



Please note that, pursuant to the authority provided by Minn. Stat. Sec. 13D.021, subd. 1(1), the City has determined that in-person meetings of the City Council are not practical or prudent due to the COVID-19 public health pandemic and the declared national, state, and local emergencies. Meetings of the Council will be conducted by electronic or telephonic means. Under Minn. Stat. Sec. 13D.021, subd. 3, to the extent practical and possible, the City Council will allow individuals to monitor the meeting electronically. Access to the meeting can be obtained online by following the link provided below or by contacting the City Hall for instructions and methods for obtaining access to the meeting.

Meeting Access Information: <https://www.ci.independence.mn.us/meetings>

PLANNING COMMISSION MEETING AGENDA  
REGULAR MEETING  
TUESDAY FEBRUARY 16, 2021

**7:30 PM Regular Meeting**

1. Call to Order
2. Oath of Reappointed Commissioners
3. Election of Chair and Vice Chair
4. Roll Call
5. Approval of Minutes:
  - a. December 15, 2020 Planning Commission Meeting
  - b. January 5, 2021 City Council Meeting Minutes (For Information Only)
6. **PUBLIC HEARING:** John Nyhlen (Applicant) and Jeffrey Cunningham (Owner) request that the City consider the following action for the property located at 9226 Highway 12 (PID No. 07-118-24-34-0005) in Independence, MN:
  - a. A variance to allow a ground mounted solar system that exceeds 500 SF in total area.
7. **PUBLIC HEARING:** Andrew Toumisto (Applicant/Owner) requests that the City consider the following action for the properties located at 4024 and 4084 Lake Sarah Drive South (PID No.s 02-118-24-43-0004 and 02-118-24-43-0005) in Independence, MN:



- a. A minor subdivision to permit a lot combination which would combine the two subject properties into one property.
- 8. Open/Misc.
- 9. Adjourn.



MINUTES OF A MEETING OF THE  
INDEPENDENCE PLANNING COMMISSION  
TUESDAY, DECEMBER 15, 2020 – 7:30 P.M.  
(Virtual Meeting)

1. CALL TO ORDER

Pursuant to due call and notice thereof, a regular meeting of the Independence Planning Commission was called to order by Palmquist at 7:30 p.m.

2. ROLL CALL

PRESENT: Commissioners Palmquist, Volkenant, Dumas and Thompson  
STAFF: City Administrator Kaltsas, Assistant to Administrator Horner (all virtual)  
ABSENT: Commissioner Gardner  
VISITORS: Jessica and Tom Healy

3. Approval of Minutes:

- a. November 17, 2020 Planning Commission Meeting
- b. December 1, 2020 City Council Meeting Minutes (For Information Only)

**Motion by Thompson to approve the November 17, 2020 Planning Commission minutes, second by Volkenant. Ayes: Volkenant, Dumas, Thompson and Palmquist. Nays: None. Absent: Gardner. Abstain: None. Motion Approved.**

7. **PUBLIC HEARING:** Jessica Healy (Applicant/Owner) requests that the City consider the following action for the property located at 498 Kuntz Drive (PID No. 33-118-24-24-0008) in Independence, MN:

- a. A conditional use permit to allow an accessory dwelling unit on the subject property.

Kaltsas said the property is located at 498 Kuntz Drive which is generally located at the southeast corner of CSAH 6 and Kuntz Drive. The property is comprised of mostly upland with a wetland on the east side of the property. There are two existing accessory structures located on the property. The principal structure had been previously taken down due to the poor condition.

The City allows accessory dwelling units (ADU) as a conditional use in the AG-Agriculture zoning district. The intent of the ordinance was to allow for “mother-in-law” type units to be located within the principal structure or within a detached accessory building. The applicant recently acquired this property and the property to the north and discussed regulations relating to ADUs for this property. The applicant is planning on constructing a principal residence on this property in 2021 and would like the City to consider allowing a separate detached ADU.

This property historically had an existing residence that was located inside of the loop driveway (near the existing well). The home was removed between 2016-2018. There is an existing Quonset building and barn located on the property. The applicant has prepared plans for the development of the property which include both the principal and accessory dwelling units. The City has adopted standards requiring the ADU



to be proportional and subordinate to the principal structure. The proposed accessory dwelling unit is comprised of a combined bedroom, kitchen and living area with a bathroom and laundry. In order for the City to consider a CUP for an accessory dwelling unit, the applicant will need to demonstrate how they meet all applicable criteria for granting a conditional use permit and for an accessory dwelling unit. The City has criteria broadly relating to Conditional Use Permits and then more focused criteria relating specifically to accessory dwelling units.

An accessory dwelling unit must meet the following criteria:

*Subd. 2. "Accessory Dwelling Unit." A secondary dwelling unit that is:*

*(a) Physically attached to or within a single-family dwelling unit or within a detached accessory building that has a principal structure on the parcel; **The applicant is proposing to construct a detached accessory dwelling unit.***

*(b) Subordinate in size to the single-family dwelling unit; and **The proposed accessory dwelling unit would be subordinate in size to the single-family dwelling unit.***

*(c) Fully separated from the single-family dwelling unit by means of a wall or floor, with or without a door; and **The proposed accessory dwelling unit would be in a detached structure which is separated from the single-family home.***

*(d) Architecturally compatible with the principal structure (using materials, finishes, style and colors similar to the principal structure); and*

**The proposed ADU has been designed to be architecturally similar to the proposed principal structure. Architecture and materials appear to be consistent with the existing home.**

*(e) The lesser of 33% of the above ground living area of the principal structure or 1,200 square feet, and no less than 400 square feet; and **The principal structure is proposed to be 1,479 square feet of above ground living space not including the basement. 33% of 1,479 square feet equals 488 square feet. The applicant is proposing to construct a 480 square foot accessory dwelling unit. The proposed square footage would be approximately equal to the total permitted maximum amount of square feet permitted for this property.***

*(f) Not in excess of the maximum square footage for accessory structures as permitted in this code; and **The existing property is 10 acres in size and therefore does not have a limitation on the total square footage for detached accessory structures. For context, the existing Quonset is 3,200 SF and the existing barn is 1,500 SF.***

*(g) Has permanent provisions for cooking, living and sanitation; and **The applicant is proposing to construct permanent provisions for cooking; living and sanitation (see attached depiction).***

*(h) Has no more than 2 bedrooms; and **The applicant is proposing to have one bedroom within the accessory dwelling unit.***

*(i) Limited to relatives of the homesteaded owner occupants or the homesteaded owners of the principal structure. The total number of individuals that reside in both the principal dwelling unit and accessory dwelling unit may not exceed the number that is allowed by the building code; and **The owner of the property is proposing that the accessory dwelling unit will be occupied by her family.***



*(j) Uses the existing on-site septic system or an approved holding tank; and **The proposed accessory structure will be connected to the new septic system that also serves the principal residence.***

*(k) Respectful of the future subdivision of the property and the primary and secondary septic sites. The City may require a sketch of the proposed future subdivision of a property; and **The accessory structure does not impede the ability of the owner to subdivide the property in the future or utilize a secondary septic site.***

*(l) In compliance with the adopted building code relating to all aspects of the dwelling unit. **The applicant will be required to obtain a building permit for all proposed improvements.***

*a On lots less than 2.5 acres, the accessory dwelling unit must be attached to the principal dwelling unit or located/constructed within an existing detached accessory structure that meets all criteria of this section.*

*b The existing on-site septic system will be required to be inspected by the City to ensure compliance with all applicable standards. Any system that does not meet all applicable standards shall be brought into compliance as a part of the approval of the accessory dwelling unit.*

The applicant has discussed the proposed improvements to the property with the City. The applicant has submitted a site survey, sketch of the proposed building plans, elevations of the proposed principal residence and ADU and a site plan. The accessory dwelling unit will need to meet all applicable building codes and building regulations.

As proposed, the accessory dwelling unit appears to meet all applicable criteria established in the zoning ordinance for granting a conditional use permit for an accessory dwelling unit. The criteria for granting a conditional use permit are clearly delineated in the City's Zoning Ordinance (Section 520.11 subd. 1, a-i) as follows:

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



8. The proposed condition use is consistent with the comprehensive plan of the City of Independence.
9. The proposed use will not stimulate growth incompatible with prevailing density standards.

Consideration for the proposed conditional use permit should weigh the impact of having an accessory dwelling unit located on this property. The proposed new home and ADU appear to be designed so that they are compatible and consistent. The size of the property, the proximity to surrounding properties and the general geographic location within the City will help to mitigate any impacts of having an ADU. Should the CUP to allow an accessory dwelling unit be recommended for approval by the Planning Commission, it is suggested that the following conditions be noted by the City:

The Conditional Use Permit will be subject to the applicant constructing the principal structure on the property and successfully obtaining and completing a building permit for all applicable improvements required for a dwelling unit.

The ADU will be constructed in accordance with the approved plans. The ADU will meet all applicable setbacks of the City's zoning ordinance. Staff is seeking a recommendation from the Planning Commission for the requested Conditional Use Permit with the following findings and conditions:

1. The proposed Conditional Use Permit request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The Conditional Use Permit will be issued subject to the following items being completed:
  - A. The Conditional Use Permit will be subject to the applicant constructing the principal structure on the property and successfully obtaining and completing a building permit for all applicable improvements required for a dwelling unit.
  - B. The ADU will be constructed in accordance with the approved plans.
  - C. The ADU will meet all applicable setbacks of the City's zoning ordinance.
3. Prior to the City Council placing the Conditional Use Permit into effect, the applicant shall provide the City with the following items:
  - A. The Applicant shall pay for all costs associated with the City's review of the requested conditional use permit.

Thompson stated he felt the principal structure has to be located on the property first as stated in the Ordinance. Kaltsas agreed that the building permit for the principal residence would be granted prior to the accessory building permit being granted. Kaltsas noted people want to understand what they can build, and this is looking at a total property plan. He said approval of the CUP is subject to the principal structure being built. Thompson said this feels like throwing out a CUP and hoping all of the pieces fall into place. Volkenant said she agreed with Thompson. Dumas asked if the main house was ever built if the accessory structure would then be considered the principal. Kaltsas said there is a minimum footage requirement. Kaltsas said conditions could be written in that a sequencing of events would need to be followed.

Thompson asked if a permit has been issued yet. Kaltsas said people like to see what they can build first and don't want to spend the money on the main property if they can't accomplish the CUP. Volkenant said it would be important to know the intent of the applicant. She also asked if the septic system was up to par. Kaltsas said it would be a brand-new system that would accommodate the properties.



**Motion by Thompson, second by Volkenant to open the Public Hearing.**

**Public Hearing Open**

Jessica Healy, Applicant, said the intent was to break ground in early 2021 and Covid has really caused prices to soar so doing both buildings is important to avoid more price increases in time. Tom Healy said the principal dwelling is for the immediate family and the second structure would be for aging parents. He thought waiting on the second structure could create a financial hardship with unknown future pricing.

Palmquist reinforced that the City does not want a situation where there is an ADU without a home. Tom Healy said that sounded reasonable. Palmquist said the occupancy permit for the ADU would not be granted until the COO on the primary residence.

**Motion by Thompson to close the Public Hearing, second by Volkenant.**

**Public Hearing Closed**

Thompson asked Kaltsas if the City could allow this CUP without the primary structure not yet constructed. Kaltsas said if they came in with a plan like this, they need a CUP due to having a “kitchen facility” with a stove. He noted that is the nuance that would negate this proposal. Dumas stated the COO’s need to be sequential and he does understand the applicant wants to know if they can do the whole plan at the outset. Palmquist asked if there is a prior precedent as this case, Kaltsas said there may have been something similar and he does get this question quite a bit on vacant lots. He said he is confident the situation can be enforced, and language crafted to specify the parameters. Palmquist asked if language could be added to 2(a) to clarify and then have the attorney craft the rest.

**Motion by Thompson, second by Dumas to approve a conditional use permit to allow an accessory dwelling unit on the subject property located at 498 Kuntz Drive (PID No. 33-118-24-24-0008) in Independence, MN with additional language crafted for 2 (a) outlining sequential occupancy requirements as outlined per Staff: Ayes: Volkenant, Dumas, Thompson and Palmquist. Nays: None. Absent: Gardner. Abstain: None. Motion Approved.**

8. Open/ Misc.

Volkenant asked how the remodel of City Hall was coming along. Kaltsas noted the open corridor, utility work and trenching taking place currently. He said footings would be poured later this week as long as weather permits.

9. Adjourn.

**Motion by Dumas, second by Thompson to adjourn at 8:30 p.m.**

Respectfully Submitted,

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Trish Gronstal/ Recording Secretary



MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, JANUARY 5, 2020 –6:30 P.M.  
(Virtual Meeting/ All Attendees)

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.

3. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

2. ROLL CALL (Note: all noted present were “virtually” present

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

ABSENT: None

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

VISITORS: Jessica and Tom Healy

3. \*\*\*\*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 December 15, 2020 Regular City Council Meeting.
- b. Approval of Accounts Payable; Batch #1 Checks Numbered 20144-20162 and Batch #2 Checks Numbered 20163-20179 and Batch #3 Checks Numbered 20180-20193.
- c. 4<sup>th</sup> Qtr. Building Permit Report – For Information.

**Motion by Betts, second by Spencer to approve the Consent Agenda. Ayes: Johnson, Spencer, McCoy, Grotting and Betts. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

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

5. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

**Spencer attended the following meetings:**

- None

**Grotting attended the following meetings:**

- Planning Commission Meeting

**McCoy attended the following meetings:**

- View Santa Event



**Betts attended the following meetings:**

- None

**Johnson attended the following meetings:**

- Police Commission Meeting
- Planning Commission Meeting

**Horner attended the following meetings:**

- None

**Kaltsas attended the following meetings:**

- Bi-weekly meeting on County Road 92 and Highway 12 projects
- Police Commission Meeting

6. Annual City Council Appointments.

- a. **RESOLUTION 21-0105-01** - Annual Council Appointments.

Spencer said Joe Baker will continue his work with the watershed. Grotting noted he would like to give up his position at some point on the LMCC. Kaltsas said Mediacom is focused on getting customers live on County Road 6 line.

**Motion by McCoy, second by Spencer to approve RESOLUTION 21-0105-01 - Annual Council Appointments. Ayes: Johnson, Spencer, McCoy, Grotting and Betts. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.**

7. Jessica Healy (Applicant/Owner) requests that the City consider the following action for the property located at 498 Kuntz Drive (PID No. 33-118-24-24-0008) in Independence, MN:

- a. **RESOLUTION 21-0105-02** – Considering a conditional use permit to allow an accessory dwelling unit on the subject property.

Kaltsas said the property is located at 498 Kuntz Drive which is generally located at the southeast corner of CSAH 6 and Kuntz Drive. The property is comprised of mostly upland with a wetland on the east side of the property. There are two existing accessory structures located on the property. The principal structure had been previously taken down due to the poor condition. The City allows accessory dwelling units (ADU) as a conditional use in the AG-Agriculture zoning district.

The intent of the ordinance was to allow for “mother-in-law” type units to be located within the principal structure or within a detached accessory building. The applicant recently acquired this property and the property to the north and discussed regulations relating to ADUs for this property. The applicant is planning on constructing a principal residence on this property in 2021 and would like the City to consider allowing a separate detached ADU.

This property historically had an existing residence that was located inside of the loop driveway (near the existing well). The home was removed between 2016-2018. There is an existing Quonset building and barn located on the property. The applicant has prepared plans for the development of the property which include both the principal and accessory dwelling units. The City has adopted standards requiring the ADU



to be proportional and subordinate to the principal structure. The proposed principal house and accessory dwelling unit have the following specifics: The proposed accessory dwelling unit is comprised of a combined bedroom, kitchen and living area with a bathroom and laundry. In order for the City to consider a CUP for an accessory dwelling unit, the applicant will need to demonstrate how they meet all applicable criteria for granting a conditional use permit and for an accessory dwelling unit. The City has criteria broadly relating to Conditional Use Permits and then more focused criteria relating specifically to accessory dwelling units.

An accessory dwelling unit must meet the following criteria:

*Subd. 2. "Accessory Dwelling Unit." A secondary dwelling unit that is: (a) Physically attached to or within a single-family dwelling unit or within a detached accessory building that has a principal structure on the parcel; and*

**The applicant is proposing to construct a detached accessory dwelling unit.**

*(b) Subordinate in size to the single-family dwelling unit; and*

**The proposed accessory dwelling unit would be subordinate in size to the single-family dwelling unit.**

*(c) Fully separated from the single-family dwelling unit by means of a wall or floor, with or without a door; and*

**The proposed accessory dwelling unit would be in a detached structure which is separated from the single-family home.**

*(d) Architecturally compatible with the principal structure (using materials, finishes, style and colors similar to the principal structure); and*

**The proposed ADU has been designed to be architecturally similar to the proposed principal structure. Architecture and materials appear to be consistent with the existing home.**

*(e) The lesser of 33% of the above ground living area of the principal structure or 1,200 square feet, and no less than 400 square feet; and*

**The principal structure is proposed to be 1,479 square feet of above ground living space not including the basement. 33% of 1,479 square feet equals 488 square feet. The applicant is proposing to construct a 480 square foot accessory dwelling unit. The proposed square footage would be approximately equal to the total permitted maximum amount of square feet permitted for this property.**

*(f) Not in excess of the maximum square footage for accessory structures as permitted in this code; and*

**The existing property is 10 acres in size and therefore does not have a limitation on the total square footage for detached accessory structures. For context, the existing Quonset is 3,200 SF and the existing barn is 1,500 SF.**

*(g) Has permanent provisions for cooking, living and sanitation; and*

**The applicant is proposing to construct permanent provisions for cooking; living and sanitation (see attached depiction). (h) Has no more than 2 bedrooms; and**

**The applicant is proposing to have one bedroom within the accessory dwelling unit.**

*(i) Limited to relatives of the homesteaded owner occupants or the homesteaded owners of the principal structure. The total number of individuals that reside in both the principal dwelling unit and accessory dwelling unit may not exceed the number that is allowed by the building code;*



and

**The owner of the property is proposing that the accessory dwelling unit will be occupied by her family.**

*(j) Uses the existing on-site septic system or an approved holding tank; and*

**The proposed accessory structure will be connected to the new septic system that also serves the principal residence.**

*(k) Respectful of the future subdivision of the property and the primary and secondary septic sites.*

*The City may require a sketch of the proposed future subdivision of a property; and*

**The accessory structure does not impede the ability of the owner to subdivide the property in the future or utilize a secondary septic site.**

*(l) In compliance with the adopted building code relating to all aspects of the dwelling unit.*

**The applicant will be required to obtain a building permit for all proposed improvements.**

*a On lots less than 2.5 acres, the accessory dwelling unit must be attached to the principal dwelling unit or located/constructed within an existing detached accessory structure that meets all criteria of this section.*

*b The existing on-site septic system will be required to be inspected by the City to ensure compliance with all applicable standards. Any system that does not meet all applicable standards shall be brought into compliance as a part of the approval of the accessory dwelling unit.*

The applicant has discussed the proposed improvements to the property with the City. The applicant has submitted a site survey, sketch of the proposed building plans, elevations of the proposed principal residence and ADU and a site plan. The accessory dwelling unit will need to meet all applicable building codes and building regulations.

As proposed, the accessory dwelling unit appears to meet all applicable criteria established in the zoning ordinance for granting a conditional use permit for an accessory dwelling unit. The criteria for granting a conditional use permit are clearly delineated in the City's Zoning Ordinance (Section 520.11 subd. 1, a-i) as follows:

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



Consideration for the proposed conditional use permit should weigh the impact of having an accessory dwelling unit located on this property. The proposed new home and ADU appear to be designed so that they are compatible and consistent. The size of the property, the proximity to surrounding properties and the general geographic location within the City will help to mitigate any impacts of having an ADU. Consideration for the proposed conditional use permit should weigh the impact of having an accessory dwelling unit located on this property. The proposed new home and ADU appear to be designed so that they are compatible and consistent. The size of the property, the proximity to surrounding properties and the general geographic location within the City will help to mitigate any impacts of having an ADU. Should the CUP to allow an accessory dwelling unit be recommended for approval by the Planning Commission, it is suggested that the following conditions be noted by the City:

The Conditional Use Permit will be subject to the applicant constructing the principal structure on the property and successfully obtaining and completing a building permit for all applicable improvements required for a dwelling unit. The ADU will be constructed in accordance with the approved plans. The ADU will meet all applicable setbacks of the City's zoning ordinance.

The Planning Commission reviewed the request and asked questions of the applicant and staff. Commissioners questioned if the City could permit an ADU without having an existing principal structure on the property noting that the principal structure had been razed. Commissioners discussed the potential sequencing of construction and asked the applicant about the need to construct both structures simultaneously. The applicant noted that the cost and efficiency of constructing both together was considerable and stated that they understood the requirement to have a principal structure on the property.

Staff noted that it is not uncommon for buyers to seek approval of a "master plan" for a property prior to commencing construction. This allows them the ability to know for certain that they can construct the accessory structure. Commissioners also asked staff if the proposed accessory structure could be constructed without the ADU classification? Staff noted that the structure itself would be permitted as an accessory structure as long as it did not have a bedroom or stove. Commissioners ultimately found that the requirements for granting a CUP for the ADU. Commissioners asked staff to have the City Attorney draft a condition that addressed the sequencing of construction and the need for the principal structure to be granted occupancy prior to the ADU.

The Planning Commission recommended approval of the requested Conditional Use Permit to the City Council with the following findings and conditions:

1. The proposed Conditional Use Permit request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The Conditional Use Permit will be issued subject to the following items being completed:
  - A. The Conditional Use Permit allowing the Accessory Dwelling Unit is subject to the applicant's construction of, and permitted occupancy in, a principal structure on the property. No certificate of occupancy for the Accessory Dwelling Unit will be issued, and no occupancy of such Unit will be allowed, until the applicant obtains a certificate of occupancy for the principal structure.
  - B. The ADU will require the issuance of a building permit from the City and be constructed in accordance with the approved plans.
  - C. The ADU will meet all applicable setbacks of the City's zoning ordinance.



3. Prior to the City Council placing the Conditional Use Permit into effect, the applicant shall provide the City with the following items:

A. The Applicant shall pay for all costs associated with the City's review of the requested conditional use permit.

Johnson asked if there was a minimum lot size in the Ag district and Kaltsas said the minimum was 2.5 acres. Johnson noted the accessory unit would not be occupied before the main dwelling unit.

Healy's said they were excited to move to Independence.

**Motion by Spencer, second by McCoy to approve RESOLUTION 21-0105-02 – for a conditional use permit to allow an accessory dwelling unit on the subject property located at 498 Kuntz Drive (PID No. 33-118-24-24-0008) in Independence, MN: Ayes: Johnson, Spencer, McCoy and Betts. Nays: None. Absent: None. Abstain. Grotting. MOTION DECLARED CARRIED.**

8. OPEN/MISC.

9. ADJOURN.

**Motion by Betts, second by Grotting to adjourn at 7:05 p.m. Ayes: Johnson, Grotting, McCoy, Betts and Spencer. Nays: None. Absent: None. None. Abstain. None. MOTION DECLARED CARRIED.**

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Respectfully Submitted,  
Trish Gronstal/ Recording Secretary



## City of Independence

### ***Request for a Conditional Use Permit and Variance to Construct a Ground Mounted Solar System on the Property located at 9226 US Hwy 12***

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<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	February 16, 2021
<i>Applicant:</i>	John Nylen with Cedar Creek Energy
<i>Property Owner:</i>	Jeff Cunningham
<i>Location:</i>	9226 US Hwy 12

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

John Nyhlen (Applicant) and Jeffrey Cunningham (Owner) request that the City consider the following applications for the property located at 9226 US Hwy 12 (PID No. 07-118-24-34-0005) in Independence, MN:

- a. A conditional use permit to allow a ground mounted solar system that is less than 500 SF.
- b. A variance to allow a ground mounted solar system that is greater than 500 SF.

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

The property is located on the north side of US Hwy 12 and nearly across from Nelson Road. The property has an existing home and two detached accessory structures. The property has the following characteristics:

Property Information: 9226 US Hwy 12

Zoning: *Agriculture*

Comprehensive Plan: *Agriculture*

Acreage: *4.43 acres*



Subject Property



***Discussion:***

The applicant approached the City in 2020 about the possibility of installing a ground mounted solar system on the subject property. The City provided the applicant with the requirements and discussed the process for initially developing the City's standards relating to ground mounted solar systems. All ground mounted solar systems require a conditional use permit. Ground mounted solar systems are limited to a maximum square footage of 500 square feet. Ground mounted solar systems have the following requirements:

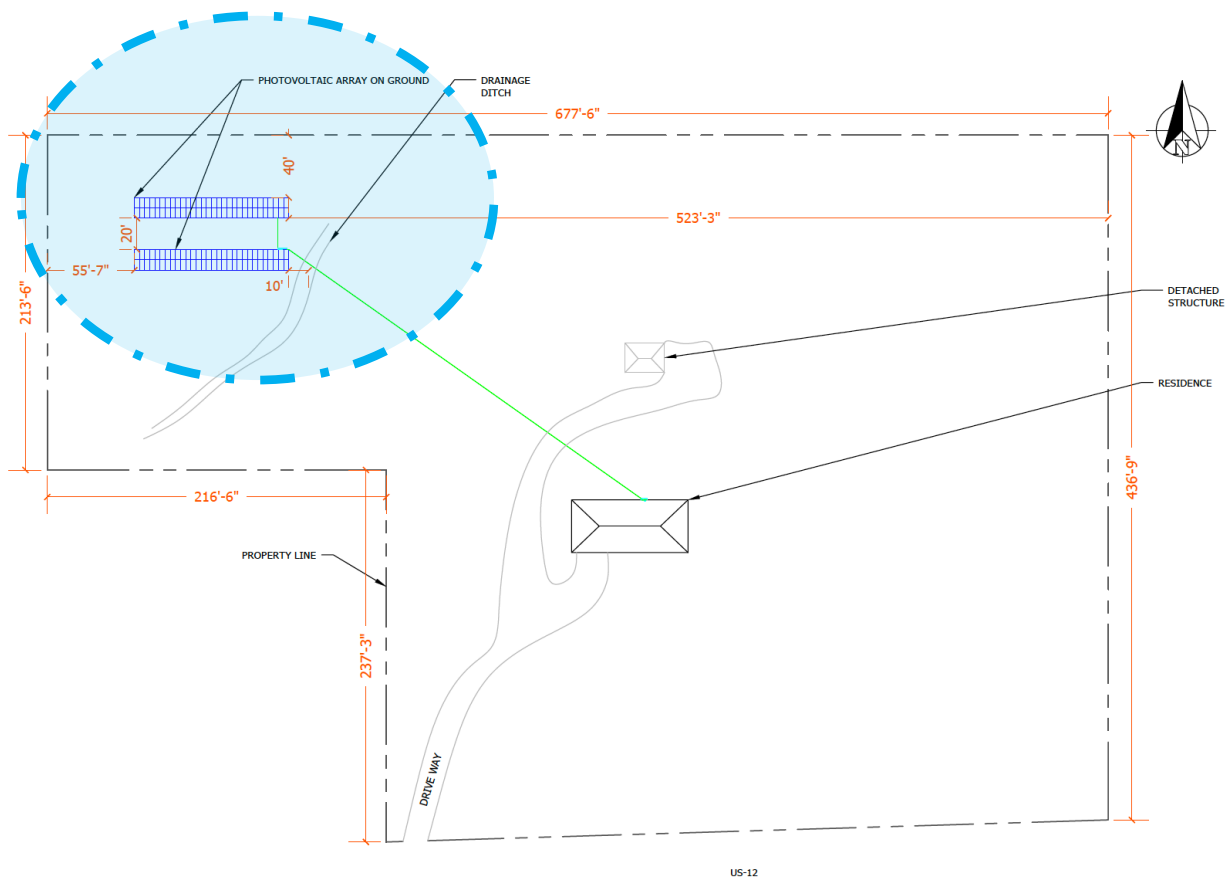
*Subd. 5. Ground-mounted solar energy systems shall conform to the following standards:*

- (a) Ground-mounted systems shall only be allowed on a parcel with an existing principal structure.*
- (b) Ground-mounted systems shall be located only in rear or side yards.*
- (c) Ground-mounted systems shall not be located in the Shoreland Overlay District.*



- (d) Ground-mounted systems shall be wholly screened from view from the public right-of-way and adjacent residential structures. Methods for screening shall include berming, fencing, landscaping and/or combination thereof.
- (e) Ground-mounted systems shall be located on a parcel of at least 2.5 acres.
- (f) Ground-mounted systems shall be setback 40 feet from the rear yards.
- (g) Ground-mounted systems shall be setback 30 feet from the side yards.
- (h) Ground-mounted systems shall have a maximum area of 500 SF.
- (i) The maximum height for any component of the system shall be 15 feet.
- (j) Ground-mounted systems shall be in compliance with any applicable local, state and federal regulatory standards, including building, electrical and plumbing codes.
- (k) Ground-mounted systems and their support structures shall be designed by a certified professional to meet applicable professional standards for the local soil and climate conditions.

The proposed ground mounted solar system would be located in the rear yard of the existing home. The proposed solar system would be comprised of two separate ground mounted arrays. The total square footage of the two arrays is proposed to be 2,600 SF (1,300 SF per array). The proposed system would exceed the maximum square footage permitted by 2,100 SF. The arrays would be setback approximately 40 feet from the north rear property line (rear yard) and 55 feet from the west side property line (side yard). The required setback for the rear yard is 40 feet and the required setback for the side yard is 30 feet.





The proposed ground mounted system would have a maximum height of 9'-3" to the top of the highest portion of the panels. The City requires systems to be wholly screened from view of the public right of way and adjacent residential structures. There is a residential home and property just to the south of the subject property and proposed location of the ground mounted array. The proximity of the proposed ground mounted system to the nearest residence is approximately 250 feet. The distance from the proposed solar arrays to the Hwy 12 right of way is approximately 350 feet. The City will need to discuss whether or not additional screening should be added to the south property line should the request be recommended for approval. There is some existing vegetation located along the south property line (north property line of the adjacent property). One additional consideration relating to screening is that the panels will be oriented to face south.

The applicant has provided the City with a site plan and images of the proposed solar system. The system is comprised 120 panels. The panels are oriented to the south and will be installed at a 30-degree angle to the ground. The proposed panels are mounted to a galvanized metal racking system. The racking system is proposed to be secured to the ground using helical pilings. The proposed solar panels are a mono Perc cell panel that has an anti-reflection coating. This type of panel is typically a little darker blue in color.

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

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

*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)*

The City has discussed the proposed ground mounted solar system with the applicant. The proposed ground mounted solar system exceeds the City’s maximum size for ground mounted solar systems. The energy generated by this system 38.4 kW (AC) falls just below the maximum amount permitted by the state tariff limits for residential systems. The applicant has noted that the homeowners are planning on remodeling the home and installing a ground source HVAC system. The ground source system will generate a significant energy need for the property. There are a few additional considerations that should be noted by the City:

- The maximum size of permitted by a ground mounted solar system (500 SF) was based on the size of a typical residential solar system. This system would require the City to grant a variance to the maximum size to allow 2,100 additional square feet of surface area. The criteria for granting a variance are provided within this report. The City will need to find that the size limitation on ground mounted systems creates a hardship to the owner. Additionally, the City will need to also find that the granting of a variance will not alter the essential character of the area and maintain the reasonable use of the property.
- The proposed system is a residential system that generates an amount of energy that comes in just below the maximum permitted for a residential installation. The system will generate approximately 62,000 kWh in the first year. The average residential property across the US uses approximately 10,649 kWh per year and as much as 15,000 kWh per year.



- The proposed system meets the location, setback and maximum height requirements of the zoning ordinance.
- The property has only one neighboring and potentially impacted property. The visibility of this system from the Hwy 12 right of way is limited or fully screened. The existing vegetation that separates the two properties is comprised primarily deciduous trees/shrubs.
- The location of the proposed solar system is close to a potential wetland area (see yellow – possible and blue - probable areas below). The applicant is going to need to verify the extents of the wetland and confirm that no impact or a de minimis impact to the wetland is permitted. This may require a wetland delineation, adjusting the location within this general area of the property or splitting the system into three shorter arrays versus two longer arrays.



The City will need to determine if the system should be further screened from the south property line. The City will also need to find that the proposed variance and conditional use permit meet the criteria for granting both and continues to allow the reasonable use and enjoyment of the surrounding properties. This site located off of US Hwy 12, the orientation of the proposed solar system and the relationship to the surrounding properties all aid in the mitigation of potential impacts relating to the ground mounted solar array.



**Neighbor Comments:**

The City has received some verbal questions relating to the project and whether or not this is a commercial installation. It was noted that this is a residential installation. The City has not received any written comments regarding the proposed variance and conditional use permit.

**Recommendation:**

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

1. The proposed conditional use permit and amendment request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. Approval of the conditional use permit will be subject to the following conditions:
  - a) The applicant shall verify the extents of the wetland boundary and confirm that no impact or a de minimis impact to the wetland is permitted by all regulatory authorities. This may require a wetland delineation. Based on the information provided relating to the wetland boundary, the proposed location and layout of the solar array may need to be adjusted or the array may need to be split into three shorter arrays versus two longer arrays.
3. The conditional use permit will include the following conditions:
  - a) The conditional use permit will allow a 2,600 SF ground mounted solar system that is installed in accordance with the approved plans attached hereto as Exhibit A.
  - b) The ground mounted solar system shall be constructed in accordance with all applicable zoning code, building code and other applicable standards.
4. The City finds that the criteria for granting a variance have been satisfied by the applicant. Specifically, the City finds the following:
  - a. The proposed residential ground mounted solar system will not take away from the essential character of the property or surrounding properties.
  - b. The proposed variance will allow a larger residential ground mounted solar system that provides energy solely for this residential property.
  - c. Potential impacts resulting from the larger ground mounted solar system are adequately mitigated as a result of the properties location and proximity to surrounding properties.
  - b) The applicant shall pay for all costs associated with the review and recording of the resolution granting approval of the conditional use permit and variance.



***Attachments:***

1. Application
2. Ground Mounted Solar Site Plan (Exhibit A)
3. Ground Mounted Solar Plans and Details





**CITY OF  
INDEPENDENCE  
MINNESOTA**

**Applicant Information**

Name: JOHN M Nyhlen  
Address: 10361  
Blaine, Minnesota 55449  
Primary Phone: 7634509767  
Email: permits@cedarcreekenergy.com

**Owner Information**

Name: Jeffrey D Cunningham  
Address: 9226 US HWY 12  
Delano, Minnesota 55328  
Primary Phone: 952-855-2788  
Email: jeff\_cunningham@hotmail.co

Property Address:

PID:

Planning Application Type: Variance

Description:

Supporting Documents: Building Plans, Construction Plans, Wetland Delineation, Preliminary/Final Plan

Signature:



JEFF CUNNINGHAM - 48.000kW DC, 38.400kW AC

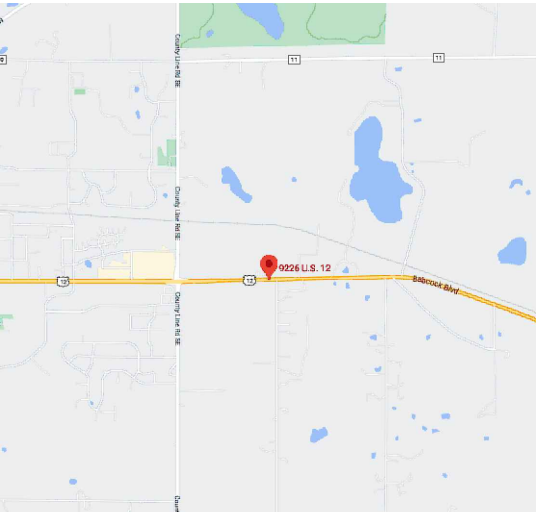
SITE PLAN-1

DISTANCE BETWEEN EQUIPMENT		
FROM	TO	DISTANCE(FT)
ARRAY-02	PV INVERTER-01&02	20
ARRAY-01	PV INVERTER-03&04	1
PV INVERTER-01&05	AC COMBINER PANEL	1
AC COMBINER PANEL	UTILITY AC DISCONNECT	140
UTILITY AC DISCONNECT	TAP BOX	1
TAP BOX	UTILITY METER	1
UTILITY METER	MAIN SERVICE PANEL	1

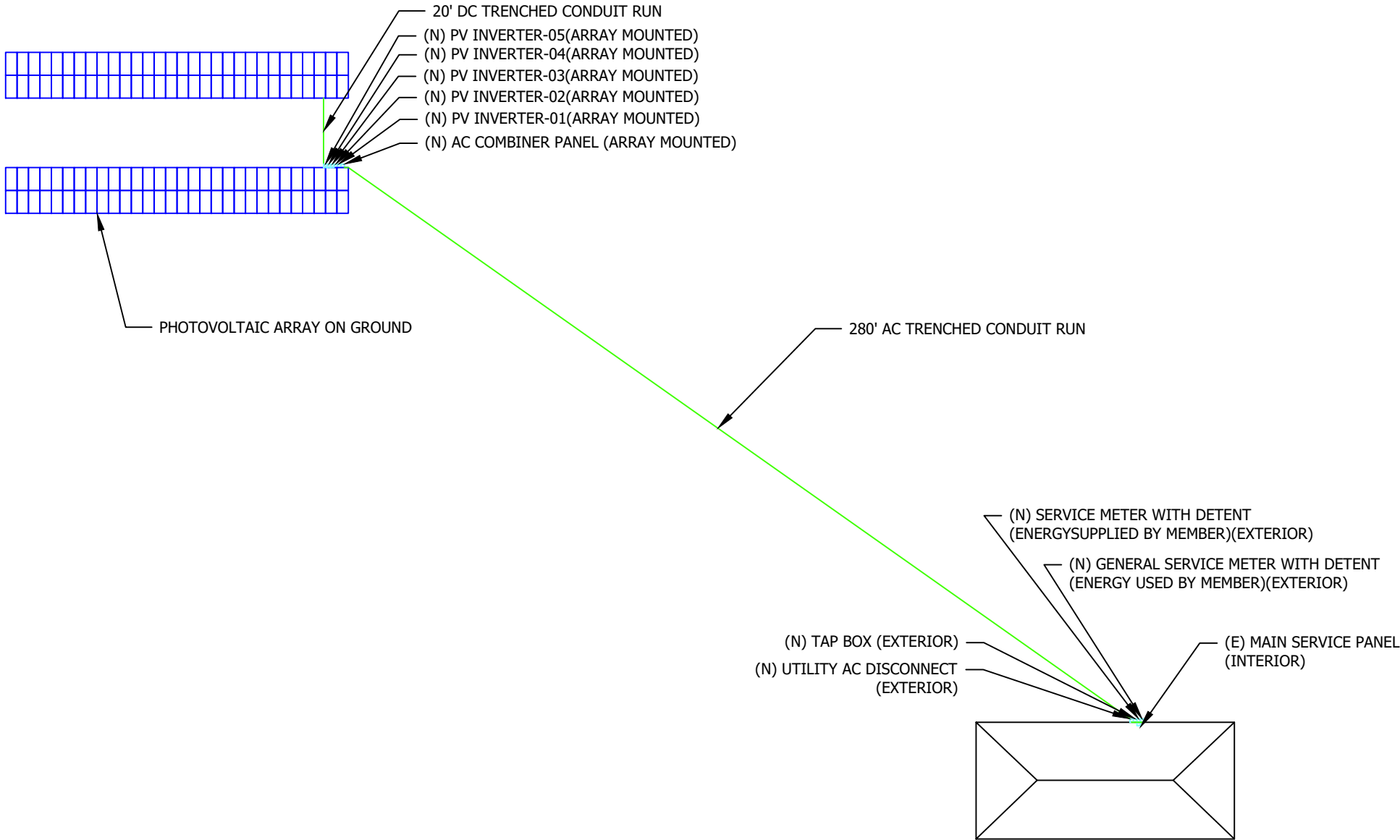
NOTE:  
1. MODULES ARE UL 1703 RATED.  
2. INVERTERS ARE UL 1741 RATED.

NOTE:  
1.NO CLEARANCE ISSUES WITH EXITING OVERHEAD LINES  
2.PV UTILITY DISCONNECTS ARE  
• LOCATED WITHIN 10' OF MAIN SERVICE/BILLING METER  
• VISIBLE,LOCKABLE,READILY ACESIBLE AND 24/7 ACCESS  
3.DESIGN COMPLY WITH NEC AND NEC690  
4.LABELS SHALL BE WEATHERPROOF,DURABLE,AND PERMANENTLY MOUNTED  
5.24/7 UNSCORTED KEYLESS ACCESS TO METERS AND UTILITY AC DISCONNECTS.  
6..SECONDARY INTERCONNECTION

ACCOUNT	#150-1695-6047
METER	#91794822

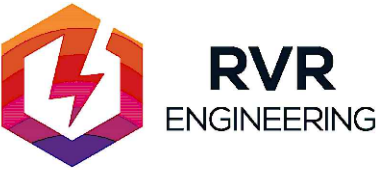


A1 | VICINITY MAP  
PV-1.0 | SCALE: NTS



GENERAL INFORMATION	
ELECTRIC CODE	NEC 2017
FIRE CODE	IFC 2018
RESIDENTIAL CODE	MNRC 2020
BUILDING CODE	MNBC 2020
WIND SPEED	115 MPH
SNOW LOAD	50 PSF
HIGH TEMP	32°C
LOW TEMP	-26°C

INDEX	
INDEX NO.	DESCRIPTION
PV-1.0	SITE PLAN-1
PV-1.1	SITE PLAN-2
PV-2.0	GENERAL NOTES
PV-3.0	MOUNTING DETAILS
PV-3.1	STRUCTURAL DETAILS-1
PV-3.2	STRUCTURAL DETAILS-2
PV-4.0	SINGLE LINE DIAGRAM
PV-4.1	ELECTRICAL CALCULATION
PV-5.0	WARNING PLACARDS
SS	SPEC SHEET(S)



SYSTEM INFORMATION

DC SYSTEM SIZE: 48000W  
AC SYSTEM SIZE: 38400W  
MODULES:  
(120)JINKO SOLAR JKM400M-72HL-V  
INVERTER:  
(5)SMA SUNNY BOY SB7.7-1TP-US-41(240V,1PH)

ENGINEER OF RECORD



10361 JAMESTOWN ST NE BLAINE, MN 55449  
763-450-9763  
LIC:ELEC#EA006457  
LIC:GEN#BC638279

CUSTOMER INFORMATION

NAME&ADDRESS:  
JEFF CUNNINGHAM  
9226 US-12, DELANO, MN 55328  
45°02'11.7"N 93°45'31.9"W

AHJ:MN-COUNTY HENNEPIN

UTILITY:WRIGHT HENNEPIN COOP ELECTRIC ASSOCIATION

PROJECT NUMBER:CCEN-001549

SITE PLAN-1

DESIGNER/CHECKED BY:

PR/RR

SCALE:AS NOTED

PAPER SIZE:17"x11"

DATE:12/17/20

REV:A

PV-1.0

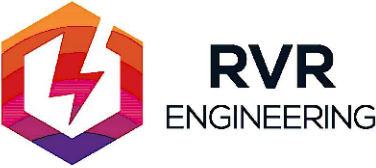
A | SITE PLAN-1

PV-1.0 | SCALE: 1"=40'-0"



## JEFF CUNNINGHAM - 48.000kW DC, 38.400kW AC

## SITE PLAN-2



## SYSTEM INFORMATION

DC SYSTEM SIZE: 48000W  
AC SYSTEM SIZE: 38400W  
MODULES:  
(120)JINKO SOLAR JKM400M-72HL-V  
INVERTER:  
(5)SMA SUNNY BOY SB7.7-1TP-US-41(240V,1PH)

# ENGINEER OF RECORD



10361 JAMESTOWN ST NE BLAINE, MN 55449  
763-450-9763  
LIC:ELEC#EA006457  
LIC:GEN#BC638279

## CUSTOMER INFORMATION

NAME&ADDRESS:  
JEFF CUNNINGHAM  
9226 US-12, DELANO, MN 55328

45°02'11.7"N 93°45'31.9"W

AHJ:MN-COUNTY HENNEPIN

UTILITY:WRIGHT HENNEPIN COOP ELECTRIC  
ASSOCIATION

PROJECT NUMBER:CCEN-001549

## SITE PLAN-2

DESIGNER/CHECKED BY:

PR/RR

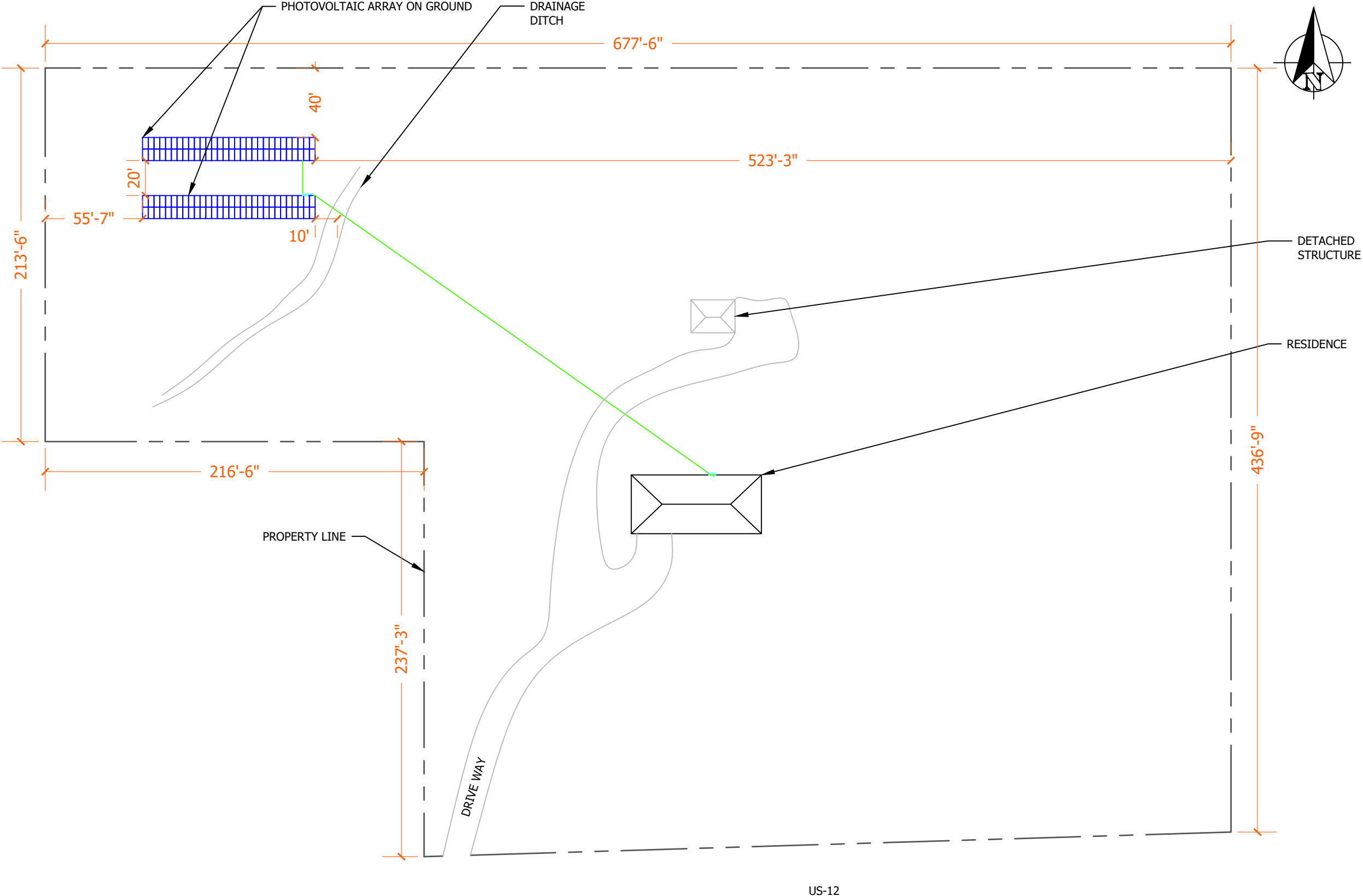
SCALE:AS NOTED

PAPER SIZE:17"x11"

DATE:12/17/20

REV:A



PV-1.1



A SITE PLAN-2

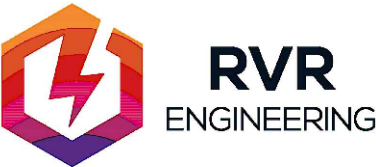
PV-1.1 | SCALE: 1"=60'-0"



GENERAL NOTES			<div><div><div>RVR ENGINEERING</div></div></div>		
GENERAL NOTES			SYSTEM INFORMATION		
<div><div>1. MODULES ARE LISTED UNDER UL 1703 AND CONFORM TO THE STANDARDS.</div><div>2. INVERTERS ARE LISTED UNDER UL 1741 AND CONFORM TO THE STANDARDS.</div><div>3. DRAWINGS ARE DIAGRAMMATIC, INDICATING GENERAL ARRANGEMENT OF THE PV SYSTEM AND THE ACTUAL SITE CONDITION MIGHT VARY.</div><div>4. WORKING CLEARANCES AROUND THE NEW PV ELECTRICAL EQUIPMENT WILL BE MAINTAINED IN ACCORDANCE WITH NEC CODE.</div><div>5. ALL GROUND WIRING CONNECTED TO THE MAIN SERVICE GROUNDING IN MAIN SERVICE PANEL/ SERVICE EQUIPMENT.</div><div>6. ALL CONDUCTORS SHALL BE 600V, 75°C STANDARD COPPER UNLESS OTHERWISE NOTED.</div><div>7. THE SYSTEM WILL NOT BE INTERCONNECTED BY THE CONTRACTOR UNTIL APPROVAL FROM THE LOCAL JURISDICTION AND/OR THE UTILITY.</div><div>8. PV ARRAY COMBINER/JUNCTION BOX PROVIDES TRANSITION FROM ARRAY WIRING TO CONDUIT WIRING</div></div>			<div>DC SYSTEM SIZE: 48000W</div> <div>AC SYSTEM SIZE: 38400W</div> <div>MODULES:</div> <div>(120)JINKO SOLAR JKM400M-72HL-V</div> <div>INVERTER:</div> <div>(5)SMA SUNNY BOY SB7.7-1TP-US-41(240V,1PH)</div>		
EQUIPMENT LOCATION:			ENGINEER OF RECORD		
<div><div>9. ALL EQUIPMENT SHALL MEET MINIMUM SETBACKS AS REQUIRED BY NEC CODE.</div><div>10. WIRING SYSTEMS INSTALLED IN DIRECT SUNLIGHT MUST BE RATED FOR EXPECTED OPERATING TEMPERATURE AS SPECIFIED BY NEC CODE AND NEC TABLES.</div><div>11. JUNCTION AND PULL BOXES PERMITTED INSTALLED UNDER PV MODULES ACCORDING TO NEC CODE.</div><div>12. ADDITIONAL AC DISCONNECT(S) SHALL BE PROVIDED WHERE THE INVERTER IS NOT WITHIN SIGHT OF THE AC SERVICING DISCONNECT.</div><div>13. ALL EQUIPMENT SHALL BE INSTALLED ACCESSIBLE TO QUALIFIED PERSONNEL ACCORDING TO NEC APPLICABLE CODES.</div><div>14. ALL COMPONENTS ARE LISTED FOR THEIR PURPOSE AND RATED FOR OUTDOOR USAGE WHEN APPROPRIATE</div><div>.</div></div>			<div><div></div><div>10361 JAMESTOWN ST NE BLAINE, MN 55449</div><div>763-450-9763</div><div>LIC:ELEC#EA006457</div><div>LIC:GEN#BC638279</div></div>		
WIRING & CONDUIT NOTES:			CUSTOMER INFORMATION		
<div><div>15. ALL CONDUIT AND WIRE WILL BE LISTED AND APPROVED FOR THEIR PURPOSE. CONDUIT AND WIRE SPECIFICATIONS ARE BASED ON MINIMUM CODE REQUIREMENTS AND ARE NOT MEANT TO LIMIT UP-SIZING.</div><div>16. CONDUCTORS SIZED ACCORDING TO NEC CODE.</div><div>17. DC WIRING LIMITED TO MODULE FOOTPRINT. MICRO INVERTER WIRING SYSTEMS SHALL BE LOCATED AND SECURED UNDER THE ARRAY WITH SUITABLE WIRING CLIPS.</div><div>18. AC CONDUCTORS COLORED OR MARKED AS FOLLOWS: PHASE A OR L1- BLACK PHASE B OR L2- RED, OR OTHER CONVENTION IF THREE PHASE PHASE C OR L3- BLUE, YELLOW, ORANGE**, OR OTHER CONVENTION NEUTRAL- WHITE OR GREY IN 4-WIRE DELTA CONNECTED SYSTEMS THE PHASE WITH HIGHER VOLTAGE TO BE MARKED ORANGE [NEC CODE].</div></div>			<div>NAME&amp;ADDRESS:</div> <div>JEFF CUNNINGHAM</div> <div>9226 US-12, DELANO, MN 55328</div> <div>45°02'11.7"N 93°45'31.9"W</div>		
			AHJ:MN-COUNTY HENNEPIN		
			UTILITY:WRIGHT HENNEPIN COOP ELECTRIC ASSOCIATION		
			PROJECT NUMBER:CCEN-001549		
			GENERAL NOTES		
			DESIGNER/CHECKED BY:		
			PR/RR		
			SCALE:AS NOTED	PAPER SIZE:17"x11"	
			DATE:12/17/20	REV:A	PV-2.0
GENERAL NOTES			INTERCONNECTION NOTES:		
			<div><div>24. LOAD-SIDE INTERCONNECTION SHALL BE IN ACCORDANCE WITH [NEC CODE]</div><div>25. THE SUM OF THE UTILITY OCPD AND INVERTER CONTINUOUS INPUT MAY NOT EXCEED 120% OF BUSBAR RATING [NEC CODE].</div><div>26. WHEN SUM OF THE PV SOURCES EQUALS &gt;100% OF BUSBAR RATING, PV DEDICATED BACKFFED BREAKERS MUST BE LOCATED OPPOSITE END OF THE BUS FROM THE UTILITY SOURCE OCPD [NEC CODE].</div><div>27. AT MULTIPLE PV OUTPUT COMBINER PANEL, TOTAL RATING OF ALL OVER CURRENT DEVICES SHALL NOT EXCEED AMPACITY OF BUSBAR. HOWEVER, THE COMBINED OVER CURRENT DEVICE MAY BE EXCLUDED ACCORDING TO NEC 705.12 CODE.</div><div>28. FEEDER TAP INTER CONNECTION (LOAD SIDE) ACCORDING TO NEC CODE.</div><div>29. SUPPLY SIDE TAP INTERCONNECTION ACCORDING TO NEC 705.12 (A) WITH SERVICE ENTRANCE CONDUCTORS IN ACCORDANCE WITH NEC CODE.</div><div>30. BACK FEEDING BREAKER FOR UTILITY-INTERACTIVE INVERTER OUTPUT IS EXEMPT FROM ADDITIONAL FASTENING [NEC CODE].</div></div>		
			GROUNDING NOTES:		
			<div><div>31. GROUNDING SYSTEM COMPONENTS SHALL BE LISTED FOR THEIR PURPOSE, AND GROUNDING DEVISES EXPOSED TO THE ELEMENTS SHALL BE RATED FOR SUCH USE.</div><div>32. PV EQUIPMENT SHALL BE GROUNDED ACCORDING TO NEC CODE AND MINIMUM NEC TABLE.</div><div>33. EQUIPMENT GROUNDING CONDUCTORS SHALL BE SIZED ACCORDING TO NEC CODE AND MICRO INVERTER MANUFACTURER'S INSTRUCTIONS.</div><div>34. THE GROUNDING CONNECTION TO A MODULE SHALL BE ARRANGED SUCH THAT THE REMOVAL OF A MODULE DOES NOT INTERRUPT A GROUNDING CONDUCTOR TO ANOTHER MODULE.</div><div>35. GROUNDING AND BONDING CONDUCTORS, IF INSULATED, SHALL BE COLORED GREEN OR MARKED GREEN IF #4 AWG OR LARGER [NEC CODE]</div><div>36. DISCONNECTING SWITCHES SHALL BE WIRED SUCH THAT WHEN THE SWITCH IS OPENED THE CONDUCTORS REMAINING ENERGIZED ARE CONNECTED TO THE TERMINALS MARKED "LINE SIDE" (TYPICALLY THE UPPER TERMINALS).</div><div>37. DISCONNECTS TO BE ACCESSIBLE TO QUALIFIED UTILITY PERSONNEL, BE LOCKABLE, AND BE A VISIBLE-BREAK SWITCH</div><div>38. RAPID SHUTDOWN OF ENERGIZED CONDUCTORS BEYOND 10 FT OF PV ARRAY OR 5 FT INSIDE A BUILDING WITHIN 10 SECONDS. CONTROLLED CONDUCTORS ≤30V AND ≤240VA [NEC CODE]. LOCATION OF LABEL ACCORDING TO AHJ.</div><div>39. ALL OCPD RATINGS AND TYPES SPECIFIED ACCORDING TO NEC CODES.</div></div>		



MOUNTING DETAILS



SYSTEM INFORMATION

DC SYSTEM SIZE: 48000W  
AC SYSTEM SIZE: 38400W  
MODULES:  
(120)JINKO SOLAR JKM400M-72HL-V  
INVERTER:  
(5)SMA SUNNY BOY SB7.7-1TP-US-41(240V,1PH)

ENGINEER OF RECORD



10361 JAMESTOWN ST NE BLAINE, MN 55449  
763-450-9763  
LIC:ELEC#EA006457  
LIC:GEN#BC638279

CUSTOMER INFORMATION

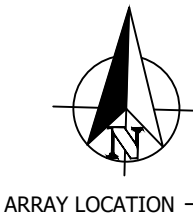
NAME&ADDRESS:  
JEFF CUNNINGHAM  
9226 US-12, DELANO, MN 55328  
  
45°02'11.7"N 93°45'31.9"W

AHJ:MN-COUNTY HENNEPIN  
UTILITY:WRIGHT HENNEPIN COOP ELECTRIC ASSOCIATION

PROJECT NUMBER:CCEN-001549

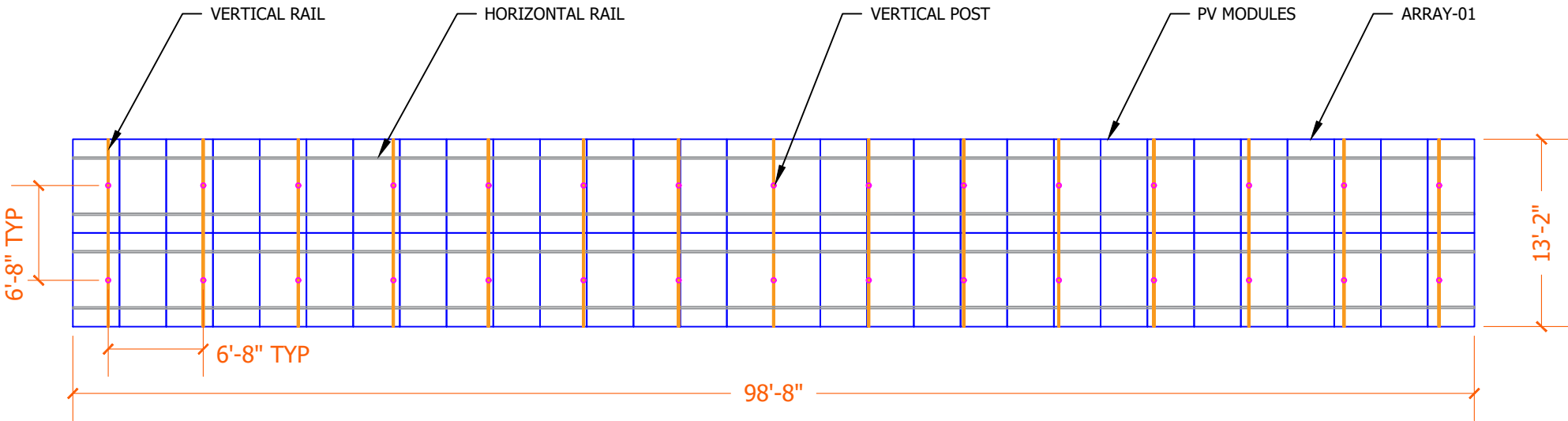
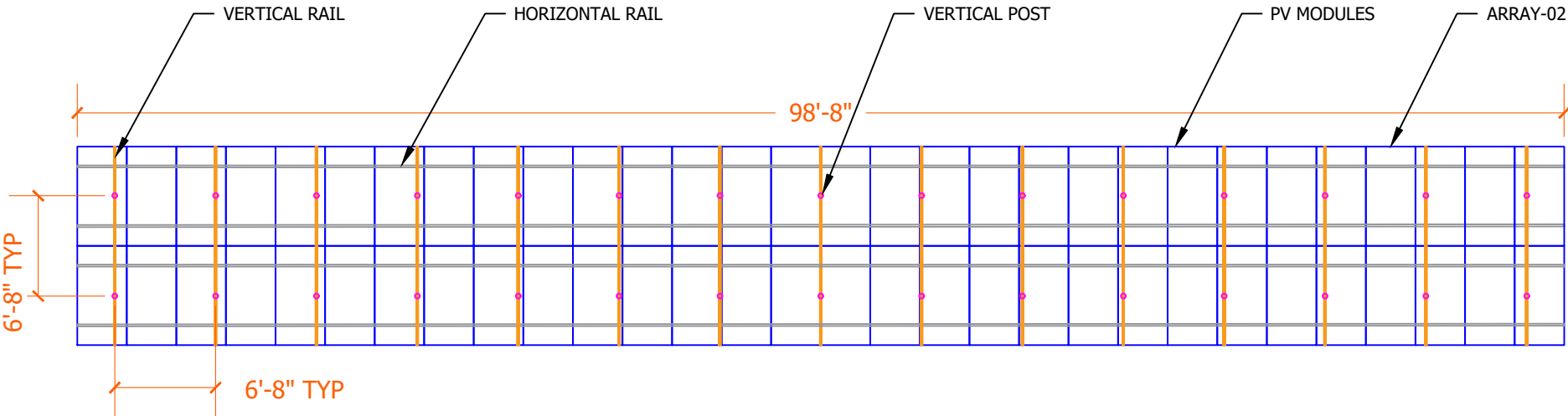
MOUNTING DETAILS

DESIGNER/CHECKED BY:  
PR/RR  
  
SCALE:AS NOTED PAPER SIZE:17"x11"  
  
DATE:12/17/20 REV:A PV-3.0



B1 | AERIAL VIEW  
PV-3.0 | SCALE: NTS

MODULES DATA	
JINKO SOLAR JKM400M-72HL-V	
MODULE DIMS	79.06"x39.45"x1.57"
SITE INFORMATION	
AZIMUTH	180°
PITCH	30°
NO. OF MODULES	120



B | MOUNTING DETAILS  
PV-3.0 | SCALE: 3/32" = 1'-0"



GROUND MOUNT DETAIL



SYSTEM INFORMATION

DC SYSTEM SIZE: 48000W  
AC SYSTEM SIZE: 38400W  
MODULES:  
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INVERTER:  
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ENGINEER OF RECORD



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UTILITY:WRIGHT HENNEPIN COOP ELECTRIC ASSOCIATION

PROJECT NUMBER:CCEN-001549

STRUCTURAL DETAILS-1

DESIGNER/CHECKED BY:

PR/RR

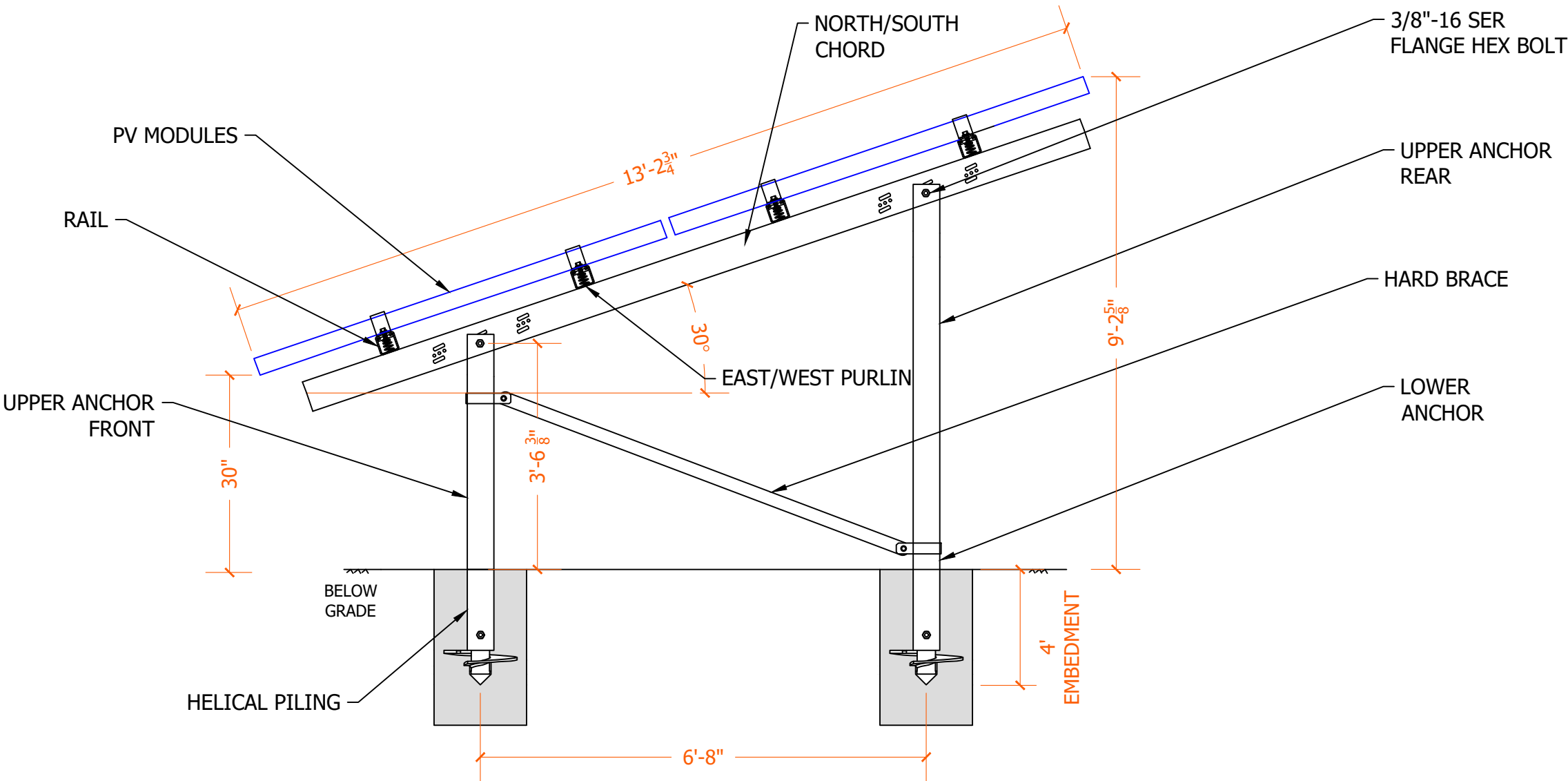
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PAPER SIZE:17"x11"

DATE:12/17/20

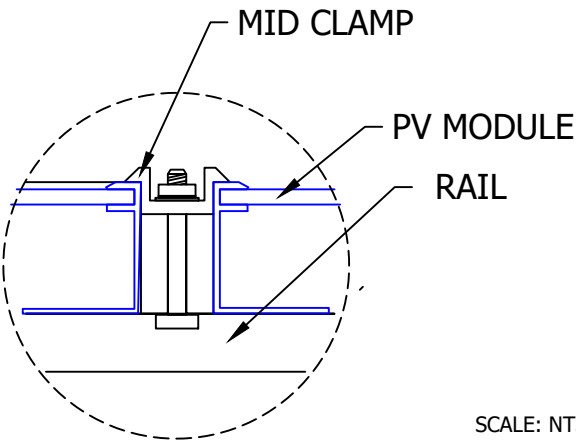
REV:A

PV-3.1

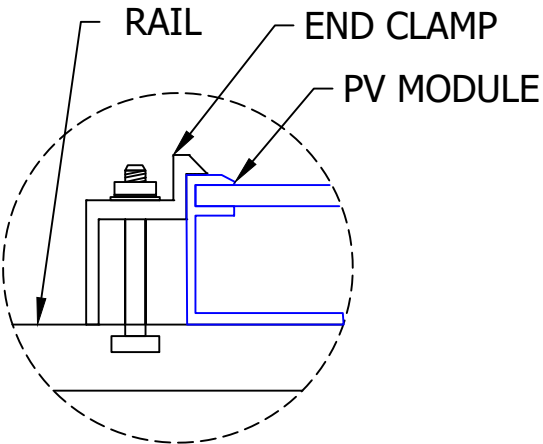


SCALE: NTS

MID-CLAMP & END CLAMP DETAIL



SCALE: NTS





SYSTEM INFORMATION

DC SYSTEM SIZE: 48000W  
AC SYSTEM SIZE: 38400W  
MODULES:  
(120)JINKO SOLAR JKM400M-72HL-V  
INVERTER:  
(5)SMA SUNNY BOY SB7.7-1TP-US-41(240V,1PH)

ENGINEER OF RECORD



10361 JAMESTOWN ST NE BLAINE, MN 55449  
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CUSTOMER INFORMATION

NAME&ADDRESS:  
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9226 US-12, DELANO, MN 55328

45°02'11.7"N 93°45'31.9"W

AHJ:MN-COUNTY HENNEPIN

UTILITY:WRIGHT HENNEPIN COOP ELECTRIC  
ASSOCIATION

PROJECT NUMBER:CCEN-001549

STRUCTURAL DETAILS-2

DESIGNER/CHECKED BY:

PR/RR

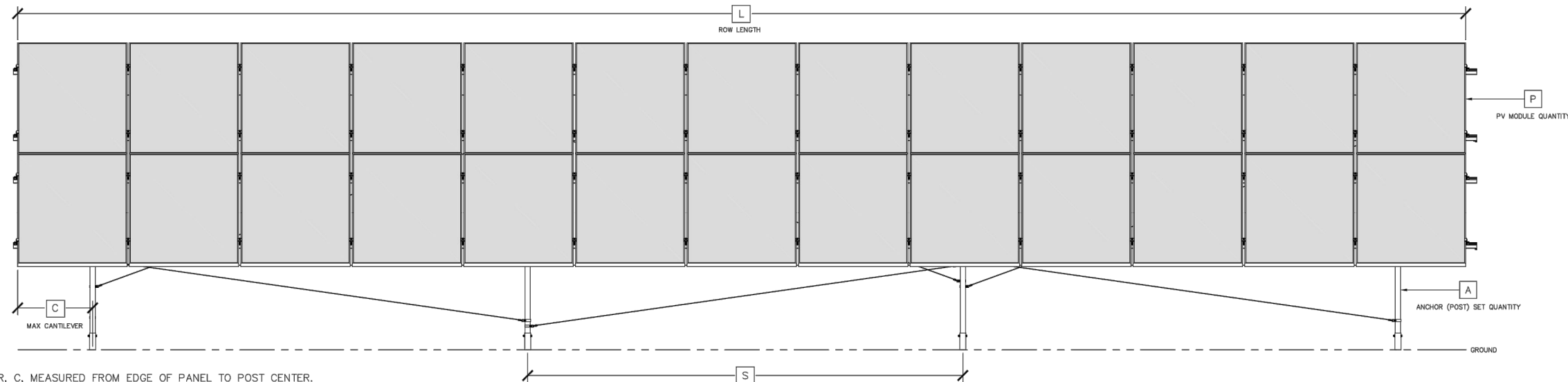
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PAPER SIZE:17"x11"

DATE:12/17/20

REV:A

PV-3.2

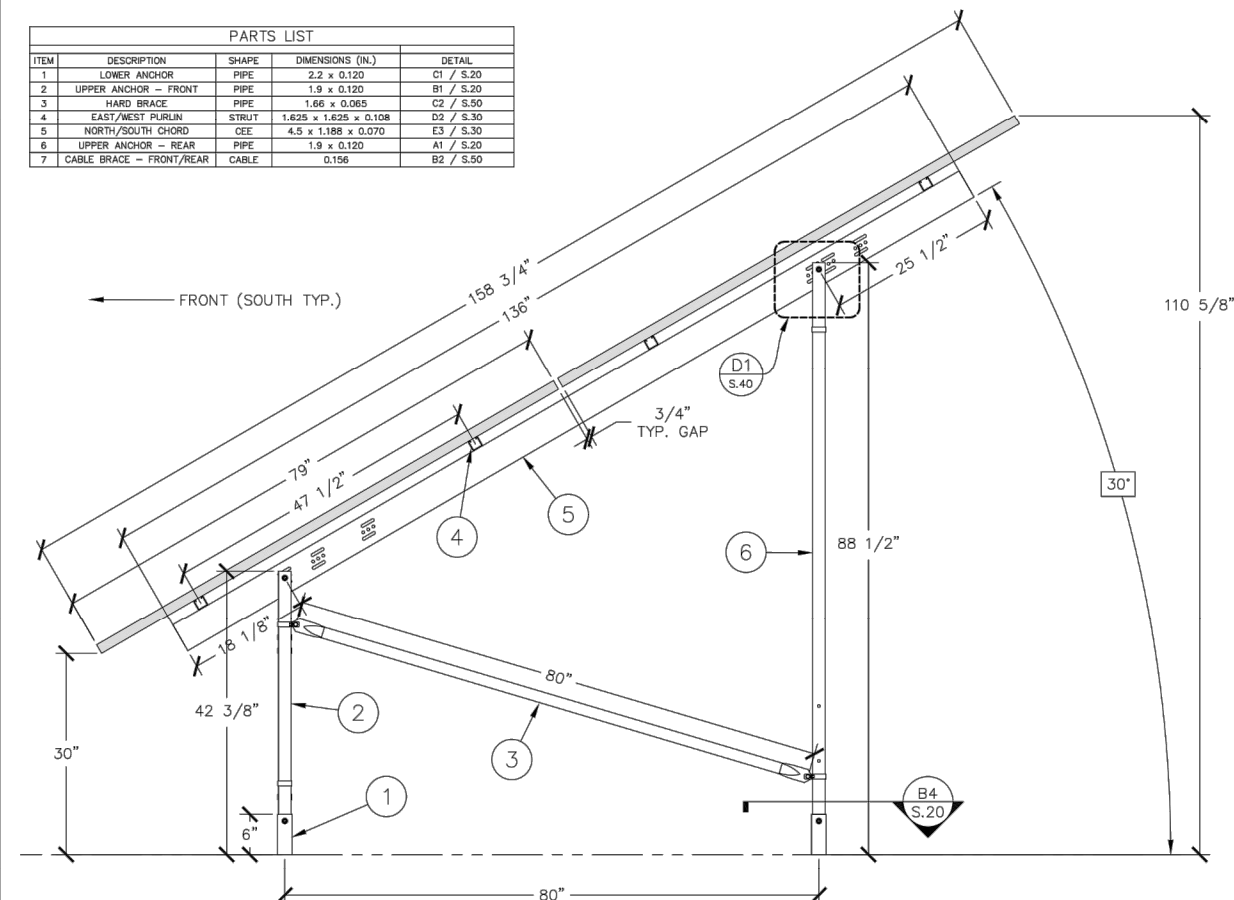


NOTES:MAX CANTILEVER, C, MEASURED FROM EDGE OF PANEL TO POST CENTER.  
MAX SPAN, S, MEASURED CENTER-TO-CENTER.  
C & S DIMENSIONS FROM STATE LETTER AND REQUIRED SITE DESIGN CRITERIA.  
POST QUANTITY, A, AS REQUIRED TO SATISFY DIMENSIONS C & S, ROW LENGTH, L, & PANEL QUANTITY P, PER TABLES IN STATE LETTER.

IMAGE REFERENCE ONLY. NOT INDICATIVE OF REQUIRED QUANTITIES OR DIMENSIONS.

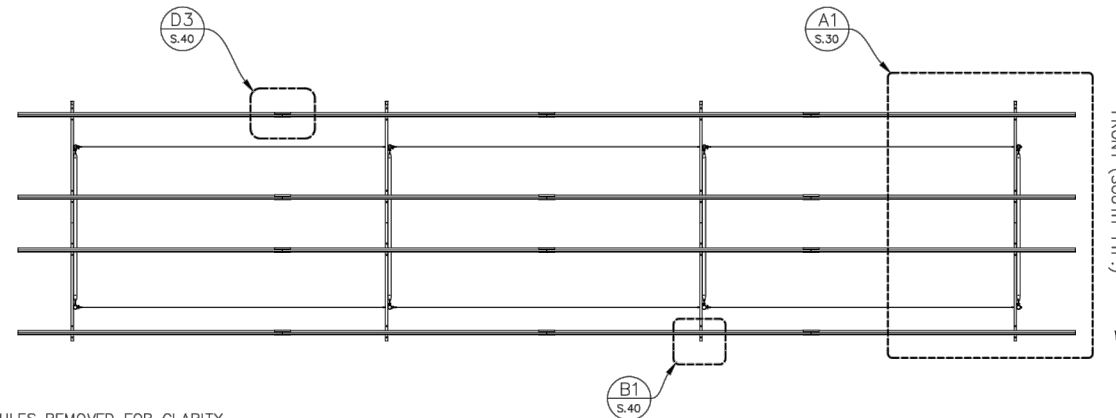
D1 ELEVATION VIEW (FRONT) – 30°

PARTS LIST				
ITEM	DESCRIPTION	SHAPE	DIMENSIONS (IN.)	DETAIL
1	LOWER ANCHOR	PIPE	2.2 x 0.120	C1 / S.20
2	UPPER ANCHOR – FRONT	PIPE	1.9 x 0.120	B1 / S.20
3	HARD BRACE	PIPE	1.66 x 0.065	C2 / S.30
4	EAST/WEST PURLIN	STRUT	1.625 x 1.625 x 0.108	D2 / S.30
5	NORTH/SOUTH CHORD	CEE	4.5 x 1.188 x 0.070	E3 / S.30
6	UPPER ANCHOR – REAR	PIPE	1.9 x 0.120	A1 / S.20
7	CABLE BRACE – FRONT/REAR	CABLE	0.156	B2 / S.50



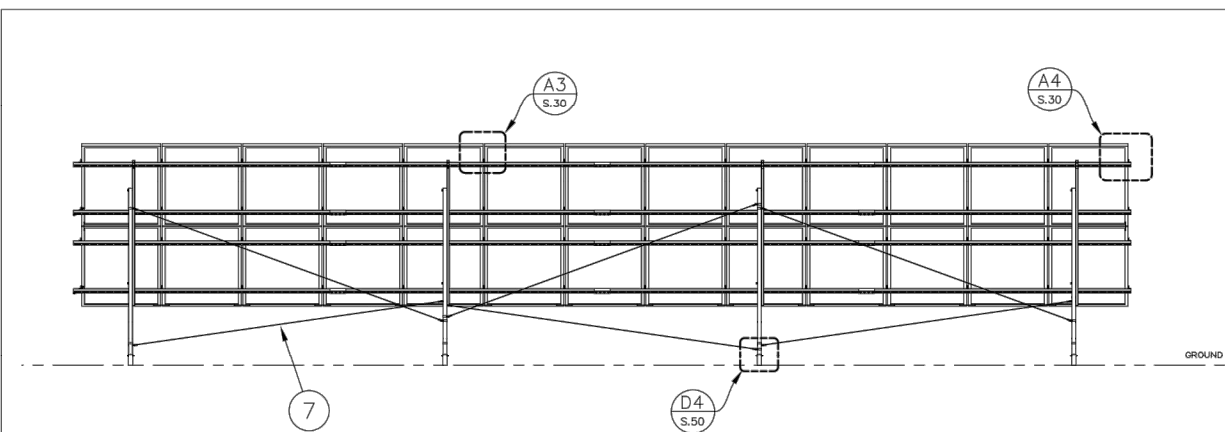
NOTES: PV MODULE & MODULE RELATED DIMENSIONS THIS DETAIL ARE MAX ALLOWABLE. SEE STATE LETTER FOR FURTHER INFORMATION.  
ADDITIONAL DIMENSIONS ARE NOMINAL FROM LEVEL GROUND. SEE NOTES SHEET FOR TOLERANCES.

A1 PROFILE VIEW – 30°



PV MODULES REMOVED FOR CLARITY.

B4 PLAN VIEW – 30°



A4 ELEVATION VIEW (REAR) – 30°



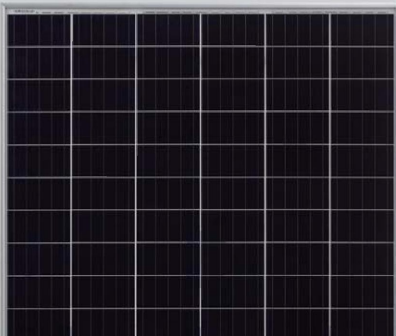
jinkosolar.us



# Eagle 72HM G2 390-410 Watt

MONO PERC HALF CELL MODULE

Positive power tolerance of 0~+3%



## KEY FEATURES



**Diamond Cell Technology**  
Uniquely designed high performance 5 busbar mono PERC half cell



**High Voltage**  
UL and IEC 1500V certified; lowers BOS costs and yields better LCOE



**Higher Module Power**  
Decrease in current loss yields higher module efficiency



**Shade Tolerance**  
More shade tolerance due to twin arrays



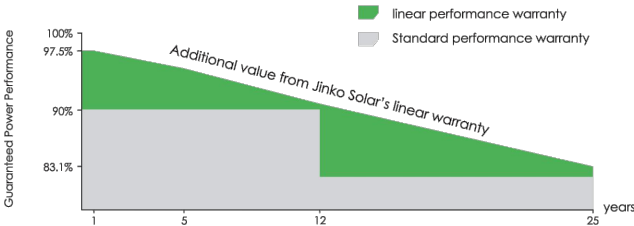
**PID FREE**  
Reinforced cell prevents potential induced degradation



**Strength and Durability**  
Certified for high snow (5400Pa) and wind (2400 Pa) loads

## LINEAR PERFORMANCE WARRANTY

12 Year Product Warranty • 25 Year Linear Power Warranty



- ISO9001:2008 Quality Standards
- ISO14001:2004 Environmental Standards
- OHSAS18001 Occupational Health & Safety Standards
- IEC61215, IEC61730 certified products
- UL1703 certified products

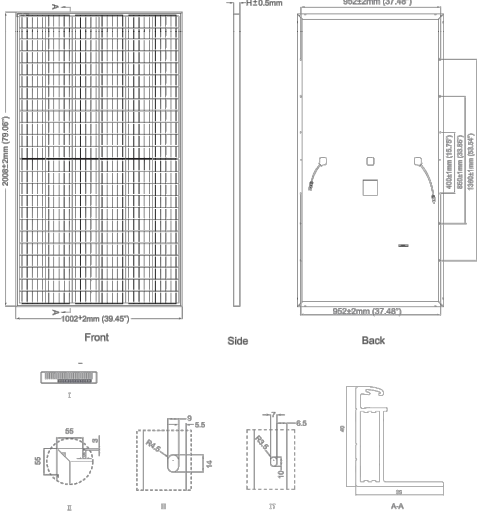
Nomenclature:

JKM410M-72HL-V

Code	Cell	Code	Cell	Code	Certification
null	Full	null	Normal	null	1000V
H	Half	L	Diamond	V	1500V



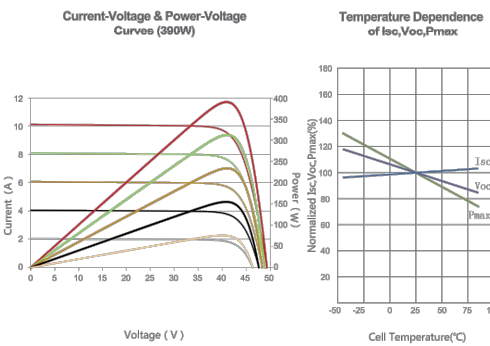
## Engineering Drawings



## Packaging Configuration

( 27 pallets = One stack )  
27pcs/pallet, 54pcs/stack, 594pcs/40'HQ Container

## Electrical Performance & Temperature Dependence



## Mechanical Characteristics

Cell Type	Mono PERC Diamond Cell (158.75 x 158.75 mm)
No.of Half-cells	144 (6x24)
Dimensions	2082x1002x40mm (79.06x39.45x1.57 inch)
Weight	22.5 kg (49.6 lbs)
Front Glass	3.2mm, Anti-Reflection Coating, High Transmission, Low Iron, Tempered Glass
Frame	Anodized Aluminium Alloy
Junction Box	IP67 Rated
Output Cables	12AWG, (+) 1400mm(55.12 in), (-) 1400mm(55.12 in) or Customized Length
Fire Type	Type 1

## SPECIFICATIONS

Module Type	JKM390M-72HL-V		JKM395M-72HL-V		JKM400M-72HL-V		JKM405M-72HL-V		JKM410M-72HL-V	
	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT
Maximum Power (Pmax)	390Wp	294Wp	395Wp	298Wp	400Wp	302Wp	405Wp	306Wp	410Wp	310Wp
Maximum Power Voltage (Vmp)	41.1V	39.1V	41.4V	39.3V	41.7V	39.6V	42.0V	39.8V	42.3V	40.0V
Maximum Power Current (Imp)	9.49A	7.54A	9.55A	7.60A	9.60A	7.66A	9.65A	7.72A	9.69A	7.76A
Open-circuit Voltage (Voc)	49.3V	48.0V	49.5V	48.2V	49.8V	48.5V	50.1V	48.7V	50.4V	48.9V
Short-circuit Current (Isc)	10.12A	8.02A	10.23A	8.09A	10.36A	8.16A	10.48A	8.22A	10.60A	8.26A
Module Efficiency STC (%)	19.38%		19.63%		19.88%		20.13%		20.38%	
Operating Temperature (°C)	-40°C~+85°C									
Maximum System Voltage	1500VDC(UL)/1500VDC(IEC)									
Maximum Series Fuse Rating	20A									
Power Tolerance	0~+3%									
Temperature Coefficients of Pmax	-0.36%/°C									
Temperature Coefficients of Voc	-0.28%/°C									
Temperature Coefficients of Isc	0.048%/°C									
Nominal Operating Cell Temperature (NOCT)	45±2°C									

STC: ☀ Irradiance 1000W/m<sup>2</sup> 📏 Cell Temperature 25°C ☁ AM=1.5

NOCT: ☀ Irradiance 800W/m<sup>2</sup> 📏 Ambient Temperature 20°C ☁ AM=1.5 🌀 Wind Speed 1m/s

\* Power measurement tolerance: ± 3%

CAUTION: READ SAFETY AND INSTALLATION INSTRUCTIONS BEFORE USING THE PRODUCT.  
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JKM390-410M-72HL-V-A2-US



## SYSTEM INFORMATION

DC SYSTEM SIZE: 48000W  
AC SYSTEM SIZE: 38400W  
MODULES:  
(120)JINKO SOLAR JKM400M-72HL-V  
INVERTER:  
(5)SMA SUNNY BOY SB7.7-1TP-US-41(240V,1PH)

## ENGINEER OF RECORD



10361 JAMESTOWN ST NE BLAINE, MN 55449  
763-450-9763  
LIC:ELEC#EA006457  
LIC:GEN#BC638279

## CUSTOMER INFORMATION

NAME&ADDRESS:  
JEFF CUNNINGHAM  
9226 US-12, DELANO, MN 55328

45°02'11.7"N 93°45'31.9"W

AHJ:MN-COUNTY HENNEPIN

UTILITY:WRIGHT HENNEPIN COOP ELECTRIC ASSOCIATION

PROJECT NUMBER:CCEN-001549

## MODULE SPECSHEET

DESIGNER/CHECKED BY:

PR/RR

SCALE:AS NOTED

PAPER SIZE:17"x11"

DATE:11/18/20

REV:A

PV-6.0



SUNNY BOY  
3.0-US / 3.8-US / 5.0-US / 6.0-US / 7.0-US / 7.7-US



SB3.0-1SP-US-41 / SB3.8-1SP-US-41 / SB5.0-1SP-US-41 / SB6.0-1SP-US-41 / SB7.0-1SP-US-41 / SB7.7-1TP-US-41  
SB3.0-1SP-US-41 / SB7.7-1TP-US-41 / SB3.0-1TP-US-41 / SB3.8-1TP-US-41 / SB5.0-1TP-US-41 / SB6.0-1TP-US-41 / SB7.7-1TP-US-41



Value-Added Improvements

- SunSpec certified technology for cost-effective module-level shutdown
- Advanced AFCI compliant to UL 1699B for arc fault protection

Reduced Labor

- New Installation Assistant with direct access via smartphone minimizes time in the field
- Advanced communication interface with fewer components creates 50% faster setup and commissioning

Optimized Power Production

- ShadeFix, SMA's proprietary shade management solution, produces more power than alternatives
- Reduced component count provides maximum system reliability

Trouble-Free Service

- SMA Service Mobile App provides simplified, expedited field service
- Equipped with SMA Smart Connected, a proactive service solution that is integrated into Sunny Portal

SUNNY BOY 3.0-US / 3.8-US / 5.0-US / 6.0-US / 7.0-US / 7.7-US

Power with a purpose

The residential PV market is changing rapidly. Your bottom line matters more than ever—so we've designed a superior residential solution to help you decrease costs at every stage of your business operations. The Sunny Boy 3.0-US/3.8-US/5.0-US/6.0-US/7.0-US/7.7-US join the SMA lineup of field-proven solar technology backed by the world's #1 service team. This improved residential solution features ShadeFix, SMA's proprietary technology that optimizes system performance. ShadeFix also provides superior power production with a reduced component count versus competitors, which provides maximum reliability. No other optimized solution generates more power or is as easy as systems featuring SMA ShadeFix and SunSpec certified devices. Finally, SMA Smart Connected will automatically detect errors and initiate the repair and replacement process so that installers can reduce service calls and save time and money.

[www.SMA-America.com](http://www.SMA-America.com)

Technical data	Sunny Boy 6.0-US		Sunny Boy 7.0-US		Sunny Boy 7.7-US	
	208 V	240 V	208 V	240 V	208 V	240 V
Input (DC)						
Max. PV power	9600 Wp		11200 Wp		12320 Wp	
Max. DC Voltage			600 V			
Rated MPP Voltage range	220 – 480 V		245 - 480 V		270 - 480 V	
MPPT operating voltage range			100 – 550 V			
Min. DC voltage / start voltage			100 V / 125 V			
Max. operating input current per MPPT			10 A			
Max. short circuit current per MPPT			18 A			
Number of MPPT tracker / string per MPPT tracker			3 / 1			
Output (AC)						
AC nominal power	5200 W	6000 W	6660 W	7000 W	6660 W	7680 W
Max. AC apparent power	5200 VA	6000 VA	6660 VA	7000 VA	6660 VA	7680 VA
Nominal voltage / adjustable	208 V / ●	240 V / ●	208 V / ●	240 V / ●	208 V / ●	240 V / ●
AC voltage range	183 - 229 V	211 - 264 V	183 – 229 V	211 – 264 V	183 - 229 V	211 - 264 V
AC grid frequency	60 Hz / 50 Hz					
Max. output current	25.0 A	25.0 A	32.0 A	29.2 A	32.0 A	32.0 A
Power factor (cos φ) / harmonics	1 / < 4 %					
Output phases / line connections	1 / 2					
Efficiency						
Max. efficiency	97.3 %	97.7 %	97.3 %	97.9 %	97.3 %	97.5 %
CEC efficiency	96.5 %	97.0 %	96.5 %	97.0 %	96.5 %	97.0 %
Protection devices						
DC disconnect device / DC reverse polarity protection	● / ●					
Ground fault monitoring / Grid monitoring	●					
AC short circuit protection	●					
All-pole sensitive residual current monitoring unit (RCMU)	●					
Arc fault circuit interrupter (AFCI)	●					
Protection class / overvoltage category	I / IV					
General data						
Dimensions (W / H / D) in mm (in)	535 x 730 x 198 (21.1 x 28.5 x 7.8)					
Packaging Dimensions (W / H / D) in mm (in)	600 x 800 x 300 (23.6 x 31.5 x 11.8)					
Weight / packaging weight	26 kg (57 lb) / 30 kg (66 lb)					
Temperature range: operating / non-operating	-25°C ...+60°C / -40°C ...+60°C					
Environmental protection rating	NEMA 3R					
Noise emission (typical)	39 dB[A]		45 dB[A]			
Internal power consumption at night	< 5 W					
Topology / cooling concept	transformerless / convection		transformerless / fan			
Features						
Ethernet ports	2					
Secure Power Supply	●*					
Display (2 x 16 characters)	●					
2.4 GHz WLAN / External WLAN antenna	●/○					
ShadeFix technology for string level optimization	●					
Cellular (4G / 3G) / Revenue Grade Meter	○/○**					
Warranty: 10 / 15 / 20 years ***	●/○/○					
Certificates and approvals	UL 1741, UL 1741 SA incl. CA Rule 21 RSD, UL 1998, UL 1699B Ed. 1, IEEE1547, FCC Part 15 (Class A & B), CAN/CSA V22.2 107.1-1, HECO Rule 1.4H, PV Rapid Shutdown System Equipment					
● Standard features   ○ Optional features   – Not available						
NOTE: US inverters ship with gray lids.   Data at nominal conditions   * Not compatible with SunSpec shutdown devices   **Standard in SBX.X-1TP-US-41						
Type designation	SB6.0-1SP-US-41 / SB6.0-1TP-US-41		SB7.0-1SP-US-41 / SB7.0-1TP-US-41		SB7.7-1SP-US-41 / SB7.7-1TP-US-41	

POWER+ SOLUTION

The SMA Power+ Solution combines legendary SMA inverter performance and SunSpec certified shutdown devices in one cost-effective, comprehensive package. In addition, SMA ShadeFix technology optimizes power production and provides greater reliability than alternatives.

This rapid shutdown solution fulfills UL 1741, NEC 2014, and NEC 2017 requirements and is certified to the power line-based SunSpec Rapid Shutdown communication signal over DC wires, making it the most simple and cost-effective rapid shutdown solution on the market.

Visit [www.SMA-America.com](http://www.SMA-America.com) for more information.



SYSTEM INFORMATION

DC SYSTEM SIZE: 48000W  
AC SYSTEM SIZE: 38400W  
MODULES:  
(120)JINKO SOLAR JKM400M-72HL-V  
INVERTER:  
(5)SMA SUNNY BOY SB7.7-1TP-US-41(240V,1PH)

ENGINEER OF RECORD



10361 JAMESTOWN ST NE BLAINE, MN 55449  
763-450-9763  
LIC:ELEC#EA006457  
LIC:GEN#BC638279

CUSTOMER INFORMATION

NAME&ADDRESS:  
JEFF CUNNINGHAM  
9226 US-12, DELANO, MN 55328

45°02'11.7"N 93°45'31.9"W

AHJ:MN-COUNTY HENNEPIN

UTILITY:WRIGHT HENNEPIN COOP ELECTRIC ASSOCIATION

PROJECT NUMBER:CCEN-001549

INVERTER SPECSHEET

DESIGNER/CHECKED BY:

PR/RR

SCALE:AS NOTED      PAPER SIZE:17"x11"

DATE:11/18/20      REV:A      PV-6.1





APALTERNATIVES.COM  
WHERE INNOVATION MEETS AUTOMATION

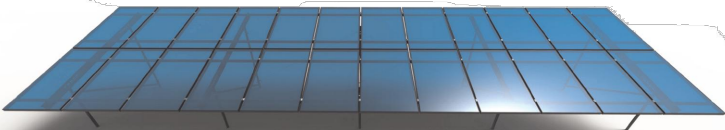


**AUTOMATED  
INSTALLATION**

With our fully automated, military grade GPS guided dual anchor driver we are able to drastically reduce project installation times. Our specialized equipment drives two helical anchors (front & rear) in the ground simultaneously, every 45 seconds. The GPS system allows for precision placement and accurate driving depth, taking project quality to the next level.

**VERSATILITY AND  
ADAPTABILITY**

As projects progress, module shortages and layout changes can mean substantial and costly re-engineering. The Ready Rack system allows for quick and effortless changes, thanks to it's ability to work with all modules, layouts, terrain, and soil types. Our racking allows you to roll with the punches and sleep easy, knowing you have one of the most versatile racks on the market, without breaking the bank.



20-345 COUNTY ROAD X P.O. BOX 326 RIDGEVILLE CORNERS, OH 43555

**READYRACK**

The **Ready Rack** racking system has been deployed across the US and used on large utility scale projects and small commercial projects. But, with age comes experience, so we've redesigned and added some features we know you'll love. The hardware design is a simple configuration that allows contractors to install at lightning fast speed with integrated adjustable features for challenging sites. Helical anchors and quick-install bracing make this simple system extremely robust. Carefully engineered, strong, and lightweight cee channels are highly configurable while allowing nearly infinite configurations and reduced part counts. Horizontal strut channel is customized to meet our high standards of strength and longevity and allows you to fill every inch of valuable space.

419.267.5280 SALES@APALTERNATIVES.COM

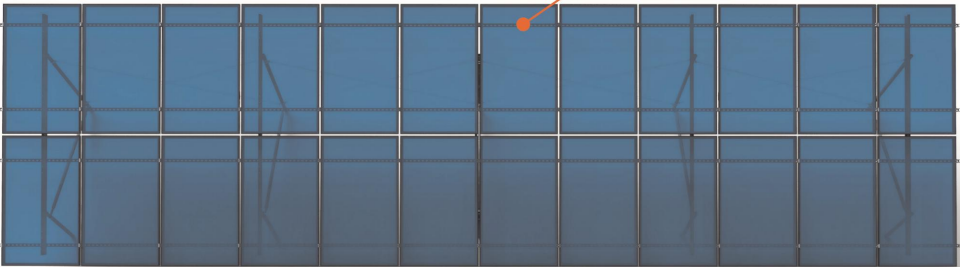
**WHAT MAKES THE *READYRACK* SYSTEM SO SPECIAL?**

**FULLY CUSTOMIZABLE ROW LENGTHS**

How do you fit more content while increasing production and reducing costs? Fill up every inch of space by creating rows as long or as short as you need.

**VERSATILE DESIGN**

We can design your rack to fit any panel and in any space and configuration. This can all be done on the fly, thanks to highly adaptable components.



**REDUCED PANEL SPACING**

Every inch saved between panels means more panels will fit in the same area. High density means high profits.



**INCREASED ANCHOR SPACING**

Longer spans means less parts, faster installation, and more money in your pocket.

**HIGH GROUND CLEARANCE**

Whether your project needs clearance for snow or room for maintenance, our highly adjustable anchors have got you covered.



**INSTALLER FRIENDLY**

Sleek and strong, our super cee channel accommodates varying posts heights and spans, tilts, and adjustments in the field, making our rack an installer's dream.

**HIGH STRENGTH PARTS**

Engineered for the toughest northern winters and the harshest southern hurricanes, our racks will still be standing long after everything else.

**Racking Material:** High Strength Steel  
**Corrosion Resistance:** G90 Galvanized. Higher coating as required.  
**Snow Load:** Opsf to 35psf (higher load options available)  
**Wind Load:** Up to 150mph  
**Tilt Angle:** Customer Specified (5-30 Degrees)  
**Anchor Depth:** Design based on soil type and frost line. Testing performed by APA  
**Building Code Compliant:** IBC 2012  
**PE Stamped Drawings:** APA drawings can be PE stamped for all 50 states and territories.



419.267.5280 // SALES@APALTERNATIVES.COM



**RVR**  
ENGINEERING

**SYSTEM INFORMATION**

DC SYSTEM SIZE: 48000W  
AC SYSTEM SIZE: 38400W  
MODULES:  
(120)JINKO SOLAR JKM400M-72HL-V  
INVERTER:  
(5)SMA SUNNY BOY SB7.7-1TP-US-41(240V,1PH)

**ENGINEER OF RECORD**



10361 JAMESTOWN ST NE BLAINE, MN 55449  
763-450-9763  
LIC:ELEC#EA006457  
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**CUSTOMER INFORMATION**

NAME&ADDRESS:  
JEFF CUNNINGHAM  
9226 US-12, DELANO, MN 55328

45°02'11.7"N 93°45'31.9"W

AHJ:MN-COUNTY HENNEPIN

UTILITY:WRIGHT HENNEPIN COOP ELECTRIC ASSOCIATION

PROJECT NUMBER:CCEN-001549

**GROUND MOUNT SPECSHEET**

DESIGNER/CHECKED BY:

PR/RR

SCALE:AS NOTED

PAPER SIZE:17"x11"

DATE:11/18/20

REV:A

PV-6.2



## City of Independence

### **Request for a Minor Subdivision to Allow a Lot Combination for the Property located at 4024 and 4084 Lake Sarah Drive South**

---

<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	February 16, 2021
<i>Applicants:</i>	Andrew Toumisto
<i>Owners:</i>	Andrew Toumisto
<i>Location:</i>	4024 and 4084 Lake Sarah Drive South

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

Andrew Toumisto (Applicant/Owner) requests that the City consider the following action for the properties located at 4024 and 4084 Lake Sarah Drive South (PID No.s 02-118-24-43-0004 and 02-118-24-43-0005) in Independence, MN:

- a. A minor subdivision to permit a lot combination which would combine the two subject properties into one property.

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

The subject property is located along the east side of Lake Sarah Drive South and just north of CSAH 11. The applicant constructed a home located on the 4084 Lake Sarah Drive South parcel and recently acquired the vacant 4024 Lake Sarah Drive South parcel. There is an existing home located on the 4084 parcel and a detached accessory structure located on the 4024 parcel. The properties are heavily wooded with wetlands on the eastern side. The property has the following site characteristics:

#### **Property Information: 4024 and 4084 Lake Sarah Drive South**

Zoning: *Rural Residential*

Comprehensive Plan: *Rural Residential*

Acreage (Before): *Lot 1 – 7.31 acres*

*Lot 2 – 5.21 acres*

Acreage (After): *12.51 acres*





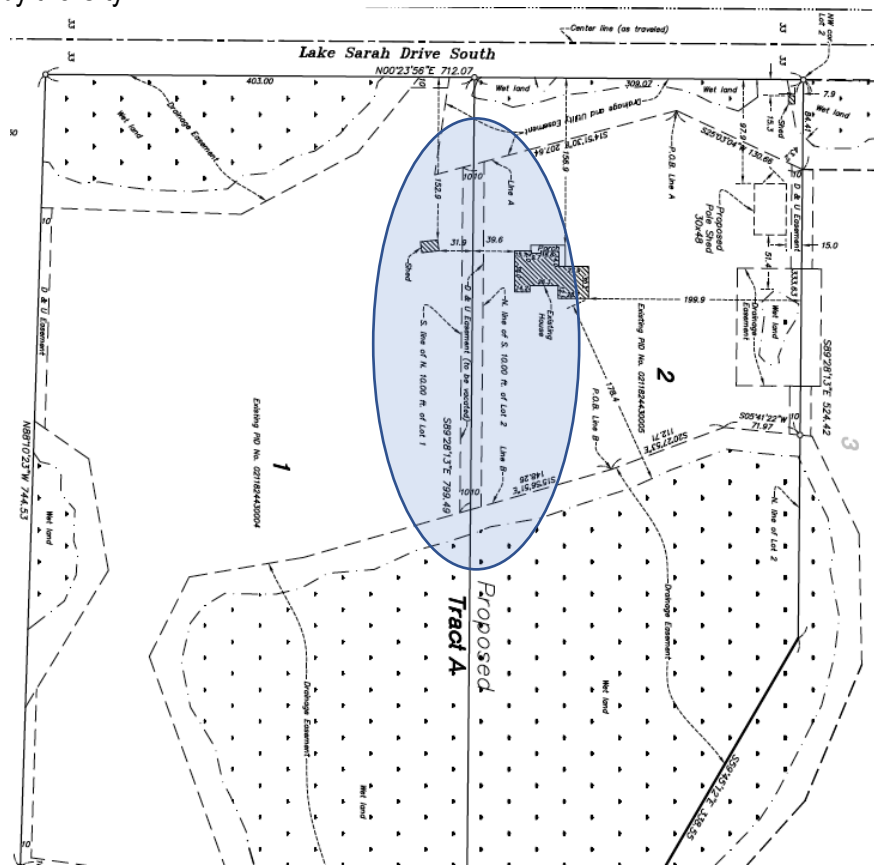
**Discussion:**

In 2015 the previous owner of this parcel subdivided the original property into 5 (5) buildable lots known as HENDLEY ADDITION. There were three lots created on Lake Sarah Drive South and two lots created on CSAH 11. The applicant initially purchased 4084 Lake Sarah Drive South (north parcel) and constructed a home on the property. The applicant recently acquired 4024 Lake Sarah Drive South. Following acquisition of the property, he located a small, detached shed on the north side of the property not knowing that it was not permitted without a principal structure. The City notified the applicant that the shed was not permitted and discussed possible solutions which included combining the two properties into one property. The applicant would like to combine the properties back into one (1) lot for the purpose of using the entire property as one property.



There are several aspects of this property that should be noted by the City during consideration of the application:

1. The properties are heavily wooded and have a large wetland on the east side.
2. The existing shed is considered an illegal structure and will have to be removed if the lot combination is not approved. If approved, the detached accessory shed would be permitted and would meet applicable setbacks.
3. Based on the current zoning and combined lot size, this property could be subdivided again in the future. The minimum lot size in the RR-Rural Residential zoning district required in order for subdivision to be considered is 7.6 acres. The current standard would allow a maximum of two lots for properties less than 12.6 acres (this property will be 12.51 acres combined).
4. The existing home and accessory buildings will meet all requisite setbacks in the after condition.
5. The applicant is proposing to dedicate the new and amended 10' drainage and utility easements as shown on the proposed plan. The City will consider vacating a portion of the drainage and utility easement that is located along the east/west property line to be removed (see below). The applicant shall execute the necessary documents to clean up any easements as determined necessary by the City.





The proposed subdivision to allow a lot combination appears to meet all applicable standards of the City's zoning and subdivision ordinance. The combined lot will fit into the surrounding area and should have minimal impacts on 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 the requested minor subdivision with the following findings:

1. The proposed minor subdivision to allow a lot combination 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 pay for all costs associated with the City's review of the requested minor subdivision.
3. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
4. The Applicant shall execute and record the requisite drainage and utility easements with the county within six (6) months of approval.

***Attachments:***

1. Application
2. Original Plat
3. Survey





**CITY OF  
INDEPENDENCE  
MINNESOTA**

**Applicant Information**

Name: Andrew Tuomisto  
Address: 4084 S Lake Sarah Dr  
Independence, Minnesota 55359  
Primary Phone: 7632765900  
Email: DREWTUOMISTO@GMAIL.COM

**Owner Information**

Name: Andrew Tuomisto  
Address: 4084 S Lake Sarah Dr  
Independence, Minnesota  
Primary Phone: 7632765900  
Email: DREWTUOMISTO@GMAIL.COM

Property Address:

PID:

Planning Application Type: Comprehensive Plan Amendment

Description:

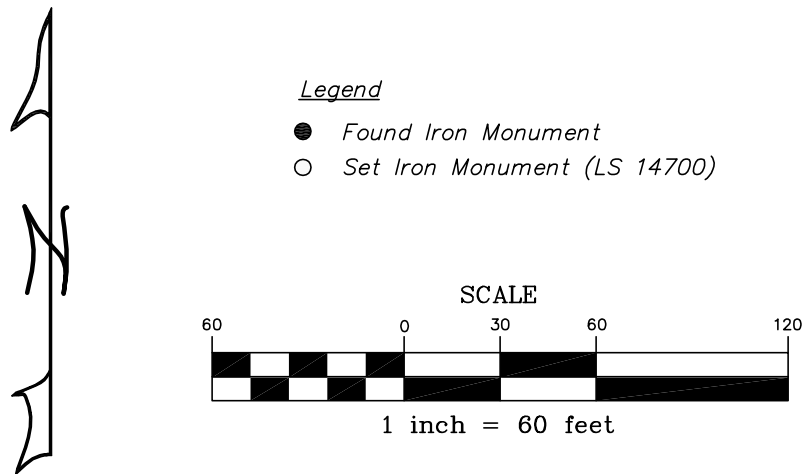
Supporting Documents: Site Survey (Existing Conditions)

Signature:



Certificate of Survey

Prepared for:  
Andrew Tuomisto



PID No.: 0211824430005

Site Address:  
4084 Lake Sarah Dr S  
Independence, MN 55359

Boundary Description (supplied by client):  
Lot 2, Block 1, HENDLEY ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

PID No.: 0211824430004

Site Address:  
4024 Lake Sarah Dr S  
Independence, MN 55359

Boundary Description (supplied by client):  
Lot 1, Block 1, HENDLEY ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

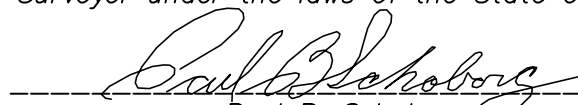
Proposed Tract A  
Lots 1 and 2, Block 1, HENDLEY ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

Drainage & Utility Easement to be Vacated:  
That part of the North 10.00 feet of Lot 1 and the South 10.00 feet of Lot 2, Block 1, HENDLEY ADDITION, Hennepin County, Minnesota, lying easterly of a line hereinafter described as Line A and westerly of a line hereinafter described as Line B.

Line A is described as follows:  
Commencing at the northwest corner of said Lot 2; thence on an assumed bearing of South 89 degrees 28 minutes 13 seconds East along the north line of said Lot 2 a distance of 84.41 feet; thence South 25 degrees 03 minutes 04 seconds West a distance of 130.66 feet to the point of beginning of said Line A; thence South 14 degrees 51 minutes 30 seconds East a distance of 207.64 feet to the the south line of the North 10.00 feet of said Lot 1 and said line there terminating.

Line B is described as follows:  
Commencing at the northwest corner of said Lot 2; thence on an assumed bearing of South 89 degrees 28 minutes 13 seconds East along the north line of said Lot 2 a distance of 333.63 feet; thence South 5 degrees 41 minutes 22 seconds West a distance of 71.97 feet; thence South 20 degrees 27 minutes 53 seconds East a distance of 112.71 feet to the point of beginning of said Line B; thence South 15 degrees 56 minutes 51 seconds East a distance of 148.26 feet to the the south line of the North 10.00 feet of said Lot 1 and said line there terminating.

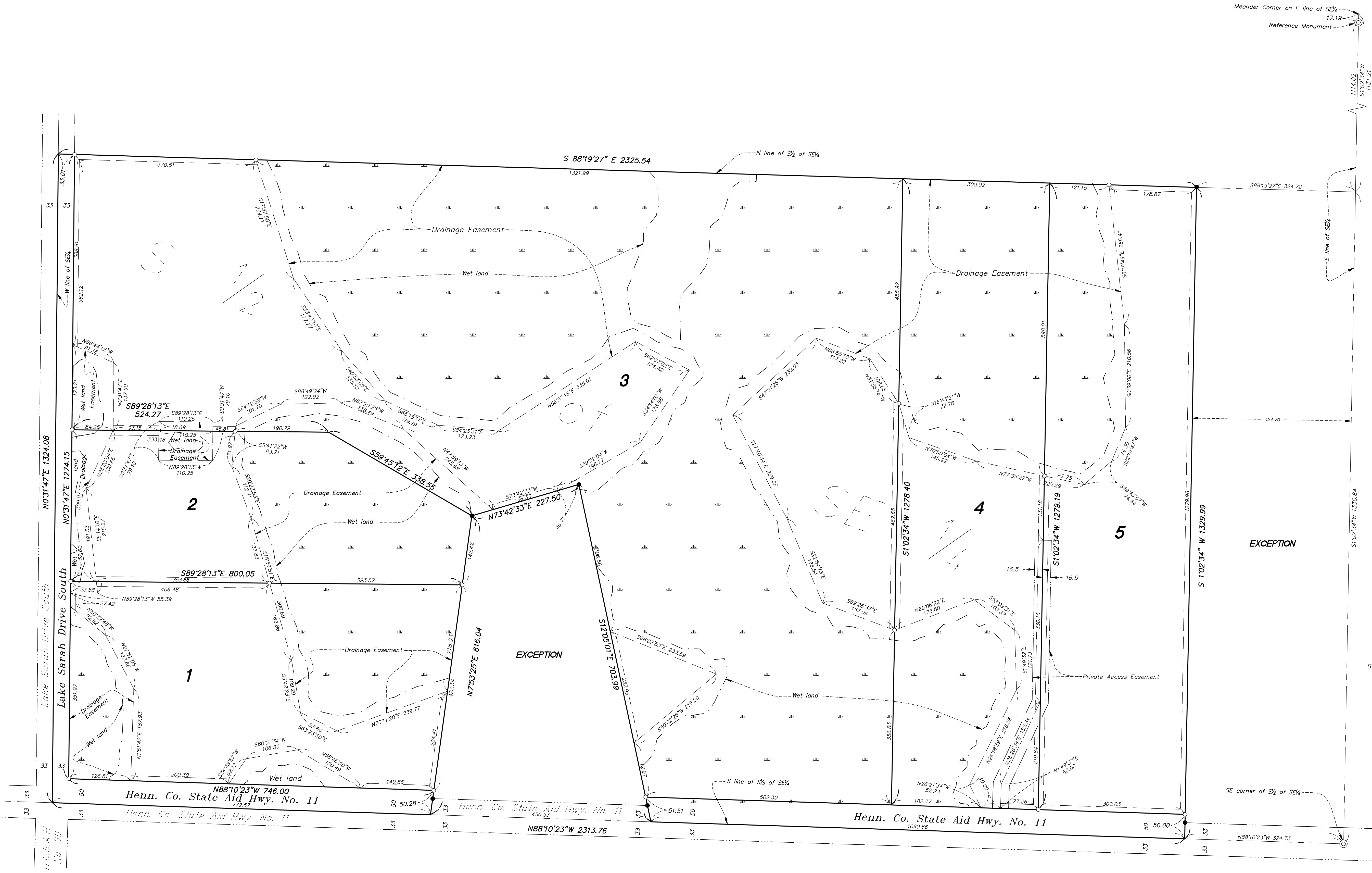
Bearings based on plat of HENDLEY ADDITION.

<b>SCHOBORG</b> <b>LAND SERVICES</b> <b>INC.</b>	Job Number:	8471
	Book/Page:	LL
	Survey Date:	1/19/21
	Drawing Name:	tuomisto.dwg
	Drawn by:	DMS
	Revisions:	1/27/21 (vacate easement)
		1/28/21 (prop. pole shed dimensions)
I hereby certify that this certificate of survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.		
 Paul B. Schoborg		
Date:	January 28, 2020	Registration No. 14700

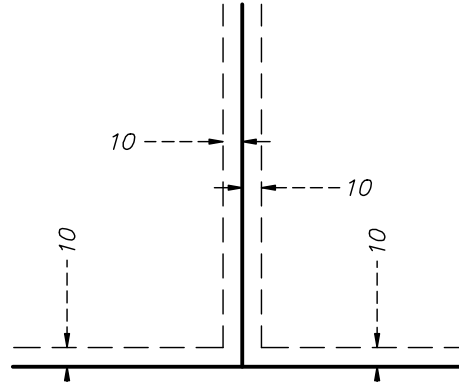


HENDLEY ADDITION

C.R. DOC. NO.

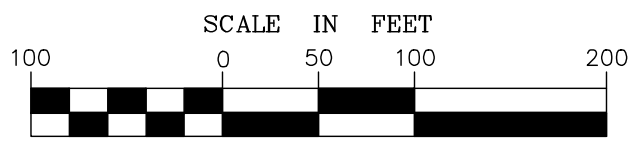


- Legend
- Denotes monument found 1/2 inch iron pipe, unless otherwise shown.
  - Denotes 1/2 inch by 14 inch iron monument set and marked by L.S. No. 14700.
  - ⊙ Cast Iron Monument



Drainage and Utility Easements being 10 feet in width and adjoining right of way lines, and being 10 feet in width and adjoining lot lines, unless otherwise indicated.

Bearings based on Hennepin County coordinates.



SCHOBORG  
LAND SERVICES  
INC.