

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

RESOLUTION NO. 2004-009

**A RESOLUTION APPROVING A SHORELAND OVERLAY DISTRICT
VARIANCE FOR JEFF REED AT 8056 HILL TRAIL N.**

WHEREAS, Jeff Reed, 8056 Hill Trail N., has made application for a variance from the Shoreland Overlay District Standards that will enable remodeling and enlargement of a currently non-conforming structure,

WHEREAS, at its November 24, 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 lake front housing in the City.

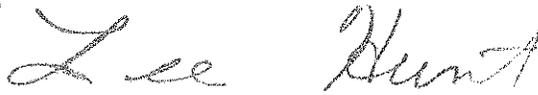
WHEREAS, at its December 16, 2003 meeting, the Lake Elmo City Council reviewed the variance for Jeff Reed at 8056 Hill Trail N., to permit structure remodeling and enlargement of a structure not conforming to the minimum OHW standards and tabled the variance request until the applicant provided a corrected detailed site plan showing the 5 foot driveway setback.

WHEREAS, at its January 20, 2004 meeting, the Lake Elmo City Council reviewed the newly submitted detailed site plan dated January 15, 2004,

NOW, THEREFORE, BE IT RESOLVED that the Lake Elmo City Council approves the variance requested from Jeff Reed, 8056 Hill Trail N., from the Shoreland Overlay District standards for OHW set back to permit enlargement of a non-conforming structure per drawing No. 1, staff dated January 15, 2004, based on the following conditions:

1. That the applicant complies with the recommendations of the Valley Branch Watershed District and the City Engineer.
2. That the proposed driveway must meet the five foot setback standards from the north property line.
3. That the existing driveway be removed.

ADOPTED, by the Lake Elmo City Council on January 20, 2004.



Lee Hunt, Mayor

ATTEST:



Charles E. Dillerud, Acting City Administrator