



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422
Telephone: 763.957.1100 Website: www.nacplanning.com

MEMORANDUM

TO: Sunfish Lake Mayor and City Council

FROM: Ryan Gritman

DATE: August 31, 2016

RE: Sunfish Lake – Planning Update for September 6, 2016 City Council Meeting

NAC FILE: 211.02 - General

9/6/16 CC
Mtg.
Agenda Item
6b

August Planning Commission Meeting

55 Salem Church Road – Conditional Use Permit. Jose “Luis” Escoto has applied for a conditional use permit to allow a second accessory structure on his property at 55 Salem Church Road. The property currently has an existing sport court as the one allowed accessory use. The applicant is requesting a 240 square foot shed under a conditional use permit. The Planning Commission voted 4-0 recommending approval of the shed with the conditions of the Planner’s Report as well as:

1. The five numbered conditions as contained in the proposed “Planning Commission Findings of Fact & Recommendation” prepared by the City Planner.
2. In addition, evergreen screening from adjacent neighbors and from Salem Church Road be provided in size, number and placement to be approved by the City Forester. Said evergreen screening will be planted by the applicant and inspected by the City Forester prior to commencement of any installment or construction of the shed.
3. Further, in addition, that the full completion of the project, subject to approval by the City Planner, must take place within one year of approval of the project by the City Council. If the project is not fully completed within that one-year period of time, any and all structures or their components are to be completely removed from the property within 90 days thereafter.
4. Finally, in addition, that the color of the shed and its shingles be compatible with and match as close as possible to the existing home.

Additional Planning Updates

2250 Delaware Avenue. The owners of 2250 Delaware Avenue are considering a subdivision of their property to create a new parcel that would be suitable for constructing a new home. Currently, the site has three parcels and an existing home. The proposal would eliminate a parcel; move a lot line; and build a new home on the empty parcel. No formal application has been submitted, but the property owner has indicated eagerness to submit the necessary application materials before the end of the year.

Comprehensive Plan Amendment – Inver Grove Heights. The City of Inver Grove Heights has sent out notification of a Comprehensive Plan amendment for rezoning a property from industrial to low density residential. The project is located at the corner of Westcott Road and Highway 149. Staff has approved the change.

Sheds / Accessory Structures. Staff is seeking guidance if the City Council is interested in a Zoning Ordinance amendment that would prohibit or restrict sheds or other similar accessory structures in the City of Sunfish Lake. One possibility could include a prohibition on structures between 200 and 350 square feet. This would allow for small tool / garden sheds, and larger detached garages, but not large temporary shed structures.

Code Enforcement and Public / Health Nuisance Ordinances. Mayor Park has asked staff to review the City's nuisance ordinances. Specifically, what ordinances prohibit junk, debris, and inoperable vehicles. In the City of Sunfish Lake, junk vehicles are prohibited from being outdoors at any time; this includes vehicles and trailers.

The City's Public Health Nuisance includes such violations as the keeping of deceased animals; decayed food; manure; or similar item that is a threat to the health of a person.

The City's Public Safety Nuisance includes violations that pertain to noise; public right-of-way obstructions; "safety triangle" obstructions at intersections; and other violations that may cause injury to a person or property. A violation of the City's nuisance code is considered a misdemeanor.

Further, the City has regulations regarding parking and storage in the Zoning Ordinance. All outdoor parking in the City must be connected to a public right-of-way. The City also prohibits most outdoor storage with a few exceptions including recreational vehicles; fire wood for recreational fires; clothes lines; etc.

For examples of code enforcement in other municipalities, staff looked at several cities and their processes. The City of Edina will start by sending a letter notifying the property owner of the violation and ask them to correct the situation. If the property owner does not respond, a second letter is sent. If the property still does not correct the violations, the City issues a ticket and a County judge determines a fine.

When dealing with a junk car, the City of Edina will send the issue to the City Attorney for a court action if they do not respond to the two letters sent by staff. A judge will then decide

on a fine or removal of the vehicle. It should be noted that staff in Edina could not provide a specific example of a junk car that resulted in a fine or removal by a judge.

Staff also explored code enforcement in the City of North Oaks. The City of North Oaks will send a letter to property owners notifying them of a violation and asking them to correct it. If the property owner does not correct the violation, a second letter is sent. The City will issue a citation if the property owner does not comply.

c: Catherine Iago, City Clerk
Tim Kuntz, City Attorney
Don Sterna and Eric Eckman, City Engineers
Mike Andrejka, Building Official
Jim Naves, City Forester
Ron Wasmund, Septic System Inspector
John Maczko, Fire Chief