



ADMINISTRATIVE DECISION

APPLICANT NAME: Daniel and Deborah Miller

PROPERTY LOCATION: 33583 County Road 3
Crosslake, MN 56442
PIDs: 14320614 & 14320615

APPLICANT REQUEST: Waiver of the maximum impervious surface percentage for a Metes & Bounds Subdivision request on Limited Commercial zoned parcel with a maximum impervious limit of 50% , where the existing impervious surface of the proposed lots are:

Lot A = 85% impervious,
Lot B = 59% impervious, and
Lot C = 37% impervious.

ISSUE: The existing impervious on the site is above the maximum of 50% for a Limited Commercial zoned parcel. Reconfiguring the two parcel into three parcels will create two lots that exceed the maximum impervious limit.

FACTS: The existing two lots consist of 147,043 square feet of area. The current impervious on the two lots has been calculated by a licensed surveyor at 89,195 square feet, for a total impervious surface area of 60.1%. Creation of a lot that has an impervious surface in excess of the impervious limit is not addressed in Chapter 44 of the City Code.

ANALYSIS: While the impervious surface limits are stated in the City Land Use Ordinance, they are not addressed in the City's Subdivision Ordinance (Chapter 44). It can be reasonably surmised that when the Subdivision Ordinance was developed, impervious surface limits were not a concern of the City Council. Limitations to address the impervious surface limits can be placed upon the newly created lot when it is sold and redevelopment occurs. Also, there is no increase in impervious surfaces as a result of any actual development on the property(ies) as a result of this action.

DECISION: Proceed forward with the Metes & Bounds Subdivision, without requiring a variance for increased impervious surface. This will not preclude the City from imposing Impervious Surface limits on any future development on the newly created lot. Thus, a variance shall not be required at this time.

This Administrative Decision is limited to the facts of this particular property.

Name /Signature of Zoning Administrator

6/18/2019
Date