

# Residential Zoning Basics

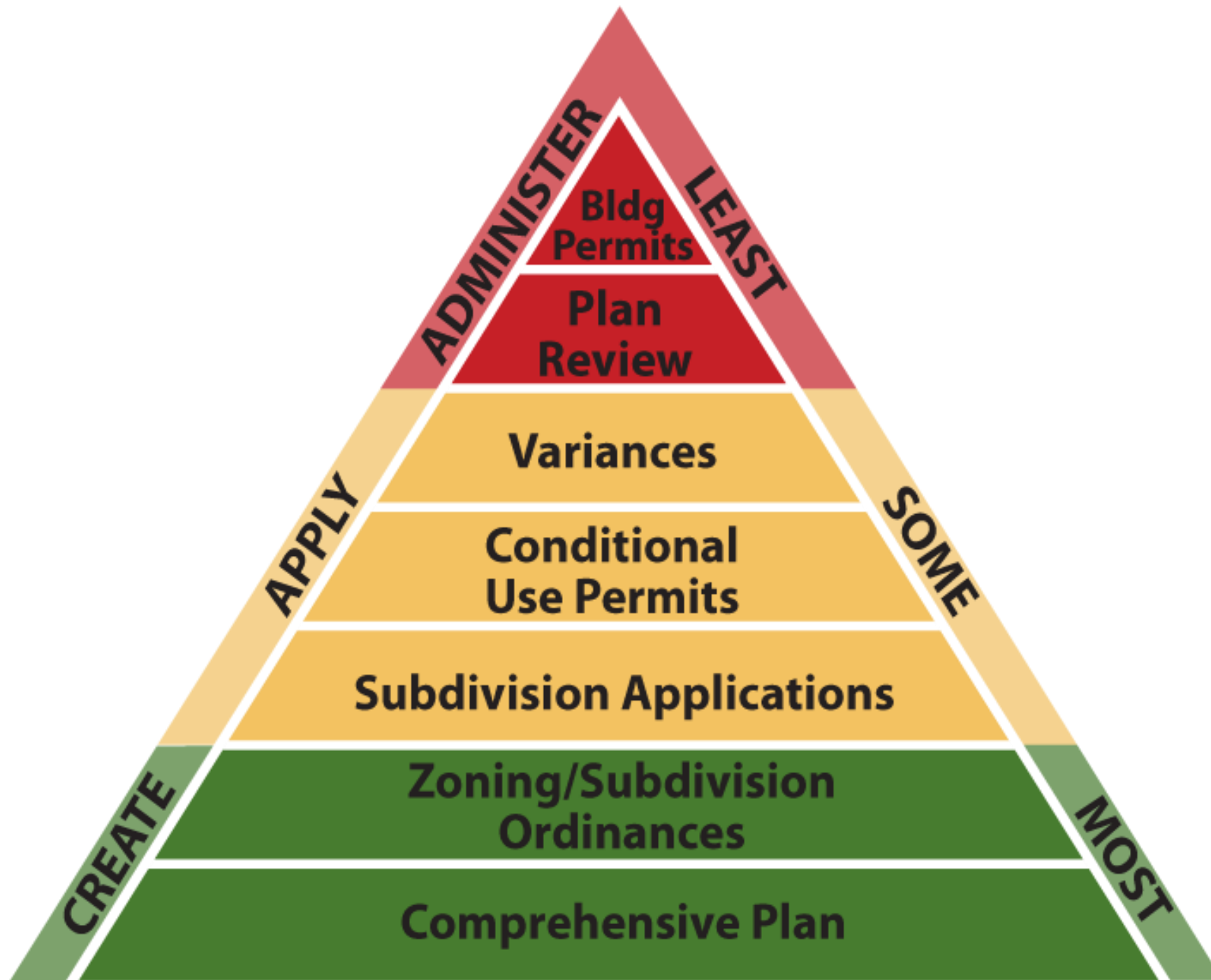
2025 Safety and Loss Control Workshops

Jed Burkett, LMCIT Land Use Attorney









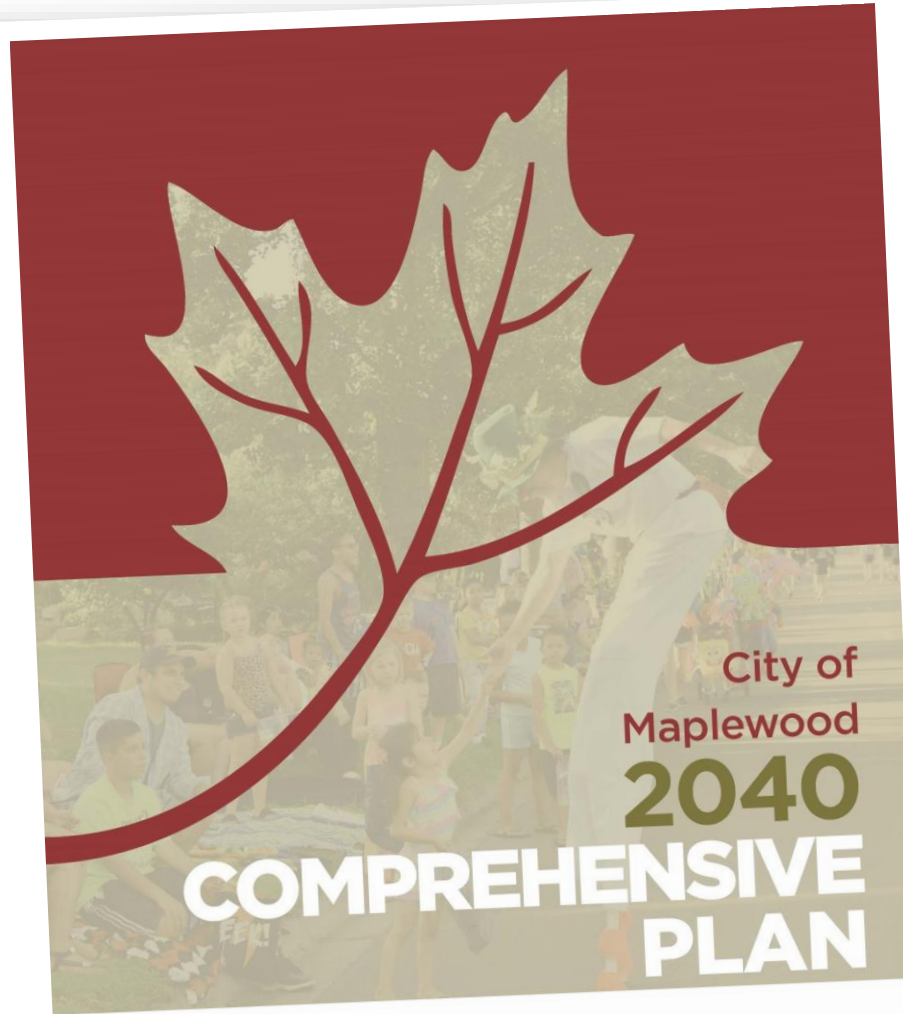
# Legislative



- Make rules that apply to everyone
- Lots of discretion
- Lots of deference by court
- Accountable to voters



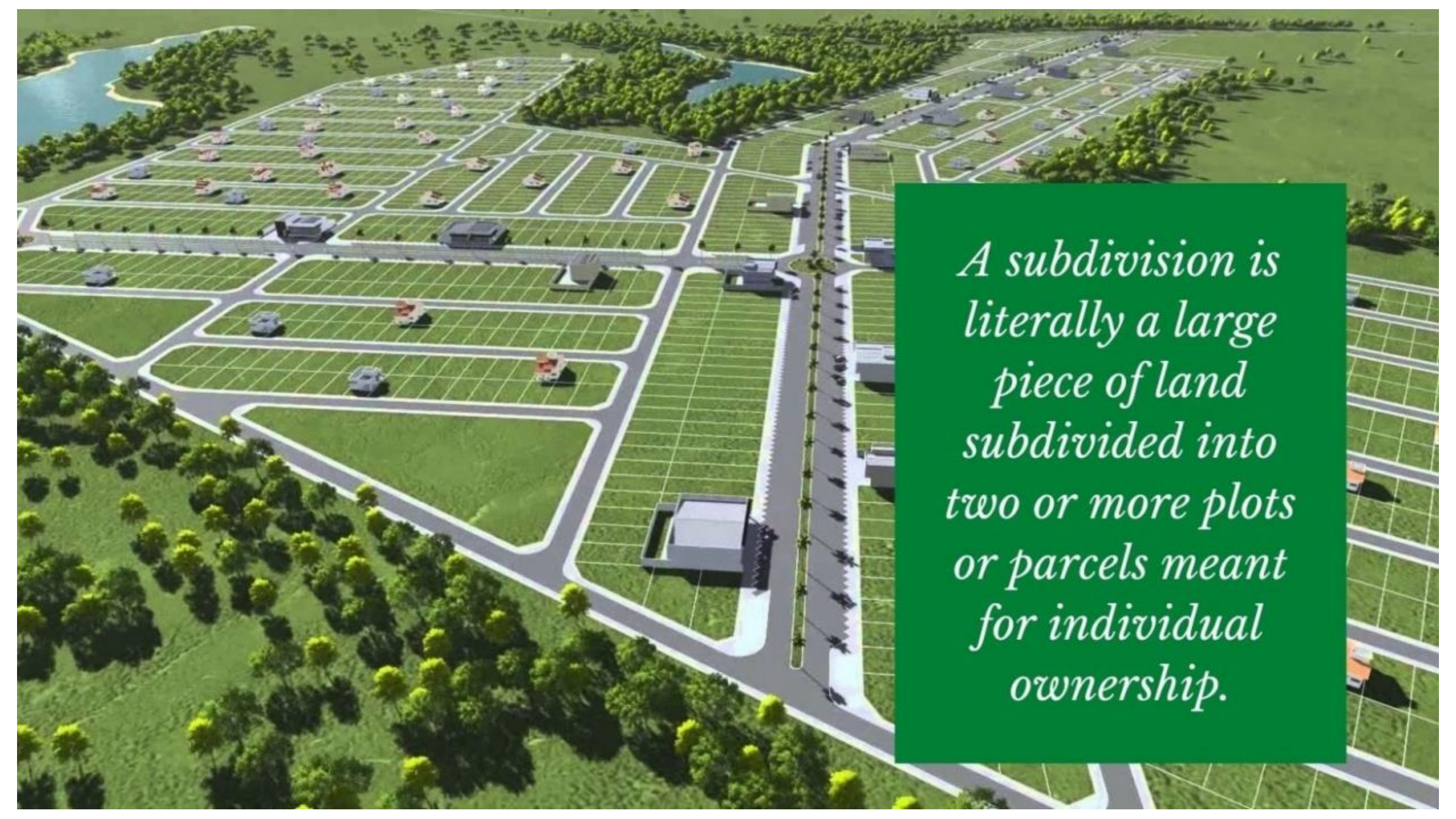




Kimley»Horn

ADOPTED SEPTEMBER 9, 2019

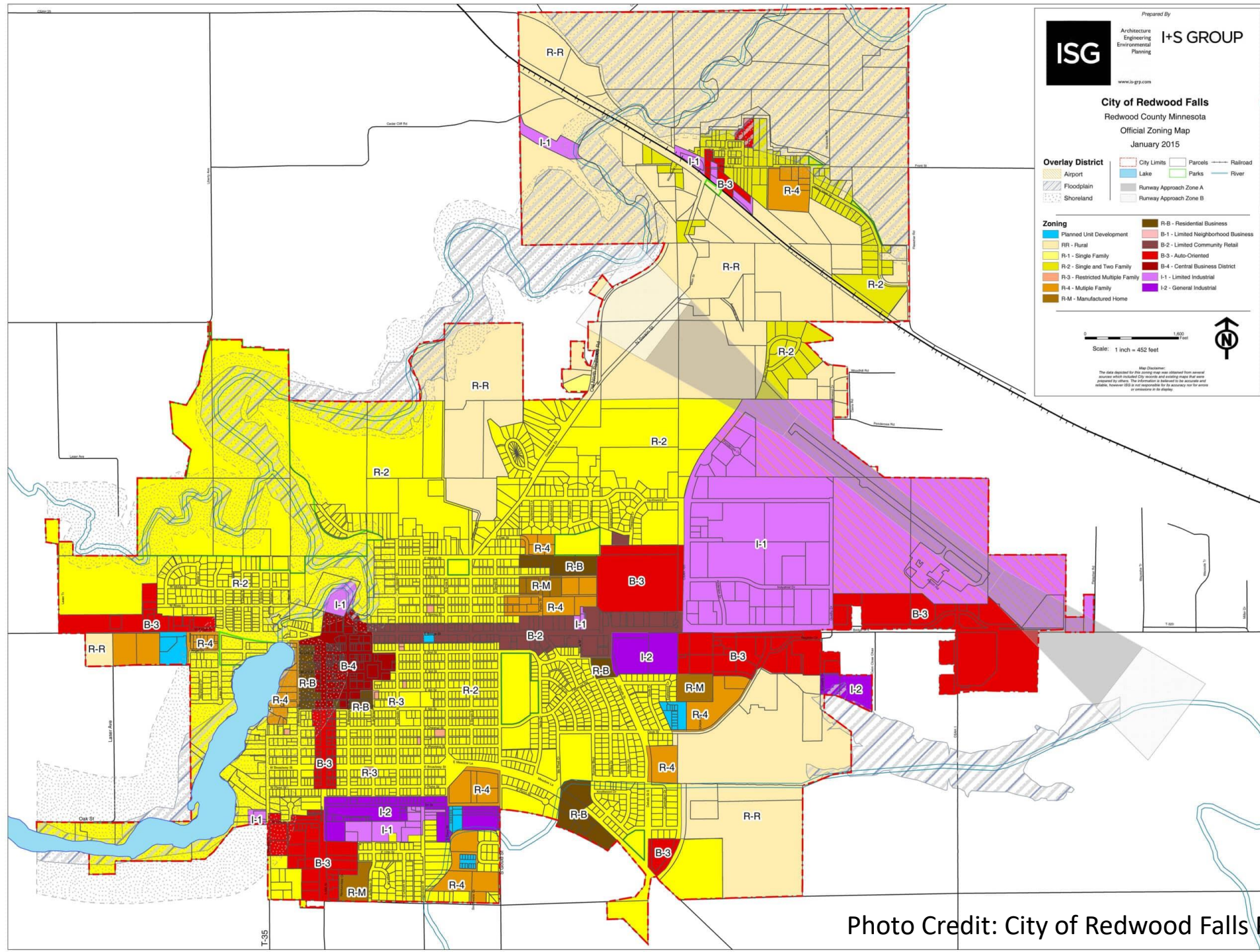


An aerial photograph of a suburban subdivision. The image shows a grid of streets with green lots. Some lots have small houses, while others are empty. There are trees and a body of water in the background. A green text box is overlaid on the right side of the image.

*A subdivision is  
literally a large  
piece of land  
subdivided into  
two or more plots  
or parcels meant  
for individual  
ownership.*



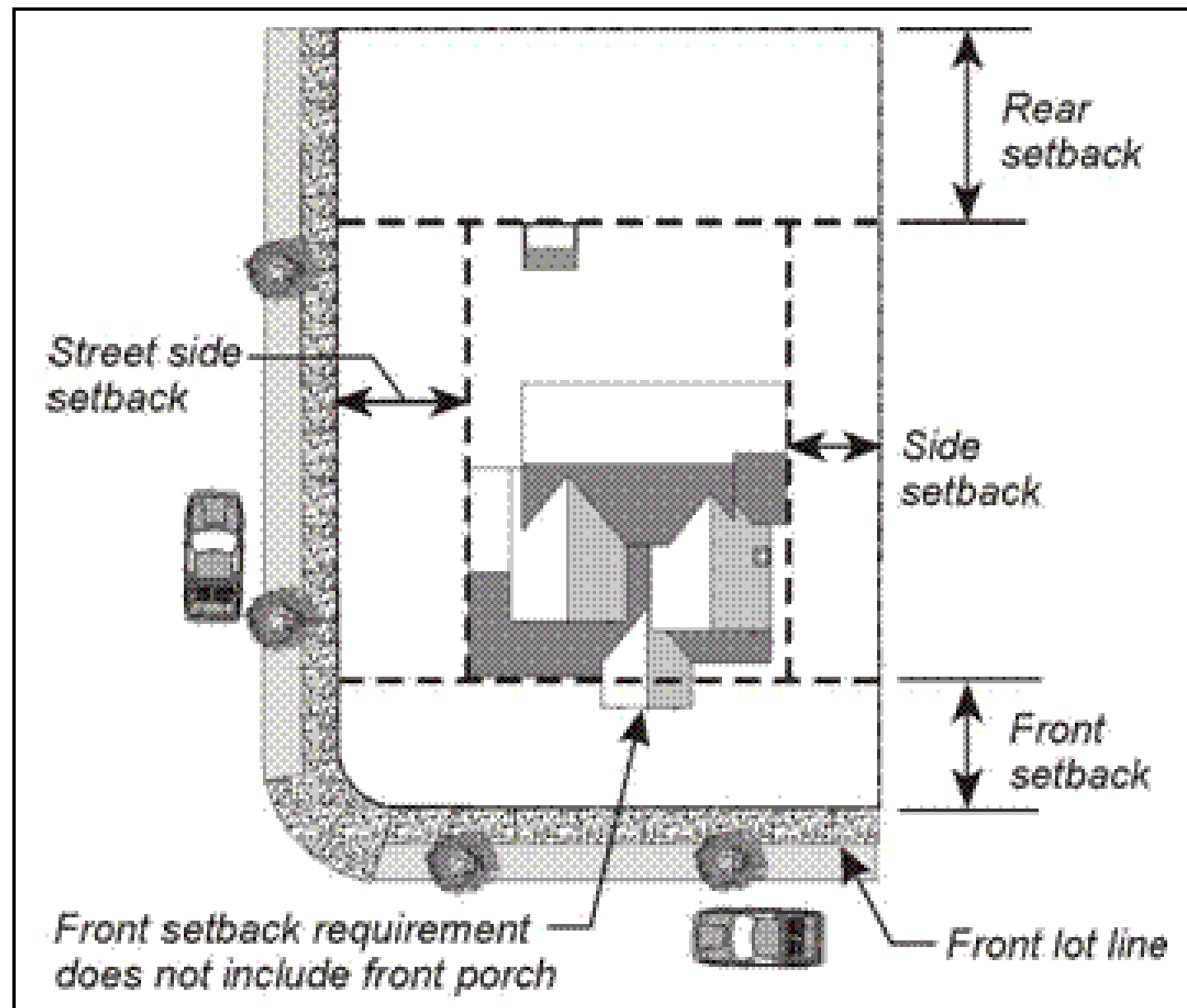






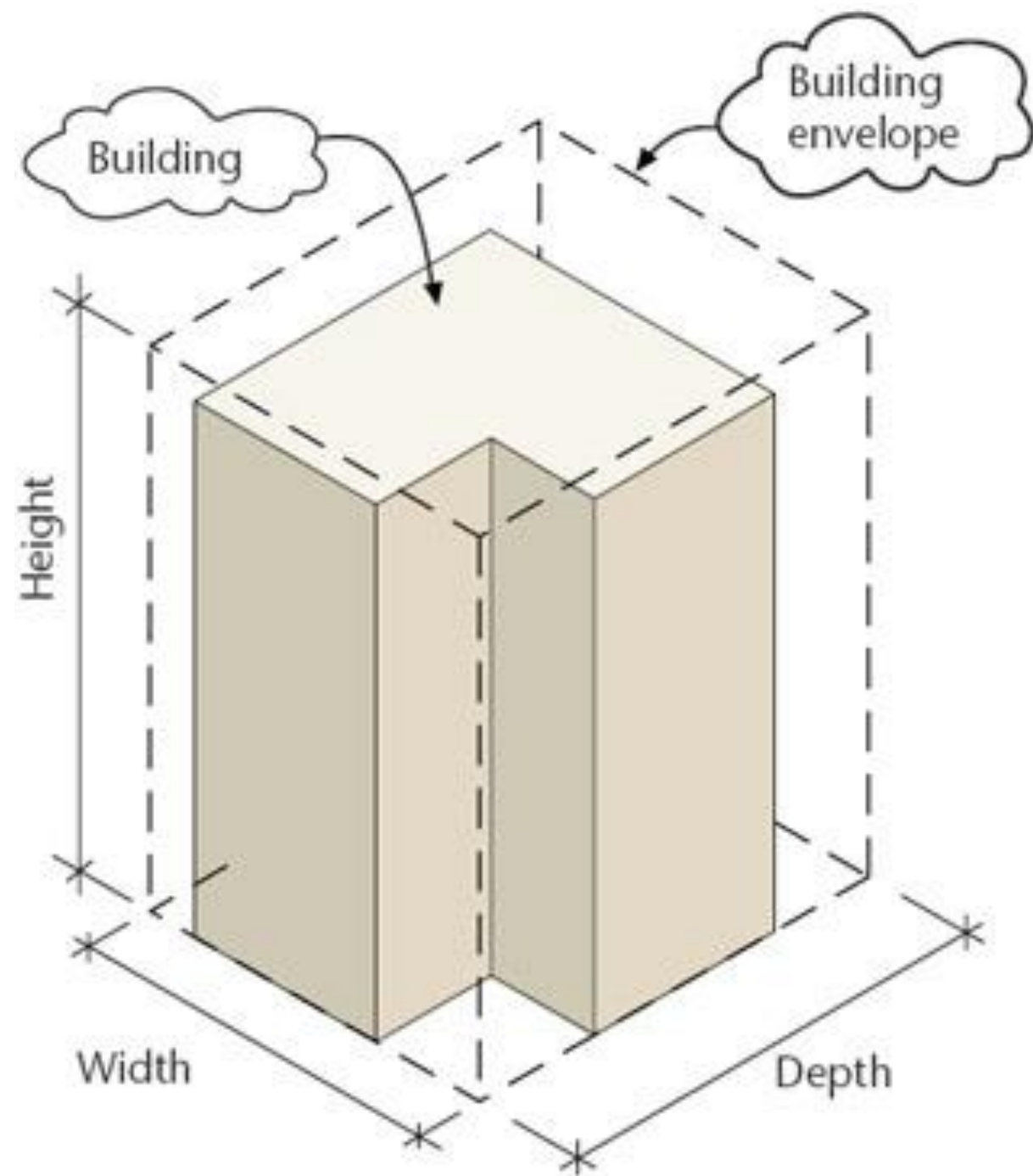
P = Permitted Use    C = Conditional Use Permit    -- = Not Permitted

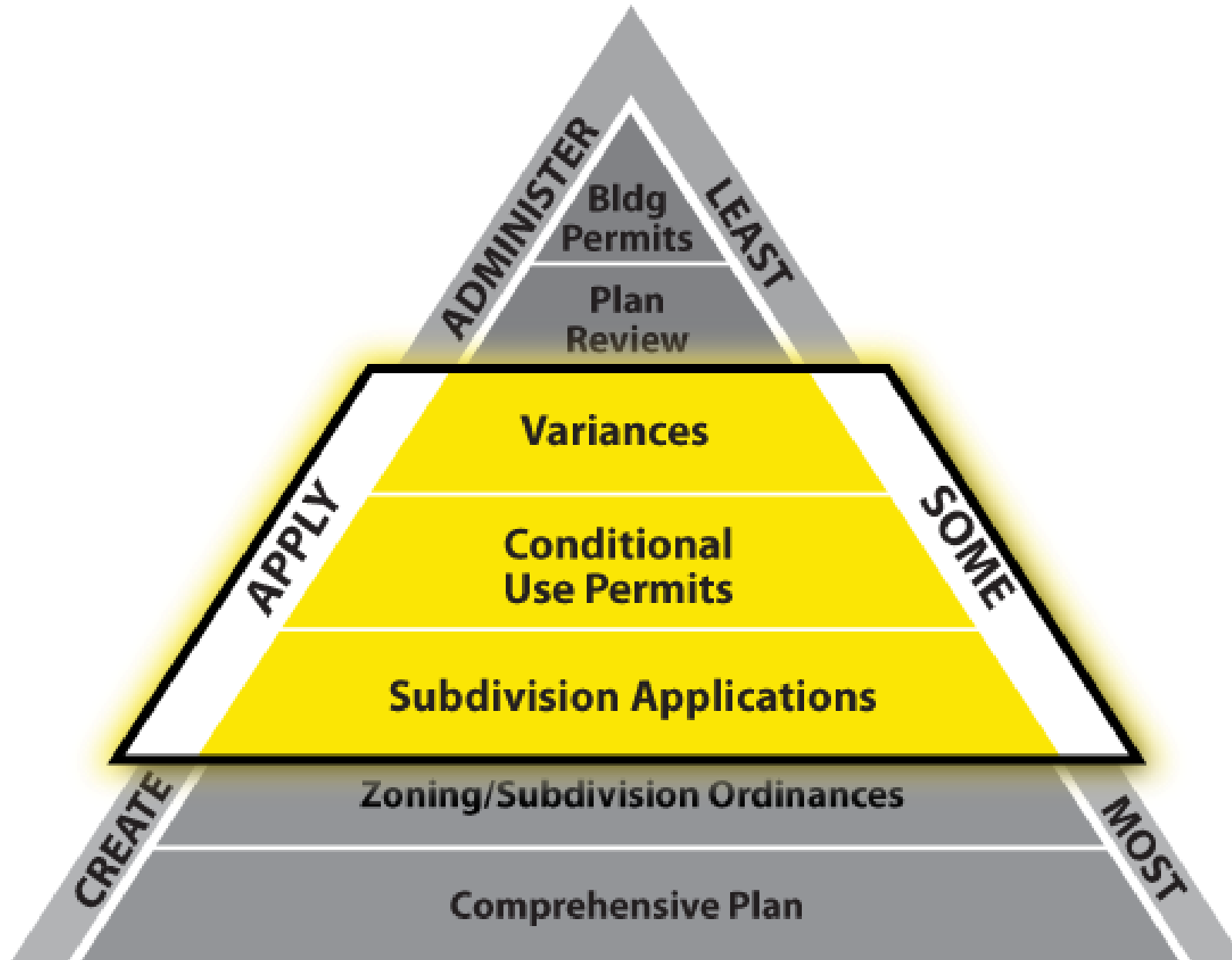
[illegible]



**Figure 4-6 – Location and measurement of setbacks**









# Quasi-judicial

- Apply rules that already exist
- Apply to specific facts
- Limited deference by court
- Less oversight by voter





TOTAL GROSS AREA	191.94	ACRES
TOTAL LOT AREA	47.13	ACRES
NUMBER OF LOTS	169	
NUMBER OF OUTLOTS	9	
TOTAL OUTLOT AREA	128.16	ACRES
TOTAL RIGHT OF WAY AREA	15.75	ACRES
GROSS DENSITY	0.864	LOTS/ACRE
NET DENSITY (EXCLUDES WETLANDS AND CO. RD. 117)	1.2146	LOTS/ACRE

Proposed Legal description for Preliminary Plat purposes only.

Tract A, Registered Land Survey No. 89, files of Registrar of Titles, Carver County, Minnesota.

Tract B, Registered Land Survey No. 89, files of Registrar of Titles, Carver County, Minnesota.

Tract C, Registered Land Survey No. 89, files of Registrar of Titles, Carver County, Minnesota.

That part of the Northeast Quarter of the Northwest Quarter of Section 10, Township 116, Range 23, Carver County, Minnesota, described as follows:

Beginning at the North Quarter corner of said Section 10; thence South along the North-South Quarter line of said Section 10 a distance of 409.69 feet; thence West along a line parallel with the South line of the North Half of said Northeast Quarter of the Northwest Quarter a distance of 435.76 feet to the centerline of the Excelsior-Shakopee Road; thence Northeast along said centerline a distance of 419.39 feet to the North line of said Section 10; thence East along the North line of said Section 10 to the point of beginning, all according to the U.S. Government Survey thereof.

That part of the South half of the Northeast Quarter of the Northwest Quarter of Section 10, Township 116, Range 23 Carver County Minnesota, lying easterly of the centerline of County Road No. 117, also known as Gopin Boulevard, and lying North of the South 186.00 feet of said South half of the Northeast Quarter of the Northwest Quarter thereof.

Together with:

That part westerly 183.00 feet of each of the following two tracts:

- (1) That part of the south 186.00 feet of the Northeast Quarter of the Northwest Quarter of Section 10, Township 116 North, Range 23 West of the 5th Principal Meridian, lying easterly of the centerline of County Road No. 117 (also known as Gopin Lake Road and formerly known as Chaska and Excelsior Road and as Excelsior and Shakopee Road).
- (2) That part of the South Half of the Northwest Quarter of Section 10, Township 116 North, Range 23 West of the 5th Principal Meridian, lying easterly of the centerline of County Road No. 117 (also known as Gopin Lake Road and formerly known as Chaska and Excelsior Road and as Excelsior and Shakopee Road).

Which lies northerly of lines described as follows:

Commencing at the northeast corner of said South Half of the Northwest Quarter; thence on an assumed bearing of North 89 degrees 49 minutes 08 seconds West, along the north line of said South half of the Northwest Quarter a distance of 588.71 feet; to the beginning of the lines to be described; thence South 65 degrees 37 minutes 15 seconds West a distance of 98.69 feet; thence northeasterly a distance of 141.37 feet along a non-tangential curve concave to the southwest having a radius of 180.00 feet and a central angle of 45 degrees 00 minutes 00 seconds, the chord of said curve is 137.77 feet in length and bears North 48 degrees 52 minutes 45 seconds West; thence North 59 degrees 22 minutes 45 seconds West, tangent to said curve a distance of 40.00 feet and said line there terminating.

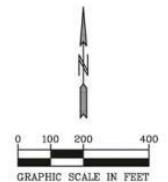
**DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:**



being 5 feet in width, and adjoining lot lines unless otherwise indicated, and 10 feet in width and adjoining street lines and rear lot lines unless otherwise indicated on the plat.



LOCATION MAP  
NO SCALE



**BENCH MARK**  
MNDOT 1002 BS  
LOCATED AT TH 5 MILEPOINT  
43.80, 38.5' N OF WB TH 5  
ELEVATION = 969.508 NAVD88  
00-BURY-118100-SHEET-PLAT

**PIONEER**engineering  
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS  
2422 Enterprise Drive  
Minnetonka, MN 55312  
(651) 681-1914  
Fax: 681-9488  
www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Surveyor under the laws of the State of Minnesota.  
Name: Paul J. Hawkins  
Reg. No.: 4220 Date: 12-05-2018

Revisions:  
1. 2-28-2019 City Comments  
2. 4-2-2019 City Comments  
3. 5-30-2019 City Comments

Date: 12-05-18  
Designed: PIC/BNM  
Drawn: BNM/BNR

**PRELIMINARY PLAT**

**LENNAR**  
16305 36TH AVENUE NORTH  
PLYMOUTH, MINNESOTA 55446

**THE PARK**  
CHANDHASSEN, MINNESOTA



# Conditional Uses

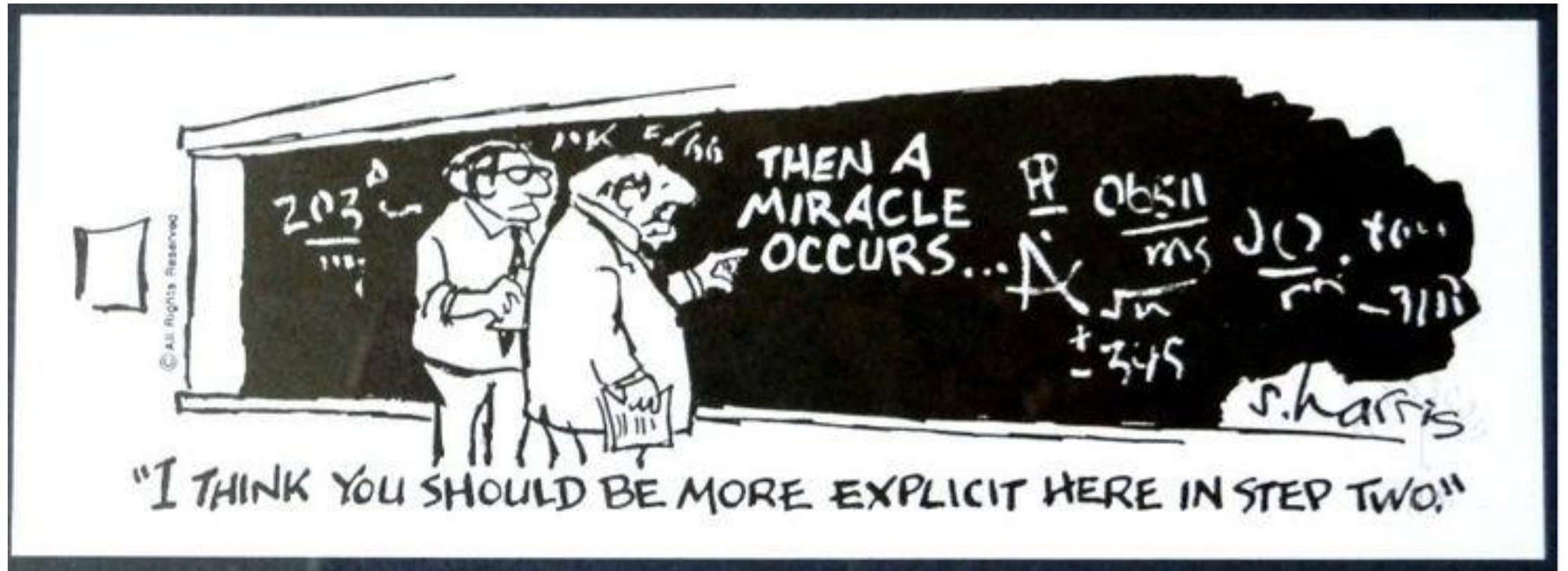




An illustration of two men in conversation. The man on the left, with dark hair and wearing a blue button-down shirt, is gesturing with his right hand. The man on the right, also with dark hair and wearing a teal button-down shirt, is listening. A large speech bubble originates from the man on the right, containing the word 'Variance' in a bold, black, sans-serif font. The background is a simple outdoor scene with a light blue sky and green foliage.

**Variance**

# Findings of Fact – Show Your Work







# Single-Family Zoning



MINNEAPOLIS is **GROWING**



WE WANT TO HEAR **FROM YOU!**



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NO  
Missing Middle  
Upzoning

ARLINGTON  
COUNTY  
PLANNING  
COMMISSION  
PUBLIC HEARING  
ON THE  
2-8 UNIT BLDG  
HIERARCHY

NO  
Missing Middle  
Upzoning

NO Upzoning  
NO 2-8 Unit  
Bldgs Here

NO  
Missing Middle  
Upzoning

The Arlington  
Way Has  
Gone Astray

NO  
Missing Middle  
Upzoning

NO  
Missing Middle  
Upzoning

NO  
Missing Middle  
Upzoning

NO  
Missing Middle  
Upzoning

NO  
Missing Middle  
Upzoning

NO  
Missing Middle  
Upzoning

Tell County: NO!  
MISSING MIDDLE  
HURTS

NO  
Missing Middle  
Upzoning

NO  
Missing Middle  
Upzoning

DO THE MATH  
NO 2-8 UNIT  
BLDG HIERARCHY

NO Upzoning  
NO 2-8 Unit  
Bldgs Here

ASF  
NO 2-8 UNIT  
BLDG HIERARCHY

2/3  
NO 2-8 UNIT  
BLDG HIERARCHY

Tell County: NO!  
MISSING MIDDLE  
HURTS

















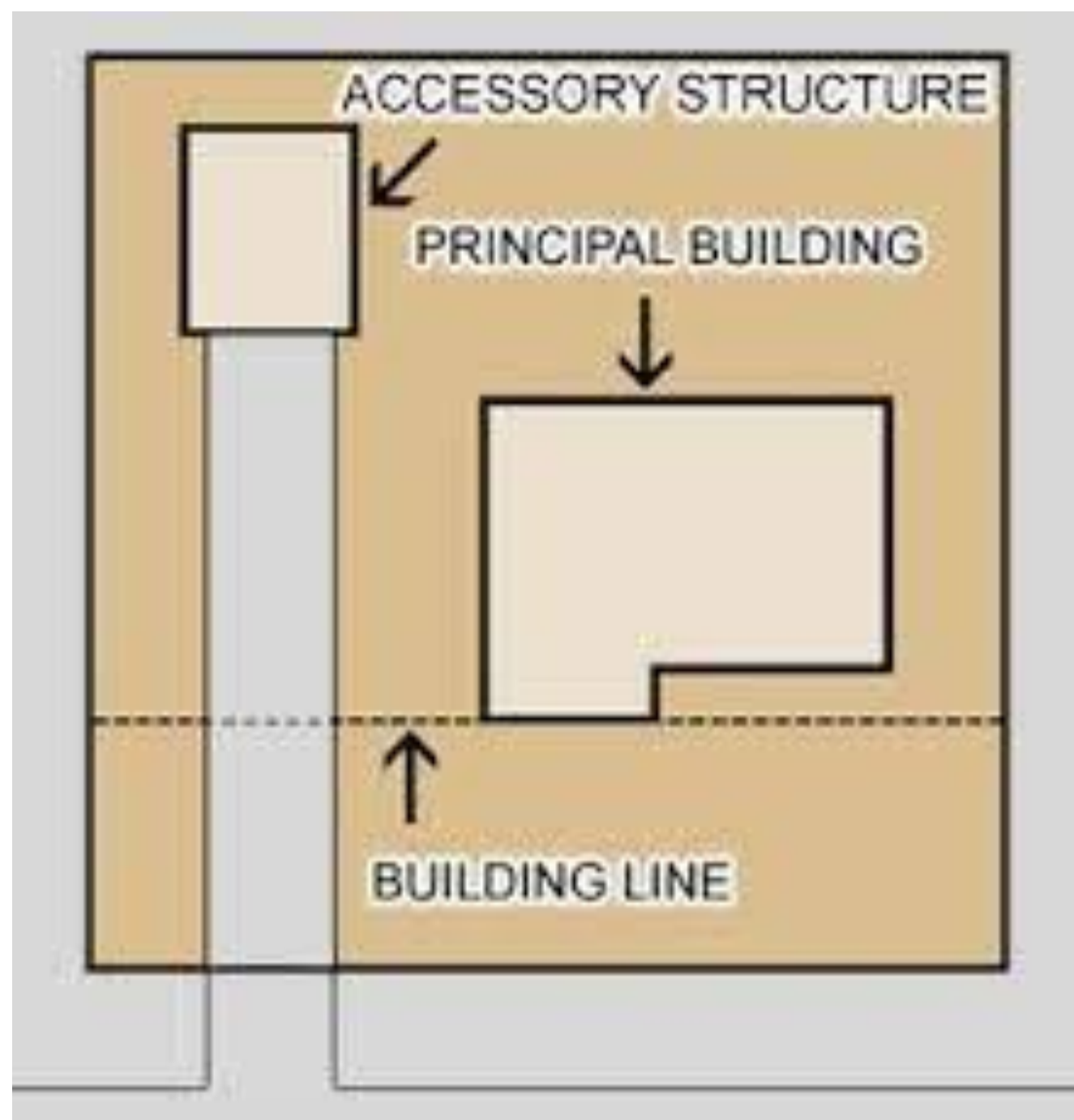










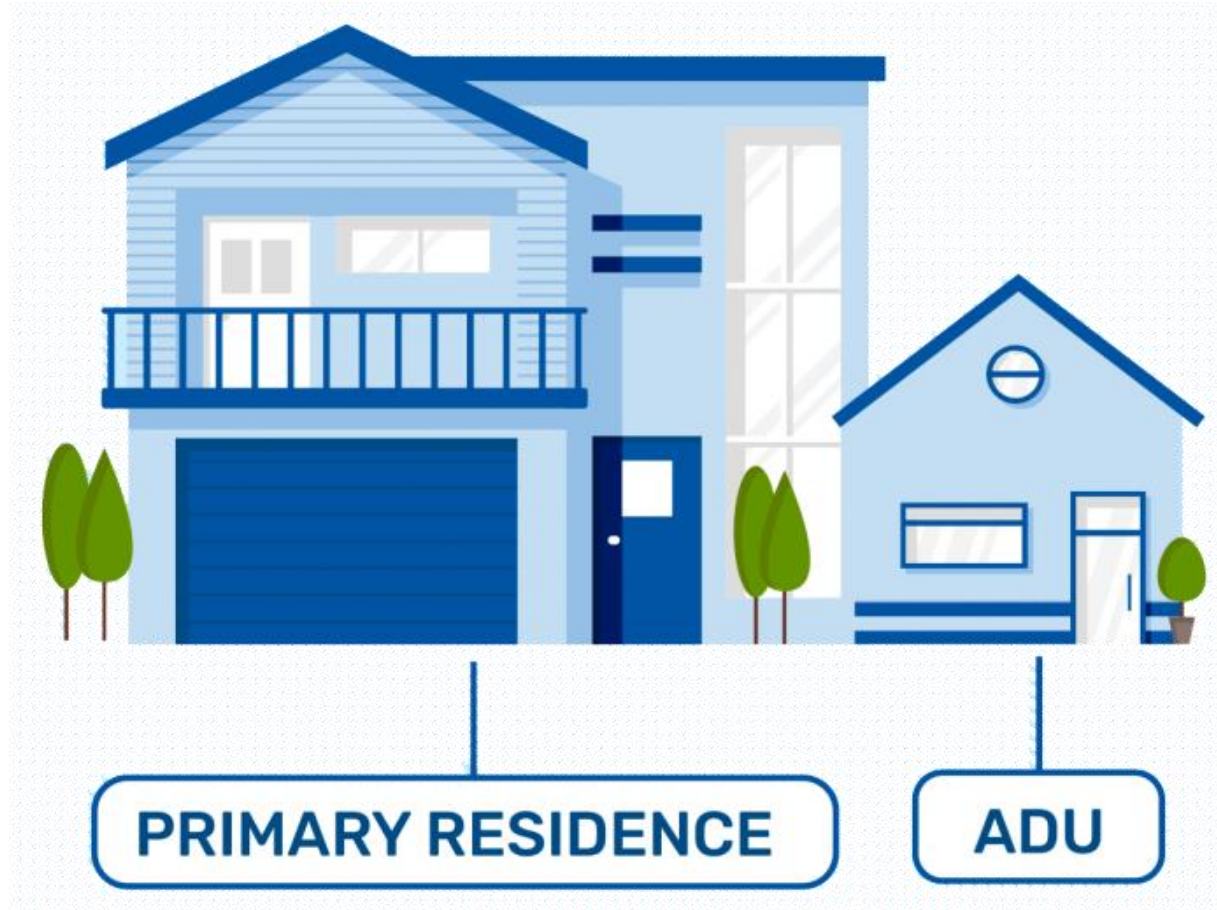








# Accessory Dwelling Units



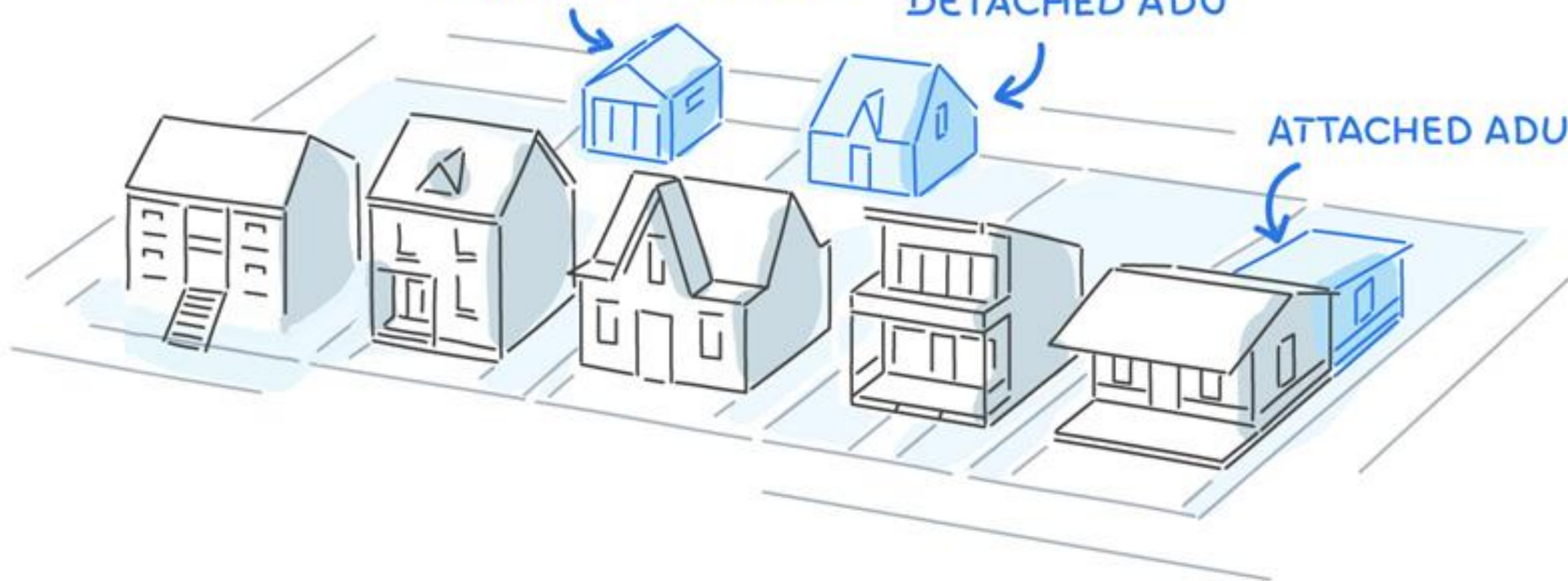


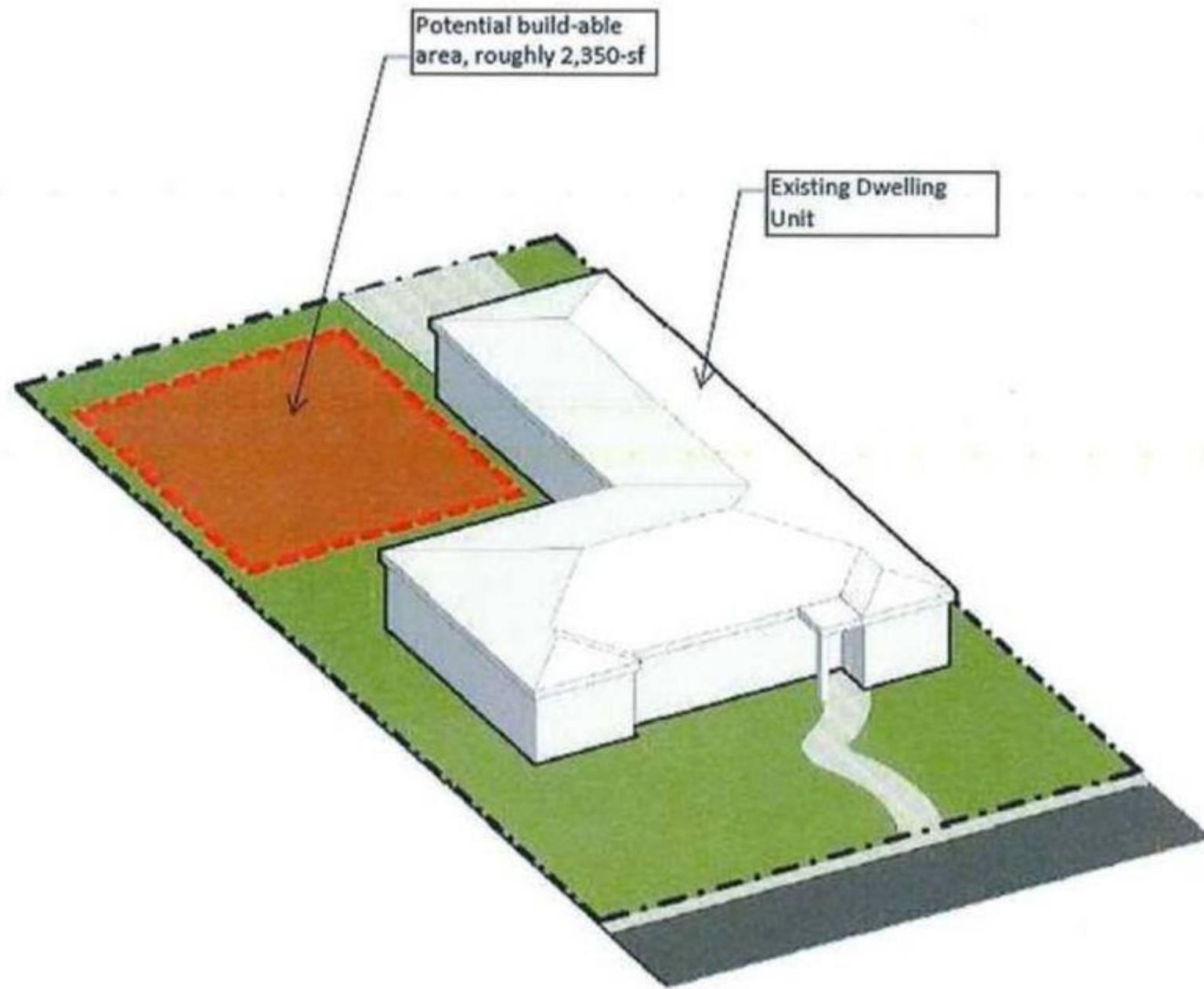


CONVERTED GARAGE

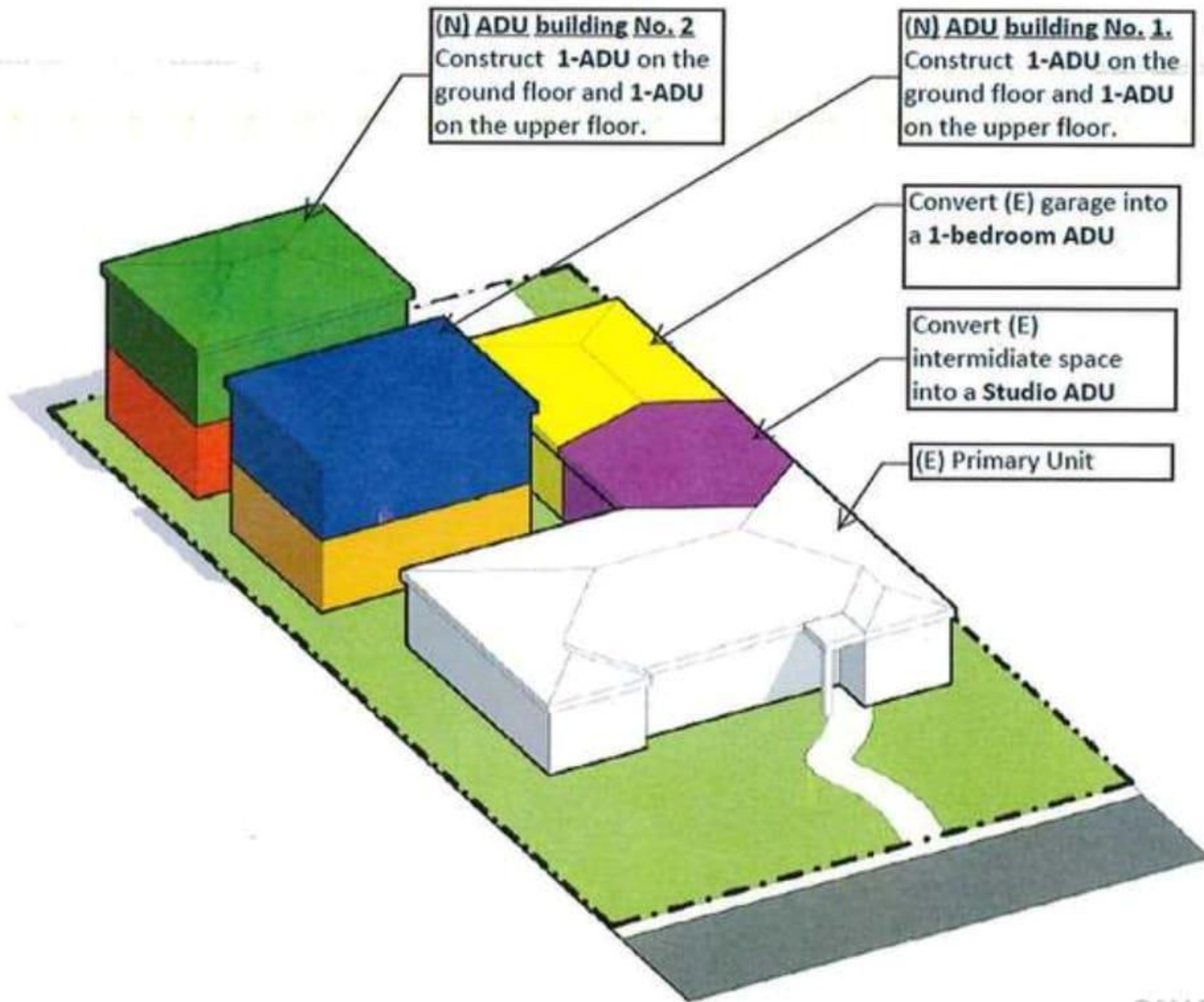
DETACHED ADU

ATTACHED ADU















# MemberLearn Online Course



**Land Use Regulation:** Your Role  
in Land Use Decision Making  
**60 mins.**

**PRIMARY AUDIENCE:** City  
Council, Planning Commissioners

**COST:** \$15 per user

**ACCESS THIS COURSE:**  
[lmc.org/landuse](http://lmc.org/landuse)