

AGENDA--PLANNING & ZONING COMMISSION  
CITY OF LAKE ELMO, MINN. 55042

MEETING TO BE HELD TUESDAY, DECEMBER 14, 1976.

- 7:30 P.M. -- Meeting convenes  
Roll Call  
Approval of Minutes
- 7:40 P.M. -- Hearing--Don Raleigh File  
Minor subdivision-located in Meiers Park, 3rd. Addition
- 8:15 P.M. -- Mr. Don Erie  
Requests Variance for garage to be built  
at 10865-32nd. St. No.
- 9:00 P.M. -- Hearing--A. B. Schaefer,  
Minor subdivision--approx. 20 acres in Section 1  
(E 1/2-NW of NE)
- 9:30 P.M. -- Mr. Frank Leier--8490 Demontreville Trail(777-8652)  
Preliminary Plans for subdividing acreage in  
Section 4.

ITEMS FOR DISCUSSION:

- Sketch Plan Review--Eden Park 2nd Add.  
and set date of Public Hearing --- Midwest Planning
- Report from VBWS minutes regarding Demontreville Highlands.
- Discuss Subdivision Ordinance.

CITY OF LAKE ELMO

PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING OF DECEMBER 14, 1976

Meeting called to order by Chairman Grace at 8 PM.

Roll Call: Dreher, Johnson, Torseth, Grace, Crombie, Lundquist, Armstrong, (9:45), Midwest Planning, Tom Loucks

Minutes: Motion by Lundquist to approve the minutes of November 22, 1976 Seconded by Johnson. Motion carried 6-0

Don Raleigh: Hearing on Minor Subdivision located in Meiers Park, 3rd Add. Bruce Folz, representing Mr. Raleigh, reviewed and explained Mr. Raleighs' request and described the property in question.

Included in Mr. Raleighs' application for variance, of 1/10 A, is the request that the remaining 1.2 A parcel, owned by Mrs. Gladys Johnson, can be split into two pieces, one being 6/10 A.

Todd Williams was opposed to this division for the following reasons: 1) A variance is required and given only under demonstration of hardship. 2) No  $\frac{1}{2}$ A lots have been established, in the Old Village, since the 1A ordinance went into effect. 3) If the 6/10 A ordinance is established than others, who own  $\frac{1}{2}$  A lots, also have buildable lots.

Mr. Williams has no objection to Don Raleighs 1/10 A request, but requests the PZC deny the request, as relates to the subdivision of the remaining parcel.

Motion by Lundquist that the PZC recommend to the City Council, that the 1/10 A, which is to be attached inseperably to Lot 4, Meiers Park 3rd Addition, be approved and deeded to Don Raleigh, and the division of the 1.2A parcel be approved when sanitary sewer is available. Seconded by Dreher. Motion carried 6-0

Don Erie: Variance of garage at 10865 32nd St. No. Lake Elmo The PZC discussed Mr. Eries' request. Mr. Erie will need to file an application for variance.

A public hearing was set for December 27, 1976. Don Raleigh is to set the time.

A. B. Schaefer: Hearing for Minor Subdivision and Variance Bruce Folz, representing Mr. Schaefer, explained his application for a minor subdivision and variance in order to divide a 15.2 acre tract into three lots of approximately 5 acres each. This subdivision is located on T.H. 36 at the planned intersection of Lisbon Avenue North.

A. B. Schaefer (cont'd): The applicant has requested a "minor" subdivision as per Section 905.01 of the Subdivision Ordinance. He also requested variance from park dedication requirements (Section 902.03). Lastly, he has requested a variance to Section 909.02, relating to the requirement of improved public street access to each subdivided lot. In requesting this variance, the applicant has proposed to deed the eastern 60 feet of the total tract to the City for road right-of-way, agreeing to build a driveway in this road easement and to maintain it until such time as the City proceeds to upgrade the road (designated Lisbon Avenue No.).

After discussion of the above Chairman Grace closed the hearing at 9:45.

Motion by Torseth that the PZC recommend approval of:

- 1) the minor subdivision as per Section 905.01 of the Subdivision Ordinance.
- 2) the variance from the park dedication requirement as per Section 902.03
- 3) a Special Use Permit to vary Section 909.02, as relates to the requirements of an improved public street, to each subdivided lot, provided the subdivider agrees to do the following:
  - a) grant the City an option to acquire full right-of-way for public street purposes along the entire length of the private road, at such time as the City Council in its sole discretion determines that it is in the public interest to acquire the same, and without any cost to the City.
  - b) grant the City the right to use such private road for any reasonable public purpose including, but not limited to, travel by emergency vehicle and installation of public utilities and conveniences.
  - c) preparation of a covenant enforceable by the City and running with the land whereby he and subsequent owners of land abutting said private road are bound to maintain such road, at all times, in a condition suitable for use by emergency vehicles.

Seconded by Crombie. Motion carried 5-1. Johnson opposed.

Frank Leier: Preliminary Plans for subdividing acreage in Section 4  
Mr. Leir has an option on 40 acres north of Lake Jane, presently owned by Howard and Gaylan Springborn.

Mr. Leir would like a variance to rezone the property from Agriculture to SFU, in order to divide it into 1 acre lots

It was recommended that a copy of his preliminary plans be submitted to the VBWS for review.

A Public Hearing was set for January 11, 1977 at 8 PM.

