

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2016-19**

**RESOLUTION APPROVING A VARIANCE FROM WETLAND/POND SETBACKS
FOR INSTALLATION OF A REPLACEMENT SUBSURFACE SEWAGE SYSTEM
LOCATED AT 9313 75TH STREET NORTH, GRANT, MN**

WHEREAS, John and Bernadette Fiske (Applicant) and Brian and Megan Retnayake (Owner), hereafter collectively called Applicants, has submitted an application for a variance from wetland/pond setback for a subsurface sewage system located at 9313 75th Street North, in the City of Grant, Minnesota.

WHEREAS, the home was constructed in 1987 and a subsurface sewage system was installed at that time; and

WHEREAS, during a recent real estate transaction between the Applicants it was determined that the septic system on the Subject property was non-compliant and must be remedied; and

WHEREAS, the Applicants contacted Washington County because they are the permitting authority for septic systems in the City of Grant; 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 Applicants' request at a duly noticed Public Hearing which took place on July 19, 2016, 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 the Applicants, 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 Applicants must replace the non-compliant system to comply with the Washington County Department of Public Health and Environment rules and regulations.
- Replacement of the non-compliant 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.
- The lot is considered a legal non-conforming property for lot size, and area which constrains the buildable area on the site limiting the available locations to site the new system.
- There is one large wetland/unclassified water body, a stormwater pond and fairly limited depth to groundwater on the site which limit 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 Applicant shall obtain all necessary permits and approvals from any other regulatory agency, including, but not limited the Valley Branch Watershed District, which may have authority over installation and construction of the new replacement system.
- The replacement system must be placed outside of all wetland/ponding areas on the site.

Adopted by the Grant City Council this 2nd day of August 2016.

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 _____, 2016 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 _____, 2016.

Kim Points
Clerk
City of Grant