



PLANNING COMMISSION MEETING AGENDA
REGULAR MEETING
TUESDAY, SEPTEMBER 19, 2017

7:30 PM Regular Meeting

1. Call to Order
2. Roll Call
3. Approval of Minutes:
 - a. August 15, 2017 Planning Commission Meeting
 - b. September 5, 2017 City Council Meeting Minutes (For Information Only)
4. **PUBLIC HEARING:** Morton Buildings, Inc. (Applicant) and Virgil and Theresa Marple (Owners) request that the City consider the following action for the property located at 7825 County Road 11 (PID No. 09-118-24-22-0003) in Independence, MN:
 - a. A conditional use permit allowing an expansion to an existing accessory building which would cause it to be greater than 5,000 square feet.
5. **PUBLIC HEARING:** John Peterson (Applicant) and LE Peterson Living Trust (Owner) request that the City consider the following action for the properties located at the east end and south of Burr Oak Lane (PID No.s 08-118-24-42-0001 and 08-118-24-31-0001) in Independence, MN:
 - a. A lot line rearrangement which would move the existing lot line between the two properties further to the west.
6. Open/Misc.
7. Adjourn.

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE PLANNING COMMISSION
TUESDAY, AUGUST 15 – 7:15 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 7:15 p.m.

2. ROLL CALL

PRESENT: Chair Phillips, Commissioners Dumas, Palmquist, and Thompson
STAFF: City Administrative Assistant Horner, City Administrator Kaltsas
ABSENT: Gardner
VISITORS: Ed Pluth, Brian Glover, Lynda Franklin

3. Approval of minutes:

- a. July 18, 2017 Planning Commission Meeting
- b. July 31, 2017 City Council Meeting Minutes (For Information Only)

Motion by Thompson, to approve the minutes of the June 20, 2017 Planning Commission Meeting, second by Dumas. Ayes: Phillips, Thompson, and Dumas. Nays: None. Absent: Garden. Abstain: Palmquist. Motion approved.

4. Comprehensive Plan -2040 Plan Preparation.

- a. 10 Year Development History (Since 2030 Comprehensive Plan Adoption)
- b. Land Use Discussion
 - i. Urban Residential
 - ii. Commercial Light Industrial
- Kaltsas stated since 2010, 50 new residential homes have been constructed in the City (see attachment).
- The 2030 Comprehensive Plan projected that the City would see approximately 60 new residential homes during the same period (see attachment).

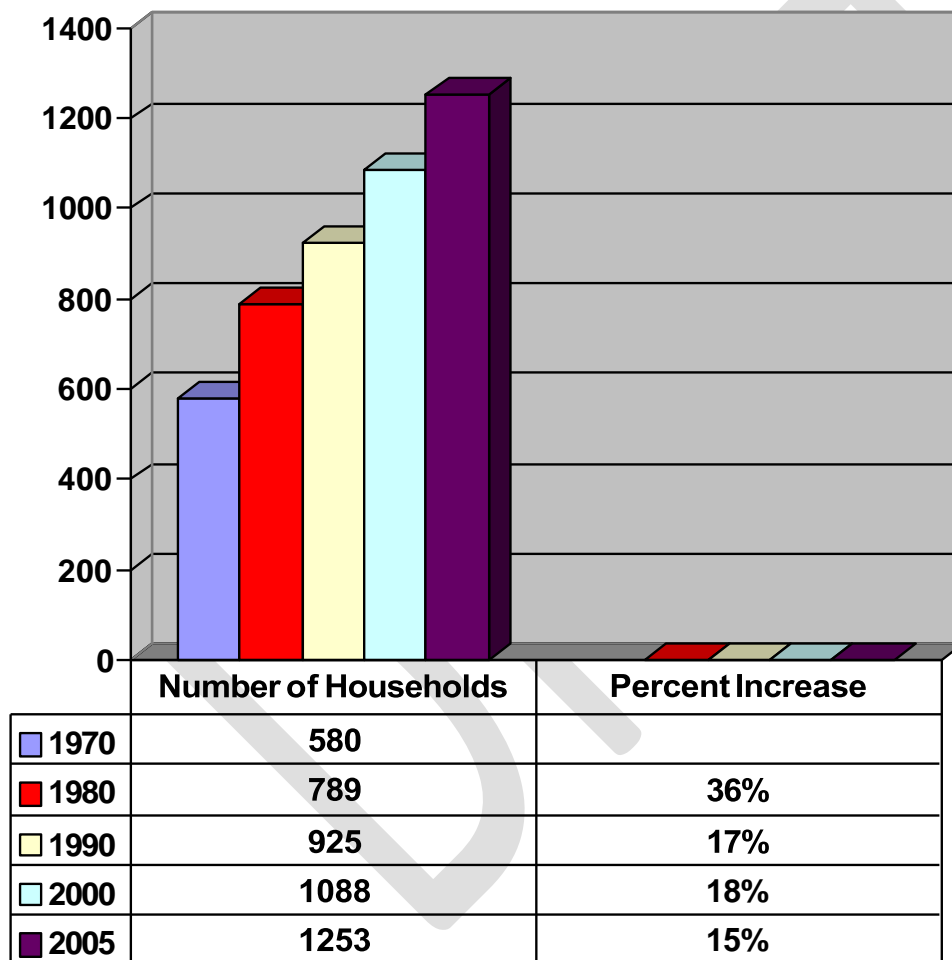
The focus of the discussion will revolve around the projected land use between 2020 and 2040. There are several key areas of discussion:

- 1. Urban Residential land use area.
- 2. Rural Residential land use area.

3. Commercial Light Industrial land use area.

Kaltsas said the average size of an Independence household in 2000 was about 2.96 persons, down from 3.28 in 1990 and reflecting a national trend. The reduction in average household size is projected to accelerate from 2010 to 2030 due to the planned Urban Residential north of Maple Plain to accommodate senior housing, often consisting of one-person households. Households equate closely to dwelling units and, in land consumption terms, is a better indicator of growth, than population.

Kaltsas noted Independence has 30 undeveloped lots remaining per the City. These are lots that have a valid permit associated not all potential lots. The projection for the 2040 plan is 4,920 population with 1720 homesteads.



Year	New Housing Units Mound/Westonka	New Housing Units Orono	New Housing Units Delano	Total New Housing Units
2012	1	7	2	10
2013	0	8	1	9
2014	0	7	5	12
2015	0	4	2	6
2016	0	1	7	8

TOTAL NEW	1	27	17	45
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Urban Uses (Sewer)	Allowed Density Range Housing Units/Acre		Existing (2007)	2010	2015	2020	2025	2030	2007- 2030
	Minimum	Maximum							
Residential Land Uses			326	326	386	447	537	689	363
Low Density Residential			326	326	371	416	461	506	180
Urban Residential	4.1	7	0	0	15	31	76	183	183
C/I Land Uses	Est. Employees/Acre		115	115	160	204	248	293	178
Commercial/Industrial	1.5 per acre existing		115	115	145	174	203	233	118
Urban Commercial	20 per net acre sewer		0	0	15	30	45	60	60
Public/Semi Public Land Uses			3,272	3,272	3,269	3,267	3,265	3,262	-10
Institutional, Parks and Rec			2,135	2,135	2,132	2,130	2,128	2,125	-10
Roadway Rights of Way			1,137	1,137	1,137	1,137	1,137	1,137	0
Rural Uses	Minimum lot size	Maximum lot size	Existing (2007)	2010	2015	2020	2025	2030	2007- 2030
Rural Residential less than 5	less than	5 acres	1,664	1,664	1,674	1,684	1,694	1,704	40
Rural Residential 5-39 acres	5 acres	40 acres	7,403	7,403	7,642	7,880	8,108	8,313	910
Agricultural 40 acres+	40 acres	none	7,531	7,531	7,279	7,026	6,773	6,520	-1,011
Undeveloped			671	671	572	474	357	201	-470
Open Water, Rivers, Streams	--	--	1,418	1,418	1,418	1,418	1,418	1,418	0
Subtotal			18,687	18,687	18,585	18,482	18,350	18,156	-470
Grand Total			22,400	22,400	22,400	22,400	22,400	22,400	0
Wetlands	--	--	6,108	6,108	6,108	6,108	6,108	6,108	0

Existing and Future Land Use (Acres)		
	2010	2030
Agriculture	7,531	6,520
Rural Residential	9,393	10,523
Urban Residential	0	183
Commercial/Industrial	115	233
Urban Commercial	0	60
Public/Semi-Public	3,272	3,262
Open Water	1,418	1,418
Undeveloped	671	201
Total	22,400	22,400

*****for the complete color map please see the Planning Commission packet*****

Kaltsas noted MetCouncil plans would lean towards the southwest corner of the City to have the most development. He said they look at large tracts of undeveloped land, as that is the most feasible for sewer lines. L63 is a major lift station for MetCouncil. Kaltsas said MetCouncil has a general policy that they cannot sewer properties that have a density of less than three units per acre.

Kaltsas said it would make sense to take advantage of current sewer availability. He said areas for

commercial/ light industrial need to be looked at going forward. Palmquist asked if they should look beyond density. Kaltsas said that this exercise needs to be rawer and then he will bring back more data for in depth discussion later. He noted if the intent is no sewer development than utilities do not matter. He said there are certain commercial/ light industrial uses that do not require sewer. Thompson asked if it could be acceptable if nothing changes. Kaltsas said the current plan in place mostly meets the requirements and projections of Met Council. He said some cities change nothing.

Commissioners and interested parties divided into four groups for discussion and came up with the following conclusions:

1. Group 1: There was discussion around moving growth north-west and adding commercial/ urban density.
2. Group 2: There was discussion of adding on to commercial in the southern portion and towards Delano more commercial.
3. Group 3: There was discussion of leaving that area the same except top of the green line.
4. Group 4: There was discussion around adding Otten and Jerde subdivisions and they talked about Camp Iduhapi maybe not being the best use of that land. There was also discussion around opening Highway 12 in that area to more industrial use.

The next comprehensive plan meeting for further discussion will be in October.

7. Open/ Misc.

8. Adjourn.

Motion by Gardner, second by Palmquist to adjourn at 8:20 p.m. Ayes: Phillips, Gardner, Thompson, and Dumas. Nays: None. Absent: Palmquist. Abstain: None. Motion approved.

Respectfully Submitted,

Trish Bemmels
Recording Secretary

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, SEPTEMBER 5, 2017 –6:30 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 6:30 p.m.

2. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

3. ROLL CALL

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

ABSENT: None

STAFF: City Administrative Assistant Horner, City Administrator Kaltsas, City Attorney Vose (arrived at 7:30)

VISITORS: Rick & Kari Strommer, Renae Clark, Jeff Carnivale, Kathy & Ed Pluth

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 August 15, 2017 Regular City Council Meeting.
- b. Approval of City Council minutes from the August 22, 2017 City Council Workshop.
- c. Approval of Accounts Payable; Checks Numbered 17363-17414.
- d. Approval of the Large Assembly Permit for James Dahlheimer to hold an anniversary party on the property located at 9226 US Hwy. 12 and held on September 9th, 2017.
- e. Approval of the Large Assembly Permit for Mama's Happy – Fall Outdoor Market on the property located at 7888 County Road 6 and held on September 7th, 8th and 9th, 2017.
- f. Approval of Election Judges for the November 2017 Local and School District Elections.
- g. Approval of **RESOLUTION NO. 17-0905-02** – Supporting adoption of the Minnehaha Creek Watershed District Watershed Management Plan.

Johnson pulled (g) Approval of **RESOLUTION NO. 17-0905-02** – Supporting adoption of the Minnehaha Creek Watershed District Watershed Management Plan for discussion as a representative from the watershed district was present to address the Council.

Motion by Betts, second by Grotting to approve the Consent Agenda items (a-f). Ayes: Johnson, McCoy, Spencer, Grotting and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Johnson said the Minnehaha Creek Watershed District has been working on their plans for four years. Renae Clark who is a Project Manager for the Minnehaha Creek Watershed District thanked Johnson for serving on

the Advisory Committee for the district. She said the District focuses on three themes; areas of highest need, flexibility district-wide, and developing partnerships in communities. Clark said the formal support of the community is critical for projects including the cleaning up of Lake Minnetonka.

Motion by Spencer, second by Grotting to approve RESOLUTION NO. 17-0905-02- Supporting adoption of the Minnehaha Creek Watershed District Watershed Management Plan. Ayes: Johnson, McCoy, Spencer, Grotting and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.

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

Jeff Carnivale requested a discussion to be added on train horn issues in Independence.

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- Planning Commission Meeting
- Comprehensive Plan Workshop

Grotting attended the following meetings:

- Planning Commission Meeting
- Comprehensive Plan Workshop

McCoy attended the following meetings:

- Planning Commission Meeting
- Comprehensive Plan Workshop
- Ground Breaking Orono Schools Activity Center

Betts attended the following meetings:

- Planning Commission Meeting
- Comprehensive Plan Workshop
- Sensible Land Use Conference

Johnson attended the following meetings:

- Community Action Partnership of Hennepin County Finance Meeting
- Planning Commission Meeting
- Haven Homes Advisory Committee Meeting
- West Hennepin Pioneer Museum Meeting
- Maple Plain Museum Ice Cream Social
- Old Timers Luncheon
- Ground Breaking Orono Schools Activity Center
- Orono School Board Meeting
- Comprehensive Plan Workshop
- Orono Healthy Youth Advisory Board Meeting
- Great Expectations Breakfast
- Mound Old Timers Reunion at the Mound High School
- Met with Representative Eric Paulsen

- Delano School Board Meeting
- Sensible Land Use Conference
- Small Cities Conference Call
- Haven Homes Pig Roast

Horner attended the following meetings:

- Planning Commission Meeting
- Comprehensive Plan Workshop
- Elections Meeting at Hennepin County

Kaltsas attended the following meetings:

7. **Tabled at July 31, 2017 City Council Meeting:** 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:
- RESOLUTION NO. 17-0905-01** - Consideration of granting 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; and
 - A minor subdivision allowing the split of the subject property into two parcels.

Updated Information: City Council tabled the application in July 2017 in order to allow staff time to research additional information pertaining to this property. The primary question raised during the City Council Meeting was relating to a past assessment for road improvements made to Nelson Road in 1991. Staff researched project files and City Council minutes searching for information relating to the Nelson Road assessment. Ultimately staff was able to confirm two factors relating to the assessment project: The property was assessed for the Nelson Road improvements in 1991. Prior to the assessment hearing, the City had the Building Inspector perform a field inspection of the property east of the existing creek and with frontage on Nelson Road to determine if the land would support a new home (with septic field). The Building Inspector completed an inspection the property, took a soil sample and reported to the Council that he believed the property could accommodate a new home if split from the remaining property (see attached minutes). The City will need to determine if the decision to assess the property in 1990 was made at least partially on the ability of the east portion of this property to be subdivided as an independent lot. The City will need to determine if the additional information provides findings that would allow for approval of the variance and subsequent minor subdivision. The City has historically studied the potential developability of a property when considering road and utility assessments. Staff has prepared two resolutions (numbered the same) for consideration by the City Council. Based on the direction provided, one of the resolutions can be adopted. Note: The City received additional public comment following the last City Council Meeting.

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 existing and proposed 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 City 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 Commissioners discussed the proposed variance to allow a subdivision. Commissioners noted that they would need to determine that there are unique characteristics of the property that would warrant the variance to be granted. Commissioners discussed that there is a creek that separates the proposed parcel from the remainder of the property and that it would have access onto a City street.

Commissioners discussed whether or not the condition was created by the landowner and if the property was useable to the landowner in the current condition. Commissioners asked staff for historical information relating to any similar variances granted by the City and also if there were properties that would have similar characteristics. Staff noted the few instances where a variance had been granted and also noted that there are too many variables to determine if this condition would appear on other properties within the City. Planning Commissioners had varying viewpoints relating to the request and whether the condition was unique to this property. Several Commissioners believed that the creek separation and access on a City road were unique characteristics of the property and several Commissioners stated that they did not believe that these conditions were solely unique and that the variance would potentially open up too many similar situations. Commissioners ultimately could not approve a motion to either approve or deny the requested variance and minor subdivision.

The Planning Commission did not make a recommendation for the requested variance and minor subdivision. City Council is being asked to provide direction and resolve to approve or deny the requested variance. The City has prepared two resolutions; one approving the application, and one denying the application. Based on the determination made by Council, the corresponding resolution can be considered for adoption. If new findings are considered by the Council, a revised resolution can also be brought back for future consideration.

Betts said she felt the assessment means nothing. She noted she was assessed for both PID's at her house. Johnson asked if the property was always nineteen acres or if it was split. Kaltsas said there was no record for this property being split at any point.

Grotting asked if the applicant was aware that it could not be split. Strommer said they called the City and asked if they would be able to split when they were purchasing the property. He was told it would be no problem but they would have to apply for a variance. Spencer asked if there was ever a discussion about extending Maria Road. Johnson said no.

Grotting asked if the landowner on Nelson was assessed as the accessibility was different. McCoy said corner lots are typically treated differently due to road accessibility. Grotting asked what the rate was based on. Kaltsas noted they are randomly checked and all the same assessment. McCoy said for fairness the City could take soil samples and then say no. The hardship would be the wetland areas but otherwise it fits the theme. He noted it was a unique piece of property. Betts said that would not be a problem but it is in the Ag district. She said then the Comprehensive Plan would need to be changed as others would come forward and expect the same treatment. Johnson said he felt the property was unique and asked if any was in Ag Preserve. Strommer said no. Spencer said it would be in line with the neighborhood but would need a Planning Commission variance. He said it would be spot zoning and thought this should be avoided to eliminate problems down the road. Spencer said this would just be a rearrangement and there is not a hardship. Johnson said people could have built a house at the other end of the lot.

Grotting said it is a challenge with the zoning. Johnson asked which way the water runs. Strommer said it runs south. Spencer said they should approach the waterway and ask about a bridge or cartway. Strommer noted this was a problem for a property on Becker that was separated by a road and they were granted a variance. Spencer said this issue is the same for others. Natural barriers are pre-existing and opens up a can of worms if a variance is attempted.

Motion by Betts, second by Spencer to deny RESOLUTION NO. 17-0905-01 - Consideration of granting 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; and (a) minor subdivision allowing the split of the subject property into two parcels. Ayes: Johnson, Spencer, Grotting and Betts. Nays: McCoy. Absent: None. MOTION DECLARED CARRIED.

8. MESSAGE PARLOR ORDINANCE:

- a. **ORDINANCE NO. 2017-04** - Considering Adoption of a New Ordinance Regulating Massage Parlors in the City.
- b. **SUMMARY ORDINANCE NO. 2017-05** - Considering Adoption of a Summary Ordinance pertaining to Massage Parlors to be published.

Kaltsas said West Hennepin Public Safety has worked with the City of Maple Plain to adopt an ordinance regulating the licensing of massage services parlors. The ordinance was developed following difficulties the City and West Hennepin had with non-legitimate massage parlors. West Hennepin would like the City to consider adopting a similar ordinance for the purpose of regulating the licensing of massage services parlors in Independence.

The basis of the ordinance is to regulate the licensing of individuals and business providing massage services in the City. The City has reviewed the ordinance adopted by the City of Maple Plain and believes that it could adopt similar language in order to regulate licensing of legitimate businesses and individuals. WHPS has reviewed the ordinance and believes that adoption of the ordinance would better protect the City and its residents. Staff is seeking discussion and direction from the City Council relating to the possibility of adopting an ordinance similar to that adopted in Maple Plain.

Council reviewed a draft ordinance at its April 2017 meeting and provided direction to staff to

revise the ordinance. Based on the discussion and direction provided by the City Council, staff has prepared a revised ordinance with the following changes:

1. Changed “Clerk” to “Administrator”.
2. City reviewed the time period for reviewing an application and is recommending that the language included provides an adequate review period.
3. Reviewed insurance requirements in comparison to similar licensing (including liquor license insurance requirements) and found \$1,000,000 to be consistent.
4. Reviewed employment history background review requirement (currently proposed to be 5 years). Five years is consistent with the City’s liquor license requirement.
5. Updated language pertaining to what types of criminal background needs to be disclosed on the application.
6. Updated language to expand delinquent taxes section to include delinquent utilities or similar outstanding fees as a reason for denial.
7. Reviewed zoning ordinance pertaining to whether or not massage services could be provided as a home occupation. A person would likely not be able to operate a full massage business as a home occupation based on the existing criteria established in the ordinance. These provisions include a maximum of one employee, “limited” clients or patients allowed to visit the premise. Staff will seek additional direction relating to whether or not any additional restrictions should be placed on a licensed massage therapist?

The City Council is being asked to discuss the aforementioned ordinances and provide feedback and direction to staff.

Betts asked if the ordinance was the same as Maple Plain’s ordinance. Kaltsas said it was almost identical but included a expanded criminal background check and a search on delinquent taxes and utilities. If those were found they would not be approved.

McCoy said he appreciated the work that was done by staff and WHPS but thought a few areas could be more definitive or there may be loopholes. McCoy said they look at any convictions not just those within the last five years.

Motion by Spencer, second by Betts to approve ORDINANCE NO. 2017-04 - Considering Adoption of a New Ordinance Regulating Massage Parlors in the City. Ayes: Johnson, Spencer, Grotting and Betts. Nays: McCoy. Absent: None. MOTION DECLARED CARRIED.

Motion by Spencer, second by McCoy to approve SUMMARY ORDINANCE NO. 2017-05 - Considering Adoption of a Summary Ordinance pertaining to Massage Parlors to be published. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.

8. OPEN/MISC.

Carnivale said he lives across the wetland in fieldstone. He noted the trains are many and all night long. He said five went through the night before. Johnson said they have been trying to eliminate the train whistle in Loretto for the past 4 years and have spent quite a bit of money to try and achieve that. Kaltsas said it takes grant money for funding. He noted there has also been a request for Valley Road. Grotting asked if it would be more of chance of happening with the revamp of 90 and 12. Kaltsas said if there was money that would be the best opportunity to look at that. Betts said the whistles seem louder than they used to be and wondered if

the decibel could be brought down. Vose noted it would have to be a cooperative effort between cities and rails. He said there is no way to cite a railway company for loudness etc. Johnson said it could be looked at but there are no guarantees.

9. ADJOURN.

Motion by Betts, second by Grotting to adjourn at 7:55 p.m. Ayes: Johnson, McCoy, Spencer, Grotting and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Respectfully Submitted,

Trish Bemmels/ Recording Secretary

DRAFT

City of Independence

Request for a Conditional Use Permit for the Property Located at 7825 County Road 11

<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	September 19, 2017
<i>Applicant:</i>	Morton Buildings, Inc.
<i>Owner:</i>	Virgil and Theresa Marple
<i>Location:</i>	7825 County Road 11

Request:

Morton Buildings, Inc. (Applicant) and Virgil and Theresa Marple (Owners) request that the City consider the following action for the property located at 7825 County Road 11 (PID No. 09-118-24-22-0003) in Independence, MN:

- a. A conditional use permit allowing an expansion to an existing accessory building which would cause it to be greater than 5,000 square feet.

Property/Site Information:

The property is located south of County Road 11 and just west of The County Road 11/County Road 92 intersection. There are two houses on the subject property and approximately 12 detached accessory buildings. The property has a CUP allowing for the two homes to be located on the property.

Property Information: 7825 County Road 11

Zoning: *Agriculture*

Comprehensive Plan: *Agriculture*

Acreage: *77.07 acres*

7825 County Road 11 – Aerial



Discussion:

The applicants are seeking a conditional use permit to allow the expansion of an existing building which will exceed 5,000 sf in overall size. The proposed building expansion will add approximately 1,200 SF to the existing 5,000 SF accessory building. The expansion area will be to the south of the existing building and internal to the property. All applicable setbacks will be met by the proposed addition. The existing building is used for the private storage of the owners. There are several additional accessory buildings located on this property. The owners live in the existing home on this property.

The maximum size of any accessory structure on a property is 5,000 SF. Any accessory structure greater than 5,000 SF requires a conditional use permit. In this particular case, the proposed existing building will be expanded which will result in a building greater than 5,000 SF. The City has established criteria for granting a conditional use permit.



The City has the following criteria for granting a Conditional Use Permit:

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.*

Properties greater than 10 acres do not have a limitation on the total square footage of accessory buildings permitted on the properties. The applicant could construct an additional accessory structure on the property that is detached from the existing building. The proposed expansion would include the residing and reroofing of the entire building. The requested Conditional Use Permit appears to meet all of the aforementioned conditions and restrictions. Allowing the expansion of the existing building does not appear to have any adverse effects on this property or the surrounding properties.

Neighbor Comments:

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

Recommendation:

Staff is seeking a recommendation from the Planning Commission for both the request for a Conditional Use Permit with the following findings:

1. The proposed Conditional Use Permit request meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. No future expansion of the accessory building shall be permitted on the property without the further review and approval by the City through the conditional use permit amendment process.
3. The applicant shall pay for all costs associated with reviewing the application and recording the resolution.

Attachments:

1. Property Pictures
2. Building Plans and Elevations
3. Application

Attachment #1

7825 County Road 11 (Looking South)





RECEIVED
8-14-2017
Bruce

Planning & Zoning Department: Application for Planning Consideration (2016)

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 38' x 32' addition
to an existing 40' x 75' / 38' x 53'
accessory building.
Parcel is 77.7 acres
zoned AG Preserve per
Zoning Map dated 3/2014.

Site Address or Property Identification Number(s):

7949
~~7825~~ Co Rd 11
PID 09.1182422.0003

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

Date	<u>8/14/2017</u>
Application Amount	<u>1,250</u>
Application Check #	<u>7324</u>
Escrow Paid	<u>750</u>
Escrow Check #	<u>7324</u>
Date Accepted by Planner	Accepted By
City Planner	

pd

*****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: Morton Buildings Inc.
Address: 113 Thomas Park Dr.
City, State, Zip: Monticello, MN 55362
Phone: 763-295-3939
Email: michael.herbert@
mortonbuildings.com
Signature: [Signature]

Owner Information (if different than applicant)

Name: Virgil & Theresa Marple
Address: 7825 Co Rd 11
City, State, Zip: Independence, MN 55359
Phone: _____
Email: virgilmarple@frontiernet.net
X Signature: [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.

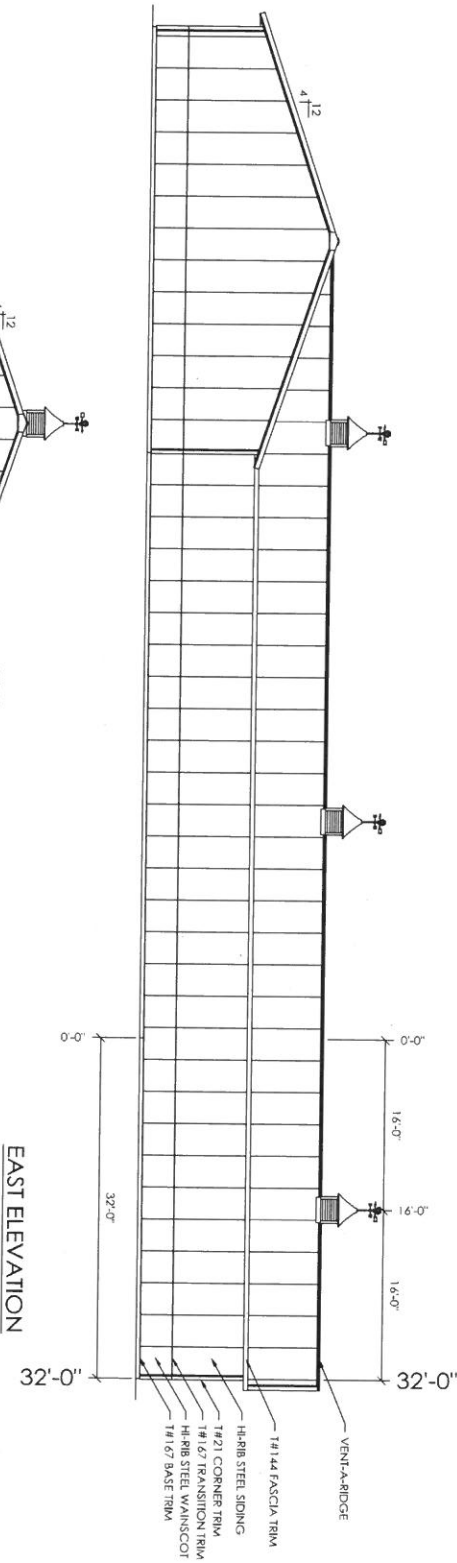
I UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

X Applicant Signature: [Signature]
Date: 8/12/17

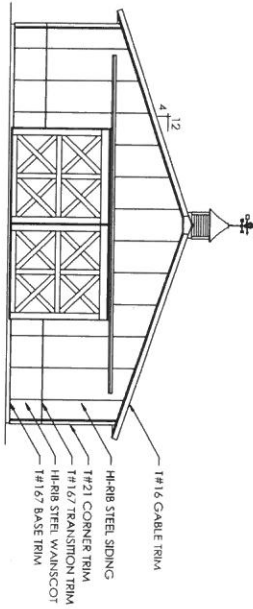
Owner Signature (if different): _____
Date: _____

DESIGN AND EXPLANATORY NOTES

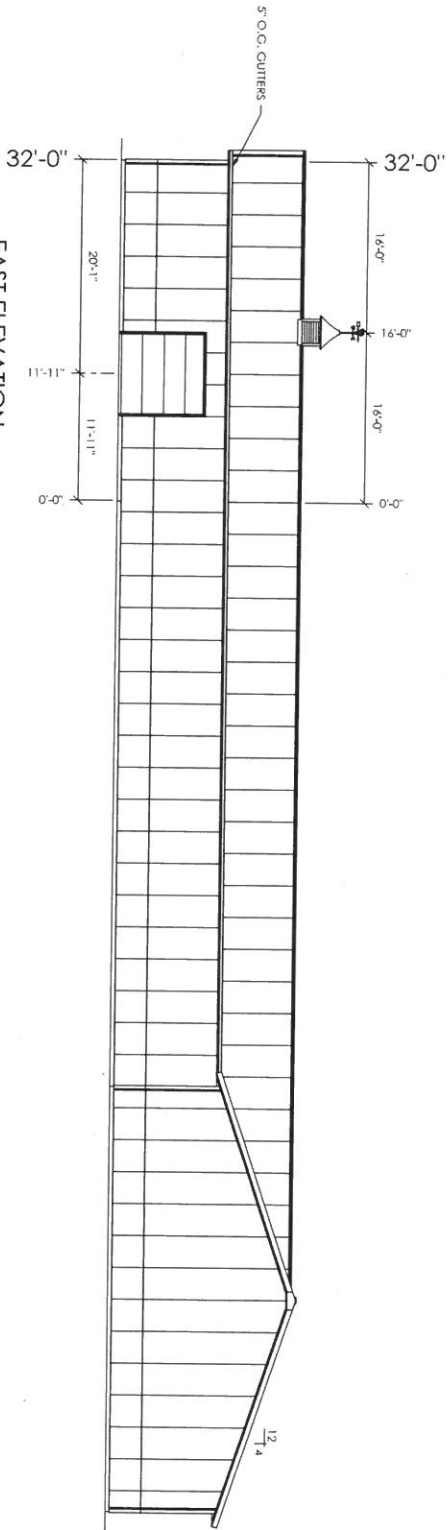
1.) EXTERIOR DOOR AND WINDOW LOCATIONS ARE TAKEN FROM THE EXTERIOR FACE OF THE WALLS AND ARE TO THE CENTER OF THE DOOR AND WINDOW UNITS. VERIFY ALL DOOR, WINDOW, SKYLIGHT AND SIDELIGHT LOCATIONS WITH THE OWNER.



EAST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

SCALE: 1" = 4' 1/2"

VIRGIL MARPLE

MAPLE PLAIN, MN



MORTON BUILDINGS, INC.

© MORTON BUILDINGS, INC. P.O. BOX 399 MORTON, IL 61550-0399



309-263-7474

OFFICE: REPAIR CREWS

JOB NO. 724409748

SCALE AS NOTED

SHEET NO. S2 OF S4

DRAWN BY:	RKS
DATE:	8/11/2017
CHECKED BY:	
DATE:	
REVISED DATE:	
REVISED DATE:	
REVISED DATE:	

0 - 3-2x6 LAMINATED COLUMN LOCATION

- ① - HEADS/TIPS LOCATION
- ② - 18-0° 9-8" DOUBLE SLIDING ALUMINUM/STEEL DIAMOND "M" END DOOR WITH CROSSBUTTS WITH SATIN STAINLESS STEEL HANDLE
- ③ - 7-8" x 7-10" OVERHEAD DOOR
- ④ - 30-3" CUSTOM R-C, TRUSS (8-R-C O.C. TYPICAL)
- ⑤ - CONTINUOUS 2x4 LOWER CHORD TRUSS, TRUSS AND 2x4 DIAGONAL END BRACES APPROXIMATELY 6'-6", 8'-0" O.C. TYPICAL
- ⑥ - 1-2 6-9/16" NON-FUNCTIONAL CIPLOLA WITH 1/4" 30° WEATHERVANE
- ⑦ - ALL STEEL FASTENED WITH STAINLESS STEEL SCREWS

- ROOF LAP SEALANT TAPE
- 16" DIAMETER FOOTING WITH

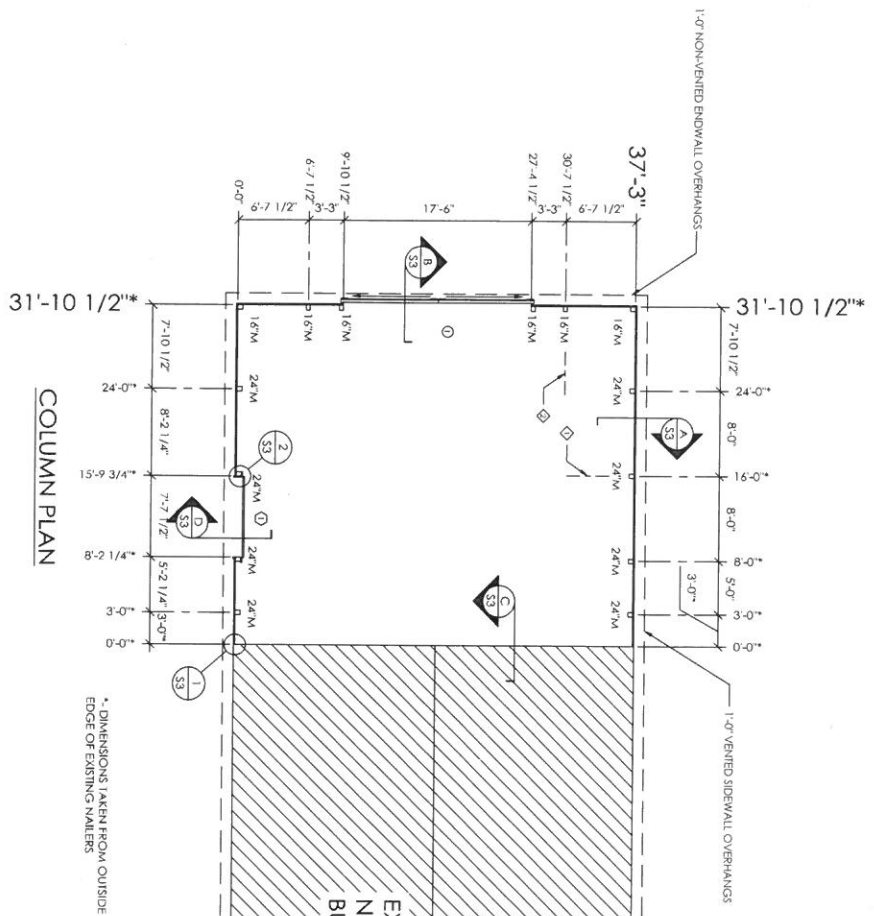
WITH AN ADDITIONAL MINIMUM 1" ABOVE BOTTOM OF PRECAST CONCRETE COLUMN AROUND EXPOSED REBAR CAGE AND 3/4" x 1/4" THREADED ROD (2200 PSI MINIMUM), 20" BELOW BOTTOM OF PRECAST CONCRETE PAD.

MINIMUM 1" ABOVE BOTTOM OF PRECAST CONCRETE COLUMN. PLACE CONCRETE BELOW AND ABOVE BOTTOM OF LOWER COLUMN IN ONE OPERATION.

3" M - 24" DIAMETER FOOTING WITH 4' TO BOTTOM OF 21" THICK CONCRETE

PAD (2500 PSI MINIMUM), 20" BELOW BOTTOM OF PRECAST CONCRETE COLUMN AROUND EXPOSED REBAR CAGE AND 3/4" x 14" THREADED ROD WITH AN ADDITIONAL MINIMUM 1" ABOVE BOTTOM OF PRECAST COLUMN.

NOTE: PRECAST CONCRETE PARTITION WALL ABOVE BOTTOM OF PRECAST CONCRETE COLUMN. PLACE CONCRETE BELOW AND ABOVE BOTTOM OF LOWER COLUMN IN ONE OPERATION.



* - DIMENSIONS TAKEN FROM OUTSIDE
EDGE OF EXISTING NAILERS

EXISTING
NON-MORTON
BUILDING

CONSTRUCTION PLANS

THIS IS A FINAL SET OF CONSTRUCTION DRAWINGS. ALL ALTERATIONS TO THESE PLANS MUST BE ACKNOWLEDGED BY A CHANGE ORDER.

ESTIMATOR'S SIGNATURE _____

CONTACT: _____

ESTIMATOR

1000

SECOND CONTACT: _____

ESTIMATOR
DATE PLANS SENT

37'-0" DIAGONAL DIMENSION = 48'-6 3/4"

VIRGIL MARPLE
MAPLE PLAIN, MN



MORTON BUILDINGS, INC.



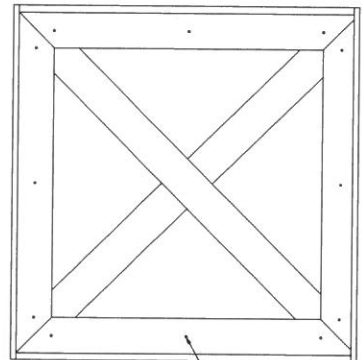
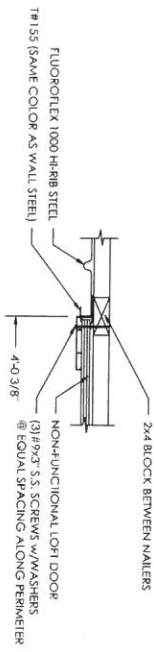
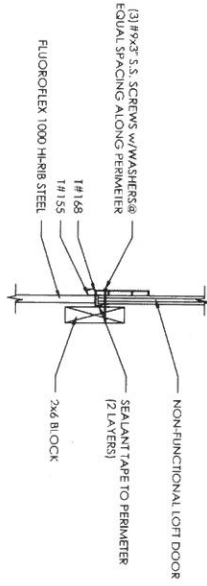
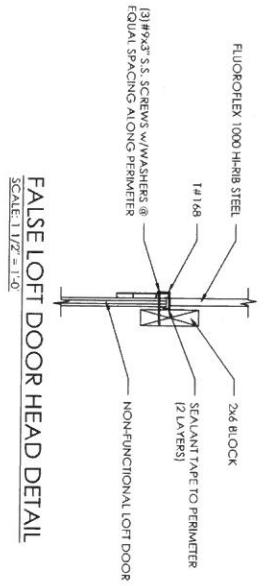
©MORTON BUILDINGS, INC. P.O. BOX 399 MORTON, IL 61550-0399 309-263-7474

OFFICE:
REPAIR CREWS

JOB NO. 704 060740

SCALE: 1" = 4'

SCALE: AS NOTED
SHEET NO.
S1 OF S4



(12) S.S. SCREWS W/WASHERS (MINIMUM)

OFFICE:
REPAIR CREWS
JOB NO.
734409748

VIRGIL MARPLE

MAPLE PLAIN, MN



MORTON BUILDINGS, INC.



© MORTON BUILDINGS, INC. P.O. BOX 399 MORTON, IL 61550-0399

309-263-7474

DRAWN BY:	PKS
DATE:	8/11/2017
CHECKED BY:	—
DATE:	—
REVISED DATE:	—
REVISED DATE:	—
REVISED DATE:	—

SCALE AS NOTED
SHEET NO.
S4 OF S4

1.) ♦ THE PRECEDING SYMBOL IDENTIFIES ITEMS THROUGHOUT THE PLANS THAT ARE NOT PROVIDED BY MORTON BUILDINGS, INC. OR MORTON BUILDINGS' SUBCONTRACTORS AND ARE THE OWNER'S RESPONSIBILITY.



NOTE: THIS OVERHEAD DOOR IS AN ODD WIDTH AND/OR HEIGHT. PAY PARTICULAR ATTENTION TO THE DIMENSIONS PROVIDED AND CONFIRM THEM TO MAKE SURE THE FINISHED OPENING WILL WORK FOR THIS SPECIAL DOOR. KEEP IN MIND, WITH THE FLOOR IN PLACE, THE OVERHEAD DOOR PANEL MUST LAB BOTH JAMB COLUMNS AND THE HEADER BY 1" TO CREATE THE PROPER SEAL.



City of Independence

Request for a Minor Subdivision to Permit a Lot Line Rearrangement for the Property Located at the East End of Burr Oak Lane

To: Planning Commission
From: Mark Kaltsas, City Planner
Meeting Date: September 19, 2017
Applicant/Owner: John Peterson/LE Peterson Living Trust
Location: End of Burr Oak Lane

Request:

John Peterson (Applicant) and LE Peterson Living Trust (Owner) request that the City consider the following action for the properties located at the east end and south of Burr Oak Lane (PID No.s 08-118-24-42-0001 and 08-118-24-31-0001) in Independence, MN:

- a. A lot line rearrangement which would move the existing lot line between the two properties further to the west.

Property/Site Information:

The subject property is located east of Lake Haughey Road and North of Hwy 12. The property is located at the east end of the improved portion of Burr Oak Lane. There are no structures on either property. The property has the following site characteristics:

Property Information: Burr Oak Lane

Zoning: Agriculture

Comprehensive Plan: Agriculture

Acreage (Before PID No. 08-118-24-42-0001): 38.39

Acreage (Before PID No. 08-118-24-31-0001): 10.10

Acreage (After PID No. 03-118-24-21-0002): 29.29

Acreage (After PID No. 03-118-24-22-0002): 19.20



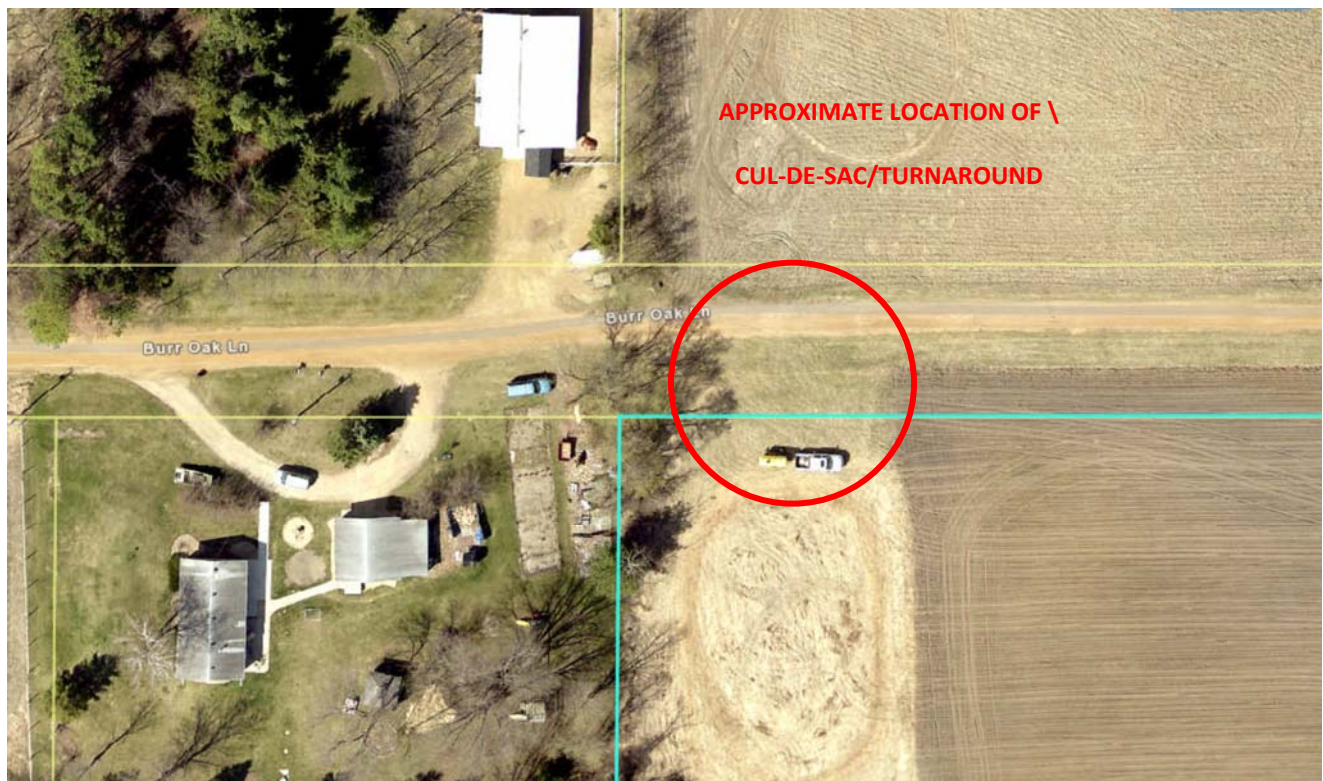
Discussion:

The applicant is seeking a minor subdivision to expand the smaller property from 10 acres to 20 acres and include frontage on the existing right of way of Burr Oak Lane. The smaller property located to the east of the larger property does not currently have access onto the Burr Oak Lane right of way. The applicant would like to expand the smaller property to allow for a more saleable parcel with a more suitable building site. There is a wetland that is located at the east of the of the existing right of way that would restrict access into the smaller parcel. The proposed lot line rearrangement would provide the requisite 300 LF of frontage on a public right of way.

The larger parcel will be reduced by 10 acres and still maintain approximately 30 acres in overall acreage. The larger property to the west has the ability to realize an additional building eligibility through the rural view lot provisions in the before condition. In the after condition, the property will no longer be eligible for an additional building eligibility as it will no longer be an original quarter-quarter section. The applicant is aware of this condition.

The applicant has demonstrated that both properties have a minimum of 2.5 acres of buildable upland and the requisite primary and secondary septic site locations.

The City allows up to three properties to be developed off of a private driveway. The applicant is proposing to work with the property owner to the north to share the existing private driveway to provide access to both of the subject properties. The City could at anytime decide to extend Burr Oak Lane to the east. In order to ensure emergency vehicle and public works access to these properties, staff is recommending that the City require the applicant to construct a turn around and provide the necessary easement at the east end of the improved part of Burr Oak Lane (See Image Below). The City has a standard cul-de-sac detail that would stipulate the dimensions. The cul-de-sac would allow emergency and public works vehicles a turnaround point prior to the private driveway.



Summary:

The proposed lot line rearrangement is generally in keeping with the City's zoning and subdivision regulations. The applicant is proposing to make the smaller property arguably better due to the inclusion of the requisite frontage on a public right of way. The proposed minor subdivision appears to meet all of the applicable standards of the City's zoning and subdivision ordinance.

Neighbor Comments:

The City has not received any written comments regarding the proposed minor subdivision.

Recommendation:

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

1. The proposed minor subdivision for a lot line rearrangement meets all applicable criteria and conditions stated in Chapter V, Section 500, Planning and Land Use Regulations of the City of Independence Zoning Ordinance.
2. The Applicant shall provide the City with an easement description and plan for the cul-de-sac to be located at the eastern end of the improved portion of Burr Oak Lane. The construction of the cul-de-sac will be required prior at the time of issuance of a building permit for either parcel.
3. The Applicant shall provide a legal description for the required drainage and utility easements, as required by the City. The Applicant shall execute the requisite conveyance documents pertaining to the easements.
4. The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
5. The Applicant shall record the subdivision, easement and City Council Resolution with the county within six (6) months of approval.

Attachments:

1. Application
2. Existing and Proposed Subdivision Survey

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: Lot line
rearrangement to
add 10 acres to parcel
B.

Site Address or Property Identification Number(s):

08-118-24 42 0001

08-118-24 31 0001

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

8/23/2017
Date

1,250
Application Amount

1048
Application Check #

750
Escrow Paid

1048
Escrow Check #

Date Accepted by Planner

Accepted By

City Planner

*****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: John H. Peterson

Address: 8910 Hwy 12

City, State, Zip: Delano, MN 55328

Phone: 612-770-8495

Email: jhpeterson@frontiernet.net

Signature: John H. Peterson

Owner Information (if different than applicant)

Name: L E Peterson Living Trust

Address: 8910 Hwy 12

City, State, Zip: Delano, MN 55328

Phone: _____

Email: _____

Signature: John H. Peterson - Trustee

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:

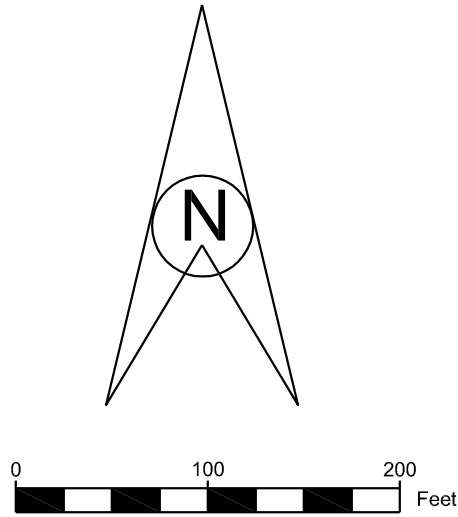
Applicant Signature: John H. Peterson

Date: 8/23/17

Owner Signature (if different): John H. Peterson (Trustee)

Date: 8/23/17

Certificate of Survey



PROPOSED PROPERTY DESCRIPTIONS:

PARCEL A:

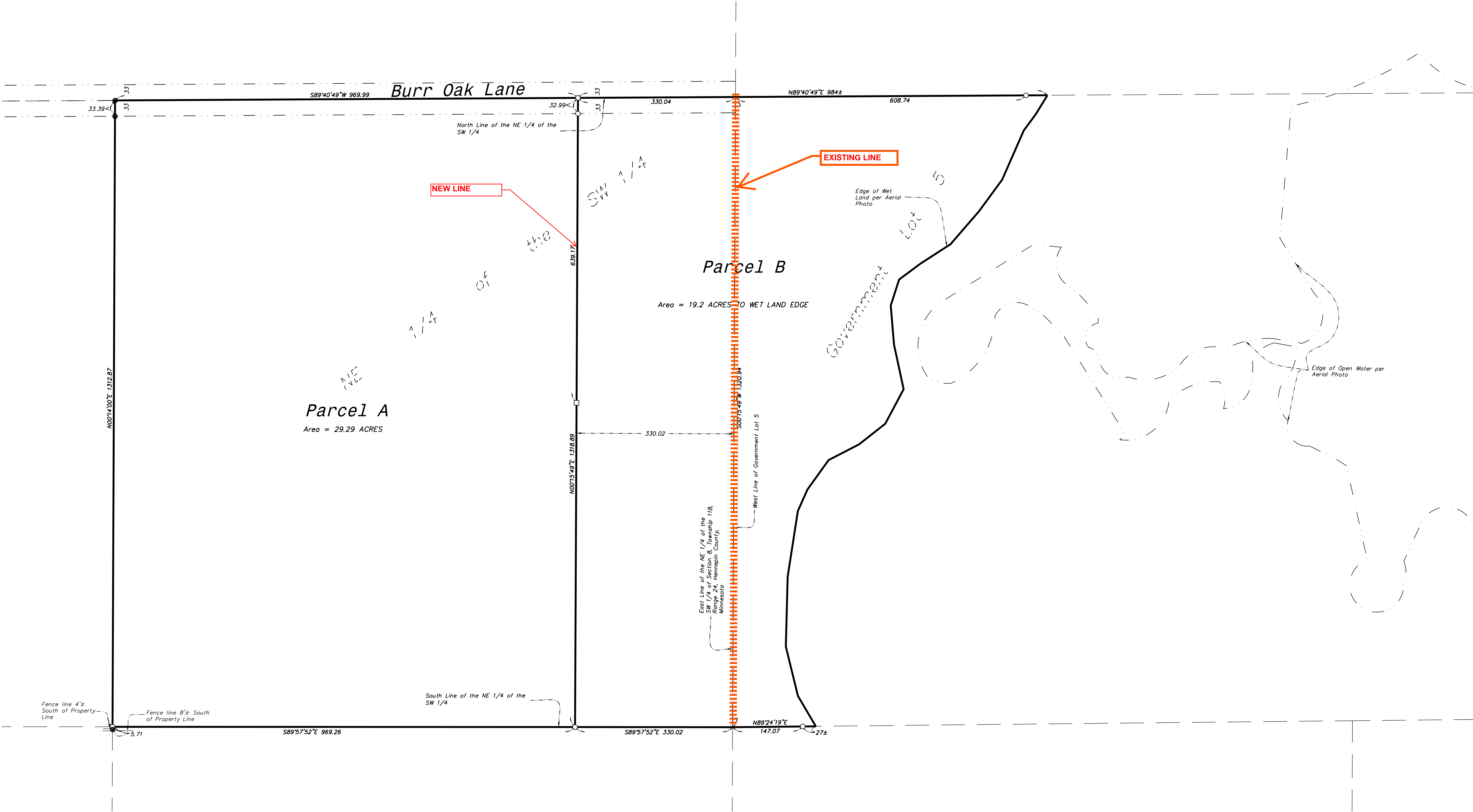
That part of the Northeast Quarter of the Southwest Quarter of Section 8, Township 118, Range 24, Hennepin County, Minnesota, that lies West of the East 330.02 feet thereof.

PARCEL B:

Government Lot 5 of Section 8, Township 118, Range 24, Hennepin County, Minnesota.

AND

The East 330.02 feet of the Northeast Quarter of the Southwest Quarter of Section 8, Township 118, Range 24, Hennepin County, Minnesota.



Revised:

Certificate of Survey on part of the NE 1/4 of the SW 1/4 and Gov't Lot 5, Section 8, Township 118, Range 24, Hennepin County, Minnesota.

Requested By:

John Peterson

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

Paul E. Otto
Paul E. Otto
License #40062

Scale:

1" = 100'

Drawn By:

B.L.C

Checked By:

P.E.O

Date:

7-27-17

Project No.

17-0376

www.ottoassociates.com

9 West Division Street
Buffalo, MN 55313
(763)662-4727
Fax: (763)662-3522

OTTO ASSOCIATES
Engineers & Land Surveyors, Inc.

denotes iron monument found
denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062
denotes Lathe set

34