

**City of Lake Elmo
Washington County, Minnesota**

Resolution No. 2005-095

**A RESOLUTION GRANTING A
COMPREHENSIVE PLAN AMENDMENT AND REZONING
GUIDING LAND USE FROM RAD TO RED AND REZONING FROM
RR TO RE TO J.P. BUSH HOMES AND BARBARA BERQUIST**

WHEREAS, J.P. Bush Homes and Barbara Berquist have made application to the City of Lake Elmo for a Comprehensive Plan Amendment, amending the land use guiding from RAD to RED and subsequently rezoning from RR to RE for the following parcel of land; to wit:

Parcel Legal Description

The Southwest Quarter of the Northwest Quarter of Section 14, Township 29 North, Range 21 West, except the Westerly 33 feet thereof, and except the North 660.00 feet of the East 660.00 feet of the Southwest Quarter of the Northwest Quarter, and also excepting a tract of land for roadway 66 feet in width (North to South), the South line of which is described as follows: Commencing at the intersection of the centerline of Old Minnesota State Trunk Highway 212 (now known-as Meadowlark Lane) and the East line of the Northwest Quarter of the Southwest Quarter of said Section 14, thence North along said East line a distance of 766.9 feet to a point on the East and West Quarter line of said Section, said point being the East termination point of the said South line of said roadway, running thence West on said East and West Quarter Section line 461.2 feet to the West termination point of said South line of said roadway.

WHEREAS, the Lake Elmo Planning Commission considered this Comprehensive Plan Amendment request at its July 25, 2005 and August 22, 2005 meetings, and recommended that the Comprehensive Plan Amendment and Rezoning be granted.

WHEREAS, the Comprehensive Plan Amendment request was presented to the City Council at its September 6, 2005 City Council Meeting where the following Finding was made:

The Comprehensive Plan Amendment proposed does reflect a change in conditions related to the City zoning ordinance structure that impacts this site.

The reguiding of this site from RAD to RED is adequately supported and warranted.

NOW, THEREFORE, BE IT RESOLVED that a Comprehensive Plan Amendment is hereby granted by the City Council to J.P. Bush Homes and Barbara Berquist.

BE IT FURTHER RESOLVED, that this Comprehensive Plan Amendment is granted subject to the following condition:

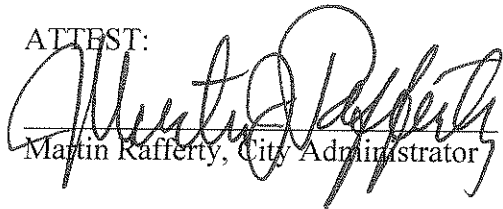
1. Subject to review by the Metropolitan Council.

ADOPTED by the Lake Elmo City Council this 6th day of September, 2005.



Dean Johnston, Mayor

ATTEST:



Martin Rafferty, City Administrator