

**City of Lake Elmo  
Washington County, Minnesota**

**Resolution No. PZ 99-81**

**A RESOLUTION REGARDING ZONING VARIANCES  
William Hagberg, Hagberg's Country Market**

**WHEREAS**, The Lake Elmo Planning Commission has reviewed and heard testimony regarding the application of William Hagberg, to vary from the standards of Section 535, Sign Standards for Height, Area, and Setback of Exterior Signs of the Lake Elmo City Code with respect to the property described as follows:

**11325 Stillwater Blvd.**

**WHEREAS**, said variances are described by the application as follows:

1. To permit construction of a new monument sign of 130 square feet area versus the Section 535 maximum of 30 square feet, at a height of 24.4 feet height versus the Section 535 maximum of 6 feet, and canopy legends totaling 40 square feet.

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


1. There exist multiple tenant use characteristics of this site that differentiate the site and signage requirements from other sites in the GB zoning district south of State Highway 5.
2. Other petroleum retailers within the same roadway corridor and zoning district enjoy signage in excess of GB signage standards. To deny similar privilege to the applicant would deprive the applicant of equal rights.
3. The special circumstances supporting the variance request are, in part, related to decisions by the Minnesota Department of Transportation regarding speeds permitted on State Highway 5, adjacent to the site.
4. Under the circumstances of the site and site structure occupancy, the variances, when modified as recommended by the November 4, 1999 Planning Staff Report, will not constitute a special privilege to the applicant not enjoyed by other property owners in similar circumstances.
5. As modified as recommended in the aforementioned Planning Staff Report, the variances are the minimum necessary to reasonably address the hardship.
6. The purposes of the sign ordinance will not be materially negated to a greater extent than by previously approved sign variances under similar locational circumstances.

7. The sign design, as recommended for modification by the aforementioned Planning Staff Report, is responsive to the findings specified by Section 535.10, Subd. 1, Paragraph G.
8. Variance approval will result in a lessening of the degree of non-conformity of signage at the applicant's site.
9. Multi-tenant dwelling.

**BE IT FURTHER RESOLVED**, that the Lake Elmo Planning Commission hereby approves and issues this order subject to the following conditions:

1. Compliance with the 15 foot setback requirement, as measured from the south right-of-way line of State Highway 5.
2. Subject to a 20 foot height maximum.

**ADOPTED**, by the Lake Elmo Planning Commission this 8<sup>th</sup> day of November, 1999.

  
Thomas Armstrong, Chairman  
Lake Elmo Planning Commission

ATTEST:

  
Mary Kueffner, City Administrator