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**RESOLUTION NO. 16-112-01**

**A RESOLUTION APPROVING A MINOR SUBDIVISION  
AS REQUESTED BY MARK MUNDAHL FOR THE PROPERTY  
LOCATED AT 6485 FOGELAMN ROAD**

WHEREAS, the City of Independence (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a Comprehensive Plan in 2010 to guide the development of the community; and

WHEREAS, the City has adopted a Zoning Ordinance and other official controls to assist in implementing the Comprehensive Plan; and

WHEREAS, Mark Mundahl (the “Applicant”) has submitted a request for a minor subdivision to subdivide the property into two lots (PID No. 10-118-24-44-0009) and located at 6485 Fogelman Road (the “Property”); and

WHEREAS, the Property is zoned RR-Rural Residential; and

WHEREAS, the Property is legally described as:

*Parcel A:*

*That part of Lot 5, Block 1, FRENCH HILL FARM THIRD ADDITION, Hennepin County, Minnesota, that lies West of the following described line:*

*Commencing at the Northwest corner of said Lot 5; thence on an assumed bearing of North 87 degrees 22 minutes 22 seconds East, along the North line of said Lot 5, a distance of 343.33 feet to the point of beginning of said line; thence South 14 degrees 01 minutes 25 seconds West, a distance of 657.14 feet to the South line of said Lot 5 and said line there terminating.*

*Parcel B:*

*That part of Lot 5, Block 1, FRENCH HILL FARM THIRD ADDITION, Hennepin County, Minnesota, that lies East of the following described line:*

*Commencing at the Northwest corner of said Lot 5; thence on an assumed bearing of North 87 degrees 22 minutes 22 seconds East, along the North line of said Lot 5, a distance of 343.33 feet to the point of beginning of said line; thence South 14 degrees 01 minutes 25 seconds West, a distance of 657.14 feet to the South line of said Lot 5 and said line there terminating.*

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;and

WHEREAS the requested minor subdivision meets all requirements, standards and specifications of the City of Independence subdivision and zoning ordinance for lots in the Rural Residential Zoning District; and

WHEREAS the Planning Commission held a public hearing on December 14, 2015 to review the application for a minor subdivision, following mailed and published noticed as required by law; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Mark Mundahl for a minor subdivision per the City's subdivision and zoning regulations with the following conditions:

1. The proposed minor subdivision meets all applicable criteria and conditions stated in Chapter V, Section 500, Planning and Land Use Regulations of the City of Independence Zoning Ordinance.
2. The Applicant shall provide to the City a final survey indicating the requisite drainage and utility easements and legal descriptions for both lots.
3. The Applicant shall execute and record the requisite drainage and utility easement with the county within six (6) months of approval.
4. The Applicant shall pay the park dedication fees in the amount of \$5,000 prior to the applicant receiving final approval to record the subdivision by the City.
5. The Applicant shall pay for all costs associated with the City's review of the requested subdivision.
6. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

This resolution was adopted by the City Council of the City of Independence on this 12<sup>th</sup> day of January, 2016, by a vote of \_\_\_ ayes and \_\_\_ nays.

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Marvin Johnson, Mayor

ATTEST:

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Mark Kaltsas, City Administrator

6485 Fogelman Road Subdivision