

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

10-0440R

RESOLUTION AFFIRMING THE DECISION OF THE BOARD OF ZONING APPEALS TO DENY AN APPLICATION FOR A VARIANCE FROM THE MINIMUM REQUIRED SIDE YARD AND AGGREGATE SIDE YARD SETBACKS. (DOUG J. BREILAND)

BY COUNCILOR STAUBER:

RESOLVED, that the decision of the board of zoning appeals to deny the application by Doug J. Breiland for a variance from the zoning code requirement mandating a 6 foot minimum side yard setback and 14' aggregate side yard setback for property located at the address of 2716 E. 8th Street is affirmed for the following reason:

1. Based upon the record before the council, the applicant has failed to demonstrate the existence of a hardship as required by Section 50-47(b) of the Duluth Legislative Code and MSA §462.357, Subd. 6.

Approved as to form:

Attorney

BLDG INSP CH:ek 08/17/10

STATEMENT OF PURPOSE: This resolution denies the applicant's request for a variance from the minimum side yard and aggregate side yard setback requirements and specifies the reason for the denial as the applicant's failure to establish the existence of a hardship.