



## **NORTHWEST ASSOCIATED CONSULTANTS, INC.**

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### **MEMORANDUM**

TO: Sunfish Lake Mayor and City Council  
FROM: Michelle Barness/Alan Brixius  
DATE: October 31, 2012  
RE: Sunfish Lake - Planning Update for November City Council Meeting  
FILE: 211.02 - General

11/7/12 CC Mtg.  
**Agenda  
Item  
6a**

#### **October 2012 Planning Commission Meeting**

The Sunfish Lake Planning Commission October meeting was cancelled due to lack of development applications.

#### **October 2012 City Council Meeting**

At the October Council meeting, the City Council addressed the following zoning and development items:

- 2400 Delaware Avenue. The Council approved the applicant's request for a Major Site and Building Plan, a conditional use permit for an additional accessory building, and a conditional use permit for an entry gate.

#### **Minor Site and Building Plan Review**

- 2600 Delaware Avenue. We have received and approved an application for a Minor Site and Building Plan for a home addition at 2600 Delaware Avenue. The proposed addition will extend the finished floor area of the existing principal building by approximately 18 square feet, and extend the affected portion of the home 18 inches closer to the Hornbeam Lake shoreline. The home appears to meet the 200 foot shoreline setback requirement, so the applicants do not need to pursue a variance in order to proceed with their proposed addition. The addition is not otherwise anticipated to significantly impact site landscaping, grading, drainage, lighting, utilities, or septic/sewer systems. Administrative approval of the application was sent out on October 30, 2012. No comments were received from City Staff, Council members or neighbors regarding the application.

## **Other Inquiries**

- 345 Salem Church Road. Planning staff was contacted by Paul Dorn, who represents the potential buyers of the property located at 345 Salem Church Road. Staff met with the prospective buyers and Mr. Dorn to discuss development potential of the site, and to briefly review previous application for development on the site. No official planning application has been made by the family wishing to purchase the property as of yet, but it appears that their intent is to purchase, inhabit and maintain the existing home. There was also some discussion of a minimal horizontal expansion of the home (no second floor appears to be proposed), or a finishing of the existing basement, amongst other possible changes. The prospective buyers, having been educated on Ordinance as it pertains to the site, will discuss their plans for the site and be in touch with the City.
- We received an inquiry from Paul Dorn regarding subdividing the property located at 24 Windy Hill Road. The same property underwent an application for subdivision into two single family lots in 2005; a variance from net lot area was also requested at the time because the individual parcels would both fall below the required net lot area of 2.5 acres. The application was withdrawn because the planning report dated December 12, 2005 indicated that a variance from net lot area should not be approved due to the fact that the applicants had not demonstrated undue hardship should the variance be denied. Planning staff has contacted Mr. Dorn to relate the net lot area issue and the outcome of the former application for subdivision of this property.
- An additional inquiry from Paul Dorn addressed whether or not the home located at 2154 Charlton Road could expand a garage west into the required 50 foot side yard setback. There is an easement running along the west boundary of the property and the homeowners would like to be able to count the easement within the required 50 foot setback, so that the expansion would become possible. The City Planner and City Attorney examined both the easement and County property records. The County property records do not show any lot line adjustments reflective of the easement. As such, without fee ownership of the land, the area in question cannot be counted within the required side yard setback. Should the applicant and the neighbor with whom they hold the easement agreement pursue a lot line adjustment reflecting the easement, the area may be considered in the required side yard setback.

## **2013 Development Application Schedule**

Attached is the proposed 2013 Application Schedule. Regarding the arrangement of the schedule, we would like to propose a change to the number of days City staff is permitted for reviewing planning applications. Currently City staff are allowed 14 business days to review applications, which often results in minimal time for Planning staff to integrate staff comments into the planning report before sending it out. Instead, City staff will be allowed 14 calendar days to consider applications, which should provide them sufficient review time while increasing time allotted to Planning staff as described.

Additionally, the months of July, September and November have Federal holidays which may affect City Council meeting dates. Council should consider whether they would like to adjust the existing meeting dates to better compensate for the impact these holidays may have on Council schedules.

Attached are both the proposed 2013 Application Schedule, and for reference, a calendar communicating City Council meeting dates, Planning Commission meeting dates, and Federal holidays.

### **November Planning Commission**

There are no applications or public hearings on the Planning Commission agenda for November, however the Planning Commission will discuss a few timely ordinance issues. Topics considered will include:

- 1) A numerical cap on the number of accessory buildings.
- 2) Under what conditions solid wood fences may be allowed (currently City Code allows them by variance when practical difficulties have been demonstrated).

These questions arose during consideration of the 2400 Delaware Avenue application for a Major Site and Building Plan Review and variance from solid wood fence standards.

In addition, we received a new inquiry regarding the property located at 345 Salem Church Road. A previous application for a Major Site and Building Plan Review and variance from shoreline setback requirements for the same property was withdrawn, partially as a result of concern over the height and volume of the proposed home. In preparation for potential future applications to build or expand on this property, the Planning Commission will discuss how the City should direct applicants as to house size given approval of a variance from shoreline setback standards.

cc: Catherine Iago, City Clerk  
Tim Kuntz, City Attorney  
Don Sterna, City Engineer  
David Neameyer, Building Official  
Jim Naves, City Forester  
Ron Wasmund, Septic System Inspector

# SPL Council Meetings

## Calendar for year 2013 (United States)

| January                                         |    |    |    |    |    |    |
|-------------------------------------------------|----|----|----|----|----|----|
| Su                                              | Mo | Tu | We | Th | Fr | Sa |
|                                                 |    | 1  | 2  | 3  | 4  | 5  |
| 6                                               | 7  | 8  | 9  | 10 | 11 | 12 |
| 13                                              | 14 | 15 | 16 | 17 | 18 | 19 |
| 20                                              | 21 | 22 | 23 | 24 | 25 | 26 |
| 27                                              | 28 | 29 | 30 | 31 |    |    |
| 1: New Year's Day<br>21: Martin Luther King Day |    |    |    |    |    |    |

| February                                   |    |    |    |    |    |    |
|--------------------------------------------|----|----|----|----|----|----|
| Su                                         | Mo | Tu | We | Th | Fr | Sa |
|                                            |    |    |    |    | 1  | 2  |
| 3                                          | 4  | 5  | 6  | 7  | 8  | 9  |
| 10                                         | 11 | 12 | 13 | 14 | 15 | 16 |
| 17                                         | 18 | 19 | 20 | 21 | 22 | 23 |
| 24                                         | 25 | 26 | 27 | 28 |    |    |
| 14: Valentine's Day<br>18: Presidents' Day |    |    |    |    |    |    |

| March             |    |    |    |    |    |    |
|-------------------|----|----|----|----|----|----|
| Su                | Mo | Tu | We | Th | Fr | Sa |
|                   |    |    |    |    | 1  | 2  |
| 3                 | 4  | 5  | 6  | 7  | 8  | 9  |
| 10                | 11 | 12 | 13 | 14 | 15 | 16 |
| 17                | 18 | 19 | 20 | 21 | 22 | 23 |
| 24                | 25 | 26 | 27 | 28 | 29 | 30 |
| 31                |    |    |    |    |    |    |
| 31: Easter Sunday |    |    |    |    |    |    |

| April |    |    |    |    |    |    |
|-------|----|----|----|----|----|----|
| Su    | Mo | Tu | We | Th | Fr | Sa |
|       | 1  | 2  | 3  | 4  | 5  | 6  |
| 7     | 8  | 9  | 10 | 11 | 12 | 13 |
| 14    | 15 | 16 | 17 | 18 | 19 | 20 |
| 21    | 22 | 23 | 24 | 25 | 26 | 27 |
| 28    | 29 | 30 |    |    |    |    |

| May                                  |    |    |    |    |    |    |
|--------------------------------------|----|----|----|----|----|----|
| Su                                   | Mo | Tu | We | Th | Fr | Sa |
|                                      |    |    |    | 1  | 2  | 3  |
| 4                                    | 5  | 6  | 7  | 8  | 9  | 10 |
| 11                                   | 12 | 13 | 14 | 15 | 16 | 17 |
| 18                                   | 19 | 20 | 21 | 22 | 23 | 24 |
| 25                                   | 26 | 27 | 28 | 29 | 30 | 31 |
| 12: Mother's Day<br>27: Memorial Day |    |    |    |    |    |    |

| June             |    |    |    |    |    |    |
|------------------|----|----|----|----|----|----|
| Su               | Mo | Tu | We | Th | Fr | Sa |
|                  |    |    |    |    |    | 1  |
| 2                | 3  | 4  | 5  | 6  | 7  | 8  |
| 9                | 10 | 11 | 12 | 13 | 14 | 15 |
| 16               | 17 | 18 | 19 | 20 | 21 | 22 |
| 23               | 24 | 25 | 26 | 27 | 28 | 29 |
| 30               |    |    |    |    |    |    |
| 16: Father's Day |    |    |    |    |    |    |

| July                |    |    |    |    |    |    |
|---------------------|----|----|----|----|----|----|
| Su                  | Mo | Tu | We | Th | Fr | Sa |
|                     | 1  | 2  | 3  | 4  | 5  | 6  |
| 7                   | 8  | 9  | 10 | 11 | 12 | 13 |
| 14                  | 15 | 16 | 17 | 18 | 19 | 20 |
| 21                  | 22 | 23 | 24 | 25 | 26 | 27 |
| 28                  | 29 | 30 | 31 |    |    |    |
| 4: Independence Day |    |    |    |    |    |    |

| August |    |    |    |    |    |    |
|--------|----|----|----|----|----|----|
| Su     | Mo | Tu | We | Th | Fr | Sa |
|        |    |    |    | 1  | 2  | 3  |
| 4      | 5  | 6  | 7  | 8  | 9  | 10 |
| 11     | 12 | 13 | 14 | 15 | 16 | 17 |
| 18     | 19 | 20 | 21 | 22 | 23 | 24 |
| 25     | 26 | 27 | 28 | 29 | 30 | 31 |

| September    |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|
| Su           | Mo | Tu | We | Th | Fr | Sa |
| 1            | 2  | 3  | 4  | 5  | 6  | 7  |
| 8            | 9  | 10 | 11 | 12 | 13 | 14 |
| 15           | 16 | 17 | 18 | 19 | 20 | 21 |
| 22           | 23 | 24 | 25 | 26 | 27 | 28 |
| 29           | 30 |    |    |    |    |    |
| 2: Labor Day |    |    |    |    |    |    |

| October                                          |    |    |    |    |    |    |
|--------------------------------------------------|----|----|----|----|----|----|
| Su                                               | Mo | Tu | We | Th | Fr | Sa |
|                                                  |    | 1  | 2  | 3  | 4  | 5  |
| 6                                                | 7  | 8  | 9  | 10 | 11 | 12 |
| 13                                               | 14 | 15 | 16 | 17 | 18 | 19 |
| 20                                               | 21 | 22 | 23 | 24 | 25 | 26 |
| 27                                               | 28 | 29 | 30 | 31 |    |    |
| 14: Columbus Day (Most regions)<br>31: Halloween |    |    |    |    |    |    |

| November                                 |    |    |    |    |    |    |
|------------------------------------------|----|----|----|----|----|----|
| Su                                       | Mo | Tu | We | Th | Fr | Sa |
|                                          |    |    |    |    | 1  | 2  |
| 3                                        | 4  | 5  | 6  | 7  | 8  | 9  |
| 10                                       | 11 | 12 | 13 | 14 | 15 | 16 |
| 17                                       | 18 | 19 | 20 | 21 | 22 | 23 |
| 24                                       | 25 | 26 | 27 | 28 | 29 | 30 |
| 11: Veterans Day<br>28: Thanksgiving Day |    |    |    |    |    |    |

| December                                                     |    |    |    |    |    |    |
|--------------------------------------------------------------|----|----|----|----|----|----|
| Su                                                           | Mo | Tu | We | Th | Fr | Sa |
| 1                                                            | 2  | 3  | 4  | 5  | 6  | 7  |
| 8                                                            | 9  | 10 | 11 | 12 | 13 | 14 |
| 15                                                           | 16 | 17 | 18 | 19 | 20 | 21 |
| 22                                                           | 23 | 24 | 25 | 26 | 27 | 28 |
| 29                                                           | 30 | 31 |    |    |    |    |
| 24: Christmas Eve<br>25: Christmas Day<br>31: New Year's Eve |    |    |    |    |    |    |

Calendar generated on [www.timeanddate.com/calendar](http://www.timeanddate.com/calendar)

○ = Holidays (Federal)

■ = Planning Commission Meetings

■ = City Council Meetings

# CITY OF *Sunfish Lake* – 2013 APPLICATION SCHEDULE\*

| COMPLETE APPLICATION DUE IN PLANNER'S OFFICE | PLANNER FORWARDS APPLICATION MATERIALS TO CITY STAFF* | PUBLISH/MAIL PROPERTY OWNER NOTICES AND/OR PUBLIC HEARING NOTICES | ALL CITY CONSULTANTS' REPORTS / COMMENTS DUE IN PLANNER'S OFFICE | PC PACKET MAILED OUT | PLANNING COMMISSION MEETING | CITY COUNCIL MEETING |
|----------------------------------------------|-------------------------------------------------------|-------------------------------------------------------------------|------------------------------------------------------------------|----------------------|-----------------------------|----------------------|
| 4:30 PM                                      |                                                       | WEDNESDAY 12:00 PM                                                |                                                                  |                      | WEDNESDAY 7:00 PM           | TUESDAY 7:00 PM      |
| 12/17/2012                                   | 12/18/2012                                            | 1/2/2013                                                          | 1/1/2013                                                         | 1/9/2013             | 1/16/2013                   | 2/5/2013             |
| 1/21/2013                                    | 1/22/2013                                             | 2/6/2013                                                          | 2/5/2013                                                         | 2/13/2013            | 2/20/2013                   | 3/5/2013             |
| 2/18/2013                                    | 2/19/2013                                             | 3/6/2013                                                          | 3/5/2013                                                         | 3/13/2013            | 3/20/2013                   | 4/2/2013             |
| 3/18/2013                                    | 3/19/2013                                             | 4/3/2013                                                          | 4/2/2013                                                         | 4/10/2013            | 4/17/2013                   | 5/7/2013             |
| 4/15/2013                                    | 4/16/2013                                             | 5/1/2013                                                          | 4/30/2013                                                        | 5/8/2013             | 5/15/2013                   | 6/4/2013             |
| 5/20/2013                                    | 5/21/2013                                             | 6/5/2013                                                          | 6/4/2013                                                         | 6/12/2013            | 6/19/2013                   | 7/2/2013             |
| 6/17/2013                                    | 6/18/2013                                             | 7/3/2013                                                          | 7/2/2013                                                         | 7/10/2013            | 7/17/2013                   | 8/6/2013             |
| 7/15/2013                                    | 7/16/2013                                             | 8/7/2013                                                          | 7/30/2013                                                        | 8/14/2013            | 8/21/2013                   | 9/3/2013             |
| 8/19/2013                                    | 8/20/2013                                             | 9/4/2013                                                          | 9/3/2013                                                         | 9/11/2013            | 9/18/2013                   | 10/1/2013            |
| 9/16/2013                                    | 9/17/2013                                             | 10/2/2013                                                         | 10/1/2013                                                        | 10/9/2013            | 10/16/2013                  | 11/5/2013            |
| 10/21/2013                                   | 10/22/2013                                            | 11/6/2013                                                         | 11/5/2013                                                        | 11/13/2013           | 11/20/2013                  | 12/3/2013            |
| 11/18/2013                                   | 11/19/2013                                            | 12/4/2013                                                         | 12/3/2013                                                        | 12/11/2013           | 12/18/2013                  | 1/7/2014             |

\* Applies to all Major Review, CUP, IUP, Text Amendment, Rezoning and Variance Applications

NOTE: This schedule will be followed without exception. Incomplete applications, missing meeting dates or project due dates will result in the review of the request being delayed.

Pursuant to Minnesota State Statutes, Section 15.99, as amended, supplemented or replaced from time to time, the City is permitted fifteen (15) business days to review materials submitted and determine whether an application is complete. Submittal of application materials on the complete application deadline does not guarantee placement on the upcoming Planning Commission agenda.

- Staff/Consultant Dates

- Applicant Dates