

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2006-083

A RESOLUTION APPROVING SEPTIC DRAIN FIELD SETBACK VARIANCES
REQUESTED BY JOHN AND DIANA SWANSON/JET CONSTRUCTION
AT 8320 HIDDEN BAY TRAIL NORTH

WHEREAS, John and Diana Swanson/Jet Construction has made application to the City of Lake Elmo for a variance from drain field setback standards to the property line (3 feet where 10 feet is required) and an existing detached garage (3 feet where 20 feet is required) at 8320 Hidden Bay trail North, Lake Elmo, Minnesota.

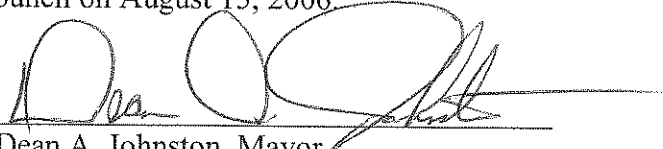
WHEREAS, the Lake Elmo Planning Commission considered these variance requests at its August 14, 2006 meeting, and recommended that the variances be granted based on the following Findings:

1. The property can not be put to reasonable use without the granting of the variance requested. The property can not be put to any continued residential use without a properly functioning septic system. As a platted parcel with an existing home, residential use is a reasonable use of the property.
2. The variance requested does result from circumstances unique to this property related to the location of the existing septic system in 1980. There is no alternative location feasible for the system reconstruction and enlargement required to render the system fully functional.
3. Granting of the variance will not change the essential character of the neighborhood since all proposed improvements will be below grade.

WHEREAS, the Lake Elmo City Council reviewed the septic drain field setback variances requested by John and Diana Swanson/Jet Construction, 8320 Hidden Bay Trail North, at the August 15, 2006 meeting.

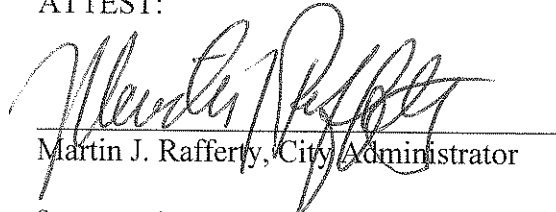
NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council hereby approves septic drain field setback variance requested by John and Diana Swanson/Jet Construction, 8320 Hidden Bay Trail North, based on Findings of the August 9, 2006 Planning Staff Report and plans staff dated August 9, 2006.

ADOPTED by the Lake Elmo City Council on August 15, 2006.



Dean A. Johnston, Mayor

ATTEST:



Martin J. Rafferty, City Administrator
Swanson variance