

City of Lake Elmo
Washington County, Minnesota

Resolution No PZ 2000-50

**A RESOLUTION REGARDING A SHORELAND STANDARDS VARIANCE
David & Mary Johnson – 9287 Jane Road North**

WHEREAS, the Lake Elmo Planning Commission has reviewed and heard testimony regarding the application of David & Mary Johnson, to vary from the standards of Section 325.06 – Shoreland Standards Subd. 4.A Placement, Design, and Height of Structures, of the Lake Elmo City Code with respect to the property described as follows:

9287 Jane Road North

WHEREAS, said variance is described as follows:

To permit two additions to the primary structure consisting of a 16' x 26' garage addition to the north side; and, a 14' x 24' addition to the south side; both additions less than the required 100 foot setback from the Ordinary High Water level.

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

1. The land parcel was created by City action prior to the adoption by the City of Shoreland Standards.
2. The parcel demonstrates unique physical characteristic by nature of the Ordinary High Water Level (OHW) extending over approximately 75% of the platted lot depth.
3. No alternative to a Shoreland Variance exists for any expansion of the residence or garage, due to the effective lot depth.
4. The setback variance will not result in extending the structure closer to the OHW than the existing structure setback.
5. The increase in setback non-conformity resulting from the variance will be parallel to the OHW, thereby mitigating visual impacts to the water body for properties adjacent on either side of the applicant's.
6. The applicant has adequately documented compliance with the Variance Findings required by Section 300 of the City Code.

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

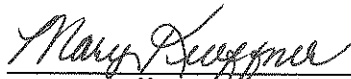
1. The City Engineer and the City Building Official shall review the proposal to determine if the site is a Class I or Class II dwelling.

ADOPTED, by the Lake Elmo Planning Commission this 23rd day of October, 2000.



Thomas Armstrong, Chairman
Lake Elmo Planning Commission

ATTEST:



Mary Kueffner, City Administrator