



energy system placed on the roof of a detached garage with a 3.9 feet side yard setback and a solar energy system placed on the roof of a garage with a 15 feet side yard setback would result in a reduced solar output of 232 kWh annually; and

- (m) That the city council finds that this reduced output of a solar energy system is negligible; and
- (n) That the city council finds that applicant has not demonstrated a lack of access to direct sunlight of a solar energy system placed elsewhere in the buildable area of the property; and
- (o) That the city council finds that the location of a detached garage compliant with all applicable provisions of Chapter 50 of the city code does not result in inadequate access to direct sunlight for solar energy systems; and
- (p) That the city council concludes for the same reasons as those set out in the planning commissioner's May 15, 2024 action letter, that the applicant has not demonstrated practical difficulties because the variance requested is not due to the exceptional narrowness, shallowness, or shape of the applicant's property and that the circumstances are not peculiar to this property as a number of properties in the vicinity have similar topography, solar access and grade.

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

STATEMENT OF PURPOSE: This resolution affirms the denial by the planning commission of a variance to side yard setbacks for a garage at 1231 W 4th Street. Appellant Katherine Mueller filed an appeal on May 24, 2024. The applicant's letter admits to the planning commission's findings of fact and conclusions but requests the city council reverse the planning commission's decision due to an alleged practical difficulty related to inadequate access to direct sunlight.

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