

**CITY OF HAMBURG, MINNESOTA  
RESOLUTION NUMBER 2020-18**

**RESOLUTION APPROVING A LAND USE VARIANCE FOR AN  
ACCESSORY STRUCTURE (420 HENRIETTA AVENUE)**

**WHEREAS**, Mike Royal is applying for a variance to construct a garage on property located at 420 Henrietta Street, within Hamburg City limits

**WHEREAS**, Chapter 160A Section G Subd. 4 subpart B – requires a side yard setback of five (5) feet between an accessory structure and the side lot line within the R-1 Single Family Residence District,

**WHEREAS**, Mike Royal has submitted a variance application to extend an existing legal non-conforming garage further into a restricted setback area.

**WHEREAS**, the requested variance is from the required five (5) feet side yard setback on the east side of the property, and

**WHEREAS**, the City Council held a public hearing on December 22, 2020 to consider the requested variance.

**THEREFORE, BE IT RESOLVED**, that the City Council of Hamburg, Carver County, Minnesota, hereby approves the side yard setback variance from five (5) feet to only inches for the east side of the property along an alleyway to expand a garage upon the findings noted below:

1. That the expansion of the garage is reasonable and will fit in with the essential character of the surrounding properties.
2. Unique circumstances exist on the property to justify the variance. Specifically, the presence of a legal nonconforming garage constructed inches off the lot line creates the justification to expand the building further into restricted setback areas.

**THEREFORE, BE IT FURTHER RESOLVED**, the approval of the side yard setback for the garage is subject to the following condition:

1. The garage shall comply with all requirements of the Building Code.

**I CERTIFY THAT** the above resolution was adopted by the City Council of Hamburg, Carver County, Minnesota this 22<sup>nd</sup> day of December, 2020.

  
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Chris Lund, Mayor

**ATTEST:**

  
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Jeremy Gruenhagen, City Clerk/Treasurer

