

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2006-028
A RESOLUTION DENYING A VARIANCE FOR
JEFFERY JOHN AND ROBIN SCHARRER
LOCATED AT 7949 HILL TRAIL NORTH

WHEREAS, Jeffery John and Robin Scharrer, 7949 Hill Trail North, have made application for a variance to Section 700 of the Lake Elmo Municipal Code and Chapter 7080.0170 of Minnesota Rules to construct a replacement septic drain field approximately 15 feet from a structure where 20 feet are required.

WHEREAS, at its March 13th meeting, the Planning Commission reviewed and recommended approval of setback system variance at 7949 Hill Trail North.

WHEREAS, at its March 21st meeting, the Lake Elmo City Council reviewed the septic system setback variance application of Jeffery John and Robin Scharrer to permit construction of a replacement drain field, per plans staff-dated March 9, 2006, at 7949 Hill Trail N. within 15 feet of the existing house where a 20 foot setback is otherwise required.

NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council denies the variance at 7949 Hill Trail to construct a replacement septic drain field within 15 feet of an existing structure where a 20 foot setback is required by Section 700 of the City Code based on the following findings:

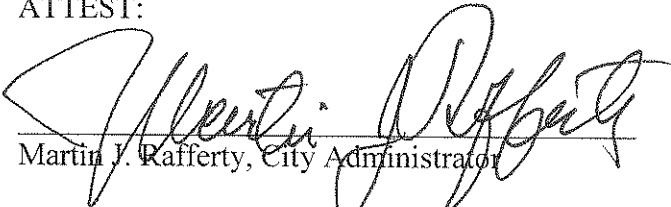
1. The property can be put to reasonable use without the granting of the variance requested. The applicant can construct a mound style drain field without need for a setback variance.
2. The variance requested does not result from circumstances unique to property. Alternative solutions for the treating of wastewater are available that would not require the requested variance.
3. Granting of the variance will not change the essential character of the neighborhood.

ADOPTED BY THE Lake Elmo City Council the 21st day of March, 2006.



Dean Johnston, Mayor

ATTEST:



Martin J. Rafferty, City Administrator

Scharrer Variance