



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>

**CITY COUNCIL MEETING AGENDA**  
**TUESDAY MAY 4, 2021**  
**CITY COUNCIL MEETING TIME: 6:30 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 April 20, 2021 Regular City Council Meeting.
  - b. Approval of Accounts Payable; (Batch #1 Checks Numbered 20441-2046, Batch #2 Checks Numbered 20448-20466, Check Number 20447 was voided).
  - c. Approval of Contract with Z Systems, Inc. to Supply and Install Audio Visual System for Community Room.
  - d. Approval to Purchase Furniture from Henricksen for the Community Room.
  - e. First Quarter Building Permit Report (for information only).
5. Set Agenda – Anyone Not on the Agenda can be Placed Under Open/Misc.
6. Reports of Boards and Committees by Council and Staff.
7. Jeff Kazin (Applicant/Owner) is requesting the following action for the property located 7475 County Road 11 (PID No. 0911824120001) in the City of Independence, MN:
  - a. **RESOLUTION 21-0504-01:** Considering approval of a conditional use permit to allow the construction of a new detached accessory structure that exceeds 5,000 SF on the property.

8. Thomas Anderson (Applicant/Owner) is requesting the following action for the property located at 2076 Copeland Road (PID No. 20-118-24-23-0002) in the City of Independence, MN:
  - a. **RESOLUTION 21-0504-02:** Considering approval of a rural view lot subdivision that would create a new buildable lot.
  
9. Mike Schrader (Applicant) and Jim Wehmann (Owner) are requesting the following actions for the property located at 6625 Fogelman Road (PID No. 10-118-24-43-0009) in the City of Independence, MN.
  - a. **ORDINANCE 2021-03:** Rezoning the subject property from AG-Agriculture to RR-Rural Residential in accordance with the Comprehensive Land Use Plan.
  
  - b. **RESOLUTION 21-0504-03:** A minor subdivision to allow the creation of a new lot on the property located at 6625 Fogelman Road.
  
10. Donovan DesMarais (Applicant) and Jerry Wise (Owner) are requesting the following actions for the property located at the northeast corner of CSAH 11 and Woodhill Drive (PID No. 01-118-24-34-0010) in the City of Independence, MN:
  - a. Concept plan review for a proposed subdivision of the subject property to create four (4) new lots (3 would have lakeshore on Lake Sarah).
  
11. Open/Misc.
  
12. Adjourn.

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, APRIL 20, 2021 –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: WHPS Chief Kroells

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 Local Board of Appeals and Equalization Meeting Minutes from the April 6, 2021 LBAE Meeting.
- b. Approval of City Council Minutes from the April 6, 2021 Regular City Council Meeting.
- c. Approval of Accounts Payable; (Batch #1 Checks Numbered 20407-20410, Batch #2 Check Numbered 20411-20440).
- d. Approval of an Assembly Permit at 3658 County Road 90 on Saturday, June 12, 2021.
- e. **RESOLUTION 21-0420-01** – Approving a Variance for the Property Located at 6000 Providence Curve (Corrected Resolution that was considered at the April 6, 2021 Council Meeting).
- f. **RESOLUTION 21-0420-02** – Supporting Broadband in Communities Outside of the Immediate Metro Area.

**Motion by Betts, second by Grotting 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: (Virtual)**

- None

**Grotting attended the following meetings: (Virtual)**

- None

**McCoy attended the following meetings:(Virtual)**

- None

**Betts attended the following meetings: (Virtual)**

- West Hennepin Chamber of Commerce Meeting
- League of Metro Cities Annual Meeting

**Johnson attended the following meetings: (Virtual- unless noted)**

- Orono Healthy Youth Committee Meeting
- Highway 55 Coalition Meeting
- West Hennepin Chamber of Commerce Meeting (in person)
- Northwest League of Municipalities Meeting (in person)
- Regional Council of Mayors Meeting
- Orono School Board Meeting
- League of Metro Cities Annual Meeting
- Wright Hennepin Electric Coop Annual Meeting (in person)

**Horner attended the following meetings: (Virtual)**

- West Hennepin Chamber of Commerce Meeting
- BKV Architect Meetings

**Kaltsas attended the following meetings:**

- MnDOT meetings on construction efforts for Highway 12

6. Consideration of an Ordinance Establishing Parameters Relating to Public Picketing Within the City:  
**ORDINANCE NO. 2021-02.**

Kaltsas said West Hennepin Public Safety has asked the City to consider adopting an ordinance that would establish parameters for targeted picketing within the City based on recent events. The City does not currently have an ordinance that specifically pertains to public picketing events that would target individual residences. Staff and the City Attorney have discussed types (approaches to providing residents with protection) of ordinance, language and defensibility. Based on these discussions, the City Attorney prepared a draft ordinance for consideration by the City Council. West Hennepin Public Safety Director Gary Kroells and the City Attorney provided additional context relating to the ordinance consideration at the meeting. City Council is asked to consider adoption of **ORDINANCE 2021-02.**

WHPS Director Kroells said this is another tool for law enforcement regarding picketing in the ROW in the community. City Attorney Vose said this is a form of government regulation regarding limiting restrictions in neighborhoods and/ or focusing on particular residents or specific households. Vose said this type is legally defensible.

**Motion by Johnson, second by McCoy to approve ORDINANCE 2021-02. Ayes: Johnson, Spencer, McCoy, Grotting and Betts. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

7. Consideration of Approval of a Stipulation for Removal of House on the Property Located at 2828 County Line Road.

Kaltsas said Kari and Richard Stromer, 2828 County Line Road, are asking the City to consider allowing the issuance of a building permit to construct a new principal home on the subject property while living in the existing home. The issue identified by the City is that we do not allow two principal structures on a single property. The owners are trying to improve the property and create a situation that would allow them to remain on the property during construction. The City does not have a specific provision for this in the ordinance.

Historically, the City has considered permitting living in the existing home while constructing a new home as a conditional use of the property; however, this is no longer considered the best practice as temporary uses can no longer be considered as conditional uses.

Staff reviewed this issue with the City Attorney and determined that a simple agreement and escrow would provide the City with protections that would ensure the removal of the existing structure following substantial completion of the new structure. The City has prepared a draft agreement for consideration. The agreement requires the removal of the existing structure within 90 days of substantial completion of the new structure and a \$5,000 escrow deposit to be held by the City. In addition, the City has the ability to withhold the final certificate of occupancy until full compliance is realized. Staff believes that this approach is reasonable and enforceable by the City and allows flexibility to Kari and Richard to construct their new home.

Kari Strommer said she contacted the Delano Fire Department about taking care of the old home when the new one is finished.

**Motion by Grotting, second by Betts to approve a Stipulation for Removal of House on the Property Located at 2828 County Line Road. Ayes: Johnson, Spencer, McCoy, Grotting and Betts. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

8. West Hennepin Public Safety Director Gary Kroells: Presentation of the March 2021 Activity Report.

Kroells stated at the end of March 31, 2021 West Hennepin Public Safety (WHPS) handled year-to-date a total 1,044 incident complaints: For the month of March 228 occurred in the City of Independence and 137 in the City of Maple Plain. He highlighted a few cases.

- For a complete report please refer to the City Council packet\*

9. Jim Lundberg, Operations Director - Lake Minnetonka Communications Commission Organization Update.

Lundberg shared a video outlining different elements of the LMCC and what they do for community programming. It helps local communities by connecting cities to their citizens. Lundberg said the LMCC was formed in 1984 to provide public, educational and government access to local markets. The LMCC is funded through franchise fees as well as paid fees from subscribers.

10. Open/ Misc.

11. Adjourn.

**Motion by Betts, second by McCoy to adjourn at 7:30 p.m. Ayes: Johnson, Grotting, McCoy, Betts, and Spencer. Nays: None. Absent: None. None. Abstain. None. MOTION DECLARED CARRIED.**

---

Respectfully Submitted,  
Trish Gronstal/ Recording Secretary

# City of Independence

## Consider Approving A/V Contract and Community Room Furniture Purchase

---

*To:* City Council  
*From:* Mark Kaltsas, City Administrator  
*Meeting Date:* May 4, 2021

### **Discussion:**

Staff presented information relating to both the Community Center audio visual equipment proposal and furniture proposal at the April 29, 2021 City Council Workshop. The City would like to move forward with both items so that we do not have any delays relating to completing the renovation work at City Hall. A short summary of each item is as follows:

Community Room Furniture: This would include new tables, chairs, and conference room furniture. The new furniture would complement the new space and allow for storage within the programmed storage areas being renovated as a part of the project (see attached). The new proposal includes a revised center leg conference room table as discussed at the workshop.

**Total Cost: \$25,584.78**

Audio Visual Equipment: BKV and staff have been working to program an updated a/v system that fits the new space and provides for the current needs of the City without limiting future expansion of capability as technology advances. The City has met with four different vendors to review our needs and identify the most cost-effective solutions. Following a failed relationship with one vendor, staff and LMCC brought in ZSystems to review needs and provide possible solutions. ZSystems works with LMCC on their a/v installations. ZSystems has provided the City with three alternatives that will meet our requirements and provide a cost-effective a/v solution. In addition, the proposed system would be complimentary of the LMCC camera system that they are proposing to give to Independence. This system cost of approximately \$12,000 would be provided by LMCC. The propose system would have the following highlights:

- Each Council seat at the dais would have an individual monitor that would show the content provided to the audience and controlled by staff or the presenter.
- Two moveable 86" television screens would be mounted to a cart and allow flexibility to move within the Community room and Lobby areas.
- Wireless and virtual compatible video and sound connectivity in the community room (i.e. wireless connectivity to screens and virtual meeting integration)
- Updated sound system.

- All in one control panel that would provide controls for all video content and sound.
- Remotely programable tv screens in the lobby that would allow WHPS and City Hall to provide changeable information and notices.
- TV/wireless connectivity in new City Hall conference room.

**Total Cost: \$59,841.45**

***Council Recommendation:***

City Council is asked to consider approval of both proposals and authorize the City Administrator to sign the contracts on behalf of the City of Independence.

**ATTACHMENTS:**      **Z Systems, Inc. Proposal for Services**  
                                 **Henricksen Proposal for Services**





3/22/2021

Your Vision, Our Experience:

City of Independence

Council Chambers Video  
Presentation System

Proposal for Engineering,  
Procurement, Installation,  
Integration, and Training



CITY OF  
**INDEPENDENCE**  
MINNESOTA

# Introduction

## About Z Systems

Z Systems, Inc. is a professional video integrator, reseller, and rental house, specializing in the engineering, design, and integration of customized video and A/V systems. Z Systems is a small business based in St. Louis Park, MN.

## Contents

Page 2	Introduction / Overview	Page 5	System Diagram
Page 3	Our Team	Page 6	Project Scope / Exclusions
Page 4	Our Work	Page 7	Our Process / Next Steps

## Project Overview

The city of Independence is doing of a remodel of their city hall and would like to install a state-of-the-art audiovisual presentation system in their council chambers. This includes monitors at each position at the dais, gooseneck microphones for the dais, two cart-mounted TVs which could be moved to various locations as needed, inputs for wired HDMI as well as Apple TV and Kramer Via Connect, ceiling speakers in three different rooms, a conference room presentation TV, and two entryway TVs with digital signage. The system should be able to leverage video conferencing via a computer-based app such as Zoom.

## Proposed Solution

Z Systems has explored many great options for this particular use case, and is proposing a system meets three criteria – cost effectiveness, reliability, and ease of use. Our proposed system includes the following:

- 86” LG TVs – (2) Cart mounted, (2) on entrance wall, and (1) on wall in conference room.
- (9) 15” TVs at council dais, with low-profile stands to prevent obstructed view.
- A ceiling speaker system with three zones. Above council dais, one in room I30, and one in Lobby B.
- Nine gooseneck microphones at council dais.
- Integration of existing wireless microphone system, including microphone holder at the lectern.
- Inputs would include Apple TV, Via Connect, dais HDMI, lectern HDMI (*currently projected to be wired – please inquire if wireless option is needed*) as well as wall HDMI in room I30 and wall HDMI in Lobby B.
- HDMI video outputs to connect TV carts: (2) under dais, (2) in room I30, (2) in Lobby B.
  - **Option A:** A touch panel at dais to select inputs, turn TVs on/off, as well as control volume levels for all three rooms.
  - **Option B:** Switching of various inputs would occur via Key Digital app, audio levels would be controlled via ARC-WEB app, TV power would be controlled via remote control only.
- Two wall panels with volume knobs for room audio – one in room I30, one in Lobby B.
- A BrightSign player for entrance TVs for slides, announcements, etc.
- An HDMI jack in floor in conference room, as will as Apple TV input for conference room.
- A USB Capture device to take output from video camera system (to be purchased by LMCC) and feed it to Zoom.
- In **Options A and B**, Z Systems will pull cables. In **Option C**, Z Systems would not pull the cables.



# Our Team

## Company Background

- Number of years in business: **22 years**
- Taxpayer Identification Number: **41-2007713**
- Number of years working with government agencies: **12 years**
- Resumes of the project manager and key personnel who will be responsible for performance of any contract resulting from this RFP: **(see right)**
- Firm ownership and, if incorporated, the state in which the firm is incorporated and the date of incorporation: **Marjorie Zdechlik, incorporated on September 1, 1998, in the State of MN**

Z Systems has decades of combined experience in pro video and A/V integration. We are a team and a family. Here are the key Z Systems staff members you will be working with throughout this project:



## Frederick Gotfredson | Account Manager freddieg@zsys.com

Freddie will function as the primary contact on this project, and his responsibility is to ensure clear communication among all parties and that any customer needs are met in a timely manner. Freddie has a passion for customer service. He brings with him a lifetime of experience in the world of multimedia production and design, having worked as a freelance audio and video producer, as well as a graphic, web, and print designer.



## Jay Gallentine | Integration Manager and Lead Engineer jayg@zsys.com

As the leader of the integration department, Jay will serve as the lead engineer and project manager. He's been with Z Systems since 2000 and has run the integration department since 2007. His primary duties here are facility design & engineering, estimating jobs, and managing projects. Jay holds a Bachelor's Degree with Honors in Broadcasting and Film Production from the University of Iowa.



## Jeremy Hauer | Technician and Audio Specialist jeremyh@zsys.com

Jeremy will be assisting in the installation and integration of this project. Jeremy has a background in engineering and construction, having worked as a television sound editor and construction contractor for a combined 22 years. Jeremy's education was in networking, and he has certifications from Atlona, Cisco, Microsoft, and Apple, as well as the ProTools media production suite.



## Margie Zdechlik | Owner, President and Controller margiez@zsys.com

As the President of Z Systems, Margie is quintessential to all aspects of our business, including our company culture, our commitment to customer service and professionalism, and our business operations. As the controller, customers will interact with her on issues such as billing and shipping. When you call the main office line at Z Systems, Margie is often the one answering the phones as well.



# Our Work

Z Systems has decades of experience engineering and integrating customized A/V and video solutions. We have worked with governments, houses of worship, educational institutions, professional sports teams, and Fortune 500 companies. Whatever the job, Z Systems has the experience to get it done correctly, on time and on budget.



Saint Paul Chamber  
Orchestra

The Historic Hamm  
Building, 408 St. Peter  
Street, Third Floor, St.  
Paul

Contact:  
Matt Thueson  
(651) 292-6986

## Saint Paul Chamber Orchestra / Ordway Theater Live Production and Streaming System

The Saint Paul Chamber Orchestra needed a high-end, multicamera, robotic live production and streaming system installed at the Ordway Theater. The system had to provide superior video and audio fidelity while making use of the Ordway's existing infrastructure.

Although the project unrolled in two major chapters, its design stage addressed both. An initial "Phase One" incorporated four identical high-end Sony cameras, Vinten robotic heads, Ross video router, Yamaha digital audio mixer, and multiple AJA file recorders. This went well and led almost immediately into "Phase Two" which added more cameras, recorders, a Ross switcher, and several pieces of auxiliary gear.

During both project phases, Z Systems demonstrated its flexibility and versatility by creating custom interfaces for cameras, screens, and joystick controls. The Sony camera bodies lacked mount points for an A/C adapter. This was solved by modifying off-the-shelf V-mount plates to result in a compact arrangement that's unobtrusive in the concert hall. One camera is tripod-mounted and used on-stage; the Integration Department fabricated a custom, low profile, quick-disconnect so that the rig may be introduced or withdrawn in a flash.

Now that the project has completed, Z Systems works with the SPCO to track the nominal wiring and equipment changes, and rapidly provides assistance in case of trouble.



2401 Mounds View  
Boulevard, Mounds  
View, MN 55112

Contact:  
Vanessa Van Alstine  
612-868-9887

## City of Mounds View City Council Chambers Live Production System

The City of Mounds View had very specific and complex requirements for their new council chambers production system. It was based on Panasonic HE-130 PTZ cameras, and required a 'simple mode' with DSP auto-mixing and switching based on Ross Lighting software and an 'advanced mode' with a mixing console and traditional switcher control panel. Additionally, the entire system is controllable via tablets as well, so that the video operator can be in the chambers during a meeting.



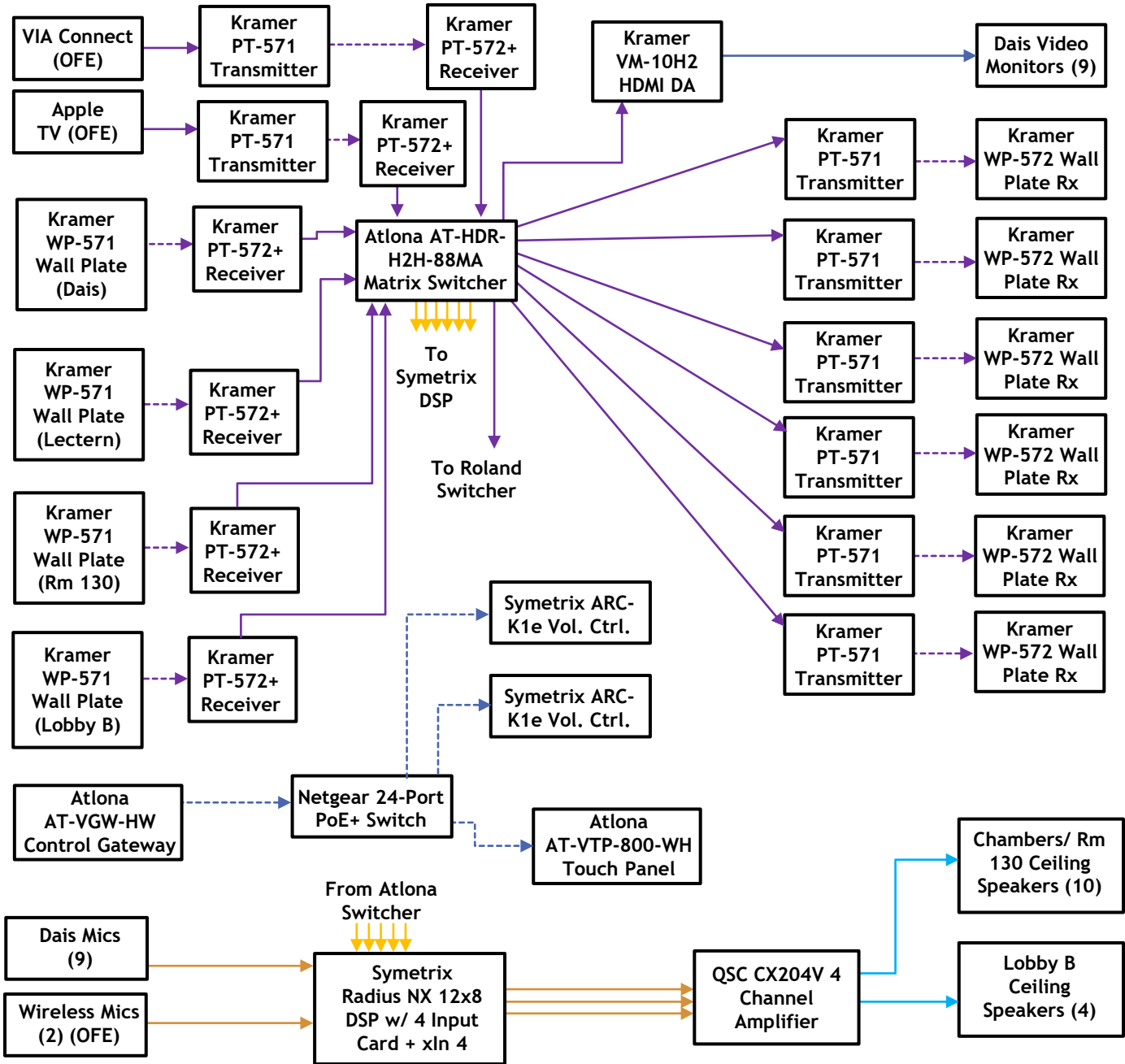
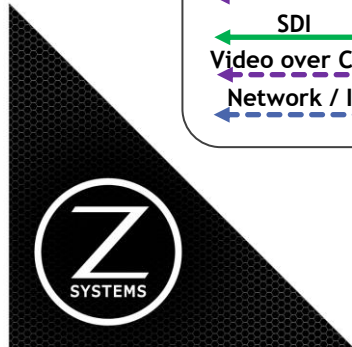
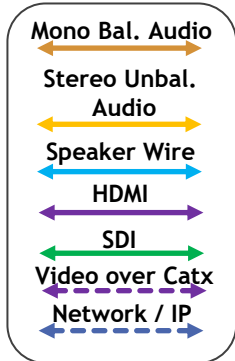
# System Diagram

## Council Chambers / Room 130 – Option A w/ Control System

### Note

This is a high-level connectivity diagram depicting basic video signal flow. It may not include all converters, power, splitters, distribution amplifiers, etc. It does not indicate required network connections for Cablecast and other equipment.

OFE= Owner Furnished Equipment



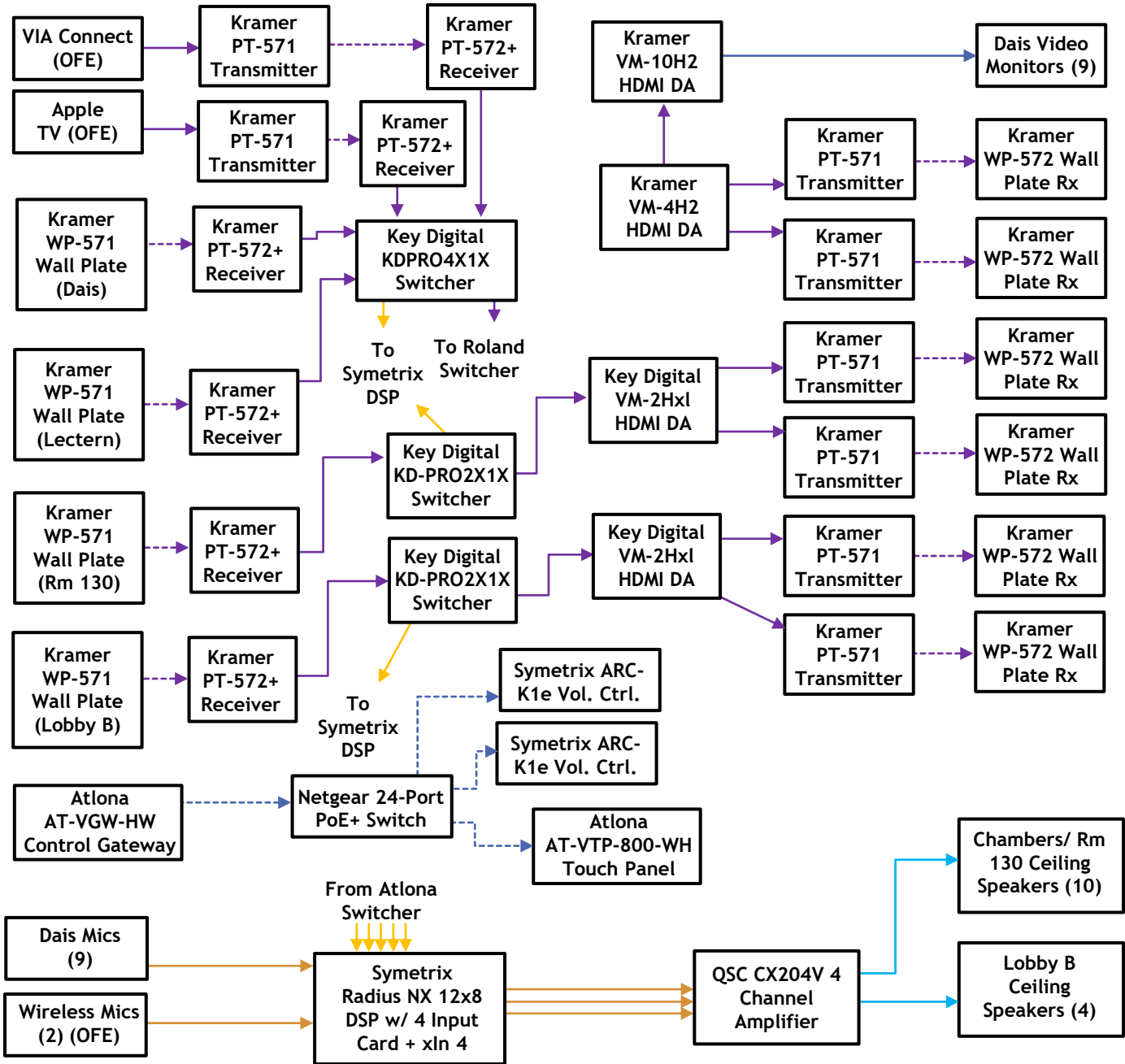
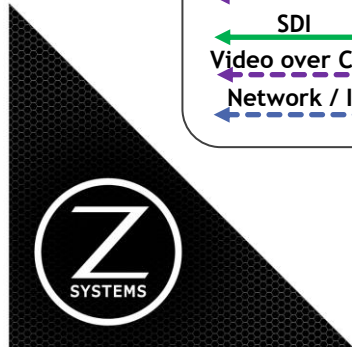
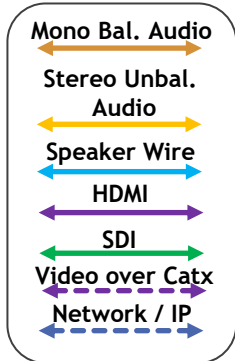
# System Diagram

**Council Chambers / Room 130 – Option B  
NO Control System**

**Note**

This is a high-level connectivity diagram depicting basic video signal flow. It may not include all converters, power, splitters, distribution amplifiers, etc. It does not indicate required network connections for Cablecast and other equipment.

OFE= Owner Furnished Equipment



# Scope of Work

## Prior to Install

- Z Systems will conduct a thorough engineering review prior to the ordering of equipment. This may include an onsite visit. The purpose of this visit is to determine cable run pathways and lengths, equipment location, additional equipment needs such as converters, etc, and other considerations.
- Generation of CAD drawings of system connectivity.
- Programming of Atlona control system and Symetrix DSP.

## On-site Tasks

### Chambers Presentation System

- **Option A and B:** Cable pull between all wall plates and AV closet, dais and AV close, as ceiling speaker wiring to AV closet. If **Option C** is selected, Z Systems will provide cabling and direct others on pull locations.
- Installation of two 86" cart-mounted TVs.
- Installation of nine 21.5" monitors on council dais.
- Installation of DA for dais monitors.
- Installation and configuration of Atlona Velocity switcher and touch panels.
- Installation and configuration of network switch.
- Installation and configuration of Kramer HDMI extenders and wall plates.
- Installation and configuration of 9 gooseneck microphones for dais.
- Installation of Symetrix DSP.
- Installation and configuration of audio amplifier.
- Installation of 14 ceiling speakers.
- Installation of lectern.
- Installation and configuration of all other equipment indicated in quote and drawing.
- Creation of reference binder books.
- Up to four hours training on system.
- Clean up and load out.

### Entryway

- Installation of two 86" TVs on entrance way wall.
- Installation and configuration of Brightsign player and Kramer DA.

### Conference Room I25

- Installation of one 86" TV on wall.
- Installation of HDMI floor jack for TV.

### Scope Exclusions

- Scope doesn't include anything not mentioned above.
- Scope doesn't include high voltage power or network drops. Power outlets required at all TV locations, as well as equipment closet.



# Our Process / Next Steps

You are Here →

## Our Process

1. We meet with you at your facility, discuss your current system and take as many photos as we can to get an idea of exactly what equipment you have, how it is installed, and where it is located. We sit down with you and discuss:
  1. What are your challenges (what isn't working) with your current system?
  2. What do you like about your current system?
  3. What kind of functionality do you want to achieve with your new system?
  4. What is your timeline to complete this project, and what is your expected budget?
2. We take all of this information into account and get to work drafting an outline and sketch of your new system. This includes equipment, basic connectivity diagrams or flowcharts, and any optional functionality or equipment requested by you.
3. We meet you again to make sure that our proposed concept is exactly what you are looking for. Then we make revisions, if need be.
4. You are presented with a formal proposal. We make detailed engineering plans and equipment lists in preparation for install and procurement.
5. The customer indicates they are prepared to move ahead with the project by signing the proposal, and paying any down payments, if necessary.
6. Before the procurement of your new equipment begins, the account manager, lead engineer and president of Z Systems sign off on the project to make sure no details are missed.
7. We order your equipment and begin the integration and installation process.
8. After integration is complete, training begins, and we make sure you and your staff know how to use your new system.

## Next Steps

### March 2021

City of independence will review the current proposal.

Any changes requested to current proposal will be made.

Upon approval, the process of procurement and integration will begin.

### June 2021

If project is approved in March, work is expected to begin on this project in June, 2021.







# Z Systems, inc.

3724 Oregon Avenue South  
Saint Louis Park, MN 55426

Tel. 952-974-3140  
Fax. 952-974-3141  
www.zsyst.com

# Purchase Agreement

DATE: 3/22/2021 QUOTE #: 323082

P.O. #: FOB: Mfr's Dock

TERMS: 50% Down, Bal Net 15

PROJECT: Chambers Presentation Sys Q1 '21

## SOLD TO:

The City of Independence  
Mark Kaltsas  
1920 County Rd. 90  
Independence, MN 55359

## SHIP TO:

The City of Independence  
Mark Kaltsas  
1920 County Rd. 90  
Independence, MN 55359

ITEM	DESCRIPTION	QTY	UNIT COST	TOTAL:
	=====			
	TVS & CARTS			
	=====			
86UN8570PUC	LG Electronics 86UN8570PUC 86-Inch 4K UHD LED Smart TV - Cinema HDR - 120Hz	5	1,715.374	8,576.87T
LSM1U	Chief Large Fusion Micro-Adjustable Fixed Wall Display Mount	3	150.48	451.44T
SR560M	Peerless-AV SR560M SmartMount Flat Panel Cart for 32-75' Displays	2	413.775	827.55T
SC-1511	Supersonic SC-1511 White 15.6' 1080p LED Widescreen HDTV with HDMI & USB Input	10	92.40	924.00T
WS-03A	Wearson WS-03A Adjustable LCD TV Stand Folding Metal Monitor Desk Stand with VESA Hole 75x75mm&100x100mm	9	46.20	415.80T
	TVS & CARTS SUBTOTAL:			11,195.66
	=====			
	CONTROL SYSTEM			
	=====			
AT-VGW-HW-3	Atlona Velocity Hardware Gateway for Control 3 Rooms	1	627.00	627.00T
AT-VTP-800-WH	Atlona Velocity 8" Touch Panel - White	1	808.83	808.83T
AT-HDR-H2H-88MA	Atlona 4K HDR 8x8 HDMI Matrix Switcher	1	2,131.80	2,131.80T
AT-VTP-TMK	Atlona Tabletop Mounting Kit for Velocity Control System Touch Panels	1	125.40	125.40T
GS524PP-100NAS	Netgear GS524PP 24-Port Gigabit PoE+ Compliant Unmanaged Switch	1	333.04	333.04T
	CONTROL SYSTEM SUBTOTAL:			4,026.07
	=====			
	SIGNAL DISTRIBUTION & SIGNAGE			
	=====			
WP-571/US(W)	Kramer WP-571 Active 1-Gang Wall Plate HDMI over Twisted Pair Transmitter (White)	4	154.275	617.10T
PT-571	Kramer PT-571 HDMI over Twisted Pair Transmitter	8	160.325	1,282.60T
WP-572/US(W)	Kramer WP-572 Active 1-Gang Wall Plate HDMI over Twisted Pair Receiver (White)	6	154.275	925.65T
PT-572+	Kramer HDMI over Twisted Pair Receiver	6	151.25	907.50T
VM-4H2	Kramer VM-4H2 4K HDMI 2.0 1:4 Distribution Amplifier	2	317.625	635.25T
VM-10H2	Kramer 1:10 4K HDR HDMI Distribution Amplifier	1	813.73	813.73T
32070	Magewell 32070 USB Capture SDI Gen 2 HD/3G/2K SDI Capture Dongle - USB 2.0/3.0	1	246.40	246.40T
VM-2Hx1	Kramer 1:2 HDMI Distribution Amplifier	1	190.58	190.58T
LS424	Brightsign LS424 Digital Signage Player	1	206.25	206.25T
	SIGNAL DISTRIBUTION SUBTOTAL:			5,825.06

Subtotal:

Sales Tax: ()

**TOTAL:**

SIGNATURE:



# Z Systems, inc.

3724 Oregon Avenue South  
Saint Louis Park, MN 55426

Tel. 952-974-3140

Fax. 952-974-3141

www.zsyst.com

# Purchase Agreement

DATE: 3/22/2021

QUOTE #: 323082

P.O. #:

FOB: Mfr's Dock

TERMS: 50% Down, Bal Net 15

PROJECT: Chambers Presentation Sys Q1 '21

## SOLD TO:

The City of Independence  
Mark Kaltsas  
1920 County Rd. 90  
Independence, MN 55359

## SHIP TO:

The City of Independence  
Mark Kaltsas  
1920 County Rd. 90  
Independence, MN 55359

ITEM	DESCRIPTION	QTY	UNIT COST	TOTAL:
	===== AUDIO =====			
MX412D/C	Shure MX412DC Desktop-Mounted 12" Cardioid Gooseneck Microphone	9	231.00	2,079.00T
TM08B	On-Stage TM08B Flange Mount (Black)	1	6.64	6.64T
MSA9030-19B	On-Stage Stands MSA9030-19B 19in Black Gooseneck	1	9.64	9.64T
TBD	Handheld Mic Clip	1	11.00	11.00T
80-0134	Symetrix Radius NX Audio Digital Signal Processor w/ 12 analog inputs / 8 analog outputs. 64x64 redundant Dante & identical DSP resources.	1	1,962.40	1,962.40T
80-0062	Symetrix 4 Channel Analog Input Card for Edge and Radius	1	243.10	243.10T
80-0111	Symetrix xIn 4 - 4 channel analog input expander, 4 channel Dante transmit, 1/2 rack, PoE - Mounting hardware sold separately	1	600.60	600.60T
80-0078	Symetrix ARC Panel (ARC-K1e)	2	184.80	369.60T
CX204V	QSC CX-204V 4 Channel Power Amplifier (70V)	1	1,336.63	1,336.63T
Control-24CT-Micro	JBL All-In-One Ceiling Speaker System - Price Each - Sold in Pairs	14	67.10	939.40T
	AUDIO SUBTOTAL:			7,558.01
	=====			
	FURNITURE =====			
RK16	Middle Atlantic RK16 RK Series Rack (16 RU)	1	127.05	127.05T
RK-RR16	Middle Atlantic RK-RR16 Rear Rack Rail for 16 RU RK and BRK Series Racks	2	29.15	58.30T
LE3050	Audio Visual Furniture LE3050 Mobile Lectern. Features include adjustable interior shelf with locking front access doors and HD casters for mobility. Check website for available finishes.	1	592.90	592.90T
Materials	Misc Installation Materials and Installation Supplies (lot).	1	4,428.89	4,428.89T
Installation	Installation Labor (lot). - Per Scope Above.	1	26,029.41	26,029.41T
SC-Std Warranty	This system comes with a 90 day installation warranty along with the various manufacturer's warranties - usually 1 year parts and labor. The manufacturers' warranties, however, are 'depot' style warranties - i.e. the equipment needs to be uninstalled, sent in for repair, then reinstalled and tested by the customer. Z Systems is happy to do this on your behalf at our standard rate of \$125 / hr. We also have service contract options if you are interested - please ask your account manager for details.			0.00T

Subtotal:

Sales Tax: ()

**TOTAL:**

SIGNATURE:



# Z Systems, inc.

3724 Oregon Avenue South  
Saint Louis Park, MN 55426

Tel. 952-974-3140

Fax. 952-974-3141

www.zsyst.com

# Purchase Agreement

DATE: 3/22/2021

QUOTE #: 323082

P.O. #:

FOB: Mfr's Dock

TERMS: 50% Down, Bal Net 15

PROJECT: *Chambers Presentation Sys Q1 '21*

### SOLD TO:

The City of Independence  
Mark Kaltsas  
1920 County Rd. 90  
Independence, MN 55359

### SHIP TO:

The City of Independence  
Mark Kaltsas  
1920 County Rd. 90  
Independence, MN 55359

ITEM	DESCRIPTION	QTY	UNIT COST	TOTAL:
Shipping	(Shipping Charges Will Be Added To The Final Invoice)		0.00	0.00T

As an authorized representative of the organization listed above, I hereby order and agree to purchase these products and/or services from Z Systems based on the terms and conditions set forth in this agreement and the document 'Z SYSTEMS INC. Terms and Conditions' which can be found at zsyst.com/terms. All pricing quoted is subject to change / management approval at time of order entry/acceptance. Any returns, if accepted by our vendors, will be subject to a 20% restocking fee.

Subtotal: \$59,841.35

Sales Tax: () \$0.00

**TOTAL: \$59,841.35**

SIGNATURE: \_\_\_\_\_

# Table Finishes

OPTION 1



Folkstone Grey

OPTION 2



Sandalwood



Silver



## Public

Stacks 36 high on a cart  
Frame: Black  
Poly: Black

Quantity: 100  
Carts: 3



## Council

High back  
Channel stitching  
Polished loop arms  
Black base  
Seat: Parker-Nightfall  
Quantity: 10



# Coat Rack

Holds up to 32 Coats

Quantity: 2  
Hangers: 24



# Stool

Adjustable Height  
Base: Black  
Poly: Lava  
Seat: Parker-Nightfall

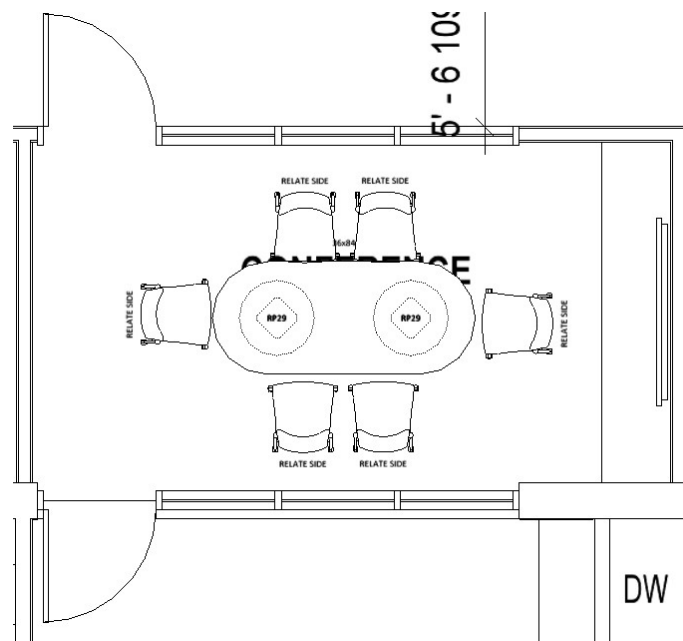


# Conference Room

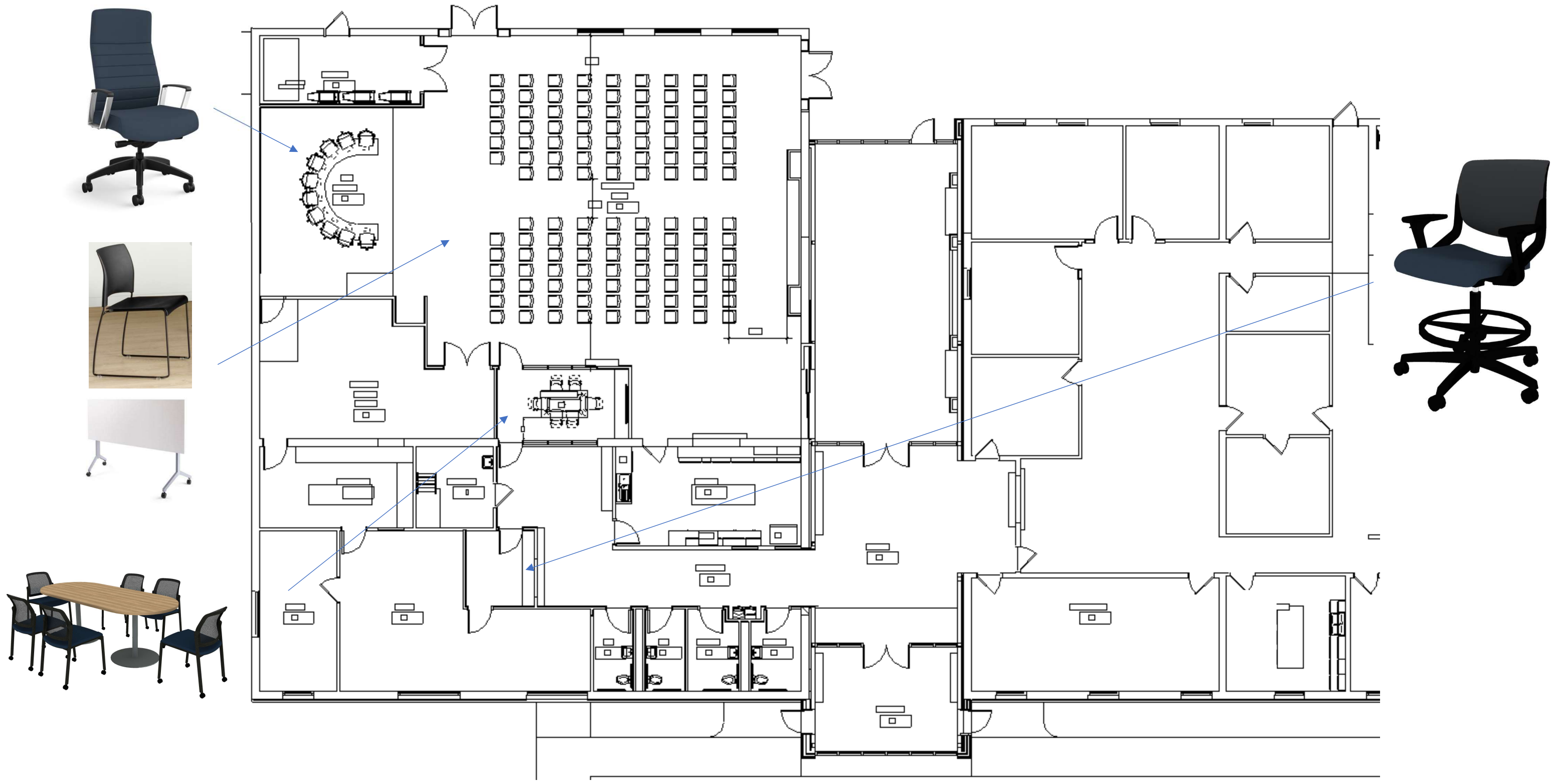
6 chairs on casters  
No power in table

Table base: Titanium  
Table top: Fawn Cypress

Top:  
Chair mesh: Carbon  
Chair frame: Charblack  
Chair base: Casters  
Chair seat: Parker-Nightfall



Plan





Quote No.: **21010451**

Prepared For:

Deliver To:

**CITY OF INDEPENDENCE**

**BETH HORNER  
1920 COUNTY RD 90  
INDEPENDENCE, MN 55359**

Updated: 4/29/2021  
Prepared By: DAWN JADIN  
Direct: 612.330.0012

d.jadin@henricksen.com

Qty	Part Number	Description	Tag	Unit Price	Extended Price
6	RLM-MUCA	Relate Side Std Mesh Back/Uph Seat/Casters/Armless .3 Multi-surface Caster .CBK Charblack LKM01 CLR: Carbon \$(3) GRD 3 UPH .PRKR Parker 22 Nightfall	CONF RM	\$272.32	\$1,633.92
1	AMPTLF3684RT	Structure 36" X 84" Racetrack Top Lam SqrEdge .X Standard Wood \$(L2WDG) L2 Woodgrain Lam Opts .LFC1 Lam: Fawn Cypress .FC Fawn Cypress .CO No Cutout	CONF TABLE	\$291.20	\$291.20
2	AMPTPR29M	Structure Round Pedestal Base Med. Seated Height \$(P1) P1 Paint Grade .P8V Textured Titanium	CONF TABLE	\$217.70	\$435.40
10	SV2HCNO	Svelte 2.0 Uph HighBackChair ChannelStitch No FC .F FSC Wood .BLK Black .S Synchro Seat Slider .F Polished Loop Arms \$(3) Grade 3 Uph .PRKR Parker 22 Nightfall	COUNCIL	\$488.40	\$4,884.00
100	NMBL-2FC	Nimble High Density Stacker/Painted Frame/FC .2 Felt Covered Polycarbonate Gld \$(P1) P1 Grd Frame .P71 Black .BLK Clr: Black	PUBLIC	\$81.40	\$8,140.00
3	NMBL-CART	Nimble Cart -Holds 36 chairs	PUBLIC	\$235.30	\$705.90
15	3062.TBT2.TZ3060	Ocala - Base - For Top Size 30x60 BF01 Silver	TABLES	\$229.00	\$3,435.00
15	3061.TBT2.TZ3060	Ocala - 30" Deep x 60" Wide Rectangular Top TL24 Folkstone Grey GP00 *** No Grommets ***	TABLES	\$161.50	\$2,422.50
2	4601	Impromptu Coat Rack	COAT RACK	\$443.78	\$887.56

Qty	Part Number	Description	Tag	Unit Price	Extended Price
		BL Black comes with (12) hangers			
1		Hangers no longer available to purchase separately		\$0.00	\$0.00
		Standard Hangers will work			
1	HMT5	Motivate Task-Flex Back-Up Seat Adj Footring	STOOL	\$294.30	\$294.30
		.A Arm: Adjustable Arm			
		.H CASTER: Hard (Standard)			
		.PS Plastic Shell			
		LA COLOR: Lava			
		\$(3) Grade: III Uph			
		.PRKR Parker			
		22 Nightfall			
		.SB Base: Standard Plastic Black			
		.T FRAME: Black			
1		INSTALLATION ESTIMATE		\$2,455.00	\$2,455.00
		<b>GRAND TOTAL</b>			<b>\$25,584.78</b>

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_

**PLEASE REMIT WITH COPY OF YOUR PURCHASE ORDER**

PO: \_\_\_\_\_

All items are special order and cannot be changed, cancelled or returned once factory production runs have closed. Installation to occur during regular business hours unless otherwise specified. Site to be accessible by commercial vehicles, free of obstacles & debris and subject to inspection and approval by Henricksen PSG. Construction punchlist to be completed before furniture is delivered and installed Installation of modular electrical components to be performed by licensed electrician and not included in this proposal unless otherwise specified. Any existing furniture to be removed from areas designated to receive new furniture prior to delivery/installation of new furniture. Handling of existing furniture not included in this proposal unless otherwise specified.

		Commercial	New House	Septic								Total Fees includes surcharge	Total Fees Total Surcharge	Total Fees w/o Surcharge	VALUE	FINAL
DATE	#	Applicant	ADDRESS	PID #	PERMIT TYPE	O	M	P	BV	Septic	Sewer					
1/6/21	21-01	Majestic Heating	6160 Woodhill Lane	14-21-0002	Mech			1					101	1	100	\$2,000.00
1/6/21	21-02	Egress Window	637 Nelson Rd	31-21-0006	2 windows		1						111	1	110	\$3,855.00
1/6/21	21-03	John Mika	7620 Pioneer Creek Rd	21-34-0002	Siding		1						101	1	100	\$17,000.00
1/6/21	21-04	Call Hero	4010 Bell Rose	01-44-0007	Mech			1					101	1	100	\$8,622.00 FINAL
1/11/21	21-05	Todd Hanson	5645 Kochs Crossing	11-14-0010	Shed					2.5			191.59	2.5	189.09	\$5,000.00
1/12/21	21-06	Heating & Clg Two	2210 Old Post Rd	22-11-0014	Water Htr				1				51	1	50	\$1,752.00
1/12/21	21-07	All Star Today	18 Golf Walk	31-31-0002	4 re-roofs					90			1575	90	1485	\$180,000.00
1/12/21	21-08	Ashco Exteriors	5370 Lake Sarah Hgts	01-21-0003	5 windows		1						141	1	140	\$10,000.00
1/14/21	21-09	Minn. Exteriors	6405 Stephanie Way	02-23-0003	Siding/door		2						202	2	200	\$34,603.00
1/14/21	21-10	City View Plumbing	1424 Nelson Rd	30-12-0002	Plumbing				1				101	1	100	\$3,000.00 FINAL
1/14/21	21-11	Innovative Basement	2485 Co Rd 92	17-44-0002	Draintile				1				101	1	100	\$4,270.00
1/15/21	21-12	All Around Property	6935 Dylan Lane	03-13-0004	Re-roof		1						101	1	100	\$27,233.00 FINAL
1/20/21	21-13	Morton Bldrs	2415 Co Rd 92	17-43-0007	Pole Bldg					62.3			1989.31	62.3	1929.01	\$125,000.00
1/20/21	21-14	Jeremy Roberts	7889 Hwy 12	16-32-0001	Bathroom				1				389.74	1	388.74	\$9,000.00
1/21/21	21-15	ABC USA	7325 Lake Sarah Dr.	04-11-0005	Siding		1						101	1	100	\$38,000.00
1/22/21	21-16	ABC USA	4375 Lake Sarah Rd.	03-33-0001	Siding		1						101	1	100	\$13,894.00
1/22/21	21-17	Stewart Plumbing	2925 Becker Rd	14-24-0005	Plumbing				1				211	1	210	\$13,060.00
1/25/21	21-18	Andrew Tuomisto	4084 S Lake Sarah Rd	02-43-0005	Pole Bldg					21.5			995.4	21.5	973.9	\$43,150.00
1/25/21	21-19	Stonegate Bldrs	5868 Robert Rd	35-42-0002	New home		2	1	275				7447.39	278	7169.39	\$550,000.00
1/26/21	21-20	Fireplace Creation	2515 Co Rd 90	15-44-0002	Fireplace			1					101	1	100	\$3,500.00
2/2/21	21-21	Gary Bullhagen	6030 Drake Dr.	26-31-0002	Lean-to					8.5			458.79	8.5	450.29	\$16,000.00
2/2/21	21-22	Nate Sleck	2485 Co Rd 92	17-44-0002	Remodel				1	2.5			292.57	3.5	289.07	\$5,000.00
2/3/21	21-23	Jason Sievers	1180 Co Rd 83	25-32-0001	Remodel				1	6			462.62	7	455.62	\$12,000.00
2/9/21	21-24	JPC Homes	6351 Co Rd 11	11-22-0005	Remodel				1	42.5			1653.93	43.5	1610.43	\$85,000.00
2/10/21	21-25	Fireside Hearth & Home	5325 Sunset Lane	01-24-0015	Gas f.p.			1					101	1	100	\$6,200.00
2/16/21	21-26	Rooftek System	6075 Stone Ct.	23-24-0005	Re-roof		1						101	1	100	\$42,639.00
2/18/21	21-27	Flare Heating	4850 Deer Ridge	25-41-0010	Mechanical			1					101	1	100	\$2,445.00
2/22/21	21-28	Stonegate	5900 robert Rd	35-42-0003	New Home		1	1	250				7297.6	252	7047.6	\$500,000.00
2/23/21	21-29	Deziel HVAC	65 Game Farm Rd.	33-44-0005	Mechanical			1					101	1	100	\$5,833.00
2/24/21	21-30	Marta Keane	2520 Providence Path	14-44-0005	Water heater				1				51	1	50	\$800.00
2/24/21	21-31	Call Dean's	2026 Copeland Rd	20-23-0003	Water heater				1				51	1	50	\$6,900.00
2/24/21	21-32	Call Deans	7975 Co Rd 6	33-23-0001	Boiler			1					101	1	100	\$12,000.00
3/1/21	21-33	ECO Water	1190 Polo Club Rd	27-41-0002	Water heater				1				51	1	50	\$1,000.00
3/1/21	21-34	Allway's plumbing	2325 Old Post Rd.	22-11-0002	Water heater				1				51	1	50	\$1,900.00
3/1/21	21-35	Aspect design	5375 Pete Dr.	12-32-0001	Demo		1						101	1	100	\$6,000.00
3/3/21	21-36	Chris Weege	2365 Nelson Rd	19-21-0008	Roof/walls		1						141.94	1	140.94 ??	
3/4/21	21-37	Jeff Pluth	5165 Fern Dr.	01-31-0006	Wood stove			1					101	1	100	\$8,000.00
3/4/21	21-38	Renewal by Anderson	5220 Painters Creek	36-21-0006	2 doors		1						111	1	110	\$14,121.00
3/4/21	21-39	Jill Walker	4850 Deer Ridge	25-41-0010	Bathroom					2.5			191.57	2.5	189.07	\$5,000.00
3/9/21	21-40	Resolve Solar	1030 Co Rd 83	25-32-0011	Solar					24.5			1101.39	24.5	1077.89	\$49,113.00
3/9/21	21-41	Renewal by Anderson	1730 Countyline Rd	19-34-0001	Windows-8		1						171	1	170	\$20,615.00
3/10/21	21-42	Allstar Construction	18 Golf Walk	31-31-0002	Re-roofs-4					133			2114	133	1881	\$265,000.00
3/10/21	21-43	BED Plumbing	6360 Waldemar	14-23-0012	Furnace/AC			1					201	1	200	\$17,800.00
3/11/21	21-44	Two Teachers Deck	200 Hamilton Hills	35-44-0008	Deck					6.5			385	6.5	378.5	\$13,500.00
3/16/21	21-45	Quality Home Service	3375 Co Rd 90	10-44-0001	Windows		1						211	1	210	\$15,000.00
3/16/21	21-46	Herb Plumbing	5405 Pagenkopf	24-23-0007	Furnace/AC			1					201	1	200	\$12,040.00
3/22/21	21-47	Jason Johnson	5975 Merz Way	14-42-0006	Remodel				1	50			1859	51	1808	\$100,000.00
3/23/21	21-48	Prestige Pools	4885 Co Rd 6	36-11-0008	Pool			1					677	1	616	\$25,000.00
3/23/21	21-49	Kevin Wittinger	5082 Fern Dr.	01-41-0004	Re-roof		1						101	1	100	\$12,000.00
3/23/21	21-50	Kingdom Builders	5010 Fern Dr.	01-42-0027	Re-roof		1						101	1	100	\$9,000.00
3/23/21	21-51	Advantage Construct.	4950 Eagle Ridge	01-11-0006	Roof/siding		2						202	2	200	\$29,100.00
3/23/21	21-52	Northface Construct.	1939 Copeland Rd	19-41-0003	Reside		1						101	1	100	\$22,000.00
3/23/21	21-53	Larson Plumbing	4525 Eagle Ridge	01-13-0005	Mech. water htr			1	1				152	2	150	\$3,500.00
3/23/21	21-54	Roark Plumbing	2998 Lindgren Lane	13-24-0005	Bathroom				1				101	1	100	\$6,000.00

3/23/21	21-55	Wolfriver Elec	8453 Hitsman Lane	17-31-0006	Solar		12.5	677	12.5	664.5	\$25,000.00
3/24/21	21-56	All Around	5150 Fern Dr.	01-42-0019	Roof/siding	2		202	2	200	\$62,930.00
3/25/21	21-57	A-1 Restore	5286 Co Rd 11	01-34-0008	Re-roof	1		101	1	100	\$35,000.00
3/29/21	21-58	Ray Welter Htg	5975 Merz Way	14-42-0006	Gas Line		1	101	1	100	\$4,100.00
3/29/21	21-59	All Star Today	2665 Nelson Rd	18-31-0004	Re-roof	1		101	1	100	\$16,569.00
3/29/21	21-60	All Around Property	2300 Fieldstone	23-21-0003	Demo			100			\$3,572.00
3/30/21	21-61	Pluto Recon	4735 S. Lake Sarah Dr.	03-24-0003	Re-deck		7	410	7	403	\$14,000.00
3/30/21	21-62	Greg Hamman	2460 Co Rd 92	16-33-0002	Pole bldg		30.5	1181	30.5	1150.5	\$61,000.00
3/30/21	21-63	Holmberg Roofing	4324 Lake Sarah Rd	03-31-0002	Re-roof	1		101	1	100	\$17,200.00
3/31/21	21-64	Riser Plumbing	2117 Heritage	23-13-0009	Plumbing		1	111	1	110 ??	

City of Independence

**Request for a Conditional Use Permit to  
Allow an Accessory Structure Larger than 5,000 SF on the  
Property located at 7475 County Road 11**

---

To: City Council  
From: Mark Kaltsas, City Planner  
Meeting Date: May 4, 2021  
Applicant: Jeff Kazin  
Property Owner: Jeff and Jennifer Kazin  
Location: 7475 County Road 11

**Request:**

Jeff Kazin (Applicant/Owner) is requesting the following action for the property located at 7475 County Road 11 (PID No. 09-118-24-12-0001) in the City of Independence, MN:

- a. A conditional use permit to allow the construction of a new detached accessory structure that exceeds 5,000 SF on the property.

**Property/Site Information:**

The property is located on the south side of County Road 11 and just east of the intersection of County Road 11 and County Road 92 N. The property has an existing home and one additional detached accessory structure. The property is primarily comprised of tillable acreage and is actively farmed. The property has the following characteristics:

Property Information: 7475 County Road 11

Zoning: *Agriculture*

Comprehensive Plan: *Agriculture*

Acreage: *63.08 acres*



***Discussion:***

The applicant approached the City with plans to add a second detached accessory structure on the subject property. It was noted that the proposed 7,500 square foot detached accessory structure would exceed the maximum square footage permitted of 5,000 without a conditional use permit. The applicant would like the City to consider granting a conditional use permit to allow the proposed 7,500 SF accessory building to be added to the property.

In reviewing the request, the City determined that there was a possible wetland located in the general vicinity of the proposed building (see image below). The applicant worked through the wetland delineation process and last week it was determined that no wetlands existed in the vicinity of the proposed shed and or as shown on the national wetland inventory.



All accessory structures greater than 5,000 square feet require a conditional use permit

*530.01 Agricultural District established.*

*Subd. 3. Accessory uses.*

*(d) Detached agricultural storage buildings, barns, or other structures, accessory to an existing single-family dwelling and subject to the following criteria:*

3. **The maximum square footage of any individual accessory building or structure shall be 5,000 square feet.**

The proposed detached accessory building is 7,500 square feet in size (60' x 125'). There is an existing ~5,500 square foot detached accessory structure already on the property. For properties greater than 10 acres, there are no maximum total allowable detached accessory structure square footage limitations. The proposed building would be used for the personal and private storage of agriculture equipment associated with the applicant's farm. There would be no commercial use of the accessory structure permitted. The proposed detached accessory structure would be constructed using materials and colors identical to the existing accessory structure. The building would be oriented so that the doors are facing to the west with no openings on the north, south and east sides.

The applicant has provided the City with a site survey, floor plan and building elevations of the proposed building. It should be noted that there are no doors shown on the “open” side of the building, but the applicant intends to fully enclose the building in the future with overhead doors.

The proposed site and buildings have the following characteristics:

Site Area: 63.08 Acres

Required Setbacks:

Front Yard: 85 feet from centerline  
Side Yard: 30 feet principal structure  
15 feet accessory structure  
Rear Yard: 40 feet

Proposed Setbacks:

Front Yard: N/A (500+ feet from CL of CSAH 11)  
Side Yard: 15 feet (east side property line)  
Rear Yard: N/A (500+ feet from rear property line)

The proposed detached accessory structure would meet all applicable building setbacks.

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

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



9. The proposed use will not stimulate growth incompatible with prevailing density standards.

The City has visited the site and discussed the proposed detached accessory structure with the applicant. The conditional use permit would allow an accessory structure larger than 5,000 SF. The City is being asked to determine whether or not the proposed accessory structure larger than 5,000 SF would meet the criteria for granting a conditional use permit.

**Additional Notes/Considerations:**

The applicant is proposing to construct a detached accessory structure to provide additional storage for use with their farm. The applicants live on the subject property. The applicant has not submitted any information pertaining to building lighting. All building lighting will need to comply with the City's lighting standards. The City typically reviews building lighting during the building permit review process. No additional building screening is proposed given the proximity of all structures on adjacent properties combined with the existing vegetation and general screening provided by the placement of the building.

The applicant has prepared a site plan and building plans for the proposed site improvements. The City will want the applicant to submit a grading and drainage plan with the building permit to ensure runoff from the building is adequately routed and or mitigated prior to exiting the property.

The following conditions should be considered:

1. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
2. The applicant shall provide a proposed grading and drainage plan for review by the City.
3. The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.
4. No commercial use of the proposed detached accessory structure shall be permitted.
5. No future expansion of the detached accessory structure shall be permitted without the further review and approval by the City through the conditional use permit amendment process.

***Planning Commission Discussion and Recommendation:***

Commissioners discussed the application and asked questions of staff and the applicant. Commissioners found the application to be complete and thought that the request met the criteria for granting a CUP. Commissioners recommended approval of the requested CUP to allow an accessory structure on the property that exceeds 5,000 SF.

**Neighbor Comments:**

The City received a written letter following the public hearing which is attached to this report. The letter is asking the City to ensure that drainage is addressed by the applicant.

**Recommendation:**

The Planning Commission recommends approval of the request for a conditional use permit with the following findings and conditions:

1. The proposed conditional use permit request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
3. The applicant shall provide a proposed grading and drainage plan for review by the City. The applicant may be required to add a gutter or other drain tile to the east property line to ensure that drainage resulting from the construction of the new building does not impact the adjacent property.
4. The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.
5. No commercial use of the proposed detached accessory structure shall be permitted.
6. The City is approving the construction of the building detailed in the plan set attached as **Exhibit B**. No future expansion of the detached accessory structure shall be permitted without the further review and approval by the City through the conditional use permit amendment process.
7. The applicant shall pay for all costs associated with reviewing the application and recording the resolution.

**Attachments:**

1. Site Pictures
2. **RESOLUTION No. 21-0504-01**
3. Letter from Adjacent Property Owner
4. Application
5. Site Survey
6. Building Floor Plan
7. Building Elevations

**Attachments**

*7475 County Road 11 (Looking south)*



*7475 County Road 11 (Looking southeast)*



7475 County Road 11 (Looking east)





**CITY OF INDEPENDENCE  
RESOLUTION NO. 21-0504-01**

**A RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT  
TO ALLOW A DETACHED ACCESSORY STRUCTURE  
LARGER THAN 5,000 SQUARE FEET  
ON THE PROPERTY LOCATED AT 7475 COUNTY ROAD 11**

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

WHEREAS, the City adopted a comprehensive plan in 2010 to guide the development of the community; and

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

WHEREAS, Jeff Kazin (the “Applicant/Owner”) submitted a request for a Conditional Use Permit to allow a detached accessory structure larger than 5,000 square feet on the property located 7475 County Road 11 and identified by (PID No. 09-118-24-12-0001) (the “Property”); and;

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

WHEREAS, the approved site plan is further depicted on **Exhibit B** attached hereto; and

WHEREAS, the Property is zoned AG-Agriculture; and

WHEREAS the requested Conditional Use Permit meets all requirements, standards and specifications of the City of Independence zoning ordinance for Agriculture lots; and

WHEREAS the Planning Commission held a public hearing on April 20, 2021 to review the application for the Conditional Use Permit, following mailed and published noticed as required by law; and

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

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Jeff Kazin for a Conditional Use Permit to allow a detached accessory structure larger than 5,00 square feet to be constructed on the subject property per the City's zoning regulations with the following conditions:

1. The proposed conditional use permit requests meet all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Ordinances.
2. The applicant shall provide a proposed grading and drainage plan for review by the City. The applicant may be required to add a gutter to the east side of the building or drain tile to the east property line to ensure that drainage resulting from the construction of the new building does not impact the adjacent property.
3. The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.
4. The conditional use permit will include the following conditions:
  - a. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
  - b. All improvements shall be in accordance with the approved plans attached hereto as **Exhibit B**.
  - c. No commercial use of the proposed detached accessory structure shall be permitted.
  - d. No future expansion of the proposed detached accessory structure shall be permitted on the property without the further review and approval by the City through the conditional use permit amendment process.
5. The applicant shall pay for all costs associated with the review and recording of the resolution for a conditional use permit.
6. The applicant shall record the City Council Resolution with the county within six (6) months of approval.

This resolution was adopted by the City Council of the City of Independence on this 4<sup>th</sup> day of May 2021, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

\_\_\_\_\_  
Marvin Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Mark Kaltsas, City Administrator

**EXHIBIT A**  
*(Legal Description)*

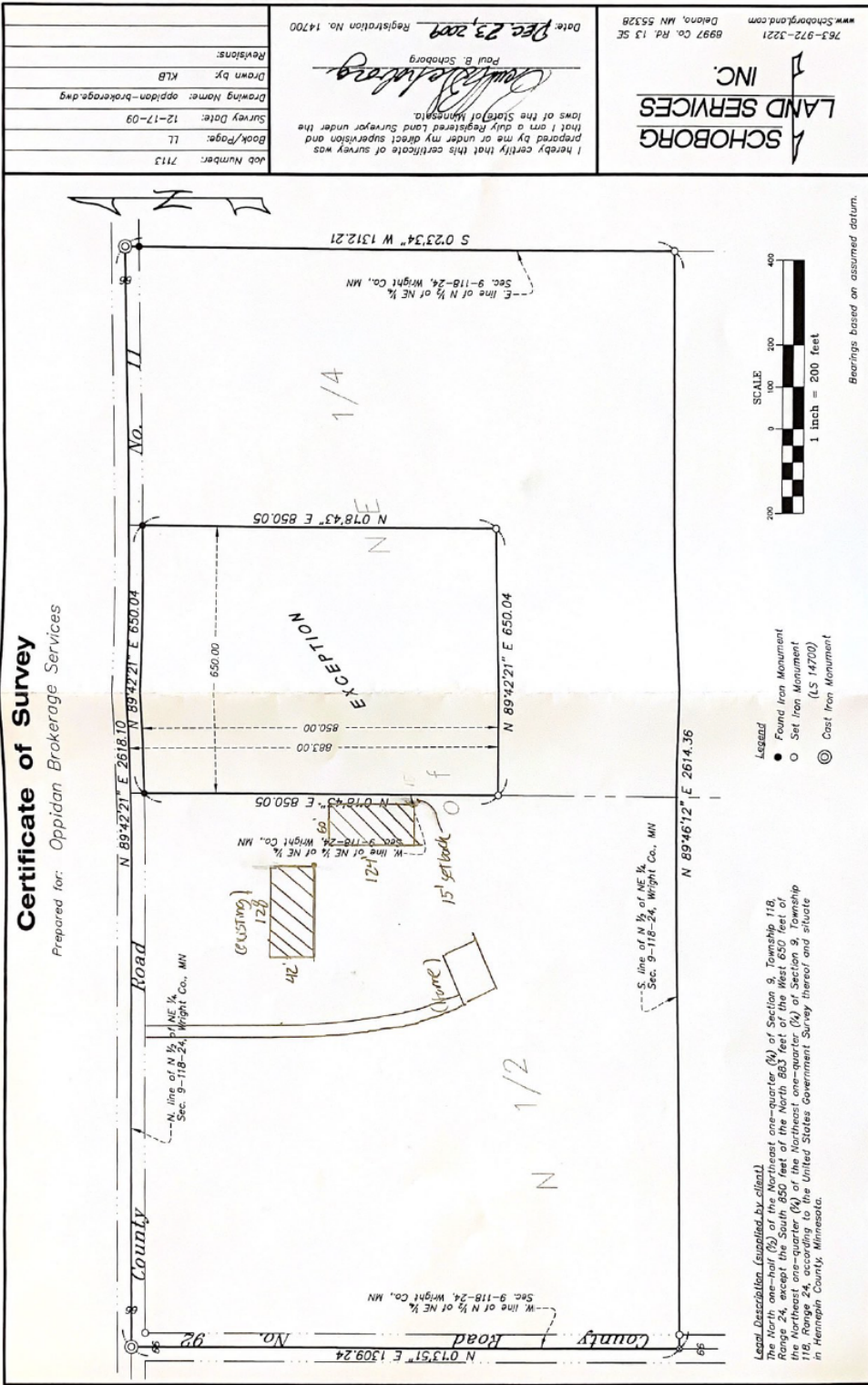
Legal Description (supplied by client)

*The North one-half ( $\frac{1}{2}$ ) of the Northeast one-quarter ( $\frac{1}{4}$ ) of Section 9, Township 118, Range 24, except the South 850 feet of the North 883 feet of the West 650 feet of the Northeast one-quarter ( $\frac{1}{4}$ ) of the Northeast one-quarter ( $\frac{1}{4}$ ) of Section 9, Township 118, Range 24, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.*



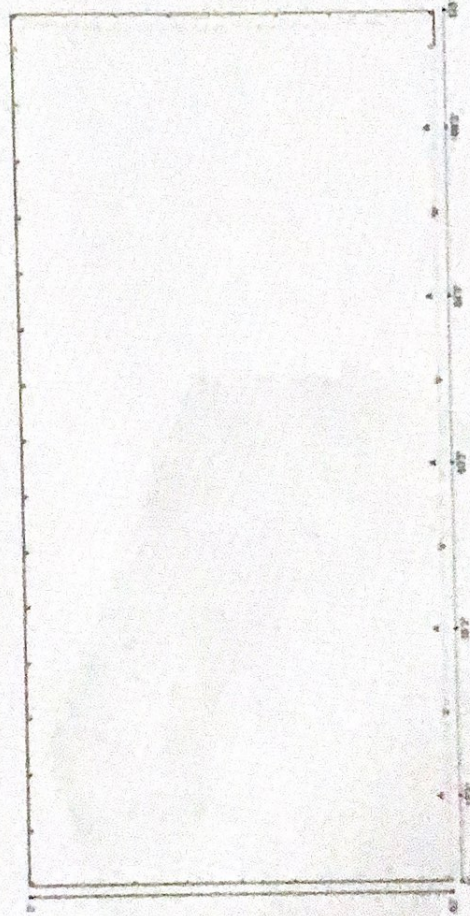
# EXHIBIT B

(Proposed Improvements)

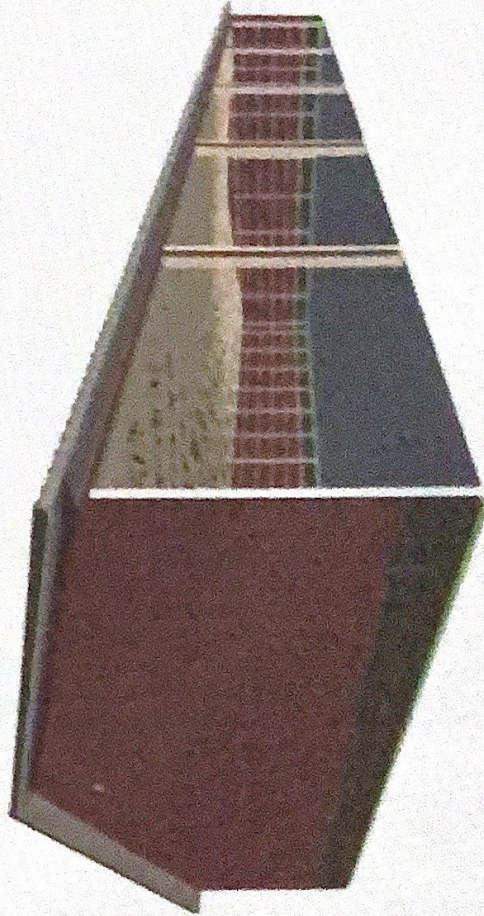




**306 60'x16' 4"x125' (#1) Column Plan**



**306 60'x16' 4"x125' North and West Walls**





**306 60'x16' 4"x125' South and East Walls**



252 W. Adams, P.O. Box 389 • Morton, Illinois 61550-0389

### Building #1 Specifications

Style	Width	Height	Length	Truss Spacing	Roof Pitch	Lower Chord	Peak Height	Soffit Height
306	60'	16' 4"	125'	8'	4/12	1/12	27' 10 5"	16' 9"

306 60'x16' 4"x125' (#1) - Building Use: Farm - Hay Storage

#### Foundation

Morton Foundation System Morton Buildings, Inc. exclusive foundation system. Reinforced precast concrete column with an internal threaded adjustment bracket set in a readi-mix poured footing set below frost depth or a minimum of 4'-0" below building grade. Fastened to a laminated wood column with an internal column connector bracket. Treated Wood splashboard system, mounted at grade to column.

#### Siding

West, South, East, North wall(s) Fluoroflex™ 1000 Hi-Rib Steel Minimum .019 (Fastened with Stainless Steel Screws)

#### Wainscot

West, South, East, North with 36" tall Fluoroflex™ 1000 Hi-Rib Steel Minimum .019 wainscot (Fastened with Stainless Steel Screws)

#### Roof

Hi-Rib Steel Minimum .019 (Fluoroflex™ 1000) (Fastened with Stainless Steel Screws) with Vent-A-Ridge, lap rib sealant tape  
Structure has not been designed for installation of anything which could retain snow on the roof

#### Overhangs

West, East wall(s) 2' Wide Vented Sidewall Overhang with Standard 6" fascia  
South, North wall(s) 2' Wide Non Vented Endwall Overhang with Standard 6" fascia

#### Framed Openings

5 A 23' 6" X 16' 4" (384 sq. ft.) Framed Open Wall

April 19, 2021

City of Independence  
1920 County Road 90  
Independence, MN 55359

ATTN: Planning Commission

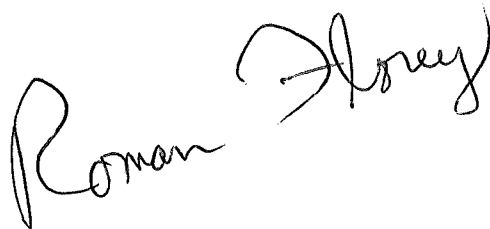
RE: **Public Hearing 4/20/2021** agenda item 1) Jeff Kazin (Applicant/Owner) is requesting the following action for the property located at 7475 County Road 11 (PID No. 0911824120001) in the City of Independence MN: A variance to all a reduced side yard setback to allow the construction of a new detached accessory structure on the property.

In lieu of an in-person public forum, and as an adjacent landowner, **I wish to have my comments heard regarding the agenda item listed above.**

My property is located at 7337 County Road 11 and the proposed building will be located at a reduced variance to my west property line. As I am not opposed to granting the variance, I do ask that the concern of water disbursement from the building be addressed as part of the construction plan. This plan could include a gutter system and tiling that would ensure to redirect rainwater/snow melt from the building so it would not create a potential risk for flooding, pooling, or excessive water discharge onto my property.

Thank you for your consideration.

Roman Florey  
7337 County Road 11  
Independence, MN 55359

A handwritten signature in black ink that reads "Roman Florey". The signature is written in a cursive style with a large, prominent "R" and "F".



**CITY OF  
INDEPENDENCE  
MINNESOTA**

**Applicant Information**

Name: jeff e kazin  
Address: 7475 county rd 11  
maple plain, Minnesota  
55359  
Primary Phone: 6127100987  
Email: farm9@me.com

**Owner Information**

Name: jeff e kazin  
Address: 7475 county rd 11  
maple plain, Minnesota  
55359  
Primary Phone: 6127100987  
Email: farm9@me.com

Property Address:

PID:

Planning Application Type: Variance

Description:

Supporting Documents: Site Survey (Proposed Conditions), Construction Plans

Signature:



# Hennepin County Property Map

Date: 11/30/2020



PARCEL ID: 0911824120001

OWNER NAME: Jeff Kazin & Jennifer Kazin

PARCEL ADDRESS: 7475 Co Rd No 11, Independence MN 55359

PARCEL AREA: 63.08 acres, 2,747,936 sq ft

A-T-B: Abstract

SALE PRICE: \$600,000

SALE DATA: 01/2010

SALE CODE: Vacant Land

ASSESSED 2019, PAYABLE 2020

PROPERTY TYPE: Farm  
 HOMESTEAD: Homestead  
 MARKET VALUE: \$976,800  
 TAX TOTAL: \$8,864.94

ASSESSED 2020, PAYABLE 2021

PROPERTY TYPE: Farm  
 HOMESTEAD: Homestead  
 MARKET VALUE: \$1,011,300

### Comments:

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

COPYRIGHT © HENNEPIN COUNTY 2020



City of Independence  
Minor Subdivision to Permit a Rural View Lot for the  
Property Located at 2076 Copeland Road

---

*To:* City Council  
*From:* Mark Kaltsas, City Planner  
*Meeting Date:* May 4, 2021  
*Applicant:* Thomas Anderson  
*Owner:* Thomas Anderson  
*Location:* 2076 Copeland Road

**Request:**

Thomas Anderson (Applicant/Owner) is requesting the following action for the property located at 2076 Copeland Road (PID No. 20-118-24-23-0002) in the City of Independence, MN:

- a. A rural view lot subdivision that would create a new buildable lot.

**Property/Site Information:**

The property is located on the east side of Copeland Road between Dean Lane and US Hwy 12. The property has an existing home and one detached accessory structure. The property is comprised of significant wetlands and wooded areas along the east property line and upland pasture areas throughout. The property has the following characteristics:

**Property Information: 2076 Copeland Road**

*Zoning: Agriculture*

*Comprehensive Plan: Agriculture*

*Acreage (BEFORE): 48.85 acres*

*Acreage (AFTER): Parcel A – 42.23 acres*

*Parcel B – 6.62 acres (4.1 acres upland)*



**Discussion:**

The applicant approached the City several months ago about the possibility of purchasing the property and creating a rural view lot in accordance with applicable standards. The applicant is proposing to create one (1) rural view lot in accordance with the provisions set forth in the City’s Zoning Ordinance. The subject property has a total acreage of 48.85 acres. The provisions in the Agriculture Zoning District allow one (1) rural view lot for every 40 acres of land under the same ownership. Under the current zoning standards, the subject property has the ability to realize one (1) rural view lot for a total of two (2) lots on this property.

Rural view lots must have the following characteristics:

- |                                       |  |
|---------------------------------------|--|
| <b>Lot size required:</b>             | between 2.5 and 10 acres                 |
| <b>Lot size proposed:</b>             | Parcel B – 6.62 acres                    |
| <b>Minimum lot frontage required:</b> | 300 LF (for property between 5-10 acres) |
| <b>Minimum lot frontage proposed:</b> | Parcel B – 524 LF                        |

**Ratio of lot frontage to lot depth required** - no more than 1:4

**Ratio of lot frontage to lot depth proposed** – Parcel B - ~1:1.5 (524:780)

In addition to the minimum size necessary to subdivide, the ordinance requires a minimum of 2.5 acres of buildable upland, 300 LF of frontage on a right of way and no greater than a 1:4 ratio of lot frontage to lot depth for each rural view lot. Based on the proposed subdivision, the rural view lot would have approximately 4.1 acres of useable upland and 524 LF of frontage on Copeland Road.

The proposed subdivision would produce a 6.62-acre rural view lot. The existing home and detached accessory structure would remain on the property being created as a rural view lot. The existing home meets all applicable setbacks in the after condition. The existing detached accessory structure appears to meet the setback from Copeland Road; however, the condition is not impacted as a result of the proposed subdivision and is either legal non-conforming or conforming (requires an 85-foot setback from the centerline of Copeland Road – centerline is not shown, and structure appears to be  $\pm 83.6$ ). The applicant worked with the City to configure the rural view lot in a manner that maintained conformability and worked with the existing house and detached accessory structure. In addition, the applicant wanted the larger remainder property to maintain a significant portion of the wetland/pond area that is located on the west side of the property. The proposed angled lot line configuration provided appears to align well with the existing property conditions and also provides for the septic site on Parcel B.

The remainder of the property (Parcel A) would comprise 42.23 acres and have one principal building entitlement. Parcel A would easily accommodate a new building pad given its overall size, topography and proposed dimensions. Any development on the property would need to meet all applicable setbacks including those from wetlands. The City received an on-site septic report verifying that both Parcel A and B can accommodate a primary and secondary on-site septic system. The applicant has included the requisite drainage and utility easements as required by ordinance (Section 500.15, Subd.'s 1 and 2) for both the existing and proposed parcel. The remaining property will have **no** rural view lot subdivision eligibilities following this subdivision.

The newly created Parcel B will be required to pay the City's requisite Park Dedication fee. For this property the requirement is \$4,715.00. This fee will need to be paid prior to recording the subdivision.

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

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

***Neighbor Comments:***

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

***Planning Commission Discussion and Recommendation:***

Commissioners discussed the application and asked questions of staff and the applicant. Commissioners discussed the frontage requirements and proposed layout and recognized the need for an angled property line as proposed. Commissioners found the application to be complete and thought that the request met the criteria for granting approval of a minor subdivision. Commissioners recommended approval of the requested minor subdivision to allow a rural view lot split on the property.

***Recommendation:***

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

1. The proposed rural view lot subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. City Council approval of the rural view lot subdivision is subject to the following:
  - a) The Applicant shall pay the park dedication fees in the amount of \$4,715.00, for the newly created Parcel B, prior to the applicant receiving final approval to record the subdivision by the City.
  - b) The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
  - c) The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
  - d) The Applicant shall execute and record the requisite drainage and utility and right of way easements with the county within six (6) months of approval.
  - e) The remaining Parcel A will have no remaining rural view lot eligibilities.

*Attachments:*

1. **RESOLUTION 21-0504-02**
2. Application
3. Proposed Subdivision Exhibits (Before and After)



**CITY OF INDEPENDENCE  
RESOLUTION NO. 21-0504-02**

**A RESOLUTION APPROVING A MINOR SUBDIVISION  
TO ALLOW A RURAL VIEW LOT SUBDIVISION FOR THE PROPERTY  
LOCATED AT 2076 COPELAND ROAD**

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

WHEREAS, the City adopted a Comprehensive Plan in 2010 to guide the development of the community; and

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

WHEREAS, Thomas Anderson (the “Applicant/Owner”) has submitted a request for a minor subdivision for the property located at 2076 Copeland Road (PID No. 20-118-24-23-0002) in the City of Independence, MN; and

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

WHEREAS, the Property is zoned AG-Agriculture; and

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

WHEREAS the City held a public hearing on April 20, 2021 to review the application for a variance and minor subdivision, following mailed and published noticed as required by law; and

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

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Thomas Anderson for a minor subdivision to allow a rural view lot subdivision per the City’s subdivision and zoning regulations with the following conditions:

1. The proposed rural view lot subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. City Council approval of the rural view lot subdivision is subject to the following:
  - a) The Applicant shall pay the park dedication fees in the amount of \$4,715.00, for the newly created Parcel B, prior to the applicant receiving final approval to record the subdivision by the City.
  - b) The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
  - c) The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
  - d) The Applicant shall execute and record the requisite drainage and utility and right of way easements with the county within six (6) months of approval.
  - e) The remaining Parcel A will have no remaining rural view lot eligibilities.

This resolution was adopted by the City Council of the City of Independence on this 4<sup>th</sup> day of May 2021, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

\_\_\_\_\_  
Marvin Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Mark Kaltsas, City Administrator

**EXHIBIT A**  
*(Legal Description of Property)*

*PROPOSED PROPERTY DESCRIPTIONS:*

*Parcel A:*

*That part of the North Half of the Northwest Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota, that lies South of the following described line:*

*Commencing at the Southwest corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 45 minutes 42 seconds West, along the West line of said Northwest Quarter, a distance of 1483.55 feet to the point of beginning; thence North 89 degrees 45 minutes 58 seconds East, parallel with the South line of said Northwest Quarter, a distance of 2586.22 feet to the East line of said Northwest Quarter and said line there terminating.*

*AND*

*The North Half of the South Half of the Northwest Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota, EXCEPT the following described parcel:*

*Commencing at the Southwest corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 45 minutes 42 seconds West, along the West line of said Northwest Quarter, a distance of 659.10 feet to the Southwest corner of said North Half of the South Half of the Northwest Quarter and the point of beginning; thence North 89 degrees 44 minutes 58 seconds East, along the South line of said North Half of the South Half of the Northwest Quarter, a distance of 814.67 feet; thence North 00 degrees 15 minutes 02 seconds West, a distance of 150.29 feet; thence South 89 degrees 15 minutes 37 seconds West, a distance of 92.19 feet; thence North 56 degrees 34 minutes 30 seconds West, a distance of 676.17 feet; thence South 89 degrees 44 minutes 58 seconds West, a distance of 164.47 feet to said West line of the Northwest Quarter; thence South 00 degrees 45 minutes 42 seconds East, along said West line of the Northwest Quarter, a distance of 524.45 feet to the point of beginning.*

*Parcel B:*

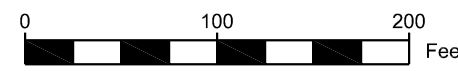
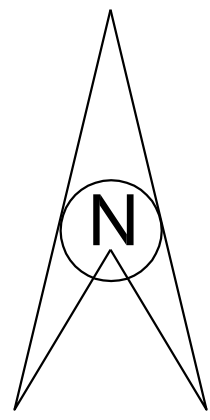
*That part of the North Half of the South Half of the Northwest Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota, described as follows:*

*Commencing at the Southwest corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 45 minutes 42 seconds West, along the West line of said Northwest Quarter, a distance of 659.10 feet to the Southwest corner of said North Half of the South Half of the Northwest Quarter and the point of beginning; thence North 89 degrees 44 minutes 58 seconds East, along the South line of said North Half of the South Half of the Northwest Quarter, a distance of 814.67 feet; thence North 00 degrees 15 minutes 02 seconds West, a distance of 150.29 feet; thence South 89 degrees 15 minutes 37 seconds West, a distance of 92.19 feet; thence North 56 degrees 34 minutes 30 seconds West, a distance of 676.17 feet; thence South 89 degrees 44 minutes 58 seconds West, a distance of 164.47 feet to said West line of the Northwest Quarter; thence South 00 degrees 45 minutes 42 seconds East, along said West line of the Northwest Quarter, a distance of 524.45 feet to the point of beginning.*



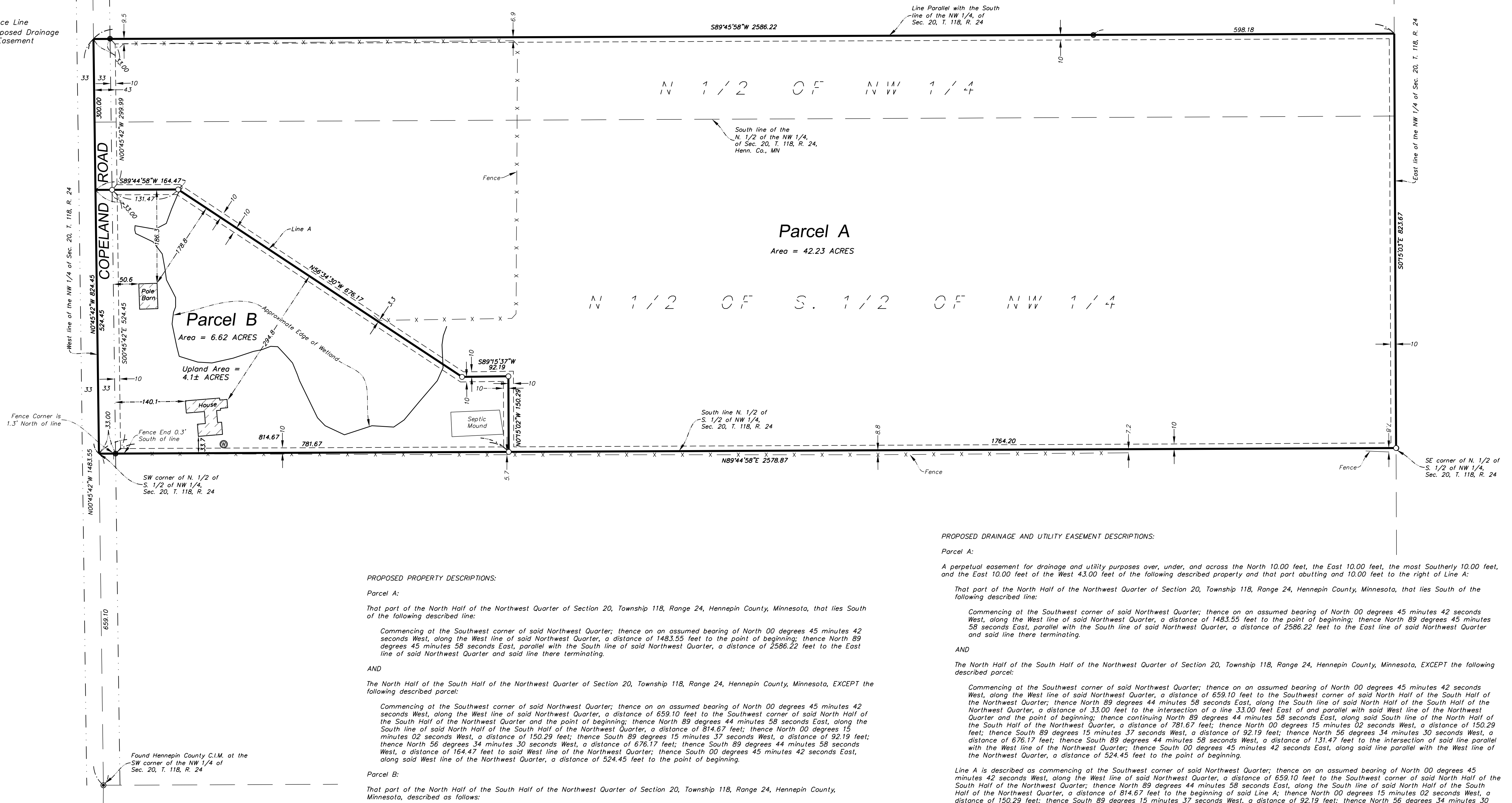


# Certificate of Survey (After)



### LEGEND

- X ——— Fence Line
- - - - - Proposed Drainage and Utility Easement



### PROPOSED PROPERTY DESCRIPTIONS:

#### Parcel A:

That part of the North Half of the Northwest Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota, that lies South of the following described line:

Commencing at the Southwest corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 45 minutes 42 seconds West, along the West line of said Northwest Quarter, a distance of 1483.55 feet to the point of beginning; thence North 89 degrees 45 minutes 58 seconds East, parallel with the South line of said Northwest Quarter, a distance of 2586.22 feet to the East line of said Northwest Quarter and said line there terminating.

AND

The North Half of the South Half of the Northwest Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota, EXCEPT the following described parcel:

Commencing at the Southwest corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 45 minutes 42 seconds West, along the West line of said Northwest Quarter, a distance of 659.10 feet to the Southwest corner of said North Half of the South Half of the Northwest Quarter and the point of beginning; thence North 89 degrees 44 minutes 58 seconds East, along the South line of said North Half of the Northwest Quarter, a distance of 814.67 feet; thence North 00 degrees 15 minutes 02 seconds West, a distance of 150.29 feet; thence South 89 degrees 15 minutes 37 seconds West, a distance of 92.19 feet; thence North 56 degrees 34 minutes 30 seconds West, a distance of 676.17 feet; thence South 89 degrees 44 minutes 58 seconds West, a distance of 164.47 feet to said West line of the Northwest Quarter; thence South 00 degrees 45 minutes 42 seconds East, along said West line of the Northwest Quarter, a distance of 524.45 feet to the point of beginning.

#### Parcel B:

That part of the North Half of the South Half of the Northwest Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota, described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 45 minutes 42 seconds West, along the West line of said Northwest Quarter, a distance of 659.10 feet to the Southwest corner of said North Half of the South Half of the Northwest Quarter and the point of beginning; thence North 89 degrees 44 minutes 58 seconds East, along the South line of said North Half of the Northwest Quarter, a distance of 814.67 feet; thence North 00 degrees 15 minutes 02 seconds West, a distance of 150.29 feet; thence South 89 degrees 15 minutes 37 seconds West, a distance of 92.19 feet; thence North 56 degrees 34 minutes 30 seconds West, a distance of 676.17 feet; thence South 89 degrees 44 minutes 58 seconds West, a distance of 164.47 feet to said West line of the Northwest Quarter; thence South 00 degrees 45 minutes 42 seconds East, along said West line of the Northwest Quarter, a distance of 524.45 feet to the point of beginning.

### PROPOSED DRAINAGE AND UTILITY EASEMENT DESCRIPTIONS:

#### Parcel A:

A perpetual easement for drainage and utility purposes over, under, and across the North 10.00 feet, the East 10.00 feet, the most Southerly 10.00 feet, and the East 10.00 feet of the West 43.00 feet of the following described property and that part abutting and 10.00 feet to the right of Line A:

That part of the North Half of the Northwest Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota, that lies South of the following described line:

Commencing at the Southwest corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 45 minutes 42 seconds West, along the West line of said Northwest Quarter, a distance of 1483.55 feet to the point of beginning; thence North 89 degrees 45 minutes 58 seconds East, parallel with the South line of said Northwest Quarter, a distance of 2586.22 feet to the East line of said Northwest Quarter and said line there terminating.

AND

The North Half of the South Half of the Northwest Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota, EXCEPT the following described parcel:

Commencing at the Southwest corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 45 minutes 42 seconds West, along the West line of said Northwest Quarter, a distance of 659.10 feet to the Southwest corner of said North Half of the South Half of the Northwest Quarter; thence North 89 degrees 44 minutes 58 seconds East, along the South line of said North Half of the South Half of the Northwest Quarter, a distance of 33.00 feet to the intersection of a line 33.00 feet East of and parallel with said West line of the Northwest Quarter and the point of beginning; thence continuing North 89 degrees 44 minutes 58 seconds East, along said South line of the North Half of the Northwest Quarter, a distance of 814.67 feet to the beginning of said Line A; thence North 00 degrees 15 minutes 02 seconds West, a distance of 150.29 feet; thence South 89 degrees 15 minutes 37 seconds West, a distance of 92.19 feet; thence North 56 degrees 34 minutes 30 seconds West, a distance of 676.17 feet; thence South 89 degrees 44 minutes 58 seconds West, a distance of 131.47 feet to the intersection of said line parallel with the West line of the Northwest Quarter; thence South 00 degrees 45 minutes 42 seconds East, along said line parallel with the West line of the Northwest Quarter, a distance of 524.45 feet to the point of beginning.

Line A is described as commencing at the Southwest corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 45 minutes 42 seconds West, along the West line of said Northwest Quarter, a distance of 659.10 feet to the Southwest corner of said North Half of the South Half of the Northwest Quarter; thence North 89 degrees 44 minutes 58 seconds East, along the South line of said North Half of the South Half of the Northwest Quarter, a distance of 814.67 feet to the beginning of said Line A; thence North 00 degrees 15 minutes 02 seconds West, a distance of 150.29 feet; thence South 89 degrees 15 minutes 37 seconds West, a distance of 92.19 feet; thence North 56 degrees 34 minutes 30 seconds West, a distance of 676.17 feet; thence South 89 degrees 44 minutes 58 seconds West, a distance of 131.47 feet to a line 33.00 feet East of and parallel with said West line of the Northwest Quarter and said Line A there terminating.

The sidelines of said easement are to be prolonged or shortened to terminate at said South line of the North Half of the South Half of the Northwest Quarter and the East line of the West 33.00 feet of said North Half of the South Half of the Northwest Quarter.

#### Parcel B:

A 10.00 foot perpetual easement for drainage and utility purposes over, under, and across that part of the North Half of the South Half of the Northwest Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota, lying to the left of the following described line:

Commencing at the Southwest corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 45 minutes 42 seconds West, along the West line of said Northwest Quarter, a distance of 659.10 feet to the Southwest corner of said North Half of the South Half of the Northwest Quarter; thence North 89 degrees 44 minutes 58 seconds East, along the South line of said North Half of the South Half of the Northwest Quarter, a distance of 33.00 feet to the intersection of a line 33.00 feet East of and parallel with said West line of the Northwest Quarter and the point of beginning; thence continuing North 89 degrees 44 minutes 58 seconds East, along said South line of the North Half of the South Half of the Northwest Quarter, a distance of 781.67 feet; thence North 00 degrees 15 minutes 02 seconds West, a distance of 150.29 feet; thence South 89 degrees 15 minutes 37 seconds West, a distance of 92.19 feet; thence North 56 degrees 34 minutes 30 seconds West, a distance of 676.17 feet; thence South 89 degrees 44 minutes 58 seconds West, a distance of 131.47 feet to the intersection of said line parallel with the West line of the Northwest Quarter; thence South 00 degrees 45 minutes 42 seconds East, along said line parallel with the West line of the Northwest Quarter, a distance of 524.45 feet to the point of beginning.

<p>www.ottoassociates.com 9 West Division Street Burling, MN 55313 (763) 662-4727 Fax: (763) 662-3522</p> <p><b>OTTO ASSOCIATES</b> Engineers &amp; Land Surveyors, Inc.</p>	<p>denotes iron monument found denotes 1/2 inch by 1/4 inch iron pipe set and marked by License #40062</p> <p>Project No. <b>21-0140</b></p>
<p><b>Tom Anderson</b> Checked By: <b>P.E.O.</b></p>	<p>Scale: <b>1"=100'</b></p>
<p>Date: <b>2-26-21</b></p>	<p>Drawn By: <b>J.J.A.</b></p>
<p>I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.</p> <p><i>Paul E. Otto</i> Paul E. Otto License #40062 Date: 3/4/21</p>	<p>Requested By:</p> <p>Certificate of Survey on part of the Northwest Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota.</p> <p>Revised:</p>

# City of Independence

## *Request for Rezoning and a Minor Subdivision for the Property located at 6625 Fogelman Road*

---

*To:* City Council  
*From:* Mark Kaltsas, City Planner  
*Meeting Date:* May 4, 2021  
*Owner/Applicants:* Mike Schrader, Applicant / Jim Wehmann, Owner  
*Location:* 6625 Fogelman Road

### ***Request:***

Mike Schrader (Applicant) and Jim Wehmann (Owner) are requesting the following actions for the property located at 6625 Fogelman Road (PID No. 10-118-24-43-0009) in the City of Independence, MN.

- a. Rezoning from AG-Agriculture to RR-Rural Residential in accordance with the Comprehensive Land Use Plan.
- b. A minor subdivision to allow the creation of a new lot on the property located at 6625 Fogelman Road.

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

The subject property is located along the south side of Fogelman Road, west of County Road 90 N. The existing property has an existing home and accessory building. The property has the following site characteristics:

#### **Property Information: 6625 Fogelman Road**

**Zoning:** *Agriculture*

**Proposed Zoning:** *RR-Rural Residential*

**Comprehensive Plan:** *Rural Residential*

**Acres (Before):** Original Parcel – 12.26 acres

**Acres (After):** West Parcel – 7.71 acres  
East Parcel – 4.55 acres



***Discussion:***

The applicant is proposing to create one (1) additional rural residential lot in accordance with the provisions set forth in the City’s Zoning Ordinance. The ordinance stipulates that Rural Residential properties must be a minimum of 7.6 acres to allow for the subdivision of an additional lot. The new lot must be a minimum of 2.5 acres of buildable upland, have a minimum lot frontage on a public road and have no greater than a 1:4 lot frontage to lot depth ratio. In order for the City to consider granting approval for a minor subdivision to permit an additional lot using the provisions set forth in the RR-Rural Residential zoning district, the City would first need to consider approving the rezoning of the property.

***Rezoning:***

The property is currently zoned A-Agriculture and guided by the Comprehensive Plan as Rural Residential (see Comprehensive Plan and Zoning Map attached).

There are several factors to consider relating to rezoning a property. The City’s ordinance has established criteria for consideration in granting a zoning amendment.

*520.07. Criteria on zoning amendments. Subdivision 1. The planning commission and the city council may consider, without limitation, the following criteria in approving or denying zoning amendments.*

*Subd. 2. Zoning amendments must conform to the Independence city comprehensive plan.*

*Subd. 3. The zoning amendment application must demonstrate that a broad public purpose or benefit will be served by the amendment.*

*Subd. 4. The zoning amendment application must demonstrate that the proposed zoning is consistent with and compatible with surrounding land uses and surrounding zoning districts.*

*Subd. 5. The zoning amendment application must demonstrate that the subject property is generally unsuited for the uses permitted in the present zoning district and that substantial changes have occurred in the area since the subject property was previously zoned.*

*Subd. 6. The zoning amendment application must demonstrate merit beyond the private interests of the property owner.*

As it relates to meeting the criteria for granting a zoning map amendment, the following information can be considered:

*Subd. 2. The proposed rezoning is consistent with the comprehensive plan.*

*Subd. 3. Rezoning this property to RR would allow the property to be subdivided which is generally consistent with properties surrounding the subject property.*

*Subd. 4. The property has historically been used as a residential property. The neighboring properties on all sides are currently used as rural residential.*

*Subd. 5. The property is currently zoned agriculture. The use of property as an agriculture operation is somewhat restricted due to the limited amount of tillable acreage. The city has identified that this property will be better suited for residential purposes.*

*Subd. 6. The City will need to determine that the rezoning of the property has public merit that reach beyond the interests of the property owner.*

The rezoning from A-Agriculture to RR-Rural Residential does not appear to create a property that is inconsistent with the surrounding properties.

Minor Subdivision:

The proposed lot would have the following characteristics.

**Lot size required:** minimum of 2.5 buildable acres

**Lot size proposed:** West Parcel - 7.71 acres

East Parcel - 4.55 acres

**Minimum lot frontage required:** 250 LF (for property between 3.50-4.99 acres)  
300 LF (for property between 5.00-10.00 acres)

**Minimum lot frontage proposed:** West Parcel - 529 LF  
East Parcel - 313 LF

**Ratio of lot frontage to lot depth required:** no more than 1:4

**Ratio of lot frontage to lot depth proposed:** West Parcel - 1:1  
East Parcel - 1:2

Staff discussed the proposed subdivision with the applicant and identified a general configuration that would be compatible with the surrounding area and offer the least amount of impact to the surrounding properties. The survey confirms that all existing structures on the West Parcel will meet all applicable setbacks in the after condition. The east parcel will require a new driveway and provides a suitable area for a single-family home to be located on the property.

The existing home has an existing on-site septic system that will remain in use with the existing home. The applicant has provided the City with information verifying that both properties can accommodate a primary and secondary site (see locations on survey).

The proposed subdivision delineates drainage and utility easements along all property lines. The easements have been revised to meet the City's established criteria. There was initially a five-foot-wide easement provided as a part of the original plat and the City now requires ten feet. The survey reflects that the additional five feet will be dedicated to the City as a drainage and utility easement.

The newly created East Parcel will be required to pay the City's Park Dedication required fee. For this property, the park dedication payment amount is \$3,500.00. This fee will need to be paid prior to recording the subdivision.

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

4.55 acres- \$3,500 for first 5 acres = \$3,500.00

There is one other bit of information that should be noted by the City. The property located at the southwest corner of Fogelman and County Road 90 was also originally platted as a part of the French Hills Subdivision. That property was subdivided in 2016 in a similar fashion to this request. At the time it was subdivided, there were concerns raised relating to a covenant that was placed on this subdivision that would restrict future subdivisions. The City is not a party to any covenants and does not have authority to enforce private covenants on a property. The City therefore needs to consider its current zoning ordinances and whether or not the proposed rezoning and subdivision are consistent with the current standards. As it relates to this point as well as the overall request, it appears that the proposed subdivision meets all of the applicable standards of the City's zoning and subdivision

ordinance. The lots being created will fit into the character of the surrounding area and should have minimal impacts on the surrounding properties. The adjacent properties to the east, west, north and south are similar in size to the proposed lots after the subdivision.

***Neighbor Comments:***

The City has received comments regarding the proposed subdivision that are attached to this report.

***Planning Commission Discussion and Recommendation:***

Commissioners discussed the application and asked questions of staff and the applicant. Commissioners discussed the concerns relating to the original development and any potential restrictions relating to the subdivision of the property. Commissioners noted that the proposed lot configuration created two lots that were consistent with the surrounding properties. Commissioners found the application to be complete and thought that the request met the criteria for granting approval of a minor subdivision. Commissioners recommended approval of the requested minor subdivision on the property.

***Recommendation:***

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

1. The proposed rezoning and minor subdivision meet 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 execute and record the requisite drainage and utility easement with the county within six (6) months of approval.
3. The Applicant shall pay the park dedication fees in the amount of \$3,500 prior to the applicant receiving final approval to record the subdivision by the City.
4. The Applicant shall pay for all costs associated with the City's review of the requested subdivision.
5. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

***Attachments:***

1. **ORDINANCE No. 2021-03**
2. **RESOLUTION No. 21-0504-03**
3. Application
4. Proposed Subdivision Exhibits
5. Adjacent Property Letters



**CITY OF INDEPENDENCE  
ORDINANCE NO. 2021-03**

**AN ORDINANCE AMENDING THE CITY OF INDEPENDENCE  
ZONING CODE, INCLUDING ZONING MAPS**

**THE CITY OF INDEPENDENCE, MINNESOTA DOES ORDAIN:**

Section 1. The City of Independence Zoning Code be amended to rezone 12.26 acres of property located at 6625 Fogelman Road (PID No. 20-118-24-43-0009) from A-Agriculture to RR Rural Residential and legally described as follows:

*Lot 2, Block 1, FRENCH HILL FARM THIRD ADDITION*

Section 2. The City Administrator is hereby directed to amend the City of Independence Zoning Ordinance, including Zoning Maps, in accordance with the foregoing amendment.

Section 3. Effective date. This ordinance shall be and is hereby declared to be in full force and effect after its passage and publication according to law.

Adopted this 4<sup>th</sup> day of May 2021.

---

Marvin D. Johnson, Mayor

ATTEST:

---

Mark Kaltsas, City Administrator





**CITY OF INDEPENDENCE  
RESOLUTION NO. 21-0504-03**

A RESOLUTION APPROVING A MINOR SUBDIVISION  
FOR THE PROPERTY LOCATED AT 2076 COPELAND ROAD

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

WHEREAS, the City adopted a Comprehensive Plan in 2010 to guide the development of the community; and

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

WHEREAS, Mike Schrader (the “Applicant”) and Jim Wehmann (“Owner”) have submitted a request for a minor subdivision for the property located at 6625 Fogelman Road (PID No. 20-118-24-43-0009) in the City of Independence, MN; and

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

WHEREAS, the Property is zoned RR-Rural Residential; and

WHEREAS the requested minor subdivision meets all requirements, standards and specifications of the City of Independence subdivision and zoning ordinance for Rural Residential property; and

WHEREAS the City held a public hearing on April 20, 2021 to review the application for a variance and minor subdivision, following mailed and published noticed as required by law; and

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

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Mike Schrader for a minor subdivision per the City’s subdivision and zoning regulations with the following conditions:

1. The proposed rural view lot subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. City Council approval of the minor subdivision is subject to the following:
  - a) The Applicant shall pay the park dedication fees in the amount of \$3,500, for the newly created East Parcel, prior to the applicant receiving final approval to record the subdivision by the City.
  - b) The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
  - c) The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
  - d) The Applicant shall execute and record the requisite drainage and utility and right of way easements with the county within six (6) months of approval.

This resolution was adopted by the City Council of the City of Independence on this 4<sup>th</sup> day of May 2021, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

\_\_\_\_\_  
Marvin Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Mark Kaltsas, City Administrator

**EXHIBIT A**  
*(Legal Description of Property)*

EXISTING LEGAL DESCRIPTION :

Lot 2, Block 1, FRENCH HILL FARM THIRD ADDITION

o : denotes iron marker

(908.3) : denotes existing spot elevation, mean sea level datum

--917-- : denotes existing contour line, mean sea level datum

Bearings shown are based upon an assumed datum.

This survey intends to show the boundaries of the above described property, and the location of three existing buildings, driveway, spot elevations, topography, play area, sport court, septic cleanouts, two wells, and septic mound thereon. It does not purport to show any other improvements or encroachments.

PROPOSED LEGAL DESCRIPTIONS :

EAST PARCEL : The east 313.00 feet of Lot 2, Block 1, FRENCH HILL FARM THIRD ADDITION.

WEST PARCEL : That part of Lot 2, Block 1, FRENCH HILL FARM THIRD ADDITION which lies west of the east 313.00 feet thereof.



CITY OF  
**INDEPENDENCE**  
MINNESOTA



(/)

[Home Page \(/\)](#) / [Apps & Forms \(/apps-forms\)](/apps-forms)

# PLANNING APPLICATION

## Applicant Information

First Name \*

Mike

Middle Name

Last Name \*

Schrader

Street Address

5501 Lakeland Ave N #201

City \*

MINNEAPOLIS

State \*

Minnesota



Zip \*

55429

Primary Phone \*

612 986-5464



CITY OF  
**INDEPENDENCE**  
MINNESOTA



763 535-2840

(/)

Email \*

svc@bitstream.net

Is the applicant same as owner? \*  Yes  No

### Owner Information

First Name \*

Jim

Middle Name

Last Name \*

Wehmann

Street Address \*

6625 Fogelmann Rd.

City \*

Independence

State \*

Minnesota 

Zip \*

55359

Primary Phone \*

763 479-6121

Secondary Phone



200-9945 CITY OF INDEPENDENCE MINNESOTA

(/) jimwehmann@fico.com

### Planning Application Type

- Subdivision
- Conditional Use Permit
- Comprehensive Plan Amendment
- Rezoning
- Interim Use Permit
- Other
- Variance
- Site Plan Review
- Accessory Height Review
- Ordinance Amendment
- Grading Permit

#### Subdivision Type

- Lot Line Rearrangement
- Minor Subdivision (3 lots or less)
- Final Plan
- Rural View Lot
- Preliminary Plan

### Proposal

Please describe here \*

Owner seeks to split his current 12.25 Acre homesite into two lots. The existing homesite would be reduced to 7.7 acres and the new adjacent lot would be 4.55 acres.

### Documents

Supporting Documents \*

- Site Survey (Existing Conditions)
- Building Plans
- Wetland Delineation
- Site Survey (Proposed Conditions)
- Construction Plans
- Preliminary/Final Plan

Upload Documents \*

Choose Files

 or Drag/Drop Files Here

▼ Hide Files

Sort	Default	Name	Size	Date
------	---------	------	------	------



CITY OF INDEPENDENCE MINNESOTA



Wehmann Fogelman Road Lot Split signed .pdf (/files/790/8/418/Wehmann Fogelman Road Lot Split signed .pdf)

3952963

03/16/2021 09:20:02 AM



(/)

Caption/Alt Description

[Empty text box]



Copeland Road Lot Split signed .pdf (/files/790/8/418/Copeland Road Lot Split signed .pdf)

3828939

03/16/2021 09:14:18 AM



Caption/Alt Description

[Empty text box]

Applicant's Signature \*



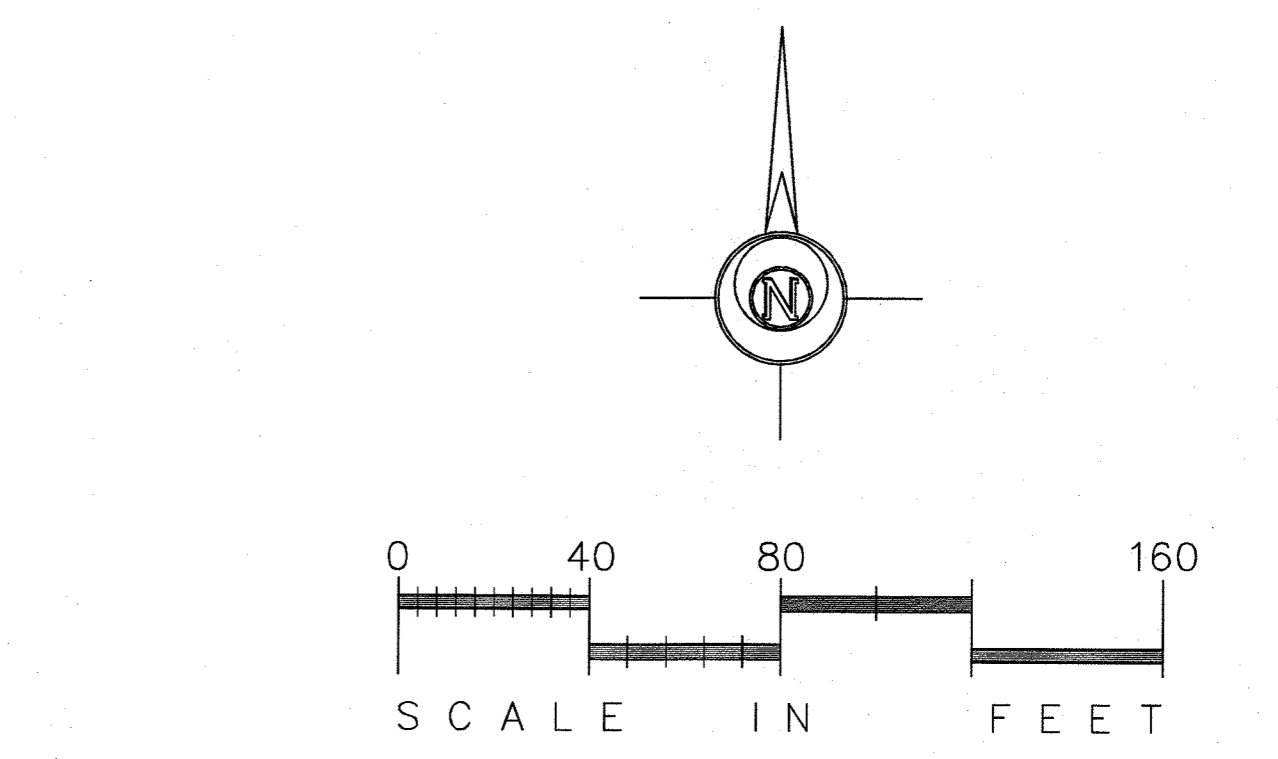
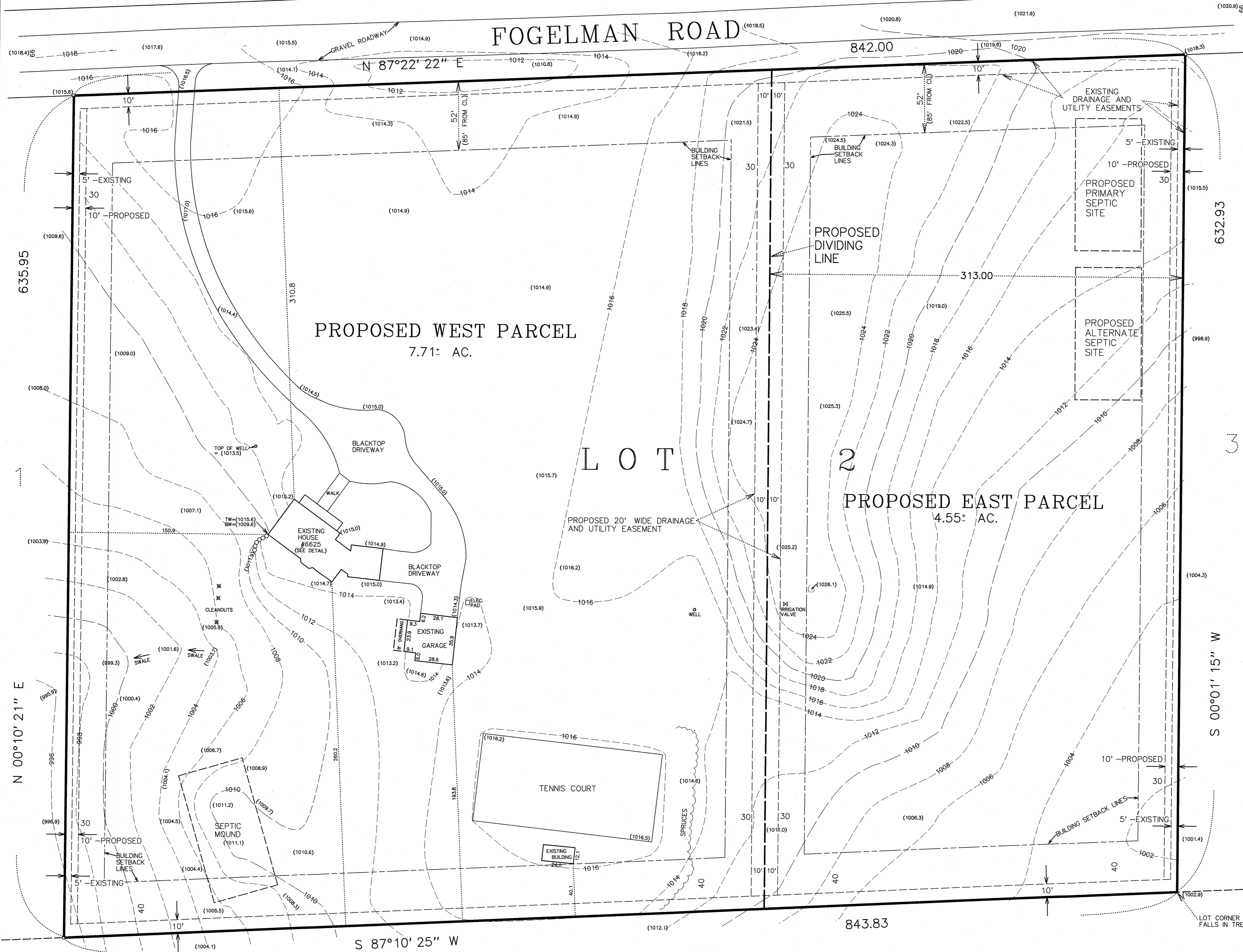
Reset Signature

Minnesota State Statutes require local governments to review land use and zoning applications within 15 days of submission to determine if an application is complete and or if additional information is needed to complete the review. To ensure that the City has the requisite information, applicants shall schedule a pre-application meeting with the City Planner/Administrator at least two weeks prior to application submittal. The City will notify applicants if additional time is required to complete the review of an application due to meeting schedules or similar procedural requirements.

Application for Planning Consideration Fee Statement

The City of Independence approves a fee schedule annually per City Ordinance. The City has established a nexus between the cost of processing the application and the fees collected. The City utilizes the fee and deposit to pay for all costs associated with processing the application. The City utilizes consultants and City staff to process and complete the review of the application. Should the cost of processing and reviewing the application exceed the amount of fee and deposit collected, the City will bill the additional costs directly to the applicant and or ask for additional deposit funds. The City attempts to provide a detailed invoice to applicants within 90 days of the City's final consideration of the application. By signing this form, the applicant recognizes that he/ she is solely responsible for any and all fees

PROPOSED LOT DIVISION AND  
 CERTIFICATE OF SURVEY FOR  
**JAMES WEHMANN**  
 OF LOT 2, BLOCK 1, FRENCH HILL FARM 3RD ADDITION  
 HENNEPIN COUNTY, MINNESOTA



**EXISTING LEGAL DESCRIPTION :**  
 Lot 2, Block 1, FRENCH HILL FARM THIRD ADDITION

o : denotes iron marker  
 (908.3) : denotes existing spot elevation, mean sea level datum  
 -917- : denotes existing contour line, mean sea level datum

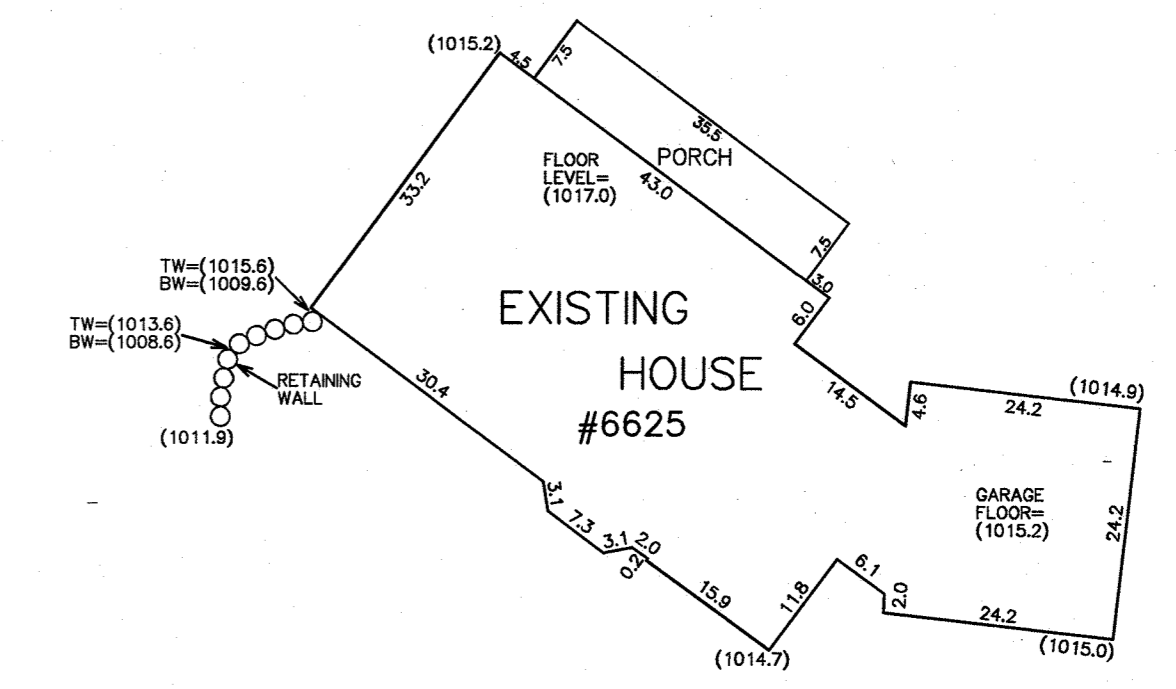
Bearings shown are based upon an assumed datum.

This survey intends to show the boundaries of the above described property, and the location of three existing buildings, driveway, spot elevations, topography, play area, sport court, septic cleanouts, two wells, and septic mound thereon. It does not purport to show any other improvements or encroachments.

**PROPOSED LEGAL DESCRIPTIONS :**  
**EAST PARCEL :** The east 313.00 feet of Lot 2, Block 1, FRENCH HILL FARM THIRD ADDITION.  
**WEST PARCEL :** That part of Lot 2, Block 1, FRENCH HILL FARM THIRD ADDITION which lies west of the east 313.00 feet thereof.

**PROPOSED DRAINAGE AND UTILITY EASEMENTS :**  
 A 20.00 foot wide easement for drainage and utility purposes which lies within 10.00 feet on each side of the west line of the east 313.00 feet of Lot 2, Block 1, FRENCH HILL FARM THIRD ADDITION.  
 Also, an easement for drainage and utility purposes over, under and across the east 5.00 feet of the west 10.00 feet of said Lot 2 and the west 5.00 feet of the east 10.00 feet of said Lot 2.

ADDRESS: 6625 FOGELMAN ROAD  
 EXISTING AREA = 12.26: AC  
 CURRENT ZONING : AGRICULTURAL  
 PROPOSED ZONING : RURAL RESIDENTIAL



**HOUSE DETAIL**  
 1" = 20' SCALE

**GRONBERG & ASSOCIATES, INC.**  
 CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS  
 445 NORTH WILLOW DRIVE LONG LAKE, MN 55356  
 952-473-4141

DATE: 3-9-21  
 SCALE: 1"=40'  
 SHEET NO: 21-024

**PROJECT**

I hereby certify that this plan, specification, or report was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
 Mark S. Gronberg, Minnesota License Number 12755

REVISIONS
4-28-21 REVISED DRAINAGE & UTILITY EASEMENTS



Dear Members of the Planning Commission, I purchased my lot in 1994 with intention to build a house at 6555 Fogelman Road, next to subject property. My feelings were optimistic that my new neighbors Steve and Darcy Ciatti and I had found two gems of property between two large lots one to the East and one to the West. Neither of us could afford those big lots but felt special with the smallest lots in the second and third addition to French Hill Farms because they felt well placed. We in fact did build our homes and remain friends without fences!

On December 11, 2001 Jeff Shopek, Loucks Associates, acting as City Planner did a feasibility study for street improvements for Fogelman Road. Besides pointing out the the city would cost share the paving project, which entailed additional items long needed (three culverts partially collapsed and rusty, drainage needed, ditches too steep, guardrails lacking, site lines a safety hazard) he stated that “subdivision rights for all 15 properties along this road have been exhausted, including the Koeckler property, which has land on both sides of the road and also has no further division rights.”

This letter is not intended to address the dismal maintenance and traffic load of Fogelman Road, which will be brought to the Commission at a future date, but the change of a neighborhood from the eyes of a landowner of 27 years and those comments by then City Planner.

Unfortunately, there is now precedent for subdivision of some of these lots when the City Council approved subdivision of PID #10-118-24-44-0009 in 2016 with comments from the Planning Commission “to create a buildable parcel that fits into the surrounding area with minimal impact on the surrounding properties.”

I can tell you no one from the Planning Commission stood in my great room and dining area looking out over proposed site location when they gave recommendation to the City Council to approve this 2016 subdivision. My error at the time which cannot be placed on anyone’s plate but mine, was being absent from the process giving the landowner rights to subdivide. I was in divorce proceedings at the time and not living at my residence and no known Legal Notice was received by me.

I do not have quarrels with Jim Wehmann trying to secure an additional lot for purposes of resale as is his right to approach the Planning Commission. Jim is leaving the neighborhood for a new home and my best wishes go with he, his wife Lori and their six children.

I wanted to express my feeling that the change of the neighborhood has already started. The vision of the original subdivision is altering and it weighs on me as a landowner, taxpayer and as a member of this neighborhood. I see no benefit for subdivision, except for added property tax revenue, but my eyes are looking through a different lens from Commission Members.

I am sorry that I could not attend in person tonight’s meeting because of a medical procedure I am having today.

Thank you for sharing my comments to all.

Respectfully,  
Mark Peifer  
6555 Fogelman Road  
Independence, MN

Good Morning,

We would like to express our objection to the rezoning of the James Wehmann property on Fogelman Road.

Has there been some change in the Zoning Ordinances for Independence that we are not aware of? I am not sure why Mr. Wehmann is requesting this, at this time?! Mr. Wehmann has purchased a home in the Deephaven area on Lake Minnetonka over 2 years ago (this is public record) and will be moving soon and we see no reason to change the property that he will be putting up for sale, soon!? The fact is, Mr. Whemann will disrupt the neighborhood he is leaving, the traffic will increase and the biggest reason that we disagree is this opens the door to others rezoning and dividing their properties as well. There is no good reason for him to request this change.

Mr. Mundahl divided his property before he sold (this property did not need a zoning change) his property on Fogelman Road, we wish we had voiced our concerns with that property division, the new house that was built on the lot is now located, in a very intrusive place for the current owner of Mundahl's former property and the new neighbor doesn't seem to have our covenants or care to follow them and wants to do things and make changes that are not allowed in our documents, frustrating.

By changing the zoning for Mr. Wehmann, this further opens a can of worms for others to rezone and divide their property, adding traffic and speed to our bad road. There is no good reason for Mr. Wehmann to be allowed to rezone and split his property.

Thank you for your time and I look forward to the hearing.

Darcy and Steve Ciatti

City of Independence  
Concept Plan Review of a Proposed Four (4) Lot  
Subdivision on the Subject Property Located at  
the Northeast Corner of County Road 11 and Woodhill Drive

---

<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	May 4, 2021
<i>Applicant:</i>	Donavon DesMarais
<i>Owner:</i>	Jerry Wise
<i>Location:</i>	Property Identified by PID No. 01-118-24-34-0010

**Request:**

Donavon DesMarais (Applicant) and Jerry Wise (Owner) are requesting the following actions for the property located at the northeast corner of CSAH 11 and Woodhill Drive (PID No. 01-118-24-34-0010) in the City of Independence, MN:

- a. Concept plan review for a proposed subdivision of the subject property to create four (4) new lots (3 would have lakeshore on Lake Sarah).

**Property/Site Information:**

The property is located at the northeast corner of CSAH 11 and Woodhill Drive. There is a non-conforming detached accessory structure located on the property. There are several wetlands on the property, and it has lake frontage on Lake Sarah.

Property Information: PID No. 01-118-24-34-0010

Zoning: *Rural Residential*

Comprehensive Plan: *Rural Residential (S-Shoreland Overlay)*

Acreage: ~10

*Aerial Photograph of Property*



***Discussion:***

The applicant is asking the City to consider and provide feedback relating to a concept plan for the proposed subdivision of the subject property. A concept plan allows the City the opportunity to initially review the proposed subdivision and provide feedback and comments to the applicant prior to the submittal of any applications for rezoning and preliminary plat. In order for the City to ultimately consider approval of a plan similar to the proposed concept plan, the following steps would be required:

1. Consider Preliminary Plat approval.
2. Consider Final Plat approval.

## Proposed Subdivision Concept Plan

The applicant has prepared a concept plan for review by the City. The City has preliminarily reviewed this plan and provided review comments to the applicant. The property is currently zoned RR-Rural Residential and is also located within the S-Shoreland Overlay zoning district adjacent to Lake Sarah. The City Council recently concluded that properties zoned S-Shoreland and have access to sanitary sewer, can be subdivided into 1-acre minimum lots as long as all applicable requirements can be satisfied by the applicant. The applicable requirements that stipulate the number of lots generally relate to the minimum road frontage (200 LF – for lots less than 3.49 acres), minimum shoreline frontage (100 LF) and minimum width at the building setback line (100 LF).

### **505.13. Zoning provisions.**

Subd. 1. *General.* The following standards shall apply to all proposed developments and subdivisions within the shoreland district of the protected waters listed in subsection 505.05. Where the requirements of the underlying zoning district as shown on the official zoning map are more restrictive than those set forth herein, then the more restrictive standards shall apply.

Subd. 2. *Lot standards.*

	Unsewered Areas			Sewered Areas		
	NE Waters	RD Waters	Tributary Streams	NE Waters	RD Waters	Tributary Streams
Lot Area	2.5 acres	2.5 acres	2.5 acres	1.0 acre	1.0 acre	1.0 acre
Water frontage and lot width at building line	200 ft	200 ft	200 ft	125 ft	100 ft	100 ft
Structure setback from ordinary high water mark	150 ft	100 ft	100 ft	150 ft	100 ft	100 ft
Structure setback from roads and highways	85 ft from centerline or 50 ft. from right-of-way, whichever is greater					
Structure height limitation	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft
Maximum lot area covered by impervious surface	25%	25%	25%	25%	25%	25%
Sewage system setback from ordinary high water mark	150 ft	75 ft (RR) 150 ft (AG)	75 ft (RR) 150 ft (AG)	125 ft	75 ft	75 ft

### Proposed Lot Details:

Lot No.	Lot Area	Lot Width at OWHL	Lot Width at Setback	Frontage
Lot 1	2.1 acres	115 LF	~120 LF	137 LF
Lot 2	2.8 acres	110 LF	~115 LF	137 LF
Lot 3	3.35 acres	127 LF	~125 LF	137 LF
Lot 4	2.0 acres	N/A	N/A	139 LF & 619 LF

### Concept Plan Considerations:

The City has discussed the potential subdivision of this property with the applicant. The initial review of the subdivision contemplates a high-level review only of the proposed concept development plan. A detailed review of the storm water, grading, wetlands and infrastructure details will be completed prior to consideration of any future applications. The City does not formally approve or deny a concept plan. The concept plan review will provide direction and comments to the applicant for their use during the preparation of future applications. The following comments should be considered by the City:

1. The subdivision of property and corresponding plans will be subject to the review and approval of the Pioneer Sarah Watershed Management Commission.
2. A wetland delineation will need to be completed prior to any formal preliminary plat submittal.
3. Building setback and OHWL lines have been added to the concept plan to provide better context for the Planning Commission and City Council to understand how the lots would accommodate a home and driveway.
4. The proposed subdivision creates a total of 4 lots: 3 with shoreland access to Lake Sarah. The City requires a minimum lot public road frontage of 200 LF per lot. This property has approximately 1169 LF of total frontage on Woodhill Drive and CSAH 11. The City can waive the minimum frontage requirement per lot if certain criteria are satisfied. The proposed layout appears to create a more advantageous configuration due to access for all lots coming off of Woodhill Drive versus CSAH 11. Hennepin County has indicated that an additional access onto CSAH 11 would not likely be approved. This issue should be noted for discussion by City Council.
5. The proposed layout is somewhat impacted by the existing detached accessory structure located on lot 2. This structure is not considered a legal structure as there is no principal structure located on this property. The City will need to further discuss how and if this structure can remain, noting that if this property is subdivided and sells, the lot would still not have a principal structure guaranteed. This structure is shown to meet applicable building setbacks in the proposed condition.
6. The proposed lots would be connected to the City's sanitary sewer system. The type of connection to the public sewer line will need to be further reviewed and considered by the City. In addition, the invert elevation of the public sewer may dictate additional restrictions for the elevations of the proposed homes.
7. There is one existing connection to the sanitary sewer serving the existing detached accessory structure. This connection can be used for one of the proposed lots. The three new and additional lots would be subject to applicable connection fees in addition to the initial assessment fee of \$9,550 per lot.
8. Park dedication will be required for this development if it moves forward. The City's current park dedication fee is \$3,500 per lot (less than 4.99 acres).

Staff would like direction and feedback relating to the general design and layout of the proposed subdivision and the issues identified within this report.

***Planning Commission Discussion:***

The Planning Commission discussed the proposed concept development plan and offered the following comments:

- Commissioners discussed the existing detached building and asked if the City could come up with a mechanism/agreement that would ensure that the structure would be brought into compliance with applicable standards and obtain all applicable permits. Staff noted this comment and would work with the City Attorney to develop said mechanism/agreement.
- Commissioners discussed the tradeoff between reconfiguring the lot lines so that all properties have the requisite frontage versus allowing reduced frontage on Woodhill Drive. It was noted that the property has the requisite frontage for all lots. It was further noted that the configuration of the lots and potential access limitations that would come into play if reconfigured may be justification for allowing reduced frontage.
- Commissioners asked if any additional water quality measures would be required (i.e. ponding, buffers, rain gardens, etc.). It was noted that this would be further reviewed if a formal subdivision application was made to the City.

City Council is being asked to review the plans and provide feedback to the applicant pertaining to the proposed concept plan. No formal action can be taken by the City Council on the concept plan. There are additional steps that will need to be taken for any development of this property to occur.

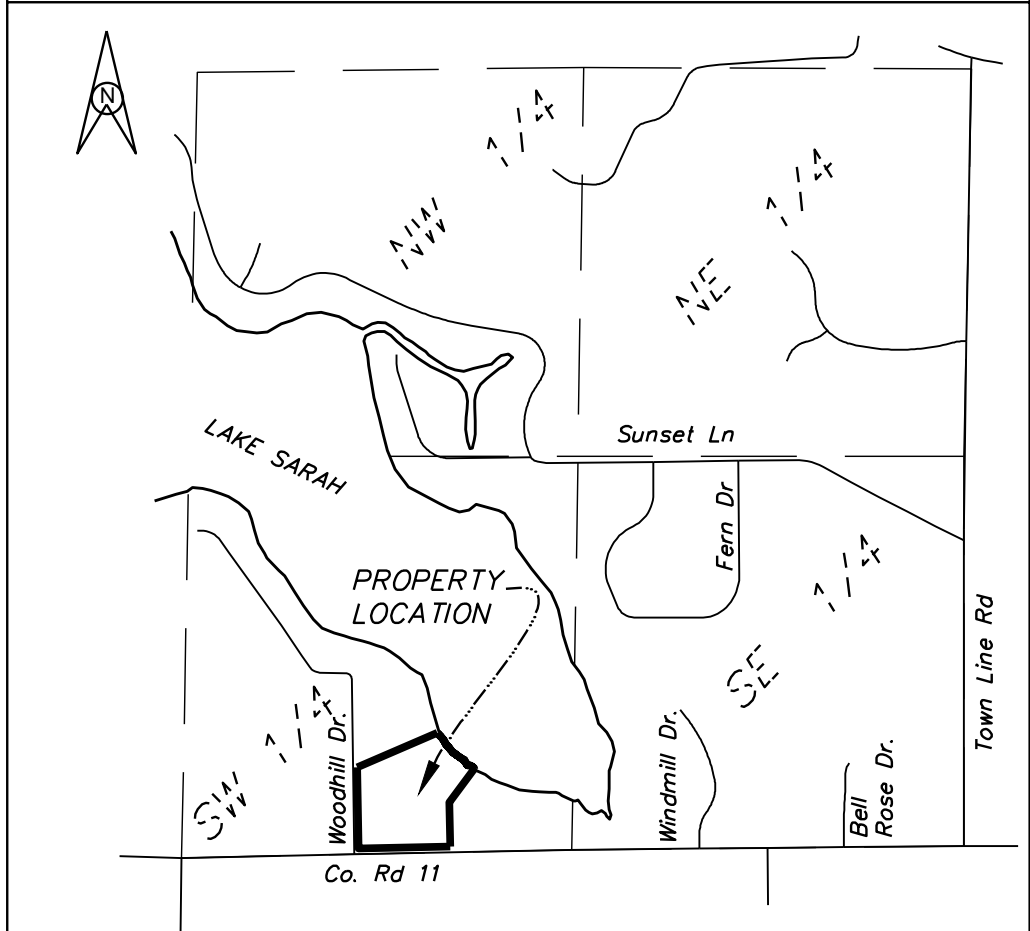
**Attachments:**

1. Concept Site Plan with Aerial

# Concept Plan

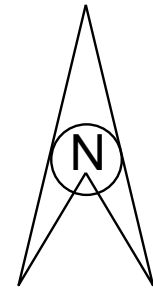
## Vicinity Map

Not to Scale  
SEC. 1, T. 118, R. 24



### LEGEND

- 988 — denotes Existing Lidar Contour
- - - - denotes Building Setback Line
  - Front = 85' (to Centerline)
  - Corner Side = 52' (to R/W)
  - Side = 30'
  - Lake = 100'



0 60 120 Feet

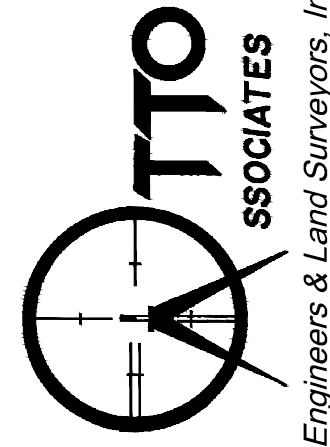
P.I.D. No. 0111824340010



LAKE SARAH

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

www.ottoassociates.com  
9 West Division Street  
Buffalo, MN 55313  
(763)682-4727  
Fax: (763)682-3522



Project No. 21-0172

## Skies Limit, LLC

Date: 3/10/21  
Drawn By: J.J.A.  
Scale: 1"=60'  
Checked By: P.E.O.

Requested By:

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

*Paul E. Otto*  
Paul E. Otto  
License #40062 Date: 4/9/2021

Concept Plan on part of Lot 3 and 4, Block 1, LAKE SARAH FARMS, Hennepin County, Minnesota.

Revised: 4/9/2021 J.J.A. Building Setbacks