

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2017-20**

**RESOLUTION APPROVING A VARIANCE FROM WETLAND SETBACKS FOR
INSTALLATION OF A REPLACEMENT SUBSURFACE SEWAGE SYSTEM
LOCATED AT 6782 JOCELYN ROAD NORTH, GRANT, MN**

WHEREAS, Jeff and Cheryl Kargel (“Applicant”) has submitted an application for a variance from wetland setback for an individual subsurface sewage system located at 6782 Jocelyn Road North, in the City of Grant, Minnesota; and

WHEREAS, the home was constructed in 1966 and a subsurface sewage system was installed when the home was constructed and such system complied with the adopted standards in effect; and

WHEREAS, the Applicant is aware that the existing system is failing and no longer complies with current rules and regulations for installation of individual sewage treatment systems; and

WHEREAS, the Applicant contacted Washington County because they are the permitting authority for septic systems in the City of Grant; and

WHEREAS, the Applicant must remedy the failing septic system and install a new system which complies with the rules and regulations of Washington County; and

WHEREAS, a septic permit for the replacement system cannot be obtained from Washington County without the stated variance from the City’s ordinances being granted; and

WHEREAS, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on October 17, 2017 and subsequently recommended that the City Council approve the variance with conditions.

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 Jeff and Cheryl Kargel, based upon the following findings pursuant to Section 32-59 and 32-60 of the City’s Zoning Ordinance which provides that a Variance may be

granted if a hardship is demonstrated. The City Council’s Findings relating to the standards are as follows:

- The Applicant must replace the failing system to comply with the Washington County Department of Public Health and Environment rules and regulations.
- Replacement of the failing system is a health, safety, and welfare issue and must be completed to the satisfaction of Washington County to protect the current and future home owners, as well as any adjacent properties which could be affected if the failing system were to remain.
- The lot is considered a legal non-conforming property for lot size, area and dimensions and constrains the buildable area on the site limiting the available locations to site the new system.
- A significant portion of the subject property contains a wetland and has flood prone soils which severely limits the available area to site the replacement system.

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

- The Applicant shall be required to obtain the proper permits from the Washington County Department of Public Health and Environment prior to installation of the replacement system.
- The replacement system must be placed outside of all wetland/ponding areas on the site.
- The Applicant shall obtain all necessary permits and approvals from any other regulatory agency, including, but not limited the Rice Creek Watershed District, which may have authority over installation and construction of the new replacement system.

Adopted by the Grant City Council this 6th day of November 2017.

Jeff Huber, 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 November 6, 2017 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 _____, 2017.

Kim Points
Clerk
City of Grant