

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2016-04**

**RESOLUTION APPROVING A REQUEST FOR MINOR SUBDIVISION
(PRELIMINARY AND FINAL PLAT) AND EASEMENT VACATION AT
9651 83RD STREET NORTH, GRANT, MINNESOTA**

WHEREAS, Tom Dornack (“Applicant”) has submitted an application for a Lot Line Combination and Rearrangement, a subsection of the Minor Subdivision process, for the property located at 9651 83rd Street North in the City of Grant, Minnesota; and

WHEREAS, the Applicant has made a concurrent request to vacate certain right-of-way and utility easements which were dedicated with the previous platting of a portion of the subject property; and

WHEREAS, a portion of the subject property was previously platted into nine (9) smaller rural residential lots in the 1960s and such lot sizes no longer comply with the City’s ordinances and standards; and

WHEREAS, such non-conforming lots also include a right-of-way easement and utility easements along the lot lines; and

WHEREAS, the lot line rearrangement and combination would result in the creation of two (2) legally conforming lots, and would eliminate the non-conforming lots which were created during the previous platting process; and

WHEREAS, vacation of the right-of-way and utility easements associated with the previous non-conforming plat will clean up the legal description and encumbrances on the subject property and result in the creation of conforming lots; and

WHEREAS, the City Council for the City of Grant has considered the application and held a duly noticed public hearing at its December 1, 2015 City Council meeting;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of Tom Dornack for a lot line rearrangement and combination and vacation of certain right-of-way and utility easements as described in Chapter 30, based upon the following findings pursuant to Section 30-4 of the City's Subdivision Ordinance. The City Council's Findings relating to the standards are as follows:

- The lot line rearrangement and combination will not negatively affect the physical characteristics of the lots or the neighborhood.
- The proposed lot line rearrangement conforms to the city's comprehensive plan.
- The lots resulting from the lot line rearrangement will meet all standards and requirements for lot dimensions, and size as described in Section 32-246.
- The rearrangement will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood.
- The vacation of certain right-of-way will not negatively impact access to the subject property or adjacent properties and is not a part of the City's long term transportation plan.
- The vacation of the utility easements will not negatively affect the subject property, resulting lots or adjacent properties associated with the Wake Robin Acres subdivision.

FURTHER BE IT RESOLVED that the following conditions of approval of the lot line rearrangement and combination shall be met:

- Any future development of Lots 1 and 2, Dornack Addition as described on the Final Plat shall be subject to all rules and regulations in place at the time of application, which shall include, but not be limited to lot line setbacks, wetland setbacks and accessory building standards.
- All future development of Lot 1 shall require acquisition of a building permit to construct a principal building, and Certificate of Compliance, if necessary.
- The Applicant shall submit the mylars for the final plat and any other information requested by the City Attorney to effectuate the recording of the final plat and easement vacations as approved.

Adopted by the Grant City Council this 5th day of January 2016.

Tom Carr, Mayor

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on _____, 2016 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this _____ day of _____, 2016.

Kim Points
Clerk
City of Grant