



CITY COUNCIL MEETING AGENDA
TUESDAY AUGUST 4, 2026

CITY COUNCIL MEETING TIME: 4:30 PM *NOTE TIME CHANGE TO 4:30 PM*****

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 21, 2026, Regular City Council Meeting.
 - b. Approval of Accounts Payable; (Batch #1 - Checks No. 24499-24524).
 - c. Assembly Permit:
 - Zurah Shrine Horse Patrol Eveny – October 17th.
5. Reports of Boards and Committees by Council and Staff.
6. Atlantis Pools (“Applicant”) and Christy Cales (“Owner”) requests that the City consider the following action for the property located at 6405 Hillstrom Rd., Independence, MN (PID No. 22-118-24-14-0004):
 - a. **RESOLUTION No. 26-0804-01** – Considering approval of a variance from the requisite structure setback from the OHWL of Pioneer Creek to allow the construction of a swimming pool that does not meet the applicable setback.
7. Dennis Hagen (“Applicant/Owner”) requests that the City consider the following action for the properties located at 6345 and 6385 Main St., Independence, MN (PID No.s 26-118-24-22-0007 and 26-118-24-22-0005):
 - a. **RESOLUTION No. 26-0804-02** – Considering approval of a minor subdivision to allow a lot combination of the two (2) existing properties into a single property. The combination would create a one (1) lot that is 7.32 acres.
8. Paul Ridgeway (Applicant/Owner) requests that the City consider the following action for the property located at 5885 County Road 11, Independence, MN (PID No. 11-118-24-12-0008):
 - a. **RESOLUTION No. 26-0804-03** – Considering denial of a variance to allow a detached accessory building that exceeds the allowable square footage (1,850 SF) for the subject property. The applicant is proposing to construct a new approximately 3,000 SF private detached accessory structure on the property. The property size is approximately 9 acres; however, only 2 acres are buildable upland. The buildable upland is used to determine allowable detached accessory structure square footage.

9. Consider Approval of the 2026 Gravel Road Reconstruction Project:

- a. **RESOLUTION No. 26-0804-05** - Awarding the 2026 Gravel Road Reconstruction Project to the Lowest Bidder (New Look Contracting, Inc).

10. Open/Misc.

11. Adjourn.



CITY COUNCIL MEETING MINUTES
TUESDAY JULY 21, 2026

CITY COUNCIL MEETING TIME: 6:30 PM

1. CALL TO ORDER

Mayor Brad Spencer called the meeting to order on Tuesday, July 21, 2026, at 6:30 PM

2. PLEDGE OF ALLEGIANCE

Mayor Spencer led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Spencer, Fisher, McCoy, Betts, Grotting

ABSENT: None

STAFF: Administrator Kaltsas, Public Works Director Lehman, WHPS Chief
DuRose

VISITORS: Andy Grice (City Auditor)

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

- a. Approval of City Council Minutes from the June 7, Regular City Council Meeting.
- b. Approval of Accounts Payable; (Batch #1 - Checks No. 24470-24498).

Motion by Betts, seconded by Fisher to approve the consent agenda. Ayes: Spencer, Fisher, McCoy, Betts, Grotting. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0

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

Council member Betts Attended the following meeting:

- None

Council member McCoy Attended the following meeting:

- Ceremony at the State Capitol – Independence Resident received a civics award

McCoy noted this is the first year the award had been given with 22 high school students across MN being recognized for their involvement in civics-related activities, including participation in supreme court programs.

Council member Grotting Attended the following meeting:

- Planning Commission

Mayor Spencer Attended the following meeting:

- Cops and Bobbers
- Lakeshore Association's summer potluck meeting
- Serving as watershed representative in place of Joe Baker for 2nd consecutive month

Mark Kaltsas Attended the following meeting:

- None

6. West Hennepin Public Safety – Director Matthew DuRose: Presentation of the June 2026 Activity Reports.

City Administrator Kaltsas presented the June 2026 activity report on behalf of West Hennepin Public Safety in Director DuRose's absence, noting there was nothing particularly remarkable within the report itself.

The Administrator highlighted several noteworthy recent activities outside of the report. He described the inaugural Cops and Bobbers fishing event held on July 8th on Independence's lake, which brought together 13 local children from Maple Plain and Independence, accompanied by police officers and community members on four boats. Despite early morning weather concerns, the event was deemed a success—the supply of bait was exhausted, which the Administrator characterized as a positive sign and a lesson learned for future planning. Public recognition was extended to several partners who made the event possible, including the Minnesota Chiefs of Police Foundation, which provided a \$50,000 grant covering nearly all costs and enabling the purchase of equipment and supplies for future years, the Independence Citizens Association and its boat captain volunteers, the DNR conservation officers who provided assistance and equipment, and Iron Exchange, which catered lunch for the event. The Administrator noted that the grant funding also allowed the purchase of tackle and t-shirts anticipated to last multiple years.

The Mayor and Councilmember McCoy both offered praise for the event; Councilmember McCoy noted that his grandson had attended and was all smiles despite not catching any fish.

The Administrator also announced that Night to Unite is scheduled for Tuesday, August 4th, with 8 to 9 registrations received to date between Maple Plain and Independence, and encouraged any remaining households to submit registration forms.

7. Presentation of the 2025 Financial Audit.

- a. 2025 Financial Audit
- b. 2025 Audit Presentation

City Administrator Kaltsas introduced Andy Grice of the city's auditing firm to present the 2025 Financial Audit, noting that the presentation was slightly later than usual due to a delay in finalizing the Maple Plain Fire Relief Association's audit. An extension was obtained from the Office of the State Auditor (OSA), and the submittal remains within the approved timeline.

Auditor Grice presented the audit findings. He confirmed that the city received an unmodified opinion on its financial statements—the highest level of assurance an auditor can provide—indicating that the financial statements present fairly, in all material respects, the financial position of the city at year-end.

Regarding internal controls, Auditor Grice reported no findings rising to the level of a significant deficiency or material weakness. A lower-level deficiency related to segregation of accounting duties was noted, reflecting the reality that in a small municipality, certain individuals necessarily perform overlapping accounting functions. The city has implemented mitigating and compensating controls to address this, which is why the finding remains at the lowest possible level. The Minnesota Legal Compliance report contained no findings.

On the financial analysis, Auditor Grice highlighted the following key points:

General Fund Revenues increased approximately 4 percent (approximately \$187,000) in 2025, driven primarily by a \$250,000 increase in property tax levy revenues and a \$133,000 increase in building permit revenue, which reached its highest point in five years at \$543,000. These gains were partially offset by decreases in intergovernmental revenue and miscellaneous revenue.

Budget to Actual: The adopted budget projected \$4.3 million in revenues and \$4.2 million in expenditures with no anticipated change in fund balance. Revenues exceeded the budget by approximately \$260,000 (6 percent), largely due to stronger-than-anticipated license and permit activity. On the expenditure side, results were essentially on budget overall, with public works coming in approximately \$310,000 under budget due to lower maintenance needs, offset by capital outlay exceeding the budget by approximately \$209,000 due to a dump truck purchase. A resulting increase in transfers out to other funds led to a net decline in fund balance of approximately \$21,000.

Fund Balance: The city's unassigned fund balance stands at 44 percent of the subsequent year's budgeted expenditures, within the city's adopted policy range of 40 to 50 percent.

Sewer (Enterprise) Fund: The fund recorded an operating loss of \$123,000 in 2025, which includes non-cash depreciation expense. Excluding depreciation, the fund was essentially at breakeven, with a deficit of approximately \$1,300. The unrestricted net position of the fund has declined since 2022 to \$653,000 at year-end 2025. City Administrator Kaltsas noted that a full rate study and capital improvement plan for the sewer fund is underway and will be incorporated into the upcoming budgeting process to address the fund's long-term sustainability.

Councilmember Grotting acknowledged the city's progress in addressing prior communication-related findings. The Administrator also noted that a correction was made to the bound copies of the audit regarding the listed terms of council members, as flagged by Councilmember Betts.

Motion by Grotting, seconded by Betts to accept the 2025 Financial Audit. Ayes: Spencer, Fisher, McCoy, Betts, Grotting. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0

8. **(PUBLIC HEARING)** The City Council will consider the following action:

- a. **Resolution No. 26-0721-01:** Considering vacation of the drainage and utility easements associated with a previous wetland delineation and conveyance of new drainage and utility easements based on an updated wetland delineation and buffer for the property located 6231 County Road 11 (PID No. 11-118-24-22-0007).

City Administrator Kaltsas presented the request for easement vacation at the property located at 6231 County Road 11. He explained that the property was recently purchased and an updated wetland delineation was performed. Because wetland delineations have a limited validity period, the boundaries and buffers had shifted since the original delineation was completed at the time of subdivision. As a result, the previously established drainage and utility easements no longer accurately reflect the current wetland boundaries.

The applicant is requesting that the city vacate the existing drainage and utility easements tied to the prior delineation and accept newly drawn easements that reflect the updated wetland boundaries and required buffers. The property contains two large wetland complexes, and the updated delineation also identified a smaller wetland area on the west side of one of the complexes that had not been captured in the prior delineation. The Administrator noted that modern practice is to more precisely align drainage and utility easements with specific buffer boundaries, rather than using generalized or oversized easements, making this type of cleanup appropriate when delineations are updated.

The Mayor opened the public hearing. No members of the public came forward to comment.

Motion to close the public hearing was made by Councilmember McCoy and seconded by Councilmember Betts. Ayes: Spencer, Fisher, McCoy, Betts, Grotting. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0

Motion to approve Resolution No. 26-0721-01, vacating the existing drainage and utility easements and accepting the new drainage and utility easements for the property at 6231 County Road 11 (PID No. 11-118-24-22-0007), was made by Councilmember McCoy and seconded by Councilmember Grotting. Ayes: Spencer, Fisher, McCoy, Betts, Grotting. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0

9. Open/Misc. (Discuss August 4th City Council Meeting Time).

The Council discussed the start time for the August 4th City Council Meeting, which coincides with the Night to Unite community event. City Administrator Kaltsas noted that the meeting is anticipated to carry a large number of planning commission items and had previously been set to begin at 5:00 PM. After brief discussion, the Council agreed to move the start time to 4:30 PM to allow sufficient time to work through the agenda and for Council members to attend Night to Unite. It was noted that the change would be formally noticed and communicated to applicants appearing before the Council that evening.

Motion to set the August 4th City Council Meeting start time to 4:30 PM was made by the Mayor and seconded by Councilmember Betts. Ayes: Spencer, Fisher, McCoy, Betts, Grotting. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0

10. Adjourn.

Motion by McCoy, seconded by Fisher to adjourn the meeting at 6:56PM. Ayes: Spencer, Fisher, McCoy, Betts. Nays: None. Absent: Grotting. Abstain: None. Motion Approved. 5-0



TICKETS
\$20

SHRINE HORSEMEN

BARN BASH

— ★ 6-11PM ★ —

SATURDAY, OCTOBER 17, 2026

BEER ★ BANDS ★ FOOD

**TRAILER
TRASH**

ANDREW ARASHIBA
& THE ROUGH ASHLARS

Off the Clock

BYM
Bring Your Mom

★★ 4505 COUNTY ROAD 92 NORTH MAPLE PLAIN, MINNESOTA • USA ★★





CITY OF INDEPENDENCE

City Council

CITY COUNCIL STAFF REPORT

6405 Hillstrom Road - Variance Request

Shoreland (OHWL) Structure Setback Variance • Swimming Pool Construction

To:	Mayor and City Council
From:	City Planner
CC:	City Administrator
Meeting Date:	Tuesday, August 4, 2026
Applicant:	Atlantis Pools
Owner:	Christy Cales
Location:	6405 Hillstrom Road, Independence, MN
PID No.:	22-118-24-14-0004
Application Type:	Variance from Ordinary High-Water Level (OHWL) Structure Setback for Swimming Pool

Atlantis Pools (“Applicant”), on behalf of Christy Cales (“Owner”), has requested City Council approval of a variance from the required 100-foot structure setback from the Ordinary High-Water Level (OHWL) of Pioneer Creek to allow construction of an in-ground swimming pool at 6405 Hillstrom Road. The Planning Commission held a duly noticed public hearing on this request on July 21, 2026, and recommends approval subject to the findings and conditions described below.

REQUEST

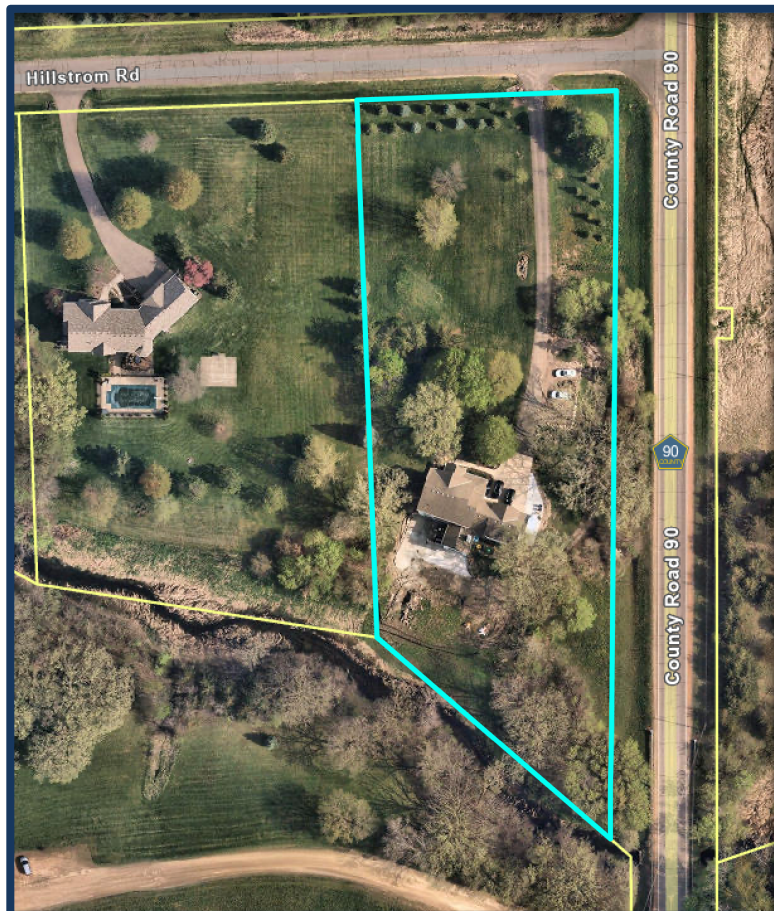
Atlantis Pools (Applicant), on behalf of Christy Cales (Owner), requests that the City consider the following action for the property located at 6405 Hillstrom Road, Independence, MN (PID No. 22-118-24-14-0004):

- a. A variance from the requisite structure setback from the Ordinary High-Water Level (OHWL) of Pioneer Creek to allow the construction of a swimming pool that does not meet the applicable setback. The proposed swimming pool would be located approximately 82 feet from the OHWL, resulting in a requested variance of 18 feet from the required 100-foot shoreland setback.

PROPERTY / SITE INFORMATION

Property Location:	6405 Hillstrom Road, Independence, MN
PID No.:	22-118-24-14-0004
Legal Description:	Lot 001, Block 001, Hillstrom Gardens 2nd Addn
Zoning:	Rural Residential (RR) / Shoreland Overlay District
Comprehensive Plan:	Rural Residential
Lot Type:	Corner lot
Required OHWL (Shoreland) Setback:	100 feet from the Ordinary High-Water Level of Pioneer Creek
Existing House Distance to OHWL:	113 feet
Proposed Pool Distance to OHWL:	Approximately 82 feet
Requested Variance:	18 feet from the required 100-foot shoreland setback
Pool Extension from House:	Approximately 31 feet from the rear edge of the existing house
Required Interior Side Yard Setback:	15 feet
Required Corner Side Yard Setback:	52 feet (corner lot)
Front Yard Restriction:	Swimming pools are not permitted within a front yard

6405 Hillstrom Rd.



BACKGROUND & DISCUSSION

The subject property is located adjacent to Pioneer Creek and is subject to the Shoreland Overlay District regulations of the City's Zoning Ordinance. In-ground swimming pools are considered accessory structures under the Zoning Ordinance and are therefore subject to the setback standards applicable to accessory structures, including a 100-foot shoreland (OHWL) setback, a 15-foot interior side yard setback, and, because the subject property is a corner lot, a 52-foot corner side yard setback. Swimming pools are not permitted within a front yard.

The existing principal structure on the property is located approximately 113 feet from the OHWL of Pioneer Creek. The applicant is proposing to construct an in-ground swimming pool approximately 13 feet from the rear edge of the existing house toward the creek, which would place the pool approximately 82 feet from the OHWL. This results in a requested variance of 18 feet from the required 100-foot shoreland setback.

Because the subject property is a corner lot, the area available for siting a swimming pool in compliance with all applicable setbacks is further constrained by the 52-foot corner side yard setback and the prohibition on locating swimming pools within a front yard, in addition to the 100-foot shoreland setback and 15-foot interior side yard setback. These overlapping setback requirements limit the portion of the lot within which a swimming pool could be located in full compliance with the Zoning Ordinance.

VARIANCE CRITERIA ANALYSIS

A variance may be granted by the City Council in cases where the applicant demonstrates practical difficulties in complying with the zoning code. The variance criteria are established in the City's Zoning Ordinance (Section 520.21, Subd. 1) as follows: (1) the variance is in harmony with the general purposes and intent of the 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.

The City's Zoning Ordinance (Section 520.21, Subd. 2) provides that an applicant must demonstrate practical difficulties in complying with the zoning code. Practical difficulties means that: (a) the property owner proposes to use the property in a reasonable manner; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.

1. The variance is in harmony with the general purposes and intent of the zoning code

The purpose of the OHWL shoreland setback is to protect the natural character of Pioneer Creek, preserve riparian vegetation and water quality, and prevent encroachment of structures toward the creek corridor. The requested 18-foot variance represents a reduction from the required 100-foot setback that is generally consistent with similar properties in this area and with the general intent of the shoreland setback ordinance to limit, rather than eliminate, development within the setback area.

2. The variance is consistent with the comprehensive plan

The subject property is guided for Rural Residential use in the City's Comprehensive Plan, consistent with its current zoning designation. The proposed swimming pool is an accessory residential improvement that maintains the existing residential character and use of the property.

3. Practical difficulties exist in complying with the zoning code

The applicant's practical difficulty is directly tied to the configuration of the existing property and its proximity to Pioneer Creek and County Road 90 N. The applicant did not construct the existing principal structure and had no role in establishing its location relative to the OHWL. Because the property is a corner lot subject to overlapping setbacks – a 100-foot shoreland setback, 15-foot interior side yard setback, and 52-foot corner side yard setback, along with the prohibition on swimming pools in front yards, the property owner has limited remaining area in which to locate a swimming pool in full compliance with all applicable setbacks. This circumstance is unique to the property and was not created by the landowner.

4. The proposal represents the minimum variance necessary

The requested variance is limited to 18 feet, the minimum reduction from the 100-foot shoreland setback necessary to accommodate a swimming pool given the constraints imposed by the corner side yard and interior side yard setbacks and the prohibition on front yard placement. The applicant is proposing to locate the pool relatively close to the back of the house so as to minimize the variance requested.

5. The variance will not alter the essential character of the locality

Swimming pools are a common accessory use in the surrounding rural residential neighborhood, and the proposed pool would maintain the existing scale and character of development on the property.

PLANNING COMMISSION PUBLIC HEARING – JULY 21, 2026

The Planning Commission held a public hearing on the requested variance on July 21, 2026. A summary of the discussion follows.

- The neighboring property owner to the west spoke in support of the request and noted that she also has a pool on her property.
- Commissioners asked about whether or not there was an issue relating to possible chlorine be discharged into the creek if the pool was drained. In response to a question regarding chlorine, the pool builder noted that chlorine levels in a residential pool are comparable to those in a city water system, and that pools are almost never fully drained.
- In response to a Commission question regarding whether Pioneer Creek has meandered closer to the house since it was built, staff noted that the creek could have moved closer to the home over time.
- In response to a question regarding when the shoreland ordinance was adopted, staff noted that the ordinance was in place prior to construction of the existing home.
- The Commission discussed the elevation change between the house and the creek, noting that the grade change adds a challenge to locating the pool on the property.

Following discussion, the Commissioners found that the criteria for granting a variance had been satisfied by the applicant, noting that several of the factors establishing the practical difficulty were not created by the applicant. The Commissioners also noted that a swimming pool is a reasonable land use for rural residential properties, that the applicant is minimizing the variance by locating the pool close to the house, and that the City does not allow pools to be located in front yards or corner side yards, which further reduces the area available for siting the pool.

Planning Commission Recommendation

Planning Commissioners recommended approval of the requested variance with the following findings and conditions:

Findings:

- The proposed variance request meets all applicable conditions and restrictions stated in Chapter V, Section 520.19 and

520.21, Zoning, in the City of Independence Zoning Ordinance.

- The practical difficulty arises from the limited buildable area available on the property once the shoreland (OHWL), interior side yard, corner side yard, and front yard setbacks applicable to accessory structures are applied – a condition unique to the property and not created by the applicant.
- The proposed swimming pool does not exceed the minimum variance necessary and is consistent with the existing development pattern on the property and in the surrounding neighborhood.
- The variance is in harmony with the general purposes and intent of the City’s zoning code and Shoreland Overlay District regulations, and is consistent with the City’s Comprehensive Plan.
- The proposed improvements will not alter the essential character of the locality.

Recommended Conditions of Approval:

1. The variance shall permit the proposed swimming pool to be constructed in accordance with the approved plans and survey attached to the application. Any modification, alteration, or expansion of the approved pool beyond what is shown in the approved plans will require additional review and approval by the City.
2. The applicant shall apply for and receive all applicable building and pool permits from the City prior to commencing construction of the proposed swimming pool.
3. The applicant shall provide the City with a detailed grading and drainage plan at the time of building permit submittal, to be reviewed and approved by the City.
4. The proposed swimming pool shall not be further expanded toward Pioneer Creek without additional review and approval by the City.
5. The applicant shall pay for all costs associated with the City’s review of the requested variance.

COUNCIL ACTION

City Council can consider the Planning Commission’s recommendation and, if in agreement, adopt the attached resolution approving a variance of 18 feet from the required 100-foot Ordinary High-Water Level structure setback for the property located at 6405 Hillstrom Road, subject to the findings and conditions set forth above.

Attachments: Resolution No. 26-0804-06
Survey
Pool Plans



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 26-0804-01

**A RESOLUTION APPROVING A VARIANCE FROM THE REQUIRED
SHORELAND (ORDINARY HIGH-WATER LEVEL) STRUCTURE SETBACK
FOR PROPERTY LOCATED AT 6405 HILLSTROM ROAD**

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

WHEREAS, Atlantis Pools (“Applicant”), on behalf of Christy Cales (“Owner”), has requested approval of a variance from the required 100-foot structure setback from the Ordinary High-Water Level (OHWL) of Pioneer Creek for property located at 6405 Hillstrom Road, Independence, Minnesota (PID No. 22-118-24-14-0004), to allow construction of an in-ground swimming pool approximately 82 feet from the OHWL, a variance of 18 feet from the required setback; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the requested variance on July 21, 2026, and reviewed the request against the variance criteria established in Section 520.21 of the City’s Zoning Ordinance; and

WHEREAS, the Planning Commission found that the Applicant’s practical difficulty is due to circumstances unique to the property, including the limited buildable area remaining once the shoreland (OHWL), interior side yard, and corner side yard setbacks and the prohibition on front yard swimming pools are applied, none of which were created by the Applicant; and

WHEREAS, the Planning Commission found that the requested variance represents the minimum variance necessary, that the proposed swimming pool is a reasonable accessory use for a rural residential property, and that the variance will not alter the essential character of the locality; and

WHEREAS, the Planning Commission recommended approval of the requested variance, subject to conditions, at its July 21, 2026, meeting; and

WHEREAS, the City Council has reviewed the recommendation of the Planning Commission and the record of the public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Independence, Minnesota, hereby approves a variance of 18 feet from the required 100-foot Ordinary High-Water Level structure setback for property located at 6405 Hillstrom Road (PID No. 22-118-24-14-0004), to allow construction of an in-ground swimming pool in accordance with the approved plans and survey, subject to the following conditions:

1. The variance shall permit the proposed swimming pool to be constructed in accordance with the approved plans and survey attached to the application. Any modification, alteration, or expansion of the approved pool beyond what is shown in the approved plans will require additional review and approval by the City.
2. The applicant shall apply for and receive all applicable building, and pool permits from the City prior to commencing construction of the proposed swimming pool.
3. The applicant shall provide the City with a detailed grading and drainage plan at the time of building permit submittal, to be reviewed and approved by the City.
4. The proposed swimming pool shall not be further expanded toward Pioneer Creek without additional review and approval by the City.
5. The applicant shall pay for all costs associated with the City's review of the requested variance.

This resolution was adopted by the City Council of the City of Independence on this 4th day of August 2026, by a vote of ____ ayes and ____ nays.

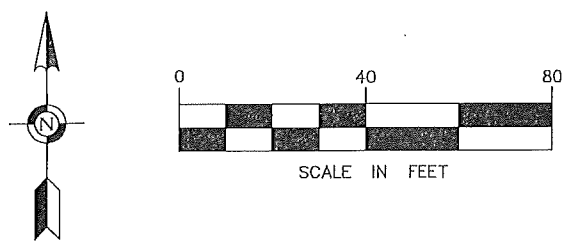
ATTEST:

Brad Spencer, Mayor

Mark Kaltsas, City Administrator

AS-BUILT SURVEY AND SITE PLAN
-for-
ATLANTIS POOLS

Call 48 Hours before digging
GOPHER STATE ONE CALL
Twin Cities Area 651-454-0002
MN. Toll Free 1-800-252-1166



REFERENCE BENCHMARK
ELEVATION = 969.54 (NAVD88)
MNDOT DISK "JAY"

PROJECT BENCHMARK
ELEVATION = 966.22 (NAVD88)
TOP OF 1/2 PIPE MONUMENT @ NE
CORNER OF LOT 1, BLOCK 1
HILLSTROM GARDENS 2ND ADDITION.

LEGAL DESCRIPTION
Lot 1, Block 1, HILLSTROM GARDENS 2ND
ADDITION, Hennepin County, Minnesota,
according to the recorded platthereof.

PROPOSED LEGEND
[Symbol] DENOTES PROPOSED SWIMMING POOL
[Symbol] DENOTES PROPOSED CONCRETE SURFACE

LEGEND
● DENOTES FOUND PROPERTY IRON
○ DENOTES SET 1/2" X 18" REBAR
WITH PLASTIC CAP "PLS 25105"
— DENOTES BOUNDARY LINE
— DENOTES LOT LINE
- - - DENOTES SETBACK LINE
x999.99 DENOTES EXISTING SPOT ELEVATION
[Symbol] DENOTES CONCRETE SURFACE
- 999 - DENOTES EXISTING CONTOUR LINE
FFE DENOTES FINISH FLOOR ELEVATION
[Symbol] DENOTES BITUMINOUS SURFACE
[Symbol] DENOTES DECIDUOUS TREE
[Symbol] DENOTES TREE LINE
[Symbol] DENOTES WATER EDGE
[Symbol] DENOTES BOULDER RETAINING WALL
(M) DENOTES MEASURED DISTANCE
(P) DENOTES PLATTED DISTANCE
← DENOTES DRAINAGE FLOW
- - - DENOTES 100 FT. SETBACK

- NOTES**
1. THE BASIS OF THE BEARING SYSTEM IS ASSUMED.
 2. NO SPECIFIC SOIL INVESTIGATION HAS BEEN COMPLETED
 3. CONTRACTOR SHALL VERIFY PROPOSED ELEVATIONS AND DIMENSIONS.
 4. NO TITLE INFORMATION WAS PROVIDED FOR THIS SURVEY. THIS SURVEY DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD.
 5. EXISTING UTILITIES AND SERVICES SHOWN HEREON OWNER LOCATED EITHER PHYSICALLY ON THE GROUND DURING THE SURVEY OR FROM EXISTING RECORDS MADE AVAILABLE TO US OR BY RESIDENT TESTIMONY. OTHER UTILITIES AND SERVICES MAY BE PRESENT. VERIFICATION AND LOCATION OF UTILITIES AND SERVICES SHOULD BE OBTAIN FROM THE OWNERS OF RESPECTIVE UTILITIES BY CONTACTING GOPHER STATE ONE CALL AT (651) 454-0002 PRIOR TO ANY DESIGN, PLANNING OR EXCAVATION.

NO.	DATE	DESCRIPTION	BY



ENGINEERING DESIGN & SURVEYING
6480 Wayzata Blvd. Minneapolis, MN 55426
OFFICE: (763) 545-2800 FAX: (763) 545-2801
EMAIL: info@edsmn.com WEBSITE: http://edsmn.com

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION,
AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
Vlad Sivriev
VLADIMIR SIVRIEV L.S. NO. 25105 DATED: 06/09/2026

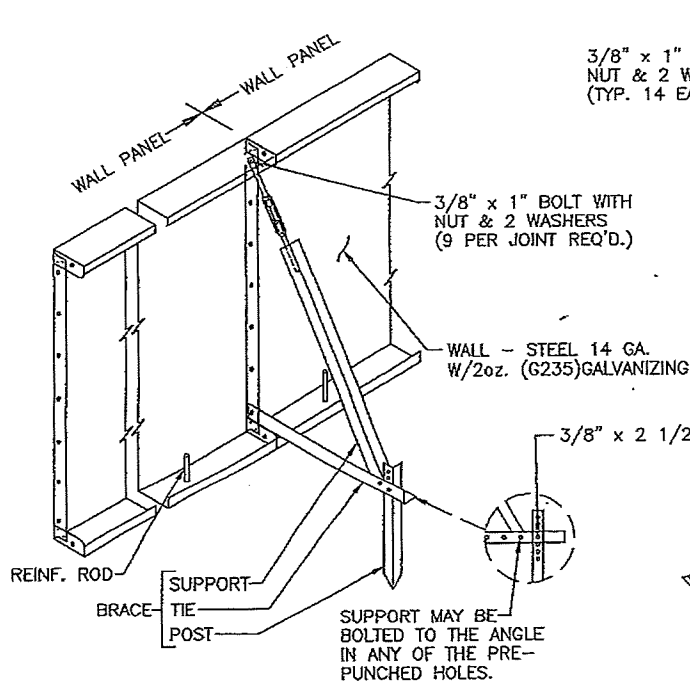
JOB NAME: ATLANTIS POOLS	FIELD WORK DATE: 06/01/2026	DRAWN BY: IS	PROJECT NO.: 26-037
LOCATION: 6405 HILLSTROM ROAD INDEPENDENCE, MN 55359	FIELD BOOK NO.: EDS-15	CHECKED BY: VS	SHEET NO. 1 OF 1



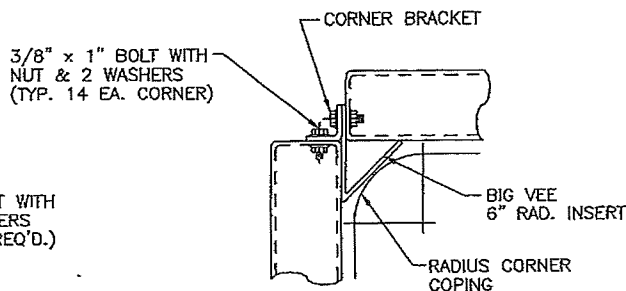
Name: CONSTRUCTION DETAIL SHEET - HUNG LINER STEEL POOL

Number: CONSTDET-STEEL

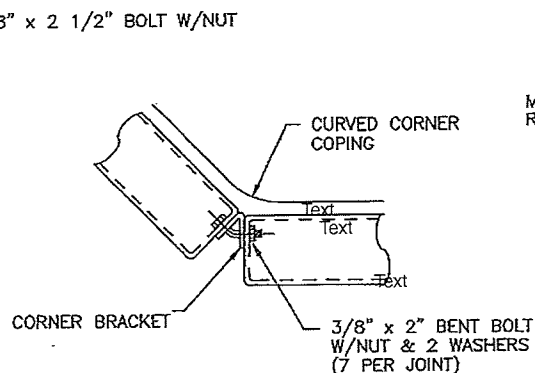
250 Route 61 South, Schuylkill Haven, PA 17972 • 570-385-4733 • fax: 570-385-1318 • CustomerService@CardinalSystemsinc.com



TYPICAL WALL BRACE ASSEMBLY

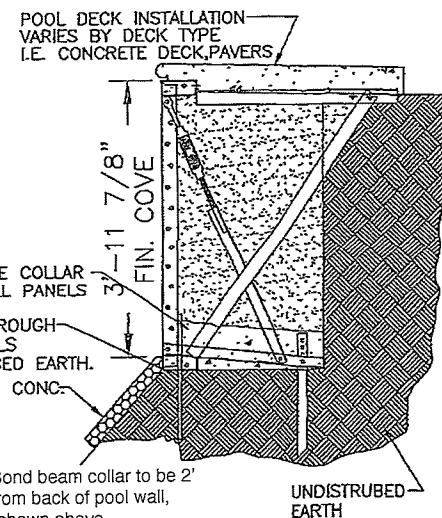


TYPICAL CORNER DETAIL
(RECTANGULAR POOLS)

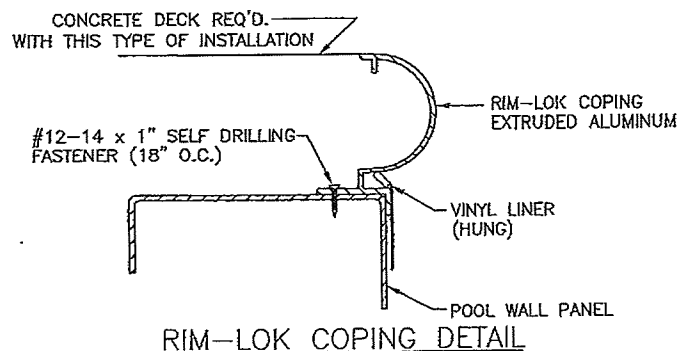


TYPICAL CORNER DETAIL
(GRECIAN POOLS)

THE CONSTRUCTION METHODS ILLUSTRATED APPLY ONLY TO NORMAL GROUND CONDITIONS. IF UNUSUAL SOIL CONDITIONS ARE ENCOUNTERED (I.E. HIGH ORGANIC MATERIAL, HIGH WATER LEVEL) ADDITIONAL MEASURES MUST BE TAKEN TO PROVIDE SUBSURFACE CONDITIONS WITHIN THE STRUCTURAL CAPABILITIES OF THE PANEL. ANY ADDITIONAL PRECAUTIONS OR METHODS OF CONSTRUCTION ARE THE RESPONSIBILITY OF THE CONTRACTOR. (NOTE: DECK SUPPORTS ARE OPTIONAL)



TYP. LINER INSTALLATION DET.



RIM-LOK COPING DETAIL

- PLANNING NOTES:**
- SET WIDTH OF POOL AT RIGHT ANGLES TO SLOPE
 - FINISHED ELEVATION OF DECK TO BE 1'00" ABOVE SURROUNDING GRADE
 - PROVIDE SWALE AROUND UPHILL SIDE OF DRAIN. SURFACE WATER AWAY FROM POOL.
 - CONCRETE DECK SHOULD SLOPE MIN. 1/4" PER FOOT AWAY FROM POOL.
 - PLOT PLAN FURNISHED BY OWNER TO SHOW POOL LOCATION AND ENCLOSURE.
 - ELECTRICAL PLUMBING AND FENCING TO CONFORM TO ALL CODES.
 - OPTIONS EXTRA IF REQ'D. BY SITE CONDITIONS OR WHEN SPECIFIED BY OWNER.
 - AT LEAST ONE MEANS OF EGRESS SHALL BE PROVIDED. OPTIONAL STAIRS OR LADDER

Date: 2/16/2025

Drawn By: SHAWN

Scale: NONE



CardinalSystemsInc.com



CITY OF INDEPENDENCE

City Council

CITY COUNCIL STAFF REPORT

6345 & 6385 Main Street Minor Subdivision

Lot Combination • Elimination of a Nonconforming Lot

To:	Mayor and City Council
From:	City Planner
Meeting Date:	Tuesday, August 4, 2026
Applicant/Owner:	Dennis Hagen
Location:	6345 and 6385 Main St., Independence, MN
PID:	26-118-24-22-0007 (6345 Main St.) and 26-118-24-22-0005 (6385 Main St.)
Application Type:	Minor Subdivision – Lot Combination

Dennis Hagen (“Applicant/Owner”) has requested City Council approval of a minor subdivision to combine the properties located at 6345 and 6385 Main Street into a single 7.32-acre lot. The Planning Commission held a duly noticed public hearing on this request on July 21, 2026, and recommends approval subject to the findings and conditions described below.

REQUEST

Dennis Hagen (Applicant/Owner) requests that the City consider the following action for the properties located at 6345 and 6385 Main St., Independence, MN (PID Nos. 26-118-24-22-0007 and 26-118-24-22-0005):

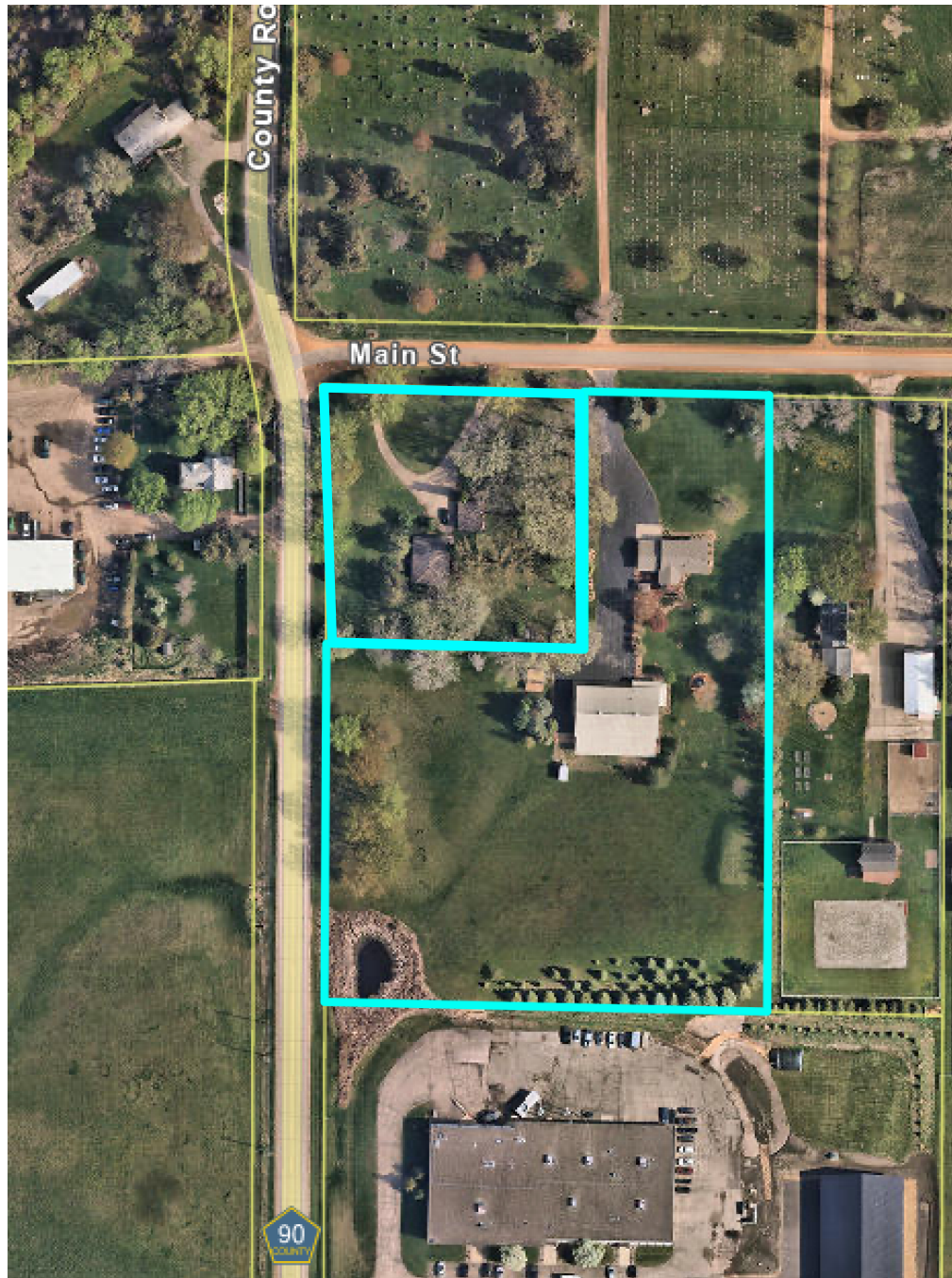
- a. A minor subdivision to allow a lot combination of the two (2) existing properties into a single property. The combination would create one (1) lot that is 7.32 acres.

PROPERTY / SITE INFORMATION

Property Addresses:	6345 Main St. and 6385 Main St., Independence, MN
PIDs:	26-118-24-22-0007 (6345 Main St.) and 26-118-24-22-0005 (6385 Main St.)
Legal Description:	Attached Exhibit A
Zoning:	Rural Residential
Comprehensive Plan:	Rural Residential

6345 Main St. – Existing Area:	5.32 acres (0.42 acres within the County Road 92 / Main St. right-of-way)
6385 Main St. – Existing Area:	2.0 acres (0.42 acres within the County Road 92 / Main St. right-of-way)
Combined Lot Area (Proposed):	7.32 acres
Existing Nonconformity:	6385 Main St. is legally nonconforming as to lot size (2.0 acres, where 2.5 acres is required in the Rural Residential district)
Existing Structures:	Single-family dwelling on 6385 Main St. has been removed; principal structure remains on 6345 Main St.

6345 & 6385 Main St



BACKGROUND & DISCUSSION

Dennis Hagen (Applicant/Owner) is requesting approval of a minor subdivision to combine the properties located at 6345 and 6385 Main Street into a single lot totaling 7.32 acres. The applicant approached the City about the possibility of combining the two properties following the applicant's recent acquisition of the 6385 Main Street property.

The 6385 Main Street property is currently 2.0 acres in area. Because the City's Rural Residential zoning district requires a minimum lot size of 2.5 acres, the 6385 Main Street property is considered a legal nonconforming property as to lot size. The 6345 Main Street property is currently 5.32 acres in area and complies with the minimum lot size requirement.

The combination of the two properties would eliminate the existing nonconforming lot and result in a single conforming lot of 7.32 acres, with no nonconformities. Staff's detailed review of the proposed lot combination did not identify any additional issues, and the requested minor subdivision, to allow a lot line rearrangement, appears straightforward.

MINOR SUBDIVISION CRITERIA ANALYSIS

500.13. – Approval of simple lot divisions and rearrangements. The planning commission may recommend, and the city council may require such changes or revisions as deemed necessary for the health, safety, general welfare and convenience of the city, including, without limitation, changes in street and intersection alignment, configuration and location of proposed lots, and enlargement or reduction of the size of lots. The city council's approval shall be in the form of a resolution which shall be filed in the office of the Hennepin county recorder.

1. Elimination of nonconformities

The proposed lot combination would eliminate the existing legal nonconforming lot at 6385 Main Street (2.0 acres, where 2.5 acres is required) by combining it with the conforming 6345 Main Street property. The resulting single lot of 7.32 acres would comply with the Rural Residential minimum lot size requirement and would contain no nonconformities.

2. No new lots created

The proposed action combines two existing lots into one; it does not create any additional buildable lots and does not increase the overall development potential of the combined properties.

3. Consistency with the Comprehensive Plan and zoning

The combined lot is consistent with the Rural Residential land use designation and any applicable dimensional standards.

4. Adequate access and utility easements

The applicant will need to provide the requisite perimeter drainage and utility easements as a condition of final approval.

ADDITIONAL CONSIDERATIONS

Staff notes that both existing parcels include a portion of land within the right-of-way of County Road 92 and Main Street (0.42 acres each, totaling 0.84 acres of the combined 7.32-acre lot). This right-of-way area does not change the

encumbrance on the property from what exists today, as both parcels currently include the same right-of-way area under their existing, separate configurations.

PLANNING COMMISSION PUBLIC HEARING – JULY 21, 2026

The Planning Commission discussed the requested minor subdivision and held a duly noticed public hearing on July 21, 2026. No public comments were made at the hearing.

Following discussion, the Commissioners found that the criteria for approving a minor subdivision had been satisfied by the applicant. The Commissioners noted that the minor subdivision removed a nonconforming property in the City and characterized the request as relatively routine.

Planning Commission Recommendation

The Planning Commission recommended approval of the requested minor subdivision with the following findings and conditions:

Findings:

- The proposed minor subdivision (lot combination) meets all applicable conditions and restrictions stated in 500.07 Divisions, in the City of Independence Zoning/Subdivision Ordinance.
- The proposed lot combination eliminates the existing legal nonconforming lot at 6385 Main Street and results in a single conforming lot of 7.32 acres.
- The proposed action does not create any additional buildable lots.
- The existing single-family dwelling on 6385 Main Street has been removed.
- No additional issues were identified in staff's detailed review of the proposed lot combination.

Recommended Conditions of Approval:

1. The approval of the minor subdivision is subject to the applicant providing the City with the requisite legal descriptions for the drainage and utility easements and then conveying the easements to the City.
2. The applicant shall record the combined legal description and any necessary documents, including drainage and utility conveyance documents, with Hennepin County to effectuate the lot combination and shall provide the City with a copy of the recorded documents.
3. The applicant shall pay for all costs associated with the City's review of the requested minor subdivision.

REQUESTED COUNCIL ACTION

The City Council can consider the Planning Commission's recommendation and, if in agreement, adopt the attached resolution approving a minor subdivision (lot combination) of the properties located at 6345 and 6385 Main Street into a single 7.32-acre lot, subject to the findings and conditions set forth above.

Attachments: Resolution No. 26-0804-07
Certificate of Survey



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 26-0804-02

**A RESOLUTION APPROVING A MINOR SUBDIVISION (LOT
COMBINATION) FOR THE PROPERTIES LOCATED AT 6345 AND 6385
MAIN STREET**

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

WHEREAS, Dennis Hagen (“Applicant/Owner”) has requested approval of a minor subdivision to combine the properties located at 6345 and 6385 Main Street, Independence, Minnesota (PID Nos. 26-118-24-22-0007 and 26-118-24-22-0005), into a single lot of 7.32 acres; and

WHEREAS, the Planning Commission discussed the requested minor subdivision and held a duly noticed public hearing on July 21, 2026, at which no public comments were made, and reviewed the request against the minor subdivision criteria established in Section 500.13 of the City’s Zoning/Subdivision Ordinance; and

WHEREAS, the Planning Commission found that the proposed lot combination eliminates the existing legal nonconforming lot at 6385 Main Street (2.0 acres, where 2.5 acres is required in the Rural Residential district) and results in a single conforming lot of 7.32 acres with no nonconformities, and that the proposed action does not create any additional buildable lots; and

WHEREAS, the Planning Commission found that the criteria for approving a minor subdivision had been satisfied by the applicant, and noted that the minor subdivision removed a nonconforming property in the City and was relatively routine; and

WHEREAS, the Planning Commission recommended approval of the requested minor subdivision, subject to conditions, at its July 21, 2026, meeting; and

WHEREAS, the City Council has reviewed the recommendation of the Planning Commission and the record of the public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Independence, Minnesota, hereby approves a minor subdivision (lot combination) of the properties located at 6345 and 6385 Main Street (PID Nos. 26-118-24-22-0007 and 26-118-24-22-0005) into a single conforming lot of 7.32 acres, in accordance with the approved survey and legal description, subject to the following conditions:

1. The applicant shall provide the City with the requisite legal descriptions for the drainage and utility easements and shall convey the easements to the City.
2. The applicant shall record the combined legal description and any necessary documents, including drainage and utility conveyance documents, with Hennepin County to effectuate the lot combination.
3. The applicant shall pay for all costs associated with the City's review of the requested minor subdivision.

This resolution was adopted by the City Council of the City of Independence on this 4th day of August 2026, by a vote of ____ ayes and ____ nays.

Brad Spencer, Mayor

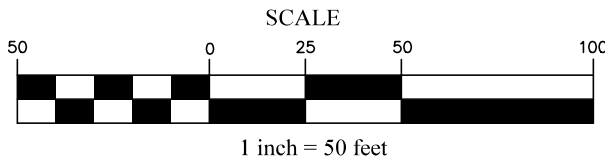
ATTEST:

Mark Kaltsas, City Administrator

Certificate of Survey

Prepared for:
Dennis Hagen

- Legend
- Found Iron Monument
 - ⊙ Cast Iron Monument
 - ⊙ Existing Well
 - ⊙ Septic System



Boundary Description for existing PID No. 2611824220005 (Doc No. 6110810)
That part of the Northwest Quarter of the Northwest Quarter of Section 26, Township 118, Range 24, described as follows:
Commencing at the Northwest corner of said Section 26, thence South along the line between Sections 26 and 27 a distance of 295.152 feet, thence East parallel with the North line of said Section 26 a distance of 295.152 feet; thence North parallel to the West line of said Section 26 a distance of 295.152 feet to a point in the line between Sections 23 and 26; thence West along the North line of said Section 26 a distance of 295.152 feet, more or less, to the point of beginning. Hennepin County, Minnesota.

Proposed Description for combining parcels PID 2611824220005 and PID 2611824220007
The Northwest Quarter of the Northwest Quarter of Section 26, Township 118, Range 24, Hennepin County, Minnesota,
EXCEPT that part lying easterly of the line described as follows:
Commencing at a point on the north line of said Northwest Quarter distant 660.00 feet East of the northwest corner of said Northwest Quarter, as measured along said north line; thence South parallel with the West line of said Northwest Quarter a distance of 659.88 feet; thence Westerly, parallel with the North line of said Northwest Quarter, a distance of 177.00 feet to the point of beginning of the line being described; thence Northerly, parallel with said West line, a distance of 659.88 feet to the North line of said Northwest Quarter and said line there terminating.

ALSO EXCEPT that part lying southerly of the line described as follows:
Commencing at a point on the north line of said Northwest Quarter distant 660.00 feet East of the northwest corner of said Northwest Quarter, as measured along said north line; thence South parallel with the West line of said Northwest Quarter a distance of 659.88 feet to a point hereinafter referred to as "Point A"; thence continuing South parallel with said West line a distance of 330.06 feet; thence West parallel with said North line of the Northwest Quarter to said West line of the Northwest Quarter; thence North along said West line of the Northwest Quarter a distance of 330.06 feet to the point of beginning of the line being described; thence East parallel with said North line of the Northwest Quarter to said "Point A" and said line there terminating.

SCHOBORG
LAND SERVICES
INC.

Bearings based on Hennepin County Coordinate System.

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: March 25, 2026 Registration No. 48328

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

Job Number:	10009
Survey Date:	01/06/26
Drawing Name:	Hagen.dwg
Drawn by:	SKH
Revisions:	



CITY OF INDEPENDENCE

City Council

CITY COUNCIL STAFF REPORT

5885 County Road 11 Accessory Structure Variance

Detached Accessory Structure Exceeding Maximum Allowable Size

To:	Mayor and City Council
From:	City Planner
Meeting Date:	Tuesday, August 4, 2026
Applicant/Owner:	Paul Ridgeway
Location:	5885 County Road 11, Independence, MN
PID:	11-118-24-12-0008
Application Type:	Variance – Detached Accessory Structure Exceeding Maximum Allowable Size (Rural Residential District)

Paul Ridgeway (“Applicant/Owner”) has requested City Council approval of a variance to allow a detached accessory structure that exceeds the maximum allowable square footage for the property located at 5885 County Road 11. The Planning Commission held a duly noticed public hearing on this request on July 21, 2026. Following discussion, the Planning Commission found that the applicant did not establish practical difficulties justifying the requested variance and recommends denial of the variance to the City Council, subject to the detailed findings described below.

REQUEST

Paul Ridgeway (Applicant/Owner) requests that the City consider the following action for the property located at 5885 County Road 11, Independence, MN (PID No. 11-118-24-12-0008):

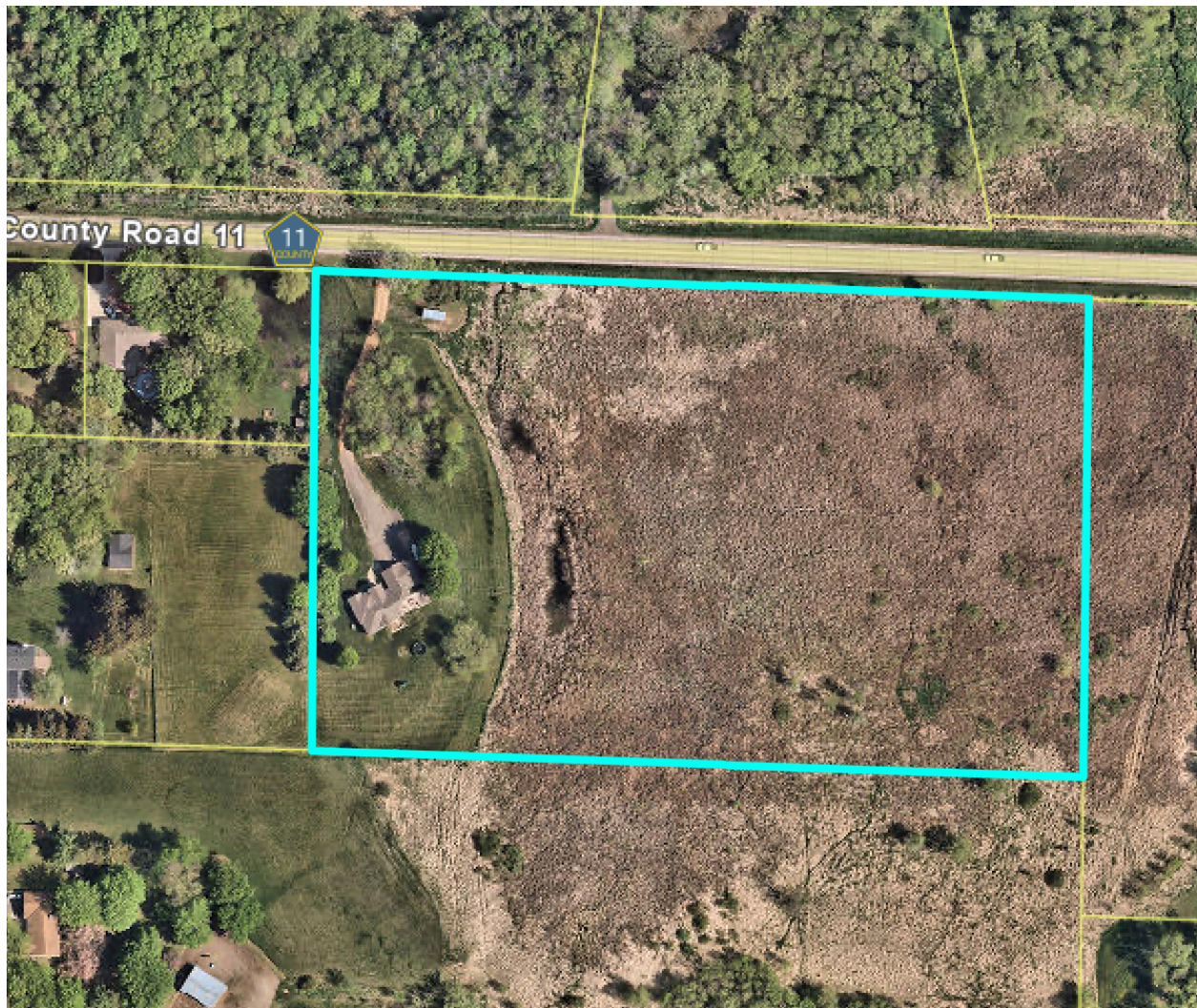
- a. A variance to allow a detached accessory structure that exceeds the maximum allowable square footage (1,850 square feet) for the subject property. The applicant is proposing to construct a new detached accessory structure with a footprint of approximately 3,168 square feet, plus a 432-square-foot covered porch, for a total of approximately 3,600 square feet under roof.

PROPERTY / SITE INFORMATION

Property Address:	5885 County Road 11, Independence, MN
PID:	11-118-24-12-0008

Zoning:	Rural Residential (RR)
Comprehensive Plan:	Rural Residential (RR)
Total Lot Area:	Approximately 9.2 acres
Wetland Area:	Approximately 7.16 acres
Buildable Upland:	Approximately 2.04 acres
Maximum Allowable Accessory Structure Size:	1,850 square feet (Section 530.05, Subd. 3(e)(4))
Proposed Accessory Structure:	Approximately 3,168 SF building footprint + 432 SF covered porch = approximately 3,600 SF total under roof
Increase Over Allowable Size:	Approximately 95% greater than the 1,850 SF maximum
Setback to West Property Line (5935 County Rd. 11):	Approximately 49 feet proposed (15-foot setback required for a conforming detached accessory structure)

5885 County Road 11



BACKGROUND & DISCUSSION

During the City's review of this application, staff determined that the property is zoned Rural Residential (RR), rather than Agriculture as initially understood. Under the City's Zoning Ordinance, a request to exceed the maximum allowable accessory structure size on property zoned Rural Residential is processed as a variance rather than a conditional use permit. The City initially noticed this hearing for a conditional use permit but changed the request, based on direction from the City Attorney, to a variance consistent with the Zoning Ordinance.

The City's Zoning Ordinance (Section 530.05, Subd. 3(e)(4)) establishes maximum accessory structure size standards based on lot size: for lots of 2½ acres or less, the maximum is 1,850 square feet or 2% of the buildable lot area, whichever is greater; for lots greater than 2½ acres but less than 10 acres, the maximum is 1,850 square feet; and for lots of 10 acres or more, there is no maximum. The subject property totals approximately 9.2 gross acres, of which approximately 7.16 acres is wetland, leaving approximately 2.04 acres of buildable upland. Two percent of the buildable upland is approximately 1,777 square feet, which is less than 1,850 square feet; applying the ordinance's "whichever is greater" provision, the maximum accessory structure size allowed on the subject property is 1,850 square feet.

The applicant's proposed accessory structure, at approximately 3,600 square feet under roof, exceeds the 1,850-square-foot maximum by approximately 1,750 square feet, or approximately 95%.

Constructing the proposed accessory structure will require the applicant to clear existing vegetation and bring in a significant amount of fill to level the site, which has an elevation change of approximately 8 feet across the proposed building area. A significant wetland is located on the property directly adjacent to the proposed building location. The proposed structure would be located approximately 49 feet from the west property line, exceeding the 15-foot minimum setback. The applicant is not proposing any additional screening or buffering, and removal of existing vegetation would increase the visibility of the site from both the adjacent property to the west and County Road 11.

The City has received a written comment, summarized under Neighbor Comments below, raising a concern regarding commercial use of the property. The City does not permit commercial business operations on residential properties, and no commercial use of an accessory structure is permitted in Independence regardless of the outcome of this application.

VARIANCE CRITERIA ANALYSIS

A variance may be granted by the City Council in cases where the applicant demonstrates practical difficulties in complying with the zoning code. The variance criteria are established in the City's Zoning Ordinance (Section 520.21, Subd. 1) as follows: (1) the variance is in harmony with the general purposes and intent of the 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. Practical difficulties means that: (a) the property owner proposes to use the property in a reasonable manner; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.

1. The variance is in harmony with the general purposes and intent of the zoning code

The purpose of the accessory structure size limitation is to ensure that accessory structures remain subordinate in scale to the buildable area of a property and do not overwhelm the character of the surrounding rural residential area. The proposed structure, at approximately 3,600 square feet under roof, is approximately 95% larger than the 1,850-square-foot maximum otherwise allowed. The City amended its accessory structure ordinance approximately 10 years ago with the intent of making accessory structures proportional to the buildable upland area of a property,

and increased the minimum accessory structure size to 1,850 square feet to accommodate a reasonable structure size for properties up to 2.5 acres.

2. The variance is consistent with the comprehensive plan

The subject property's Rural Residential zoning and land use designation, and the proposed accessory use, are generally consistent with the City's Comprehensive Plan.

3. Practical difficulties exist in complying with the zoning code

The subject property totals approximately 9.2 acres; however, approximately 7.16 acres consists of wetland, leaving only approximately 2.04 acres of buildable upland. The City's ordinance relating to allowable accessory structure size has not changed since the current owner acquired the property.

4. The proposal represents the minimum variance necessary

The applicant is requesting a variance to allow a structure of approximately 3,600 square feet under roof, where 1,850 square feet is the maximum otherwise allowed, representing an increase of approximately 95%.

5. The variance will not alter the essential character of the locality

The proposed structure would be sited along the entrance driveway, would require clearing of existing vegetation, and would be visible from both the adjacent property to the west and County Road 11, as the applicant is not proposing additional screening or buffering. The adjacent property owner has raised concerns that the scale and visibility of the proposed structure would alter the character of the area.

NEIGHBOR COMMENTS

The City received a written comment in opposition to this request from Jeff Iverson, the owner of the adjacent property at 5935 County Road 11, dated July 15, 2026. The comment letter raises the following principal concerns:

- Disproportionate scale: the cumulative footprint of the proposed barn, covered porch, and associated driveway expansion (more than 4,500 square feet) is excessive relative to the property's 2-acre buildable upland, and the scale suggests a commercial or industrial use rather than a customary residential accessory use.
- Setback and stormwater concerns: the proposed structure would be located less than 50 feet from the shared property line, would eliminate room for vegetative screening, and could increase stormwater runoff and flooding risk onto the adjacent property.
- Wetland construction impacts: the proposed building footprint leaves little to no margin from the required wetland setback, raising concerns that construction activity could encroach on and damage the adjacent wetland.
- Visual, privacy, and noise impacts: the structure would permanently obstruct views from the adjacent home, on-site screening options for the applicant are limited, and roadway noise could be amplified by the removal of existing vegetation.

PLANNING COMMISSION PUBLIC HEARING – JULY 21, 2026

The Planning Commission held a public hearing on the requested variance on July 21, 2026. The applicant's representative and two neighboring property owners provided comments at the hearing. A summary of the discussion follows.

Commissioner Discussion

- Commissioners discussed the grade of the property and the proximity of the adjacent wetland.

- Commissioners asked where water runoff from the proposed structure would go, and whether it could be mitigated prior to entering the wetland.
- Commissioners asked whether a buffer and screening could be added on the CSAH 11 side of the property to mitigate potential impacts.
- Commissioners noted that a structure roughly twice the allowable size would set a precedent that is too great.
- Commissioners discussed the intent of the ordinance limiting overall accessory structure size, noting that it is intended to be proportional to the buildable upland portion of a property.
- Commissioners discussed that the ordinance had been updated within the last 10 years to provide more square footage and to establish a reasonable base square footage to which all properties in the City are entitled, regardless of lot size.
- Commissioners noted that 1,850 square feet is a reasonable size that would accommodate many vehicles and equipment.
- Commissioners stated they did not want to establish a precedent for allowing larger accessory structures, noting that many property owners would like additional square footage, but that the ordinance provides a reasonable nexus between property size and accessory building allowance.

Applicant's Representative

- Noted that the building would be located in the same position (northwest corner of the property) whether it is 1,850 or 3,600 square feet.
- Stated that a hardship exists related to a sprinter van used to transport the property owner's mother.
- Stated that the applicant looked at adding garage space onto the house, which would require removal of existing mature maple trees.

Public Comment

Two neighboring property owners spoke at the hearing and voiced the following concerns:

- Concern about the scale of the proposed structure.
- Concern regarding exterior lighting.
- Concern about the removal of existing trees, noting that the existing trees are significant.
- Concern regarding potential commercial use of the property.
- Concern about drainage, including drainage and flooding in their rear yard.
- Concern that approval would set a new standard or precedent.
- Concern that the applicant has not demonstrated a practical difficulty.

Following discussion, the Commissioners found that the applicant did not establish any practical difficulties justifying the requested variance. The Commissioners recommended denial of the variance to the City Council.

Planning Commission Recommendation — Denial

The Planning Commission finds that the applicant has not satisfied the criteria for granting a variance under Section 520.21 of the Zoning Ordinance and recommends denial of the requested variance, based on the following findings:

- The applicant has not established that practical difficulties exist under Section 520.21, Subd. 2 of the Zoning Ordinance that would justify the requested variance.
- The City's accessory structure size ordinance provides a reasonable base square footage of 1,850 square feet to which all properties in the City are entitled regardless of lot size, establishing a reasonable nexus between property size and accessory structure allowance.
- The requested variance, representing an increase of approximately 95% (nearly double) over the maximum allowable accessory structure size, does not represent the minimum variance necessary and would establish an inappropriate precedent for similarly situated properties in the City.
- The proposed structure's proximity to a significant wetland, the approximate 8-foot grade change across the site, and the lack of proposed stormwater mitigation, buffering, or screening toward County Road 11 raise unresolved concerns

regarding drainage, runoff, and visual impacts to the adjacent property.

- Granting the requested variance would alter the essential character of the locality given the structure's scale, its visibility from the adjacent property and County Road 11, and the concerns raised by neighboring property owners regarding drainage, tree removal, lighting, and potential commercial use.
- Economic or personal convenience considerations, standing alone, do not constitute practical difficulties.

COUNCIL ACTION

The City Council can consider the Planning Commission's recommendation and, if in agreement, adopt the attached resolution denying the requested variance from the maximum allowable detached accessory structure size for the property located at 5885 County Road 11, based on the findings set forth above.

Attachments: Resolution No. 26-0804-03
Site Plan; Building Plans/Elevations
Written Comment – Jeff Iverson (5935 County Road 11)



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 26-0804-03

**A RESOLUTION DENYING A VARIANCE FROM THE MAXIMUM
ALLOWABLE ACCESSORY STRUCTURE SIZE FOR PROPERTY LOCATED
AT 5885 COUNTY ROAD 11**

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

WHEREAS, Paul Ridgeway (“Applicant/Owner”) requested approval of a variance from the maximum allowable detached accessory structure size (1,850 square feet) for property located at 5885 County Road 11, Independence, Minnesota (PID No. 11-118-24-12-0008), to allow construction of a detached accessory structure of approximately 3,600 square feet under roof, an increase of approximately 95% over the maximum allowable size; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the requested variance on July 21, 2026, at which the applicant’s representative and two neighboring property owners provided comments, and reviewed the request against the variance criteria established in Section 520.21 of the City’s Zoning Ordinance; and

WHEREAS, the Planning Commission discussed the grade of the property, the proximity of the proposed structure to an adjacent significant wetland, the disposition and potential mitigation of stormwater runoff, and the absence of proposed buffering or screening toward County State Aid Highway 11; and

WHEREAS, the Planning Commission found that the City’s accessory structure size ordinance provides a reasonable base square footage of 1,850 square feet to which all properties in the City are entitled regardless of lot size, and that granting a variance representing an increase of approximately 95% over the maximum allowable size would establish an inappropriate precedent for similarly situated properties in the City; and

WHEREAS, the Planning Commission found that the applicant did not establish that practical difficulties exist justifying the requested variance and recommended denial of the variance to the City Council at its July 21, 2026 meeting; and

WHEREAS, the City Council has reviewed the recommendation of the Planning Commission and the record of the public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Independence, Minnesota, hereby **DENIES** the requested variance from the maximum allowable detached accessory structure size for property located at 5885 County Road 11 (PID No. 11-118-24-12-0008), based on the following findings:

1. The applicant has not established that practical difficulties exist under Section 520.21, Subd. 2 of the Zoning Ordinance that would justify the requested variance.
2. The City's accessory structure size ordinance provides a reasonable base square footage of 1,850 square feet to which all properties in the City are entitled regardless of lot size, establishing a reasonable nexus between property size and accessory structure allowance.
3. The requested variance, representing an increase of approximately 95% (nearly double) over the maximum allowable accessory structure size, does not represent the minimum variance necessary and would establish an inappropriate precedent for similarly situated properties in the City.
4. The applicant's stated need to store a sprinter van does not require a structure of the proposed scale, and the applicant's preference to preserve existing mature trees in lieu of an addition to the principal structure, while reasonable, is an elective consideration that does not establish a practical difficulty.
5. The proposed structure's proximity to a significant wetland, the approximate 8-foot grade change across the site, and the lack of proposed stormwater mitigation, buffering, or screening toward County Road 11 raise unresolved concerns regarding drainage, runoff, and visual impacts to the adjacent property.
6. Granting the requested variance would alter the essential character of the locality given the structure's scale, its visibility from the adjacent property and County Road 11, and the concerns raised by neighboring property owners regarding drainage, tree removal, lighting, and potential commercial use.
7. Economic or personal convenience considerations, standing alone, do not constitute practical difficulties.
8. The applicant shall pay for all costs associated with the review of the application.

This resolution was adopted by the City Council of the City of Independence on this 4th day of August 2026, by a vote of ____ ayes and ____ nays.

Brad Spencer, Mayor

ATTEST:

Mark Kaltsas, City Administrator

Iso 1

Job: 383759
Date: 8/20/2025
Time: 11:37 AM



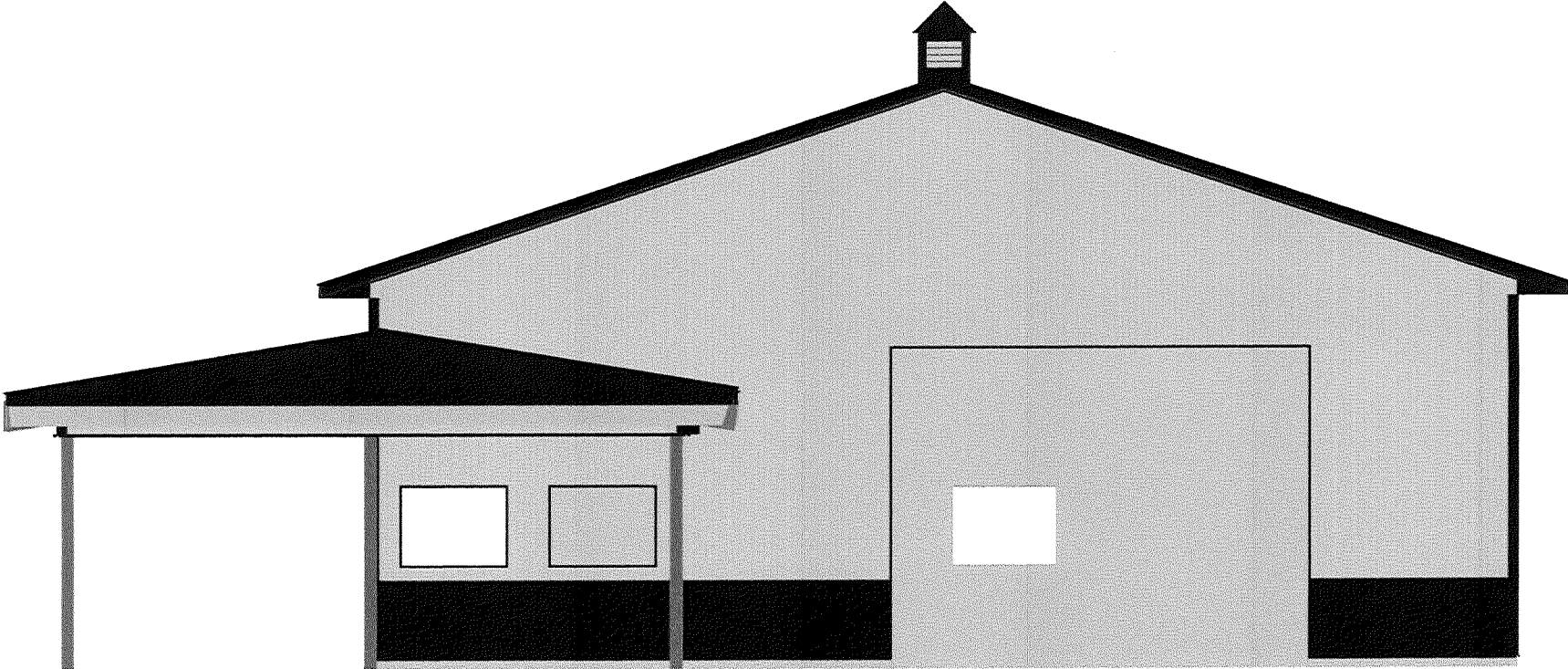
Iso 2

Job: 383759
Date: 8/20/2025
Time: 11:37 AM



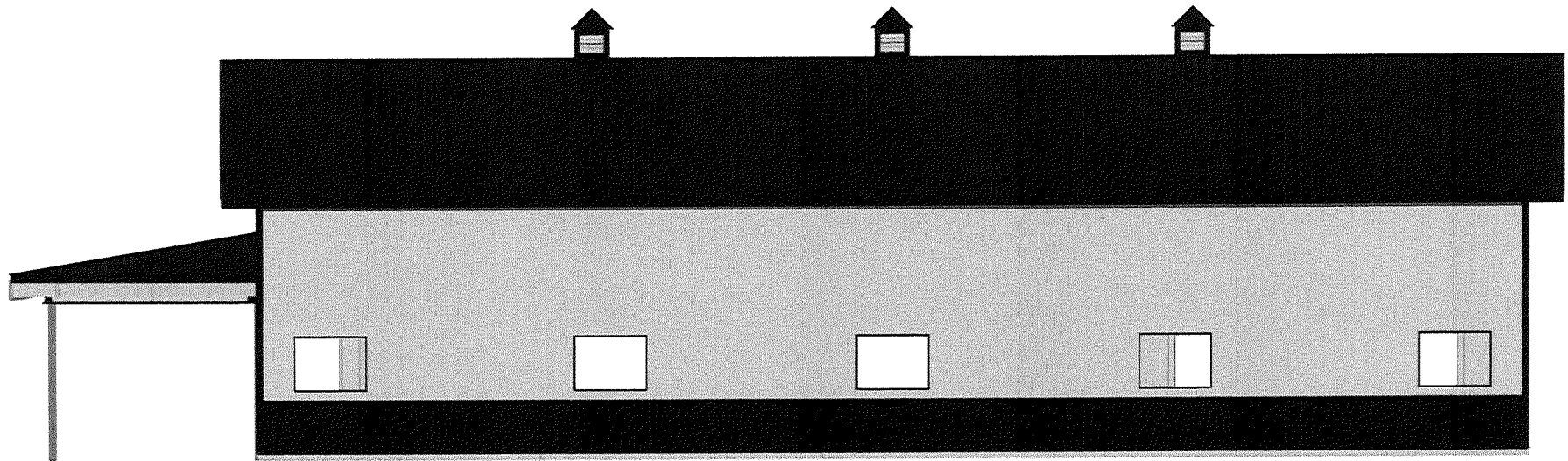
Front Elevation

Job: 383759
Date: 8/20/2025
Time: 11:37 AM



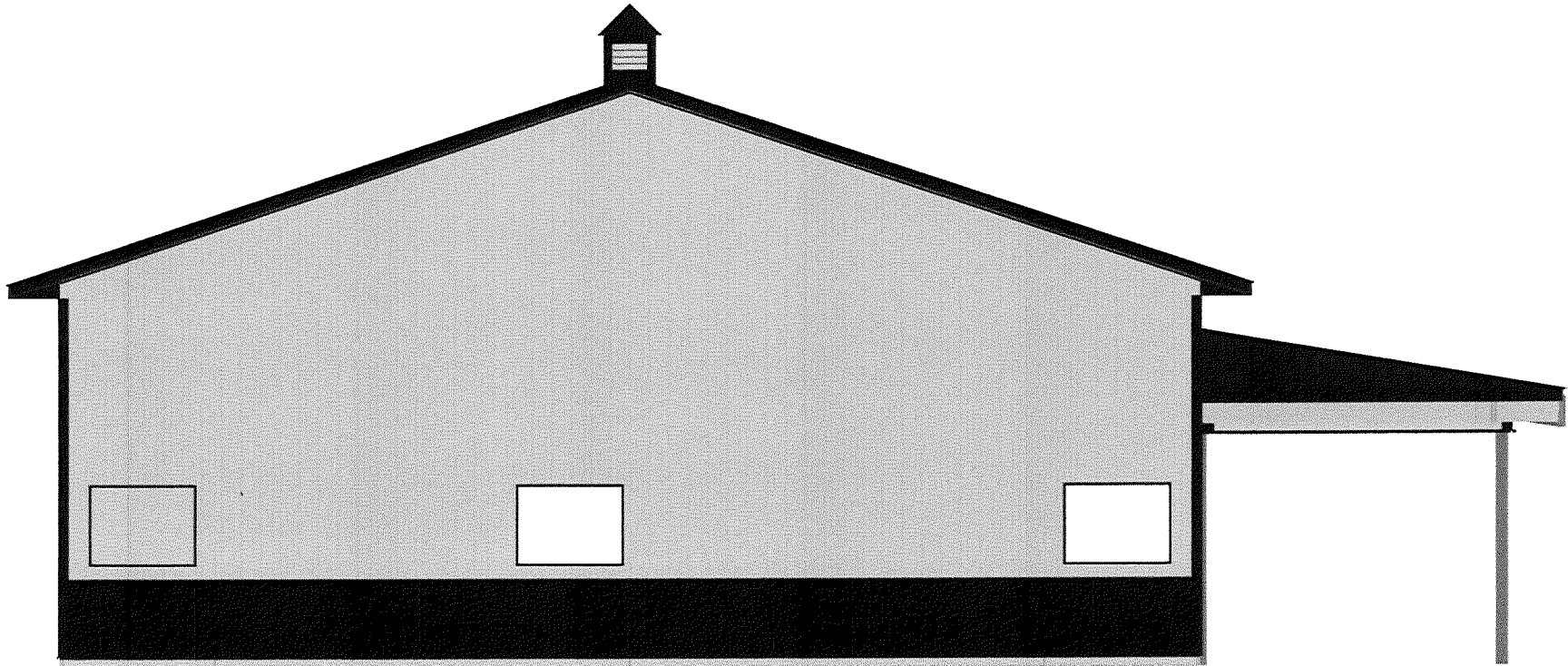
Left Elevation

Job: 383759
Date: 8/20/2025
Time: 11:37 AM



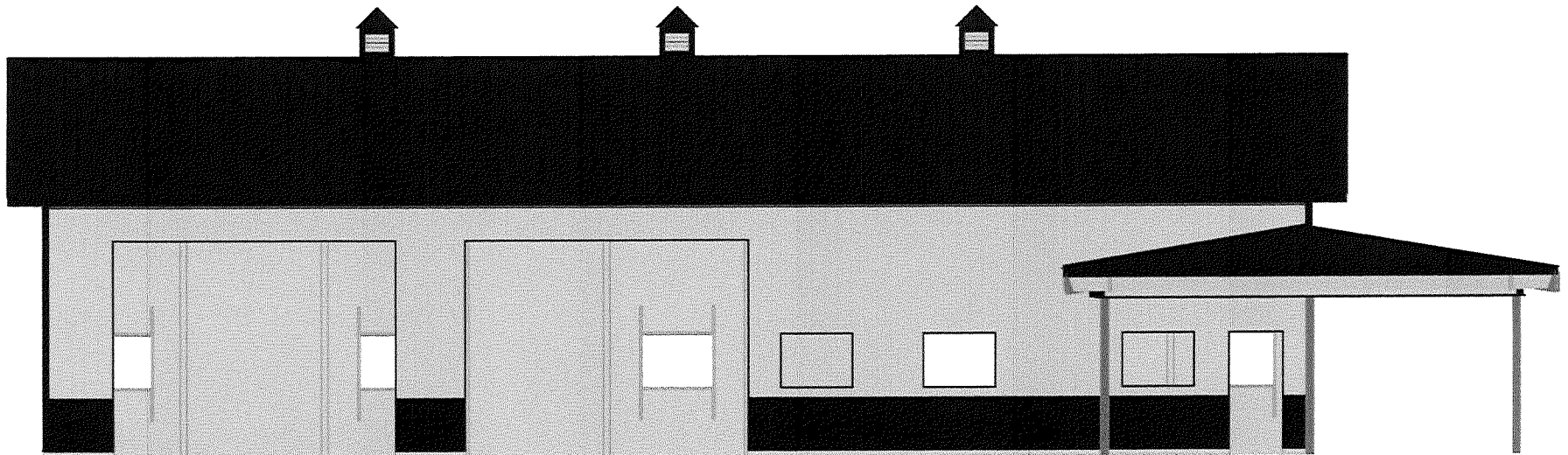
Back Elevation

Job: 383759
Date: 8/20/2025
Time: 11:37 AM



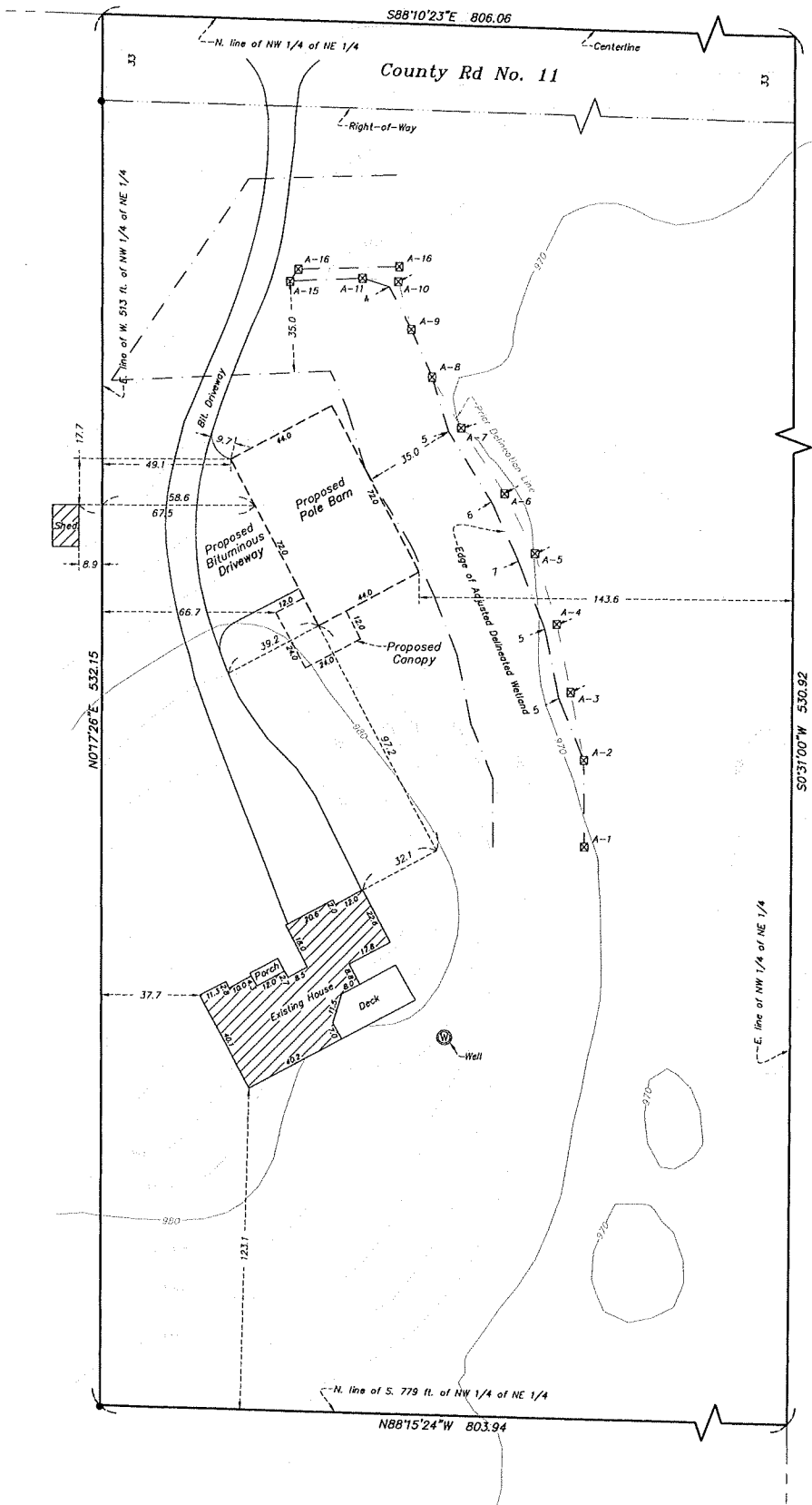
Right Elevation

Job: 383759
Date: 8/20/2025
Time: 11:37 AM

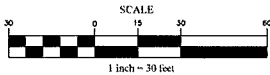


Certificate of Survey

Prepared for:
Paul Ridgeway



Legend
● Found Iron Monument



Site Address:
5885 County Road No. 11
Independence, MN 55359

Boundary Description (supplied by client)
That part of the Northwest Quarter of the
Northeast Quarter of Section 11, Township 118 North,
Range 24 West of the 5th Principal Meridian,
Hennepin County, Minnesota, lying East of the West
513 feet thereof and North of the South 779 feet
thereof.

Subject to road right-of-way.
Subject to any and all easements of record.

Approximate 2-foot contours based on MN DNR LIDAR.
Bearings based on Hennepin County coordinate system.

SCHOBORG LAND SERVICES INC. 763-972-3221 www.schoborgland.com	Job Number:	9485
	Survey Date:	7/19/22
	Drawing Name:	ridgeway.dwg
	Drawn by:	DMS
	Revisions:	8/1/22 (aerial) 8/21/25 (proposed shed) 8/22/25 (added distances)

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: August 22, 2025 Registration No. 48328

Formal Opposition to Conditional Use Permit (CUP) Application for 5885 County Road 11, Independence, MN (PID No. 11-118-24-12-0008) – July 15th 2026

To the Members of the Independence Planning Commission,

I am writing as the owner of the adjacent property at 5935 County Road 11 to formally request that the Planning Commission **deny the application** for a Conditional Use Permit (CUP) at 5885 County Road 11. While the subject parcel spans 7 gross acres, 5 of those consist of a protected wetland ecosystem. The applicant is attempting to crowd an industrial-scale footprint onto a highly restricted 2-acre buildable upland. The selected building site is currently trees and foliage. Additionally, placing the structure a mere 50 feet from my property line, and immediately bordering the required wetland setback.

The requested structure **is excessive in footprint, massing, and height** for the unique constraints of the buildable land available. I urge the Commission to deny this permit, as it is currently presented, based on the following objective municipal planning, zoning, and environmental criteria:

1. Disproportionate Scale, Cumulative Footprint, and Inferred Commercial Use

The sheer scale of the proposed development violates the intent of residential accessory structures allowances, **signals an intense commercial or industrial utility** rather than a customary residential accessory function. When evaluating the true visual and physical impact on this small buildable upland, the Commission must look at the cumulative hardscape being introduced:

- **The Proposed Barn:** 3,000 square feet.
- **Bituminous Expansion/Driveway Additions:** 1,092 square feet.
- **Covered Roof Extension:** 432 square feet.

This brings the total proposed hardscape and structural footprint to **more than 4,500 square feet**—nearly matching the combined footprint of *both* primary dwellings currently existing on the 5935 and 5885 properties. A development of this magnitude on a 2-acre buildable pocket strips away the residential character of the zone and violating standard zoning protections.

Formal Opposition to Conditional Use Permit (CUP) Application for 5885 County Road 11, Independence, MN (PID No. 11-118-24-12-0008) – July 15th 2026

Furthermore, this footprint appears tailored to support an ongoing, unpermitted commercial operation. The parcel's lawn is currently utilized for the storage of two 30', 3 axis commercial trailers. Beginning in December of 2025, multiple freight trucks unloaded large amounts of industrial pallet racking which has remained stored openly on the property for the last seven months. Additional documentation can be provided, but open-source satellite imagery indicates a pattern of intensifying commercial storage and utilization, which directly contradicts the accessory nature of a residential zone and constitutes an unpermitted commercial use.

2. Elimination of Critical Setback Buffers and Increased Flood Risk

The proposed structure is located less than 50 feet from my residential property line and all above grade of the southeast portion of my lot. Because the applicant is attempting to maximize every available inch of their 2-acre buildable zone, the current site plan removes any margin for necessary landscaping or vegetative screening on the west side of the proposed structures property.

Furthermore, placing a 4,500+ square foot impermeable footprint directly adjacent to a protected wetland, while leaving no room for on-site stormwater retention or grading, poses a hydraulic threat. This area is already prone to flooding. Forcing thousands of gallons of concentrated roof and driveway runoff onto a zero-clearance boundary line will result in soil erosion, destabilization of the wetland edge, and may exacerbate severe flooding on my lot.

3. Immediate Threat to the Protected Wetland during Construction

By placing the proposed building footprint exactly at the required setback line from the protected wetland, the applicant has left zero margin for error. It is physically and logistically impossible to excavate, pour concrete, erect scaffolding, and operate heavy machinery for a building of this height and magnitude without workers and heavy equipment encroaching into and permanently damaging the protected wetland ecosystem.

Formal Opposition to Conditional Use Permit (CUP) Application for 5885 County Road 11, Independence, MN (PID No. 11-118-24-12-0008) – July 15th 2026

4. Severe, Unmitigable Nuisance and Asymmetrical Impact

The placement of this structure is highly deleterious to the desirability, visual appeal, and market value of my family's home at 5935 County Road 11. The applicant has strategically positioned this massive building to minimize negative implications on their own living space, and primary interior views, effectively shifting the entire visual and structural burden onto my family's property.

The visual line of sight from both inside and outside much of my home will be permanently disrupted. The predominate view from interior living spaces, yard, and deck looks out toward the proposed building site.

- **Impossible On-Site Mitigation:** Due to the barn's immediate proximity to the primary driveway, the owners of 5885 cannot plant any meaningful, deep rooted vegetative screening to remediate the height and visual massing of their western facing facade.
- **The Screening Burden is being Shifted:** At minimum, a 16' fence would be required to partially conceal the dual 16'x12' garage doors. Under the current plan, the burden unfairly falls onto me to sacrifice a portion of my own useable lot, relocate my existing shed, and plant mature evergreen trees. These trees require an expected 15-20 years to achieve proper screening height due to limited light, just to mask their driveway addition (parking lot) and height of the structure garage doors.
- **Sound amplification:** The angle orientation of the north facing metal wall is slightly rotated towards my family's lot. Subsequently the road noise caused by vehicles accelerating out of County Road 90 and County Road 11 four way stop (heading east) will be increased and further amplified by the permanent replacement of softscape at the proposed site.

Formal Opposition to Conditional Use Permit (CUP) Application for 5885 County Road 11, Independence, MN (PID No. 11-118-24-12-0008) – July 15th 2026

Conclusion

Conditional use must not be injurious to the use and enjoyment of surrounding property, nor should it jeopardize protected local natural resources. The applicant's desire to maximize a restricted lot should not come at the expense of local environmental regulations or my fundamental property rights. The detrimental impact on the residents of 5935 is severe, while the burden on the applicant of finding an alternative, scaled-down solution is minimal, if this CUP is allowed.

I spent a decade saving for the opportunity to own a home, and as the new owner of this property I look forward to building a family, and life here. I respectfully acknowledge the sincere desire to expand and develop one's property as they see fit within applicable codes and statutes. I am not wholly in opposition of the pole barn, but I do request the Planning Commission deny this Conditional Use Permit for all aforementioned concerns; since the mandatory hardship clauses are not applicable for the proposed structure.

Sincerely,

Jeff Iverson



5935 County Road 11, Independence, MN 55395

City of Independence
Consideration to Approve Lowest Bid for 2026 Gravel Road Improvement Project
and Authorize Mayor and City Administrator to Execute All Contract Documents

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: August 4th, 2026

Discussion:

The approved plans and specifications for construction were bid on July 31, 2026. Three responsive bids were received from contractors. The base bids ranged from \$274,779.00 to \$362,031.00. The Engineer's Estimate for the base bid was \$291,521.00. The apparent low bidder was New Look Contracting, Inc. with a bid of \$274,779.00. New Look Contracting, Inc. was also the low bidder on the City's 2025 roadway improvements project and has successfully completed similar municipal infrastructure projects in the metro area.

The low bid was approximately 5.7% below the Engineer's Estimate and is considered reasonable for the work proposed.

Council Recommendation:

City Council is asked to consider awarding the construction contract to New Look Contracting, Inc. Based upon the analysis completed as part of the feasibility study and design process, the proposed improvements are feasible, necessary, and cost effective and will benefit the residents of the City of Independence.

The City Engineer recommends the City Council adopt **RESOLUTION No. 26-0804-05** awarding the project to New Look Contracting, Inc. in the amount of \$274,779.00.

Attachments: **RESOLUTION No. 26-0804-05**
Engineers Recommendation Letter



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 26-0804-05

**A RESOLUTION AWARDING THE 2026 GRAVEL ROAD
RECONSTRUCTION PROJECT TO THE LOWEST BIDDER**

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

WHEREAS, the City of Independence builds and maintains local roadways for the benefit of the public; and

WHEREAS, the City has developed a Five-Year Street Reconstruction Plan that identifies planned maintenance and reconstruction activities such as crack sealing, seal coating, mill and overlay, and gravel road improvements and reconstruction; and

WHEREAS, pursuant to resolution **26-0616-04**, the City Council on June 16th, 2026, approved the plans and specifications for the 2026 Gravel Road Reconstruction Project; and

WHEREAS, the City received bids from three (3) qualified contractors; and

WHEREAS, the verified low bid was submitted by New Look, Inc. in the amount of \$274,779.00 for the project; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Independence, Minnesota, hereby approves the 2025 Gravel Road Reconstruction Project and awards the construction contract to New Look, Inc.

This resolution was adopted by the City Council of the City of Independence on this 4th day of August 2026, by a vote of ____ ayes and ____ nays.

Brad Spencer, Mayor

ATTEST:

Mark Kaltsas, City Administrator