



Lot Division

PROPERTY INFORMATION	
Property Address	
Parcel ID Number	
OWNER INFORMATION	
Owner Name	
Owner Address	
Owner Phone	
Owner Email	
APPLICANT INFORMATION	
Applicant Name	
Applicant Address	
Applicant Phone	
Applicant Email	
LOT DIVISION REQUEST	
Property Acreage	
Proposed Number of Lots	

OWNER'S STATEMENT

I am the owner of the above described property and I agree to this application. By signing this application, I certify that all fees, charges, utility bills, taxes, special assessments and other debts or obligations due to the city by me or for this property have been paid. I further certify that I am in compliance with all ordinance requirements and conditions regarding other city approvals that have been granted to me for any matter. (If the owner is a corporation or partnership, a resolution authorizing this action on behalf of the board or partnership must be attached.)

Signature

Date

APPLICANT'S STATEMENT

This application should be processed in my name and I am the party whom the city should contact about this application. I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct.

Signature

Date

SUBMITTAL REQUIREMENTS

Property may be divided in two ways: by plat or by lot division. The platting process generally results in simplified legal descriptions. Required easements may be dedicated directly on the plat drawing. A lot division may result in more complicated legal descriptions. The process also requires that easements be dedicated in a written document, which must be prepared by an attorney. **Be aware that: (1) a property will not necessarily be divided more quickly by using the lot division process; and (2) if a proposed lot division is approved the property owner will need to retain an attorney to complete the easement documents.**

City code outlines various items which must be submitted and considered as part of lot division applications. The following items must be submitted for a lot division application to be considered complete. **All plans and written information submitted as part of this application is public information that may be used in written reports and distributed to the public.**

Application Fee	\$800.00 unless part of a "Consolidated Development Application" or when a "Complexity Surcharge" is required. Consult with Planner to determine exact fees.
Legal Description	A full legal description of the existing property, as documented on property deed or certificate of title must be submitted.
Registered Survey	A survey is required. The survey must identify all existing property lines, rights-of-way, paved areas of adjacent streets, public and private easements, and buildings, driveways, two-foot contours on the property and adjacent lots.
Lot Division	A lot division plan must be submitted. The plan must be drawn by a licensed and registered land surveyor and must illustrate the following for all lots created by the lot division: <ul style="list-style-type: none"> • lots dimensions • lot area • buildable area • easements • driveway
Grading and Drainage Plan	A grading and drainage plan must be submitted. The plan must include: <ul style="list-style-type: none"> • existing and proposed two-foot contours • location and size of proposed pipes and stormwater treatment areas • associated engineering calculations
Street and Utility Plan	A street and utility plan must be submitted. The plan must include detailed location and size information.
Tree Plans	Woodland Preservation, High Priority, and Significant trees, as defined in city code, must be identified on the survey or on a separate tree inventory plan.
Wetland Delineation	A wetland delineation and appropriate documentation may be required. If required, the delineation must be staked in the field for city staff verification.
Written Statement	A written statement must be submitted describing the intended use of the property.
Other Items As Required	City staff may require that additional items be submitted for full review of the application

If plans larger than 8.5" by 11" are submitted:

- 15 copies of such plans must be submitted;
- Plans must be folded to a size no greater than 8.5" by 14"
- One 8.5" by 11" reduction must be submitted.

ADDITIONAL INFORMATION

In addition to the submittal requirements, please note:

- The lot division process may include fees outside of this application, including fees for surveying, engineering, title work, legal work, and County recording fees.
- A surveyor is required to certify that the land surveyed for the lot division covers the entire parcel(s) and that there are no gaps or overlaps with adjoining parcels.
- Wetland delineations, lot corners, building pads and proposed streets must be identified in the field.
- At its discretion, the city may require an outside consultant review the proposed application and provide written comment. Such consultants may include: a traffic engineer, telecommunications engineer, water resources engineer, landscape architect, forester, or appraiser. If the city requires such review and comment, the applicant must provide cash escrow to the city to cover the cost of the review. City staff will notify applicants that such review is required prior to hiring the consultant(s).

PROCESS

- A property owner or their representative completes a lot division application and submits this application with all required documents to the Planning Division.
- The city sends notification to all property owners within at least 400 feet of the property for which the lot division is being requested. These property owners are encouraged to comment on the request through the *MyMinnetonka* function on the city's website *eminnetonka.com*. These owners are further invited to attend a Planning Commission public hearing which is held to consider the request.
- City staff reviews the submitted application and documents and prepare a written report recommending either approval or denial of the lot division request. The written report, which includes all "Neighborhood Feedback" responses, is forwarded to the applicant or their representative and the Planning Commission.
- The Planning Commission holds a public hearing on the lot division request. During the public hearing: (1) staff makes its recommendation; (2) the applicant or their representative have an opportunity to address the commission; (3) area residents are given an opportunity to ask questions and speak for or against the request. Following the public hearing the Planning Commission discusses the request and votes to recommend the City Council approve or deny the request.
- The City Council considers the request at a following meeting and votes to approve or deny the proposal.
- By state law, a final decision on a lot division request must be made within 120-days of submittal of a complete application. An applicant may waive this 120-day time limit.

APPROVAL

- **If a lot division is approved, it is generally approved subject to several conditions; many of these conditions must be satisfied before the lot division resolution will be released by the city for filing with Hennepin County.**
- If a lot division is approved, it must be filed with Hennepin County within one-year of the approval or the city council must approve a time extension. If neither occurs the lot division will be null and void.