

RESOLUTION NO. 2023-10

**A RESOLUTION APPROVING A VARIANCE FROM THE MINIMUM LOT SIZE
REQUIREMENT TO PERMIT A TWO-FAMILY DWELLING AT
1409 OSBORNE ROAD NE**

WHEREAS, Greg and Colleen Pettersen (“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

WHEREAS, the property, 1409 Osborne Road NE, is legally described as follows:

The west 100 feet of the south 15.0 feet of Lot 6, together with the west 100 feet of Lot 7, all in Block 2, LAKEVIEW, Anoka County, Minnesota.

Subject to the rights of the St. Paul Water Department in the south 40 feet of said Lot 7; 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 February 27, 2023; and

WHEREAS, the request was made for a variance to allow a two family dwelling on the property, which is 14,262 square feet; 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 addition of the second dwelling unit on this property will not alter the essential character of the neighborhood as the second dwelling unit would be located in existing space above the garage.
2. Osborne Road is a major thoroughfare with wider right-of-way than typical residential streets. The 82 foot right-of-way of Osborne Road is significantly wider than a typical 60 foot residential street right-of-way. This circumstance was not created by the owner and is unique to a few properties like this on major roads. Had the Osborne Road right-of-way matched a typical residential street, the size of the lot would have met the City’s performance standard.
3. The property will remain a reasonable use as two family dwellings are envisioned in the R-1 zoning district for larger sized lots in the city.

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 Greg and Colleen Pettersen, 1409 Osborne Road NE, for a variance from the minimum lot size standard to permit a two-family dwelling on the property, subject to the following condition:

1. Applicant must apply for and receive a rental license for the second dwelling unit in compliance with SLPC 12.16.

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 6th day of March, 2023.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator