

## **RESOLUTION NO. 21-45**

### **A RESOLUTION APPROVING A VARIANCE FROM THE FRONT YARD SETBACK TO ALLOW CONSTRUCTION OF SMALL LANDING AND STEPS WITHIN FRONT YARD SETBACK AT 790 MANOR DRIVE NE**

**WHEREAS**, John Clark (“Applicant”), has made application for a variance from the front yard setback standard for a small uncovered landing and steps located within the front yard setback; and

**WHEREAS**, the property 790 Manor Drive NE, is legally described as follows:

Lot 8, Block 2 Dahlmeier Acres; and

**WHEREAS**, mailed and published notice of a public hearing to consider the proposed variance was given; and

**WHEREAS**, a public hearing to consider the proposed variance was held on October 25, 2021; and

**WHEREAS**, the request was made for an additional eight (8) foot variance to the six foot permitted encroachment allowed pursuant to Section 16.20.080(H)(1) of the Zoning Code from the front yard setback; and

**WHEREAS**, the Planning Commission has considered the application against the practical difficulties test as outlined in Section 16.60.040 of the Spring Lake Park Zoning Code; and

**WHEREAS**, the Planning Commission has recommended approval subject to reasonable conditions, based on the following findings of fact:

1. The proposed addition will not alter the essential character of the neighborhood as the addition is residential in nature and will provide access from the ground level to the front door of the home.
2. The request reasonably meets the criteria in the Zoning Code for approval of variances.

**WHEREAS**, the Spring Lake Park City Council has reviewed the application and hereby accepts the findings and recommendations of the Spring Lake Park Planning Commission.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Spring Lake Park, Minnesota that the City Council hereby approves the request of John Clark, 790 Manor Drive, for an additional eight (8) foot variance to the six foot permitted encroachment allowed pursuant to Section 16.20.080(H)(1) of the Zoning Code from the front yard setback; subject to the following conditions:

1. Applicant must apply for all building permits as required.

The foregoing Resolution was moved for adoption by Councilmember.

Upon Vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Whereon the Mayor declared said Resolution duly passed and adopted the 1st day of November, 2021.

APPROVED BY:

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Robert Nelson, Mayor

ATTEST:

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Daniel R. Buchholtz, City Administrator