

RESOLUTION NO. 93-66

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

A RESOLUTION ALLOWING AN ACCESSORY STRUCTURE
TO BE LOCATED BETWEEN THE PUBLIC ROAD
AND THE PRINCIPAL STRUCTURE

WHEREAS, the property owner, Myron Wendt, has submitted a request for a building permit to place a garage closer to the street than the existing home;

WHEREAS, Section 301.130.C.9 states no detached garage or other accessory buildings in residential districts shall be located nearer the front lot line than the principal structure provided that the physical conditions of the lot required such a location, as indicated in the site plan, and a resolution is issued;

WHEREAS, the applicant has demonstrated the location of the proposed accessory structure best fits the physical condition of the lot and;

WHEREAS, the detached garage should set back 40 feet from 32nd Street.,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO, MINNESOTA in accordance to Section 301.130.C.9 the city council hereby authorized the staff to issue a building permit for a garage to Myron Wendt, 11306 32nd St. N.

ADOPTED this 7th day of September, 1993 by the City Council of the City of Lake Elmo, Washington County, Minnesota.



Wyn John, Mayor

ATTEST:



Mary Kueffner, City Administrator

M/S/P Conlin/John - to direct the city administrator to send a letter to the City of Oakdale informing them of Lake Elmo's motion and request the City of Oakdale delay action until we had a chance to take official action.. (Motion passed 4-0).

John Bodey, adjacent neighbor, said he represents his wife and neighbors; such as Lorraine Olson Annette Pierre and Rose Armstrong, who have indicated they would not sign any petition that would remove their property from Lake Elmo. There is a meeting scheduled before the Oakdale City Council on Tuesday, December 27, 1994 where Armstrong Farm will make its presentation for annexation. Bodey hoped the city would have someone there to represent the city. He hoped the city would continue to work with the Armstrongs to alleviate this non conforming use.

C. Request to withdraw Genie Arabians Inc. request for rezoning and Conditional Use Permit

In September, 1992, the City Council conditionally approved a rezoning from RR to AG and a CUP for Genie Arabians, Inc. who has proposed a stable operation on the property located at the Northwest corner of County Road 10 and County Road 19. At the applicant's request, neither the rezoning nor the CUP would be recorded unless they completed the purchase of the land.

The City received a formal written withdrawal, dated November 11, 1994, of Genie Arabians Inc.'s request for the rezoning. The ordinance 8070 rezoning the property has never been published, nor has the Resolution (92-19) ever been recorded.

M/S/P Conlin/Mottaz - that the action taken by the City Council on September 1, 1994 relating to Ordinance 8070 (rezoning from RR to AG) and Resolution 92-19 approving a stable operation is null and void based on the request of Genie Arabians Inc. in a letter dated November 11, 1994. (Motion passed 4-0).

D. Request to withdraw Driscoll & Daughter's request for Conditional Use Permit for Recording Studio

In August, 1993, the City Council adopted Ordinance 8087 amending the uses permitted by Conditional Use Permit in the Agricultural Zoning district to include Recording Studios which was done in response to the application of Driscoll & Daughter/Lenny Hansen. The Council also adopted Resolution 93-65 granting the CUP to Driscoll and Daughter for a Recording Studio. The applicants asked that the CUP be approved; contingent upon the successful purchase of the Lenny Hansen property on I-94. The ordinance was published, but the resolution was never recorded with Washington County.

The City received a formal request, dated October 10, 1994, from Richard Driscoll for withdrawal of a CUP for a recording studio at 10824 Hudson Blvd.

M/S/P Conlin/John - to direct the Planning Commission to investigate if it wants to continue to allow recording studios as a Conditional Use in Ag zoning district. (Motion passed 4-0).