

City of Independence

**Request for a Minor Subdivision to Allow a Lot Line Rearrangement
on the Property located at 2810 Nelson Road**

To: Planning Commission
From: Mark Kaltsas, City Planner
Meeting Date: April 19, 2016
Applicant: Leslie Peterson
Owner: Leslie Peterson
Location: 1). 2810 Nelson Road

Request:

Leslie Peterson (Applicant/Owner) requests that the City consider the following actions for the property located at 2810 Nelson Road, Independence, MN (PID No. 18-118-24-13-0010):

- a. A minor subdivision to allow a lot line rearrangement that would remove the “L shaped” portion of the eastern part of the subject property and combine it with the property to the north.

Property/Site Information:

The property is located south of TH 12 and east of Nelson Road. The property has an existing residence and two detached accessory buildings. The property has the following characteristics:

Property Information: 2810 Nelson Road

Zoning: *Agriculture*

Comprehensive Plan: *Agriculture*

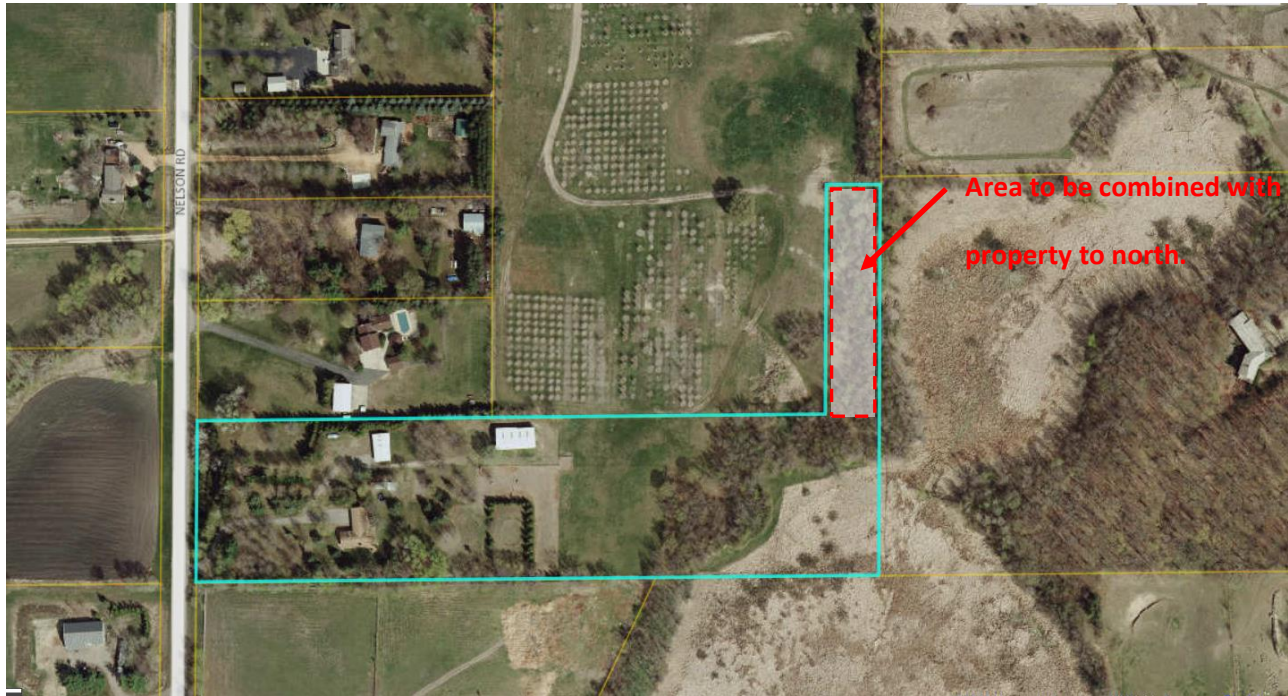
Acreage: Before – 10.00 acres
After – 9.00 acres

Property Information: 9085 US Highway 12

Zoning: *Agriculture*

Comprehensive Plan: *Agriculture*

Acreage: Before – 36.22 acres
After – 37.22 acres



Discussion:

The applicant is seeking a minor subdivision to allow a lot line rearrangement so that the one acre “dogleg” can be deeded back and combined with the original owner’s property to the north. The applicant was recently working with the adjacent property owner to clean up a title issue that existed on the subject property. During this process, it was found that the one acre slice of property was not correctly deeded many years ago and is now no longer needed by the owner of 2810 Nelson Road. In order to clean up the title, the owners of 2810 Nelson Road would like to square off their property and essentially return the one acre slice of property back to the owners of 9085 US Highway 12.

Staff has reviewed the request and offers the following information for consideration by the Planning Commission:

1. There are two existing accessory buildings located on this property (3,000 SF and 1,600 SF). When the buildings were constructed, the ordinance restricted accessory structure size to 2,600 SF for lots less than 10 acres. The ordinance now permits accessory structures to be no more than 2% of the buildable area of a lot. With the removal of the one acre slice of property, the lot has approximately 8 acres of buildable area. Based on the remaining 8 acres, the property would support approximately 7,000 SF. The applicant meets applicable criteria relating to the existing accessory structures.
2. The maximum number of animal units permitted on the property will be reduced to eight from nine.
3. The lot line rearrangement will not have any impacts on the existing buildings relating to setbacks.

Neighbor Comments:

The City has not received any written comments pertaining to the request for a lot line rearrangement.

Recommendation:

Staff is seeking a recommendation from the Planning Commission for the requested minor subdivision to allow a lot line rearrangement with the following findings and conditions:

1. The proposed minor subdivision to allow a lot line rearrangement request meets all applicable conditions and restrictions stated Chapter V, Sections 500 and 510, Planning and Land Use Regulations and Zoning, in the City of Independence Zoning Ordinance.
2. The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
3. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

Attachments:

1. Survey
2. Exhibit from Applicant

Attachment #1

2810 Nelson Drive (Looking east)



2810 Nelson Drive (Looking west)

