

RESOLUTION

A RESOLUTION GRANTING A SIMPLE LOT DIVISION FOR ELIZABETH L. ORCHARD

WHEREAS, Elizabeth L. Orchard owns certain land in the City of Lake Elmo legally described as follows, to-wit:

Lots 588 through 595 and Lots 544 through 549 and that portion of Lots 550, 551 and 587 lying north and east of a line running from the southeast corner of said Lot 587 to the northwest corner of said Lot 550, and also all that part of vacated DEMONTREVILLE BEACH which lies southerly and southeasterly of a northeasterly extension of the northwesterly line of said Lot 595 and which lies northerly of an easterly extension of a line running from said northwest corner of Lot 550 to said southeast corner of Lot 587 all in LANE'S DEMONTREVILLE COUNTRY CLUB according to the plat thereof on file and of record in the Office of the County Recorder, Washington County, Minnesota.

WHEREAS, said Elizabeth L. Orchard has made application to the City of Lake Elmo to have the above described parcel approved by the City Council as a legally subdivided parcel; and

WHEREAS, at the time of said application, the above described parcel was not a separately described parcel of record; and

WHEREAS, the City of Lake Elmo Planning Commission considered this application and recommended approval of same at their meeting of October 28, 1982.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lake Elmo as follows, to-wit:

1. The application of Elizabeth L. Orchard for a subdivision of the above described parcel be and the same hereby is granted.

2. In the granting of this subdivision, the City Council also grants the applicant two variances. The first variance is the lot width and frontage on a public street requirement as set forth in Ordinance No. 301.070 and 307.010 in that the actual width of said lot is 119.88 feet.

3. The City Council also grants a variance to the applicant of the lot size requirement set forth in Section 301.090 and

15-1

307.010 of the City Code. The lot size of the parcel in question is .83 acres where one and one-half acres is required by the Ordinance.

4. In the granting of this subdivision, the City Council considered the following unique circumstances:

- a. The Lots created by this subdivision exceed the average size for other lots in the area.
- b. Land on this lot would be higher in elevation than land in many other lots in the area.
- c. The parcel created was an existing tax parcel at the time of the purchase and met the provisions of the City Code at that time.
- d. This subdivision is not a precedent for the other two-acre parcels as it was once two parcels of record with only one of the parcels being homesteaded by the Orchards.
- e. No negative comments or responses from the owners of the surrounding property was received by the City Council.

ADOPTED, this the 1st day of February, 1983, by the City Council of the City of Lake Elmo, Washington County, Minnesota.

SIGNED:

*Maynard L. Eder*  
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Maynard L. Eder, Mayor

ATTEST:

*Laurence E. Whittaker*  
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Laurence E. Whittaker  
City Administrator

ENTERED IN TRANSFER RECORD  
WASHINGTON COUNTY, MINNESOTA

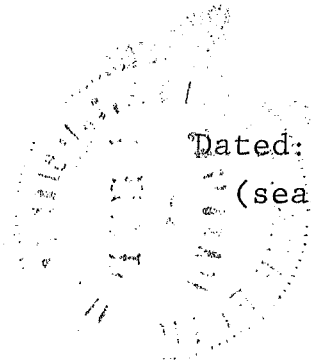
*Mar. 22 1983*  
\_\_\_\_\_  
T. R. GREEDER, AUDITOR

BY *Emilie M. Carlson*  
\_\_\_\_\_  
DEPUTY

STATE OF MINNESOTA )  
COUNTY OF WASHINGTON) ss  
CITY OF LAKE ELMO )

I hereby certify that I have compared the attached copy of Resolution R-83-23 with the original thereof in the records of my office and I find said copy to be a true, correct and complete copy of the Resolution adopted February 1, 1983, by the City Council, City of Lake Elmo.

*Laurence E. Whittaker*  
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Laurence E. Whittaker  
City Administrator



Dated: March 17, 1983  
(seal)