



NORTHWEST ASSOCIATED CONSULTANTS, INC.

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PLANNING REPORT - Major Site and Building Plan Review and CUP

TO: Sunfish Lake Mayor and City Council
Sunfish Lake Planning Commission

FROM: Michelle Barness/Alan Brixius

DATE: August 14, 2013

RE: Sunfish Lake – 2154 Charlton Road – Major Site and Building Plan Review
and Conditional Use Permit

FILE: 211.01 – 13.09

Application Accepted:	July 15, 2013
Planning Commission Date:	August 21, 2013
Tentative City Council Review:	September 3, 2013
60-day Review:	September 13, 2013

BACKGROUND

John and Shannon Nelson are requesting approval of a Major Site and Building Plan review to renovate their existing home and property, and to construct a new detached garage. In addition, the applicants are requesting approval of a conditional use permit to construct the proposed detached garage, as it will serve as a second accessory structure on their property in addition to an existing swimming pool. As described in Sunfish Lake Zoning Ordinance *Section 1217 Accessory Buildings, Structures, Uses and Equipment*, a conditional use permit is required for the construction of more than one accessory structure on a property. Both a Major Site and Building Plan and Conditional Use Permit review require review and recommendation by the Planning Commission and final approval by the City Council.

The subject property is a shoreline lot located at 2154 Charlton Road, which falls within the R-1 Single Family Residential and Shoreland Overlay Districts.

The existing home is a single story home with an attached garage and finished basement. According to the Dakota County website, the home's foundation size totals 3,821 square feet, including attached garage, and the total finished floor area of the home is 7,636 square feet. The applicants are proposing a second floor addition on the home totaling approximately 765 square feet, and renovations/additions to the first floor front entryway and northwest corner of the home totaling approximately 490 square feet. The proposed detached garage will be 820 square feet in size. The building footprint of the renovated home with first floor additions will be approximately 4,311 square feet in area, including attached garage. The following is a detailed description of the floor area of the renovated home:

	<u>House</u>	<u>Attached Garage</u>
Basement Floor:	3,815 square feet	
First Floor:	3,735 square feet	576 square feet
Second Floor:	765 square feet	
Total Floor Area:	8,315 square feet	576 square feet

Sunfish Lake Zoning Ordinance Section 1202.02.F defines the gross floor area of a building as the floor area exclusive of the basement or cellar. Our ordinance does not provide a definition that distinguishes basements from cellars, as such the planning commission may exclude the basement from the gross floor area of the house.

APPROVALS REQUIRED	
Major Site and Building Plan Review	To permit the construction of first and second floor additions, a detached garage, & site improvements at 2154 Charlton Road.
Conditional Use Permit	To construct a detached garage as a second accessory structure on the subject property (in addition to an existing swimming pool).

Attached for reference:

- Exhibit A: Site Plans & Lot Coverage (Sheet A0.0)
- Exhibit B: Existing Floor Plans (Sheet A0.1)
- Exhibit C: Existing Elevations (Sheet A0.2)
- Exhibit D: First Floor Plan (Sheet A1.0)
- Exhibit E: Second Floor & Roof Plan (Sheet A1.1)
- Exhibit F: Exterior Elevations (Sheet A2.0)
- Exhibit G: Garage Plan & Elevations (Sheets A2.1)
- Exhibit H: Site Survey
- Exhibit I: Light Details
- Exhibit J: Engineer Report

ISSUES ANALYSIS

Major Site and Building Plan Review

The property at 2154 Charlton Road is zoned R-1, Single Family Residential and is also within the Shoreland Overlay District surrounding Sunfish Lake. The following table illustrates the application of both the R-1 District requirements and the Shoreland Overlay District requirements to the property.

R-1 District Standards	Required	Proposed	Compliant
Net Lot Area	2.5 acres	1.56 acres	Yes*
Front Setback (north –setback to private drive)	100 feet	est. 240 feet	Yes
Side Setback (east/west)	50 feet	est. 40 feet	Yes**
Rear Setback (shoreland - south)	50 feet	Exceeds 300 feet	Yes
Front Accessory Setback (detached garage setback to private drive)	100 feet	est. 212 feet	Yes
Side Accessory Setback	25 feet	est. 25 - 145 feet	Yes
Rear Accessory Setback	25 feet	Exceeds 300 feet	Yes
Maximum Building Coverage	10%	4%	Yes
Building Height Limitation (height above average existing grade)	30 feet	23.25 feet (principal bldg.)	Yes
Shoreland Overlay District Standards	Required	Proposed	Compliant
Buildable lot area above OHWM***	2.5 acres	2.80 acres	Yes
Frontage on improved public street/private road	200 feet	N/A	N/A
Lot width at building setback line	200 feet	est. 210 feet	Yes
Lot width at OHWM of abutting water body	150 feet	est. 200 feet	Yes
Building setback from OHWM	200 feet	Exceeds 300 feet	Yes
Building setback from property line located adjacent to street	100 feet	est. 240 feet	Yes
Maximum lot coverage by impervious surface	30%	11.3%	Yes
Surface building side yard setback	50 feet	est. 40 feet	Yes**
Sewage system setback from OHWM	150 feet	est. 155 feet	Yes

* The substandard net lot area is an existing legally non-conforming condition. An existing conforming use on a lot of substandard size may be expanded or enlarged if such expansion or enlargement meets all other provisions of this Ordinance (*Section 1215.02.L.2. Provisions for Non-Conforming Buildings, Structure, Uses and Lots*).

** The existing principal structure is within 50 feet of side lot lines on both sides. This existing legal non-conformity will not be enlarged in connection with the proposed project, and hence may be allowed to continue in the same manner (*Section 1215.02.D. Provisions for Non-Conforming Buildings, Structure, Uses and Lots*).

*** OHWM (Ordinary High Water Mark)

Lot Area and Setback Requirements. As illustrated in the table above, the subject property is legally non-conforming as pertains to the minimum required net lot area. The R-1 District requires a net lot area of 2.5 acres, excluding wet areas and steep slopes, and the parcel is only 1.56 acres in net lot area. However, Ordinance allows the expansion of a conforming use (a single family residential home in the R-1 District) on a substandard size lot, as long as the expansion meets all other provisions in the Ordinance (*Section 1215.02.L.2. Provisions for Non-Conforming Buildings, Structure, Uses and Lots*).

In addition, the principal building on the subject property is legally non-conforming as pertains to required side yard setbacks. The R-1 District requires a minimum 50 foot side yard setback, and the existing home on the property maintains a 40 foot setback to both side property lines. Ordinance permits legally non-conforming, non-income producing single family residential buildings which violate setback standards to be expanded to improve livability when approved subject to site and building plan review requirements, provided that the non-conformity is not increased beyond the existing conditions upon the lot and no other deviations with the Zoning Ordinance standards are created (*Section 1215.02.D. Provisions for Non-Conforming Buildings, Structure, Uses and Lots*). The requested building additions will not expand into the side yard, and as such will not increase the existing setback non-conformity.

Given described Ordinance pertaining to non-conforming lot and setback conditions, the City may make a recommendation for approval of the current major site and building plans despite the legal non-conformities, as long as the project is able to meet all other Zoning Ordinance standards.

Building Height. According to Ordinance no building structure shall exceed two and a half stories or 30 feet in height above existing grade (measured from the average existing ground level). According to the submitted building elevations the average existing ground elevation around the proposed home is 995.92 feet in elevation, so that any new structure should not exceed 1025.92 feet in elevation, or 30 feet. The top of the proposed principal building does not exceed 1,019.17 feet in elevation, with a total building height of 23.25 feet, which meets the R-1 District 30 foot height limit.

A detached garage is also being proposed by the applicants. Zoning Ordinance *Section 1217.01* allows detached accessory buildings not exceeding one story or 16 feet in height. The proposed detached garage is one story and approximately 16 feet in height, meeting ordinance standards for accessory buildings.

The City Engineer is requesting a revised plan showing top of foundation, finished floor, garage floor, and basement floor elevations for all principal and proposed structures.

Building Materials. Both the home additions and detached accessory garage will be constructed of a combination of natural stone veneer and cedar shingles, to match existing approved exterior building finishes. Further, any new foundation will be constructed of concrete masonry units to match the existing foundation, and roofing materials will consist of split cedar shake shingles, to match existing roofing materials.

The City Building Inspector has reviewed the plan set and has no comments regarding this application. A more thorough Building Code review will be conducted with the building permit application. The building plans were also reviewed against the Sunfish Lake Design Guidelines, and were found to successfully meet the standards set forth therein. A discussion of proposed improvements in relation to the Design Guidelines is provided in the Site and Building Evaluation Criteria discussion later in this report.

Accessory Buildings. An attached garage not exceeding 1,250 square feet (first floor) shall be considered an integral part of the principal building. With the proposed first floor additions the attached garage will total less than 600 square feet in area, which meets ordinance size requirements. In addition, the applicants are proposing to construct a detached garage approximately 820 square feet in area. Accessory ordinance permits detached accessory buildings up to 1000 square feet in area, in which case the proposed garage conforms to accessory structure design standards. However, accessory ordinance states that no permit shall be issued for the construction of more than one accessory structure except by conditional use permit. The subject property also contains an existing swimming pool, which is likewise considered an accessory structure in a single family residential setting. As such, the applicant is required to apply for a conditional use permit to construct a second accessory structure in the form of a detached garage on the parcel. A review of conditional use permit criteria in relation to the proposed detached garage will be provided later in the report.

Placement and Design of Roads, Driveways, and Parking Areas. According to the Ordinance, private roads and parking areas shall be designed to take advantage of natural vegetation and topography to achieve maximum screening from view from public waters. The attached garage, detached garage, and driveway are located on the north side of the house, and as such will be visually separated from the shoreline to the south of the home by both the principal structure and existing tree coverage on the site.

The applicants are proposing adjusting the existing driveway and parking areas in response to the placement of the proposed detached garage on the property. The renovated driveway will continue to provide bituminous surfacing and will continue as a circle drive. The dimensions of the driveway have been slightly reduced so as to provide space to build the detached garage near the home, while maintaining the required 25 feet accessory side yard setback. The drive aisles will continue to provide sufficient width to serve emergency vehicles (between 13-14 feet), and the middle planting island will still provide sufficient space for a tree.

Parking ordinance requires a buffer of at least 25 feet between the property line and parking areas. The renovated driveway does not provide 25 feet between a surface parking space and the side lot line to the west of the home. However, the property owners hold an easement that may be used for parking and access uses, which extends 20.5 feet west of the west property line. Given the additional space provided by the described easement, it appears that the required 25 foot buffer is provided for.

Site Access. The City Engineer notes that since the property utilizes a shared driveway, the existing condition of the driveway must be documented prior to construction in case any damage occurs during the course of construction activities on

the site. The engineer also notes that there are weight limits on Charlton Road which must be adhered to when the contractors deliver materials to the site (see Exhibit J).

Lighting. Exterior lighting of homes or property is allowed as necessary for safety purposes provided the impact on surrounding properties is minimized and it is in compliance with Section 1216.06 of the Zoning Ordinance, which states the following:

- Any exterior lighting shall be arranged as to deflect light away from any adjoining residential property;
- Direct or sky-reflected glare (e.g., up lighting and flood lighting) shall not be directed into any adjoining property; and
- The source of lights shall be hooded or controlled in some manner so as not to light adjacent property.

The applicants' exterior lighting plan includes five recessed Halo H7 ICAT LED down lights, located around along the front of the attached and detached garages and a new door opening on the north side of the home, one Benner large wall sconce, located beneath the new covered entryway, and two Benner small wall sconces, located on the south side of the new detached garage. All proposed lighting fixtures are hooded or recessed, and are not anticipated to be overly visible from adjoining properties or the lake. Upon installation, all lights or combination of lights which cast any light on residential property or over public water shall not exceed one foot candle (meter reading) as measured from the edge of water abutting the subject property. This may be demonstrated by providing evidence of at which distance out from proposed light fixtures meter readings will fall below the required one foot candle measurement.

Grading and Drainage. The City Engineer has determined that the application is insufficient and is requesting submission of a grading and drainage plan prepared by a qualified engineer of the developed site indicating direction and rate of stormwater runoff and establishing locations for collection and infiltration of runoff. Calculations must show before and after conditions, drainage area boundaries, and flow rates (see Exhibit J). Additional requirements are outlined below.

Steep Slopes. The proposed grading plan generally avoids work within areas of steep slopes (in excess of 12%).

Topographic Alteration and Erosion Control. Renovation of the driveway and construction of the home addition and detached garage will require some re-grading of the site. The applicants have provided information on erosion control and re-vegetation specifications. They intend to implement an erosion control fence (silt fence), which will wrap around the west and south extent of the construction zone, creating a barrier between areas impacted by construction and the lake to the south. Those areas disturbed by renovation of the driveway are to be restored to turf to match the existing yard. This restoration should occur immediately after construction on the site is completed. In addition, two temporary soil stockpile locations are provided. The soil stockpile on the west side of the house is within the extent of silt fencing. The soil stockpile on the northeast side of the driveway is not surrounded by silt fencing. This area should be surrounded by silt fencing to control sediment movement.

The City Engineer is providing recommendations for site erosion control measures as outlined in his report (see Exhibit J). Specifically, he has requested that the applicants provide a revised plan depicting proposed grading contours and show how the driveway removal area on the west side of the site will be restored. Proposed silt fencing around this area must be revised. The area around the soil stockpile must also show silt fence or bio rolls to protect surrounding areas from sediment. After the proposed contours area shown, the plan should show the placement of silt fence or bio rolls to protect downstream areas from erosion during construction.

The Shoreland Overlay District limits the impervious surface coverage of lots to not exceed 30% of the lot area. The proposed home and garage will result in 11.3% impervious surface coverage on the site. The proposed impervious coverage meets Ordinance standards, but due to the increase in impervious surface on the site the City Engineer is requiring that the applicant meet infiltration requirements as outlined in Section 1216.04 of the City Ordinance.

Stormwater Management. Stormwater will drain away from the renovated home, driveway, and new detached garage. Stormwater movement to the north of the home will drain towards a low area and existing culvert on the parcel, and stormwater to the south of the home will drain overland downhill towards Sunfish Lake. Impervious surface on the lot will increase with the home addition and detached garage. As such, additional stormwater management areas between the home and the lake may be required to better infiltrate and treat increased runoff from the site.

Landscaping/Fencing/Screening.

Fencing. The applicants are proposing two solid stone fences on the north side of the home. The stone walls will function as a gateway to a new door opening on the northwest corner of the house. The Zoning Ordinance permits solid stone walls not exceeding three feet in height within the buildable area of the lot. The proposed stone walls are four feet in height, exceeding the maximum allowed height by one foot. The applicant's will need to demonstrate that the proposed fences have been reduced down to three feet in height or less, as required in *Section 1218* of the Zoning Ordinance, as a condition of approval. The home addition, driveway renovation, and detached garage are not otherwise anticipated to impact existing retaining walls on the property.

Landscaping. Four trees are to be removed from the parcel in the course of constructing the detached garage and renovating the driveway. Three of the four trees are spruce trees, and all would be considered significant as pertains to tree size. A majority of trees on the site will remain, including several in close proximity to the construction area. The City Forester has reviewed the applicant's tree removal and landscaping plans, and is recommending approval of the plans as specified. Planning staff would further require that tree protection fencing be provided around any tree whose drip lines fall within the area of construction of the new detached garage or within areas of driveway and sidewalk renovations. The applicants shall provide a revised site plan illustrating that tree protection fencing has been provided as described, and will be

extended to encompass the area of each tree's drip line, so as to avoid potential compaction and damage to tree root systems.

The applicants are proposing planting six new trees, including three spruce, one sugar maple, one linden, and one river birch. Trees to be planted are more diverse than those being removed, and all comply with basic design requirements described in *Section 1218.03 Required Fencing, Screening and Landscaping* in the Zoning Ordinance.

Septic System. The applicant provided the location of a proposed septic system on the site, as gathered from sketch plans from Elkin Septic dated April of 2012. If the indicated septic system has not been installed yet, detailed construction plans and applicable permits will be required in conjunction with a building permit application for a new septic system from the City Septic Inspector. Further, the applicant is required to comply with the recommendations of the City Septic Systems Specialist pertaining to the installation of new septic areas, and abandonment of old septic areas, if this is the case.

Conditional Use Permit for Construction of a Second Accessory Structure. *Application for a conditional use permit for additional accessory structures shall be regulated by Section 1204 of City Zoning Ordinance. Such a conditional use permit may be granted provided that:*

A. There is a demonstrated need and potential for continued use of the structure for the purpose stated.

Staff response. The existing attached garage will be reduced in size by approximately 25 square feet, and will be reduced from a three stall garage to a two stall garage. The applicants are requesting permission to build a detached garage to supplement the attached garage to provide additional space for storage of family vehicles and single family residential related supplies and equipment. *Section 1241.04* of the R-1 Single Family Residential District Ordinance permits accessory uses and structures for the storage of domestic supplies and equipment, and further permits accessory structures incidental and directly related to permitted uses in the district.

The applicants had considered expanding the existing attached garage up to the allowed 1,250 square feet, however were unable to pursue this expansion due to conflicts with the required side yard setback. The requested detached garage is an alternative which provides the family the desired vehicle and equipment storage space, while implementing a design solution able to meet basic yard setback requirements.

B. No commercial or home occupation activities are conducted on the property.

Staff response. The accessory garage is being built specifically for single family residential vehicle and equipment storage uses.

C. The building has an evident re-use or function related to the principal use.

Staff response. The detached garage is integral to the single family dwelling and will not have an alternative use.

D. Accessory building shall be maintained in a manner that is compatible with the adjacent residential uses and does not present a hazard to public health, safety and general welfare.

Staff response. Garages are an accessory use within the R-1 Residential District. In addition, the garage's design and architecture are complimentary to that of the existing home, and similar in quality to structures on surrounding properties.

E. The provisions of Section 1204.02.F. of this Ordinance shall be considered and a determination made that the proposed activity is in compliance with such criteria.

Staff response. The proposed accessory structure is in compliance with conditional use permit criteria described in Section 1204.02.F, and otherwise appears to meet Ordinance standards pertaining to accessory structure design and location.

Site and Building Plan Evaluation Criteria. As described in Section 1208.04 of the City Zoning Ordinance, the Planning Commission, as its basis of recommendation, and the City Council, as its basis for decision, shall evaluate the effects of the proposed site and building plans. This review shall include, but is not limited to, the following:

- A. Whether the proposed improvements are compatible and in harmony with the existing structures in the surrounding community.

Comment: The applicants are proposing a second story to their existing home, in addition to first floor additions to an entry way and the northwest corner of the house. Two story homes are typical around Sunfish Lake, such that the finished structure will coincide with the scale of architecture on surrounding properties. In addition, the nearest home to the north is over 400 feet away, with significant existing tree coverage existing between the two properties. Therefore the second story addition should have minimal impact on views from neighboring properties.

The architecture of the proposed additions and detached garage is of quality design, consistent with City Design Guidelines. .

- B. Whether the proposed improvements preserve the character and nature of the surrounding community, including the natural landscape and woodland characteristics of the community.

Comment: The applicants are removing four trees, and planting six trees of a greater diversity than those removed. Existing tree coverage on the site should not otherwise be impacted by the project. Impervious surface on the site will increase with the addition of the detached garage. This will result in increased runoff moving from the home and driveway area to the lake. The applicants should install a stormwater management area between the home and the lake to mitigate against the effects of increased stormwater runoff.

- C. Whether the proposed improvements are not constructed of unsightly, improper or unsuitable materials.

Comment: The exterior materials of the proposed home additions and detached garage meet Ordinance requirements, create aesthetic appeal, and otherwise maintain the character of the locality. Further, they meet the requirements of the Sunfish Lake Design Guidelines, in that they:

1) Preserve sensitive areas during construction (applicants plan on installing silt fencing during construction, and plan on restoring exposed areas to lawn after construction).

2) Integrated attractive building features in the architectural design (the first floor addition includes an attractive covered entryway with classical columns and multi-paned entry doors and windows; renovations to the home will result in more varied window and door opening details).

3) Using attractive and complementary exterior finish materials (the home additions and detached garage will employ stone veneer and cedar shingles to match existing exterior finishes on the home).

- D. Whether the proposed improvements will not materially adversely affect any natural resources in the community, except when there is no feasible and prudent alternative to the proposed location of the improvements. For purposes of this clause, "natural resources" shall include, but not be limited to, all mineral, animal, botanical, air, water, land, timber, soil, quietude, recreational, historical, scenic and aesthetic resources.

Comment: The subject property is located on Sunfish Lake, and within the Shoreland Overlay District. Future use of the lot shall make it a priority to consider the preservation of natural areas within the lot and the protection of water quality by minimizing the removal of vegetation and maximizing the control of stormwater runoff, erosion, and any other impactful water-borne substances associated with residential development (fertilizer and pesticides, automobile oils and fluids, etc.). Re-grading will occur in the course of constructing the home additions and detached garage, and renovating the driveway. It is of particular importance that erosion and sediment control measures provided in submitted plans be carefully adhered to. In addition, the applicants will need to comply with any additional grading, drainage, stormwater management and erosion control measures required from the City Engineer (see Exhibit J).

- E. Whether the proposed site and improvements shall have an appearance that will not have an adverse effect upon adjacent residential properties.

Comment: The home additions and detached garage mimic existing architecture on the site, and are similar in quality and style to homes on surrounding properties. Further, the addition of the second story will result in a home that is still shorter than many other homes on Sunfish Lake. Perception of the height difference in the principal structure after the second story addition is also minimized by existing tree coverage between the subject property and properties to the north.

- F. Whether the proposed site improvement complies with drainage requirements, as provided in Section 1216.04 of the Zoning Ordinance.

Comment: The City Engineer is requiring additional information prior to granting approval of the site and building plans (Exhibit J).

SUMMARY AND RECOMMENDATION

The applicants are requesting approval of a Major Site and Building Plan review to permit the construction of home additions totaling approximately 1,200 square feet, a new detached garage, and renovations to an existing driveway, for the parcel located at 2154 Charlton Road. In addition, the applicants are requesting approval of a conditional use permit to be able to construct the detached garage, which will function as a second accessory structure on the site in addition to an existing swimming pool. Planning staff recommends approval of both the Major Site and Building Plans and conditional use permit for a second accessory structure based on the finding that the proposed project will have minimal impact on site conditions related to vegetation, land alteration, and neighboring property.

The City Engineer is requesting additional information prior to issuing a final building permit for the project. While the City Engineer recommended denial from an engineering standpoint, we are recommending that the planning commission approve the site and building plans and conditional use permit contingent upon the applicant providing revised site plans to address the engineer's concerns prior to approval by the city council.

Approval would also be based on the following conditions:

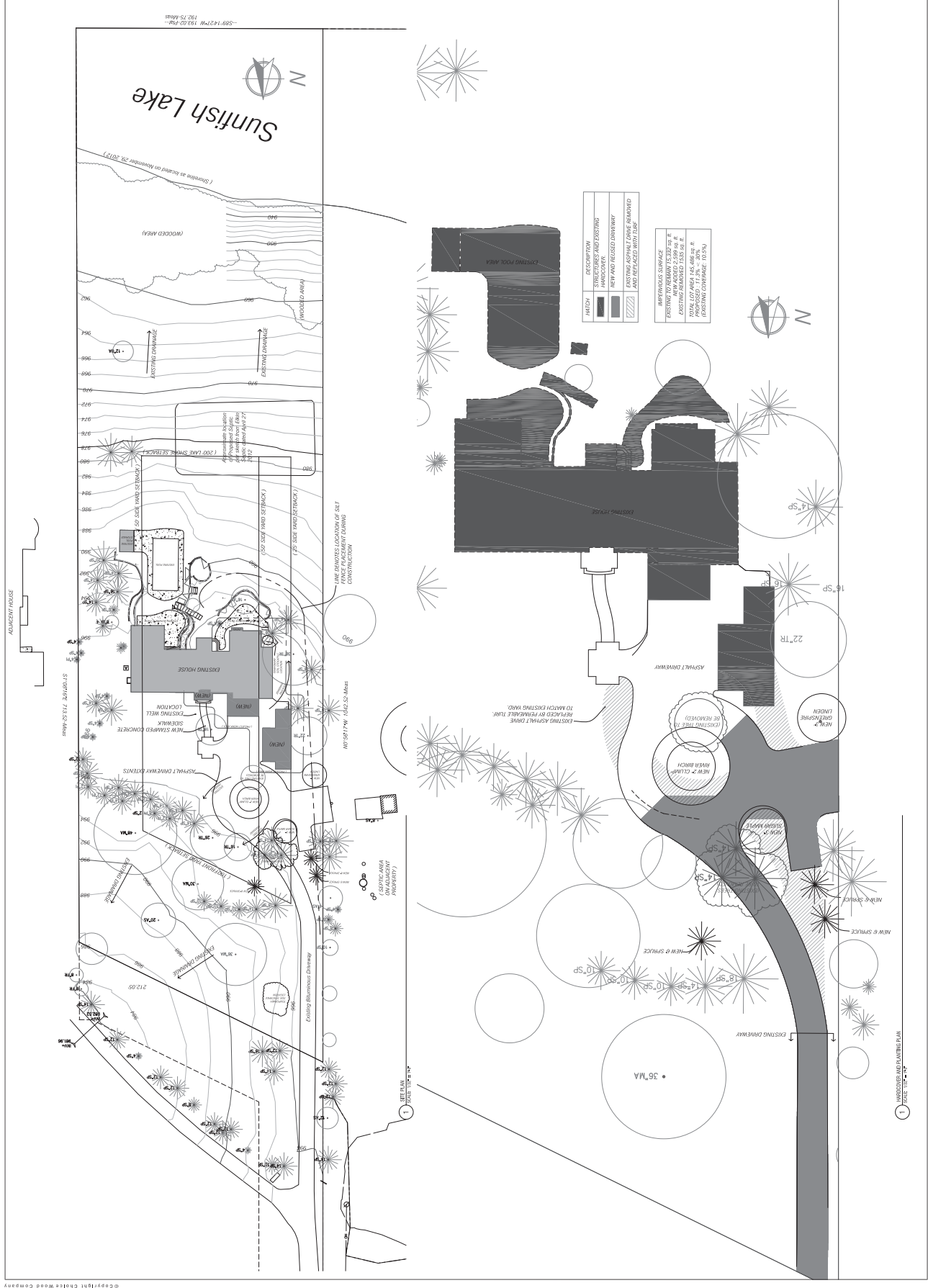
1. The applicants provide revised building elevations demonstrating that the height of the proposed stone wall fences have been reduced down to no more than three feet in height.
2. The applicants provide a revised site plan illustrating the addition of a stormwater management area (either a raingarden or retention basin) located between the principal building and lake, to treat increased stormwater runoff

- from the site. The design of the stormwater management area shall meet the final approval of the City Engineer with regards to its ability to address stormwater volumes and rates south of the home.
3. Upon completion of installation of lights, all lights which cast any light on residential property or the lake shall not exceed one foot candle (meter reading), as measured from adjacent property lines and the shoreline.
 4. The applicants provide a revised site plan demonstrating that:
 - a. The soil stockpile on the northeast side of the driveway will be surrounded by silt fencing to control sediment movement during construction.
 - b. Tree protection fencing has been provided around trees whose drip lines fall within the area of construction of the proposed detached garage or the area of renovation of the existing driveway. Tree protection fencing should be extended to encompass the area of each tree's drip line, so as to avoid potential compaction and damage to tree root systems.
 - c. Proposed contours on the site and any revisions to silt fence locations based on those contours to protect downstream areas from erosion.
 - d. Elevations for top of foundation, finished floor, garage floor, and basement for the principal and proposed structures.
 5. The applicants provide a revised stormwater, grading, erosion control and plan to address issues issued raised by the City Engineer in his report prior to approval by the city council (Exhibit J).
 6. Existing driveway conditions must be documented prior to construction in case any damage occurs to avoid future issues with shared users.
 7. Photographic documentation of the existing condition of Charlton Road must be provided prior to commencing construction. Any damage to the roadway and city right-of-way shall be repaired to the city's satisfaction by the applicant.
 8. The applicants comply with the recommendations of the City Septic Systems Specialist pertaining to the removal of existing septic areas and/or installation of new septic areas.
 9. Prior to completion of the project, the applicant must contact planning staff to arrange pre- and post-construction site visits, whereby staff can confirm that site and building plans and associated approval conditions have been implemented accordingly. The inspections are separate from other inspections that may be necessary by the City Building Inspector, City Septic

System Inspector, City Engineer, or other individuals. The cost of site inspections is \$75 each and payment of this amount shall be the responsibility of the property owner.

c: Cathy Iago, City Clerk
David Neameyer, City Building Official
Ron Wasmund, City Septic System Inspector
Don Sterna, City Engineer
Jim Naves, City Forester
Tim Kuntz, City Attorney
John and Shannon Nelson, Applicants
Leffert Tigelaar, Architect, Choice Wood Company
Craig Wills, DNR

Nelson

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3300 Gorham Avenue
St. Louis Park, MN 55426
Phone: (952) 924-0043
Fax: (952) 924-0269
www.choicecompanies.com

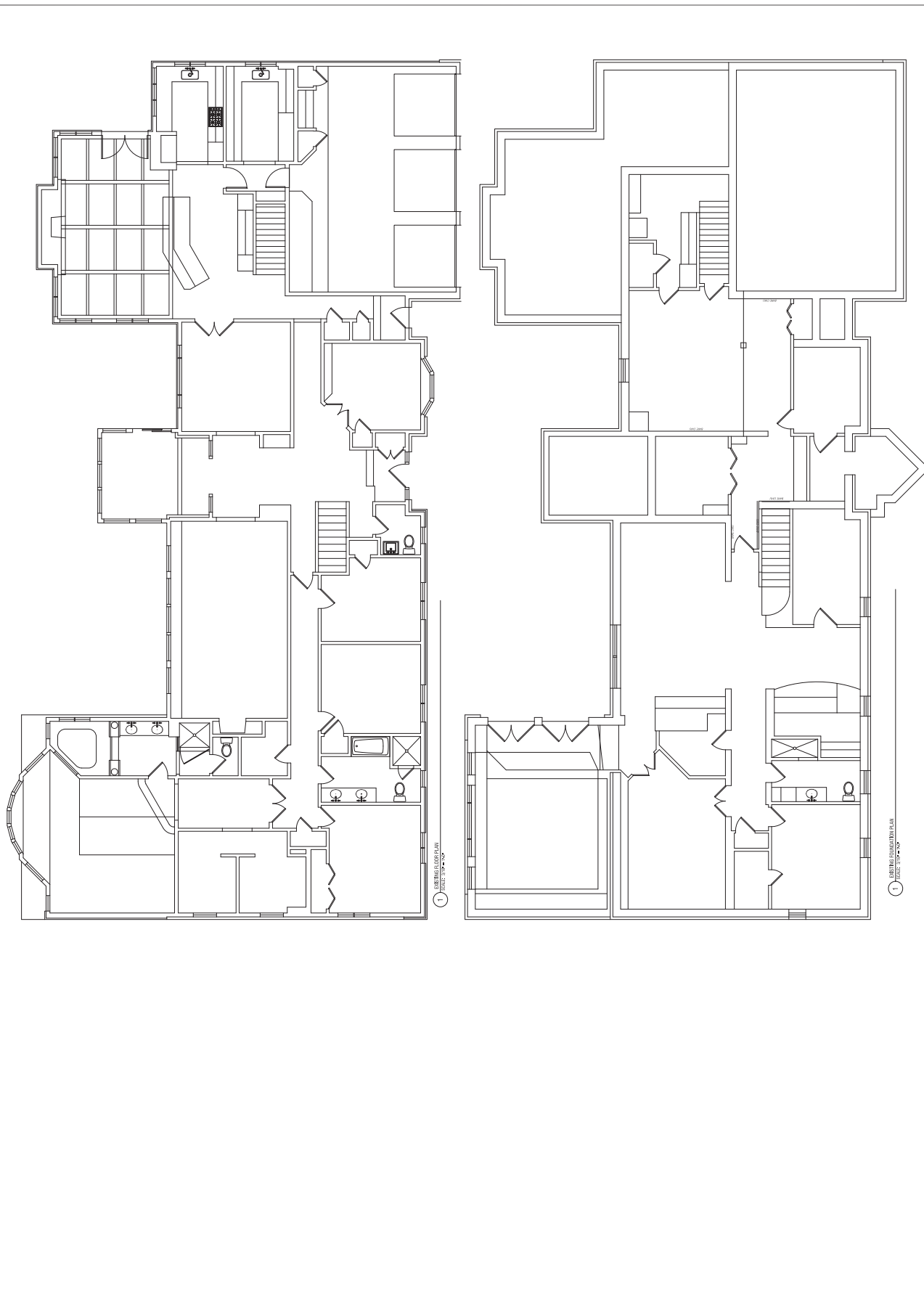
Nelson
Home Addition and Renovation
2154 Charlton Road, Sunnyside Lake, MN 55118

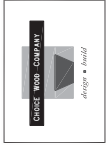
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Sheet

AO.1

EXHIBIT B





3300 Gehlman Avenue
Columbia Heights, MN 55406
Phone: (612) 924-5040
Fax: (612) 924-0269
www.chilescompanies.com

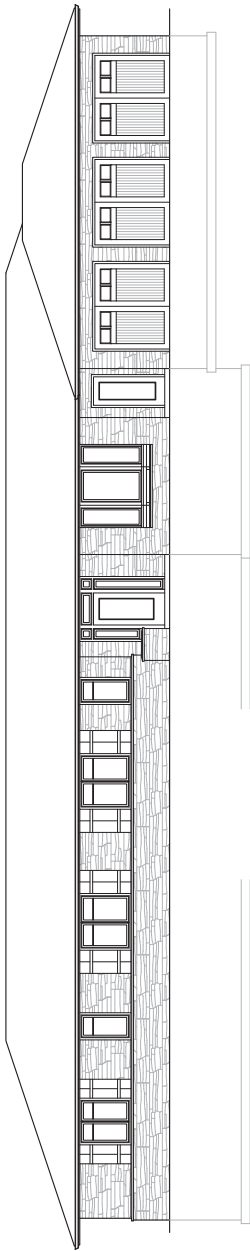
Nelson

Home Addition and Renovation
2154 Charlton Road, Sunfish Lake, MN 55118

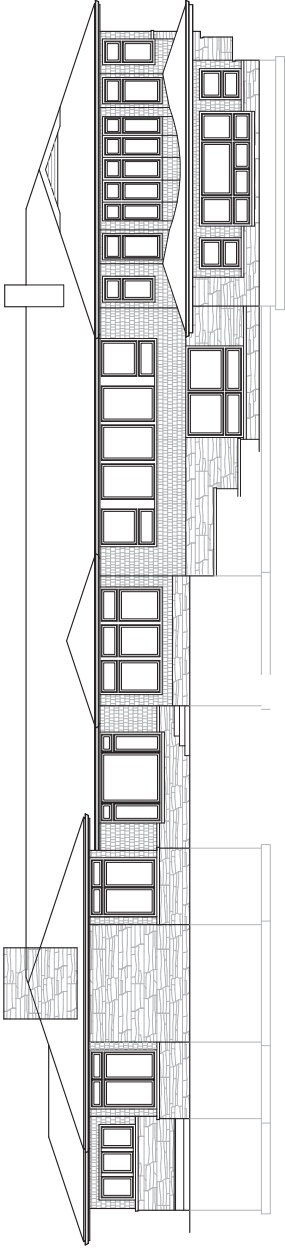
Title	
EXISTING ELEVATIONS	
Issue	Date
LANDING SUBMITAL	08/15/2011

Sheet
A0.2

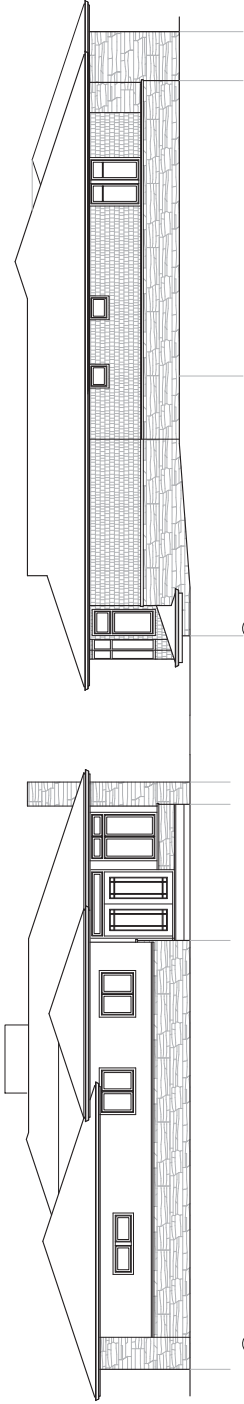
EXHIBIT C



1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



3 EAST ELEVATION
SCALE: 1/8" = 1'-0"

4 WEST ELEVATION
SCALE: 1/8" = 1'-0"

CHILES WOOD COMPANY



Design • Build

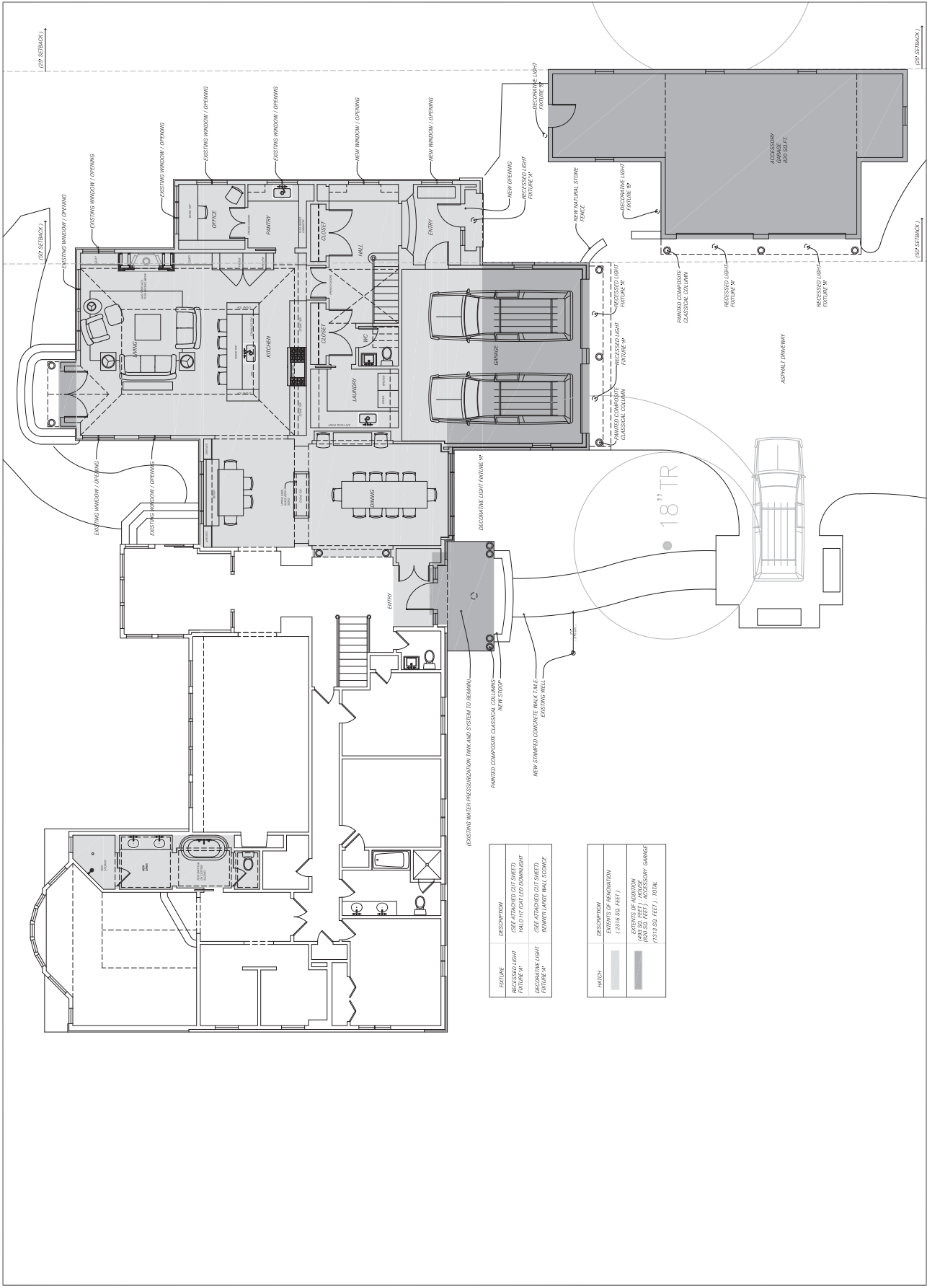
3301 Gehlen Avenue
Suite 100
Plymouth, MN 55442
Phone: (612) 924-0044
Fax: (612) 924-0089
www.chilescompanies.com

Nelson

Home Addition & Renovation
2154 Charlton Road, Sunfish Lake, MN 55118

Title	First Floor Plan Scale: 3/16" = 1'-0"
Issue	DATE
ISSUING SUBMITAL	07/15/2013

Sheet	A1.0
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CHILES WOOD COMPANY



Design • Build

3301 Carlton Avenue
Charlotte, NC 28217
Phone: (852) 924-5045
Fax: (852) 924-0269
www.chilescompanies.com

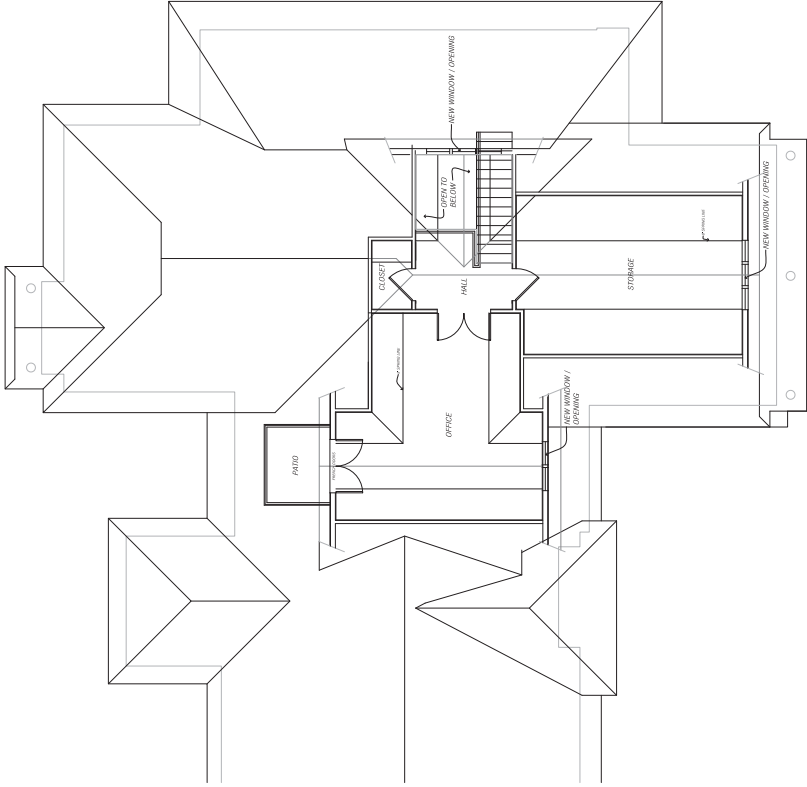
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Home Addition & Renovation
2154 Charlton Road, Sunfish Lake, MN 55118

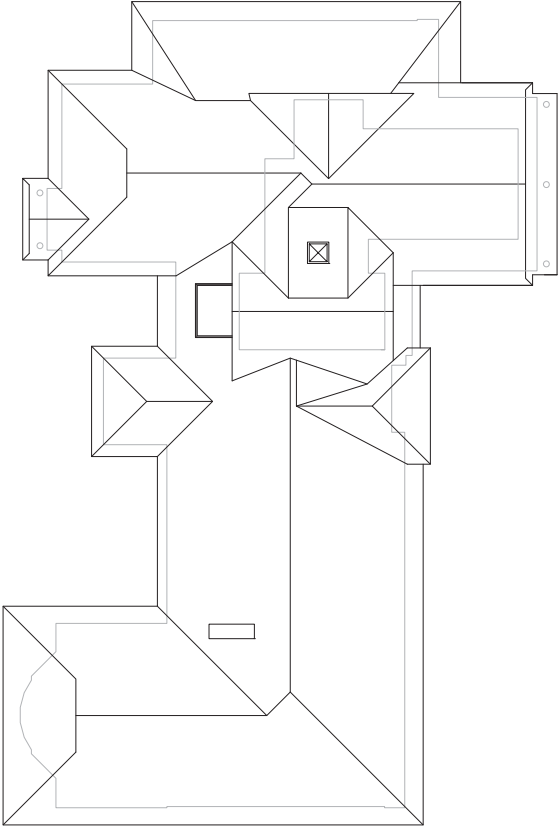
Title	SECOND FLOOR ARCHITECTURAL 3/10 • 1:40"
Issue	Date
ISSUING SUBMISSION	07/15/2013

Sheet

A1.1



2 SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



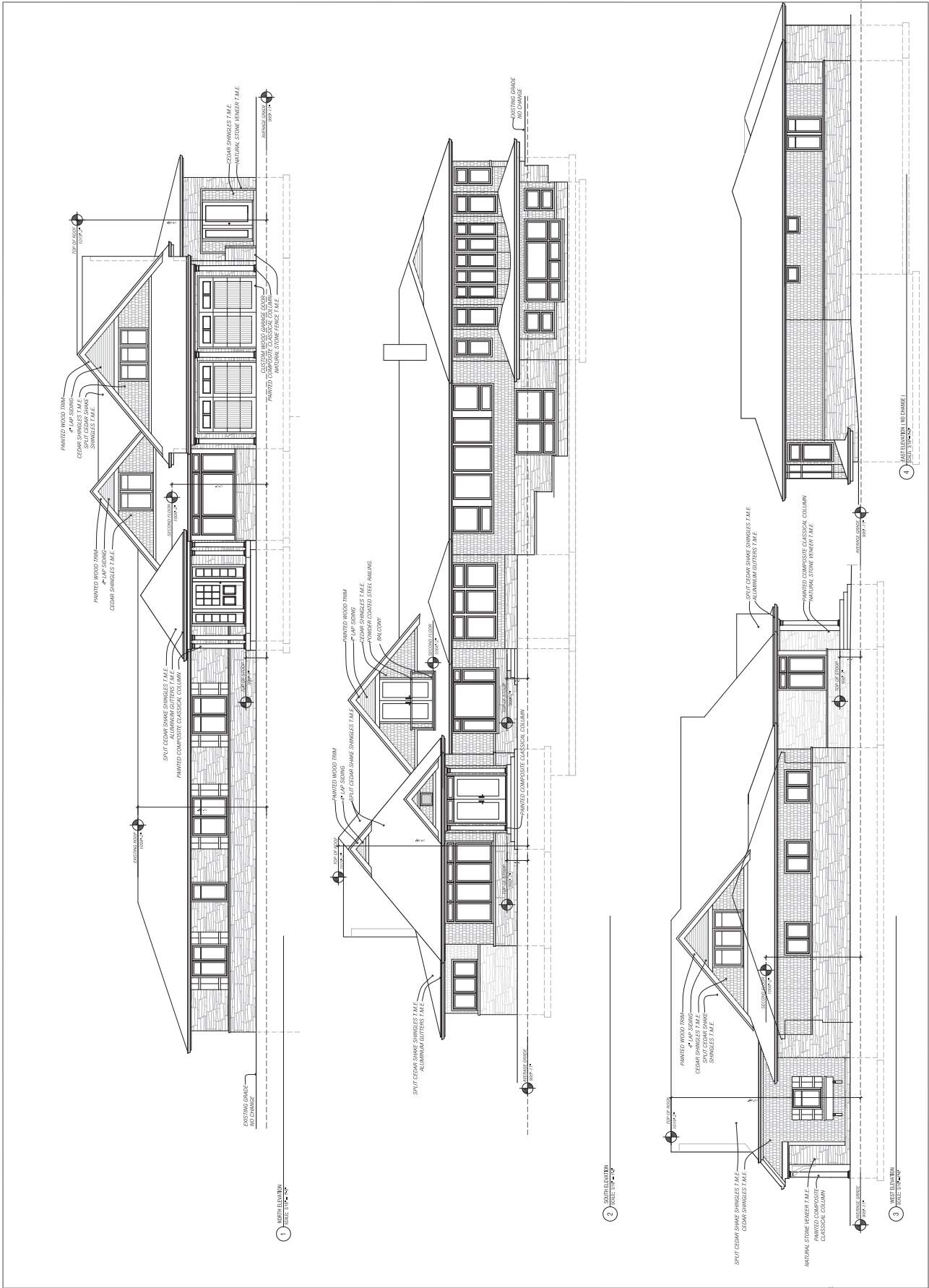
1 ROOF PLAN
SCALE: 1/8" = 1'-0"

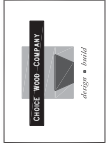
Nelson
Home Addition & Renovation
2154 Charlton Road, Sunfish Lake, MN 55118

[illegible]

Sheet _____

A2.0





3301 Gehlman Avenue
Chaska, MN 55309
Phone: (652) 924-0040
Fax: (652) 924-0089
www.chilescompanies.com

Nelson

Home Addition & Renovation

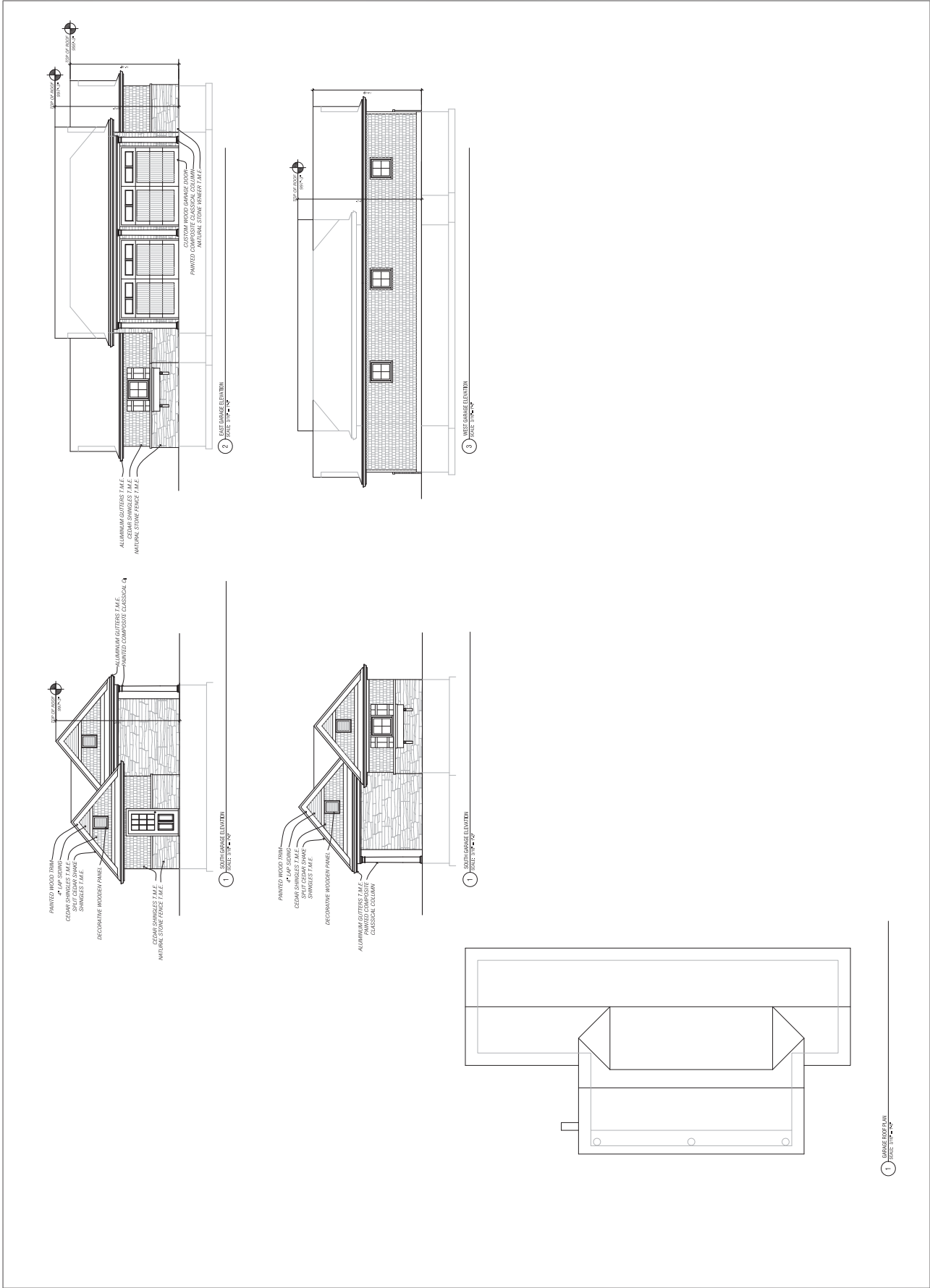
2154 Charlton Road, Sunfish Lake, MN 55118

Title	GARAGE ELEVATIONS
Issue	3/10 • 1st
Date	07/15/2011
Issue	
Date	
Issue	
Date	
Issue	
Date	

Sheet

A2.1

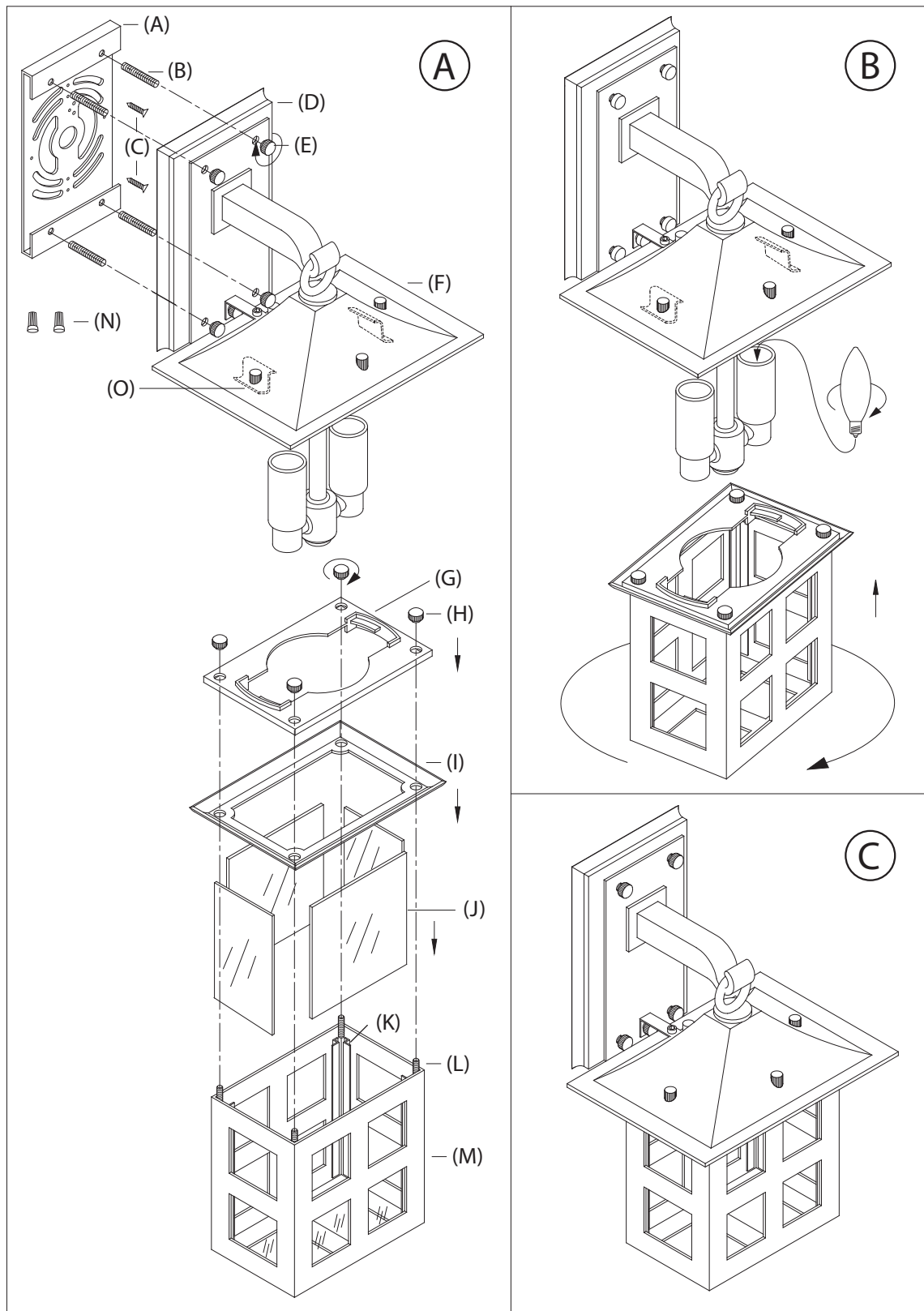
EXHIBIT G



1 GARAGE ROOF PLAN
SCALE: 1/8" = 1'-0"

RESTORATION HARDWARE

BENNER LARGE WALL SCONCE



RESTORATION HARDWARE

Thank you for purchasing Restoration Hardware Lighting. Our assortment is crafted with the highest quality details in mind: cast sockets, full range dimmers, and hand applied finishes. Each item's surface is sealed which eliminates the need for polishing and ensures the lasting brilliance of your piece for years to come.

PARTS ENCLOSED:

- (A) MOUNTING PLATE
- (B) BACKPLATE ALIGNMENT SCREWS (X4)
- (C) MOUNTING PLATE SCREWS (X2)
- (D) BACKPLATE
- (E) BACKPLATE NUTS (X4)
- (F) LANTERN CANOPY
- (G) ALIGNMENT CAP
- (H) LANTERN NUTS (X4)
- (I) LANTERN CAP
- (J) GLASS PANELS (X4)
- (K) CHANNELS FOR GLASS PANELS
- (L) LANTERN ALIGNMENT SCREWS (X4)
- (M) LANTERN BODY
- (N) WIRE NUTS
- (O) LANTERN TABS

BENNER LARGE WALL SCONCE

IMPORTANT SAFETY INSTRUCTIONS:

*These instructions are provided for your safety. It is very important that they are read completely before beginning the installation of your fixture.

*DIRECT WIRE FIXTURES: WE STRONGLY RECOMMEND INSTALLATION BY A LICENSED ELECTRICIAN.

WARNINGS:

Turn off power (unplug from the wall outlet) before replacing the bulb(s), making sure the bulb(s) had sufficient time to cool down. DO NOT subject the fixture to any shock while lit as shattering of bulb may result.

DIRECT WIRE ASSEMBLY INSTRUCTIONS

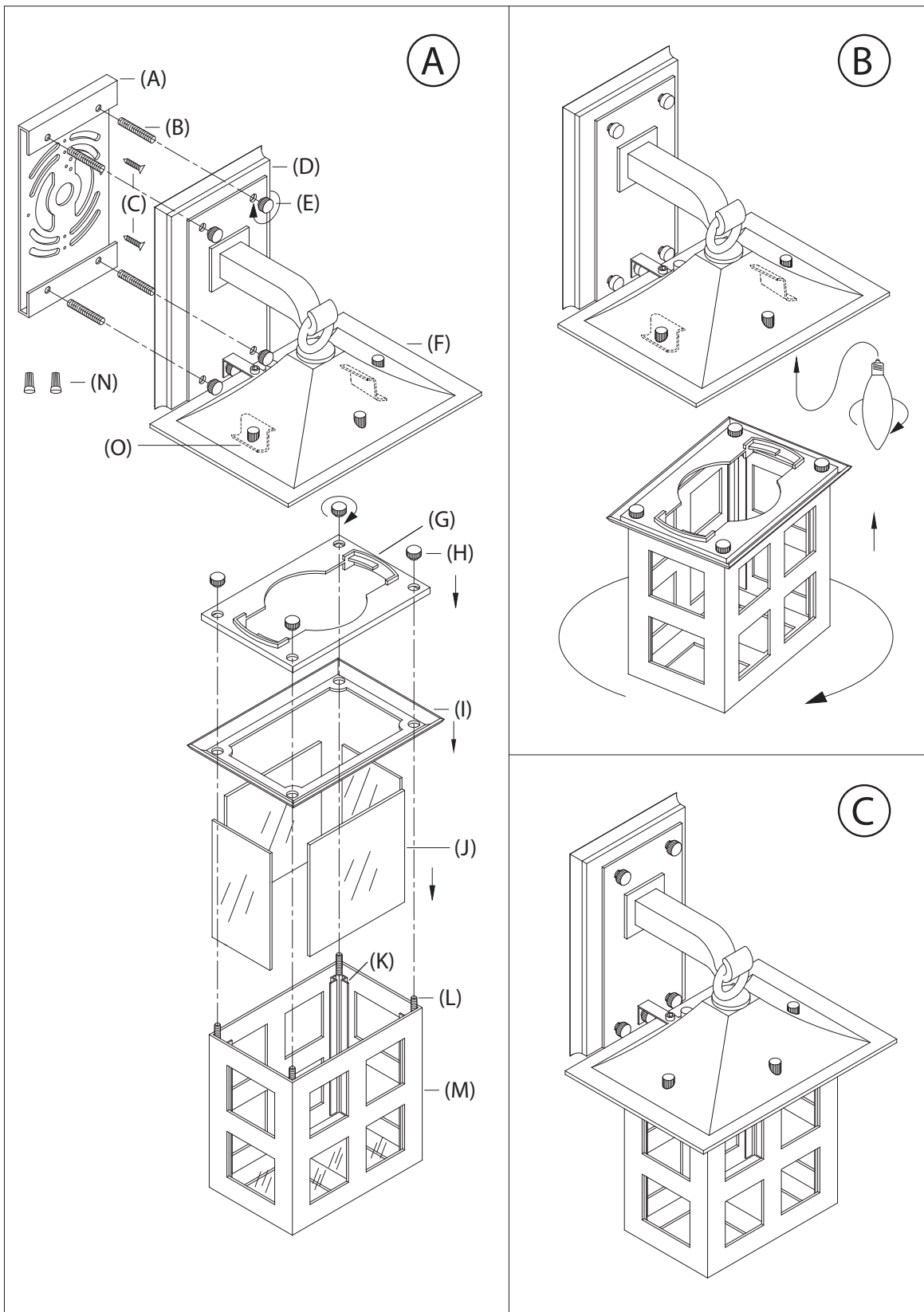
1. SHUT OFF THE MAIN ELECTRICAL SUPPLY FROM THE MAIN FUSE BOX/ CIRCUIT BREAKER.
2. Remove mounting plate (A) from backplate (D) by removing backplate nuts (E), and backplate alignment screws (B). Guide wiring from outlet box through center hole in mounting plate (A).
3. Affix mounting plate (A) to the outlet box using mounting plate screws (C).
4. Thread backplate screws (B) into holes in backplate (A).
5. Lift backplate (D) to mounting plate (A) and make proper electrical connection.
6. Connect the copper wire from fixture to ground (green) wire from outlet box. Connect white or rough side of wire from fixture to white wire from outlet box, fasten together with plastic wire nuts (N), and tightly wrap with electrical tape. Connect black or smooth side of wire from fixture to black wire from outlet box; fasten together with plastic wire nuts (N), and tightly wrap with electrical tape.
7. Align holes in backplate (D) with backplate screws (B). Slide backplate (D) over backplate screws (B), and mounting plate (A). Backplate (D) should be flush against wall. Thread backplate nuts (E) onto exposed threads of backplate screws (B) to secure fixture to mounting plate (A).
8. Place lantern (M) on level surface.
9. Un-thread lantern nuts (H), and set aside. Remove alignment cap (G), and lantern cap (I) from lantern alignment screws (L), and set aside.
10. Carefully slide glass panels (J) into channels (K), making sure numbers on glass panels (J) go into corresponding sides in lantern (M). CAUTION: UTILITY GLOVES SHOULD BE WORN WHEN HANDLING GLASS PANELS.
11. Align holes in lantern cap (I) with lantern alignment screws (L). Slide lantern cap (I) over lantern alignment screws (L).
12. Align holes in alignment cap (G) with lantern alignment screws (L). Make sure alignment cap (G) is positioned as shown in figure A. Slide alignment cap (G) over lantern alignment screws (L).
13. Thread lantern nuts (H) onto exposed threads of lantern alignment screws (L).
14. Install two (2) Type B, 60 watt maximum bulb in to sockets.
15. Align assembled lantern (M) with tabs (O) on bottom of lantern canopy (F). Slide lantern over tabs (O) on bottom of lantern canopy (F). NOTE: tabs will fit into opening of alignment cap (G). Twist lantern as shown in figure B to lock tabs (O) into place, securing lantern (M) to lantern canopy (F). Completed lantern assembly shown in figure C.

CARE INSTRUCTIONS:

To clean, use a soft cloth only. DO NOT use any chemical or abrasive cleaners.

RESTORATION HARDWARE

BENNER SMALL WALL SCONCE



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Thank you for purchasing Restoration Hardware Lighting. Our assortment is crafted with the highest quality details in mind: cast sockets, full range dimmers, and hand applied finishes. Each item's surface is sealed which eliminates the need for polishing and ensures the lasting brilliance of your piece for years to come.

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Turn off power (unplug from the wall outlet) before replacing the bulb(s), making sure the bulb(s) had sufficient time to cool down. DO NOT subject the fixture to any shock while lit as shattering of bulb may result.

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14. Install one (1) Type B, 60 watt maximum bulb in to socket.
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CARE INSTRUCTIONS:

To clean, use a soft cloth only. DO NOT use any chemical or abrasive cleaners.

HALO LED ICAT HOUSING for NEW CONSTRUCTION

DESCRIPTION: H750ICAT Housing

The H750ICAT is a dedicated LED new construction housing to be used with HALO H7 Collection LED modules. The H750ICAT is designed for insulated ceilings and can be in direct contact with ceiling insulation. This AIRTITE housing design prevents airflow between attic and living areas and saves on both heating and air conditioning costs. The H750ICAT connector system provides high efficacy code compliance when used with HALO H7 Collection LED modules. Halo LED luminaire systems (housing, LED, and trim) carry a three year limited warranty.

Catalog #	Type
Project	
Comments	
Prepared by	

DESIGN FEATURES

Housing

Aluminum construction for greater heat dissipation. H750 ICAT housing is gasketed to prevent airflow from heated or air conditioned spaces.

Plaster Frame

Galvanized steel frame. Housing adjusts in plaster frame to accommodate up to 1" ceiling thickness. Regressed locking screw for securing hanger bars. Cutouts included for easy crimping hanger bars in position.

Junction Box

- Positioned to accommodate straight conduit runs.
- Seven 1/2" trade size conduit knockouts with true pry-out slots.
- Slide-N-Side wire traps allow non metallic sheathed cable to be installed without tools and without removing knockouts.
- Allows wiring connections to be made outside the box.
- Simply insert the cable directly into the trap after connections are made.
- Accommodates the following standard non-metallic sheathed cable type:
 - U.S. #14/2, #14/3, #12/2, #12/3
 - Canada: #14/2, #14/3, #12/2

GOT-NAIL!™ Pass-N-Thru™ Bar Hangers

Bar Hanger features include

- Pre-installed nail easily installs in regular lumber, engineered lumber and laminated beams.
- Safety and Guidance system prevents snagging, ensures smooth, straight nail penetration and allows bar hangers to be easily removed if necessary
- Automatic leveling flange aligns the housing and allows holding the housing in place with one hand while driving nails.
- Housing can be positioned at any point within 24" joist spans
- Score lines allow tool-free shortening for 12" joists and bar hangers do not need to be removed for shortening.
- Bar hangers may be repositioned 90° on plaster frame
- Integral T-bar clip snaps onto T-bars – no additional clips are required.

LED Module Connection

Halo LED ML706 and ML709 Series modules simply install with a plug-in 120V line voltage wiring connector (UL and CSA Listed Luminaire Disconnect). This non-screw-base connection preserves the high efficacy rating and prevents use of low efficacy incandescent sources (see LED Module specifications).

Labels

- UL/cUL Listed
- Listed for Feed Through
- Listed for Damp Location
- Listed for Wet Location with select trims
- Rated for 15W maximum

Qualification

- May be used for State of California Title 24-2008 High Efficacy Compliance
- May be used for International Energy Conservation Code (IECC) - 2009 High Efficacy Compliance
- Washington State Energy Code - AIR-TITE™ Compliant
- New York State Energy Conservation Construction Code - AIR-TITE™ Compliant
- Certified under ASTM-E283 standard for air-tight construction



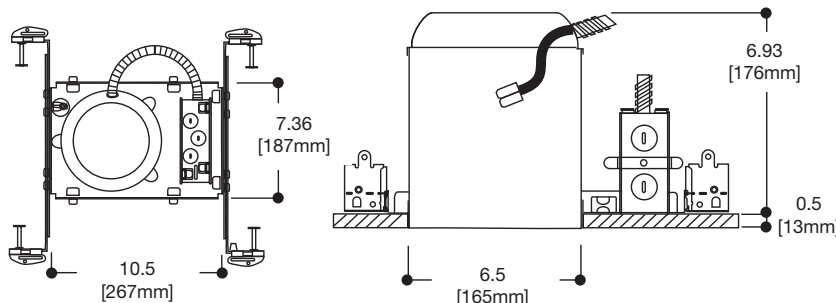
**H750ICAT
6" New
Construction
IC AIR-TITE™ Housing
For
Halo LED Module
ML7x Series
and 49x Halo LED
Series Trims**

**6" New Construction
IC AIR-TITE Housing**

High Efficacy LED Housing

**FOR USE IN
INSULATED CEILINGS**

**FOR DIRECT CONTACT
WITH INSULATION**



ORDERING INFORMATION

SAMPLE NUMBER: H750ICAT ML706830 494P06

Order housing, module, trim and accessories separately.

Housing	LED Module*				900 Series	Trim Options*	Accessories*
H750ICAT	ML706	8	30		ICAT120D		
H750ICAT= 6" Dedicated LED Insulated Ceiling, AIR-TITE New Construction Housing	ML706= 6" H7 Collection 600 Series LED module, 120V ML709= 6" H7 Collection 900 Series LED module, 120V	8= 80 CRI	27=2725°K 30=3045°K 35=3465°K 40=3985°K		ICAT120D= ICAT rated, 120V LED module with stanadard 120V dimming capabilty	494P06=Matte White Reflector/ white die cast trim ring. 494WB06=White Baffle/ white die cast trim ring. 494H06=Haze Reflector/ white die cast trim ring. 494SC06=Specular Reflector/ white die cast trim ring. 492PS06=Regressed Lens, white baffle and die-cast trim ring. Shower rated. 493WBS06=Solite® Regressed Lens, upper reflector, and white baffle and die-cast trim ring with anti-microbial paint (standard). Shower Rated. 493SCS06=Solite® Regressed Lens, upper reflector, Specular Clear reflector and die-cast white trim ring. Shower Rated. 493HS06=Solite® Regressed Lens, upper reflector, Haze reflector, and white die-cast trim ring. Shower Rated. 493SNS06=Solite® regressed Lens, upper reflector, Satin Nickel reflector and Satin Nickel die-cast trim ring. Shower Rated. 493TBZS06=Solite® Regressed Lens, upper reflector, Tuscan Bronze reflector and Tuscan Bronze die-cast trim ring. Shower Rated. 493BBS06=Solite® Regressed Lens, Black baffle with die-cast white trim ring. Shower Rated.	OT400P=Oversize White Metal Trim Ring 6" ID x 9-1/4" OD OT403P=Oversize White Plastic Trim Ring 6" ID x 8" OD Thin Profile Trim Rings: TRM490WH=Thin Profile matte white die-cast trim ring TRM490SN=Thin Profile Satin Nickel die-cast trim ring TRM490TBZ=Thin Profile Tuscan Bronze die-cast trim ring TRM490BK=Thin Profile Black die-cast trim ring TRM490PC=Thin Profile Polished Chrome die-cast trim ring

* Refer to Halo LED Module Specification Sheets for additional information.
Solite is a registered trademark of AGC Flat Glass North America

Note: Specifications and Dimensions subject to change without notice.
Visit our web site at www.cooperlighting.com

Customer First Center 1121 Highway 74 South Peachtree City, GA 30269 770.486.4800 FAX 770 486.4801
Cooper Lighting 5925 McLaughlin Rd. Mississauga, Ontario, Canada L5R 1B8 905.507.4000 FAX 905.568.7049





Memorandum

To: *Emily Shively and Michelle Barness
Northwest Associated Consultants*

From: *Donald W. Sterna, PE
WSB & Associates, Inc.*

Date: *August 14, 2013*

Re: *Site and Building Plan Review
2154 Charlton Road
City of Sunfish Lake, MN
WSB Project No. 1011-99*

Project Background

Currently, a home exists at 2154 Charlton Road which the applicant is proposing to several improvements to the existing home and site. The applicant is proposing an expanded garage, new front entryway, second floor addition, an addition of a detached garage, adjustments to site landscaping, lighting and driveways. The site current access off of shared private driveway which will remain at the existing driveway location. This shared driveway has access off of Charlton Road. The following review is only for the engineering, storm water management, and site grading issues. The building compliance and/or septic requirements will be handled by the City planners, and Building and Septic inspectors.

In accordance with the Site Plan Building Permit Application Procedures Checklist the following items need to be provided:

- Top of foundation, finished floor, garage floor and basement elevations must be indicated for all principal structures. This was not shown the proposed structures.
- A plan for soil erosion and sediment control both during construction (erosion control fencing, etc.) and following final grading, after development has been completed.
- A drainage plan of the developed site, prepared by a qualified engineer, delineating in which direction and at what rate storm water runoff will be conveyed from the site and setting forth the areas of the site where storm water will be allowed to collect. This plan should include calculations for the before and after conditions indicating drainage area boundaries and flow rates.

Site Grading and Erosion Control

No proposed site grading or contours have been shown, please provide. Please show how the driveway removal area on the west side of the site will be restored. Proposed silt fence in this area must be revised around this area.

The proposed, temporary stockpile location(s) need to remain to locations that are within 50 feet of a driving surface for the Sunfish Lake building ordinances. The area shown on the plans for the stock pile area appears acceptable, but must have silt fence or straw bio-rolls shown on the plans to protect. After the proposed contours are shown, silt fence and/or straw bio-rolls must be shown at locations necessary to protect downstream areas from site erosion that are to be disturbed during construction.

Please provide the total disturbed area. If the proposed work disturbs more than an acre, MPCA NPDES Permit for grading is required for the proposed work.

Drainage

Since the applicant is proposing to increase the impervious surface, there is a requirement for infiltration of storm water runoff management for this project. The infiltration requirement is per City requirements listed under Section 1216.04 Storm Water Management of the Zoning Ordinance which can be found on the City's website.

Septic

The existing septic system needs to be reviewed by the City's septic inspector for function and capacity to accommodate the proposed building addition.

Site Access

Since there is a shared driveway, the existing condition of the driveway must be documented prior to construction in case any damage occurs to avoid future issues with the shared users. Charlton Road is a seven (7) ton per axle roadway which is posted for spring load limits at five (5) tons per axle. The Contractor must adhere to these limits when delivering material to the site. Any damage to the roadway and City right-of-way shall be repaired to the City's satisfaction by the applicant prior to the issuance of a certificate of occupancy.

Conclusion and Recommendations

Based upon our review of the proposed site and grading plan for the proposed improvements appear to be consistent with the City's requirements, with the exception of the above-noted items in this memorandum. If drainage and infiltration improvements are determined necessary due to increased run-off rates and increased impervious surface then the plans must be modified to show how these are to be handled. Therefore, we hereby find the proposed plans not to be in accordance with City requirements and recommend denial from an engineering standpoint for this project until these items are addressed. We are requesting a new set of plans addressing

2154 Charlton Rd
August 14, 2013
Page 3

these comments and drainage calculations be resubmitted to our office prior to final issuing of the building permit on the project.

CITY OF Sunfish Lake MINNESOTA

Planning Commission Findings of Fact & Recommendation (Approval)

Applicant's Name: John and Shannon Nelson

Request: The applicants request City approval of major site and building plans and a conditional use permit to allow for site renovations, and the construction of building additions and a new detached garage, at 2154 Charlton Road.

Planning Commission Meeting Date: August 21, 2013

Findings of Fact: Based on review of the application and evidence received, the Sunfish Lake Planning Commission now makes the following findings of fact and recommendation:

1. The address of the subject property is as follows:

2154 CHARLTON ROAD, SUNFISH LAKE, MN 55118
2. The Planning Report dated August 14, 2013 prepared by Northwest Associated Consultants, Inc. is incorporated herein by reference.
3. Conditions from the City Engineer, as detailed in a memo dated August 14, 2013 and discussed in the course of the Planning Commission meeting on August 21, 2013, are incorporated herein by reference.
3. The Sunfish Lake Planning Commission reviewed the applicant's request for major site and building plan and conditional use permit approval on August 21, 2013. The Planning Commission recommended approval of major site and building plans to allow for site renovations, and the construction of building additions and a new detached garage at 2154 Charlton Road, and a conditional use permit to allow construction of a second accessory structure in the form of the proposed detached garage, subject to certain conditions as set forth in the Planning Report and as provided by the City Engineer.
4. Upon review of the planning report and application information the Planning Commission found that the proposed site and building plans and conditional use permit request meet Ordinance requirements. The following findings support the Planning Commission recommendation for approval:

Major Site and Building Plans:

1. With the proposed additions and renovations, the existing home and lot will continue to meet R-1 District and Shoreland Overlay District lot area, width and setback standards.

2. With the proposed additions and renovations, the existing home will continue to meet Ordinance requirements pertaining to building size, height, and material use.
3. With the proposed additions and renovations, the existing home and site will continue to address Ordinance requirements pertaining to drive and parking area design, lighting design, site grading, drainage and stormwater management, landscaping, screening, and septic system location.
4. The proposed project meets the requirements of the Sunfish Lake Design Guidelines.
5. The proposed project meets all other Zoning Ordinance criteria.

Conditional Use Permit:

1. There is a demonstrated need and potential for continued use of the detached garage. It will supplement an existing attached garage to provide additional space for storage of family vehicles and single family residential related supplies and equipment. Further, the garage will meet yard setback requirements, where an expansion of the existing attached garage would not have met yard setback requirements.
2. The detached garage's design and architecture are complimentary to that of the existing home, and similar in quality to structures on surrounding properties.
3. The project satisfies the criteria for a conditional use permit provided in Section 1204.02.F of the Zoning Ordinance.
4. The proposed project meets all conditions for major site and building plan approval.

Recommendation:

Based on the foregoing considerations and applicable ordinances, the Planning Commission recommends approval of the applicant's major site and building plans and conditional use permit to allow for site renovations, and the construction of home additions and a new detached garage on their property.

Approved, subject to the following conditions:

1. The applicants provide revised building elevations demonstrating that the height of the proposed stone wall fences have been reduced down to no more than three feet in height.

2. The applicants provide a revised site plan illustrating the addition of a stormwater management area (either a raingarden or retention basin) located between the principal building and lake, to treat increased stormwater runoff from the site. The design of the stormwater management area shall meet the final approval of the City Engineer with regards to its ability to address stormwater volumes and rates south of the home.
3. Upon completion of installation of lights, all lights which cast any light on residential property or the lake shall not exceed one foot candle (meter reading), as measured from adjacent property lines and the shoreline.
4. The applicants provide a revised site plan demonstrating that:
 - a. The soil stockpile on the northeast side of the driveway will be surrounded by silt fencing to control sediment movement during construction.
 - b. Tree protection fencing has been provided around trees whose drip lines fall within the area of construction of the proposed detached garage or the area of renovation of the existing driveway. Tree protection fencing should be extended to encompass the area of each tree's drip line, so as to avoid potential compaction and damage to tree root systems.
 - c. Proposed contours on the site and any revisions to silt fence locations based on those contours to protect downstream areas from erosion.
 - d. Elevations for top of foundation, finished floor, garage floor, and basement for the principal and proposed structures.
5. The applicants provide a revised stormwater, grading, erosion control and plan to address issues issued raised by the City Engineer in his report prior to issuance of a building permit for site work or exterior building improvements that increase impervious surface or alter the existing grading and drainage on the site (Exhibit J).
6. Existing driveway conditions must be documented prior to construction in case any damage occurs to avoid future issues with shared users.
7. Photographic documentation of the existing condition of Charlton Road must be provided prior to commencing construction. Any damage to the roadway and city right-of-way shall be repaired to the city's satisfaction by the applicant.
8. The applicants comply with the recommendations of the City Septic Systems Specialist pertaining to the removal of existing septic areas and/or installation of new septic areas.

9. Prior to completion of the project, the applicant must contact planning staff to arrange pre- and post-construction site visits, whereby staff can confirm that site and building plans and associated approval conditions have been implemented accordingly. The inspections are separate from other inspections that may be necessary by the City Building Inspector, City Septic System Inspector, City Engineer, or other individuals. The cost of site inspections is \$75 each and payment of this amount shall be the responsibility of the property owner.

Adopted by the Sunfish Lake Planning Commission this 21st day of August 2013.

City of Sunfish Lake

By: _____

Arnulf Svendsen
Planning Commission Chair

ATTEST

Catherine Iago, City Clerk

**CITY OF SUNFISH LAKE
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. _____

**RESOLUTION APPROVING A MAJOR SITE AND BUILDING REVIEW
FOR HOME RENOVATIONS AND A NEW DETACHED GARAGE, AND A
CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION OF A SECOND
ACCESSORY STRUCTURE, FOR THE PROPERTY LOCATED AT 2154 CHARLTON
ROAD, LEGALLY DESCRIBED AS LOT 3, BLOCK 1, WILLIAM E. PEDERSEN
ADDITION**

WHEREAS, John and Shannon Nelson submitted an application for a major site and building review for home renovations and a new detached garage, and a conditional use permit request to be able to build a second accessory structure, for the property located at 2154 Charlton Road, legally described as:

Lot 3, Block 1, William E. Pedersen Addition, Dakota County, MN

WHEREAS, City staff reviewed the application and judged it to be complete and outlined their review comments in a planning report dated August 14, 2013, prepared by Northwest Associated Consultants, and an engineer's report dated August 14, 2013; and

WHEREAS, the Sunfish Lake Planning Commission held a public hearing at their August 21, 2013 meeting and reviewed the major site and building application and the requested conditional use permit, along with the planning report dated August 14, 2013; and

WHEREAS, upon hearing the staff presentations, applicant testimony, and public testimony, the Planning Commission closed the public hearing and recommend to the City Council approval of the major site and building plans for home renovations and the construction of a new detached garage, and the conditional use permit to allow a second accessory structure, whereby the following findings support the Planning Commission recommendation for approval:

Major Site and Building Plans:

1. With the proposed additions and renovations, the existing home and lot will continue to meet R-1 District and Shoreland Overlay District lot area, width and setback standards.
2. With the proposed additions and renovations, the existing home will continue to meet Ordinance requirements pertaining to building size, height, and material use.
3. With the proposed additions and renovations, the existing home and site will continue to address Ordinance requirements pertaining to drive and parking area design, lighting design, site grading, drainage and stormwater management, landscaping, screening, and septic system location.

4. The proposed project meets the requirements of the Sunfish Lake Design Guidelines.
5. The proposed project meets all other Zoning Ordinance criteria.

Conditional Use Permit:

1. There is a demonstrated need and potential for continued use of the detached garage. It will supplement an existing attached garage to provide additional space for storage of family vehicles and single family residential related supplies and equipment. Further, the garage will meet yard setback requirements, where an expansion of the existing attached garage would not have met yard setback requirements.
2. The detached garage's design and architecture are complementary to that of the existing home, and similar in quality to structures on surrounding properties.
3. The project satisfies the criteria for a conditional use permit provided in Section 1204.02.F of the Zoning Ordinance.
4. The proposed project meets all conditions for major site and building plan approval.

WHEREAS, the Sunfish Lake City Council considered the application for major site and building plan review and a conditional use permit at their meeting on September 3, 2013 and agrees with the findings of the Planning Commission.

NOW THEREFORE BE IT RESOLVED THAT the City Council of the City of Sunfish Lake hereby approves the major site and building plan review and conditional use permit request dated July 23, 2013, for the property legally described as Lot 3, Block 1, William E. Pedersen Addition, with the following conditions:

1. The applicants provide revised building elevations demonstrating that the height of the proposed stone wall fences have been reduced down to no more than three feet in height.
2. The applicants provide a revised site plan illustrating the addition of a stormwater management area (either a raingarden or retention basin) located between the principal building and lake, to treat increased stormwater runoff from the site. The design of the stormwater management area shall meet the final approval of the City Engineer with regards to its ability to address stormwater volumes and rates south of the home.
3. Upon completion of installation of lights, all lights which cast any light on residential property or the lake shall not exceed one foot candle (meter reading), as measured from adjacent property lines and the shoreline.
4. The applicants provide a revised site plan demonstrating that:

- a. The soil stockpile on the northeast side of the driveway will be surrounded by silt fencing to control sediment movement during construction.
 - b. Tree protection fencing has been provided around trees whose drip lines fall within the area of construction of the proposed detached garage or the area of renovation of the existing driveway. Tree protection fencing should be extended to encompass the area of each tree's drip line, so as to avoid potential compaction and damage to tree root systems.
 - c. Proposed contours on the site and any revisions to silt fence locations based on those contours to protect downstream areas from erosion.
 - d. Elevations for top of foundation, finished floor, garage floor, and basement for the principal and proposed structures.
5. The applicants provide a revised stormwater, grading, erosion control and plan to address issues issued raised by the City Engineer in his report prior to issuance of a building permit for site work or exterior building improvements that increase impervious surface or alter the existing grading and drainage on the site.
 6. Existing driveway conditions must be documented prior to construction in case any damage occurs to avoid future issues with shared users.
 7. Photographic documentation of the existing condition of Charlton Road must be provided prior to commencing construction. Any damage to the roadway and city right-of-way shall be repaired to the city's satisfaction by the applicant.
 8. The applicants comply with the recommendations of the City Septic Systems Specialist pertaining to the removal of existing septic areas and/or installation of new septic areas.
 9. Prior to completion of the project, the applicant must contact planning staff to arrange pre- and post-construction site visits, whereby staff can confirm that site and building plans and associated approval conditions have been implemented accordingly. The inspections are separate from other inspections that may be necessary by the City Building Inspector, City Septic System Inspector, City Engineer, or other individuals. The cost of site inspections is \$75 each and payment of this amount shall be the responsibility of the property owner.

This resolution is adopted by the City Council of the City of Sunfish Lake this 3rd day of September 2013.

Molly Park, Mayor

Attest:

Catherine Iago, City Clerk