



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.**

SUBMITTAL REQUIREMENTS

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.

- Application (separate form).
- Filing fee.
- Survey - A Certificate of Survey prepared by a Registered Land Surveyor must be submitted. The survey must include: existing and proposed legal descriptions, lot dimensions, lot area, buildable area, all platted and recorded easements, all existing structures with dimensions to show size and location, structure setbacks from all property lines, and the location of existing driveways and utility lines.
- Legal Descriptions – Full legal descriptions of the existing and proposed properties.
- Proposed Easements - Full easement documents and associated drawings must be submitted. These easement documents must be prepared by an attorney knowledgeable in the area of real estate.
- Utility Plan - A utility plan must be submitted and must include detailed location and size information.
- 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

ADDITIONAL INFORMATION

In addition to the submittal requirements, please note:

Should a lot division require the vacation of easements, a separate application for the vacation(s) must be submitted to the Planning Division and approved by the City Council.

A title opinion or title insurance policy must be submitted no more than thirty days before the city releases the lot division documentation for recording. The owner's signature on this application does not substitute for sufficient title evidence.

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 Land Use Review application and submits this application with all required documents to the city planner.

The application and associated drawings will be reviewed by the city planner. The application and required documents, including title evidence and easements, will be reviewed by city attorney.

The city will send out approval or denial documentation to property owners and applicants. Approval documentation must be filed with Hennepin County.

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 documentation 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 must approve a time extension. If neither occurs the lot division will be null and void.