

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2007-47

A RESOLUTION APPROVING ORDINARY HIGH WATER MARK, FRONT YARD, AND SEPTIC SYSTEM SETBACK VARIANCES TO ALLOW A SCREENED PORCH, BATHROOM ADDITION, AND GARAGE ADDITION AS REQUESTED BY FREDERICK L. PAUL AT 8186 HILL TRAIL NORTH

WHEREAS, Frederick L. Paul has made application to the City of Lake Elmo for variances from ordinary high water mark (OHW), front yard, and septic system setback standards for a screened porch, bathroom addition, and garage addition at 8186 Hill Trail North, Lake Elmo, Minnesota.

WHEREAS, the Lake Elmo Planning Commission considered the variance requests at its June 11, 2007, meeting, and recommended that the variances be granted based on the following Findings:

1. The variances from the Ordinary High Waterline setback do not further infringe upon the distance to the lakeshore than was previously permitted.
2. Lakeshore views of adjacent neighbors will not be negatively affected.
3. The proposed additions are consistent with current lifestyles.
4. Granting of the variances will not change the essential character of the neighborhood.

WHEREAS, the Lake Elmo City Council has reviewed the OHW, front yard, and septic system setback variances requested by Frederick L. Paul, 8186 Hill Trail North at the June 19, 2007 meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council hereby approves OHW, front yard, and septic system setback variances requested by Frederick L. Paul, 8186 Hill Trail North, based on Findings of the June 19, 2007 Planning Staff Report and plans staff dated May 18, 2007; and,

BE IT FURTHER RESOLVED, that the approval of the requested variance shall include the following conditions:

1. The variance shall expire one year from the date of resolution; City Council approval will be required for any subsequent extension.
2. The applicant shall agree to any conditions required by the City Engineer relating to the proposed septic design, area, and construction.

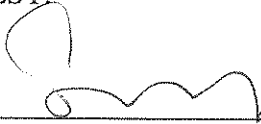
3. The applicant shall agree to comply with the State DNR and Lake Elmo Shoreland regulations regarding vegetation.
4. The applicant shall comply with comments provided by the Valley Branch Watershed District;
 - a. A permanent buffer strip at least 35-feet wide, measured perpendicular to the Ordinary High Water level (Elevation 930.0) and extending 35 feet inland, should be established. A mowed access and shoreline is allowed, but should not exceed 60 feet (30% of the lot's shoreline). Access paths should not be located where concentrated runoff will flow to the lake.
 - b. The home's rain gutters should be directed to vegetated surfaces to filter the runoff.
 - c. Temporary erosion controls should be installed prior to any earthwork, and they should be maintained until vegetation is established.

ADOPTED by the Lake Elmo City Council on June 19, 2007.



Dean A. Johnston, Mayor

ATTEST:



Susan Hoyt, City Administrator