CITY OF SPRING LAKE PARK

RESOLUTION NO. 2026-51

A RESOLUTION APPROVING A VARIANCE FROM THE SIDE YARD SETBACK REQUIREMENT FOR A DRIVEWAY EXTENSION AT 8035 JACKSON STREET NE

WHEREAS, Rachal Anderson (the "Applicant"), owner of the property located at 8035 Jackson Street NE, Spring Lake Park, Minnesota (the "Property"), has submitted an application for a variance from the side yard setback requirements of the Spring Lake Park City Code; and

WHEREAS, the Property is located within the R-1, Single Family Residential Zoning District and contains an existing single-family dwelling, detached garage, driveway, and rock-covered parking area; and

WHEREAS, the Applicant proposes to replace the existing rock-covered parking area with a concrete driveway extension to accommodate parking for vehicles and a trailer; and

WHEREAS, Section 16.40.030 of the Spring Lake Park City Code requires a minimum five-foot setback from the property line for residential driveways but expressly authorizes variances allowing driveway setbacks of less than five feet; and

WHEREAS, the Applicant requests a three-foot variance to allow the proposed driveway extension to be located no closer than two feet from the side property line; and

WHEREAS, Section 16.60.040 of the Spring Lake Park City Code authorizes the City Council to grant variances where practical difficulties exist, provided the variance is consistent with the general purposes and intent of the zoning ordinance and the Comprehensive Plan; and

WHEREAS, the Spring Lake Park Planning Commission considered the variance application at its meeting on October 26, 2026 and recommended approval of the variance, subject to certain conditions; and

WHEREAS, the City Council has reviewed the variance application, submitted site plan, staff memorandum, and recommendation of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Minnesota, as follows:

1. **Approval.** The City Council hereby approves a three-foot variance from the five-foot side yard setback requirement established by Section 16.40.030 of the Spring Lake Park City Code, allowing a driveway extension to be constructed no closer than two feet from the side property line at 8035 Jackson Street NE, subject to the conditions below.

2. **Findings of Fact.** The City Council makes the following findings in support of the variance:

a. The proposed variance is consistent with the general purposes and intent of the zoning ordinance. Section 16.40.030 expressly permits driveway setback variances, recognizing that unique property circumstances may warrant flexibility in driveway placement. The proposed improvement would provide a defined, durable parking surface consistent with the City's off-street parking objectives.
b. The requested variance is consistent with the City's Comprehensive Plan because it maintains the existing single-family residential use of the Property, does not increase the intensity of development, and supports the continued maintenance and improvement of established residential neighborhoods.
c. The Applicant proposes to use the Property in a reasonable manner by replacing an existing rock-covered parking area with a concrete driveway extension. Off-street parking is a customary accessory use of residential property, and the proposed improvement would not introduce a new or incompatible use.
d. The existing configuration of the dwelling, detached garage, and driveway, together with the location of an established tree approximately eight inches in diameter, limits the available area for expanding the driveway while maintaining the required five-foot setback. Expanding the driveway in the opposite direction would require removal of the existing tree. These physical characteristics of the Property create practical difficulties that are not based solely on economic considerations or circumstances created by the Applicant. Preservation of the existing tree is also consistent with Section 16.20.100 of the City Code, which encourages preservation of existing trees where practicable.
e. The proposed driveway extension would generally follow an existing parking area and replace a rock-covered surface with concrete. The improvement would maintain the Property's residential use, would not involve construction of additional buildings, and would preserve a minimum two-foot separation from the adjoining property. The proposed improvement would not alter the essential character of the surrounding residential neighborhood.

3. **Conditions of Approval.** The City Council hereby approves a three-foot variance from the five-foot side yard setback requirement established by Section 16.40.030 of the Spring Lake Park City Code, allowing a driveway extension to be constructed no closer than two feet from the side property line at 8035 Jackson Street NE, subject to the following conditions:
    a. The driveway modifications shall be constructed in accordance with all applicable standards established by the City of Spring Lake Park. The Applicant shall obtain all required permits from the City prior to commencing construction.
    b. The driveway extension shall be constructed substantially in accordance with the site plan submitted with the variance application and included in the Planning Commission meeting packet. The driveway shall maintain a minimum two-foot setback from the side property line.
    c. Drainage shall be managed in a manner that does not direct or deposit stormwater or snow onto neighboring properties.
    d. The parking of vehicles and trailers shall comply with all applicable requirements of Section 16.20.120 of the Spring Lake Park City Code.

4. **Effect of Approval.** Approval of this variance applies only to the driveway extension described in the application and approved site plan. Any modifications inconsistent with this approval shall require further review and approval by the City in accordance with applicable provisions of the Spring Lake Park City 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 2nd day of November, 2026.

APPROVED BY:

_____
Robert Nelson, Mayor

ATTEST:

_____
Daniel R. Buchholtz, City Administrator