



CITY COUNCIL MEETING AGENDA
TUESDAY AUGUST 5, 2025

CITY COUNCIL MEETING TIME: 5:00 PM (NOTE THE MEETING TIME IS 5:00 PM DUE TO NIGHT TO UNITE EVENTS)

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

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 July 15, 2025, Regular City Council Meeting.
- b. Approval of Accounts Payable; (Batch #1 - Checks No. 23817-23826, Batch #2 - Checks No. 23827-23836 and Batch #3 – Checks No. 23837-23852).
- c. Approval of a Solicitor Application for Food Truck to be Located in the Parking Lot at Westpoint Church Located at 9090 Highway 12.
- d. 2nd Quarter Building Permit Report – For Council Information Only.

5. Reports of Boards and Committees by Council and Staff.

6. Sean Keating (Applicant/Owner) requests that the City consider the following action for the Properties located at 1875 Highsted Dr., Independence, MN (PID No.s 20-118-24-42-0002 and 20-118-24-42-0001):

- a. **RESOLUTION No. 25-0805-01** – Considering a minor subdivision to allow a lot line rearrangement to realign the existing property line that separates the two properties. The proposed lot line rearrangement would shift the boundary away from the existing house and to the east which would bring the existing house into conformance with applicable building setbacks.

7. Scott Kirchner (Applicant/Owner) requests that the City consider the following action for the Property located at 6551 County Road 6, Independence, MN (PID No. 34-118-24-12-0001):

- a. **RESOLUTION No. 25-0805-02** – Considering a minor subdivision to allow a rural view lot subdivision. The proposed rural view lot would be 10 acres and located on the south

side of County Road 6 along the east property line.

8. Consider the Revocation of a Conditional Use Permit as Requested by the Property Owner for the Property Located at 7104 Pioneer Creek Drive.
 - a. **RESOLUTION No. 25-0805-03** – Considering revocation of the Conditional Use Permit which granted approval of an Accessory Dwelling Unit (ADU) on the Property Located at 7104 Pioneer Creek Drive.
9. Consider Approval of the Personnel Committee Recommendations.
10. Open/Misc.
11. Adjourn.



CITY COUNCIL MEETING MINUTES
TUESDAY JULY 15, 2025

CITY COUNCIL MEETING TIME: 6:30 PM

1. Call to Order

Mayor Brad Spencer called the meeting to order on Tuesday, July 15, 2025, at 6:30 PM

2. Pledge of Allegiance

Mayor Spencer led the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Spencer, McCoy, Betts, Fisher, Grotting

ABSENT: None

STAFF: City Administrator Kaltsas, Administrative Services Director Simon,
Public Works Supervisor Ben Lehman, WHPS Chief DuRose

VISITORS: See Sign in Sheet

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

Mayor Spencer stated that the consent agenda items would be considered routine and acted on by one motion unless someone would like to remove an item for discussion. The consent agenda included the following items:

a. Approval of City Council Minutes from the June 24, 2025, Regular City Council Meeting.

b. Approval of Accounts Payable (Batch #1; Checks Numbered 23769-23783, Batch #2, Checks Numbered 23784-23795 and Batch #3, Checks Numbered 23796-23816).

c. Agriculture Preserve Renewal Application – PID No. 10-118-24-41-0001.

d. Large Assembly Permit: Twin City Polo Club – 2025 Polo Club Classic – August 3, 2025.

No council members requested to remove any items for discussion.

Motion by Councilmember Betts, seconded by Councilmember Fisher, to approve the consent agenda. All in favor. Motion carried. 5-0

5. Set Agenda – Anyone Not on the Agenda can be Placed Under Open/Misc.

Mayor Spencer asked if anyone present wanted to discuss a topic not on the agenda. No one responded. Mayor Spencer asked if any council members had items to add to the agenda. City Administrator Mark Kaltsas suggested adding a special meeting for the joint meeting with Maple Plain in August. Mayor Spencer confirmed that a joint council meeting was tentatively scheduled for August 21, 2025, at 6:30 PM with Maple Plain to discuss the merger of the Maple Plain Fire Department into the West Suburban Fire District. The council members agreed to the proposed meeting date.

6. Reports of Boards and Committees by Council and Staff.

Fisher attended the following meetings:

- None

Betts attended the following meetings:

- None

McCoy attended the following meetings:

- Fire Commission Meeting on July 8th

Grotting attended the following meetings:

- Planning Commission Meeting

Spencer attended the following meetings:

- Planning Commission on the 15th
- Zoom meeting regarding Lake Independence OHWL with the DNR, Hennepin County, Pioneer Creek Watershed District on the 25th
- Meeting with LICA's president Tom Blank on the 26th
- West Suburban Fire District board meeting on the 26th
- Meeting with Maple Plain mayor and administrator regarding the fire department on the 2nd
- West Hennepin Public Safety Commission hiring discussion on the 8th
- Maple Plain Fire Department quarterly commission meeting on the 8th
- KwikTrip groundbreaking on the 9th
- Highway 12 Safety Coalition on the 10th
- Lakes Sarah Improvement Association meeting and picnic on the 13th

7. West Hennepin Public Safety – Director Matthew DuRose: Presentation of the June 2025 Activity Report.

Chief Matt DuRose presented the June 2025 activity report for West Hennepin Public Safety. He reported that incident numbers were up, primarily due to increased traffic stops resulting from officers' interest in traffic enforcement and education. He noted an increase in DWIs, including one that resulted in a pursuit ending in Minnetonka with assistance from partner agencies. There were also two second-degree DWIs, a third-degree DWI, and a fourth-degree DWI.

Chief DuRose mentioned ongoing issues with thefts, swindles, and scams with no consistent pattern. He explained that these are typically online or phone scams where victims fall prey to calls or emails without proper verification. While these cases are difficult to investigate because they cross state and country borders, the department has made progress on some and is working to help victims recover lost funds.

Looking ahead, Chief DuRose highlighted upcoming events including the Polo Classic, Tour de Tonka, Night to Unite on August 5th (for which they are still seeking neighborhood party registrations), and the Battle of the Badges and McGarry's Golf Tournament on August 18th.

Mayor Spencer inquired about a "Cops and Bobbers" fishing event that had recently taken place on Lake Minnetonka, organized by South Lake Minnetonka PD. Chief DuRose expressed interest in organizing a similar event in the future, possibly in partnership with Medina PD. He noted it would be an excellent opportunity to connect with local children and take them fishing. The council discussed potential resources, including donors for equipment and food, and boat sponsors.

8. Lake Independence Citizens Association – Presentation to Council on Lake Independence Water Quality.

Chris Dahlberg, Treasurer of the Lake Independence Citizens Association (LICA), presented on water quality initiatives. He explained that LICA is addressing two major concerns: high water levels and water quality in Lake Independence.

For the first initiative, Dahlberg described the outlet channel cleanup project. He explained that Lake Independence has one outlet channel with very little slope, which causes water to leave the lake slowly. The channel, which used to be well-defined at 15 feet wide, has become overgrown with cattails. In partnership with the Pioneer Sierra Creek Watershed Management Commission, LICA obtained a Minnesota DNR permit and conducted herbicide treatment via drone last fall to kill cattails in the channel from Independence Road to Pagenkopf.

The next step requires physical clearing of the cattails using a tracked machine called a "truxor" that can drive through muck, dirt, and float on water. The machine will cut cattails at the base of the channel and remove "bog" materials. LICA has proposals from two vendors, with Aquatic Weed Harvesting being the primary vendor under consideration.

The second initiative focuses on curly-leaf pondweed control. Dahlberg noted that the frequency of occurrence has increased from under 20% to over 60% in recent years. This invasive species grows early and dies off at the worst time of year, releasing phosphorus that causes algae blooms. LICA has worked with Three Rivers Park District on assessments and has secured a lake vegetation management plan approved by the DNR, which will allow them to apply for grants starting in 2025.

Dahlberg presented a five-year program with estimated costs of \$65,000 for 2025, decreasing to around \$35,000 in subsequent years. LICA is seeking financial partnerships with the cities of

Independence and Medina (20% each), Pioneer Sierra Creek Watershed Management Commission (25%), Three Rivers Park District (15%), and LICA (20%). He noted that LICA has created a GoFundMe site and has raised over 50% of their portion, plus secured an additional \$5,000 commitment.

After discussion about the effectiveness of channel cleanouts and the precedent for cost-sharing in lake management projects, Mayor Spencer made a motion:

Motion by Mayor Spencer, seconded by Councilmember Betts, to support the channel clean out at 20% for 2025 and 2026 to a maximum of \$10,000 for this year and 20% to a maximum \$2,000 for next year. All in favor. Motion carried. 5-0

9. Lake Independence Residents – Presentation of Petition Relating to Proposed No Wake Ordinance Amendment.

Mayor Spencer announced that the agenda would be modified to hear Item 9 next to accommodate presenters who needed to leave to attend a Medina meeting.

Brian Roers introduced himself, noting he has three properties in Independence: 2914 Lindgren Lane, 2930 Lindgren Lane, and 2324 Copeland Road. He explained that the purpose of his presentation was to address the no-wake restriction on Lake Independence that has been in place since mid-June of this year, following a similar restriction from May to September last year.

Roers clarified that his group was not seeking removal of the no-wake restriction but rather a modification of the original ordinance to include a 250-foot setback. This would protect shorelines while allowing recreation in the deeper portions of the lake. He presented a petition with 53 signatures from lakeshore owners (out of approximately 109 total owners) supporting a 300-foot setback during no-wake periods. He noted this represented 386% more support than the 14 members who originally supported the no-wake ordinance in 2014.

Roers explained that his family and others purchased lakefront property to recreate on the water, and the ongoing restrictions had prevented that for nearly two summers. He noted that the original 250-foot setback was not included in the final ordinance due to enforcement concerns, which he believes are now solved with rangefinder technology. He mentioned that other area lakes like Minnetonka, Long Lake, and Buffalo have implemented setbacks during no-wake periods.

Regarding the process for changing the ordinance, Roers acknowledged that DNR approval would be required but noted that Buffalo had recently completed a similar process in less than two weeks. He also discussed research on wake boats, pointing out that studies recommend operation in water deeper than 15 feet and 500 feet from shore.

Mayor Spencer explained that since two cities regulate the lake, the process would take time. He noted that coordinated public hearings would need to be held in both Independence and Medina, with proper notification through newspapers and mailings to affected residents. The mayor estimated this would likely occur around August 19. He also mentioned that the Sheriff would

need to review any proposed ordinance and that the DNR has authority over the timeline for approval.

Mayor Spencer emphasized that this is a contentious issue with strong opinions on both sides, and that a comprehensive public input process would be necessary before any decisions are made.

10. Presentation of the 2024 Financial Audit.

Andy Grice presented the 2024 Financial Audit. He reported that the city received a clean or unmodified opinion on the financial statements, which is the best possible outcome. There were no findings to report regarding internal control over financial reporting, and no compliance findings related to Minnesota legal compliance.

Grice noted a low-level finding regarding lack of segregation of accounting duties, though mitigating controls were in place to reduce risk. He then presented financial analysis highlights:

- General fund revenues increased by approximately 3% from 2023 to 2024, primarily driven by increases in taxes, special assessments, and miscellaneous revenue (which included a one-time payment from Maple Plain Fire).
- This was partially offset by decreases in licenses and permits due to less development activity and a decrease in intergovernmental revenue.
- Taxes represented about 81% of total general fund revenues, with licenses and permits at 9% (down from 12% in 2023).
- Actual revenues exceeded budget by approximately \$429,000, mainly due to conservative budgeting for building permits and receipt of the small cities assistance grant and a new county grant for street projects.
- Expenditures exceeded budget by about \$318,000, primarily in public safety (increased contract fees with West Hennepin Public Safety) and public works (culvert maintenance project).
- The net result was a surplus of about \$71,000, increasing fund balance to approximately \$2,200,000, which represents 43% of the 2025 budgeted expenditures (in compliance with the city's 40-50% policy).
- The sewer utility fund showed an operating loss of about \$103,000, but when excluding non-cash depreciation expense, operations were positive by about \$19,000.

No action was required on the audit presentation.

11. Arman Taghizadeh (Applicant) and Mark Moorhouse (Owner) are requesting the following actions for the property located at 7949 County Road 11 (PID No. 09-118-24-22-0004) in the City of Independence, MN.

- a. **RESOLUTION No. 25-0715-01** – Considering approval of a conditional use permit (CUP) to allow a ground mounted solar system which is greater than 500 SF; and a

variance to allow the ground mounted solar system to be located less than 100' from the side property line. The applicant owns both of the properties on either side of the property line.

City Administrator Mark Kaltsas explained that the applicant requested a conditional use permit to allow ground-mounted solar that exceeds 500 square feet and a variance to allow the solar system to be located less than 100 feet from the side property line. The property is located on the south side of County Road 11, just west of the intersection with County Road 92. The applicant owns both the subject property and adjacent properties.

The proposal includes four ground-mounted solar tracking arrays totaling 2,244 square feet, which is less than the maximum 2,500 square feet allowed by ordinance. The applicant proposed constructing two berms for screening: one along County Road 11 (already constructed but not yet landscaped) and a second in front of the panels.

The Planning Commission recommended approval with conditions, including that the applicant combine the two properties into a single property rather than granting a variance for the setback. The city received one letter from a resident across the street requesting denial of the application, citing concerns about ongoing construction activity on the property.

Cece Hardigan, the engineer for the project, explained that the proposed location was selected due to:

1. Plans to remove two existing barns and build a larger structure in their place
2. The need to minimize distance to utility service equipment to reduce wiring costs
3. The need to avoid underground geothermal wells
4. Future plans for a pool, pool house, and other structures on the property

The council discussed whether to require lot combination or grant the variance. Mayor Spencer asked about the property owner's future plans, and Kaltsas confirmed they intend to eventually combine their properties through a broader replat process, but that would take more time than a simple lot combination.

After discussion, the council decided to approve with a condition requiring lot combination within one year, secured by an escrow:

Motion by Councilmember Betts, seconded by Councilmember Grotting, to approve Resolution 25-0715-01 with the condition that the applicant combine the lots within one year, secured by a \$10,000 escrow. All in favor. Motion carried. 5-0

12. Chloe Kirks (Applicant) and Andrew Fairbairn (Owner) are requesting the following actions for the property located at 7975 County Road 6 (PID No. 33-118-24-23-0001) in the City of Independence, MN.

- a. **RESOLUTION No. 25-0715-02** – Considering approval of a conditional use permit (CUP) to allow a ground mounted solar system which is greater than 500 SF.

City Administrator Mark Kaltsas presented the application for a conditional use permit to construct a ground-mounted solar system at 7975 County Road 6. The property is located on the south side of County Road 6, just east of the intersection with County Road 92, and is approximately 7.75 acres.

The applicant proposed a fixed ground-mounted solar array of 944 square feet that would meet all applicable setbacks from property lines. The system would be located to the south and west of the existing house, sitting in a lower area of the field. Due to existing tree lines along County Road 6 and in the field, along with the topography, the Planning Commission determined that additional screening was not necessary.

The Planning Commission held a public hearing where no one spoke on the matter, and the city received no comments or opposition. The Planning Commission recommended approval with standard conditions including compliance with all applicable codes and recording the conditional use permit with Hennepin County.

Motion by Councilmember McCoy, seconded by Councilmember Fisher, to approve Resolution 25-0715-02. All in favor. Motion carried. 5-0

13. Open/Misc.

14. Adjourn.

Motion by Councilmember McCoy, seconded by Councilmember Grotting, to adjourn the meeting at 7:50pm. All in favor. Motion carried. 5-0



PEDDLER & SOLICITOR LICENSE APPLICATION

GENERAL INFORMATION

<u>CLISTON PIPPITT</u>	<u>()</u>	<u>(612) 403 3412</u>
Applicant Name	Phone	Cell Phone
<u>910 Northwood Drive</u>	<u>Delano MN</u>	<u>55328</u>
Home Street Address	City, State, Zip	
<u>479 - 08 - 0963</u>	<u>11 / 28 / 1982</u>	<u>W000041847 700 MN</u>
Social Security Number	Date of Birth	Driver's License Number State
<u>6'2 (ft/in)</u>	<u>280 (lbs)</u>	<u>Haz</u>
Height	Weight	Eye Color
		<u>Brown</u>
		Hair Color
<u>Chevy/Lark Trailer</u>	<u>Silverado</u>	<u>Red/Black</u>
Vehicle Make	Vehicle Model	Color
		<u>1A2535 / 3350CTU</u>
		License Number
List 3 cities applicant conducted business in: <u>None</u>		

BUSINESS & PRODUCT INFORMATION

<u>ON POINT Barbecue</u>	<u>CLISTON PIPPITT</u>	<u>(612) 403 3412</u>
Business/Organization Name	Supervisor/Other	Phone
<u>910 Northwood Drive</u>	<u>Delano MN</u>	<u>55328</u>
Business Street Address	City, State, Zip	
Type(s) of Product(s)/Service(s): <u>Hot Food Smoked/Barbecued meats</u>		
Delivery Method: <u>Person to Person</u>		
Selling Dates: <u>7-25-25 through 10-31-25</u> Days of Week: <u>Tuesday Through Saturday</u>		
Selling Times: <u>11 am to 3 pm</u> Allowed Times: <u>M-F 9-8, Sat 9-5</u>		

BACKGROUND CHECK INFORMATION

Have you ever been convicted of any crime (other than petty traffic violations)? ☐ Yes ☒ No
If Yes, please explain: _____

Have you ever applied for and been rejected, or received a peddler, solicitor or transient merchant license and had it suspended or revoked within the past three years? ☐ Yes ☒ No
If Yes, please explain: _____

#	Approved Date	Applicant	Address	PID #	Permit Type (if new indicate SFD or Outbuilding)	Total of All Permit Fees	Plan Review Fee	**Other ** Roof/Re-Side	Mechanical	Plumbing	Surcharge Fee Base Value	Septic	Sewer	Total Fees includes surcharge	Total Surcharge	Total Fees w/o Surcharge	Value	Paid Via (Check/Cash/In-person/terminal/online)	Final
4/2/25	25-58	Champion Plumbing	15 Copeland Rd	33-44-0003	Plumbing	\$ 50.00				\$ 1.00				\$ 51.00	\$ 1.00	\$ 50.00	\$ 1,200.00	Terminal 4/2/25	
4/3/25	25-59	Andrew Rogalski	4084 S Lake Sarah Dr	02-43-0005	Plumbing	\$ 100.00				\$ 1.00				\$ 101.00	\$ 1.00	\$ 100.00	\$ 3,000.00	Terminal 4/3/25	
4/3/25	25-60	Scott Voss	5457 Lake Sarah Heights Dr	01-23-0008	Deck	\$ 402.99	\$ 261.94				\$ 12.50			\$ 677.43	\$ 12.50	\$ 664.93	\$ 25,000.00	CK#12270	
4/7/25	25-61	Scott Ahlbrecht	4893 Bridgeline Way	24-14-0038	Pool	\$ 1,007.26	\$ 524.72		\$ 1.00	\$ 1.00	\$ 35.00			\$ 1,568.98	\$ 37.00	\$ 1,531.98	\$ 70,000.00		
4/7/25	25-62	Brenan Nadeau	5110 S Lake Shore Dr	13-43-0002	Deck	\$ 40.00								\$ 40.00	\$ -	\$ 40.00	\$ 16,856.00	Terminal	
4/7/25	25-63	Scott Ritter	5622 Co Rd 11	02-44-0004	Deck	\$ 114.59	\$ 74.48				\$ 2.50			\$ 191.57	\$ 2.50	\$ 189.07	\$ 5,000.00	CK#1066	FINAL
4/8/25	25-64	Kelsie Simon	8575 Pioneer Creek Rd	29-21-0003	Fence	\$ 40.00								\$ 40.00	\$ -	\$ 40.00	\$ 4,200.00	PSN	
4/10/25	25-65	George Reinert	6074 County Rd 6	26-34-0002	Re-Roof	\$ 100.00		\$ 1.00						\$ 101.00	\$ 1.00	\$ 100.00	\$ 10,000.00	Terminal 4/10/2025	
4/11/25	25-66	Shay Simpson	10300 Marsh Ridge Circle	25-31-0010	Re-Roof	\$ 100.00		\$ 1.00						\$ 101.00	\$ 1.00	\$ 100.00	\$ 13,260.00	Terminal 4/11/2025	
4/14/25	25-67	Aaron Lewicki	1880 Becker Rd	14-13-0005	Windows (21)	\$ 300.00		\$ 1.00						\$ 301.00	\$ 1.00	\$ 300.00	\$ 78,159.00		FINAL
4/15/25	25-68	Daniel/Wanda Roach	2465 Co Rd 92 N	17-44-0009	Bathroom Remodel	\$ 100.00				\$ 1.00				\$ 101.00	\$ 1.00	\$ 100.00	\$ 34,000.00		
4/16/25	25-69	Seth Norling	4970 Macallister Dr	25-41-0009	Re-Roof	\$ 100.00		\$ 1.00						\$ 101.00	\$ 1.00	\$ 100.00	\$ 30,000.00		FINAL
4/17/25	25-70	Robert Leuther	2020 Co Rd 90	23-23-0002	Plumbing	\$ 50.00				\$ 1.00				\$ 51.00	\$ 1.00	\$ 50.00	\$ 500.00	CK#10744	
4/18/25	25-71	Timothy Mark Walker	5300 Lake Sarah Heights Dr	01-24-0005	Shed	\$ 114.59	\$ 74.48				\$ 2.50			\$ 191.57	\$ 2.50	\$ 189.07	\$ 1,500.00	CC Pd 4/18	FINAL
4/22/25	25-72	Dawn Koran	1925 Hightest Dr	20-31-0002	Mechanical	\$ 100.00			\$ 1.00					\$ 101.00	\$ 1.00	\$ 100.00	\$ 6,000.00	Terminal 4/22/2025	
4/23/25	25-73	Kelly Thret	1925 Hightest Dr	20-31-0002	Plumbing - Garage sink, dog wash	\$ 100.00				\$ 1.00				\$ 101.00	\$ 1.00	\$ 100.00	\$ 4,500.00	Terminal 4/23/2025	
4/25/25	25-74	Kurt Youngdahl	6188 Gustavus Dr	26-24-0002	New Construction SFD	\$ 5,978.51	\$ 3,119.03		\$ 1.00	\$ 1.00	\$ 400.00			\$ 9,499.54	\$ 402.00	\$ 9,097.54	\$ 800,000.00		
4/25/25	25-75	Metro Heating and Cooling	7949 Co Rd 11	09-22-0002	Mechanical	\$ 40.00				\$ 1.00				\$ 40.00	\$ 1.00	\$ 40.00	\$ 50,000.00		
4/29/25	25-76	Isaak Chukhvatsev	6135 Stone Ct	23-24-0006	Re-Side	\$ 100.00		\$ 1.00						\$ 101.00	\$ 1.00	\$ 100.00	\$ 10,000.00	Terminal 4/29	
4/29/25	25-77	James Bedell	5295 Pagenkopf Rd	21-24-0003	Mini Split Installation	\$ 100.00				\$ 1.00				\$ 101.00	\$ 1.00	\$ 100.00	\$ 10,000.00	Website Am Ex	
4/29/25	25-78	Mike Brings	3810 County Line Rd	07-22-0002	2 unit heaters and mini split	\$ 300.00				\$ 1.00				\$ 301.00	\$ 1.00	\$ 300.00			
4/29/25	25-79	Dingman Custom Homes	3563 William Way	11-31-0010	New SFD	\$ 7,937.01	\$ 3,796.60		\$ 1.00	\$ 1.00	\$ 580.00			\$ 12,315.61	\$ 582.00	\$ 11,733.61	\$ 1,200,000.00		
4/30/25	25-80	Jacob Heine	4435 Town Line Rd	01-41-0012	Egress Window	\$ 85.75	\$ 55.74	\$ 1.50						\$ 142.99	\$ 1.50	\$ 141.49	\$ 3,000.00	Terminal 4/30/2025	
5/1/25	25-81	Tricia Griffey	3668 William Way	11-42-0003	New SFD	\$ 7,792.05	\$ 3,888.33		\$ 1.00	\$ 1.00	\$ 526.00			\$ 12,208.38	\$ 528.00	\$ 11,680.38	\$ 1,065,094.00	PSN#95749718 4/22/25	
5/5/25	25-82	Kelly Brouwer	1759 County Line Rd	19-34-0003	Garage/Porch	\$ 1,271.59	\$ 826.53				\$ 71.50			\$ 2,169.62	\$ 71.50	\$ 2,098.12	\$ 16,200.00	Check	
5/7/25	25-83	Peter Hill	6125 Stone Ct	23-24-0006	Windows (39) and doors (3)	\$ 520.00		\$ 1.00						\$ 521.00	\$ 1.00	\$ 520.00	\$ 135,000.00	CC	
5/13/25	25-84	Aaron Ratfield	1915 Baker Park Rd	24-41-0043	Plumbing	\$ 100.00				\$ 1.00				\$ 101.00	\$ 1.00	\$ 100.00	\$ 20,000.00	CC	
5/13/25	25-85	Aly Geertsema	25 Timber Island Trail	36-33-0006	Mechanical - AC	\$ 100.00			\$ 1.00					\$ 101.00	\$ 1.00	\$ 100.00	\$ 8,000.00	CC	
5/13/25	25-86	Richard Zieske	6525 Meadow Ridge	15-14-0005	Replace Existing Deck	\$ 559.03	\$ 363.37				\$ 20.00			\$ 942.40	\$ 20.00	\$ 922.40	\$ 40,000.00		
5/14/25	25-87	Kevin Sandau	5030 Sunset Lane	01-13-0004	Windows (2) and Door (1)	\$ 120.00		\$ 1.00						\$ 121.00	\$ 1.00	\$ 120.00	\$ 16,887.00	terminal 5/14/2025	
5/14/25	25-88	Belkis Cruz	7888 Co Rd 6	33-22-0028	Remodel	\$ 1,233.56	\$ 665.32		\$ 1.00	\$ 1.00	\$ 50.00			\$ 1,950.88	\$ 52.00	\$ 1,898.88	\$ 100,000.00	CK#0576	
5/15/25	25-89	Pavel Kvachaniuk	710 Wild Oak Trail	34-22-0004	Mechanical	\$ 100.00		\$ -	\$ 1.00					\$ 101.00	\$ 1.00	\$ 100.00	\$ 13,700.00	CK#1590	
5/16/25	25-90	Dawn Reinking-Brunner	5280 Lake Sarah Heights Dr	01-24-0006	Mechanical	\$ 100.00			\$ 1.00					\$ 101.00	\$ 1.00	\$ 100.00	\$ 6,108.80	Pd CC Terminal	
5/16/25	25-91	Nathan Wentland	2284 Co Rd 90	23-22-0005	Furnace/AC	\$ 200.00		\$ 1.00						\$ 201.00	\$ 1.00	\$ 200.00	\$ 12,000.00	Pd CC Terminal	
5/16/25	25-92	Maria Jagodzinski	1111 Co Rd 13	25-31-0014	Fence	\$ 40.00								\$ 40.00	\$ -	\$ 40.00	\$ 8,000.00		
5/19/25	25-93	Jay Ward	6275 Stephanie Way	02-23-0005	Addition	\$ 100.00								\$ 101.00	\$ 1.00	\$ 100.00	\$ 98,500.00		
5/20/25	25-94	Todd Cebulla	5925 Providence Curve	14-43-0012	Plumbing	\$ 100.00				\$ 1.00				\$ 101.00	\$ 1.00	\$ 100.00		Pd CC Terminal	
5/22/25	25-95	Jeff Mattson	6476 Fogelman Rd	18-44-0006	Re-Roof / Re-Side	\$ 200.00		\$ 2.00						\$ 202.00	\$ 2.00	\$ 200.00	\$ 79,995.00	PSN	
5/22/25	25-96	Robert Berens	5845 Lake Sarah Heights Dr	02-12-0012	Car Port	\$ 157.85	\$ 102.60	\$ -			\$ 4.00			\$ 264.45	\$ 4.00	\$ 260.45	\$ 8,000.00		
5/22/25	25-97	Jason Williamson	335 County Road 92 N	32-42-0045	Plumbing	\$ 50.00				\$ 1.00				\$ 51.00	\$ 1.00	\$ 50.00	\$ 2,500.00	Pd CC Terminal	FINAL
5/24/25	25-98	Jay Sondergard	2686 Copeland Rd	17-32-0004	New Detached Garage	\$ 2,188.89	\$ 837.78				\$ 73.00			\$ 3,099.67	\$ 73.00	\$ 3,026.67	\$ 146,380.00	Check # 268	
5/27/25	25-99	Benjamin Schreiber	5826 Pagenkopf Rd	23-12-0006	New Post Frame Building	\$ 915.41	\$ 595.02				\$ 42.50			\$ 1,552.93	\$ 42.50	\$ 1,510.43	\$ 85,450.00	Check 540	
5/28/25	25-100	Curt Swanson	2185 Bridgeline Ct	24-14-0027	New SFD	\$ 8,915.51	\$ 4,881.18		\$ 1.00	\$ 1.00	\$ 720.00		\$ 7,760.00	\$ 22,278.69	\$ 722.00	\$ 21,556.69	\$ 1,550,000.00	CK#47302	
5/28/25	25-101	Randy Kyrola	4725 Lk Sarah Heights Circle	02-12-0008	Deck	\$ 100.17	\$ 65.11				\$ 2.00			\$ 167.28	\$ 2.00	\$ 165.28	\$ 4,000.00	CK#13572	
5/28/25	25-102	Seth Norling	1623 Polo Club Rd	02-44-0002	Re-Roof	\$ 100.00		\$ 1.00						\$ 101.00	\$ 1.00	\$ 100.00	\$ 44,000.00	terminal 5/28/2025	FINAL
5/28/25	25-103	Clearwater Systems Inc	2101 Bridgeline Ct	24-14-0041	Plumbing	\$ 100.00				\$ 1.00				\$ 101.00	\$ 1.00	\$ 100.00	\$ 7,500.00	CC Terminal	
5/28/25	25-104	Pavel Kvachaniuk	710 Wild Oak Trail	34-22-0004	Remodel	\$ 423.79	\$ 275.47				\$ 13.50			\$ 712.76	\$ 13.50	\$ 699.26	\$ 27,000.00		
5/28/25	25-105	L Cramer	Kathleen Blatz	22-31-0002	Demo Barn	\$ 100.00								\$ 100.00	\$ -	\$ 100.00	\$ 20,000.00	CK#35749	
5/29/25	25-106	Laura Rath - Life Safety Systems	3425 Induhapi Trail	12-41-0001	Fire Alarm Panel Bunk house	\$ 85.75	\$ 55.74				\$ 1.50			\$ 142.99	\$ 1.50	\$ 141.49	\$ 3,200.00	CC Terminal	
5/29/25	25-107	Kyle Dingman	3881 Schefers Ct	11-11-0014	Remodel	\$ 852.66	\$ 424.23	\$ 1.00		\$ 1.00	\$ 24.50			\$ 1,303.39	\$ 26.50	\$ 1,276.89	\$ 50,000.00	CK#13920	
5/29/25	25-108	AR Engh Heating and AC	18 Golf Walk	32-31-0001	Mechanical	\$ 465.41					\$ 15.50			\$ 480.91	\$ 15.50	\$ 465.41	\$ 30,995.00	CK	
5/29/25	25-109	Maria Jagodzinski	9055 Co Rd 11	07-12-0003	Fence	\$ 40.00								\$ 40.00	\$ -	\$ 40.00	\$ 13,000.00	CC Terminal	
5/29/25	25-110	Grob Jurvakainen	6785 US Hwy 12	22-31-0002	Remo of Existing Barn	\$ 100.00		\$ 1.00						\$ 101.00	\$ 1.00	\$ 100.00	\$ 10,000.00	CC Terminal	
5/30/25	25-111	William Fonder	2835 Lindgren Lane	13-24-0020	Mechanical	\$ 400.00			\$ 1.00					\$ 401.00	\$ 1.00	\$ 400.00	\$ 20,550.00	CC Terminal	
5/30/25	25-112	Aaron Lewicki	5325 Saddle Ridge Trail	36-24-0006	Windows (6)	\$ 150.00		\$ 1.00						\$ 151.00	\$ 1.00	\$ 150.00	\$ 33,032.00	CC Terminal	
5/30/25	25-113	Alli Around	25 Timber Island Trail	36-33-0006	Deck	\$ 699.11	\$ 454.42				\$ 27.50			\$ 1,181.03	\$ 27.50	\$ 1,153.53	\$ 54,989.00	CC Terminal	
5/30/25	25-114	Emily Benitez	5770 Kochs Crossing	11-14-0005	Deck	\$ 590.24	\$ 383.66				\$ 21.50			\$ 995.40	\$ 21.50	\$ 973.90	\$ 43,338.00	CC Terminal	
6/2/25	25-115	Allison Rykken	6605 Hillstrom Rd	22-13-0001	Fence	\$ 40.00								\$ 40.00	\$ -	\$ 40.00	\$ 22,000.00	CC Terminal	
6/3/25	25-116	Jordan Sorenson	4590 S Lake Sarah Dr	02-21-0015	Addition	\$ 486.21	\$ 316.04				\$ 16.50			\$ 818.75	\$ 16.50	\$ 802.25	\$ 33,422.27	CC Terminal	
6/4/25	25-117	Shay Simpson	5176 Co Rd 11	01-43-0002	Re-Roof House & Garage	\$ 200.00		\$ 1.00						\$ 201.00	\$ 1.00	\$ 200.00	\$ 5,680.00	CC Terminal	
6/4/25	25-118	Cesar Castillo	3005 Copeland Rd	18-11-0004	Detached garage	\$ 670.37	\$ 435.68				\$ 25.50			\$ 1,131.45	\$ 25.50	\$ 1,105.95	\$ 51,000.00	CC Terminal	
6/4/25	25-119	Sean Banken	6360 Waldmar Way	14-23-0012	Sheds (2)	\$ 345.21	\$ 224.45				\$ 10.50			\$ 580.36	\$ 10.50	\$ 569.76	\$ 21,000.00	CC Terminal	
6/5/25	25-120	Ti Exteriors	5095 Fern Dr	01-42-0012	Re-Roof	\$ 100.00		\$ 1.00						\$ 101.00	\$ 1.00	\$ 100.00	\$ 17,998.00	CC Terminal	
6/6/25	25-121	Minnesota Construction	6395 Co Rd 11	11-22-0004	Pool	\$ 935.16	\$ 477.86		\$ 1.00	\$ 1.00	\$ 30.00			\$ 1,445.02	\$ 32.00	\$ 1,413.02	\$ 60,000.00	CC PSN	
6/6/25	25-122	Morganne Goff	2168 Bridgeline Ct	24-14-0031	Water Softener	\$ 100.00				\$ 1.00				\$ 101.00	\$ 1.00	\$ 100.00	\$ 500.00	CC Terminal	
6/9/25	25-123	Brian Varner	1235 Co Rd 90	27-14-0007	New Post Frame Building	\$ 1,046.63	\$ 680.31				\$ 52.00			\$ 1,778.94	\$ 732.31	\$ 1,046.63	\$ 104,000.00	CK#5231	
6/9/25	25-124	Aaron Ebert	3434 Lake Haughey Rd																

6/24/25	25-148	Kirk Dann	7965 Pioneer Creek Rd	28-22-0003	Plumbing	\$ 50.00				\$ 1.00				\$ 51.00	\$ 1.00	\$ 50.00	\$ 1,500.00	CC Terminal	
6/24/25	25-149	Steve Burns	3525 Independence Rd	11-41-0005	Septic Tanks							\$ 200.00		\$ 200.00	\$ -	\$ 200.00	\$ 10,125.00	CC Terminal	
6/6/25	25-150	Heidi Lechtenberg	1000 Marsh Ridge Circle	25-31-0011	Gas Fireplace	\$ 100.00		\$ 1.00						\$ 101.00	\$ 1.00	\$ 100.00	\$ 4,803.00	PSN	
6/27/25	25-151	Lexi Turner	1055 Polo Club Rd	27-41-0008	Re-Roof	\$ 100.00		\$ 1.00						\$ 101.00	\$ 1.00	\$ 100.00	\$ 38,430.00	CC Terminal	FINAL
6/27/25	25-152	Amy Pelowski	25 Game Farm Rd N	33-44-0004	Roof and Ground Solar System	\$ 778.42	\$ 505.97			\$ 33.00				\$ 1,317.39	\$ 33.00	\$ 1,284.39	\$ 64,876.00	PSN	
6/30/25	25-153	Mike McCain	2090 Budd Ave N	24-13-0009	Re-Roof Shed	\$ 100.00		\$ 1.00						\$ 101.00	\$ 1.00	\$ 100.00	\$ 2,125.00	CC Terminal	

New SFD
New Outbuilding
Commercial

■City of Independence

***Request for a Minor Subdivision to Allow a Lot Line Rearrangement Between
the Properties Located at and Adjacent to 1875 Highsted Drive***

To: City Council
From: Mark Kaltsas, City Planner
Meeting Date: August 5, 2025
Applicant: Sean Keating
Owner: Sean Keating
Location: 1875 Highsted Drive

Request:

Sean Keating (Applicant/Owner) requests that the City consider the following action for the Properties located at 1875 Highsted Dr., Independence, MN (PID No.s 20-118-24-42-0002 and 20-118-24-42-0001):

- a) A minor subdivision to allow a lot line rearrangement to realign the existing property line that separates the two properties. The proposed lot line rearrangement would shift the boundary away from the existing house and to the east which would bring the existing house and both lots into conformance with applicable building setbacks and lot standards.

Property/Site Information:

The properties are located on the end of Highsted Drive which comes off of Pioneer Creek Drive just west of CSAH 92. The west property has an existing home and detached accessory structure, and the east property is vacant. The property has the following characteristics:

Property Information: 1875 Highsted Drive (PID No. 20-118-24-42-0002)

Zoning: AG-Agriculture

Comprehensive Plan: AG-Agriculture

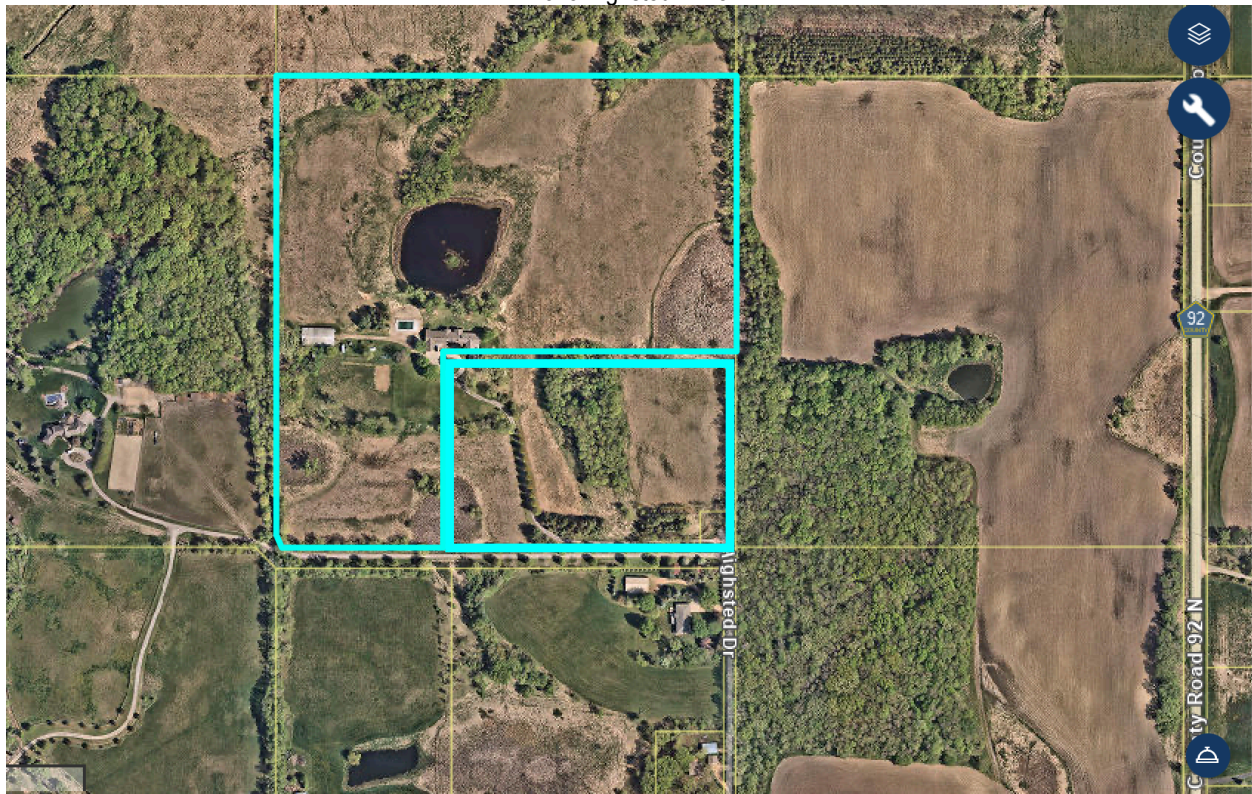
Acreage: Before – 29.05 acres
After – 29.46 acres (Proposed – Tract B)

Property Information: Unassigned Address (PID No. 20-118-24-42-0001)

Zoning: AG-Agriculture

Comprehensive Plan: AG-Agriculture

Acreage: Before – 10.42 acres
After – 10.00 acres (Proposed- Tract A)



Discussion:

The applicant is seeking a minor subdivision to allow a lot line rearrangement that would adjust the lot lines between the two existing properties. The applicant owns both properties. The current property line cuts through the existing house located on the west property. In the existing condition, both lots are considered lawful non-conforming lots. The existing home is also considered a lawful non-conforming structure. Note that the city does not have a record of how this condition occurred.

The proposed lot line rearrangement would adjust the configuration of the smaller 10-acre property so that it is oriented in a north south direction rather than an east west direction. The adjustment would make both lots and the existing home legal and fully conforming. The following should be noted by the city when reviewing the application.

- In the proposed condition, the existing home would meet all applicable building setbacks.
- In the proposed condition, Tract A appears to be a more suitable lot for a future home. The orientation would allow a home to be setback on the property which is consistent with the existing home.
- In the before condition, both lots do not have the requisite frontage on a public right of way. In the proposed condition, both lots would have the requisite frontage on Highsted Dr. (50' of frontage on a cul-de-sac).

- In the before condition, both lots are considered lots of record with a building entitlement for each lot. The requested lot line rearrangement will not change the total number of building entitlements.
- The applicant will be required to dedicate the requisite perimeter drainage and utility easements for both properties.

Neighbor Comments:

The City has not received any comments relating to the requested lot line rearrangement.

Planning Commission Discussion:

Planning Commissioners discussed the application and asked questions of staff and the applicant. Commissioners discussed the current lawful non-conforming status of the existing house and both properties. Commissioners found that the request met all applicable standards and would *clean up* a unique condition. Commissioners recommended approval to the City Council.

Recommendation:

The Planning Commission recommended approval for the requested minor subdivision to allow a lot line rearrangement with the following findings and conditions:

1. The proposed minor subdivision to allow a lot line rearrangement request meets all applicable conditions and restrictions stated Chapter V, Sections 500 and 510, Planning and Land Use Regulations and Zoning, in the City of Independence Zoning Ordinance.
2. The applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
3. City Council approval of the requested minor subdivision shall be subject to the following:
 - a. The applicant providing and executing the requisite drainage and utility easements.
4. The applicant shall record the subdivision, easements and City Council Resolution with the county within six (6) months of approval.

Attachments:

1. Application
2. Survey (Before and After Conditions Shown on the Same Survey)



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 25-0805-01

**A RESOLUTION GRANTING APPROVAL OF A MINOR SUBDIVISION TO ALLOW
A LOT LINE REARRANGEMENT BETWEEN THE PROPERTIES
LOCATED AT 1875 HIGHSTED DRIVE**

WHEREAS, the City of Independence (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a comprehensive plan in 2020 to guide the development of the community; and

WHEREAS, the City has adopted a zoning ordinance and other official controls to assist in implementing the comprehensive plan; and

WHEREAS, Shawn Keating (the “Applicant/Owner”) submitted a request for minor subdivision to allow a lot line rearrangement between the properties located at 1875 Highsted Drive and the unaddressed adjacent property with the following PID Numbers (PID No.s 20-118-24-42-0002 and 20-118-24-42-0001): (the “Property”); and

WHEREAS, the Properties are zoned AG - Agriculture; and

WHEREAS, the Properties are legally described on **Exhibit A** attached hereto; and

WHEREAS the requested minor subdivision meets all requirements, standards and specifications of the City of Independence zoning ordinance for Agriculture properties; and

WHEREAS the Planning Commission held a public hearing on July 15, 2025, to review the application for a minor subdivision, following mailed and published noticed as required by law; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by

Sean Keating and grants approval of a minor subdivision to allow a lot line rearrangement for the property in accordance with the City's zoning regulations with the following findings and conditions:

1. The proposed minor subdivision to allow a lot line rearrangement request meets all applicable conditions and restrictions stated Chapter V, Sections 500 and 510, Planning and Land Use Regulations and Zoning, in the City of Independence Zoning Ordinance.
2. The minor subdivision is approved as shown on the approved plan attached hereto as **Exhibit B**.
3. City Council approval of the requested minor subdivision shall be subject to the following:
 - a. The applicant providing and executing the requisite drainage and utility 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, easements and City Council Resolution with the county within six (6) months of approval.

This resolution was adopted by the City Council of the City of Independence on this 5th day of August 2025, by a vote of ____ ayes and ____ nays.

Brad Spencer, Mayor

ATTEST:

Mark Kaltsas, City Administrator

EXHIBIT A
(Legal Description)

Proposed Description for Tract A

The North 871.29 feet of the South 931.29 feet of the East 500.00 feet of the Northwest Quarter of the Southeast Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota.

Subject to and together with a perpetual easement over and across the East 100 feet of the South 100 feet of said Northwest Quarter of the Southeast Quarter; together with a prescriptive interest in the roadway over and across the South Half of the Southeast Quarter of Section 20, Township 118, Range 24, known and referred to as Highsted Drive.

Proposed Description for Tract B

The Northwest Quarter of the Southeast Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota.

EXCEPT that part lying southwesterly of the line described as follows:

Beginning at a point on the west line of said Northwest Quarter of the Southeast Quarter distant 33 feet north of the southwest corner thereof; thence southeasterly to a point on the south line of said Northwest Quarter of the Southeast Quarter distant 16.5 feet east of the southwest corner thereof and said line there terminating.

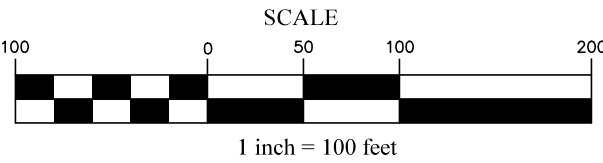
ALSO EXCEPT the North 871.29 feet of the South 931.29 feet of the East 500.00 feet of said Northwest Quarter of the Southeast Quarter.

Subject to and together with a perpetual easement over and across the East 100 feet of the South 100 feet of said Northwest Quarter of the Southeast Quarter; together with a prescriptive interest in the roadway over and across the South Half of the Southeast Quarter of Section 20, Township 118, Range 24, known and referred to as Highsted Drive.

Certificate of Survey

Prepared for:
Sean Keating

- Legend
- Found Iron Monument
 - Set Iron Monument (LS 48328)
 - Existing Well
 - Septic System



Boundary Description (per Doc. No. 11242928) ("Parcel 1") (PID No. 2011824420002)

The Northwest Quarter of the Southeast Quarter of Section 20, Township 118 North, Range 24 West of the Fifth Principal Meridian except the following two parcels described as follows: (1) Commencing at the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 20, Township 118, Range 24; thence North 33 feet along the West line of said Quarter; thence Southeast to a point on the South line of said Northwest Quarter of the Southeast Quarter 16 1/2 feet East of the Southwest corner thereof; thence West along said line 16 1/2 feet to the point of beginning and (2) That part of the Northwest Quarter of the Southeast Quarter of Section 20, Township 118, Range 24, described as follows: Commencing at the Southeast corner of said Northwest Quarter of the Southeast Quarter of said Section 20, Township 118, Range 24, and proceeding North along said Quarter Quarter section line a distance of 550 feet; thence West parallel with the South line of said Quarter Quarter section a distance of 825 feet; thence South parallel with the East line of said Quarter Quarter section a distance of 550 feet to the South line of said Quarter Quarter section; thence East along the South line of said Quarter Quarter section a distance of 825 feet to the point of beginning, Hennepin County, Minnesota.

Boundary Description (per Doc. No. 11242928) ("Parcel 2") (PID No. 2011824420001)

That part of the Northwest Quarter of the Southeast Quarter of Section 20, Township 118, Range 24, described as follows: Commencing at the Southeast corner of said Northwest Quarter of the Southeast Quarter of said Section 20, Township 118, Range 24, and proceeding North along said Quarter Quarter section line a distance of 550 feet; thence West parallel with the South line of said Quarter Quarter section a distance of 825 feet; thence South parallel with the East line of said Quarter Quarter section a distance of 550 feet to the South line of said Quarter Quarter section; thence East along the South line of said Quarter Quarter section a distance of 825 feet to the point of beginning, subject, however, to an easement for road purposes running in favor of the balance of the Northwest Quarter of the Southeast Quarter of Section 20 and the West Half of the Northeast Quarter of Section 20, Township 118, Range 24, except that part described as follows: Commencing at the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 20, Township 118, Range 24; thence North 33 feet along the West line of said Quarter; thence Southeast to a point on the South line of said Northwest Quarter of the Southeast Quarter 16 1/2 feet East of the Southwest corner thereof; thence West along said line 16 1/2 feet to the point of beginning, Hennepin County, Minnesota.

Proposed Description for Tract A

The North 871.29 feet of the South 931.29 feet of the East 500.00 feet of the Northwest Quarter of the Southeast Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota.

Subject to and together with a perpetual easement over and across the East 100 feet of the South 100 feet of said Northwest Quarter of the Southeast Quarter; together with a prescriptive interest in the roadway over and across the South Half of the Southeast Quarter of Section 20, Township 118, Range 24, known and referred to as Highested Drive.

Proposed Description for Tract B

The Northwest Quarter of the Southeast Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota.

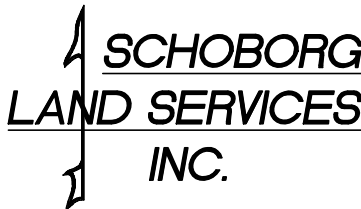
EXCEPT that part lying southwesterly of the line described as follows:

Beginning at a point on the west line of said Northwest Quarter of the Southeast Quarter distant 33 feet north of the southwest corner thereof; thence southeasterly to a point on the south line of said Northwest Quarter of the Southeast Quarter distant 16.5 feet east of the southwest corner thereof and said line there terminating.

ALSO EXCEPT the North 871.29 feet of the South 931.29 feet of the East 500.00 feet of said Northwest Quarter of the Southeast Quarter.

Subject to and together with a perpetual easement over and across the East 100 feet of the South 100 feet of said Northwest Quarter of the Southeast Quarter; together with a prescriptive interest in the roadway over and across the South Half of the Southeast Quarter of Section 20, Township 118, Range 24, known and referred to as Highested Drive.

Bearings based on Hennepin County Coordinate System.



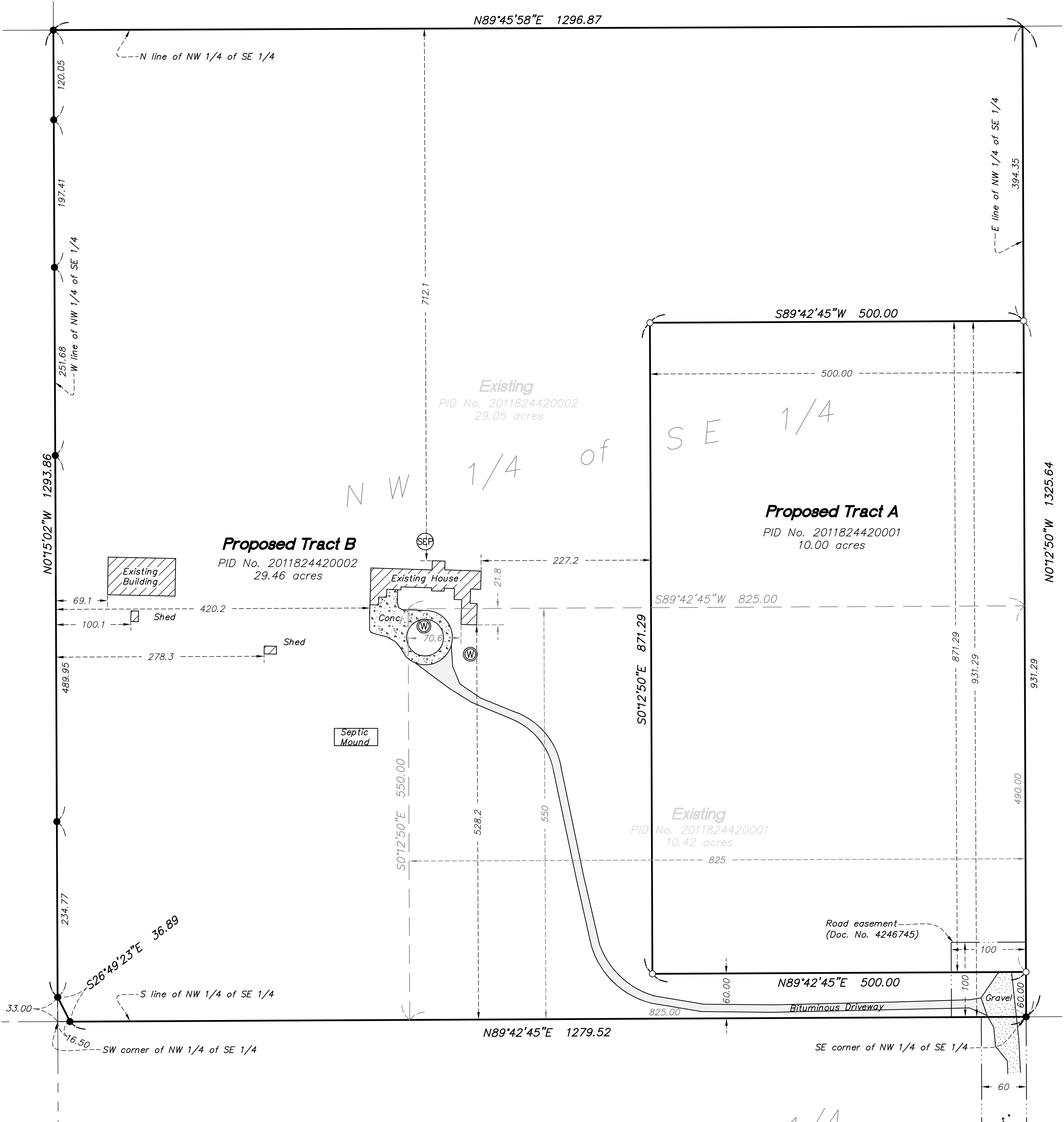
763-972-3221 8997 Co. Rd. 13 SE
www.SchoborgLand.com Delano, MN 55328

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.

Kelly L. Brouwer
Kelly L. Brouwer

Date: June 23, 2025 Registration No. 48328

Job Number:	9927
Survey Date:	6/10/25
Drawing Name:	Keating.dwg
Drawn by:	SKH
Revisions:	



SW 1/4 of SE 1/4



**CITY OF
INDEPENDENCE
MINNESOTA**

Date Submitted: 06-05-2025

Applicant Information

Name: Sean Keating
Address: 1875 Highsted Drive
Independence, Minnesota
55359
Primary Phone: 6123085677
Email: skeating@oggitalent.com

Owner Information

Name: Sean Keating
Address: 1875 Highsted Drive
Independence, Minnesota
55359
Primary Phone: 6123085677
Email: skeating@oggitalent.com

Property Address:

PID:

Planning Application Type: Subdivision

Subdivision Type: Lot Line Rearrangement

Description:

Supporting Documents: Preliminary/Final Plan

Signature:

City of Independence

Minor Subdivision to Permit a Rural View Lot for the Property Generally Located Just West of 6551 County Road 6 (PID No. 34-118-24-12-0001)

<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	August 5, 2025
<i>Applicant:</i>	Scott Kirchner
<i>Owner:</i>	Scott Kirchner
<i>Location:</i>	Unassigned Address - County Road 6 (PID No. 34-118-24-12-0001):

Request:

Scott Kirchner (“Applicant/Owner”) requests that the City consider the following action for the Property located adjacent to 6551 County Road 6, Independence, MN (PID No. 34-118-24-12-0001):

- a) A minor subdivision to allow a rural view lot subdivision. The proposed rural view lot would be 10 acres and located on the south side of County Road 6 along the east property line.

Property/Site Information:

The property is located on the north and south sides of County Road 6 just west of the intersection of County Road 6 and County Road 90. The property is currently vacant with no existing structures. The property is comprised of wetlands, wooded areas and upland pasture areas throughout. The property has the following characteristics:

Property Information: Unassigned Address – PID No. 34-118-24-12-0001

Zoning: Agriculture

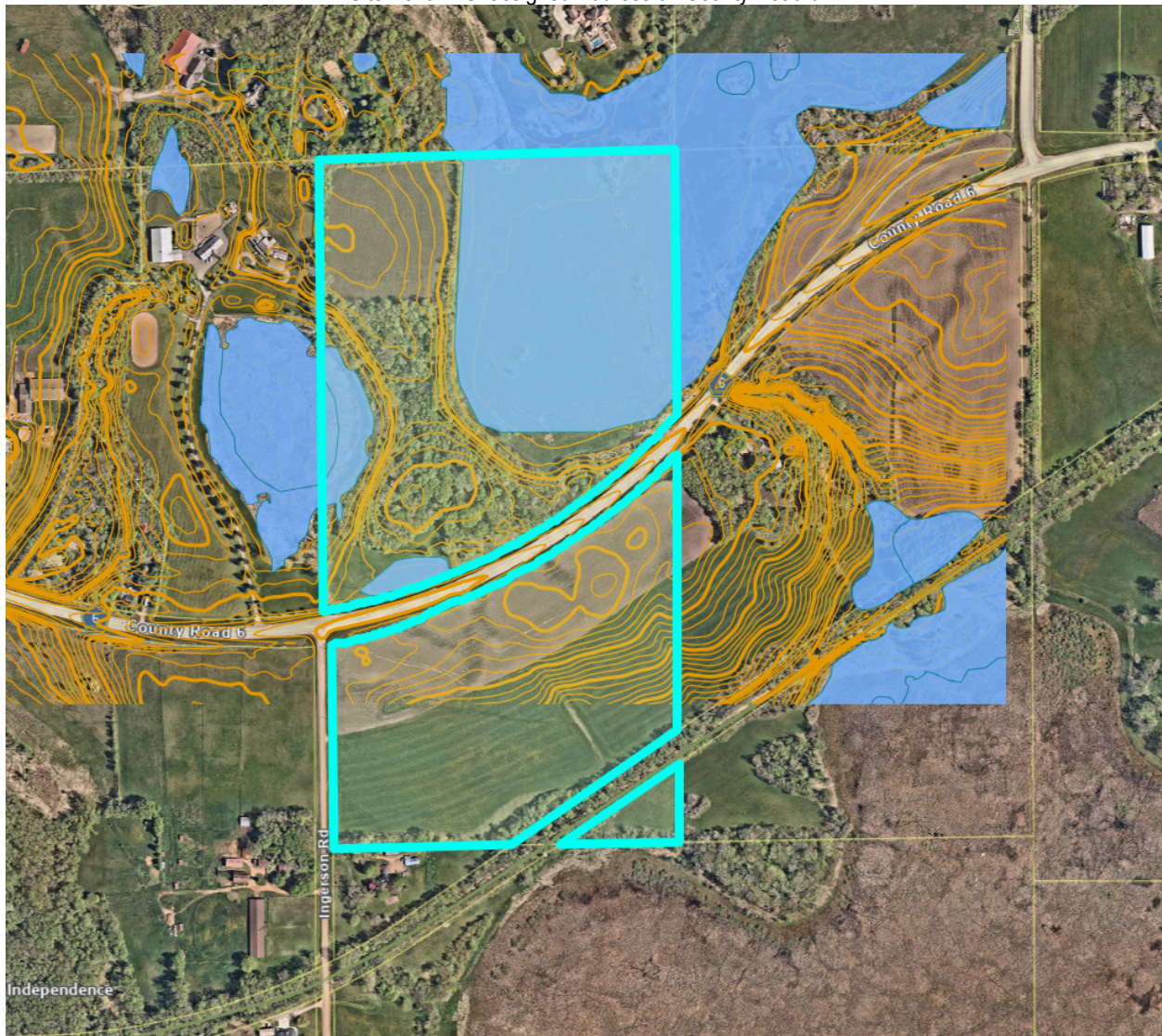
Comprehensive Plan: Agriculture

Acreage (BEFORE): 71.18 acres

Acreage (AFTER): Remainder Parcel – 42.23 acres

Proposed 10 Acre Parcel – 10.00 acres

Site Aerial – Unassigned Address on County Road 6



Discussion:

The applicant approached the City several months ago about the possibility of purchasing the property and creating a rural view lot in accordance with applicable standards. The applicant is proposing to create one (1) rural view lot in accordance with the provisions set forth in the City's Zoning Ordinance. The subject property has a total acreage of 71.18 acres. The provisions in the Agriculture Zoning District allow one (1) rural view lot for every 40 acres of land under the same ownership. Under the current zoning standards, the subject property has the ability to realize one (1) rural view lot for a total of two (2) lots on this property.

Rural view lots must have the following characteristics:

Lot size required:	between 2.5 and 10 acres
Lot size proposed:	Proposed 10-acre Parcel – 10 acres
Minimum lot frontage required:	300 LF (for property between 5-10 acres)
Minimum lot frontage proposed:	839 LF
Ratio of lot frontage to lot depth required	- no more than 1:4
Ratio of lot frontage to lot depth proposed	- ~1:1.5 (839:1019)

In addition to the minimum size necessary to subdivide, the ordinance requires a minimum of 2.5 acres of buildable upland, 300 LF of frontage on a right of way and no greater than a 1:4 ratio of lot frontage to lot depth for each rural view lot. Based on the proposed subdivision, the rural view lot would have approximately 10 acres of useable upland and 839 LF of frontage on County Road 6.

The proposed subdivision would produce a 10-acre rural view lot. The applicant worked with the City to configure the rural view lot in a manner that maintained conformability and worked with the existing conditions of the property (drainage swale, contours and access to Luce Line trail). The proposed angled lot line configuration provided appears to align well with the existing property conditions.

The remainder of the property (Remainder Parcel) would comprise 61.18 acres and have one principal building entitlement. The Remainder Parcel would easily accommodate a new building pad on either the north or south side of County Road 6 given its overall size, topography and proposed dimensions. Any development on the property would need to meet all applicable setbacks including those from wetlands. The city has not yet received an on-site septic report verifying that both the remainder and proposed 10-acre parcels can accommodate a primary and secondary on-site septic system. The applicant has included a portion of the requisite drainage and utility easements as required by ordinance (Section 500.15, Subd.'s 1 and 2) for just the proposed 10-acre parcel. The remaining property (including both sides of the County Road 6) will have **no** rural view lot subdivision eligibilities following this subdivision.

The newly created 10-acre parcel will be required to pay the City's requisite Park Dedication fee. For this property the requirement is \$7,250.00. This fee will need to be paid prior to recording the subdivision.

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

The city should note the following:

- The applicant will be required to obtain access permits for the 10-acre parcel from Hennepin County. The applicant has reached out to Hennepin County to initiate the process.
- The applicant will be required to provide the full perimeter drainage and utility easements for both the proposed 10-acre Parcel and Remainder Parcel.
- The applicant will be required to submit verification of a primary and secondary on-site septic location for both lots prior to City Council consideration of the requested minor subdivision.
- The proposed rural view lot subdivision will leave approximately 17 acres on the south side of County Road 6. The city should note that this property will be separated from the property on the north side of CSAH 6.
- The city will address the property once approved.

The proposed rural view lot subdivision appears to meet all applicable standards of the city. The proposed subdivision is in keeping with the character of the surrounding area and maintains a larger agricultural property that can accommodate a future residential structure.

Neighbor Comments:

The City had not received any written or verbal comments prior to this report being prepared.

Planning Commission Discussion:

Planning Commissioners discussed the request with staff and the applicant. Commissioners asked about the remainder property south of CSAH 6 in the after condition. It was noted that it could not be further subdivided. Commissioners discussed that the property appeared to be a “nominal” 80-acre parcel that had not been previously subdivided with the exception of the CSAH 6 right of way and railroad (Luce Line Trail) right of way takings. It was noted by staff that the city does have a provision relating to “nominal” 40-acre parcels ($\frac{1}{4}$, $\frac{1}{4}$ sections) that fell below the 40 – acre threshold as a result of surveying errors when creating the sections. Commissioners discussed this with the applicant and whether or not a second lot could be granted for this property. Commissioners ultimately agreed that they needed to only consider the application in front of them for one (1) rural view lot. Commissioners noted that the proposed rural view lot met all applicable requirements and recommended approval to the City Council.

Recommendation:

The Planning Commission recommended approval of the request for a rural view lot subdivision to the City Council with the following findings and conditions:

1. The proposed rural view lot subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. City Council approval of the rural view lot subdivision is subject to the following:
 - a) The Applicant shall pay the park dedication fees in the amount of \$7,250.00, for the newly created 10-acre Parcel, prior to the applicant receiving final approval to record the subdivision by the City.
 - b) The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
 - c) The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
 - d) The Applicant shall execute and record the requisite drainage and utility and right of way easements with the county within six (6) months of approval.
 - e) The Remainder Parcel will have no remaining rural view lot eligibilities.

Attachments:

1. Application
2. Proposed Subdivision Exhibit (Before and After)



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 25-0805-02

**A RESOLUTION APPROVING A MINOR SUBDIVISION
TO ALLOW A RURAL VIEW LOT SUBDIVISION FOR THE PROPERTY
LOCATED ON CSAH 6 AND IDENTIFIED AS PID NUMBER 34-118-24-12-0001**

WHEREAS, the City of Independence (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a Comprehensive Plan in 2020 to guide the development of the community; and

WHEREAS, the City has adopted a Zoning and Subdivision Ordinance and other official controls to assist in implementing the Comprehensive Plan; and

WHEREAS, Scott Kirchner (the “Applicant/Owner”) has submitted a request for a minor subdivision for the property located on CSAH 6 with the following PID Number: (PID No. 34-118-24-12-0001) in the City of Independence, MN; and

WHEREAS, the Property is legally described on **Exhibit A** attached hereto; and

WHEREAS, the Property is zoned AG-Agriculture; and

WHEREAS the requested minor subdivision meets all requirements, standards and specifications of the City of Independence subdivision and zoning ordinance for Agriculture Property; and

WHEREAS the City held a public hearing on July 15, 2025, to review the application for a minor subdivision, following mailed and published noticed as required by law; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by

Scott Kirchner for a minor subdivision to allow a rural view lot subdivision per the City's subdivision and zoning regulations with the following conditions:

1. The proposed rural view lot subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. City Council approval of the rural view lot subdivision is subject to the following:
 - a) The Applicant shall pay the park dedication fees in the amount of \$7,250.00, for the newly created 10-acre Parcel, prior to the applicant receiving final approval to record the subdivision by the City.
 - b) The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
 - c) The Applicant shall provide the city with verification that the proposed 10-acre property can support a primary and secondary on-site septic system.
 - d) The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
 - e) The Applicant shall execute and record the requisite drainage and utility and right of way easements with the county within six (6) months of approval.
 - f) The Remainder Parcel will have no remaining rural view lot eligibilities.

This resolution was adopted by the City Council of the City of Independence on this 5th day of August 2025, by a vote of ____ ayes and ____ nays.

Brad Spencer, Mayor

ATTEST:

Mark Kaltsas, City Administrator

EXHIBIT A
(Legal Description of Property)

PROPOSED 10 ACRE PARCEL DESCRIPTION:

That part of the West Half of the North 15/16ths of the Northeast Quarter of Section 34, Township 118, Range 24, Hennepin County, Minnesota.
Except the right of way of the Minnesota Western Railway Company, formerly known as the Electric Shortline Railway Company, now known as Luce Line Trail, according to the Government Survey thereof as shown in Deed filed as Document No. 722266.

Being described as follows:

Commencing at the northeast corner Northeast Quarter of Section 34, Township 118, Range 24; thence South 88 degrees 08 minutes 24 seconds West an assumed bearing along the north line of said Northeast Quarter a distance of 1314.53 feet to the northeast corner of the West Half of the North 15/16ths of said Northeast Quarter; thence South 0 degrees 38 minutes 10 seconds East along the east line of said West Half of the North 15/16ths a distance of 1125.63, more or less, to the southerly line of the Highway Easement described in Document No. 6554238 and the point of beginning of the property to be described; thence continuing South 0 degrees 38 minutes 10 seconds East a distance of 1019.37 feet, more or less, to the north line of Luce Line Trail; thence South 55 degrees 26 minutes 15 seconds West along said north line a distance of 211.77 feet; thence North 41 degrees 46 minutes 57 seconds West 842.56 feet, more or less, to the southerly line of said Highway Easement; thence northeasterly along said southerly line a distance of 892.04 feet, also being a non tangential curve concave to the north having a radius of 2341.83 feet, a central angle of 21 degrees 49 minutes 29 seconds and the chord of said curve bears North 54 degrees 47 minutes 41 seconds East to the point of beginning.

AREA: 435,554 square feet = 9.999 acres.

PROPOSED REMAINDER PARCEL DESCRIPTION:

The West Half of the North 15/16ths of the Northeast Quarter of Section Thirty-four (34), Township One Hundred Eighteen (118), Range Twenty-four (24), Hennepin County, Minnesota.

EXCEPT

The right of way of the Minnesota Western Railway Company, formerly known as the Electric Shortline Railway Company, now known as Luce Line Trail, according to the Government Survey thereof as shown in Deed filed as Document No. 722266.

ALSO EXCEPT

That part of the West Half of the North 15/16ths of the Northeast Quarter of Section 34, Township 118, Range 24, Hennepin County, Minnesota described as follows:
Commencing at the northeast corner Northeast Quarter of Section 34, Township 118, Range 24; thence South 88 degrees 08 minutes 24 seconds West an assumed bearing along the north line of said Northeast Quarter a distance of 1314.53 feet to the northeast corner of the West Half of the North 15/16ths of said Northeast Quarter; thence South 0 degrees 38 minutes 10 seconds East along the east line of said West Half of the North 15/16ths a distance of 1125.63, more or less, to the southerly line of the Highway Easement described in Document No. 6554238 and the point of beginning of the property to be described; thence continuing South 0 degrees 38 minutes 10 seconds East a distance of 1019.37 feet, more or less, to the north line of Luce Line Trail; thence South 55 degrees 26 minutes 15 seconds West along said north line a distance of 211.77 feet; thence North 41 degrees 46 minutes 57 seconds West 842.56 feet, more or less, to the southerly line of said Highway Easement; thence northeasterly along said southerly line a distance of 892.04 feet, also being a non tangential curve concave to the north having a radius of 2341.83 feet, a central angle of 21 degrees 49 minutes 29 seconds and the chord of said curve bears North 54 degrees 47 minutes 41 seconds East to the point of beginning.

AREA: 2,849,405 square feet = 65.413 acres.

[illegible]



**CITY OF
INDEPENDENCE
MINNESOTA**

Date Submitted: 06-05-2025

Applicant Information

Name: Scott Kirchner
Address: XXXX County Road 6
Independence ,
Minnesota 55359
Primary Phone: 952-237-4965
Email: kirchner.scott@gmail.com

Owner Information

Name: Scott Kirchner
Address: XXX
Independence ,
Minnesota 55359
Primary Phone: 952-237-4965
Email: kirchner.scott@gmail.com

Property Address:

PID:

Planning Application Type: Subdivision

Subdivision Type: Rural View Lot

Description:

Supporting Documents: Site Survey (Existing Conditions), Site Survey (Proposed Conditions), Wetland Delineation

Signature:

City of Independence

Consider Revocation of Conditional Use Permit as Requested by the Property Owner

<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Administrator
<i>Meeting Date:</i>	August 5, 2025

Discussion:

The City Council approved a conditional use permit (CUP) to allow an ADU on the property located at 7104 Pioneer Creek Drive on February 4, 2025. The owner of the property has now determined that they are no longer going to construct the approved ADU and instead have submitted an application for a detached accessory structure that does not include the ADU and no longer meets the applicable square footage requirements of the approved ADU. The owner has submitted a request to remove the conditional use permit at this time so that they can proceed with constructing the proposed detached accessory structure without an ADU.

Staff agrees with the removal of the CUP so that there is not any discrepancy in what is now being approved with the detached accessory structure. Removing the CUP from the property does not prohibit the owner from coming back to the city at a future time to seek a new CUP for an ADU.

Recommendation:

The City Council is being asked to consider approving **RESOLUTION 25-0805-03** revoking the aforementioned conditional use permit.

ATTACHMENTS: **RESOLUTION 25-0805-03**
 Correspondence from Property Owner



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 25-0805-03

**A RESOLUTION REVOKING A CONDITIONAL USE PERMIT
THAT IS NO LONGER USED BY PROPERTY OWNER
AND AT THE REQUEST OF THE OWNER FOR THE
PROPERTY LOCATED AT 7104 PIONEER CREEK DRIVE**

WHEREAS, the City of Independence (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City has adopted a zoning ordinance which establishes certain conditional uses in all zoning districts; and

WHEREAS, the City considers each conditional use permit on an individual basis and may include conditions which further regulate the use of properties that have been granted a conditional use permit; and

WHEREAS, the City reviews all conditional use permits on a regular basis to ensure compliance with adopted conditions; and

WHEREAS, following review of all conditional use permits in the City, the City has determined that there are conditional uses which are no longer being used by the property owner and can and should be removed; and

WHEREAS, the City has received a written request by the property owner requesting the City to remove the conditional use permit because they are no longer intending to utilize the conditional use of the property; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INDEPENDENCE, MINNESOTA that it shall revoke the following conditional use permit:

NAME:	ADDRESS:	PID:
Sarah Goullaud	7104 Pioneer Creek Road	22-118-24-33-0001

This resolution was adopted by the City Council of the City of Independence on this 5th day of August 2025, by a vote of ____ ayes and ____ nays.

Brad Spencer, Mayor

ATTEST:

Mark Kaltsas, City Administrator

From: Sarah sgoullaud@comcast.net
Subject: ADU application
Date: July 23, 2025 at 4:27 PM
To: mark@terra-mark.com
Cc: Tom Bren tbren@thomasbrenhomes.com



Hi Mark,
At this time I will not be using the permit approval for the CUP for an ADU that would be part of an outbuilding new construction located at my property at 7104 Pioneer Creek Road, Maple Plain MN. We are going ahead with the outbuilding but holding off on the ADU at this time.
Thank you for following up to see if there is a balance left over from the initial fee for this process.

Sarah Goullaud
7104 Pioneer Creek Road
Maple Plain, MN. 55359

City of Independence
Personnel Committee Recommendations

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: August 5, 2025

Discussion:

The Personnel Committee conducted a review of the Administrator/Planner performance and current contract/compensation. The Personnel Committee discussed the current contract term and compensation. Based on the discussion, the Personnel Committee is recommending an extension of the contract by one (1) year which will now run through the end of 2028 (currently ends in 2027) and an increase in compensation that is reflected in the new contract. It was noted that the current contract is based on both a Planning contract and Administrator contract. The committee reviewed and discussed current City Administrator compensation for cities in the Metropolitan area with populations of 1,000 – 5,000. The committee noted that the contract continues provide the city with a high value of professional services and nearly 30 years of experience at a rate that is approximately 70% of the average compensation rate of a City Administrator and Planner in this market.

The committee also discussed the recognition of the Administrative Services Director's recent Clerk Certification following the successful completion of the three-year training program is recommending approval of a \$2/hr. increase.

Council Recommendation:

The Personnel Committee recommends approval to the City Council of the City Administrator Independence Contractor Agreement amendment and the increase in pay for the Administrative Services Director.

ATTACHMENTS: City Administrator Independence Contractor Agreement