



City of Fifty Lakes

PLANNING & ZONING
40447 TOWN HALL RD | FIFTY LAKES, MN 56448
Phone: 218.763.3113 | Email: pz@fiftylakesmn.com

App#:	_____
Check#:	_____
Date:	_____
Fee:	_____
Rec'd by:	_____

SUBDIVISION APPLICATION

Name of Applicant: _____

Phone: _____ Email: _____

Mailing Address: _____ City, State, Zip: _____

PID(s): _____ Zoning District: _____

Property Address: _____ Lake Name: _____

Applicant is:

- ☐ Legal Owner
- ☐ Contract Buyer
- ☐ Option Holder
- ☐ Agent
- ☐ Other _____

Title Holder of Property:

Name: _____
Address: _____
City, State, Zip: _____
Phone: _____
Email: _____

Select the appropriate subdivision request below:

- | | |
|---|---|
| ☐ Metes & Bounds | ☐ Boundary Line Adjustment (BLA) |
| ☐ Preliminary Plat | ☐ Final Plat |

Signature of Owner, authorizing application (required): _____

(by signing the owner is certifying that they have read and understood the instruction accompanying this application)

Signature of Applicant, (if different than owner): _____

(by signing the applicant is certifying that they have read and understood the instruction accompanying this application)

Signature of Additional Property Owner, (BLA): _____

(by signing the applicant is certifying that they have read and understood the instruction accompanying this application)

Name of Owner _____

Address _____ Phone: _____

City, State, Zip _____ Email: _____

APPLICATION:

- A. Applicant shall complete the Subdivision Application provided by the City and submit to the City by the meeting deadline as published on the Meeting Dates and Application Deadlines Calendar.
- B. Application shall include items/information requested per Chapter 6 – Subdivision/Platting Provisions of the Fifty Lakes Land Use Ordinance.
- C. Application shall be accompanied by application fee made payable to the “City of Fifty Lakes.”

REVIEW:

- A. Planning and Zoning Administrator shall review the application for completeness and assign a reference number to application, plans, and any other attachments. Applicant shall be notified within ten days if additional information is required to complete the application.
- B. After receipt of a completed Subdivision Application and supporting documents, the Zoning Administrator shall place the application on the Planning Commission’s agenda for the earliest possible opening (does not apply to BLAs).
- C. City Staff will prepare a Staff Report on the application. The Staff Report will be available for public review at City Hall approximately one week prior to the scheduled meeting date (does not apply to BLAs).
- D. The City Fee Schedule is based on average processing and review costs for land use applications. When costs exceed the original application fees, the applicant shall reimburse the City for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the City may need to obtain in reviewing permits. The City may withhold final action on a land-use application and/or hold the release of a construction permit until all fees are paid.

ACTION:

Each lot created through subdivision must be suitable in its natural state for the proposed use with minimal alteration. Suitability analysis by the City of Fifty Lakes shall consider susceptibility to flooding, existence of wetlands, soil and rock formations with severe limitations for development, severe erosion potential, steep topography, inadequate water supply or sewage treatment capabilities, near-shore aquatic conditions unsuitable for water-based recreation, important fish and wildlife habitat, presence of significant historic sites, or any other feature of the natural land likely to be harmful to the health, safety, or welfare of future residents of the proposed subdivision or of the community.

For a Metes & Bounds Subdivision:

Any division of real estate resulting in two or more parcels which are not platted, but divided by description prepared and signed by a Registered Land Surveyor. All subdivisions by metes and bounds shall be reviewed and approved or denied by the Planning Commission. The Planning Commission may include any requirement from Subdivision by Plat Sec. 6.05 to sanction orderly development. Subdivision by metes and bounds shall be limited the creation of three (3) parcels in any five (5) year period, including the remnant parcel. Conditions may be attached to an approval requiring appropriate improvements. The resulting land descriptions shall be recorded in the office of the county recorder.

Metes and Bounds Subdivision Procedure. A metes and bounds subdivision procedure shall include the following:

- a. Submittal of the required application, fees and a certificate of survey or registered land survey drawing showing resulting divisions, parcels and descriptions together with details information meeting the design requirements of section 6.04.03.
- b. The planning commission shall review all information to determine compliance with this ordinance and statutory requirements and approve if deemed to be in compliance. A public hearing shall not be required.

Metes and Bounds Subdivision Design Standards. The standards for an administrative subdivision shall be as follows:

- a. Record parcel must have deeded access to public road.
- b. Proposed easements must have a minimum width of 33 feet.
- c. A private easement/driveway shall not serve more than three parcels.
- d. A road or access serving more than three parcels shall be required to be constructed to the City of Fifty Lakes' "Road Construction Specifications," platted, and dedicated to the public.
- e. Proposed subdivision must meet the land use district standards in which it is located.
- f. Proposed subdivisions to include location of delineated wetlands, or a letter stating there are no wetlands from certified wetland delineator, if no wetlands exist.
- g. Applications must include all of the following applicable items:
 1. Certificate of survey.
 2. County coordinates for public land survey corners if they are not of public record.
 3. Certificate of location of government corner must be prepared and placed of record for any corner(s) used in determining the boundary of the subject parcel as specified in Minnesota Statutes, Chapter 381.12, Subd 3 or executed public land survey corner perpetuation and record agreement.

4. Completed wetland delineation submittal and review form or statement that none exist from a certified wetland delineator.
5. Consolidation form completed (for non-conforming property to an adjacent parcel).
6. Once approved, electronic version of subdivision (compatible with County software).
7. Subsurface sewage treatment site suitability provided for two sites on each new parcel planned, with supporting documentation from a MPCA-licensed designer or compliance inspection reports for existing systems.

For a Preliminary Plat Subdivision:

Prior to the preparation of a preliminary plat, the subdivider shall meet with the Zoning Administrator in order to be review the development proposal and the applicable ordinances provisions and regulations pertaining to the area to be subdivided. The subdivider shall submit a rough sketch of the proposed area to be subdivided.

Preliminary Plat Procedure. Pursuant to Minnesota Statutes, Chapter 462.358, Subd. 3, the procedure for consideration of a preliminary plat shall include the following:

- a. The subdivider shall submit to the Zoning Administrator copies of the preliminary plat, covenants, and supporting documents, along with payment of the preliminary plat fee.
- b. The Zoning Administrator shall submit the plat to the Planning Commission/Board of Adjustment and shall publish notice of the time and place of the public hearing in the official newspaper at least ten days before the hearing. Notice shall also be sent to all property owners within 350 feet of the proposed subdivision. In addition, one copy of the preliminary plat shall be submitted to the County Surveyor, the County Engineer (if applicable), and the Minnesota Department of Natural Resources (if located in the Shoreland District) for their review and comment.
- c. At the public hearing set for consideration of the preliminary plat, the Planning Commission/Board of Adjustment shall evaluate the preliminary plat based on the following criteria:
 1. Subdivision policies in the City Comprehensive Plan.
 2. Applicable performance standards in this ordinance.
 3. Other standards, rules or requirements that the proposed plat must meet.
 4. Compatibility with the present land use in the area of the proposal.
 5. Environment impacts have been adequately addressed (stormwater, erosion/sediment control, wetlands, floodplain, shoreland, and subsurface sewage treatment systems).
 6. Public health, safety or traffic impacts have been adequately addressed.
- d. At the conclusion of the public hearing, the Planning Commission shall either recommend approval or denial of the preliminary plat. The Planning

Commission/Board of Adjustment may also table the preliminary plat for future consideration.

- e. A preliminary plat shall be approved or denied within 120 days following submission of an application completed in compliance with this ordinance, unless an extension of the review period has been agreed to by the City and the subdivider. If the City fails to preliminarily approve or disapprove an application within this review period, the application shall be deemed preliminarily approved, and upon demand the City shall execute a certificate to that effect.
- f. The Planning Commission/Board of Adjustment may attach reasonable conditions to any approval based upon its consideration of the preliminary plat application.
- g. The action of the Planning Commission/Board of Adjustment shall be stated in writing setting forth the conditions of approval, reasons for approval or the reasons for denial. The Planning Commission/Board of Adjustment's recommendation shall then be submitted to the City Council.

Preliminary Plat Submittal Requirements Pursuant to Minnesota Statutes, Chapter 505, the following shall be submitted as part of a preliminary plat application:

- a. Preliminary plat must be prepared by a Minnesota registered land surveyor.
- b. Completed preliminary plat application and applicable fees.
- c. Scale: One inch equals 100 feet if possible, but not smaller than 1 inch equals 200 feet.
- d. Confirmation from County Recorder's Office stating that the plat name is not a duplicate or closely resembles the name of any plat previously recorded in the County.
- e. Location by section, township, range, or other identifying description.
- f. Names and addresses of the owner, subdivider, surveyor, and engineer of the plan.
- g. Graphic scale
- h. North arrow
- i. Date of preparation
- j. Existing land use district classifications for land in and abutting the subdivision.
- k. Existing conditions in tract and in surrounding area to a distance of 100 feet.
- l. Existing structures.
- m. Boundary line of proposed subdivision and ownership of adjoining lands.
- n. Total acreage of parcel to be subdivided. If riparian, total area of parcel and lot area above the ordinary high water level (OHWL).
- o. Location of platted roads, rights-of-way, and utility easements.
- p. Sewers, water mains or wells, culverts, or other underground utilities.
- q. Site suitability showing two subsurface sewage treatment system locations on each lot or evidence of public sewer availability.
- r. Well location or evidence of access to a public water supply.

- s. Erosion and sedimentation control plan for pre-construction, construction and post-construction activities.
- t. Stormwater/drainage plan according to Section 8.03.07 of this ordinance, including preliminary road grades, prepared by a Minnesota state licensed engineer.
- u. Minnesota Pollution Control Agency (MPCA) National Pollution Discharge Elimination System (NPDES) permit, if disturbing a total of more than one acre of soil.
- v. A map of the site showing soil survey data.
- w. All wetlands delineated by a certified wetland delineator including a report signed by the certified wetland delineator. The delineated wetland boundaries shall be surveyed and shown on the preliminary plat.
- x. Location of all lakes, rivers, streams, intermittent streams, public drainage ditches, water courses, bluffs, steep slopes, flood fringe and floodway boundaries (if available) including location of the ordinary high water levels (OHWL). The preliminary plat map shall include two foot contours for the entire land area proposed to be subdivided.
- y. Structure setbacks from any lake, river, stream, water course, wetland, bluff, right of way or lot line must be clearly shown on the plat.
- z. Buildable area as indicated in Table 5.01.01 for land within the shoreland residential district.
- aa. Preliminary title opinion or commitment or other proof of title acceptable to City Attorney.
- bb. Within 14 days of submitting the preliminary plat, the subdivider must clearly stake and identify on the ground the proposed lot corners and the proposed centerline of the road serving the subdivision.

For a Final Plat Subdivision:

Final Plat Procedures. Pursuant to Minnesota Statutes, Chapter 462.358, Subd. 3, the procedure for consideration of a final plat shall include the following:

- a. Following preliminary approval the subdivider may request final approval by the City Council, and upon such request the City shall certify final approval within 60 days if the subdivider has complied with all conditions and requirements of applicable regulations and all conditions and requirements upon which the preliminary approval is expressly conditioned either through performance or the execution of the Developer's Agreement in Section 6.06. If the City fails to certify final approval as so required, and if the subdivider has complied with all conditions and requirements, the application shall be deemed finally approved, and upon demand the City shall execute a certificate to that effect. After final approval a subdivision may be filed or recorded.
- b. An approved preliminary plat or condominium plat must be submitted to the City Council for final plat approval within one year following the preliminary approval or

be considered void, unless a request for time extension is submitted in writing and approved by the Council prior to expiration of the one year period.

- c. The subdivider shall provide six copies of the final plat to the Zoning Administrator along with a certificate from the County Treasurer that there are no unpaid current or delinquent taxes.
- d. The City Council shall consider the final plat at a regularly scheduled meeting.
- e. Before the City Council approves the final plat, the subdivider shall complete a Developer's Agreement pursuant to Section 6.06 of this ordinance to insure construction of all roads dedicated to the public in accordance with road specifications in Section 6.05.01. The Developer's agreement shall also insure completion of all other improvements and conditions as recommended by the Planning Commission/Board of Adjustment and/or required by the City Council. These improvements include, but are not limited to, stormwater management, erosion control, community water supply, and subsurface sewage treatment systems.
- f. Following signature of the final plat or final condominium plat by the City Council, the subdivider shall file all pertinent documents with the County Recorder. Failure to file a final or final condominium plat within eighteen (18) months following final approval shall void approval of the final plat or final condominium plat unless a request for time extension is made in writing and approved by Council prior to expiration of the eighteen (18) month period.

Final Plat Submittal Requirements. When submitting a final plat, the following components shall be required:

- a. Data requirements as set forth in Minnesota Statutes, Chapter 505 and this ordinance, and all interior and exterior boundary lines shall be correctly designated on the final plat and shall show bearings on all straight lines, or angles at all angle points, and central angle and radii and arc lines for all curves.
- b. Durable iron monuments shall be set at each angle and curve point on the interior and exterior boundary lines and at all block corners and at all intermediate points on the block or lot lines indicating a change of direction in the lines. The plat shall indicate that the monuments have been set.
- c. An identification system for all lots and blocks. All lots shall be numbered consecutively.
- d. The subdivider or owner shall submit two sets of mylar copies and an electronic version of final plat (compatible with County software) to the County Recorder after Council approval.
- e. Notarized certification by the owner and by any mortgage holder of record, of the adoption of the plat and the dedication of roads and other public areas.
- f. Certification by the County Auditor showing that all taxes currently due on the property to be subdivided has been paid in full for the calendar year in which the plat is recorded.

- g. Document indicating the results of a third party plat check by a registered land surveyor.
- h. Final Title Commitment or Title Opinion or other proof of title acceptable to City Attorney.

For a Boundary Line Adjustment (BLA):

Boundary line adjustments (BLAs) are legal procedures that modify existing property lines between two or more parcels without creating new lots. They are often used to correct surveying errors, resolve encroachments, or accommodate improvements such as fences, driveways, or building expansions. Unlike a subdivision, which divides land into new parcels, BLAs simply alter the shape or size of existing ones.

The City's review and approval of BLA requests ensures that adjustments comply with local zoning laws, building codes, and land use plans, and to ensure that property changes are legally valid, properly documented, and do not create nonconforming lots. This is an administrative process that does not require Planning Commission or City Council Approval – because of this, there can be no staff discretion regarding approval. It either meets ordinance requirements and must be approved, or it does not meet requirements and must be denied.

Before beginning the process, property owners must often verify zoning designations and minimum lot sizes to ensure the proposed adjustment complies with regulations. For example, in residential zones, reducing a parcel's size below the legal minimum could result in a denial of the request. Similarly, certain protected areas (wetlands or utility easements) may limit how much the boundaries can shift.

This requires the submission of a certificate of survey prepared by a licensed surveyor. This survey shows both the existing and proposed property lines, as well as relevant topographical and structural details. In some cases, additional documents—such as deeds, legal descriptions, and title reports—must be submitted to the county/title company to verify ownership and confirm that no liens or encumbrances will be affected by the change.

Once reviewed and approved, the new legal descriptions of the properties are recorded with the county recorder's office. This ensures that the adjustment becomes a matter of public record, preserving transparency and preventing future disputes. In many areas, property taxes are also reassessed following the completion of BLAs to reflect any change in land area or value.

Application Requirements:

- A completed and signed application with signatures from BOTH/ALL property owners.
- A certificate of survey showing (at a minimum):
 - a. Location of proposed lines for all affected lots;
 - b. The existing lot lines for all affected lots proposed to be changed;
 - c. The location and dimension of all structures/improvements existing upon the affected lots and the distances between structures/improvements and the proposed boundary lines if within 50 feet of the proposed property line;
 - d. The original legal description of the entire property together with the new separated legal descriptions for each parcel;
 - e. All parcel numbers of affected lots;
 - f. The location and dimension of any subsurface sewage treatment system, easements, right-of-ways existing within or adjacent to any affected lots;
 - g. The area and dimensions of each parcel following the proposed adjustment.
 - h. Existing and proposed impervious calculations for each parcel.
- Compliance inspection SSTS (if applicable).
- No outstanding balances with the City.
- Payment of any required application fees.

CITY OF FIFTY LAKES CONTACT INFORMATION**CITY OF FIFTY LAKES:**

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Fifty Lakes, MN 56448

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PLANNING & ZONING ADMINISTRATOR:

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Sourcewell

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