



energy system placed on the roof of a garage with a 15 feet side yard setback would result in reduced solar output of 232 kWh annually; and

- (l) That city council finds that there is inadequate access to direct sunlight for solar energy systems resulting in practical difficulties to the applicant; and
- (m) That the circumstances justifying relief from the side yard setback requirement is unique to the property, were not caused by the applicant, are not solely for the applicant's convenience, and are not solely because of economic considerations; and
- (n) That the city council finds that granting the variance will not alter the essential character of the neighborhood; and
- (o) That the city council finds that neighboring properties access to adequate air and light will not be impacted.

FURTHER RESOLVED, that the decision of the planning commission to deny the variance from a side yard setback for a garage at 1231 W 4<sup>th</sup> Street is reversed.

FURTHER RESOLVED, that the application is hereby approved.

STATEMENT OF PURPOSE: This resolution reverses the denial by the planning commission of a variance to side yard setbacks for a garage at 1231 W 4<sup>th</sup> Street. Appellant Katherine Mueller filed an appeal on May 24, 2024.

The existing single-family home was built in 1896 and is located 3.3 feet from the side property line. The applicant is seeking a variance to reduce the 15' side yard setback to build a detached garage. The applicant is proposing to construct a 24'x32' garage set 3.9' off the side property line that fronts 13th Ave W.

Planning commission held a public hearing on May 14, 2024 on the request. At the May 14, 2024 regular meeting, the commission voted 5 yeas to 2 nays to deny the variance request.

Complete application received: April 16, 2024

City Council Appeal received: May 24, 2024

City Council action deadline under Minn. Stat. § 15.99: August 14, 2024