

RESOLUTION #25-04-07-06

**RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
APPROVING VARIANCE #V2-2025 TO ALLOW 0' SETBACKS, 76' MINIMUM LOT
WIDTH AND ALLOW A MAXIMUM LAND COVERAGE OF 63.7% FOR A LOT
SPLIT AT 100 2ND AVE SW IN THE I1-LIGHT INDUSTRIAL DISTRICT, AS
PROPOSED BY NEW PRAGUE MILL, LLC**

WHEREAS, New Prague Mill, LLC, owner of the following real estate in the County of Le Sueur to wit:

Parcel 1:

Lots 1, 2, 3, and 4 in Block No. 4, in the Village (now City) of New Prague, Le Sueur County, Minnesota.

Parcel 2:

Lot 4, Block 26, Syndicate Addition to New Prague, Le Sueur County, Minnesota, together with that part of the North half of the Vacated alley lying West of the Southerly extension of the East line of said Lot 4.

Parcel 3:

Block 22 of "Beans Re-Arrangement of Block 22 and 23 Syndicate Addition to New Prague".

Parcel 4: Block 23 of "Beans Re-Arrangement of Blocks 22 and 23 Syndicate Addition to New Prague", together with the vacated alley and the North half of vacated "L" street as shown on said Plat.

Parcel 5:

Lots 1 and 2, Block 23-1/2, of "Beans Re-Arrangement of Blocks 22 and 23 Syndicate Addition to New Prague", together with the South half of vacated "L" Street as shown on said Plat.

Parcel 6:

Commencing with the intersection of the County Road with the line of the right way of the M. & St. L. Ry. Co., on the East side of their track, thence running East 70 feet, thence South 356 feet to a point 75 feet East of the said right of way line, thence west 75 feet to said right of way,

thence running North 356 feet to the point of beginning, being in the NW1/4 of NW1/4 of Sec. 3-112-23, Le Sueur County, Minnesota.

Parcel 7:

The tract of land lying and being in the County of Le Sueur and State of Minnesota, described as follows, to wit: Beginning at a point on the North line of Section Three (3), Township One Hundred Twelve (112) North, Range Twenty-three (23) West, said point being distant East, One Hundred Fifty (150) feet, measured along said section line from the original centerline of the Railways main track; thence Southwardly Four Hundred Nine and Five-Tenths (409.5) feet, to a point distant Easterly Sixty-Seven and Ninety-seven Hundredths (67.97) feet, measured at right angles thereto, from said centerline of main track, thence Northwardly, parallel with said centerline of main track, Three Hundred Seven and One-Tenth, (307.1) feet; thence eastwardly at right angles, Three and Six Tenths (3.6) feet; thence Northwardly about One Hundred (100) feet to a point on said Section line distant West Sixty-Nine and Seventy-Three Hundredths (69.73) feet from the point of beginning; thence East, upon and along said Section line Sixty-Nine and Seventy-three Hundredths (69.73) feet to the point of beginning.

Parcel 8:

That part of the NW1/4 NW1/4 of Section 3, Township 112 North, Range 23 West, City of New Prague, Le Sueur County, Minnesota, described as follows: Commencing at the intersection of the centerline of main track of the Union Pacific Railroad Company and the North line of Section 3; thence N. 90 degrees 00 minutes 00 seconds E. (assumed bearing) along the North line of Section 3, a distance of 150.00 feet; thence S. 07 degrees 06 minutes 51 seconds W., 409.64 feet to a point distant 67.97 feet Easterly of and measured at right angles from the centerline of said main track; thence N. 04 degrees 22 minutes 30 seconds W., parallel with the centerline of said main track, 307.10 feet; thence N. 85 degrees 37 minutes 30 seconds E., 3.60 feet; thence N. 00 degrees 28 minutes 52 seconds E., 67.01 feet to the Southerly right of way line of State Highway No. 19 (Main Street); thence N. 90 degrees 00 minutes 00 seconds W., along said right of way line, a distance of 27.32 feet to a point distant 50.00 feet Easterly of and measured at right angles to the centerline of said main track; thence S. 04 degrees 22 minutes 30 seconds E., parallel with the centerline of said main track, 464.37 feet; thence N. 07 degrees 06 minutes 51 seconds E., 90.22 feet to the point of beginning.

is requesting a variance to allow 0' setbacks on Parcel A's north and west property line, and 63.7% maximum land coverage as well as a variance for Parcel B to have a 0' setback on the south and east property lines and a minimum lot width of 76', located at 100 2nd Ave SW in the I1-Light Industrial Zoning District, which is located on the above real estate; and,

WHEREAS, the New Prague Planning Commission has completed a review of the application and made a report pertaining to said request #V2-2025, a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 26th day of March, 2025, following proper notice held a public hearing regarding the request, and following due consideration of presented testimony and information, voted unanimously (4-0) to forward the matter to the City Council with a recommendation for approval subject to the findings and conditions contained in staff report #V2-2025; and,

WHEREAS, the New Prague City Council finds related to the variance:

- A. The requested variance is in harmony with the general purposes and intent of this Ordinance because industrial and commercial uses are allowed in the I-1 Light Industrial Zoning District.
- B. The requested variance is consistent with the comprehensive plan because minor subdivisions are consistent with land use goals in the comprehensive plan.
- C. The applicant will continue to use the property in a reasonable manner in that the variances are only needed to facilitate a minor subdivision.
- D. Unique circumstances apply to this property over which the applicant had no control and which do not generally apply to other properties in the same zoning district because the subject property is very large and unconventionally shaped and surrounded by a variety of different zoning districts and is also only necessary as the property is currently zoned I-1 Light Industrial which has more strict bulk requirements than the guided zoning of the property as downtown flex which will more closely resemble the existing B-1 Central Business District zoning which does not have setbacks, minimum lot size/width, or maximum building coverage requirements.
- E. The variance does not alter the essential character of the neighborhood because there are no physical changes being proposed but rather a minor subdivision.
- F. The variance requested is the minimum variance which would alleviate the practical difficulties because it would allow a portion of the property to be sold or the lot split would make it easier to finance and insure.
- G. A dedicated access easement agreement and shared parking agreement must be made, clearly defining the usages and access as well access to the shared domestic water service and fire protection system.

WHEREAS, the New Prague City Council approves the request with the following conditions:

- 1. A dedicated access easement agreement and shared parking agreement must be made, clearly defining the usages and access as well as access to the shared domestic water service and fire protection system and filed with Le Sueur County.

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, MN, that the variance #V2-2025 to allow 0' setbacks, 76' minimum lot width, and maximum land coverage of 63.7% for a lot split, located at 100 2nd Ave SW in the I1-Light Industrial Zoning District, is hereby **approved**.

This variance is approved effective immediately upon its passage and without publication.

Passed this 7th day of April 2025.

Duane J. Jirik, Mayor

State of Minnesota)
)ss.
County of Scott & Le Sueur)

(CORPORATE ACKNOWLEDGMENT)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2025.

Notary Public

Kyra J. Chapman
City of New Prague
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