

**CITY OF GRANT, MINNESOTA  
RESOLUTION NO. 2010-13**

**RESOLUTION APPROVING A REQUEST FOR VARIANCE FROM ROAD DESIGN  
STANDARDS FOR THE RADIUS OF A CURVE IN MANNING CIRCLE NORTH FOR  
THE JACOBS AND AXDAHL ADDITION**

**WHEREAS**, Robb Jacobs (“Applicant”) has submitted an application for a variance from road design standards for the construction of a cul-de-sac at 7400 Manning Avenue N in the City of Grant, Minnesota; and

**WHEREAS**, the City Council may hear requests for variances pursuant to Ordinance 50, Section 503.01 which provides that a variance may be granted “in instances where the strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration”.

**WHEREAS**, the property is legally described as Block 1, Lot 2 through 3 of the Jacobs and Axdahl Addition; and

**WHEREAS**, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on July 19, 2010, and has recommended approval to the City Council; and

**WHEREAS**, the City Council for the City of Grant has considered the Planning Commission’s recommendation at its August 3, 2010, regular City Council meeting;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA**, that it does hereby approve the request of Robb Jacobs for a variance from Section 30.130 (h) which states that curves (in this case as a part of a designed cul-de-sac) shall meet state department of transportation criteria for stopping sight distance at 30 miles per hour (mph). The variance shall be to design the cul-de-sac to 20 mph standards, and all other road design standards shall be met. The City Council’s findings relating to the hardship are as follows:

1. The City Council approved a preliminary plat for the Jacobs and Axdahl Addition in 2008 which specifically identified the right-of-way area for the proposed cul-de-sac.
2. The area is not adequate to design a cul-de-sac which meets the City's design standards for a curve and accordingly, there exists no other reasonable design for the proposed cul-de-sac.
3. The cul-de-sac as designed provides a safe, single access into the Jacobs and Axdahl Addition reducing the number of curb cuts and accesses into the subdivision from Manning Avenue N.
4. The proposed design of the cul-de-sac is fundamentally reasonable.
5. Strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.
6. The existing use of the property and associated road design in question cannot be established under the conditions allowed by this Ordinance or its amendments.
7. The plight of the landowner is due to physical conditions unique to the land.
8. The request for the variance from road design requirements does not alter the intent and purpose of the Ordinance.
9. Granting the variance will provide no detriment to the public welfare and no impairment of the intended purpose of the Ordinance.

**FURTHER BE IT RESOLVED**, that the following conditions of approval of the Variance shall be met:

1. The Applicants shall submit a Final Plat that is consistent with the drawing submitted and reviewed by the Planning Commission at the public hearing on July 21, 2010 for the requested variance.
2. The driveway easement serving Lot 4 (the Lemanski property) shall end at the connection to the proposed cul-de-sac, "Manning Circle North". The driveway easement serving Lot 4 east of the cul-de-sac shall be vacated and removed for the plat, and Lot 4 shall only be accessed from the cul-de-sac.
3. The proposed cul-de-sac shall be fully constructed as a condition of the variance approval.

4. All permits, including grading and filling, shall be obtained for the proper construction of the proposed cul-de-sac, unless otherwise determined by the City Engineer.
5. The curve shall be signed in both directions to limit speeds to 20 mph.
6. The road design and specifications shall be able to safely and adequately accommodate commercial and truck traffic.
7. The Applicant shall pay all fees and escrow.

Adopted by the Grant City Council this 5th day of October, 2010.

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Tom Carr, Mayor

State of Minnesota            )  
  ) ss.  
County of Washington        )

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on June 3, 2008 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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Kim Points  
Clerk  
City of Grant