

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

ORDINANCE 97-98

AN ORDINANCE AMENDING THE LAKE ELMO MUNICIPAL CODE;
SECTION 400.10 EXCEPTIONS TO PLATTING

Section 1. Amendment: Section 400.10 of the Lake Elmo Municipal Code is hereby amended to read as follows:

400.10 Exceptions to Platting

Subd. 1. Minor Subdivision. A minor subdivision is a division of land which results in no more than 4 parcels wherein each resultant parcel complies with the City's minimum lot dimension and public road frontage requirements for the zoning district in which the land is located.

Subd. 2 Lot Line Adjustment. A lot line adjustment is a division of land which results in no more than 4 parcels wherein each resultant parcel does not comply with the City's minimum lot dimension and/or public road frontage requirements for the zoning district in which the land is located. The City Council hereby waives compliance with the City's platting regulations for lot line adjustments which satisfy one of the following conditions:

- A. Each resultant parcel, when combined with an abutting parcel through a Tax Parcel Consolidation Procedure approved by Washington County, equals or exceeds the minimum lot dimension requirements and public road frontage requirements for the zoning district in which the property is located; or
- B. In those cases where the City Administrator determines that it is not reasonably possible for each resultant parcel to comply with the provisions of Section 400.10, Subd. 2A, each resultant parcel, when combined with an abutting parcel through a Tax Parcel Consolidation Procedure approved by Washington County, is less non-conforming after the lot consolidation than it was before the lot consolidation; or
- C. In those cases where, in regard to property which is zoned agricultural or rural residential, the City Administrator determines that each resultant parcel will equal or exceed minimum lot dimensions for the zoning district in which the property is located, but that one of the resultant parcels cannot satisfy the minimum public road frontage requirements for the zoning district in which the property is located, access to the non-complying parcel is protected by a restrictive covenant approved by the City Attorney which includes the City as a beneficiary.

Subd. 3 Application for Minor Subdivision/Lot Line Adjustment. An application for a Minor Subdivision or a Lot Line Adjustment shall be submitted on forms provided by the City Administrator. The applicant will be responsible for all expenses incurred in obtaining the required information, which includes the following:

- A. Name, address, and telephone number of the property owner/applicant and evidence of title.

- B. A legal description of the parcel which is being subdivided and legal descriptions for each of the resulting parcels; and, in regard to lot line adjustments, legal descriptions for the consolidated parcels.
- C. A written description stating the reason for the request.
- D. A land survey prepared by and signed by a registered land surveyor describing the minor subdivision and/or lot line adjustment and showing all buildings, driveways, easements, setbacks and other pertinent information including the legal descriptions herein required.

Subd. 4 Review of Minor Subdivision. A completed application shall be submitted to the Planning Commission for its review and recommendation to the City Council. The City Council may attach reasonable conditions to its approval and shall require the conveyance of necessary street, utility, and drainage easements on forms approved by the City Attorney; and shall require the payment of a public use dedication fee.

Subd. 5. Review of Lot Line Adjustment. A completed application shall be reviewed administratively by the City Administrator who shall make a written finding in regard to the provisions of Section 400.10, Subd. 2(A), (B), or (C). The City Administrator's approval shall be conditioned upon tax parcel consolidation. Prior to the issuance of any development permits, and no later than 60 days after administrative review and approval, the applicant shall provide the City Administrator with the verifications listed below. Failure to provide the required verifications shall invalidate the City Administrator's approval.

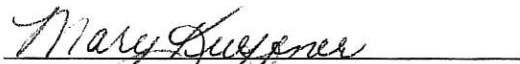
- A. Recorded documents or recorded document numbers for the deeds of conveyance which effectuate the lot line adjustment.
- B. Proof that the Washington County Assessor has approved a Tax Parcel Consolidation and has assigned a new tax parcel number for the consolidated parcel or parcels.

Section 2. Effective Date: This ordinance shall become effective upon its passage and publication according to law.



Lee Hunt, Mayor

Attest



Mary Kueffner, City Clerk/Administrator

Adopted by the Lake Elmo City Council the 18th day of December, 2001

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