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PLANNING COMMISSION MEETING AGENDA  
REGULAR MEETING  
TUESDAY, JULY 18, 2017

**6:30 PM Regular Meeting**

1. Call to Order
2. Roll Call
3. Approval of Minutes:
  - a. June 20, 2017 Planning Commission Meeting
  - b. June 13, 2017 City Council Meeting Minutes (For Information Only)
4. **PUBLIC HEARING:** Richard and Kari Stromer (Applicant/Owner) requests that the City consider the following actions for the property located at 2828 County Line Road (PID No. 18-118-24-24-0003) in Independence, MN:
  - a. A variance to allow a lot split of their 19.47 acres in the Agriculture zoning district. The variance would allow for the division of a 4-5 acre portion of this property with access onto Nelson Road.
  - b. A minor subdivision allowing the split of the subject property into two parcels.
5. **PUBLIC HEARING:** RAM General Contracting (Applicant) and Bel Farms, LLC (Owner) request that the City consider the following actions for the property located at 499 Nelson Road (PID No. 31-118-24-24-0001) in Independence, MN:
  - a. A conditional use permit to build a new private equestrian facility which will exceed the maximum accessory structure size of 5,000 square feet.
  - b. A bunkhouse for the owner's caretaker of the property.
6. **Comprehensive Plan -2040 Plan Preparation.**
  - a. Present Community Survey Results
  - b. Community Survey Results Discussion
7. Open/Misc.
8. Adjourn.

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE PLANNING COMMISSION  
TUESDAY, JUNE 20, 2017 – 6:30 P.M.

1. CALL TO ORDER

Pursuant to due call and notice thereof, a regular meeting of the Independence Planning Commission was called to order by Chair Phillips at 6:30 p.m.

2. ROLL CALL

PRESENT: Chair Phillips, Commissioners Dumas, Gardner, Thompson and Palmquist  
STAFF: City Administrative Assistant Horner, City Administrator Kaltsas  
ABSENT: None  
VISITORS: Jan Gardner, Darwin Lemke, Linda Ostberg, Gary Ostberg, Brent Visser

3. Approval of minutes from the May 16, 2017 Planning Commission Meeting.

**Motion by Gardner, to approve the minutes of the May 16, 2017 Planning Commission Meeting, second by Palmquist. Ayes: Phillips, Gardner, Thompson, Dumas and Palmquist. Nays: None. Absent: None. Abstain: None. Motion approved.**

**4. PUBLIC HEARING:** Gary and Lynda Ostberg (Applicants) request that the City consider the following actions for the property identified by (PID No. 33-118-24-14-0003) and located on the south side of CSAH 6 and west of Game Farm Road N. in Independence, MN:

- a. A conditional use permit allowing the following:
  - i. A commercial riding stable.
  - ii. A bunkhouse
  - iii. An accessory building which is greater than 5,000 square feet.

The property is located on the south side of CSAH 6 and just west of Game Farm Road N. The property has no existing structures and is comprised of open pasture, a woodland area and wetlands. The property has the following characteristics:

Property Information: County Road 6 (PID 3311824140003)  
Zoning: Agriculture  
Comprehensive Plan: Agriculture  
Acreage: 39.92 acres

The applicants have a purchase agreement in place to acquire the property subject to the City's approval of a conditional use permit. The applicants are seeking approval to construct a new home, stable and associated indoor and outdoor riding arenas, paddocks, pastures and future caretaker apartment on the subject property. The proposed accessory structure (barn and riding arena) would exceed 5,000 square feet and therefore, also requires a conditional use permit.

The proposed horse farm would be used as a commercial riding stable. The horse barn would house 12 stalls. The applicant anticipates that they would have between 8-12 horses on the property. 2-4 horses would be their own animals with 8-10 horses boarded on the property. The applicants have noted that their

daughter is a trainer and would be providing lessons and riding her horses on the property. The proposed accessory structure is comprised of the horse barn, alley connection and indoor riding arena. The square footage of the proposed accessory building breaks down as such:

Horse Barn	4,902 SF
Alley Connection	308 SF
Arena	18,000 SF
<hr/> TOTAL SF	<hr/> 23,210 SF

In addition to the indoor riding arena, the applicant is seeking a conditional use permit to allow a bunkhouse within the proposed riding arena to house a property caretaker. The applicant has prepared a proposed site plan which delineates the location of the proposed accessory structure, paddocks, pastures and principle residence. The layout of the buildings and site features takes advantage of the natural topography and maintains separation from the existing wetlands and farmed wetlands. The proposed accessory building would be constructed of pre-finished metal. The City is waiting for the on-site septic report confirming the availability of a primary and secondary on-site septic location. It is anticipated that this information will be provided prior to City Council consideration of the application.

The applicant has had the property evaluated for potential wetlands. It was noted that there are two farmed wetlands located on the farmed portions of the property. One is located just south of CSAH 6 along the west property line and one located nearly in the center of the property. The applicant has designed the property to fully avoid conflict with the subject wetlands. The applicant has prepared a storm water plan which includes details for the construction of two water quality ponds in the location of both farmed wetlands.

Commercial riding stables are a conditional use in the Agriculture zoning district. The subject property is zoned Agriculture. The existing property is currently vacant with no existing structures. The property has historically been farmed. The City generally allows 1 animal unit on the first two acres and then 1 additional animal unit for each additional acre of property. The subject property is comprised of approximately 39 acres. Of the 39 acres, approximately 25 acres is useable upland. Applying the City's standard, the site would accommodate 38 animals using the gross acreage or 24 animals using the upland acreage. The City has historically required that the applicants maintain a manure management plan, maintain all applicable permits relating to the management of manure on this property and maintain 1/3 acre of open space per animal unit. The 12 horses proposed by the applicant would fit within the allowable number of animal units on the property.

Following are additional detail relating to the commercial riding stable operation:

1. The owners of the 8-10 horses will be visiting the site three to four times per week for 2-3 hours at a time to ride.
2. Deliveries and farriers will be on site periodically once every few weeks.
3. Horse trailers will occasionally be brought on site to pick up or drop off horses going to horse shows, the veterinarian, etc...
4. The manure will be hauled off-site once every few weeks.
5. Standard garbage removal will occur once per week.
6. Landscaping, including new trees, will be provided around the buildings. No trees will be planted within pastures or paddocks.
7. The pastures and larger paddocks will be seeded with a pasture seed mix.

8. The applicant will have a designated parking area for 10 vehicles, including one accessible parking space, located adjacent to the proposed accessory structure and just off the main access road.

The criteria for granting a conditional use permit are clearly delineated in the City's Zoning Ordinance as follows:

1. The conditional use will not adversely affect the health, safety, morals and general welfare of occupants of surrounding lands.
2. The proposed use will not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or on the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
3. Existing roads and proposed access roads will be adequate to accommodate anticipated traffic.
4. Sufficient off-street parking and loading space will be provided to serve the proposed use.
5. The proposed conditional use can be adequately serviced by public utilities or on-site sewage treatment, and sufficient area of suitable soils for on-site sewage treatment is available to protect the city from pollution hazards.
6. The proposal includes adequate provision for protection of natural drainage systems, natural topography, tree growth, water courses, wetlands, historic sites and similar ecological and environmental features.
7. The proposal includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance.
8. The proposed condition use is consistent with the comprehensive plan of the City of Independence.

The City has visited the site and discussed the operation of the proposed commercial riding stable with the applicant. They are wanting to utilize the natural topography so will situate the building along the tree line. The driveway would accommodate the proposed facility as well as the home. There's not a whole lot that around this property. We did receive the primary and secondary septic site locations this week, and they're located on the western edge of the site.

Staff is seeking a recommendation from the Planning Commission pertaining to the request for a conditional use permit with the following findings and conditions:

1. The proposed conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
2. Any new signage shall comply with all applicable standards of the City's ordinance.
3. No more than 12 horses shall be boarded on the property.
4. The applicant and facility must operate in compliance with manure management permit from MPCA. A copy of the valid MPCA permit is to be attached to and become a part of the conditional use permit.
5. A minimum of 1/3 acre or green covered open space, excluding wetland, is required within the horse facility, for each horse allowed by this permit. Grass shall be maintained and be the primary groundcover in all pasture areas.
6. The hours of operation are: summer 7:00am-10:00pm.
7. Horse shows or training clinics with more than 50 attendees will require special approval from the City.
8. No renting of hack horses.
9. No riding on private land unless authorized by owners.
10. No parking on public roads.
11. Utilize appropriate management practices to control flies and odor.



12. The bunkhouse is for the caretaker of the owners of the property only. The bunkhouse shall not be rented to anyone not employed on the property.

13. No future expansion of the barn and riding arena shall be permitted on the property without the further review and approval by the City through the conditional use permit amendment process.

Thompson asked if this was comprehensive. Are there driveway issues with Highway 6? Kaltsas stated it would be all inclusive. This is an existing lot of record so it's a buildable lot according to the City's current ordinances. They'd have to go through County for access to property which County would have to do. If they came tomorrow with building permit, we could approve it for the single family home or accessory building not larger than 5,000 sq ft. This approves building larger than 5,000 sq ft, conditional use for commercial riding piece to allow boarding, and the bunkhouse. Those are what we are considering here tonight. Kaltsas assured this is the correct process to go through. Gardner asked who would be living in house, and Kaltsas replied the applicants would. Palmquist questioned regarding the topography what the truck/trailer parking would be like. Kaltsas noted it's a large facility, and there should be space to accommodate additional parking. Ostberg said they have a small horse trailer and on the south side of building is where they would store these. She also added that there is room if they need to expand the parking area.

#### Public Hearing Open

Gardner asked if there had been any public comment, and Kaltsas confirmed there had been no written or verbal comments. Palmquist asked question to Applicant and storing and parking trailers there. Ostberg said they didn't anticipate any storage. They use a commercial shipper which isn't stored there. They would keep 1-2 on site for emergency purposes. She said she didn't think it was a big enough space for the commercial shipper to turn around, the south side would be utilized for that. Deliveries would also be made on the south side. Gardner noted location of paddock, and confirmed with the applicant that they could be moved if necessary. Ostberg noted the pasture areas are hayed. Ostberg stated RAM, their contractor, is quite experienced with these kinds of projects. Palmquist complimented the applicants on the completeness of their application.

Brent Visser of 361 Game Farm Road went to the podium, just south of the property. He had a concern regarding the 8-10 owners visiting their 12 horses 3-4 times per week during the hours of operation. He felt the number of horses would be a concern-adding 12 would add more traffic going down Game Farm toward the Luce Line. Now there are a few that go by, but not many. This is about ½ mile for them to get to the trail which would also create more manure. These hours of operation are during our quiet times. Lighting could be an issue-outdoor lighting may be needed for the outdoor arena. Last year they had a fox hunt and there were trucks and trailers lining the road. One trailer blocked Visser's driveway. Regarding the conditions for granting a conditional use permit, he disagreed that the proposed use will not have a detrimental effect on the use and enjoyment because of the extra traffic they'd see on Game Farm, and due to the hours of operation felt they would have extra noise during their quiet time. Visser also felt this would affect the hunting that they do. He stated offensive odors, dust could be an issue, and he's not convinced a commercial business really fits in to the area. This would have an adverse on their lives. Utilize management control on flies and odors-hard for him to imagine this wouldn't be an issue. He felt it would be more natural for a home and a barn.

Ostberg commented they didn't anticipate much use of Game Farm or the Luce Line for the horses. These are show horses. There will be no outdoor lighting. In the winter they will be indoors where they will have lighting. There will be deliveries maybe around 7:00 a.m. Hours will be more like 9-6. Phillips asked about the frequency of clinics, and Ostberg didn't anticipate any outdoors. Kaltsas stated that it's in there so that

if there were something that would bring more than 50 people, it would be a special permit through the City. This is standard language. Ostberg said that if they have any it would be in December or March so they would be indoors with less than 50 attendees. Phillips asked about dust control on the driveway. Gardner asked if it would be a gravel driveway, to which Ostberg confirmed it was. Gardner suggested they have the City do it for them. Ostberg stated that her husband has a car collection so would want to reduce any gravel time if possible. Dumas asked about manure management, and Kaltsas stated the generic permit is on file with MPC which is required. Kaltsas said Ostberg's will haul their manure off-site which is a better option than land applying. This is Ag, a horse farm is permitted 38 animals are permitted. What isn't permitted is boarding.

### **Motion by Gardner to close the Public Hearing.**

#### Public Hearing Closed

Palmquist brought up whether drainage would be an issue. Kaltsas said Hakanson is reviewing this and they seem to be in agreement with the applicants engineer. There are two holding ponds and the building is 23,000 sq ft so it will be able to capture run-off. Palmquist confirmed that drainage for the neighboring properties would not be an issue. Thompson wondered whether the building permitting process, and Hakanson's findings will ensure this is a safe project, and Kaltsas assured him it was. We are fairly well regulated. Phillips thought we'd be remiss if we didn't address dust control, and wondered why the number of parking spaces was not mentioned. Kaltsas said dust control is great, and the parking issue is not necessarily an issue. He felt 10 spaces was enough, as there is not a great standard for this. Their description of how they'd use their 10 spaces would adequately accommodate. Gardner noted it's not like a shopping center, that often times horse trailers are driving on the grass. Thompson wondered if when crossing over into commercial space, it makes us wonder if there was more involved-such as where and how do they turn around. Kaltsas felt this was adequate to accommodate their needs. Turn around on outside of the facility. Ostberg said it may be gravel, and Kaltsas said we could add that. Thompson asked if there was a public safety fire truck turn around issue. Kaltsas said he did not receive any comments regarding this. We will confirm that access road outside the building. Phillips asked if the lighting issue would be addressed, and Kaltsas said we could include as a condition no outdoor lighting. Phillips recapped that the subjects of adequate parking, best management for dust control, and no artificial lighting outdoors should be addressed.

**Motion by Palmquist to approve the request for a conditional use permit to allow a commercial riding stable, a bunkhouse and an accessory building which is greater than 5,000 square feet subject to adding provisions for adequate parking, best management employed for dust control measures and no artificial lighting allowed on the outdoor arena, second by Thompson. Ayes: Gardner, Palmquist, Dumas, Thompson and Phillips. Nays: None. Absent: None. Abstain: None. Motion approved.**

### **5. PUBLIC HEARING: A proposed text amendment to the City of Independence Ordinances as follows:**

- a. Chapter 5, Section 520.21 Definitions, Subd. 2 Accessory Dwelling Units- Amending/ adding language that will allow a basement or mechanical/ utility room as a part of an accessory dwelling unit without being counted towards the total square footage.

Kaltsas noted this clarify language around the total square footage for accessory dwelling units.

## Public Hearing Open

No comments or questions.

**Motion by Palmquist to close the Public Hearing, second by Gardner.**

## Public Hearing Closed

**Motion by Gardner to approve the proposed text amendment to Chapter 5, Section 520.21 Definitions, Subd. 2 Accessory Dwelling Units- Amending/ adding language that will allow a basement or mechanical/ utility room as a part of an accessory dwelling unit without being counted towards the total square footage, second by Palmquist. Ayes: Gardner, Palmquist, Dumas, Thompson and Phillips. Nays: None. Absent: None. Abstain: None. Motion approved.**

## **6. Meeting/ Schedule Update**

Kaltsas noted the City Council is changing their meeting times and there were some inquiries as to whether Planning needed to make some schedule changes also. He said after August the Council meeting dates will change to the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays. Kaltsas said Planning Commission could meet on the same night but the time would be changed to 7:30 p.m. instead of 6:30 p.m. Phillips said a later start could get too late for Public Hearings. Phillips said it is not a workable solution and maybe a different day needs to be selected for the Planning Commission meeting.

## **7. Open/ Misc.**

Kaltsas noted the City is conducting CUP reviews. Dumas asked how many they were. Kaltsas said they were actively going down the list and addressing each CUP. He said there were between 75-80 total.

Phillips said he would like to add a discussion under new business around Commercial Equestrian operations. Specifically he wants to address outdoor arenas and lighting and the operations built on or near wetlands. He said there needs to be a filter strip requirement to protect the wetlands. Phillips said it would be nice to have this discussion by the end of the year. Thompson asked if this could be looked at holistically instead of case by case.

## **8. Adjourn.**

**Motion by Gardner, second by Palmquist to adjourn at 7:30 p.m. Ayes: Phillips, Gardner, Thompson, Dumas and Palmquist. Nays: None. Absent: None. Abstain: None. Motion approved.**

Respectfully Submitted,

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Beth Horner  
Recording Secretary

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, JUNE 13, 2017 –7:30 P.M.

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a regular meeting of the Independence City Council was called to order by Mayor Johnson at 7:30 p.m.

2. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Mayor Johnson, Councilors Betts, Grotting, Spencer and McCoy

ABSENT: None

STAFF: City Administrative Assistant Horner, City Administrator Kaltsas, City Attorney Vose

VISITORS: Kaci Fisher, Lynda Franklin, Dean Fowser, Sarah Utsah, Scott Walsh

4. \*\*\*\*Consent Agenda\*\*\*\*

All items listed under Consent Agenda are considered to be routine by Council and will be acted on by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Approval of City Council minutes from the May 9, 2017 Regular City Council Meeting.
- b. Approval of City Council minutes from the June 7, 2017 City Council Workshop.
- c. Approval of Accounts Payable; Checks Numbered 17140-17219.
- d. Approval of First Quarter Financial Report.
- e. Approval of Release from Development Agreement for that Portion of Lot 1, Block 2 (as legally described in the agreement) Independence Ridge Subdivision.
- f. Approval of the Large Assembly Permit and Associated Minnesota Lawful Gambling Exempt Permit for Twin Cities Polo Club Annual Polo Classic Event to be Held August 4-6, 2017.
- g. Approval of Professional Financial Services Contract with AEM Financial Solutions, LLC.
- h. Approval of Amended Stormwater Pond Maintenance Agreement for Franklin Hills 3<sup>rd</sup> Addition.

Johnson noted that item (f) would be pulled for separate discussion.

**Motion by Betts, second by McCoy to approve the Consent Agenda with the exception of item (f). Ayes: Johnson, Grotting, McCoy, Spencer and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

Johnson asked Kaltsas to explain why item (f) was being pulled for review. Kaltsas said this permit was approved last year and is being looked at again with the stipulation that a new condition be added. He said WHPS would like to add an escrow deposit of \$300.00 for the Police Reserves that will be needed for the event. The fees would be determined after the event and payment taken from the escrow dollars with any

unused portion to be returned if applicable. McCoy asked if there had been issues. Kaltsas said there have been discussions and this would make it easier to settle after the event. Kaltsas noted the gambling permit is a new item pertaining to the auction they plan to have. McCoy asked if noise was going to be an issue. McCoy asked if the deposit needed to be increased since it was technically over three days. Kroells said if there was going to be 3500 for the band on Friday \$300 was not enough. Everyone agreed more details were needed on the Friday night event.

**Motion by Johnson, second by Spencer to approve the liquor license and gambling permits for the Polo Club Classic with more details needed to approve the total event permit. The final approvals may be presented at the next meeting. Ayes: Johnson, Grotting, McCoy, Spencer and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

**5. SET AGENDA – ANYONE NOT ON THE AGENDA CAN BE PLACED UNDER OPEN/MISC.**

**6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF**

**Spencer attended the following meetings:**

- Planning Commission Meeting
- Lake Independence Citizens Association Annual Meeting
- Public Works Planning Meeting
- Delano Memorial Day Celebration
- Hennepin County Comprehensive Plan Committee Meeting
- Hennepin County Workshop
- City Council Workshop

**Grotting attended the following meetings:**

- Planning Commission Meeting
- City Council Workshop

**McCoy attended the following meetings:**

- I-94 Chamber event honoring Loretto First Responders
- Memorial Day Services
- City Council Workshop
- Orono High School Graduation
- Minnesota Firefighters Conference
- West Hennepin Chamber of Commerce Meeting

**Betts attended the following meetings:**

- Delano Senior Center Appreciation Luncheon
- Sensible Land Use Committee Conference
- Police Commission Meeting
- City Council Workshop

**Johnson attended the following meetings:**

- Lake Independence Citizens Association Annual Meeting
- Community Action Partnership Hennepin County Finance Meeting
- WeCAN Open House

- Land Use Advisory Committee Meeting with Met Council
- Delano School Board Meeting
- Met Council Sewer Meeting
- Orono Scholarship Awards Ceremony
- Minnehaha Watershed Meeting
- Senior Community Services Board Meeting
- Hennepin County Community Action Partnership Board Meeting
- Martin Eichers Open House/ Graduation
- Police Commission Meeting
- Lewis Cemetery Program
- 2 Northwest League Meetings
- Auditors Meeting
- City Council Workshop
- West Hennepin Chamber of Commerce Meeting

**Horner attended the following meetings:**

- Planning Commission Meeting
- Mead Hunt Architectural Firm meeting at Museum
- West Hennepin Chamber of Commerce Meeting
- City Council Workshop

**Kaltsas attended the following meetings:**

7. DIRECTOR GARY KROELLS, WEST HENNEPIN PUBLIC SAFETY - ACTIVITY REPORT FOR THE MONTH OF APRIL, 2017.

Kroells said April had an increase of 123 incidents compared to the same time frame last year. He noted the department is at full-staff with the hiring of Cody Thompson.

\*For a complete report see the City Council packet\*

Kroells said MnDOT announced on May 4<sup>th</sup> that they will be funding a center median to extend from County Road 6 to Baker Park Road. The effort will be completed in 2021. The City will also be able to be involved in the project as changes will be made to the intersections at 90 and 92 as well. Kroells noted next steps are a concept plan. Johnson said it would be great if the railroad would get involved.

8. PUBLIC HEARING: ORDINANCE AMENDMENT TO SECTION 915- REGULATION OF LAKE SARAH SURFACE USE.

- ORDINANCE 2017-02:** An amendment relating to the removal of the no-wake provision to be consistent with the ordinance regulating Lake Independence.

Kaltsas said the City adopted an amended ordinance last fall to match the language incorporated by the City of Greenfield. The City submitted a draft to the DNR for review following adoption last fall. It was noted by the DNR that both cities would need to hold a public hearing prior to adoption of the ordinance amendment. The proposed amendment has not changed from last fall. Greenfield will also be holding a public hearing in June to review the amendment.

In an effort to maintain the “same” ordinance, staff is recommending that the City adopt a revised ordinance which would be identical to that which was recently adopted by the City of Greenfield. The ordinance numbers would not change as a result of the new adopted language. A copy of the proposed changes is attached to this report.

Kaltsas said Lake Independence is 3 days on and 3 days off when a no-wake is in effect. He said Lake Sarah is currently 3 days on but off immediately in a no-wake situation. This new ordinance would make Lake Sarah the same as Lake Independence.

#### Public Hearing Open

Walsh stated he is the one responsible for putting up the signage on Lake Sarah in the event of a no-wake. He said it is a lot of work and he is in favor of the 3 days on/ 3 days off model. He said he was happy the Council was instituting this ordinance.

**Motion by Spencer, second by McCoy to approve ORDINANCE 2017-02: An amendment relating to the removal of the no-wake provision to be consistent with the ordinance regulating Lake Independence. Ayes: Johnson, Grotting, McCoy, Spencer and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

#### Public Hearing Closed

**Motion by Spencer, second by McCoy to close the Public Hearing. Ayes: Johnson, Grotting, McCoy, Spencer and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

9. DEAN FOWSER (APPLICANT/ OWNER) REQUESTS THAT THE CITY CONSIDER THE FOLLOWING ACTIONS FOR THE PROPERTY LOCATED AT 8875 HIGHWAY 12 (PID NO. 18-118-24-11-0001) IN INDEPENDENCE, MN:

- a. **RESOLUTION NO. 17-0613-01-** recommending approval of an amendment to the conditional use permit to expand the commercial building located on the property.

The property is located on the south side of Highway 12 and just west of Copeland Road. The property has an existing residence and three detached accessory buildings. The property has a significant wetland on the west and south sides.

The subject property was granted a conditional use permit to allow a dog kennel in 1977. In 1993, the City amended the conditional use permit to allow and outside dog run in association with the conditional use permit. The conditional use permit has the following key conditions (see attached City copy of minutes for CUP):

1. Metal pole building can be up to 36' x 82.5'. Expansion of the building can occur without further City Council review.

2. 55-60 dogs.
3. Boarding and impounding of dogs from 8:00am – 7:00pm 7 days a week.
4. An outdoor fenced exercise area up to 2,400 square feet is permitted.

A kennel is defined as follows:

"Kennel." Any structure or premises on which four or more dogs over six months of age are kept.

The City was contacted by the owner (Dean Fowser) last year to discuss the possibility of expanding the existing building. Dean currently leases the building to Abby Lake Kennel. The kennel would like to improve the existing facility in order to stay competitive and potentially attract new clients. The existing kennel currently houses approximately 15-20 dogs at any given time. Abby Lakes has noted that they are not expecting to increase the number of dogs kept on the premise, but rather improve the facilities for their current clients.

The original conditional use permit allows for 55-60 dogs to be kept on the premise and an expansion of the building up to 36' x 80'. When discussing the expansion of the building with the owner, he noted that he would like to turn the building 90 degrees and construct a new building rather than trying to expand the existing building. The City informed him that this would require an amendment to the conditional use permit. Turning the building appears to fit better on the property and would avoid potential conflicts with the adjacent wetlands.

The proposed building would be 36' x 80' in size with a small 12' x 12' vestibule. The proposed building would be a one-story metal pole building similar in design to the existing building. The building would have the interior kennel space, a grooming area, reception area and then a separate storage garage.

The kennel is accessed off of Highway 12 via a gravel driveway. It is proposed that the kennel will continue to utilize the existing Highway 12 access. The applicant will need to modify the existing driveway and parking area to accommodate the new building. The applicant has prepared a site plan which indicates the revised parking and drop-off area based on the proposed building. The proposed setback from Highway 12 is 72 feet from the property line. The City will require one (1) handicap accessible parking space to be signed and delineated in the parking lot.

The outdoor fenced kennel area will remain following the construction of the new building. The area will be connected along the rear of the building and cannot exceed 2,400 square feet.

The applicant just recently updated the on-site septic system. The newly installed system will accommodate the proposed new building with no further modifications necessary.

The criteria for granting an amendment to the conditional use permit are the same as granting a new conditional use permit and are clearly delineated in the City's Zoning Ordinance (Section 520.11 subd. 1, a-i) as follows:

1. The conditional use will not adversely affect the health, safety, morals and general welfare of occupants of surrounding lands.



2. The proposed use will not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity for the proposes already permitted or on the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
3. Existing roads and proposed access roads will be adequate to accommodate anticipated traffic.
4. Sufficient off-street parking and loading space will be provided to serve the proposed use.
5. The proposed conditional use can be adequately serviced by public utilities or on-site sewage treatment, and sufficient area of suitable soils for on-site sewage treatment is available to protect the city form pollution hazards.
6. The proposal includes adequate provision for protection of natural drainage systems, natural topography, tree growth, water courses, wetlands, historic sites and similar ecological and environmental features.
7. The proposal includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance.
8. The proposed condition use is consistent with the comprehensive plan of the City of Independence.
9. The proposed use will not stimulate growth incompatible with prevailing density standards.

The proposed facility has been in existence since 1977. The City does not have a history of complaints or concerns relating to the use of the property as a kennel. The natural features of the property and its geographic relationship to the surrounding properties and Highway 12 minimize potential impacts to the adjacent properties.

Staff is seeking discussion and direction from the City relating to the request for a conditional use permit amendment.

Planning Commissioners reviewed the requested amendment to the conditional use permit. Commissioners asked about the proposed layout of the new building and how the parking area would be revised. Commissioners asked how the pet waste is handled. The applicant explained that the waste is put into a holding tank on the property and then pumped out. Commissioners discussed that the applicant has approval to expand the existing building and that building a new building would be a better solution. Commissioners asked for clarification relating to the setback from Highway 12. Staff noted that the proposed setback met the 85 feet requirement, but that it would be added to the final survey. Commissioners found that the proposed amendment met the requirements and recommended approval to the City Council.

The City has not received any written or oral comments regarding the proposed amendment to the conditional use permit.

The Planning Commission recommended approval of the request for an amendment to the Conditional

Use Permit with the following findings and conditions:

1. The proposed Conditional Use Permit amendment request meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. All conditions of the 1977 approved conditional use permit and 1993 amended conditional use permit shall remain in full force.
3. The Conditional Use Permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
4. The proposed breeding facility is permitted as shown on the approved site plan. Any expansions, additions or other changes to the proposed site plan will require an amendment to the Conditional Use Permit.
5. The applicant shall obtain a building permit from the City to allow the construction of the new building.
6. The applicant shall provide the City with an updated site plan indicating the location of the driveway and parking areas. The plan shall identify the location of a handicap accessible parking space. The applicant shall be required to install the requisite space at the time the building is constructed.
7. The applicant shall be responsible to pay all fees associated with the consideration and review of the conditional use permit amendment.

Grotting asked if there was an alternate septic site. Kaltsas said the septic system is brand new.

**Motion by McCoy, second by Spencer to approve RESOLUTION NO. 17-0613-01-recommending approval of an amendment to the conditional use permit to expand the commercial building located on the property at 8875 Highway 12 (PID No. 18-118-24-11-0001) in Independence, MN. Ayes: Johnson, Grotting, McCoy, Spencer and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

10. PRESENTATION BY CLIFTON LARSEN ALLEN- 2016 FINANCIAL AUDIT AND YEAR END FINANCIALS

Utsah presented the 2016 Financial Audit. She noted that as of December 31<sup>st</sup> cash was down due to the bond proceeds. She noted that reserves were also down but the City was healthy with 2.3M in the general fund. Utsah said the biggest expense is Public Safety, Fire Department and the Building Inspector.

\*for the full report see the City Council packet\*

11. ANNUAL OPPORTUNITY FOR PUBLIC TO COMMENT ON MS4 PERMIT

Each year the City is required to offer an opportunity to the public to provide comments relating to the City's MS4 Stormwater Permit. No official public hearing is required.

*From the Minnesota Pollution Control Agency*

What is an MS4?

A municipal separate storm sewer system is a conveyance or system of conveyances (roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, storm drains, etc.) that is also:

- owned or operated by a public entity (which can include cities, townships, counties, military bases, hospitals, prison complexes, highway departments, universities, etc.) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage districts, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges to waters of the United States;
- designed or used for collecting or conveying stormwater;
- which is not a combined sewer; and
- which is not part of a publicly owned treatment works.

Fisher said the MS4 General Permit is designed to reduce the amount of sediment and pollution that enters surface and ground water from storm sewer systems to the maximum extent practicable. Stormwater discharges associated with MS4s are subject to regulation under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS). Through the MS4 General Permit, the system owner or operator is required to develop a stormwater pollution prevention program (SWPPP) that incorporates best management practices (BMPs) applicable to their MS4.

Fisher asked if there were any questions or comments. Betts asked if ponds were included in the MS4 and who monitored them. Fisher said 1/5 of the ponds in the City are checked every year.

## 12. CHANGE OF CITY COUNCIL MEETING DATES/ TIMES

Kaltsas said Council has discussed moving the regular City Council Meetings to the first and third Tuesday of each month at 6:30 PM. It is anticipated that this will commence in August, 2017. The City will need to amend the ordinance to remove the prescribed times at a future meeting. The following is a tentative Council Meeting Schedule:

June 13, 2017 – Regular City Council Meeting (7:30 PM)

June 27, 2017 – No Meeting

July 11, 2017 – Regular City Council Meeting (7:30 PM)

July 18, 2017 – Joint City Council/Planning Commission Meeting (6:30 PM)

July 25, 2017 – Regular City Council Meeting (7:30 PM) – *if needed*

### **New City Council Schedule**

**August 1, 2017 – National Night Out – Regular Meeting to be rescheduled to either Monday, July 31 or Wednesday, August 2 (6:30 PM).**

August 15, 2017 – Regular City Council Meeting (6:30 PM)

Kaltsas said the new schedule would be published in the upcoming newsletter and updated on the website. He noted it was not necessary to change the ordinance.

**Motion by Spencer, second by Betts to approve the change of City Council Meeting Dates and Times noting that the first August meeting would be Monday, July 31st. Ayes: Johnson, Grotting, McCoy, Spencer and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

13. OPEN/ MISC.

14. ADJOURN

**Motion by McCoy, second by Grotting to adjourn at 8:55 p.m. Ayes: Johnson, Grotting, McCoy, Spencer and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

Respectfully Submitted,

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Trish Bemmels/ Recording Secretary

## City of Independence

### ***Request for a Variance and Minor Subdivision to Permit a Lot Line Rearrangement for the Property Located at 2828 County Line Road***

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*To:* Planning Commission  
*From:* Mark Kaltsas, City Planner  
*Meeting Date:* July 18, 2017  
*Applicant/Owner:* Richard and Kari Stromer  
*Location:* 2828 County Line Road

#### ***Request:***

Richard and Kari Stromer (Applicants/Owners) request that the City consider the following actions for the property located at 2828 County Line Road, Independence, MN (PID No. 18-118-24-24-0003):

- a. A variance to allow the subdivision of property in the AG-Agriculture zoning district.
- b. A minor subdivision to allow the subdivision of the subject parcel into two (2) lots.

#### ***Property/Site Information:***

The subject property is located south of Hwy. 12, west of Nelson Road and East of County Line Road. There is an existing home and accessory buildings located on the property. The home is accessed via Maria Rd. There is a creek that bisects a portion of the property. The property has upland pasture as well as a stand of mature trees. The property has the following site characteristics:

#### **Property Information: 2828 County Line Road**

Zoning: *Agriculture*

Comprehensive Plan: *Agriculture*

Acreage: (BEFORE) 19.47 acres

Acreage: (AFTER) 15.15 acres – West Parcel

4.32 acres – East Parcel (Proposed Tract A)



***Discussion:***

The applicants approached the City about the possibility of subdividing their property into two lots. The property is zoned Agriculture. The City does not allow the subdivision of property zoned Agriculture with the exception of lot line rearrangements and rural view lot splits. The City would have to consider granting a variance from the zoning ordinance to allow the subdivision of this property. The overall property does not meet the minimum 40-acre requirement to realize a rural view lot subdivision.

The property has an existing home and accessory structures that are accessed via Maria Rd. to the west. The applicant has noted in their application that the existing creek and tree line divides the property and makes access of the eastern portion difficult. Additionally, the property has frontage on Nelson Road to the east. The applicant would like the City to consider granting a variance to allow the subdivision of property in the Agriculture zoning district that does not meet the minimum 40-acre lot size. The applicant has provided a survey, wetland delineation and septic design for the proposed Tract A. The proposed new parcel would be a total of 4.32 acres with 2.76 acres of useable upland. The newly subdivided property would be accessed via Nelson

Road. Based on the information provided and a site visit, the proposed lot would appear to accommodate the development of a single-family home meeting all requisite requirements. The proposed property would have the following detail:

Min. Lot Size Required to Subdivide:	40 Acres
Existing Lot Size:	19.47 Acres
Min. Lot Frontage Required:	250 Lineal Feet
Lot Frontage Proposed:	440 Lineal Feet
Min. Upland Acreage Required:	2.5 Acres
Upland Acreage Proposed:	2.76 Acres

The remainder property with the existing home and accessory structures would not be negatively impacted as a result of the proposed subdivision. The proposed property line for the new parcel would not create any non-conformities or reduced setbacks relating to the remainder property, the existing home or accessory buildings.

The City has standards for granting a variance which need to be considered prior to making a recommendation relating to the application. The standards established by the City require the applicant to demonstrate that the requested variance does not create a situation that is not in keeping with the character of the surrounding area. In addition, the applicant must demonstrate that the requested variance is unique to the subject property. The standards for granting a variance are as follows:

*520.21. Standards for granting variances. Subdivision 1. The City Council may grant a variance from the terms of this zoning code, including restrictions placed on nonconformities, in cases where: 1) the variance is in harmony with the general purposes and intent of this zoning code; 2) the variance is consistent with the comprehensive plan; and 3) the applicant establishes that there are practical difficulties in complying with the zoning code (Amended, Ord. 2011-08)*

*Subd. 2. An applicant for a variance must demonstrate that there are practical difficulties in complying with the zoning code. For such purposes, “practical difficulties” means:*

- (a) The property owner proposes to use the property in a reasonable manner not permitted by the zoning code;*
- (b) the plight of the property owner is due to circumstances unique to the property not created by the landowner;*
- (c) the variance, if granted, will not alter the essential character of the locality.*



*Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. (Amended, Ord. 2011-08)*

*Subd. 3. The City Council shall not grant a variance to permit a use that is not allowed under the zoning code based on the zoning classification of the affected property. (Amended, Ord. 2011-08)*

*520.23. Conditions and restrictions. The board of adjustments may recommend and the City Council may impose conditions on a variance. Conditions must be directly related to and must bear a rough proportionality to the impact created by the variance. (Amended, Ord. 2011-08)*

Consideration of the standards for granting a variance:

- a. The applicants are proposing to use the property as residential which is consistent with the AG-Agriculture Zoning District.
- b. The properties created by the subdivision are similar in nature and character to the surrounding properties. There are existing properties located along Nelson Road that range between 2.5 and 40 acres plus.
- c. The character of the surrounding area is mixed residential/agricultural and guided for long term agriculture. The majority of existing properties that are less than 40 acres along Nelson Road, were subdivided based on a previous ordinance and comprehensive plan for the City. The City's current comprehensive plan guides this area for long term agriculture. The City will need to determine if the proposed subdivision is in keeping with the intent of the City's comprehensive plan.
- d. The requested variance to allow the subdivision of the property must be found to be unique to this property. The City reviewed aerial photographs and survey information to determine if the condition of having a creek subdivide the property with two points of access (Maria Road on the west and Nelson Road on the east) is unique to this property. Due to the large area of the City and the number of properties, it is difficult to determine if this situation is wholly unique to this property. The City has many unique properties as well as many situations that could be presented as unique to a given property. The City has recently considered and granted a variance to allow the subdivision of an Agricultural property, less than 40 acres, that was bisected by an existing road. In that instance, the City was able to more definitively identify the same condition and found that there were a handful (less than 5) of properties that had the same circumstances and conditions of a road bisecting the property. The City has a large number of properties that are less than 40 acres, zoned Agriculture and have unique conditions. The City will need to determine if the unique characteristics of this property are distinctive and discernable from other conditions on similar properties.



The Planning Commission will need to determine if the requested variance to allow the subdivision of the property meets the requirements for granting a variance. The proposed subdivision, if approved, would create two properties that meet all other applicable criteria of the City's zoning ordinance.

The existing house on the remainder property has an existing on-site septic system that will remain in use with the existing home. Upon the sale of the parcel, the City will require an inspection of the system. Proposed Tract A will need to accommodate the requisite primary and secondary on-site septic system locations. The proposed subdivision does not currently provide for the requisite drainage and utility easements along all property lines. These easements would need to be provided to the City should the application be approved.

The proposed Tract A would be required to pay the City's Park Dedication fee. For this property, the park dedication fee amount is \$3,500.00. This fee will need to be paid prior to recording the subdivision.

Park dedication fee \$3,500 per lot up to 4.99 acres, plus \$750 per acre for each acre over 5.

4.32 acres = \$3,500

***Planning Commission Recommendation:***

Staff is seeking a recommendation from the Planning Commission for the requested variance and minor subdivision with the following findings and conditions:

1. The proposed variance and minor subdivision request meet all applicable conditions and restrictions stated in Chapter V, Section 520.19, Procedures on variances, and Chapter V, Section 500, Subdivisions, in the City of Independence Zoning Ordinance.
2. The Applicant shall provide to the City verification that proposed Tract A can accommodate a primary and secondary septic site.
3. The Applicant shall provide, execute and record the requisite drainage and utility easement with the county within six (6) months of approval.
4. The Applicant shall pay the park dedication fees in the amount of \$3,500 prior to the applicant receiving final approval to record the subdivision by the City.
5. The Applicant shall pay for all costs associated with the City's review of the requested variance and subdivision.
6. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

**Attachments:**

- Application/Narrative
- Survey

MAY 30 2017

## City of Independence

The Independence City Code was established to protect both current and future residents from the negative impacts of improper development and to ensure a positive future for the city. The land use application review is the mechanism that allows the city to examine proposed uses to ensure compatibility with the surrounding environment, natural or otherwise. It is important to understand that a proposed use may be acceptable in some circumstances, but unacceptable in others—all applications are viewed on a case-by-case basis.

- ☐ Appeal
- ☐ Comprehensive Plan Amendment
- ☐ Concept Plan
- ☐ Conditional Use Permit
- \_\_\_ Residential
- \_\_\_ Commercial/Light Industrial
- \_\_\_ Telecommunications
- \_\_\_ Agriculture
- \_\_\_ Home Occupation
- \_\_\_ Non-Conforming Use
- \_\_\_ Guest/Bunk House
- \_\_\_ Institutional
- \_\_\_ CUP Amendment
- ☐ Extension Request
- ☐ Final Plat
- ☐ Interim Use Permit
- ☐ Lot Consolidation
- ☐ Minor Subdivision (Survey)
- \_\_\_ Lot Subdivision
- \_\_\_ Lot Combination
- \_\_\_ Lot Line Rearrangement
- ☐ Moving Buildings
- ☐ Preliminary Plat
- ☐ Rezoning
- ☐ Site Plan Review (Commercial)
- ☐ Vacation
- ☒ Variance
- \_\_\_ Subdivision Regulations
- \_\_\_ Zoning
- \_\_\_ Road Frontage
- ☐ Zoning Text Amendment

\*Please check all that apply

Request: \_\_\_\_\_

A variance to allow for  
a lot split on the  
property listed @ address  
below.

Site Address or Property Identification Number(s):

2028 County Line Rd SE Delano MN 55328  
P.I.D. 18 118 24 24 0003

NOTE: Minnesota State Statute 15.99 requires local governments to review an application within 15 days of its submission to determine if an application is complete and/or if additional information is needed to adequately review the subject request. *To ensure an expedited review, applicants shall schedule a pre-application meeting with the City Planner/Administrator at least one week prior to submittal.* Most applications have a review period of 60 days, with the City's ability to extend an additional 60 days if necessary due to insufficient information or schedule.

## Office Use Only

1,250.  
Application Amount

750.  
Escrow Paid

Date Accepted by Planner

City Planner

5/30/2017  
Date

2567  
Application Check #

2567  
Escrow Check #

Accepted By

**\*\*\*Note: All parties with a fee interest in the real estate must sign this application before the City will review for consideration!**

**Applicant Information:**

Name: Richard & Kar Stromer  
Address: 2828 County Line Rd SE  
City, State, Zip: Delano, Mn 55329  
Phone: <sup>KARI</sup> (612) 710-6167 <sup>(RICK)</sup> (952) 221-1313  
Email: stromerk1@gmail.com  
Signature: Kar Stromer

**Owner Information (if different than applicant)**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Signature: \_\_\_\_\_

**Checklist:** Please review the checklist that goes with the request(s) as all materials in the checklist unless waived by the City.

**Review Deadline and Timeline:** All applications must be received by the deadline according to the schedule attached hereto. Failure to submit by the date shown will result in a delay in the scheduling of the application review by Planning Commission and City Council.

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### ***Application for Planning Consideration Fee Statement***

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The City of Independence has set forth a fee schedule for the year 2014 by City Ordinance. However, projects of large scope that include two or more requests will be required to provide a larger deposit than the resolution sets forth as set by the City Administrator. The fees collected for land use projects are collected as deposits. All invoices associated with each land employ application will be billed to the applicant within 30 days upon receipt by the City for each project. The City of Independence often utilizes consulting firms to assist in the review of projects. The consultant and City rates are shown at the bottom of this form. By signing this form, the applicant recognizes that he/she is solely responsible for any and all fees associated with the land use application from the plan review stage to the construction monitoring stage through to the release of any financial guarantee for an approved project. If a project is denied by the City Council or withdrawn by the applicant, the fees associated for the project until such denial or withdrawal, remain the applicant's responsibility.

I UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

Applicant Signature: Kar Stromer  
Date: 5/25/17

Owner Signature (if different): \_\_\_\_\_  
Date: \_\_\_\_\_

## VARIANCE PROPOSAL

### Steps to Follow...

#### Written Statements...

**....3. Written statements providing information regarding your proposal. Please provide a separate answer for each of the lettered items listed below:**

a. A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates

Rick & Kari Stromer  
2828 County Line Rd SE  
Delano, Mn 55328

Rick (952) 221-1313  
Kari (612) 710-6167

Wetland Delineator:  
Jeremy Donabauer  
PO Box 43  
Arlington, Mn 55407  
Phone: (320) 291-4022

Surveyor:  
Schoborg Land Surveying  
8997 County Rd 13 SE  
Delano, MN 55328  
Phone: (763) 972-3221

Septic/Soils Engineer:  
Greg Halling  
Halling Engineering, Inc.  
3727 E 255th Street Webster, MN 55088-9514  
Phone: 952-440-1680

b. A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), current legal description(s), and existing use of land;

2828 County Line Rd SE  
Delano, Mn 55328

Zoning: Agricultural

Parcel size (acres): 19.47      Square Feet: 847,977

Property identification #: 18 118 24 24 0003

Current legal description:

The West 20 rods of the Southeast ¼ of the Northwest ¼ and the South 1 rod of the West ½ of the Northwest ¼ of Section 18, Township 118, Range 24, Hennepin County, Minnesota.

The South 1/3 of the East 60 rods of the Southeast ¼ of the Northwest ¼ of Section 18, Township 118, Range 24.

Existing use of land: Residential (1 house, 2 pole barns), Agricultural (approx. 8 acres pasture mix baled to keep land in use, prevent overgrowth)

c. State the provision(s) of the Independence City Code for which you seek a variance. (For example, subsections 530.03, 530.07, 530.

Independence City Code      500.03

Subd. 36. "Subdivision, rural view lot" means the division of a parcel of land in the Agriculture zoning district into one or more lots or parcels primarily for residential use. The resulting residential lots shall be referred to as "rural view lots." (Added, Ord. No. 2005-01)

d. A specific written description of the proposal and how it varies from the applicable provisions of Independence Code.

Independence Zoning Code      530.03 (Rev. 2011)

Current zoning states that only a parcel of 40 acres or more is allowed to subdivide a minimum of 2.5 buildable acres. We have 19.47 acres. The variance we are requesting would allow for the division of a 4-5 acre portion of the property at 2828 County Line Rd SE. The parcel portion applicable to the variance is on Nelson Rd and inaccessible to us off County Line Rd unless we drive over to Nelson Rd. A better use of the land would be for accessible residential use.

e. A narrative regarding any pre-application discussions with staff, and an explanation of how the issue was addressed leading up to the application for a variance.

We have talked with the city planner about the process of a variance request and were met with willingness to help in anyway possible within the city planners' abilities. An initial meeting with Mark Kaltsas was set up to go over our variance proposal. Variance paperwork was reviewed and we were informed of next steps to submit an application.



- Describe how the literal interpretation of the provisions of the zoning code would cause undue hardship, deprive you of rights commonly enjoyed by other properties in the same district under the terms of this zoning code and leave you with no reasonable use of the land. The hardship must not have been created by you, the applicant.

Dan & Denise Esler, our neighbors to the south, were able to subdivide their property to build a house off of Maria Rd in 1991. An existing house was already located on Nelson Rd. They also had less than 40 acres (10.09 acres) before they subdivided their property. They divided their portion of 5.37 acres off of 10.09 acres and sold 4.79 acres. With current land layout we are unable to access our property off of Nelson Rd due to a stream and tree line that separates the property. A right commonly shared by most residents is convenient access to all areas of their property to insure best use of the land.

- Explain why the conditions causing the hardship are unique to the property and are not shared by neighboring properties in the same zone. Also explain why exceptional or extraordinary circumstances apply to the property, that do not apply generally to other properties in the same zone, and result from lot size or shape, topography, or other circumstances over which you or the owners of the property, since enactment of the applicable zoning restriction, have no control.

A stream and a tree line divide the property, making it inaccessible to us unless we drive around to Nelson Rd. If we were to drive our tractor/lawn mower over to Nelson Rd for basic upkeep for that portion of the parcel, it would require driving 1.7 mi on Hwy 12 (MN deadliest hwy). Another option is to drive south on County Line Rd to Nelson Rd, which is a 3.4 mile drive. Neither of these options allows convenient access to our property.

- Address how the variance would be in keeping with the spirit and intent of this zoning code, would be consistent with the comprehensive plan, and would not essentially alter the character of the neighborhood, or adversely affect the environmental quality of the area.

The surrounding parcels are currently residential, as this would be too. Ariel view would show plots to the East to be smaller. A parcel just south of the (parcel requesting variance) would be similar in size and shape. Parcels further north and south are larger. Another residence in a spacious neighborhood would not have a negative impact on environmental quality. The new resident, as well as existing residents, would be required to stay within the environmental standards, character and comprehensive plan of the neighborhood. The variance would allow for the building of a single-family dwelling on a parcel with access to natural gas and electricity lines.

As stated in the zoning code:

- 1] {530.05 Subd. 2. Permitted uses.} The following uses are permitted in the rural residential district: (a) **single family dwellings**; (b) commercial agriculture; (c) public recreation;
- 2] {530.07. Physical standards. Subdivision 1.} All construction in the rural residential district must meet the following physical standards: (Added, Ord. 2010-01)

(a) **Minimum lot area a 2.50 acres buildable land. (Added, Ord. 2010-01)}**

**\*SEE ATTACHED LAND SURVEY\***

- 3] {530.11 Subd. 4(a) (Rev. 2012)}

... (c) **Storm Water Management.** Due to the sensitive nature of the natural resources in Independence, the applicant shall place an emphasis on meeting all applicable storm water management rules and regulations pertaining to the proposed planned development. Incorporation of best management practices and innovative solutions to storm water management will be encouraged.

\* Leaving the stream and tree line as is, would be the in the best interest for ideal storm water management. However, the current stream and tree line do not allow for convenient property access to parcel on Nelson Rd. Therefore, selling the parcel for a single family dwelling would be the best use

of the land, rather than filling the stream in to create convenient access to the land.

4] {Independence Zoning Code 530.07 Subd. 4(a)(3) (Rev. 2010)}

*Buildable acreage must not be separated by streams, wetlands, slopes in excess of 10% or other physical impediments;*

\* This would make the parcel on Nelson Rd usable for buildable acreage. Currently it can only be used for agriculture purposes due to natural impediments (ie. stream, tree line). If we were to keep the current property as is, with no subdividing, it would be a poor fit for use as buildable acres.

• Please explain why the variance would not allow any use that is not permitted under the zoning code for a property in the zone your land is located.

The variance would allow for a sale of a parcel on Nelson Rd for the use of a single-family dwelling/ residence. This is similar to the use for the parcels in the area. Any new resident would also be required to remain in the confines of the current zoning code once the property was individually established apart from our property.

• Provide justification that the variance request is not based exclusively upon a desire to increase the value or income potential of the parcel of land.

The parcel is currently being used for farming. A variance allowing building of a single-family dwelling, would be of better use. Hennepin County defines the soil type, on the parcel located on Nelson Rd, to be L24A (Glencoe Clay Loam). This is not considered prime farmland due to soil classification being #2 farm type. Hennepin County states that #2 farm type is only prime if well drained. Looking at the soil maps on Hennepin County's website, the parcel on Nelson Rd is described as "Very poorly drained."

\*SEE SOILS INSERT\*

• Please describe the cause(s) of this hardship (who or what created the current nonconformity).

The current 19.47 acre parcel of land is divided by a tree line and a stream making it inaccessible unless we drive around to Nelson Rd. This was created by nature with the tree growth and need for natural water run off for the land of surrounding properties.

• Justify that the granting of the requested variance **will not**: 1) adversely affect the health or safety of persons residing or working in the neighborhood; 2) alter the essential character of the neighborhood; 3) impair an adequate supply of light and air to adjacent properties; 4) be injurious to property or improvements in the neighborhood; 5) increase the congestion on public streets; 6) endanger public safety; 7) or substantially diminish or impair property values within the neighborhood.

1) If the variance were granted, it will not affect the health or safety of persons residing or working in the neighborhood because it will match the surrounding properties.

2) The essential character of the neighborhood is residential homes, which would be the intended use of this new parcel.

3) The parcel has existing trees on three sides, and Nelson Rd on the fourth. Thus, creating no new change in light supply or affect to the airflow to neighboring properties.

4) The variance would allow for residential use similar the surrounding properties, which wouldn't be



injurious to future improvements to properties within the neighborhood.

5) Adding one additional residence to Nelson Rd would not increase the traffic flow to the point of causing problems because the residence would be for a single-family dwelling.

6) The new parcel would not be different than surrounding properties, thus creating no new dangers to public safety.

7) Property values in the area would not negatively change due to the variance being passed. The parcel would be for a new single-family dwelling unit.

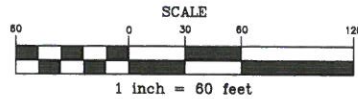




# Certificate of Survey

Prepared for:  
Kari Stromer

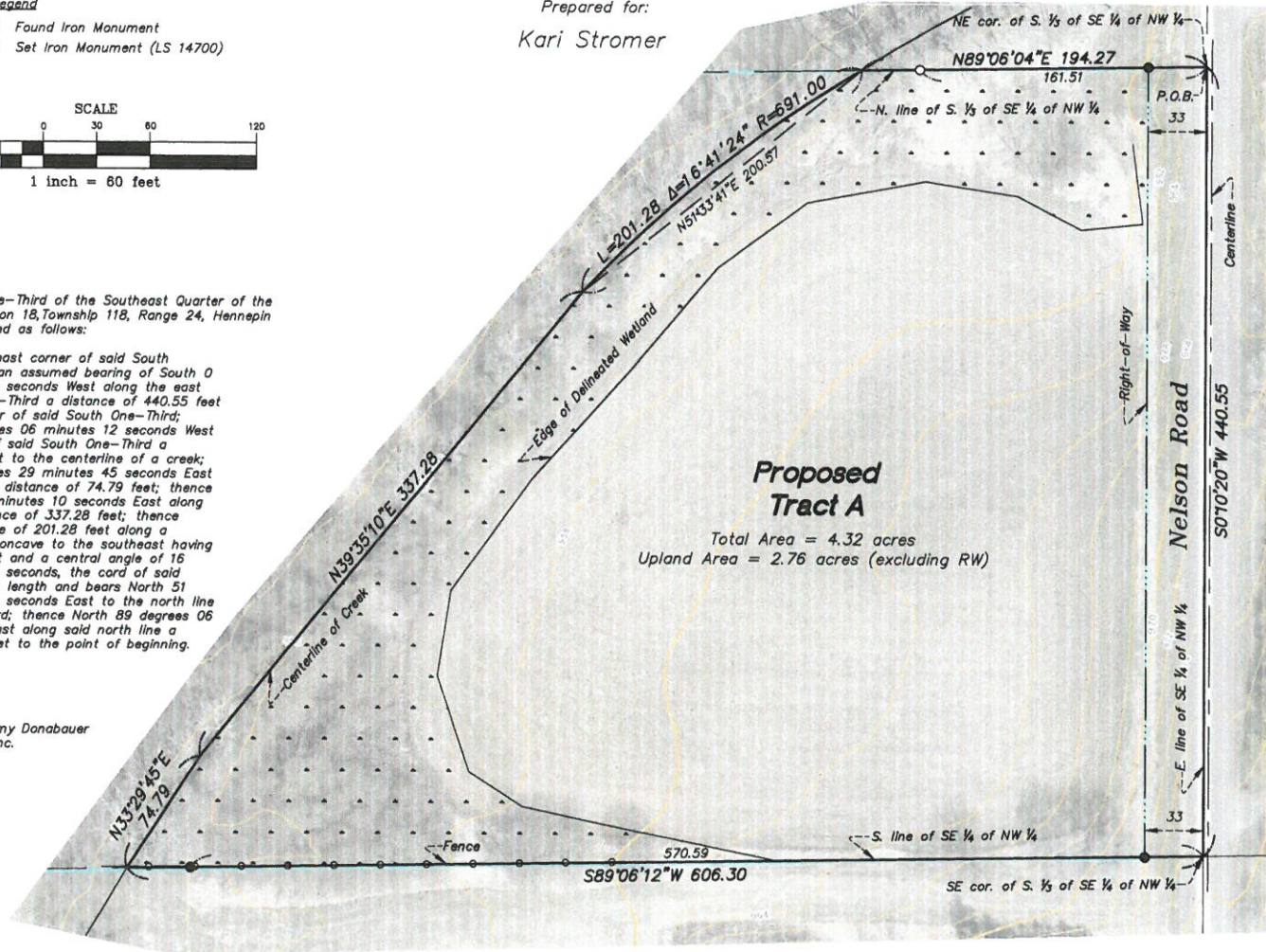
- Legend**
- Found Iron Monument
  - Set Iron Monument (LS 14700)



**Proposed Tract A**  
That part of the South One-Third of the Southeast Quarter of the Northwest Quarter of Section 18, Township 118, Range 24, Hennepin County, Minnesota, described as follows:

Beginning at the northeast corner of said South One-Third; thence on an assumed bearing of South 0 degrees 10 minutes 20 seconds West along the east line of said South One-Third a distance of 440.55 feet to the southeast corner of said South One-Third; thence South 89 degrees 06 minutes 12 seconds West along the south line of said South One-Third a distance of 606.30 feet to the centerline of a creek; thence North 33 degrees 29 minutes 45 seconds East along said centerline a distance of 74.79 feet; thence North 39 degrees 35 minutes 10 seconds East along said centerline a distance of 337.28 feet; thence northeasterly a distance of 201.28 feet along a non-tangential curve concave to the southeast having a radius of 691.00 feet and a central angle of 16 degrees 41 minutes 24 seconds, the cord of said curve is 200.57 feet in length and bears North 51 degrees 33 minutes 41 seconds East to the north line of said South One-Third; thence North 89 degrees 06 minutes 04 seconds East along said north line a distance of 194.27 feet to the point of beginning.

**Note:**  
Wetland delineated by Jeremy Donabauer of A.G. Wetland Services, Inc.



Aerial photo obtained from Hennepin County website. Bearings based on assumed datum.

Job Number:	8416
Book/Page:	LL
Survey Date:	4/21/17
Drawing Name:	stromer.dwg
Drawn by:	DMS
Revisions:	

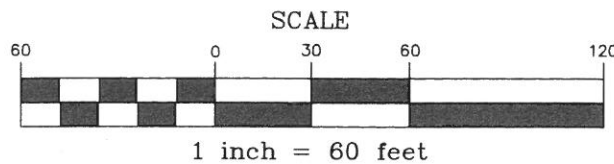
<b>SCHOBORG</b>	<b>INC.</b>
<b>LAND SERVICES</b>	

763-972-3221 8897 Co. Rd. 13 SE  
www.schoborgland.com Delano, MN 55328

Certificate of Survey

Prepared for:  
Kari Stromer

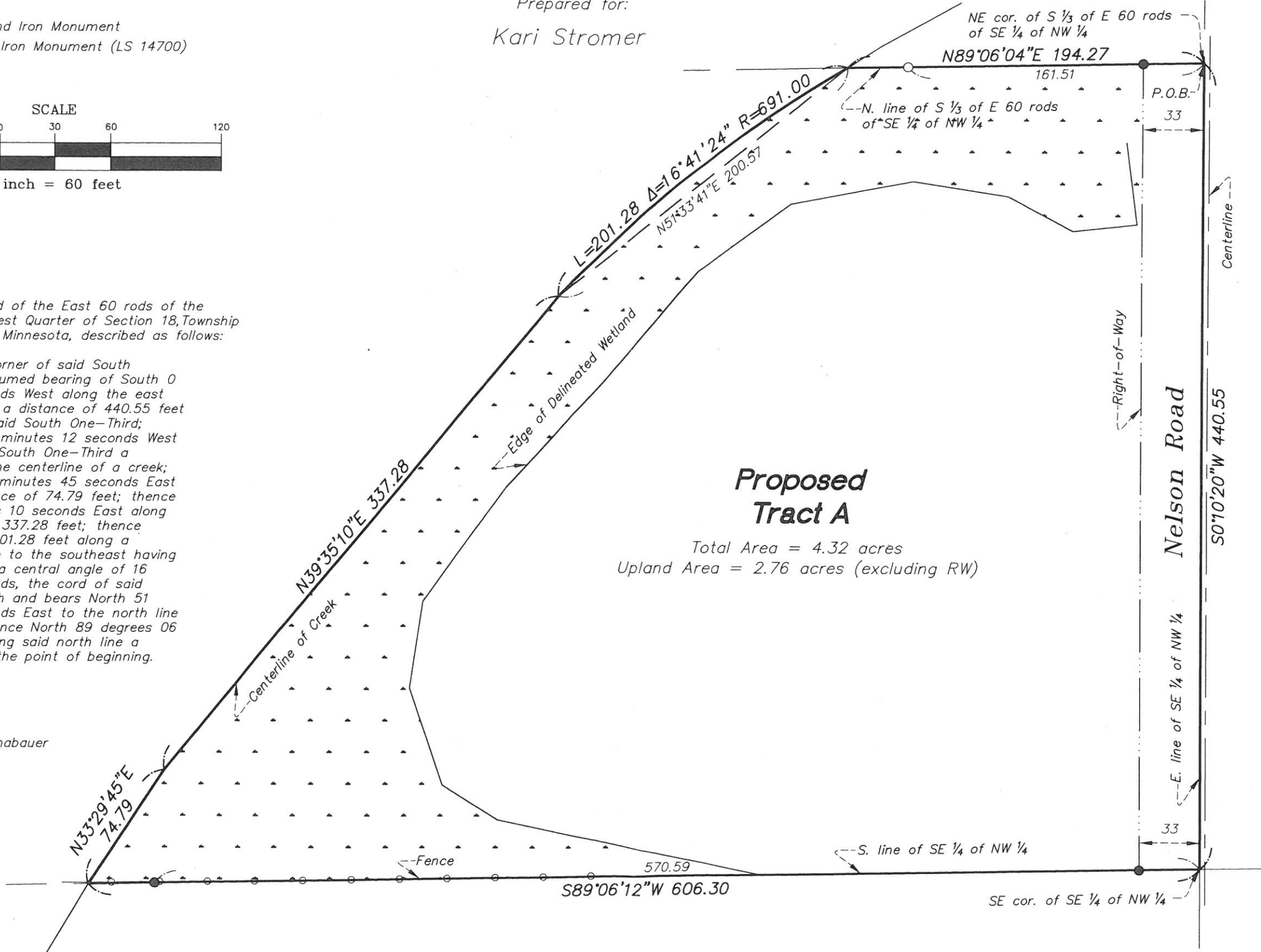
- Legend
- Found Iron Monument
  - Set Iron Monument (LS 14700)



Proposed Tract A  
That part of the South One-Third of the East 60 rods of the Southeast Quarter of the Northwest Quarter of Section 18, Township 118, Range 24, Hennepin County, Minnesota, described as follows:

Beginning at the northeast corner of said South One-Third; thence on an assumed bearing of South 0 degrees 10 minutes 20 seconds West along the east line of said South One-Third a distance of 440.55 feet to the southeast corner of said South One-Third; thence South 89 degrees 06 minutes 12 seconds West along the south line of said South One-Third a distance of 606.30 feet to the centerline of a creek; thence North 33 degrees 29 minutes 45 seconds East along said centerline a distance of 74.79 feet; thence North 39 degrees 35 minutes 10 seconds East along said centerline a distance of 337.28 feet; thence northeasterly a distance of 201.28 feet along a non-tangential curve concave to the southeast having a radius of 691.00 feet and a central angle of 16 degrees 41 minutes 24 seconds, the cord of said curve is 200.57 feet in length and bears North 51 degrees 33 minutes 41 seconds East to the north line of said South One-Third; thence North 89 degrees 06 minutes 04 seconds East along said north line a distance of 194.27 feet to the point of beginning.

Note:  
Wetland delineated by Jeremy Donabauer of A.G. Wetland Services, Inc.



Proposed  
Tract A

Total Area = 4.32 acres  
Upland Area = 2.76 acres (excluding RW)

Job Number:	8416
Book/Page:	LL
Survey Date:	4/21/17
Drawing Name:	stromer.dwg
Drawn by:	DMS
Revisions:	5-04-17 (description)

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

*Paul B. Schoborg*  
Paul B. Schoborg

Date: MAY 4, 2017 Registration No. 14700

**SCHOBORG**  
**LAND SERVICES**  
**INC.**

763-972-3221 8997 Co. Rd. 13 SE  
www.SchoborgLand.com Delano, MN 55328

Bearings based on assumed datum.

## City of Independence

### ***Request for a Conditional Use Permit to Allow an Accessory Structure Larger than 5,000 SF on the Property located at 499 Nelson Road***

---

<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	July 18, 2017
<i>Applicant:</i>	Ram General Contracting
<i>Property Owner:</i>	Bell Farms, LLC
<i>Location:</i>	499 Nelson Road

#### ***Request:***

Ram General Contracting (Applicant) and Bell Farms, LLC (Owner) request that the City consider the following action for the property located at 499 Nelson Road (PID No. 31-118-24-24-0001) in Independence, MN:

- a. A conditional use permit to allow an accessory structure that exceeds 5,000 SF with bunkhouse for the property caretaker.

#### ***Property/Site Information:***

The property is located on the west side of Nelson Road and north of CSAH 6. The property has an existing home and several smaller barns and accessory structures. There are several large pasture areas with some existing tree coverage. The property has the following characteristics:

Property Information: 499 Nelson Road  
Zoning: *Agriculture*  
Comprehensive Plan: *Agriculture*  
Acreage: *17.44 acres (including ROW)*





***Discussion:***

The property was recently acquired by a new owner and they are seeking a conditional use permit to allow an accessory building larger than 5,000 SF on the subject property. The applicants are proposing to develop the property into a private horse farm. The proposed development of the property would include a private stall barn, walker building and indoor riding arena. There is an existing home and several detached accessory buildings located on the property. The applicant is proposing to demolish one of the existing accessory buildings.

All accessory structures greater than 5,000 square feet require a conditional use permit. The proposed stall barn, walker building and indoor riding arena are approximately 30,000 square feet in size and would house eight (8) stables. In addition to the barn and indoor riding arena, the applicant is seeking a conditional use permit to allow a bunkhouse on top of a new storage garage to house a property caretaker. The applicant has provided the City with a site survey, site plan, interior floor plan and isometric elevation of the proposed buildings. The proposed development of this property into a horse farm is a permitted use in the Agriculture zoning district.

The proposed site and buildings have the following characteristics:

Site Area: 17.44 Acres

Required Setbacks:

Front Yard: 85 feet from centerline  
Side Yard: 30 feet principle structure  
15 feet accessory structure  
Rear Yard: 40 feet  
Structures: 150 from nearest residential structure  
Housing  
Livestock

Proposed Setbacks:

Front Yard: 113 feet (riding arena from centerline of Nelson Road)  
Side Yard: 150 feet (riding arena to south property line)  
Structures: ~286 from nearest residential structure (property across Nelson Road to East)  
Housing  
Livestock

The existing home and detached accessory structures meet all applicable building setbacks.

The City generally allows 1 animal unit on the first two acres and then 1 additional animal unit for each additional acre of property. The subject property is approximately 17 acres. All 17 acres is useable upland acreage. Applying the City's standard, the site would accommodate 16 animals. The applicant would be permitted to have up to 16 horses on the subject property. The proposed stall barn has eight (8) stalls and the applicant has noted that they intend to not have more than eight (8) horses on the property.

The criteria for granting a conditional use permit are clearly delineated in the City's Zoning Ordinance (Section 520.11 subd. 1, a-i) as follows:

1. The conditional use will not adversely affect the health, safety, morals and general welfare of occupants of surrounding lands.
2. The proposed use will not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity for the proposes already permitted or on the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
3. Existing roads and proposed access roads will be adequate to accommodate anticipated traffic.
4. Sufficient off-street parking and loading space will be provided to serve the proposed use.
5. The proposed conditional use can be adequately serviced by public utilities or on-site sewage treatment, and sufficient area of suitable soils for on-site sewage treatment is available to protect the city form pollution hazards.

6. The proposal includes adequate provision for protection of natural drainage systems, natural topography, tree growth, water courses, wetlands, historic sites and similar ecological and environmental features.
7. The proposal includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance.
8. The proposed condition use is consistent with the comprehensive plan of the City of Independence.
9. The proposed use will not stimulate growth incompatible with prevailing density standards.

The City has visited the site and discussed the operation of the proposed commercial riding stable with the applicant. This owner of this property recently sold a similar facility located on County Road 92. The owner has noted that this farm will be for their private use only and no commercial boarding or training of horses would occur on this property. The conditional use permit would allow an accessory structure larger than 5,000 SF as well as the bunkhouse for the property caretaker. The proposed bunkhouse would be located on top of the proposed new garage near the existing principal residence on the property. The remaining use of the property as a private horse farm is permitted in the Agriculture zoning district. The City is being asked to determine whether or not the proposed accessory structure larger than 5,000 SF would meet the criteria for granting a conditional use permit.

The applicant is proposing to screen the proposed structure from Nelson Road using landscaping. The attached landscape plan generally indicates the location and type of the proposed planting; however, a detailed landscape site plan will be required. The applicant has noted that the plan is in the process of being prepared. The landscape screening should provide relief to the views of the proposed accessory structure from the surrounding properties. The isometric plan illustrates how the mature landscaping would screen the proposed structure.

This "stretch" of Nelson Road is comprised of generally smaller residential properties to the north and east of the subject site. The property to the west and south is comprised of larger more typical agricultural parcels. The City will need to determine if the proposed accessory structure larger than 5,000SF meets the criteria for granting a conditional use permit. The criteria generally require that the use of the property is consistent with the City's comprehensive plan, is not detrimental to the reasonable use and enjoyment of the surrounding properties and will not cause any adverse nuisances.

#### Additional Notes/Considerations:

The applicant is proposing to construct an enclosed compost building to handle manure generated on the property. The applicant has not submitted any information pertaining to building or site lighting. All building lighting will need to comply with the City's lighting standards. The City reviews building and site lighting during the building permit review process.

The applicant has prepared a grading, drainage and storm water plan for the proposed site improvements. The plan includes measures for storm water treatment (storm water pond). The City is in the process of reviewing the grading, drainage and storm water plan. Any comments resulting from the plan review will need to be addressed prior to final consideration by the City Council. The City's approval of this project will also be subject to the Pioneer Sarah Creek Watershed Management Commissions approval of the proposed site improvements.



The following conditions should be considered:

1. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
2. The applicant shall submit a detailed landscape plan to the City for further review.
3. The applicant shall obtain all requisite approvals from the Pioneer Sarah Watershed Management Commission for the proposed site work and disturbance.
4. The applicant shall provide all requisite information and or revisions to the proposed grading and drainage plans in accordance with the review by the City's water resource consultant.
5. The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.
6. The bunkhouse is for the caretaker of the owners of the property only. The bunkhouse shall not be rented to anyone not employed on the property.
7. No commercial use of the horse farm shall be permitted.
8. No future expansion of the barn and riding arena shall be permitted on the property without the further review and approval by the City through the conditional use permit amendment process.

***Neighbor Comments:***

The City has not received any written or oral comments regarding the proposed conditional use permit.

***Recommendation:***

Staff is seeking a recommendation from the Planning Commission pertaining to the request for a conditional use permit with the following findings and conditions:

1. The proposed conditional use permit request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
3. The applicant shall submit a detailed landscape plan to the City for further review.
4. The applicant shall obtain all requisite approvals from the Pioneer Sarah Watershed Management

Commission for the proposed site work and disturbance.

5. The applicant shall provide all requisite information and or revisions to the proposed grading and drainage plans in accordance with the review by the City's water resource consultant.
6. The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.
7. The bunkhouse is for the caretaker of the owners of the property only. The bunkhouse shall not be rented to anyone not employed on the property.
8. No commercial use of the horse farm shall be permitted.
9. No future expansion of the barn and riding arena shall be permitted on the property without the further review and approval by the City through the conditional use permit amendment process.
10. The applicant shall pay for all costs associated with reviewing the application and recording the resolution.

***Attachments:***

1. Application
2. Site Survey
3. Proposed Site Plan
4. Site Plan Isometric
5. Grading Plans
6. Proposed Bunkhouse Plans
7. Proposed Landscape Plan

## Attachments

*499 Nelson Road (Looking west)*



*499 Nelson Road (Looking east)*

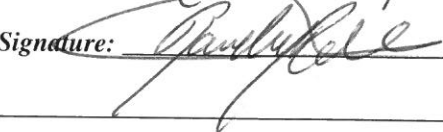




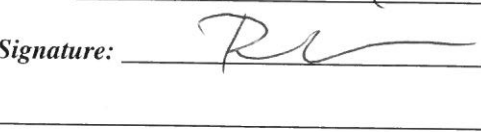


\*\*\*Note: All parties with a fee interest in the real estate must sign this application before the City will review for consideration!

**Applicant Information:**

Name: PAM General Contracting (Polly Radtke)  
Address: 592 Industrial Dr, Box 1000  
City, State, Zip: Winsted, MN 55395  
Phone: 320-212-9414  
Email: polly@pambuildings.com  
Signature: 

**Owner Information (if different than applicant)**

Name: BEL Farms, LLC (Bridget Ennever)  
Address: 450 Peavey Lane  
City, State, Zip: Wayzata, MN 55391  
Phone: 952-484-9540  
Email: blennever@aol.com  
Signature: 


**Checklist:** Please review the checklist that goes with the request(s) as all materials in the checklist unless waived by the City.

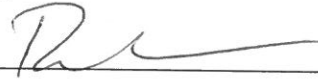
**Review Deadline and Timeline:** All applications must be received by the deadline according to the schedule attached hereto. Failure to submit by the date shown will result in a delay in the scheduling of the application review by Planning Commission and City Council.

**Application for Planning Consideration Fee Statement**

The City of Independence has set forth a fee schedule for the year 2014 by City Ordinance. However, projects of large scope that include two or more requests will be required to provide a larger deposit than the resolution sets forth as set by the City Administrator. The fees collected for land use projects are collected as deposits. All invoices associated with each land employ application will be billed to the applicant within 30 days upon receipt by the City for each project. The City of Independence often utilizes consulting firms to assist in the review of projects. The consultant and City rates are shown at the bottom of this form. By signing this form, the applicant recognizes that he/she is solely responsible for any and all fees associated with the land use application from the plan review stage to the construction monitoring stage through to the release of any financial guarantee for an approved project. If a project is denied by the City Council or withdrawn by the applicant, the fees associated for the project until such denial or withdrawal, remain the applicant's responsibility.

I UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

Applicant Signature:  CEO  
Date: 6/17/2017

Owner Signature (if different):   
Date: 6/12/17

Applicant: RAM General Contracting, Inc.  
592 Industrial Drive, Winsted, MN 55395  
Rollie Radtke, 320-212-9414, [rollie@rambuildings.com](mailto:rollie@rambuildings.com)

Owner: Bel Farms LLC  
450 Peavey Lane, Wayzata, MN 55391  
Bridget Ennevor, 952-484-9540, [blennevor@aol.com](mailto:blennevor@aol.com)

Site Address: 499 Nelson Road, Independence, MN 55359  
Parcel ID: 31-118-24-24-0001  
Parcel Area: 16.52 acres / 719,525 sq ft  
Metes & Bounds: That part of E ¼ Of NW ¼ Lying E of W 50 Ft Thof And S of N 1408 79/100 Ft Thof Ex Road

Present Zone: Agriculture  
Proposed Zone: Agriculture & Guest/Bunk House  
Reason for the CUP is the new buildings exceed 5,000 sq ft and 1,200 sq ft Caretaker Apartment

The owner is looking to build a new equestrian facility, for personal use. Please see the attached site plan. This will show the demolition of (1) existing building and adding the following:

- Stall Barn, 38' x 92', 3,496 sq ft
- Indoor Riding Arena, 90' x 200', 18,000 sq ft (*connected via walkway to the Stall Barn*)
- Walker Building, 76' x 76', 5,776 sq ft (*connected via walkway to the Stall Barn*)
- Grooming Area, 38' x 60', 2,280 sq ft (*connected via walkway to the Stall Barn*)
- Compost Building, 16' x 32', 512 sq ft
- Heated Garage & Storage, 38' x 92', 3,496 sq ft
- Garage / Apartment, 30' x 52', 1,560 sq ft (for the Caretaker)
- Outdoor Riding Arena, 150' x 240', 36,000 sq ft
- (10) Outdoor Paddocks:
  - (4) 40' x 48', 1,920 sq ft
  - (6) 40' x 80', 3,200 sq ft

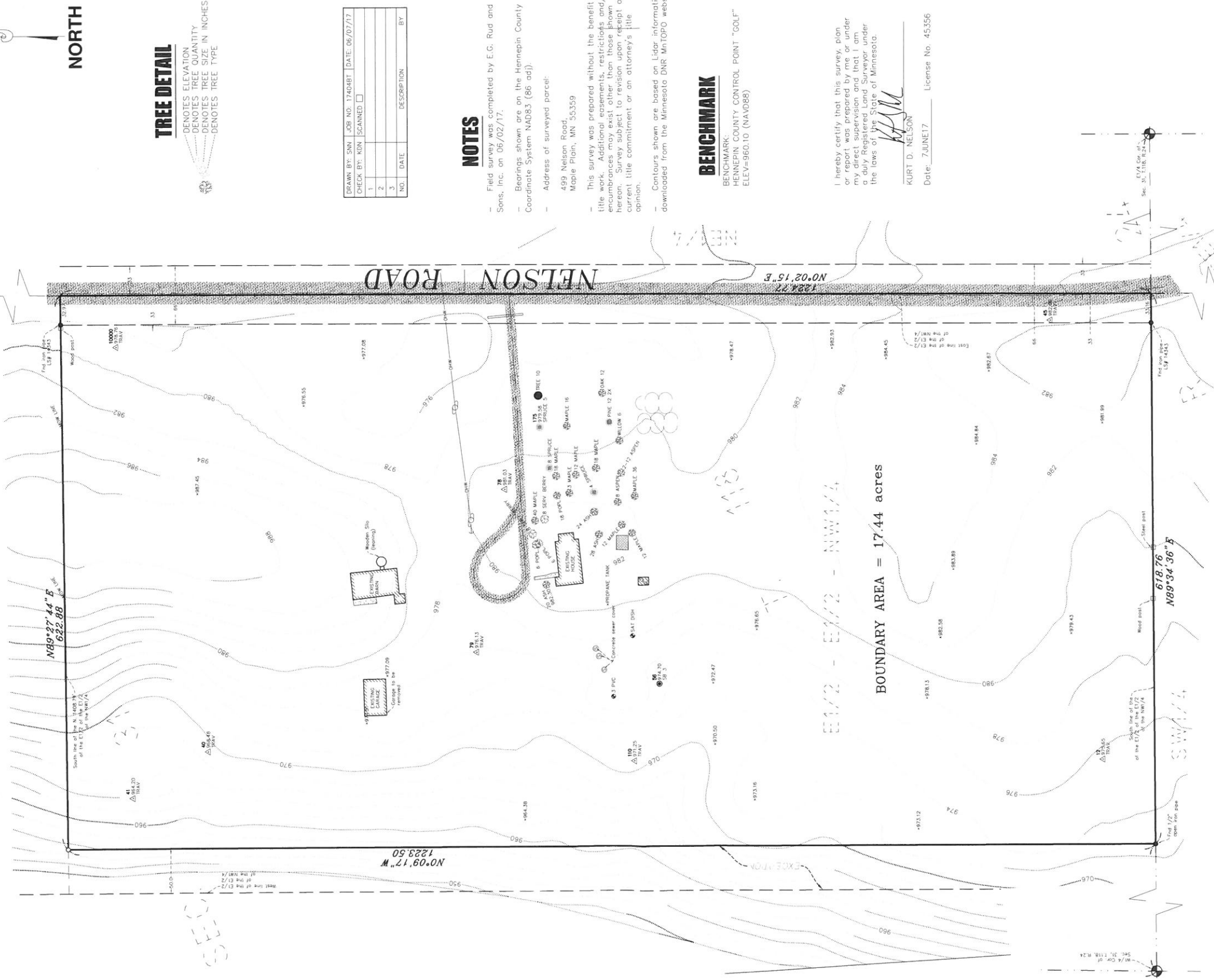
Being that there are other equestrian facilities in this general area, we feel that this would fit in the neighborhood.

We are currently working with a Civil Engineer as well as a Landscape Designer for the final grading plans, they should be complete within 10 days.



# BOUNDARY/TOPOGRAPHIC SURVEY

~for~ Ram General Contracting, Inc.  
~Part of~ E1/2 - E1/2 - NW1/4, Sec.31, T.118, R.24  
Hennepin County, MN



## TREE DETAIL

DENOTES ELEVATION  
DENOTES TREE QUANTITY  
DENOTES TREE SIZE IN INCHES  
DENOTES TREE TYPE

DRAWN BY: SNI	JOB NO: 17404BT	DATE: 06/07/17
CHECK BY: KON	SCANNED	
1		
2		
3		
NO.	DATE	DESCRIPTION
BY		

## NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 06/02/17.
- Bearings shown are on the Hennepin County Coordinate System NAD83 (86 adj).
- Address of surveyed parcel:  
499 Nelson Road  
Maple Plain, MN 55359
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Contours shown are based on Lidar information downloaded from the Minnesota DNR MnTOPO website.

## BENCHMARK

BENCHMARK:  
HENNEPIN COUNTY CONTROL POINT "GOLE"  
ELEV=960.10 (NAVD88)

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

KURT D. NELSON  
Date: 7JUNE17 License No. 45356

## LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES HENNEPIN COUNTY CAST IRON MONUMENT
- DENOTES EXISTING SPOT ELEVATION
- DENOTES GUY WIRE
- DENOTES POWER POLE
- DENOTES SANITARY SEWER MANHOLE
- DENOTES SOIL BORING (BY OTHERS)
- DENOTES LIDAR CONTOURS
- DENOTES TREE LINE
- DENOTES OVERHEAD WIRE
- DENOTES CONCRETE SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES PAVEMENT SURFACE

GRAPHIC SCALE



DESCRIPTION per Doc. No. 5668141

That part of the East 1/2 of the East 1/2 of the Northwest 1/4 of Section 31, Township 118 North, Range 24 West of the Fifth Principal Meridian lying South and West of the East 1/2 of the East 1/2 of the West 1/2 of the West 1/2 of the United States Government Survey thereof, Hennepin County, Minnesota.

**E.G. RUD & SONS, INC.**  
EST 1977 Professional Land Surveyors

990 5th Avenue SE, Suite 2  
Hutchinson, MN 55350  
Tel. (320) 587-2025 Fax (320) 587-2595  
www.egrud.com

17404BT





SITE PLAN

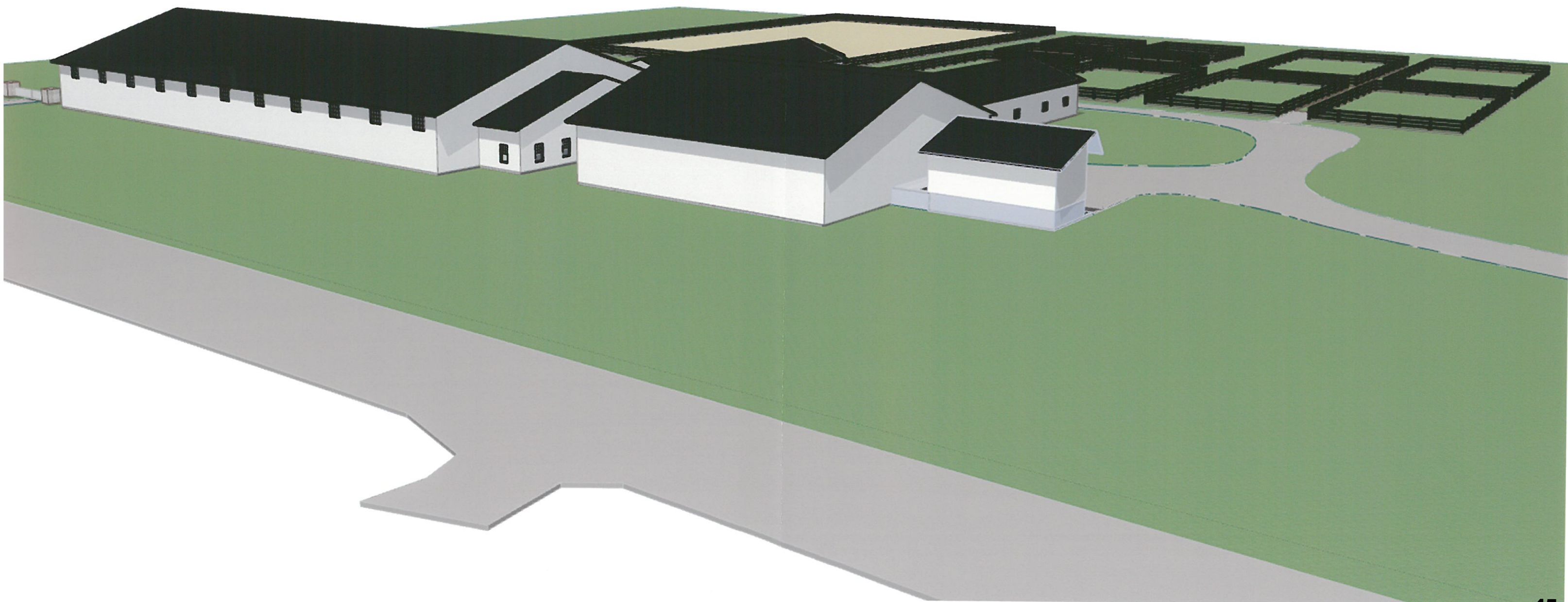
1" = 80'-0"

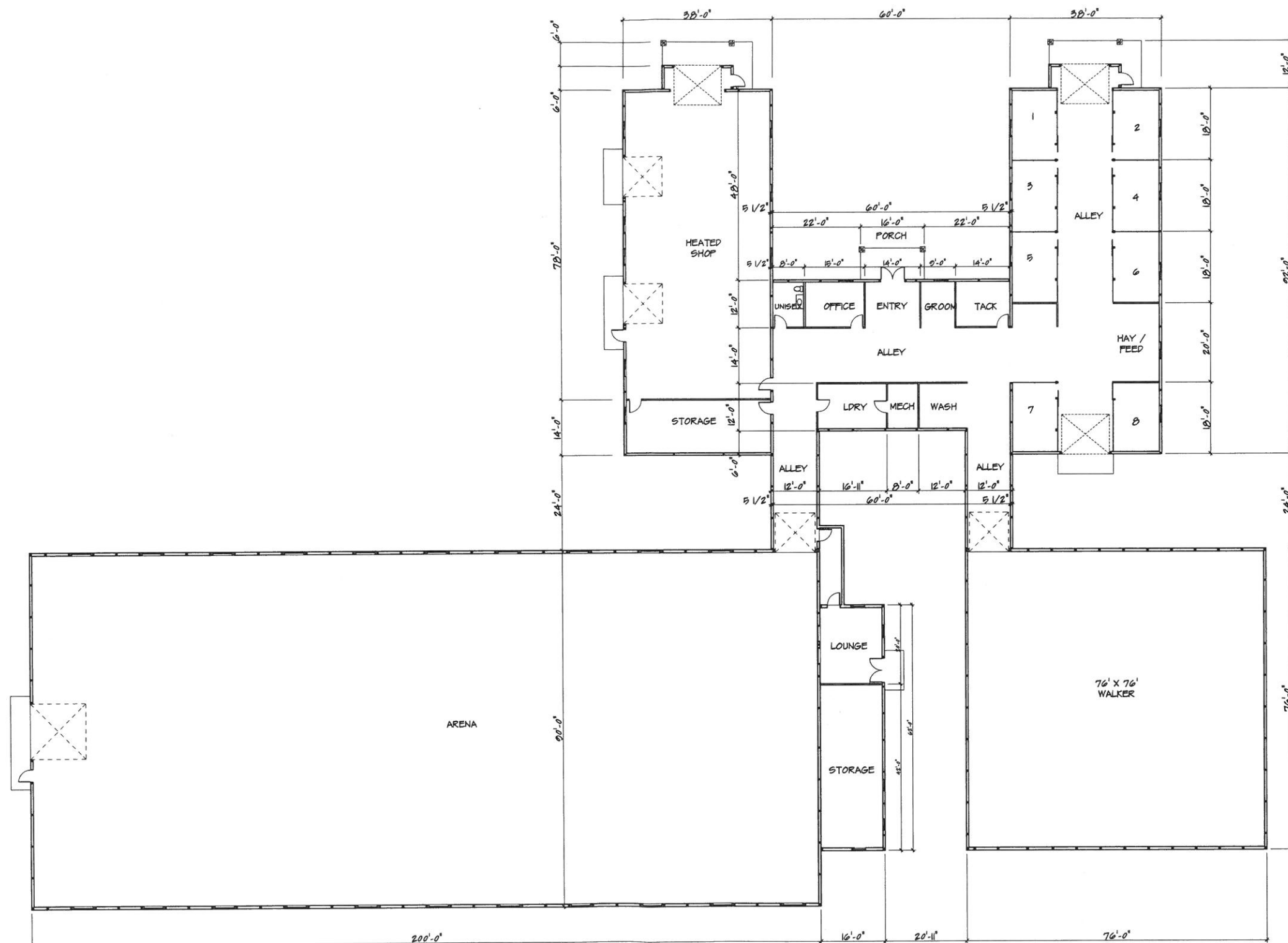
DATE: JUNE 12, 2017









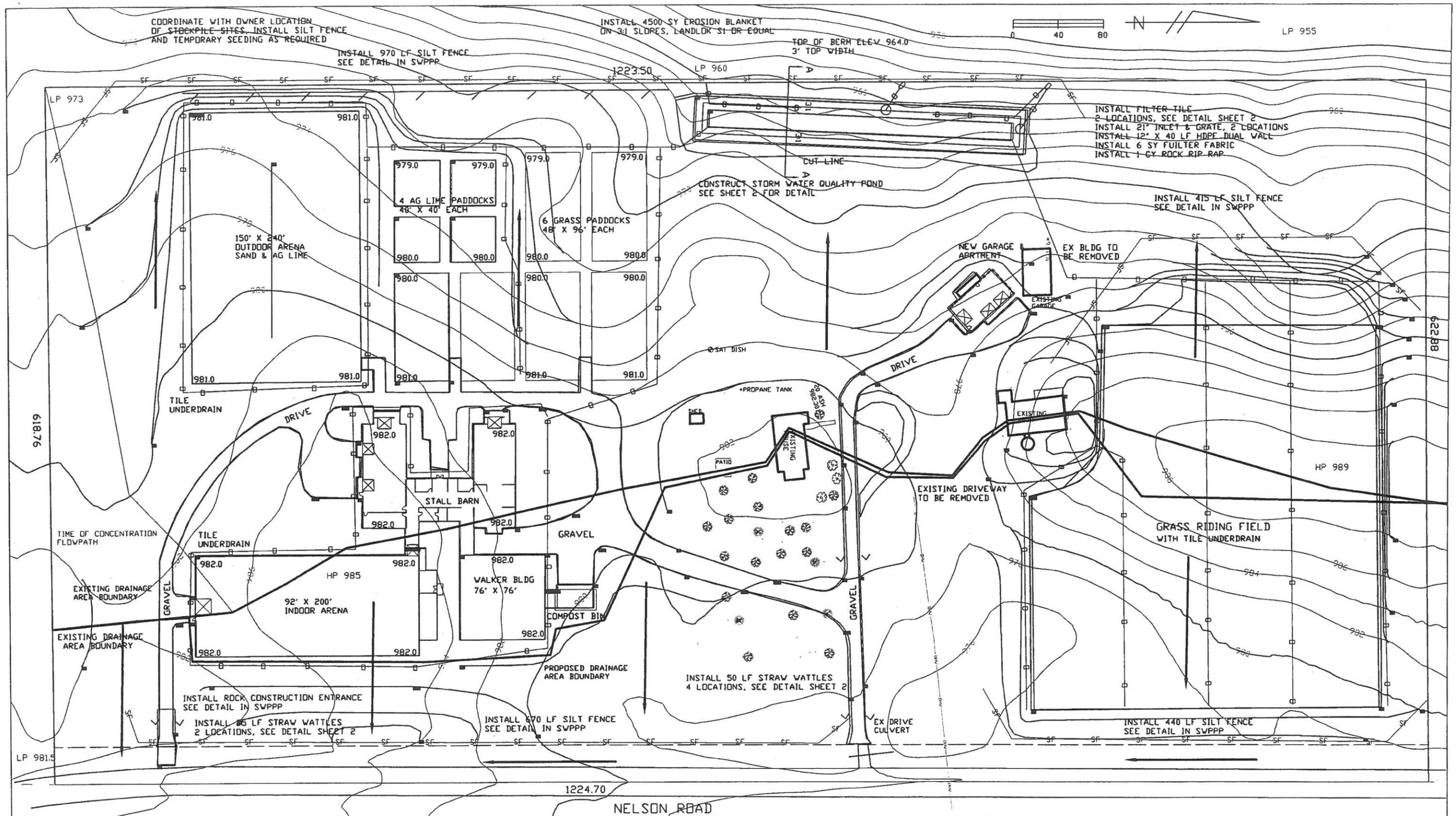


FLOOR PLAN  
1-200'-0"

DATE: June 12, 2017



SITE ADDRESS: 499 NELSON RD, INDEPENDENCE, MN 55359

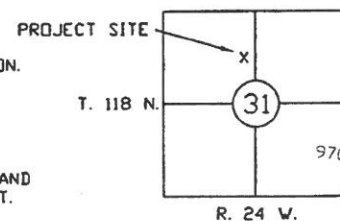


BEFORE START OF CONSTRUCTION, THE OWNERS OF ANY UTILITIES INVOLVED MUST BE NOTIFIED. THE EXCAVATOR IS RESPONSIBLE FOR GIVING THIS NOTICE BY CALLING "GOPHER STATE ONE CALL" AT 1-800-252-1166 AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION.

THE OWNER IS RESPONSIBLE FOR OBTAINING LAND RIGHTS AND LOCAL, STATE AND FEDERAL PERMITS OR PERMISSION NECESSARY TO PERFORM AND MAINTAIN THE PRACTICE.

THE APPLICABLE MNDOT CONSTRUCTION & MATERIAL SPECIFICATIONS AND STANDARD CONSTRUCTION DETAILS ARE TO BE USED ON THIS PROJECT.

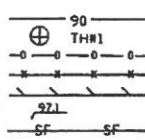
LOCATION MAP



NOT TO SCALE

LEGEND

CONTOUR ELEVATION  
SOIL BORING  
PROPOSED TILE  
EXISTING FENCE  
DIVERSION  
EXISTING/PROPOSED GRADE  
SILT FENCE



TBM:

HENNEPIN COUNTY CONTROL  
POINT "GOLF"  
ELEVATION 960.10 (NAV088)

SHEET INDEX:  
SITE PLAN  
PROFILES & SECTIONS

FINISHED CONTOUR PLAN

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.

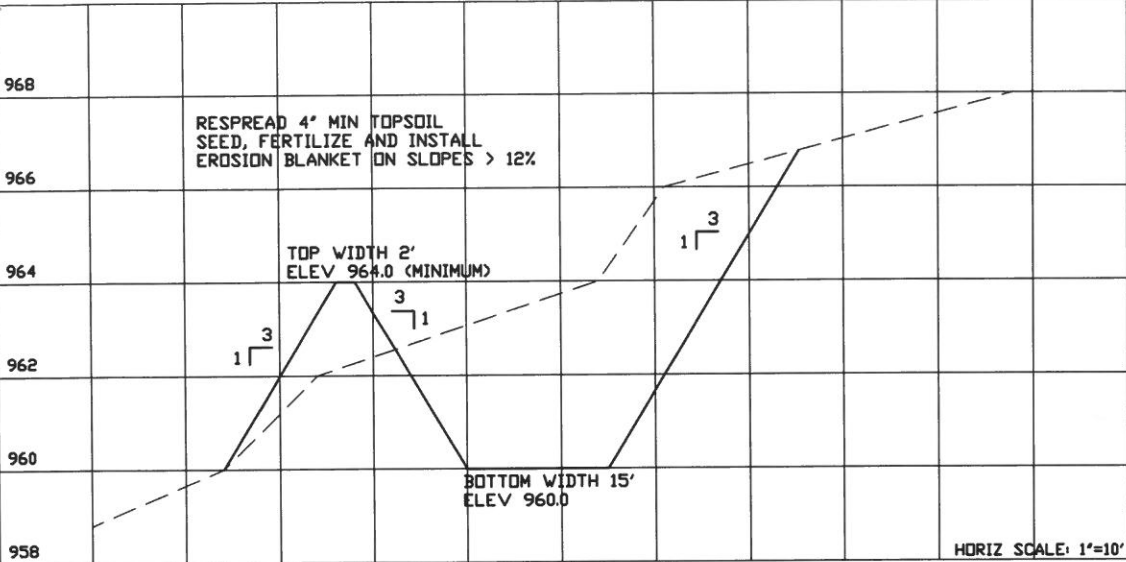
MICHAEL M. MAYER, DATE: 6/30/17 REG. NO. 15043

PLAN PREPARED BY:  
MICHAEL M. MAYER, PE  
830 26TH AVENUE NORTH  
ST CLOUD, MINNESOTA 56303  
320-656-9073

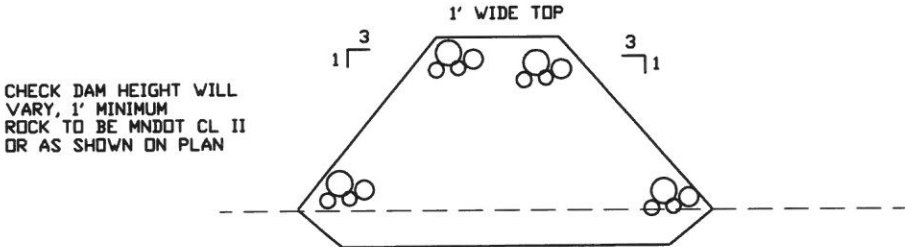
BEL FARM

SITE PLAN

SURVEY:				
DRAWN:				
DESIGN:				
CHECKED:				
REVISION:				
SECTION 31	T. 118 N.	R. 24 W.	HENNEPIN CO.	
DRAWING FILE: BLEFARM.DWG	PLAN SHEET	1 OF 2		

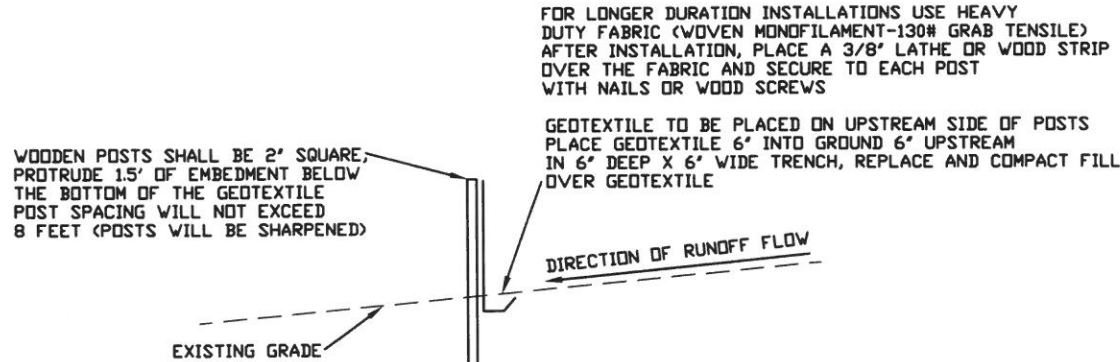


STORM & WATER QUALITY POND SECTION A-A

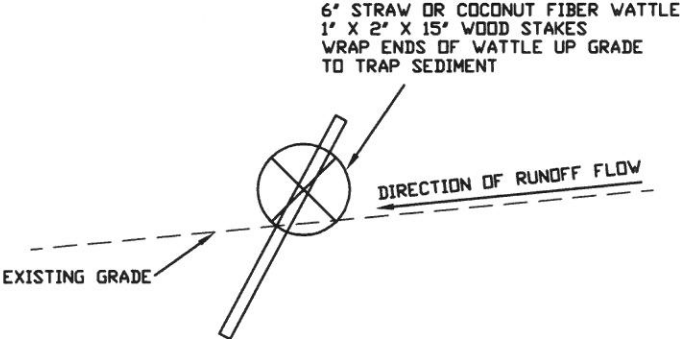


ROCK CHECK DAM SECTION

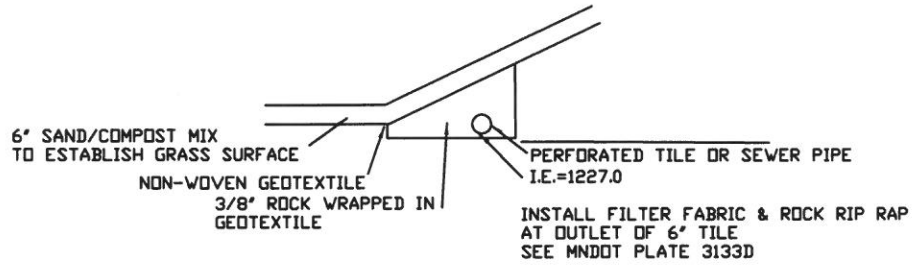
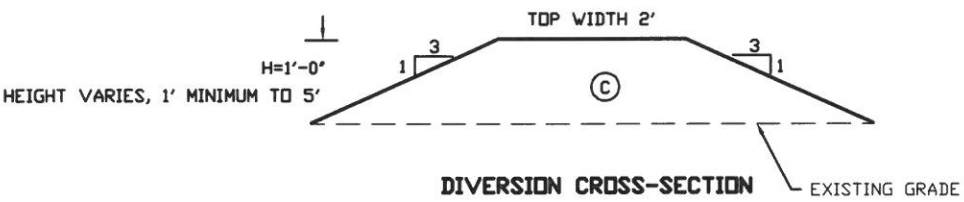
CUT INTO EXISTING GRADE  
INSTALL FILTER FABRIC  
UNDER FILTER DAM



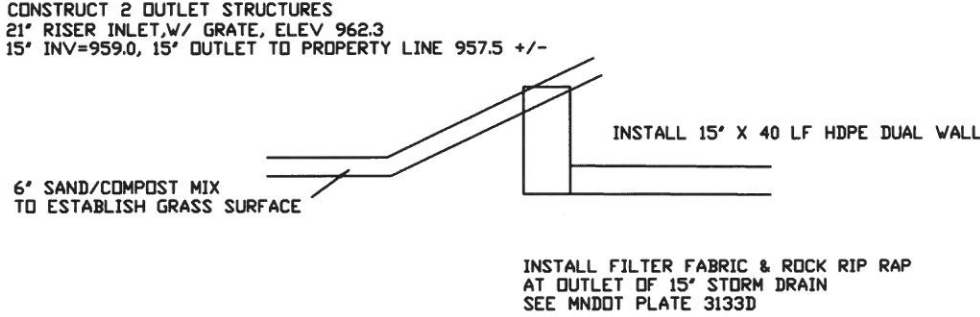
TYPICAL SILT FENCE X-SECTION



TYPICAL STRAW WATTLE X-SECTION



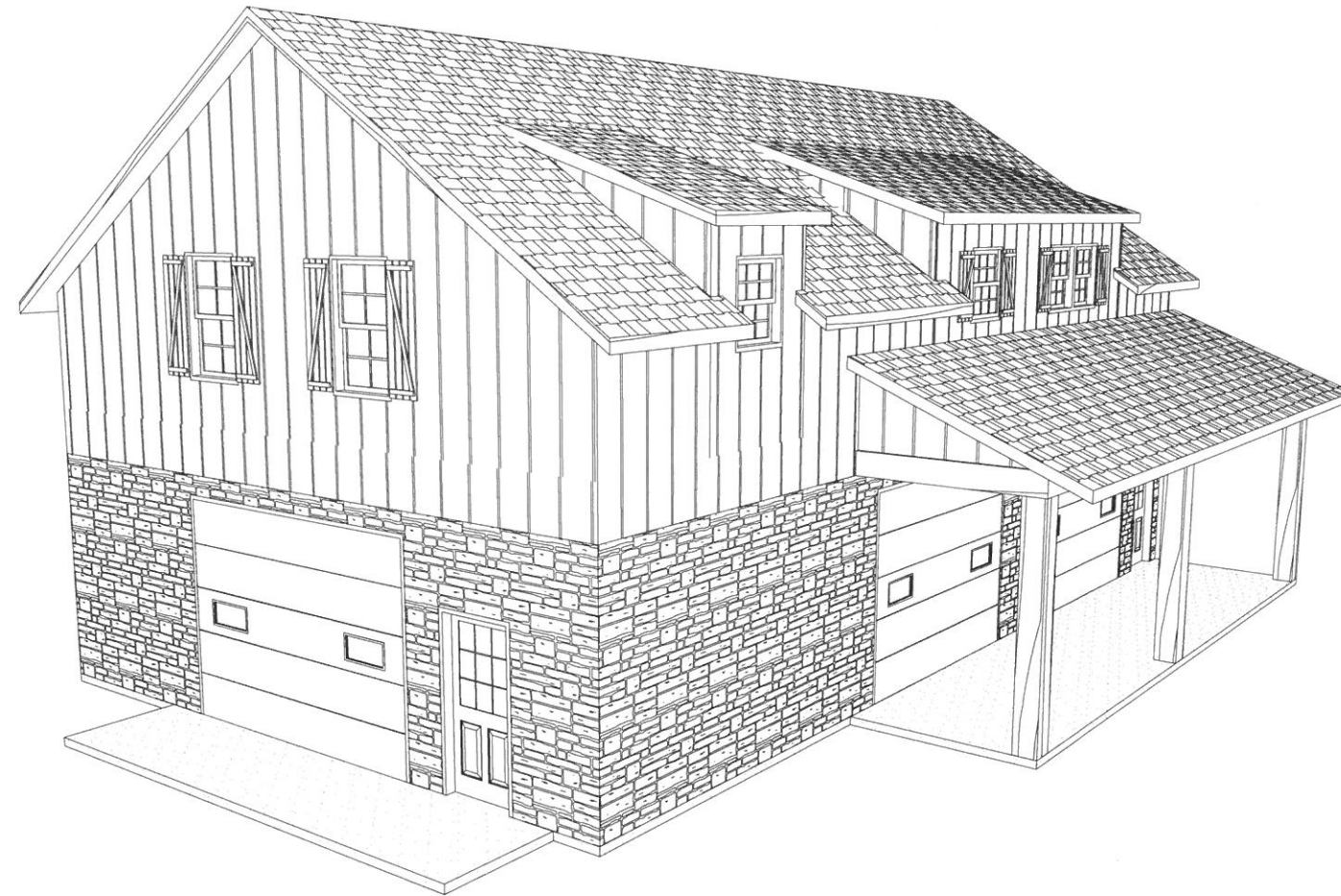
WATER QUALITY FILTER OUTLET



STORM WATER POND OUTLET

CONSTRUCTION NOTES:  
WATER QUALITY BASIN ALONG WEST PROPERTY LINE REQUIRES 12500 CF OF VOLUME.  
BOTTOM DIMENSION AT ELEV 960 IS 15'X270', TOP DIMENSION AT ELEV 964 IS 39'X294'

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.			
REVIEW DRAWING 6/26/2017		SURVEY:	
MICHAEL M. MAYER DATE:		DRAWN:	
REG. NO. 15043		DESIGN: MM	
		DRAWN: MM	
		CHECKED: MM	
		REVISED: MM	
		DRAWING FILE: BELFARM2	
		PLAN SHEET 2 OF 2	



**FRONT ELEVATION**

1/8" = 1'-0"



**LEFT ELEVATION**

1/8" = 1'-0"

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CALL RAM GENERAL CONTRACTING INC. TO OBTAIN COPIES OF THIS PLAN.  
UNAUTHORIZED REPRODUCTION OF THESE PLANS IS A VIOLATION OF FEDERAL LAW.

7/13/2017 9:09 AM

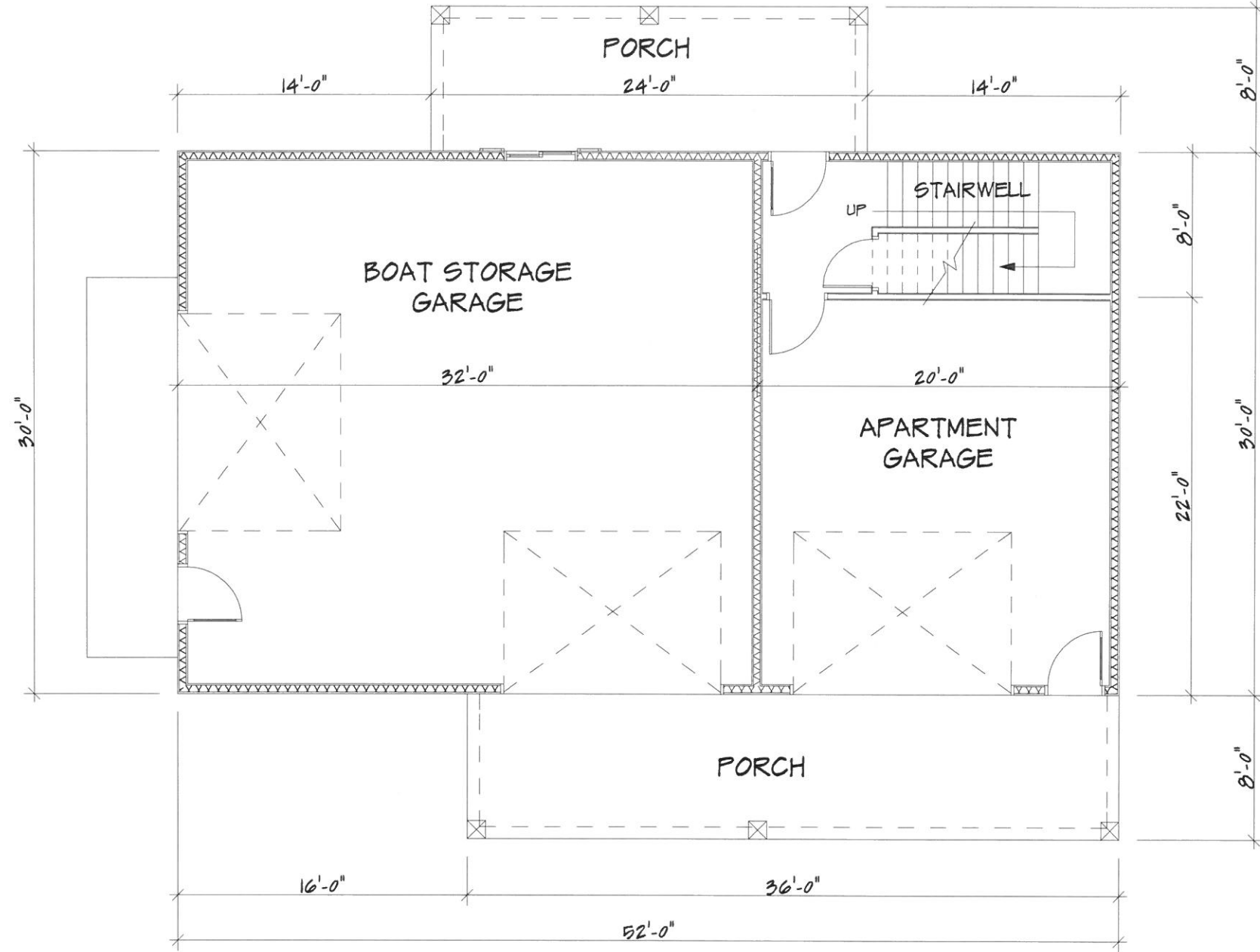
DRAWN BY: R.S.  
DATE: 7/13/2017  
SHEET 1 OF 4

PROJECT NAME: BEL FARMS TWO  
PROJECT NUMBER: INDEPENDENCE, MN  
BUILDING DESCRIPTION: 30' X 52'  
DESIGN NUMBER: BOAT STORAGE / APT

592 Industrial Drive  
P.O. Box 660  
Winnet, Minnesota 55395  
320-485-2844 800-710-4726  
Fax 320-485-3625  
www.rambuildings.com  
Contractor License Number 20171976







## MAIN LEVEL FLOOR PLAN

1/8" = 1'-0"

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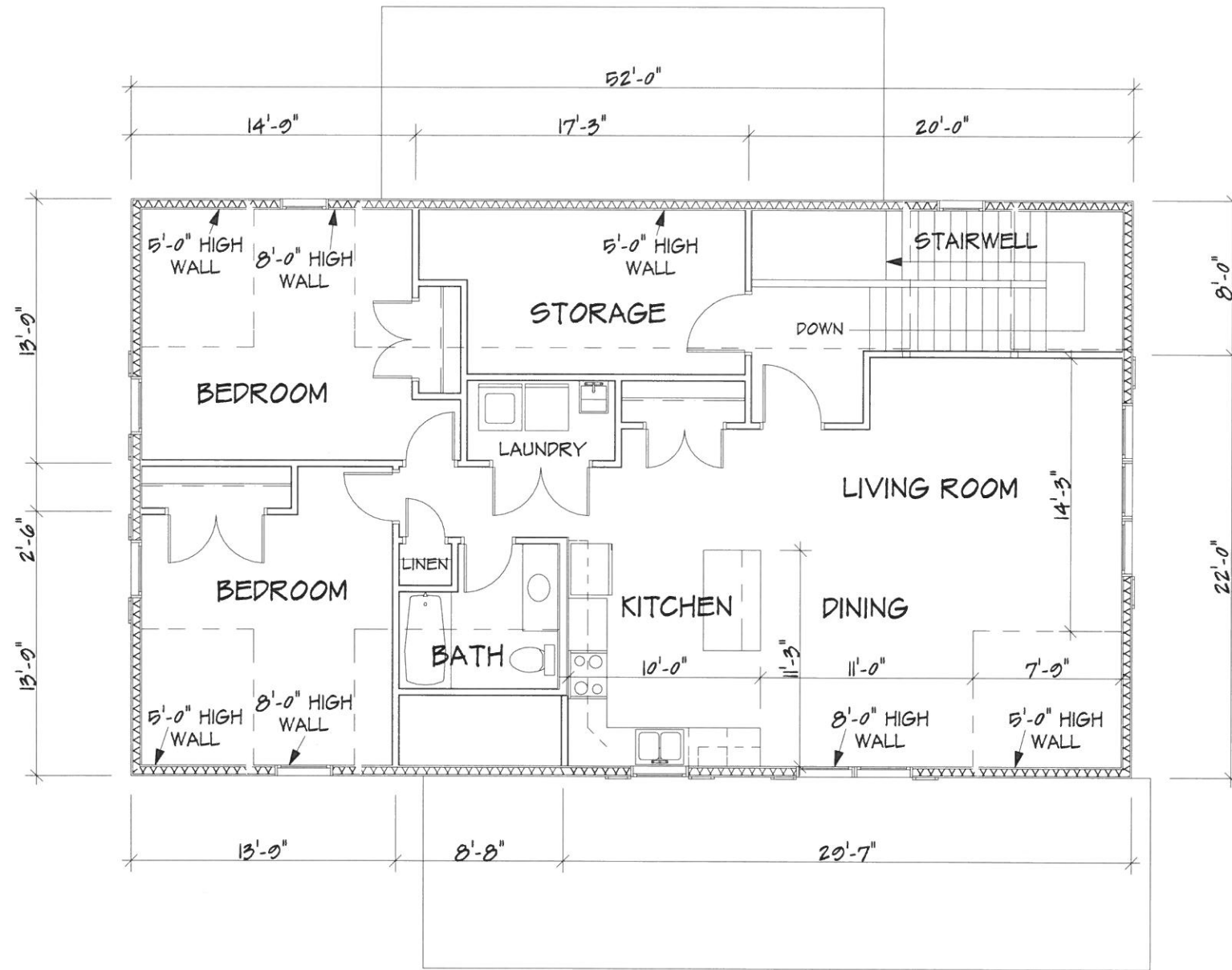
7/13/2017 9:00 AM

592 Industrial Drive  
P.O. Box 660  
Winnet, Minnesota 55395  
320-485-2844 800-710-4726  
Fax 320-485-3625  
www.rambuildings.com  
Contractor License Number 20171976



**PROJECT NAME:** BEL FARMS TWO  
INDEPENDENCE, MN  
**PROJECT NUMBER:**  
**BUILDING DESCRIPTION:** 30' X 52'  
**DESIGN NUMBER:** BOAT STORAGE / APT

**DRAWN BY:** R.S.  
**DATE:** 7/13/2017  
**SHEET** 2 **OF** 4



## UPPER LEVEL FLOOR PLAN

1/8" = 1'-0"

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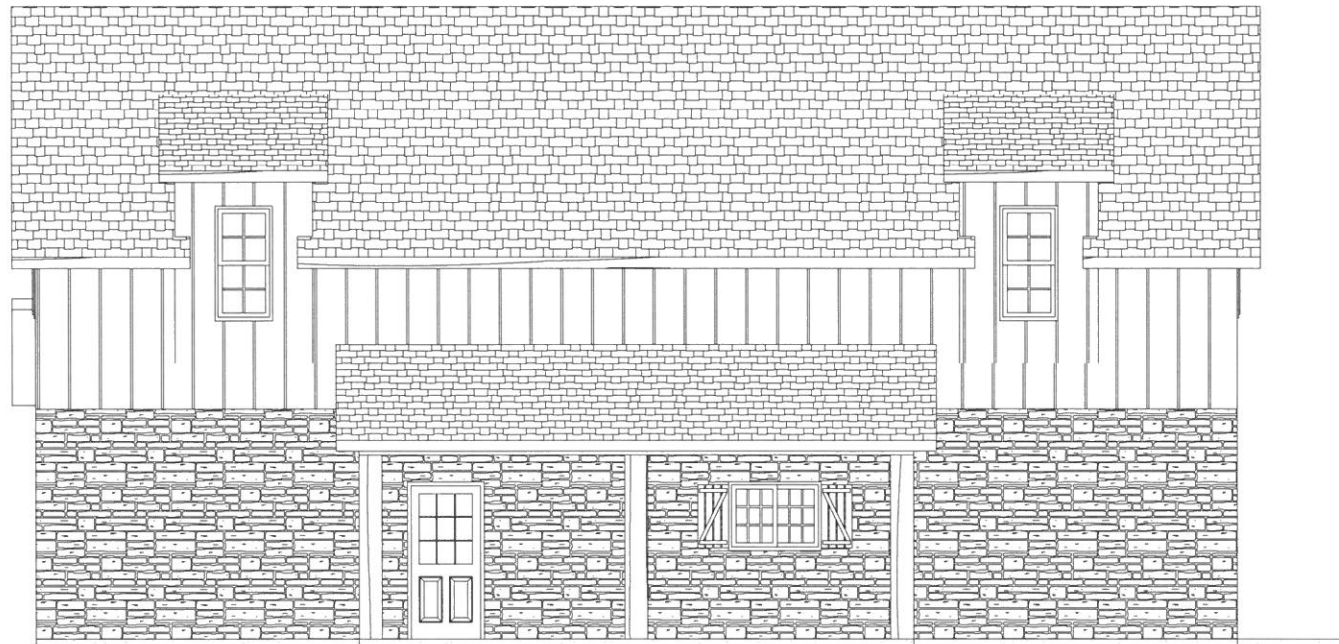
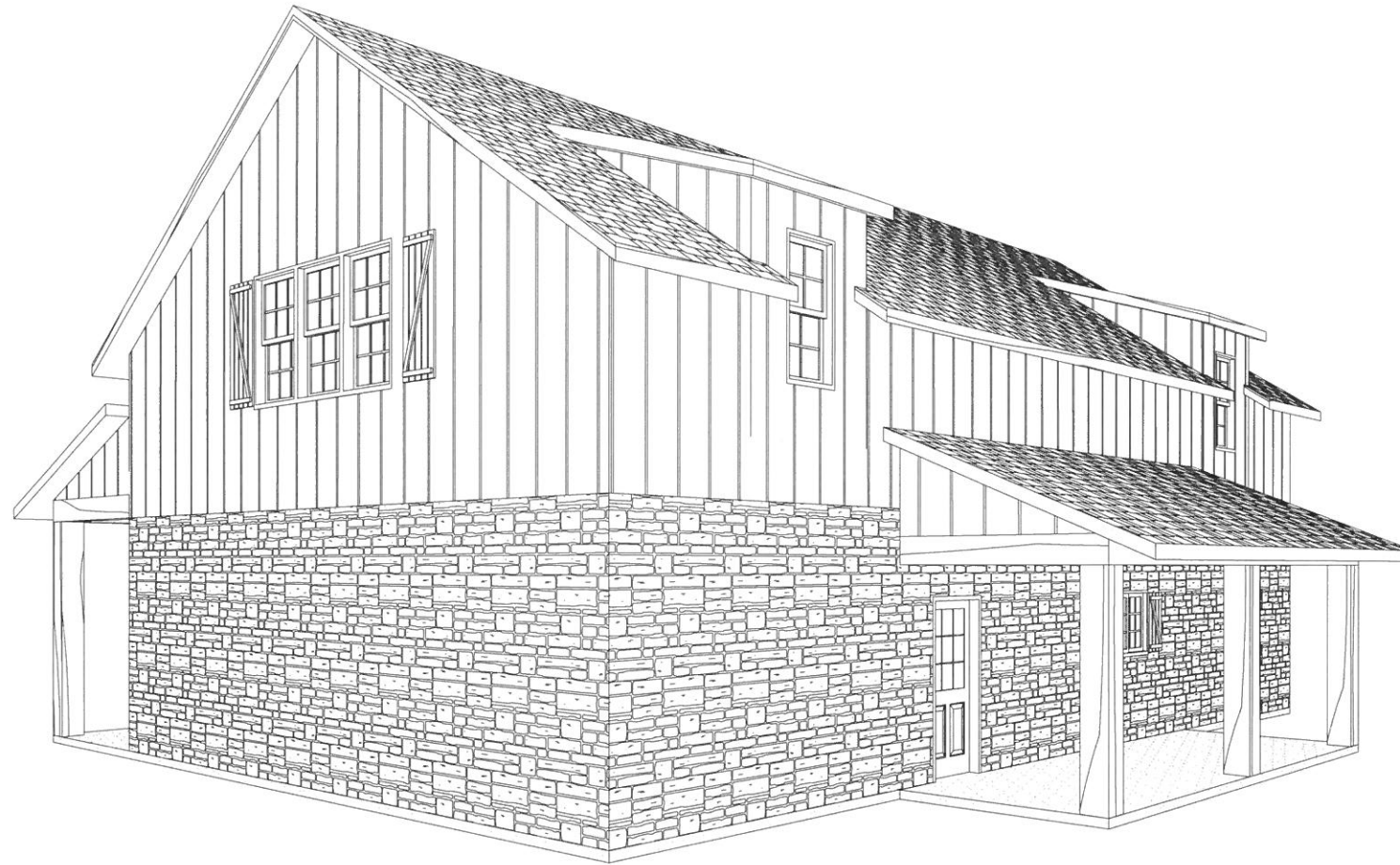
DRAWN BY: R.S.  
DATE: 7/13/2017  
SHEET 3 OF 4

PROJECT NAME: BEL FARMS TWO  
INDEPENDENCE, MN  
PROJECT NUMBER:  
BUILDING DESCRIPTION: 30' X 52'  
DESIGN NUMBER: BOAT STORAGE / APT

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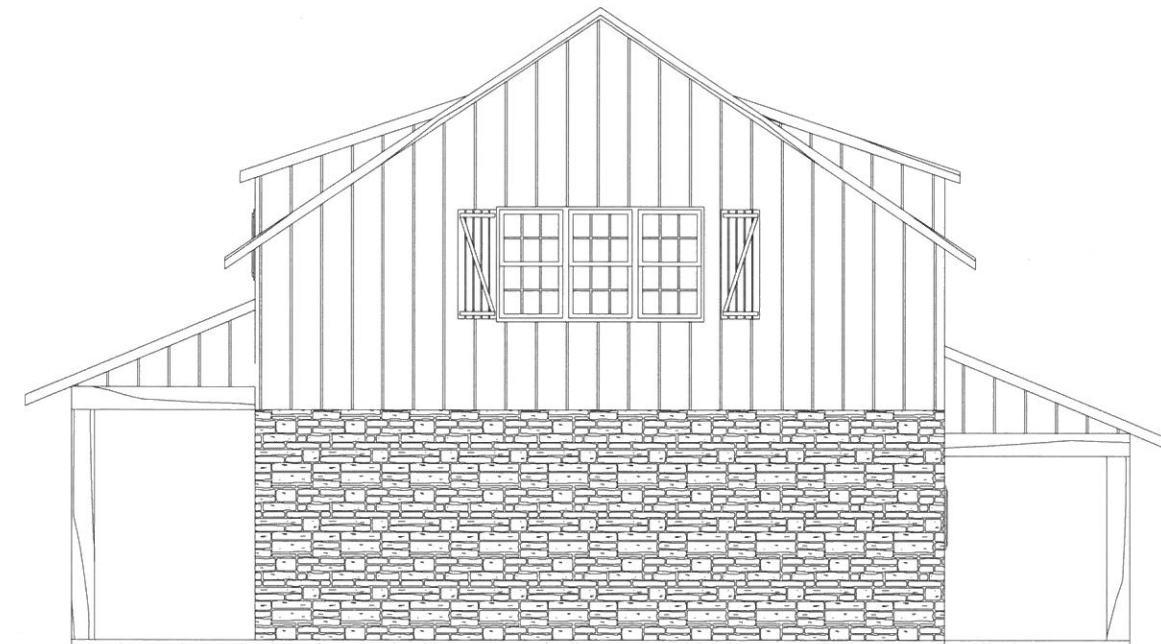






REAR ELEVATION

1/8" = 1'-0"



RIGHT ELEVATION

1/8" = 1'-0"

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