

RESOLUTION NO. 21-14

**A RESOLUTION APPROVING A REAR YARD VARIANCE TO ALLOW
CONSTRUCTION OF A DECK AT 7768 LAKEVIEW LANE NE**

WHEREAS, Home Pro America, on behalf of Tim and Jill Ellenbecker, owner of a residential home at 7768 Lakeview Lane NE, has made application for a variance from Appendix D, Chapter 153 of the Zoning Code to allow a deck to be constructed within the required rear yard setback; and

WHEREAS, the property is legally described as follows:

Lot 2, Block 1, Dumphy's Lakeview, 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 March 22, 2021; and

WHEREAS, the request was made for construction of a deck to be located 10 feet within the required rear 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 finding that 1) a deck is a reasonable accessory use for the property; 2) the deck's location will not hinder the general purpose and intent of the Zoning Code; and 3) the deck is similar to many others within 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 Home Pro America for a variance from the strict interpretation of Appendix D, Chapter 153 of the Zoning Code for the placement of a deck to be located 10 feet within the rear yard setback at 7768 Lakeview Lane NE.

The foregoing Resolution was moved for adoption by .

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 April, 2021.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator