

## **9. New Business**

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### c. Policy 08-02. Policy on Recording Zoning Decisions.

#### **Background Information:**

Staff has prepared the following policy draft for review by the Commission. This policy is intended to serve as internal policy to improve clarity and consistency of the administration of the City's Land Use, Zoning and Subdivision Ordinances. The approval of this policy does not require a public hearing.

#### **Staff Recommendation:**

Staff recommends approval of the policy.

**DRAFT POLICY**  
**POLICY ON RECORDING OF CONDITIONAL USE PERMIT, VARIANCE,**  
**ZONING AMENDMENT AND SUBDIVISION APPLICATIONS**  
**Policy No. 08-02**

A policy related to the procedures and fees for recording approvals of Conditional Use Permit, Variance, Zoning Amendment and Subdivision Applications. (Ord. Section 10.5, Subdivision 9; Ord. Section 10.6, Subdivision 9; Ord. Section 12.4; Ord. Section 10.8, Subdivision 5-F. Dated 12/4/2001)

1. **General.** The City of East Gull Lake is responsible for the filing of any approvals for Conditional Use Permits, Variances and Zoning Amendments as provided for under the Land Use and Subdivision Ordinance, within 45 days of approval of such an application. The property owner, or person, or organization responsible for an application for a Final Plat or Metes and Bounds Lot Split shall be responsible for recording the Plat or Metes and Bounds Lot Split with the Cass County Recorder of Deeds.
2. **Timeframes.** Conditional Use Permits, Variances, Zoning Amendments shall be filed within 45 days from date of final action by City Council. Final Plats shall be filed within two years of final action by the City Council. Metes and Bounds Lot Splits shall be filed within one year of final decision by Planning Commission.
3. **Fees.** The recording fee for all Conditional Use Permit, Variance and Zoning Amendment applications shall be paid to the City at the time of the submission of the application. Fees for recording a Final Plat or Metes and Bounds Lot Split will not be collected by the City and shall be paid by the applicant directly to the County as required by the Cass County Recorder.
4. **Preparation of Documents.** The City will prepare a document in a recordable form as required by the Cass County Recorder. This document shall contain the following elements:
  - a. 20lb. or larger paper no larger than 8.5"x14"
  - b. The first page of the document shall have a 3" blank top border and ½" borders on the sides and bottom. All additional documents must maintain a ½" blank white border. (A cover sheet meeting the above standards may be used if a document to be recorded does not meet the requirements above.

- c. The title of the document shall be prominently displayed below the 3” top margin followed by the name(s) of the property owner(s) and parcel ID number.
  - d. All accompanying maps, survey or other information not meeting the above requirements is considered non-standard by the Cass County Recorder and is subject to an additional fee, this fee shall be paid by owner of the property which is the subject of the document to be recorded.
5. **Conditional Use Permit, Variance and Zoning Amendment Recording Procedures.** The Zoning Administrator shall prepare and sign the document to be submitted to the Cass County Recorder. The document shall then be notarized by the City Clerk and have the City Seal affixed to it. The document shall then be submitted to the Cass County Recorder with applicable fee.
6. **Final Plat and Metes and Bounds Lot Split Recording Procedures.** Prior to the recording of a Final Plat approved by the City Council, the person or organization responsible for the application shall submit the document to be recorded to the City for signature by the City Administrator and Mayor, and to have the City Seal affixed upon it. Prior to the recording of a Certificate of Survey for a Metes and Bounds Lot Split approved by the Planning Commission, the person or organization responsible for the application shall submit the Certificate of Survey to the City for signature by the City Clerk and Zoning Administrator, and to have the City Seal affixed upon it. The property owner, or person, or organization responsible for an application for a Final Plat or Metes and Bounds Lot Split shall be responsible for recording the Plat or Metes and Bounds Lot Split with the Cass County Recorder of Deeds.

Policy Adopted on \_\_\_\_\_.

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Dave Kavanaugh, Mayor

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Rob Mason, Planning Commission Chairperson