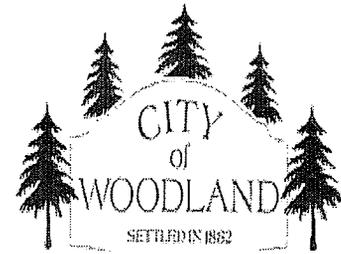


AGENDA

Woodland City Council Meeting

Monday, October 14, 2013
7:00 P.M.



1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no special discussion of these items unless a Councilmember or Citizen so requests, in which event will be removed from the Consent Agenda and will be considered separately under New Business.

- A. Minutes of September 9, 2013; Regular Council Meeting
- B. Resolution No. 27-2013; 17737 Maple Hill Road, Chris & Mindy Keenan (Septic Variance)
- C. Resolution No. 28-2013; 2650 Maplewood Circle West, John & Lynn O'Neil (Alternation of Nonconforming Permit)
- D. 2013-2014 Deer Management Permit
- E. Resolution No. 30-2013; 2013/2014 (November–April) Snow Plow Agreement

4. PUBLIC COMMENTS – Matters from the Floor

Individuals may address the Council about any item not contained on the regular agenda. Limit comments to 5 minutes. The Council may ask questions for clarification purposes but will take no official action on items discussed with the exception of referral to staff or with the agreement of the Council may be scheduled on the current or future agenda.

5. PUBLIC HEARINGS

- A. Continuation Hearing Cancelled: John & Lynn O'Neil, 2650 Maplewood Circle West, withdrew their request for a variance to alter the grade greater than 3 feet.
- B. Mark & Shannon Evenstad, 2520 Cedar Ridge Road & 2540 Cedar Point Drive, request a variance of the side yard setback and a variance to exceed the maximum permitted grade alteration to construct a driveway between the adjacent properties.
- C. Resolution No. 29-2013; Approving Certification of Delinquent Water and Sewer Charges to the 2014 Property Tax Rolls.

6. NEW BUSINESS

- A. Review of Chapter 4 – Public Health & Safety Amendments
 - 1) Ordinance No. 04-15; Amending Section 405 of the City Code, Regarding Animal Control (1st Reading)
 - 2) Ordinance No. 04-16; Amending Chapter 4 of the City Code Adding a New Section 407, Backyard Chickens (1st Reading)
 - 3) Ordinance No. 04-17; Amending Section 425 of the City Code, Regarding Weapons (1st Reading)
 - 4) Ordinance No. 04-18; Amending Section 455 of the City Code, Regarding Noise Control (1st Reading)
- B. Review of Chapter 3 – Licensing, Permits & Fees
 - 1) Ordinance No. 03-20; Amending Section 305 of the City Code, Establishing a Permit Fee for Chickens (1st reading)
- C. Review of Chapter 9 Zoning Language Amendments
- D. Review of the 2014 LMCC Budget

7. OLD BUSINESS

8. MAYOR'S REPORT

9. COUNCIL REPORTS

- A. Newberry: Ordinances & Septic Ordinance & Inspections
- B. Rich: Roads, Signs, Trees & Website
- C. Carlson: Finance, Enterprise Funds, Intgov. Relations & MCWD
- D. Massie: Public Safety & Deer Management

10. ACCOUNTS PAYABLE

11. TREASURER'S REPORT

12. ADJOURNMENT

- 15 minutes will be allotted for public comments. If the full 15 minutes is not needed, the City Council will continue with the agenda.
- **Next meeting: November 12, 2013 (Tuesday, due to Veterans Day Holiday)**

**CITY OF WOODLAND
COUNCIL MEETING
September 9, 2013**

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Doak called the meeting to order at 7:00 P.M.

ROLL CALL

Present: Mayor James Doak; Council Members Sliv Carlson, Tom Newberry and John Massie

Absent: Council Member Chris Rich

Staff: Zoning Administrator Gus Karpas, City Clerk Shelley Souers

Guests: Keith Ciampa, Nate Jurnu, Bill Worm, Juan and Pam Vazquez, Lynn Oehler and John Reed

CONSENT AGENDA

A. Minutes, August 12, 2013; Regular Council Meeting

B. Minutes August 19, 2013; Special Council Meeting

Council Member Carlson moved to approve the Consent Agenda as submitted. Council Member Massie seconded the motion. Motion carried 4-0.

PUBLIC COMMENTS

None.

PUBLIC HEARINGS

A. Hendel Homes, 17737 Maple Hill Road, request variance of the 75 feet Shavers Lake setback from the OHWL of 930.4 to continue use of the existing drainfield with new septic tanks and a pretreatment system.

Mr. Nate Jurnu, contractor for Hendel Homes, presented the request for variance of the minimum 75 foot Shavers Lake setback to permit the continued use of the existing drainfield in conjunction with new septic tanks. Mr. Jurnu stated that the existing drainfield is a complying treatment site with regard to design.

Zoning Administrator Karpas stated that the existing drainfield lies within the required OHWL setback, measured at 930.4 feet. The septic tanks will be increased in size and upgraded from the existing septic tanks to include a pretreatment system to accommodate a five bedroom home. The existing drainfield will continue to be used and meets the three feet of vertical separation from saturated soils, according to the compliance inspection and per Chapter 7080 requirements. The existing drainfield is greater than 100 feet from the actual water level of Shavers Lake. The upgraded system will be equal to or better than that required by the State Code. The upgrade to the septic system will present no impact to the character of the community. The property will

remain a single family use with a complying sewage treatment system according to the standards set forth in the State Code, Chapter 7080 dictating SSTS. Woodland's Septic Inspector Loren Kohnen has recommended approval of the continued use of the drainfield with new tanks.

Mayor Doak opened the public hearing.

Council Member Newberry stated that all five variance criteria have been met by the applicant.

Mr. John Reed, 3140 County Road 101, addressed the Council to speak about the established OHWL for Shavers Lake. Mr. Reed stated that Minnehaha Creek Watershed District and the DNR each have a different high water elevation for Shavers Lake. Mr. Reed encouraged the City to have the DNR update the OHWL designation to match the high established by the MCWD. This is a more recent and more accurate measurement. The DNR established the OHWL in 1977 and has not updated the level since that time.

Mr. Reed said he had no issues with the requested variance and he only wanted to bring the discrepancy in the water elevations to the Council's attention.

Mayor Doak directed staff to contact the MCWD regarding the procedure for aligning the established high water mark between various State agencies.

Mayor Doak closed the public hearing.

Council Member Carlson moved to approve the variance for 17737 Maple Hill Road as presented for continued use of the existing drainfield with new septic tanks. Council Member Newberry seconded. Motion carried 4-0.

B. John and Lynn O'Neil, 2650 Maplewood Circle West, request an Alteration of a Non-Conforming Structure Permit and Variances

Zoning Administrator Karpas reported that John and Lynn O'Neil have requested variances to exceed the maximum permitted grade alteration and to encroach into the minimum required lake yard setback to construct a set of four foot retaining walls on the lake side of the home to create an egress doorway from their basement level. The proposal is in conjunction with a necessary foundation repair on the lakeside of the home. The proposal would alter the grade a maximum of five feet above the allowable.

- Ordinance Section 900.17(4)(a) limits the maximum grade alteration to three feet without the issuance of a variance. The applicant is seeking to alter the grade a maximum of eight feet for the construction of a new home and is seeking a variance to alter the grade five feet above the permitted alteration.
- Ordinance Section 900.09(4)(d)(a) requires a lake yard setback of seventy-five feet from the Ordinary High Water Level (OHWL). The applicant proposes a lake yard setback of nineteen feet, seven inches and is requesting a variance to encroach fifty-four feet, five inches into the required lake yard setback for the proposed stepped retaining walls.

Zoning Administrator Karpas recommend denial of the request for the variances to exceed the maximum permitted grade alteration and to encroach into the minimum required lake yard setback to construct a set of four foot retaining wall on the lake side of the home as presented at 2650 Maplewood Circle West based on the following findings:

(a) The variance is in harmony with the purpose and intent of the ordinance?

Section 900.01(a) outlines the purpose of the ordinance as the principal means of attaining the goals and standards set forth in Woodland's Comprehensive Plan, including the preservation of open space, scenic views, natural topography and habitat, wetlands, lakes, indigenous vegetation and tree, and rehabilitation of existing housing units on their present location. The proposal seeks to alter the natural topography of the land and create a style of home which is not conducive with the topography of the lot.

(b) The variance is consistent with the comprehensive plan?

The request is not consistent with the Comprehensive Plan in that it requires major alteration of the existing topography within the lake setback, including the placement of structures, in the form of retaining walls, within twenty feet of the Ordinary High Water Level.

(c) The proposal puts property to use in a reasonable manner?

Though the proposed use puts the property to a reasonable use, it requires the alteration of a sensitive environmental area generally protected by the city. In addition, the proposal seeks to create a style of home not supported by the topography of the lot.

(d) There unique circumstances to the property not created by the landowner?

The plight of the homeowner is created by the homeowner and their desire to alter the style of home to a walk-out, requiring major alteration to the natural topography to "fit" to home to the property.

(e) Will the variance, if granted, alter the essential character of the locality?

The essential character of the neighborhood is impacted with the placement of improvements within the required lake setback which is not consistent with the adjacent properties.

Mr. Bill Worm contractor with Bay Cliff Homes and representative for the O'Neil family stated that he submitted additional renderings today (9-9-2013). Mr. Worm stated that the plan does not change the mass of the home. The grade will be excavated to make necessary repairs to the foundation and at that time they propose to construct a door access on the lakeside. Mr. Worm stated that the egress door will provide an element of safety and will have no visual impact to neighbors and no impact to the habitat.

Mayor Doak opened the public hearing.

Mayor Doak noted that there is a steep drop of about 15 feet in grade to the lake. The MCWD is sensitive to any grade alteration that would impair or endanger a cliff of this nature.. Mayor Doak asked if the MCWD was in support of the proposed grade alteration. Proceeding without an affirmative response from the MCWD would not be prudent. Mayor Doak stated that homes

should be designed and built to fit the land. For that reason the ordinance limits grade alterations of greater than three feet and limits intrusion into the lakeshore setback

Mr. Worm stated that the MCWD has not given them an opinion regarding the grade alteration proposal.

Council Member Newberry asked Mr. Worm why the proposal is consistent with the Comprehensive Plan with regard to the topographical alteration.

Mr. Worm stated that any home construction alters the topography. The owners would like useable space in the basement. The plan presents no view impairment.

Council Member Massie expressed concern with possible future additions and alterations to include a patio or hard surface once a door access is created.

Mayor Doak expressed concern that once the vegetation and natural topography on the bluff area is disturbed the bluff may become unstable. Mayor Doak stated that he would like to get the authoritative opinion and the technical expertise of the MCWD on the proposal.

Council Member Newberry stated that the applicant's request must meet all five criteria for the Council to approve the variance.

Zoning Administrator Karpas stated the Council must pass a motion to extend the applicant's deadline an additional 60 days to give the City time to continue the variance hearing and meet with the MCWD.

Council Member Massie moved to direct staff to provide written notice to the applicants of the City's intention to extend the 60 day zoning review period relative to the request for the variance. Council Member Carlson seconded the motion. Motion carried 4-0.

Zoning Administrator Karpas stated that the applicants are also seeking a permit to alter an existing non-conforming structure for the construction of an addition on the front of the home. The proposal would connect a one thousand, nine hundred and seventy-six square foot addition on a portion of the existing home which encroaches two feet, six inches into the required fifty foot front yard setback. The proposed addition would become compliant with the required front yard setback as it moves southward. City Code permits the alteration of non-conforming structures provided the alteration would not extend into the required setbacks by any distance greater than the existing main building and complies with the height restriction and impervious coverage.

Zoning Administrator Karpas stated that the proposed addition will maintain the greatest encroachment of two feet, six inches where it attaches to the existing non-conforming home and will come into compliance with the required setback as the addition moves southward. Karpas recommended approval of the request for alteration based on the following findings:

(a) the alteration will enhance the general character of the community; (b) the magnitude of the proposed alteration is consistent with the surrounding area; (c) there will be no negative impact on the use and enjoyment of surrounding properties; (d) there is reasonable separation between the proposed alteration and structures on adjoining properties; (e) there would be no effect on the

light and visibility available to the adjoining properties; (f) the screening is sufficient to screen the proposed alteration; (g) the proposal would not have a negative impact on property values; (h) there are no concerns related to fire safety in regards to the proposal; (i) there are no alternate locations on the property for the proposed alteration which would not require a variance; (j) the shape of the lot creates a unique situation where alteration of the home must take place on the front of the structure otherwise a variance would be required; and (k) the existing/proposed front yard encroachment is two feet, six inches. The angle of the proposed addition is such that it will come into compliance with the required setback as it moves to the south.

Mayor Doak opened the hearing to consider the request for the alteration of the nonconforming structure.

Mayor Doak stated that he visited the site and supports the proposed alteration of the home.

Mr. and Mrs. Juan and Pam Vazquez, 2720 Gale Road, asked to see the architectural renderings of the proposed home.

Zoning Administrator Karpas provided Mr. and Mrs. Vazquez a copy of the building elevations.

Mrs. Lynn Oehler, 2730 Gale Road, asked how far the addition would encroach into the side yard and hillside.

Mr. Vazquez asked about the finished aesthetics of the home and what exterior materials are proposed for the home.

Mayor Doak stated that the Council does not base its decision on the architectural aesthetics of a structure. Its decisions are based on the placement and dimensions of the home or addition and its impact on the natural topography of the City.

Mr. Worm stated the owners want to preserve the style and character of the house with cedar shakes and are also considering stone for the veneer. The proposal will continue the same roofline with dormers to the extent as possible.

Council Member Newberry stated that the proposed alteration meets the required zoning criteria.

Council Member Newberry moved to approve the permit for Alteration of a Nonconforming Structure as presented, and to adopt the staff's findings of fact. Council Member Massie seconded the motion. Motion carried 4-0.

NEW BUSINESS

A. Adopt the Proposed 2014 Budget and Tax Levy:

- **Resolution No. 25-2013; Adopting the proposed 2014 budget**
- **Resolution No. 26-2013; Adopting the proposed 2014 levy**

Council reviewed a proposed 2014 balanced budget and tax levy. The budgeted expenditures for 2014 will increase 5.74% from the level budgeted for 2013, but will change very little from the

projected level of actual spending in 2013. The proposed levy will increase 5.34% from 2013, in large part to prepare for major road improvements and a 2014 election.

Council Member Carlson moved to approve Resolution No. 25-2013, adopting the 2014 budget and Resolution No. 26-2013, adopting the levy collectible in 2014. Council Member Newberry seconded the motion. Motion carried 4-0.

B. Chapter 4 Public Health & Safety

- **Review Draft of Section 405; Animal Control**
- **Review Draft of New Section 407; Backyard Chickens**
- **Review Draft of Section 425; Weapons**
- **Review Draft of Section 455; Noise Control**

Council Member Newberry presented a summary of Chapter 4 to include a new section for backyard chickens and several amendments throughout the Chapter. Council Member Newberry recommended that the language regarding backyard chickens include reference to the United Egg Producers Animal Husbandry Guidelines, 2010 Edition.

Council Member Newberry reported that the Chief of Police Johnson recommended additional language be added to Section 425 on Weapons, regarding the controlled harvest of deer and other animals.

Council Member Newberry stated that draft language has been added to Section 455; Noise Control, establishing a location at which to measure noise levels and adding a subsection to permit the use of emergency generators and exempting generators from the maximum noise level limits during emergency situations.

The Council will continue review of the Chapter 4 ordinance language at their October Council Meeting.

C. Chapter 9 – Draft review of Fence Ordinance

Council reviewed draft language regulating fences outlined in Section 900.12, Subd. 4 of the City Code, clarifying how to measure the height of a fence and the storage of materials between a fence and the property line. Council will continue discussion on fences at a public hearing at the November Council meeting

OLD BUSINESS

A. Continued Discussion Regarding Real Estate Signs

Mayor Doak stated that, at the August meeting, realtor Ellen DeHaven had recommended several changes to the sign ordinance.

Mayor Doak stated that the Comprehensive Plan promotes scenic views and a natural environment. Signs are not scenic and do not support the goals of the Comprehensive Plan. Council Member Carlson stated that she is not aware of any complaints from residents regarding the sign restrictions.

Council was in support of the current language and agreed that amendments to the sign language were unwarranted.

B. Shavers Lane Parking Zone Discussion

Mayor Doak stated that at the August Council Meeting Mr. Richard Henry, 17960 Shavers Lane, had addressed the Council during Public Comments, expressing concern about the informal nature of the current vehicle parking arrangement on Shaver's Lane. Although the Ciampas have graciously permitted neighbors to park their cars on their property to the south of the Lane upon request, there is no assurance that this accommodation would continue with future owners of the property. He also noted that the City at one time had a formal parking zone on Shavers Lane, but that the City had abandoned the zone.

Mr. Keith Ciampa, 18150 Shavers Lane, addressed Council regarding parking along Shavers Lane and presented pictures of the area along the south side of the public road which is their property. Mr. Ciampa stated that when they purchased the property, they were aware that parking had been permitted on their property in the past. They have allowed neighbors to park on their property adjacent to the road since moving into the home and have had no issues. Mr. Ciampa noted that the paved road is 10 feet wide with 7 ½ feet of easement on each side. Mr. Ciampa stated that to park in a safe manner and allow adequate room for emergency vehicles that cars must be fully pulled off the blacktop and parked perpendicular to the road. Parking parallel to the road causes a vehicle to extend into the area needed to permit a fire truck or other emergency vehicle safe passage on the Lane. Mr. Ciampa stated that he spoke with the Wayzata Fire Chief Kevin Klapprich who stated that a fire truck needs over 12 feet of clearance to get through. Mr. Ciampa noted that even if vehicles parallel park and pull completely off the 10 feet of blacktop, the road is still too narrow for a fire truck. Mr. Ciampa presented pictures depicting the best way to park a vehicle along the area by pulling into their yard fully, perpendicular to the road, and several feet off the pavement. This leaves adequate room for emergency vehicles. Such parking extends well beyond the City's right of way and into the Ciampa's property.

Mr. Ciampa stated that they have no issues with neighbors using the area to park and would strongly encourage any subsequent owners to continue the neighborly gesture of occasional vehicle parking.

Mayor Doak stated that he was unclear as to why the City permitted a parking area along Shavers Lane, given the narrow road. The parking zones were created where the City had adequate right of way with the acquiescence of the abutting property owners and in locations where it was feasible from a safety point of view. Mayor Doak stated that the key concern is that emergency vehicles must be permitted free passage.

Mayor Doak will speak with Mr. Henry about the practicality of a formal parking zone.

MAYOR'S REPORT

Mayor Doak reported that he attended a recent MCWD meeting regarding the protection of shoreline and steep banks.

Mayor Doak reported that at least three cities have pulled out of the Lake Minnetonka Communications Commission. The Commission is working with the remaining cities on a plan to move forward.

Mayor Doak reported that he met with the City Engineer to review drainage and water runoff along the driveway access at 2825 Maplewood Circle East. The homeowner, through their asphalt company, has asked to create a small berm, in the asphalt covered City right of way, where their driveway meets the public street. This would redirect water on the street away from their driveway that slopes sharply away from the street. The City Engineer will work with the paving contractor to facilitate a resolution that protects the City, the adjacent neighbors, and the environment.

COUNCIL REPORTS

A. Ordinances & Septic Ordinance & Inspections

No report

B. Roads, Signs, Trees, & Website

No report

C. Finance, Enterprise Funds, Intgov. Relations & MCWD

No report

D. Public Safety & Deer Management

No report

ACCOUNTS PAYABLE

Council Member Newberry moved to approve the Account Payable as submitted. Council Member Carlson seconded the motion. Motion carried 4-0.

TREASURERS REPORT

Council Member Massie moved to approve the Treasurer's Report as submitted. Council Member Newberry seconded the motion. Motion carried 4-0.

ADJOURNMENT

Meeting adjourned at 8:55P.M.

ATTEST:

Shelley J. Souers, City Clerk

James S. Doak, Mayor

WOODLAND RESOLUTION NO. 27 - 2013

IN RE: The application of Chris and Mindy Keenan for a variance of the required 75 foot lake yard setback of Shaver's Lake at 17737 Maple Hill Road, Woodland, Minnesota (PID No. 18-117-22 11 0036).

LEGAL: LOT 12, BLOCK 1 MAPLE HILL

WHEREAS, the applicants have made application to the City for a variance to permit the continued use of a non-conforming septic drainfield; and

WHEREAS, notice of public hearing was published; notice given to neighboring property owners; and a public hearing held before the City Council to consider the application; and

WHEREAS, public comment was taken at the public hearing before the City Council on September 9, 2013; and

WHEREAS, the City Council has received the staff report, and considered the application and comments of the applicant and the public.

NOW, THEREFORE, the City Council of the City of Woodland, Minnesota does hereby make the following:

FINDINGS OF FACT

1. That the real property located at 17737 Maple Hill Road, Woodland, Minnesota (PID No. 18-117-22 11 0036) is a single lot of record located within the R-1 Single Family District. This property is used for single family residential purposes.
2. The applicants submitted a variance application to continue using the existing drainfield with the installation of new septic tanks and a pretreatment system which encroaches twenty-two (22) feet into the required seventy-five (75) foot Shaver's Lake setback.
3. The proposed alterations comply with the remaining setback requirements outlined in Section 900.09(4).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Woodland, Minnesota:

FINDINGS BASED ON THE REVIEW AND APPROVAL PROCESS IN SECTION 900.14 OF THE ORDINANCE:

1. Councilmember Carlson moved the council accept the recommendation of the Septic Inspector and **approve** the variance application of Chris and Mindy Keenan for a twenty-two (22) foot variance of the required seventy-five (75) foot Shaver's Lake setback to continue the use of the existing complying septic drainfield with new tanks and a pretreatment system. The motion is based on the following findings:

(a) The upgrade to the septic system will present no impact to the character of the community; (b) the property will remain a single family use with a complying sewage treatment system according to the standards set forth in the State Code, Chapter 7080 dictating SSTs; (c) ~~the existing septic tanks to include a pretreatment system to~~ the septic tanks will be increase in size and upgraded from ~~to accommodate a five bedroom home;~~ (d) the existing drainfield will continue to be used and meets the 3 feet of vertical separation from ~~saturated soils according to the compliance inspection and per~~ Chapter 7080 requirements; and (e) the existing drainfield is greater than 100 feet from the actual water level of Shavers Lake.

Councilmember Newberry seconded the motion. Motion carried 4-0.

ADOPTED THIS 9th DAY OF SEPTEMBER, 2013 BY THE CITY COUNCIL OF WOODLAND, MINNESOTA.

James S. Doak, Mayor

ATTEST:

Shelley J. Souers, City Clerk

WOODLAND RESOLUTION NO. 28 - 2013

IN RE: The application of John and Lynn O'Neil for an Alteration of a Non-Conforming Structure Permit for the construction of an addition on the front of the home at 2650 Maplewood Circle West, Woodland, Minnesota (PID No. 17-117-22 32 0024).

LEGAL: LOT 20 AUD SUBD NO 93 AND THAT PART OF LOT 1 MAPLEWOOD LYING SWLY OF A LINE RUNNING S 76 DEG E MAGNETIC FROM A PT IN SWLY LINE OF LOT 1 DIST 75 FT SELY FROM MOST WLY COR OF LOT 1

WHEREAS, the applicants have made application to the City for an Alteration of a Non-Conforming Structure Permit for the construction of an addition on the front of a non-conforming home; and

WHEREAS, notice of public hearing was published; notice given to neighboring property owners; and a public hearing held before the City Council to consider the application; and

WHEREAS, public comment was taken at the public hearing before the City Council on September 9, 2013; and

WHEREAS, the City Council has received the staff report, and considered the application and comments of the applicant and the public.

NOW, THEREFORE, the City Council of the City of Woodland, Minnesota does hereby make the following:

FINDINGS OF FACT

1. That the real property located at 2650 Maplewood Circle West, Woodland, Minnesota (PID No. 17-117-22 32 0024) is a single lot of record located within the R-1 Single Family District. This property is used for single family residential purposes.

2. The applicant submitted application for a permit to alter an existing non-conforming structure for the construction of an addition on the front of the home. The proposal would connect a one thousand, nine hundred and seventy-six square foot addition on a portion of the existing home which encroaches two feet, six inches into the required fifty foot front yard setback. The proposed addition would become compliant with the required front yard setback as it moves southward.
 - Section 900.06(1) of the City Ordinances permits the alteration of non-conforming structures provided the alteration would not extend into the required setbacks by any distance greater than the existing main building.
3. The proposed alterations comply with the remaining setback requirements outlined in Section 900.09(4).
4. Ordinance Section 900.13(1) permits a maximum structure height of thirty-five feet as measured by Ordinance Section 900.02(19), which requires the measurement be based on the grade of the lot on June 14, 2010. The addition complies with the ordinance requirements.
5. Section 900.10 of the ordinance permits maximum structure coverage of 10% of the lot area and 25% total impervious surface area. The proposal complies with the ordinance requirements.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Woodland, Minnesota:

FINDINGS BASED ON THE REVIEW AND APPROVAL PROCESS IN SECTION 900.14 OF THE ORDINANCE:

1. Councilmember Newberry moved that the council accept the recommendation of staff and **approve** the application of John and Lynn O'Neil for a Permit for the Alteration of a Non-Conforming Structure for the construction of a 1,976 square foot addition onto an existing non-conforming home. The proposed addition will maintain the greatest encroachment of two feet, six inches where it attaches to the existing non-conforming home and will come into

compliance with the required setback as the addition moves southward. The motion is based on the following findings:

(a) The alteration maintains or enhances the general character and welfare of the community; (b) the magnitude and extent of the proposed alteration is consistent with the surrounding area; (c) there is no negative impact on the use and enjoyment of surrounding properties or other properties in the community; (d) there is a need for the proposed alteration in order to permit the adequate use of the property; (e) there is reasonable separation between the proposed alteration and structures on adjoining properties; (f) there would be no effect on the light and visibility available to the adjoining properties; (g) there is sufficient screening on the subject property to screen the proposed alteration; (h) the proposal would not have a negative impact on property value on the subject property or surrounding properties; (i) there are no concerns related to fire safety; (j) there are no alternate locations on the property for the proposed alteration which would not require a variance; (k) the shape of the lot creates a unique situation where alteration of the home must take place on the front of the structure otherwise a variance would be required; and (l) the existing/proposed front yard encroachment is two feet, six inches. The angle of the proposed addition is such that it will come into compliance with the required setback as it moves to the south.

Councilmember Massie seconded the motion. Motion carried 4-0.

ADOPTED THIS 9th DAY OF SEPTEMBER, 2013 BY THE CITY COUNCIL OF WOODLAND, MINNESOTA.

James S. Doak, Mayor

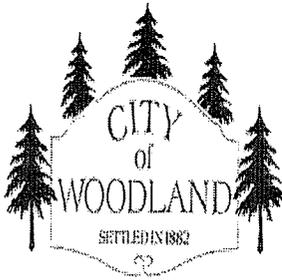
ATTEST:

Shelley J. Souers, City Clerk



REQUEST FOR ACTION

WOODLAND CITY COUNCIL



MEETING DATE: October 14, 2013

FROM: Gus Karpas, Zoning Administrator

SUBJECT: Annual Deer Management Program

Agenda Item: Discuss the Implementation of the Annual Deer Management Program

Summary: Staff has worked with the DNR to begin the process for the required permits to participate in the DNR's Deer Management Program. The final step, prior to permit submittal is for a Council action approving participation in the program. The DNR does not require the city to hold an annual public hearing on this issue.

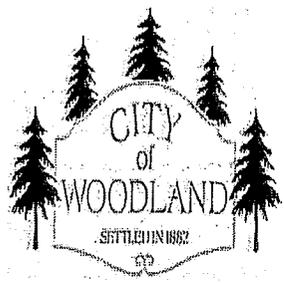
Last year the city was able to remove two (2) deer through this program. We will be requesting a permit to remove twelve (12) deer this season.

I have spoken with a representative from Nuisance Animal Removal Service (N.A.R.S.), who has indicated that they would be willing to continue providing this service for the city. The fee will remain unchanged from last year and is **\$295.00 per deer.**

Staff recommends that the City Council pass a motion directing staff to implement the Deer Management program, which will begin this fall.

CITY COUNCIL ACTION:

1. I move to Council directs Staff to Implement the Deer Management Program for the 2013-2014 Season.



WOODLAND CITY COUNCIL

MEETING DATE: October 14, 2013
FROM: Shelley Souers, City Clerk
SUBJECT: Snow Plowing 2013-2014 season

Contract Season - November 1 to April 30 (2013-2014)

Background

<u>Year</u>	<u>Vehicles</u>	<u>50/50 salt-sand</u>
2013/2014	\$68/hr	\$87/ton *
	\$85/hr large track bobcat & bobcat with blower	
<u>2012/2013</u>	\$68/hr	\$87/ton
	\$85/hr large track bobcat & bobcat with snow blower	
<u>2011/2012</u>	\$68/hr	\$87/ton
	\$85/hr large track bobcat & bobcat with snow blower	
<u>2010/2011</u>	\$66/hr all trucks	\$87/ton
<u>2009/2010</u>	\$66/hr all trucks	\$87/ton
<u>2008/2009</u>	\$66/hr all trucks	\$79/ton
<u>2007/2008</u>	\$65/hr all trucks	\$78/ton
<u>2006/2007</u>	\$60-65/hr	\$80/ton

Previous years costs:

2013	YTD	\$34,162	- (Budget \$37,000)
2012		\$17,007	- (Budget \$35,000)
2011		\$34,665	- (Budget \$25,000)
2010		\$18,393	
2009		\$18,706	
2008		\$24,156	
2007		\$22,686	
2006		\$18,716	
2005		\$ 9,061	
2004		\$ 9,618	
2003		\$15,709	
2002		\$22,899	
2001		\$24,010	
2000		\$14,600	
1999		\$11,871	
1998		\$12,132	

ACTION: Motion to adopt the Resolution No. 31-2013; approving the Agreement with Cornerstone Industries, LLC for plowing and sanding of City streets for 2013-2014 snow plowing season.

PURCHASING POLICY – adopted March 2007

The City adopted a policy whereby services with an existing contractor may be renewed at Council's discretion without seeking additional quotes, upon demonstration of satisfactory performance and reasonable price.

2013/2014 * 50/50% salt sand mix billed at \$87/ton, straight salt will be billed at \$138/ton plus truck time. In the event of another salt shortage, market rates will apply.

CITY OF WOODLAND

RESOLUTION NO. 30-2013

**A RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT FOR SNOW
PLOW AND SANDING SERVICES FOR 2013-2014 (1 YEAR SEASON)**

WHEREAS, the City of Woodland contracts with a private company for snow plow and sanding services each year; and,

WHEREAS, the City of Woodland desires to continue their agreement for snow plowing and sanding services with Cornerstone Industries, Inc. and said services will be conducted according to the agreement for services with Cornerstone Industries, Inc., as delineated in Exhibit A: Snow Plow and Sanding Contract 2013-2014.

NOW, THEREFORE, BE IT RESOLVED that the Woodland City Council authorizes entering into the Agreement for snow plowing and sanding services with Cornerstone Industries, Inc. for the winter season beginning 2013 and ending spring 2014, and that the Woodland City Council hereby authorizes the City Clerk to sign the agreement on behalf of the City of Woodland.

ADOPTED this 14 day of October, 2013 by the City Council of the City of Woodland, Minnesota.

Chris Rich, Mayor Pro Tem

ATTEST:

Shelley Souers, City Clerk

Cornerstone Industries, Inc

PO Box 374
Excelsior, MN 55331
csilandscaping@yahoo.com
612 226 8344

Mayor, City Clerk
City of Woodland

Snow Plow and Salting Proposal 2013-2014

Plowing for all snowfalls of 1" or more.

Plowing of streets for Woodland as described by the City will be performed as follows:
Opening up of all major roads will be performed by 5:00 AM for all overnight snowfalls that continue in to the next day. All roads will be completed when snowfall stops.
Opening up of all roads will be performed every 2"-3" for snowfalls that accumulate throughout the day, and then completed when snowfall stops. This will ensure passage for residents in the event of a big snowfall.

Sanding/Salting

Salting of streets in the City of Woodland will be performed as follows: Salting of Stop signs, hills and dangerous corners will be performed during and after every snowfall unless temp is above 35 degrees and natural melting will occur. Salting of all major roads will be performed in the event of an ice storm or icy conditions. Salting may also be performed in the event of a snowfall event of less than 1" if conditions are slippery. All salting will be done using straight salt or salt sand mixture depending on weather conditions.

Equipment and Pricing

All equipment used by Cornerstone is kept well maintained and in safe working condition.

One-ton truck with v or scoop plow - \$68/hr	S/A dump truck with 10ft plow - \$85/hr
Bobcat with snow bucket/plow - \$68/hr	Bobcat with snow-blower - \$85/hr
Bobcat with tracks - \$85/hr	Payloader (130 hp/3 yd bucket) - \$135/hr

50% / 50% salt sand mix will be billed at **\$87.00/ton**, Straight salt will be billed at **\$138/ton**. In the event of another salt shortage – market rates will apply.

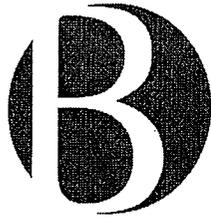
Bobcat and dump truck services are available at \$68/hr each for snow build-up removal- large track machine and bobcat with snow-blower will be billed at \$85/hr. NOTE: snow removal and relocation will be done at Tim Lovett's discretion this year unless otherwise requested.

Cornerstone will always have a truck within 20 minutes of Woodland when it is snowing.

BY SIGNING BELOW, CUSTOMER AGREES TO PAY THE AGREED PRICE FOR THE AGREED SERVICES LISTED ABOVE. THIS IS AN AGREEMENT FROM DATE OF SIGNING, WITH PAYMENTS MADE AS DESCRIBED WITHIN. ANY CHANGES MADE IN PRICING OR SERVICES MUST BE ACCOMPANIED BY A SIGNED CHANGE ORDER TO THIS CONTRACT. CORNERSTONE INDUSTRIES, INC. CARRIES FULL WORK COMPENSATION AND LIABILITY INSURANCE AND COPIES OF THESE CERTIFICATES ARE AVAILABLE UPON REQUEST..

X _____ DATE _____
City of Woodland Representative

X _____ DATE _____
Tim Lovett, President
Cornerstone Industries, Inc.



BayCliffHomes

architecture : design : build

G.C. # BC454492

Date: 9/27/13

Project Location:

O'Neil Family
2650 Maplwood Cir. W.
Woodland, MN. 55391

City of Woodland,

My name is Bill Worms, on behalf on John and Lynn O'Neil, we are withdrawing our variance request, at 2650 Maple wood Cir. W., to exceed the maximum permitted grade alteration and to encroach into the minimum required lake yard setback to construct a set of four foot retaining walls on the lake side of the home.

Call me with any questions or concerns.

Regards,

Bill Worms ALA, NCARB, LEED, BATC
President, BCH



Agenda Date: 10-14-13
CITY COUNCIL MEMO

Agenda Item: Request of Mark and Shannon Evenstad, 2520 Cedar Ridge Road, for the consideration of variances to encroach into the required side yard setbacks and to exceed the maximum permitted grade alteration for the construction of a new driveway between commonly owned properties.

Summary: Mark and Shannon Evenstad, 2520 Cedar Ridge Road, have purchased a parcel directly adjacent to their property, 2540 Cedar Point Road, which currently contains a detached garage. The Evenstad's are seeking to construct a single family home on the property which would comply with the zoning regulations to be used for in-laws and visiting family members. They would like to construct a driveway between the properties for easy access and are requesting variances to encroach into the minimum required side yard setbacks and to exceed the maximum permitted grade alteration in order to do so.

~~The proposed driveway would run east to west between the properties and across a platted city right of way. The driveway would access a tuck under garage on the new single family home proposed for 2540 Cedar Point Road.~~

- **Ordinance Section 900.12(1)(e) requires a minimum side yard setback for driveways of five feet from the delineated side property line. The applicants are requesting a variance to encroach five feet into the required five foot side yard setback for driveways on both properties. The impacted side yards are the east side yard on 2540 Cedar Point Road and the west side yard on 2520 Cedar Ridge Road.**

~~The creation of a tuck under garage at 2540 Cedar Point Road requires the reconfiguration of the existing contours on the west side of the property which creates a grade excavation of five feet.~~

- **Ordinance Section 900.17(4)(a) permits a maximum grade alteration of three feet. The applicants are seeking to alter the grade a maximum of five feet for the construction of the proposed driveway to access a tuck under garage on 2540 Cedar Point Road and are seeking a variance to alter the grade two feet below the maximum permitted alteration.**

STAFF RECOMMENDATION:

Staff recommends Approval for the application of Mark and Shannon Evenstad for variances of Woodland Ordinance Code section 900.09(4)(d)(a); to encroach five feet into the required five side yard setback for driveways on 2540 Cedar Point Road and 2520 Cedar Ridge Road and of Woodland Ordinance Code section 900.17(4)(a); to exceed the maximum permitted grade alteration by two (2) feet as presented for 2540 Cedar Point Road for the construction of a driveway between the properties as presented. The recommendation is conditioned that the driveway between the properties be removed in the event either property is conveyed separately and that the City fire lane, between the properties, remain fully accessible.

FINDINGS BASED ON THE REVIEW AND APPROVAL PROCESS IN SECTION 900.14 OF THE ORDINANCE:

Findings:

- (a) The two variances are in harmony with the purpose and intent of the ordinance?

Section 900.01(a) outlines the purpose of the ordinance as the principal means of attaining the goals and standards set forth in Woodland's Comprehensive Plan, including the preservation of open space, scenic views, natural topography and habitat, wetlands, lakes, indigenous vegetation and tree, and rehabilitation of existing housing units on their present location. The proposed driveway and minor alteration in grade at the rear of the new home would not have a negative impact on any of the goals and standards outlined in the Comprehensive Plan.

- (b) The variances are consistent with the comprehensive plan?

The request is consistent with the Comprehensive Plan in that it maintains the single family residential nature of the neighborhood. The City fire lane remains intact and unimpeded. The grade alteration is minimal in size and visibility. The grade alteration will not alter the general contour of the land in an ecologically or aesthetically adverse manner.

-
- ~~(c) The proposal puts property to use in a reasonable manner?~~

~~The proposal puts both properties to a reasonable use since it permits access between commonly owned properties without the use of a travelled city right of way and does not impede access to the fire lane. The driveway variance would permit the use and enjoyment of commonly owned properties without negative impact to neighboring properties or the ecology of the City.~~

- (d) There are unique circumstances to the property not created by the landowner?

The circumstances are unique in that the properties are in common ownership and the applicant is requesting access between the two without traditional access to city right of way.

-
- (e) Will the variance, if granted, alter the essential character of the locality?

The essential character of the neighborhood would not be impacted since the placement of the improvements within the required side yard setbacks and the decrease in grade will not impact adjacent properties.



Agenda Date: 10-14-13
CITY COUNCIL MEMO
Variance Requests

Agenda Item: Consider Variance Requests, Mark and Shannon Evanstad, 2520 Cedar Ridge Road

Summary: Copies of the application materials and staff report are attached for the City Council's reference. Notice of the public hearing was published in the Sun-Sailor newspaper on September 26, 2013. The City Council will hold a public hearing at their September 9, 2013 meeting. The Council shall consider the public comments, applicant's comments, application materials, staff report and **must** address city code Section 900.14, Subdivision 5, "Variance Findings", as well as any conditions prior to taking any official action in the form of a motion.

Council Action: Action required by November 4, 2013. Potential motions ...

1. **Approval Motion:** I move the council accept the recommendation of staff and **approve** the application of Mark and Shannon Evanstad for variances of Woodland Ordinance Code section 900.09(4)(d)(a); to encroach five feet into the required five side yard setback for driveways on 2540 Cedar Point Road and 2520 Cedar Ridge Road and of Woodland Ordinance Code section 900.17(4)(a); to exceed the maximum permitted grade alteration by two (2) feet as presented for 2540 Cedar Point Road for the construction of a driveway between the properties as presented.

~~The approval is conditioned that the driveway between the properties be removed in the event either property is conveyed separately and that the City fire lane, between the properties, remain fully accessible. The motion is based on the following findings:~~

(a) The variance is in harmony with the purpose and intent of the ordinance?

Section 900.01(a) outlines the purpose of the ordinance as the principal means of attaining the goals and standards set forth in Woodland's Comprehensive Plan, including the preservation of open space, scenic views, natural topography and habitat, wetlands, lakes, indigenous vegetation and tree, and rehabilitation of existing housing units on their present location. The proposed driveway and minor alteration in grade at the rear of the new home would not have a negative impact on any of the goals and standards outlined in the Comprehensive Plan.

(b) The variance is consistent with the comprehensive plan?

The request is consistent with the Comprehensive Plan in that it maintains the single family residential nature of the neighborhood. The City fire lane remains intact and unimpeded. The grade alteration is minimal in size and visibility. The grade alteration will not alter the general contour of the land in an ecologically or aesthetically adverse manner.

(c) The proposal puts property to use in a reasonable manner?

The proposal puts both properties to a reasonable use since it permits access between commonly owned properties without the use of a travelled city right of way and does not impede access to the fire lane. The driveway variance would permit the use and enjoyment of commonly owned properties without negative impact to neighboring properties or the ecology of the City.

(d) **There unique circumstances to the property not created by the landowner?**

The circumstances are unique in that the properties are in common ownership and the applicant is requesting access between the two without traditional access to city right of way.

(e) **Will the variance, if granted, alter the essential character of the locality?**

The essential character of the neighborhood would not be impacted since the placement of the improvements within the required side yard setbacks and the decrease in grade will not impact adjacent properties.

2. **Denial Motion:** I move the council **deny** the application of Mark and Shannon Evenstad for variances of Woodland Ordinance Code section 900.09(4)(d)(a); to encroach five feet into the required five side yard setback for driveways on 2540 Cedar Point Road and 2520 Cedar Ridge Road and of Woodland Ordinance Code section 900.17(4)(a); to exceed the maximum permitted grade alteration by two (2) feet as presented for 2540 Cedar Point Road for the construction of a driveway between the properties as presented, based on the following findings:

- a. The variance(s) are **NOT** in harmony and keeping with the spirit and intent of the zoning ordinance: _____.
- b. The variance(s) are **NOT** consistent with the comprehensive plan: _____.
- c. The proposal **DOES NOT** put the property to use in a reasonable manner _____.
- d. There are **NOT** unique circumstances to the property not created by the landowner: _____.
- e. The variance(s), if granted, **WILL** alter the essential character of the locality, _____.

3. **Motion for Additional Time:** I move the Council directs staff to draft written notice stating the City Council will extend the 60-day time limit to take action on the request until January 3, 2014 as permitted by MN Statute 15.99 for the following reason(s) _____.

Note: MN statute 15.99 requires a council decision within 60 days. The council may approve or modify a request based on verbal findings of fact and the applicant may proceed with their project. However, if the council denies the request, the council must state in writing the reasons for denial at the time that it denies the request. The council may extend the 60-day time limit by providing written notice to the applicant including the reason for the extension and its anticipated length (may not exceed 60 additional days unless approved by the applicant in writing).

Gus Karpas

From: David Martini <davidma@bolton-menk.com>
Sent: Tuesday, October 01, 2013 10:03 AM
To: Greenwood, City of (administrator@greenwoodmn.com)
Subject: FW: 2540 Cedar Point Road

Gus,
Please see out comments below for 2540 Cedar Point Road. Let me know if you have questions.

Thanks.

David P. Martini, P.E.
Bolton & Menk, Inc.
P: (952) 448-8838 ext. 2458
M: (612) 756-4315
email: davidma@bolton-menk.com

From: Robert Bean
Sent: Tuesday, October 01, 2013 7:54 AM
To: David Martini
Subject: 2540 Cedar Point Road

Dave,

I have reviewed the Variance Application Drawings for the proposed home at 2540 Cedar Point Road. Following are my observations, comments, and recommendations for your consideration:

1. The applicant proposes to change the grade by more than 3' in a few areas. Therefore, they will need to apply to the City for a variance.
2. The plans should be revised to indicate siltfence location. The siltfence should be installed and inspected by the City prior to any land altering activities.
3. The plans should be revised to provide more detail regarding the proposed culvert under the south driveway. Additional grading detail, invert elevations, and culvert characteristics (material, size, length) should be included.
4. The applicant will be required to obtain Minnehaha Creek Watershed District (MCWD) approval and permitting for their Erosion Control Rule. A copy of the approved permit should be submitted prior to any land altering activities.

Please let me know if you have any questions or need additional information.

Thanks,

Robert E. Bean, Jr, P.E.
LEED Green Assoc.
Water Resources Engineer
Bolton & Menk, Inc.
Consulting Engineers & Surveyors
2638 Shadow Lane, Suite 200
Chaska, MN 55318

Variance Application
City of Woodland
 20225 Cottagewood Road
 Deephaven, MN 55331
 952-474-4755
 www.cityofwoodlanmn.org



Applicant is (circle one) Owner Developer Contractor Architect Other _____

Property address for which variance is requested 2520 CEDAR RIDGE RD. + 2540 Cedar Point Dr.

Applicant (individual or company name): MARK EVENSTAD

Contact for Business: _____ Title: _____

Address: 2520 CEDAR RIDGE ROAD City: Woodland State: MN Zip: 55391

Wk Phone: 763-315-2009 Hm Phone: 952-249-1229

Email address: evenstad@hotmail.com Fax: _____

Present use of property: garage/STORAGE

Property acreage: 1.36 Acres 59,050 Square Feet

Existing Variances: Yes _____ No X

If yes, please explain _____

Describe Request: Build New X Add On _____ Remodel _____ Replace ~~remove old~~
DRIVEWAY garage + fence

What is the Variance being requested for: Driveway crossing sideyard setback and request to exceed the maximum permitted grade alteration

Variance for:

		Required	Proposed
<u>X</u>	Side Yard (Driveway)	<u>5</u> feet	<u>0</u> feet
	Front Yard	_____ feet	_____ feet
	Rear Yard	_____ feet	_____ feet
	Lake setback	_____ feet	_____ feet
	Building height	_____ feet	_____ feet
	Structure height	_____ Feet	_____ feet
	Wetland	_____ feet	_____ feet
	Impervious Cover	_____ sq ft	_____ Sq ft
	Shoreland	_____ feet	_____ feet
	Massing	_____ volume	_____ volume
<u>X</u>	Other	<u>3'</u> feet	<u>5</u> feet
If other, please explain <u>increase in grade</u>			

* SEE ATTACHED TYPED Document

Establishing the variance, if granted, will not adversely impact the rights of others:

Describe the effect of the variance, if granted, on neighboring properties and on the neighborhood in general:

Describe the effect of the variance, if granted, on supply of light and air to adjacent properties.

Describe the effect of the variance, if granted, on traffic congestion in the public street.

Describe the effect of the variance, if granted, on the danger of fire.

Describe the effect of the variance, if granted, on the danger to public safety.

Describe the effect of the variance, if granted, on established property values in the surrounding area.

Describe the effect of the variance, if granted, on the impairment of the public health, safety or welfare.

Applicant(s) have determined that the following approvals may be necessary from other regulatory bodies:

_____ LMCD # 952-745-0789

_____ Watershed District # 952-471-0590

Applicant's Acknowledgement & Signature(s)

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name, and I am the party whom the City should contact about this application. The applicant certifies that the information supplied is true and correct to the best of his/her knowledge.

MAKING YOUR CASE FOR THE GRANT OF A VARIANCE

STATE LAW: Minnesota Statutes 462.357 controls the grant of variances to established zoning codes. Before a variance can be granted the Applicant must establish to the satisfaction of the City that: A) Strict enforcement of the applicable code would cause a practical difficulty because of circumstances unique to the individual property under consideration, and, B) the grant of the requested variance will be in keeping with the spirit and intent of the ordinance.

"Practical Difficulty" as used in connection with the granting of a variance means: 1) the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls; 2) the plight of the landowner is due to circumstances unique to the property not created by the landowner, and 3) the variance, if granted, will not alter the essential character of the locality.

NOTICE: Simple inconvenience of a landowner or occupant, including self-created situations, are not considered a practical difficulty under Minnesota case law.

Economic considerations alone shall not constitute a practical difficulty if reasonable use of the property exists under the ordinance. (MN Statutes 462.357)

If you have difficulty in establishing a practical difficulty please consider alternatives to your construction plans that may remove the need for a variance.

The Applicant must respond fully and in detail to each of the following questions and data requests or the Application may be rejected as incomplete.

Establishing that the requested variance will be in keeping with the spirit and intent of the Zoning Code:

The requested variance, if granted, will be in keeping with the spirit and intent of the City Zoning because:

* SEE ATTACHED TYPED Document

Establishing Practical Difficulty:

1. The landowner's (Applicant's) property cannot be put to a reasonable use if used under conditions allowed by the official controls because:

2. The plight of the landowner (Applicant) is due to circumstances unique to the property not created by the landowner property because:

3. The variance, if granted, will not alter the essential character of the locality because:

Statement of proposed use for the property at:
2540 Cedar Point Drive & 2520 Cedar Ridge Road
Woodland, MN 55391
September 5th, 2013

Project Address:
2540 Cedar Point Drive and
2520 Cedar Ridge Road
Woodland, MN 55391

Contact Information:

Owners:
Mark & Shannon Evenstad
2520 Cedar Ridge Road
Woodland, MN 55391
Phone: 763.315.2009

Architect:
Mark Larson, AIA / Ryan Bicek, AIA
Rehkamp Larson Architects, Inc.
2732 W 43rd Street, Minneapolis, MN 55410
Phone: 612. 285. 7275
Email: mark@rehkamplarson.com/ ryan@rehkamplarson.com

Project Description:
The proposed project on this property is to remove the existing detached garage/driveway and build a new house and driveways. The property is owned by the same landowners as the adjacent residential property at 2520 Cedar Ridge Road. The variances under consideration are to add a driveway between the two properties and a request to exceed the maximum permitted grade alteration by 2' (from the required 3' to a proposed 5').

Application Date: September 5th, 2013
Publish Date: September 26th, 2013
Council Meeting Date: October 14th, 2013

To address the Variances application:

Establishing the variances, if granted, will not adversely impact the rights of others:

- The effect of the variances will have little if any impact on the neighboring properties and the neighborhood in general because the location for the proposed driveway is back from the public street in a wooded part of these sites, out of view from the street and from neighboring properties.

- The effect of the variances, if granted, will not change to the supply of light and air to adjacent properties as the variance is for a driveway set within the existing trees and grades between the two properties it joins.
- The variances if granted, will reduce traffic congestion in the public street by removing the driveway to 2540 Cedar Point Drive that is awkwardly located at the intersection of Cedar Ridge Road, Maplewood Circle West & Maplewood Circle East. A proper new driveway to the property is planned with access from the private road Cedar Point Drive.
- The effect of the variances, if granted, will reduce the danger of fire by providing direct view and access between these two properties and by providing better access for any potential firefighting efforts as there are two proposed drive access points. The replacement of the existing secluded storage garage building with a new residence, built to current code, will further reduce the risk of fire.
- The effect of the variances, if granted, will reduce the danger to public safety by removing the driveway that enters into the intersection of Cedar Ridge Road, Maplewood Circle West & Maplewood Circle East and by the replacement of the existing deteriorating storage garage building with an occupied new home.
- The variances, if granted, will improve the property values in the surrounding area by taking the current gravel drive away from view of the main roads and by the construction of the proposed new residence to replace the old detached stand-alone garage.
- The variances, if granted, will improve the public health, safety or welfare by the removal of the driveway into the congested intersection of Cedar Ridge Road, Maplewood Circle W & Maplewood Circle E and by removal of the aging existing storage garage on the site which could be an attractive nuisance, fire hazard, etc.

The requested variances, if granted, will be in keeping with the spirit and intent of the City Zoning code because: the proposed driveway would provide for safe vehicular and pedestrian access and to and from residential properties.

Establishing Practical Difficulty

1. **The landowner's property cannot be put to a reasonable use if used under conditions allowed by the official controls because:** these properties are owned jointly by the same landowner so regular (vehicular and pedestrian) movement between the two properties would otherwise need to be out one driveway to the public street and then back into the other driveway if used under conditions allowed by the official controls.
2. **The plight of the landowner is due to circumstances unique to the property not created by the landowner because:** the current driveway providing access to 2520 Cedar Ridge Road is awkwardly and dangerously located at the already

congested intersection of Cedar Ridge Road, Maplewood Circle West & Maplewood Circle East.

3. **The variances, if granted, will not alter the essential character of the locality because:** the proposed design of the driveway connection, being sought by the variances, as well as the proposed new residence, will work with existing grades, retain mature trees to visually buffer the site and will result in an improved property consistent with the caliber of the immediate neighbors as well as the neighborhood as a whole.



DATA PRIVACY ADVISORY

In accordance with Minnesota State Statute 13.04, Subd. 2, "Rights of subjects of data", we would like to inform you that your request for a permit or license from the City of Woodland or any of its departments may require you to furnish certain private or confidential information.

You are notified that:

- 1) The information that you furnish will be used to determine your qualifications for a permit, approval or license requested.
- 2) You may refuse to supply data, but refusal may require that the City deny the permit, approval or license.
- 3) The information you provide may be shared with other local, state or federal agencies to the extent necessary to process the permit, approval or license.
- 4) If your requested permit, approval or license requires Council action, the information may become public. A copy of your application, permit, approval or license will be placed in your public property file.
- 5) You have certain rights under Minnesota Statute, Section 13.04 to review private data on yourself.
- 6) Your full name is required to process this application or permit.

Applicant:

SAME AS OWNER - SEE BELOW
NAME: First Middle Last
Address
City State Zip Phone

I understand my rights as stated above

Applicant Signature

Date

Owner:

Mark EVENSTAD
NAME: First Middle Last
2520 CEDAR RIDGE ROAD
Address
Woodland MIN 55391 952-249-1229
City State Zip Phone

I understand my rights as stated above

Owner Signature

Date

9/4/13

WOODLAND HARDCOVER CALCULATION WORKSHEET

Ordinance 900.02, Subd. 20

Impervious Surface - Means a surface that will not permit the passage of rainwater through it, including such surfaces as roofs, awnings, concrete or bituminous driveways, walkways, tennis courts, swimming pools and patios and plastic landscape sheets or barriers. In determining impervious surface area of a house or other structure, the entire area of the roof will be considered impervious surface, together with any additional impervious surface areas. For purposes of this Code slatted decking will be deemed to be 90% impervious.

Ordinance 900.10

900.10 Lot Coverage. This section regulates the amount of area a property can have which is covered with structures and impervious surface. For the purposes of this section, "lot" area measurements will not include land below the Ordinary High Water Level, wetlands or easements for roadways and driveways.

Subd. 1. For lots containing an area greater than 16,500 square feet, the percentage of lot area covered by all structures may not exceed 10 percent of the gross lot area and may not exceed twenty-five (25) percent of the lot area in impervious surface. This percentage may not be exceeded, nor properties already in excess of this percentage reconfigured without the issuance of a Variance in accordance with Section 900.14 of this code.

Subd. 2. Lots containing an area less than 6,500 square feet and serviced by municipal water and sanitary sewer, the percentage of lot area covered by an impervious surface, including the area covered by buildings, may not exceed forty (40) percent. This percentage may be increased to forty-five (45) percent with the issuance of a special use permit. Applications for a Special Use Permit shall be made under Section 900.15 of this code.

PROPERTY ADDRESS 2540 CEDAR POINT DRIVE Date 9/5/2013

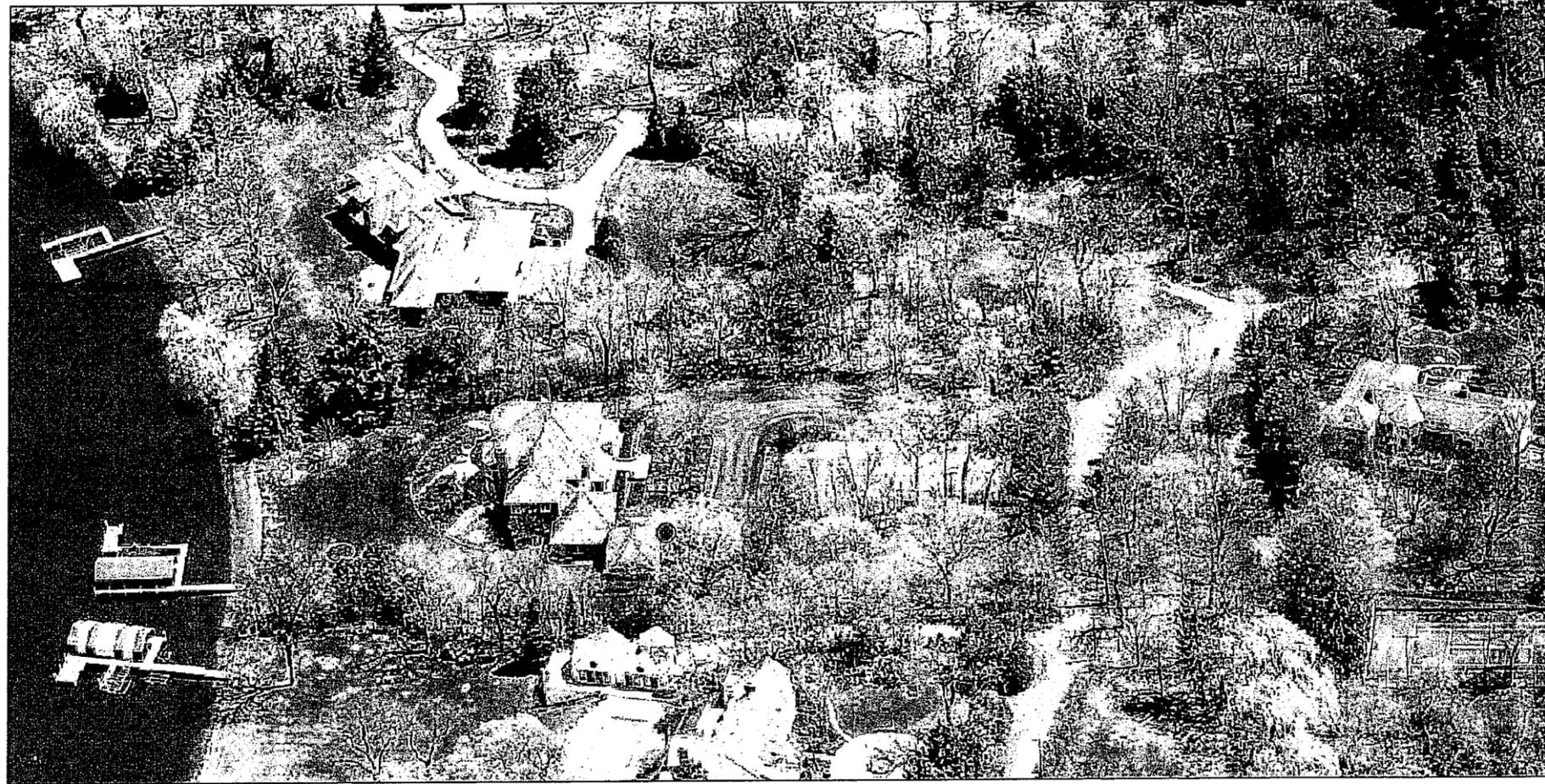
Existing Hardcover			Proposed Hardcover		
House	_____ x _____	_____	House	<u>SEE</u> x <u>DRAWING</u>	<u>2475 sf.</u>
	Length Width	Sq. Feet		Length Width	Sq. Feet
	_____ x _____ = _____			_____ x _____ = _____	
Garage	<u>to be removed</u>	= _____	Garage	_____ x _____ = _____	
Other Buildings	_____ x _____ = _____		Other Buildings	_____ x _____ = _____	
	_____ x _____ = _____			_____ x _____ = _____	
Driveway	<u>to be removed</u>	= _____	Driveway	<u>SEE</u> x <u>DRAWING</u>	<u>4800</u>
Sidewalks	_____ x _____ = _____		Sidewalks	<u>SEE</u> x <u>DRAWING</u>	<u>200</u>
Patio	_____ x _____ = _____		Patio	_____ x _____ = _____	
Decks	_____ x _____ = _____	90%	Decks	_____ x _____ = _____	90%
Other landscape	_____ x _____ = _____		Other landscape	_____ x _____ = _____	
Total	<u>0</u> (Will be Demolishing GARAGE + Drive)		Total		<u>7475 sf.</u>

Existing cover + Proposed cover = total hardcover (Square Feet) Total Lot Area = _____ Square Feet

Total Hardcover 7475 ÷ Lot Area 59,050 x 100 = 12.6 %
(Existing & Proposed square feet)

Name of person completing the worksheet Ryan Bicek
print name

Signature Ryan Bicek Date 9/5/2013



CEDAR POINT COTTAGE
2540 CEDAR POINT DRIVE

GENERAL NOTE:
 FULL-SIZE SET: 24" x 36" SHEETS- SCALE AS NOTED @ EACH DWG.
 HALF-SIZE SET: 11" x 17" SHEETS- SCALE IS 1/2 OF NOTED @ EACH DWG.

DRAWING INDEX

- A00 TITLE SHEET SURVEY
- A01 SITE PHOTO
- A02 SITE DIAGRAM
- L1 TREE PROTECTION AND REMOVAL PLAN
- L2 LIGHTING PLAN

CONTACTS

Owners:
 Mark & Shannon Evenstad
 2520 Cedar Ridge Road
 t. (952) 249.1229

Architect:
 Rehkamp Larson Architects Inc.
 2732 West 43rd Street
 Minneapolis, MN 55410
 t. (612) 285.7275
 f. (612) 285.7274
 Contacts-
 Mark Larson, AIA
 mark@rehkamplarson.com
 Ryan Bicek, AIA
 ryan@rehkamplarson.com

Interior Designer
 Martha Dayton Design
 3133 Hennepin Avenue S. #100
 Minneapolis, MN
 Contact: Martha Dayton
 t. (612) 805.9369

Structural Engineer:
 Bunkers & Associates, LLC
 Structural Engineers
 6687 Forest Street
 Farmington, MN 55024
 t. (651) 366.2853
 Contact: Eric Bunkers, P.E.

Builder:
 Streeter & Associates
 18312 Minnetonka Blvd,
 Wayzata, MN 55391
 Contact:
 Bob Near
 t. (952) 449.9448
 c. (612) 819.1679
 bnear@streeter-associates.com

Landscape Architect:
 Keenan Sveiven
 15119 Minnetonka Boulevard
 Minnetonka, MN 55345
 Contact: Todd Irvine
 t. (952) 475.1229
 c. (612) 328.2562

Surveyor:
 Gronberg & Associates, INC.
 445 N. Willow Drive
 Long Lake, MN 55356
 Contact: Mark Gronberg
 t. (952) 473.4141

VARIANCE APPLICATION DRAWINGS- September 5th, 2013

PROJECT PHASE:
Construction Documents

PROJECT NUMBER:
13-022

ISSUE DATE:
September 5, 2013

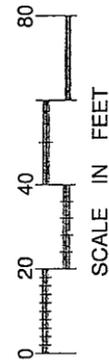
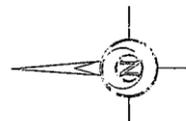
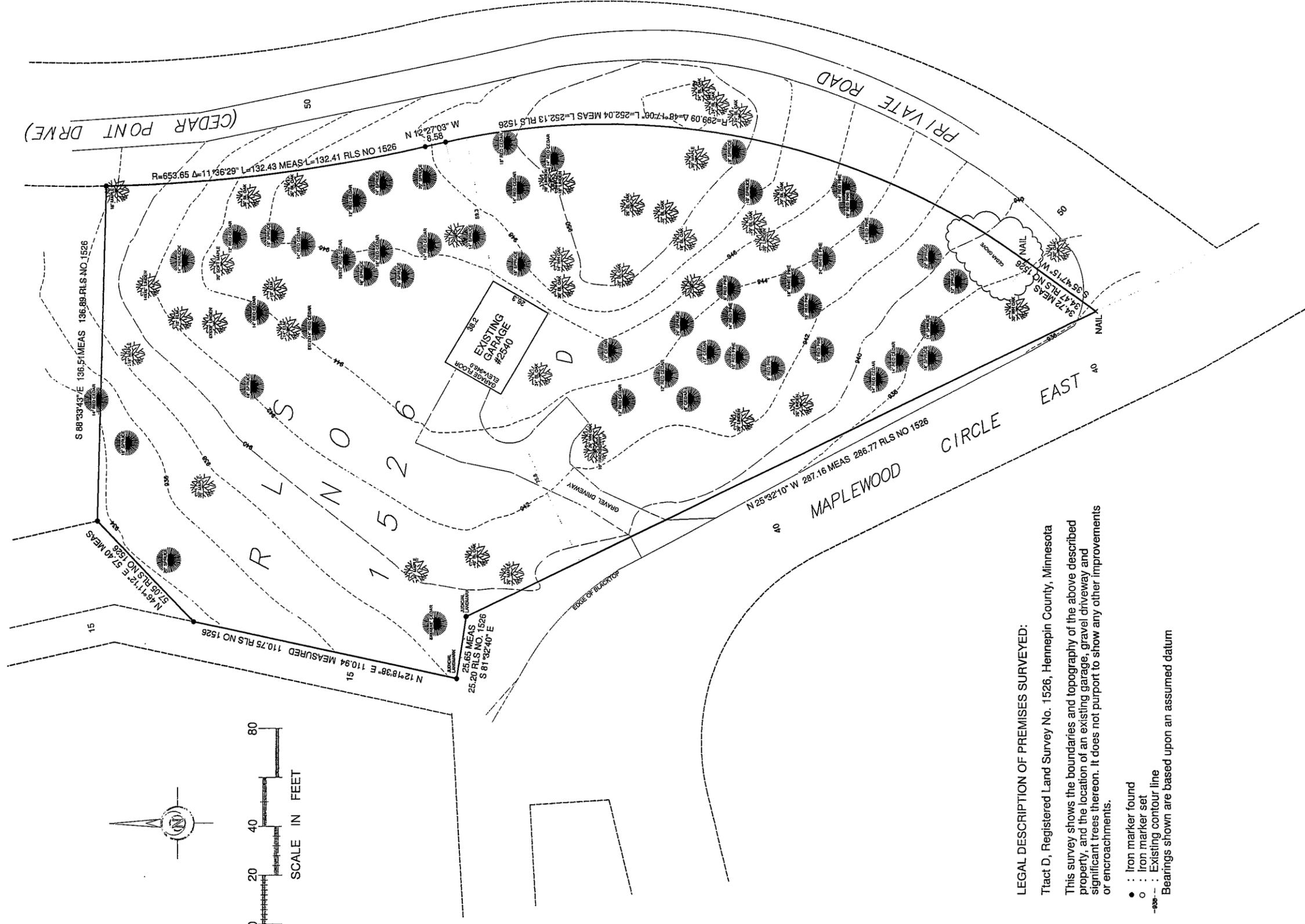
DRAWN BY:
RB, MDL

A00
TITLE SHEET

Cedar Point Cottage
 2540 Cedar Point Drive
 Woodland, MN 55391

REHKAMP LARSON ARCHITECTS INC.
 2732 West 43rd Street, Mpls, MN 55410
 Tel. 612-285-7275 Fax. 612-285-7274

**BOUNDARY AND TOPOGRAPHIC SURVEY FOR
MARK AND SHANNON EVENSTAD
OF TRACT D, R. L. S. NO. 1526
HENNEPIN COUNTY, MINNESOTA**



LEGAL DESCRIPTION OF PREMISES SURVEYED:

Tract D, Registered Land Survey No. 1526, Hennepin County, Minnesota

This survey shows the boundaries and topography of the above described property, and the location of an existing garage, gravel driveway and significant trees thereon. It does not purport to show any other improvements or encroachments.

- : Iron marker found
- o : Iron marker set
- - - : Existing contour line

Bearings shown are based upon an assumed datum

DATE	BY	DESIGNED	REVISIONS	DATE
			REMARKS	

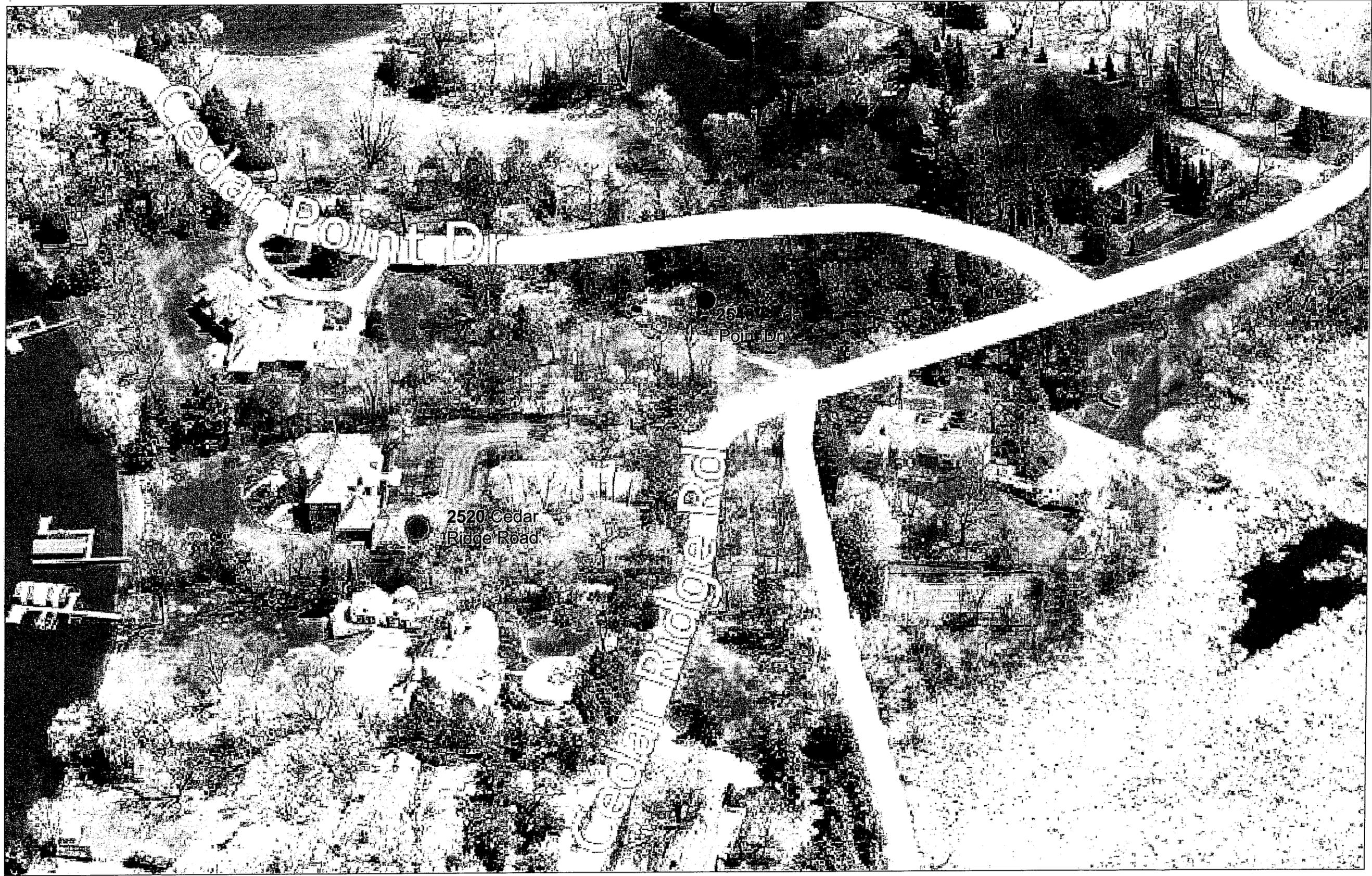
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

DATE	MINN. LICENSE NUMBER



DATE	SHEET
7-10-13	13-278
11-207	13-278
JOHN	13-278

GRONBERG & ASSOCIATES, INC.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
445 N. WILLOW DRIVE LONG LAKE, MN 55356
PHONE: 952-473-4141 FAX: 952-473-4435



VARIANCE APPLICATION DRAWINGS- September 5th, 2013

A01
SITE PHOTO

DRAWN BY:
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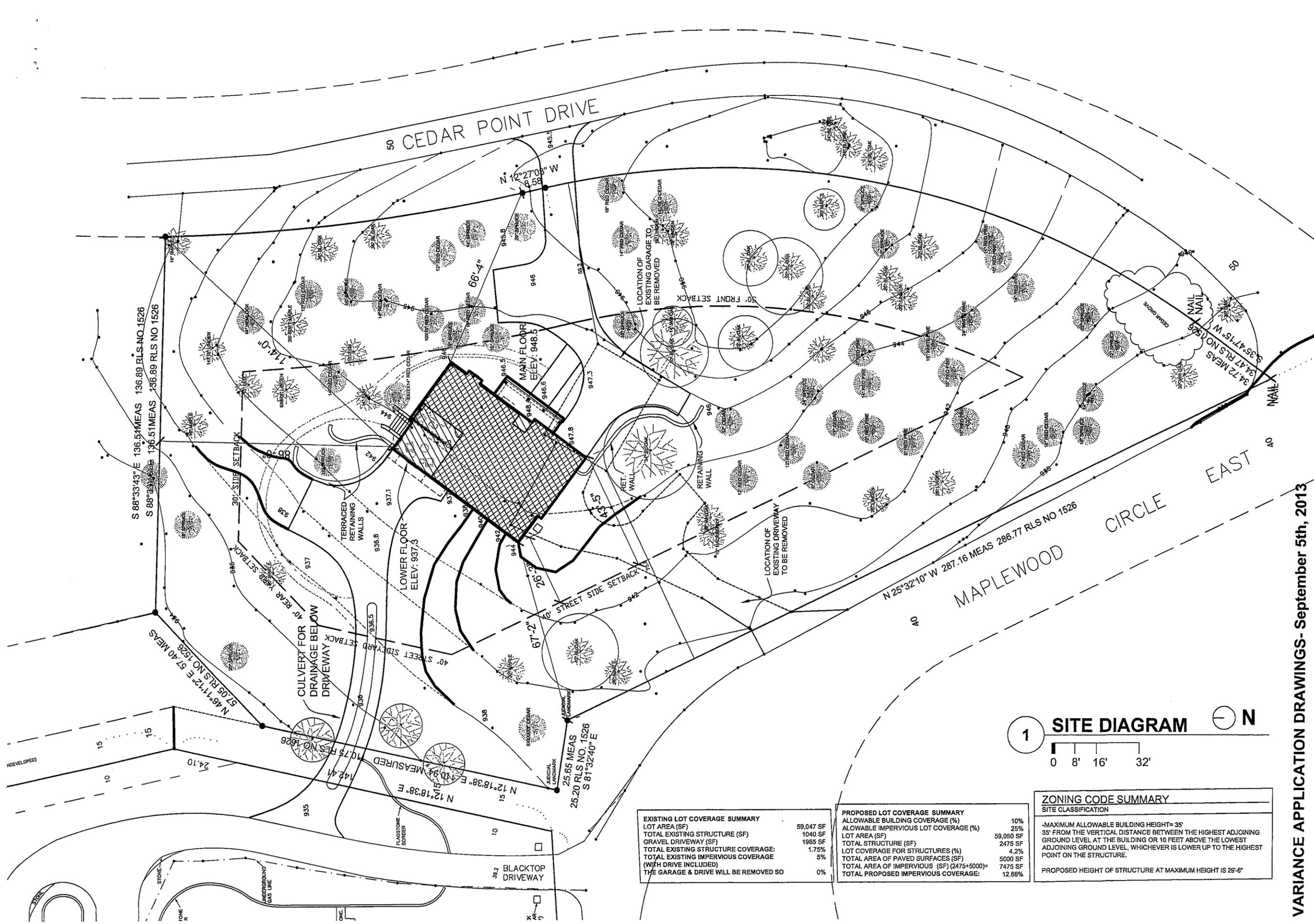
ISSUE DATE:
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EXISTING LOT COVERAGE SUMMARY	
LOT AREA (SF)	59,047 SF
TOTAL EXISTING STRUCTURE (SF)	1040 SF
GRAVEL DRIVEWAY (SF)	1965 SF
TOTAL EXISTING STRUCTURE COVERAGE:	1.75%
TOTAL EXISTING IMPERVIOUS COVERAGE (WITH DRIVE INCLUDED)	5%
THE GARAGE & DRIVE WILL BE REMOVED SO	0%

PROPOSED LOT COVERAGE SUMMARY	
ALLOWABLE BUILDING COVERAGE (%)	10%
ALLOWABLE IMPERVIOUS LOT COVERAGE (%)	25%
LOT AREA (SF)	59,050 SF
TOTAL STRUCTURE (SF)	2475 SF
LOT COVERAGE FOR STRUCTURES (%)	4.2%
TOTAL AREA OF PAVED SURFACES (SF)	5000 SF
TOTAL AREA OF IMPERVIOUS (SF) (2475+5000)=	7475 SF
TOTAL PROPOSED IMPERVIOUS COVERAGE:	12.66%

ZONING CODE SUMMARY	
SITE CLASSIFICATION	
-MAXIMUM ALLOWABLE BUILDING HEIGHT= 35'	
35' FROM THE VERTICAL DISTANCE BETWEEN THE HIGHEST ADJOINING GROUND LEVEL AT THE BUILDING OR 10 FEET ABOVE THE LOWEST ADJOINING GROUND LEVEL, WHICHEVER IS LOWER UP TO THE HIGHEST POINT ON THE STRUCTURE.	
PROPOSED HEIGHT OF STRUCTURE AT MAXIMUM HEIGHT IS 29'-6"	

1 SITE DIAGRAM

0 8' 16' 32'

N

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 Woodland, MN 55391

PROJECT PHASE:
Construction Documents

PROJECT NUMBER:
13-022

ISSUE DATE:
September 5, 2013

DRAWN BY:
RB, MDL

A02
 SITE DIAGRAM

VARIANCE APPLICATION DRAWINGS- September 5th, 2013



Keenan & Sveiven, Inc.
 15119 Minnetonka Blvd.
 Minnetonka, Minnesota 55345
 Telephone 952 475 1229
 Facsimile 952 475 1667

DESIGN · BUILD
 Landscape Architecture

Cedar Point Cottage

2540 Cedar Point Drive
 Woodland, MN

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Landscape Architect under the laws of the State of Minnesota.

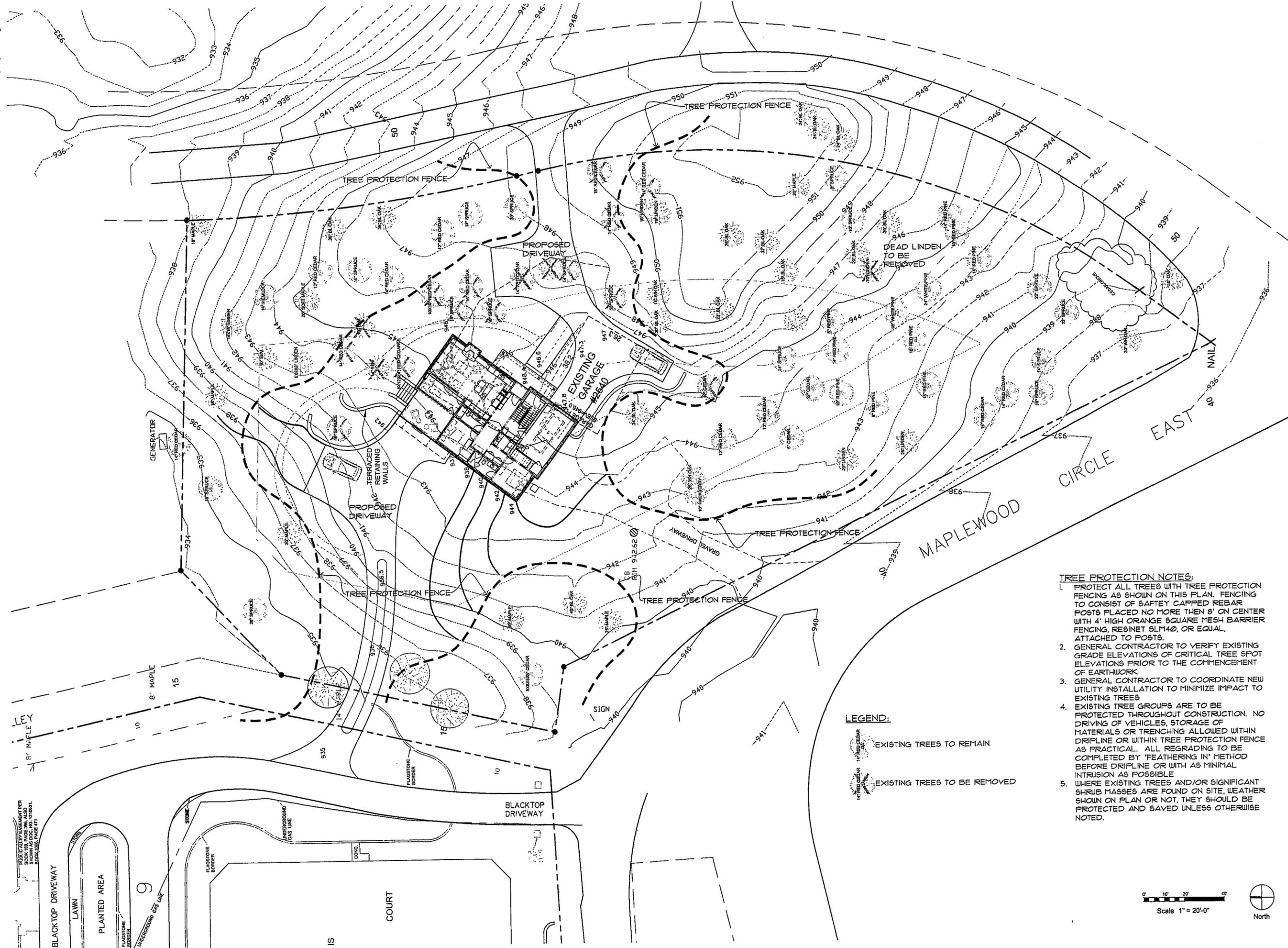
Todd Irvine

reg. no. 46008
 date: 00/00/00

drawn: TI
 date: 9-5-13
 revisions:

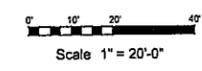
Tree Protection and Removal Plan

L-1



- TREE PROTECTION NOTES:**
1. PROTECT ALL TREES WITH TREE PROTECTION FENCING AS SHOWN ON THIS PLAN. FENCING TO CONSIST OF SAFETY CAPPED REBAR POSTS PLACED NO MORE THEN 8' ON CENTER WITH 4' HIGH ORANGE SQUARE MESH BARRIER FENCING, RESINET 6LM40, OR EQUAL, ATTACHED TO POSTS.
 2. GENERAL CONTRACTOR TO VERIFY EXISTING GRADE ELEVATIONS OF CRITICAL TREE SPOT ELEVATIONS PRIOR TO THE COMMENCEMENT OF EARTHWORK
 3. GENERAL CONTRACTOR TO COORDINATE NEW UTILITY INSTALLATION TO MINIMIZE IMPACT TO EXISTING TREES
 4. EXISTING TREE GROUPS ARE TO BE PROTECTED THROUGHOUT CONSTRUCTION. NO DRIVING OF VEHICLES, STORAGE OF MATERIALS OR TRENCHING ALLOWED WITHIN DRIPLINE OR WITHIN TREE PROTECTION FENCE AS PRACTICAL. ALL REGRADING TO BE COMPLETED BY 'FEATHERING IN' METHOD BEFORE DRIPLINE OR WITH AS MINIMAL INTRUSION AS POSSIBLE
 5. WHERE EXISTING TREES AND/OR SIGNIFICANT SHRUB MASSES ARE FOUND ON SITE, WEATHER SHOWN ON PLAN OR NOT, THEY SHOULD BE PROTECTED AND SAVED UNLESS OTHERWISE NOTED.

- LEGEND:**
- (Symbol: Dashed line with circle) EXISTING TREES TO REMAIN
 - (Symbol: Dashed line with cross) EXISTING TREES TO BE REMOVED



PUBLIC UTILITY EQUIPMENT PER CITY OF WOODLAND, MINN. AS SHOWN AS DOC. NO. 1710031. CHECK THIS PAGE 471

BLACKTOP DRIVEWAY
 LAWN
 PLANTED AREA
 FLAGSTONE BORDER
 UNDERGROUND GAS LINE

FLAGSTONE BORDER
 UNDERGROUND GAS LINE
 CONC.
 COURT
 BLACKTOP DRIVEWAY

KEY
 8" MAPLE
 15
 10

GENERATOR
 936
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 Todd Irvine

reg. no. 46008
 date: 00/00/00

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 revisions:

Lighting Plan

L-2

