

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2023-082**

**RESOLUTION APPROVING VARIANCE FOR FENCE HEIGHT FOR THE CITY OF
BRAINERD FOR A SCREEN FENCE AT THE BRAINERD PUBLIC UTILITIES SOLAR
ARRAY LOCATED AT 8027 HIGHLAND SCENIC DRIVE (CITY FILE NUMBER 2023-038)**

WHEREAS, The City of Brainerd ("the applicant") has requested approval of conditional use permits and variances for property legally described as follows:

Lot 1, Block 1, Brainerd Public Utilities, Crow Wing County, Minnesota.

WHEREAS, the Planning and Zoning Commission has reviewed the request at a duly called Public Hearing on November 14, 2023, and recommends approval, and;

Whereas, the City Council considered the Planning and Zoning Commission recommendation at their November 21, 2023, meeting;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it should and hereby does approve the request for a variance, subject to the following findings and conditions:

1. The variance allows an 8-foot-high screen fence, in accordance with the application received on October 23, 2023, except as may be amended by this resolution, based on the finding that all applicable variance standards have been met as outlined in the staff report.
2. A building permit is required prior to beginning any new construction of the fence.
3. The screen fencing for the BPU solar array project shall have an earth tone color that is reviewed and approved by the City.
4. The finished side of the fence shall face out from the solar array.
5. Approval shall expire within one year of the date of approval unless the applicant commences the authorized use and completes the required improvements as outlined in 10-7-6, B. 7 of the zoning ordinance.

Whereupon, said Resolution is hereby declared adopted on this 21st day of November 2023.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal