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RESOLUTION NO. 93-8

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

A RESOLUTION GRANTING A MINOR SUBDIVISION
WITH A VARIANCE TO KEITH AND ELAINE RALEIGH

WHEREAS, Keith and Elaine Raleigh was granted a rezoning from Agricultural (A) to Rural Residential (RR) on a parcel of land consisting of approximately 40 acres; and

WHEREAS, Keith and Elaine Raleigh made application to the city for a minor subdivision pursuant to Section 401.042 of the Lake Elmo Municipal Code of the following described parcel of land:

That part of the North Half of the North Half of the Southwest Quarter of Section 2, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota.

WHEREAS, the Planning Commission considered this request at a regular scheduled meeting on January 11, 1993 and conditionally recommended approval of the requested minor subdivision; and

WHEREAS, the City Council held a public hearing on January 19, 1993 to consider the requested variances for the minor subdivision.

NOW, THEREFORE, BE IT RESOLVED, that a minor subdivision described as follows, is hereby granted to Keith and Elaine Raleigh:

Parcel D

The North Half of the Northwest Quarter of the Southwest Quarter of Section 2, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota. This parcel contains 19.86 acres, more or less, and is subject to the right-of-way of Keats Avenue North and is also subject to a 30.00 ft. wide driveway easement over and across the south 30.00 feet of said North Half of the Northwest Quarter of the Southwest Quarter.

Parcel E

The North Half of the Northeast Quarter of the Southwest Quarter of Section 2, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota. This parcel contains 19.88 acres, more or less, and is together with a 30.00 ft. wide driveway easement over and across the south 30.00 feet of the North Half of the Northwest Quarter of said Southwest Quarter of Section 2.


BE IT FURTHER RESOLVED, that this minor subdivision and variance to Section 301.090 I of the zoning code are granted subject to completion of the following requirements prior to the issuance of a building permit for Parcel E:

1. Payment of a park dedication fee in the amount of \$700 for Parcel E.
2. Preparation and submittal of a restrictive covenant which guarantees access from Keats Avenue to Parcel E and that the restrictive covenant be reviewed by the City Attorney prior to issuance of the building permit for Parcel E.
3. The owner of Parcel E execute an agreement which indicates that the current access to Keats Avenue would be vacated and the area of the access would be restored if a publicly dedicated and improved road is constructed to the East of Parcel E.
4. The width of the access shall be 30 ft. and the improved surface of the access will be at least 5 ft. north of the south property line of Parcel D. The 5 ft. strip will be maintained as a green area.
5. The plans and specs for the construction of the access drive will be submitted to the city engineer for review, and costs incurred by the city for engineering review be paid by the property owner.

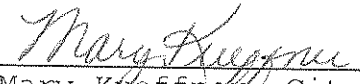
BE IT FURTHER RESOLVED, that the lots created by the Minor Subdivision shall be treated equally for the purpose of special assessments on future public improvement projects and that there be no further resubdivision of Parcel E unless such property is served by a publicly dedicated and improved roadway.

ADOPTED this 2nd day of February, 1993 by the Lake Elmo City Council.

Signed:


Wyn John, Mayor

Attest:


Mary Kueffner, City Administrator