

**CITY OF ORONOCO**  
**A RESOLUTION APPROVING THE REQUEST FOR A VARIANCE TO THE MAXIMUM**  
**TOTAL AREA OF ACCESSORY STRUCTURES FOR A NEW GARAGE ON THE PROPERTY**  
**LOCATED AT 95 5<sup>TH</sup> STREET SOUTHWEST, ORONOCO, MINNESOTA**

**WHEREAS**, the applicants, Jeffrey and Denise Wangness, seek a variance to the maximum allowed area of accessory structures in the R-1 Single Family Residential zoning district on their property at 95 5<sup>th</sup> Street Southwest; and,

**WHEREAS**, the above mentioned property is described generally as Lots 5, 6, 7, and 8, Block 37 of the Original Plat, Oronoco, Minnesota, plus portions of the vacated alley abutting those lots; and,

**WHEREAS**, The Oronoco Zoning Code Section 151.054 limits the maximum area of accessory buildings on lots of less than one acre in the R-1 district to no more than 1,000 square feet; and,

**WHEREAS**, The City Council is authorized by Oronoco Zoning Code Section 151.401 to grant variances from the standards in the Zoning Code; and,

**WHEREAS**, the subject property is 0.92 acres and the property owners' request is to have 1,536 square feet of accessory buildings; and,

**WHEREAS**, the Planning & Zoning Commission reviewed the request and heard testimony at a public hearing at its meeting on July 14, 2022 and recommended approval of the variance application with conditions; and,

**WHEREAS**, the City Council reviewed the request, the recommendation of the Planning & Zoning Commission, staff reports, and public testimony at its meeting on July 19, 2022.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Oronoco, Minnesota approves a variance to the maximum area of accessory structures for the property at 95 5<sup>th</sup> Street SW as submitted by the applicants, with the following conditions and findings of fact:

**Conditions of Approval**

1. The new garage will be located 35 feet from the right-of-way of 5<sup>th</sup> Street Southwest and 38 feet from the west lot line, as illustrated in the Planner's report of July 14, 2022.
2. The existing detached garage on the east side of the lot will be removed and its driveway removed within three months after completion of the new garage.
3. All requirements of the City Engineer will be met before issuance of a building permit;

**Findings of Fact for Approval**

1. The Oronoco Zoning Code limits the combined square footage of accessory buildings on lots less than one acre to 1,000 sq ft maximum.
2. The applicant proposes a new detached garage of 960 sq ft in size. There is an existing attached garage 576 sq ft in size, for a total of 1,536 sq ft accessory buildings proposed.

MOTION BY: RICHARD  
SECOND BY: PHILLIPS

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ADOPTED ON JULY 19, 2022

3. The lot at 95 5th Street SW is approximately 39,900 sq ft, or about 0.92 acre in size, very close to the one-acre threshold that would allow up to 2,000 sq ft of accessory buildings. There are extraordinary circumstances with this property in that it is very close to one acre in size at which point the property would be allowed 2,000 square feet of accessory buildings. The proposed 1,536 sq ft of accessory buildings is therefore reasonable and not out of scale with the size of the lot.
4. The applicant did not create the situation with the lot size – it is part of the original platting and layout of the parcels.
5. There are practical difficulties in using the property in a reasonable manner – the size of the property is just under the area needed to add the proposed accessory building without a variance.
6. The proposed variance will not be detrimental or injurious to adjacent properties and will not alter the character of the locality.
7. The variance is in harmony with the general purpose and intent of the chapter; and is consistent with the Comprehensive Plan.
8. The existing detached garage is to be razed and replaced with the new 960-sq-ft detached garage. The existing detached garage encroaches in the required 25 ft setback whereas the proposed new detached garage will respect the setback. The proposal improves the non-conforming status of the property in this respect.
9. The request meets the criteria for granting a variance in Section 151.401 of the Oronoco Zoning Code.

**AND BE IT FUTHER RESOLVED** that the Interim City Administrator or her designee is authorized to take appropriate steps necessary for the implementation of this Resolution.

COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT
Ryland Eichhorst, Mayor	X			
Lori Novak, Vice Mayor				X
Dana Bergner	X			
Jim Phillips	X			
Jim Richards	X			

  
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Ryland Eichhorst, Mayor

ATTEST:

  
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Sunny Bjorklund Schultz, Interim City Administrator