



Case Number: \_\_\_\_\_  
Administrative Review

## Subdivision Exception

*Subdivision Exception*; for property that is being subdivided (**new lot or lots are created**) but not requiring platting as indicated in the exceptions outlined in Sec. 30-352 (b).

Section [30-352](#) Platting required; exceptions

- a) No conveyance of land to which this article is applicable shall be filed or recorded if the land is described in the conveyance:
  - 1) By metes and bounds;
  - 2) By reference to an unapproved registered land survey made after April 21, 1961;
  - 3) By reference to an unapproved plat made after June 24, 1971, if the land is located in the former Town of Elk River; or
  - 4) By reference to an unapproved plat made after December 7, 1970, if the land is located in the former City of Elk River.
- b) Subsection (a) of this section shall not apply to a conveyance if the land described:
  - 1) Is located in the former Town of Elk River and was a separate parcel of record on June 24, 1971;
  - 2) Is located in the former City of Elk River and was a separate parcel of record on December 7, 1980;
  - 3) Is located in the former Town of Elk River and was the subject of a written agreement to convey entered into prior to June 24, 1971;
  - 4) Is located in the former City of Elk River and was the subject of a written agreement to convey entered into prior to December 7, 1970;
  - 5) Was a separate parcel no less than 2 1/2 acres and 150 feet in width on January 1, 1966;
  - 6) Was a separate parcel of not less than five acres in area and 300 feet in width on July 1, 1980;
  - 7) Was a single parcel of commercial or industrial land of not less than five acres and having a width of not less than 300 feet and its conveyance does not result in the separation or division of the parcel into two or more lots or parcels, any one of which is less than five acres or 300 feet in width; or
  - 8) Is a single parcel of residential or agricultural land of not less than 20 acres and having a width of not less than 500 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than 20 acres in area or 500 feet in width.

**The City Clerk will provide a Certificate of Exemption from the Subdivision Regulations.**

**Subject Property Information** *(please print)*

- Address: \_\_\_\_\_
- Parcel Number: 75 - \_\_\_\_\_ - \_\_\_\_\_
- Complete legal description - this may be obtained from the **county** or **title company**, or found on your **property deed** or in your **closing documents**.
  - Please submit legal description in a Word document. Without it, your application will be returned as incomplete.

**Applicant Information** *(please print)*

Business/Company name: \_\_\_\_\_

Name: \_\_\_\_\_ E-mail address: \_\_\_\_\_@\_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

Phone: \_\_\_\_\_

**Signature:** \_\_\_\_\_ Date: \_\_\_\_\_

**Property Owner Information** *(please print)* Same as Applicant  Different, as below  *(Check one)*

Name: \_\_\_\_\_ E-mail address: \_\_\_\_\_@\_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

Phone: \_\_\_\_\_

**Signature:** \_\_\_\_\_ Date: \_\_\_\_\_

All signature lines on all pages must be signed for the application to be considered complete.

Information will be sent via email unless otherwise requested.

**Application Fees**

\$50 fee

Fees

The application fees pay for administrative staff time related to the assembly and distribution of the application materials, administration of internal and public meetings, publication of the public hearing notice in the Elk River *Star News*, and for postage to mail the required notices to adjacent properties. These fees do not include professional staff review time, recording fees, or additional fees that may occur.

**Agreement to Pay Costs of Review**

It is the policy of the City of Elk River to require the party indicated in Billing Information for land use approvals and licenses to reimburse the city for costs incurred by the city in reviewing and acting upon applications, so that these costs are not borne by the taxpayers of the city. These costs include all of the city’s out-of-pocket costs for expenses, including the city’s costs for review of the application by the city’s environmental consultant, city engineer, planning staff, city attorney, or other consultants; recording fees, and necessary publication costs excluding public hearing notices. Additionally, these costs do include actual time spent by professional staff on a particular application.

If payment is not received with the application, the city may return the application for failure to comply with the requirements for processing the application or may suspend the application review process.

The city will invoice the party indicated in Billing Information for costs incurred after the escrow is depleted, and payment will be due within thirty (30) days.

Payment for costs will be required whether the application is granted or denied and unpaid fees may be assessed to property taxes, with penalty.

The undersigned has received the above policy regarding the payment of costs of review, understands that reimbursement to the city of costs incurred in reviewing the application will be required as set forth in the policy, agrees to reimburse the city as required in the policy, and make payment when billed by the city.

**Billing Information** Same as Applicant  Same as Property Owner  Different, as below  (Check one)

Name: \_\_\_\_\_ E-mail address: \_\_\_\_\_@\_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

Phone: \_\_\_\_\_

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

**Public Information**

Except for personal information, all forms of correspondence to and from staff, consultants, city attorney, and public officials are considered public information.

## **Application Requirements**

Each of following applicable requirements (unless waived by staff) shall be submitted:

- Application Fee
- Full legal description** of the subject property **in an editable word format**
- Primary and Secondary septic locations (if applicable)
- Delineated wetlands
- All submitted documents shall be:
  - One (1) hard copy of all required drawings at a scale no smaller than 1" = 50', and no larger than 24"x36"
  - Two (2) sets of hard copies of all required drawings at 11"x17"
  - Provided in a digital format (e.g. .pdf, .jpeg, .doc, .dwg) at a resolution of at least 300 dpi.  
*Flash drives, CDs, and email are acceptable.*
  - Folded (rolled drawings will not be accepted)
- All other information as determined by City Staff

*\*\*\*A separate [Easement Vacation Application](#) may also be necessary with a Subdivision Exemption*

*I understand if all of the required/ requested information is not submitted within 15 calendar days after my application has been submitted, this application will be returned incomplete and the next application deadline will be the following month.*

**Applicant Signature:** \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

This page is for the applicant's reference; it does not need to be submitted.

## **Primary City Staff Resources**

Please contact any of the staff listed below if you have questions regarding the submittal requirements for your application:

### *Planning Manager*

Zack Carlton  
763.635.1035  
[zcarlton@ElkRiverMN.gov](mailto:zcarlton@ElkRiverMN.gov)

### *Senior Administrative Assistant*

Jennifer Green  
763.635.1032  
[jgreen@ElkRiverMN.gov](mailto:jgreen@ElkRiverMN.gov)

### *Senior Planner*

Chris Leeseberg  
763.635.1033  
[cleeseberg@ElkRiverMN.gov](mailto:cleeseberg@ElkRiverMN.gov)

### *Public Works Director/ Chief Engineer*

Justin Femrite  
763.635.1051  
[jfemrite@ElkRiverMN.gov](mailto:jfemrite@ElkRiverMN.gov)

### *Environmental Coordinator*

Amanda Erickson  
763.635.1068  
[aerickson@ElkRiverMN.gov](mailto:aerickson@ElkRiverMN.gov)

### *Stormwater Coordinator*

Brandon Wisner  
763.635.1054  
[bwisner@ElkRiverMN.gov](mailto:bwisner@ElkRiverMN.gov)

### *Building Official*

Bob Ruprecht  
763.635.1066  
[bruprecht@ElkRiverMN.gov](mailto:bruprecht@ElkRiverMN.gov)

### *Deputy Clerk*

Jessica Miller  
763.635.1004  
[jmiller@ElkRiverMN.gov](mailto:jmiller@ElkRiverMN.gov)

## **Additional Resources**

### Elk River Municipal Utilities

*General Manager*  
Theresa Slominski  
763.635.1334  
[tslominski@ermumn.com](mailto:tslominski@ermumn.com)

### Sherburne County

*Public Works Director*  
Andrew Witter  
763.765.3302  
[publicworks@co.sherburne.mn.us](mailto:publicworks@co.sherburne.mn.us)

### Connexus Energy

[info@connexusenergy.com](mailto:info@connexusenergy.com)

### CenterPoint Energy

Andrew Balgobin  
612.321.5480  
[andrew.balgobin@CenterPointEnergy.com](mailto:andrew.balgobin@CenterPointEnergy.com)

### Jake Schwietering

763.785.5432  
[jake.schwietering@CenterPointEnergy.com](mailto:jake.schwietering@CenterPointEnergy.com)

### Northern Natural Gas Company

*Senior Right-of-Way Agent*  
Bryan Kruger  
651.456.1735  
[bryan.kruger@nngco.com](mailto:bryan.kruger@nngco.com)

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**2021 Planning Commission & City Council Meeting Schedule**  
For Review of Planning Applications

<b>Application Deadline</b>	<b>Parks and Recreation</b>	<b>Planning Commission* and Board of Adjustments**</b>	<b>City Council</b>
December 28	January 13	January 26	February 16(Tues)
January 25	February 10	February 23	March 15
February 22	March 10	March 23	April 19
March 29	April 14	April 27	May 17
April 26	May 12	May 25	June 21
June 1	June 9	June 22	July 19
June 28	July 14	July 27	August 16
July 26	August 11	August 24	September 20
August 30	September 8	September 28	October 18
September 27	October 13	October 26	November 15
October 25	November 10	November 23	December 20
November 29	December 8	December 21	Jan 18, 2022 (Tues)
December 27	January 12, 2022	Jan 25, 2022	Feb 22, 2022 (Tues)

\* Major revisions to projects as a result of the Wetland Technical Evaluation Panel review will cause a tabling to the following month's Planning Commission meeting.

**Applications requiring only City Council review:**

- Administrative Subdivision (Simple Plat or Lot Split)
- Easement Vacation
- Final Plat
- Platted Exemption (Consent Agenda)

**Applications requiring both Planning Commission and City Council review:**

- Appeal
- Conditional Use Permit
- Interim Use Permit
- Land Use Amendment
- Ordinance Amendment
- Preliminary Plat
- \*\* Variances – the Planning Commission meets as the Board of Adjustments  
*(Automatic appeal to City Council if denied)*
- Zone Change

**All required application materials must be submitted by the deadline.  
Incomplete applications will be returned to the applicant for submission during the  
next application cycle.**