

Environmental Services
 Planning & Zoning
 601 Third Avenue
 Two Harbors, MN 55616
www.co.lake.mn.us
 (218)834-8327
 Fax: (218)-834-8365

LAKE COUNTY
ADMINISTRATIVE SUBDIVISION
APPLICATION
 PLEASE COMPLETE IN INK
INCLUDE FEE WITH APPLICATION
\$200 per each newly created lot
Each Lot line adjustment or correct encroachment: \$100
After the fact (per lot): \$200 plus permit fees

Administrative Subdivision Approval #:	
CC: Applicant	Auditor
Agent	Assessor
Sheriff	

INCOMPLETE APPLICATIONS WILL BE RETURNED!

GENERAL PROPERTY INFORMATION

Applicant's name	Day Phone	Email address	Authorized Agent (if applicable)
Complete Mailing Address	Property Address (if other than mailing)		Agent Address (if applicable)

PROPERTY DESCRIPTION OF PARCEL TO BE SUBDIVIDED

Section	Township	Range	Township Name	Acreage	Parcel Code(s) # (REQUIRED)
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Quarter Section/Legal Description: _____

Nature of Title
 _____ Abstract _____ Torrens If Torrens property, contact Lake County Recorder at 218-834-8348 as additional information may be required.

Lake/River Name	Road providing access to property	Lot Dimensions Width _____ ft. Depth _____ ft.	Existing Land Use
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Property Land Features (Check all that apply)

<input type="checkbox"/> Non-shoreland	<input type="checkbox"/> Lake Superior Erosion Hazard Area
<input type="checkbox"/> Shoreland/Shoreland Zone (within 1000' of lake or 300' of river)	<input type="checkbox"/> Wetland Present
<input type="checkbox"/> Lake/River Frontage: _____ ft.	<input type="checkbox"/> Bluff Present
<input type="checkbox"/> North Shore Management Zone	

Was parcel created after May 26, 2006? Y N **Has a Conditional Use been approved for this parcel?** Y N
If yes, what date? _____ **Is this parcel within a plat?** Y N **If Yes, name of plat** _____

TYPE OF ADMINISTRATIVE SUBDIVISION
 Please check appropriate box below. The sketch should reflect all existing buildings & setbacks from property lines.

- Creating one new parcel per five year period** (An existing parcel can be subdivided to create one (1) new parcel per five (5) year period without a survey provided the parcel is not in the North Shore Management Zone and no new road is created. New road being defined for this section as a way constructed after the adoption of this ordinance that serves more than four (4) dwellings or buildable parcels.)
- Dividing a parcel to create a maximum of four parcels with a survey** (A parcel or quarter-quarter section can be divided to create up to a maximum of four (4) parcels (this does not include the residual parcel) with a survey signed by a licensed land surveyor, none of which are smaller than two and one half (2 ½) acres and no new road is created. New road being defined for this section as a way constructed after the adoption of this ordinance that serves more than four (4) dwellings or buildable parcels.)
- Adjusting common ownership line** (A common ownership line is adjusted between two adjacent owners/parcels. If the new lot is not buildable or does not meet the minimum lot size it must be attached to one of the existing parcels. If this cannot be done both property owners must sign and record a waiver form acknowledging that the new lot is unbuildable for a primary structure and cannot be sold separate from the adjoining parcel unless the parcel is modified to a conforming lot. No resulting parcels shall become nonconforming or increase the nonconformity of an existing nonconforming parcel.)
- Correcting an encroachment or an addition of land to correct minimum lot size** (To correct an encroachment or an addition of land to correct minimum lot size; provided a certificate of survey is filed as an exhibit with the deed of transfer.)
- Parcel split by a physical barrier** (Where a lot of record is divided by a railroad, public road, or river, the parcels created by that feature may be considered as separate lots if all public health standards, applicable setbacks, and lot coverage requirements can be met.)

Number of new lots being created: _____ (excluding the original parcel)	Proposed use of newly created lot (s): <input type="checkbox"/> Residential <input type="checkbox"/> Commercial Description of Use _____
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Please complete back side of the application

PROPOSED NEW LEGAL DESCRIPTIONS

(for all proposed lots, including remainder of original parcel)

Residual of original parcel	Legal Description for remainder of original parcel:		
	Acreage:	New lot dimensions: Width_____ Length_____ ft New shoreline frontage (if applicable): _____ft	Primary septic site located? Y N Secondary septic site located? Y N ½ acre of buildable area identified? Y N
Lot #1	Legal Description of newly created parcel:		
	Acreage:	New lot dimensions: Width_____ Length_____ ft Shoreline frontage (if applicable): _____ft	Primary septic site located? Y N Secondary septic site located? Y N ½ acre of buildable area identified? Y N
Lot #2	Legal Description of newly created parcel:		
	Acreage:	New lot dimensions: Width_____ Length_____ ft Shoreline frontage (if applicable): _____ft	Primary septic site located? Y N Secondary septic site located? Y N ½ acre of buildable area identified? Y N
Lot #3	Legal Description of newly created parcel:		
	Acreage:	New lot dimensions: Width_____ Length_____ ft Shoreline frontage (if applicable): _____ft	Primary septic site located? Y N Secondary septic site located? Y N ½ acre of buildable area identified? Y N
Lot #4	Legal Description of newly created parcel:		
	Acreage:	New lot dimensions: Width_____ Length_____ ft Shoreline frontage (if applicable): _____ft	Primary septic site located? Y N Secondary septic site located? Y N ½ acre of buildable area identified? Y N

ACCESS ROAD INFORMATION

Public road name providing access to the newly created lot(s): _____

Have you provided information showing there is, or will be, legal access from each lot to the above mentioned road? Y N

Road Access Maintenance Agreement attached? Y N

There must be a maintenance agreement for existing private road access and/or any shared driveway, and appropriate provision is made for future access if necessary to prevent landlocked parcels. Alternatively, in lieu of a maintenance agreement, the subdivider may provide proof to the county that the subdivider has provided, or will provide, a disclosure of the status of road maintenance responsibilities to all prospective purchasers.

Proof of Disclosure form attached? Y N

(Required in absence of a Road Maintenance Agreement)

Property Owner (print)

Property Owners Signature

Date

The property owner's signature is required below if an Authorized Agent is to act on their behalf, giving permission to the agent to modify and make changes to this application. The Authorized Agent's signature is also required.

Property Owner (print)

Property Owner Signature

Date

Authorized Agent (print)

Authorized Agent Signature

Date

OFFICE USE ONLY

#of new lots _____ Zoning District _____ Fee Paid \$ _____ Receipt # _____

ADMINISTRATIVE SUBDIVISION # AS- _____ APPROVAL DATE: _____

Approved By: _____ (Planning & Zoning Administrator)

Checklist for proposed Administrative Subdivision

(All information must be included with the application)

Excerpt from Lake County Subdivision Ordinance #9, Section 4.03:

Application for an Administrative Subdivision shall be made to the Administrator. The following items shall be included with an Administrative Subdivision application. This information can be shown on the survey if one is required.

A) Two 8.5 x 11 map(s) or sketch(s) showing:

- _____ 1) Proposed legal description of the parcel(s) to be subdivided.
- _____ 2) Proposed new property lines with dimensions noted (approximate without survey).
- _____ 3) Citation and location of any existing legal rights-of-way or easements affecting the property, as documented on a current Abstract or Title.
- _____ 4) Sketch should show location, purpose and dimensions of all existing buildings, along with setback distances of those buildings to existing and proposed new property lines.
- _____ 5) General location of any abandoned wells or drainage ways.
- _____ 6) Location of a primary and secondary area for an on-site sewer system for all lots. This is determined by a MN licensed septic contractor. The contractor must complete the attached soil worksheet and show the locations of soil borings on the map/sketch. If there is an existing septic system on one of the lots, a secondary site must be identified on that lot also. If applicable, existing system permit # SP-

- 7) Location of ½ acre buildable area.
- _____ 8) All roads and their proper name.
- _____ 9) Maintenance agreements for shared access driveways or proof of disclosure per section 4.02(C) along with the description and location of the easement.
- _____ 10) Wetland information if deemed necessary by the Administrator.

ARTICLE 4.0

Administrative Subdivision

Section 4.01

Administrative Subdivisions will allow Subdivision of parcels of land with Administrator approval, which will not change the use of land or the character of the area. An Administrative Subdivision shall only be considered if any of the following can be met and the proposal meets all of the requirements of section 4.02:

- A) **An existing parcel can be subdivided to create one (1) new parcel per five (5) year period without a survey** provided the parcel is not in the North Shore Management Zone and no new road is created. New road being defined for this section as a way constructed after the adoption of this ordinance that serves more than four (4) dwellings or buildable parcels.
- B) **A parcel or quarter-quarter section can be divided to create up to a maximum of four (4) parcels** (this does not include the residual parcel) with a survey signed by a licensed land surveyor, none of which are smaller than two and one half (2 ½) acres and no new road is created. New road being defined for this section as a way constructed after the adoption of this ordinance that serves more than four (4) dwellings or buildable parcels;
- C) **To correct an encroachment or an addition of land to correct minimum lot size**; provided a certificate of survey is filed as an exhibit with the deed of transfer; or
- D) **A common ownership line is adjusted between two adjacent owners/parcels.** If the new lot is not buildable or does not meet the minimum lot size it must be attached to one of the existing parcels. If this cannot be done both property owners must sign and record a waiver form acknowledging that the new lot is unbuildable for a primary structure and cannot be sold separate from the adjoining parcel unless the parcel is modified to a conforming lot. No resulting parcels shall become nonconforming or increase the nonconformity of an existing nonconforming parcel.
- E) **Parcels Separated By Physical Barriers (Excerpt from Section 27.04 (D))** Where a lot of record is divided by a railroad, public road, or river as determined by the Administrator, the parcels created by that feature may be considered as separate lots if all public health standards, applicable setbacks, and lot coverage requirements can be met. The Administrative Subdivision process in the Subdivision Ordinance must be used to create a separate lot per this section.

Section 4.02

All Administrative Subdivisions must meet the following requirements:

- A) All the requirements of Section 3.04 of the Subdivision Ordinance must be met.
- B) There must be a maintenance agreement for existing private road access and/or any shared driveway, and appropriate provision is made for future access if necessary to prevent landlocked parcels. Alternatively, in lieu of a maintenance agreement, the subdivider may provide proof to the county that the subdivider has provided, or will provide, a disclosure of the status of road maintenance responsibilities to all prospective purchasers.
- C) All newly created shared driveway easements shall have a fifty (50) foot right-of-way established and this area may be included in the minimum lot size calculation. Road easements described by a licensed land surveyor shall be submitted with the application.
- D) The original parcel involved has not been created in the last three (3) years, unless the parcel was created by decree, or pursuant to court order. All parcels created before May 26th, 2006 shall be exempt from this requirement.
- E) Except for common boundary line adjustments, all new subdivisions in platted areas shall be done by subdivision plat.

Section 4.03

Application: Application for an Administrative Subdivision shall be made to the Administrator. The following items shall be included with an Administrative Subdivision application. This information can be shown on the survey if one is required.

- A) Two (2) map(s) or sketch(s) drawn to a standard engineer's scale and showing:
 - 1) Proposed legal description of the parcel(s) to be subdivided.
 - 2) Proposed new property lines with dimensions noted (approximate without survey).
 - 3) Citation and location of any existing legal rights-of-way or easements affecting the property, as documented on a current Abstract or Title.
 - 4) General location, purpose and dimensions of all existing buildings. Location shall note distance of those buildings closest to property lines from the existing and proposed property lines.
 - 5) General location of any abandoned wells or drainage ways.
 - 6) Location of a primary and a secondary area for an on-site sewer system.
 - 7) Location of ½ acre of contiguous buildable area.
 - 8) All roads and their proper name.
 - 9) Maintenance agreements for shared access driveways or proof of disclosure per section 4.02(B) along with the description and location of the easement.
 - 10) Wetland information if deemed necessary by the Administrator.

Section 4.04

The purpose of the Administrative Subdivision is to allow relatively simple and timely procedures for smaller subdivisions. It is not the goal to allow larger subdivisions to avoid the platting process. If the Administrator feels the subdivider is using the Administrative Subdivision process to subvert or undermine the platting process the Administrator can require that the subdivision be platted.

Section 4.05

If a survey finds that a quarter-quarter of a section currently described as forty (40) acres in a ten (10) acre zoning district is short of forty (40) acres the property can still be split into four (4) lots by standard rectangular subdivision (either quarter-quarter-quarter sections or half of a half of a quarter-quarter section). (Example: NW ¼ of NW ¼ of NW ¼ or; E ½ of E ½ of NW ¼ of NW ¼).

LAKE COUNTY
ROAD DISCLOSURE STATEMENT

IN RE: PARCEL NO _____

I, _____ HAVE PROVIDED, OR WILL PROVIDE,
A DISCLOSURE OF THE STATUS OF ROAD OR SHARED DRIVEWAY MAINTENANCE
RESPONSIBILITIES TO ALL PROSPECTIVE PURCHASERS.

SUBSCRIBED AND SWORN THIS _____ DAY OF _____, 20_____.

PROPERTY OWNER/DEVELOPER

STATE OF MINNESOTA

COUNTY OF LAKE

I, THE UNDERSIGNED NOTARY PUBLIC, DO HEREBY CERTIFY THAT

_____ PERSONALLY APPEARED
BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF THE
FOREGOING DISCLOSURE STATEMENT.

WITNESS MY HAND AND NOTARIAL SEAL-STAMP, THIS _____ DAY OF
_____, 20_____.

MY COMMISSION EXPIRES:

NOTARY PUBLIC



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