

## City of Independence

### ***Request for a Minor Subdivision to Permit a Lot Line Rearrangement for the Property Located at 4675 Lake Sarah Road***

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*To:* Planning Commission  
*From:* Mark Kaltsas, City Planner  
*Meeting Date:* February 16, 2016  
*Applicant/Owner:* George and Linda Becker  
*Location:* 4675 Lake Sarah Road

#### ***Request:***

George and Linda Becker (Applicants/Owners) request that the City consider the following actions for the property located at 4675 Lake Sarah Road, Independence, MN (PID No.s 03-118-24-22-0002 and 03-118-24-21-0002):

- a. A minor subdivision to allow a lot line rearrangement of the subject properties so that the current 1 acre parcel, with the primary residence, is increased to 5 acres.

#### ***Property/Site Information:***

The subject property is located north of CSAH 11 and on the west side of Lake Sarah Road. There is an existing home and outbuilding located on the property. The property has the following site characteristics:

**Property Information: 4675 Lake Sarah Drive**

*Zoning: Agriculture*

*Comprehensive Plan: Agriculture*

*Acreage (Before PID No. 03-118-24-21-0002): 1.0*

*Acreage (Before PID No. 03-118-24-22-0002): 37.49*

*Acreage (After PID No. 03-118-24-21-0002): 5.0*

*Acreage (After PID No. 03-118-24-22-0002): 32.49*



***Discussion:***

The applicant is seeking a minor subdivision to expand the smaller property from 1 acre to 5 acres. The applicant and his family have owned the subject properties for many years. The applicant’s father broke off the 1 acre parcel from the original farm in order for the applicant to construct a home. The applicant would like to expand the current home site so that he can have a little more property and prepare for the possibility of selling the original farmstead. The applicant noted that he wanted to maintain his ability to have space behind his current home if he can no longer farm the whole property in the future.

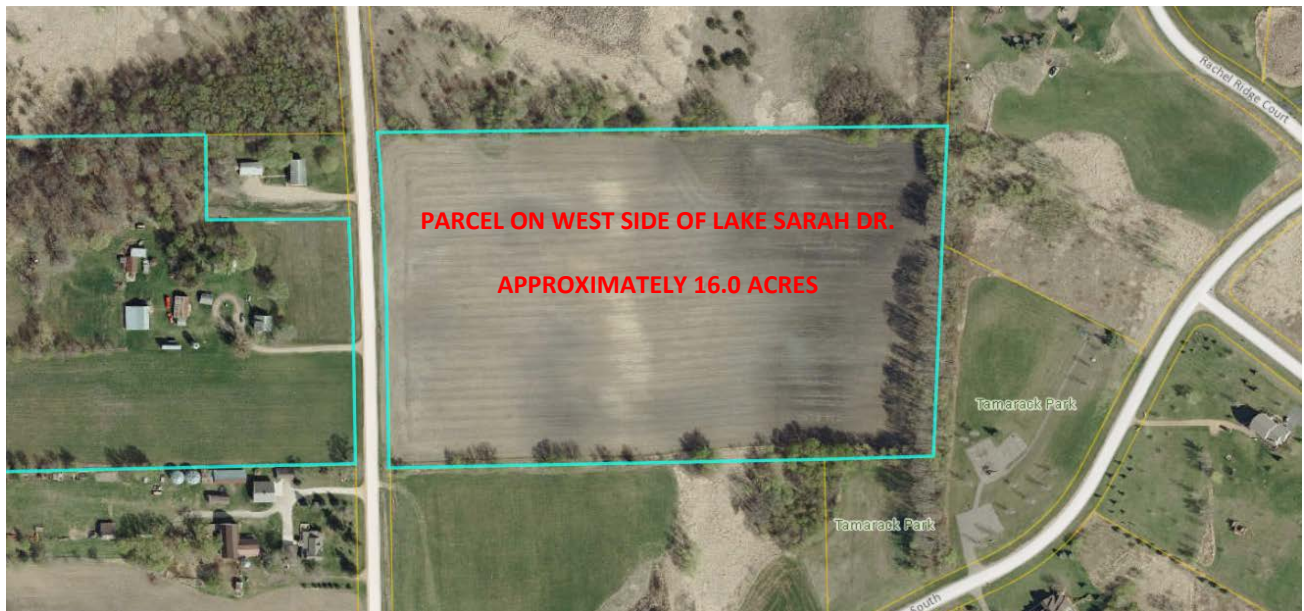
The existing property is considered legal non-conforming due to it not meeting all current applicable criteria of the zoning ordinance. The minimum lot size permitted for a non-sewered lot in any zoning district is 2.5 acres. In addition, the existing lot has 165 feet of frontage versus the required 250 feet on a right of way. The existing homes/accessory structures on both properties will continue to meet all applicable setback requirements in the after condition. The additional land proposed to be added to the existing 1 acre lot will allow the property to meet the

minimum lot size standards (2.5 acre minimum) as well as increase the frontage on a right of way (from 165 LF to 218 LF). Moving the property line any further south to include additional right of way would encroach on the original farm house and accessory buildings.

Both properties have existing on-site septic systems. The additional land being added to the 1 acre parcel will likely allow a secondary on-site location to be realized.

For Discussion Only (No Action Requested):

The original farmstead is somewhat unique in that the property is bisected by Lake Sarah Road. A portion (approximately 16 acres) of the property is located on the east side of Lake Sarah Road (see diagram below) with the remainder of the property (approximately 16 acres) located on the west side of Lake Sarah Road. The applicant would like the City to provide some direction relating to whether or not a possible variance or similar City action to allow the subdivision of the property based on the physical boundary of Lake Sarah Road could be considered in the future. The City does not allow the subdivision of property zoned Agriculture with the exception of lot line rearrangements and rural view lot splits. The overall property does not meet the minimum 40 acre requirement to realize a rural view lot subdivision.



**Summary:**

The proposed lot line rearrangement is generally in keeping with the City's zoning and subdivision regulations. The applicant is proposing to make a non-conforming property, arguably less non-conforming. The proposed minor subdivision appears to meet all of the applicable standards of the City's zoning and subdivision ordinance.

***Neighbor Comments:***

The City has not received any written comments regarding the proposed minor subdivision. The City did receive a call from an adjacent property owner inquiring about the subdivision.

***Recommendation:***

Staff is seeking a recommendation from the Planning Commission for the requested minor subdivision with the following findings:

1. The proposed minor subdivision for a lot line rearrangement meets all applicable criteria and conditions stated in Chapter V, Section 500, Planning and Land Use Regulations of 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. Property Pictures
2. Existing and Proposed Subdivision Survey



Attachment #1

4675 Lake Sarah Rd. (looking west)



4675 Lake Sarah Rd. (looking south)

