

CITY OF SPRING LAKE PARK

RESOLUTION NO. 2024-41

**RESOLUTION GRANTING APPROVAL OF INTERM USE PERMIT AND
VARIANCES TO ALLOW SECOND ACCESSORY BUILDING AT 1011 OSBORNE
ROAD NE**

WHEREAS, Minnesota Youth Athletic Services, Inc. (the “Applicant”) submitted an application for an interim use permit granting variances to allow a second 18 foot by 40 foot garage to replace the existing storage shed; and

WHEREAS, the legal description for the conditional use permit is as follows:

Lot 6, Block 2 Park Heights Addition, subject to easement of record; and

WHEREAS, the Planning Commission considered the Applicant’s request at a duly noticed Public Hearing which took place on May 28, 2024; and

WHEREAS, the Planning Commission recommended approval of the application to the City Council; and

WHEREAS, the City Council considered the application at its June 3, 2024 meeting and has made the following findings in support of approval of the interim use permit application:

1. Minnesota Youth Athletic Services, Inc (MYAS) owns and occupies the property at 1011 Osborne Road NE, which is zoned C-2, Neighborhood and Service Commercial. The adjacent use to the north is a residential use, the Park Heights Townhome project.
2. The MYAS property has an existing 720 square foot garage and 256 square feet of storage sheds on the site.
3. SLPC 16.20.070,E,2 stipulates that “the sum total of land occupied by all accessory buildings shall not exceed 40% of the area of the required rear yard, but in no case greater than 1,200 square feet.”
4. MYAS proposes to construct a new 720 square foot garage on site and remove the storage sheds, bringing the total area of accessory structures on site to 1,400 square feet, requiring a variance to the area standard cited above.
5. The SLPC 16.64.050,E requires a side setback of 40 feet between a C-2 zoning district and an adjacent residential use.
6. The new garage is proposed to be relocated approximately 5 feet from the north side lot line, requiring a variance to the required setback cited above.
7. The proposed use of a garage for storage is reasonable for this property and zoning district.
8. Adding storage space to the existing building would be costly and impractical. Adding an accessory garage structure for the desired space, as proposed, is reasonable and appropriate.

9. The south side of the Park Heights townhome project is a wooded area approximately 95 feet deep which will likely never be built on, making the effective side setback to the proposed garage on the MYAS site about 100 feet.
10. Constructing the new garage on the MYAS site as proposed will not alter the essential character of the locality.
11. The Interim Use Permit for the new garage as proposed and conditioned here meets the standards in SLPC 16.58.010.
12. The location and size of the proposed garage on the MYAS site meets the criteria for approving variances in SLPC 16.60.040,A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park that the City Council does hereby approve the application made by Minnesota Youth Athletic Services, Inc. for an interim use permit and variances for a second accessory structure at 1011 Osborne Road NE, with the following conditions:

1. The new garage accessory structure will be compatible in appearance with the existing garage on site. The existing storage sheds will be removed upon approval of the Interim Use Permit for the new garage.
2. The applicant will follow City engineering and building code requirements.
3. The Interim Use Permit will lapse and the site must be brought into compliance with the accessory structure area requirements once MYAS no longer owns or occupies the building.
4. The Interim Use Permit is conditioned on approval of a variance to the north side setback for a five foot setback instead of the required 40 foot setback and a variance to the limit of 1,200 square feet of accessory structure to allow a total 1,440 square feet of accessory structures with the second garage on site.

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 3rd day of June 2024.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator