

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

RESOLUTION NO. 99-24

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT
FOR SINGLE FAMILY ATTACHED STRUCTURES
FOR THE PREVIOUSLY APPROVED DUPLEXES IN PRAIRIE HAMLET**

WHEREAS, the Lake Elmo City Council adopted a Conditional Use Permit for duplexes in Prairie Hamlet on April 15, 1997;

WHEREAS, the Lake Elmo Planning Commission considered a request by Robert White, the developer, to amend the Conditional Use Permit regarding duplexes instead to allow Single Family Attached structures;

WHEREAS, the Lake Elmo Planning Commission at a Public Hearing on March 8, 1999 reviewed and recommended approval of an amendment to the Conditional Use Permit/OP Plan to substitute Single Family Attached structures based on the following findings:

1. Home ownership is generally more conducive to retaining rural character of a community than rental occupancy.
2. Home ownership of the approved two family structures as Duplexes (per the definition of Section 150 of the City Code) could only be accomplished through a condominium legal structure.
3. The family structures are not sufficiently contiguous and too few in number to result in the long-term success of a condominium legal structure.
4. Amending the Conditional Use Permit to allow Single Family Attached structures as a substitute for Duplexes is in the long term best interests of the City and the future owners of those structures.
5. The Conditional Use Permit amendment is in compliance with the standards for Conditional Use Permits prescribed by Section 300.06 of the Lake Elmo City Code.

WHEREAS, the Lake Elmo Planning Commission recommended approval of the amendment of the Conditional Use Permit as follows:

1. Amend the 1997 Conditional Use Permit for Lots 2&3, Block 3 and Lots 1&2, Block 1 in Prairie Hamlet to Single Family Attached, as defined by Section 150 of the City Code.
2. Amend Condition #2 of the Conditional Use Permit for Prairie Hamlet, adopted by the Council on April 15, 1997, by deleting the sentence prohibiting side-by-side units, and substituting a sentence specifying that the drawings dated and signed by the City Planner shall represent the only design permitted on the two family lots.
3. Delete Condition #5 of the Conditional Use Permit for Prairie Hamlet, adopted by the Council on April 15, 1997, to permit division of Lots 2&3, Block 3; and Lots 1& 2, Block 1 consistent with the 1999 graphics.

NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council does hereby approve an amendment to the Conditional Use Permit, adopted by the Council on April 15, 1997, to substitute Single Family Attached structures for the previously approved Duplex structures based on the Planning Commission Findings and Conditions at its March 22, 1999 meeting.

ADOPTED, by the Lake Elmo City Council on April 6, 1999.

ATTEST:

Lee Hunt, Mayor

Mary Kueffner, City Administrator