



STAFF REPORT

Application: Metes and Bounds Subdivision

Applicants: Helbling Land Company and Michael Bullinge

Agenda Item: 6 (a)

This application is contingent on City Council approval of Rezoning Application 16-4458.

Background Information: The applicant is proposing to subdivide the property located at 5850 Little Walnut Lane into two tracts. The subject property is currently zoned Recreational. The property owner has applied to rezone a 5.6 acre parcel of the property to Rural Residential (Application 14-4458, agenda item 3 (b)).

The subject property is approximately 32.13 acres and contains an accessory structure. The property also contains a private sewer system and water well.



The applicant intends to subdivide the subject property into a 5.6 acre tract (“Tract A”) and a 26.53 acre tract (Remnant Tract). Proposed “Tract A” contains an accessory structure while the proposed Remnant Tract is vacant. The accessory structure on proposed “Tract A” is conforming to the Rural Residential requirements. “Tract A” conforms to the Rural Residential standards. Both of the proposed tracts have sufficient access with a 33-foot easement for ingress and egress over Little Walnut Lane.

The adjacent property located north and east of the subject property is zoned “Rural Residential”, while the properties to the south and west are zoned “Recreational”.

Applicable Regulations:

Section 17-5.6 RURAL RESIDENTIAL (RR)

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

Section 17-5.14 RECREATION (R)

1. Purpose and Intent: To establish and maintain a land use district for existing uses of land or for land properly suited for recreational development that is semi-rural in character, allows public and private recreation facilities and accessory uses, and promotes and maintains aesthetics in areas that serve as a transitional zoning district between residential uses and commercial uses.

2. Compatibility: Recreation zones are compatible with and can be established adjacent to every other zoning classification, and any property that meets the purpose and intent of this zoning classification may be zoned Recreation.

3. Lot, Use, and Density Requirements:

Lot width – feet, minimum	500
Total Lot Area – acres, minimum.....	10
Setback, right-of-way, local streets – feet, minimum.....	50
Setback, right-of-way, collector and arterial streets – feet, minimum.....	50
Setback, side – feet, minimum.....	30
Setback, corner side – feet, minimum	40
Setback, sign – feet, minimum	1
Setback, OHW – feet, minimum.....	150
Setback, wetland – feet, minimum	50
Maximum impervious coverage	15%
Maximum building height – feet	25
Building above highest known groundwater – feet, minimum.....	3

Section 17-9.4 DESIGN LAYOUT STANDARDS-MINIMUM

1. The land shall be properly zoned and suitable in its natural state for the intended purpose with minimal alteration required. Land subject to flooding, land below the ordinary high water mark, wetlands, areas with high water table, bluffs, lands with slopes exceeding 25% or land containing other significant constraint(s) upon future intended usage, shall not be considered in the minimum size of a lot. The suitability analysis for each lot shall also consider soil and rock formations with severe limitations for development, severe erosion potential, inadequate water supply or sewage treatment capabilities, near-shore aquatic conditions unsuitable for water-based recreation, important fish and wildlife habitat, presence of significant historic sights, or any other feature of the natural land likely to be harmful to the health, safety, or welfare of future residents of the proposed subdivision or of the community.

2. All non-conforming structures and uses shall be brought into conformity during the subdivision process, except as specifically waived by motion of the Planning Commission.

3. Each lot shall be adjacent to public sewer or shall have a minimum contiguous lawn area that is free of limiting factors sufficient for the construction of two standard soil treatment sewage systems.

4. Provisions for water based recreation where near shore aquatic conditions are unsuitable for direct access.

5. Lot areas and dimensions shall conform to the requirements of the Zoning Chapter, without variance.
6. Lot layouts shall be compatible with the existing layout of adjoining properties and/or shall not constrain the future development of adjacent properties if those properties were to be developed as per the Pequot Lakes Land Use and Subdivision Ordinance.
7. Side lot lines shall be substantially at right angles to straight road lines or radial to curved road lines, radial to lake or stream shores, and shall not contain bends or jogs unless topographic conditions necessitate a different arrangement. Existing structures shall not be construed to be a topographic condition.
8. Each lot shall have a minimum of 33 feet of frontage on a designated right of way. Commonly owned property or Green Space used for access in a Planned Unit Development shall have a minimum of 33 feet of frontage on a public right of way.
9. Proposed streets shall conform to the adopted road plan of the City of Pequot Lakes, County and State highway plans and existing boundary conditions.
 - A. Streets shall be related to the topography so as to produce useable lots and reasonable gradients not in excess of 10% for collector roads and 12% for minor roads.
 - B. Public access shall be given to adjacent properties unless the topography clearly indicated future connection is not feasible.
 - C. When parcels abutting arterial or collector roads are subdivided, no new access points shall be created unless an equal number of access points are removed, unless access points are created not less than 500 feet apart in which case there shall be no limit on the number of accesses allowed.
 - D. Half streets or connections of half streets to partial streets without providing for the full required right-of-way will not be permitted.
 - E. Streets will be designed as collectors or local streets in accordance with the City of Pequot Lakes Road Plan.
 - F. The number of streets that terminate without a through connection shall be minimized and the street connected to a cul-de-sac (turnaround) shall not exceed 1,200 feet in length.
 - G. Access shall be given to all adjacent properties when required by

the Planning Commission. All streets intended to be extended to adjoining property, shall be provided with a temporary cul-de-sac with the sides on a temporary easement, which will revert to the adjoining lot owner when released by the City. Landlocked areas shall not be created.

H. Right of Way shall be dedicated to the public:

Cul-de-sac (turnaround).....	68' radius
Arterials	100' or as determined by Crow Wing Co
Collectors	66'
Local Streets	66'

Additional Right of Way may be required to promote public safety and convenience if special conditions require such as intersections, sight lines on corners or excessive cut or fill sections.

I. Intersections

(1) Street centerlines shall intersect at not less than 75 degrees.

(2) Street jogs shall be no less than 200' from centerline to centerline.

(3) Gradients at intersections and for 50' approaching on each side of an intersection shall not exceed 2%. The approach shall contain no grades greater than 7% for 200' on each side of the intersection.

J. Roads, driveways and parking areas shall meet structure setbacks and shall not be placed within bluff and shore impact zones.

K. Street names shall conform to the pattern of the City and continue an existing name on the same alignment, where determined applicable by the Planning Commission. Street names shall be coordinated with the Crow Wing County Surveyor's Office.

10. Easements shall be provided for public utilities or drainage where required by the Planning Commission and shall be following widths, minimum:

Watermain.....	20 feet
Sanitary Sewer	40 feet
Storm Sewer.....	20 feet
Electrical, telephone or cable television	10 feet
Drainageway	10 feet

11. Lots requiring variances to allow their use for the intended purposes or requiring holding tanks for sewage shall not be allowed.

Staff Findings: Staff provides the following findings of fact for consideration:

1. The subject property is currently zoned Recreational. This application is contingent on the City Council approving the applicant's request to rezone this parcel to Rural Residential.
2. The lot width of proposed "Tract A" meets the minimum standard of 200 feet. The lot width of the proposed "Remnant Tract" meets the minimum standard of 500 feet.
3. The proposed "Tract A" meets the minimum area requirements of the Rural Residential zone. The proposed "Remnant Tract" meets the minimum area requirement of the Recreation zone.
4. The existing structure on "Tract A" meets all setback requirements. There are no existing structures on the "Remnant Tract."
5. The subject property is not adjacent to the municipal water and wastewater utilities. "Tract A" contains a private SSTS and water well. The existing lift station and drainfield are within the setback. The existing hose bib (yard hydrant) is located on the setback line. "Remnant Tract" does not contain a private SSTS or water well.
6. The property is suitable in its natural state for the intended purpose and this lot split would not be harmful to the health, safety, or welfare of future residents or of the community.
7. The applicant is not proposing any provisions for water-based recreation.
8. The proposed lot layout meets the requirements of the ordinance.
9. The proposed side lot lines are at right angles to the adjacent property lines.
10. Each of the proposed parcels has at least 33-feet of frontage on Little Walnut Lane, a 33-foot wide ingress and egress easement.
11. The subject property meets the requirements of the code for stormwater management.
12. There are no public streets proposed within the development.

Planning Commission Direction: The Planning Commission can approve the metes and bounds subdivision, deny the metes and bounds subdivision, or table the request if additional information is needed. If the motion is for approval or denial, findings of fact should be cited.

Staff Recommendation: The proposed parcels meet the requirements of the Rural Residential Zone. Staff recommends the application be approved with the following condition:

1. The application shall be null and void if the City Council denies Rezoning Application 14-4458.

APP # 16-71
SF # 16-4457
Date 10-19-16
DWSMA No

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

Name of Applicant Dan Helbling Phone _____
Mailing Address Po Box 284 Email workdan@mac.com
City, State, Zip Nisswa, MN 56468

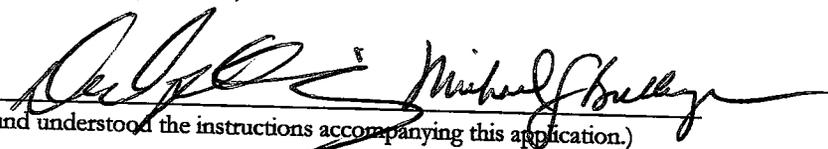
Applicant is:

Legal Owner
Contract Buyer
Option Holder
Agent
Other _____

Title Holder of Property:

(Name)

(Address)

Signature of Owner, authorizing application: 

(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

Parcel ID No. 290252100AZ0009

Zoning District R

Nature of request (select only one):

- Preliminary Plat
- Final Plat
- Metes and Bounds
- Rezoning