

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

COPY

RESOLUTION NO. 2007-037

**A RESOLUTION DENYING THE REQUEST FOR CONDITIONAL USE
PERMIT AMENDMENT ORIGINALLY APPROVED IN RESOLUTION NO.
2005-086 FOR DISCOVER CROSSING**

WHEREAS, the City Council approved the OP Development Stage Plan, Preliminary Plat, and Conditional Use Permit for Discover Crossing by Resolution No. 2005 - 86 and,

WHEREAS, the applicant requested modification of the OP dimensional standards pursuant to Section 301.06 Subd. 2 I of the City Code to allow side yard setbacks on all lots of ten feet on interior lot lines and five feet on exterior lot lines in the Discover Crossing development; and,

WHEREAS, no specific Findings or action was taken by the City Council regarding those requested modifications a the time of Development Stage Plan, Preliminary Plat, and Conditional Use Permit approval.

NOW, THEREFORE, BE IT RESOLVED that the Lake Elmo City Council hereby does make the following Findings regarding the requested OP dimension modifications:

1. The requested modifications would negatively impact the ability to protect the properties, therefore, public safety is a concern.

BE IT FURTHER RESOLVED, that the Lake Elmo City Council hereby denies the application for reduced side yard setbacks for all lots within the Discover Crossing OP development to be a minimum of ten feet on interior lot lines and five feet on exterior lot lines.

ADOPTED, by the Lake Elmo City Council on the 1st day of May, 2007.

Dean A. Johnston, Mayor

ATTEST:

Susan Hoyt, City Administrator