

**CITY OF GRANT, MINNESOTA  
RESOLUTION NO. 2008-17**

**RESOLUTION APPROVING A REQUEST FOR VARIANCE FROM WETLAND  
SETBACK REQUIREMENTS FOR THE INSTALLATION OF A SEPTIC SYSTEM  
FOR AMERICAN POLYWATER CORPORATION (APC)**

**WHEREAS**, American Polywater Corporation (APC) (“Applicant”) has submitted an application for a variance from wetland setback requirements for the installation of a mound septic system at 11170 60th Street North in the City of Grant, Minnesota; and

**WHEREAS**, the Applicant applied for and received an Amended Conditional Use Permit from the City in June 2008 which required the Applicant to inspect and size the septic system to accommodate the employees on the site; 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 follows:

All that part of the Southwest Quarter of the Southwest Quarter of Section 36, Township 30 North, Range 21 West, Grant Township, Washington County, Minnesota, described as follows: Beginning at a point in the South line of said Southwest Quarter of Southwest Quarter, said point being 876.5 feet East of the Southwest Corner thereof; thence North at right angles for 642.33 feet; thence East at right angles for 169.54 feet; thence South at right angled for 642.33 feet to said South line of the Southwest Quarter of the Southwest Quarter; thence West along said South line of Southwest Quarter of the Southwest Quarter for 169.54 feet to the point of beginning.

**WHEREAS**, the Planning Commission has considered the Applicant's request at a duly noticed Public Hearing which took place on September 15, 2008, 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 October 7, 2008, 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 American Polywater Corporation (APC) for a variance from Section 7.1 Structure and Sewer Setback and Other Design Criteria of the City's Shoreland Management Regulations, Ordinance 2002-91, which states that on-site sewage system setbacks must be 75 feet from the Ordinary High Water Level (OHWL) from unclassified waterbodies. The City Council's findings relating to the hardship are as follows:

1. The strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.
2. The proposed use of the property and associated structures in question cannot be established under the conditions allowed by this Ordinance or its amendments.
3. No other reasonable or alternate use exists.
4. The plight of the landowner is due to physical conditions unique to the land.
5. The unique conditions of the site were not caused or accepted by the landowner.
6. The request for the variance from wetland setback requirements does not alter the intent and purpose of the Ordinance.
7. 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 Conditional Use Permit shall be met:

1. The recommendations of the Washington Conservation District with regard to landscaping shall be addressed. These include the following: planting of Native Prairie grasses; landscaping the septic system according to the U of M Extension Service paper titled "Landscaping Septic Systems"; planting mesic grasses on all disturbed areas between the wetland and the mound; and planting dry prairie complex over the drainfield itself. The applicant shall work with the Conservation District to meet these requirements.

2. The Applicant shall protect existing drainage patterns on the property.
3. The Applicant shall install silt fence or other temporary erosion control measures at the construction limits where sediment could flow downstream.
4. The Applicant shall verify with Valley Branch Watershed District if a permit from that agency is required. If required, the Applicant shall obtain the watershed permit.
5. The Applicant shall verify with Washington County if a grading permit is required. If required, the Applicant shall obtain the grading permit.
6. The Applicant shall pay all fees and escrow.

Adopted by the Grant City Council this 7th day of October, 2008.

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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 \_\_\_\_\_, 2008.

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Kim Points  
Clerk  
City of Grant