

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2006-024
A RESOLUTION DENYING ZONING VARIANCES FOR
KEVIN AND GENA HAIRE
LOCATED AT 8160 HILL TRAIL NORTH

WHEREAS, Kevin and Gena Haire, 8160 Hill Trail North, has made application for a variance for a nonconforming parcel area and a variance to Section 325.06 Shoreland Standards, Subd. 4. A. Setback from Ordinary High Water Level of Lake Demontreville to construct a new home (after razing the existing home) on a parcel of 34,700 square feet (8/10 acre).

WHEREAS, at its February 13th meeting, the Planning Commission reviewed and recommended approval of the variance from the OHW setback standards and minimum parcel area standards of the zoning ordinance at 8160 Hill Trail North, per the plans staff-dated February 9, 2006.

WHEREAS, at its March 6th meeting, the Lake Elmo City Council reviewed the variance to Shoreland OHW setback standards at 8160 Hill Trail and minimum parcel area standards for razing of an existing home and complete construction of a new home, with the proposed home is 52 feet from the OHW mark of Lake Demontreville and hereby denies said variances based on the following Findings:

1. The property can be put to reasonable use without the granting of the variances requested. The opportunity exists for the applicant to utilize the existing house as a basis for reconstruction/remodeling at a lesser scale and mass.
2. The minimum lot area variance requested does not result from circumstances unique to this property. A significant number of non-conforming vacant parcels and parcels with similar homes of a similar age as the existing home on this parcel are located in this and other neighborhoods of the City.
3. Granting of the variance will change the essential character of the neighborhood. The proposed house/garage is of substantially greater mass than those adjacent and would be out of scale with the existing neighborhood.
4. The floor plan of the proposed house includes multiple rooms that could, with minor alterations, become additional bedrooms thereby potentially overloading the septic system design for a 3 bedroom house.
5. Background information and the planning/zoning policy implications discussed in the February 8, 2006 Planning Staff Report on this application (attached hereto as Exhibit A)

ADOPTED BY THE Lake Elmo City Council the 6th day of March, 2006.

A handwritten signature in black ink, appearing to read "Dean Johnston", written over a horizontal line.

Dean Johnston, Mayor

ATTEST:

A large, stylized handwritten signature in black ink, appearing to read "Martin J. Rafferty", written over a horizontal line.

Martin J. Rafferty, City Administrator

Resol. Haire