

**RESOLUTION #24-12-16-04**

**RESOLUTION OF THE NEW PRAGUE CITY COUNCIL APPROVING  
VARIANCE (#V9-2024) TO ALLOW A 180 SQUARE FOOT FREESTANDING SIGN AT 100  
2<sup>ND</sup> AVE SW IN THE I1-LIGHT INDUSTRIAL DISTRICT, AS PROPOSED BY THE NEW  
PRAGUE MILL, LLC, NEW PRAGUE, MINNESOTA**

**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.

are requesting a variance to allow a 180 sq ft sign on the northeast corner of their property in the I1-Light Industrial District at 100 2<sup>nd</sup> Ave SW, which is located on the above-described real estate; and

**WHEREAS**, the New Prague Planning Commission has completed a review of the application and made a report pertaining to said request (#V9-2024), a copy of said report has been presented to the City Council; and,

**WHEREAS**, the New Prague Planning Commission on the 20th day of November, 2024, after due consideration of presented testimony and information, voted unanimously (3-0) to forward staff's recommendation to the City Council with a recommendation for approval; and,

**WHEREAS**, the New Prague City Council finds:

- A. The variance to allow freestanding signage to exceed 100 sq. ft. is in harmony with the general purposes and intent of the Zoning Ordinance because freestanding and electronic variable message sign are a permitted use in the I1-Light Industrial Zoning District.
- B. The proposed variance to allow freestanding signage is in harmony with the general purposes and intent of the Comprehensive Plan because freestanding signage is a permitted use in the I1-Light Industrial Zoning District.
- C. The applicant proposes to use the property in a reasonable manner by adding an additional 80 sq. ft. of freestanding signage over the typical ordinance allowed limit on a very large 5.83 acre site.
- D. Unique circumstances apply to this property over which the applicant had no control, and which do not generally apply to other properties nearby because the property very large (5.83 acres), therefore the bigger sign would help accommodate the large building size and the property is currently zoned as industrial rather than commercially zoned, which would better fit their current use.
- E. The variance does not alter the essential character of the neighborhood because freestanding signs are a permitted use in the I1 Light Industrial Zoning District as well as the B1 Central Business and B3 Highway Commercial Districts, which abut the property.
- F. The variance requested is the minimum variance which would alleviate the practical difficulties because it would adequately display the tenants that reside within the building and advertise community events so that it is legible for those who are walking or driving by.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of New Prague, Minnesota, that the request for variance #V9-2024 to allow a 180 sq ft sign in the I1-Light Industrial District at 100 2<sup>nd</sup> Ave SW, is hereby approved based on the above findings and the following conditions:

- 1. The electronic variable message sign cannot change more than once per ten (10) seconds.
- 2. The sign must be located outside the landscaping easement in the northeast corner.
- 3. The placement of the sign is allowed as shown on a site plan with the specific date and based on the design labeled “Sign Revision #2” with a brick base.

This Variance approval becomes effective immediately upon its passage and without publication.

Passed this 2<sup>nd</sup> day of December, 2024.

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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 \_\_\_\_\_, 2024.*

\_\_\_\_\_  
*Notary Public*

ATTEST: \_\_\_\_\_  
Joshua M. Tetzlaff, City Administrator

*State of Minnesota* )  
 )ss. *(CORPORATE ACKNOWLEDGMENT)*  
*County of Scott & Le Sueur* )

*Subscribed and sworn before me, a Notary Public this \_\_\_\_\_ day of \_\_\_\_\_, 2024.*

\_\_\_\_\_  
*Notary Public*

THIS INSTRUMENT DRAFTED BY:  
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