

RESOLUTION NO. 2021-43

A resolution of the City Council for the City of Columbia Heights, Minnesota, approving a Variance for the property located in the City of Columbia Heights, MN

Whereas, a proposal (Planning Case # 2021-0501) has been submitted by Jason Norden to the City Council requesting approval of a Variance at the following location:

ADDRESS: 3919 Reservoir Boulevard NE (PID 36-30-24-33-0046)

LEGAL DESCRIPTION: On file at City Hall.

THE APPLICANT SEEKS THE FOLLOWING:

1. Variance to allow the accessory structure to be constructed and located within the front yard. City Code Section 9.106 (C) (1) (b) stipulates that “No accessory structure shall be constructed or located within any front yard,” while City Code Section 9.106 (C) (1) (c) stipulates that “Accessory structures for one- and two-family dwellings shall be...behind the principal structure building line in the front yard.”

Whereas, the Planning Commission held a public hearing as required by the City Zoning Code on May 4, 2021;

Whereas, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variances upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concern related to traffic, property values, light, air, danger of fire, and risk to public safety, in the surrounding area;

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

1. Because of the particular physical surroundings, or the shape, configuration, topography, or other conditions of the specific parcel of land involved, strict adherence to the provisions of this article would cause practical difficulties in conforming to the zoning ordinance. The applicant, however, is proposing to use the property in a reasonable manner not permitted by the zoning ordinance.
2. The conditions upon which the variance is based are unique to the specific parcel of land involved and are generally not applicable to other properties within the same zoning classification.
3. The practical difficulties are caused by the provisions of this article and have not been created by any person currently having a legal interest in the property.
4. The granting of the variance is in harmony with the general purpose and intent of the Comprehensive Plan.
5. The granting of the variance will not be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development or value of property or improvements in the vicinity.

CONDITIONS

1. The applicant shall meet the requirements of the Building Official’s Memorandum dated April 8, 2021, and obtain a Building Permit for the project prior to starting construction.
2. The applicant shall meet the requirements of the Public Works Department’s Memorandum dated April 26, 2021.
3. A Certificate of Survey and Elevation Plans shall be submitted as part of the Building Permit Application for the construction of the proposed detached garage.

4. The lot shall be limited to two detached accessory structures.
5. The new detached garage shall be set back a minimum of three feet from the side lot line, a minimum of three feet from the rear lot line, and a minimum of five feet from any other building or structure on the same lot.
6. The combination of accessory structures, storage shed, and attached garages on the lot shall not exceed 1,000 square feet in area.
7. The height of the proposed detached garage shall comply with City Code.

8. The exterior color and design of the proposed detached garage shall be similar to the principal structure. Corrugated metal siding and roofs are prohibited.
9. The total building coverage, including the principal structure and all accessory structures, shall not exceed 35%.
10. The distance between the proposed detached garage doors and the front lot line shall be no less than 20 feet.
11. The proposed detached garage shall be provided with a hard-surfaced access driveway, no less than 12 feet in width, to an adjacent public street, and shall be no less than 20 feet by 20 feet in size.
12. The proposed detached garage shall not be located within any utility or drainage easement.

ORDER OF COUNCIL

Passed this 10th day of May, 2021

Offered by:

Seconded by:

Roll Call:

Amáda Márquez Simula, Mayor

Attest:

Nicole Tingley, City Clerk/Council Secretary