

RESOLUTION NO. 2025-21

A RESOLUTION APPROVING A VARIANCE FOR 965 83RD AVENUE NE TO ALLOW A PRIVACY FENCE IN THE FRONT YARD EXCEEDING FOUR FEET IN HEIGHT

WHEREAS, Kurtiss Kemmet (“Applicant”) submitted an application for a variance from the height limitation for a privacy fence located in the front yard at 965 83rd Avenue NE, legally described as West ½ of Lot 1 Block 2 Fairview Court, Anoka County, Minnesota; and

WHEREAS, Spring Lake Park City Code § 16.28.030(F) limits fences located in the front yard of residential structures to a maximum height of four (4) feet and requires 75% transparency for front yard fences on corner lots per § 16.20.080(E)(1); and

WHEREAS, the Applicant is requesting a variance to construct a six (6) foot tall privacy fence in the yard abutting Laddie Road, which is considered a front yard under City Code due to the property’s corner lot configuration; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the variance application on May 27, 2025, and recommended approval of the variance subject to conditions; and

WHEREAS, the City Council finds that strict enforcement of the zoning code would cause practical difficulties due to the unique configuration of the lot, which causes the Laddie Road frontage to function more like a side or rear yard rather than a traditional front yard; and

WHEREAS, the proposed fence location does not encroach into the intersection sight triangle and will be located outside the City’s right-of-way; and

WHEREAS, the City Council finds that the variance, if granted and subject to appropriate conditions, is consistent with the Comprehensive Plan, will not alter the essential character of the locality, and represents a reasonable use of the property not permitted by existing code provisions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Minnesota, as follows:

1. The City Council hereby approves the variance request to allow the construction of a privacy fence exceeding four feet in height within the yard abutting Laddie Road at 965 83rd Avenue NE, subject to the following conditions:
 - a. The fence shall be located no closer than 17 feet from the back of the curb to ensure it remains outside of the City’s right-of-way.
 - b. The fence must be constructed of durable, residential-grade material such as vinyl, cedar, or treated wood, and shall be maintained in good repair without warping, leaning, or visible damage.
 - c. The applicant shall obtain a building permit prior to construction of the fence.

The foregoing resolution was moved for adoption by Councilmember .

Upon roll call, the following voted aye:

And the following voted nay:

Whereupon the Mayor declared said resolution duly passed and adopted this 2nd day of June 2025.

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, Administrator, Clerk/Treasurer