

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

RESOLUTION NO. 2006-042

**A RESOLUTION APPROVING A VARIANCE TO
HEIGHT OF SIDE WALLS FOR ROCKPOINT CHURCH
CITY of LAKE ELMO**

WHEREAS, the applicants, Lakewood Evangelical Church and Patrick Kinney, have submitted an application for a variance to allow side walls of the new Rockpoint Church to be a maximum of 49 feet in height; AND

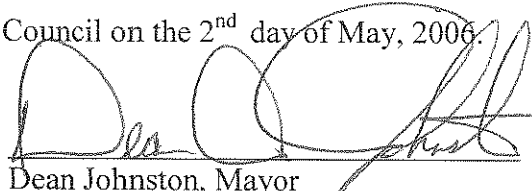
WHEREAS, at its April 24, 2006 meeting, the Planning Commission reviewed and unanimously recommended approval of this variance per plans presented by staff, as the same on file with the City Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Lake Elmo does hereby approve the variance to side wall height based upon the recommendation of the Planning Commission and the following Findings:


Rockpoint Church to allow side walls of the structure to extend to a maximum of 49 feet based on the following Findings:

1. The property cannot be put to reasonable use without the granting of the variance requested. The proposed side wall height variance applies to only a portion of the building and relates to utilizing the site contours as they appear naturally and minimizing the impervious coverage of the site by creating floor area vertically rather than horizontally.
2. The variance requested results from circumstances unique to this Place of Worship use and the physical characteristics of the site.
3. Granting the variance will not change the essential character of the neighborhood.
4. In addition, the need for the variance arises due to the walk-out nature of the lot, that the intent of the Ordinance probably was not to preclude such a structure, and the neighboring homes this church might affect will be moving in after the church is being built so they will be aware of it before they move in.

ADOPTED, by the Lake Elmo City Council on the 2nd day of May, 2006.


Dean Johnston, Mayor

ATTEST:


Martin Rafferty, City Administrator