

APPLICATION FOR CONSIDERATION OF PLANNING/ZONING REQUEST

City Planner
Lori Johnson
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612.364.3029
WSB
701 Xenia Ave S, Suite 300
Minneapolis, MN 55416

WSB Project No: _____
Fee: _____ Pd. _____
Escrow Amt: _____ Pd. _____
Date Filed: _____

Please read carefully and answer all questions thoroughly. Only complete applications will be accepted after validation by the City Planner and prior to acceptance of required processing fees/deposits.

Please refer to the Development Review Schedule for submittal dates.

Type of Request(s): _____ Preliminary Plat / Final Plat
_____ Site and Building Plan (Major or Minor)
_____ Site Alteration/Tree Preservation Plan
_____ Lot Division/Consolidation
_____ Rezoning
_____ Variance
_____ Conditional Use Permit / Interim Use Permit
_____ Comprehensive Plan or Ordinance Amendment
_____ Administrative Permit

Street Location of Property:

Legal Description of Property
(Attach additional sheet if necessary):

Owner: Name:

Address: _____

City: _____ State and Zip: _____

Phone(Home): _____ (Cell) _____

Email (required): _____

Applicant (If other than owner):

Name: _____

Address: _____

City: _____ State and Zip: _____

Phone(Home): _____ (Business): _____

Email (required): _____

Applicant's Relationship to Property/Owner:

Description of Request(s):

Reason for Request:

Existing Use of the Property:

APPLICATION FEES (Base fees are non-refundable, escrows are only refundable with a positive end balance)

- Minor Subdivision
 - Base Fee: \$150
 - Escrow: \$5,000
 - Total: \$5,150
- Major Subdivision
 - Base Fee: \$300
 - Escrow: \$5,000
 - Total: \$5,300
- Final Plat
 - Base Fee: \$300
 - Escrow: \$5,000
 - Total: \$5,300
- Conditional Use Permit; Interim Use Permit, Variance
 - Base Fee: \$300
 - Escrow: \$5,000
 - Total: up to \$5,300
- Rezoning or Text Amendment
 - Base Fee: \$300
 - Escrow: \$5,000
 - Total: \$800
- Minor Site Plan Review
 - Base Fee: \$300
 - Escrow: \$5,000
 - Total: \$5,300
- Major Site Plan Review
 - Base Fee: \$750
 - Escrow: \$12,500
 - Total: \$13,250
- Administrative Permit
 - Base Fee: \$200
 - Escrow: \$200
 - Total: \$400

Required Fees/Escrow Deposit

The most current filing fees and escrow deposit amounts required by the City are provided above for your reference. The City of Sunfish Lake does not employ full time staff. All staff members are consultants requiring the City to pay for their services. Therefore, the City of Sunfish Lake operates on a pass-through fee system whereby all review costs related to the processing of applications are the property owner's responsibility rather than that of the tax-paying residents.

All fees and escrows must be paid at the time of application. The application fee covers the administrative costs incurred by the City Treasurer, Forester and Attorney. The escrow covers the entire cost of the time spent on each application for the City's Planning and Engineering consultant, WSB. The consulting Planner and Engineer will make every effort to keep costs at a minimum. You can have a great impact on controlling these costs by submitting complete and comprehensive documents, plans, and designs which respond to the application procedures that have been outlined in this application and that comply with city codes. Incomplete submittals result in increased review

time, unnecessary costs for the applicant, and potentially, rejection of an application. **Communication and negotiation with your neighbors about your proposed improvements and adherence to all City and State regulations can also decrease the amount of time spent on applications.** Please keep in mind that any questions or concerns from affected neighbors will be addressed by staff and could result in extra inspection time from the consulting staff. **Communication with neighbors and addressing of their concerns prior to application will likely save you time and money in your approval process.**

Your signature on the application obligates you to pay any and all fees which are incurred from the time of application submittal through project completion. The escrow deposit is applied to the project costs when you proceed through the entire process and complete the project. However, if a project is abandoned before approval or completion, the escrow amount for the staff review time spent is retained by the City. If there are outstanding negative balances for your project, you are obligated to pay for the outstanding costs. Denial of a project does not negate the review costs generated or money owed. The escrow deposit is simply a reasonable estimate of project review costs based upon the average cost of past similar projects. It is not uncommon for the actual project cost to vary higher or lower than what was initially collected, and you may be asked to submit another deposit prior to approval of your project, depending upon individual circumstances. The City Planner will monitor the escrow balance for your project and communicate outstanding balances if there are any. Bi-monthly communication on escrow balances will be distributed by the City Planner.

You will be billed at the end of the project by the City Treasurer if there is a negative balance associated with your application and you will be provided with a detailed itemization of project review costs. Incomplete applications, lack of required plans or detailed information, changes in original plans, and additional site inspections needed due to site design, installation or enforcement problems will add significant cost to the project. We will do everything we can to help you avoid these problems from the onset.

If there is a positive escrow balance at the end of your project, the City Engineer and City Planner will close out the project and the City Council will approve your refund at the next available City Council meeting. After City Council approval it will take approximately 30 days to receive the refund check from the city.

NOTE: The City has experienced problems in the past with builders/owners not complying with approved building plans and/or not completing landscape plans, etc. which has angered residents. We want you to be aware that violation of any terms and conditions in your approved City Council resolution arising from this application subjects you to the sanctions of Sunfish Lake Ordinance 1210, which could include a citation.

By signing this application, you acknowledge that failure to comply with all requirements could subject you to a violation of Section 1210 of our ordinances.

Signature(s) of Owner(s): _____ Date:

_____ Date:

Signature(s) of Applicant(s): _____ Date:

Filing Requirements

* All applications require a narrative detailing the application request and all pertinent information regarding such request.

Rezoning or Text Amendment, Comprehensive Plan Amendment:

1. Completed application form indicating location of the property, name and address of the property owner and applicant. Application must be signed by the applicant and the property owner (or an explanation given why it is not signed). A hard copy of the application and the associated check for fee/escrow payment must be mailed to:

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WSB
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2. A written narrative must be submitted outlining the reasons for the rezoning/text amendment and explaining the rezoning/text amendment's relation to the proposed development.
3. One electronic copy of a certified survey of the property showing the following information (at a minimum):
 - a) Scale and North arrow.
 - b) Dimensions of the property.
 - c) Location and use of existing structures within a 100-foot radius.
 - d) Existing adjacent public and private streets and easements affecting the property.
 - e) Limits of wetlands or watercourses
4. General development plan showing the potential development of the property indicating proposed streets, buildings, and landscaping.
5. A grading and drainage plan, if grading is proposed, that indicates all proposed changes to the grade of the lot associated with any development related to a zoning or text amendment. If the property is identified as containing any possible wetlands, a delineation report of all identified wetland areas prepared by a certified wetland professional must be included with the submittal of this application.
6. Electronic copies of all plans must be emailed to ljohnson@wsbeng.com.

Conditional Use Permit/Interim Use Permit, Major and Minor Site Plan Review :

1. Completed application form indicating location of the property, name and address of the property owner and applicant. Application must be signed by the applicant and the property owner (or an explanation given why it is not signed). A hard copy of the application and the associated check for fee/escrow payment must be mailed to:

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2. A written narrative must be submitted outlining the reasons for the request and explaining the details of the request.

3. If the property is identified as containing any possible wetlands, a delineation report of all identified wetland areas prepared by a certified wetland professional must be included with the submittal of this application.
4. One electronic copy of a certified survey of the property showing the following information:
 - a) Site plan – (appropriate size and scale) denoting location, dimension and configuration of existing and proposed buildings and uses thereof, parking stalls, vehicular access ways, pedestrian ways, fencing, proposed and existing landscaping, recreational areas, spaces between buildings, street rights-of-way, existing street improvements. Existing topography must also be depicted.
 - b) Building plans – color elevations, color landscape plans, and floor plans may be required for certain projects.
 - c) Detailed lighting plans that include foot candle readings and fixture cut-sheets.
 - d) Grading and Drainage Plans if the property is being disturbed and the grade of the property is being changed.
5. Electronic copies of all plans must be emailed to ljohnson@wsbeng.com.

Minor Subdivision:

1. Completed application form indicating location of the property, name and address of the property owner and applicant. Application must be signed by the applicant and the property owner (or an explanation given why it is not signed). A hard copy of the application and the associated check for fee/escrow payment must be mailed to:

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2. A written narrative must be submitted outlining the reasons for the request and explaining the details of the request.
3. If the property is identified as containing any possible wetlands, a delineation report of all identified wetland areas prepared by a certified wetland professional must be included with the submittal of this application.
4. One electronic copy of a certified survey of the property showing the following information:
 - a) Site plan – (appropriate size and scale) denoting location, dimension and configuration of proposed buildings and uses thereof, parking stalls, vehicular access ways, pedestrian ways, fencing, landscaped and/or recreational areas, spaces between buildings, street rights-of-way, existing street improvements.
 - b) Building plans – color elevations, color landscape plans, and floor plans may be required for certain projects.
 - c) Grading and Drainage Plans if the property is being disturbed and the grade of the property is being changed.
 - e) A preliminary plat or lot split drawing indicating the size and location of all proposed lots within the subdivision.
 - f) If a minor subdivision is being requested, the required survey must indicate how the lot line will be change with the request.
5. Electronic copies of all plans must be emailed to ljohnson@wsbeng.com.

Preliminary and Final Plat

1. Completed application form indicating location of the property, name and address of the property owner and applicant. Application must be signed by the applicant and the property owner (or an explanation given why it is not signed). A hard copy of the application and the associated check for fee/escrow payment must be mailed to:

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2. A written narrative must be submitted outlining the reasons for the request and explaining the details of the request.
3. All plat document submittals shall be submitted in accordance with sections 1306.02 and 1306.03 of the City's subdivision ordinance located at [1306. Plat and Data Requirements \(sunfishlake.org\)](http://sunfishlake.org).
4. Electronic copies of all plans must be emailed to ljohnson@wsbeng.com.

Variance:

1. Completed application form indicating location of the property, name and address of the property owner and applicant. Application must be signed by the applicant and the property owner (or an explanation given why it is not signed). A hard copy of the application and the associated check for fee/escrow payment must be mailed to:

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2. A written narrative must be submitted outlining the reasons for the request and explaining the details of the request. This narrative should include reasoning for why the variance is justified, and one or more of the following criteria must be met for meeting the definition of a practical difficulty:
 - a.) Special conditions may include exceptional topographic or water conditions or, in the case of an existing lot or parcel of record, narrowness, shallowness, insufficient area or shape of the property.
 - b.) Practical difficulties caused by the special conditions and circumstances may not be solely economic in nature, if a reasonable use of the property exists under the terms of the Ordinance.
 - c.) Special conditions and circumstances causing practical difficulties shall not be a result of lot size or building location when the lot qualifies as a buildable parcel.
 - d.) Compliance with the requirements of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance or deny the applicant the ability to put the property in question to a reasonable use and the proposed variance permits the owner to use the property in a reasonable manner.

- e.) The special conditions and circumstances causing the practical difficulties do not result from the actions of the applicant.
 - f.) Granting the variance requested will not confer on the applicant any special privilege that is denied by the Ordinance to other lands, structures or buildings in the same district under the same conditions.
 - g.) The request is not a use variance.
 - h.) The variance requested is the minimum variance necessary to accomplish the intended purpose of the applicant.
 - i.) The request does not create an inconvenience to neighboring properties and uses.
 - j.) The variance requested is in harmony with the purpose and intent of the Ordinance.
 - k.) The variance requested is consistent with the Comprehensive Plan.
 - l.) The variance requested will not alter the essential character of the locality.
3. If the property is identified as containing any possible wetlands, a delineation report of all identified wetland areas prepared by a certified wetland professional must be included with the submittal of this application.
 4. One electronic copy of a certified survey of the property showing the following information:
 - a) Site plan – (appropriate size and scale) denoting location, dimension and configuration of proposed buildings and uses thereof, parking stalls, vehicular access ways, pedestrian ways, fencing, proposed and existing landscaping, recreational areas, spaces between buildings, street rights-of-way, existing street improvements.
 - b) Building plans – color elevations, color landscape plans, and floor plans may be required for certain projects.
 - c) Detailed lighting plans that include foot candle readings and fixture cut-sheets.
 - d) Grading and Drainage Plans if the property is being disturbed and the grade of the property is being changed.
 5. Electronic copies of all plans on a USB flash drive or emailed to ljohnson@wsbeng.com.

Administrative Permits: In the case of administrative permits, the applicant must contact the City Planner for the application materials. Administrative permits include emergency and non emergency permits for the following: temporary living quarters, temporary signs, farm and non-domestic animal keeping (bees and chickens), temporary electric fences for gardens, temporary construction gates or security features.

Please note that all Engineering Design Standards and the City’s Comprehensive Stormwater Management Plan requirements must be met on all plans submitted with applications. These standards and requirements can be found in Chapter 1216 of the City’s Zoning Ordinance.

PROCEDURE

1. By Applicant and Owners:
 - a) Submit all filing requirements to the Planning Department in accordance with the approved development review schedule.
 - b) Schedule an onsite application meeting with the City Planner, City Engineer and City Forester.

- c) Attend one other onsite meeting prior to the Planning Commission review of the application. Adjacent property owners will be notified of this meeting and encouraged to attend. The meeting will allow elected and appointed officials the opportunity to walk the site and review the application.
- d) Attend all Planning Commission and City Council meetings at which the application is scheduled for action.

2. By City Staff:

- a) Schedule public hearing before the Planning Commission. Mail notice of public hearing to property owners within 1000-foot radius of applicant's property.
- b) Place application on an available Planning Commission agenda. Notify applicant and owners of meeting date.
- c) Place application on an available City Council agenda. Notify applicant and owners of meeting date.
- d) Inform applicant and owners of City Council action. If request is granted, provide applicant with a copy of the resolution stating the conditions upon which approval is granted. If denied, provide applicant and owners an explanation of the basis for denial.

Public Meetings. Requests for major site and building plan review, a variance, or a conditional use permit require a public hearing and reviewing by the City of Sunfish Lake Planning Commission and City Council. The Planning Commission reviews the request and makes a recommendation to the City Council. The City Council grants final approval or denial of the project. The City of Sunfish Lake holds Planning Commission meetings on the third Thursday of every month and City Council meetings are held on the first Tuesday of every month, at which time requests may be heard, provided the application, materials, and payment of fees/deposits have been found to be complete. When in-person meetings are held, the designated location of both meetings is First Calvary Baptist Church, 5495 S Robert Trail, Inver Grove Heights, MN 55077. Otherwise, meetings will be held virtually via Zoom. Instructions for accessing the meeting will be described on the meeting agenda (<https://sunfishlake.org/agendas>). Both Planning Commission and City Council meetings begin at 7:00 PM. In addition, a site visit will be scheduled prior to the Planning Commission meeting to provide officials, staff, or neighbors an opportunity to observe conditions impacting the requested project. Actual meeting dates and times should be verified with City Staff, as holidays sometimes necessitate a change, and each request must be included on a meeting agenda. **The property owner and building representative (e.g., contractor or architect) must be present at the meetings unless otherwise informed by the City Planner.**

Timetable. Please see the attached "Development Review Schedule" for application submittal deadlines and City meeting dates. City staff reserves the right to request additional information after the initial application. After the Planning Commission's hearing of the request, the Commission has up to 30 days to make recommendation to the Mayor and City Council, whereupon the City Council will place the application on the agenda of its next regular meeting.

Plan Approval/Changes. Approval of a request may only be granted by the City Council, except for minor site plan reviews and administrative permits which do not require public hearings and may be reviewed and approved by the City Planner. The City Planner, Engineer, Forester and other consultants make recommendation to the City Council regarding the approval or denial of a project based upon the established Ordinances and individual circumstances. The final decision always rests with the City Council who may or may not concur with the consultant(s) recommendation.

When the City Council approves projects, it is based upon the information submitted at the time of application, as well as additional conditions which may be attached to the project. The City Council takes action on an item by approving a resolution which is presented at the City Council meeting. **The City Planner or Building Inspector must be notified of any deviation from approved plans.** If the changes are significant, the project may have to

be reviewed again by the Planning Commission and City Council.

Site Inspections. All building and improvement projects within Sunfish Lake require site inspections before a Certificate of Occupancy and formal approval will be given. The inspections are required prior to project start and when the project is complete. **It is the contractor's and/or property owner's responsibility to notify the City Planner of these stages when a site inspection is to occur.** A meeting will be set up on the project site with the City Planner, the property owner, contractor/builder, City Building Official and other staff when needed. In some cases, the City Planner may waive attendance by one or more individuals if site circumstances, conditions of project approval, past performance, etc. warrant such. Such costs will be taken out of the escrow funds when the City Planner or Engineer are involved.

Security Deposit. At the final site inspection, any work not yet complete or any conditions of approval not yet met will be evaluated. The City will then determine whether an escrow deposit will be required before the certificate of occupancy or formal approval is given. This will apply to primarily site design issues such as grading, seeding/sodding or erosion control, perimeter landscaping or screening, and drainage issues related to lakes or wetlands which many times cannot be addressed or completed during times of bad weather. However, utilization of an escrow deposit is not necessarily limited to these items and may also be used to ensure that other aspects of the project are completed properly and in a timely fashion.

Contractor/Property Owner Penalties. Contractors, builders, and/or property owners shall be responsible for utility lines or other public infrastructure (streets, signage) which are damaged or broken within the City during site work and construction. The total costs to repair a broken utility line or other public infrastructure will be the individual's responsibility. As is the case with other fees and review costs owed, the City reserves the right to charge costs or fees for utility line or other public infrastructure repair as a lien or assessment against the property if not paid.