

STAFF REPORT

Application: Metes and Bounds Subdivision

Applicant: Mike Jackson

Agenda #: 6.1

Background Information: The applicant is proposing to subdivide a sale tract, for future consolidation purposes only, from the property located at 3646 W Mayo Lane, PID 29270748 and combine it with the property located adjacent (North) located at 3602 W Mayo Lane, PID 29270774.

The subject property (South parcel) is zoned “Shoreline Residential” and is riparian to Mayo Lake (General Development). The subject property is approx. 14.01 acres and contains a residential dwelling.

The Northern parcel is approx. 1.2 acres and is zoned “Shoreline Residential.” The property is currently vacant.

The proposed sale tract as shown on the Certificate of Survey intends to section of a Northern section of the Southern parcel for purposes of consolidation into the Southern section of the Northern parcel. Per the Certificate of Survey, no new property identification numbers or parcels are proposed following the consolidation of the sale tract.

Subject Parcels:



Applicable Regulations:

Section 17-5.8 SHORELINE RESIDENTIAL (SR)¹

1. Purpose and Intent: To provide a zoning classification for riparian residential development. The zone may or may not be served by municipal sewer and water, depending on availability.
2. Compatibility: The Shoreline Residential zone can only be established next to the Water Resource zone. The shoreline residential zone should be established to extend through the first tier of parcels on developed lake shore and to a public road or 500 feet from the OHW, whichever is closer to the water body on undeveloped shoreline.
3. Lot, Use and Density Requirements.

	GD Riparian Only	RD, Non-Riparian GD	NE Lake
Lot width at OHW and building line – feet, minimum	100	150	200
Lot width with guest quarters or duplex	180	225	300
Buildable lot area – square feet, minimum	20,000	40,000	80,000
Buildable lot area with guest quarters or duplex – square feet, minimum	40,000	80,000	160,000
Setback, right-of-way, local streets – feet, minimum	10	10	10
Setback, right-of-way, collector and arterial streets – feet, minimum	30	30	30
Setback, OHW – feet, minimum	75	100	200
Setback, bluff – feet, minimum	30	30	30
Setback, side – feet, minimum	10	10	15
Setback, corner side – feet, minimum	30	30	30
Setback, sign – feet, minimum	1	1	1
Setback, wetland – feet, minimum	30	30	30
Impervious coverage – maximum	20%	15%	10%
Building height – (excluding guest cottages) feet, maximum	25	25	25
Flag Pole Height – feet, maximum	30	30	30
Building above highest known groundwater or lake level – feet, minimum	3	3	3
Maximum Density	1 unit/20,000 sq. ft.	1 unit/40,000 sq. ft.	1 unit/80,000 sq. ft.
ISTS setback from OHW – feet, minimum	75	75	100

¹ Amended 2/5/2024

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.

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

1. The metes and bounds subdivision request is to split a sale tract, for future consolidation purposes only, from the property located at 3646 W Mayo Lane, PID 29270748 and combine it with the property located adjacent (North) located at 3602 W Mayo Lane, PID 29270774.
2. The subject property (South parcel) is zoned Shoreline Residential and is riparian to Mayo Lake (General Development). The subject property is approx. 14.01 acres and contains a residential dwelling.
3. The Northern property is approx. 1.2 acres and is zoned “Shoreline Residential.” The property is currently vacant.
4. The proposed area to be split from the south parcel is identified on the Certificate of Survey as a “sale tract” intended for consolidation into the Northern parcel during recording at Crow Wing County.
5. The subject properties are zoned Shoreline Residential and are riparian to Mayo Lake, GD.
6. The lot widths of the proposed parcels meet the minimum requirements of the Shoreline Residential zone.
7. The proposed lot configuration meets the minimum buildable area requirements of the Shoreline Residential zone.
8. 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.
9. The applicant is not proposing any provisions for water-based recreation.
10. The proposed lot layout meets the requirements of the ordinance.
11. Each of the proposed parcels has dedicated easement and access to their parcels as described on the Certificate of Survey & existing recorded documents denoted on the Certificate of Survey.
12. The subject property meets the requirements of the code for stormwater management.
13. 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 minimum requirements of the Shoreline Residential Zone. Staff recommends the application be approved with the following conditions:

- 1) “Sale Tract” must be consolidated with the property located at 3602 W Mayo Lane (PID 29270774) as described in the Proposed Boundary Descriptions provided in the Certificate of Survey at the time of Recording at the Crow Wing County Land Services office.