

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2003-094

**A RESOLUTION APPROVING A SHORELAND OVERLAY DISTRICT
VARIANCE FOR ROGER JOHNSON AT 8048 HILL TRAIL N.**

WHEREAS, Roger Johnson, 8048 Hill Trail N., has made application for a variance from the Shoreland Overlay District Standards that enable remodeling and enlargement of a currently non-conforming structure,

WHEREAS, at its November 10, 2003 meeting, the Lake Elmo Planning Commission held a Public Hearing and recommended approval of the requested variance subject to conditions based on the following findings:

1. The property can not be put to reasonable use without the granting of the variance requested. Reasonable use must be defined in the context of contemporary housing standards and design. The proposed modifications are in keeping with both.
2. The variance request results from circumstances unique to properties where principal structures were constructed prior to adoption of Shoreland Regulations; and, the circumstances of the variance were not solely created by the applicant.
3. Granting of the variance will not change the essential character of the neighborhood, if said neighborhood is defined by the preponderance of contemporary lakefront housing in the City.

WHEREAS, at its November 18, 2003 meeting, the Lake Elmo City Council reviewed and approved the variance for Roger Johnson at 8048 Hill Trail N., to permit structure remodeling and enlargement of a structure not conforming to the minimum OHW standards, per plans staff dated November 6, 2003 based on the following conditions:

1. That the applicant complies with the suggestions of the Valley Branch Watershed District regarding surface water.
2. That the applicant diverts roof drainage way from the property to the South. In both cases it is understood that the applicant will make "best efforts" to comply.

ADOPTED, by the Lake Elmo City Council on November 18th, 2003.



Lee Hunt, Mayor

ATTEST:



Charles E. Dillerud, Acting City Administrator