

Planning Memorandum

To: Sunfish Lake Mayor and City Council

From: Ryan Krzos, AICP, City Planner

Date: July 29, 2020

Re: Sunfish Lake – Planning Update for August City Council Meeting
WSB Project No. 015255-000

July Planning Commission Meeting

Meeting minutes from the July 15th Planning Commission meeting are included as an attachment to this memorandum. The Planning Commission considered the following requests:

2130 Charlton Road

The Planning Commission reviewed a request for a conditional use permit to reduce the required side yard for this property. The request would facilitate the owner's proposal to construct a covered porch addition to the existing residence. The Planning Commission voted 4-0 to recommend conditional approval of the request.

2400 Delaware Avenue

The Planning Commission reviewed requests for major site and building plan, variance, and conditional use permit for this property. The request would facilitate the owner's proposal to construct a building addition and a detached garage. The variance is requested to allow a below grade basement addition to within 17 feet of the rear property line where 50 feet is required. The conditional use request is required as the detached garage would be an additional accessory structure within the site. Major site plan review is required for additions exceeding 1,000 square feet, and for accessory buildings requiring CUPs. The Planning Commission voted 4-0 to recommend conditional approval of the requests.

Additional Planning Updates

Site Visits

City staff conducted a final site inspection for the dwelling and site improvements at 2130 Charlton Road.

Application Coordination

- City staff issued an incomplete application notice to the owners of 1 Horseshoe Ln. The owners submitted an application to construct a swimming pool, which requires a site plan review and conditional use permit for an additional accessory structure. The application materials provided were insufficiently detailed for verification of compliance with City codes. Additional information and revised plans are required from the applicant in order to schedule the request for City review.

- Planning Staff worked with Jerry Brantham, Senior Pastor, Southside Baptist Church regarding the dynamic message signage proposal. The submitted signage application includes a variance request to reduce the front setback for the sign. This application will be reviewed at the August Planning Commission meeting.

Cc: Catherine Iago, City Clerk
Tim Kuntz, City Attorney
Jeff Sandberg, City Engineer
Mike Andrejka, Building Official
Jim Naves, City Forester
Ron Wasmund, Septic System Inspector
Dave Dreelan, Fire Chief

- DRAFT -
SUNFISH LAKE PLANNING COMMISSION MEETING – JULY 15, 2020
7:00 P.M. – ST. ANNE’S EPISCOPAL CHURCH

Attendants:

Chair: Tom Hendrickson
Commissioners: Ginny Beckett, Shannon Nelson, and Dominick Driano
City Planner: Ryan Krzos
City Clerk: Cathy Iago
Commissioner Jeannine Naves was absent

1. CALL TO ORDER: Chair Hendrickson called the meeting to order at 7:00 p.m.
2. ADOPT AGENDA: Chair Hendrickson asked if there were any additions to the agenda and there was no response.

Commissioner Beckett moved to adopt the agenda, seconded by Commissioner Nelson and carried (4-0)

3. APPROVE MINUTES JUNE 17, 2020: Chair Hendrickson asked if there were any additions or corrections to the June 17, 2020 Planning Commission minute and there was no response.

Commissioner Driano moved to approve the June 17, 2020 Planning Commission minutes as presented, seconded by Commissioner Beckett and carried. (4-0)

4. PUBLIC HEARING: A. Conditional Use Permit, 2130 Charlton Road, Steve and Claire Noble: Chair Hendrickson opened the Public Hearing to discuss the application for a Conditional Use Permit (CUP) for property located at 2130 Charlton Road. He asked the Planner to present his report.

Planner Krzos referred to his report dated July 8, 2020 and explained the request for was for a Conditional Use Permit (CUP) to reduce the required side yard setback for the property located at 2130 Charlton Road. He stated the property is zoned R-1 Single Family Residential and is located within the Shoreland Overlay District. He stated that the adjacent properties are also located in the Shoreland Overlay District.

The Planner explained that the applicants are proposing a screened porch addition to the south side of the existing residence which would extend to 28 ft. from the property line. He stated this area of the site currently contains an attached deck and the current structure encroaches on the required side yard in this area of the site; the existing structure is 27.3 ft. from the west property line. He advised that the residence was built prior to the adoption of the current Zoning Ordinance so the encroachment is considered a legal non-conformity. He explained that an expansion to a legal non-conforming structure is allowed provided said expansion complies with all zoning requirements for side yard setbacks. He noted that the Zoning Ordinance includes the ability to reduce the required side or rear yard setback by CUP provided certain conditions are met; he reviewed the conditions as listed in his report.

Planner Krzos stated that the proposed porch addition would be similar to the existing residence in form and materials with screened sidewalls. He noted that the site is well screened with significant plantings on the west property line and that the reduced yard would not encroach on any known easements. He further stated that no trees would be impacted by the proposed improvements.

The Planner displayed a photo of the existing property where stakes had been placed on the west property line to show where the porch would extend on the site. He advised that the new porch would not be any closer to the property line than the existing deck and that the expansion of the non-conformity would be above the existing deck area. He further stated that the proposed addition is being reviewed as a Minor Site and Building Plan review since it is less than 1,000 sq. ft. in total area.

Planner Krzos reviewed the criteria for determining approval of a Conditional Use Permit as listed on page 3 of his report. He advised that the proposed addition is consistent with the Comprehensive Plan and that there are similar uses that exist within the City. He stated that the proposed addition would not have any negative visual impact due to the existing vegetation

providing screening along the western property line and that staff included a condition that the vegetation be maintained to provide screening on an on-going basis.

Planner Krzos stated that the City Engineer had reviewed the application and had no concerns with the requests. He also noted that the neighbors at 2140 Charlton Road had sent an email stating they had no concerns and supported the project.

Staff recommends approval of the request based on the Findings of Fact attached to the Planner's report and subject to the seen (7) conditions of approval as listed on page 5 of the Planner's report. The Planner explained that the reduced side yard request would be warranted based on the irregular shape of the lot, the fact that it would not encroach on any known easements, no trees would be impacted, and the request does not conflict with the CUP approval criteria. He offered to respond to questions.

Chair Hendrickson asked if there were any questions from the Commission and there was no response. He asked if there were any comments from the audience.

Claire Noble, 2130 Charlton Road, thanked staff for a great job in presenting the request. She explained that the neighbors would not be able to see the addition due to the dense vegetation and that they saw the plans and had no objections.

Chair Hendrickson asked if there were any further comments from the public and, hearing no response, closed the public hearing. He asked if there were any further questions or comments from the Commission and there was no response.

Commissioner Driano moved to recommend approval of the Conditional Use Permit request for property located at 2130 Charlton Road, Claire and Steve Noble, based on the Findings of Fact and the conditions as listed in the Planner's report dated July 8, 2020, seconded by Chair Hendrickson and carried. (4-0)

5. PUBLIC HEARING: A. Major Site and Building Plan Review, Variance, and Conditional Use Permit, 2400 Delaware Avenue, Tom Flint, Alexander Design Group: Chair Hendrickson opened the Public Hearing to discuss the application for a Major Site and Building Plan Review, Variance and Conditional Use Permit (CUP) for property located at 2400 Delaware Avenue. He asked the Planner to present his report.

Planner Krzos referred to his report dated July 8, 2020 and explained that the proposed project includes the demolition of a portion of the existing residence and construction of the addition over an expanded basement. He stated that the above-grade portions of the addition would comply with the 50-ft rear setback, however, the basement is proposed to encroach to a distance of 17-feet from the rear property line. The applicant is requesting a Variance to reduce the rear setback from 50 ft. to 17 feet. Staff determined that since the improvements are underground, the applicant is not able to apply for a Conditional Use Permit for a reduced rear yard setback, since yards are defined in the ordinance as area of the site from the ground upward.

The Planner stated that building additions over 1,000 sq. ft. require a Major Site and Building Plan Review, and accessory building construction requires a Conditional Use Permit and a Major Site and Building Plan review and a CUP is required for more than once accessory structures on the site. He further advised that Variance is required for the rear yard setback.

Planner Krzos explained that the subject site is zoned R-1 Single Family Residential and the proposed partial demolition and building addition would be on the southern portion of the residence. He stated the proposed detached garage would be located north of the existing residence. He explained the basement addition would be for construction of a sports court. He noted the proposed building addition would match the architecture and building materials on the existing structure. He commented that the building exterior materials are consistent with surrounding residential properties and are allowed in the Zoning Ordinance.

The Planner stated that the project includes removal of six (6) trees in the area of the proposed building and garage. The City Forester reviewed the proposed Landscape Plan and tree inventory and recommends replaced of trees removed on a one-to-one basis. He noted that the CUP criteria was reviewed and staff found no negative impacts on neighboring properties, and no visual impacts since the sport court would be located underground.

Staff determined that the CUP process to reduce the rear yard setback would only apply to above-ground additions, therefore, a Variance request would be the appropriate approach for the request.

Planner Krzos explained that staff supports the Variance request with the hardship factor relating to the fact that the lot is not square, but angular in the location of the addition; if the lot were square, there would be no issue with the setback. He further noted that the original site designed and lot configuration was done by the previous owner of the property.

The Planner reviewed the criteria for approval of the CUP for the proposed garage accessory structure and stated that this portion of the property is not very visible to adjacent properties due to the topography and vegetation which screens it from view. He further advised that the proposed detached garage would not have negative impacts on surrounding property values, that the building is compatible with the main structure and its function is related to the principal use. He noted that no home occupation is proposed for the structure and that all other CUP criteria are met with the application.

Planner Krzos also reviewed the criteria for the Major Site and Building Plan review as shown on page 8 of his report and stated that the application was in compliance with the criteria and that the request is compatible with and provides no negative impacts to surrounding properties.

Staff recommends approval of all the requests, subject to the Findings of Fact and the conditions as listed in his report dated July 8, 2020,

The Planner suggested that an additional item "d" be included under No 5 in the Findings of Fact attached to his report, as listed below:

5. Upon review of the planning report and application information, the Planning Commission found that the site plan request and proposed conditional use meet Ordinance requirements. The following findings support the Planning Commission's recommendation for approval:

d. The proposed second accessory structure complies with the standards of approval for accessory building conditional use requests.

Planner Krzos reviewed the conditions of approval and noted that the condition relating to tree replacement includes language that the trees be of an appropriate size to meet the ordinance requirements.

Chair Hendrickson asked if there were any comments or questions from the public.

Applicant Thomas Flint, Alexander Design Group, thanked the Planner and stated that staff did a great job reviewing the request.

Clerk Iago noted that one of the neighbors had submitted a letter in support of the project.

Planner Krzos referred Commission to a letter from the Votel's, 2140 Delaware Avenue, stating they had no objections to the request.

Joe Maurer, property owner, thanked the Planner for a great job and explained that he had met with the neighbors to review the proposed application to make them aware of the request and to respond to their questions.

Chair Hendrickson commented that although the variance impedes into the rear yard setback, there is no visual impact since that portion of the addition is underground. He noted that this the first request of this nature that the Commission had reviewed.

Commissioner Beckett agreed there are no visual impacts with the addition, however, she questioned if there may be other types of issues with the addition being located underground.

Chair Hendrickson stated that at this time he was not aware of any other issues that may arise.

Chair Hendrickson asked if there were any further comments or questions and, hearing none, closed the public hearing. He asked if there were any further questions from the Commission and there was no response.

Commissioner Nelson moved to recommend approval of the Major Site and Building Plan Review, the Variance and Conditional Use Permit, based on the Findings of Fact with the additional language under Number 5(d) in the Findings of Fact and subject to the conditions as listed in the Planner's report dated July 8, 2020, seconded by Commissioner Driano and carried. (4-0)

OTHER/NEW BUSINESS: Chair Hendrickson asked if there would be a meeting scheduled for next month.

Planner Krzos explained that he had received an application from South Side Baptist Church relating to installation of a Dynamic Sign.

Commissioner Driano asked if that was the only signage application received so far.

Planner Krzos responded yes and explained that the request includes a variance from the required 50 ft. setback and advised that the request is to move the new sign closer to road for visibility and to allow more space in the parking area for snow storage in the winter months.

Chair Hendrickson advised that he had received a call from realtor Dick Braun regarding the proposed sale of the Bancroft property. He noted that Mr. Braun wished to discuss installation of a private road versus a public road if the site were to be developed. He discussed the issues that arose several years ago when Grieve Glen Lane was proposed to be constructed as a private road and, if not maintained by the neighbors who used, then it could be abandoned and turned over to the City with the repairs now the City's responsibility. The City, at that time was opposed to private roads because of this, so it was not allowed. He also noted that when Nancy's Pine Meadow was developed, the City required the main portion of the road to be constructed to City standards and that the driveways to the single-family homes could be constructed to private road standards. He pointed out that there can be different standards for construction of private roads versus City roads and that if no homeowner's association is formed, the roads may not be well maintained. He stated that Mr. Braun asked if the City would be more amenable if the development included a homeowner's association with maintenance regulations and he told Mr. Braun that he was unsure as to support of a private road. He concluded by stating that Commissioners may be contacted for their opinions, however, no formal submission had been made at this time.

Commissioner Beckett stated she was also contacted and advised Mr. Braun that she could not respond to his questions without first doing some "homework" on the matter and that she would look forward to reviewing a plan.

Commissioner Driano explained that Mr. Braun indicated there would be seven (7) lots in the proposed development and that he would be contacting the Commissioners and Councilmembers to discuss the proposal. He indicated that as Mr. Braun's neighbor, he would advise him that the Commission and Council would evaluate a proposal based on its merits.

Planner Krzos explained that he discussed a number of concerns with Mr. Braun relating to City Ordinance requirements relating to roadway installations for developments. He commented that it appears the discussion is proceeding fast without obtaining control of the property or vetting the ordinances.

Commissioner Driano questioned if there had been any construction on the vacant lot on Salem Church Road.

Commissioner Beckett explained that it was her understanding the property had been sold.

Planner Krzos stated that he had received phone calls relating to the property, but no applications had been submitted.

Chair Hendrickson asked if there was any further business and there was no response.

ADJOURN:

Chair Hendrickson moved to adjourn the meeting at 7:37 p.m., seconded by Commissioner Driano and carried. (4-0)

Respectfully submitted,

Catherine Iago, City Clerk

Planning Memorandum

To: Sunfish Lake Mayor and City Council

From: Ryan Krzos, AICP, City Planner

Date: July 29, 2020
City Council Meeting August 4, 2020

Re: 2130 Charlton Road – Side Yard Reduction CUP
WSB Project No. 16313-000

GENERAL INFORMATION

Applicant/
Property Owner: Steve and Claire Noble

Project Location: 2130 Charlton Road, PID# 38-13300-01-010

Existing Land Use /
Zoning: Residential; Zoned Single-Family Residential District, R-1 with
Shoreland Overlay

Surrounding Land
Use Zoning

North:	Residential; Zoned Single-Family Residential District, R-1
East:	Residential; Zoned Single-Family Residential District, R-1 with Shoreland Overlay
South:	Residential; Zoned Single-Family Residential District, R-1 with Shoreland Overlay
West:	Residential; Zoned Single-Family Residential District, R-1 with Shoreland Overlay

Comprehensive Plan: The City of Sunfish Lake (2008) Comprehensive Plan guides this property for Rural Residential land use.

Deadline for Agency
Action:

Application Date:	06-08-2020
60 Days:	08-07-2020
Extension Letter Mailed:	N/A
120 Days:	10-06-2020

CONSIDERATIONS RELATED TO THE REQUEST

1. Overview.

Steve and Claire Noble have applied for a conditional use permit (CUP) to reduce the required side yard for the property located at 2130 Charlton Road. The request would reduce the west side yard from 50 feet to 28 feet to facilitate a covered porch addition to the existing single-family residence.

Conditional use requests require a public hearing, and review and recommendation by the Planning Commission, followed by review and consideration by the City Council. The Planning Commission reviewed the request and conducted a public hearing at their July 15th

meeting. The Planning Commission approved a motion on a 4-0 vote recommending approval of the request subject to the findings of fact and conditions of approval noted in the Planning memorandum dated July 8, 2020. Those findings of fact and conditions are reflected in the recommendation section provided in this memorandum. Planning Commission Meeting minutes from July 15th are included as an attachment to the August Planner's Report

2. General Zoning Review

The applicants are proposing a porch addition to the south side of the existing residence which would extent to 28 feet from the property line. This area of the site currently contains an attached deck. The existing residential structure encroaches on the required side yard in this area of the site. At its closest, the existing structure is 27.3 feet from the west property line. The residence was built prior to the adoption of the current Zoning Ordinance so this encroachment is considered a legal non-conformity. Expansions to legal non-conforming structures are allowed provided said expansion complies with all Zoning requirements including required side yards. The Zoning Ordinance provides the ability to reduce the required side or rear yards by Conditional Use Permit provided the following conditions are met:

1. The reduction of side yard requirement is based upon a specific need or circumstance which is unique to the property in question and which, if approved, will not set a precedent which is contrary to the intent of this Ordinance.
2. Property line drainage and utility easements as required by the City's Subdivision Ordinance are provided and no building will occur upon this reserved space.
3. The reduction will work toward the preservation of trees or unique physical features of the lot or area.
4. If affecting a north lot line, the reduction will not restrict sun access from the abutting lots.
5. The reduction will not obstruct traffic visibility, cause a public safety problem and complies with Section 1216.05 of this Ordinance.
6. The conditions of Section 1204.02.F of this Ordinance are considered and satisfactorily met.

The reduced side yard would allow an addition to the irregularly-shaped lot where an existing residential structure encroaches – a circumstance unique to the subject property. The reduced yard will not encroach on any known easements. No trees would be impacted by the proposed improvements enabled by the reduced side yard. The impacted property line is not a northern boundary of the site, and the addition enabled by the request would not impact sun access for abutting properties. The reduced yard will not allow for improvements that restrict traffic vision or create public safety concerns.

The building addition is being reviewed as a minor site and building plan review since it is less than 1,000 square feet in total area. Minor site and building projects do not require Planning Commission or City Council approval, only verification by City staff that the proposed project is in compliance with the requirements of the Zoning Ordinance. That review is pending the Planning Commission review and City Council decision on the requested Conditional Use Permit for a reduced side yard.

3. Ordinance Authority

SECTION 1204.02 CONDITIONAL USE PERMIT PROCEDURES: provides the process for review of a conditional use permit which requires public notice and notification, a public hearing, and review and recommendation by the Planning Commission, followed by review and consideration by the City Council.

SECTION 1241.06(B)(2)(b) LOT AREA AND SETBACK REQUIREMENTS: establishes a 50-foot interior side yard requirement in the R-1 Zoning District

SECTION 1219.04(B) YARDS: provides the standards for reduced required side or rear yards. A required yard on a lot may be reduced by a conditional use permit if the following conditions are met:

1. The reduction of setback requirements is based upon a specific need or circumstance which is unique to the property in question and which, if approved, will not set a precedent which is contrary to the intent of this Ordinance.
2. Property line drainage and utility easements as required by the City's Subdivision Ordinance are provided and no building will occur upon this reserved space.
3. The reduction will work toward the preservation of trees or unique physical features of the lot or area.
4. If affecting a north lot line, the reduction will not restrict sun access from the abutting lots.
5. The reduction will not obstruct traffic visibility, cause a public safety problem and complies with Section 1216.05 of this Ordinance.
6. The conditions of Section 1204.02.F of this Ordinance are considered and satisfactorily met.

4. Conditional Use Criteria

The Planning Commission, as its basis of recommendation, and the City Council, as its basis for decision on conditional use permits, shall evaluate the effects of the proposed conditional use. This review shall include, but is not limited to the following, with staff's comments provided in *italics*:

1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.

The Comprehensive Plan guides the site for Rural Residential land use. The proposed reduce side yard would facilitate a covered porch addition to an existing single-family detached dwelling.

2. The proposed use's compatibility with present and future uses of the area.

Surrounding properties are developed with detached single-family residences, which are guided to remain rural residential.

3. The proposed use's conformity with all performance standards contained herein.

The proposed addition enabled by the reduced setback does not appear to conflict with the applicable performance standards contained in the Zoning Ordinance including provisions related to noise, refuse, and light.

4. The proposed use's effect on the area in which it is proposed.

The visual impact of the building addition enabled by the reduced yard is minimize by the existing vegetation along the western property line. Images of this screening are included in the applicant's materials. Staff is recommending a condition of approval that this vegetation be maintained.

Additionally, the character of the building addition enabled by the reduced setback is consistent with surrounding residential uses and would not extend further than the existing encroachment of the residence.

5. The proposed use's impact upon property values in the area in which it is developed.

The use is not anticipated to have negative impacts on surrounding property values. The building addition enabled by the reduced side yard is adequately screened from adjoining properties.

6. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.

The proposed reduced side yard and resulting building addition will not generate traffic in excess of the capability of the public and private roadways serving the site.

7. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

The proposed reduced side yard and resulting building addition will not appreciably increase demand on City utilities or services.

Additional Shoreland Overlay evaluation criteria: A thorough evaluation of the water body and the topographic, vegetation, and soils conditions on the site shall be made to ensure:

1. The prevention of soil erosion or other possible pollution of public waters, both during and after construction.

The City Engineer has reviewed the building addition plans and is recommending approval.

2. The visibility of structures and other facilities as viewed from public waters is limited.

Sunfish Lake is the water body serving as the basis for the shoreland overlay district. The subject site and structures are not visible from the lake.

3. The site is adequate for water supply and on-site sewage treatment.

The site is served by an existing well and septic system. Reducing the side yard to enable the building addition will not impact these facilities.

4. The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.

The subject site does not have lake frontage along Sunfish Lake, the water body which serves as the basis for the shoreland overlay district.

RECOMMENDATION

Based on the foregoing considerations and applicable ordinances, staff and the Planning Commission recommend conditional approval of the conditional use permit subject to the following findings of fact and conditions of approval as provided in the Planning Memorandum dated July 8, 2020:

Findings of Fact:

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

2130 CHARLTON ROAD
SUNFISH LAKE, MN 55118

2. The planning report dated July 8, 2020 prepared by WSB is incorporated herein by reference.
3. Requests for conditional use permits require Planning Commission review and City Council approval.
4. The Sunfish Lake Planning Commission reviewed the applicant's request for a conditional use permit approval at the July 15, 2020 Planning Commission meeting.
5. Upon review of the planning report and application information, the Planning Commission found that the proposed conditional use meets Ordinance requirements. The following findings support the Planning Commission's recommendation for approval:
 - a. The reduced side yard would allow an addition to the irregularly-shaped lot where an existing residential structure encroaches into the side yard.
 - b. The reduced yard will not encroach on any known easements.
 - c. No trees would be impacted by the proposed improvements enabled by the reduced side yard.
 - d. The impacted property line is not a northern boundary of the site, and the addition enabled by the request with not impact sun access for abutting properties.
 - e. The reduced yard will not allow for improvements that restrict traffic vision or create public safety concerns.
 - f. The request does not conflict with the conditional use permit approval criteria.

Conditions of Approval:

1. Vegetation along the western side lot line shall be maintained to provide screening of the porch as viewed from abutting property to the west.
2. The applicant must obtain all other permits as may be required.
3. The applicant shall comply with all applicable federal, state, and local laws, rules and ordinances.
4. The applicant must adhere to and remain in compliance with the requirements of this Resolution, applicable performance standards, and such other requirements as may apply.
5. All conditions of must be complied with, shall run with the land, and shall not in any way be affected by the subsequent sale, lease or other change from current ownership of the Property.
6. This Resolution is subject to the condition that all representations, written and oral, made by the Applicant and its agents and representatives to the City contained in and concerning the Applicant's application have been true, complete and accurate at the time they were made, and that they remain true and accurate for the duration of the development.
7. By undertaking the activities approved by the requests, the applicant agrees to all conditions.

Subject Site



Vicinity of Proposed Improvements



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

RESOLUTION NO. 20-XX

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR THE PROPERTY
LOCATED AT 2130 CHARLTON ROAD, SUNFISH LAKE, DAKOTA COUNTY,
MINNESOTA.**

WHEREAS, Steve and Claire Noble, submitted an application for a conditional use permit to reduce the required side yard to facilitate construction of a covered porch at the property located at 2130 Charlton Road, legally described as:

Lot 1, Block 1, Baird Estates, Dakota County, Minnesota

With PID 38.13300.01.010; and

WHEREAS, City staff reviewed the application and outlined their review comments in a planning report dated July 8, 2020 prepared by WSB; and

WHEREAS, the Sunfish Lake Planning Commission held a public hearing at their July 15, 2020 meeting and reviewed conditional use permit application, along with the referenced staff report; 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 the conditional use permit on a vote of 4-0; and

WHEREAS, the following findings support the Planning Commission recommendation for approval:

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

2130 CHARLTON ROAD
SUNFISH LAKE, MN 55118
2. The planning report dated July 8, 2020 prepared by WSB is incorporated herein by reference.
3. Requests for conditional use permits require Planning Commission review and City Council approval.
4. The Sunfish Lake Planning Commission reviewed the applicant's request for conditional use permit approval for a reduced side yard at the July 15, 2020 Planning Commission meeting.

5. Upon review of the planning report and application information, the Planning Commission found that the proposed conditional use meets Ordinance requirements. The following findings support the Planning Commission's recommendation for approval:
 - a. The reduced side yard would allow an addition to the irregularly-shaped lot where an existing residential structure encroaches. This circumstance is not common among properties in the City.
 - b. The reduced yard will not encroach on any known easements.
 - c. No trees would be impacted by the proposed improvements enabled by the reduced side yard.
 - d. The impacted property line is not a northern boundary of the site, and the addition enabled by the request will not impact sun access for abutting properties.
 - e. The reduced yard will not allow for improvements that restrict traffic vision or create public safety concerns.
 - f. The request does not conflict with the conditional use permit approval criteria.

WHEREAS, the Sunfish Lake City Council considered the application for the conditional use permit at their meeting on August 4, 2020 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 conditional use permit request for a reduced required yard at 2130 Charlton Road with the following conditions:

1. Vegetation along the western side lot line shall be maintained to provide screening of the porch as viewed from abutting property to the west.
2. The applicant must obtain all other permits as may be required.
3. The applicant shall comply with all applicable federal, state, and local laws, rules and ordinances.
4. The applicant must adhere to and remain in compliance with the requirements of this Resolution, applicable performance standards, and such other requirements as may apply.
5. All conditions of the site plan review must be complied with, shall run with the land, and shall not in any way be affected by the subsequent sale, lease or other change from current ownership of the Property.
6. This Resolution is subject to the condition that all representations, written and oral, made by the Applicant and its agents and representatives to the City contained in and concerning the Applicant's application for the site plan review must have been true, complete and accurate at the time they were made, and that they remain true and accurate for the duration of the development.
7. By undertaking the activities approved by the request, the applicant agrees to all conditions.

This resolution is adopted by the City Council of the City of Sunfish Lake this 4th day of August 2020.

Dan O'Leary, Mayor

Attest:

Catherine Iago, City Clerk

June 8, 2020

Dear Members of the Sunfish Lake Planning Commission and City Council:

We are writing to request consideration for a Conditional Use Permit (CPU) and Minor Site review for a proposed screen porch project at our home, located at 2130 Charlton Road in Sunfish Lake.

We are requesting a CPU in order to expand a small portion of our existing deck approximately 10 feet further out into our yard, and enclose it with screened walls, a fireplace, and a roof. The entire enclosed space will be approximately 300 square feet, and will connect to our existing home. The finishes will be of such architectural character as to add to the property value of our home. The construction is being done with Southview Landscape and Design.

Upon submission of our plans to City Planner Krzos, we learned that a CPU would be required, due to the prior existing encroachment of our deck within the 50 foot property line setback, which existed when we bought our home 7 years ago. We have consulted with our next-door neighbors, Hoyt and Kitzie Nye (2140 Charlton Road), and showed them the staked out footprint of our proposed porch, and they have assured us that they have no objection to our plans. Despite the close proximity to the property line, our properties are divided by a heavy canopy of brush and natural screening, and the porch would be nearly invisible to their home. Our proposed porch is also significantly set back from the Nyes' primary residence. The Nyes have written a letter to Planner Krzos letting him know that they have no objections to our plans.

Although we are hoping to have a nice outdoor space to enjoy the Minnesota seasons, one of the primary reasons we are seeking this screen porch is because one of our three children has a severe reactionary allergy to mosquitoes, which compromises her ability to enjoy the outdoors safely. Mosquitoes seem to be drawn to our daughter more than normal, and when she is bitten, her skin swells up in giant welts that are uncomfortable, itchy, and often painful. If she is bitten on her face anywhere near her eyes, they often swell almost to the point of swelling shut. It is not practicable or healthy to coat our daughter in toxic bug spray anytime she wishes to step into the backyard just to read or to enjoy a meal.

Screen porches are a common feature found in Minnesota, as are mosquitoes. We hope that the lack of impact to any surrounding neighbor properties, the added value to our home, and the improvement to our daughter's quality of life and health go

toward demonstrating the necessity of issuing the CPU and allowing us to move forward with the porch.

We have already met with Planner Krzos and Assistant City Engineer Brandon Movall on site at our home to address some of their questions about the construction and the setback. We feel it was helpful for them to see the minor change in the footprint of our current deck, and the lack of impact or infringement to our neighbors' property. We hope they can help convey that information to the Planning Commission and the City Council. We are also enclosing some photos with this submission, which we feel may give a better visual of the porch's minimal impact on our yard, and on the property setback. Thank you for your consideration.

Sincerely,

Steve & Claire Noble
2130 Charlton Road, Sunfish Lake



2383 Pilot Knob Rd
Mendota Heights, MN 55120
Phone: 651-203-3000
Fax: 651-455-1734
SouthviewDesign.com

NO.	Date	Issue Notes

NO.	Date	Revision Notes

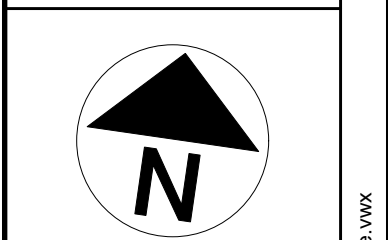
Claire and Steve Noble
Screen Porch Design
2130 Charlton Rd
Sunfish Lake, MN 55118

Designer: **Meg Arnosti**
Design Associate: **Scott Herbst**

Print Date: 5/12/2020

This drawing contains
proprietary information which
belongs to Southview Design
Inc. Any unauthorized
duplication or use is strictly
prohibited.

Released By: _____
Date Released: ____/____/____



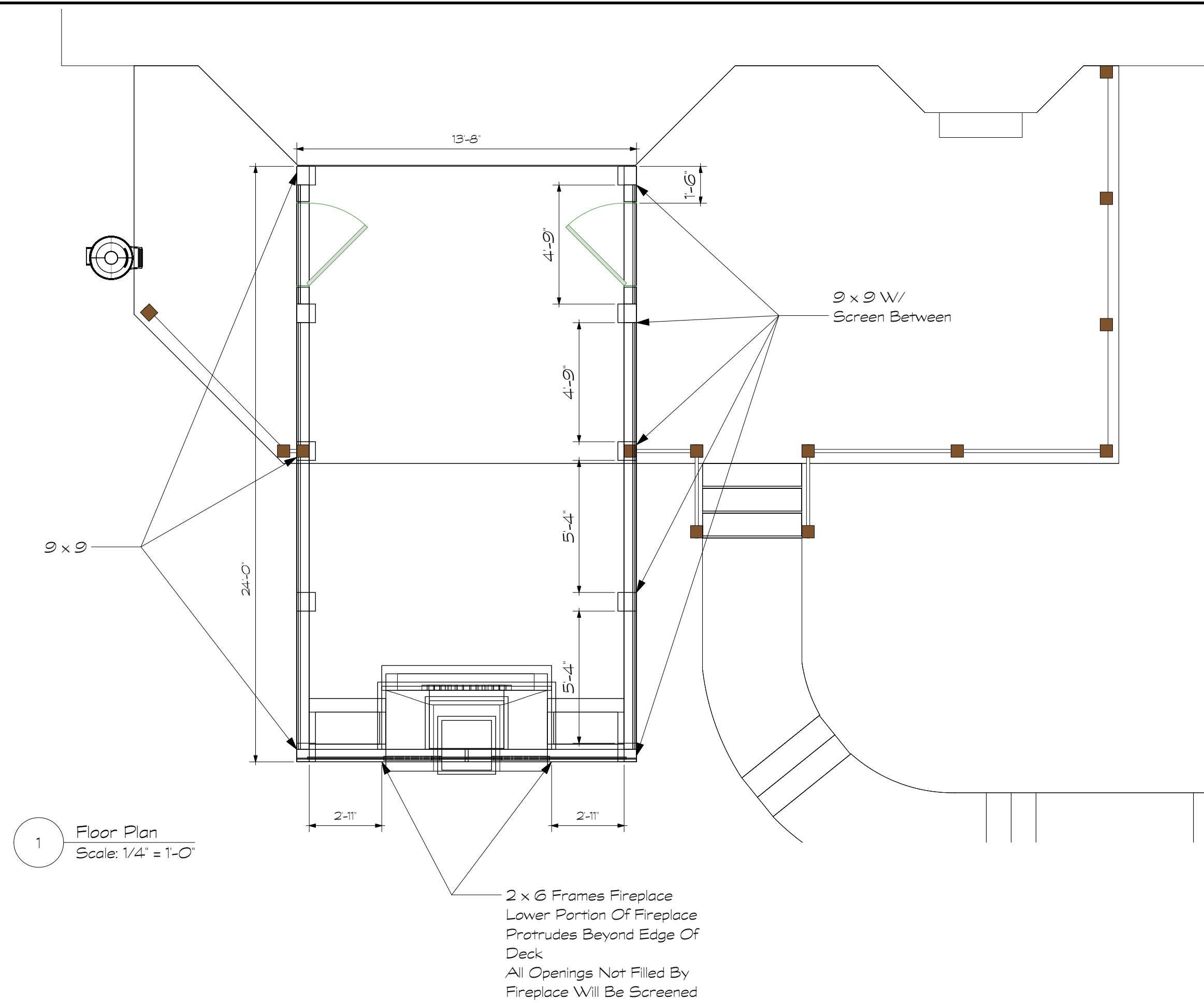
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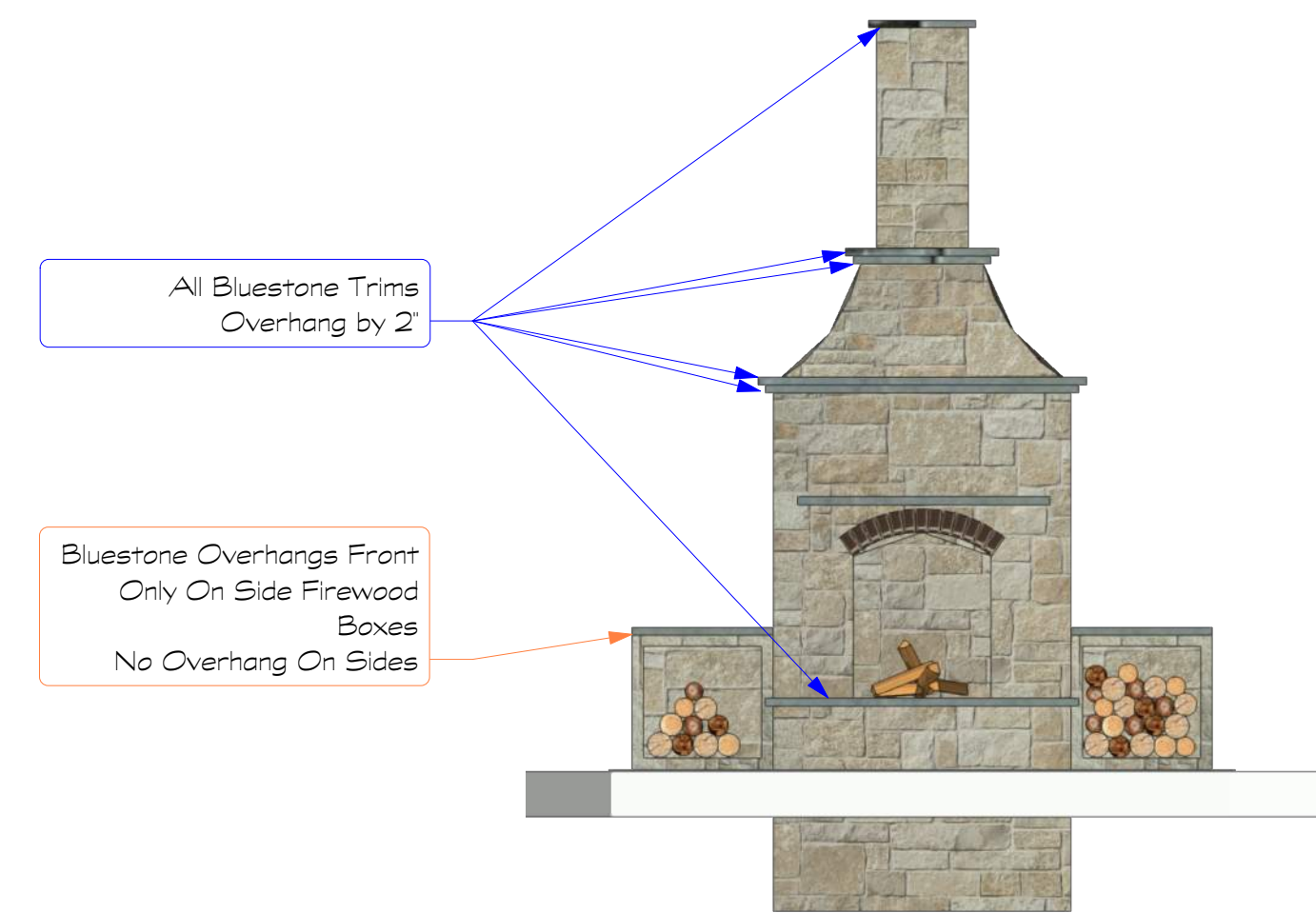
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File Name: 2020_03_02_Noble.vsw

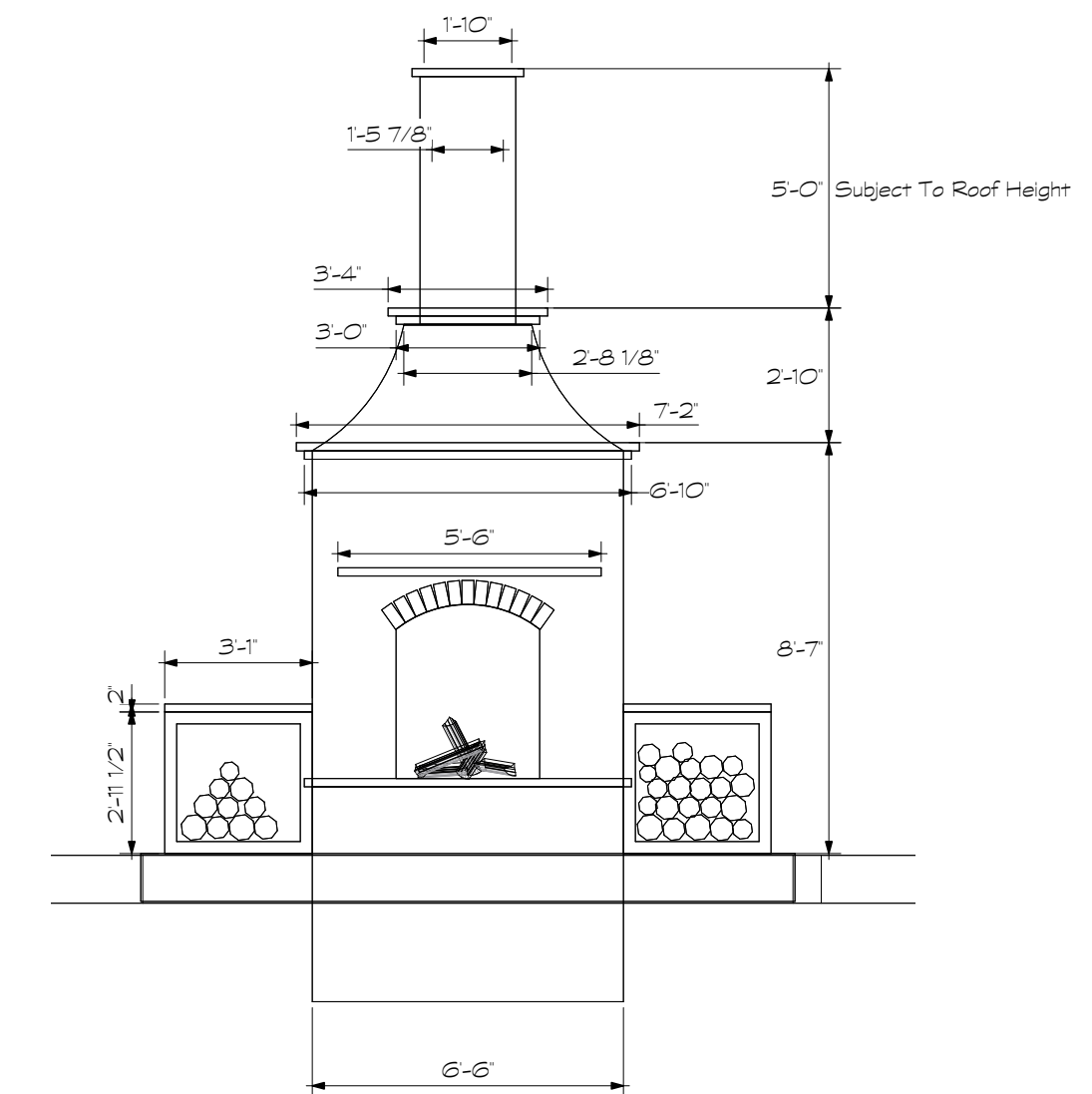
Sheet
2 of 6



1 Floor Plan
Scale: 1/4" = 1'-0"



5 Fireplace
Scale: 1/4" = 1'-0"



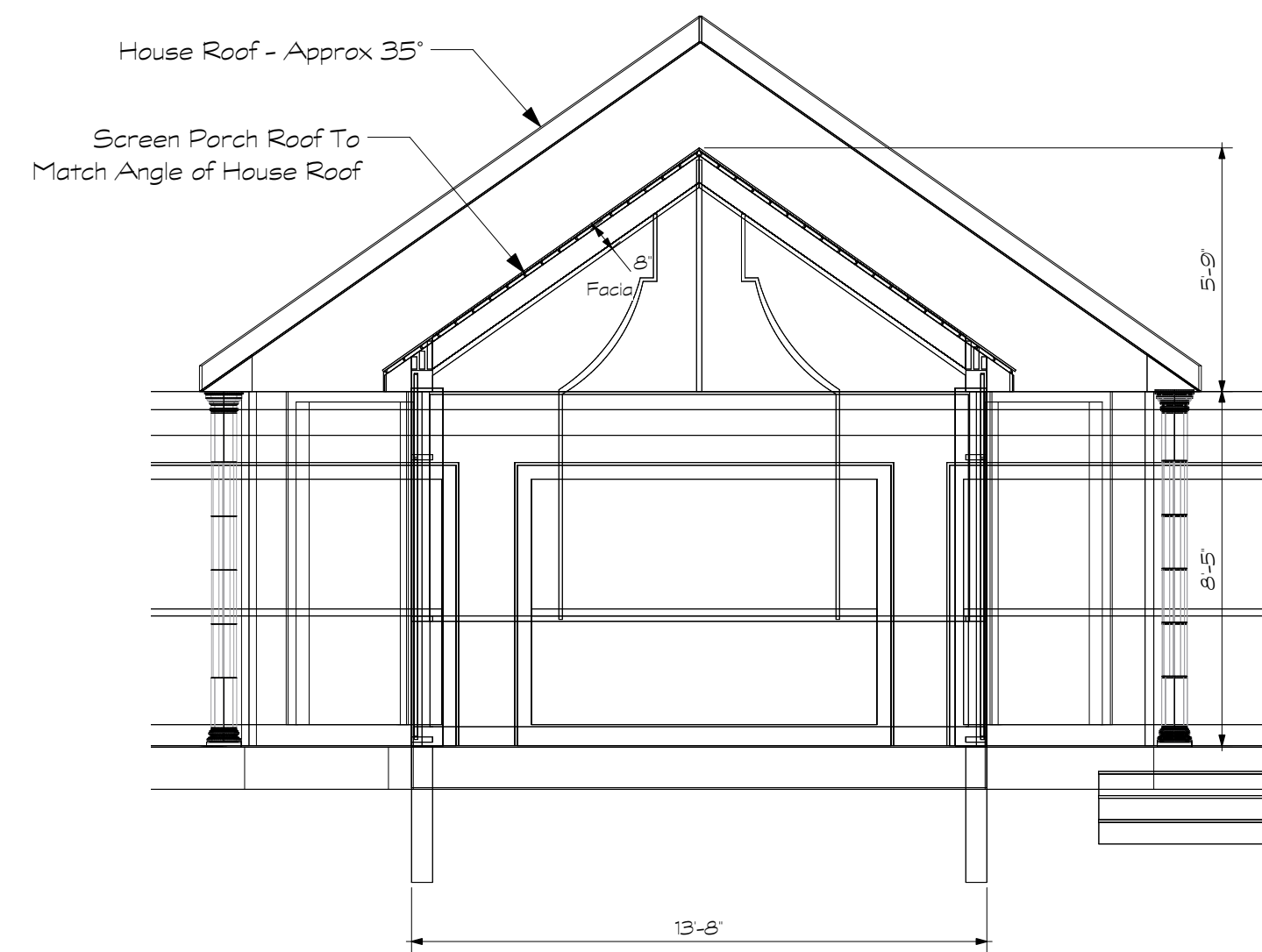
6 Fireplace Dimensions
Scale: 1/4" = 1'-0"



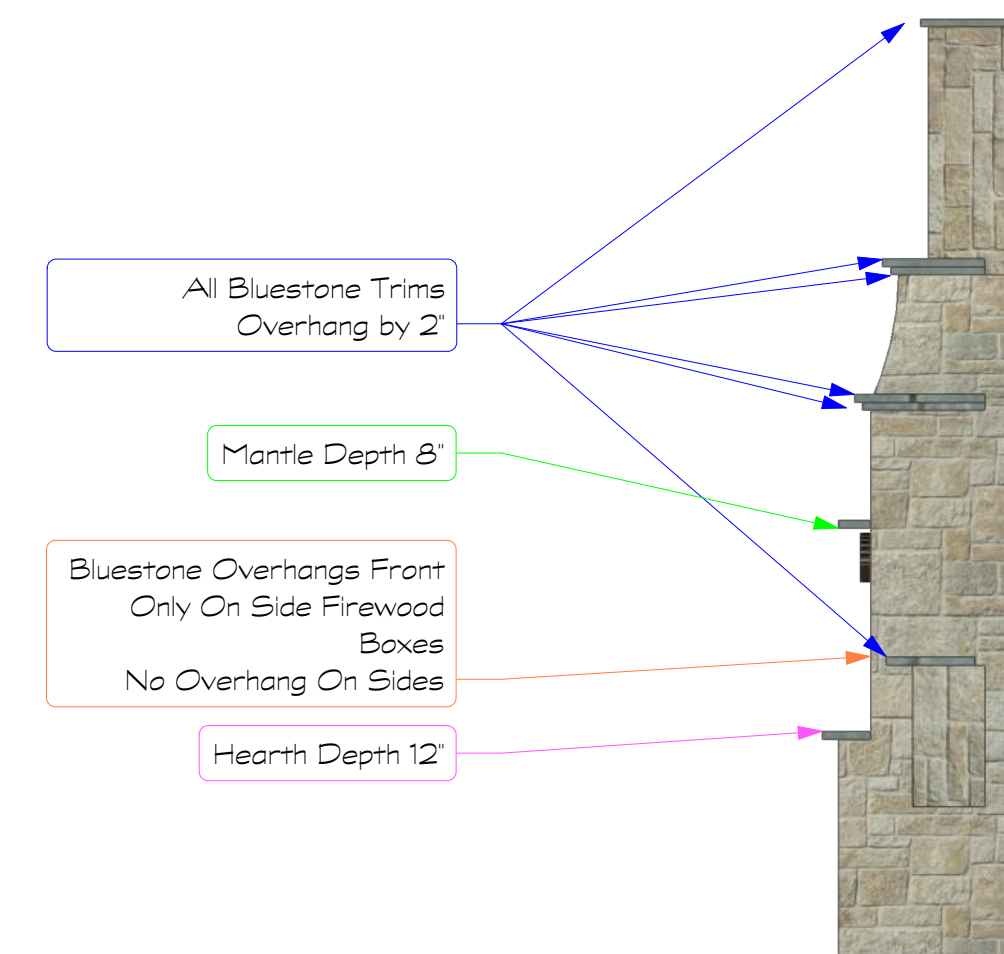
2 South Facing Elevation
Scale: 1/4" = 1'-0"



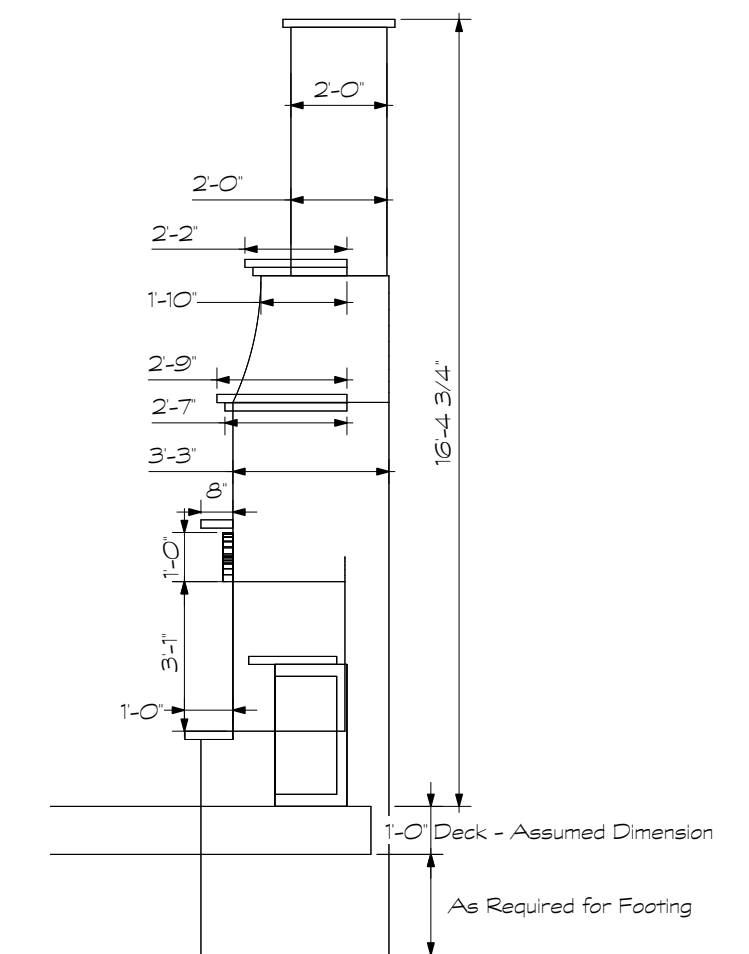
3 North Facing Elevation
Scale: 1/4" = 1'-0"



4 Elevation Dimension
Scale: 1/4" = 1'-0"



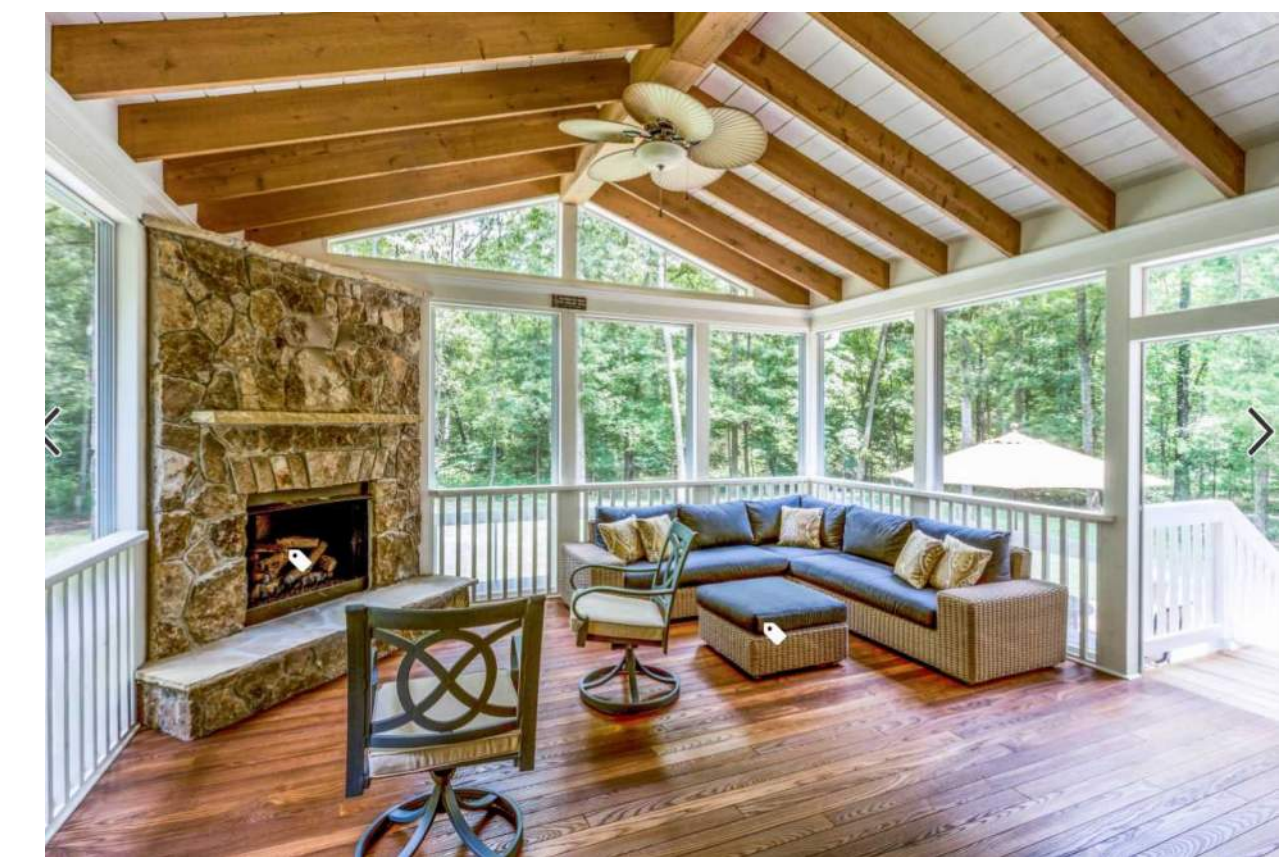
7 Fireplace Side
Scale: 1/4" = 1'-0"



8 Fireplace Side Dimensions
Scale: 1/4" = 1'-0"



EXISTING HOUSE



INSPIRATION

NOTE: All Dimensions For Bidding Purposes Only.
Awarded Sub Contractors to Confirm Dimensions and Building Methods Onsite and In Consultation With Southview Design



1 Top View
Scale: 1/4" = 1'-0"



2 Scale: 1/4" = 1'-0"



3 Scale: 1/4" = 1'-0"



2383 Pilot Knob Rd
Mendota Heights, MN 55120
Phone: 651-203-3000
Fax: 651-455-1734
SouthviewDesign.com

NO.	Date	Issue Notes

NO.	Date	Revision Notes

Claire and Steve Noble
Perspective Views
2130 Charlton Rd
Sunfish Lake, MN 55118

Designer: Meg Arnosti
Design Associate: Scott Herbst

Print Date: 5/12/2020

This drawing contains
proprietary information which
belongs to Southview Design
Inc. Any unauthorized
duplication or use is strictly
prohibited.

Released By: _____
Date Released: ____/____/____

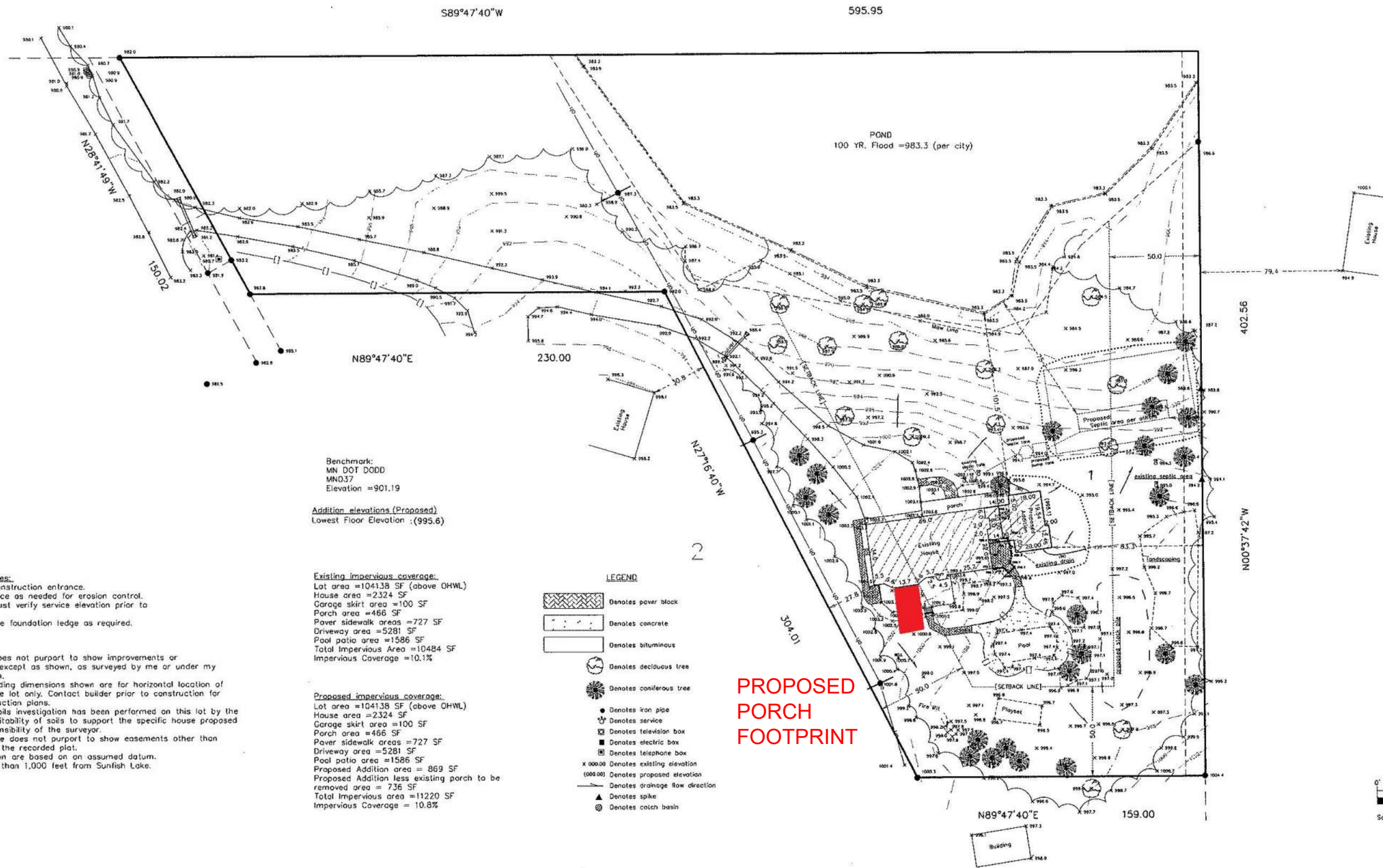
Scale:
1/4" = 1'

Project Name: _____

Job #: _____

Sheet
3 of 6

File Name: 2020_05_02_Noble.vwx



We hereby certify to Steve and Claire Noble that this survey, plan or report was prepared by me or under my direct supervision, and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota, dated 07/25/17.

Signed: Pioneer Engineering, P.A.

BY: Peter J. Hawkinson, Professional Land Surveyor
Minnesota License No. 42299
email-phawkinson@pioneereng.com

Revisions:
1.)

Certificate of Survey for:
Steve and Claire Noble
2130 Churton Road
Sunfish Lake, MN 55118
(612) 316-1433

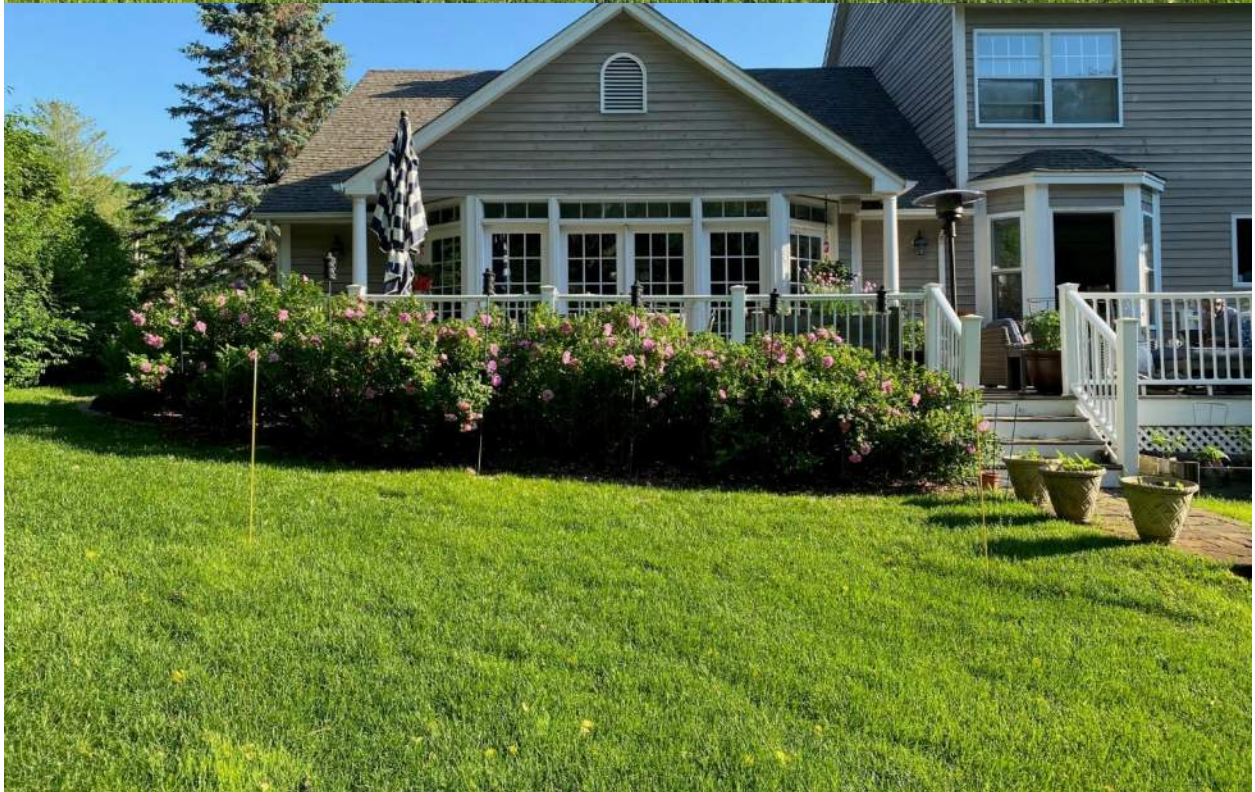
Lot 1, Block 1,
BAIRD ESTATES
according to the recorded plat thereof
Dakota County, Minnesota
Address: 2130 Churton Road, Sunfish Lake, Minnesota
House Construction
Buyer: Noble

PIONEER Engineering, P.A.
2422 Bourgeois Drive
Minnetonka, MN 55305
Ph: (612) 481-1914
Fax: (612) 481-9488
www.pioneereng.com

Drawn by: MHW

Folder # 8716

Project #: 17196000





Ryan Krzos

From: Kitzie Nye <kitzienye@comcast.net>
Sent: Saturday, June 6, 2020 1:59 PM
To: Ryan Krzos
Cc: Claire Noble; Steve Noble
Subject: Project/2130 Charlton Road

Mr. Krzos,

We are writing in support of the proposed addition for 2130 Charlton Road. As next door neighbors to Claire and Steve Noble, we are not concerned that their project will be detrimental to the value of our home at 2140 Charlton Road. Furthermore, we understand their desire to add on a screened-in-porch as this is the best way to enjoy summer evenings, free from disease-carrying mosquitoes - something that is particularly important for families with young, vulnerable, children.

Please feel free to contact us if you have any questions regarding this letter, or if there remain unaddressed project concerns that pertain to us which we have not addressed.

Thank you.

Sincerely,

Kitzie and Hoyt Nye
2140 Charlton Road
Sunfish Lake, MN 55118
#651-503-3021

Planning Memorandum

To: Sunfish Lake Mayor and City Council

From: Ryan Krzos, AICP, City Planner

Date: July 29, 2020
City Council Meeting August 4, 2020

Re: 2400 Delaware Avenue – Major Site Plan Review, Rear Setback Variance and CUP
WSB Project No. 16312-000

GENERAL INFORMATION

Applicant: Tom Flint, Alexander Design Group

Property Owner: MABM LLC

Project Location: 2400 Delaware Avenue, PID# 38-13601-01-010

Existing Land Use / Zoning: Residential; Zoned Single-Family Residential District, R-1

Surrounding Land Use Zoning

North:	Residential; Zoned Single-Family Residential District, R-1
East:	Residential; Zoned Single-Family Residential District, R-1
South:	Residential; Zoned Single-Family Residential District, R-1
West:	Residential; City of Mendota Heights

Comprehensive Plan: The City of Sunfish Lake (2008) Comprehensive Plan guides this property for Rural Residential land use.

Deadline for Agency Action:

Application Date:	06-08-2020
Additional Information Received:	06-26-2020
60 Days:	08-25-2020
Extension Letter Mailed:	N/A
120 Days:	10-24-2020

CONSIDERATIONS RELATED TO THE REQUEST

1. Overview.

Tom Flint, Alexander Design Group (the applicant), has applied for, on behalf of the property owner, requests for major site plan review, rear setback variance, and a conditional use permit to facilitate an addition to the existing single-family residence and construction of a second accessory structure on the property located at 2400 Delaware Avenue.

The proposed project includes the demolition of a portion of the existing residence, and construction of the addition over an expanded basement. The above grade portions of the addition would comply with the 50-foot rear setback; however, the basement is proposed to encroach to a distance of 17-feet from the rear property line. The applicant is requesting a

variance to reduce the rear setback from the required 50 feet to 17 feet. Staff made the interpretation that since the improvements are underground, the applicant is not able to apply for a Conditional Use permit for a reduced rear yard, since yards are defined by the ordinance as areas of the site from the ground upward.

Building additions in excess of 1,000 square feet in area require the review and approval of a major site and building plan. Additionally, accessory building construction requiring conditional use permit approval also requires review and approval of a major site and building plan. The conditional use permit is required as more than one accessory buildings.

Site and building plan review, and conditional use requests require a public hearing, and review and recommendation by the Planning Commission, followed by review and consideration by the City Council. Variance requests require review and recommendation by the Planning Commission, followed by City Council review and consideration.

The Planning Commission reviewed the requests and conducted a public hearing at their July 15th meeting. The Planning Commission approved a motion on a 4-0 vote recommending approval of the request subject to the findings of fact and conditions of approval noted in the Planning memorandum dated July 8, 2020. Those findings of fact and conditions are reflected in the recommendation section provided in this memorandum. Planning Commission Meeting minutes from July 15th are included as an attachment to the August Planner's Report

2. General Zoning Review

The subject site contains an existing residence located within the eastern portion of the subject property. The proposed partial demolition and building addition would be to the southern portion of the residence. The proposed detached garage would be north of the existing residence. Below is a summary table of the dimensional requirements for lots and structures in the R-1 District.

	R-1 Minimum Requirement	Proposed
Minimum Building Setback: Front	100 ft.	555 ft.
Minimum Building Setback: Side	50 ft.	North: 85 ft. (existing) South: 87 ft.
Minimum Building Setback: Rear	50 ft.	17 ft.*
Minimum Accessory Building Setback: Front	100 ft.	662 ft.
Minimum Accessory Building Setback: Side	25 ft.	North: 25 ft.
Minimum Accessory Building Setback: Rear	25 ft.	152 ft.
Maximum Building Height	30 feet or 2.5 Stories	In-line with existing height; two stories
Maximum Accessory Building Height	16 feet and one story	16'-0" 1 Story
Maximum Building Area	10% of lot area	3.1%

The proposed building addition is designed to match the architecture of the remaining structure. Exterior materials consist of brick and with light trim and asphalt roof shingles. These materials are consistent with the surrounding residential context and are allowed by the Zoning Ordinance.

The project includes the removal of six (6) trees in the area of the proposed building and garage. The City Forester has reviewed the proposed plans and tree inventory and recommends replacement of the removed trees on a one-to-one basis.

An area of vegetation to the south would provide screening of the structure for the residences located to the south. Additionally, existing plantings and topography would provide screening of the detached garage to the adjoining residence to the north.

3. Ordinance Authority

SECTION 1204.02 CONDITIONAL USE PERMIT PROCEDURES provides the process for review of a conditional use permit which requires public notice and notification, a public hearing, and review and recommendation by the Planning Commission, followed by review and consideration by the City Council.

SECTION 1208.03.B. MAJOR SITE PLAN APPROVAL PROCEDURES provides the process for review of a major site and building plan which requires public notice and notification, a public hearing, and review and recommendation by the Planning Commission, followed by review and consideration by the City Council.

SECTION 1206.02 VARIANCE PROCEDURES provides the process for review of a regular (non-minor) variance. Regular variance requests require review and recommendation by the Planning Commission, followed by City Council review. The Council may at its option conduct a public hearing on the request.

SECTION 1217.01.D. ACCESSORY BUILDINGS STRUCTURES, USE, AND EQUIPMENT FOR SINGLE FAMILY DETACHED USES states that no permit shall be issued for the construction of more than one accessory building and/or structure, except by conditional use permit.

SECTION 1241.06.B.3. R-1 DISTRICT LOT AREA AND SETBACK REQUIREMENTS establishes a rear setback of fifty (50) feet.

4. Variance Criteria

In considering all requests for a variance and in taking subsequent action, the Planning Commission and the Council shall make a finding of fact that the proposed action will not:

- a. Impair an adequate supply of light and air to adjacent property.

The proposed variance would facilitate the construction of an underground basement addition. Since the improvements within the setback area would be located underground resulting in slight changes to the grade; impairment of light and air on adjoining properties is not likely.

- b. Unreasonably increase the congestion in the public street.

The proposed improvements facilitated by the variance would not contribute additional traffic onto surrounding public streets.

- c. Have the effect of allowing any district uses prohibited therein, permit a lesser degree of flood protection than the flood protection elevation for the particular area, or permit standards which are lower than those required by State law.

The proposed variance would not allow for a use that is otherwise prohibited, nor will it allow a lesser degree of flood protection or state permit standards.

- d. Increase the danger of fire or endanger the public safety.

The improvements facilitated by the variance request would not increase fire or public safety risks.

- e. Unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of this Title.

The portions of the proposed building addition within the setback area would be underground, and therefore will not be visual impactful. As such, the request is not anticipated to negatively affect property values.

- f. Violate the intent and purpose of the Comprehensive Plan.

The subject site is guided for rural residential land use by the comprehensive plan. The requested variance would not allow for uses contrary to the Plan's guidance as the use would remain single-family residential and residential density would be unchanged.

- g. Violate any of the terms or conditions of Item 2, below.

See below.

Additionally, a variance from the terms of the Zoning Ordinance shall not be granted unless it can be demonstrated that:

- a. Practical difficulties will result if the variance is denied due to the existence of special conditions and circumstances which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same district.
 - (1) Special conditions may include exceptional topographic or water conditions or, in the case of an existing lot or parcel of record, narrowness, shallowness, insufficient area or shape of the property.
 - (2) Practical difficulties caused by the special conditions and circumstances may not be solely economic in nature, if a reasonable use of the property exists under the terms of this Title.
 - (3) Special conditions and circumstances causing practical difficulties shall not be a result of lot size or building location when the lot qualifies as a buildable parcel.

The applicant has noted that alternative locations for the proposed basement addition would create more visual impact due to topography. Additionally, this side of the residence previously did not have a basement making the proposed location the most practical area for the addition.

The subject lot becomes narrower within this area of the property. If the lot was square the rear setback would not be an issue.

- b. Compliance with the requirements of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance or deny the applicant the ability to put the property in question to a reasonable use and the proposed variance permits the owner to use the property in a reasonable manner.

The proposed use enabled by the variance request, the basement sport court, has been constructed within other properties in the City; therefore, it can be considered a reasonable use of the property.

- c. The special conditions and circumstances causing the practical difficulties do not result from the actions of the applicant.

The existing residential structure was not constructed by the present owner nor was the lot graded by the present owner. The lot boundaries were also not created by the present owner.

- d. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district under the same conditions.

The resulting variance would not be a special privilege denied to other property owners. The conditions are unique to the subject property.

- e. The request is not a use variance.

The variance request would not allow for a use of the property that is otherwise prohibited.

- f. The variance requested is the minimum variance necessary to accomplish the intended purpose of the applicant.

The extent of the encroachment is related to the applicant's intent to construct a functional underground sport court in the expanded basement. The applicant has stated that topography and the lack of an existing basement in the area make it the most logical and less visual impactful location.

- g. The request does not create an inconvenience to neighboring properties and uses.

The proposed setback encroachment would be located below ground. Therefore, no inconveniences to neighboring properties are likely to be generated.

- h. The variance requested is in harmony with the purpose and intent of the Ordinance.

The general purpose and intent of the Zoning Ordinance is to promote the general health, safety and welfare of the community. The proposed variance request and the resulting underground encroachment is not likely to diminish the health, safety, and welfare for residents of adjoining properties. Additionally, allowing the underground encroachment is consistent with the intent of the ordinance setback requirements to maintain visual separated yards between adjoining properties.

- i. The variance requested is consistent with the Comprehensive Plan.

The Comprehensive Plan guides the site for rural residential land uses. The single-family residential use will remain.

- j. The variance requested will not alter the essential character of the locality.

The encroachment that would be allowed through the variance would be underground, and therefore, would not be visually impactful. Accordingly, the essential character of the neighborhood would not be impacted.

5. Site Plan Review Criteria

The Planning Commission, as its basis of recommendation, and the City Council, as its basis for decision on major projects, shall evaluate the effects of the proposed site and building plans. This review shall include, but is not limited to the following, with staff's comments provided in *italics*:

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

The project proposes demolition of a portion of the existing residence and construction of an addition over an expanded basement as well as the construction of a detached garage. The architectural design and placement of the addition is compatible with existing structure as well as surrounding residences. Additionally, detached garages are not out of character with other residences in the City.

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

The heavily wooded and natural areas of the site will not be impacted by the building addition and detached garage.

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

The proposed building addition and detached garage will be finished with a brick façade and an asphalt roof. These materials are allowable by section 1219.03 of the Zoning Ordinance.

- 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.

The project is not expected to adversely impact any of the above noted natural resources. The impacted area is principally landscaped yard.

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

The proposed building addition ties into and matches the architecture of the existing residence. The proposed detached garage has an appearance that is consistent with the residence. Accordingly, the appearance of the improvements is not likely to have an adverse effect on adjacent properties.

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

The improvements were reviewed by the City Engineer. The project does not appear to conflict with requirements regarding drainage.

G. Whether the proposed site and improvements are consistent with the purposes of this Ordinance and the Property Owner Reference & Development Guide Manual, as established by City Council resolution.

With the exception of the rear setback, which is the subject of a requested variance, the proposed improvements comply with the general provisions of the R-1 District, and other applicable design and performance standards.

6. Conditional Use Criteria

The Planning Commission, as its basis of recommendation, and the City Council, as its basis for decision on conditional use permits, shall evaluate the effects of the proposed conditional use. This review shall include, but is not limited to the following, with staff's comments provided in *italics*:

1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.

The Comprehensive Plan guides the site for Rural Residential land use. The proposed detached garage would not conflict with the types of land uses envisioned by this future land use category.

2. The proposed use's compatibility with present and future uses of the area.

Surrounding properties are developed with similarly situated detached single-family residences, which are guided to remain rural residential. Detached garages are not incompatible with present and future use in the vicinity.

3. The proposed use's conformity with all performance standards contained herein.

The proposed detached garage does not appear to conflict with the applicable performance standards contained in the Zoning Ordinance including provisions related to noise, refuse, and light.

4. The proposed use's effect on the area in which it is proposed.

The proposed detached garage is consistent and compatible with neighboring single-family residential land uses.

5. The proposed use's impact upon property values in the area in which it is developed.

The proposed detached garage is not anticipated to have negative impacts on surrounding property values. Visibility of the proposed structure from adjoining properties would be limited by vegetation and topography.

6. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.

The proposed detached garage will not produce traffic in excess of the capability of the roadways serving the site.

7. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

The proposed detached garage would not increase demand on parks, schools, streets, utilities, and City services.

Additionally, Ordinance requires that Conditional use permit requests for additional accessory building be consistent with the following:

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

The proposed detached garage would be used for the parking of vehicles and would continue as such.

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

No commercial or home occupation activities are proposed or conducted.

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

The proposed detached garage is related to the principal 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.

The proposed detached garage is compatible with residential uses in the vicinity and will remain so in the future.

- 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.

As noted above.

RECOMMENDATION

Based on the foregoing considerations and applicable ordinances, staff and the Planning Commission recommend conditional approval of the site and building plan, conditional use permit, and variance subject to the following findings of fact and conditions of approval:

Findings of Fact:

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

2400 DELAWARE AVENUE
SUNFISH LAKE, MN 55118
2. The planning report dated July 8, 2020 prepared by WSB is incorporated herein by reference.
3. Requests for major site and building plan review, variance, and conditional use permits require Planning Commission review and City Council approval.
4. The Sunfish Lake Planning Commission reviewed the applicant's request for major site plan review, variance and conditional use permit approval at the July 15, 2020 Planning Commission meeting.
5. Upon review of the planning report and application information, the Planning Commission found that the site plan request and proposed conditional use meet

Ordinance requirements. The following findings support the Planning Commission's recommendation for approval:

- a. Except for the rear setback, which is the subject of a variance request, the project complies with all applicable dimensional requirements of the R-1 district.
 - b. The proposed development addresses Ordinance requirements pertaining to grading, drainage and stormwater management, landscaping, and screening.
 - c. The development meets other applicable Zoning Ordinance criteria including performance standards.
 - d. The proposed second accessory structure complies with the standards of approval for accessory building conditional use requests.
6. Upon review of the planning report and application information, the Planning Commission found that the proposed variance meets Ordinance requirements. The following findings support the Planning Commission's recommendation for approval:
- a. The request would not impair an adequate supply of light and air to adjacent property.
 - b. The request would not unreasonably increase the congestion in the public street.
 - c. The request would not have the effect of allowing any district uses prohibited therein, permit a lesser degree of flood protection than the flood protection elevation for the particular area, or permit standards which are lower than those required by State law.
 - d. The request would not increase the danger of fire or endanger the public safety.
 - e. The request would not unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of this Title.
 - f. The request would not the request would not violate the intent and purpose of the Comprehensive Plan.
 - g. The request would not violate any of the terms or conditions of Section 1206.01(C)(2).

Conditions of Approval:

1. Construction of the proposed improvements shall occur in substantial conformance with the plans presented at the July 15, 2020 Planning Commission meeting.
2. Any additional building encroachment into the setback area is not authorized through approval of the requested variance.
3. Tree replacement is required at a ratio of one new tree per each tree removed as provided on the landscaping plan. Said trees shall be the minimum size specified by Ordinance.
4. The applicant must obtain all other permits as may be required including building permits for the structures and associated retaining walls.
5. The applicant shall comply with all applicable federal, state, and local laws, rules and ordinances.
6. The applicant must adhere to and remain in compliance with the requirements of this Resolution, applicable performance standards, and such other requirements as may apply.
7. All conditions of the site plan review must be complied with, shall run with the land, and shall not in any way be affected by the subsequent sale, lease or other change from current ownership of the Property.
8. This Resolution is subject to the condition that all representations, written and oral, made by the Applicant and its agents and representatives to the City contained in and concerning the Applicant's application for the site plan review must have been

true, complete and accurate at the time they were made, and that they remain true and accurate for the duration of the development.

9. By undertaking the activities approved by the requests, the applicant agrees to all conditions.

Subject Site



Vicinity of Proposed Improvements



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

RESOLUTION NO. 20-XX

**RESOLUTION APPROVING A MAJOR SITE AND BUILDING PLAN, VARIANCE,
AND CONDITIONAL USE PERMIT FOR THE PROPERTY LOCATED AT 2400
DELAWARE AVENUE, SUNFISH LAKE, DAKOTA COUNTY, MINNESOTA.**

WHEREAS, Tom Flint, Alexander Design Group, on behalf of MABM LLC, submitted an application for a major site and building plan review, a rear setback variance, and a conditional use permit for an additional accessory structure to permit construction of a residential addition and detached garage on the property located at 2400 Delaware Avenue, legally described as:

Lot 1, Block 1, Belefield Hills 2nd Addition, Dakota County, Minnesota

With PID 38.13601.01.010; and

WHEREAS, City staff reviewed the application and outlined their review comments in a planning report dated July 8, 2020 prepared by WSB; and

WHEREAS, the Sunfish Lake Planning Commission held a public hearing at their July 15, 2020 meeting and reviewed the major site and building plan, variance, and conditional use permit applications, along with the referenced staff report; 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 plan, variance, and conditional use permit on a vote of 4-0; and

WHEREAS, the following findings support the Planning Commission recommendation for approval:

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

2400 DELAWARE AVENUE
SUNFISH LAKE, MN 55118

2. The planning report dated July 8, 2020 prepared by WSB is incorporated herein by reference.
3. Requests for major site and building plan review, variance, and conditional use permits require Planning Commission review and City Council approval.
4. The Sunfish Lake Planning Commission reviewed the applicant's request for major site plan review, variance and conditional use permit approval at the July 15, 2020 Planning Commission meeting.

5. Upon review of the planning report and application information, the Planning Commission found that the site plan request and proposed conditional use meet Ordinance requirements. The following findings support the Planning Commission's recommendation for approval:
 - a. Except for the rear setback, which is the subject of a variance request, the project complies with all applicable dimensional requirements of the R-1 district.
 - b. The proposed development addresses Ordinance requirements pertaining to grading, drainage and stormwater management, landscaping, and screening.
 - c. The development meets other applicable Zoning Ordinance criteria including performance standards.
 - d. The proposed second accessory structure complies with the standards of approval for accessory building conditional use requests.
6. Upon review of the planning report and application information, the Planning Commission found that the proposed variance meets Ordinance requirements. The following findings support the Planning Commission's recommendation for approval:
 - a. The request would not impair an adequate supply of light and air to adjacent property.
 - b. The request would not unreasonably increase the congestion in the public street.
 - c. The request would not have the effect of allowing any district uses prohibited therein, permit a lesser degree of flood protection than the flood protection elevation for the particular area, or permit standards which are lower than those required by State law.
 - d. The request would not increase the danger of fire or endanger the public safety.
 - e. The request would not unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of this Title.
 - f. The request would not the request would not violate the intent and purpose of the Comprehensive Plan.
 - g. The request would not violate any of the terms or conditions of Section 1206.01(C)(2)

WHEREAS, the Sunfish Lake City Council considered the application for a major site and building plan, rear setback variance, and conditional use permit for an additional accessory building at their meeting on August 4, 2020 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, rear setback variance, and conditional use permit request for an additional accessory building at 2400 Delaware Avenue with the following conditions:

1. Construction of the proposed improvements shall occur in substantial conformance with the plans presented at the July 15, 2020 Planning Commission meeting.
2. Any additional building encroachment into the setback area is not authorized through

approval of the requested variance.

3. Tree replacement is required at a ratio of one new tree per each tree removed as provided on the landscaping plan. Said trees shall be the minimum size specified by Ordinance.
4. The applicant must obtain all other permits as may be required including building permits for the structures and associated retaining walls.
5. The applicant shall comply with all applicable federal, state, and local laws, rules and ordinances.
6. The applicant must adhere to and remain in compliance with the requirements of this Resolution, applicable performance standards, and such other requirements as may apply.
7. All conditions of the site plan review must be complied with, shall run with the land, and shall not in any way be affected by the subsequent sale, lease or other change from current ownership of the Property.
8. This Resolution is subject to the condition that all representations, written and oral, made by the Applicant and its agents and representatives to the City contained in and concerning the Applicant's application for the site plan review must have been true, complete and accurate at the time they were made, and that they remain true and accurate for the duration of the development.
9. By undertaking the activities approved by the requests, the applicant agrees to all conditions.

This resolution is adopted by the City Council of the City of Sunfish Lake this 4th day of August 2020.

Dan O'Leary, Mayor

Attest:

Catherine Iago, City Clerk

Summary of Project

The homeowners at 2400 Delaware Ave bought the home with the intention of raising their family in Sunfish Lake. They have several family members in and around the community and felt this was the best location for their future. At the time of the purchase they extensively remodeled a bulk of the home (kitchen, living room, family room, lower level, bedrooms and bathrooms). Since the purchase their family has grown and they are looking to improve upon the spaces within the home as well as adding spaces for a young active family.

We are proposing an addition on the south side of the house by removing a portion of the house (2 story foyer and living room) which does not currently have a basement underneath it. We are proposing an addition with similar mass (2 story foyer with a new single story living room and bedroom space above). The stairway of the house would be rebuilt for safety and accessibility reasons. All these new spaces, which are above ground, would conform to setback ordinances and be very similar to what is currently built. Underground we would utilize the existing high part of the lot for a sub-terranean sport court addition connecting to the current lower level. This portion of the addition would be completely underground, covered in vegetation and landscaping and unseen from the exterior of the house.

On the north side of the property, we would also like to add a detached 3 car garage for storage needs. The existing attached garage is undersized and fully utilized. In addition, the rest of the house offers little storage so we are requesting a CUP for an additional accessory structure for storage. The additional garage would conform to all setback, size and building height requirements.

Practical Difficulties

1. Practical difficulties of existing site:

When we first looked at doing an addition to the existing home, we looked at several possibilities for the location of the new spaces. In looking at the placement of the house on the lot we found that the existing home (which the homeowners bought) is situated on the site where several points along in the rear (southeast side) of the home come in close contact with the building setback. On the north side of the home there is the garage and pool. The west side of the home is where the driveway is located as well as all the mechanical systems of the house (plumbing, electrical and HVAC are located in the basement along the westerly foundation wall). We felt that the south side of the existing house worked best for our addition for the following reasons:

- a. That portion of the existing house does not have a basement and in rebuilding it with a basement would give us the ability to increase the usable area of the house without increasing the visual mass on the exterior (because the portion we were adding would be underground)

- b. The natural topography of the site allowed us to fit a large, underground space, that when finished, won't look much different than it does currently. It will be landscaped with grass and shrubs to blend with the rest of the property's landscape.
- c. The living spaces of the existing house related nicely to the layout of the new space in the southern location on the lot.

2. **Compliance with the requirements of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance or deny the applicant the ability to put the property in question to a reasonable use and the proposed variance permits the owner to use the property in a reasonable manner:**

Due to the location of the current home, creating a larger home, similar to many of the neighboring properties, is difficult without encroaching on the existing setback requirements. We attempted to keep the visual impact of the addition in compliance with all applicable ordinances of neighboring properties and only exceeding the setback underground.

3. **The special conditions and circumstances causing the practical difficulties do not result from the actions of the applicant.**

The property at 2400 Delaware Ave. was purchased by the applicants in its currently location. The location and orientation of the house makes it difficult for any addition on the home. Setbacks on the southeast side, garage and pool on the north, and the mechanical and driveway to the west.

4. **Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district under the same conditions:**

Due to the location of the existing house, we are not asking for any special privilege. We are looking to make a home with similar amenities and similar size to other properties in Sunfish Lake. By going underground, we are creating a more difficult and complicated structure to build, in doing so we hope to maintain the open spaces and overall aesthetic of Sunfish Lake.

5. **The request is not a use variance:**

The request is not for a use variance. The property is an existing single-family home and will continue to be a single-family home.

6. **The variance requested is the minimum variance necessary to accomplish the intended purpose of the applicant:**

We are attempting to make the visual impact of the new structure as minimal as possible. We are attempting to keep the visual mass of the existing home very similar to its current mass. In doing so, we hope that the impact of the encroachment will be as little as possible.

7. **The request does not create an inconvenience to neighboring properties and uses:**

The impact on the neighboring properties should be very little, if any at all. We have also spoken to the direct neighbors prior to coming before the planning commission and city council to make sure that they understand the project and are able to express their concerns. After seeing our proposal, the neighbors have expressed that they have no issues with our proposed addition, and are willing to speak at the public hearings or send written statements of approval. These include the neighbors with the adjacent property that would be most effected by the addition.

8. The variance requested is in harmony with the purpose and intent of the Ordinance:

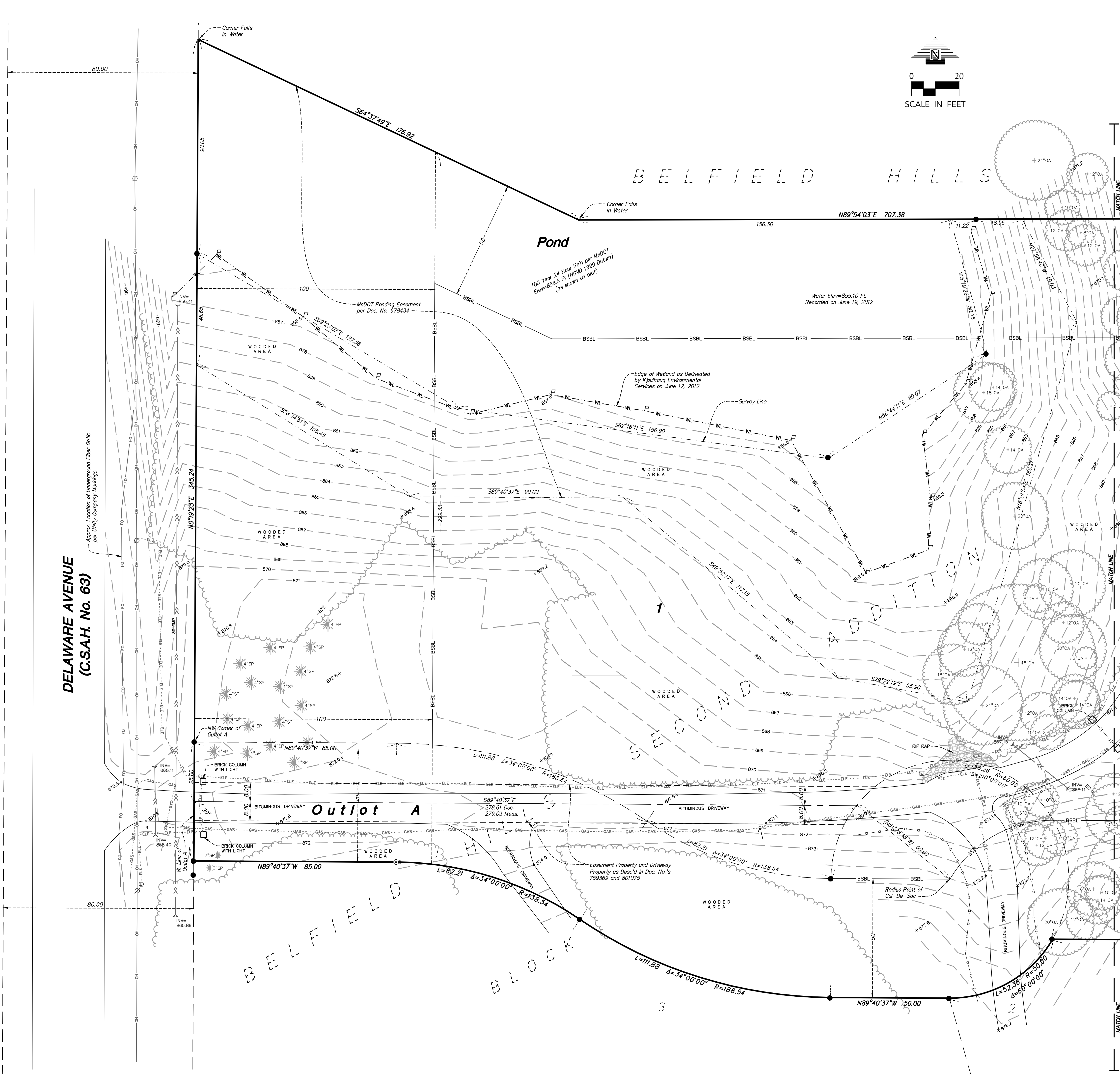
The intent of the ordinance is to provide privacy and visual space between structures. The encroachment is completely underground with landscaping covering it entirely and should have no visual impact on the neighboring properties or impact on their sense of privacy.

9. The variance requested is consistent with the Comprehensive Plan:

The variance is consistent with the comprehensive plan.

10. The variance requested will not alter the essential character of the locality:

The visual impact of the variance will have little to no impact on what is currently built on the property. The massing, finish materials and size are similar to the current house.



DESCRIPTION OF PROPERTY SURVEYED

(Per Tract Check by DCA Title, dated June 8, 2012)

Lot 1, Block 1, and Outlot A, Belfield Hills Second Addition, Dakota County, Minnesota.

SURVEY REPORT

- This survey was prepared without the benefit of a Title Commitment. The legal description and the easements shown hereon are based on the Tract Check performed by DCA Title dated June 8, 2012. There may or may not be easements of record encumbering this property.
- Monuments placed (or a reference monument or witness to the corner) at all major corners of the boundary of the property, unless already marked or reference by existing monuments or witness to the corners are shown hereon.
- The address, if disclosed in documents provided to or obtained by the surveyor, or observed while conducting the fieldwork is 2400 Delaware Avenue, Sunfish Lake, Minnesota.
- The Gross land area is 236,493 +/- square feet or 5.42 +/- acres.
- The bearings for this survey are based on the plat of BELFIELD HILLS SECOND ADDITION.
- Benchmark: MnDOT 1985 AB
In Inver Grove Heights, 1.5 miles south of the intersection of TH 110 and Delaware Avenue (Co. Rd. 63), In top of railing at southeast corner of Co. Rd. 63 (Argentina Trail) Bridge 19831 over I-494, 24.5 feet northeast of Co. Rd. 63, 45.9 feet north of southeast corner of Bridge Railing, 46.2 feet northwest of the end steel post in a Right-Of-Way fence.
Elevation = 916.89 feet (NGVD 29)

Site Benchmark: Threshold as shown hereon on page 2 of 2.
Elevation = 888.00 feet (NGVD 29)
- There are no striped parking stalls on this site.
- Substantial features observed in the process of conducting fieldwork, are shown hereon.
- We have shown underground utilities on and/or serving the surveyed property per Gopher State One-Call Ticket Nos. 201331890 and 201331922. The following utilities and municipalities were notified:

ARVIG	(218)346-5500	AT&T TRANSMISSION	(713)660-2060
CITY OF MENDOTA HEIGHTS	(651)239-9941	COMCAST	(800)778-9140
CENTURYLINK	(800)778-9140	MINDOT	(651)366-5750
ST PAUL REGIONAL WATER	(651)266-6888	ST PAUL SEWER	(651)266-9850
ST PAUL TRAFFIC & LIGHTING	(651)266-9777	ST PAUL PARKS	(651)632-5129
SPRINT/LONG DISTANCE	(800)521-0579	XCEL ENERGY	(800)848-7558

- Utility operators do not consistently respond to locate requests through the Gopher State One Call service for surveying purposes such as this. Those utility operators that do respond, often will not locate utilities from their main line to the customer's structure or facility. They consider those utilities "private" installations that are outside their jurisdiction. These "private" utilities on the surveyed property or adjoining properties, may not be located since most operators will not mark such "private" utilities. A private utility locator may be contacted to investigate these utilities further, if requested by the client.
 - Maps provided by those notified above, either along with a field location or in lieu of such a location, are very often inaccurate or inconclusive. **EXTREME CAUTION: MUST BE EXERCISED BEFORE AN EXCAVATION TAKES PLACE ON OR NEAR THIS SITE. BEFORE DIGGING, YOU ARE REQUIRED BY LAW TO NOTIFY GOPHER STATE ONE CALL AT LEAST 48 HOURS IN ADVANCE AT 811 or (651) 454-0002.**
- Trees shown hereon are measured at breast height.
 - The field work was completed on May 19, 2020.

SURVEY REPORT

- | | | |
|---|-------------------------|----------------------------------|
| ● FOUND OPEN IRON MONUMENT UNLESS SHOWN OTHERWISE | ○ STORM MANHOLE | —>>— STORM SEWER |
| ○ SET 1/2 INCH X 14 INCH IRON MONUMENT, MARKED "LS 54850" | ○ SANITARY MANHOLE | —>— SANITARY SEWER |
| AS ASH | ◇ HYDRANT | —S— SANITARY SEWER SERVICE |
| BA BASSWOOD | ◇ GATE VALVE | —C— CULVERT |
| BI BIRCH | ☆ LIGHT POLE | -----ELE----- UG ELECTRIC MAPPED |
| BO BOXELDER | ⊗ POWER POLE | -----GAS----- UG GAS MAPPED |
| CE CEDAR | ⊞ ACCESS POST | —OH— OVERHEAD UTILITY |
| CO COTTONWOOD | ⊡ AIR CONDITIONING UNIT | —O—O— CHAIN LINK FENCE |
| EL ELM | ⊕ AREA DRAIN | — — — IRON FENCE |
| FR MISC FRUIT | ⊞ CABLE TV PEDESTAL | —O—O— WOOD FENCE |
| HA HACKBERRY | ⊞ CLEANOUT | —BSBL— BUILDING SETBACK LINE |
| OA OAK | ⊞ ELECTRIC METER | —ASBL— ACCESSORY BLDG SETBACK |
| SP SPRUCE | ⊞ ELECTRIC OUTLET | —CON— CONCRETE EDGING |
| TR TREE (GENERAL) | ⊞ ELECTRIC TRANSFORMER | —RET— RETAINING WALL |
| ⊞72.5 SPOT ELEVATION | ⊞ FLARED END SECTION | —CON— CONCRETE |
| THSD ELEV @ THRESHOLD | ⊞ GAS METER | —PAV— PAVERS |
| + (888.6) BOTTOM SEPTIC ROCK | ⊞ GUARD POST | —EXB— EXISTING BUILDING |
| | ⊞ GUY POLE | —CON— CONTOUR |
| | ⊞ HAND HOLE | —WL— DELINEATED WETLAND |
| | ⊞ MAILBOX | —TL— TREE LINE |
| | ⊞ SOIL BORING | —CD— CONIFEROUS TREE |
| | ⊞ SPIGOT | —DEC— DECIDUOUS TREE |
| | ⊞ TRENCH DRAIN | |
| | ⊞ WATER MANHOLE / WELL | |
| | ⊞ WETLAND FLAG | |
| | ⊞ YARD DRAIN | |
| | ⊞ YARD LIGHT | |

2400
DELAWARE
AVENUE

SUNFISH LAKE, MN

MADELINE MAUER

2400 DELAWARE AVENUE
SUNFISH LAKE, MN 55118

LOUCKS

PLANNING
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL

7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
763.424.5505
www.loucksincc.com

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SUBMITTAL/REVISIONS

08/20/12	LAST ISSUE BY
	RICHARD L. LIGHT
05/29/20	UPDATED
06/02/20	PROPOSED ITEMS
06/03/20	CLIENT COMMENTS
06/05/20	CLIENT COMMENTS
06/08/20	CLIENT COMMENTS
07/07/20	CLIENT COMMENTS

PROFESSIONAL SIGNATURE

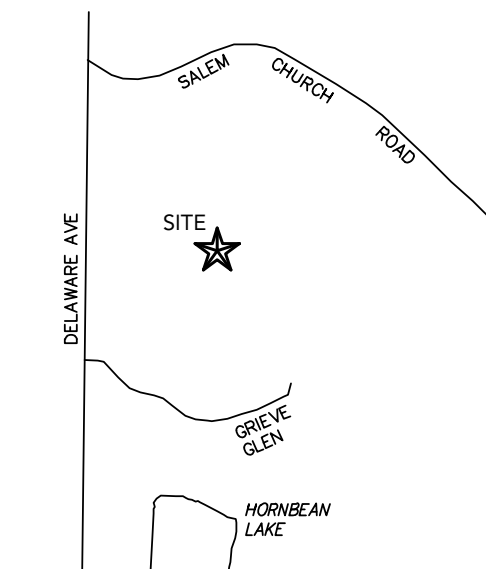
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Steven F. Hough
Steven F. Hough - PLS
License No. 54850
Date 05/29/20

QUALITY CONTROL

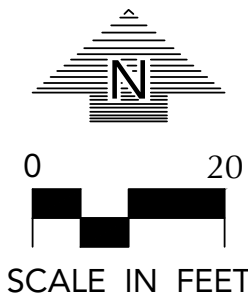
Loucks Project No. 12-164A
Project Lead HDN
Drawn By JTS/SFM
Checked By SFH
Field Crew BEP/BS

VICINITY MAP



TOPOGRAPHIC
SURVEY

1 OF 2



SURVEY REPORT

- | | |
|---|---------------------------------|
| ● FOUND OPEN IRON MONUMENT UNLESS SHOWN OTHERWISE | —>—> STORM SEWER |
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| ⊙ FLARED END SECTION | — — EXISTING BUILDING |
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| ⊙ GUARD POST | — WL — DELINEATED WETLAND |
| ⊙ PERC TEST | — — TREE LINE |
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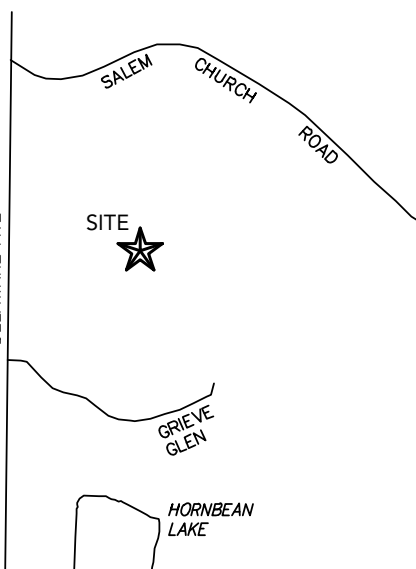
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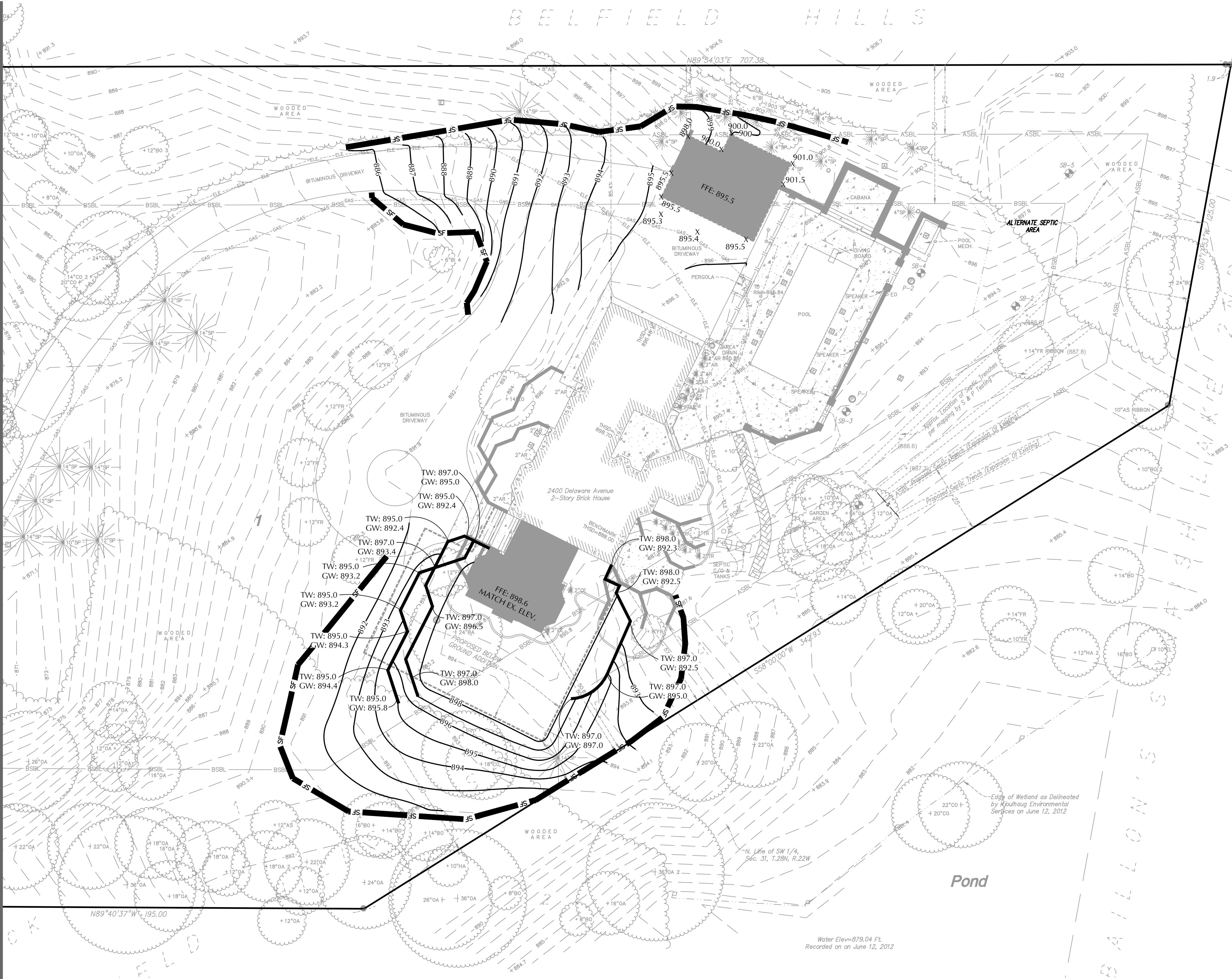
QUALITY CONTROL

Loucks Project No. 12-164A
Project Lead HDN
Drawn By JT/SFM
Checked By SFH
Field Crew BEP/BS

VICINITY MAP



Plotted: 07/07/2020 2:49 PM W:\2012\121644\CADD DATA\CIVIL.dwg Sheet Files\C12164A 3-1



LEGEND

EXISTING

872

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PROPOSED

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TOPOGRAPHIC CONTOUR

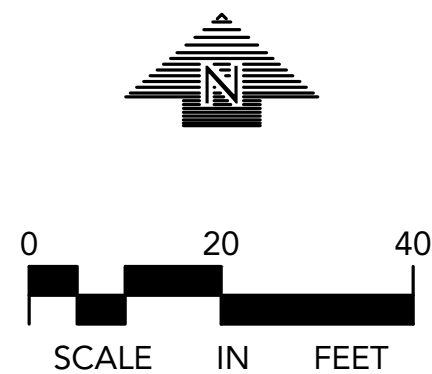
SPOT ELEVATION

DRAINAGE SLOPE

STORM SEWER

CATCH BASIN

SILT FENCE



- GRADING NOTES
1.

BACKGROUND INFORMATION IS BASED ON A FIELD SURVEY BY LOUCKS AND RECORD UTILITY DRAWINGS FROM THE CITY. LOUCKS DOES NOT GUARANTEE THE ACCURACY OF INFORMATION PROVIDED BY OTHERS.

2.

THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF BUILDINGS, VESTIBULES, SLOPED PAVING, EXIT PORCHES, RAMPS, TRUCK DOCKS, ENTRY LOCATIONS AND LOCATIONS OF DOWNSPOUTS.

3.

THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASE OF THIS PROJECT. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY DAMAGES TO ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASE OF THIS PROJECT.

4.

IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.

5.

BEFORE BEGINNING CONSTRUCTION THE CONTRACTOR SHALL INSTALL A TEMPORARY ROCK ENTRANCE PAD AT ALL POINTS OF VEHICLE EXIT FROM THE PROJECT SITE. SAID ROCK ENTRANCE PAD SHALL BE MAINTAINED BY THE CONTRACTOR FOR THE DURATION OF THE PROJECT.

6.

EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE ESTABLISHED AROUND THE ENTIRE SITE PERIMETER AND IN ACCORDANCE WITH NPDES PERMIT REQUIREMENTS, BEST MANAGEMENT PRACTICES, AND CITY REQUIREMENTS.

7.

ALL SPOT ELEVATIONS SHOWN REPRESENT FINISHED SURFACE OR GUTTER LINE ELEVATIONS UNLESS OTHERWISE NOTED.

8.

CONTRACTOR TO VERIFY EXISTING INFORMATION PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER OF ANY PLAN DISCREPANCIES.

9.

EXISTING UTILITY LOCATIONS AS-PER CITY AS-BUILT PLANS AND FIELD SHOTS.

10.

GENERAL CONTRACTOR MUST VERIFY ALL TIE IN GRADES.

11.

REFER TO GEOTECHNICAL REPORT FOR MORE INFORMATION.

12.

ADA ACCESSIBLE ROUTE SHALL HAVE A 5.0% MAXIMUM SLOPE IN THE DIRECTION OF TRAVEL AND A 2.0% MAXIMUM GROSS SLOPE.

13.

ALL DISTURBED UNPAVED AREAS ARE TO RECEIVE MINIMUM OF 4 INCHES OF TOP SOIL AND SEED/MULCH OR SOD. THESE AREAS SHALL BE WATERED/MAINTAINED BY THE PROPERTY OWNER UNTIL VEGETATION IS ESTABLISHED.

14.

INSTALL EROSION CONTROL AND TREE PROTECTION MEASURES BEFORE BEGINNING SITE GRADING ACTIVITIES. SOME EROSION CONTROLS SUCH AS BALE CHECKS AND TEMPORARY SILT PONDS MAY BE INSTALLED AS GRADING OCCURS IN SPECIFIC AREAS. MAINTAIN EROSION CONTROLS THROUGHOUT THE GRADING PROCESS AND REMOVE WHEN TURF HAS BEEN ESTABLISHED.

15.

STRUCTURAL RETAINING WALL, FENCING AND HANDRAIL DESIGN BY OTHERS. REFER TO ARCHITECTURAL PLANS.

ABBREVIATION LEGEND

FFE=FINISHED FLOOR ELEVATION

TW=TOP OF RETAINING WALL

GW=GROUND AT FACE OF RETAINING WALL

HP=HIGH POINT

LP=LOW POINT

TC=TOP OF CURB

GL=GUTTER LINE

NOTES:

1.

PLACE BOTTOM EDGE OF FENCE INTO 6 IN DEEP TRENCH AND BACKFILL IMMEDIATELY.

2.

POSTS SHALL BE:

• 6 FT MAX. SPACING.

• 2 IN X 2 IN HARDWOOD, OR STANDARD STEEL T-TYPE FENCE POSTS.

• 5' MIN. LENGTH POSTS, DRIVEN 2 FT INTO THE GROUND.

3.

ATTACH FABRIC TO WOOD POST WITH A MIN. OF 5, 1 INCH LONG STAPLES.

4.

ATTACH FABRIC TO STEEL POST WITH A MIN. OF 3 ZIP TIES IN TOP 8 INCHES OF FABRIC.

GEOTEXTILE FABRIC PER MNDOT 3886

GEOTEXTILE FABRIC PER MNDOT 3886

LOUCKS

SILT FENCE

PRE-ASSEMBLED OR MACHINE SLICED

LOUCKS PLATE NO.

3000

DRAWN 2/2016

WARNING

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND / OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.



CALL BEFORE YOU DIG!

Gopher State One Call

TWIN CITY AREA: 651-454-0002

TOLL FREE: 1-800-252-1166

2400
DELAWARE
AVENUE

SUNFISH LAKE, MN

MADLINE
MAUER

2400 DELAWARE AVENUE
SUNFISH LAKE, MN 55118

LOUCKS

PLANNING
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LAND SURVEYING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL

7200 Hemlock Lane, Suite 300
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SUBMITTAL/REVISIONS

DATE-2020 Variance Submittal

PROFESSIONAL SIGNATURE

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Jeffrey A. Shojpek
License No. 19624
Date 07-07-20

QUALITY CONTROL

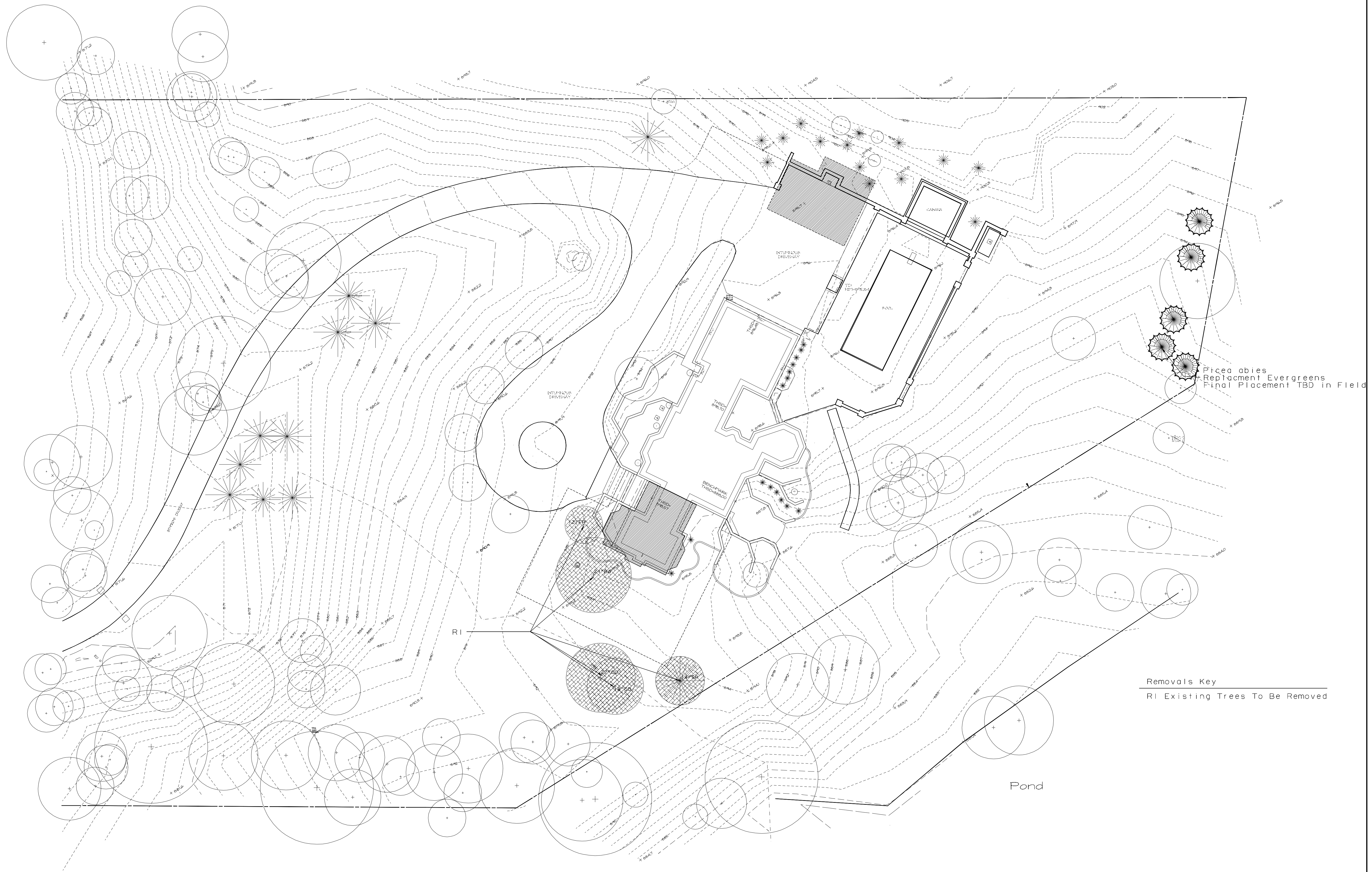
Loucks Project No. 12164A
Project Lead JAS
Drawn By VMA
Checked By JAS
Review Date 07-07-20

SHEET INDEX

C3-1 GRADING & UTILITY PLAN

GRADING &
EROSION
CONTROL
PLAN

C3-1



EXISTING CONDITIONS AND REMOVALS PLAN
Scale: 1"=20'

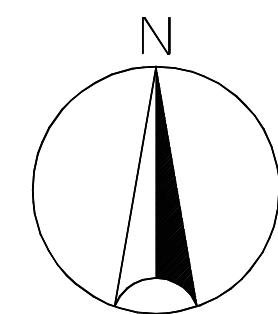
NOTES

LANDSCAPE RENOVATIONS
NURSERY • DESIGN • CONSTRUCTION
12515 40th St. So. Afton, MN 55001
Office 651-769-0010 Fax 651-769-1140
www.landscaperenovations.com

No.	Date	Description
REV006		

Delaware Ave
2400 Delaware Ave.
Sunfish Lake MN 55118

Existing Conditions and Removals Plan



SCALE 1"=20'
DRAWN BY K.Hannigan
CHECKED BY
DATE 06-26-2020
DATE OF PRINT

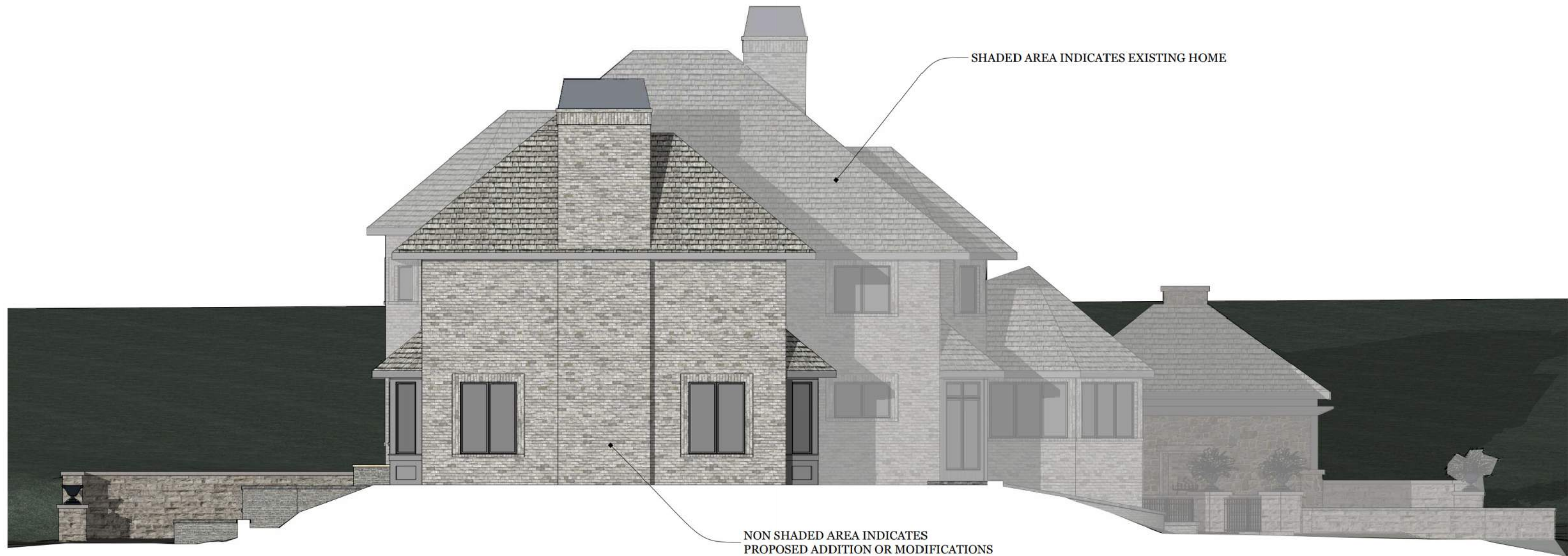
PROJECT NO.
SHEET NO.



FRONT ELEVATION
 $1/16" = 1'-0"$



FRONT ELEVATION
1/8" = 1'-0"

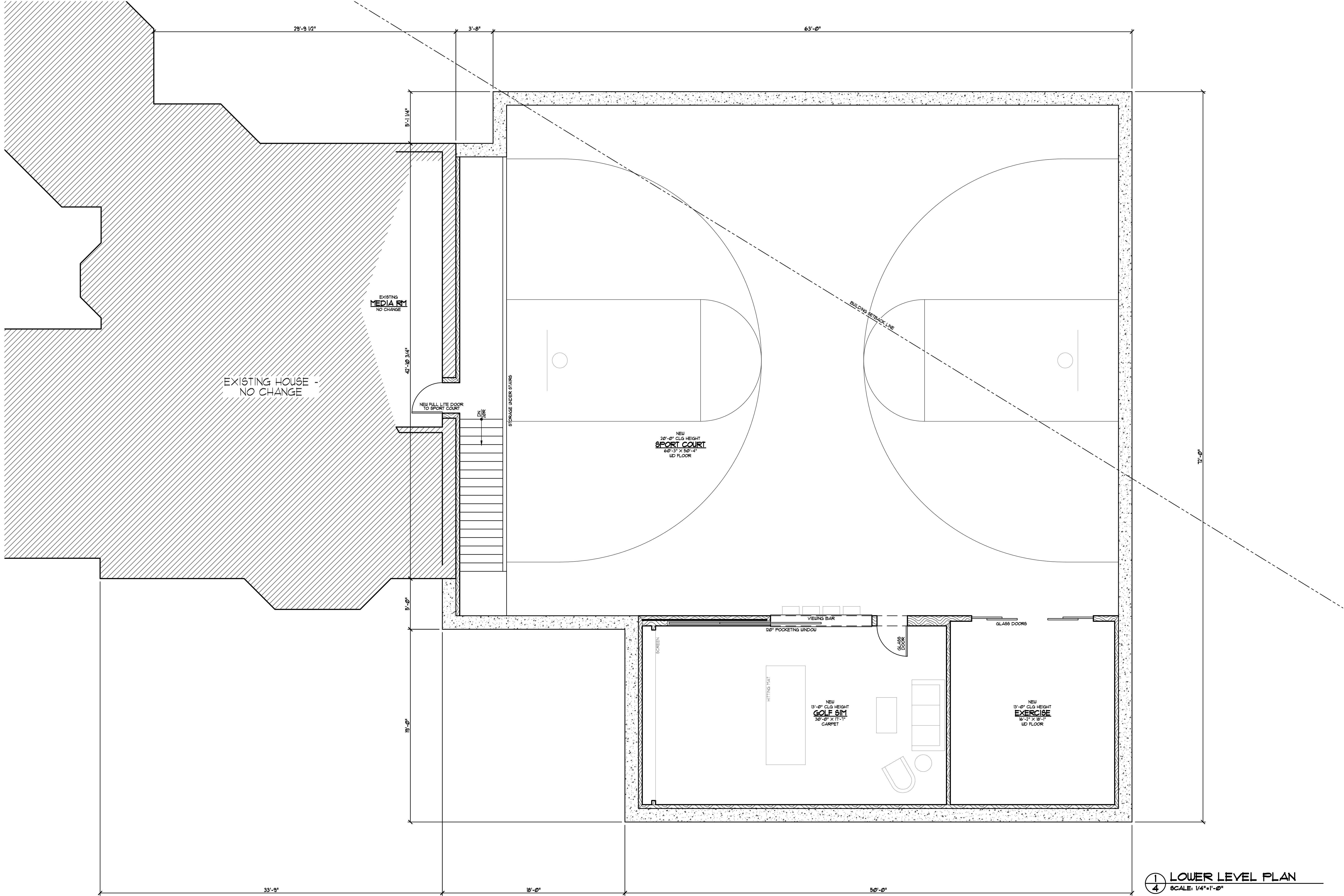


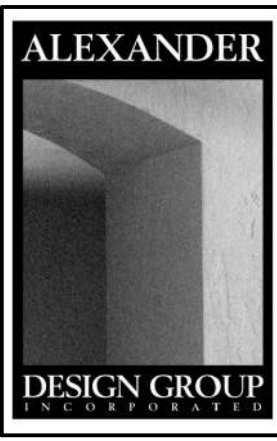
RIGHT SIDE ELEVATION

1/8" = 1'-0"



REAR ELEVATION
1/8" = 1'-0"





ALEXANDER
DESIGN GROUP
INC.

275 EAST LAKE STREET
WAYZATA, MN 55391
Phone: 952.473.8777
FAX: 952.473.8222

ISSUE DATE:
8 JUNE 2020

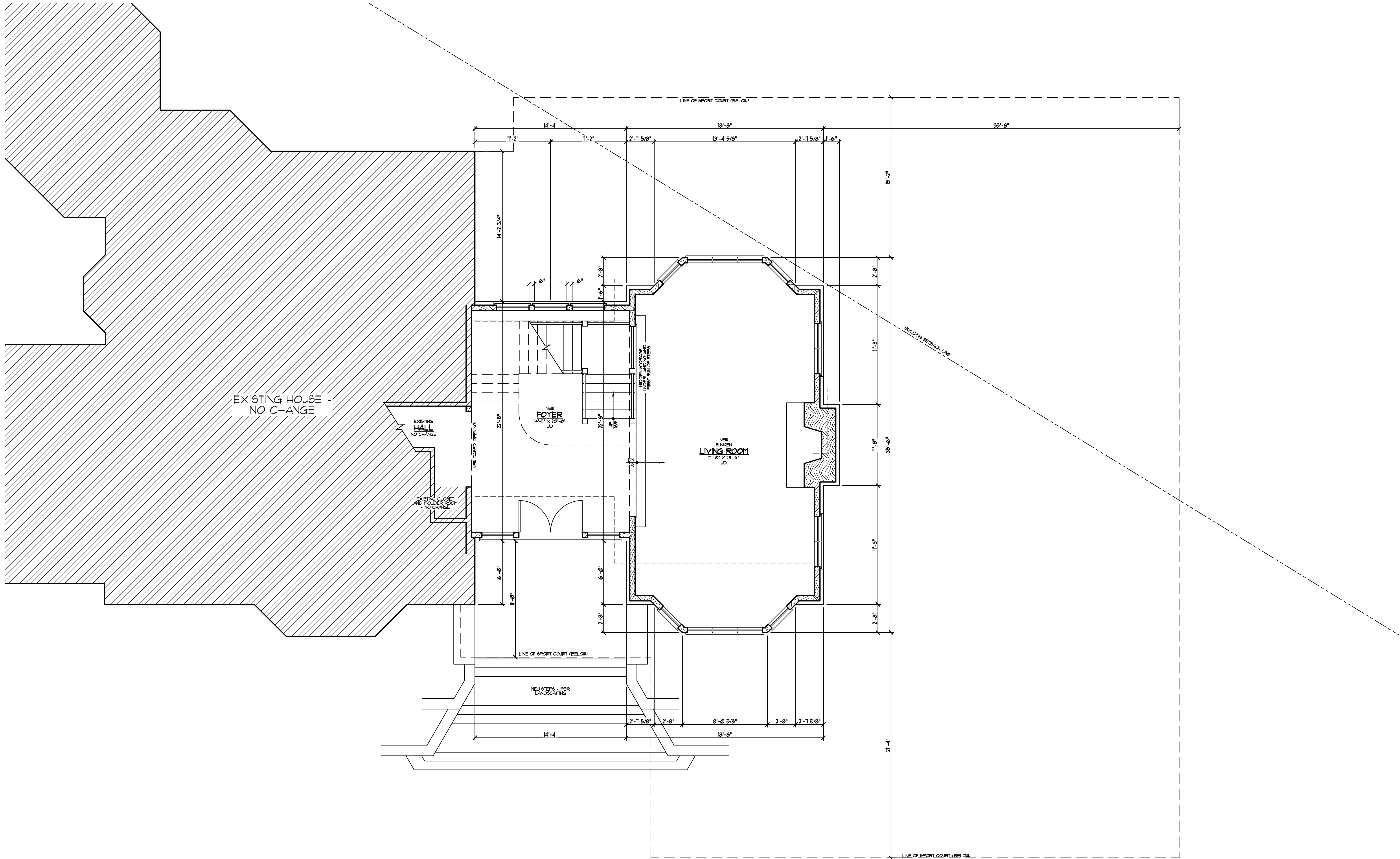
PREVIOUS ISSUE DATE:

DRAWING DESCRIPTION:
LOWER LEVEL
FLOOR PLAN

VARIANCE SET

DELAWARE ADDITION
2400 DELAWARE AVE
SUN FISH LAKE, MN

4
1 OF 4



1
5 MAIN LEVEL PLAN
SCALE: 1/4"=1'-0"

ALEXANDER

DESIGN GROUP

275 EAST LAKE STREET
WAYZATA, MN 55391
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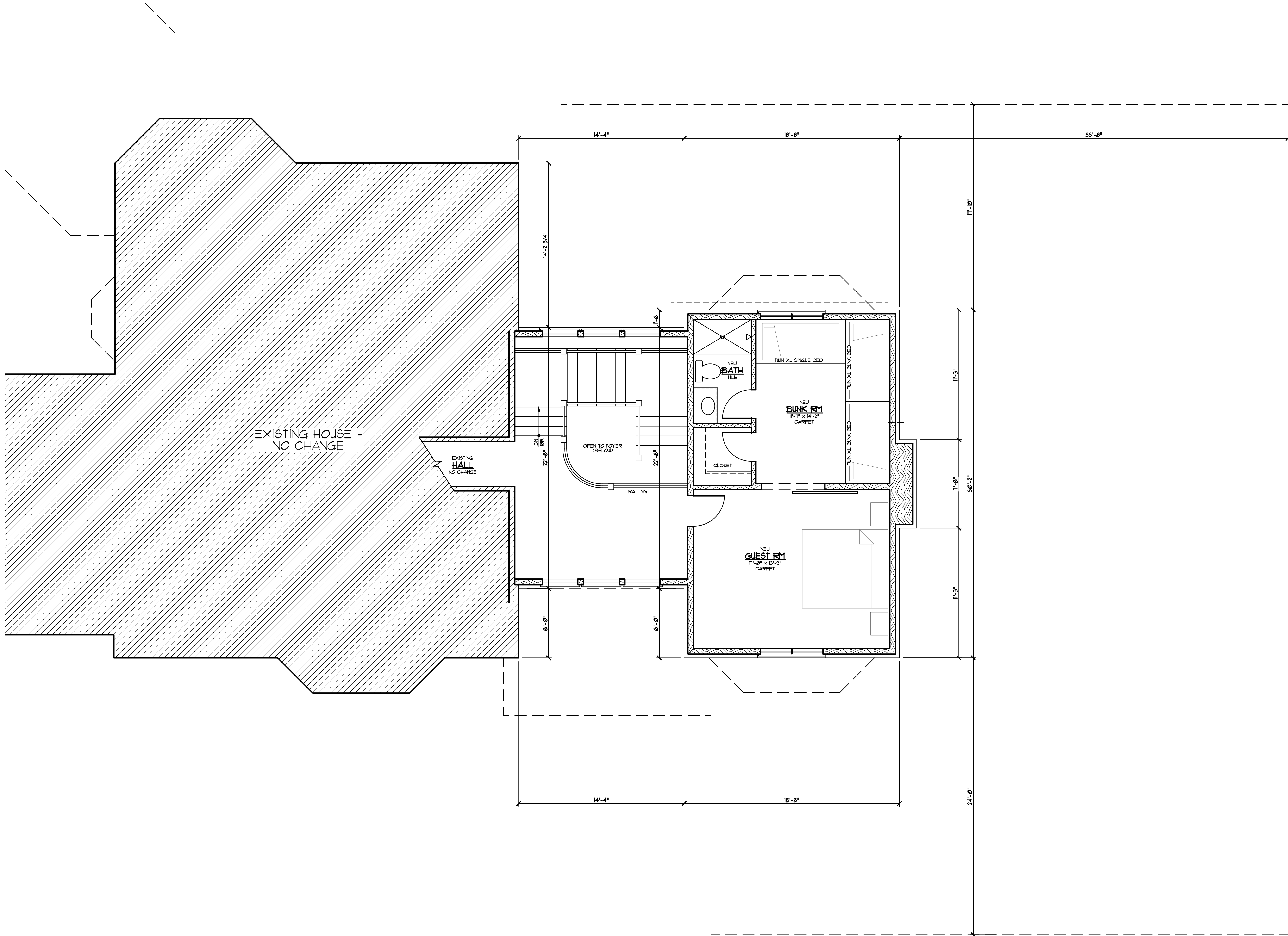
ISSUE DATE:
8 JUNE 2020
PREVIOUS ISSUE DATE:

DRAWING DESCRIPTION:
MAIN LEVEL
FLOOR PLAN

VARIANCE SET

DELAWARE ADDITION
2400 DELAWARE AVE
SUN FISH LAKE, MN

5
2 OF 4



1 UPPER LEVEL PLAN
6 SCALE: 1/4"=1'-0"

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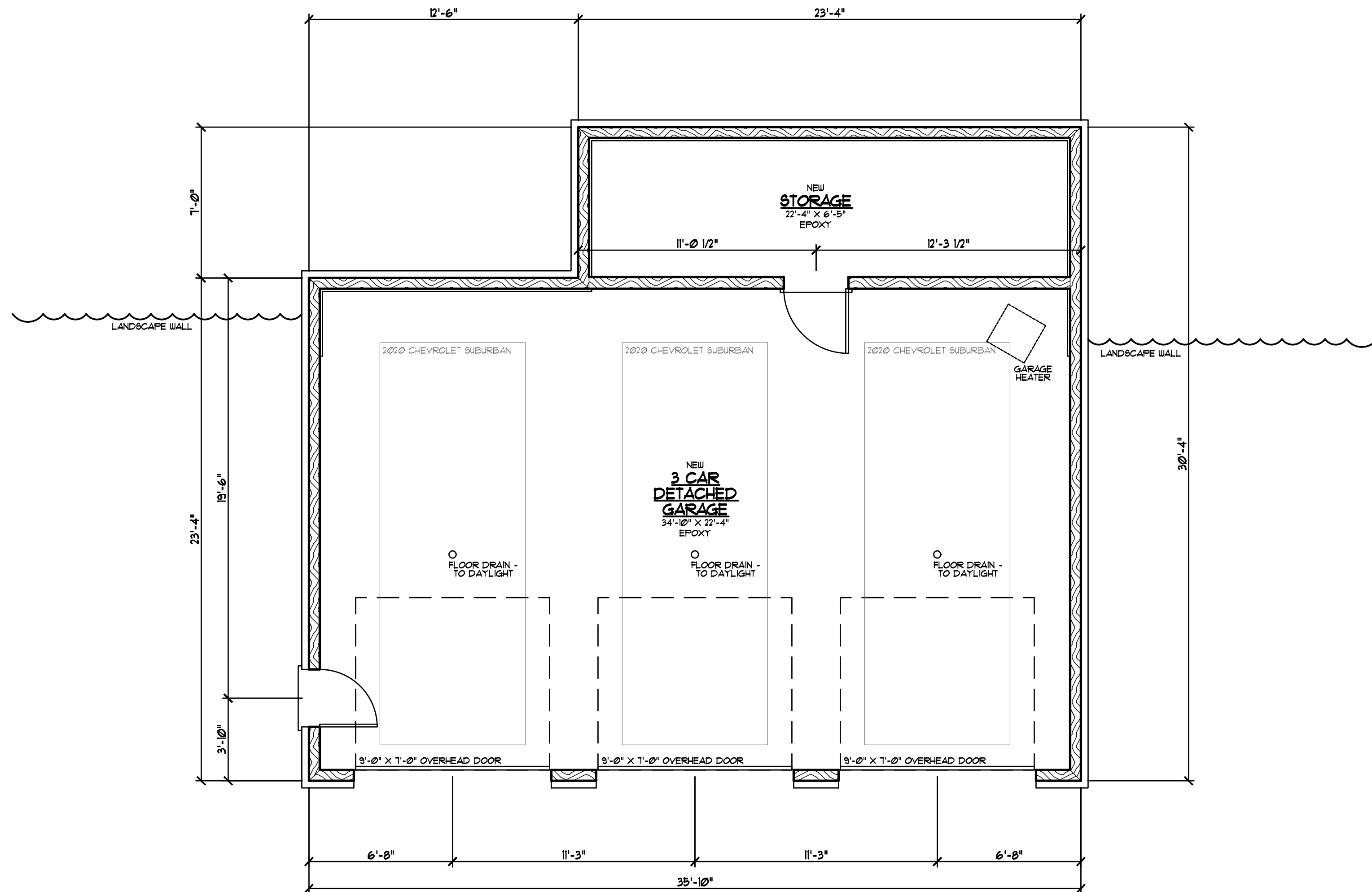
ISSUE DATE:
8 JUNE 2020
PREVIOUS ISSUE DATE:

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UPPER LEVEL
FLOOR PLAN

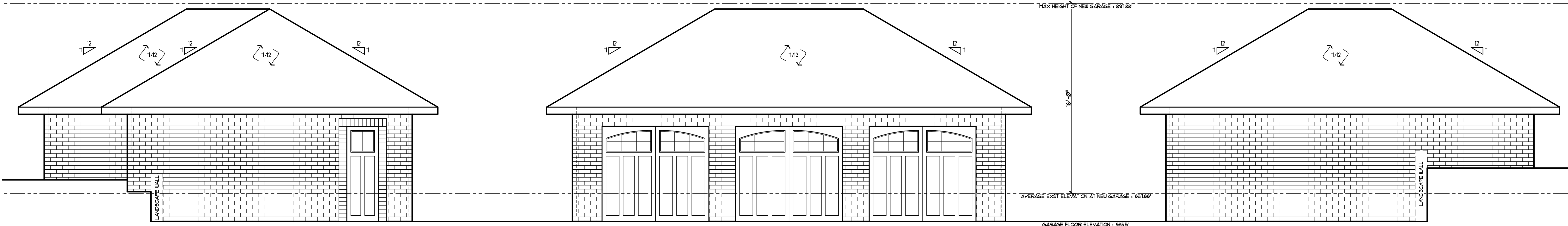
VARIANCE SET

DELAWARE ADDITION
2400 DELAWARE AVE
SUN FISH LAKE, MN

6
3 OF 4



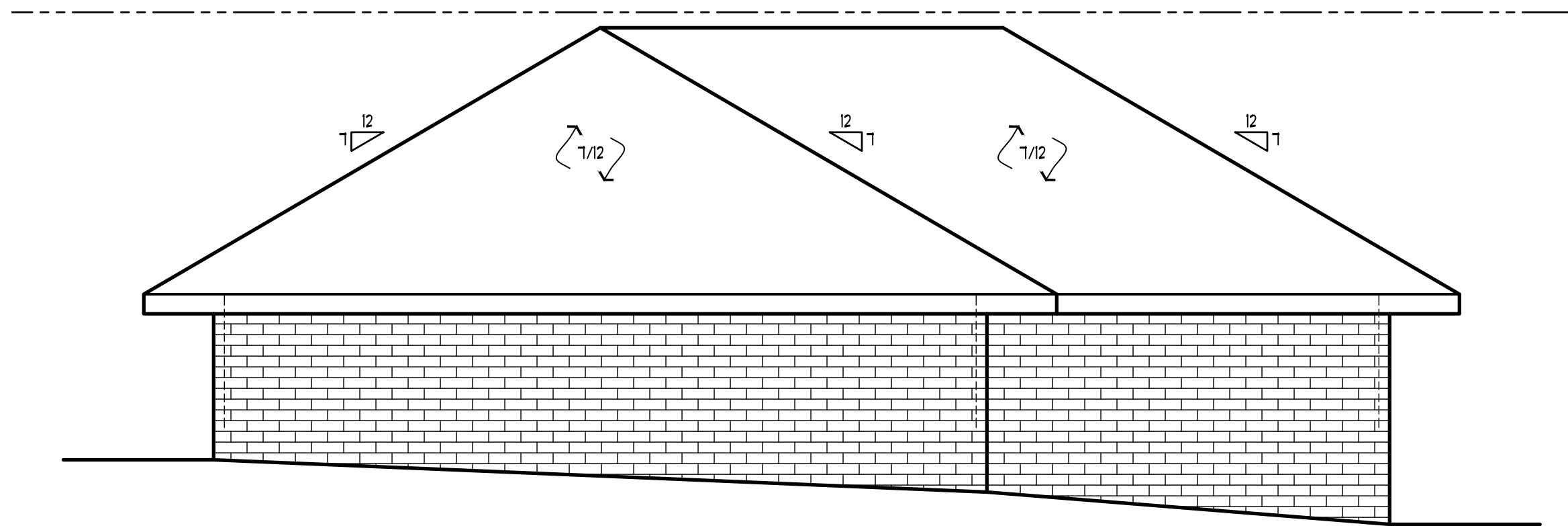
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8 **DETACHED GARAGE PLAN**
SCALE: 1/4"=1'-0" 998 SF



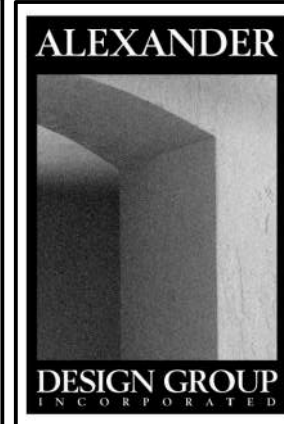
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8 **DETACHED GARAGE - LEFT**
SCALE: 1/4"=1'-0"

4
8 **DETACHED GARAGE - FRONT**
SCALE: 1/4"=1'-0"

5
8 **DETACHED GARAGE - RIGHT**
SCALE: 1/4"=1'-0"



6
8 **DETACHED GARAGE - REAR**
SCALE: 1/4"=1'-0"



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Phone: 952.473.8777
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ISSUE DATE:
8 JUNE 2020
PREVIOUS ISSUE DATE(s):

DRAWING DESCRIPTION:
DETACHED GARAGE PLANS

VARIANCE SET

DELAWARE ADDITION
2400 DELAWARE AVE
SUN FISH LAKE, MN



















To: The Sunfish Lake City Council and Planning Commission

From: Tom and Barb Votel, Sunfish Lake Residents, 2410 Delaware Ave, Sunfish Lake MN

Re: Joe and Maddie Mauer's submittal of plans for a home addition and additional garage at 2400 Delaware Ave Sunfish Lake, MN

On Friday, May 29th Joe and Maddie, along with their architect, Tom Flint with Alexander Design Group presented to us the plans that they are submitting to the PC in July. They wanted feedback from us to make sure we were comfortable with the garage and home addition they are proposing. We spent time reviewing the overall plans and getting our questions answered. We appreciate very much the opportunity to review Mauers plans and fully support what they are proposing to the city.

If there are any questions, please don't hesitate to reach out. Contact information is below.

Barb Votel

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651-283-4607

Tom Votel

tom.votel@ergodyne.com

651-338-3377