

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2003- 003

A RESOLUTION APPROVING A VARIANCE FOR THE LOCATION OF  
A 20 FEET HIGH, FREESTANDING SIGN 10 FEET FROM THE PROPERTY  
LINE AT 8603 34<sup>TH</sup> STREET NORTH


WHEREAS, the Planning Commission held a Public Hearing on November 25, 2002 where they recommended approval, and the City Council held a Public Hearing on January 7, 2003 on the height variance only; and

WHEREAS, the City Council made the following Findings:

1. There are extraordinary circumstances that apply to this property that do not apply to other properties in this zoning district; specifically, a berm of approximately 15 feet in height on state property reduces the reasonable effectiveness of a freestanding sign at the location and height prescribed by the City Code.
2. The literal interpretation of the setback and height provisions of the City Code Sign Ordinance would deprive the applicants of rights enjoyed by other commercial properties.
3. The special circumstances relative to the size and location of the berm are not the result of the applicants' actions but the State of Minnesota's.
4. The granting of the variance will not confer on the applicants special privileges relating to freestanding signs that are denied to owners of other lands in the same zoning district.
5. The variances are the minimum required to alleviate the hardship.
6. The variances requested will not be materially detrimental to the Sign Ordinance if approved.
7. The sign proposed is the exact same size and design as the existing sign on the site.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Lake Elmo hereby approves a zoning variance for the erection of a freestanding sign at 8603 34<sup>th</sup> Street North per plans staff dated November 20, 2002, subject to a condition that the applicants make efforts to reduce the height of the sign to less than twenty feet.

ADOPTED, by the Lake Elmo City Council on the 7<sup>th</sup> day of January, 2003.

  
\_\_\_\_\_  
Lee Hunt, Mayor

ATTEST:

  
\_\_\_\_\_  
Sharon Lumby, Deputy Clerk