



PLANNING REPORT – Minor Subdivision

TO: City of Sunfish Lake Mayor and City Council

FROM: Michelle Barness

DATE: August 28, 2013

RE: Sunfish Lake – Flynn/Park Minor Subdivision

FILE: 211.01 – 13.10

9/3/13 CC Mtg.
Agenda
Item
6a

BACKGROUND

William and Mary Park, and Linda Flynn are requesting City Council approval of a minor subdivision of a parcel located at Lot 4, Block 1, Knutson Addition (PID 38-42600-040-01). The applicants currently share joint ownership of the parcel and are proposing a minor subdivision to split the property in half. The north half of the split parcel is to be recombined with the Flynn property to the north, located at 2324 Angell Road, whereby Linda Flynn will then have 100% ownership of the north portion of the split parcel. The south half of the split parcel is to be recombined with the Park property to the south, located at 15 Sunnyside Lane, whereby William and Mary Park will then have 100% ownership of the south portion of the split parcel.

Section 1302.01.A of the Subdivision Ordinance states that in the case of a request to divide a portion of a lot where the division is to permit the adding of a parcel of land to an abutting lot so that no additional lots are created and both new lots conform to the required lot size minimum standards, the application may be reviewed as a Minor Subdivision. Further, Section 1302.04 of the Subdivision Ordinance allows approval of the minor subdivision by the City Council (rather than following the preliminary/final plat procedure, which would also require review by public hearing and the Planning Commission) if the application relates to a boundary adjustment, and provided that the application complies with applicable provisions of the Ordinance.

The parcel to be split is currently vacant, and conforming homes and driveways currently exist on both the impacted Flynn and Park properties. No additional site or building improvements are being proposed with the minor subdivision at this time. With the lot split, the applicants will vacate certain drainage and utility easements and create new drainage and utility easements. The impacted properties are zoned R-1 Single Family Residential and Shoreland Overlay District.

APPROVALS REQUIRED	
Minor Subdivision	To permit a lot split which divides Lot 4, Block 1, Knutson Addition, with the north half of the split parcel to be combined with a parcel located at 2324 Angell Rd. (owned by Linda Flynn), and the south half of the split parcel to be combined with a parcel located at 15 Sunnyside Ln. (owned by William and Mary Park).

Attached for reference:

Exhibit A – Legal Description of Parcels and Easements

Exhibit B – Existing Parcels Survey

Exhibit C – Proposed Lot Split Survey

ANALYSIS

Lot Requirements. Subdivided lots are required to meet lot area and setback provisions outlined in the Zoning Ordinance. The following table displays the applicable lot area, width, and setback requirements for both applicable zoning districts, in addition to indicating the subdivision's compliance with those standards.

R-1 District Standards	Required	Proposed (15 Sunnyside Ln.)	Proposed (2324 Angell Rd.)	Compliant
Front Accessory Setback (setback to the public street)	100 feet	est. 160 feet	est. 230 feet	Yes
Side Accessory Setback	25 feet	est. 95/220 feet	est. 180/190 feet	Yes
Rear Accessory Setback	25 feet	est. 250 feet	est. 130 feet	Yes
Shoreland Overlay District Standards	Required	Proposed (15 Sunnyside Ln.)	Proposed (2324 Angell Rd.)	Compliant
Buildable lot area above OHWM*	2.5 acres	3.77 acres	4.35 acres	Yes
Frontage on improved public street/private road	200 feet	exceeds 350 feet	exceeds 350 feet	Yes
Lot width at building setback line	200 feet	exceeds 350 feet	exceeds 350 feet	Yes
Lot width at OHWM of abutting water body	150 feet	N/A	N/A	N/A
Building setback from OHWM	200 feet	N/A	N/A	N/A
Building setback from property line adjacent to street	100 feet	est. 70 feet	est. 160 feet	Yes**
Surface building side yard setback	50 feet	est. 145/110 feet	est. 145/195 feet	Yes

*OHWM (Ordinary High Water Mark)

**This is an existing, legally non-conforming lot condition, which will not be increased or impacted as a result of the minor subdivision, and may be allowed to continue as is.

As shown in the table, given the proposed subdivision the subject properties will continue to meet the lot requirements of the Zoning Ordinance.

Subdivision Design Standards. The proposed minor subdivision must be consistent with the design requirements as outlined in the City's Subdivision Ordinance. Section 1307.04 of the Subdivision Ordinance outlines the provisions which must be met with regards to lot formation. The following outlines these provisions and the proposed subdivision's compliance with the required design criteria:

Lot Area: The minimum lot area, width and depth shall not be less than that established by the City Zoning Ordinance in effect at the time of adoption of the final plat.

Comment: Lots in the Shoreland Overlay District are required to have a net lot area of at least 2.5 acres, not including wetlands, land seasonally flooded on an annual basis, land containing drainage ways and/or surface water or land containing aquatic vegetation, and land in excess of twelve (12) percent slope. Any analysis of these conditions on the subject properties suggests that the lots may be legally non-conforming as pertains to net lot area, in that one or both lots exhibit significant areas of steep slopes. However, Zoning Ordinance Section 1215.02 pertaining to non-conforming uses states that it is lawful to allow changes to a non-conforming parcel of land as long as that change lessens the non-conformity, which is the case here. Upon approval of the requested lot split/combination, both 2324 Angell Rd. and 15 Sunnyside Ln. will be larger, such that any existing non-conformity pertaining to minimum lot size would have been reduced as opposed to increased, as allowed by Ordinance.

Lot Frontage: Every lot must have the minimum frontage on a City approved public street as required in the City Zoning Ordinance or onto a City approved private drive.

Comment: According to the Shoreland Overlay District 200 feet of frontage must be provided on either a public or private street. After the proposed lot split and combination, both impacted properties will continue to meet this requirement.

Access: Each lot shall directly access a public street or shall have a private drive access approved by the City under Section 1307.04.D or the Interim Use Permit provisions as specified in Section 1241 of the City Zoning Ordinance.

Comment: Both impacted properties currently have access to a public road. This access condition will not be impacted by the proposed subdivision.

Setback Lines: Setback or building lines shall be shown on all lots and shall not be less than the setback required by the City Zoning Ordinance, as may be amended.

Comment: As demonstrated in the above table the subject properties will continue to meet setback standards after the proposed minor subdivision. The one exception is the Park property, which currently exhibits a substandard setback from the front property line. This is an existing legally non-conforming condition which will not increase with the proposed lot split and combination, and as such may be allowed to continue as is.

Drainage: Lots shall be graded so as to provide drainage away from building locations, subject to the recommendation of the City Engineer and approval by the City Council.

Comment: The applicant has submitted a site survey showing all existing buildings and grading on the subject properties. These conditions are not anticipated to be impacted by the proposed minor subdivision.

Features: In the subdividing of any land, due regard shall be shown for all natural features, such as tree growth, watercourses, historic spots or similar conditions, which, if preserved, will add attractiveness and stability to the proposed development.

Comment: The proposed lot split and combination will not impact landscaping or natural systems on either property. Any future site improvements which will impact the subdivided lot area will need to meet all Ordinance requirements as pertains to tree removal, preservation and installation (as described in Section 1208.02, Section 1218.03, and Section 1243.04 of the Zoning Ordinance).

Lot Remnants: All remnants of lots below minimum size for the respective zoning district in which they are located must be added to abutting lots or lots immediately adjoining rather than to remain as unusable parcels.

Comment: The "Existing Parcel Survey" notes a narrow gap between the Sunfish Heights Addition (Flynn property falls within) and Knutson Addition (Park property and parcel to be split falls within). Once the lot split and combination is approved and Linda Flynn owns the land on both sides of the gap area, she will commence a court action to establish title in her name for the gap area.

Outlots: The creation of outlots is to be discouraged, except in such cases where title discrepancies exist and their establishment has been determined by the City Attorney to constitute the most effective means of dealing with the issue. I

Comment: The applicant is not proposing the creation of any new outlots as a part of the minor subdivision request. An existing outlot adjacent to the Flynn property will not be impacted by the proposed lot split/combination, and will continue to be owned by Linda Flynn.

Driveway Culvert: A minimum culvert size of 15 inches shall be installed under any driveway requiring storm water runoff to pass through the driveway.

Comment: The applicant is not proposing to construct any additional dwelling units as a part of this request, however, need for a culvert in the future shall be at the discretion of the City Engineer.

Easements. According to Section 1307.10 of the Subdivision Ordinance, all easements shall be shown on the Certificate of Survey in the case of a minor subdivision. Section 1307.10.A requires that easements of a minimum of 10 feet wide centered on rear and other lot lines be provided for drainage and for public and private utilities. Further, Section 1302.01.B.2 of the Minor Subdivision Ordinance requires that when a public

drainage and utility easement would have been dedicated to the City incident to a full platting process, the landowners involved in the minor subdivision must grant the City, at no cost to the City, the public drainage and utility easements required.

The submitted "Lot Split Survey" provides 10 foot drainage and utility easements running along all property lines on both the Flynn and Park properties, including the new north/south boundary between the two properties resulting from the proposed lot split/combination of Lot 4, Block 1, Knutson Addition. Legal descriptions of the existing Flynn and Park Parcels, Parcel A and Parcel B of the split lot (to be combined with the Flynn and Park parcels), and all proposed drainage and utility easement areas has been provided by the applicants.

The submitted "Existing Parcel Survey" also provides the location of existing drainage and utility easements along the north boundary of the Park property, and the south boundary of the parcel to be split, which will be abandoned as a result of the proposed lot split/combination.

The City Attorney will review the legal descriptions for the drainage, utility and roadway easements as provided on the submitted survey, and will draft an easement document. As a condition of approval, the applicant will need to work with Dakota County to record and convey the easement documents (the applicant shall pay for the cost of recording the easements).

SUMMARY AND RECOMMENDATION

The applicants are requesting approval of a minor subdivision to allow the division and recombination of the parcel located at Lot 4, Block 1, Knutson Addition. Planning staff recommends approval of the minor subdivision based on finding that the proposal will have minimal impact on site conditions related to vegetation, land alteration, or neighboring property, and that upon subdivision the subject parcel will continue to meet all Subdivision Ordinance and lot design requirements. This recommendation would be conditioned upon the following:

1. The applicant record the approved survey (demonstrating site conditions, new lot lines, and the legal description of existing parcels, split/combined Parcel A and Parcel B, and drainage and utility easements), and the existing survey (demonstrating drainage and utility easements to be vacated) with Dakota County.
2. The applicant record and convey drainage and utility easement documents, as drawn up by the City Attorney, with Dakota County.

c: Cathy Iago, City Clerk
David Neameyer, City Building Official
Don Sterna, City Engineer
Jim Naves, City Forester
Tim Kuntz, City Attorney
William and Mary Park, Applicant
Linda Flynn, Applicant

Legal Description for
Parcel A

That part of Lot 4, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, which lies northerly of the following described line:

Commencing at the northwest corner of said Lot 4; thence southerly on an assumed bearing of South 3 degrees 35 minutes 02 seconds East, along the westerly line of said Lot 4, a distance of 117.64 feet to the point of beginning of the line to be described; thence North 86 degrees 42 minutes 20 seconds East to the easterly line of said Lot 4 and said line there terminating.

Legal Description for
Parcel B

That part of Lot 4, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, which lies southerly of the following described line:

Commencing at the northwest corner of said Lot 4; thence southerly on an assumed bearing of South 3 degrees 35 minutes 02 seconds East, along the westerly line of said Lot 4, a distance of 117.64 feet to the point of beginning of the line to be described; thence North 86 degrees 42 minutes 20 seconds East to the easterly line of said Lot 4 and said line there terminating.

Legal Description for the Combination of
Parcel A and
the Property Owned by Linda Flynn

Lot 4, SUNFISH HEIGHTS, according to the recorded plat thereof, Dakota County, Minnesota.

Together with:

Outlot A, SUNFISH HEIGHTS, according to the recorded plat thereof, said Dakota County, except that part of said Outlot A platted as KNUTSON ADDITION, according to the recorded plat thereof, said Dakota County.

Together with:

That part of Lot 4, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, which lies northerly of the following described line:

Commencing at the northwest corner of said Lot 4; thence southerly on an assumed bearing of South 3 degrees 35 minutes 02 seconds East, along the westerly line of said Lot 4, a distance of 117.64 feet to the point of beginning of the line to be described; thence North 86 degrees 42 minutes 20 seconds East to the easterly line of said Lot 4 and said line there terminating.

Legal Description for the Combination of
Parcel B and
the Property Owned by William and Mary Park

Lot 5, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, Dakota County, Minnesota.

Together with:

That part of Lot 4, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, said Dakota County, which lies southerly of the following described line:

Commencing at the northwest corner of said Lot 4; thence southerly on an assumed bearing of South 3 degrees 35 minutes 02 seconds East, along the westerly line of said Lot 4, a distance of 117.64 feet to the point of beginning of the line to be described; thence North 86 degrees 42 minutes 20 seconds East to the easterly line of said Lot 4 and said line there terminating.

Legal Description for the
Proposed Drainage and Utility Easements
Across Parcel A and
the Property Owned by Linda Flynn

The westerly 10.00 feet, the northwesterly 10.00 feet and the northeasterly 10.00 feet of Lot 4, SUNFISH HEIGHTS, according to the recorded plat thereof, Dakota County, Minnesota.

Together with:

The southerly 10.00 feet of the westerly 35.13 feet of Lot 4, said Sunfish Heights.

Together with:

The northeasterly 10.00 feet and the easterly 10.00 feet of that part of the following described property:

Outlot A, SUNFISH HEIGHTS, according to the recorded plat thereof, said Dakota County, except that part of said Outlot A platted as KNUTSON ADDITION, according to the recorded plat thereof, said Dakota County.

Together with:

The westerly 10.00 feet, the easterly 10.00 feet and the southerly 5.00 feet of the following described property:

That part of Lot 4, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, which lies northerly of a line described as commencing at the northwest corner of said Lot 4; thence southerly on an assumed bearing of South 3 degrees 35 minutes 02 seconds East, along the westerly line of said Lot 4, a distance of 117.64 feet to the point of beginning of the line to be described; thence North 86 degrees 42 minutes 20 seconds East to the easterly line of said Lot 4 and said line there terminating.

Legal Description for the
Proposed Drainage and Utility Easements
Across Parcel B and
the Property Owned by William and Mary Park

The westerly 10.00 feet, the southerly 10.00 feet and the easterly 10.00 feet of Lot 5, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, Dakota County, Minnesota.

Together with:

The westerly 10.00 feet, the easterly 10.00 feet and the northerly 5.00 feet of the following described property:

That part of Lot 4, Block 1, said KNUTSON ADDITION, which lies southerly of a line described as commencing at the northwest corner of said Lot 4; thence southerly on an assumed bearing of South 3

degrees 35 minutes 02 seconds East, along the westerly line of said Lot 4, a distance of 117.64 feet to the point of beginning of the line to be described; thence North 86 degrees 42 minutes 20 seconds East to the easterly line of said Lot 4 and said line there terminating.

Notes

1. This survey was performed without the benefit of a Title Commitment. There may or may not be other easements of record encumbering this property.
2. We have not placed a Gopher State One Call for this survey. There may or may not be other utilities serving this site. Therefore extreme caution must be exercised before any excavation takes place on or near this site. Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 651/454-0002.
3. The topographic features, shown hereon, were obtained from the Dakota County GIS department. Not all features are necessarily shown on this survey.
4. Note that there is an approximate 4 foot wide gap in the ownership of the land lying between Lot 4, Block 1, Sunfish Heights and Lot 4, Block 1, Knutson Addition as shown hereon. This gap is due to the difference in the legal descriptions between the plat of Sunfish Lake and Knutson Addition. The client's counsel may wish to pursue this matter further, so as to claim title to this area.

Lot 4, Block 1
KNUTSON ADD.

Sunfish Lake, Minnesota

Linda Flynn
2324 Angell Road
Sunfish Lake, Nn 55118

William and Mary Park
15 Sunnyside Lane
Sunfish Lake, Mn 55118

Professional Services:

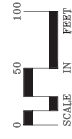
**LOOKKS
ASSOCIATES**

All of the drainage and utility easements, as dedicated in Lots 4 and 5, Block 1, Knutson Addition, according to the recorded plat thereof, Dakota County, Minnesota.

**Legal Descriptions of the
Drainage and Utility Easements
to be Vacated
(May 22, 2013)**

Notes

1. The photographs shown herein were obtained from the Dakota County Tax Payer website on May 20, 2013.
2. This survey was performed without the benefit of a Title Commitment. There may or may not be other easements of record encumbering this property.
3. We have used a Copier State One Call for this survey. There may or may not be other easements of record encumbering this property.
4. The survey was performed on the basis of the information provided by the Dakota County activation team placed on or near the site. Before going, you are required by law to notify Copier State One Call at least 48 hours in advance at 651.644.0002.
5. The topographic features, shown herein, were obtained from the Dakota County GIS department. Not all features are necessarily shown on this survey.
6. Note that there are approximately 4 foot wet and dry gaps in the connections of the land lying between the street and the property. The street is not paved and the property is not paved. The gap is due to the difference in the legal descriptions between the plat of Surfside Lake and the plat of the property shown herein. The clients' counsel may wish to pursue this matter first so as to claim title to this area.



Existing Parcels

Exhibit

Project No.:

Sheet No.:

Sheet 1 of 2



Legal Description for
Parcel A

That part of Lot 4, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, which lies northerly of the following described line:

Commencing at the northwest corner of said Lot 4, thence southerly on an assumed bearing of South 3 degrees 35 minutes 02 seconds East, along the westerly line of said Lot 4, a distance of 117.64 feet to the point of beginning of the line to be described; thence North 66 degrees 42 minutes 20 seconds East to the eastern line of said Lot 4 and said line thence terminating.

Legal Description for
Parcel B

That part of Lot 4, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, which lies southerly of the following described line:

Commencing at the northwest corner of said Lot 4, thence southerly on an assumed bearing of South 3 degrees 35 minutes 02 seconds East, along the westerly line of said Lot 4, a distance of 117.64 feet to the point of beginning of the line to be described; thence North 86 degrees 42 minutes 20 seconds East to the easterly line of said Lot 4, and said line there terminating.

Legal Description for the Combination of Parcel A and

of 4 Sunfish Heights, according to the recorded plat thereof, Dakota County, Minnesota.

Together with:
Dulbit A, Sunfish Heights, according to the recorded plat thereof, said Dakota County, except that part of said Dulbit A platted as KNUTSON ADDITION, according to the recorded plat thereof, said Dakota County.

Together with:
That part of Lot 4, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, which lies northerly of the following described line:

a distance of 117.64 feet to the point of beginning of said Lot 4 and said line there terminates at the

Legal Description for the Combination of

Parcel B and
the Property Owned by William and Mary Park

Together with:
That part of Lot 4, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, said Dakota County, which lies southerly of the bounding described line;

said Lot 4; thence southerly on an assumed bearing

Legal Description for the

**Proposed Drainage and Utility Easements
Across Parcel A and
the Property Owned by Linda Flynn**

The westerly 10.00 feet, the northerly 10.00 feet and the northeasterly 10.00 feet of Lot 4, Sunlist Heights, according to the recorded plat thereof, Dakota County, Minnesota.

Together with:

Together with:

The northeasterly 10.00 feet and five easterly 10.00 feet of that part of the following described property:

KNUTSON ADDITION, according to the recorded plat thereof, said Dakota County.

The vector is 10.00 feet, the easting is 10.00 feet and the northing is 5.00 feet of the following described norad.

That part of Lot 4, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, which lies northerly of a line described as commencing at the northerly corner of said Lot 4, thence southerly on an assumed bearing of South 3 degrees 35 minutes 02 seconds East, along the westerly line of said Lot 4, a distance of 117.64 feet to the point of beginning of the line to be described; thence North 86 degrees 42 minutes 02 seconds East to the easterly line of said Lot 4 and said line there terminating.

**Legal Description for the
Proposed Drainage and Utility Easements**

the Property Owned by William and Mary Park

Together with:

The westerly 10.00 feet, the easterly 10.00 feet and the northerly 5.00 feet of the following described property:

said Lot 4; thence southerly on an assumed bearing of South 3 degrees 35 minutes 02 seconds East, along the westerly line of said Lot 4, a distance of 176 feet to the point of beginning of the line to be described, thence North 85 degrees 2 minutes 20 seconds West, a distance of 95 feet to the intersection of the centerline of said road or highway, which centerline runs parallel to the centerline of said Road No. 30N Avenue N.W., which latter road or highway runs easterly from its southern end as commencing at the northwest corner of said Lot 4, Block 1, said ROAD NO. 30N AVENUE N.W., through the center thereof northerly to the northwestern corner of said Lot 4, Block 1, said ROAD NO. 30N AVENUE N.W.;

Notes

1. this survey was performed without the benefit of a Title Commitment. There may or may not be other encumbrances of record encumbering this property.
2. We have not placed a Gopher State One Call for this property. There may or may not be other utilities serving this site. Therefore, extreme caution should be taken when digging, and you are required by law to notify the appropriate utility companies before digging.
3. The Gopher State One Call for this property is 661-654-6002.
4. The topographic features shown herein were obtained from the Dakota County GIS department. Not all features are necessarily shown on this survey.
5. Note that there is an approximate 4 foot wide gap in the ownership of the land lying between Lot 1, Surfline Heights and Lot 4, Surfline Heights. The gap is owned by the City of St. Louis. The City of St. Louis is not a party to this deed. The City of St. Louis and the City of Clayton Addition II, St. Louis County, Missouri, are parties to the plat for the portion of the plat that is owned by the City of St. Louis. The City of St. Louis and the City of Clayton Addition II, St. Louis County, Missouri, are parties to the plat for the portion of the plat that is owned by the City of St. Louis.

Project Name: Lot 4, Block 1
KNUTSON ADD

Sunfish Lake, Minnesota

Linda Flynn
24 Angell Road
Sh Lake, Mn 55111

William and Mary Park
15 Sunnyside Lane
Sunfish Lake, Mn 55118

Professional Services;

LOCKES ASSOCIATES

Planning • Civil Engineering • Land Surveying
Landscape Architecture • Environmental

7200 Hiernlock Lane • Suite 300
Maple Grove, MN 55369
Telephone: (763) 424-5505

CADQ Qualification: CADQ was prepared by the Consultant for this project and was not intended to be used by any other party. The Consultant is not responsible for any use, solely with respect to this project. These CADQ files shall be retained on other projects, for additions to this project, or for consideration of this project by others at Freedom's discretion, approval by the Consultant. When the Consultant's CADQ drawing may be permitted to obtain copies of the CADQ drawing files for retention and use on other projects, the Consultant shall be notified in writing by the Consultant. The Consultant shall be notified of the deletion and that party shall indemnify and hold the Consultant harmless from any and all responsibilities, claims, and liabilities.

[illegible]

Professional Signature: *Richard L. Licht*
Richard L. Licht, PLS

26724	3-25-13
License No.	Date
Quality Control:	
Project Lead:	TMB
Reviewed By:	RL
Dispatch By:	
Review Date:	

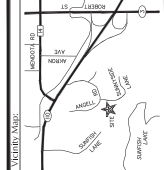


Exhibit
Proposed Lot Split

Project No.:

Sheet No.: 0609

**CITY OF SUNFISH LAKE
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. _____

RESOLUTION APPROVING A MINOR SUBDIVISION TO DIVIDE A JOINTLY OWNED PARCEL (PIN 38-42600-040-01), TO BE COMBINED WITH THE ADJACENT PARCELS LOCATED AT 2324 ANGELL ROAD AND 15 SUNNYSIDE LANE

WHEREAS, Linda Flynn and William and Mary Park submitted an application for a minor subdivision of a jointly owned parcel, located between their lots at 2324 Angell Road and 15 Sunnyside Lane, legally described as:

Lot 4, Block 1, KNUTSON ADDITION

Said parcel to be split and recombined as follows:

Lot 4, Sunfish Heights, according to the recorded plat thereof, Dakota County, Minnesota.

Together with:

Outlot A, Sunfish Heights, according to the recorded plat thereof, said Dakota County, except that part of said Outlot A platted as KNUTSON ADDITION, according to the recorded plat thereof, said Dakota County.

Together with:

That part of Lot 4, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, which lies northerly of the following described line:

Commencing at the northwest corner of said Lot 4; thence southerly on an assumed bearing of South 3 degrees 35 minutes 02 seconds East, along the westerly line of said Lot 4, a distance of 117.64 feet to the point of beginning of the line to be described; thence North 86 degrees 42 minutes 20 seconds East to the easterly line of said Lot 4 and said line there terminating.

And:

Lot 5, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, Dakota County, Minnesota.

Together with:

That part of Lot 4, Block 1, KNUTSON ADDITION, according to the recorded plat thereof, said Dakota County, which lies southerly of the following described line:

Commencing at the northwest corner of said Lot 4; thence southerly on an assumed bearing of South 3 degrees 35 minutes 02 seconds East, along the westerly line of said Lot 4, a distance of 117.64 feet to the point of beginning of the line to be described; thence North 86 degrees 42 minutes 20 seconds East to the easterly line of said Lot 4 and said line there terminating.

WHEREAS, the properties are zoned R-1 Single Family Residential and Shoreland Overlay District, and the subdivided properties will continue to meet lot area, width and setback standards within these districts; and

WHEREAS, the subdivided properties will continue to meet lot design requirements as outlined in Section 1307.04 of the Subdivision Ordinance; and

WHEREAS, City staff reviewed the application and judged it to be complete and outlined their review comments and recommendations in a planning report dated August 28, 2013, prepared by Northwest Associated Consultants; and

WHEREAS, the Sunfish Lake City Council considered the application for a minor subdivision at their meeting on September 3, 2013 and agrees with the findings of the planner as outlined in the report dated August 28, 2013; and

NOW THEREFORE BE IT RESOLVED THAT the City Council of the City of Sunfish Lake hereby approves the minor subdivision request dated July 31, 2013 for the properties located at 2324 Angell Road and 15 Sunnyside Lane, with the following conditions as outlined in the planning report dated August 28, 2013:

1. The applicant record the approved survey (demonstrating site conditions, new lot lines, and the legal description of existing parcels, split/combined Parcel A and Parcel B, and drainage and utility easements), and the existing survey (demonstrating drainage and utility easements to be vacated) with Dakota County.
2. The applicant record and convey drainage, utility and roadway easement documents, as provided by the Sunfish Lake City Attorney, with Dakota County.

This resolution is adopted by the City Council of the City of Sunfish Lake this 3rd day of September, 2013.

Molly Park, Mayor

Attest:

Catherine Iago, City Clerk