

**Board of County Commissioners  
Washington County, Minnesota  
Resolution No. 2004-099**

Date: September 14, 2004  
Motion by Commissioner Peterson

Department: Survey/Land Management  
Seconded by Commissioner Pulkrabek

---

**Resolution Approving a Rezoning Request  
Ordinance No. 169**

**WHEREAS**, Washington County is authorized to carry on County planning and zoning activities in the unincorporated areas of the County pursuant to MINN. STAT. CHAPT. 394; and

**WHEREAS**, the Washington 2015 Comprehensive Plan was adopted by the Washington County Board of Commissioners on April 22, 1997 and became effective October 1, 1997 as Washington County Ordinance No. 124 and was amended on March 26, 2002 to Washington County 2020 Comprehensive Plan.

**WHEREAS**, MINN. STAT. § 473.865 requires counties to adopt the official controls described in their Comprehensive Plan so as to implement the Comprehensive Plan; and

**WHEREAS**, the Washington County Development Code was adopted by the Washington County Board of Commissioners and became effective on October 20, 1997 as Washington County Ordinance No. 127; and

**WHEREAS**, Norman Lee Busse is the owner of a 20 acre parcel of property legally described as Part of the Southeast One Quarter of the Southwest One Quarter of Section 18, Township 30 North, Range 20 West, Stillwater Township, Washington County, Minnesota, which is located in an area zoned C-Conservancy under the Washington County Zoning Ordinance; and

**WHEREAS**, Mr. Busse has submitted an application to amend the Washington County Zoning Ordinance to change the land use designation and zoning from a C-Conservancy designation (2 dwelling units per 40 acres) to A-4, Agricultural (4 dwelling units per 40 acres).

**WHEREAS**, the request was referred to the Washington County Planning Advisory Commission which after holding a public hearing on July 27, 2004 recommended approval of the request; and

**WHEREAS**, on August 24, 2004, the Washington County Board of Commissioners, pursuant to a Notice of Intent to Adopt an ordinance to amend the Washington County Development Code conducted a public hearing on the request; and

**WHEREAS**, the records of the public hearing consist of the minutes of the Washington County Planning Advisory Commission of July 27, 2004 and the staff reports, correspondence, presentations by staff of Washington County Division of Survey and Land Management, Mr. Norman Lee Busse and members of the public; and

**WHEREAS**, the record indicates that in granting the requested amendment:

1. The proposed land uses and zoning would be in conformance with the Washington County Comprehensive Plan, A Policy Guide to 2020 and the Washington County Development Code.
2. The proposed densities of the site would be consistent with adjacent land uses, including the Agricultural zoning district to the north, east and west in Stillwater Township, and the TZ, Transitional zoning to the south.
3. The proposed zoning would not constitute spot zoning.
4. There would be vehicular access to the site.
5. The rezoning request to A-4, Agricultural zoning district would be an environmentally sound use of this property and there is no negative off-site impact, as a result of the rezoning.

**NOW, THEREFORE, BE IT RESOLVED**, that for the foregoing reasons, the request of Norman Lee Busse to amend the Washington County Development Code to rezone the parcel legally described as:

Part of the Southeast One Quarter of the Southwest One Quarter of Section 18, Township 30 North, Range 20 West, Stillwater Township, Washington County, Minnesota

is granted.

**BE IT FURTHER RESOLVED**, that the Washington County Zoning Administrator is directed to make the changes set forth in the Washington County Development Code and cause the same to be published and codified according to law and from and after the effective date of Amended Ordinance 169.

**ATTEST:**

**James R. Schug, County Administrator**

**Dennis C. Hegberg, Chairman, County Board**

	<b>YES</b>	<b>NO</b>
<b>HEGBERG</b>	<b>X</b>	
<b>KRIESEL</b>	<b>X</b>	
<b>PETERSON</b>	<b>X</b>	
<b>PULKRABEK</b>	<b>X</b>	
<b>STAFFORD</b>	<b>X</b>	

# Washington County Development Code Amendment

## Washington County Ordinance No. 169

### An Ordinance Amending the Washington County Development Code, Including Zoning Maps.

The Board of Commissioners of Washington County ordains:

- Section 1:** The Washington County Development Code be amended to rezone 20 acres of property legally described as Part of the Southeast One Quarter of the Southwest One Quarter of Section 18, Township 30 North, Range 20 West, Stillwater Township from C-Conservancy District to A-4, Agricultural Zoning District.
- Section 2:** The Washington County Zoning Administrator is hereby directed to amend the Washington County Development Code, including zoning maps, in accordance with the foregoing amendment.
- Section 3:** Effective date. This Ordinance shall be and is hereby declared to be in full force and effect after its passage and publication according to law.

Passed by the Board of County Commissioners of Washington County, Minnesota this 14<sup>th</sup> day of September, 2004.

Richard H. Stafford, Chair  
Washington County Board of Commissioners

Attest:  
James R. Schug  
Washington County Administrator

Approved as to form and legality:  
Linda C. Krafthefer  
Assistant Washington County Attorney