

**CITY OF BAXTER, MINNESOTA  
RESOLUTION 2026-027**

**RESOLUTION DENYING VARIANCES TO THE FRONT YARD SETBACK FOR 5 BELOW LOCATED AT 7352  
GLORY ROAD  
(CITY FILE NUMBER 2026-006)**

WHEREAS, Agree Limited Partnership (“the applicant”) has requested approval of two variances for property legally described as follows:

Lot 1, Block 1, Central Lakes Crossing Second Addition, subject to and together with an easement of record, Crow Wing County, Minnesota

WHEREAS, the Planning and Zoning Commission has reviewed the requests at a duly called Public Hearing on March 10, 2026 and recommended approval; and

WHEREAS, the City Council considered the Planning and Zoning Commission recommendation at their March 17, 2026 meeting; and

WHEREAS, Minnesota State law and Baxter City Code, Section 11-6-2(B) prohibits the Council from approving a variance unless Council finds that failure to grant the variance will result in practical difficulties to the applicant, as defined by Minnesota Statutes, Section 462.357; and

WHEREAS, in order to approve a variance, Baxter City Code, Section 11-6-2(B) requires the applicant to show that a number of criteria have been met; and

WHEREAS, Baxter City Code, Section 11-6-2(B)(2) specifically requires the applicant to show that the conditions are unique to the parcel of land for which the variance is sought and were not created by the landowner; and

WHEREAS, Baxter City Code, Section 11-6-2(B)(3) specifically requires the applicant to show that the variance will not alter the essential character of the locality; and

WHEREAS, Baxter City Code, Section 11-6-2(B)(4) specifically requires the applicant to show that the variance will be in harmony with the general purposes and intent of the City’s ordinances; and

WHEREAS, Baxter City Code, Section 11-6-2(B)(5) specifically requires the applicant to show that the variance is consistent with the comprehensive plan; and

WHEREAS, per the March 17, 2026 City Council meeting materials, the applicant is specifically requesting a variance to allow a principal structure building addition with a 24.2-foot front yard setback and a variance to allow an accessory trash enclosure structure to have a 15-foot front yard setback; and

WHEREAS, under Baxter City Code, both the addition and the accessory trash enclosure require a minimum 35-foot front yard setback; and

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it hereby does deny the request for variances, subject to the following findings:

1. Based on the review of the application received by the City on February 10, 2026 and revised application received February 13, 2026, the proposed variances would allow a principal structure and an accessory structure to be located within the 35-foot front yard setback to Glory Road.
2. The property is currently fully developed and functions as a viable retail shopping center, and therefore the property owner's desire to add more retail space to the existing structure is not a condition unique to the parcel of the land for which the variance is sought and is a need created by the property owner.
3. The proposed variances would alter the character of the locality by reducing the setbacks to the street for the subject property when other buildings in the area meet the required setback.
4. The applicant has not established that there are practical difficulties under Minnesota state law.
5. The applicant has not established that all the criteria under Baxter City Code, Section 11-6-2(B) have been met.
6. The request for a variance to allow a principal structure to be located within the front yard setback to Glory Road is **DENIED**.
7. The request for a variance to allow an accessory structure to be located within the front yard setback to Glory Road is **DENIED**.

**Whereupon, said Resolution is hereby declared adopted on this 7th day of April 2026.**

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**Darrel Olson, Mayor**

**ATTEST:**

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**Kelly Steele, City Clerk**

***City Seal***