

RESOLUTION NO. 20-18

A RESOLUTION APPROVING A VARIANCE FROM THE SIDE YARD SETBACK TO ALLOW THE CONSTRUCTION OF AN INDUSTRIAL BUILDING AT 8457 SUNSET ROAD NE

WHEREAS, Tony Mezzenga, Woodcrest Development of Shoreview, has made application for a variance from the side yard setback for an industrial use abutting a residential property; and

WHEREAS, the property, 8457 Sunset Road NE, is legally described as follows:

The North 162 feet of Lot 18, Spring Lake Park Plat A, subject to easement of record; 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 April 27, 2020; and

WHEREAS, the request was made to reduce the side yard setback for an industrial use abutting a residential property from 50 feet to 25 feet; and

WHEREAS, the Planning Commission has considered the application against the practical difficulties test as outlined in Section 153.224 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. Developing the property with an industrial use is reasonable on property that is guided and zoned for industrial use;
2. Reducing the side yard setback of this property to match the required side yard setback for industrial properties surrounded by other industrial uses is reasonable considering that the property to the north is guided for industrial uses in the City's Land Use Plan;
3. Arranging the site plan so that there is a minimum of activity on the north side facing the existing single-family uses is reasonable and appropriate;
4. The proposed site plan and landscape plan provide an appropriate buffer as suggested in the 2040 Comprehensive Plan policy; and
5. The request reasonably meets the criteria in the Zoning Code for approval of variances; and

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 Tony Mezzenga, Woodcrest Development of Shoreview, for a variance to reduce the side yard setback on the north side of the property from 50 feet to 25 feet to accommodate construction of an industrial building, subject to the following conditions:

1. The side setback to the north is approved at 25 feet versus the required 50 feet only if the north side of the building has no main business entrances or loading areas facing that direction and if there is no parking between the building and the north lot line.
2. Landscaping, as suggested on the site plan, as well as a privacy fence shall be provided in the north side yard. Details of the landscaping and privacy fence shall be reviewed and approved by the City Planner at the time of Site Plan review.
3. All other details of the proposed development will be reviewed in the Site Plan review process, including grading, drainage, stormwater management, landscaping/screening, signage, lighting, parking and other details as required by City Code.

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 4th day of May, 2020.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator