

ARTICLE 4

ADMINISTRATIVE SUBDIVISION

SECTION

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30-04-01: APPLICATION: *(amended 100708, Res 47-10-08, Ord 2008-06)* The provisions of this Article shall apply only to those subdivisions classified as Administrative Subdivisions where the intent is to adjust a lot line, divide one (1) existing lot of record (platted or metes and bounds) into two (2) lots, or to combine two lots of record, provided the City Council has approved the Administrative Subdivision. The Administrative Subdivision is an abbreviated review process however; all standards and requirements of this Chapter shall apply to the proposed subdivision. Notwithstanding anything in this ordinance to the contrary, City Council approval of an administrative subdivision does not require a hearing or landowner notification.

34-04-02: QUALIFICATION: *(amended 100708, Res 47-10-08, Ord 2008-06)* The following may be considered an Administrative Subdivision. In the event circumstances warrant platting of the following Administrative Subdivisions, the City Zoning Administrator may require the subdivision to be processed as a plat in accordance this Chapter. The City Administrator or designated representative may authorize approval of the Administrative Subdivision upon finding:

- A. The property to be subdivided is a lot of record in the office of the County Recorder of Hennepin or Wright County ; and
- B. The lot shall not have been part of an Administrative Subdivision within the last five (5) years; and
- C. The division will not result in more than two (2) lots; and
- D. All newly created lots must meet the minimum standards of the Zoning District in which they are located; and
- E. The subdivision will not cause any structure on the land to be in violation of the Zoning Ordinance; and

- F. In the event a new lot is created, a park dedication fee shall be paid; and
- G. Any drainage, utility, trail, right-of-way or access easements required by the City must be granted.

30-04-03: FILING AND REVIEW OF APPLICATION: Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure on such proposed subdivision shall be granted, the subdividing owner or his authorized agent, shall file an application and secure approval of an Administrative Subdivision.

- A. The Administrative Subdivision application shall be considered to be officially filed when the Zoning Administrator has received the application and has determined that the application is complete.

30-04-04: SUBMITTAL REQUIREMENTS: *(amended 100708, Res 47-10-08, Ord 2008-06)*

- A. Complete application form.
- B. Application fee.
- C. Acreage calculations for the existing and proposed lots.
- D. A Certificate of Survey (full size and a 11" x 17" reduction) prepared by a licensed land surveyor identifying the following:
 - 1. Scale (engineering only) at not larger than one (1) inch equals one hundred (100) feet.
 - 2. Name and address, including telephone number, of legal owner and/or agent of property.
 - 3. North point indication.
 - 4. Boundaries, dimensions, and area of existing lots being subdivided and new lots to be created.
 - 5. Legal descriptions of both existing and proposed new lots.
 - 6. Easements of record.
 - 7. Water courses including delineated wetlands. The ordinary high water level (OHWL) of any public waters, storm water ponds and 100 year flood elevations of all watercourses (wetlands, ponds, lakes, streams, etc.).

8. All encroachments, easements, or rights-of-way encumbering the property.
9. Existing buildings, structures, and improvements within the lot to be platted and those one hundred (100) feet outside the boundaries of the subject parcel.
10. Locations, widths and names of all public streets, rights-of-way or railroad rights-of-way showing type, width and condition of the improvements, if any, which pass through and/or are within one hundred (100) feet of the subject site.
11. Proposed driveway locations and locations of existing driveways within one hundred (100) feet of the subject site.
12. Location of any wells.
13. The toe and top of any bluffs present.
14. Additional data requirements determined appropriate by the Zoning Administrator to ensure compliance with City requirements.
15. Drainage and utility easements, minimum ten (10) feet wide, along all lot lines. These easements may be centered on a lot line shared between lots created by the Administrative Subdivision.
16. Any required right-of-way dedication.
17. A copy of percolation tests and soil borings for all lots if required by the City Engineer.
18. The existing and proposed lot corners shall be staked at the site for review by the Zoning Administrator.
19. Location of any designated ecological/greenway/trail corridors.

30-04-05: PROCEDURE: *(amended 100708, Res 47-10-08, Ord 2008-06)*

- A. A development application form with required fees shall be submitted to the City of Hanover.
- B. The Zoning Administrator shall request input by the City's planning, engineering, and legal staff, as appropriate, and shall forward copies of the application to agencies and utility companies responsible for review of the application.

- C. Administrative Subdivision of land abutting upon any existing or proposed trunk highway, county road or highway or county state-aid highway shall be subject to review of the Minnesota Department of Transportation and/or Hennepin or Wright County Highway Department. Written notice and a copy of the proposed Administrative Subdivision shall be filed with the Minnesota Department of Transportation and/or Hennepin or Wright County Highway Department for review and comment thirty (30) days prior to formal action to approve the application. Final action on an Administrative Subdivision shall not be taken until the minimum thirty (30) day review period has elapsed.
- D. Administrative Subdivision of land located within a Shoreland Management Overlay District or Floodplain Overlay District shall be subject to review of the Minnesota Department of Natural Resources. Written notice and a copy of the proposed Administrative Subdivision shall be filed with the Minnesota Department of Natural Resources. Final action on an Administrative Subdivision shall not be taken until the minimum ten (10) day review period has elapsed.
- E. The Zoning Administrator shall have the authority to request additional information pertinent to the Administrative Subdivision. Failure to provide the necessary supportive information may be grounds for denial of the application.
- F. Decision. The Zoning Administrator shall reach a decision on the requested Administrative Subdivision within one hundred twenty (120) days of complete application, unless the applicant agrees to an extension of the review period.
 - 1. The Zoning Administrator may approve the Administrative Subdivision with conditions that must be met to ensure the Administrative Subdivision is compliant with the regulations of the Hanover Subdivision and Zoning Ordinances, as may be amended, and other applicable requirements.
 - 2. The Zoning Administrator shall prepare findings and deny a subdivision if the Administrative Subdivision is found to be premature as defined by the criteria of Article 30-03-07 (Premature Subdivision) of this Chapter or fails to comply with regulations of the Hanover Subdivision and Zoning Ordinances, or is inconsistent with the Comprehensive Plan, or other applicable requirements.
- G. Decision Appeal. The applicant may appeal an Administrative Subdivision denial following the procedures outlined in Article 20-06-00 (Appeals) of the Hanover Zoning Ordinance.
- H. Prior to certification by the City of the approval of the Administrative Subdivision, the applicant shall supply the deed(s) granting to the City the easements and/or right-of-way required by the City Engineer.

30-04-06: RECORDING: If the Administrative Subdivision is approved by the Zoning Administrator, the applicant shall record the deed, and the accompanying survey and easements or other applicable documents, in the Office of the Hennepin or Wright County Recorder within sixty (60) days after the date of approval, otherwise the approval of the Administrative Subdivision shall be considered void.

- A. When the land for which the Administrative Subdivision abuts a state highway, county road, or county highway, a certificate or other evidence showing submission of the Administrative Subdivision to the Minnesota Department of Transportation and/or Hennepin or Wright County Highway Department shall be filed with Hennepin or Wright County Recorder of Deeds, with the Administrative Subdivision.
- B. When the land for which the Administrative Subdivision is located within a Shoreland Management Overlay District or Floodplain Overlay District, the Department of Natural Resources shall be notified of the disposition of the Administrative Subdivision Application within ten (10) days of the decision to approve, deny or conditionally approve the application.