

RESOLUTION NO. 21-39

A RESOLUTION APPROVING A VARIANCE FROM THE SIDE YARD SETBACK TO ALLOW THE CONSTRUCTION OF AN ACCESSORY BUILDING ADDITION AND DRIVEWAY EXPANSION AT 8317 FILLMORE STREET

WHEREAS, Bill Henrickson (“Applicant”) has made application for a variance from the side yard setback standard for a 22-foot by 24-foot accessory building addition and an expanded driveway; and

WHEREAS, the property, 8317 Fillmore Street NE, is legally described as follows:

Lot 7 Block 7 Park Manor Unit 2 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 September 27, 2021; and

WHEREAS, the request was made for a one-foot variance from the side yard setback; resulting in a 4-foot setback from the northern property line instead of the 5-foot standard, and a 1-foot variance from the side yard driveway setback, resulting in the driveway being four feet off the property line; 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 addition does not alter the character of the neighborhood as the proposed addition is residential in nature and will still result in an accessory building that is smaller than the principal structure.
2. The proposed addition does not change the aesthetic of the home and will increase the value and usability of the property.

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 Bill Henrickson, 8317 Fillmore Street NE, for a one-foot variance from the side yard setback standard for an accessory building addition and a four-foot variance from the side yard setback standard to allow reconstruction of an existing driveway; subject to the following conditions:

1. Addition must be architecturally compatible with the existing garage (siding, roof pitch, roof material and the like) and must comply with all other requirements as set forth in the City's zoning code.
2. Driveway modifications must be constructed pursuant to the standards set forth by the City of Spring Lake Park. Applicant must secure a zoning permit from the Code Enforcement Department for the expanded driveway.
3. Drainage must be handled in such a way not to deposit storm water or snow onto a neighboring property.
4. Applicant must apply for all building permits as required.

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 4th day of October, 2021.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator