

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2002 - 007

A RESOLUTION REGARDING A SHORELAND STANDARDS VARIANCE
Kevin and Lori Petersen – 8278 Hidden Bay Court

WHEREAS, the Lake Elmo Planning Commission has reviewed and heard testimony regarding the application of Kevin and Lori Petersen, 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:

8278 Hidden Bay Court

WHEREAS, said variance is Described as follows:

To permit two additions to the primary structure consisting of a 12' x 24' walkout addition to the north side; and a 120 square foot single level addition to the east 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 City Council does hereby make the following findings concerning said variances:

1. The existing home pre-dates Shoreland Regulations. The variance will not result in additional encroachment to the Ordinary High Water elevation of Olson Lake, nor result in violating other Zoning Ordinance dimensional standards.
2. The mass and scale of the home as the result of approving the variance will remain in keeping with other homes located in the Shoreland Overlay District. No special right of privilege to this property owner will result from the variance.
3. The variance is not totally the result of actions by the property owner. The imposition of Shoreland Standards after platting of the lot, and construction of the existing home, has resulted in the entire home being located within the OHW setback. No home modifications are possible without variance.
4. Several variances have been approved by the City under similar circumstances: no additional encroachment on the OHW; no property owner option to expand an existing home without violating OHW setback; and, modifications to an existing home in scale with other lake front properties – as a function of home living area.
5. A determination of “minimum variance necessary to alleviate the hardship” is not applicable.
6. The variance is not detrimental to the purposes of the Shoreland Overlay District, nor other properties in the R-1 zone.

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

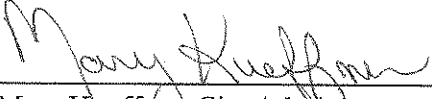
1. Construction of structure additions shall be per plans Staff dated March 21,2002
2. No variance to side yard setback standards is hereby approved.

ADOPTED, by the Lake Elmo City Council on the 16th day of April 2002.



Lee Hunt, Mayor

ATTEST:



Mary Kueffner, City Administrator