

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2003- 039

A RESOLUTION APPROVING A SHORELAND OVERLAY DISTRICT VARIANCE
FOR BRADLEY AND AMY GUSTAFSON AT 8120 HILL TRAIL NORTH

WHEREAS, at its April 14, 2003 meeting, the Planning Commission held a public hearing and recommended approval of an application from Bradley and Amy Gustafson, at 8120 Hill Trail North, for a shoreland overlay district variance to construct an addition, per plans staff dated March 10, 2003, to an existing residential dwelling 86 feet from the Ordinary High Water Mark, where 100 feet is required.

WHEREAS, at the May 6, 2003 meeting, the Lake Elmo City Council reviewed the application of Bradley and Amy Gustafson for a shoreland overlay district variance and made the following findings:

1. The reasonable use of this lakefront property includes a structure with living area and features proposed by the application. To accomplish this level of reasonable use while maintaining much of the existing structure dictates maintaining the existing 90 foot OHW setback for the majority of the structure; and 84 feet for the cantilevered deck.
2. The existing structure was constructed with the 90 foot OHW prior to the adoption of Shoreland Standards by the City. This variance is not a self-imposed hardship.
3. The essential character of the neighborhood will not be altered as the result of he variance.

NOW, THEREFORE, BE IT RESOLVED, the Lake Elmo City Council approves the Shoreland Overlay District Variance for an addition to the home for Bradley and Amy Gustafson, at 8120 Hill Trail North, based on the plans staff dated March 10, 2003, and the Findings and recommendations of the Planning Commission, including two conditions:


1. The cantilevered deck should be constructed at a maximum depth of six feet toward the lake.
2. The applicant must mitigate water runoff through the use of gutters and downspouts that direct water away from the lake as far as feasible, as determined by the Building Official.

ADOPTED, by the Lake Elmo City Council on the 6th day of May, 2003.



Lee Hunt, Mayor

ATTEST:



Charles E. Dillerud

Gustafson Var