

CITY OF GRAND MARAIS, MINNESOTA
CITY COUNCIL RESOLUTION 2018-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND MARAIS,
MINNESOTA APPROVING THE REQUEST FOR A VARIANCE FOR JEFF AND SUSAN
CADWELL FROM THE MINIMUM REAR YARD SETBACK

WHEREAS, the applicants, Jeff and Susan Cadwell, seek a variance to construct a deck 20' from the rear property line, 5' within the required setback area on their property zoned R-1 Permanent Residential; and,

WHEREAS, the Planning Commission conducted a public hearing on June 6, 2018, and received public testimony regarding the proposed Variance; and

WHEREAS, all required notices regarding the public hearing were properly made; and

WHEREAS, the Planning Commission has reviewed the request and recommended approval of the Variance: and

WHEREAS, the City Council reviewed the requested Variance and Planning Commission recommendation at its meeting of June 13, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND MARAIS, MINNESOTA, that it adopts the following findings of fact related to the requested Variance:

Criteria #1 **The variance is in harmony with the purpose and intent of the ordinance.**

Finding #1 A deck is a typical residential use in harmony with the intent of the zoning ordinance

Criteria #2 **The variance is consistent with the comprehensive plan.**

Finding #2 The deck is consistent with providing and attractive residential environment.

Criteria #3 **The proposal seeks to use the property in a reasonable manner not permitted by the zoning ordinance.**

Finding #3 The setback is reasonable due to the topography and secluded nature of the rear yard

Criteria #4 **The plight of the landowner is due to circumstances unique to the property not created by the landowner**

Finding #4 The drainage feature was present prior to the current owner.

Criteria #5 **The variance, if granted, will not alter the essential character of the locality.**

Finding #5 The property will remain primarily residential in character, as a deck on a home is a common residential feature.

BE IT FURTHER RESOLVED that the Variance for Jeff and Susan Cadwell to construct a deck 20' from the rear property line, 5' within the required setback area is hereby approved.

Passed by the City Council of the City of Grand Marais, Minnesota this 13th day of June, 2018.

(SEAL)

Mayor Jay Arrowsmith DeCoux

ATTEST:

Michael J. Roth
City Administrator

Exhibit A

LEGAL DESCRIPTION:

Lots 1-2 and the north 20' of Lot 3, Block 16, Village Plat