



MEMORANDUM

DATE: April 8, 2019
TO: Chairperson Carter, Members of the Planning Commission, Administrator Meyer
FROM: Cynthia Smith Strack, Community Development Director
RE: Item 6.1 Minor Subdivision Request: Jennifer Shinehouse PID 200080120

REQUEST SUMMARY

PZ Task: Review request for minor subdivision.
Recommend action to City Council.

Overview: Jennifer Shinehouse has applied for a minor subdivision to split PID 200080120 as illustrated in the attached survey.

Under code, if this split is approved, no further minor subdivision, either lot split or combination is possible for five years after approval. Any further change requires platting.

History/Locale: Locale is existing low density single family residential.

Planned Use: Low density residential, consistent with 2030 and 2040 Comprehensive Plans.

Zoning Classification: R-1 Single Family Low Density Residential

Attachments to Report: (a) Application and survey
(b) Draft Resolution No. 19-013.

Action Options: Action on Resolution 19-013 recommending approval or denial (specify) minor subdivision to City Council.

Staff Recommendation: Approval, with conditions specified in Resolution 19-013.





Legend

- City Limits
- Parcels (12/1/2018)
- Lot Lines
- Minnesota River
- Protected Waters
- Public Water Basin
- Public Water Wetland
- Protected Waters - Watercourse
- Boundary
- Footprint
- Image
- Red: Red
- Green: Green
- Blue: Blue

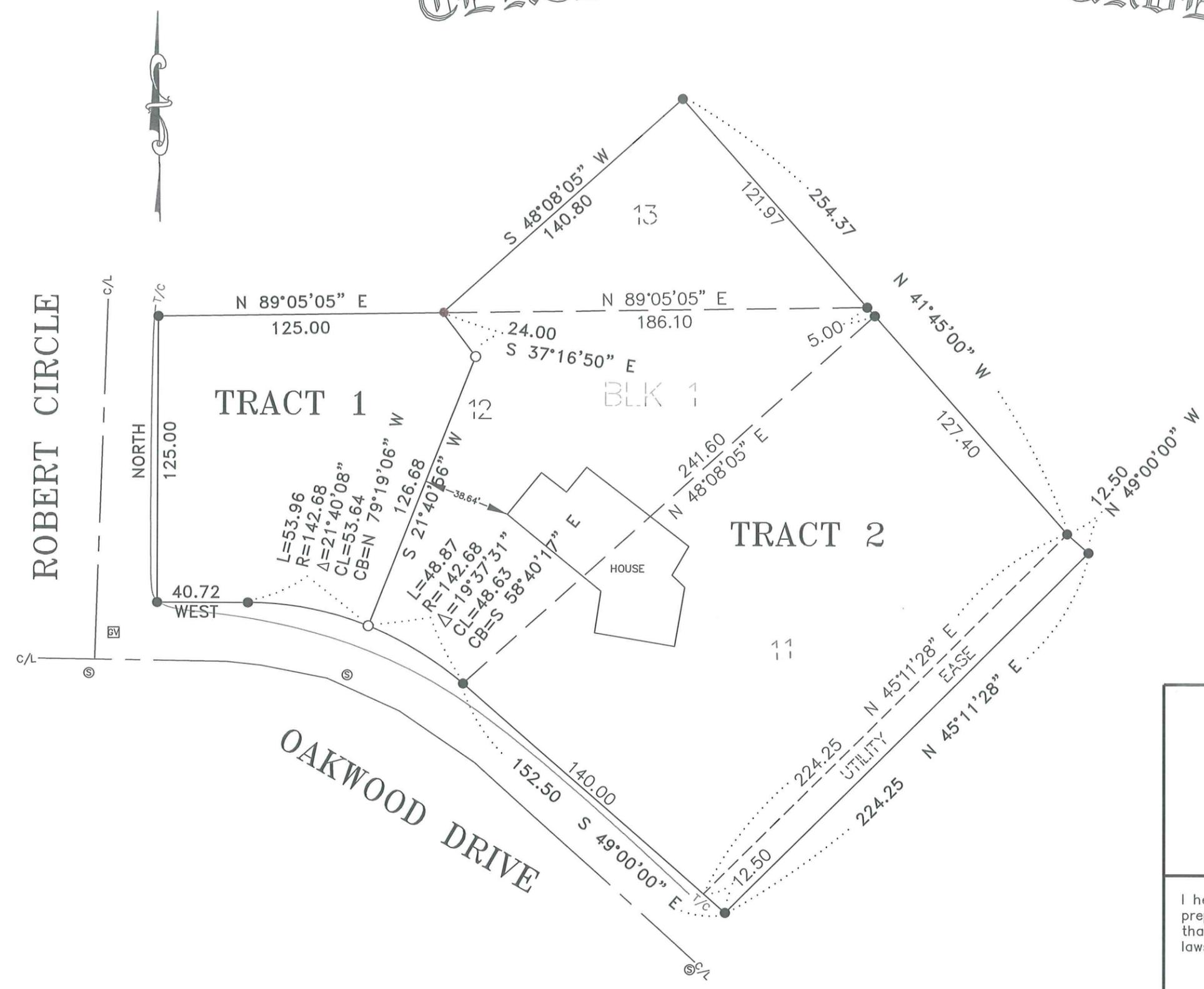
Shinehouse Property



Disclaimer:
 This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Belle Plaine is not responsible for any inaccuracies herein contained.



CERTIFICATE OF SURVEY



PROPOSED TRACT 1 DESCRIPTION
 Part of Lot 12 of Block 1 of the plat of OAKWOOD SUBDIVISION, City of Belle Plaine, Minnesota, said plat being of record and on file at the Scott County Recorder's Office, Scott County, Minnesota, described as follows: Beginning at the southwest corner of said Lot 12; thence on an assumed bearing of North along the West line of said Lot 12 a distance of 125.00 feet to the northwest corner of said Lot 12; thence North 89 degrees 05 minutes 05 seconds East along the North line of said Lot 12 a distance of 125.00 feet to a point that is distant 186.10 feet westerly of the East corner of said Lot 12; thence South 37 degrees 16 minutes 50 seconds East 24.00 feet; thence South 21 degrees 40 minutes 56 seconds West 126.68 feet to the southerly line of said Lot 12; thence northwesterly along said southerly line along a nontangential curve that is concave to the south, said curve have a radius length of 142.68 feet, a central angle of 21 degrees 40 minutes 08 seconds, an arc length of 53.96 feet, said curve having a chord bearing of North 79 degrees 19 minutes 06 seconds West and a chord length of 53.64 feet; thence West along said South line and tangent to said last described curve 40.72 feet to the point of beginning.

PROPOSED TRACT 2 DESCRIPTION
 Lot 11, Block 1, and Lot 12 and part of Lot 13, commencing at the East corner, then Northwesterly along Northeast line 121.97 feet, then southwest 140.80 feet to the South line, then Northeast along the South line 186.10 feet to the point of beginning, all being part of the plat of OAKWOOD SUBDIVISION, City of Belle Plaine, Minnesota, said plat being of record and on file at the Scott County Recorder's Office, Scott County, Minnesota, and EXCEPTING THEREFROM the following described tract of land: Beginning at the southwest corner of said Lot 12; thence on an assumed bearing of North along the West line of said Lot 12 a distance of 125.00 feet to the northwest corner of said Lot 12; thence North 89 degrees 05 minutes 05 seconds East along the North line of said Lot 12 a distance of 125.00 feet to a point that is distant 186.10 feet westerly of the East corner of said Lot 12; thence South 37 degrees 16 minutes 50 seconds East 24.00 feet; thence South 21 degrees 40 minutes 56 seconds West 126.68 feet to the southerly line of said Lot 12; thence northwesterly along said southerly line along a nontangential curve that is concave to the south, said curve have a radius length of 142.68 feet, a central angle of 21 degrees 40 minutes 08 seconds, an arc length of 53.96 feet, said curve having a chord bearing of North 79 degrees 19 minutes 06 seconds West and a chord length of 53.64 feet; thence West along said South line and tangent to said last described curve 40.72 feet to the point of beginning of said exception.

LAND SURVEY FOR
JENNIFER SHINEHOUSE
 OF LOTS 11 & 12 AND PART OF LOT 13, BLOCK 1
 OAKWOOD SUBDIVISION
 BELLE PLAINE, MINNESOTA

DENOTES SCOTT CO. MONUMENT
 DENOTES IRON PIPE FOUND
 DENOTES IRON PIPE SET BY RLS NO. 15475
 SCALE: 1 INCH = 50 FEET

Mar., 2019 FILE NO. 3938

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the state of Minnesota.

(Signature)

 AVERY GROCHOW, LS
 DATE 3/28/19 REGISTRATION NO. 15475



SIBLEY SURVEYORS, INC.
 GAYLORD, MINNESOTA

**BELLE PLAINE PLANNING COMMISSION
RESOLUTION PZ 19-013**

**A RESOLUTION RECOMMENDING APPROVAL OF A MINOR SUBDIVISION OF
PROPERTY AT 116 OAKWOOD DRIVE**

PID 200080120 (parent parcel)

**Legal:
Parent Parcel Attached as Attachment A
Proposed Attached as Attachment B**

WHEREAS, Jennifer A. Shinehouse Gansen (the "Property Owner") is the fee owner of property at 116 Oakwood Drive; and,

WHEREAS, the Property Owner requests a minor subdivision to split the parent parcel into two separate tracts; and,

WHEREAS, the subject property is zoned R-1 Single Family Low Density Residential; and,

WHEREAS, the Planning Commission has reviewed the proposed minor subdivision certificate of survey attached hereto as Attachment C; and,

WHEREAS, The Planning Commission has reviewed the following criteria for approving a minor subdivision and has found:

1. The proposed minor subdivision results in two lots of record, each which satisfy the minimum lot requirements and setbacks established in Section 1105.05, Subd. 5 of the City Code.
2. The proposed minor subdivision request, subject to the condition below, is consistent with the requirements of §1207 of the City Code relating to minor subdivisions.

WHEREAS, If approved, no further administrative subdivision of either Tract 1 or Tract 2 is allowed until five years after the date of Council approval. Any further split or combination of either Tract 1 or Tract 2 in the aforementioned time period shall be subject to a formal platting process.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BELLE PLAINE THAT: It hereby recommends the City Council approve a minor subdivision as requested by Belle Plaine Schools, contingent upon the following:

1. The lot split shall be as represented in a certificate of survey dated March 28, 2019, and attached hereto as Attachment C.
2. Driveway access shall be from Robert Circle at least sixty (60) feet north of Oakwood Drive.
3. Incorporation of comments from Scott County.
4. Deeds shall be created for both resulting parcels and submitted to the City for administrative review prior to filing with the Scott County Recorder's Office.

The adoption of the foregoing resolution was duly moved by Commissioner _____ and seconded by Commissioner _____, and after full discussion thereof and upon a vote being taken thereon, the following Commissioners voted in favor thereof: _____.

and the following voted against the same: _____.

Whereupon said resolution was declared duly passed and adopted. Dated this 8th day of April, 2019.

Ashby Carter
Chairperson

Cynthia Smith Strack
Community Development Director

**ATTACHMENT A
LEGAL DESCRIPTION OF PARENT PARCEL**

Lots 11 and 12, Block 1, Oakwood Subdivision, Scott County, Minnesota

AND

That part of Lot 13, Block 1, OAKWOOD SUBDIVISION, Scott County, Minnesota, according to the recorded plat thereof, described as follows: Commencing at the most easterly corner of said Lot 13, thence on an assumed bearing of North 41 degrees 45 minutes 00 seconds West along the northeasterly line of said Lot 13, a distance of 121.97 feet, thence South 48 degrees 08 Minutes 05 seconds West, a distance of 140.80 feet to the south line of said Lot 13, thence North 89 degrees, 05 minutes East along said south line of Lot 13, a distance of 186.10 feet to the point of beginning. Said parcel also described as Part of Lot 13, commencing at the East corner, then Northwest along the Northeast Line 121.97', then Southwest 140.80' to the South line, then Northeast along the South line 186.10' to the point of beginning, all in Oakwood Subdivision, Scott County, Minnesota.

ATTACHMENT B
LEGAL DESCRIPTION OF PROPOSED TRACT 1 AND TRACT 2

PROPOSED TRACT 1 DESCRIPTION

Part of Lot 12 of Block 1 of the plat of OAKWOOD SUBDIVISION, City of Belle Plaine, Minnesota, said plat being of record and on file at the Scott County Recorder's Office, Scott County, Minnesota, described as follows: Beginning at the southwest corner of said Lot 12; thence on an assumed bearing of North along the West line of said Lot 12 a distance of 125.00 feet to the northwest corner of said Lot 12; thence North 89 degrees 05 minutes 05 seconds East along the North line of said Lot 12 a distance of 125.00 feet to a point that is distant 186.10 feet westerly of the East corner of said Lot 12; thence South 37 degrees 16 minutes 50 seconds East 24.00 feet; thence South 21 degrees 40 minutes 56 seconds West 126.68 feet to the southerly line of said Lot 12; thence northwesterly along said southerly line along a nontangential curve that is concave to the south, said curve have a radius length of 142.68 feet, a central angle of 21 degrees 40 minutes 08 seconds, an arc length of 53.96 feet, said curve having a chord bearing of North 79 degrees 19 minutes 06 seconds West and a chord length of 53.64 feet; thence West along said South line and tangent to said last described curve 40.72 feet to the point of beginning.

PROPOSED TRACT 2 DESCRIPTION

Lot 11, Block 1, and Lot 12 and part of Lot 13, commencing at the East corner, then Northwesterly along Northeast line 121.97 feet, then southwest 140.80 feet to the South line, then Northeast along the South line 186.10 feet to the point of beginning, all being part of the plat of OAKWOOD SUBDIVISION, City of Belle Plaine, Minnesota, said plat being of record and on file at the Scott County Recorder's Office, Scott County, Minnesota, and EXCEPTING THEREFROM the following described tract of land: Beginning at the southwest corner of said Lot 12; thence on an assumed bearing of North along the West line of said Lot 12 a distance of 125.00 feet to the northwest corner of said Lot 12; thence North 89 degrees 05 minutes 05 seconds East along the North line of said Lot 12 a distance of 125.00 feet to a point that is distant 186.10 feet westerly of the East corner of said Lot 12; thence South 37 degrees 16 minutes 50 seconds East 24.00 feet; thence South 21 degrees 40 minutes 56 seconds West 126.68 feet to the southerly line of said Lot 12; thence northwesterly along said southerly line along a nontangential curve that is concave to the south, said curve have a radius length of 142.68 feet, a central angle of 21 degrees 40 minutes 08 seconds, an arc length of 53.96 feet, said curve having a chord bearing of North 79 degrees 19 minutes 06 seconds West and a chord length of 53.64 feet; thence West along said South line and tangent to said last described curve 40.72 feet to the point of beginning of said exception.

**ATTACHMENT C
PROPOSED ADMINISTRATIVE SUBDIVISION**

