

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

RESOLUTION NO. PZ99- 65

**A RESOLUTION REGARDING A ZONING ORDINANCE VARIANCE
FOR RHONDA SMOTHERS AND LEROY ROSSOW**

WHEREAS, the Lake Elmo Planning Commission has reviewed and heard testimony regarding the application of Rhonda Smothers and Leroy Rossow for a Zoning Ordinance variance for lot area in the Rural Residential (RR) Zoning District with respect to the property described as 11049 60th Street, Lake Elmo, Minnesota.

WHEREAS, said variance is described as follows:

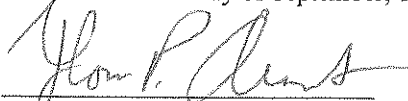
Variance from Section 300 of the City Code to create a lot substandard in area in the Rural Residential Zoning District.

NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo Planning Commission does hereby make the following findings concerning said variance:

1. There are no exceptional or extraordinary circumstances apply to the property to justify this request for a variance that could apply to other properties in the same zone.
2. The literal interpretation of the provisions of this section would not deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this section.
3. The special conditions or circumstances do result from the actions of the applicant.
4. The granting of the variance requested would confer on the applicant special privilege that is denied by this section to owners of other lands, structures, or buildings in the same district. It would send the message to other landowners by approving this application that City Ordinances and State Statutes can be ignored.
5. The variances requested are not the minimum variances that would alleviate a self-created hardship.
6. The variances would be materially detrimental to the purposes of this section, or to property in the (RR) zone.

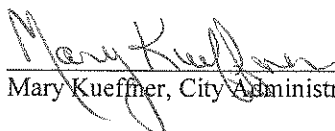
BE IT FURTHER RESOLVED, that the Lake Elmo Planning Commission hereby denies a Zoning Ordinance Variance for lot area in the Rural Residential Zoning District and issues this Order.

ADOPTED, by the Lake Elmo Planning Commission this 13th day of September, 1999.



Thomas Armstrong, Chairman
Lake Elmo Planning Commission

ATTEST:



Mary Kueffner, City Administrator