request a variance request to allow impervious surface coverage of 56.31% where a maximum of 30% is allowed; and

**WHEREAS**, notice of a public hearing has been published, mailed, and posted pursuant to the Lake Elmo Zoning Code, Section 103.00.120; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on said matter on November 13, 2024; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation of approval of the variance to the City Council as part of a Staff Memorandum dated December 3, 2024; and

**WHEREAS**, the City Council reviewed the Variance at its meeting held on December 3, 2024 and made the following findings of fact:

1. That the procedures for obtaining a variance are found in Section 105.12.320 of the Lake Elmo Zoning Code.
2. That all submission requirements of Section 105.12.320 and 105.12.1260 of the Lake Elmo Zoning Code have been met by the Applicant.
3. That the proposed variance includes the following components:
  - a. The applicant propose to construct two pickleball courts and add an expansion to the existing club house, adding 5,979 square feet of impervious surface. The proposed additions will bring the impervious surface to 56.31% which is over the allowed maximum of 30%.
4. **Practical Difficulties.** The owner proposes to use the property in a reasonable manner not permitted by an official control:  
*The lot is an existing legal nonconformity in terms of impervious surface and uniquely shaped (barbell), which encloses the nonresidential activities in the Golf Course Community. Nonresidential/commercial are anticipated in a golf course of this size.*

*The GCC code does not differentiate between the residential and nonresidential uses in the zoning district for impervious surface requirements, although both are required to compose a golf course community.*

5. **Unique Circumstances.** The plight of the landowner is due to circumstances not created by the landowner:

*The subject property is the location for parking for the surrounding golf course, clubhouse, amenities, and administrative spaces and as such, it is necessary for the subject property to contain greater impervious coverage. The function of the golf course requires the whole set of parcels; the golf course landscape parcels cannot function as intended without the clubhouse parcel, and vice versa.*

6. **Character of Locality.** The proposed variance will not alter the essential character of the locality in which the property in question is located.

*The variance will not impact the essential character of the area. The subject property is surrounded by a previous golf course, which the subject property provides parking and other facilities for. The overall impervious coverage increase for the parcel holistically should not alter the essential character of the community.*

7. **Adjacent Properties and Traffic.** The proposed variance will not impair an adequate supply of light and air to properties adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood.

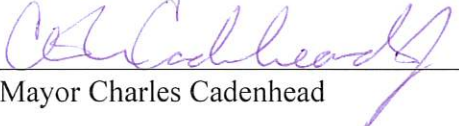
*The subject property is adequately buffered from residential properties through green space and landscaping and as such the variance should not impair adjacent properties.*

#### **DECISION**


**NOW, THEREFORE, BE IT FURTHER RESOLVED**, and based upon the information received and the above Findings, that the City Council of the City of Lake Elmo hereby approves the Applicants' request to allow for a variance to increase the maximum impervious surface, subject to the following conditions:

1. The variance is for an impervious surface total of 56.31% of the lot.
2. If approved, this variance shall expire if the work does not commence within 12 months of the date of granting the variance.

Passed and duly adopted this 3rd day of December 2024 by the City Council of the City of Lake Elmo, Minnesota.

  
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Mayor Charles Cadenhead

ATTEST:

  
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Julie Johnson, City Clerk