

**CITY OF CREDIT RIVER  
SCOTT COUNTY  
STATE OF MINNESOTA**

**RESOLUTION NO. 2025-09**

**A RESOLUTION APPROVING A 7-FOOT FRONT YARD SETBACK VARIANCE FOR  
AN ACCESSORY STRUCTURE ADDITION AT 7998 CRESS VEIW LANE**

**WHEREAS**, the City of Credit River is a Minnesota Municipal Corporation, duly organized and authorized to conduct its affairs under the laws of the State of Minnesota; and

WHEREAS, the City of Credit River received a variance application from [Mark Pearson] for a 7-foot after-the-fact variance from Section 35-3 of the Credit River City Code to allow a front yard setback of 60 feet rather than the required 67 feet.

WHEREAS, the Credit River Planning Commission held a public hearing on January 16<sup>th</sup> 2025, reviewed the application, testimony, exhibits, and other evidence presented, and recommended approval of the variance request based on the findings of fact;

WHEREAS, the Planning Commission recommends approval of the variance due to the pre-existing recorded drainage and utility easement, which constitutes a reasonable “practical difficulty” as defined by Minn. Stat. § 462.357, subd. 6; and

**WHEREAS**, the City Council has considered the proposed application for a conditional use permit amendment and it makes the following *findings of fact*:

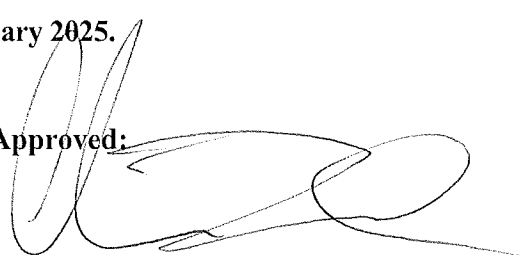
1. The garage expansion is a permitted accessory use in the RR District.
2. Variances shall only be permitted when the applicant demonstrates by factual presentation that all of the following circumstances exist, as outlined in Minn. Stat. § 462.357, subd. 6:
  - a. “The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.”
    - i. “Private garages and onsite parking” is a permitted accessory use in the RR District and therefore a reasonable use of the property.
  - b. “The plight of the landowner is due to circumstances unique to the property not created by the landowner.”
    - i. The proposed location is intended to be in line with the existing garage pad, creating one continuous space and utilizing existing impervious surface coverage from the driveway. The submitted survey showing existing D&U easements does indicate a necessity to build the expansion within the front yard setback, due to the recorded drainage and utility easement.

- c. "The variance, if granted, will not alter the essential character of the locality."
  - i. This property's detached garage aligns with the use and appearance of accessory structures on neighboring properties, so an expansion would not significantly alter the character of the structure or the property. However, since the property is a corner lot, the scale of the garage expansion would be highly visible from the road.
- 3. This front yard setback variance does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity.
- 4. This variance would not impede light and air to adjacent properties, nor would it increase the risk of fire or threats to public safety.
- 5. This front yard setback variance would not appear to cause any strain upon existing municipal facilities and services.
- 6. No negative direct or indirect fiscal impact on the City, Council, or School District is foreseen from this variance.

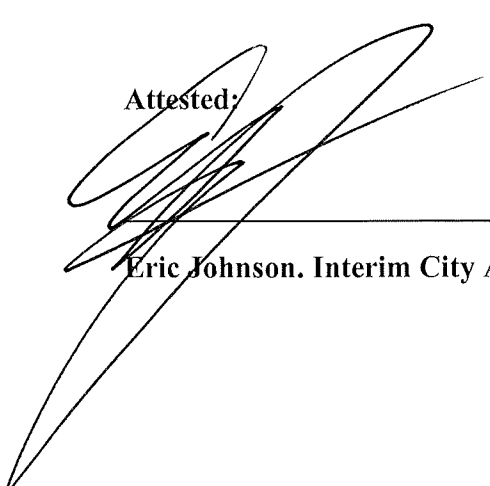
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Credit River, Minnesota, that the variance request is approved.

Adopted and approved by the City Council of the City of Credit River on a vote of 5 ayes and 0 nays, effective on the 3<sup>rd</sup> day of February 2025.

Approved:

  
Chris Kostik, Mayor

Attested:

  
Eric Johnson, Interim City Administrator