

**CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION NO. 2018-019**

*A RESOLUTION APPROVING A MINOR SUBDIVISION OF  
PROPERTY LOCATED AT 4564 KIMBRO AVENUE NORTH*

**WHEREAS**, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, Beverly Rieks, 4564 Kimbro Avenue North, Lake Elmo, MN, (Applicant) has submitted an application to the City of Lake Elmo (City) for a Minor Subdivision to subdivide the property located at 4564 Kimbro Avenue North in to three separate parcels in accordance with the certificate of survey dated December 6, 2017 and signed by Timothy J. Freeman, P.L.S., License #16989, a copy of which is on file in the City of Lake Elmo Planning and Zoning Department; and

**WHEREAS**, the Lake Elmo Planning Department has reviewed the Minor Subdivision request for consistency with the City of Lake Elmo Zoning and Subdivision Ordinances; and

**WHEREAS**, the Lake Elmo Planning Commission reviewed the proposed Minor Subdivision at a meeting held on February 12, 2018; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Minor Subdivision as part of a memorandum to the City Council for the February 20, 2018 Council Meeting; and

**WHEREAS**, the City Council reviewed the Applicant's Minor Subdivision request at a meeting held on February 20, 2018.

**NOW, THEREFORE**, based upon the testimony elicited and information received, the City Council makes the following:

**FINDINGS**

1. That the Minor Subdivision is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
2. That the Minor Subdivision complies with the minimum lot frontage and area requirements of the City's RR – Rural Residential zoning district.

3. That the Minor Subdivision complies with the City's subdivision ordinance and specifically the requirements concerning exceptions to platting.
4. That the Minor Subdivision subdivides the following parcel, creating one new lot, resulting in two lots total of 10.03 acres and 63.48 acres:

S1/2-NW1/4 DESC AS FOLL BEG AT PT ON N LN SD S1/2-NW 1/4 WHICH IS 33FT WLY FROM NE COR THEREOF THN N89DEG57'35"W ASM BRG ALG SD N LN DIST 473.50FT TO JLM THN S00DEG37'33"E DIST 629.38FT TO JLM THN S89 DEG22'10"W DIST 27.32FT TO JLM THN S00DEG02'25"W DIST 30.35FT TO JLM THN S89DEG57'35"E PARL WITH SD N LN DIST 496.96FT TO JLM WHICH IS 33FT WLY FROM E LN SD S1/2-NW1/4 THN N00DEG15' 35"W PARL WITH SD E LN & 33FT WLY THEREFROM DIST 660FT TO POB ALSO THAT PT SD S1/2-NW1/4 DESC AS FOLL BEG AT NE COR SD S1/2-NW1/4 MRKD BY JLM THN S00 DEG15'35"E ASM BRG ALG E LN SD S1/2-NW1/4 DIST 1315.69FT TO SE COR SD S1/2-NW1/4 DIST 1315.69FT TO SE COR SD S1/2-NW1/4 THN N89DEG58'39"W ALG S LN SD S1/2-NW1/4 DIST 33FT TO JLM THN S00DEG15'35"E PARL WITH SD E LN S1/2-NW1/4 DIST 49.50FT TO JLM THN N89DEG58'39"W ALG S LN OF N 3RDS OF NE1/4-SW1/4 DIST 1278.78FT TO SW COR SD N 3 RDS MRKD BY JLM THN N00DEG 15'03"W ALG W LN SD NE1/4-SW 1/4 DIST 49.50FT TO NW COR SD NE1/4-SW1/4 MRKD BY JLM THN N 89DEG58'39"W ALG S LN SD S1/2- NW1/4 DIST 399.89FT TO JLM THN N00DEG19'18"W DIST 656.23FT TO JLM THN S89DEG57'35"E PARL TO N LN SD S1/2-NW1/4 DIST 1182.41FT TO JLM THN CONT S89DEG57' 35"E PARL WITH N LN SD S1/2-NW DIST 496.96FT TO JLM WHICH IS 33FT WLY FROM E LN SD S1/2-NW 1/4 THN N00DEG15'35"W PARL TO SD E LN & 33FT WLY THEREFROM DIST 660FT TO JLM WHICH IS ON N LN SD S1/2-NW1/4 33FT WLY FROM NE COR THEREOF THN S89DEG 57'35"E ALG N LN SD S1/2-NW1/4 DIST 33FT TO POB ALSO THAT PT SD S1/2-NW1/4 DESC AS FOLL COM AT NE COR SD S1/2-NW1/4 THN WLY ALG N LN THEREOF ON ASM BRG N89DEG57'35"W DIST 526.50 FT THN S00DEG02'25"W DIST 629.65FT TO POB THN CONT ALG LAST DESC LN DIST 30.35FT THN N89 DEG57'35"W DIST 1182.41FT THN N00DEG19'18"W DIST 16.5FT THN N89DEG22'10"E DIST 1182.60FT TO POB Section 11 Township 029 Range 021

### **CONCLUSIONS AND DECISION**

**NOW, THEREFORE, BE IT RESOLVED THAT** that based on the testimony elicited and information received, the City Council of the City of Lake Elmo hereby approves the Minor Subdivision request, provided the following conditions are met:

- 1) The property shall be rezoned to RR – Rural residential.
- 2) The applicant shall pay a fee in lieu of parkland dedication in the amount of \$3600.00 prior to any formal City authorization to split the existing parcel into three lots.

- 3) The applicant must submit and receive approval of a building permit application; grading, erosion control, and other applicable plans prior to the commencement of any construction activity on the parcel.
- 4) The applicant must obtain all other necessary City, State, Valley Branch Watershed District and other applicable governing body permits prior to the commencement of any construction activity on the parcel.
- 5) The site plan is subject to a storm water management plan meeting State, Valley Branch Watershed District and City rules and regulations. All applicable permits must be obtained if needed.
- 6) The applicant shall provide an 80-foot right-of-way easement with 40 feet on either side of the centerline of Kimbro Avenue North.

Passed and duly adopted this 20<sup>th</sup> day of February 2018 by the City Council of the City of Lake Elmo, Minnesota.



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Mike Pearson, Mayor

ATTEST:



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Julie Johnson, City Clerk