

RESOLUTION NO. 21-40

A RESOLUTION APPROVING A VARIANCE FROM THE SIDE YARD SETBACK AND FRONT PARKING SETBACK TO ALLOW THE CONSTRUCTION OF AN INDUSTRIAL BUILDING AT 8457 SUNSET ROAD NE

WHEREAS, Bob Fearing, City Moving and Storage (“Applicant”), has made application for a variance from the side yard setback standard and front parking setback standard for a 12,000 square foot building for an industrial use; and

WHEREAS, the property 8457 Sunset Road NE, is legally described as follows:

The North 162 feet of Lot 18, Spring Lake Park Plat A, 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 twenty five (25) foot variance from the side yard setback; resulting in a twenty five (25) foot setback from the northern property line instead of the fifty (50) foot standard, an eight (8) foot variance from the side yard setback, resulting in a seventeen (17) foot setback from the southern property line instead of a twenty five (25) foot standard, and a fifteen (15) foot variance from the front yard parking setback, resulting in the front parking lot being ten (10) feet from the front 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. Developing the property with an industrial use is reasonable on property that is guided and zoned for industrial use.
2. Adhering to the side yard setback required for industrial uses is reasonable considering to the north is guided for industrial uses in the City’s Land Use Plan.
3. Arranging the site plan so that there is a minimum of activity on the north side facing the existing single-family uses is reasonable and appropriate.
4. The proposed site plan and landscape plan provide an appropriate buffer as suggested in the 2040 Comprehensive Plan policy.
5. The request reasonably meets the criteria in the Zoning Code for approval of variances.

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 Bob Fearing, City Moving and Storage, 8457 Sunset Road NE, for a twenty five (25) foot variance from the side yard setback standard from the north property line, an eight (8) foot variance from the side yard setback standard from the south property line, and a fifteen (15) foot variance from the front yard parking setback to allow construction of a 12,000 square foot building for an industrial use; subject to the following conditions:

1. The side setback to the north is approved at 25 feet vs. the required 50 feet only if the main entrance to the building is not located on the north side and requested fence and landscaping is installed as indicated on the site plan.
2. Variances to the side setback to the south and parking setback in the front yard are approved only if the entire site is fenced for security.
3. Landscaping shall be provided in the north side yard as suggested on the site plan, with details to be reviewed and approved by the City Planner at the time of Site Plan review.
4. All other details of the proposed development will be reviewed in the Site Plan review process, including grading, drainage, stormwater management, landscaping and screening, signage, lighting, number of parking spaces, and other details as required by City Code.

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