



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

**RESOLUTION NO. 2021-033
RESOLUTION DENYING A VARIANCE FOR THE SUBJECT
PROPERTY 4073 VALENTINE COURT**

WHEREAS, City Staff received a land use application for a variance request to decrease the required side yard setback from 40 feet to 7.82 feet for the addition of a proposed garage in the R-1 District at 4073 Valentine Court (“Subject Property”);

WHEREAS, the Subject Property is a non-conforming lot that does not meet the R-1 District standards for side yard setback for corner lot requirements;

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;

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;

WHEREAS, the City’s obligation has been met where the Arden Hills Planning Commission duly held a hearing on May 5th, 2021. All persons present at said meeting were given an opportunity to be heard and present written statements;

WHEREAS the Planning Commission considered the recommendation of the City Staff that this request be approved and, as such voted 4-0 in favor of the request;

WHEREAS the City Council considered the recommendation of the Planning Commission on May 24th, 2021 and determined that the variance request was not justified by the findings of fact provided;

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

Hereby adopts Resolution 2021-033 denying Planning Case 21-006 for a variance request at the Subject Property 4073 Valentine Court to decrease the required side yard setback from 40 feet to 7.82 feet for the addition of a proposed garage.

BE IT FURTHER RESOLVED that City Council denies Planning Case 21-006 for a variance request at the Subject Property 4073 Valentine Court, based on the findings of fact and the submitted plans in the May 24, 2021 Report to the City Council:

1. The Subject Property located at 4073 Valentine Court is located in the R-1 Single Family Residential District, and is guided as Low Density Residential in the land use plan, and is currently non-conforming because it does not meet the R-1 District standards for side yard setback on a corner lot: Section 1320.06 of the Arden Hills City Code requires a side yard setback of 40 feet on corner lots.
2. The City received the Applicant's Application for a Variance on March 31, 2021 requesting a variance to decrease the required side yard setback from 40 feet to 7.82 feet to accommodate the proposed garage addition. The rectangular shaped lot, though relatively narrow compared to its length, is of substantial size for lots in the neighborhood, having a lot area over twice the minimum lot size of 14,000 square feet (property is 37,541 square feet).
3. The scope or scale of the Variance request is very large, asking to reduce a 40 foot setback to 7.82 feet.
4. The large Variance request would further reduce the green space in the side yard area and require ongoing maintenance of the current screening, or further plantings to provide additional screening, all of which would need to be located in the City's right-of-way.
5. Granting of the Variance would increase responsibility on the City to maintain vegetative buffer from the traveled portion of the right-of-way.
6. The size and layout of the Subject Property provides multiple alternative options for the Applicant that would allow for increased accessory structure and floor area, and the shape of the lot is not unique in that lots in the neighborhood all have odd shapes and sizes.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ARDEN HILLS
THIS 14th DAY OF JUNE, 2021.**

Mayor _____

Attest: _____
City Clerk