



City staff use only:

Project #: _____

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LOT SPLIT REQUEST FORM

Property Address
Description of the Request

<i>Note: If the description of request is longer than a few lines, please submit electronically.</i>
Legal Description of the Property

Note: If legal description is not provided the application is incomplete. If legal description is longer than a few lines, please submit electronically (MS Word format).
Is property Abstract _____ or Torrens _____ PID: _____
Is the property Abstract or Torrens? (To verify call the Anoka County Office at (763) 323-5400 with the property PID number). Anoka County may require a Registered Land Survey to be completed for Torrens property depending upon the legal description of the property. Proposed legal descriptions for Torrens property must be reviewed by Anoka County to make this determination.
Property Owner (fee owner)
Property Owner _____ Phone _____
Address _____ Email _____
City _____ State _____ Zip _____
Signature _____ Date _____
Note: If property owner has not signed the application, the application is incomplete.
Zoning
Current Zoning _____ Rezoning Needed Yes _____ No _____
Applicant
Applicant _____ Phone _____
Contact Person _____ Phone _____
Address _____ Email _____
City _____ State _____ Zip _____

REQUIRED MATERIALS

All lot split requests must meet the following:

1. All lots must have at least the minimum width, depth and square footage required in the zoning district where the lot is located (See City Code 11-3-4), and;
2. All lots must have frontage on a public street, and;
3. No owner may utilize this method of land division on any parcel more than one (1) time in any three (3) year period, and;
4. The applicant must supply the required materials to determine whether the proposed lot(s) are buildable (See Buildability Requirements).

BUILDABILITY REQUIREMENTS

Before the City can determine if a new home can be built on any vacant lot (this includes potential lot splits), the following items will need to be submitted by the applicant for review by the Andover City Staff. *Note: It is recommended that a pre-application meeting be held with the applicant to review the required items that are identified below.*

1. A Licensed Land Surveyor is required to show on the survey the following items:

- a. Boundary survey, including measured distances and angles, which shall be tied into the nearest quarter section or section line by traverse and total acreage calculated to the nearest 0.1 acre.
- b. Appropriate scale.
- c. North Arrow.
- d. Lot dimensions (width, depth, and area)
- e. Locations, dimensions and description of structures and other improvements, if any. *Note: If structures are proposed to be removed, it will be necessary to identify this on the survey.*
- f. Proposed front, side, and rear yard building setbacks based on the existing or proposed zoning of the property.
- g. Location of soil borings. (*Note: See Part 2. below for additional information required for the soil borings*).
- h. Adjacent city streets or county roads right of way (existing and/or proposed)
- i. Existing and proposed legal descriptions of all affected properties.
- j. All existing and/or proposed drainage and utility easements and all other easements that have been recorded or are proposed. (*Note: Any required drainage and utility easements [and/or any other types easements] as part of the lot split must be provided to the City on a separate document prior to recording of the lot split*).
- k. Indicate existing topography and proposed grading of the site (if necessary). (*Note: See Part 3. and 4. below for additional information required to meet the buildability requirements*).
- l. Must identify all existing wetlands, which may require a delineation to be performed. The Anoka Conservation District (763-434-2030) may be willing to delineate the existing wetland for a fee. Otherwise it may be necessary for the property owner to contact an independent consultant that performs wetland delineations. (*Note: A wetland buffer strip 16.5 feet wide must be identified on the survey around all delineated wetlands*).

- m. Show proposed elevations of lowest floor and garage floor. *Note:* The low floor elevation must be at least three feet above the seasonal high-water mark or two feet above the designed or designated 100-year flood elevation, whichever is higher. The design or designated 100-year flood elevation may already be predetermined. Contact the City Engineering Department to discuss this further at 763-767-5131. (*Note: If landlocked basin exists within or adjacent to the property, it will be necessary to discuss further with the City Engineering Department*).
- n. Must identify all floodplain areas and the designated 100-year flood elevation on the plan. Information regarding this can be obtained from the City of Andover Engineering Department at 763-767-5131.

2. Soil report requirements are as follows:

A Geotechnical Report must be submitted by a licensed geotechnical engineer. The submitted report shall include: any site-specific recommendations, SCS soil types and depths, boring logs with actual (not assumed) elevations, seasonal high-water mark (used to determine minimum allowable low floor elevations), and any other pertinent information. A minimum of one (1) soil boring is required at the building pad location. The minimum depth of the soil boring is twenty (20) feet, or as approved by the City Engineer. If unsuitable soils are encountered below minimum depth, continue boring to two (2) feet below suitable soil elevation or to a maximum depth of twenty-five (25) feet.

3. Properties served with municipal sewer and/or water must meet the buildable design standard for each individual lot as follows:

Lots served by municipal sanitary sewer shall remove all organic material and replaced with granular material with no more than five (5%) organic material by volume for the front one hundred and ten (110.0) feet of the lot and at minimum width of the lot as required for that zoning district by the zoning ordinance.

4. Properties served without municipal sewer and/or water must meet the buildable design standard for each individual lot as follows:

- a. Proposed house location with 3,600 square feet of contiguous buildable area. The buildable area of lots without municipal sewer and water shall be required to have a finished grade of at least six (6') feet above the seasonal high water mark and shall also require the lowest floor to be a minimum of three (3') feet above the seasonal high water mark or two (2') feet above the designated or designed one hundred (100) year flood elevation, whichever is higher.
- b. Each lot shall also provide an area designated by an MPCA licensed septic designer for the primary and secondary on-site drainfields. Said areas combined shall total at least 5,000 square feet and be identified on the survey. Information proving location suitability shall be required at time of lot split application. Final design specifications shall be submitted at the time of building permit application for new home.

LOT SPLIT REVIEW PROCEDURE

Lot Split Process

The applicant must submit a completed and signed application form, the appropriate application fee, and all the required materials listed above. The applicant will be notified within fifteen days of

submittal if the application is incomplete and what steps are necessary to complete the application. Staff will provide a review letter requesting changes to the proposal (if necessary). The Escrow Deposit will be cashed at the time the application is submitted and will cover the completeness review. If the application is subsequently withdrawn the Escrow Deposit shall be refunded to the applicant.

Application Analysis and Scheduling the Public Hearing

When the proposal is complete and meets applicable requirements, staff will schedule a public hearing before the Planning Commission. The Planning Commission consists of seven residents appointed by the City Council to advise them on matters concerning the City's zoning and subdivision ordinances.

In advance of the Planning Commission Meeting, the following will occur:

- A public hearing notice will be published in the Anoka Union and mailed to all property owners and residents within 350-feet of the subject property (700-feet in rural areas).
- A sign stating "Proposed Land Use Change" will be placed on the property to inform interested residents (for Public Hearing information, call the information hotline at 767-5126).
- A staff report is prepared on the Friday before the meeting. A copy of this report will be mailed to the property owner on the same day. If you would like to make other arrangements for receipt of a staff report, please discuss this with project planner.

Planning Commission Meeting / Public Hearing

At the Planning Commission meeting, staff will present a summary of the request to the Commission. The Commission may have questions for the applicant or the staff. **It is important that the applicant attend the Planning Commission meeting.**

- a) The public is invited to speak when the chairman opens the public hearing. After all public input has been discussed, the chairman will close the public hearing. After the Public Hearing is closed, the Commission will discuss the proposal. The applicant and the public may not address the Planning Commission after the public hearing is closed unless the Commission requests their input.
- b) When the Planning Commission has completed their discussion, the Commission can vote to forward the item to the City Council with a recommendation of approval or denial. The Planning and Zoning Commission can also table the item to obtain further information.
- c) If a recommendation is made, the proposal will be placed on a Council agenda typically three weeks from the date of the Planning Commission Meeting. The City Council will approve, deny, or table the proposal.

City Council Meeting

If the council approves a lot split, they approve a resolution, which is an official City document that authorizes Anoka County to record the lot split. The approved resolution will often contain conditions of approval including the payment of park dedication and trail fees. The applicant must complete the conditions of approval before the applicant can record the lot split with Anoka County.

The formal Lot Split process, including the Public Hearing, described above may not be required, if:

The property lines can be adjusted administratively if the property conforms to the following:

1. **Administrative Lot Split.** All divided lots are at least five (5) acres in size and three hundred (300) feet in width, and all existing or newly created lots have frontage on an approved right-of-way.

OR

2. **Lot Line Adjustment.** Moving interior lot lines for residential or commercial property may be approved by the City Planner if the request:
 - a. Does not create any additional buildable lots, and;
 - b. Does not create any lot which is below the standards for the applicable zoning district in which it lies, and;
 - c. Does not have an adverse effect on the surrounding property.

City staff will review your application and determine if either of these administrative processes are applicable to your application. There is a separate application for the Lot Line Adjustment.

- * Please note that that if public easements are vacated or new public easements need to be assigned with the Lot Split or Lot Line Adjustment, then Public Hearings and/or City Council meetings may still be required.

Recording Procedure for the Lot Split

Recording Procedure for Abstract Property

Once the conditions of approval have been completed and the resolution has been recorded with Anoka County by the City Clerk, the applicant must provide a deed for the City Clerk to stamp with the City Seal. Once the deed has been stamped, it is the applicant's responsibility to record this document with the Anoka County Recorder's Office.

Recording Procedure for Torrens Property

Once the conditions of approval have been completed and the resolution has been recorded with Anoka County by the City Clerk, the applicant must record a registered land survey with the Anoka County Recorder's Office. The City Clerk and Mayor will need to sign this document before it can be recorded at Anoka County. The applicant and surveyor should work with the Anoka County Recorder's Office as the City review process progresses to ensure the registered land survey will be accepted by Anoka County.

Sunset Clause (Expiration)

Lot Splits will expire, and the entire process will need to be repeated, if an approved lot split is not recorded with Anoka County within one year from the date of approval by the City Council.

FEES AND APPLICANT ACKNOWLEDGEMENT

Lot Split Application Fees: Application fees shall be paid at the time of application and shall cover such costs as review by the Andover Review Committee, attorney, site inspections, etc. Additional escrow fees may be required as the development proceeds toward completion.

Fees	
1. <u>The following fees shall be paid upon submittal of the application:</u>	
<u>FEE DESCRIPTION</u>	<u>AMOUNT</u>
a. Lot Split Fee:	\$400.00 includes mailing labels
b. Public Notification Sign:	\$30.00
c. Administrative Lot Split:	\$200.00 – 5 acres or more
d. Lot Split Escrow Deposit:	\$400.00 - If this escrow does not cover review costs, additional billing will occur.
Total Application Fee	\$ _____

2. <u>The following fees shall be paid after approval:</u>		
<u>FEE DESCRIPTION</u>		<u>AMOUNT</u>
a. Park Dedication Fee:	Residential	\$4,806.00 per unit*
	Commercial/Industrial	\$14,417.00 per acre or 10% of market value of land, whichever is less*
b. Trail Fee:	Residential	\$983.00 per unit*
	Commercial/Industrial	Developer's Responsibility
<i>*As per current Fee Ordinance</i>		

Applicant Acknowledgement *(please sign in the space provided below)*

I hereby submit this Lot Split Application and declare:

- The information and material submitted with this application is complete and accurate** per City Ordinances and policy requirements.

I understand that **ONLY COMPLETE APPLICATIONS AND FEES** will be accepted and forwarded on to the Planning and Zoning Commission for public hearing and on to the City Council for approval or disapproval. I understand that the application will be processed in sequence with respect to other submittals.

- I hereby certify that this property has NOT been subdivided within the last three years.**

 Applicant's Signature

 Date

The following section is for City staff use only:

Application/Escrow _____	Date Paid _____	Receipt No. _____
Park/Trail Fee _____	Date Paid _____	Receipt No. _____
60 Day date _____	120 Day date _____	