

Planning Memorandum

To: Sunfish Lake Planning Commission

From: Ryan Krzos, AICP, City Planner

Date: July 8, 2020
City Planning Commission Meeting July 15, 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 has 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 Council may at its option conduct a public hearing on the request.

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 yard 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.

RECOMMENDATION

Based on the foregoing considerations and applicable ordinances, staff recommends 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.
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. Impair an adequate supply of light and air to adjacent property.
 - b. Unreasonably increase the congestion in the public street.
 - 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.
 - d. Increase the danger of fire or endanger the public safety.
 - e. Unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of this Title.
 - f. Violate the intent and purpose of the Comprehensive Plan.
 - g. 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* MINNESOTA

**Planning Commission
Findings of Fact &
Recommendation
(Approval)**

Applicant's Name: Tom Flint, Alexander Design Group of behalf of property owner
MABM LLC

Request: Major Site Plan Review, Rear Setback Variance and CUP for a second
accessory building at 2400 Delaware Avenue.

Planning Commission Meeting Date: July 15, 2020

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

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

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.

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. Impair an adequate supply of light and air to adjacent property.
 - b. Unreasonably increase the congestion in the public street.
 - 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.
 - d. Increase the danger of fire or endanger the public safety.
 - e. Unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of this Title.
 - f. Violate the intent and purpose of the Comprehensive Plan.
 - g. Violate any of the terms or conditions of Section 1206.01(C)(2)

Recommendation:

Based on the foregoing considerations and applicable ordinances, the Planning Commission recommends approval of the requested major site and building plan, variance, conditional use permit, subject to 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.

Adopted by the Sunfish Lake Planning Commission this 15th day of July 2020.

City of Sunfish Lake

By: _____
Tom Hendrickson
Planning Commission Chair

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:

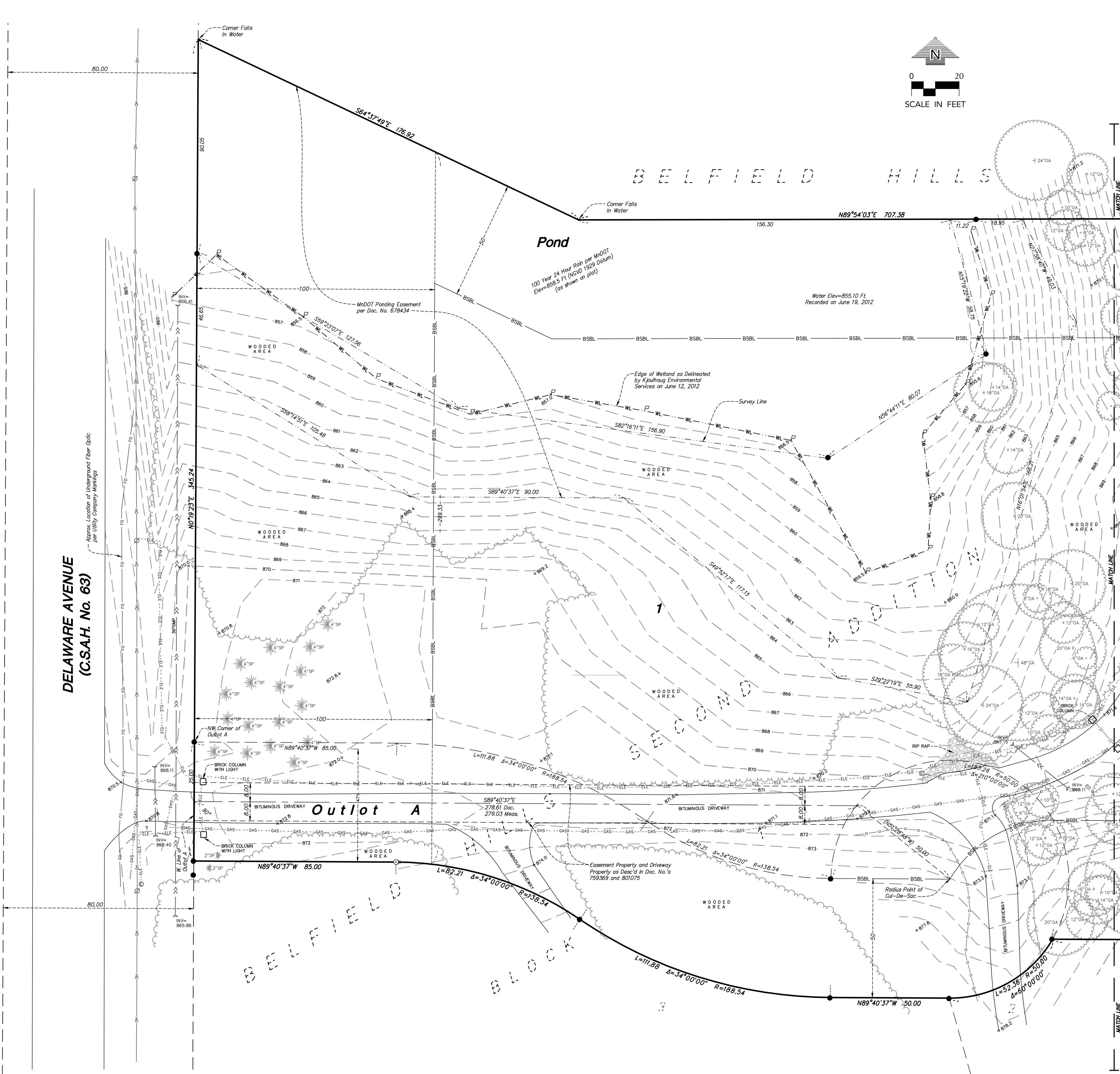
The intent of the ordinance is to provide privacy and visual space between structures. The encroachment is completely underground with landscaping covering it entirely and should have no visual impact on the neighboring properties or impact on their sense of privacy.

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	—BUI— EXISTING BUILDING
	⊞ GUY POLE	—CON— CONTOUR
	⊞ HAND HOLE	—WL— DELINEATED WETLAND
	⊞ MAILBOX	—TR— TREE LINE
	⊞ SOIL BORING	—DEC— DECIDUOUS TREE
	⊞ SPIGOT	
	⊞ 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

CADD QUALIFICATION

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SUBMITTAL/REVISIONS

DATE	REVISION
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

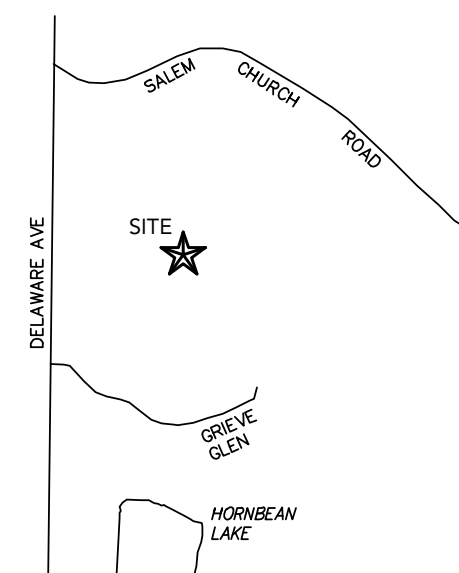
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

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

QUALITY CONTROL

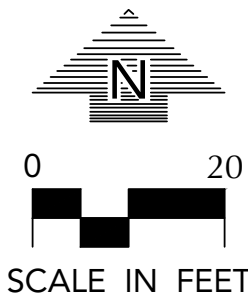
Loucks Project No. 12-164A
Project Lead HDN
Drawn By JTS/SFM
Checked By SFH
Field Crew BEP/BS

VICINITY MAP



TOPOGRAPHIC
SURVEY

1 OF 2



SURVEY REPORT

- | | |
|---|---------------------------------|
| ● FOUND OPEN IRON MONUMENT UNLESS SHOWN OTHERWISE | —>—> STORM SEWER |
| ○ SET 1/2 INCH X 14 INCH IRON MONUMENT, MARKED "LS 54850" | — SANITARY SEWER |
| ⊙ STORM MANHOLE | — S SANITARY SEWER SERVICE |
| ○ SANITARY MANHOLE | —>—> CULVERT |
| ⊙ HYDRANT | — ELE — UG ELECTRIC MAPPED |
| ⊙ GATE VALVE | — GAS — UG GAS MAPPED |
| ⊙ LIGHT POLE | — OH — OVERHEAD UTILITY |
| ⊙ POWER POLE | — ○ — CHAIN LINK FENCE |
| ⊙ ACCESS POST | — — IRON FENCE |
| ⊙ AIR CONDITIONING UNIT | — ○ — WOOD FENCE |
| ⊙ AREA DRAIN | — BSBL — BUILDING SETBACK LINE |
| ⊙ CABLE TV PEDESTAL | — ASBL — ACCESSORY BLDG SETBACK |
| ⊙ CLEANOUT | — — CONCRETE EDGING |
| ⊙ ELECTRIC METER | — — RETAINING WALL |
| ⊙ ELECTRIC OUTLET | — — CONCRETE |
| ⊙ ELECTRIC TRANSFORMER | — — PAVERS |
| ⊙ FLARED END SECTION | — — EXISTING BUILDING |
| ⊙ GAS METER | — g12 — CONTOUR |
| ⊙ GUARD POST | — WL — DELINEATED WETLAND |
| ⊙ PERC TEST | — — TREE LINE |
| ⊙ GUY POLE | — — CONIFEROUS TREE |
| ⊙ HAND HOLE | — — DECIDUOUS TREE |
| ⊙ MAILBOX | AS ASH |
| ⊙ SOIL BORING | BA BASSWOOD |
| ⊙ SPIGOT | BI BIRCH |
| ⊙ TRENCH DRAIN | BO BOXELDER |
| ⊙ WATER MANHOLE / WELL | CE CEDAR |
| ⊙ WETLAND FLAG | CO COTTONWOOD |
| ⊙ YARD DRAIN | EL ELM |
| ⊙ YARD LIGHT | FR MISC FRUIT |
| | HA HACKBERRY |
| | DA OAK |
| | SP SPRUCE |
| | TR TREE (GENERAL) |
| | +972.5 SPOT ELEVATION |
| | THSD ELEV @ THRESHOLD |
| | + (888.6) BOTTOM SEPTIC ROCK |

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SUBMITTAL/REVISIONS

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

PROFESSIONAL SIGNATURE

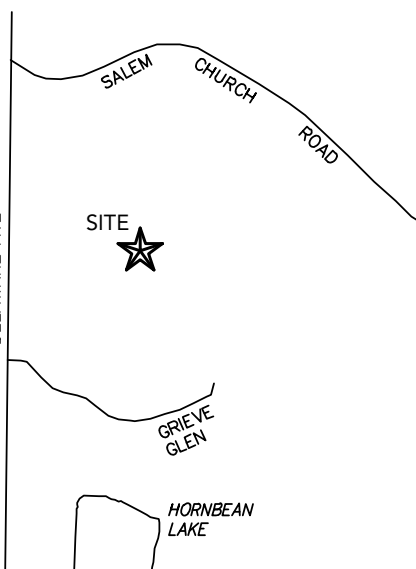
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

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

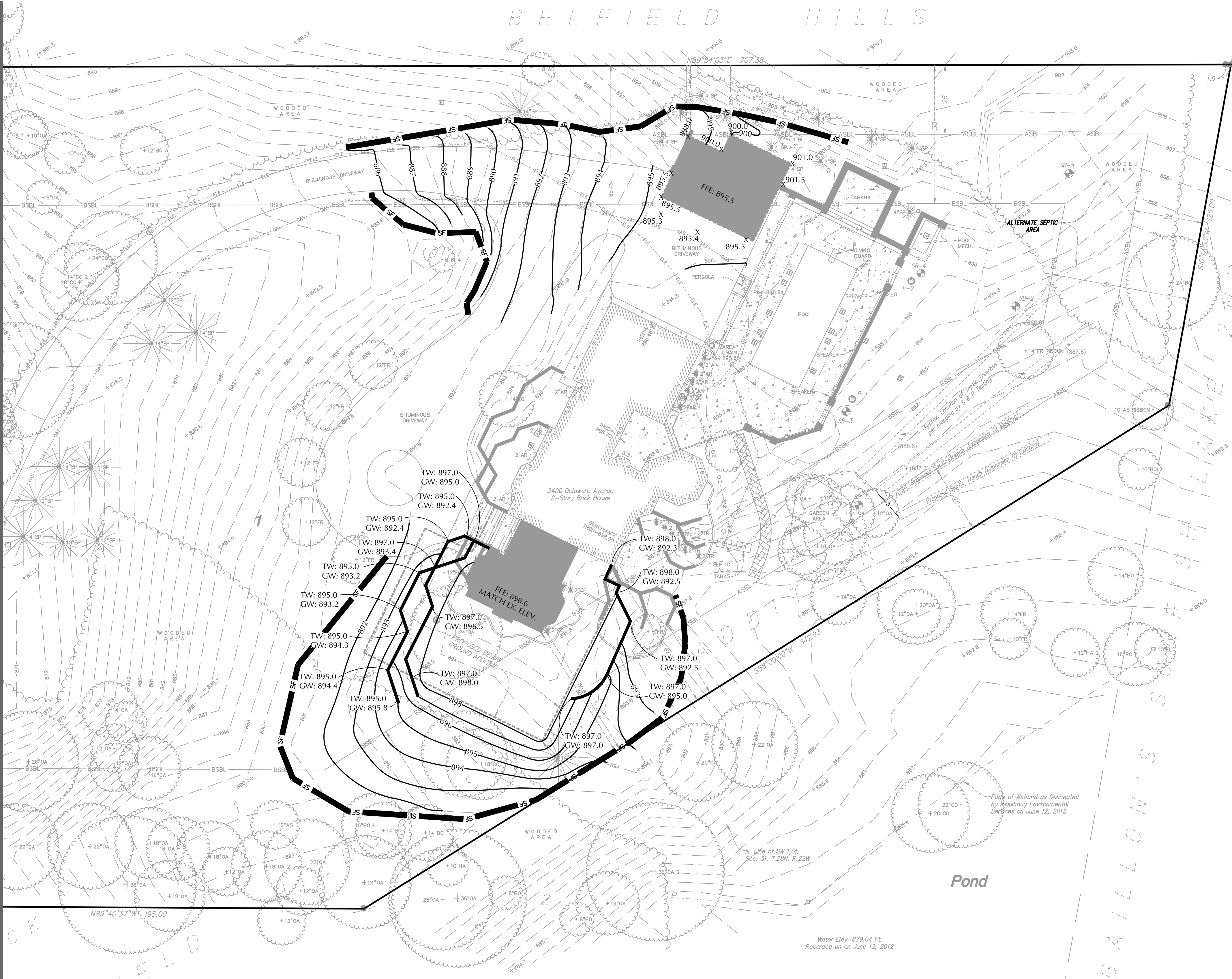
QUALITY CONTROL

Loucks Project No. 12-164A
Project Lead HDN
Drawn By 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

872.5

872

872.5

872

872.5

872

872.5

872

872.5

872

872.5

PROPOSED

800

X 800.0

X.XX%

X.XX%

X.XX%

X.XX%

X.XX%

X.XX%

X.XX%

X.XX%

X.XX%

X.XX%

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 CROSS-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 BAILE 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

6"

6"

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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7200 Hemlock Lane, Suite 300

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www.loucksync.com

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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

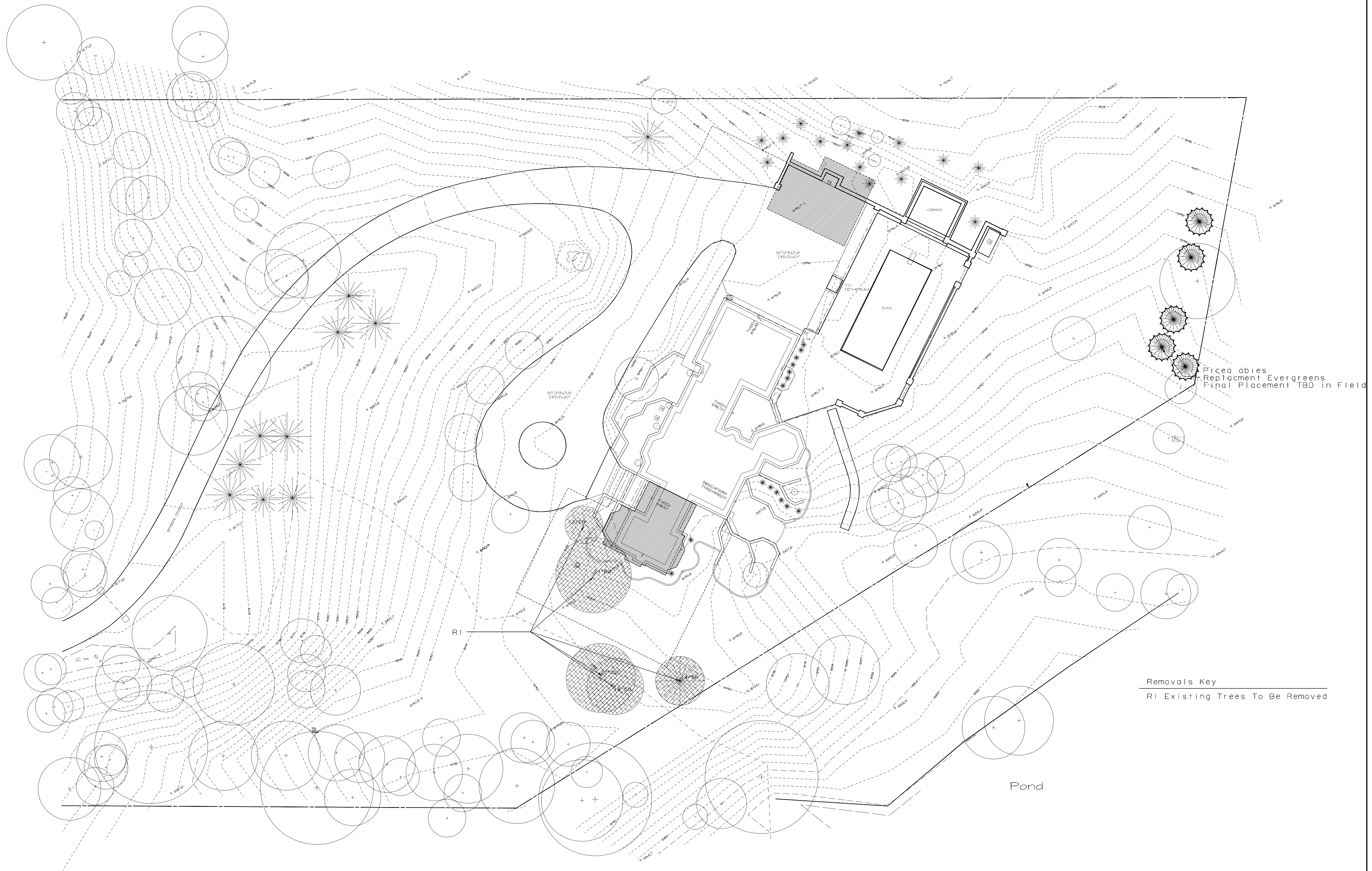
Loucks Project No. 12164A
Project Lead JAS
Drawn By VMA
Checked By JAS
Review Date 07-07-20

SHEET INDEX

C3-1 GRADING & UTILITY PLAN

GRADING & EROSION CONTROL PLAN

C3-1



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

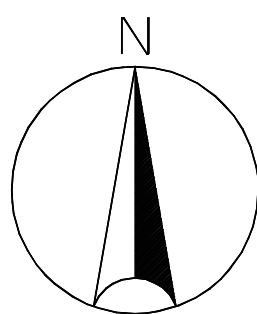
NOTES

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.

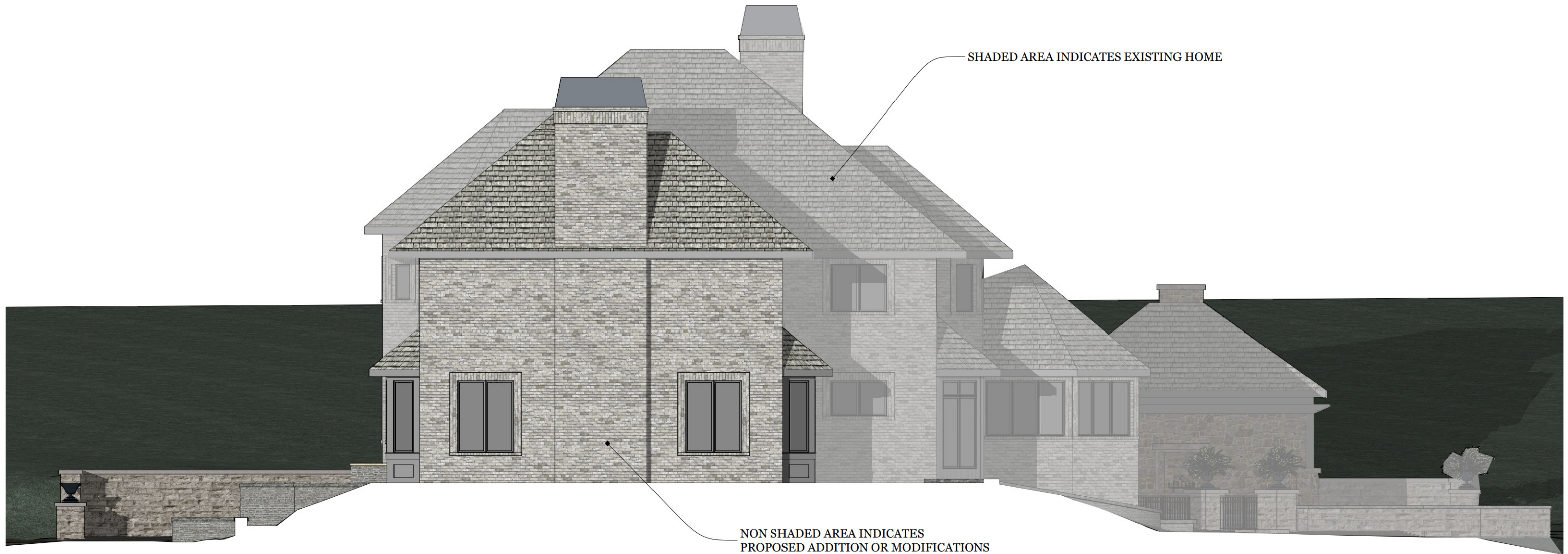


FRONT ELEVATION
1/16" = 1'-0"





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

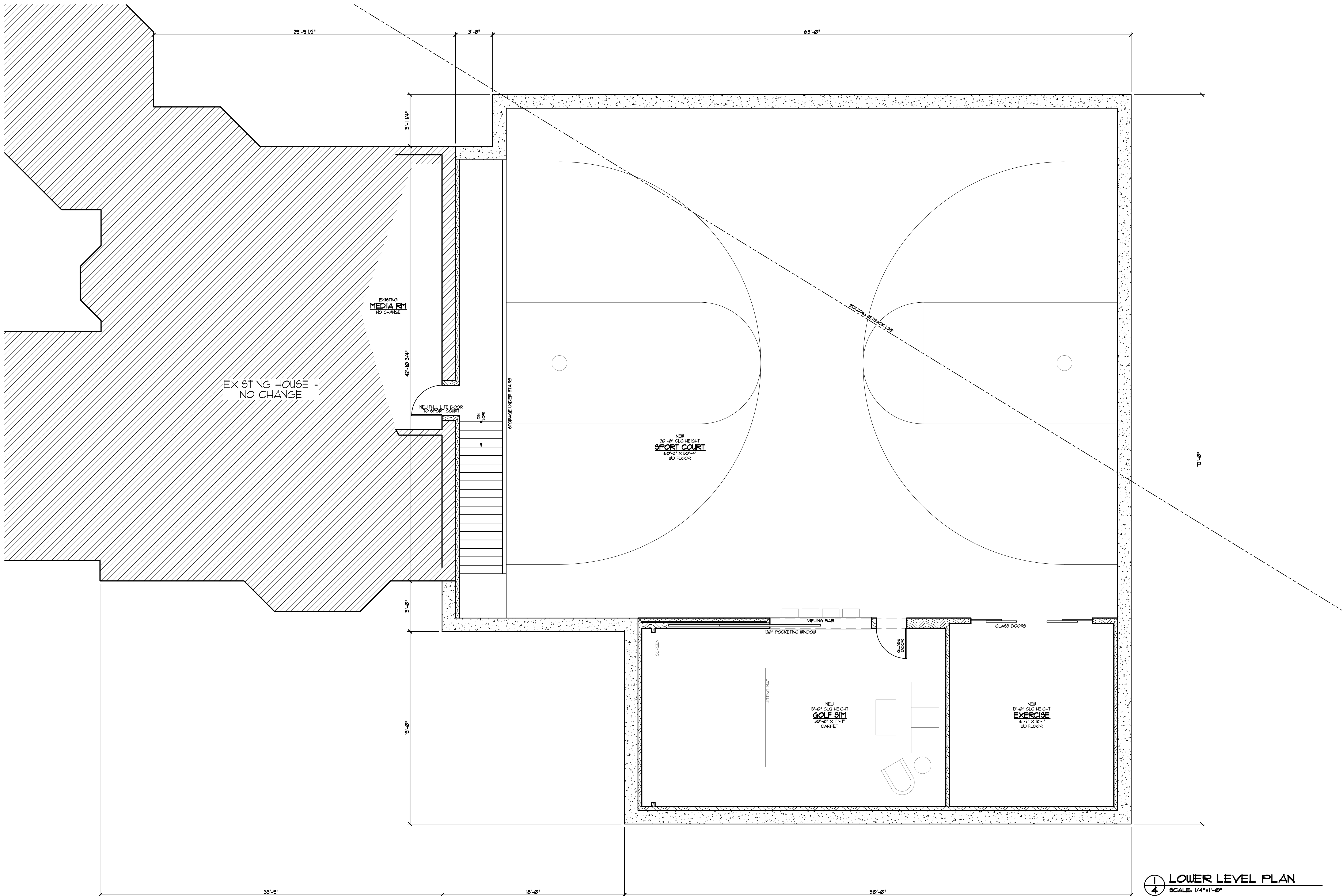


RIGHT SIDE ELEVATION

1/8" = 1'-0"



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



ALEXANDER

DESIGN GROUP

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

ISSUE DATE:
8 JUNE 2020

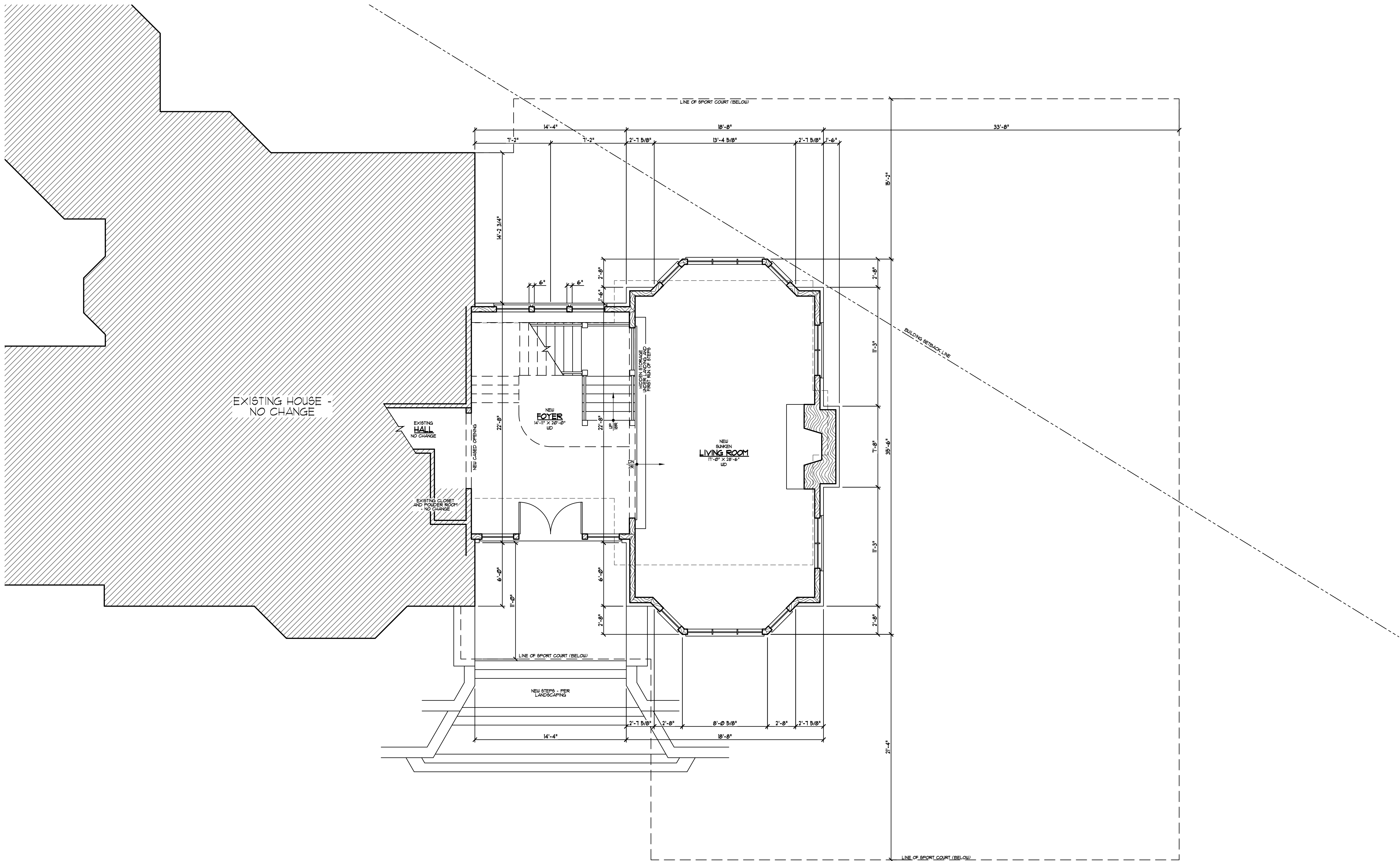
PREVIOUS ISSUE DATE:

DRAWING DESCRIPTION:
LOWER LEVEL
FLOOR PLAN

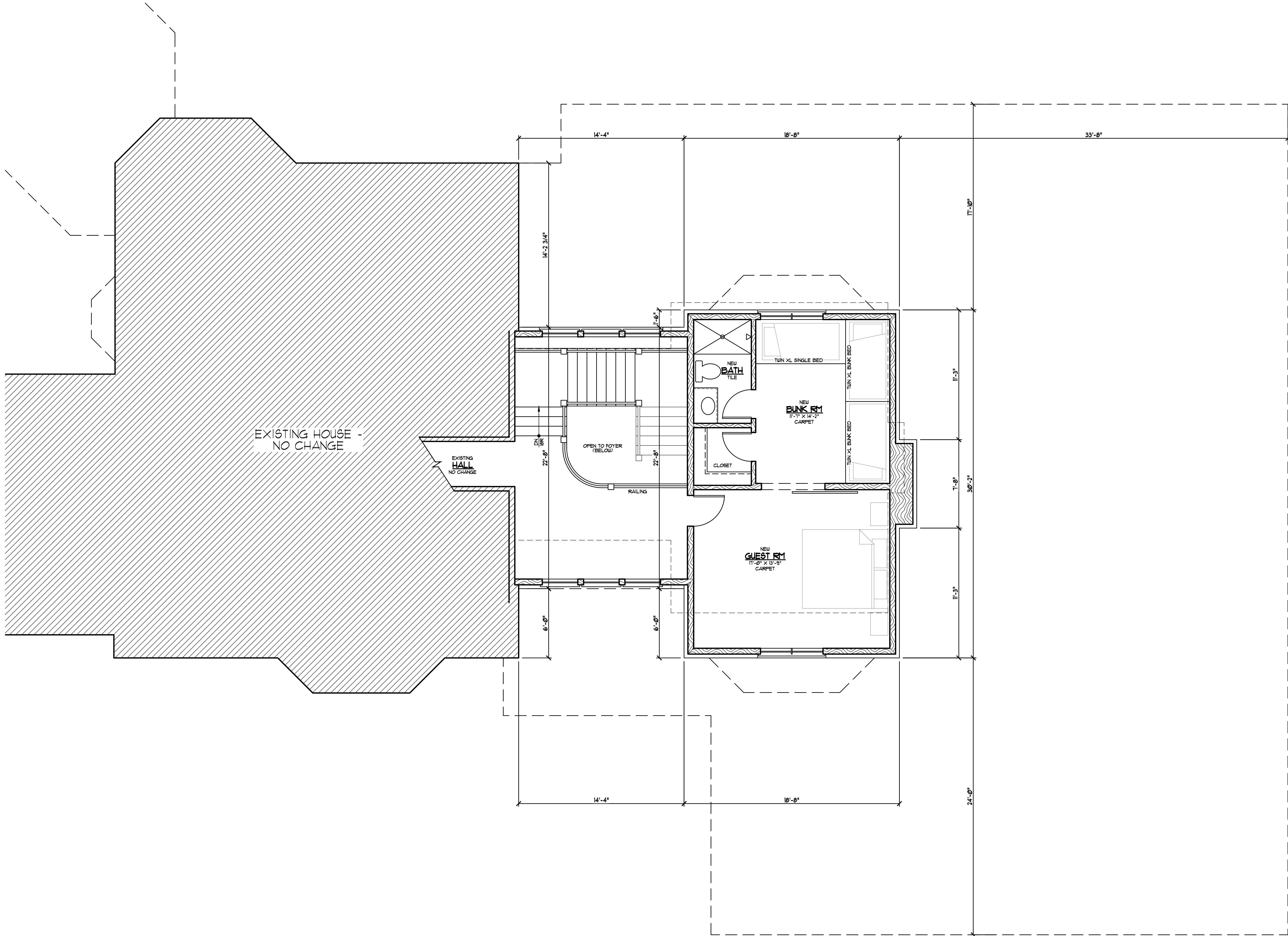
VARIANCE SET

DELAWARE ADDITION
2400 DELAWARE AVE
SUN FISH LAKE, MN

4
1 OF 4



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



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

ALEXANDER
DESIGN GROUP

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Phone: 952.473.8777
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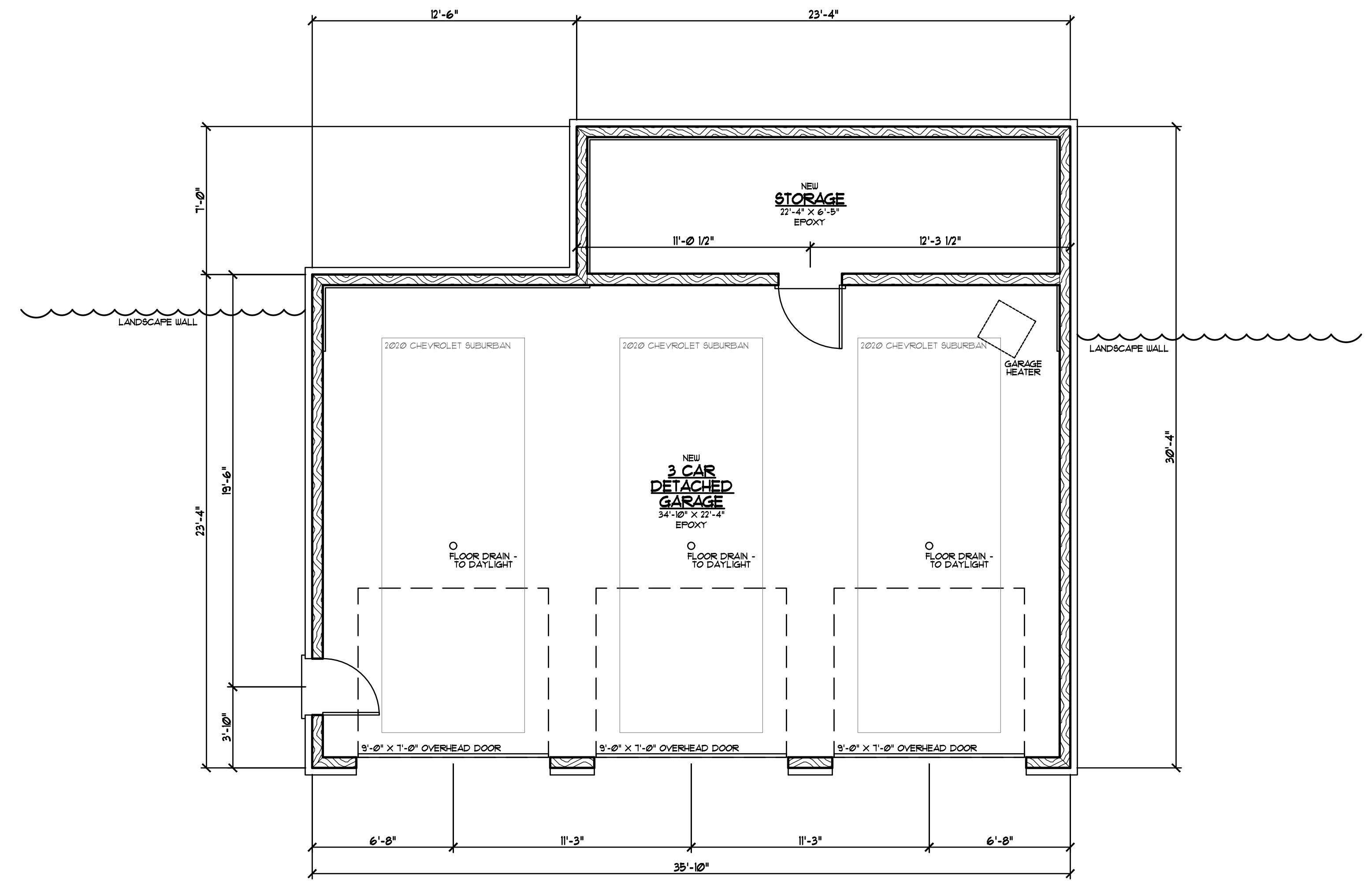
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UPPER LEVEL
FLOOR PLAN

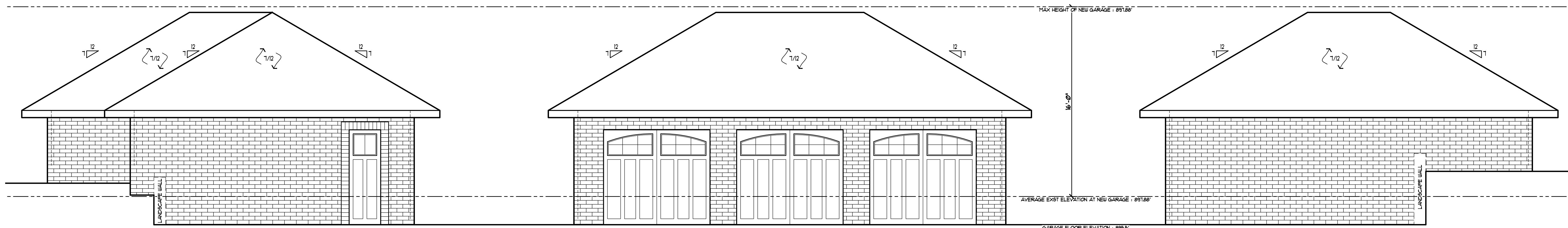
VARIANCE SET

DELAWARE ADDITION
2400 DELAWARE AVE
SUN FISH LAKE, MN

6
3 OF 4



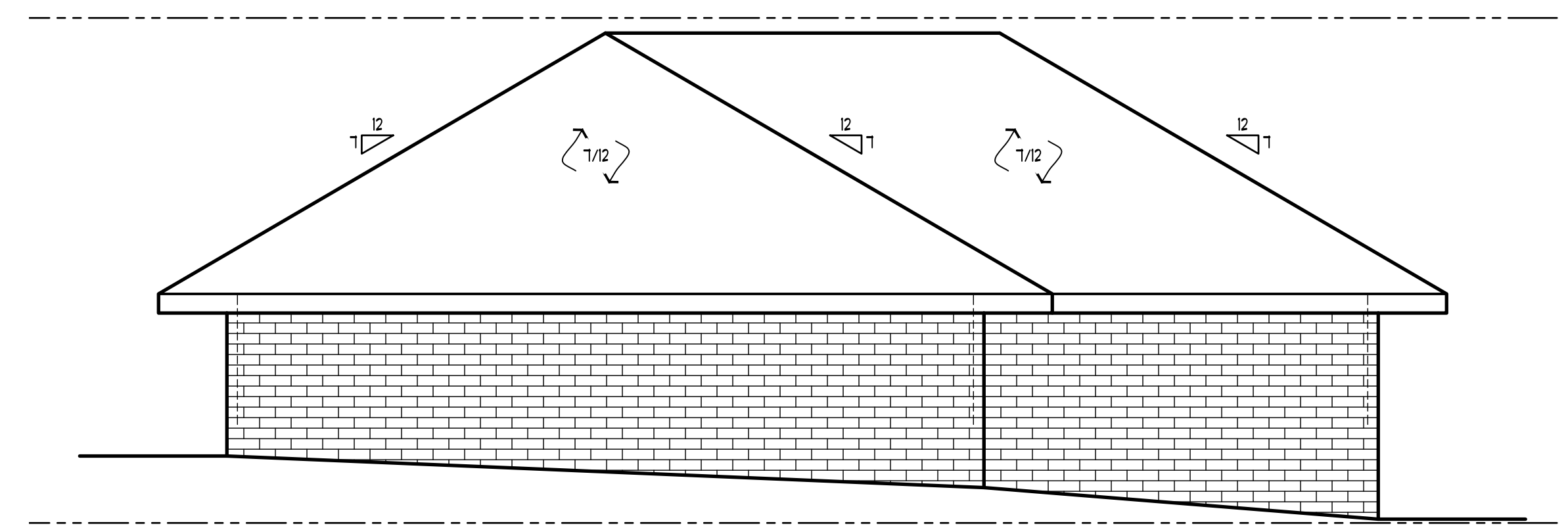
2
8 **DETACHED GARAGE PLAN**
SCALE: 1/4"=1'-0" 998 SF



3
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"

ALEXANDER
DESIGN GROUP
ARCHITECTS

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

ISSUE DATE:
8 JUNE 2020

PREVIOUS ISSUE DATES:

DRAWING DESCRIPTION:
DETACHED GARAGE PLANS

VARIANCE SET

DELAWARE ADDITION
2400 DELAWARE AVE
SUN FISH LAKE, MN

8
4 OF 4



















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

barbiev@comcast.net

651-283-4607

Tom Votel

tom.votel@ergodyne.com

651-338-3377