

Date Received: 7-4
Received By: Patricia
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

- ☐ Comprehensive Plan ☐ Zoning District Amend ☐ Zoning Text Amend ☒ Variance*(see below) ☐ Zoning Appeal
- ☐ Conditional Use Permit (C.U.P.) ☐ Flood Plain C.U.P. ☐ Interim Use Permit (I.U.P.) ☐ Excavating/Grading
- ☐ Lot Line Adjustment ☐ Minor Subdivision ☐ Residential Subdivision Sketch/Concept Plan
- ☐ PUD Concept Plan ☐ PUD Preliminary Plan ☐ PUD Final Plan ☐ Wireless Communications

Applicant: SUZANNE HORNING
Address: 8991 JANE RD. N., LAKE ELMO, MN 55042
Phone #: 651-770-8991
Email Address: HAHB5ETC@COMCAST.NET

Fee Owner: _____
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address): 49XX JAMACHA AVE. N.
(Complete (long) Legal Description: KRAUSE ADDITION, LOT 9, SUBDIVISION CD 37425

PID#: 09.029.21.11.0015

Detailed Reason for Request: I have owned the lot since 1984. It was platted as a buildable lot at the time I purchased it. I have always paid property taxes on an "improved" (Tennix court) buildable lot. Down the home across the street. I just want the current variance changed from 5 yrs. to in perpetuity. I have no intent to build now. I want to leave it to my children as part of my estate.

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

I was granted a 5 yr. variance on April 1, 2014. Resolution No. 2014-22. The lot is slightly smaller than current sign limits. I do not understand why the size isn't grandfathered in. The City has detailed information. I submitted everything the city wanted in 2013 & 2014. Please see attached. *The City attorney has said in perpetuity is acceptable.*

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: Suzanne R.W. Horning Date: 8/4/2016

Signature of fee owner: _____ Date: _____

This attachment is in regard to my request for a lot size variance which was Item 6 at the April 1, 2014, Lake Elmo City Council meeting. It is Resolution No. 2014-22.

At the meeting, I requested (through my attorney Christine Cirilli) a variance for my extra lot located across the street from my home at 8991 Jane Rd. N. My husband suffered a massive stroke in 2010. We needed to be in FL where his doctors are, so I could not appear in person.

Over the course of many months, and at an expense of over \$10,000, I was able to provide detailed records showing that I have always paid taxes on a buildable lot. My late husband, Jim Weyer, kept very detailed records. The landing on Lake Jane is named after him. When Jane Rd. N. was originally built, we paid the same assessment for the empty lot as everyone paid for their lots with homes. At the meeting, it was noted that the footprint of the tennis court looks (and is) larger than many of the surrounding homes. I have always paid my property taxes on time.

I am crushed and very saddened that the variance is only good for five years. I had NO intention of selling the lot. I only wanted to leave it to my two children as part of my estate. Obviously, if the variance is good only for five years I need to sell the lot separately now in order to assure my children will have an inheritance. I really don't want to do this. The lot means a lot to me. It was an anniversary present from my late husband.

Perhaps the most important information is that the City Attorney has said there is not a problem changing the length of the variance from five years to in perpetuity.

I bought Lot 9 Krause Addition as a buildable lot. I have always paid property taxes based on a buildable lot. I feel the size requirements for a buildable lot should be grandfathered in. I have done nothing wrong and yet I have to fight to keep what the City is trying to take away from me.

Thank you.

A handwritten signature in cursive script that reads "Suzanne Horning".

Suzanne Horning

(651) 770-8991

hahbsetc@comcast.net