

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-144

A RESOLUTION DENYING A ZONING VARIANCE FOR ARDELL HUTTON

WHEREAS, Ardell and Debbie Hutton has made application for zoning variances at 10941 32nd Street to construct a new home (replacing an existing small home).

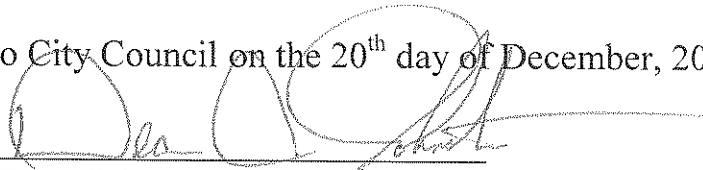
WHEREAS, at its November 28th and December 12th meeting, the Lake Elmo Planning Commission reviewed and recommended denial of the zoning variances for OHW Setback, Side Yard Setback and home construction on a lake lot substandard by area requested by Ardell and Debbie Hutton,

WHEREAS, at its December 20th meeting, the Lake Elmo City Council reviewed the zoning variances requested by Ardell and Debbie Hutton located at 10941 32nd Street,


NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lake Elmo does hereby deny the application for zoning variances at 10941 32nd Street based on the recommendation of the Planning Commission and based on the following finding:

1. The proposed use of the land resulting in the variances requested exceeds what is deemed reasonable for the parcel area and neighborhood.
2. The OHW setback variance and the variance to construct a house on a non-conforming parcel resulting from circumstances unique to properties platted and developed prior to adoption of Zoning, Platting and Shoreland Regulations; and, the circumstances of the variances were not solely created by the applicant, but related to the adjacent property OHW setbacks and unregulated property transactions of earlier years.
3. Granting the variances will change the essential character of the neighborhood by introducing a house out-of-scale with the parcel size/parcel configuration and existing houses in the immediate neighborhood.

ADOPTED by the Lake Elmo City Council on the 20th day of December, 2005.


Dean Johnston, Mayor

ATTEST:


Martin J. Rafferty, City Administrator