



CITY of ORONO

RESOLUTION OF THE CITY COUNCIL

NO. 3308

A RESOLUTION APPROVING THE PLAT OF LAURANNE WOODS SECOND ADDITION FILE NO. 1762

WHEREAS, the City of Orono is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Orono has adopted subdivision regulations for the orderly, economic and safe development of land within the City; and

WHEREAS, the City Council has considered the application for a subdivision by Paul W. Boyke, the subdivider; and

WHEREAS, on December 14, 1992, the City Council approved Resolution No. 3212 granting preliminary approval for a plat at 793 North Ferndale Road; and

WHEREAS, the proposed plat contains two lots, each exceeding the 2.0 acre minimum lot area requirement of the RR-1B, Single Family Rural Residential Zoning District. Further, the property is located within the Shoreland Overlay District; and

WHEREAS, both lots will front on and access to a private driveway outlot to be platted as Outlot A, which abuts the privately owned and maintained outlot roadway informally known as Lydiard Road; and

WHEREAS, proposed Lot 1 abuts proposed Outlot A along Lot 1's east line, therefore the defined lot width of nonlakeshore Lot 1 is 310', meeting the 200' minimum requirement. Proposed Lot 2 is considered to be a lakeshore lot as it abuts Lydiard Lake, and has a defined lot width at the shoreline of 520' and at the 150' setback of the 350', therefore meeting the 200' width requirement; and

WHEREAS, it is intended that proposed Outlot A shall be privately owned and maintained as a private driveway serving Lots 1 and 2; and



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WHEREAS, a private cul-de-sac has been dedicated on the plats of Lauranne Woods and Janet Acres and the City has suitable underlying road and utilities easements such that no additional private/public roadway dedication is necessary; and

WHEREAS, Lot 1 is considered to be a nonriparian lot and shall have no legal riparian access to Lydiard Lake via easement or any other method. The granting of such easement would be a direct violation of Municipal Code Section 11.31, Subd. 4; and

WHEREAS, Lot 2 is considered as riparian to Lydiard Lake; and

WHEREAS, the grading and draining plans submitted by the applicant for construction of a future driveway to serve Lot 2 have been accepted with minor modifications by the City Engineer. The driveway has been designed in detail to eliminate the negative impacts of driveway construction on the property to the south. As a result, existing and future drainage from the applicant's property shall be redirected away from the neighboring property; and

WHEREAS, both Lots 1 and 2 contain adequate primary and alternate drainfield sites to serve the intended use, and sites on both lots have been adequately protected from drainage concerns; and

WHEREAS, lot lines have been located so that existing residence and accessory structures on Lot 1 meet required lot line setbacks, and the building envelope within Lot 2 is adequate for development of a single family residence; and

WHEREAS, Lot 2 contains a wetland area located between the OHW and the open water shoreline of Lydiard Lake. A Flowage and Conservation Easement encompassing that wetland area is currently in effect as granted with the underlying plat of Brooks Green in 1980; and

WHEREAS, while technically a hardcover variance in the 250-500' hardcover zone is required to allow Lot 2's driveway to cover approximately 50% of the 250-500' zone, the need for a hardcover variance can be effectively eliminated by reducing the allowed square footage of hardcover in the 75-250' zone by the square footage of excess hardcover in the 250-500' zone. The area of the 250-500' zone is 1,920 s.f. Proposed driveway is 1,100 s.f. in that



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zone. Hardcover allowed in the 250-500' zone is 30% or 576 s.f. The excess driveway hardcover is 524 s.f. The area of the 75-250' zone is 61,428 s.f. approximately. The allowable 25% hardcover in the 75-250' zone is 15,357 s.f. Subtracting the 524 s.f. excess hardcover in the 250-500' zone leaves 14,833 s.f. of allowed hardcover in the 75-250' zone, which is 24.15% of that zone; and

WHEREAS, the subdivider has completed all requirements of the platting regulations of the City, including:

1. Completion of all the requirements of Resolution No. 3212.
2. Creation on the plat of Outlot A to serve as a private driveway access for Lots 1 and 2.
3. Continuation of the pre-existing Flowage and Conservation Easement over the wetland areas between the OHW and the open water shoreline of Lydiard Lake.
4. Dedication to the City of a Drainage and Utilities Easement over the private driveway Outlot A.
5. Payment to the City of a park dedication fee in the amount of \$7,200.00.
6. Payment to the City of final plat legal review and filing fees of \$200.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Orono hereby approves the plat of Lauranne Woods Second Addition, Hennepin County, Minnesota, subject to the following conditions:

1. For Lot 2, to eliminate the need for a hardcover variance in the 250-500' zone, all driveway hardcover square footage in excess of the 30% allowable 250-500' hardcover shall be subtracted from the 25% allowance for the 75-250' zone. This is estimated to reduce the allowable hardcover in the 75-250' zone to approximately 24.15%.
2. Lot 1, containing the existing residence, is considered as a nonlakeshore lot and shall have no riparian access to Lydiard Lake via easement or any other method.



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3. Lot 2 shall have riparian access to Lydiard Lake and is considered a lakeshore lot.
4. Lots 1 and 2 shall access via Outlot A to the private road informally known as Lydiard Road. Prior to filing of the plat, applicant shall satisfy the City Attorney that newly created Lot 2 has legal access via private easements to North Ferndale Road, and shall be subject to whatever private road covenants exist for maintenance of said private road easement.
5. It is recommended that prior to the time that Lots 1 or 2 are sold, applicant create private covenants and easements for use, ownership and maintenance of Outlot A. Further suitable driveway easements between Lots 1 and 2 must be created by the property owner to allow necessary fill for the driveway on Lot 2 to occur at the southeast corner of Lot 1.
6. Driveway construction for Lot 2 need not be completed until such time that a residence is proposed to be constructed on Lot 2. At that time, driveway construction shall conform to the approved grading/drainage/driveway construction plan on file as modified by the City Engineer. Further, a driveway in Lot 2 shall include a loop or turnaround near the new residence, subject to the approval of the Building Inspector.
7. Any buildings constructed on Lot 2 shall meet the average lakeshore setback as shown on the preliminary plat drawings.
8. All existing and proposed drainfield sites shall be adequately protected during private driveway construction.
9. The aforesaid plat shall be filed by the City of Orono with the Hennepin County Recorder's Office on or before January 26, 1994 together with a certified original copy of this resolution and executed copies of the documents noted herein.

The approval granted by this resolution shall expire if the plat has not been filed by the date specified above. In that event it will be necessary to file a new application with the City of Orono for subdivision review.



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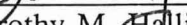
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Dated this 26th day of July, 1993.

ATTEST:

ATTEST:


Dorothy M. Hallin, City Clerk


Edward J. Callahan, Jr., Mayor

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me on this 26th day of July 1993 by Edward J. Callahan, Jr. and Dorothy M. Hallin, Mayor and City Clerk of the City of Orono, a Minnesota municipal corporation and said instrument was executed on behalf of the City.

Linda S. Vee
Notary Public

