

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

ORDINANCE NO. 08-039

*AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FOR TWO PROPERTIES
OFF OF 27TH AND 28TH STREET FROM RURAL RESIDENTIAL TO R-1; PID: 21-029-21-14-
0003 AND 21-029-21-14-0002*

Section 1. Amendment: Section 154.032 of the “Zoning District Map” of the Lake Elmo Municipal Code is amended to rezone property from RR to R-1, based on conformity with the Comprehensive Plan, owned by Lake Elmo Bank, legally described as identified in Attachment A. PIDs: 21-029-21-14-0003; 21-029-21-14-0002

Section 2. Findings

- 1) That the procedures for obtaining said Zoning Map Amendment are found in the Lake Elmo Zoning Ordinance, Section 154.020.
- 2) That all the submission requirements of said 154.020 have been met by the Applicant.
- 3) That the proposed zoning map amendment is to allow the rezoning of two currently vacant properties from Rural Residential to R-1, thereby reducing the minimum lot size from ten acres to one and a half acres with the intention to work towards making two buildable lots for single family residential structures.
- 4) That the Zoning Map Amendment will be located on property with the PIDs: 21-029-21-14-0003 and 21-029-21-14-0002, formerly known as 2742 Ivy Ave. The full legal description is attached as Attachment A.
- 5) The proposed rezoning is in conformance with the Comprehensive Plan. *The Future Land Use Plan in the approved Comprehensive Plan guides this property as “NC” – Neighborhood Conservation. The R-1 zoning district, which is what the applicant’s are requesting, corresponds to the NC land use designation and is therefore in conformance.*
- 6) The R-1 zoning district would not change the essential character of the neighborhood. *Single family residential neighborhoods exist to the west and northeast of the applicant’s two properties. The two properties requested for rezoning are, in general, slightly larger than the then existing built lots. The proposed rezoning may allow a single family residential home to be built on each of the two properties which would be in conformance with the current use of the both adjacent neighborhoods.*

Section 3. Conclusions and Decisions:


Based on the foregoing, the Applicants' application for a Zoning Map Amendment is granted subject to the following conditions:

- 1) The applicants must provide documentation to the satisfaction of the City Attorney that all property line discrepancies are resolved.
- 2) Any future building permit is subject to a full review at the time of submission. Staff can not determine definitively at this time, and without additional information and proposed site plans, that each of the two properties is suitable for single family residential homes.
- 3) The existing driveway must be removed from the northern property. All future access for both properties shall be from 27th Street North.
- 4) The applicants shall provide a driveway access easement for a proposed shared driveway, which shall include any ancillary snow storage areas deemed necessary by the Public Works Director.
- 5) The applicants or future property owners are encouraged to work with the City and the Valley Branch Watershed District on a potential land trade.

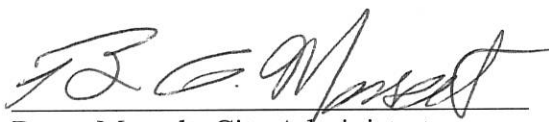
The City Council of the City of Lake Elmo also hereby ordains that the Zoning Administrator shall make the applicable changes to the official zoning map of the City of Lake Elmo.

Section 4. Effective Date: This ordinance shall become effective upon passage and publication, according to law.

This Ordinance No. 08-039 was adopted on this 1st day of March 2011, by a vote of 4 Ayes and 0 Nays.


Dean A. Johnston, Mayor

ATTEST:


Bruce Messelt, City Administrator