



22817 Typo Creek Drive N.E. • Stacy, MN 55079  
Phone (651) 462-2812 • Fax (651) 462-0500  
E-Mail: records@linwoodtownship.org

## ADMINISTRATIVE SUBDIVISION PROCEDURE

### Chapter 22 of Linwood Town Code Section 22-690 – 22-736

Requests for an administrative subdivision must be filed with the Township on an official Administrative Subdivision Application form along with the filing fee and applicable escrow. The Zoning Administrator and/or designee(s) will review the application, and all related information.

#### Qualifications

The property must not have been part of an Administrative Subdivision within the last five (5) years, and the division will result in no more than two (2) lots. Newly created lots must meet the minimum standards of the Zoning District where they are located and the subdivision will not cause any structure to be in violation of the Zoning Ordinance. The Administrative Subdivision must conform to all design standards of the Town Code. Drainage, utility, trail, right-of-way or access easements required by the Township must be granted.

#### Lot Line Adjustment

- Provides for the alteration of property lines on plats, where no additional lots are created and agreement exists among the parties involved.
- Can be used to correct survey or description problems on existing properties.
- Can be used to meet lot size, setback, or other state or town land use requirements.
- Can be used to lessen or eliminate any existing nonconformity, but not create any new nonconformity nor increase any existing nonconformity.
- Lot of record status may not be affected by adding additional property to a lot that does not meet current dimensional standards.
- Adequate land for treatment and disposal of sewage, when it exists, shall not be diminished by the adjustment.

#### Minor Subdivision

- Can be used to divide a portion of a lot where the division is to permit the adding of a parcel of land to an abutting lot so that no additional lots are created.
- Can be used to combine two existing platted lots.
- Can be used to divide no more than one lot from a larger tract of land thereby creating no more than two lots.

The applicant(s) shall hold a pre-application meeting with Staff to discuss the proposed lot line adjustment or minor subdivision and will be provided a checklist detailing the information required to submit a complete application.

The Zoning Administrator shall have the authority to request additional information from the applicant, if said information is declared necessary to review the request.

#### Escrow Information:

Escrow is set aside for attorney, consulting, engineering, and other misc. fees. If Linwood Township is to acquire these fees while working on your Land Use Application, then you are authorizing the Township to use this escrow to pay for those fees. Owner agrees to pay additional costs incurred, if necessary. The remaining escrow amount will be returned, without interest, once all invoices have been submitted and approved.

**Upon Review**, the Zoning Administrator shall:

- Approve or deny the request based on all information provided.
- Approve or deny the requested application with conditions that must be met to ensure compliance with the Township's Subdivision and Zoning Ordinances, or is inconsistent with the Comprehensive Plan, or other applicable requirements. Such modifications, alterations or differing conditions shall be in writing and made part of the records of the Township.

**Denial of an application** of an Administrative Subdivision may be appealed by following the procedures in Ordinance 22-733.

**Prior to certification** by the Township of the approval of the Administrative Subdivision:

- Applicant shall supply the deed(s) granting to the Township any easements and/or right-of-way required by the Township.
- Applicant shall submit, to the Town Clerk, warranty deeds or quit claim deeds for each resulting parcel. Deeds will be stamped and signed by the Zoning Administrator. The County will not record these documents without the township's stamp and seal.
- In the event a new lot is created, a park dedication fee shall be paid.



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File # _____
Fee \$ _____ Rcpt # _____
Chk # _____ Date: _____
Escrow \$ _____ Rcpt # _____
Chk # _____ Date: _____

## APPLICATION FOR AN ADMINISTRATIVE SUBDIVISION

**Applicant:**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Daytime phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Owner (if different from Applicant):**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Daytime phone: \_\_\_\_\_

**Property Information**

Property Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_

Development \_\_\_\_\_

(If lengthy legal, please attach full legal description)

Property ID Number: \_\_\_\_\_

Present Zoning: \_\_\_\_\_

**Person/Company Paying the Escrow:**

Name \_\_\_\_\_

**2<sup>nd</sup> Applicant:**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Daytime phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Owner (if different from Applicant):**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Daytime phone: \_\_\_\_\_

**Property # 2 Information**

Property Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_

Development \_\_\_\_\_

(If lengthy legal, please attach full legal description)

Property ID Number: \_\_\_\_\_

Present Zoning: \_\_\_\_\_

**Person/Company Receiving Returned Escrow:**

(If different from the payor, permission is needed)

Name \_\_\_\_\_

# APPLICATION FOR AN ADMINISTRATIVE SUBDIVISION

Page 2

**Narrative description of request must be attached on a separate page.** Description must include the size of the original parcel(s) and the size of the parcel(s) after the lot line adjustment or minor subdivision.

If your application is approved, you must record the deed and the accompanying survey and easements or other applicable documents with the Anoka County Recorder's Office within sixty (60) days after the date of approval, otherwise the Administrative Subdivision shall be considered void. You are advised to contact the Anoka County Recorder's Office to obtain filing information before the application is submitted.

**Data furnished in this application form is public information.**

**Applicant and Owner Statement:** In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision ordinances and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the Township pertaining to additional application expense(s).

I hereby certify that the information contained in this application is to my knowledge a true, accurate and complete representation of the facts and conditions concerning the proposed administrative subdivision. I hereby authorize the Linwood Township authorized staff to enter upon this property for such inspections as necessary for the review of this application.

**Signature of Applicant**

\_\_\_\_\_

Date: \_\_\_\_\_

**Signature of Applicant #2**

\_\_\_\_\_

Date: \_\_\_\_\_

**Signature of Owner**

\_\_\_\_\_

Date: \_\_\_\_\_

**Signature of Owner**

\_\_\_\_\_

Date: \_\_\_\_\_

**Application fee: \$350.00**

**Escrow: \$ 1,000.00 minimum**

<b>For Office Use only</b>	File # _____
Application Received by: _____	Date: _____
Document Verification by: _____	Date: _____
Additional Information Requested: _____	
_____	
Application Deemed Complete by: _____	Date: _____
<b>Approved:</b> <input type="checkbox"/> <b>Minor Subdivision</b> <input type="checkbox"/> <b>Lot Line Adjustment</b>	
_____	Date: _____
Zoning Administrator	



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## ADMINISTRATIVE SUBDIVISION APPLICATION CHECKLIST

The following information must be provided before an Administrative Subdivision Application will be considered accepted by Linwood Township:

1.  A completed Administrative Subdivision Plat Application with original signatures, including Narrative Sheet
2.  Applicable Fee \$350.00 plus Escrow (as determined by Staff, minimum \$1,000.00), payable to Linwood Township.
3.  Certificate of Survey (full size, an 11"x17" reduction, and an electronic copy) prepared by a licensed land surveyor identifying the following:
  - a)  Scale (engineering only) at not larger than one (1) inch equals one hundred (100) feet.
  - b)  Name and address, including telephone number, of legal owner and/or agent of property.
  - c)  North point indication.
  - d)  Boundaries, dimensions, and area of existing lots being subdivided and new lots to be created.
  - e)  Legal descriptions of both existing and proposed new lots.
  - f)  Acreage calculations for the existing and proposed lots
  - g)  Easements of record.
  - h)  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.).
  - i)  All encroachments, easements, or rights-of-way encumbering the property.
  - j)  Existing buildings, structures, and improvements within the lot to be platted and those one hundred (100) feet outside the boundaries of the subject parcel.
  - k)  Locations, widths and names of all public streets and 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.
  - l)  Proposed driveway locations and locations of existing driveways within one hundred feet of the subject site.
  - m)  Location of any wells.
  - n)  Additional data requirements determined appropriate by the Zoning Administrator to ensure compliance with Township requirements.
  - o)  Drainage and utility easements, minimum ten (10) feet wide, along all lot lines, if required by the Zoning Administrator, along with legal descriptions for all such easements to be dedicated to the public. These easements may be centered on a lot line shared between lots created by the Administrative Subdivision.
  - p)  Any required right-of-way dedication along with a legal description of the right of way to be dedicated to the public.
  - q)  A copy of percolation tests and soil borings for all lots, if required by the Zoning Administrator.
  - r)  Signature block, with required signatures (see sample)
4.  The existing and proposed lot corners shall be staked at the site for review by the Zoning Administrator.
5.  Written notice to the Anoka County Highway Department (if applicable)
6.  Written notice to the Minnesota Department of Natural Resources (if applicable)
7.  Written notice to the Sunrise River Watershed District (if applicable)
8.  An SSTS compliance inspection is required when a parcel having an existing system undergoes development, subdivision or split.
9.  If there are existing easements that need to be vacated, a Public Hearing application, fees and escrow shall apply.
10.  An Attorney's Title Opinion, Owner & Encumbrance (O&E) report from a licensed Title Company, or equivalent showing legal recorded ownership of the subject property shall be submitted by the subdivider prior to approval.

## **SAMPLE NARRATIVE TO BE ATTACHED TO APPLICATION**

Applicant name: Andy Anderson

Lot Line / Property Boundary Changes: Addition of 1.5 acres of land to property located at 12345 Oak St NE, Stacy, MN 55079

Basic Description of Lot adjustment:

My property is located at 12345 Oak St NE, Stacy, MN 55079; Property ID 12-34-56-78-0009. It is 20 acres.

I am purchasing 1.5 acres of land from Johnny Johnson at 12355 Oak St NE; Property ID 12-34-56-78-0029. His property is 22 acres. The 1.5 acres is located on the east side of 12345 Oak St NE and on the west side of 12355 Oak St NE. This property adjustment is marked and mapped out on the official survey that is attached.

This addition to my property will be approximately 200.0 feet x 326.7 feet. This purchase of the 1.5 acres of land will increase my property to 23.5 acres and decrease Johnny Johnson's property to 20.5 acres.

See Attached survey.

**SAMPLE SIGNATURE BLOCK TO BE ON SURVEY FOR  
ADMINISTRATIVE SUBDIVISION**

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

By: \_\_\_\_\_  
(Printed Name of Surveyor), Land Surveyor  
Minnesota License No. \_\_\_\_\_

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

The foregoing Surveyor's certificate was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_, Land Surveyor, Minnesota License No. \_\_\_\_\_.

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission expires \_\_\_\_\_

Approved for Transfer by Linwood Township, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Zoning Administrator

Pursuant to Minnesota Statutes, Section 272.12, no delinquent taxes and transfer entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
County Auditor

I hereby certify that the taxes for the year 20\_\_\_\_ on the property described herein are this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
County Treasurer

Document No. \_\_\_\_\_

I hereby certify that this instrument was filed for record in the Office of the County Recorder for record on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_ and duly recorded in Anoka County Records.

\_\_\_\_\_  
County Recorder