

**RESOLUTION NO. 21-10**

**A RESOLUTION APPROVING A REAR YARD AND SIDE YARD VARIANCE TO ALLOW CONSTRUCTION OF AN ACCESSORY BUILDING AT 8037 6<sup>TH</sup> STREET NE**

**WHEREAS**, Virginia Moucha, owner of a residential home at 8037 6th Street NE, has made application for a variance from Appendix D, Chapter 153 of the Zoning Code to allow a shed to be constructed within the required rear yard and side yard setbacks; and

**WHEREAS**, the property is legally described as follows:

Lot 15, Block 1, Ferndale Addition, Anoka County, Minnesota; 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 22, 2021; and

**WHEREAS**, the request was made for construction of a building addition to be located on the rear and side lot lines; 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 finding that 1) a 200 square foot shed is permitted as an accessory use in the R-1 zoning district and is a reasonable use of the property; 2) the new shed will be located on an existing concrete slab that served as the foundation for a previous shed that was located on the same footprint; 3) sheds on neighboring properties are also located on the rear lot line, so the location of a shed in this location will not alter the essential character of the neighborhood; and

**WHEREAS**, the Spring Lake Park City Council has reviewed the application and hereby accepts the findings and recommendation 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 Virginia Moucha for a variance from the strict interpretation of Appendix D, Chapter 153 of the Zoning Code for the placement of an accessory building within the rear yard and side yard setbacks at 8037 6th Street NE.

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 1st day of March, 2021.

APPROVED BY:

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Robert Nelson, Mayor

ATTEST:

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Daniel R. Buchholtz, City Administrator