

**CITY OF GRANT
PLANNING COMMISSION MEETING**

Tuesday, August 21, 2018

6:30 p.m.

Town Hall

Please be courteous and turn off all electronic devices during the meeting.

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES: June 19, 2018
5. NEW BUSINESS
 - A. PUBLIC HEARING, Consideration of Minor Subdivision Application, 10361 110th Street N
 - B. PUBLIC HEARING, Consideration of Application for Lot Line Rearrangement, 6808 117th Street N
6. OLD BUSINESS
7. ADJOURN

****Immediately following the regular August Planning Commission, the Planning Commission will be a Comprehensive Plan Work Session****

PLANNING COMMISSION MEETING MINUTES CITY OF GRANT

June 19 2018

Present: John Rog, James Drost, Jeff Giefer, Jerry Helander, Jeff Giefer and Robert Tufty

Absent: Matt Fritze

Staff Present: City Planner, Jennifer Swanson; City Clerk, Kim Points

1. **CALL TO ORDER**

The meeting was called to order at 6:30 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA**

MOTION by Commissioner Schafer to approve the agenda, as presented. Commissioner Tufty seconded the motion. MOTION carried unanimously.

4. **APPROVAL OF MINUTES, May 15, 2018**

MOTION by Commissioner Giefer to approve the May 15, 2018 Minutes, as presented. Commissioner Helander seconded the motion. MOTION carried unanimously.

5. **NEW BUSINESS**

PUBLIC HEARING, Consideration of Minor Subdivision Application, 9411 Joliet Avenue North – City Planner Swanson stated the Applicant and Owner, Richard Bennett, is requesting a lot line rearrangement (minor subdivision) of the property located at 9411 Joliet Avenue North. There is an existing home, accessory structure, pool and tennis court located on the existing northerly parcel and the southerly parcel is currently vacant with no structures.

A duly noticed public hearing was noticed for June 19, 2018 at 6:30 PM, and letters were sent to individual property owners located within ¼-mile (1,320 feet) of the proposed subdivision.

The following staff report is provided for your review and consideration of the subject application:

Project Summary:

Owner &	Richard Bennett
---------	-----------------

Applicant:	
PID:	1503021410001 (23.06 Acres) 1503021410002 (19.98 Acres)
Address:	9411 Joliet Avenue North
Zoning & Land Use:	A-2
Request:	Lot Line Rearrangement (Minor Subdivision) to create Parcel A: 5.00 acres, and Parcel B: 38.04 Acres

The Applicant is proposing a Lot Line Rearrangement, a subsection of Minor Subdivision, to rearrange the existing parcels into a new 5.00 acre lot and a 38.04 acre lot that would include the existing homestead and accessory uses. A new single-family structure is denoted on the survey which is attached to this staff report. Full plans for the proposed home are not provided, however, the Applicant has submitted septic tests and supporting information that is consistent with the proposed lot configuration. The existing homestead and accessory uses on the larger parcel will remain and no alterations are proposed as part of this application.

The City's subdivision ordinance allows for minor subdivisions and lot line adjustments as defined in Section 30-9 and 30-10. The sections of the code that relate to dimensional standards and other zoning considerations are provided for your reference:

Secs. 32-246

City Planner Swanson advised there are two existing parcels associated with this application which are located northeast of the Joliet Avenue North and Dellwood Road North (State Highway 96) intersection. The southerly parcel is approximately 23.06 acres and is bordered on the south property line by Dellwood Road North, and the westerly property line is Joliet Avenue North and is the primary frontage of the parcel. The parcel in its current configuration has approximately 570-feet of frontage on Joliet Avenue North, and 1,391-feet of frontage on Highway 96. The existing lot is vacant with no structures or improvements currently on the parcel. Based on the National Wetland Inventory and available GIS data there is an existing wetland on the north-central portion of the property. The aerial, and survey, denote that much of the property is wooded, with extensive woodlands comprising the easterly half of the property, with what appears to be planted trees (primarily conifers) on the western half of the property.

The northerly parcel is approximately 19.98 acres and shares its south border with southerly parcel's north property line. The Applicants and Owners have an existing homestead on the northerly property located approximately 176-feet from the westerly property line. The existing homestead, accessory building, and accessory uses are all accessed from one driveway which connects to Joliet Avenue North on the property's westerly property line. The existing accessory building is approximately 3,500 square feet and is located to the northwest of the existing home. The parcel in existing configuration has approximately 660-feet of frontage along Joliet Avenue

North. Per the NWI and available GIS there is a wetland area located on the south-central portion of the property which extends onto the southerly parcel. The site is heavily vegetated on the eastern half of the property, as well as vegetated along the northerly property line.

The adopted Comprehensive Plan sets a maximum density of 1 unit per 10 acres in the A-2 land use designation. The proposed minor subdivision/lot line rearrangement of the total 43.04-acres results in no additional lots but will likely result in another home being constructed. The minor subdivision as proposed meets the density requirements as established in the comprehensive plan. Further, the intent of the A-2 land use designation is to promote rural residential uses, and the proposed subdivision/rearrangement is consistent with that objective.

The following site and zoning requirements in the A-2 district are defined as the following for lot standards and structural setbacks:

Dimension	Standard
Lot Area	5 acres
Lot Width (public street)	300'
Lot Depth	300'
FY Setback – County Road (Centerline)	150'
Side Yard Setback (Interior)	20'
Rear Yard Setback	50'
Maximum Height	35'

The proposed subdivision is depicted on Attachment B: Minor Subdivision. As shown the proposed subdivision would result in newly created Parcel A and Parcel B. The following summary of each created parcel is identified on the table below:

Lot Tabulation:

Parcel	Size	Frontage/Lot Width	Lot Depth
Parcel A	5.00 Acres	300.04'	726'
Parcel B*	38.04 Acres	924.17'	1,317.62'

**Frontage of Parcel B in non-contiguous based on lot configuration. That portion of the lot which provides access/frontage to the existing home contains approximately 1,224-feet of frontage on Joliet which is the calculated primary frontage for this analysis.*

As proposed, both created lots meet the city's dimensional standards for size, frontage/lot width and lot depth.

City Planner Swanson advised the existing homestead and accessory structures are located on proposed Parcel B and are subject to the city's setback requirements. The existing principal structure is setback approximately 1,010-feet from the right-of-way line (westerly property line) of Joliet Avenue North; 640-feet from the southerly right-of-way line of Highway 96; 175.7-feet

from the easterly property line; and 422-feet from the northerly property line. The accessory building is setback approximately 380-feet from the newly created property line of Parcel A; 252-feet from the northerly property line; and 750-feet from the westerly right-of-way line of Joliet Avenue North. ***The existing home and accessory building on Parcel B meet or exceed all City setback requirements.***

While it is unknown whether the proposed house location on Parcel A is conceptual, staff performed a review of the setbacks to determine whether the location as proposed would comply with the City's ordinances. As denoted on the Survey, the proposed home would be setback approximately 111.7-feet from the right-of-way line of Joliet Avenue North (westerly property line, and primary frontage); 129.8-feet from the northerly property line; 480.1-feet from the easterly property line; and 94.0-feet from the southerly property line. Additionally, though a formal wetland delineation has not been completed, a rough estimate of the wetland edge based on GIS information and topography suggests that the new home would be setback approximately 500-feet from the wetland area. As shown on the survey, the proposed home on Parcel A would meet or exceed all setback requirements. Since it is unclear whether this plan is conceptual, ***Staff would recommend including a condition that all new structures, accessory and principal proposed on Parcel A, will be subject to the city's setback requirements; and if an alternate location is proposed a wetland delineation may be required to ensure appropriate setbacks and wetland buffers are maintained.***

There is an existing driveway that serves the existing home on Parcel B, and there is currently no existing access to Parcel A. As denoted on the survey, a new driveway would be constructed to serve a new home when constructed on Parcel A. ***As depicted, the proposed driveway would meet the City's driveway standards and setback requirements.***

As previously stated there is one existing accessory building located on Parcel B which is approximately 3,500-square-feet. The rearrangement of the lot will result in Parcel B containing approximately 38.04 acres. Per Section 32-313 of the City's ordinance, parcels greater than 20-acres have no restriction on total size and number of accessory buildings. As such, the existing building, and any future accessory structures on Parcel B will comply with the City's ordinances and standards. There are no accessory buildings denoted on Parcel A as part of this application. The Applicant should be aware that accessory buildings on parcels between 3 and 4.99-acres a total square footage not to exceed 2,000 square-feet and a maximum of two (2) accessory structures are permitted. ***Staff would recommend including a condition that any future proposed accessory building(s) shall be subject to size and permitted number as stated within section 32-313 of the City's Zoning ordinance.***

The existing home is currently served by a septic system that will continue to be used for the existing homestead. Both the septic system and well are located on Parcel B. To demonstrate the buildability of Parcel A, the Applicant submitted septic/soil borings which were submitted to Washington County for their preliminary review. Based on the preliminary results it appears that

there is adequate area on Parcel A to install a septic system to support a new home, if and when, proposed. **Staff would recommend including a condition of approval that a septic permit must be acquired from Washington County prior to the city issuing a building permit for a principal structure on Parcel A.**

There is an existing well on Parcel B that will continue to be used for the property. Since Parcel A is vacant and no home is designed yet for the lot no well has been installed. **Staff would recommend including a condition that if and when a new home is proposed on Parcel A that the appropriate permits to install a well must be obtained prior to the city issuing a building permit.**

City Planner Swanson noted the Applicant contacted the Browns Creek Watershed District (BCWD) and discussed the proposed minor subdivision, including conceptual location of a new home on Parcel A. Based on the current location of the home, BCWD indicated that they would not have any concerns, but that proper erosion control permits would be required. Additionally, they noted that if the location of the proposed home were to shift further east, that additional information regarding the wetland (which may include a formal delineation) may be required. **Staff would recommend including a condition that if the location of the proposed home shifts east, that the Applicant is required to obtain proper permits and approvals based on the adjusted house location, if applicable.**

Staff is requesting a recommendation from the Planning Commission reflecting one of the following options:

- Recommendation to the City Council of Approval with Draft Conditions
- Recommendation to the City Council of Denial with Findings
- Continue the discussion to the next available Planning Commission, and request additional information from the Applicant, if applicable

If the Planning Commission recommends Approval, the following draft Conditions are provided for your consideration:

The following draft conditions are provided for your review and consideration:

1. All future structures and improvements, accessory and principal, must comply with the city's and BCWD wetland buffer setback requirements.
2. All future structures and improvements will be subject to the applicable setback rules and regulations in effect at the time of application.
3. A septic permit must be acquired from Washington County prior to the city issuing a building permit for a principal structure on Parcel A.

4. If, and when, a new home is proposed on Parcel A the appropriate permits to install a well must be obtained prior to the city issuing a building permit.
5. If the location of the proposed home on Parcel A shifts east, the Applicant shall be required to contact BCWD and the City to determine if a wetland delineation, or any other permit, is required prior to the City issuing a building permit for the lot.
6. A driveway access permit shall be obtained from the City's Building Official if, and when, a new principal structure is proposed on Parcel A.

City Planner Swanson noted the subdivision does not add to the lot count as there are already two PID's, or parcels. The borings did demonstrate there are two locations for the septic with a design to be determined at the time a home is built.

MOTION by Commissioner Schafer to open the public hearing at 6:43 p.m. Commissioner Tufty seconded the motion. MOTION carried unanimously.

MOTION by Commissioner Tufty to close the public hearing at 6:54 p.m. Commissioner Drost seconded the motion. MOTION carried unanimously.

MOTION by Commissioner Giefer to recommend approval of the Minor Subdivision Application, 9411 Joliet Avenue N, as presented. Commissioner Helander seconded the motion. MOTION carried unanimously.

This item will appear on the regular Council agenda June 28, 2018, 7:00 p.m.

6. OLD BUSINESS

There was no old business.

7. ADJOURNMENT

MOTION by Commissioner Tufty to adjourn the meeting at 6:45 p.m. Commissioner Schafer seconded the motion. MOTION carried unanimously.

Respectfully submitted,

Planning Commission Meeting Minutes
June 19, 2018

Kim Points
City Clerk

DRAFT

City of Grant
P.O. Box 577
Willernie, MN 55090



Phone: 651.426.3383
Fax: 651.429.1998
Email: clerk@cityofgrant.com

Application Date:	6-14-18
Fee: \$400	Escrow: \$4,000

*Pd 6/14/18 \$4,000.00 #5001
\$400.00 #5000*

MINOR SUBDIVISIONS

A minor subdivision is any subdivision containing not more than two lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property.

PARCEL IDENTIFICATION NO (PIN): 11.030.21.21.0003 LEGAL DESCRIPTION: 11.030.21.21.0004 <i>See attached Exhibit A</i>		ZONING DISTRICT & COMP PLAN LAND USE: A-2 LOT SIZE: 25.2 acres 0.82 acres
PROJECT ADDRESS: 10361-110th St No Stillwater, MN 55082	OWNER: David W. and Name: Barbara R. Black Address: 10361-110th St No City, State: Stillwater, MN 55082 Phone: 651-492-1998 Email: brblack5@yahoo.com	APPLICANT (IF DIFFERENT THAN OWNER):
DESCRIPTION OF REQUEST: <i>See attached Exhibit B</i>		
EXISTING SITE CONDITIONS: <i>See attached map Exhibit C</i>		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 1. Chapter 30; Section 30-9		

Submittal Materials

The following materials must be submitted with your application in order to be considered complete. If you have any questions or concerns regarding the necessary materials please contact the City Planner.

AP – Applicant check list, CS – City Staff check list

AP	CS	MATERIALS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan: <i>Technical drawing demonstrating existing conditions and proposed changes (Full scale plan sets shall be at a scale not less than 1:100)</i> <ul style="list-style-type: none"> ▪ North arrow and scale ▪ Name, address, phone number for owner, developer, surveyor, engineer ▪ Streets within and adjacent to the parcel(s) including driveway access points ▪ Topographic data at two (2) foot contour intervals and steep slopes ▪ Proposed lot sizes (with dimensions) indicating setbacks for newly created lots ▪ Buildable area with acres and square footage identified ▪ Wetland limits (delineation) ▪ Drainage plans ▪ Soil tests for the installation of an on-site septic system

Application for: MINOR SUBDIVISION
City of Grant

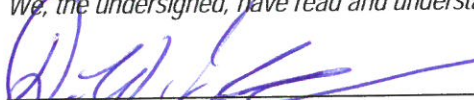
		<ul style="list-style-type: none"> ▪ Septic system and well location ▪ Building locations and dimensions with setbacks ▪ Vegetation and landscaping ▪ Wetland Delineation ▪ Shoreland classifications: waterbodies, Ordinance High Water Level, 100 year flood elevation, and bluff line ▪ Name of subdivision with lot and block numbers of property, if platted <p>COPIES: 20 copies (4 sets at 22" x 34" and 16 at 11" x 17" format)</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A <u>certificate of survey</u> , by a registered land surveyor for each parcel will be required. The survey must show newly created lots and the original lot, limits of any wetland, one acre of buildable area, and elevation of the building site above any lake, stream, wetland, etc.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have authority over your property for approvals and necessary permits.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within 1,320 feet, contact Washington County Surveyor's Office: (651) 430-6875
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Minor Subdivision submittal form completed and signed by all necessary parties
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$4,000

Review and Recommendation by the Planning Commission. The Planning Commission shall consider oral or written statements from the applicant, the public, City Staff, or its own members. It may question the applicant and may recommend approval, disapproval or table by motion the application. The Commission may impose necessary conditions and safeguards in conjunction with their recommendation.

Review and Decision by the City Council. The City Council shall review the application after the Planning Commission has made its recommendation. The City Council is the only body with the authority to make a final determination and either approve or deny the application for minor subdivision.

This application must be signed by ALL owners of the subject property or an explanation given why this not the case.

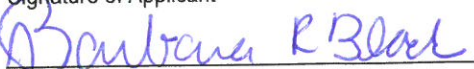
We, the undersigned, have read and understand the above.



Signature of Applicant

July 12, 2018

Date



Signature of Owner

July 12, 2018

Date

Minor Subdivision Application for David W & Barbara R Black

Exhibit A

Property Address:

10361 110TH ST N
STILLWATER MN 55082

Parcel 1 - PID # 11.030.21.21.0003

Legal description

The West 850 feet of the North 1390 feet of the East ½ of the Northwest ¼ of Section 11, Township 30, Range 21, except the West 275 feet of the East 1162 feet of the North 180 feet of the Northwest ¼ of Section 11, Township 30, Range 21 and except the South 175 feet of the North 355 feet of the West 200 feet of the East 1162 feet of the Northwest ¼ of Section 11, Township 30, Range 21.

Parcel 2 - PID # 11.030.21.21.0004

Legal Description

The South 175 feet of the North 355 feet of the West 200 feet of the East 1162 feet of the NW 1/4 of Section 11, Township 30, Range 21, according the United States Government Survey thereof Washington County, Minnesota

Exhibit B

10361-110th Street North

Parcel 1 -PID # 11.030.21.21.003 is 25.2 acres

The home and out-buildings are located somewhat in the center of the parcel. There is a prairie on northeast corner of the property and the attached map (Exhibit C) with photographic detail shows the pathways that are mowed through the approximately 4 acre prairie. There is an orchard with approximately 100 fruit trees located on the west edge of the property on approximately 1 acre. The orchard is located jjust west of the 50' x 84' pole building. There is also a large historic barn that has "leans" on three sides, a silo, and an adjacent riding ring on the north side of the barn. There are also several horse shelters and garden sheds located on the property.

Parcel 2 - PID # 11.030.21.21.004 is 0.82 acres and is located in the "notch" in the middle of the north boundary of parcel 1. .

We plan to combine the 25.2 acre parcel and the 0.82 acre parcel. The proposed 5 acre subdivision is located on the southwest corner of the property that borders on 107th Street and our neighbor to the west.

The home, barn, pole building, and the other small sheds and out-buildings would remain together on the remaining 21.2 acres.

Exhibit C

PIN 11.030.21.21.0004
 Owner BLACK DAVID W & BARBARA R
 Class Residential 0.82 acres



Proposed 5 acre lot Location

11.030.21.21.0003	25.2 acres
11.030.21.21.0004	.82 acres
	<hr/>
	26.02 acres

Combine 11.030.21.21.0003 and 11.030.21.21.0004

Subdivide 5 acres on SW corner

21.02 acres with Farmstead and out buildings
5.0 acre new "buildable" lot
<hr/>
26.02 acres

Logs of Soil Borings

Location of Project: 10361 110th St N Stillwater, MN 55082

Borings Made by Ben Zierke

Date: 5/17/2018

Hand bucket auger used for borings; USDA - SCS Soil Classification used.

Depth, in Inches	Boring Number 1	Depth, in Inches	Boring Number 2
0-----	-----	0-----	-----
0-12"	7.5YR 3/3 silt loam	0-10"	7.5YR 3/3 silt loam
12-28"	7.5YR 4/4 silt loam, fine mottles present at 24", obstruction at 28"	10-32"	7.5YR 5/4 silt loam, faint mottle at 22"
		32-42"	5YR 4/4 fine sand

End of boring at 2.3 feet
Standing water table:
 Present at _____ feet of depth _____ Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at 2 feet of depth
 Mottled soil not present in bore hole
 Comments:

End of boring at 3.5 feet
Standing water table:
 Present at _____ feet of depth _____ Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at 1.8 feet of depth
 Mottled soil not present in bore hole
 Comments:

Depth, in Inches	Boring Number 3	Depth, in Inches	Boring Number 4
0-----	-----	0-----	-----
0-11"	7.5YR 3/3 silt loam	0-13"	7.5YR 3/3 silt loam
11-28"	7.5YR 4/4 silt loam	13-34"	7.5YR 5/4 silt loam, obstruction at 34"
28-36"	5YR 4/4 loamy fine sand, 0-5% coarse fragments, redox at interface between silt loam and sand at 28"		

End of boring at 3 feet
Standing water table:
 Present at _____ feet of depth _____ Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at 2.3 feet of depth
 Mottled soil not present in bore hole
 Comments:

End of boring at 2.8 feet
Standing water table:
 Present at _____ feet of depth _____ Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at _____ feet of depth
 Mottled soil not present in bore hole
 Comments:

Logs of Soil Borings

Location of Project: 10361 110th St N Stillwater, MN 55082

Borings Made by Ben Zierke

Date: 5/17/2018

Hand bucket auger used for borings; USDA - SCS Soil Classification used.

Depth, in Inches	Boring Number 5	Depth, in Inches	Boring Number 6
0-----	-----	0-----	-----
0-8"	7.5YR 3/3 silt loam	0-12"	7.5YR 3/3 sandy loam
8-22"	7.5YR 4/4 silt loam	12-26"	7.5YR 4/4 silt loam, redox at 26"
22-27"	5YR 4/4 sandy loam, redox present at 22" at Sill-SL boundary	26-36"	5YR 4/4 sandy loam, redox at interface with Sill, obstr at 36"

End of boring at 2.3 feet
Standing water table:
 Present at _____ feet of depth _____ Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at 1.8 feet of depth _____
 Mottled soil not present in bore hole
 Comments:

End of boring at 3 feet
Standing water table:
 Present at _____ feet of depth _____ Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at 2.2 feet of depth _____
 Mottled soil not present in bore hole
 Comments:

Depth, in Inches	Boring Number 3	Depth, in Inches	Boring Number 4
0-----	-----	0-----	-----

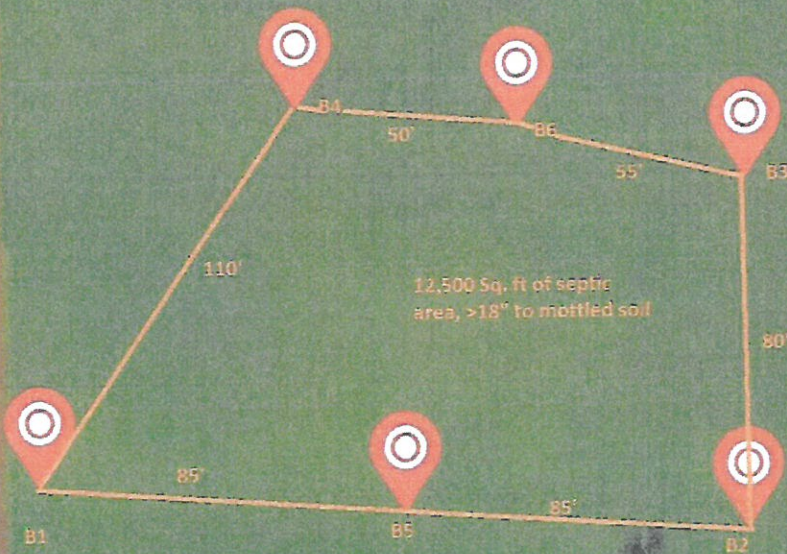
End of boring at _____ feet
Standing water table:
 Present at _____ feet of depth _____ Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at _____ feet of depth _____
 Mottled soil not present in bore hole
 Comments:

End of boring at _____ feet
Standing water table:
 Present at _____ feet of depth _____ Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at _____ feet of depth _____
 Mottled soil not present in bore hole
 Comments:

Elevation 843 ft

50 ft

N 45°6'17.7"
W 92°53'54.82"



12,500 Sq. ft of septic area, >18" to mottled soil

Sat

Logs of Soil Borings

Location of Project: 10361 110th St N Stillwater, MN 55082

Borings Made by Ben Zierke

Date: 5/17/2018

Hand bucket auger used for borings; USDA - SCS Soil Classification used.

Depth, in Inches	Boring Number 1	Depth, in Inches	Boring Number 2
0-----	-----	0-----	-----
0-12"	7.5YR 3/3 silt loam	0-10"	7.5YR 3/3 silt loam
12-28"	7.5YR 4/4 silt loam, fine mottles present at 24", obstruction at 28"	10-32"	7.5YR 5/4 silt loam, faint mottle at 22"
		32-42"	5YR 4/4 fine sand

End of boring at 2.3 feet
Standing water table:
 Present at _____ feet of depth Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at 2 feet of depth
 Mottled soil not present in bore hole
 Comments:

End of boring at 3.5 feet
Standing water table:
 Present at _____ feet of depth Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at 1.8 feet of depth
 Mottled soil not present in bore hole
 Comments:

Depth, in Inches	Boring Number 3	Depth, in Inches	Boring Number 4
0-----	-----	0-----	-----
0-11"	7.5YR 3/3 silt loam	0-13"	7.5YR 3/3 silt loam
11-28"	7.5YR 4/4 silt loam	13-34"	7.5YR 5/4 silt loam, obstruction at 34"
28-36"	5YR 4/4 loamy fine sand, 0-5% coarse fragments, redox at interface between silt loam and sand at 28"		

End of boring at 3 feet
Standing water table:
 Present at _____ feet of depth Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at 2.3 feet of depth
 Mottled soil not present in bore hole
 Comments:

End of boring at 2.8 feet
Standing water table:
 Present at _____ feet of depth Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at _____ feet of depth
 Mottled soil not present in bore hole
 Comments:

Logs of Soil Borings

Location of Project: 10361 110th St N Stillwater, MN 55082

Borings Made by Ben Zierke

Date: 5/17/2018

Hand bucket auger used for borings; USDA - SCS Soil Classification used.

Depth, in Inches	Boring Number 5	Depth, in Inches	Boring Number 6
0-----	-----	0-----	-----
0-8"	7.5YR 3/3 silt loam	0-12"	7.5YR 3/3 sandy loam
8-22"	7.5YR 4/4 silt loam	12-26"	7.5YR 4/4 silt loam, redox at 26"
22-27"	5YR 4/4 sandy loam, redox present at 22" at SiL-SL boundary	26-36"	5YR 4/4 sandy loam, redox at interface with SiL, obstr at 36"

End of boring at 2.3 feet
Standing water table:
 Present at _____ feet of depth _____ Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at 1.8 feet of depth _____
 Mottled soil not present in bore hole
 Comments:

End of boring at 3 feet
Standing water table:
 Present at _____ feet of depth _____ Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at 2.2 feet of depth _____
 Mottled soil not present in bore hole
 Comments:

Depth, in Inches	Boring Number 3	Depth, in Inches	Boring Number 4
0-----	-----	0-----	-----

End of boring at _____ feet
Standing water table:
 Present at _____ feet of depth _____ Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at _____ feet of depth _____
 Mottled soil not present in bore hole
 Comments:

End of boring at _____ feet
Standing water table:
 Present at _____ feet of depth _____ Hours after boring
 Standing water not present in hole
Mottled Soil:
 Observed at _____ feet of depth _____
 Mottled soil not present in bore hole
 Comments:

Subject: minor subdivision - 10361 110th Street N, Grant

From: KKill@mnwcd.org
To: dan@cssurvey.net; brblack5@yahoo.com
Cc: clerk@cityofgrant.us
Date: Tuesday, June 12, 2018, 4:13:38 PM CDT

Dan,

Thank you for sending me the proposed minor subdivision at 10361 110th Street N in Grant. The BCWD will not be involved in the subdivision process for those subdivisions less than four lots. However, prior to any construction, the BCWD will require a stormwater permit for any additional impervious over 10,000 square feet and/or an erosion control permit for grading 5,000 square feet or more and/or excavation or fill 50 cubic yards or more.

Specific to your question - The BCWD would not require a wetland delineation for the wetland (less than 1 acre in size) on the north side of proposed parcel A for the minor subdivision.

Best Regards,

Karen

Karen Kill

Administrator

Brown's Creek Watershed District

455 Hayward Ave N

Oakdale, MN 55128

651-330-8220 x26 (office)

651-331-8316 (cell)

www.bcwd.org

From: Dan T [mailto:dan@cssurvey.net]
Sent: Friday, June 08, 2018 4:33 PM
To: brblack5@yahoo.com
Cc: Karen Kill
Subject: minor subdivision

Karen – Barb Black is applying for a minor subdivision in Grant. The attached .pdf shows the new 5 acre parcel (PARCEL B) at the southwest corner of her property. There is a wetland on the north end of the overall parcel about 800 feet north of the new 5

Administrator/Clerk

From: Karen Kill <KKill@mnwcd.org>
Sent: Tuesday, June 12, 2018 4:14 PM
To: Dan T; brblack5@yahoo.com
Cc: City of Grant
Subject: minor subdivision - 10361 110th Street N, Grant

Dan,

Thank you for sending me the proposed minor subdivision at 10361 110th Street N in Grant. The BCWD will not be involved in the subdivision process for those subdivisions less than four lots. However, prior to any construction, the BCWD will require a stormwater permit for any additional impervious over 10,000 square feet and/or an erosion control permit for grading 5,000 square feet or more and/or excavation or fill 50 cubic yards or more.

Specific to your question - The BCWD would not require a wetland delineation for the wetland (less than 1 acre in size) on the north side of proposed parcel A for the minor subdivision.

Best Regards,
Karen

Karen Kill
Administrator
Brown's Creek Watershed District
455 Hayward Ave N
Oakdale, MN 55128
651-330-8220 x26 (office)
651-331-8316 (cell)
www.bcwd.org

From: Dan T [<mailto:dan@cssurvey.net>]
Sent: Friday, June 08, 2018 4:33 PM
To: brblack5@yahoo.com
Cc: Karen Kill
Subject: minor subdivision

Karen - Barb Black is applying for a minor subdivision in Grant. The attached .pdf shows the new 5 acre parcel (PARCEL B) at the southwest corner of her property. There is a wetland on the north end of the overall parcel about 800 feet north of the new 5 acre parcel where any new construction will occur.

Will you be requiring a wetland delineation on the wetland that is on the north end of the overall parcel for this minor subdivision?

The address is: 10361 110TH STREET N. PID#1103021210003 PID#1103021210004

thanks

Daniel L. Thurmes

Cornerstone Land Surveying, Inc.
6750 Stillwater Blvd. N., Suite #1
Stillwater, Minnesota 55082
Tel: 651-275-8969
Fax: 651-275-8976
E-mail: dan@cssurvey.net

The electric data is transmitted for your convenience and is the sole property of Cornerstone Land Surveying, Inc. By accepting, the recipient agrees to indemnify, hold harmless, and defend Cornerstone Land Surveying, Inc., from and against any and all damages, liabilities, claims, losses and expenses (including attorney's fees) arising from the use of this data. This electronic data is subject to change and updates are the responsibility of the recipient.



STAFF REPORT

TO: Planning Commission Members
 Kim Points, City Administrator/Clerk

Date: August 11, 2018

RE: Application for Minor Subdivision
 10361 110th Street N

CC: David Snyder, City Attorney

From: Jennifer Haskamp, Consulting City Planner

Background

The Applicants and Owners, David and Barbara Black (Applicant), are requesting approval of a minor subdivision of their property located at 10361 110th Street North. The proposed request will result in two newly created lots Parcel A and Parcel B. The existing homestead and accessory buildings are proposed to remain and are fully contained on Parcel A, and proposed Parcel B is vacant and no new structures are proposed as part of this application.

A duly noticed public hearing was published for August 21, 2018 at 6:30 PM, and letters were sent to individual property owners located within ¼-mile (1,320 feet) of the proposed subdivision.

The following staff report is provided for your review and consideration of the subject application

Project Summary

Owner & Applicant:	David and Barbara Black
PIDs:	110302121003, 110302121004
Total Acres:	25.99
Address:	9411 Joliet Avenue North
Zoning & Land Use:	A-2
Request:	Minor Subdivision to create Parcel A (20.98 Acres) and Parcel B (5.01 Acres)

The Applicant is requesting approval of a minor subdivision to create two Parcels, Parcel A and Parcel B. The existing site contains a small exception parcel denoted as Parcel 2 that would be combined with Parcel A if the minor subdivision is approved. There is an existing home, two accessory buildings and two sheds on the existing property that are proposed to remain on proposed Parcel A. The existing home and accessory buildings are accessed from a single driveway that connects to 110th Street North on the northerly border of the subject property.

Review Criteria



The City's subdivision ordinance allows for minor subdivisions as defined in Section 30-9 and 30-10. The sections of the code that relate to dimensional standards and other zoning considerations are provided for your reference:

Secs. 32-246

Existing Site Conditions

There are two existing parcels associated with this application which are the existing homestead that is approximately 25-acres denoted as Parcel 1 on the attached survey, and a small exception parcel that is denoted as Parcel 2 on the attached survey (Attachment 2). The subject parcels are bordered by 110th Street North on the northerly property line, Kimbro Avenue North on the easterly property line and 107th Street North on the southerly property line. The existing home and accessory buildings are located near the center of the site and are accessed from a single driveway which extends to the property's primary frontage on 110th Street North. There is a small approximately 1-acre exception parcel located north of Parcel 2 that is not owned by the Applicant and is not part of this application. Based on the submitted survey there are two large accessory buildings, four sheds and silo located on the property. Per the National Wetland Inventory (NWI) and as noted on the submitted survey there is a wetland area adjacent to Parcel 2 which extends to the 110th Street North right-of-way. There are areas of steep slopes throughout the parcel which create natural 'breaks' in the topography and create areas that are naturally more suitable for buildings including the area developed with the existing home and accessory buildings.

As described in the Applicant's narrative, there is a planted approximately 4-acre prairie area on the northeast corner of the property that includes mowed walking paths which can be seen on the attached aerial. There is also an orchard area located to the west of the existing accessory building that is planted with fruit trees. Other than these areas the site is sparsely vegetated, particularly the back third of the property near 107th Street North.

Comprehensive Plan Review

The adopted Comprehensive Plan sets a maximum density of 1 unit per 10 acres in the A-2 land use designation. The proposed minor subdivision/lot line rearrangement of the total 25.99-acres results in one additional lot, as the existing exception Parcel 2 is not buildable based on existing conditions. Given that Parcel 2 will be combined with Parcel A, the resulting subdivision will only create two lots (Parcel A and Parcel B). The minor subdivision as proposed meets the density requirements as established in the comprehensive plan. Further, the intent of the A-2 land use designation is to promote rural residential uses, and the proposed subdivision and combination is consistent with that objective.

Zoning/Site Review

Dimensional Standards

The following site and zoning requirements in the A-2 district are defined as the following for lot standards and structural setbacks:



Dimension	Standard
Lot Area	5 acres
Lot Width (public street)	300'
Lot Depth	300'
FY Setback – County Road (Centerline)	150'
Side Yard Setback (Interior)	20'
Rear Yard Setback	50'
Maximum Height	35'

Lot Area and Lot Width

The proposed subdivision is depicted on Attachment B: Minor Subdivision. As shown the proposed subdivision would result in newly created Parcel A and Parcel B. The following summary of each created parcel is identified on the table below:

Lot Tabulation:

Parcel	Size	Frontage/Lot Width	Lot Depth
Parcel A*	20.98 Acres	420'	1,390'
Parcel B**	5.01 Acres	436.05'	500.05'

*Frontage on Parcel A is non-contiguous due to Exception Parcel, dimension listed is for easterly segment.

**Frontage of Parcel B is from 107th Street North

As proposed, both created lots meet the city’s dimensional standards for size, frontage/lot width and lot depth.

Setbacks

The existing homestead and accessory structures are located on proposed Parcel A and are subject to the city’s setback requirements since the lot will be reconfigured. As shown, the newly created Parcel B results in a new rear-yard property line for Parcel A. As denoted there is an existing approximately 400 square foot shed on Parcel A that encroaches into the 50-foot rear yard setback. This shed must either be removed, or relocated outside of the required yard setback, to comply with the City’s requirements. All other structures are outside of the required setbacks. Since the shed will encroach into the rear-yard setback, ***staff would recommend adding a condition to the subdivision approval that the shed must be removed, or relocated, prior to the sale of either parcel (Parcel A or Parcel B). All remaining structures meet the City’s setback requirements.***

As shown on the attached survey, Proposed Parcel B is vacant and does not include a proposed house location or footprint. Since no structure or footprint is identified, ***staff would recommend including a condition that all future proposed structures on Parcel B, principal and accessory, shall be subject to all setback requirements in place at the time of building permit application.***

Access & Driveways

There is an existing home and accessory structures on Parcel A are served by a shared driveway that connects to 110th Street North on the northerly property line. Proposed Parcel B is located on the southwesterly corner of the property and is bordered by 107th Street North on its southern property line. No new driveways are proposed as part of this application. ***Staff would recommend adding a condition that the***



driveway to serve Parcel B shall connect to 107th Street, shall be setback a minimum of 5-feet from the proposed septic drainfield area as denoted on attached survey, and that a driveway permit shall be obtained from the City's Building Official when a building permit is requested to construct a new home on the parcel.

Accessory Structures

As previously stated there are two large accessory buildings, and four sheds located on Parcel A. All structures are proposed to remain. Per Section 32-313 of the City's ordinance, parcels greater than 20-acres have no restriction on total size and number of accessory buildings. Since Parcel A as proposed is approximately 20.98-acres, the existing buildings and sheds (with the exception of the previously noted shed that encroaches into the rear yard setback), and any future accessory structures on Parcel A will comply with the City's ordinances and standards provided appropriate setbacks are met. There are no accessory buildings denoted on Parcel B as part of this application. The Applicant should be aware that accessory buildings on parcels between 5 and 9.59-acres are restricted to a total square footage not to exceed 2,500 square-feet, and a maximum of three (3) accessory structures. *As previously noted, staff would recommend including a condition that the shed which encroaches into the rear yard be removed, or relocated, prior to the sale of either Parcel A or Parcel B.* Additionally, *staff would recommend including a condition that any future proposed accessory building(s) on Parcel B shall be subject to size, quantity and location as stated within section 32-313 of the City's Zoning ordinance.*

Utilities (Septic & Well)

Septic System – Soil Borings

The existing home is currently served by a septic system that will continue to be used for the existing homestead. To demonstrate the buildability of Parcel B, the Applicant submitted septic/soil borings which were submitted to Washington County for their preliminary review. Based on the preliminary results it appears that there is adequate area on Parcel B to install a septic system to support a new home, if and when, proposed. However, the location identified is near the property's frontage, and therefore careful planning should be given when siting the driveway to protect this area during any site construction process. *Staff would recommend including a condition of approval that a septic permit must be acquired from Washington County prior to the city issuing a building permit for a principal structure on Parcel B.*

Wells

There is an existing well on Parcel A that will continue to be used for the property. Since Parcel B is vacant and no home is designed yet for the lot no well has been installed. *Staff would recommend including a condition that if and when a new home is proposed on Parcel B that the appropriate permits to install a well must be obtained prior to the city issuing a building permit.*

Other Agency Review

The Applicant contacted the Browns Creek Watershed District (BCWD) and discussed the proposed minor subdivision. BCWD indicated that they would not have any concerns, but that proper erosion control permits would be required.

Requested Action



Staff is requesting a recommendation from the Planning Commission reflecting one of the following options:

- Recommendation to the City Council of Approval with Draft Conditions
- Recommendation to the City Council of Denial with Findings
- Continue the discussion to the next available Planning Commission, and request additional information from the Applicant, if applicable

If the Planning Commission recommends Approval, the following draft Conditions are provided for your consideration:

Draft Conditions

The following draft conditions are provided for your review and consideration:

1. The approximately 400-square-foot shed located on Parcel A adjacent to the newly created northerly property line of Parcel B shall be removed or relocated on Parcel A outside of the rear yard setback to comply with the City's ordinances.
2. All future structures and improvements will be subject to the applicable setback rules and regulations in effect at the time of application.
3. Any proposed driveway on Parcel B shall be setback a minimum of 5-feet from any septic system, including drainfield and the drainfields shall be protected during construction.
4. A driveway access permit shall be obtained from the City's Building Official if, and when, a new principal structure is proposed on Parcel B.
5. Any proposed accessory buildings on Parcel B shall be subject to the City's requirements for size and quantity as stated in Section 32-313, or successor sections.
6. A septic permit must be acquired from Washington County prior to the city issuing a building permit for a principal structure on Parcel A.
7. If, and when, a new home is proposed on Parcel B the appropriate permits to install a well must be obtained prior to the city issuing a building permit.

Attachments:

Attachment A: Application

Attachment B: Minor Subdivision exhibit, dated May 7, 2018

Attachment C: BCWD email correspondence

City of Grant
P.O. Box 577
Willemie, MN 55090



Phone: 651.426.3383
Fax: 651.429.1998
Email: clerk@cityofgrant.com

Application Date:	7/19/18
Fee: \$400	Escrow: \$4,000

*Pd Cashiers Check \$4,400
#104960276*

MINOR SUBDIVISIONS

A minor subdivision is any subdivision containing not more than two lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property.

PARCEL IDENTIFICATION NO (PIN): 06-036-21-11-0001 LEGAL DESCRIPTION: N.E. QUARTER - N.E. QUARTER Sec. 6 Twp. 30 Rng. 21		ZONING DISTRICT & COMP PLAN LAND USE: LOT SIZE: 310.31 x 1339.54 (10.01 ACRES)
PROJECT ADDRESS: 6808 117 th ST. N. GRANT, MN. 55116	OWNER: William & Judy Name: Courvoyer Address: 6808 117 th ST. N. City, State: GRANT, MN. Phone: 651-770-3793 Email: billc@n@yahoo.com	APPLICANT (IF DIFFERENT THAN OWNER):
DESCRIPTION OF REQUEST: <i>Lot adjustment. Prior Survey cut off driveway access.</i>		
EXISTING SITE CONDITIONS: <i>Residential</i>		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 1. Chapter 30; Section 30-9		

Submittal Materials

The following materials must be submitted with your application in order to be considered complete. If you have any questions or concerns regarding the necessary materials please contact the City Planner.

AP - Applicant check list, CS - City Staff check list

AP	CS	MATERIALS
<input type="checkbox"/>	<input type="checkbox"/>	<u>Site Plan: Technical drawing demonstrating existing conditions and proposed changes</u> (Full scale plan sets shall be at a scale not less than 1:100) <ul style="list-style-type: none"> ▪ North arrow and scale ▪ Name, address, phone number for owner, developer, surveyor, engineer ▪ Streets within and adjacent to the parcel(s) including driveway access points ▪ Topographic data at two (2) foot contour intervals and steep slopes ▪ Proposed lot sizes (with dimensions) indicating setbacks for newly created lots ▪ Buildable area with acres and square footage identified ▪ Wetland limits (delineation) ▪ Drainage plans ▪ Soil tests for the installation of an on-site septic system

Application for: MINOR SUBDIVISION
City of Grant

		<ul style="list-style-type: none"> ▪ Septic system and well location ▪ Building locations and dimensions with setbacks ▪ Vegetation and landscaping ▪ Wetland Delineation ▪ Shoreland classifications: waterbodies, Ordinance High Water Level, 100 year flood elevation, and bluff line ▪ Name of subdivision with lot and block numbers of property, if platted <p>COPIES: 20 copies (4 sets at 22" x 34" and 16 at 11" x 17" format)</p>
<input type="checkbox"/>	<input type="checkbox"/>	A <u>certificate of survey</u> , by a registered land surveyor for each parcel will be required. The survey must show newly created lots and the original lot, limits of any wetland, one acre of buildable area, and elevation of the building site above any lake, stream, wetland, etc.
<input type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have authority over your property for approvals and necessary permits.
<input type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within 1,320 feet, contact Washington County Surveyor's Office: (651) 430-6875
<input type="checkbox"/>	<input type="checkbox"/>	Minor Subdivision submittal form completed and signed by all necessary parties
<input type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$4,000

Review and Recommendation by the Planning Commission. The Planning Commission shall consider oral or written statements from the applicant, the public, City Staff, or its own members. It may question the applicant and may recommend approval, disapproval or table by motion the application. The Commission may impose necessary conditions and safeguards in conjunction with their recommendation.

Review and Decision by the City Council. The City Council shall review the application after the Planning Commission has made its recommendation. The City Council is the only body with the authority to make a final determination and either approve or deny the application for minor subdivision.

This application must be signed by ALL owners of the subject property or an explanation given why this not the case.

We, the undersigned, have read and understand the above.

William R. Cournoyer
Signature of Applicant

7-19-18
Date

Judy A. Cournoyer
Signature of Owner

7-19-18
Date

Sandra Wegleitner

8-1-2018

Administrator/Clerk

From: Samantha Berger <SBerger@ricecreek.org>
Sent: Tuesday, July 17, 2018 8:59 AM
To: billcrn@yahoo.com
Cc: clerk@cityofgrant.us
Subject: RE: Lot Adjustment at 6808 117th St, RCWD Permit #18-014
Attachments: V-MINOR-SUB-1290F0497-COUMOYER-MINOR SUB.pdf

Bill,

Upon my review of the attached survey, a RCWD permit would not be required for the minor lot adjustment at 6808 117th St in Grant, MN. A previous permit with Sandra Wegleitner dealt with the subdivision of the parcel; therefore, no additional permitting for the lot adjustment is required. Future subdivision of the parcel would likely be subject to District requirements, including our Rule C, stormwater management.

Please let me know with any questions.

Sam

Samantha Berger,
SBerger@ricecreek.org
District Technician
Rice Creek Watershed District
4325 Pheasant Ridge Drive NE #611
Blaine, MN 55449-4539
Direct: (763) 398-3084
www.ricecreek.org



Please consider following the RCWD on Facebook.

From: Kelly Jordan <Kelly.Jordan@wsn.us.com>
Sent: Tuesday, July 17, 2018 8:49 AM
To: Samantha Berger <SBerger@ricecreek.org>; billcrn@yahoo.com
Subject: RE: Lot Adjustment at 6808 117th St, RCWD Permit #18-014

Sam

All is good here just really busy. Hope things are the same there. Attached is a pdf of what we gave Bill this morning when he stopped by. Let us know if there are any questions at all.

Kelly Jordan
Land Surveyor
651-412-7503
Kelly.Jordan@wsn.us.com



6641 Lake Boulevard | Forest Lake, MN 55025

WidsethSmithNolting.com

Engineering | Architecture | Surveying | Environmental

From: Samantha Berger [<mailto:SBerger@ricecreek.org>]

Sent: Tuesday, July 17, 2018 8:40 AM

To: billcrn@yahoo.com

Cc: Kelly Jordan <Kelly.Jordan@wsn.us.com>

Subject: RE: Lot Adjustment at 6808 117th St, RCWD Permit #18-014

Kelly,

Hope you are doing well. I just spoke with Bill Cournoyer and he mentioned that he worked with you regarding a lot adjustment at 6808 117th St. The District is hopeful to receive a copy of the adjusted survey. Would you be able to provide an electronic copy of the survey?

Let us know if you can, otherwise Bill and I will work together to provide us with a hard copy.

Appreciate it and have a good day,

Sam

Samantha Berger,

SBerger@ricecreek.org

District Technician

Rice Creek Watershed District

4325 Pheasant Ridge Drive NE #611

Blaine, MN 55449-4539

Direct: (763) 398-3084

www.ricecreek.org



Please consider following the RCWD on Facebook.

From: Samantha Berger

Sent: Tuesday, June 19, 2018 10:00 AM

To: 'billcrn@yahoo.com' <billcrn@yahoo.com>

Subject: Lot Adjustment at 6808 117th St, RCWD Permit #18-014

Bill,

Per our conversation, please provide the updated survey of your purchased land located at 6808 117th St in Grant, MN. It is the District's understanding that you purchased the 10 acre property from Sandra Wegleitner and the subdivision (District permit #18-014) of said property, failed to include a portion of the driveway; therefore, you need to complete a lot adjustment and land swap to ensure your driveway is on your parcel.



STAFF REPORT

TO: Planning Commission Members
Kim Points, City Administrator/Clerk

Date: August 11, 2018

RE: Application for Minor Subdivision
6808 117th Street North, Grant, MN

CC: Dave Snyder, City Attorney

From: Jennifer Haskamp, Consulting City Planner

Background

The Applicants, William and Judy Cournoyer, are requesting approval of a lot line rearrangement of property which is Owned by the Applicants and Ms. Wegleitner. Earlier this year in February and March Ms. Wegleitner was granted a minor subdivision which created a new (approximately) 10-acre parcel that included the subject home, and a second approximately 39-acre vacant parcel. After the minor subdivision was granted Ms. Wegleitner sold the 10-acre parcel with the existing home to the Applicants. Upon the sale and transfer of the property it was determined that the existing driveway that serves the home and the accessory building on the Applicants' parcel is actually partially located on the adjacent vacant 39-acre parcel that was retained by Ms. Wegleitner. Though the Applicants could also memorialize access through a private easement, they instead would like the easterly lot line which separates the two parcels to be adjusted so that their driveway is fully contained on their property. As noted on the application, the Applicants and Owners are in agreement with this request to rearrange the lot lines as proposed. There are no structures or other improvements proposed at this time, and this application simply considers the lot line rearrangement as requested.

Public Hearing

A duly noticed public hearing was noticed for August 21, 2018 at 6:30 PM, and notices were sent to individual property owners located within 1/4-mile (1,320 feet) of the proposed lot line rearrangement (minor subdivision).

The following staff report is provided for your review and consideration of the subject application.

Project Summary

Owner & Applicant:	William and Judy Cournoyer
Owner	Sandra Wegleitner
PIDs:	0603021110003, 0603021110004
Address:	6808 117 th Street North
Zoning & Land Use:	A-1
Request:	Lot Line Rearrangement (Minor Subdivision) to reconfigure approximately 0.48 Acres to allow for the existing driveway to be contained on Parcel A



The Applicant is the current owner and occupant of the existing home located on PID 0603021110003 and addressed as 6808 117th Street North. The Applicants recently purchased the created 10-acre lot from Ms. Wegleitner who was granted a minor subdivision of the larger property earlier this year. At the time of the initial subdivision it was not known that the existing driveway that served the home and accessory building were not fully contained on the created lot. Now that the Applicants have purchased the property and determined this to be the case, they are seeking a lot line rearrangement to alter the lot configuration so that the driveway that serves their home is fully contained within their property. To achieve this objective, the Applicants have requested that approximately 0.48 Acres of their northern edge be reconfigured and transferred back to PID 0603021110004 (currently vacant and owned by Ms. Wegleitner) and in exchange Ms. Wegleitner will transfer an approximately 0.48-acre wedge of property that contains the Applicant's driveway to their property. The transfer and reconfiguration will not change the acreage of the resulting parcels and is an equal exchange of property between the two parcels.

Review Criteria

The City's subdivision ordinance allows for minor subdivisions and lot line adjustments as defined in Section 30-9 and 30-10. The sections of the code that relate to dimensional standards and other zoning considerations are provided for your reference:

- Secs. 12-261
- Secs. 32-184
- Secs. 32-246

Existing Site Conditions

There are two existing parcels that are the subject of this Application. Both parcels are located north of 117th Street North, Parcel A is approximately 10-Acres and Parcel B is approximately 39-Acres. Based on the Applicant's provided survey (Attachment B), the southern property line of both Parcel A and Parcel B extends to the southerly right-of-way line of 117th Street North and includes the traveled portion of the roadway within the extents of the property. Parcel A has approximately 310-feet of frontage, and Parcel B has approximately 733-feet of frontage. Both Parcel A and Parcel B are generally regular in shape, with an exception parcel located in the southeast corner of Parcel B. There is an existing homestead on Parcel A located approximately 120-feet to the east of the westerly property line and setback approximately 110-feet from the denoted right-of-way line and is approximately 150-feet from the centerline of the traveled roadway. The existing roadway and right-of-way easement along the property's frontage are fully within the Subject Parcel's boundary as indicated on the survey provided in Attachment B. There is one (1) accessory building on the site with a total square footage of approximately 2,880 square feet. The existing home and accessory building are accessed by a single driveway which provides a connection to 117th Street North. The Exception parcel is approximately three (3) acres and is not part of this review or application.

Based on the attached aerial from Washington County GIS (Attachment D), it appears that approximately the southerly two-thirds of the collective Parcel A and Parcel B has been used for agricultural production and that



a ditch bisects this area from east to west and extends to adjacent properties. This ditch (or stream) is identified as a wetland per the National Wetland Inventory database. Approximately the northern third of the parcel is heavily vegetated and has not been used for agricultural production. The existing homestead and accessory building are located on Parcel A, and the driveway that serves both structures travels onto Parcel B near the existing accessory building. Topographically the site slopes high to low from both the northern and southern edges which reinforces the drainage ditch/wetland area and extends to adjacent properties as a drainageway.

Comprehensive Plan Review

The adopted Comprehensive Plan sets a maximum density of 1 unit per 10 acres in the A-1 land use designation. The proposed minor subdivision/lot line rearrangement of the two Parcels does not result in any new lots being created. The minor subdivision/lot line rearrangement as proposed meets the density requirements as established in the Comprehensive Plan.

Zoning/Site Review

Dimensional Standards

The following site and zoning requirements in the A-1 district are defined as the following for lot standards and structural setbacks:

Dimension	Standard
Lot Area	5 acres
Lot Width (public street)	300'
Lot Depth	300'
FY Setback – County Road (Centerline)	150'
Side Yard Setback (Interior)	20'
Rear Yard Setback	50'
Maximum Height	35'

Lot Area and Lot Width

The proposed subdivision is depicted on Attachment B: Minor Subdivision. As shown the proposed subdivision would result in revised Parcel A-1 and revised Parcel B-1. following summary of each created parcel is identified on the table below:

Lot Tabulation:

Parcel	Size	Frontage	Lot Width	Lot Depth
Parcel A	10.01 Acres	310.31'	310.31'	1,370'
Parcel B	39.11 Acres	733.53'	733.53'	1,690'

As proposed, both created lots meet the city's dimensional standards for size, frontage, lot width and lot depth.



Setbacks

The existing homestead and accessory structures are located on proposed Parcel A, and are subject to the city's setback requirements given the new configuration of the lots. The existing principal structure is setback approximately 110-feet from the right-of-way line of 117th Street North which is a County road (CR-7). The revised easterly line of Parcel A will result in a greater setback from the property line of both the Principal and Accessory Buildings. With the reconfiguration the home will now be setback approximately 120-feet and the accessory building will be setback approximately 76.5-feet from the easterly property line. ***As proposed the existing home and accessory building will meet all setback requirements.***

Access & Driveways

The existing driveway that serves the home and accessory building on Parcel A is the impetus for this application. After the previous minor subdivision was completed, Ms. Wegleitner sold the created 10-acre lot that contained the home and accessory building. At the time of the sale it was found that the minor subdivision resulted in a portion of the driveway being divided partially on Parcel A and partially on Parcel B. Since the Applicants would prefer that the driveway be fully contained on property they own, they have worked out an exchange of the property with Ms. Wegleitner which is as reflected on the attached survey (Attachment B). No new access, or altered access is proposed as part of this application.

Accessory Structures

As previously stated there is one (1) accessory structure on the site which totals approximately 2,880-square feet. The structure is located on Parcel A and is accessed by the driveway that is the subject of this application. As proposed, the lot-line rearrangement will result in the driveway being fully contained within the Applicant's property and will ensure access to both the principal structure (home) and accessory building is protected and the existing driveway will not need to be altered or moved.

Additional Considerations

The proposed lot line rearrangement is subject to the City's standards for minor subdivision which references lot configuration standards stated within the preliminary plat requirements. The proposed rearrangement results in an irregular lot shape which is not typically favored in the City without some justification. In the case of this subdivision, the Applicant is simply requesting an exchange of an approximately 0.5-acre piece of land with Ms. Wegleitner to allow for the existing driveway to be fully contained within the subject property. The proposed easterly lot line is only logical given the location of the driveway, however, if the driveway were to be relocated then the irregular lot line would fail to make sense. Staff would prefer that a straight/right angle be created but does not have a strong preference given the circumstances. However, staff would request feedback and comment from the Planning Commission regarding this issue.

Other Agency Review

The subject property is located on 117th Street North which is County Road 7, and therefore would ordinarily be subject to Washington County's review and comment. However, Washington County commented on the previous subdivision in February and the proposed lot-line rearrangement does not alter the frontage of either Parcel A or Parcel B or propose any new lots or access. Therefore, further comment from Washington



County is not needed at this time. The Applicant contacted the Rice Creek Watershed District and they have indicated the proposed lot line rearrangement is not subject to their permitting process.

Requested Action

Staff is requesting a recommendation from the Planning Commission reflecting one of the following options:

- Recommendation to the City Council of Approval with Draft Conditions
- Recommendation to the City Council of Denial with Findings
- Continue the discussion to the next available Planning Commission, and request additional information from the Applicant, if applicable

If the Planning Commission recommends Approval, the following draft Conditions are provided for your consideration:

Draft Conditions

The following draft conditions are re-stated from the previous minor subdivision, no new conditions are stated at this time given that the request does not result in any new lots.

1. All future structures and improvements will be subject to the applicable setback rules and regulations in effect at the time of application.
2. If new improvements on Parcel A or Parcel B appear to encroach or are within proximity to the identified wetland or its buffers based on the NWI, then a wetland delineation shall be required prior the City issuing any permit for site work or a building permit.
3. Any redevelopment of Parcel A with a new, or substantially larger, principal structure may necessitate a new septic system and at such time a septic permit must be obtained from Washington County prior to the City issuing a building permit.
4. Any new access to Parcel A or Parcel B shall be subject to review and approval of Washington County.

Attachments:

Attachment A: Application

Attachment B: Minor Subdivision exhibit, dated 7/16/2018

Attachment C: Washington County Aerial