

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2006-041

A RESOLUTION APPROVING A VARIANCE TO FRONT SETBACK AND
MINIMUM LOT SIZE REQUIREMENTS FOR 8009 HILL TRAIL NORTH
CITY of LAKE ELMO

WHEREAS, the applicants, Jason and Shannon Tacheny, have submitted an application for a variance to front setback and minimum lot size requirements for an addition to an existing home at 8009 Hill Trail North that encroaches 2.5 feet into the front setback, legally described as follows:

Lots 300 thru 309, inclusive, LANE'S DEMONTREVILLE COUNTRY CLUB ADDITION, Washington County, Minnesota.

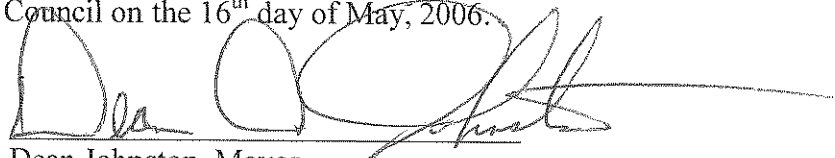
WHEREAS, at its April 24, 2006 meeting, the Planning Commission reviewed and unanimously recommended approval of this variance per plans presented by staff, as the same on file with the City Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Lake Elmo does hereby approve the variance to minimum lot size requirements and front setback based upon the recommendation of the Planning Commission and the following Findings:

1. The property cannot be put to reasonable use because the home was designed and constructed 60 years ago, well before public health and safety standards existed; application of those standards today limits the existing home to one bedroom, and this neither in character with the balance neighborhood, nor is it a reasonable use of the property.
2. The variance requested results from circumstances unique to properties where principal structures were constructed to adoption of City Zoning and Shoreland Regulations, and the circumstances of the variance were not created by the applicant in that context.
3. Granting of the variance will not change the essential character of the neighborhood.

And conditional upon the approval of a new septic design prior to the issuance of a Building Permit.

ADOPTED, by the Lake Elmo City Council on the 16th day of May, 2006.


Dean Johnston, Mayor

ATTEST:


Martin Rafferty, City Administrator