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W. MARK KRUPSKI - Co. Recorder by deputy: ms

Well Certificate: _____ Abstract: _____ Fee: \$46.00

CITY OF ORONOCO
115 2 ST NW
PO BOX 195
ORONOCO, MN 55960

*pt SW-SE } 7-108-14
pt SE-SE }
84.07.43.029096*

**CITY OF ORONOCO, MINNESOTA
RESOLUTION NO. 2019-14**

**A RESOLUTION ADOPTING FINDINGS OF FACT AND REASONS FOR APPROVAL
/DENIAL FOR A VARIANCE APPLICATION AT 630 5th Street NW**

FACTS

1. Kent Johnson is the owner of a parcel of land located at 630 5th Street NW; and,
2. The subject property is legally described as:
SECT-07 TWP-108 RANGE-014
CITY LANDS 108-14-07 CITY OF O
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TO WATERS EDGE TH ELY AND NELY
ALONG WATERS EDGE TO A PT S OF
BEG TH N TO BEG SEC 7 108 14; and
3. Mr. Johnson has applied to the City for a variance application as described on Exhibit B.
4. All required notices regarding the public hearing were properly made; and,
5. The proposal would vary from Oronoco City Code in that it would deviate to re-build a larger garage 24 x 32 on the existing slab and move the existing garage 18 x 24 both of which would be located in front of the house and not meet setbacks.
6. Following a public hearing on the application, the Oronoco Planning and Zoning Commission has recommended approval/denial of the variance on June 13th, 2019.
7. The City Council of the City of Oronoco reviewed the requested variance at its Meeting of June 18th, 2019.

APPLICABLE LAW

8. Minnesota Statute Section 462.357, subd. 6 provides:

46 46 08

*City of Oronoco
115 2nd St NW 625-19
PO BOX 195
ms*

- a. Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are consistent with the comprehensive plan.
- b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.

9. City Ordinance allows variances if City Ordinance allows variances if the terms of the variance are consistent with the Comprehensive Plan.

CONCLUSIONS OF LAW

10. The requested variance is in harmony with the purposes and intent of the ordinance because

11. The requested variance is consistent with the comprehensive plan because ...

12. The property owner does propose to use the property in a reasonable manner because of its existing zoning.

13. There are unique circumstances to the property not created by the landowner because the building was built on the property line when it was first constructed.

14. The variance will maintain the essential character of the locality because of its

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORONOCO, MINNESOTA AS FOLLOWS:

The application to issue a variance to allow Kent Johnson to/ to not build a 24x32 garage on the existing slab and move the existing structure 18 x 24 in front of the house so as to deviate from Oronoco City Code is hereby approved.

Passed by the City Council of Oronoco, Minnesota this 18th day of June 2019.

Ryland Eichhaust

 Mayor

Attested:
Sandra Jasso

 City Clerk





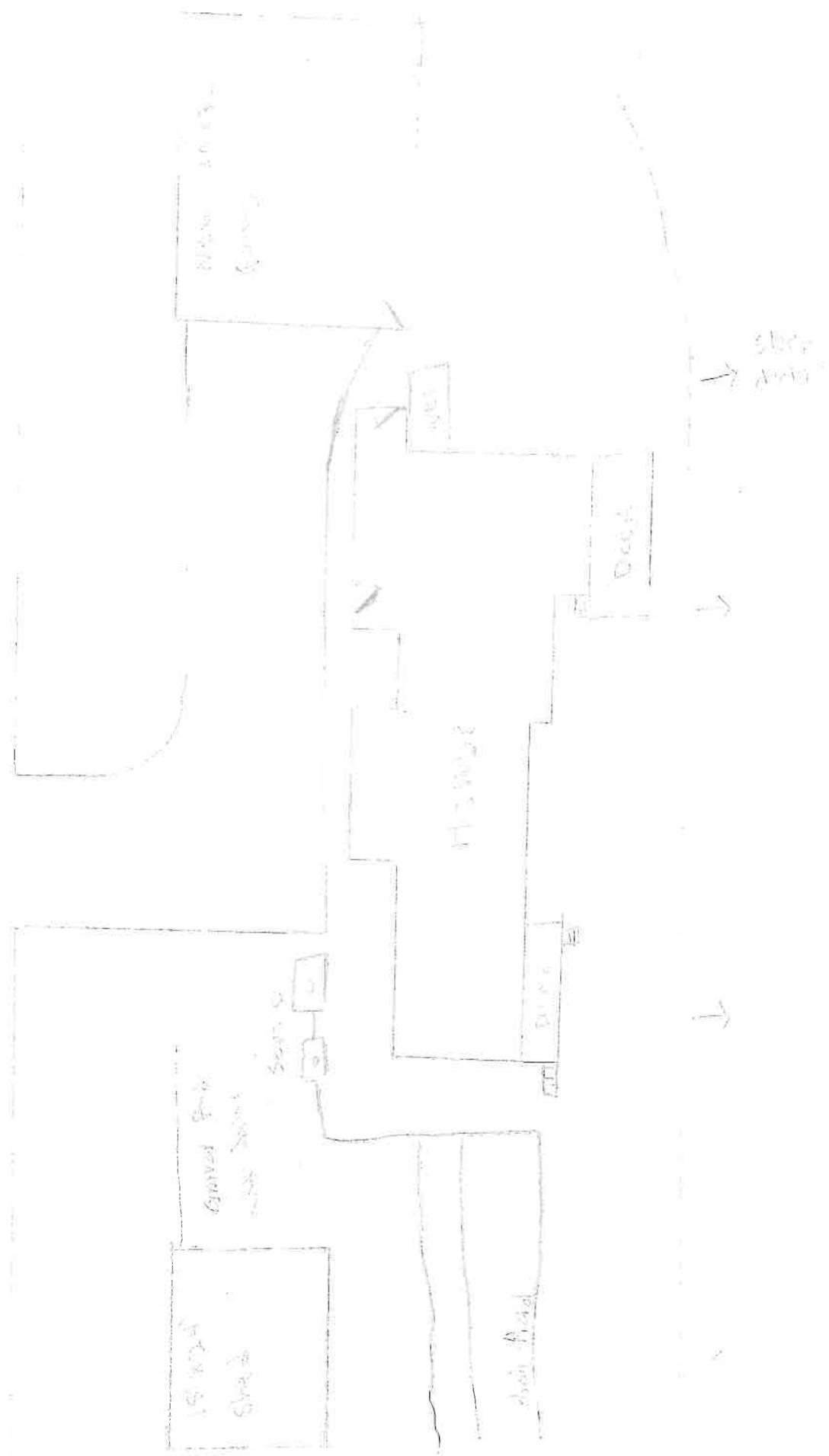
May 20, 2019

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Rochester-Olmsted County Planning Dept. GIS Division, Roch
Uilities and Rochester Public Works Dept.
Rochester-Olmsted County Planning Dept. GIS Division.
Rochester-Olmsted County GIS

Site plan



West

East

South

North