

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: SAMANTHA MEYER, ZONING ASSISTANT
RE: VARIANCE, CANNON RIVER WINERY
DATE: JULY 11, 2018

BACKGROUND:

Ron Stowell, on behalf of Cannon River Winery, applied for a variance to construct a building addition that would encroach on the Shoreland District setback.

The property is located at 421 Mill Street West. A building addition is proposed for the westerly side of the existing building. This addition would encroach upon the required Shoreland overlay district setback requirement of 75 feet and would maintain existing impervious surface coverage while the Shoreland overlay district requires 70% pervious surface.

The City of Cannon Falls Planning Commission held a public hearing on the variance at its July 9, 2018 meeting and with a unanimous vote recommends denial of the application based upon the findings of fact found in Exhibit A.

REQUESTED COUNCIL ACTION:

The City Council is asked to deny the Conditional Use Permit request by Ron Stowell on behalf of the Cannon River Winery to encroach on the Shoreland setback and maintain existing impervious surface coverage.

**CITY OF CANNON FALLS
GOODHUE COUNTY MINNESOTA**

RESOLUTION NUMBER 2370

VARIANCE FOR 421 MILL STREET WEST

WHEREAS, Ron Stowell on behalf of Cannon River Winery has made an application for a variance to allow the construction of a building addition encroaching upon the Shoreland district setback requirements and maintaining existing impervious surface coverage over the permitted thirty percent; and

WHEREAS, the Planning Commission conducted a public hearing on July 9, 2018 to accept public testimony relating to the application; and

WHEREAS, the Planning Commission finds that the proposed encroachment and impervious surface coverage is not reasonable based upon the findings of fact found in Exhibit A accompanying this resolution; and

WHEREAS, the Planning Commission recommends to the Cannon Falls City Council that the application for the variance be denied.

NOW THEREFORE LET IT BE RESOLVED BY THE CITY COUNCIL OF CANNON FALLS, GOODHUE COUNTY, MINNESOTA, that based on the findings of the Planning Commission and Findings of Fact in Exhibit A accompanying this resolution, which are hereby adopted by the City Council, that the variance be denied

ADOPTED by the City Council of Cannon Falls this 17th day of July, 2018.

SIGNED:

Lyman M. Robinson, Mayor

ATTEST:

Lanell Endres, Interim City Administrator

Exhibit A

Findings of Fact:

1. There are no practical difficulties in complying with the ordinance. The property can be used in a reasonable manner without a variance. There are no particular physical surroundings, shape or topographical conditions of the specific parcel of land involved that create practical difficulties in the use of the property.
2. The conditions upon which an application for a variance is based are not unique to the parcel of land for which the variance is sought and are applicable, generally, to other property within the same zoning classification.
3. The purpose of the proposed variance is based exclusively upon the value or income potential of the parcel of land.
4. The alleged difficulty or hardship is not caused by this chapter and has been created by the person having an interest in the parcel of land and is a self-created hardship.