
CITY OF EMILY

PLANNING COMMISSION/BOARD OF ADJUSTMENT

AGENDA

Friday, September 15, 2023, 9:00 AM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Additions or Deletions to Agenda
5. Open Forum
6. Public Hearings
7. New Business
 - a. Metes and Bounds Subdivision Application PP-23-02 to allow for the subdivision of one 20.95-acre parcel into two lots within the Neighborhood Residential (NR) zoning district. Owner/Applicant: Jon Friesner
8. Old Business
9. P&Z Administrator's Report
10. Adjourn

This agenda is not exclusive. Other businesses may be discussed as deemed necessary.

APP # PP-23-02
Date 9/7/23
(for office use only)
Pd \$150.00

CITY OF EMILY
LOT SPLIT/SUBDIVISION/REZONING APPLICATION

Name of Applicant Jon Friesner Phone 218 866 2603
Property Address (E911#) 42737 Local Phone _____
Mailing Address 42737 Blue Ln West E-mail jfriesner@gmail.
City, State, Zip Emily MN 56447 (if different than above)

Applicant is: Title Holder of Property (if other than applicant)
Legal Owner _____
Contract Buyer (Name) _____
Option Holder _____
Agent (Address) _____
Other _____ (City, State, Zip) _____

Signature of Owner, authorizing application (required): [Signature]
By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): _____
(By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

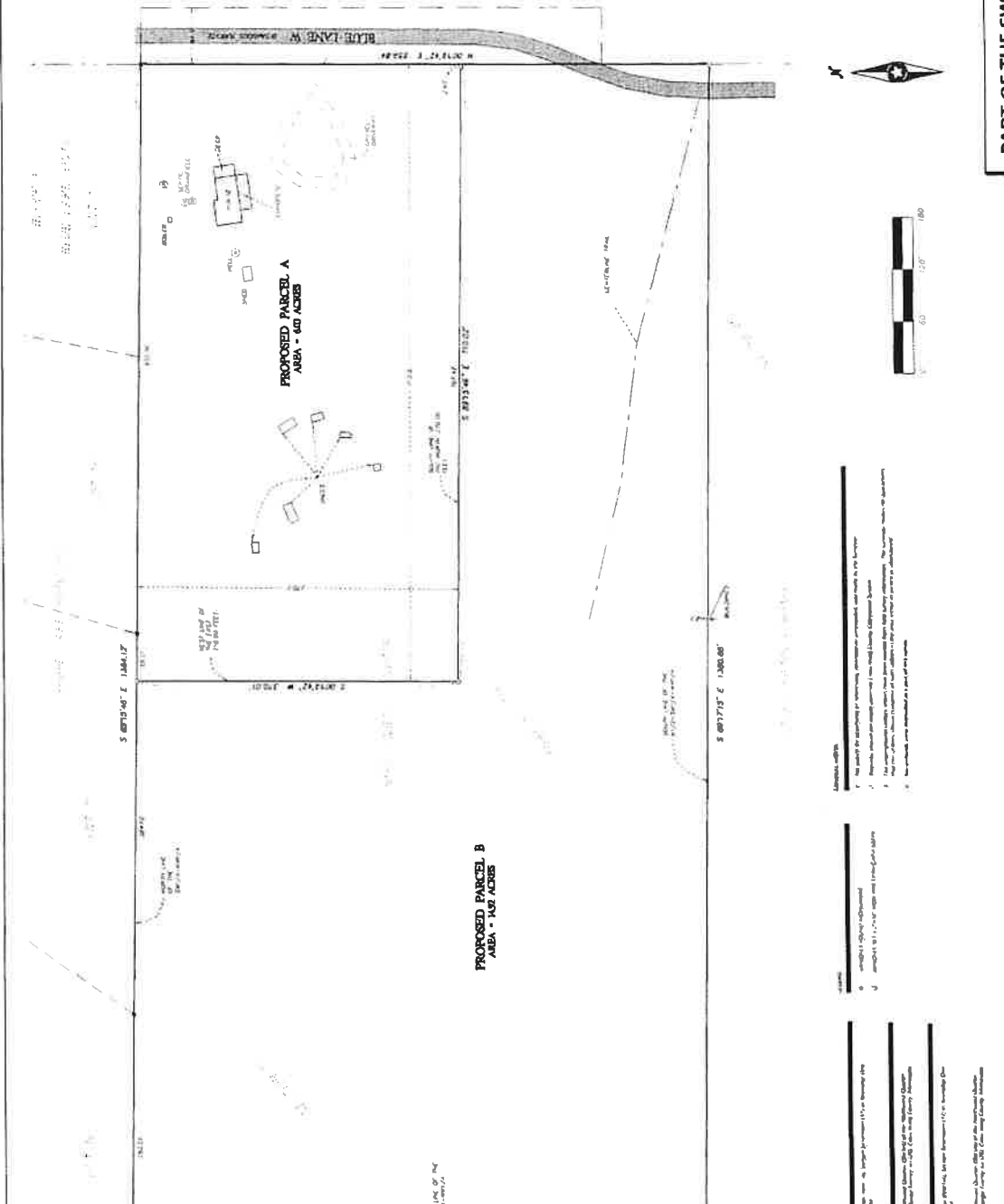
Location of property involved in this request: _____

Property ID # 21170617 Zoning District NR
(8 digit # on tax statement)

- Nature of request (select only one):
- Sketch Review
 - Preliminary Plat
 - Final Plat
 - Metes and Bounds
 - Rezoning Proposed New Zoning District _____

Note: Applicants may apply for Preliminary Plat and Final Plat at the same time, but they must be on separate applications. Preliminary Plat and Final Plat hearings will not be held at the same meeting. Effective date of Final Plat application will be the date of Preliminary Plat approval.

Call 48 Hours before display:
 811 or 888.811.0001
 Common Elected Officials



ASSURANCES

The surveyor certifies that the survey was made in accordance with the provisions of the laws of the State of Minnesota, and that the survey was made in accordance with the provisions of the laws of the State of Minnesota, and that the survey was made in accordance with the provisions of the laws of the State of Minnesota.

NOTICE

This survey was made in accordance with the provisions of the laws of the State of Minnesota, and that the survey was made in accordance with the provisions of the laws of the State of Minnesota.

STATE OF MINNESOTA

County of Hennepin

Surveyor

Johnathan & Kate Friesner

4237 Blue Lane W
 Emily, MN 55447

Date: 8/23/23

CERTIFICATE OF SURVEY

**PART OF THE SW 1/4
 OF THE NW 1/4
 17-138-26**
 City of Wing County, Minnesota

Prepared for **JOHNATHAN & KATE FRIESNER**

4237 Blue Lane W
 Emily, MN 55447

NO.	DESCRIPTION	DATE
1	Survey of 17-138-26	8/23/23
2	Survey of 17-138-26	8/23/23
3	Survey of 17-138-26	8/23/23
4	Survey of 17-138-26	8/23/23

NO.	DESCRIPTION	DATE
1	Survey of 17-138-26	8/23/23
2	Survey of 17-138-26	8/23/23
3	Survey of 17-138-26	8/23/23
4	Survey of 17-138-26	8/23/23





39811 State Highway 6
 PO Box 68
 Emily, MN 56447
 218-763-2480
 zoning@emily.net

pd
 \$ 300.00
 cash for
 meeting

Request for Special Meeting

Jon Friesner 218 866 2603 jfriesner@gmail.com
 Name Phone Email

I request a Special Meeting of the Emily Planning Commission Board of Adjustments at a time and date to be determined by the Zoning Administrator/Zoning Clerk at the convenience of the Planning Commission to be held in the Council Chambers at the City Hall.

The purpose of this meeting is:

Cot split

Dates and times that work in my schedule are:

Any time

The zoning Clerk will contact you as soon as a Special Meeting is scheduled.

I understand that there is a fee of \$300 for a Special Meeting payable at the time of this signing.

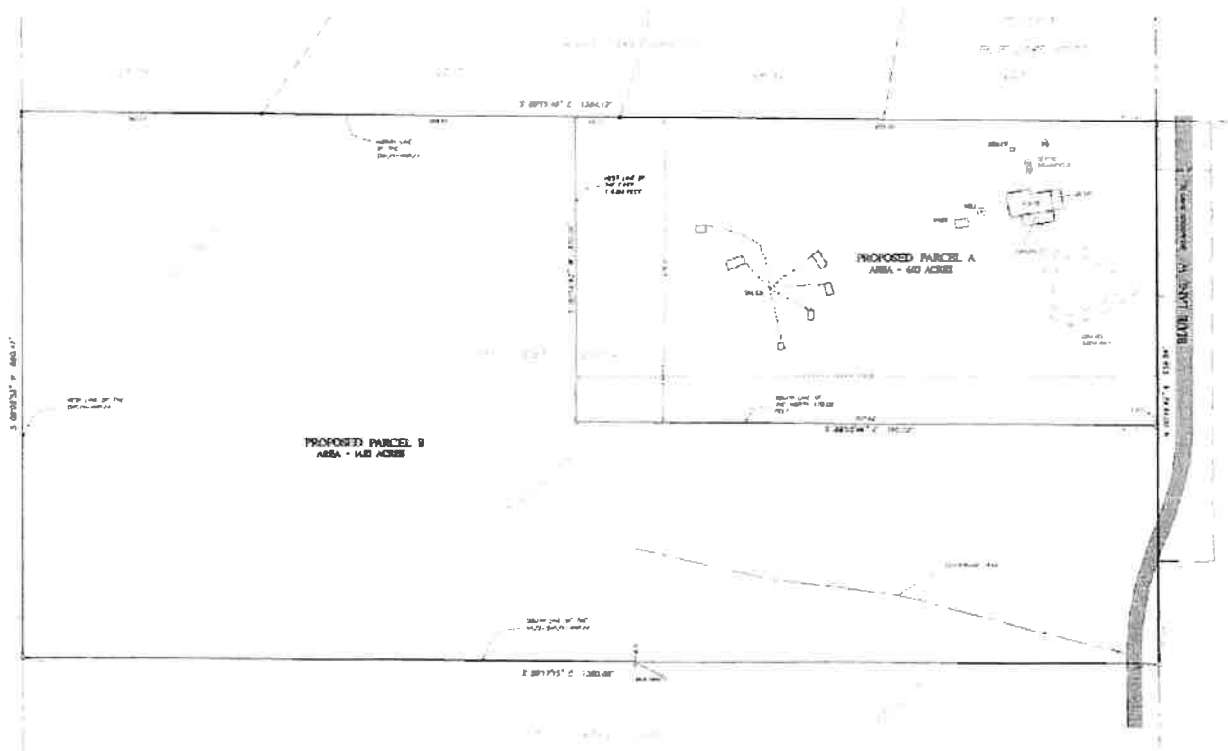
[Signature] 9-11-2023
 Signature Date

STAFF REPORT

Application: Metes and Bounds Subdivision

Applicant: Jon Friesner

Background Information: The applicant is requesting to subdivide an existing 20.95-acre parcel into two parcels. One 6.03-acre parcel and one 14.92-acre parcel. The subject property is located within the Neighborhood Residential (NR) zoning district. This subdivision would not create any nonconformities on either lot created. The existing structures will all be on the proposed 6.03-acre lot with the applicant intending to construct a dwelling on the remaining 14.92-acre lot. Both lots exceed the Neighborhood Residential zoning requirements.



Applicable Regulations:

§ 152.131 SUBDIVISION BY METES AND BOUNDS: PLANNING COMMISSION OR ZONING ADMINISTRATOR APPROVAL OF DESIGN STANDARDS.

The standards for a subdivision shall be as follows:

- A. Record parcel must have deeded access to public road.
- B. Proposed easements must have a minimum width of 33 feet.
- C. Proposed subdivision must meet the land use district standards in which it is located.
- D. Proposed subdivisions to include location of delineated wetlands, or a letter stating there are no wetlands from certified wetland delineator, if no wetlands exist.
- E. Applications must include all the following applicable items:
 1. Certificate of survey.
 2. County coordinates for public land survey corners if they are not of public record.
 3. Certificate of location of government corner must be prepared and placed of record for any corner(s) used in determining the boundary of the subject parcel as specified in M.S. § 381.12, Subd. 3, as it may be amended from time to time, or executed public land survey corner perpetuation and record agreement.
 4. Location of ordinary high water level, property setbacks, significant historical sites, existing structures, wells, septic systems and location of bluffs, if applicable.
 5. Consolidation form completed (for non-conforming property to an adjacent parcel).
 6. Once approved, electronic version of subdivision (compatible with county software).
 7. Subsurface sewage treatment site suitability provided for two sites on each new parcel planned, with supporting documentation from a MPCA-licensed designer or compliance inspection reports for existing systems.
- F. *Boundary line adjustment.* A boundary line adjustment is the division of land made for the purpose of adjusting the boundary lines of parcels of land to an abutting lot or to otherwise exchange property between adjacent lots which does not create any new lots, tracts, parcels, or sites. A boundary line adjustment must also not create or result in any lot, tract, parcel, or site which contains insufficient area and dimensions to meet minimum requirements for width, lot size, and area for building as required by this section. The newly acquired land must be combined on the same deed for recording purposes as the remainder of the owner's property.
 1. *Application.* An owner proposing to undertake a boundary line adjustment must submit a complete application to the city together with the applicable fees. The owner must submit the following additional information with its application in order for the application to be considered complete:
 - (a) A certificate of survey showing the current boundary lines and the proposed boundary lines after adjustment;
 - (b) The current legal descriptions of the lots; and
 - (c) The resulting legal descriptions of the altered lots.
 2. *Procedure.* Complete applications must be submitted to the Zoning Administrator or City Clerk. The Zoning Administrator shall review the

application and make a determination and shall have final approval authority. The Zoning Administrator may bring the request to the planning commission if deemed necessary. If a boundary line adjustment is approved, the City Clerk will sign the certificate of survey, indicating its approval. The applicant shall be required to prepare and record such documents with the County Recorder as may be needed to complete the boundary line adjustment. Any approved boundary line adjustment not recorded within one year of approval, shall require a new application be submitted for review.

§ 152.036 NEIGHBORHOOD RESIDENTIAL (NR).

A. *Intent and purpose.* To establish and maintain a land use district for developed, non-riparian properties, for properties with infrastructure in place to provide for higher density development, and properties developed as a rural neighborhood cluster. This zoning classification is non-riparian.

B. *Lot and use requirements (NR).*

Buildable lot area - acres, minimum	2
Building above highest ground water level - feet, minimum	3
Building height, accessory structure - feet, maximum	25
Building height, dwelling - feet, maximum	25
Impervious coverage - percent maximum	20%
Lot width - feet, minimum	100
Maximum animal unit per acre	1
Maximum density (acres/unit)	1
Maximum density, rural conservation subdivision (acres/unit)	1
Setback, corner side - feet, minimum	30
Setback, rear - feet, minimum	10
Setback, right-of-way, city road - feet, minimum	30
Setback, right-of-way, county or state road - feet, minimum	50
Setback, side yard - feet, minimum	10
Setback, sign - feet, minimum	1
Setback, un-platted cemetery or archeological site - feet, minimum	50
Setback, wetland or stream - feet, minimum	50

Planning Commission Direction: The Commission can approve the lot split request, deny the lot split request, or table the request if additional information is needed.

Staff Recommendation: There doesn't appear to be any issues with the split. The proposed subdivision meets the minimum requirements of the Ordinance. Both of the proposed parcels will be severed access by Blue Lane W.