



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4800 Olson Memorial Highway, Suite 202, Golden Valley, MN 55422
Telephone: 763.231.2555 Facsimile: 763.231.2561 planners@nacplanning.com

PLANNING REPORT – MINOR PLAN REVIEW AND VARIANCE

TO: Sunfish Lake Planning Commission

FROM: Michelle Barness

DATE: March 11, 2015

RE: Sunfish Lake – 389 Salem Church Road (Stowell) - Shoreline Setback Variance

FILE: 211.01 – 15.01

4/7/15 CC Mtg.

Agenda

Item

6a

Application Accepted:	February 16, 2015
Planning Commission Date:	March 18, 2015
Tentative City Council Review:	April 7, 2015
60-day Review:	April 17, 2015

BACKGROUND

Stephanie and Jim Stowell are requesting approval of a variance to permit home additions on their home located at 389 Salem Church Road. The property is zoned R-1 Single Family Residential and Shoreland Overlay District. The subject parcel has frontage on Sunfish Lake. Due to the curved shape of the lot along the shoreline a significant portion of the lot falls within the required 200 foot setback from the Ordinary High Water Level, including the existing home and attached garage. As such, the building is considered an existing legally non-conforming structure. Zoning Ordinance Section 1215.02 states that legally non-conforming uses may be expanded to improve livability, but the expansion may not increase the non-conformity. The proposed improvements, including a kitchen addition, front entry addition, and garage renovation totaling 480 square feet in area, will occur within the required shoreline setback area. For this reason the applicants are requesting a variance from the shoreline setback to proceed with the project.

As the proposed home additions are less than 1,000 square feet in area, a minor site and building plan review is required as opposed to a major review. Approval of the minor plan review by staff will be contingent on review and approval of the requested variance by the Planning Commission and City Council.

APPROVALS REQUIRED	
Variance from Shoreland Overlay District Setback Requirements	To permit the construction of home additions on a legally non-conforming house as relates to the 200 feet setback from the Ordinary High Water Level.
Minor Site and Building Plan Review	To verify conformance of the proposed home additions with Zoning Ordinance performance standards.

Attached for reference:

- Exhibit A: Project narrative
- Exhibit B: Site plan (dated February 17, 2015)
- Exhibit C: Building elevations
- Exhibit D: Layout plan (first floor)
- Exhibit E: Lighting cut sheets
- Exhibit F: City Engineer memo (dated February 26, 2015)
- Exhibit G: Neighbor letters in support of project

ISSUES ANALYSIS

Site Plan Review

The property at 389 Salem Church Road is zoned R-1, Single Family Residential and falls within the Shoreland Overlay District surrounding Sunfish Lake. The following table illustrates R-1 and Shoreland Overlay District requirements that may be impacted by the proposed home additions, and how the project conforms to the standards.

R-1 District Standards	Required	Proposed	Compliant
Maximum Building Coverage	10%	1 - 2%	Yes
Building Height Limitation (height above average existing grade)	30 feet	27 feet	Yes
Shoreland Overlay District Standards	Required	Proposed	Compliant
Building setback from property line located adjacent to street (southwest)	100 feet	Exceeds 100 feet	Yes
Side yard setback (southeast)	50 feet	Exceeds 50 feet	Yes
Building setback from Ordinary High Water Mark (northwest, north, northeast)	200 feet	Minimum 116 feet (Existing building) Minimum 126.5 feet (Proposed addition)	No*
Maximum lot coverage by impervious surface	30%	7.8%	Yes

* Variance has been requested

Setback Requirements. With the requested front entry, garage and kitchen additions, the home will continue to meet the front and side yard setback requirements.

The building fails to meet the Shoreland Overlay District 200 foot setback from the OHWL. The north portion of the lot has a curving shoreline, and once the shoreline setback is applied the entire existing home and attached garage falls within the setback area. As such, any expansion to the home or garage requires a variance from the shoreline setback, which is being requested.

A conservatory on the north side of the existing home is the nearest portion of the home to the lake, maintaining a 116 foot setback from the shoreline. This distance will not be reduced further with the requested project as the proposed additions occur elsewhere on the home. However, the proposed kitchen and garage additions on the north side of the home will bring a portion of the home approximately 18 feet closer to the shoreline, ending approximately 126.5 feet from the shoreline. A small entry addition on the south side of the home will expand the house approximately 6 feet further from the shoreline. However, the south entry expansion is still occurring within the 200 feet setback area, and as such is also considered an increase in a non-conforming condition requiring approval of a variance.

Building Height. According to ordinance, no building structure shall exceed two and a half stories or 30 feet in height above average existing grade. The average grade at the perimeter of the home is approximately 966.2 feet in elevation. The top of the principal building once the home additions are complete will not exceed 27 feet above this grade, meeting height requirements.

Building Materials. The exterior finish of the home additions will be composed of cedar shingle siding and roofing to match the appearance of the existing home. These materials are approved finishes according to Section 1219.03 of the Zoning Ordinance.

High Water Elevation. Permanent structures on lakes must have a lowest floor elevation at a level at least three feet above the highest known water level, or three feet above the OHWM, whichever is higher. There will be no change to the low floor elevation on the existing home at 389 Salem Church Road.

Accessory Buildings and Structures. Ordinance permits an attached garage not exceeding 1,250 square feet. The applicants would like to renovate the existing attached garage on their home to improve the garage space and create a more usable second story above the garage. No additional garage stalls are proposed. The garage renovation involves removing approximately 30 square feet of the existing garage and adding approximately 200 square feet. The existing garage is 490 square feet and the finished area of the proposed garage will be approximately 700 square feet, which meets Ordinance size requirements.

An existing deck/patio area integral to the north side of the home will be redesigned to accommodate the proposed kitchen and garage additions. This accessory area will not be expanded in volume or moved closer to the shoreline. However, in the shoreland district this accessory area is required to meet the principal building setback from the

OHW. As such, the patio/deck are considered an existing legally, non-conforming condition along with the home. Legally, non-conforming structures cannot be reconstructed without approval of a variance, unless the reconstruction lessens the non-conformity, which is not the case here. Therefore, approval of the requested variance for the home additions would need to include associated work with the described patio/deck area.

Placement and Design of Roads, Driveways, and Parking Areas. The properties existing driveway will not be significantly impacted with the proposed improvements. A minimal amount of re-grading of the driveway will occur where it meets the renovated garage.

Lighting. With the project the applicants would like to add four recessed lights, located at the front entry, above the garage doors, and near the rear porch/deck. In addition, they are proposing one wall mounted light fixture above a rear garage door. The lighting cut sheet options provided for the wall mount fixture demonstrates that the lighting will be hooded and downcast, meeting Ordinance requirements.

Upon installation, any lights which cast light on residential property or over public water shall not exceed one (1) foot candle (meter reading) as measured from said property or edge of water abutting the property in question.

Grading and Drainage and Erosion Control. The applicants provided grading, drainage and erosion control information to the City for review. A minimal amount of grading is necessary with the home additions. Although 480 square feet of additions are being proposed, a large portion of the construction will occur over existing hard surface. In total, the project will increase hard surface/impervious surface on the site by 162 square feet (.3%), which is anticipated to have minimal impact on stormwater runoff creation. Total resulting impervious surface on the site will be approximately 7.8%, which meets the shoreland district hard surface limitation of 30%.

Stormwater standards require that any increase in runoff resulting from a project be treated, and that erosion control measures be taken during the course of construction to prevent sediment movement. The applicants are proposing to install a raingarden south of the home to capture and treat new runoff. In addition, they have shown plans for a sediment control system around the perimeter of the construction zone, a soil stockpile location, and a bio-roll system around the proposed raingarden to protect it from compaction and sediment inundation.

The City Engineer has had an opportunity to review the project plans and is recommending approval contingent on the applicants meeting simple conditions as they move ahead with construction. The City Engineer's findings are provided in his report (Exhibit F), and include the following:

- The Contractor install erosion control measures as shown on the approved plans prior to any site grading work.

- The condition of the shared driveway pavement should be video recorded prior to construction so that in the event any construction traffic causes damage, it can be verified.
- Salem Church 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 axel load 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.

Landscaping/Fencing/Screening. No trees will be removed as a result of the proposed project. Tree protection fencing will be provided around the one tree within the indicated construction zone. The applicants are proposing additional plantings around a new A/C unit to the west of the north additions, at the perimeter of the driveway near the home, and within the proposed raingarden area. The evergreen hedge screen around the new A/C unit will be composed of either Yews or Techny arborvitae, and will be at least 36" tall ball and burlap. The perennial plantings for the raingarden are intended to attract bees and butterflies, and are composed of attractive native species. All areas impacted by grading will be restored to sod or landscaping.

A 40" retaining wall is proposed south of the home and adjacent to the west edge of the driveway. The wall surrounds an area proposed for a future garden. Engineered drawings of retaining walls are not required as long as the wall does not exceed four feet in height.

The City Forester has had the opportunity to review site plans and has no further recommendations on the project at this time.

Septic System. No changes are proposed for the site's septic system. The City Septic Inspector has been provided a set of plans for review and has no additional comments or recommendations.

Site and Building Plan Evaluation Criteria. Section 1208.04 of the Zoning Ordinance provides criteria for the evaluation of 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 single family home and garage on this property are permitted uses in the R-1 and Shoreland Overlay Districts. Proposed additions are anticipated to improve the use of the home for the inhabitants, and maintain an attractive appearance for the structure from the outside.

Other than the setback from the lake OHWM, the site plan has complied with Ordinance performance standards. The architecture is of quality design consistent with City Design Guidelines and in conformance with existing site structures.

- 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: No tree removal is required with the project. Further, the applicants are proposing new shrub and perennial plantings to beautify the site and provide stormwater management.

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

Comment: The exterior materials of the proposed home additions meet ordinance requirements, create aesthetic appeal, conform to existing architecture, and otherwise maintain the character of the locality.

- 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.

Comment: The current project is not anticipated to negatively impact natural resources as long as constructed according to plans. However, the subject property is located on Sunfish Lake and within the Shoreland Overlay District, and any future use or activity on the property shall make it a priority to: 1) consider the preservation of natural areas (specifically within the 200 foot setback along the shoreline), and 2) protect 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.).

- 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 will be screened to a large extent by existing tree coverage on the site. In addition, the construction is of quality design that meets Ordinance performance standards.

The applicants provided project plans to adjacent neighbors for review and received positive responses. Neighbor's letters have been included with the report for City consideration (Exhibit G).

- 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 recommending approval of the project from a stormwater, grading, drainage, and erosion control standpoint.

Variance From the Required 200 Foot Shoreline Setback Within the Shoreland Overlay District

A variance may be granted if the City believes enforcement of zoning regulations as applied to the subject property will cause the applicants "practical difficulties." Factors in determining practical difficulties include:

- 1) Is the applicant's problem due to circumstances unique to the subject property not caused by the landowner?

Comment: The lot was legally established and recorded, however with changes to shoreland regulations to increase the shoreline setback the existing home and garage became legally non-conforming. Any future expansion of the existing structure on the property will require approval of a variance as the entire home falls within the setback area.

In addition, the applicants believe that practical difficulties result from the configuration of the lot. They describe that the lot is physically unique in that it is somewhat peninsula-shaped. The required 200' shoreline setback "wraps" a significant portion of the lot making it difficult to improve the house or grounds. This is in contrast to shoreline parcels with straighter lake frontage, which may not be as impacted by the application of the 200 ft. setback as more of their acreage is positioned away from the lake.

- 2) Does the applicant propose to use the property in a reasonable manner, but cannot do so under the rules of the Ordinance?

Comment:

- a. *The proposed additions are for a single family home and attached garage, allowed uses in the R-1 and Shoreland Overlay Districts.*
- b. *Additions on existing single family homes have traditionally been a reasonable use of property on Sunfish Lake.*
- c. *With the proposed additions the home will adhere to Ordinance performance standards, including meeting building material, building size, building height, lighting, landscaping, and grading and drainage requirements.*
- d. *With the proposed additions, the home will be comparable in size and quality to surrounding homes on Sunfish Lake.*
- e. *The improvements are intended to make the interior space of the home more functional for the applicants.*

- 3) Will the variance, if granted, alter the essential character of the locality? Considerations include whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. In thinking about the

variance for an encroachment into a setback, the focus is on how a building will look closer to a lot line or the lake and whether it fits in with the character of the area.

Comment:

- a. A significant portion of the proposed additions will in fact occur in the direction of the lake, and the entire project does increase impervious surface within the shoreland setback area. However, staff does not anticipate a significant impact on either water quality or views to adjacent properties and the lake for the following reasons:*
 - 1. The applicants are providing a raingarden feature with the project which will intercept and treat new runoff. As such the project will not increase stormwater runoff to the lake.*
 - 2. A significant portion of the project will occur within the footprint of the existing home or adjacent patio/deck areas. While 480 square feet of additions are proposed, only 162 square feet of those additions result in the creation of new hard surface.*
 - 3. Proposed expansion towards the lake projects less than the existing sunroom wing of the home. As the portion of the home currently closest to the lake will not be impacted, views from the lake are not anticipated to change significantly.*
 - 4. No trees will be removed with this project. The significant amount of existing tree coverage between the proposed additions, adjacent properties and the lake is anticipated to provide a degree of screening for the improvements.*
- b. The applicants provided project plans to neighbors for consideration. Neighbors provided positive feedback on the impact of the improvements on the subject property and the neighborhood, and didn't raise any specific concerns as to negative impacts. Neighbor feedback is provided with this report (Exhibit G).*

SUMMARY AND RECOMMENDATION

The applicants are requesting approval of a variance to allow construction of home additions, and associated site improvements, within the required shoreline setback area, for the existing home located at 389 Salem Church Road. In addition, they are requesting approval of minor site and building plans for the proposed additions.

City staff is recommending approval of the minor site and building plans based on finding that the project is able to meet performance standards within the Sunfish Lake

Zoning Ordinance. Approval of the minor site and building plans is contingent on review and approval of the requested variance by the Planning Commission and City Council.

To consider approval of a variance, the City must find that the applicants propose to use the property in a reasonable manner that would not be allowed without approval of the variance and have shown practical difficulties in meeting the requirements of the Zoning Ordinance. The City should take into consideration whether the proposal will be in keeping with the existing conditions in the neighborhood, and continue to be consistent with the intent of the City's zoning regulations.

The City may choose to approve the variance based on the following findings:

1. Practical difficulties result from the unique configuration of the subject parcel. The lot is peninsula-shaped, and as a result the required 200' shoreline setback expands across a significant portion of the lot, making it difficult to improve the existing house or grounds without approval of a variance.
2. The applicant's request to renovate and expand portions of their single family home in order to make interior spaces more functional is reasonable. Single family homes and garages are an allowed use in the R-1 and Shoreland Overlay Districts, and the resulting structure will be comparable in size and quality to other homes on Sunfish Lake.
3. The applicants comply with the intent of the City's Zoning Ordinance and Comprehensive Plan by proposing a project that meets the size, material, and aesthetic requirements that the City has laid out.
4. Construction of the project within the shoreland setback area is not anticipated to impact the character of the locality. A majority of the project is within the existing development footprint, and stormwater runoff resulting from 162 square feet of new hard surface will be treated by a stormwater garden as opposed to running into the lake. Existing tree coverage on the parcel will provide a degree of screening for the project once the home is complete. Neighbors are in support of the requested improvements, and don't feel that the appearance of the property will be negatively impacted.

Alternatively, the City may choose to deny the variance based on the following findings:

1. While home additions on a single family residence may be considered a reasonable R-1 District land use, the proposed home additions are not reasonable in that they require building within the shoreline setback area. The existing home is of sufficient size to serve the needs of a single family residence, without requiring enlargement within the protected shoreline setback area.
2. There are potential impacts to the character of the locality by allowing the requested home additions in the direction of the lake. Given the overall proximity of the home to the lake, any increase in the volume of the home will be noticeable from public waters.

If the City decides to approve the requested variance, City staff recommends approval be contingent on the following:

1. The applicants adhere to the City Engineer's recommendations for construction, as addressed in his report dated February 26, 2015, including:
 - a. The Contractor install erosion control measures as shown on the approved plans prior to any site grading work.
 - b. The condition of the shared driveway pavement should be video recorded prior to construction so that in the event any construction traffic causes damage, it can be verified.
 - c. Salem Church 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 axel load 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.
2. The applicants obtain a building permit from the City Building Official prior to commencing any construction of the proposed project.
3. Upon installation, any lights which cast light on residential property or over public water shall not exceed one (1) foot candle (meter reading) as measured from said property or edge of water abutting the property in question.
4. The applicants shall 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 \$75.00 each and payment of this amount shall be the responsibility of the property owner.

c: Cathy Iago, City Clerk
Mike Andrejka, City Building Official
Don Sterna and Eric Eckman, City Engineer
Jim Naves, City Forester
Tim Kuntz, City Attorney
Stephanie and Jim Stowell, Applicants
Chris Strom, Project Architect
Jennie Skancke, Dakota County Hydrologist, MnDNR

CHRISTOPHER STROM ARCHITECTS

February 10, 2015

Michelle Barness
Sunfish Lake City Planner

Dear Michelle:

Jim and Stephanie Stowell are requesting approval of a variance to allow them to modestly enlarge their home by 480 net square feet. This includes the construction of a new front entry, a replacement garage, and enlarged kitchen for their current home located at 389 Salem Church Road. The property is zoned R-1 Single Family Residential. The subject parcel has a challenging shape because the shoreline wraps around two sides.

Reasons for granting a variance based on a three-factor test:

- 1) The lot is physically unique in that it is somewhat peninsula-shaped. The 200' setback "wraps" two sides of the lot. The entire existing house is non-conforming as pertains to this 200 ft. shoreline setback. These circumstances are unique to this property.
- 2) The applicant proposes to use the property in a reasonable manner, but cannot do so under the rules of the Ordinance. Under the Ordinance, no addition is possible at all. Small additions of existing homes have traditionally been a reasonable use of property on Sunfish Lake.
- 3) The variance, if granted, will not alter the essential character of the locality. The character of the home will be improved with this project. and the proposed expansion toward the lake projects less than the existing sunroom wing of the home. The east side is the primary lake elevation and all of the new construction occurs on the south, west, and north of the home; the majority of lake dwellers will see no significant difference. Neighboring properties will not be adversely impacted because the addition and remodel is contained mostly within the existing footprint. The addition being requested is very reasonable and would make the home well within the size range of other homes in the area. The Stowell's have spoken to adjacent neighbors and have received comments that they have no concerns with this modest expansion.

Other notes:

The resulting impervious surface is increased by only 0.3% of the total lot. Increased runoff is very minimal at 7.4 gallons per minute in a 25-year storm event. No structure shall exceed 30 feet in height. The exterior materials shall match the existing approved materials on the house. The new addition adds very little area to impervious coverage of the lot as shown on the site plan (most of the area being built upon already has hard surface). A rain garden will be considered to mitigate any additional runoff from the small additional impervious coverage. A minimal amount of grade-changes are required for this project. No changes are required for the septic system.

Thank you for your consideration,



Chris Strom, AIA

PROJECT TEAM

CLIENT:

1000 South Main Street
Memphis, TN 38102

ARCHITECT:

Christopher Strom Architects
4901 Abbott Avenue South
Memphis, TN 38117

SURVEYOR:

John W. Hall
1000 South Main Street
Memphis, TN 38102

ENGINEER:

Stowell Architects, LLC
4901 Abbott Avenue South
Memphis, TN 38117

DATE:

10/1/2011

DRAWN:

J. Stowell

SCALE:

AS SHOWN

PROJECT:

1000 South Main Street

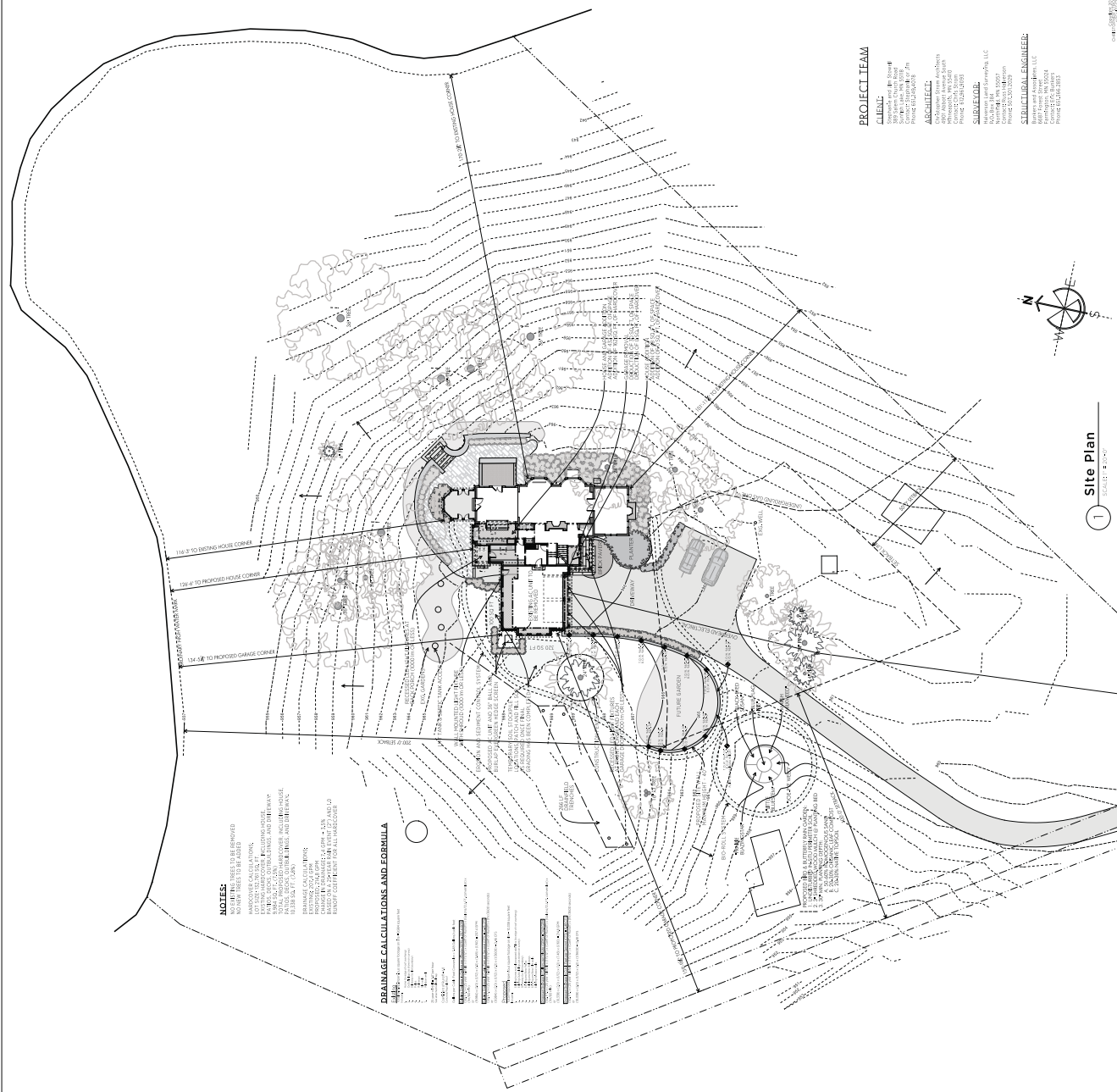
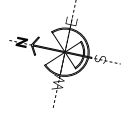
DATE:

10/1/2011

10/1/2011

1 Site Plan

SCALE: 1"=40'



NOTES:

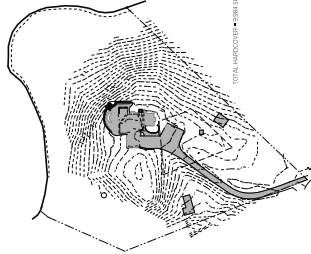
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2. ALL NEW TREES TO BE PLANTED
3. ALL EXISTING TREES TO BE MAINTAINED
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DRAINAGE CALCULATIONS AND FORMULA

Area	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)
1	1000	1000	1000	1000	1000	1000	1000	1000	1000
2	1000	1000	1000	1000	1000	1000	1000	1000	1000
3	1000	1000	1000	1000	1000	1000	1000	1000	1000
4	1000	1000	1000	1000	1000	1000	1000	1000	1000
5	1000	1000	1000	1000	1000	1000	1000	1000	1000
6	1000	1000	1000	1000	1000	1000	1000	1000	1000
7	1000	1000	1000	1000	1000	1000	1000	1000	1000
8	1000	1000	1000	1000	1000	1000	1000	1000	1000
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10	1000	1000	1000	1000	1000	1000	1000	1000	1000

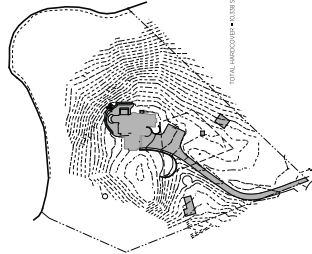
2 Existing Hardcover Diagram

SCALE: 1"=40'



3 Proposed Hardcover Diagram

SCALE: 1"=40'

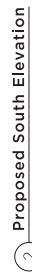


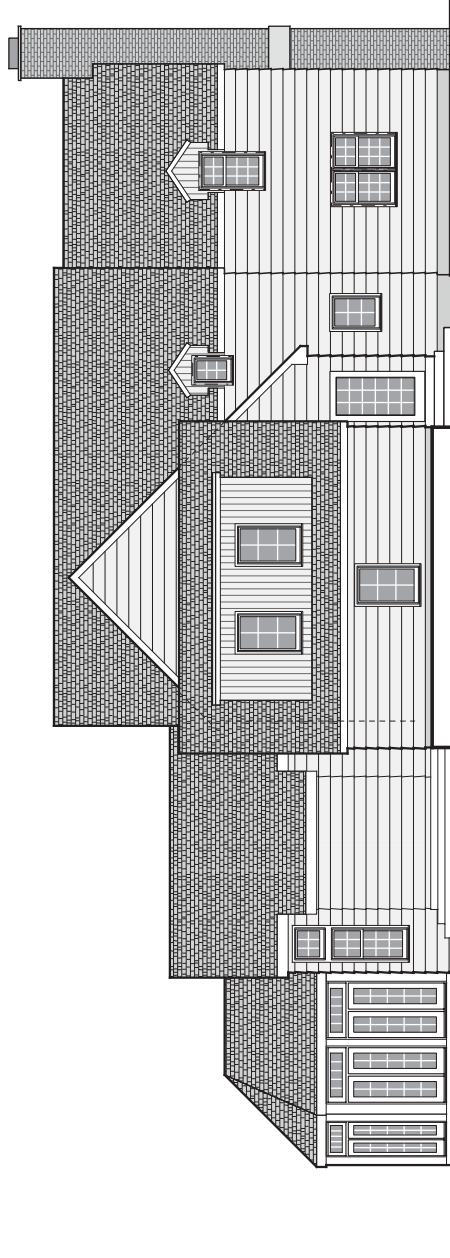
25-YEAR RAINFALL MAP



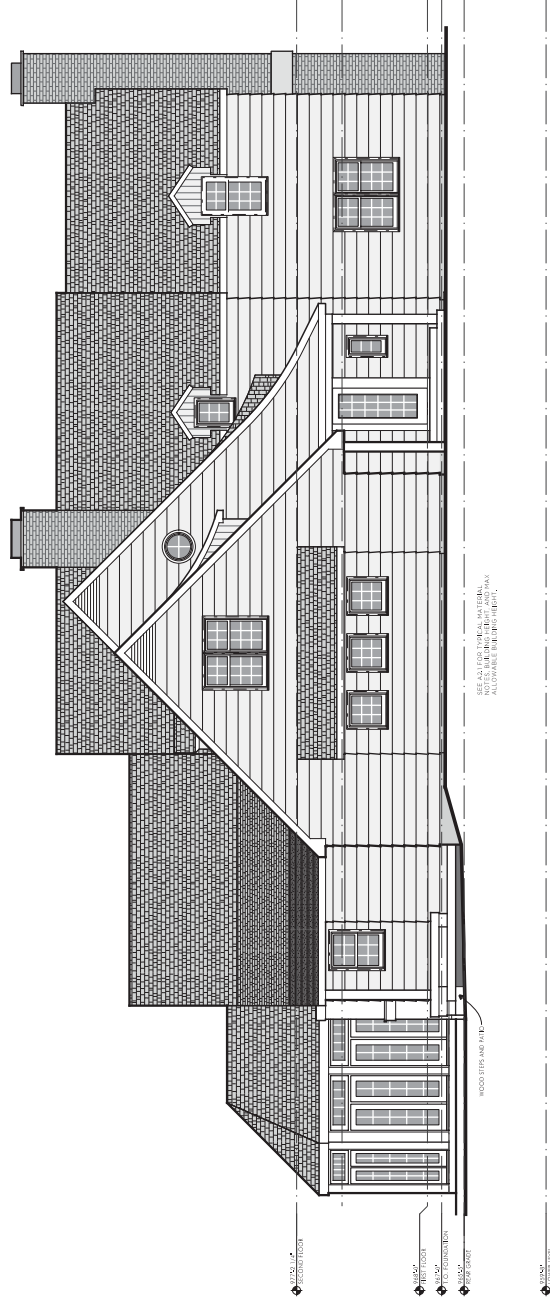
4 25-Year Rainfall Map

SCALE: 1"=40'

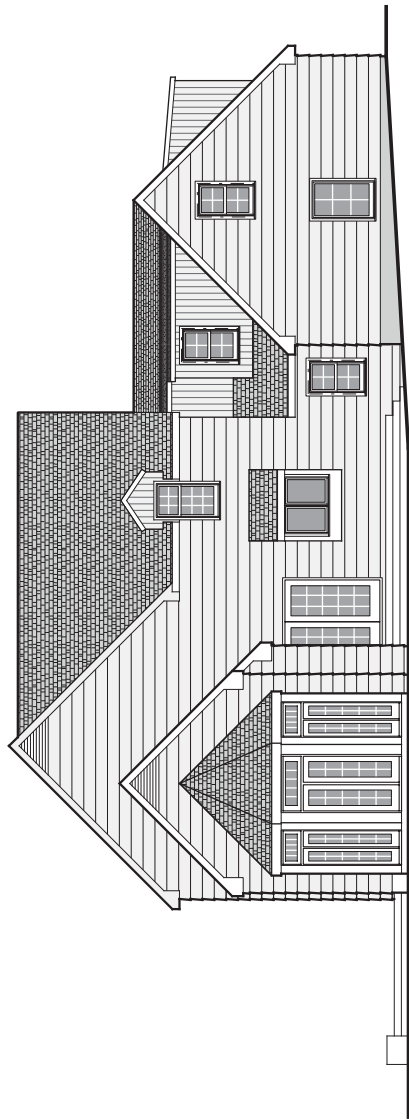




1 Existing West Elevation
SCALE: 1/8" = 1'-0"

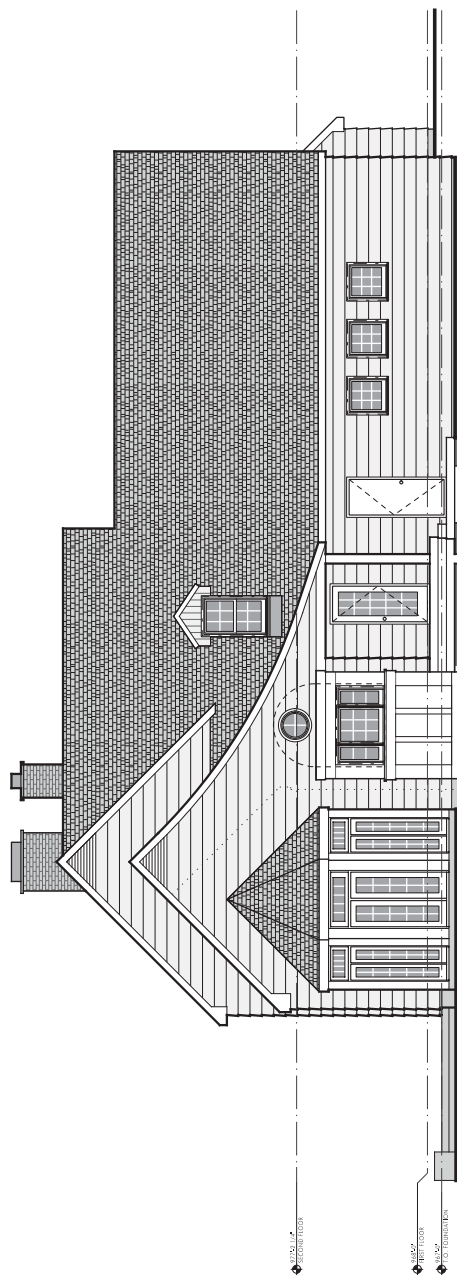


2 Proposed West Elevation
SCALE: 1/8" = 1'-0"



1 Existing North Elevation

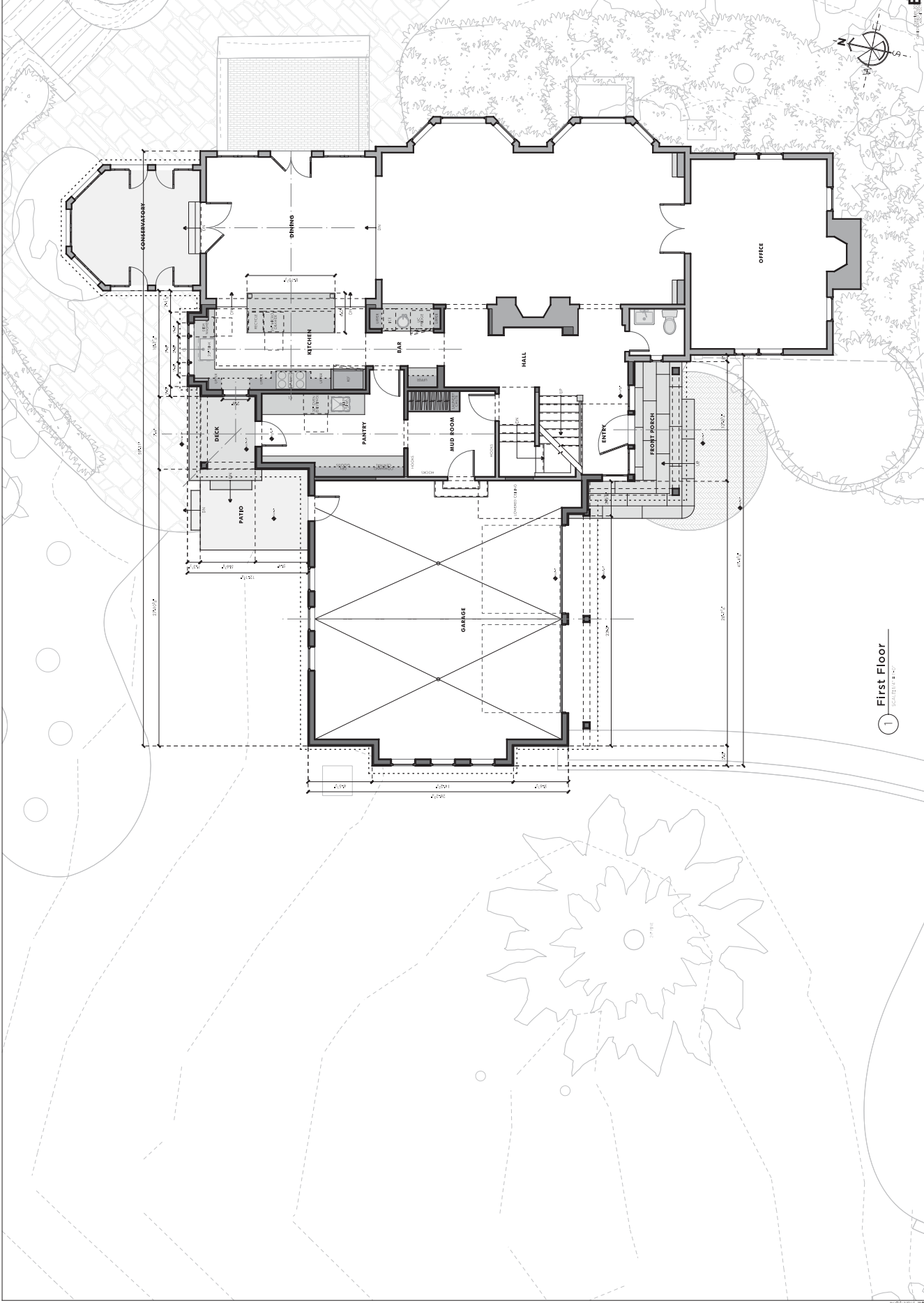
SCALE: 1/8" = 1'-0"



2 Proposed North Elevation

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

SEE ALSO: EXHIBIT C, SECTION C-1
ALLOTTING FOR APPROVAL

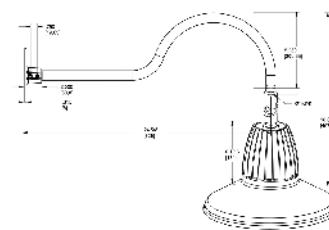


GN1LED13YST11W

13 & 26 Watt Straight Shade LED Gooseneck Luminaire designed to match the architecture of Main Street storefronts and building perimeters. LED Gooseneck Straight Shade with 24" Goose Arm Style 1.

Color: White

Weight: 11.0 lbs



LED Info

Watts: 13W
 Color Temp: 3000K (Warm)
 Color Accuracy: 84
 L70 Lifespan: 100000
 LM79 Lumens: 596
 Efficacy: 39 LPW

Driver Info

Type: Constant Current
 120V: 0.3A
 208V: 0.3A
 240V: 0.3A
 277V: 0.15A
 Input Watts: 15W
 Efficiency: 85%

Technical Specifications

UL Listing:

Suitable for wet locations. Suitable for mounting within 1.2m (4ft) of the ground.

Lifespan:

100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations.

Fixture:

The GN1LED13YST11W comes with the GOOSE1W arm.

LED:

Single multi-chip, 13W high-output, long-life LED.

Driver:

Constant Current, Class 2, 100-277V, 50/60 Hz, 100-240VAC 0.3 - 0.15A, 277VAC 0.15A, THD <8%, PF 97.5%.

Thermal Management:

Custom heat sink assembly in thermal contact with die-cast aluminum housing for superior heat sinking.

Housing:

Precision die-cast aluminum housing, lens frame and mounting plate.

Gaskets:

High Temperature Silicone

Mounting:

Heavy-duty mounting arm with "O" ring seal and stainless steel screw.

Correlated Color Temp. (Nominal CCT):

3000K

Cold Weather Starting:

The minimum starting temperature is -40°F/-40°C

Shades:

11" Straight Shade offered.

Finish:

Our environmentally friendly polyester powder coatings are formulated for high-durability and long-lasting color, and contains no VOC or toxic heavy metals. Offers significantly improved gloss retention and resistance to color change.

Surge Protection:

4kv

Color Stability:

LED color temperature is warrantied to shift no more than 200K in CCT over a 5 year period.

Color Uniformity:

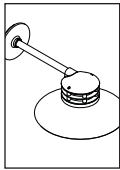
RAB's range of CCT (Correlated color temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2008.

Equivalency:

The GN1LED13 is equivalent in delivered lumens to 75W incandescent, 50W MH or 18W CFL.

Green Technology:

Mercury and UV free, and RoHS compliant. Polyester powder coat finish formulated without the use of VOC or toxic heavy metals.



Incandescent

BEACON WALL MOUNT (BWM)

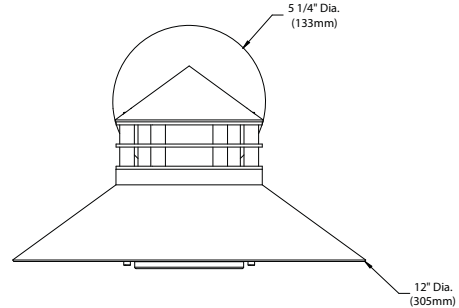
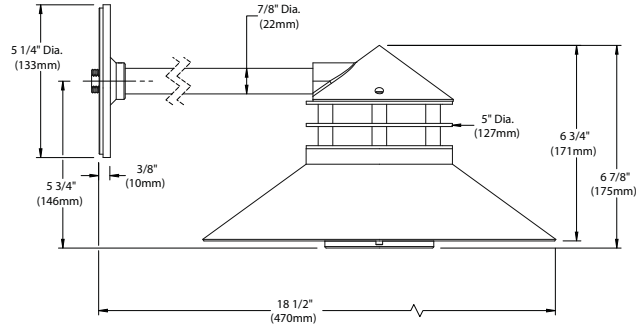
PROJECT:

TYPE:

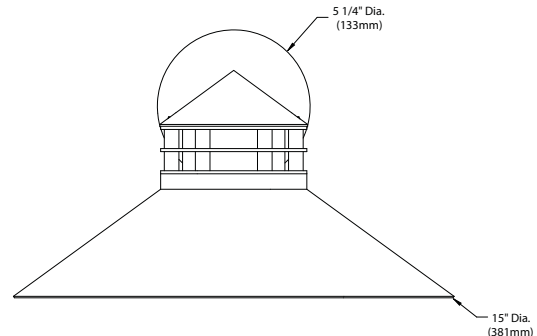
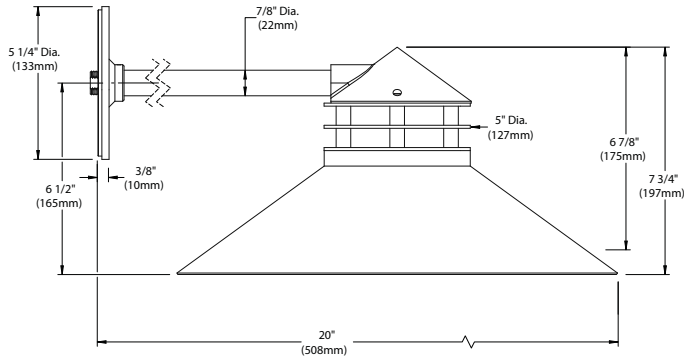
SIDE VIEW

FRONT VIEW

12" Diameter



15" Diameter



SPECIFICATIONS

GreenSource Initiative™

Metal and packaging components are made from recycled materials. Manufactured using renewable solar energy, produced onsite. Returnable to manufacturer at end of life to ensure cradle-to-cradle handling. Packaging contains no chlorofluorocarbons (CFC's). Use of this product may qualify for GreenSource efficacy and recycling rebate(s). Consult www.tekaillumination.com/greensource for program requirements.

Enduring Metals

Constructed from copper, bronze, and stainless steel. These lifetime materials are inherently corrosion resistant. Factory-applied finishes are also available.

Installation

5" diameter, machined aluminum mounting plate with textured black finish. For use with 4" octagonal junction box (by others). Supplied with [2] tamper-resistant, black oxide stainless steel mounting screws.

Canopy

5-1/4" diameter canopy conceals mounting plate and hardware. Hand spun from high purity, solid copper plate with tamper resistant, machined brass lock collar.

Shade

Hand spun from high purity, solid copper plate. Specify 12" or 15" diameter.

Lens

3-5/8" dia. translucent acrylic lens with clear acrylic downlight lens provides sealed optical compartment.

Stem

Machined from heavy wall 7/8" O.D. brass.

Body

Cast bronze. High temperature, silicone 'O' Ring provides water tight seal to shade assembly.

Lamp Holder

A19/A21 incandescent porcelain lamp socket.

Lamp

Uses A19 Med 100W max.

Ring Stack

Solid copper or stainless steel accent rings with solid brass spacers.

Wiring

Teflon® coated wire, 18AWG, 600V, 250° C rated and certified to UL 1659 standard.

Hardware

Tamper-resistant, stainless steel hardware.

Finish

Natural (NAT): Copper and bronze components are sand blasted to expose the porous metal surface. Over time, and with exposure to the elements, the metals will naturally 'weather' resulting in a unique patina.

Factory Applied: Hand-crafted metal finishes include natural (NAT), brown patina (BP), and nickel plate (NIC).

Powder Coat: Class 'A' TGIC polyester powder coating. RoHS compliant.

Clear Coat Protection

Optional ceramic clear coating seals and protects underlying metals and protects against discoloration, fading, and wear. Highly impervious to chemicals, solvents, and graffiti. For use with natural (NAT) finishes.

Warranty

5 year limited warranty.

Listings

ETL Listed to ANSI/UL Standard 1598 and Certified to CAN/CSA Standard C22.2 No. 250. RoHS compliant. Made in USA.



*Teflon is a registered trademark of DuPont Corporation.

TEKA ILLUMINATION

40429 Brickyard Drive • Madera, CA 93636 • USA
559.438.5800 • FAX 559.438.5900
www.tekaillumination.com • info@tekaillumination.com

SUBMITTAL DATE
8-13-13

DRAWING NUMBER
SUB-2024-00

EXHIBIT E



Memorandum

To: *Michelle Barness
Northwest Associated Consultants*

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

Date: *February 26, 2015*

Re: *Site and Building Plan Review
389 Salem Church Road
City of Sunfish Lake, MN
WSB Project No. 02182-120*

Project Background:

The applicant is proposing home renovations and minor site grading, including retaining walls, landscaping and a rain garden. The following review is only for the engineering, storm water management, and site grading issues. The building compliance will be handled by the City planners.

Revised Plans:

- The applicant's representatives have revised the plans per our comments on the emails dated 2-12-15 and 2-17-15.

Items to Note During Construction:

- The Contractor must install erosion control measures as shown on the approved plans prior to any site grading work.
- The Contractor must adhere to axle load limits when delivering material to the site.
- The access to the property will be through a private shared driveway. The condition of the shared driveway pavement should be video recorded prior to construction so that in the event any construction traffic causes damage, it can be verified.
- Salem Church 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 on our review of the proposed site and grading plan for the proposed new home at 389 Salem Church Road the revised plans (received by WSB on 2-20-15) meet the City's requirements. We recommend approval of the permit from an engineering standpoint with the understanding that the above listed items are followed during construction.

Dakota County, MN



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification. Dakota County assumes no legal responsibility for the information contained in this data.

Map Scale
1 inch = 200 feet
3/9/2015

Michelle Barness

From: James Stowell [jcstowel@yahoo.com]
Sent: Tuesday, February 24, 2015 9:01 PM
To: Michelle Barness
Subject: Stowell - 389 Salem Church Road - Variance Request - Neighbor support - Schadegg

G'day Michelle -

Listed below is the EMAIL of support from the Schadegg's - 2250 Delaware Avenue

Contract me with any further questions.

----- Forwarded Message -----

From: Dan Schadegg <DSchadegg@schadegg-mech.com>
To: "jcstowel@yahoo.com" <jcstowel@yahoo.com>
Sent: Sunday, January 11, 2015 4:14 PM
Subject: House plans

Jim

Thanks for showing Rose and I your proposed upcoming addition. We think it looks great and have no issues with it at all. It will be a lovely addition.

Thanks

Daniel Schadegg

Schadegg Mechanical

Sent from my iPhone

Michelle Barness

From: James Stowell [jcstowel@yahoo.com]
Sent: Tuesday, February 24, 2015 9:09 PM
To: Michelle Barness
Subject: Stowell - 389 Salem Church Road - Variance request - Neighbor support - Roszkowski

G'ave Michelle -

Listed below is the EMAIL of support from the Roszkowski's - 369 Salem Church Road

As of this writing, you now should have received EMAIL's of support from all (3) of our surrounding neighbor properties (Schacker's/Schadegg's and Roszkowski's).

Contact me with any further questions.

----- Forwarded Message -----

From: Mark Roszkowski <mroszkowski@mindspring.com>
To: jcstowel@yahoo.com
Sent: Wednesday, February 18, 2015 1:39 PM
Subject: Home Renovation

Dear Jim,

Thank you so much for taking the time with Stacy and I the other day to sit down and outline your proposed remodeling changes to your home. It was nice to see the design plans up close and see the rationale for your remodel.

Stacy and I whole-heartedly agree with your proposed renovation plans to your home. It really is a minimal change to the outer footprint of your home and will drastically improve the day-to-day livability.

Again, we are in total support of your proposed plan. Please let me know when the construction will begin!

Sincerely,

Mark and Stacy Roszkowski
369 Salem Church Road
Sunfish Lake, MN 55118
Home Phone: 651-455-5686

Michelle Barness

From: James Stowell [jicstowel@yahoo.com]
Sent: Tuesday, February 24, 2015 9:04 PM
To: Michelle Barness
Subject: Stowell - 389 Salem Church Road - Variance Request - Neighbor support - 393 Salem Church Road

G'day Michelle -

Listed below is the EMAIL of support from the Schacker's - 393 Salem Church Road

Contract me with any further questions.

----- Forwarded Message -----

From: Kristin Hoelscher-Schacker <krishoel001@mac.com>

To: JCStowel@yahoo.com

Sent: Sunday, January 11, 2015 11:20 PM

Subject: Plans for you renovation

Dear Jim and Stephanie,

Thank you so much for inviting Tim and I to look at your proposed plans for your renovation. We have reviewed them and think you have done a fine job, showing great sensitivity to complimenting the design of your home and to the impact of the renovation on your lot. As your close neighbors, we look forward to seeing the work progress.

We are in full support of your completing this renovation. Please feel free to share this information with the City of Sunfish Lake, and with the city's consulting engineers. You and they can contact us at any time.

Best of luck going forward,

Kristin Hoelscher-Schacker
Timothy Schacker

393 Salem Church Road
Sunfish Lake, MN 55118

krishoel001@mac.com
651-248-5149

CITY OF *Sunfish Lake* MINNESOTA

Planning Commission Findings of Fact & Recommendation (Approval)

Applicant's Name: Stephanie and Jim Stowell

Request: The applicants request City approval of a shoreline setback variance to allow construction of home additions at 389 Salem Church Road. The variance is to permit a kitchen, front entry, and garage addition, and associated site improvements, within the shoreland setback area.

Planning Commission Meeting Date: March 18, 2015

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:

389 SALEM CHURCH ROAD, SUNFISH LAKE, MINNESOTA 55118
2. The Planning Report dated March 11, 2015 prepared by Northwest Associated Consultants, Inc. and the engineering report dated February 26, 2015 prepared by WSB Associates is incorporated herein by reference.
3. The existing home is a legal non-conforming structure in that it fails to meet the required shoreline setback of 200 feet.
4. The proposed project will include the construction of a kitchen, front entry, and garage addition, totaling approximately 480 square feet. As the entire existing home falls within the shoreland setback, the proposed improvements will increase the volume of the home within the setback area.
5. The Sunfish Lake Zoning Ordinance allows for a non-conforming home to be expanded in order to improve livability, however that expansion may not increase a non-conformity. Therefore a variance is required to allow building expansion within the shoreland setback.
6. The Sunfish Lake Planning Commission held a public hearing to review the applicant's request for variance approval at the March 18, 2015 Planning Commission meeting. After hearing staff, applicant and public testimony on the project, the Planning Commission recommended approval of a shoreland variance to permit the requested home additions at 389 Salem Church Road, based on conditions set forth in the referenced planning and engineering reports.

The following findings support the Planning Commission recommendation for approval:

- a. Practical difficulties result from the unique configuration of the subject parcel. The lot is peninsula-shaped, and as a result the required 200' shoreline setback expands across a significant portion of the lot, making it difficult to improve the existing house or grounds without approval of a variance.
- b. The applicant's request to renovate and expand portions of their single family home in order to make interior spaces more functional is reasonable. Single family homes and garages are an allowed use in the R-1 and Shoreland Overlay Districts, and the resulting structure will be comparable in size and quality to other homes on Sunfish Lake.
- c. The applicants comply with the intent of the City's Zoning Ordinance and Comprehensive Plan by proposing a project that meets the size, material, and aesthetic requirements that the City has laid out.
- d. Construction of the project within the shoreland setback area is not anticipated to impact the character of the locality. A majority of the project is within the existing development footprint, and stormwater runoff resulting from 162 square feet of new hard surface will be treated by a stormwater garden as opposed to running into the lake. Existing tree coverage on the parcel will provide a degree of screening for the project once the home is complete. Neighbors are in support of the requested improvements, and don't feel that the appearance of the property will be negatively impacted.

Recommendation:

Based on the foregoing considerations and applicable ordinances, the Planning Commission recommends approval of the applicant's variances to allow the construction of home additions on their property.

Approved, subject to the following conditions:

1. The applicants adhere to the City Engineer's recommendations for construction, as addressed in his report dated February 26, 2015, including:
 - a. The Contractor install erosion control measures as shown on the approved plans prior to any site grading work.
 - b. The condition of the shared driveway pavement should be video recorded prior to construction so that in the event any construction traffic causes damage, it can be verified.

- c. Salem Church 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 axel load 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.
2. The applicants obtain a building permit from the City Building Official prior to commencing any construction of the proposed projects.
3. Upon installation, any lights which cast light on residential property or over public water shall not exceed one (1) foot candle (meter reading) as measured from said property or edge of water abutting the property in question.
4. The applicants shall 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 \$75.00 each and payment of this amount shall be the responsibility of the property owner.

Adopted by the Sunfish Lake Planning Commission this 18th day of March 2015.

City of Sunfish Lake

By: _____

Andrea McCue
Planning Commission Chair

ATTEST

Catherine Iago, City Clerk

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

RESOLUTION NO. _____

**RESOLUTION APPROVING A SHORELAND SETBACK VARIANCE A TO PERMIT
CONSTRUCTION OF HOME ADDITIONS FOR THE PROPERTY LOCATED AT 389
SALEM CHURCH ROAD, SUNFISH LAKE, DAKOTA COUNTY, MINNESOTA.**

WHEREAS, Stephanie and Jim Stowell submitted an application for a shoreland setback variance to permit construction of a kitchen, front entry, and garage addition at the property located at 389 Salem Church Road, legally described as:

All that part of Lot 5, Auditors Subdivision Twenty-Six (26), Dakota County, Minnesota, lying Northerly and Westerly of the following described line:

Commencing at a point on the Southerly line of said Lot 5 in the center line of the old Sunfish Lake Road (now private), which point is North 41 degrees 46 minutes West and distant Five Hundred Ninety-Eight and Three-Tenths (598.3) feet from the South East corner of said Lot 5; thence running North 31 degrees 39 minutes East Five Hundred Seventy-Five (575) feet more or less to its intersection with a line drawn parallel with and One Hundred (100) feet at right angles from the East line of said Lot 5, thence running parallel with said East line to the North line of said Lot 5; except that part described as follows:

Commencing at the North West corner of Lot 5, Auditor's Subdivision Twenty-Six (26), which point is also the intersection of the old Sunfish Lake Road in the South line of the North Ten (10) acres of the West 1/2 of the North West 1/4 of Section 31, Township 28, Range 22, thence East 373.8 feet along the North line of said Lot 5; thence South 31 degrees 39 minutes West 508.1 feet to a point in the center of the old Sunfish Lake Road, which road is also the West line of said Lot 5; thence North 3 degrees 30 minutes West 106 feet; thence North 14 degrees West 102.9 feet; thence North 18 degrees 30 minutes West 239.5 feet to the point of beginning; and except that part of said Lot 5 described as follows:

Beginning at a point on the North line of said Lot 5, said point being 373.8 East of the North West corner of said Lot 5; thence South 31 degrees 39 minutes West 508.1 feet to a point hereinafter referred to as point "A"; thence South 3 degrees 30 minutes East 145.7 feet; thence Northeasterly to a point which is South 88 degrees 30 minutes East and distant 40 feet from said point "A"; thence Northeasterly to the point of beginning, in Dakota County, Minnesota.

Together with and subject to the following described easement:

An easement 16 feet in width, the centerline of which commences at the North West corner of said Lot 5; thence South 18 degrees 30 minutes East 239.5 feet; thence South 14 degrees 00 minutes East, 102.9 feet; thence South 3 degrees 30 minutes East 251.7 feet to the point of beginning of the easement to be described; thence South 33 degrees 30 minutes East 258.8 feet; thence South 33 degrees 00 minutes East 87.5; thence South 34 degrees 08 minutes East 120.0 feet; thence South 25 degrees 30 West 125.4 feet more less to the centerline of Salem Church Road and there terminating.

WHEREAS, City staff reviewed the application and outlined their review comments in a planning report dated March 11, 2015 prepared by Northwest Associated Consultants and an engineering report dated February 26, 2015; and

WHEREAS, the Sunfish Lake Planning Commission held a public hearing at their March 18, 2015 meeting and reviewed the variance application, along with the referenced staff reports; 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 shoreline variance request to allow construction of a kitchen, front entry, and garage addition on the applicant's home, whereby the following findings support the Planning Commission recommendation for approval:

1. Practical difficulties result from the unique configuration of the subject parcel. The lot is peninsula-shaped, and as a result the required 200' shoreline setback expands across a significant portion of the lot, making it difficult to improve the existing house or grounds without approval of a variance as the entire legally non-conforming home is within the shoreline setback area.
2. The applicant's request to renovate and expand portions of their single family home in order to make interior spaces more functional is reasonable. Single family homes and garages are an allowed use in the R-1 and Shoreland Overlay Districts, and the resulting structure will be comparable in size and quality to other homes on Sunfish Lake.
3. The applicants comply with the intent of the City's Zoning Ordinance and Comprehensive Plan by proposing a project that meets the size, material, and aesthetic requirements that the City has laid out.
4. Construction of the project within the shoreline setback area is not anticipated to impact the character of the locality. A majority of the project is within the existing development footprint, and stormwater runoff resulting from 162 square feet of new hard surface will be treated by a stormwater garden as opposed to running into the lake. Existing tree coverage on the parcel will provide a degree of screening for the project once the home is complete. Adjacent neighbors are in support of the requested improvements, and don't feel that the appearance of the property will be negatively impacted.

WHEREAS, the Sunfish Lake City Council considered the application for a shoreland setback variance at their meeting on April 7, 2015 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 shoreland setback variance request dated February 16, 2015 for 389 Salem Church Road with the following conditions:

1. The applicants adhere to the City Engineer's recommendations for construction, as addressed in his report dated February 26, 2015, including:

- a. The Contractor install erosion control measures as shown on the approved plans prior to any site grading work.
 - b. The condition of the shared driveway pavement should be video recorded prior to construction so that in the event any construction traffic causes damage, it can be verified.
 - c. Salem Church 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 axel load 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.
2. The applicants obtain a building permit from the City Building Official prior to commencing any construction of the proposed projects.
3. Upon installation, any lights which cast light on residential property or over public water shall not exceed one (1) foot candle (meter reading) as measured from said property or edge of water abutting the property in question.
4. The applicants shall 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 \$75.00 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 7th day of April 2015.

Molly Park, Mayor

Attest:

Catherine Iago, City Clerk