



**CITY OF ARDEN HILLS
COUNTY OF RAMSEY
STATE OF MINNESOTA**

RESOLUTION NO. 2023-028

RESOLUTION APPROVING A VARIANCE AT 1475 DAWN CIRCLE

WHEREAS, City Staff received a complete land use application for a side yard setback variance from the City Code for the property located at 1475 Dawn Circle (“Subject Property”); and

WHEREAS, the Applicant is proposing to construct a garage addition and is seeking flexibility with the required total side yard setback on the Subject Property; and

WHEREAS, the Subject Property is zoned R-1, Single Family Residential District, which requires a combined side yard setback of 25 feet on the Subject Property. The Applicant is proposing a combined side yard setback of 20.33 feet; and

WHEREAS, a variance may be granted when it is in harmony with the general purposes and intent of the zoning ordinance if enforcement of a provision in the ordinance would cause the landowner practical difficulties; and

WHEREAS, pursuant to Minnesota State Statute, the City must act on this request by May 20, 2023 (60 days), unless the City provides the petitioner with written reasons for an additional 60-day review period. The City provided the Applicant with written notification extending the review period to July 19, 2023 (120 days); and

WHEREAS, the City Council directed Staff to prepare a Land Use Application Public Policy Notification to notify all property owners within 500 feet of Subject Property when a request for the Planning Commission is to occur related to a land use application that does not require a public hearing; and

WHEREAS, the City’s obligation has been met where the Arden Hills Planning Commission reviewed the application on May 3, 2023. All written comments submitted in advance of the meeting were presented to the Planning Commission; and

WHEREAS the Planning Commission considered the Applicant’s request for a Variance and, as such voted 7-0 in favor of recommending approval with conditions.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF ARDEN HILLS:

Hereby adopts Resolution 2023-028 approving Planning Case 2023-008 for a Variance for the property located at 1475 Dawn Circle to construct a garage addition with a 10 foot setback from the east property line that decreases the required total side yard setback to 20.33 feet on the Subject Property.

BE IT FURTHER RESOLVED that City Council approves Planning Case 23-008 for a Variance request at the property located at 1475 Dawn Circle, based on the Findings of Fact and the submitted plans in the May 22, 2023 Report to the City Council, as amended by the following conditions:

- 1) A Building Permit shall be issued prior to commencement of construction.
- 2) The building shall conform to all other standards and regulations in the City Code.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ARDEN HILLS THIS 22ND DAY OF MAY 2023.

David Grant, Mayor

ATTEST:

Julie Hanson, City Clerk

To view the final document, access adopted Resolutions via Arden Hills Public Laserfiche Weblink by visiting cityofardenhills.org and clicking on Archived Documents under Helpful Links on our main webpage.