

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-110
A RESOLUTION APPROVING A ZONING VARIANCE FOR JAMES AND
MELISSA FAZZONE LOCATED AT 8148 HILL TRAIL NORTH

WHEREAS, James and Melissa Fazzone, 8148 Hill Trail North, has made application for a variance to Section 325.06 Shoreland Standards, Subd. 4. A. Setback from Ordinary High Water Level of Lake Demontreville to reconstruct an existing deck and construct a bedroom addition and 2.5 car attached garage approximately 37 feet from the Ordinary High Water Level where 100 feet are required.

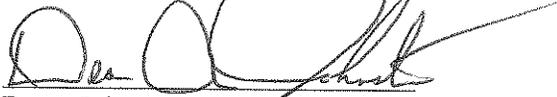
WHEREAS, at its October 12th meeting, the Planning Commission reviewed and recommended approval of the variance from the OHW setback standards of the zoning ordinance at 8148 Hill Trail North, per the plans staff-dated October 6, 2005 based on the following findings:

1. The property cannot be put to reasonable use without the granting of the variance requested.
2. The variance requested results from circumstances unique to properties where principal structures were constructed prior to adoption of Shore land 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.

WHEREAS, at its October 18th meeting, the Lake Elmo City Council reviewed the variance to Shore land OHW setback standards at 8148 Hill Trail to permit expansion of the home and addition of a garage within the OHW setback based on the findings of the Planning Staff Report of October 6, 2005 and plans staff dated October 6, 2005, and subject to the following condition:

1. That the applicant comply with the recommendations of the Valley Branch Watershed District dated September 15, 2005.

ADOPTED BY THE Lake Elmo City Council the 18th day of October, 2005.



Dean Johnston, Mayor

ATTEST:



Martin J. Rafferty, City Administrator

Resol. Fazzone