

RESOLUTION NO. 2024-53

A RESOLUTION APPROVING VARIANCES FROM THE MINIMUM LOT SIZE AND SIDE YARD SETBACK REQUIREMENTS TO PERMIT A TWO-FAMILY DWELLING AT 8031 HAYES STREET NE

WHEREAS, Julie Caffari (“Applicant”) have made application for a variance from SLPC 16.64.050(A)(1), which requires a minimum lot size of 7,500 square feet per dwelling unit for a two-family dwelling, and SLPC 16.64.050(A)(5), which requires a 10 foot side yard setback for single family homes in the R-1 zoning district; and

WHEREAS, the property, 8031 Hayes Street NE, is legally described as follows:

Lot 12 Block 2 Spring Lake Estates, 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 on September 23, 2024; and

WHEREAS, the request was made for a variance to allow a two family dwelling on the property, which is 11,249.5 square feet and a request for a three foot variance from the required side 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 based on the following findings of fact:

1. The creation of an in-law suite is consistent with the residential nature with the property and aligns with the character of the R-1 zoning district by supporting multi-generational living in a common and increasingly supported residential arrangement,
2. The lot size does not meet the minimum requirements for a two-family dwelling under the current zoning regulations, making it impossible to accommodate the in-law suite without a variance. Additionally, the existing placement of the house on the lot and the required side setback limit the possibility of expanding the structure.
3. The proposed addition is designed to match or complement the existing structure, ensuring it blends seamlessly with the neighborhood's architectural style. With the implementation of conditions such as landscaping and architectural consistency, the impact on neighboring properties will be minimal, preserving the aesthetic and property values of the area.

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 Julie Caffari, 8031 Hayes Street NE, for a variance from the minimum lot size standard and minimum side yard setback requirement to permit a two-family dwelling on the property, subject to the following conditions:

1. The in-law suite shall not be licensed or utilized as a rental property for non-family members. This suite is intended solely for the accommodation of family members and shall not be leased or rented to individuals outside of the property owner's immediate family. This condition is to preserve the residential character of the neighborhood and uphold the intent of the variance and conditional use permit.
2. Exterior materials, design and color of the addition and deck must match or complement the existing structure to ensure architectural consistency. This includes using similar siding, roofing materials, trim and window styles to maintain the visual coherence of the property.
3. Any existing landscaping that is disturbed or removed during construction must be replaced or restored to its original condition or better.
4. The applicant must ensure that the addition does not negatively impact the natural drainage system. Proper grading and drainage must be maintained to direct water away from the foundation and adjacent properties. Any changes to the property's topography or drainage patterns must be reviewed and approved by the City Engineer.
5. Any new exterior lighting installed as part of the addition should be downward-facing and shielded to minimize light spillover onto adjacent properties. The lighting should comply with the City's exterior lighting regulations to ensure it does not create a nuisance for neighboring residents.
6. The addition and deck must comply with all applicable building, safety, and fire codes. This includes ensuring that the addition is constructed according to the approved plans and meets egress, fire separation, and other safety requirements.
7. Any existing mature trees or significant vegetation near the construction site should be preserved where possible. If removal is necessary, the applicant must replace the vegetation with appropriate species to maintain the property's aesthetic and environmental quality.

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 7th day of October 2024.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator