



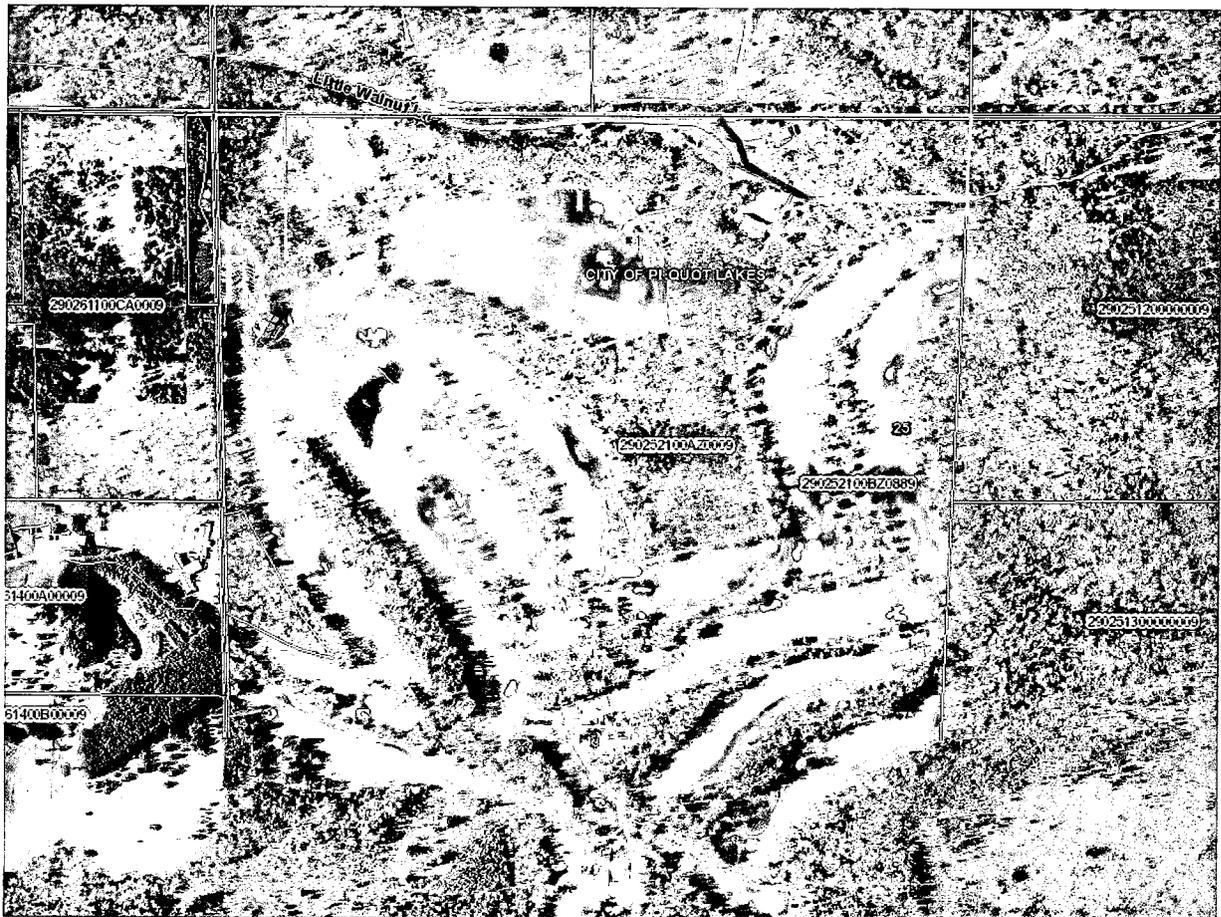
STAFF REPORT

Application: Rezoning from Recreational to Rural Residential

Applicants: Helbling Land Company and Michael Bullinge

Agenda Item: 3 (b)

Background Information: The applicant is proposing to rezone a portion of a 32.13 acre tract of land from Recreational to Rural Residential. The portion that is proposed to be rezoned is the northeast 5.6 acres of the subject property. The applicant has also applied for a metes and bounds subdivision to split the 5.6 acre tract from the subject property. (Application 14-4457).



The 5.6 acres that is proposed to be rezoned contains an accessory structure. The subject property is accessed via Preserve Blvd. and Little Walnut Lane.

The remaining 26.53 acres will remain zoned Recreational. This parcel is vacant. This parcel is also accessed via Preserve Blvd. and Little Walnut Lane.



Applicable Regulations: Section 17-5.1, Subdivision 7 outlines the criteria that should be considered when amending the official zoning map or establishing a zoning classification:

- A. Preservation of natural sensitive areas.
- B. Present ownership and development.
- C. Shoreland soil types and their engineering capabilities.
- D. Topographic characteristics.
- E. Vegetative cover.
- F. In-water physical characteristics.
- G. Recreational use of surface water.
- H. Road and service center accessibility.
- I. Socio-economic development needs of the public.
- J. Availability of public sewer and water utilities.
- K. The necessity to reserve and restore certain areas having significant historical or ecological value.
- L. Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties.
- M. Alternatives available for desired land use.
- N. Prevention of spot zoning.
- O. Conformance to the City of Pequot Lakes Comprehensive Plan.
- P. Conformance to the City of Pequot Lakes Future Land Use Map and any other official maps of the City.

Section 17-5.6 of the Ordinance contains the requirements for the Rural Residential (RR) Zone:

- 1. Purpose and Intent: To provide a zoning classification that allows for low-density residential development. Development in this zone is without municipal utility service and with only limited demand for accessibility. Rural Residential zoning should be used to preserve rural character.
- 2. Compatibility: The Rural Residential zone is compatible with and can be established adjacent to Forest Management and Agriculture zones, but may not be completely surrounded by those zones. The Rural Residential zone must be adjacent to land zoned Rural Residential, Transition Residential, Light Industrial or Commercial. The Rural Residential zone may be established next to the Shoreline Residential zone or the Water Resource zone.

3. Lot, Use and Density Requirements.

Lot Width - feet, minimum.....	200
Buildable Lot Area - acres, minimum	5
Setback, right-of-way, local streets - feet, minimum.....	50
Setback, right-of-way, collector and arterial streets	
- feet, minimum	50
Setback, side - feet, minimum	25
Setback, corner side - feet, minimum	40
Setback, sign - feet, minimum	1



Setback, wetland - feet, minimum	50
Maximum impervious coverage	15%
Maximum Building Height - feet	25
Accessory Structure Size – square feet, max, cumulative	
.....	2,000 for first 2.5 acres
.....	1,000 for each additional 2.5 acres
Maximum animal unit per acre.....	0.5

Staff Findings: Staff provides the following findings of fact for consideration by the Planning Commission:

1. The applicant is proposing to rezone 5.6 acres of a 32.13 acre tract from “Recreational” to “Rural Residential.”
2. The subject property does not contain any natural sensitive areas.
3. The subject property is privately owned. The property owner has not indicated any plans for future development.
4. The subject property is not within the Shoreland Area and no Shoreland soil types have been identified.
5. There does not appear to be any lowland area on the subject property.
6. The vegetative cover of the subject property consists of trees and grasses.
7. The subject property is not adjacent to a public water body. “In-water physical characteristics” and recreational use of surface water do not apply.
8. The subject property has approximately 200 feet of frontage adjacent to Little Walnut Lane.
9. The proposed rezoning does not increase the socio-economic development needs of the public.
10. The public sewer and water utilities are not available in the vicinity of the subject property. There are no plans to extend the public utilities to the area of the subject property.
11. The subject property does not contain any known significant historical or ecological value.
12. The applicant wishes to split the subject property into two tracts. The northeast tract must be rezoned to “Rural Residential” so it meets the “total lot area” requirement of the Ordinance.
13. The southern tract will remain to be zoned “Recreational”. This tract conforms to the standards of the Recreational zone.
14. The subject property is adjacent to property zoned “Rural Residential” and “Recreational”. The proposed reclassification is not considered “spot zoning.”
15. The proposed rezoning is in conformance with the City of Pequot Lakes Comprehensive Plan.
16. The future land use map identifies the subject property as “Rural Residential.” Rezoning a portion of the subject property to “Rural Residential” is compatible with that classification.

Planning Commission Direction: The Planning Commission can recommend that the City Council approve, deny, or table this rezoning. Findings of fact should be cited if the recommendation is for approval or denial.

Staff Recommendation: Rezoning of the property to “Rural Residential” is in conformance with the surrounding neighborhood. Other properties in the vicinity of the



**COMMUNITY
GROWTH**
INSTITUTE



subject property are identified as that classification. The future land use map identifies the subject property as "Rural Residential". Since the request is not considered "spot zoning" we recommend the application be approved without any conditions.

CITY OF PEQUOT LAKES
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING FOR A REZONING IN THE
RECREATIONAL CLASSIFICATION TO THE RURAL RESIDENTIAL
CLASSIFICATION
NOVEMBER 17, 2016
6:00 P.M.
AT
CITY HALL
4638 COUNTY ROAD 11

TO WHOM IT MAY CONCERN:

The following will be the subject of a public hearing on November 17, 2016, beginning at 6:00 p.m.

Hearing: Rezone.

Applicants: Helbling Land Company and Michael Bullinge.

Property Description: Property is located at 5850 Little Walnut Lane. Parcel ID is: 290252100AZ0009.

Purpose: Application is to rezone 5.6 acres from the Recreational zoning classification to the Rural Residential zoning classification. All interested persons are invited to attend this hearing and be heard or send written comments to City Hall. Copies of the application, maps, drawings and staff report are available at City Hall at least one week prior to the hearing date. Copies of the Staff Report regarding this application are available at City Hall or on-line at www.pequotlakes-mn.gov.

Property Owners Please Note: Notice relative to the above listed request is sent to all property owners within 350' of the applicant's property. Please share this information with your neighbors in the event that any property owner has been overlooked or is not contained in our records.

Dawn Bittner
Zoning Administrator
City of Pequot Lakes

"This institution is an equal opportunity provider and employer"

APP # 16-72
 SF # 16-4458
 Date 10-19-16
 DWSMA NO

**CITY OF PEQUOT LAKES
 SUBDIVISION/REZONING APPLICATION**

Name of Applicant Dan Helbling Phone 715-839-0306
 Mailing Address PO Box 284 Email workdan@mac.com
 City, State, Zip Nisswa, MN 56468

Applicant is: Title Holder of Property:
 Legal Owner _____
 Contract Buyer (Name)
 Option Holder _____
 Agent (Address)
 Other _____

Signature of Owner, authorizing application: *Dan Helbling*
 (By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): _____
 (By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Location of property involved in this request:
part of Northwest Quarter (NW 1/4)
Section 25 5850 Little Walnut Lane

Parcel ID No. 290252100AZ0009 Zoning District R

- Nature of request (select only one):
- Preliminary Plat (.)
 - Final Plat ()
 - Metes and Bounds ()
 - Rezoning (X) to Rural Residential

*** Please see the attached Checklist on Page 4.