



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

**RESOLUTION NO. 2021-039**

**RESOLUTION APPROVING A VARIANCE FOR THE SUBJECT  
PROPERTY 3493 SIEMS COURT**

**WHEREAS**, City Staff received a land use application for a variance request to build an accessory storage structure within the Ordinary High Water Level (OHWL) setback on a property in the R-1 district at 3493 Siems Court (“Subject Property”);

**WHEREAS**, the Subject Property is located within the Shoreland Management District, which requires a 50 foot setback from the OHWL of Lake Johanna;

**WHEREAS**, the City Council amended Section 1330.03 of the Zoning Ordinance to allow larger accessory structures in the Shoreland District on June 28, 2021;

**WHEREAS**, the proposed accessory storage structure exceeds the maximum height allowed for a structure built within the OHWL setback;

**WHEREAS**, the proposed accessory storage structure would have a height of nine and a half (9.5) feet, where the maximum height allowed for a structure within the OHWL setback is eight (8) feet;

**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 December 9<sup>th</sup> 2020. 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 4-3 in favor of the request; and,

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

Hereby adopts Resolution 2021-039 approving Planning Case 20-017 for a variance request at the Subject Property 3493 Siems Court to enable a structure within the OHWL setback.

**BE IT FURTHER RESOLVED** that City Council approves Planning Case 20-017 for a variance request at the Subject Property 3493 Siems Court, based on the findings of fact and the submitted plans in the December 9<sup>th</sup>, 2020 Report to the Planning Commission, as amended by the following conditions:

1. A Zoning Permit for an accessory structure shall be issued prior to commencement of construction.
2. The structure shall be rotated on the site so the maximum width of the accessory structure, as viewed from the water, does not exceed ten (10) feet
3. The exterior materials of the proposed addition shall be consistent or complementary in color, texture and quality with those visible on the existing structure.
4. The Applicant shall provide a landscaping plan indicating structure shall be screened a minimum of 50 percent by opaque vegetation or topography on the three walls seen from the lake with ecologically suited landscaping landward of the ordinary high water level from the lake. Planning staff shall review and approve the screening plan prior to the issuance of Zoning Permit.
5. The proposed accessory structure shall conform to all other standards and regulations in the City Code.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ARDEN HILLS  
THIS 12<sup>th</sup> DAY OF JULY 2021.**

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

*To view the final document, access adopted Resolutions via Arden Hills Public Laserfiche Weblink by visiting [cityofardenhills.org](http://cityofardenhills.org) and clicking on Archived Documents under Helpful Links on our main webpage.*