

RESOLUTION NO. 22-58

**A RESOLUTION APPROVING A VARIANCE FROM THE ACCESSORY BUILDING
SETBACK TO ALLOW THE CONSTRUCTION OF A SHED AT
511 BALLANTYNE LANE NE**

WHEREAS, Charles Davis (“Applicant”) has made application for a variance from SLPC 16.20.070, prohibiting a detached accessory building from being closer than eight feet to the principal building to accommodate the placement of a shed on his property; and

WHEREAS, the property, 511 Ballantyne Lane NE, is legally described as follows:

Lot 19, Beaufeaux’s Addition, 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 November 28, 2022; and

WHEREAS, the request was made for a variance to permit a shed to be located three feet away from the existing garage; 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 setback encroachment will not alter the character of the neighborhood.
2. The property is being put to a reasonable use as the construction of the shed will provide additional interior storage to the property owner; 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 Charles Davis, 511 Ballantyne Lane NE, for a variance to permit the construction of a shed three feet from the existing garage, subject to the following conditions:

1. Applicant must apply for a building permit for the shed to ensure that construction complies with Section 705.5 of the Minnesota State Building 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 5th day of December, 2022.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator