

**MISSION STATEMENT:** “The City of Mound, through teamwork and cooperation, provides, at a reasonable cost, quality services that respond to the needs of all citizens, fostering a safe, attractive and flourishing community.”

**MOUND PLANNING COMMISSION SPECIAL/RESCHEDULED MEETING AGENDA  
TUESDAY, AUGUST 20, 2024, 7:00 P.M.  
COUNCIL CHAMBERS, MOUND CENTENNIAL BUILDING  
5341 MAYWOOD ROAD, MOUND, MN**

	<b>Page</b>
<b>1. Call to Order</b>	
<b>2. Roll Call</b>	
<b>3. Approval of Agenda, with any Amendments</b>	
<b>4. Approval of Meeting Minutes</b>	
A. July 2, 2024 regular meeting minutes	1
<b>5. Board of Adjustment and Appeals</b>	
A. Planning Case No. 24-10 Review/ recommendation - variance for accessory structure at 1703 Jones Lane Applicant: Jacob Kohler	11
B. Planning Case No.24-11 Review /recommendation – variance for new/replacement deck at 6511 Bayridge Road Applicant: John Schletty of Minnesota Decks, LLC	23
C. Planning Case No. 24-12 Review/recommendation – expansion permit for remodel/house additions at 5032 Edgewater Drive Applicant: Max Windmiller of Windmiller Design Studio	37
<b>6. Old / New Business</b>	
A. 2024 Planning Commission term expirations	
B. Council liaison and staff report/update	
C. Upcoming meeting date: Tues., September 3, 2024 at 7:00 p.m.	

**7. Adjourn**

*The Planning Commission is an advisory body to the City Council. One of the Commission’s functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters. Mound City Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may for other reasons postpone final action on an application. For each agenda item the Commission will receive reports prepared by the City staff, open the hearing to the public, and discuss the action on the application.”*

**QUESTIONS: Call Mound City Hall at 952-472-0603**

**MEETING MINUTES**  
**REGULAR PLANNING COMMISSION**  
**JULY 2, 2024**

Chair Goode called the meeting to order at 7:00 pm.

**ROLL CALL**

Members present: David Goode, Jason Baker, Jake Savstrom, Kristin Young, Nick Rosener, Derek Archambault, Samantha Wacker, Kathy McEnaney, Drew Heal (7:03)

Members Absent:

Staff present: Sarah Smith, Rita Trapp, Jen Estling

Members of the public:

**APPROVAL OF MEETING AGENDA**

**MOTION** by Baker to approve the agenda, as amended to include public comment after items 4 and 5; seconded by Savstrom. **MOTION** carried unanimously.

**REVIEW OF JUNE 4, 2024 REGULAR MEETING MINUTES**

**MOTION** by Savstrom to approve the June 4, 2024 regular meeting minutes as written; seconded by Baker. **MOTION** carried unanimously.

**Public Comment from Isabel Brandt**

Isabel Brandt-3367 Warner Lane – Brandt would like to revamp the skate park. She is passionate about the safety at the skate park. She has concerns about public safety, neglect, environmental racism, classism and gentrification. Brandt shared definitions of those terms. She shared an excerpt from the global skate park directory describing the skate park.

Brandt created a “Make the Skate Park Great Again” petition and got 30 signatures. She said the local skatepark is in dire need of an upgrade and she would like to help plan and design a new park to include rails, water fountain (which is currently broken), shower, graffiti art, fresh paint on the gazebo, more public seating and a new public bathroom. She is asking for permission to redesign the skate park. It is important to discourage gentrification. There should be attention to the public park. She would like to share her ideas.

Goode thanked Brandt for sharing her concerns tonight. He believes Brandt should start at the public comment portion of the City Council meeting. Baker also suggested the Parks

Commission may be a good place for her to voice her concerns. McEnaney said reaching out to the City Manager may be a good option, too.

Savstrom thanked her and wanted to clarify for Brandt on how she can best make contact as several next step options were given. Savstrom said he doesn't have context regarding the skate park and suggested she really needs to reach out to city staff. Savstrom said she should be concise about what she's asking for. He suggested she have patience as this won't be a quick process and he thought she had a great presentation. Brandt thinks it's a life or death situation, as there are a lot of drugs there. Savstrom suggested starting with the broken items she listed; things that could possibly be fixed on a faster schedule, broken water fountain and the clogged drain.

McEnaney suggested reaching out to the skate board shop in town. McEnaney said she thinks the police should be involved. Brandt disagrees. She thinks the police should leave it alone and let artists take control. McEnaney asked how artists can stop the drugs. Brandt thinks turning it into a fun and safe place to be will eliminate those elements. She said it isn't really about the drugs she's wanting to be a part of the planning of the improvements. She thinks every part of the city is improving, except the skate park. McEnaney explained that there is a hierarchy in the budget.

Trapp noted that fixing broken elements is one conversation. Finding the funding to redesign the park, will be a longer conversation. Savstrom said being clear and concise will be important. Brandt feels this conversation has been going on for years and nothing is changing.

Baker said she needs to explain how her suggested changes could make things better.

## **BOARD OF APPEALS**

### **Planning Case No.24-07 - Review /recommendation - Conditional Use Permit (CUP) for new/replacement Westonka Library project at 2079 Commerce Boulevard**

Applicant: Gensler for Hennepin County

Trapp outlined the request is to allow the conditional use process for the reconstruction of the library. The current library was built in 1972. The plan is to demolish the building but reuse a portion of the southern parking lot and drive aisle, which factors into the flexibility request for this application. This will modernize the library. This is one of the first, or possibly the first, library to meet the green initiatives of Hennepin County. The green features include a net zero energy building, a green roof, solar panels, biofiltration and retention of trees.

The CUP is requested because the library is a government building which is a conditional use in a residential neighborhood. A Planned Unit Development will allow flexibility where the proposed project doesn't match city code.

The site is guided public or institutional. There is residential to north and a place of worship to the south. The zoning is R-2 Two-Family Residential and the lot is considered a lot of record.

Trapp showed several features of the site plan including porches, overlook, walking path and retaining mature trees. Parking will be located completely on the south, reserving the rest of the site for biofiltration, storm water feature, as well as features for patrons. There is a green roof and solar panels.

The road frontages are considered front yards and require a 20-foot setback. The building is meeting all the setbacks. A parking flexibility request is to set back 1 foot from the property line, the code is 5 feet. This is an existing condition.

Building height is proposed to be 34 ft, 8.5 in. This is conforming, as maximum allowable height in the R-2 district is 35 feet. It is a one-story building with some architectural features that increase building height.

Trapp outlined how parking on the site will change. The north parking area and drive aisle will be removed. The drive aisle from Commerce will be converted to parking. It will be a two-way drive aisle with parking being perpendicular to the building. Code requires drive aisles to be 25 feet but the applicants are proposing 22 feet. That is an existing condition. Parking stalls being provided is 29, code requires 25. ADA stalls are slightly smaller than city code. They are meeting what the building official says is needed to meet ADA standards.

Trapp showed the landscaping plan and several mature trees will be maintained. Code requires this site to have 26 trees, 29 are proposed. This will include 14 preserved trees and 15 new trees. The size of the trees is proposed at 2-inch calipers, code requires 2.5 inches. They are asking for flexibility here as 2.5-inch trees are harder to supply and larger trees can become stressed when moved. A condition is the ash and elm trees on the site are healthy. That will be verified.

Allowed hardcover is 40%. The existing hardcover is 47%, it will be reduced to 44% with this proposal.

Screening is required between the parking lot and residential property to the south. Screening is not required for the church. Trapp pointed out breaks in the screening by the church. Plantings are proposed at Bellaire and Commerce for screening to preserve sightlines. The residential fence near Bellaire will remain.

Existing lighting will be completely removed with new lighting fixtures added along the edges of the parking and along pathways.

One monument sign is being proposed with a small open/closed LED display. The sign meets setbacks and height requirements for the R-2 district.

The application was distributed to consulting agencies. No comments were received. Minnehaha Creek Watershed District will be involved making sure storm water requirements are met, but no specific comments were received from them.

Trapp described how the Planned Unit Development can be used for flexibility. She stood for questions.

Young asked if the narrow drive aisle is an issue for snow. Trapp said it's a straight through parking lot that will make it easy to clear snow but the snow may need to be stored elsewhere. Trapp said staff has concerns about the drive aisle as it doesn't leave a lot of room for turning and backing out. It is proposed to be the same size as it is currently. Making the parking area bigger would make it impossible to keep a mature oak tree and a couple other trees and would require more retaining wall.

McEnaney stated that she has heard that parking is a concern for residents. McEnaney said we have one of the busiest libraries. She is concerned about losing so much parking.

Goode asked if there is a fix. Wacker wondered if the Jubilee parking lot was an option.

Baker wondered if there have been any studies on driving vs. walking to the library. McEnaney thought a lot of the kids who use the library are from surrounding neighborhoods.

Young asked if the trees are healthy. Trapp confirmed. Rosener remembered a previous introduction to green initiatives and said essentially our code is silent on that. He wondered if that is an issue. Trapp said ultimately the city will probably want to have something in code, but there is no concern for this government building to use the proposed techniques. Rosener pointed out the livability and beauty of the proposed green space was a good trade off to parking. Wacker is in favor of the green space but the reduction in parking concerns her.

Young asked if new amenities at the library create increased parking needs. Trapp said that is a good conversation for the applicant.

Goode invited the applicant to the podium.

Jessie Baldry-Gensler 706 North 2<sup>nd</sup> Street Minneapolis. She is excited about the project and she thanked the commission. Her understanding is that on a weekday there is no anticipation that they will need more parking spaces. She said weekends are expected to have higher parking expectations. The county is in conversation with the church next door to possibly share parking. That is the reason for the spaces in the fencing between the library and church. She said saving the trees is important but also there are topography issues if the trees were removed to add parking.

Heal asked about the timeline. Baldry said demo will be in 2025 and construction will begin and the library is anticipated to open in early 2026.

McEnaney asked where the temporary library will be. Baldry is not sure, but knows there are discussions happening.

Young asked how far they are along in the discussion to share parking. Baldry will try to find out. Baker asked if they could have slanted parking spots, similar to the front of City Hall, on Bellaire. Baldry said the grade change in that area makes parking there difficult. Trapp will add it to the list of options to be explored. Wacker thought that is a good option.

Young asked if there was a drive through option to drop books. Baldry said there is a book drop proposed on the building but patrons would have to park and get out of the car. She used the graphic to show the bio swale in the current design prevents a drive through option because the curb would have to extend all the way to the parking lot and that would put them over on hardcover. Baldry said she could discuss with the library having a remote book drop.

The commissioners thought a remote drop might free up parking spots. Rosener said time to drop a book wouldn't take long. Wacker agreed but it would add to the congestion in an already small space. Savstrom said having a drop off drive through is substantial. He thinks it's an easy fix to pull a remote drop off to the south of the property that could eliminate the congestion when patrons are just returning materials.

Archambault thought there was a strip of land that could be used. Baldry said there will be gutters and lighting there and she thinks they have moved it as far as they can. She will add it to the list of options to consider.

Keri Melius-2068 Bellaire Lane. She is right next to the property. There are a ton of people parking in the lot at all times. She said when community events and book fairs happen, the existing parking is full. Parking is allowed on the street. She liked the idea of diagonal parking spots on the west side. Melius loves the green initiatives but she believes any salt used for ice/snow removal will drain into the rain basin and won't allow many plants to survive there.

The existing drive lane is too shallow. Accessibility is too important to not look a little closer at this. Preserving the trees would be great but she thinks parking should take precedence.

Betsy Lang-2073 Commerce, her mother lives at the property. She highlighted that current conditions are being misrepresented in the survey data. There is no shed, the house isn't shown and she believes the trees are moving depending on what is being discussed. At least one, if not several of the trees, are on her property. The new building will span the entire length of her property blocking all-natural light. She thought if they are proposing to remove the trees, she wants to know what the options are. This will impact her way of life and the property values will be diminished. She is hoping to meet with Hennepin County. She said her house is not on

the surveys she has seen. She said there were some older surveys in the Hennepin County plans that did not indicate some of the trees that are slated to be removed. She said that is because they are not on the Hennepin County property, they are hers. She is concerned that these trees are included in the plans for removal. Young asked if Lang is stating trees are set to be removed from her property. Lang said that's what she would like to know.

Baker said one of the conditions is that the applicant will verify location of any trees to be removed. Lang said the trees she is looking at are definitely not on the Hennepin County Property.

Rosener had a question for Trapp. He asked about a green "box" on the plan. Trapp stated that is the green roof. Baldry described how the two roofs will be constructed.

Trapp showed a graphic with the trees in question. She said Hennepin County will have to verify they are on their own property. Lang asked if there was a visual for what the building will look like from her property. Trapp showed the side view. Baldry will check but she believes they were replacing trees with new plants. Lang didn't think that would be sufficient.

Young asked if there is bike parking. Baldry confirmed there will be parking spaces under the porch. She believes there are 10 or 12 bike spots.

Mary Davis 3021 Inverness Lane – She asked if there is a count of existing spots vs. what will remain. McEnaney thought there would be 30 lost spots. Trapp reminded some spots will also be gained with the redesign of the parking lot as the current south boundary is just a drive lane and there will be parking there. Trapp said there are currently 48 spots and the new count will be 29. Davis hadn't realized they would remove so many spaces. She asked that everyone be aware of this concern.

Goode noted the points to be added as possible conditions. A drive through book drop off, additional parking, and address concerns regarding the adjacent property. Rosener asked if we want to table the application or approve with additional conditions. Goode said the plan can be approved with these conditions being added prior to the City Council meeting.

Savstrom preferred to add them as conditions and let the applicant reply to those concerns at the City Council.

Young asked if there were conditions related to the use of the building and parking. Heal stated the legal requirement is 1 space for every 400 square feet. Trapp noted they are meeting city code with the amount of proposed parking spots. This is the opportunity to influence the design of the property with conditions in the PUD to address concerns the community is seeing. Rosener prioritizes the green space and sees more value for that, rather than the new conditions. Baker stated the conditions would not become a requirement, they would be a directive for staff to investigate with the applicant. Rosener can support that.

**MOTION** by Baker to recommend approval of the Conditional Use Permit for a governmental building in a residential district and a Planned Unit Development with the 9 conditions and 3 findings in the packet, along with the additional conditions brought up by the commission; seconded by Savstrom. **MOTION** carried unanimously.

Rosener asked for clarification on the condition to address the neighbor's concerns. Goode stated that the neighbor's concerns be addressed to ensure any trees being removed are on the Hennepin County property. Trapp restated the conditions.

Goode directed the applicant to find where the temporary library will be.

Smith noted the council meeting will include a public hearing. She believes it will take place at the second July meeting or the first meeting in August.

**Planning Case No. 24-06 - Review/ recommendation - variance application for deck/stair project at 2152 Ashland Lane**

Applicant: JBrothers Design for Zac and Erika Kallas (owners)

Trapp explained the applicant is seeking a variance for a deck project. She showed an aerial photo orienting where the property located. She said the applicant would like to construct a two-tier deck with stairs. It is subject to the 50-foot setback.

The applicant would like to add a staircase from their deck out to their dock. The topography of the site makes it difficult to get from the house to the lake. The staircase is proposed to be on the side of the house. The staircase is allowed to be up to 2 feet from the property line. The challenge stairs are only allowed to encroach 5 feet into the rear setback. Code says there is a certain square footage you can have for a landing. A portion of the deck on the third level does not qualify as a landing for the staircases a 2-foot variance is being requested.

Trapp stated the homeowners want to square off the deck.

The hardcover is at 39.8% and projected hardcover after this is 41%. The applicant will have to make adjustments to the site to get hardcover under 40%. Staff has been working with the applicant to get to that number. The application was distributed to consulting agencies. No comments were received.

Trapp outlined the planning commission considerations and she stood for questions.

Rosener asked why hardcover is such an issue. Trapp said there is a give and take and the site can usually be adjusted to conform to the hardcover. McEnaney asked what simple things can be changed. Trapp said removing hardcover in another spot, i.e. patio, reduce driveway,

retaining walls or sidewalk. Smith said the site is under 40% and staff believes that can still be obtained.

Goode asked for comments from the applicant.

She said she would stand for questions but didn't have comments. No questions or comments from the commission.

**MOTION** by Savstrom to recommend approval of the variance for deck/stair project at 2152 Ashland Lane including conditions and findings of fact; seconded by Baker. **MOTION** carried unanimously.

**Planning Case No. 24-08 - Review of proposed ordinance amending City Code Chapter 129 (Zoning) related to cannabis businesses**

Trapp outlined the ordinance amendment pertaining to cannabis businesses. These rules were supposed to take effect in 2025. A change in statute to allow for social equity applicants to apply for licensure in July makes it necessary for the City to have their rules in place soon. Commissioners are advised that adjustments can still be made in the fall as the general licensing for cannabis will not occur until 2025.

Trapp pointed out the definitions. Allowable uses are in the table. Staff thought mixed use downtown, mixed use corridor and industrial areas are areas for these businesses. There can be a buffer that limit where the businesses can be.

Staff is not recommending the C-1 district as it has fewer parcels and is closer to residential neighborhoods. A new code section has been created to include two standards. The businesses will be subject to a retail limits, which establishes the number of businesses that there can be in the City. The City can have a buffer to specific uses but it is not required. Trapp stated that Staff has reviewed the possible buffer distances and the maximum allowed for public and private school would really limit where these businesses can be. The City cannot make it impossible to have a business in the community.

Trapp stated the maximum buffer can be 1,000 feet from public or private schools, and up to 500 feet from parks, daycares and residential treatment centers. All parks were included in the graphic. Trapp showed the commissioners various buffer distances for consideration.

Trapp noted there is a timeline and City Council is holding a public hearing and considering the ordinance at their next meeting.

Goode asked about the allowance of 1 business for 12,500 population. Trapp said that this was what was allowed by statute. There are additional discussions forthcoming as part of the licensing and registration process, which is outside of zoning.

Baker suggested that the map is difficult. Trapp said she can revise the map to zoom in on the districts being considered.

Rosener asked if there is a buffer for liquor stores. Trapp said there is not a zoning buffer. Trapp said the current liquor store could be a location for a cannabis business if the buffer was 500 feet.

McEnaney said 500 is not enough. Trapp stated that the maximum allowed by statute is 1,000 feet for public and private schools and 500 feet for parks, day cares, and residential treatment facilities. In addition, the City cannot establish the buffers such that there were no places available in the City.

Savstrom noted that Mound must react to a state law. He also expressed disappointment that the City had to spend time on cannabis regulations when there are issues like racial covenants that the City should be addressing. Savstrom stated that the City should maximize the buffers so that the City is not as inviting of a place to locate. Trapp noted that 1000 feet would render most places in Mound unavailable, which is not allowed.

Baker asked why the trail isn't considered a park. Trapp said it is a trail and so was not included. Baker noted that if it was included then it would significantly impact the potential areas available.

Goode asked if a buffer is required. Trapp said no the City does not have to have one

Young asked if the medicinal product is the same. Trapp said we are treating them the same.

Rosener asked about industrial areas. Trapp said there is only one industrial building in town.

Goode asked the commissioners if a buffer is required. Rosener, Wacker and Archambault thought no buffer is needed.

Baker stated that he leans toward having buffers near schools. Young pointed out that we can't sell to minors, so a buffer maybe isn't needed. Savstrom stated it's about optics. We don't want to be inviting.

Savstrom thought parks should be included, not just schools.

Goode outlined he is hearing focusing on a 500 foot buffer around schools is agreeable. Wacker thought putting a buffer around the parks is too restrictive.

Wacker thought if we aren't applying a buffer to the sale of alcohol we should not with cannabis.

Commissioners wondered about allowing usage in public. Trapp stated that she was not aware of those regulations at this time as the focus has been on the development of the zoning regulations.

**MOTION** by Heal to recommend the City adopt the ordinance as presented but only include a 500 foot buffer zone around schools; seconded by Wacker. **MOTION** carried 8-1.

Savstrom, who voted against the motion, stated that he didn't think it goes far enough. He would like to see the City be more restrictive at first and then adjust if it is appropriate.

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### **OLD/NEW BUSINESS**

#### A. Council liaison and staff report/update

McEnaney stated City Hall will be closed July 4<sup>th</sup> and July 5<sup>th</sup>. She said music in the park will continue on July 11.

Baker asked what does the pedestrian crossing mean legally. McEnaney stated that is a Hennepin County project. Baker wondered what it means for walking or biking. The rules are unclear.

Baker read the definitions for how cities could limit public use of cannabis. He wondered if the city will prohibit cannabis in parks. McEnaney said they have not had conversations yet. That is forthcoming.

Smith said Spirit of the Lakes is coming up July 18-20. Farmers Market is active. Special events are ramping up for the busy summer season. Building permits are at an extremely high volume.

August meeting is rescheduled to the third Tuesday because Night to Unite will be the first Tuesday.

### **ADJOURNMENT**

**MOTION** by Baker to adjourn at 9:06p.m.; seconded by Rosener, **MOTION** carried unanimously.

Submitted by Jen Estling



## PLANNING REPORT

**TO:** Planning Commission  
**FROM:** Rita Trapp and Mia Colloredo-Mansfeld, Consulting Planners  
 Sarah Smith, Community Development Director  
**DATE:** August 12, 2024  
**SUBJECT:** Consideration of variance request for accessory structure  
 (Case No. 24-10)  
**APPLICANT:** Jacob Kohler  
**LOCATION:** 1703 Jones Lane (PID No. 13-117-24-22-0026)  
**MEETING DATE:** August 20, 2024  
**COMPREHENSIVE PLAN:** Low Density Residential  
**ZONING:** R-1 Single-family residential district

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### SUMMARY

The applicant is requesting the approval of a variance to construct an accessory garage/shed on a floating slab in the rear yard. The lot of record property is 10,557 square feet. The house and attached garage were built in 1984. As a corner lot, the applicant is required to meet front yard setbacks on both Jones Lane and Three Points Boulevard. The applicant is proposing a 440 sq ft accessory garage/shed structure in the northwest corner of the lot, which is in the vicinity of a smaller, nonconforming accessory structure and retaining wall. The applicant is requesting a variance to allow a 5.7 foot front setback from the property line abutting Three Points Boulevard for the proposed accessory garage due to topography.

### REVIEW PROCEDURE

#### ***60-Day Land Use Application Review Process***

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. For the purpose of Minnesota Statutes Section 15.99, "Day 1" is determined to be June 11, 2024 as provided by Minnesota Statutes Section 645.15. The 60-day timeline expired on or around August 10, 2024. As allowed for by Minnesota Statutes 15.99, the City, on August 5 2024, executed an extension for an additional 60 days of review. The new deadline for action on the variance application is on or around October 9, 2024.

## **Variance**

City Code Section 129-40 states that a variance may be granted to provide relief to a landowner where the application of the City Code imposes practical difficulty for the property owner. In evaluating the variance, the City Council must consider whether:

- (1) The variance proposed meets the criteria for Practical Difficulties as defined in City Code Sub. 129-2.
- (2) Granting of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to owners of other lands, structures or buildings in the same district nor be materially detrimental to property within the same zone.
- (3) The variance requested is the minimum variance which would alleviate the practical difficulty.
- (4) A variance shall only be permitted when it is in harmony with the general purposes and intent of the zoning ordinance and when the terms of the variance are consistent with the comprehensive plan.

According to City Code Sec. 129-2, "*Practical Difficulties*" is defined as follows:

Practical Difficulties, as used in conjunction with a variance, means that:

- (i) The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- (ii) The plight of the landowner is due to circumstance unique to the property including unusual lot size or shape, topography or other circumstances not created by the landowner; and
- (iii) The variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

## **NOTIFICATION**

Neighboring property owners of the subject site were mailed an informational letter on August 14, 2024 to inform them of the Planning Commission's review of the variance application at its August 20, 2024 meeting.

## **STAFF / CONSULTANT / AGENCY / UTILITIES REVIEW**

Copies of the request and supporting materials were forwarded to involved departments, consultants, agencies, and private utilities for review and comment. To date, Staff has received no comments on the requested variance.

## DISCUSSION

- In 2022, the applicant received a fence height variance and a public lands permit to allow the placement of a 6 foot fence along Three Points Boulevard in the public right-of-way. The fence was requested given the traffic on Three Points and the presence of a bus stop at the intersection of Jones Lane. The fence was allowed in the right-of-way as the property line along Three Points is approximately 11 feet from the edge of the sidewalk. The additional height was allowed because the property is 3 to 4 feet below the grade of Three Points.
- The applicant is proposing an accessory garage/shed with 440 square feet (20 by 22 feet). City Code section 129-194 requires that accessory buildings within any residential district not exceed the lesser of 3,000 square feet or 15% of the lot area, which for this lot would be 1,583 square feet.
- Per code section 129-194, accessory structures are required to meet the same front yard setbacks as principal structures. For lots of record in the R-1 district, front yard setbacks are based on lot depth. As the lot depth is greater than 81 feet, the required front yard setback is 30 feet. The proposed accessory structure location is only 5.7 feet from Three Point Boulevard. This requires a variance of 24.3 feet.

The applicant has indicated that topography is the primary reason for the variance request. The survey shows that topography on the lot ranges from 952.4 in the southwest corner to 942.8 at the northwest corner of the existing house, a change of 9.6 ft. If the applicant were to place the accessory garage/shed at the required setback, tree removal and modifications to the retaining walls and drainage would need to occur.

- The west property line is considered the rear of the lot. Accessory structures are required to be at least 4 feet from the rear property line. The applicant is proposing a setback of 5 feet which meets this requirement.
- City Code requires that any residential accessory building be shorter than the principal building on the lot. The proposed accessory garage/shed is 11 feet, 10 and 5/8 inches in height based on information provided by the applicant. The applicant has provided preliminary building height information that indicates that the principal structure is more than 18 feet, 11 inches in height.

## PLANNING COMMISSION ACTION

Staff recommends approval of the variance, and proposes the following conditions:

1. No driveway shall be built to access the accessory garage/shed.

2. Applicant shall be responsible for payment of all costs associated with the waiver and variance requests.
3. The applicant shall be responsible for recording the resolution with Hennepin County. The applicant is advised that the resolution will not be released for recording until all conditions have been met and all fees for the waiver application have been paid and the escrow account is in good standing. The submittal of additional escrow may be required.
4. No building permit will be issued until evidence of recording of the resolution at Hennepin County is provided.
5. Applicant shall be responsible for procurement of any and/or all public agency permits including the submittal of all required information prior to building permit issuance.
6. Additional comments and/or conditions from the City Council, Staff, consultants, and public agencies.

Staff recommends Planning Commission recommend approval of the variance based on the following findings of fact:

1. The criteria of City Code Section 129-40 Variance are being met.
2. The request to add an accessory building to a single-family home is in harmony with other uses in the area and fits the character of the neighborhood and R-1 district.
3. Due to the topography of the site and existing tree coverage, the proposed location of the accessory structure minimizes the impact to the existing natural conditions of the site. Other site locations would require removal of trees and/or changes to slope.

#### **CITY COUNCIL REVIEW**

In the event a recommendation is received from the Planning Commission, it is anticipated that the variance request will be considered by the City Council at either the August 27, 2024 or September 10, 2024 meeting. The timeline for consideration will be made after Planning Commission consideration.



# VARIANCE APPLICATION

2415 Wilshire Boulevard, Mound, MN 55364  
Phone 952-472-0600 FAX 952-472-0620

**Application Fee and Escrow Deposit required at time of application.**

Planning Commission Date \_\_\_\_\_

Case No. \_\_\_\_\_

City Council Date \_\_\_\_\_

**Please type or print legibly**

<b>SUBJECT PROPERTY LEGAL DESC.</b>	Address <u>1703 Jones Ln, Mound</u>
	Lot <u>001</u> Block <u>001</u>
	Subdivision <u>Replat Harrison Shores</u>
	PID # <u>1311724220026</u> Zoning: <input checked="" type="radio"/> R1 R1A R2 R3 B1 B2 B3 (Circle one)
<b>PROPERTY OWNER</b>	Name <u>Jacob Kohler</u> Email <u>Jacob.Kohler@yahoo.com</u>
	Address <u>1703 Jones Ln</u>
	Phone Home <u>763-360-2887</u> Work _____ Fax _____
<b>APPLICANT (IF OTHER THAN OWNER)</b>	Name _____ Email _____
	Address _____
	Phone Home _____ Work _____ Fax _____

1. Has an application ever been made for zoning, variance, conditional use permit, or other zoning procedure for this property? Yes (X) No ( ). **If yes**, list date(s) of application, action taken, resolution number(s) and provide copies of resolutions.

In July 2022, applied for Fence height Variance and Public Lands use Permit for placement of fence along Three Points Blvd. Resolution 22-11 passed.

2. Detailed description of proposed construction or alteration (size, number of stories, type of use, etc.):

Building a new 22x20 detached building (garage/shed) on a floating slab. Location is in Northwest corner of lot and requesting a setback variance on the North property line.

3. Do the existing structures comply with all area, height, bulk, and setback regulations for the zoning district in which it is located? Yes ( ) No (x). If no, specify each non-conforming use (describe reason for variance request, i.e. setback, lot area, etc.):

There is an existing shed within the setback. This shed was here when we bought the property in 2009.

Corner Lot

SETBACKS:	REQUIRED	REQUESTED (or existing)	VARIANCE
Front Yard: (N S E W)	<u>20</u> ft.	<u>5 1/2</u> ft.	<u>14 1/2</u> ft.
Side Yard: (N S E W)	_____ ft.	_____ ft.	_____ ft.
Side Yard: (N S E W)	_____ ft.	_____ ft.	_____ ft.
Rear Yard: (N S E W)	<u>5</u> ft.	<u>5</u> ft.	<u>—</u> ft.
Lakeside: (N S E W)	_____ ft.	_____ ft.	_____ ft.
_____ : (N S E W)	_____ ft.	_____ ft.	_____ ft.
Street Frontage:	_____ ft.	_____ ft.	_____ ft.
Lot Size:	<u>10,659</u> sq ft	<u>10,559</u> sq ft	<u>—</u> sq ft
Hardcover:	<u>4,223</u> sq ft	<u>3,636</u> sq ft	<u>—</u> sq ft

4. Does the present use of the property conform to all regulations for the zoning district in which it is located? Yes (X), No ( ). If no, specify each non-conforming use:

5. Which unique physical characteristics of the subject property prevent its reasonable use for any of the uses permitted in that zoning district?

- ( ) too narrow
- ( ) too small
- ( ) too shallow
- (X) topography
- ( ) drainage
- ( ) shape
- ( ) soil
- ( ) existing situation
- ( ) other: specify

Please describe: Requesting a setback variance due to the topography of the rear yard.

If I place the detached garage in any other location it would require extensive landscaping and disrupt the natural topography (trees, hills, water drainage). There is approx 12 feet between my property line and the city sidewalk and with the existing fence, this will not create any viewing obstruction for any neighbors or traffic.

6. Was the practical difficulty described above created by the action of anyone having property interests in the land after the zoning ordinance was adopted (1982)? Yes ( ), No (X). If yes, explain:

\_\_\_\_\_  
\_\_\_\_\_

7. Was the practical difficulty created by any other human-made change, such as the relocation of a road? Yes ( ), No (X). If yes, explain:

\_\_\_\_\_  
\_\_\_\_\_

8. Are the conditions of practical difficulty for which you request a variance peculiar only to the property described in this petition? Yes (X), No ( ). If no, list some other properties which are similarly affected?

\_\_\_\_\_  
\_\_\_\_\_

9. Comments: See attachments.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that all of the above statements and the statements contained in any required papers or plans to be submitted herewith are true and accurate. I acknowledge that I have read all of the variance information provided. I consent to the entry in or upon the premises described in this application by any authorized official of the City of Mound for the purpose of inspecting, or of posting, maintaining and removing such notices as may be required by law.

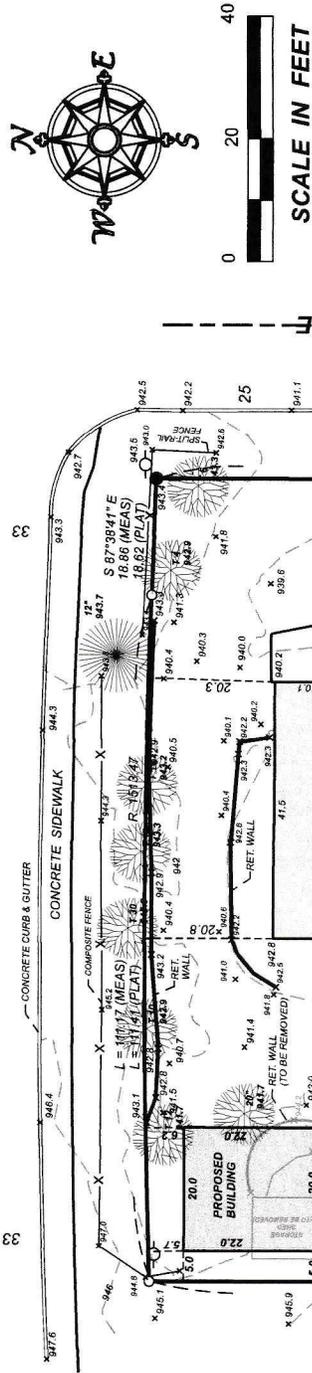
Owner's Signature Paul F. Kehl Date 6/10/24

Applicant's Signature Paul F. Kehl Date 6/10/24

# Certificate of Survey

~ for ~ Jacob Kohler  
 1703 Jones Lane  
 Mound, MN 55364

---THREE---POINTS---BLVD---



LEGEND	
○	Set 1/2" X 14" rebar marked with cap number 22703
●	Found Iron Monument
⊙	Fire Hydrant
⊗	Pine Tree
⊕	Deciduous Tree
—	Contour Line
●	Set Rebar
×	Spot Elevation
⊖	Power Pole

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

Steven V. Ische 22703 License No. 05/10/23 Date

<b>IMPERVIOUS SURFACE COVERAGE:</b>	
EXISTING HOUSE:	1,822 S.F.
CONCRETE:	394 S.F.
DRIVEWAY:	878 S.F.
PAVERS:	102 S.F.
PROPOSED BUILDING:	440 S.F.
TOTAL IMPERVIOUS:	3,636 S.F.
LOT AREA:	10,657 S.F.
IMPERVIOUS COVERAGE:	34.4 %

**DESCRIPTION OF PROPERTY:**  
 Lot 1, Block 1, REPLAT OF HARRISON SHORES, Hennepin County, Minnesota.  
 Subject to easements of record.

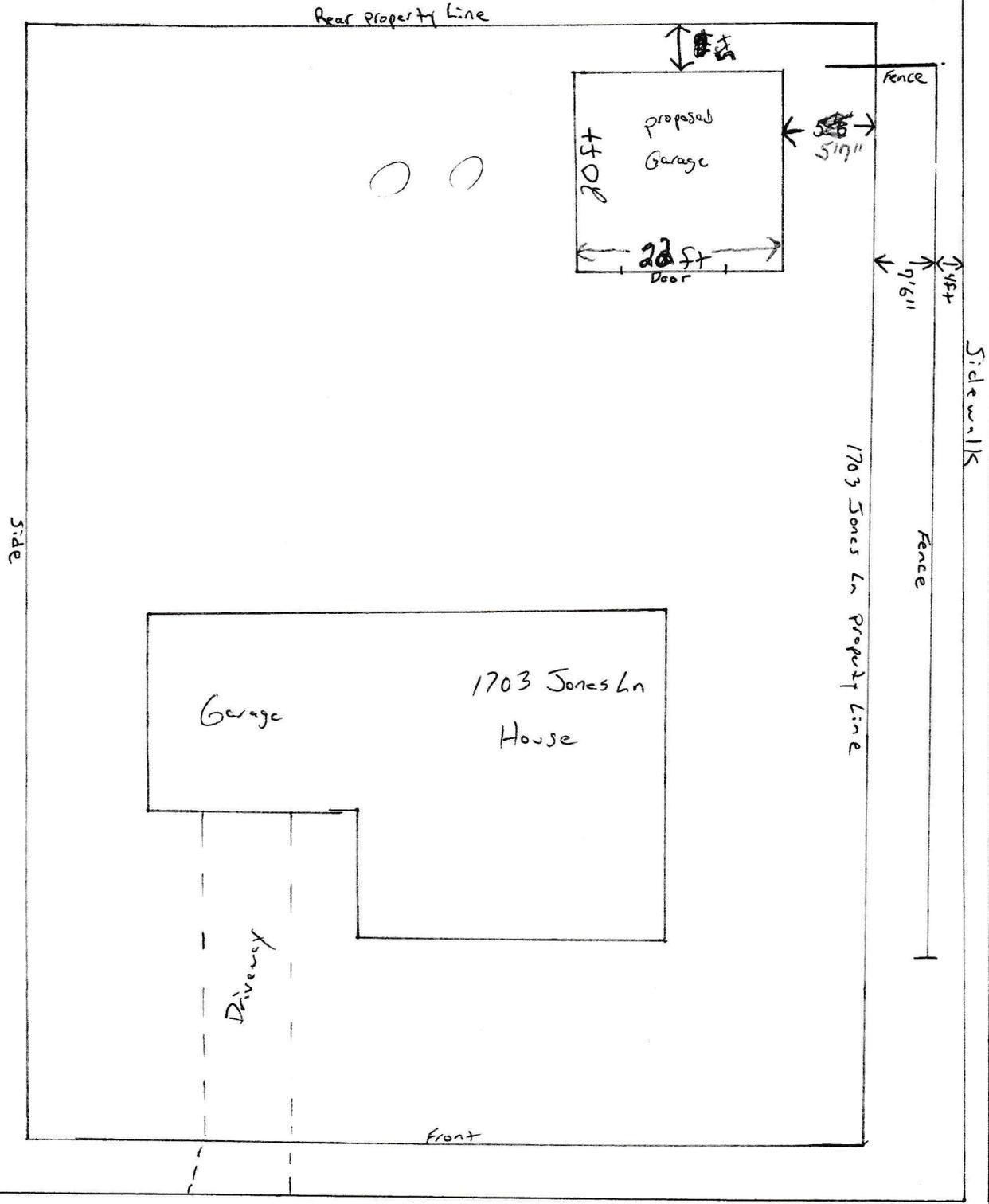
PROJ. #2220-00 NAVD VERTICAL DATUM

**PREMIER**  
 LAND SURVEYING, LLC

1600 Arboretum Blvd., Suite 203  
 Victoria, MN 55386  
 952-443-3010

House

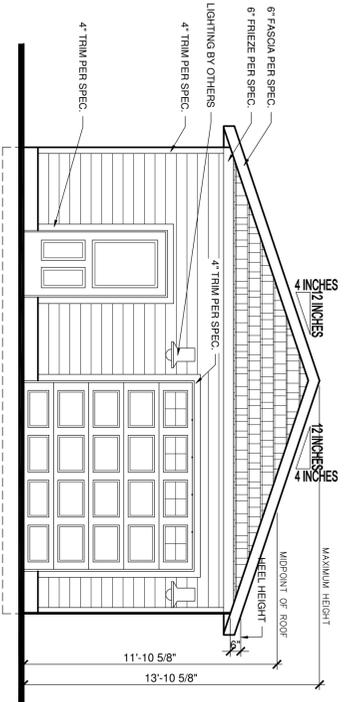
5467 Three Points Blvd (neighbor)



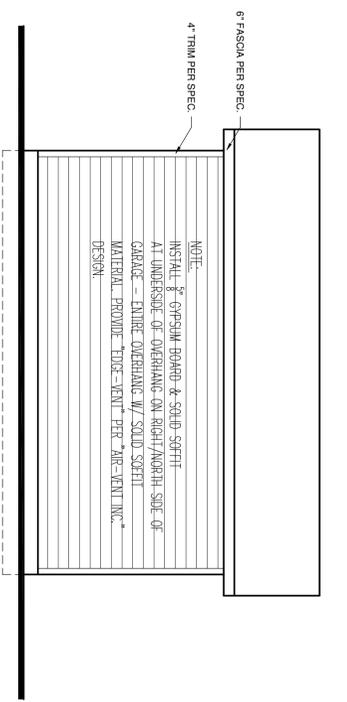
Three Points Blvd

Jones Ln

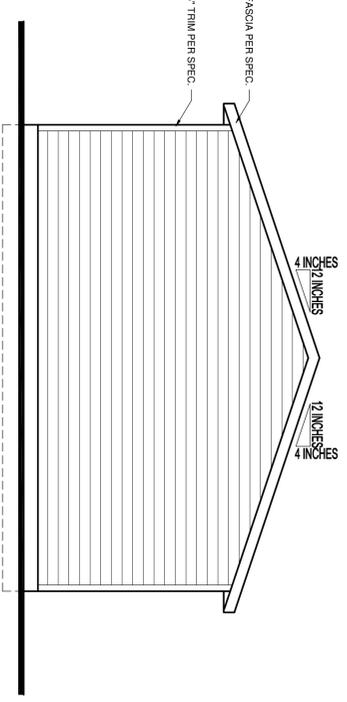
EXTERIOR MATERIAL KEY	
	6" GYPSUM BOARD & SOLID SOFFIT MATERIAL: VERIFY W/ SPEC.
	SHAKE SIDING MATERIAL: SMART-SIDING, VERIFY W/ SPEC.



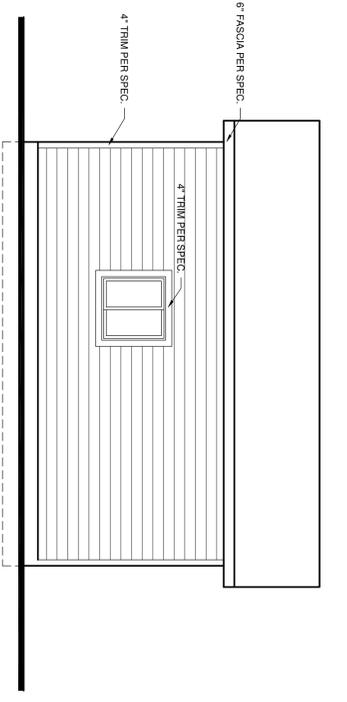
**1 FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"



**2 RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"

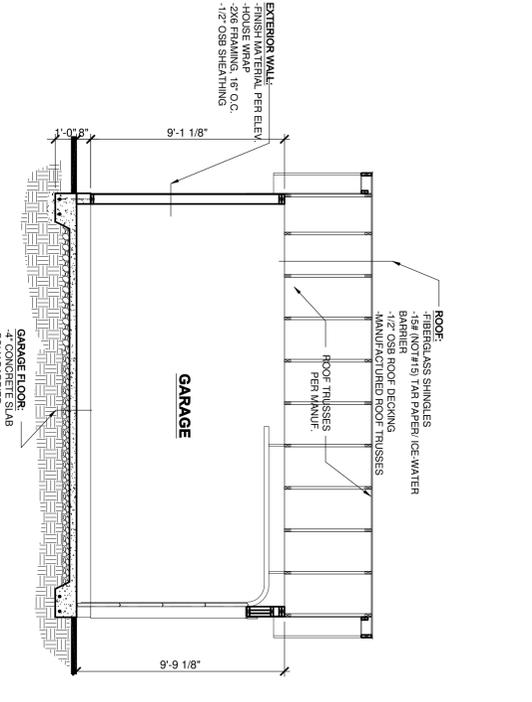


**3 REAR ELEVATION**  
SCALE: 1/4" = 1'-0"

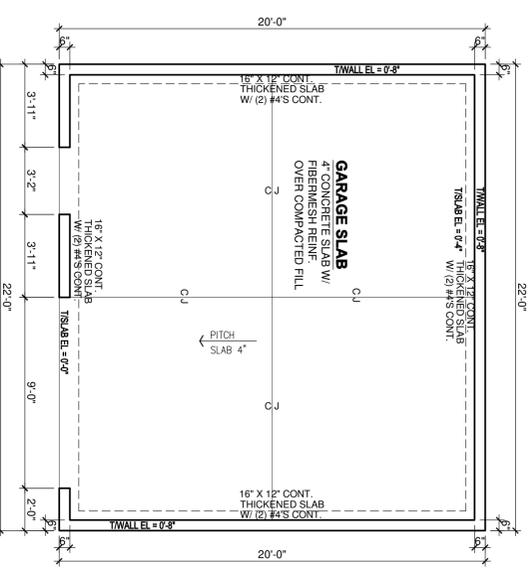


**4 LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"

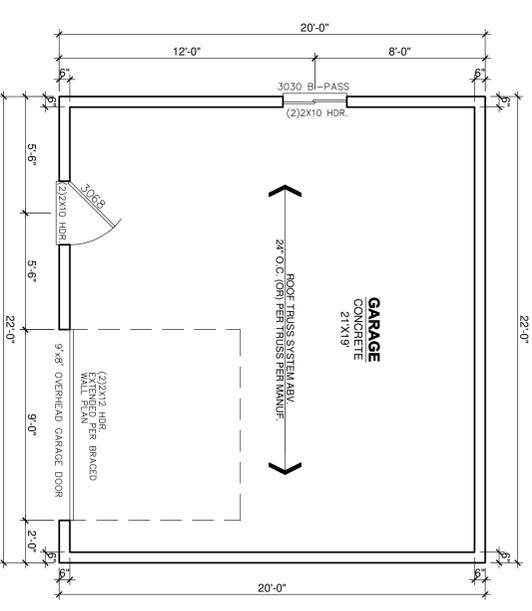
**NOTE:**  
ICE AND WATER BARRIER @ BOTTOM 6" OF ALL ROOF LINES, EXTEND BARRIER MIN. 3" ON EACH SIDE OF VALLEY, COVER ENTIRE FACE OF ROOF SADDLES. VERIFY ADDITIONAL LOCATIONS OF ICE AND WATER BARRIER AS NEEDED IN FIELD.



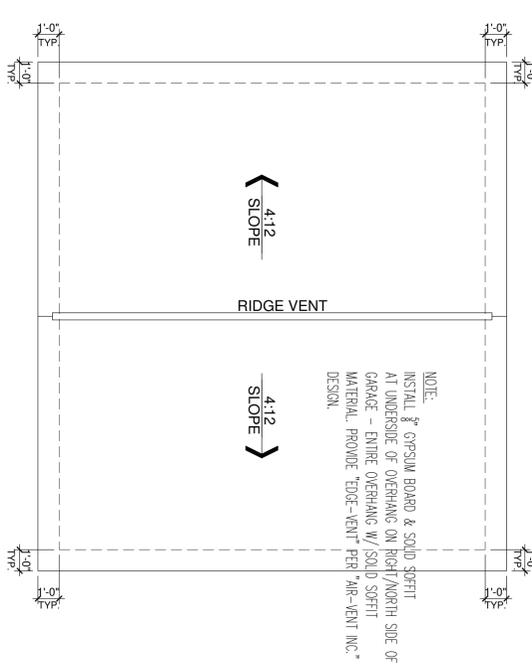
**5 SECTION THROUGH GARAGE**  
SCALE: 1/4" = 1'-0"



**6 GARAGE FOUNDATION PLAN**  
SCALE: 1/4" = 1'-0"



**7 GARAGE FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**8 GARAGE ROOF PLAN**  
SCALE: 1/4" = 1'-0"

<b>REVISION:</b>	<b>REV. DATE:</b>
REVISED OVERHEAD/SERVICEGARAGE DOOR SIZE/LOC.	5-18-23
REVISED WINDOW SIZE/LOCATION & WALL BRACING	5-18-23

**DRAWING TITLE:**  
**1703 JONES LANE GARAGE**  
LOCATION:  
1703 JONES LANE - MOUND, MN

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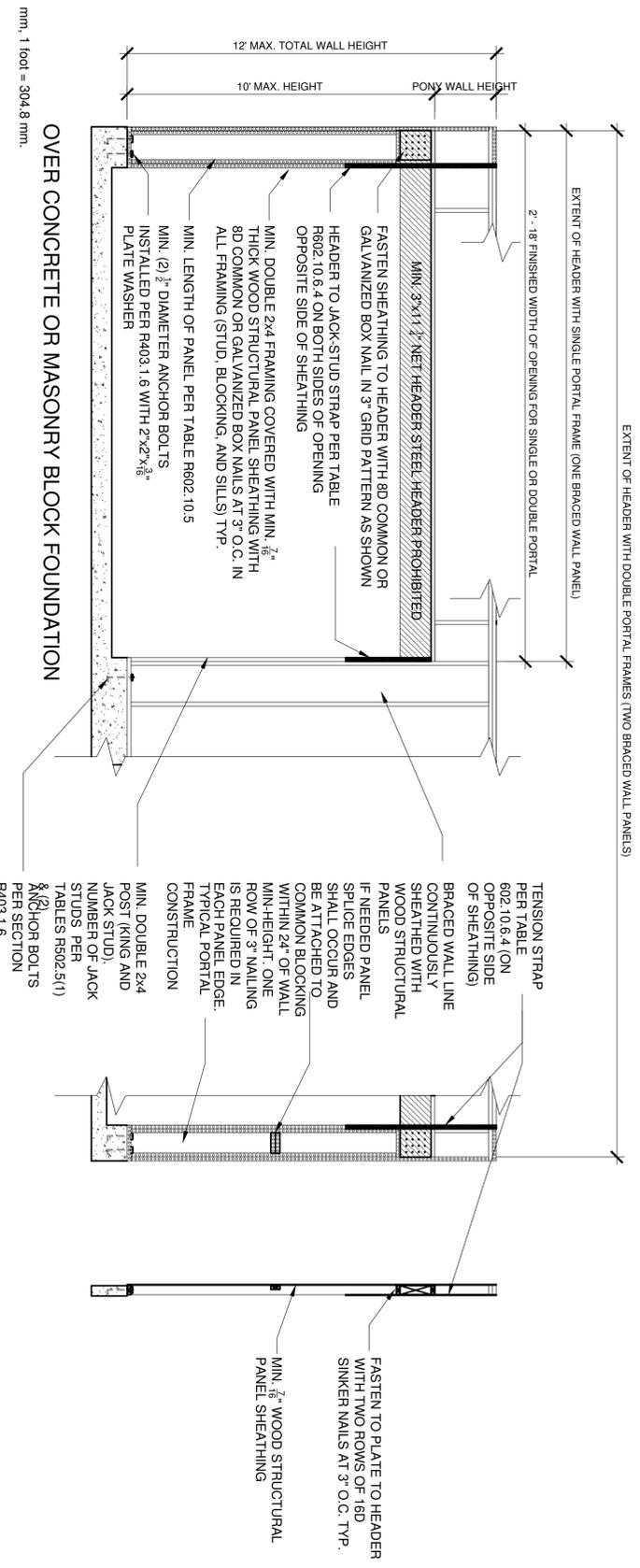
<b>CURRENT DATE:</b> 5-18-23	<b>PAGE:</b> A1	<b>PAGE DESCRIPTION:</b> GARAGE PLANS
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**BRACED WALL NOTES:**

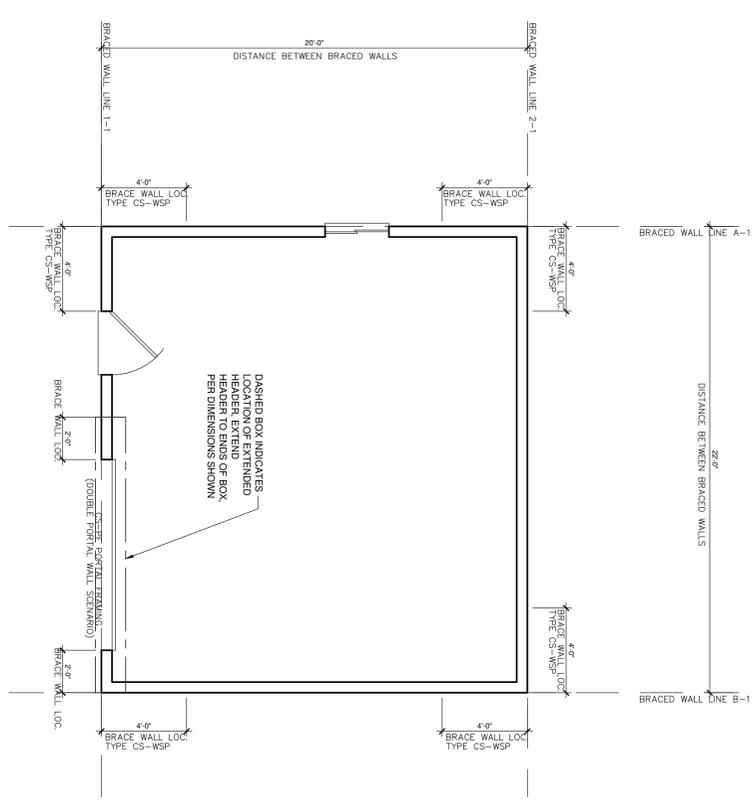
1. ALL WALLS DESIGNED PER METHOD CS-WSP OF THE 2020 MN CODE.
2. ALL EXTERIOR WALLS ARE TO BE CONTINUOUSLY SHEATHED WITH A MINIMUM 3/8" THICK WOOD PANEL.
3. CONNECTION OF WOOD PANEL TO STUDS SHALL BE MIN. 6d COMMON FIELD OF WOOD PANEL.
4. STRUCTURAL PANELS (BRACED WALLS) SHALL BE LOCATED AT EACH END & AT LEAST EVERY 20' BETWEEN PANELS.
5. EXTERIOR BRACED WALL LINES SHALL HAVE A BRACED WALL PANEL AT EACH END OF THE BRACED WALL LINE. EXCEPT FOR: WALL PANELS ARE BRACED TO BEGIN FROM THE END OF THE BRACED WALL LINE PROVIDED THAT A 24" PANEL MATCHING TABLE R802.10.7/5 IS APPLIED. THE END OF EACH BRACED WALL PANEL SHALL BE MIN. 6d COMMON FASTENED TO THE STUD AT THE EDGE OF THE BRACED WALL PANEL CLOSEST TO THE CORNER AND TO THE FOUNDATION OR FRAMING BELOW THE LINE OF PANEL. SHALL BE MIN. 6d COMMON AN UPLIFT ALLOWABLE DESIGN VALUE OF AT LEAST 1800 LBS. THE DOWN DEVICE SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS.
6. INTERIOR BRACED WALL LINES SHALL BE INTERMITTENT METHOD (G.B. PER AMMINUM 1/2" GYPSUM BOARD APPLIED TO EACH SIDE OF 2x6 STUD WALL @ 16" O.C. SPACING OF STUDS W/ DOUBLE TOP PLATE AND SINGLE BTM. ATTACH GYPSUM TO STUDS W/ 1-1/4" SCREWS (TYPE W OR SL, 6" O.C. AT EDGES & 8" AT FIELD OF STUDS) AND TO BE SOLID BLOCKED W/ 2X MATERIAL.
7. **PERPENDICULAR WALL/ROOF:** ALL FLOOR SYSTEMS BETWEEN BRACED WALL PANELS TO HAVE A MIN. 2x4 TYPE PARALLEL TO BRACED WALLS W/ MIN. (3) 16d NAILS ATTACHING BOTTOM/TOP OF BRACED PANEL PLATE TO FLOOR SYSTEM AT BRACED PANEL WIDTH ONLY. 2x4 BLOCKING PLATE BETWEEN FLOOR SYSTEM MEMBERS. SOLID FIN. MAY BE USED (FIG. 5 & 6).
8. **PERPENDICULAR WALL/ROOF:** APPLY 2X SOLID BLOCKING BETWEEN ROOF SYSTEM BEAMS OVER BRACED WALL PANELS. 16d NAILS TO BE USED ALONG LENGTH OF BRACED WALL PANELS WHEN HEAD IS 15.25" OR LESS (FIGURE 3, REFER TO FIG. #4 WHEN OVER 15.25").
9. **NOTE:** NOTES 7 & 8 ABOVE APPLY TO PERPENDICULAR FRAMING WHEN PARALLEL FLOOR/ROOF SYSTEMS ARE PRESENT. THE FLOOR/ROOF SYSTEM IS TO HAVE BLOCKING MATERIAL ALLOWING FOR NAILING OF BRACED WALL PANEL IN SYSTEM ABOVE/BELONG SAID WALL (FIGURE 6).

**BRACED WALL PANEL UPLIFT LOAD PATH:**

1. BRACED WALL PANELS LOCATED AT EXTERIOR WALLS THAT SUPPORT ROOF PARTERS OR TRUSSES (INCLUDING STRIPS OF FRAMING) SHALL BE CONNECTED TO FRAMING MEMBERS CONNECTED IN ACCORDANCE WITH:
  - a. WHERE THE NET UPLIFT VALUE AT THE TOP OF A WALL EXCEEDS 100 P.L.F. FRAMING CONNECTORS TO PROVIDE A CONTINUOUS LOAD PATH FROM THE TOP OF THE WALL TO THE FOUNDATION OR TO A POINT WHERE THE UPLIFT FORCE IS 100 P.L.F. OR LESS. THE NET UPLIFT VALUE SHALL BE DETERMINED BY ONE OF THE FOLLOWING:
    - i. THE BASIC WIND SPEED DOES NOT EXCEED 115 MPH. THE WIND EXPOSURE CATEGORY IS B, THE BRACED WALL PANEL IS FASTENED TO THE ROOF SPAN IS 32' OR LESS AND THE ROOF SPAN IS 32' OR LESS (OR)
    - ii. THE NET UPLIFT VALUE AT THE TOP OF THE WALL SHALL BE DETERMINED IN ACCORDANCE WITH SECTION R802.11 AND SHALL BE PERMITTED TO BE REDUCED BY 60 P.L.F. FOR EACH FULL WALL ABOVE.
  - b. WHERE THE UPLIFT FORCE DOES NOT EXCEED 200 POUNDS, PARTERS AND TRUSSES SPACED NOT MORE THAN 24 INCHES ON CENTER SHALL BE PERMITTED TO BE FASTENED TO THE SUPPORTING WALL ASSEMBLY IN ACCORDANCE WITH TABLE R802.9(1).
2. **Rafter or Roof Truss to Plate:**
  - a. THE NAIL MINIMUM (3) 16d BOX TOE NAILS ON ONE SIDE AND (3) TOE NAIL ON OPPOSITE SIDE OF EACH RAFTER OR TRUSS. MANUF. METAL CONNECTOR MAY BE SUBSTITUTED, VERIFY W/ MANUF. DETAILS.
  - b. **WALL TO STUDS:** CONNECTION OF WOOD PANEL TO STUDS SHALL BE MIN. 6d COMMON NAILS, 6" O.C. AT EDGES & 12" O.C. AT FIELD OF WOOD PANEL.



**FIGURE BRACED WALL PANEL 1**  
METHOD CS-PF-CONTINUOUSLY SHEATHED PORTAL FRAME PANEL CONSTRUCTION



**1 GARAGE WALL BRACING PLAN**  
SCALE: 1/4" = 1'-0"  
440 SQUARE FEET  
SCALE: 1/4" = 1'-0"

<b>REVISION:</b>	<b>REV. DATE:</b>
REVISED OVERHEAD/SERVICEGARAGE DOOR SIZE/LOC.	5-18-23
REVISED WINDOW SIZE/LOCATION & WALL BRACING	5-18-23

**DRAWING TITLE:**  
1703 JONES LANE GARAGE  
LOCATION:  
1703 JONES LANE - MOUND, MN

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WINSTED, MN

CURRENT DATE: 5-18-23

PAGE: A2

PAGE DESCRIPTION: WALL BRACING  
SCALED PRINT @ 24X36

To: City Staff and/or Planning Commission

From: Jacob and Sheri Kohler, property owner at 1703 Jones Lane

Date: 7/2/2024

Regarding: Application for a variance at 1703 Jones Ln

Per City staff's request, we are writing this letter to provide some additional supporting information/responses to the submitted variance application after reviewing Section 129-40 of the City Code.

We are requesting a setback variance on the North property line to replace the existing 10x10 shed and build a new 22x20 detached building(garage/shed).

We are requesting the setback variance due to the practical difficulty of the topography of the rear yard. It would not allow us to place the structure elsewhere without extensive landscaping and disruption of the natural topography (taking out more trees, excavating further into the berm/hill, etc.). Our property is also a "corner lot" requiring our property to be considered as having two "front" yards with larger setback requirements that further restricts our options with the land.

We do not believe that granting the variance requested would confer any special privilege considering the uniqueness of the lot (corner lot and berm/hill in backyard).

We considered this project a year ago and met with city staff to review the setback requirements. We originally desired to place the structure further to the West property line as well. City staff informed us that this would require variances on the West side as well, so we have chosen to minimize the impact of setback requirements and keep the structure further to the east to not encroach on required setbacks on that side. We are also minimizing the impact of the North setback by placing the structure as far to the South as we can without further disrupting the topography (trees/berm).

There is a fence on the North property line and our property's elevation is much lower than the elevation of 3 Points boulevard. These things considered, this will not create any viewing obstruction for any neighbors or traffic, and we believe that this variance, if granted, will not alter the essential character of the locality in any way. We believe this request is in harmony of the general purposes and intent of the zoning ordinance.

We have provided the required survey and did our best to provide pictures that show the topography issues and uniqueness of the lot. We are very thankful that some of the City staff have visited the property in the past and we invite others to come to our property.

Thank you for your time and consideration,

Jacob and Sheri Kohler



## PLANNING REPORT

**TO:** Planning Commission  
**FROM:** Rita Trapp and Natalie Strait, Consulting Planners  
 Sarah Smith, Community Development Director  
**DATE:** August 14, 2024  
**SUBJECT:** Consideration of variance request for a deck replacement  
 (Case No. 24-11)  
**APPLICANT:** Minnesota Decks, LLC on behalf of Brad and Jennifer Sewell  
**LOCATION:** 6511 Bayridge Road (PID No. 22-117-24-44-0005)  
**MEETING DATE:** August 20, 2024  
**COMPREHENSIVE PLAN:** Low Density Residential  
**ZONING:** R-1 Single-family residential district

---

### SUMMARY

The applicant is requesting the approval of a variance to replace a deck in the rear yard that encroaches on the lakeshore setback and is located in a bluff. The lakeshore property on Halsted Bay is located at 6511 Bay Ridge Road, which is south of Bartlett Boulevard near the intersection of Bluffs Lane. The deck the applicant proposes to replace has an existing lakeshore setback of 47.9 feet instead of the required 50 feet. The applicant is requesting to reduce the setback to 43.2 feet in order to construct a deck that is generally 30-feet by 16-feet with an irregularly shaped extension that connects the deck to the staircase. Supplemental information from the applicant about the reasons for the requested variance for the proposed deck replacement project is included.

### REVIEW PROCEDURE

#### ***60-Day Land Use Application Review Process***

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. For the purpose of Minnesota Statutes Section 15.99, "Day 1" is determined to be July 30, 2024 as provided by Minnesota Statutes Section 645.15. The review period can be extended by the City for an additional 60-days if needed.

**Variance**

City Code Section 129-40 (a) states that a variance may be granted to provide relief to a landowner where the application of the City Code imposes practical difficulty for the property owner. In evaluating the variance, the City Council must consider whether:

- (1) The variance proposed meets the criteria for Practical Difficulties as defined in City Code Sub. 129-2.
- (2) Granting of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to owners of other lands, structures or buildings in the same district nor be materially detrimental to property within the same zone.
- (3) The variance requested is the minimum variance which would alleviate the practical difficulty.
- (4) A variance shall only be permitted when it is in harmony with the general purposes and intent of the zoning ordinance and when the terms of the variance are consistent with the comprehensive plan.

According to City Code Sec. 129-2, *“Practical Difficulties”* is defined as follows:

Practical Difficulties, as used in conjunction with a variance, means that:

- (i) The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- (ii) The plight of the landowner is due to circumstance unique to the property including unusual lot size or shape, topography or other circumstances not created by the landowner; and
- (iii) The variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

**NOTIFICATION**

Neighboring property owners of the subject site were mailed an informational letter on August 14, 2024 to inform them of the Planning Commission's review of the variance application at its August 20, 2024 meeting.

**STAFF / CONSULTANT / AGENCY / UTILITIES REVIEW**

Copies of the request and supporting materials were forwarded to involved departments, consultants, agencies, and private utilities for review and comment. By the time of packet preparation, Staff had only received the following comment from the Minnehaha Creek Watershed District (MCWD):

- The MCWD found no objection to the proposed variance. The proposed work is not within the 100-year floodplain of Lake Minnetonka and triggers no MCWD rules, and therefore would not require an MCWD permit.

## **DISCUSSION**

- 1) This is a shoreland lot of record in the R-1 district. The entire property, from the north side of the existing house to the bottom of the slope to the rear of the house lies within a bluff. The house is also located within the side yard setback of the east property line. The proposed deck replacement is located nearer to the west property line so this nonconformity is not an issue.
- 2) The proposed project is a deck replacement. According to the applicant in the supplemental material provided, the design allows for the use of standard joists for construction. In addition, the width of the deck is related to the location of existing windows on the home.
- 3) The survey submitted does not use the standard ordinary high water level of 929.4 for Lake Minnetonka. Instead it uses 929.83 feet. Staff notes that the higher water line used is more conservative and thus, the setbacks as proposed will be greater. Staff has added a condition that limits the setback to the distance from what is proposed on the survey and not to the customary 929.4.
- 4) The maximum percent of impervious surface allowed on a R-1 lot of record is 40%. The impervious surface listed on the survey is 37.8%. For the replacement deck to be considered pervious there must be at least ¼ spacing between the slats of the deck, and surfacing under the deck must also be pervious.

## **PLANNING COMMISSION ACTION**

Staff recommends Planning Commission recommend approval of the requested lakeshore setback and bluff variance, with the following conditions:

1. The setback of the deck shall meet the distance to the 929.83 ordinary high water level as shown on the survey submitted.
2. Applicant shall provide an itemized list of existing and proposed impervious surfaces on the lot demonstrating that the final hardcover calculation with the addition of the proposed deck does not exceed 40%.
3. The applicant shall be responsible for recording the resolution with Hennepin County. The applicant is advised that the resolution will not be released for recording until all

conditions have been met and all fees for the waiver application have been paid and the escrow account is in good standing. The submittal of additional escrow may be required.

4. No building permit will be issued until evidence of recording of the resolution at Hennepin County is provided.
5. Applicant shall be responsible for procurement of any and/or all public agency permits including the submittal of all required information prior to building permit issuance.
6. The MCWD is the regulatory and permitting authority for Rule B (Erosion Control), Rule C (Floodplain Control), Rule D (Wetland Protection) and Rule N (Stormwater Management); also Shoreline Alteration (i.e. rip rap, etc.).
7. Additional comments and/or conditions from the City Council, Staff, consultants, and public agencies.

#### **CITY COUNCIL REVIEW**

In the event a recommendation is received from the Planning Commission, it is anticipated that the variance request will be considered by the City Council at either the August 27, 2024 or September 10, 2024 meeting. The timeline for consideration will be made after Planning Commission consideration.



2415 Wilshire Boulevard, Mound, MN 55364  
Phone 952-472-0600 FAX 952-472-0620

# VARIANCE APPLICATION

**Application Fee and Escrow Deposit required at time of application.**

Planning Commission Date \_\_\_\_\_

Case No. \_\_\_\_\_

City Council Date \_\_\_\_\_

Please type or print legibly

<b>SUBJECT PROPERTY LEGAL DESC.</b>	Address <u>6511 BAYRIDGE RD</u> Lot <u>4</u> Block <u>2</u> Subdivision <u>THE BLUFFS</u> PID # _____ Zoning: R1 R1A R2 R3 B1 B2 B3 (Circle one)
<b>PROPERTY OWNER</b>	Name <u>BRAD SEWELL</u> Email <u>BRAD.SEWELL@ZIEGLERCOMPANIES.COM</u> Address <u>6511 BAYRIDGE RD</u> Phone Home <u>612 799 0677</u> Work _____ Fax _____
<b>APPLICANT (IF OTHER THAN OWNER)</b>	Name <u>MINNESOTA DECKS, LLC</u> Email _____ Address <u>2930 COUNTY RD 109 S WAYZATA, MN 55391</u> Phone Home <u>952 340 8776</u> Work <u>952 380 8776</u> Fax _____

1. Has an application ever been made for zoning, variance, conditional use permit, or other zoning procedure for this property? Yes ( ) No (X). If yes, list date(s) of application, action taken, resolution number(s) and provide copies of resolutions.

2. Detailed description of proposed construction or alteration (size, number of stories, type of use, etc.):

DECK REPLACEMENT 32x16

3. Do the existing structures comply with all area, height, bulk, and setback regulations for the zoning district in which it is located? Yes ( ) No (X). If no, specify each non-conforming use (describe reason for variance request, i.e. setback, lot area, etc.):

WITHIN 50' OF HIGH WATER LINE

SETBACKS:	REQUIRED	REQUESTED (or existing)	VARIANCE
Front Yard: (N S E W)	<del>100</del> <sup>NA</sup> ft.	_____ ft.	_____ ft.
Side Yard: (N S E W)	13.5 ft.	13.5 ft.	_____ ft.
Side Yard: (N S E W)	20.1 ft.	20.1 ft.	_____ ft.
Rear Yard: (N S E W)	47.9 ft.	<del>46.9</del> 43.2 ft.	_____ ft.
Lakeside: (N S E W)	_____ ft.	_____ ft.	_____ ft.
_____ : (N S E W)	_____ ft.	_____ ft.	_____ ft.
Street Frontage:	_____ ft.	_____ ft.	_____ ft.
Lot Size:	11986 sq ft	11986 sq ft	_____ sq ft
Hardcover:	4019 sq ft	4531 sq ft	_____ sq ft

4. Does the present use of the property conform to all regulations for the zoning district in which it is located? Yes (X), No ( ). If no, specify each non-conforming use:

5. Which unique physical characteristics of the subject property prevent its reasonable use for any of the uses permitted in that zoning district?

- ( ) too narrow
- (X) too small
- ( ) too shallow
- ( ) topography
- ( ) drainage
- ( ) shape
- ( ) soil
- ( ) existing situation
- ( ) other: specify

Please describe: EXISTING DECK IS 15' DEEP, NEW (PROPOSED) DECK SHALL BE 16'. BOTH ARE WITHIN 50' SETBACK TO HIGH WATER

6. Was the practical difficulty described above created by the action of anyone having property interests in the land after the zoning ordinance was adopted (1982)? Yes (x), No ( ). If yes, explain:

EXISTING DECK PRE EXISTED 1982

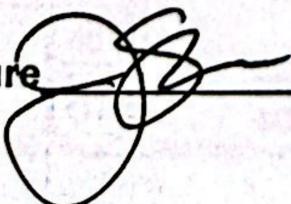
7. Was the practical difficulty created by any other human-made change, such as the relocation of a road? Yes ( ), No (x). If yes, explain:

8. Are the conditions of practical difficulty for which you request a variance peculiar only to the property described in this petition? Yes (x), No ( ). If no, list some other properties which are similarly affected?

9. Comments:

I certify that all of the above statements and the statements contained in any required papers or plans to be submitted herewith are true and accurate. I acknowledge that I have read all of the variance information provided. I consent to the entry in or upon the premises described in this application by any authorized official of the City of Mound for the purpose of inspecting, or of posting, maintaining and removing such notices as may be required by law.

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

Applicant's Signature  \_\_\_\_\_ Date 7/27/24

Hello Sarah,

The existing deck design included 2 levels, which limited the usefulness of the area. Neither area is large enough for family living.

The deck that we have designed will provide adequate space for grilling and family living, which includes space large enough to comfortably accommodate their large outdoor dining table. The design also provides ease of access by grandparents etc. Family living space is important in this instance, as the house is located on a sloping lot. The only other usable space on the lake side of the property is down at the water's edge, which requires descending very many stairs to get arrive at. We want to provide the homeowner with a pleasant and comfortable space from which to enjoy Lake Minnetonka, and their home is in need of such a space.

2 other notes:

The depth of the existing deck is 15' and the proposed is 16'.

16' is the length of a standard steel joist, and provides maximum efficiency cost for the homeowner.

The width of the proposed deck is to ensure that the deck does not terminate at a place that leaves railings inside the large windows. The deck is sized to allow stairs on one side and terminate between large windows on the other, so the design of the house influenced the shape/size of the proposed deck project.

Thank you  
John Schletty  
Minnesota Decks

**LEGAL DESCRIPTION:**  
 Lot 4, Block 2, THE BLUFFS, Hennepin County, Minnesota.

**GENERAL NOTES:**

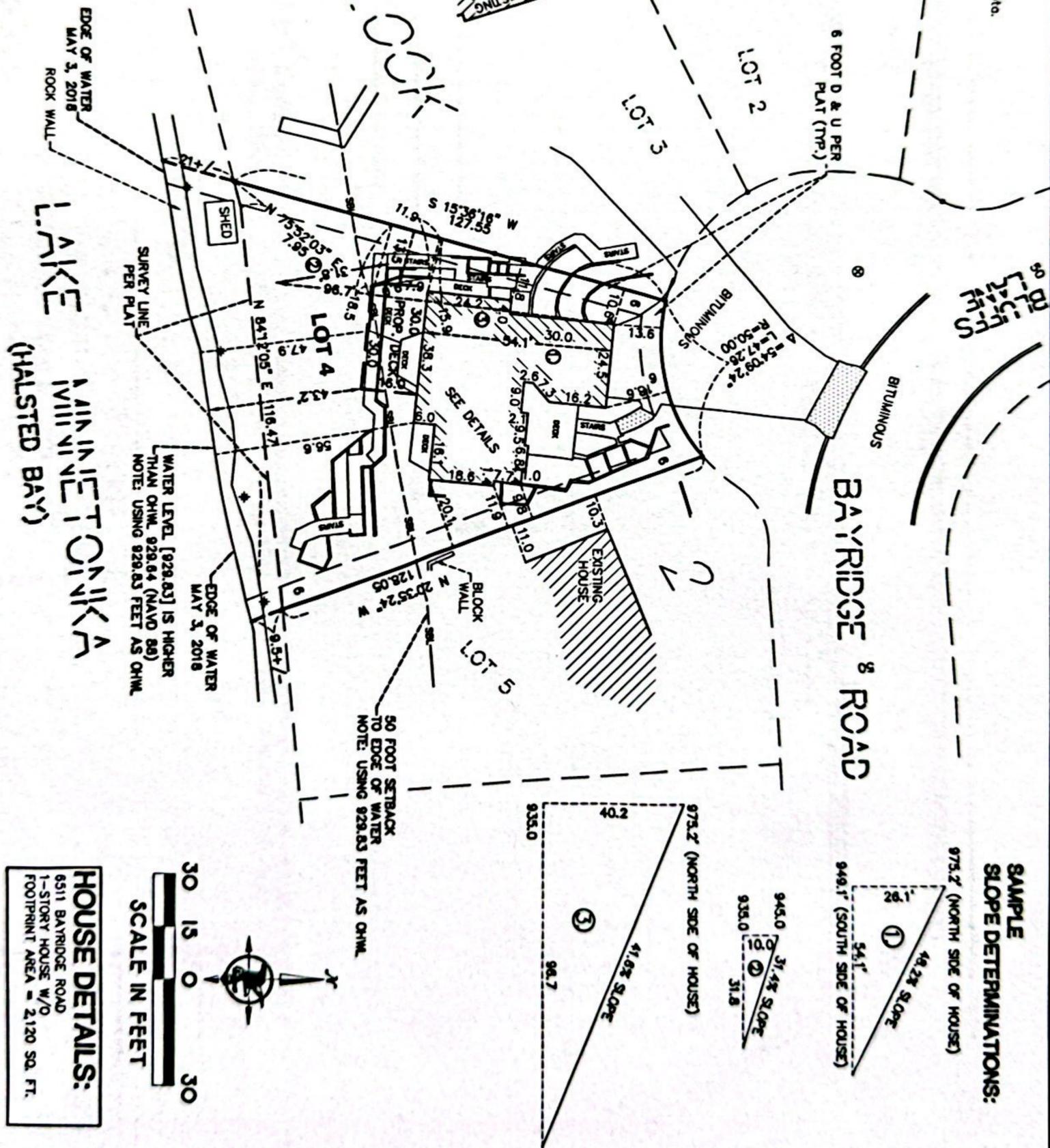
1. The bearing system used is assumed.
2. The location of the underground utilities shown hereon, if any, are approximate only. PURSUANT TO MSA 216D CONTACT Gopher State ONE CALL AT (612) 454-0002 PRIOR TO ANY EXCAVATION.
3. Site Area = 11,986 square feet = 0.275 acres.
4. This survey was made on the ground.
5. No current title work was furnished for the preparation of this survey, legal description, recorded or unrecorded easements and encumbrances are subject to revision upon receipt of current title work.
6. Elevation datum is based on NAVD 88 data. Bench mark is located Top of Nail (AS SHOWN ON SURVEY) Elevation = 977.40
7. Lake Minnetonka Ordinary High Water Level (OHWL) = 929.40 (NGVD 29) = 929.64 (NAVD 88) Shown on survey
8. Entire site, from the north side of existing house to bottom of the slope, lies within a bluff. Bluff by definition, the site is located in a shoreland area; slope rises more than 25 feet; overage slope is greater than 30%, and drains to the lake. House also lies in the bluff impact zone, i.e. 20 feet from top of bluff.

**LEGEND**

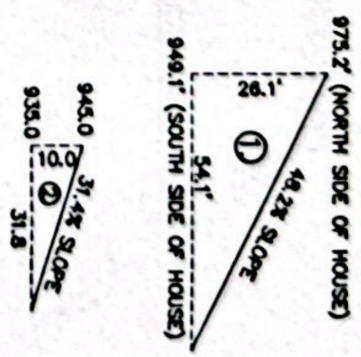
- Property Corner
- Concrete
- Concrete Curb
- Water
- Gas
- Sanitary Sewer
- Unknown Utilities
- Gas Meter
- Deciduous Tree (Dia. in in.)
- Coniferous Tree (Dia. in in.)
- Existing Contour

**CERTIFICATION:**  
 I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.  
 Date: May 3, 2018  
 Thomas E. Hodorf  
 Minn. Reg. No. 23677

Revision History: 7-18-24 add proposed deck  
 7-18-24 add Bluff notes & law



**SAMPLE SLOPE DETERMINATIONS:**



**HOUSE DETAILS:**  
 6511 BAYRIDGE ROAD  
 1-STORY HOUSE W/O  
 FOOTPRINT AREA = 2,120 SQ. FT.

2024-268	655
2024268	40
1 OF 1	CT

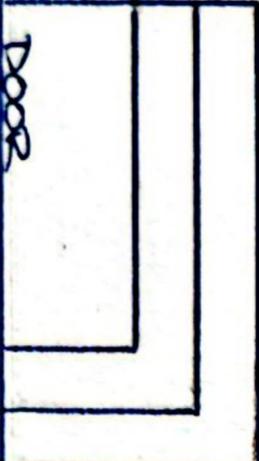
**LOT CERTIFICATION SURVEY WITH PROPOSED DECK**  
 for:  
**MINNESOTA DECKS**  
 SITE: 6511 BAYRIDGE ROAD  
 MINNETONKA, MINNESOTA

**HARRY S. JOHNSON CO. INC.**  
 LAND SURVEYORS & CONSULTANTS  
 9063 Lyndale Avenue South  
 Bloomington, Mn. 55420  
 (952) 884-5341  
 (952) 884-5344 Fax  
 Email: tom@hsjsurveyors.com  
 Web: www.hsjsurveyors.com



MINNESOTA

LEDGER STIMB BE LAGGED (EVERY 16" AND FASTEN AS NECESSARY)



DOOR

2x6 FORTRESS  
BISTS 16" O.C.

(2) 2x11 FORTRESS  
BEAM BEAM (2) 2x11

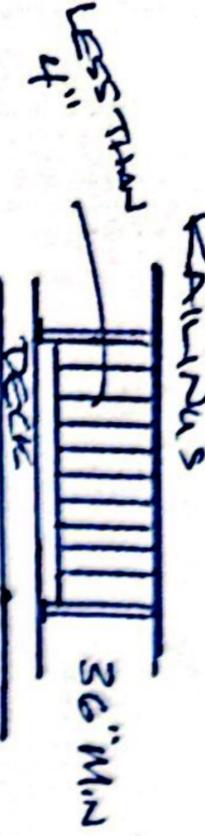
30'

46"

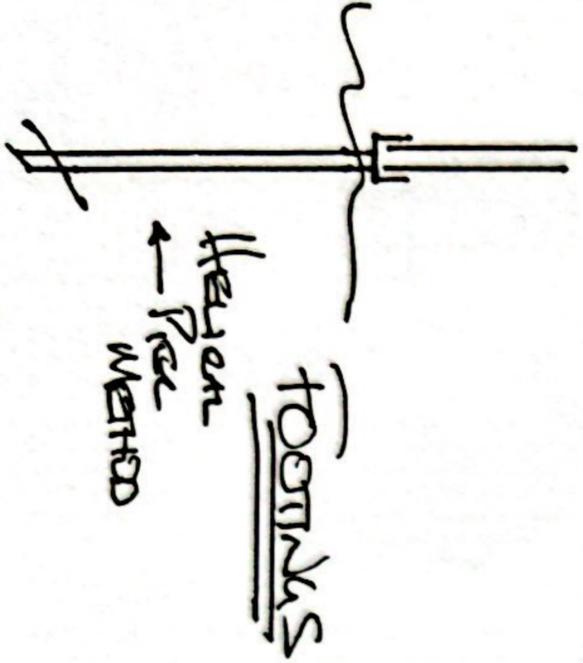
16'

80667376

WWW.MNDECKS.COM | JOHN@MNDECKS.COM | 952-484-9222



6511 BARENDAE RD  
MOUND, MN

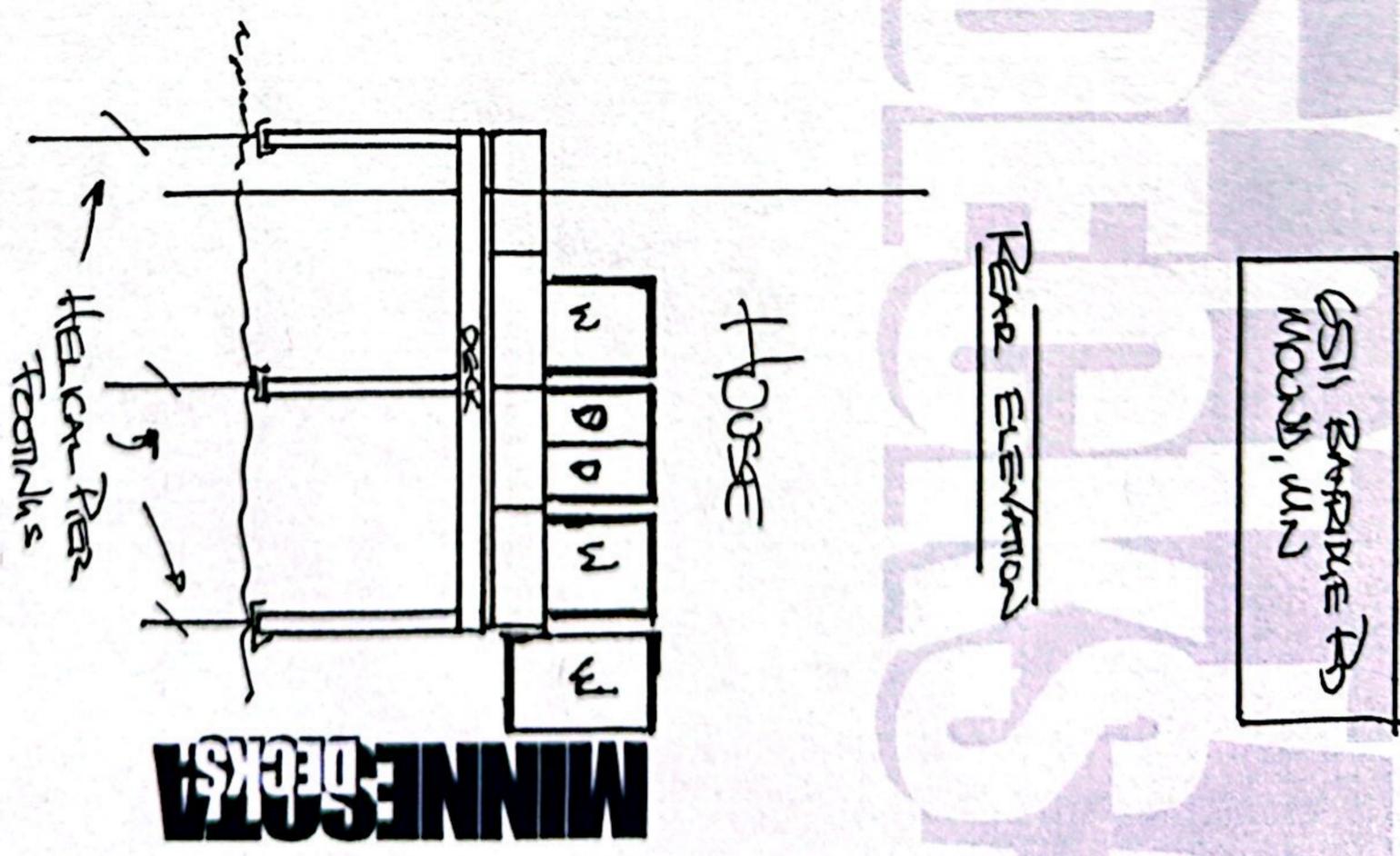
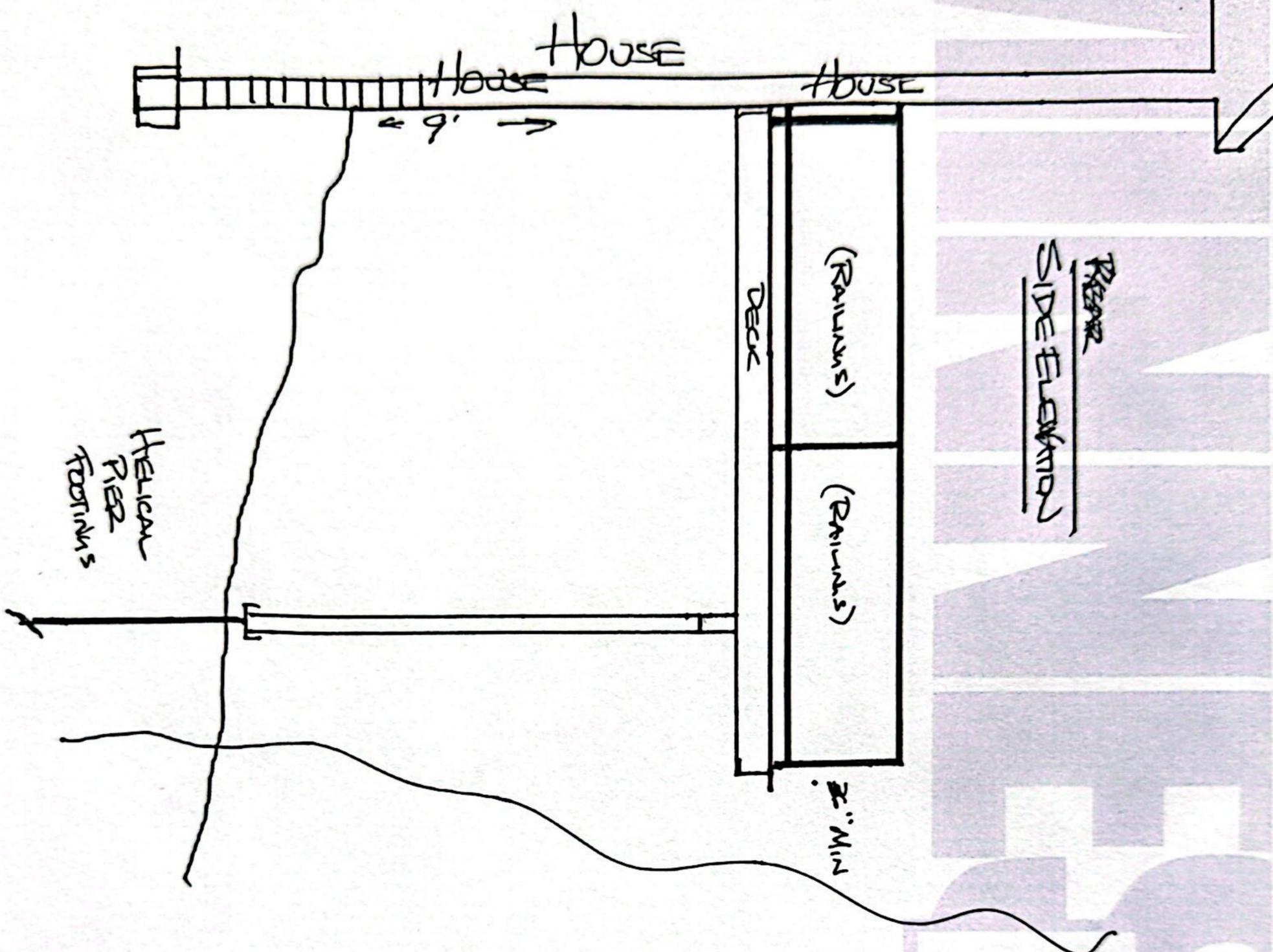


- HEAVY PEE FOOTINGS
- FORTRESS STEEL FRAME
- MAINT FREE DECKING
- ALUMINUM RAILINGS

HOUSE

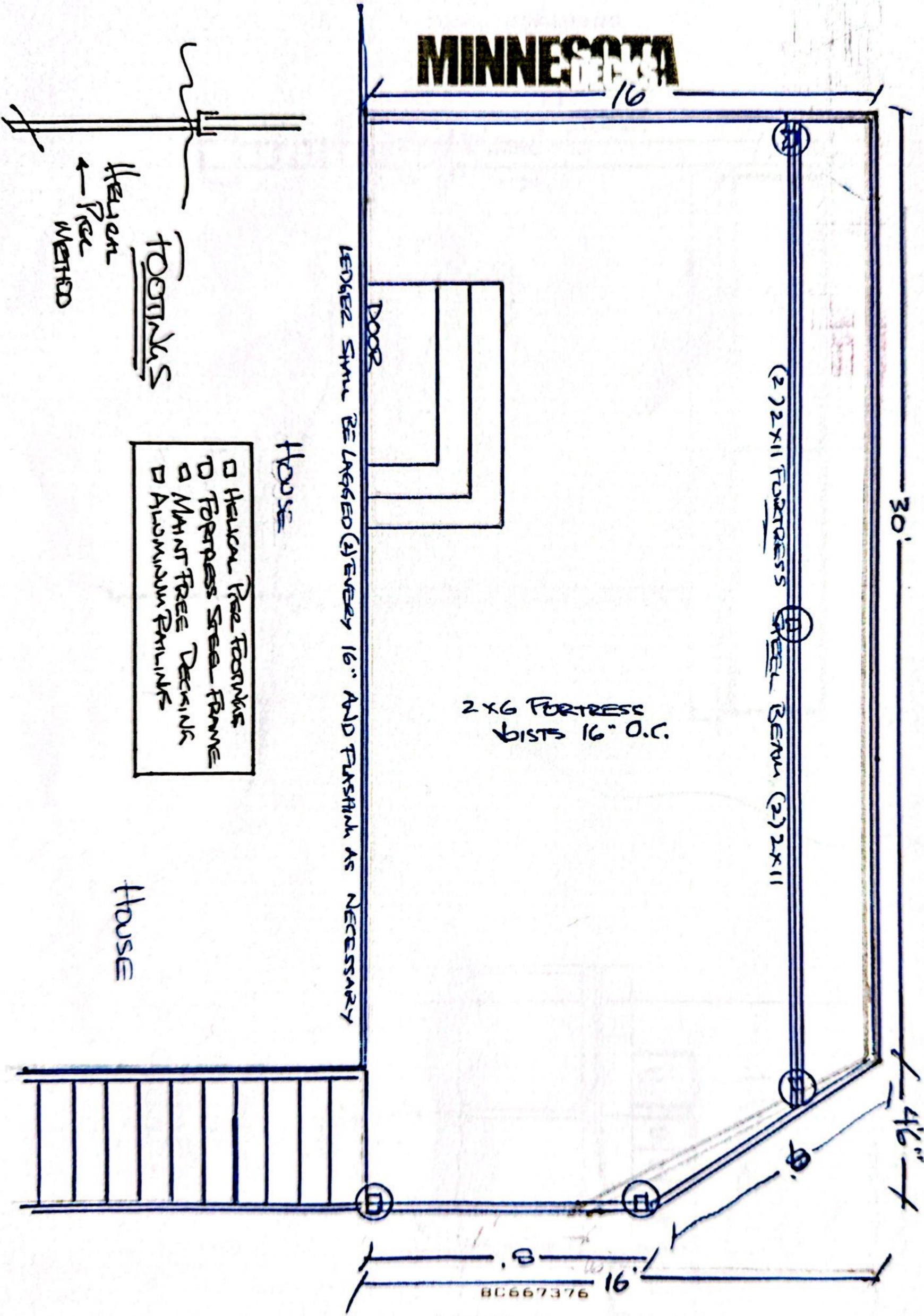
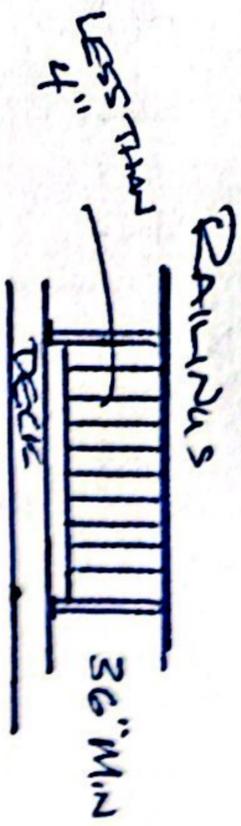
HOUSE

BC667376



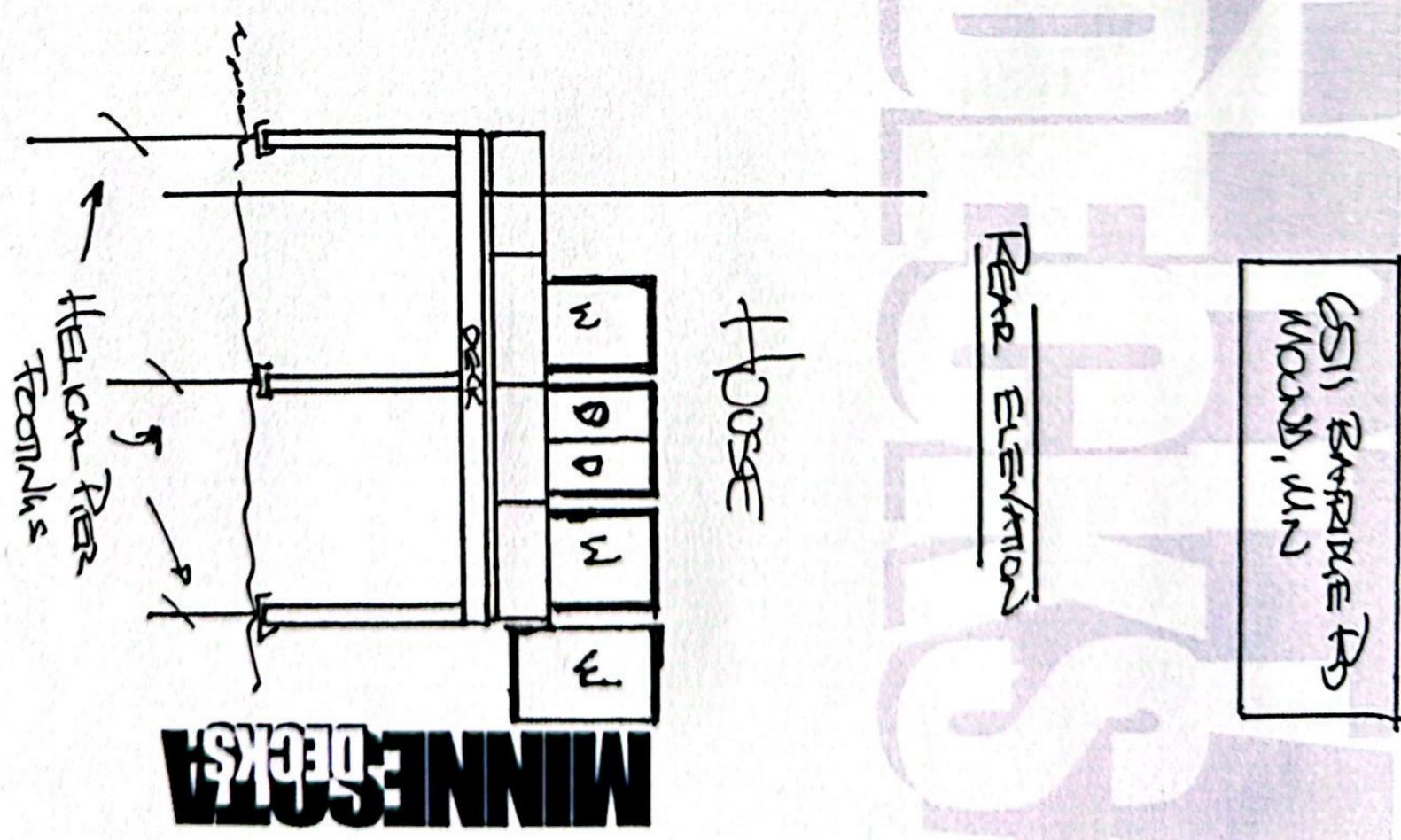
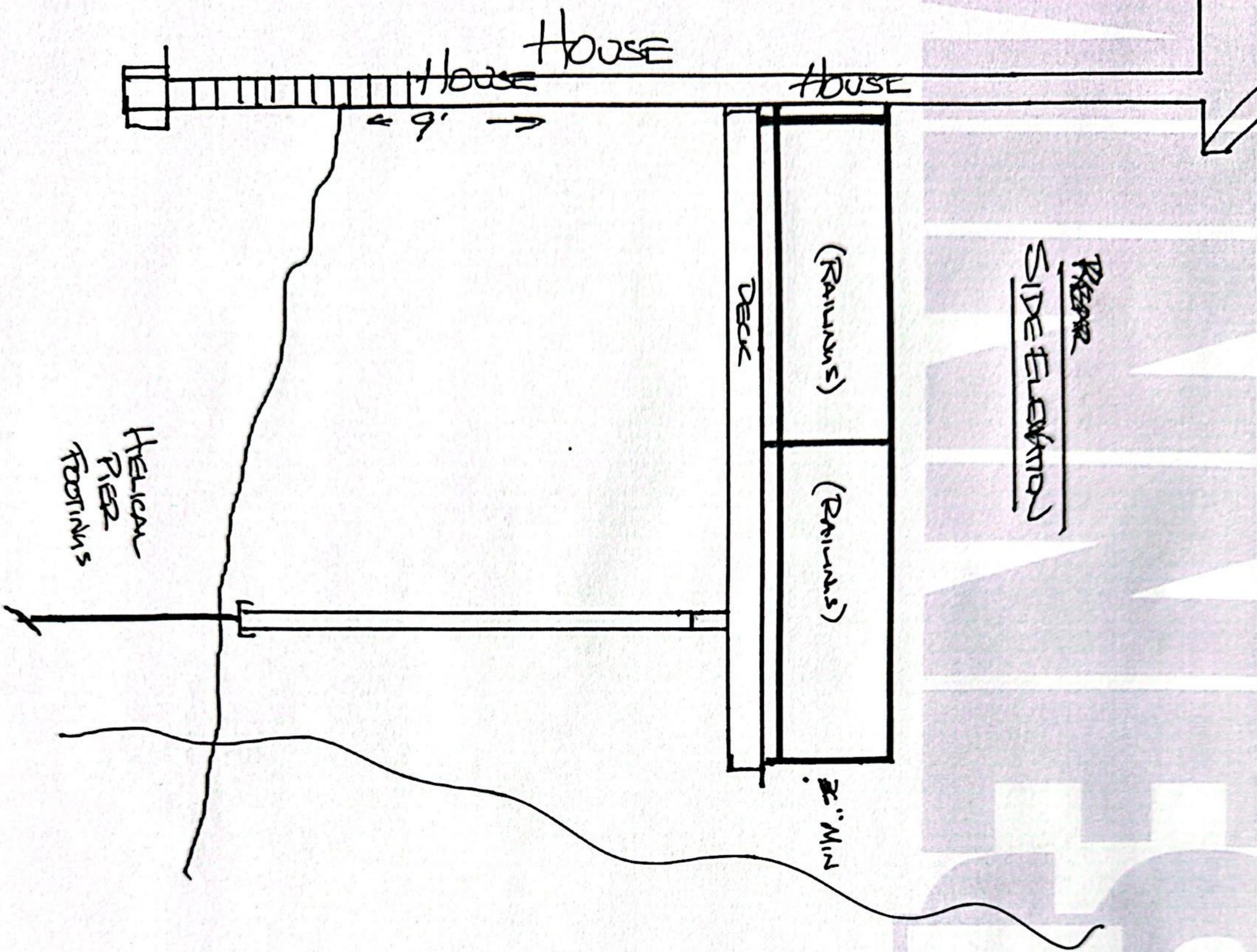
**MINN-DECKS!**

MINNESOTA



- HOUSE
- HELICAL PEE FORTRESS
  - FORTRESS STEEL FRAME
  - MAINT FREE DECKING
  - ALUMINUM RAILINGS

511 BARNDAGE RD  
MOUND, MN





## PLANNING REPORT

**TO:** Planning Commission  
**FROM:** Rita Trapp and Mia Colloredo-Mansfeld, Consulting Planners  
 Sarah Smith, Community Development Director  
**DATE:** August 12, 2024  
**SUBJECT:** Review of Expansion Permit Request (Case No. 24-12)  
**APPLICANT:** Patrick and Kaia Pelstring  
**LOCATION:** 5032 Edgewater Drive (PID No. 13-117-24-42-0025)  
**MEETING DATE:** August 20, 2024  
**COMPREHENSIVE PLAN:** Low Density Residential  
**ZONING:** R-1A Single Family Residential, Shoreland Overlay District

---

### SUMMARY

The applicants, Patrick and Kaia Pelstring, are requesting an Expansion Permit to construct a rear yard deck and family room expansion as part of a larger remodeling project. The lakeshore lot is located on the southern shore of Harrisons Bay near the intersection of Edgewater Drive and Rosedale Road. The 11,176 foot lot is considered non-lot of record as it was created from a 1994 minor subdivision. The house and attached garage, which were constructed in 1994, are nonconforming as they were constructed 8.9 feet from the east side property line. An expansion permit is requested as a new rear yard deck and family room expansion are proposed along the nonconforming east side setback line. The remaining proposed improvements, including a front entry porch, cantilevers, basement expansion, garage addition, and guest bedroom and bonus room over the garage, are conforming.

### REVIEW PROCEDURE

#### *Criteria*

An expansion permit for a nonconforming structure may be issued, but is not mandated, to provide relief to the landowner where this chapter imposes practical difficulties to the property owner in the reasonable use of the land. In determining whether practical difficulties exist, the applicant must demonstrate that the following criteria exist:

1. The proposed expansion is a reasonable use of the property considering:
  - (a) Function and aesthetics of the expansion.

- (b) Absence of adverse off-site impacts such as from traffic, noise, odors and dust.
- (c) Adequacy of off-street parking.
- 2. Exceptional or extraordinary circumstances justifying the expansion are unique to the property and result from lot size or shape, topography, or other circumstances over which the owners of the property since enactment of this chapter have had no control.
- 3. The exceptional or extraordinary circumstances do not result from the actions of the applicant.
- 4. The expansion would not adversely affect or alter the essential character of the neighborhood.
- 5. The expansion requested is the minimum needed.

***60-Day Land Use Application Review Process***

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. For the purpose of Minnesota Statutes Section 15.99, “Day 1” is determined to be August 2, 2024 as provided by Minnesota Statutes Section 645.15. The review period can be extended by the City for an additional 60-days if needed.

**NOTIFICATION**

Neighboring property owners of the subject site were mailed a letter on August 14, 2024 to inform them of the Planning Commission's review of the application at its August 20, 2024 meeting.

**STAFF / CONSULTANT / AGENCY / UTILITIES REVIEW**

Copies of the request and supporting materials were forwarded to involved departments, consultants, agencies, and private utilities for review and comment. As of the preparation of the packet, no comments have been received.

**DISCUSSION**

- 1. The applicant is proposing a family room and deck on the rear of the property that would not be conforming with the side yard setback requirements. The applicant is proposing to maintain the existing nonconforming side yard setback of 9.5 feet. The proposed family room and deck will meet all of the other setback requirements.
- 2. Commissioners are advised that this lot has been determined not to be a bluff. As a bluff condition was previously noted on materials about this lot, the determination that this lot does not have a bluff was confirmed by the applicant’s surveyor and the City Engineer. As there is not a bluff, the applicant is only required to meet the lakeshore setback.

3. The applicant is proposing a general redesign of the home that involves a number of improvements, including a main level 9' family room expansion, front entry footprint adjustments and additional cantilevered elements, new deck in the rear yard, basement expansion within the main level footprint, a guest bedroom and bonus room above the garage. Except for the family room and deck, all of the other proposed improvements will be conforming. The applicant has stepped in the proposed front addition to the garage to meet the side setback requirement.
4. The maximum impervious surface for the R-1A district is 30%. The existing conditions on the lot include 48.4% impervious surface coverage. The hardcover calculations provided by the applicant indicate a total of 29.8% impervious surfaces. The applicant states they are removing pavers in the rear yard and replacing the bituminous driveway with permeable pavers to reduce hard cover. Staff will require during the building permit process documentation demonstrating the materials and installation qualify for the 85% reduction. In addition, Staff will confirm that there is no hardcover under the deck and that the spacing of the boards meets the requirements for consideration as a permeable surface.
5. The basement is proposed to be expanded to match the expansion of the main level family room addition. Per code, all new construction is required to be at or over the Regulatory Flood Protection Elevation of 933.0 for Lake Minnetonka. The survey shows a lowest elevation of 952.3, which meets the required minimum elevation.

### **RECOMMENDATION**

Staff recommends that the Planning Commission recommend City Council approval of the Expansion Permit for the house remodel/additions project subject to the following list of conditions:

1. The applicant shall confirm the material below the proposed rear deck is permeable and that the deck spacing is 1/4" or greater in order to meet the indicated hardcover calculations.
2. At the time of building permit the applicant shall demonstrate how the proposed building height meets the maximum of 35 feet.
3. Applicant shall be responsible for payment of all costs associated with the land use request.
4. No future approval of any development plans and/or building permits is included as part of this action in the event the Expansion Permit approved.

5. Applicant shall be responsible for procurement of any and/or all local or public agency permits including, but not limited to, the submittal of all required information prior to building permit issuance.
6. The applicant shall be responsible for recording the resolution with Hennepin County. The applicant is advised that the resolution will not be released for recording until all conditions have been met and all fees for the waiver application have been paid and the escrow account is in good standing. The submittal of additional escrow may be required.
7. No building permit will be issued until evidence of recording of the resolution at Hennepin County is provided.
8. The MCWD is the regulatory authority for wetlands, floodplain, and erosion control. The applicant is advised to contact the MCWD related to regulations and applicable permits that may be needed to undertake the proposed remodel/addition project. A MCWD permit has been submitted for the proposed house remodel/addition(s) project.
9. Additional conditions from Staff, the Planning Commission, and City Council.

In recommending approval of the expansion permit, Staff offers the following findings:

1. The criteria of City Code Section 129-41 Expansion Permit are being met.
2. The existing building nonconformities on the site were there prior to the applicant's acquisition of the property.
3. The proposed expansion is a reasonable use of the property. The expansion will be in keeping with the character and aesthetics of the area.
4. The proposed expansion allows for the continued use of the property as a single family home in a manner that does not create any additional adverse impacts to the area.
5. This expansion would not increase the degree of nonconformity, only the intensity of the use of the lot in order to increase the living area of the house.

#### **CITY COUNCIL REVIEW**

In the event a recommendation is received from the Planning Commission, it is anticipated that the variance request will be considered by the City Council at either the August 27, 2024 or September 10, 2024 meeting. The timeline for consideration will be made after Planning Commission consideration.



# EXPANSION PERMIT APPLICATION

2415 Wilshire Boulevard, Mound, MN 553  
Phone 952-472-0600 FAX 952-472-0620

**Application Fee and Escrow Deposit required at time of application.**

Case No. \_\_\_\_\_

Please type or print legibly

<b>SUBJECT PROPERTY LEGAL DESC.</b>	Address <u>5032 EDGEWATER DRIVE</u> Lot <u>9 &amp; 10</u> Block _____ Subdivision _____ PID # _____ Zoning: R1 <u>R1A</u> R2 R3 B1 B2 B3 (Circle one)
<b>PROPERTY OWNER</b>	Name <u>PATRICK &amp; KAIA PELSTRING</u> Email <u>PPELSTRING@</u> <u>5032 EDGEWATER DR</u> <u>PWPRENEWABLES.COM</u> Phone Home <u>612-437-1500</u> Work _____ Fax _____
<b>APPLICANT (IF OTHER THAN OWNER)</b>	Name _____ Email _____ Address _____ Phone Home _____ Work _____ Fax _____

- Has an application ever been made for zoning, variance, conditional use permit, or other zoning procedure for this property? Yes ( ) No (X). If yes, list date(s) of application, action taken, resolution number(s) and provide copies of resolutions.

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- Detailed description of proposed construction or alteration (size, number of stories, type of use, etc.):

THE PROJECT ADDS 1,077 S.F. OF ADDITION AREA. A GARAGE ADDITION WILL BE 1 1/2 STORIES. HOUSE AND ADDITION ARE FOR PERSONAL USE

3. Please complete the following information related to the property and building's conformity with the zoning regulations for the district in which it is located including the expansion permit request.

SETBACKS:	REQUIRED	REQUESTED (or existing)	EXPANSION
Front Yard: ( N <u>S</u> E W )	<u>20</u> ft.	<u>25.6</u> ft.	<u>4</u> ft.
Side Yard: ( N S <u>E</u> W )	<u>10</u> ft.	<u>8.9-9.5</u> ft.	_____ ft.
Side Yard: ( N S E <u>W</u> )	<u>10</u> ft.	_____ ft.	_____ ft.
Rear Yard: ( N S E W )	_____ ft.	_____ ft.	_____ ft.
Lakeside: ( <u>N</u> S E W )	<u>50</u> ft.	_____ ft.	_____ ft.
_____ : ( N S E W )	_____ ft.	_____ ft.	_____ ft.
Street Frontage:	_____ ft.	_____ ft.	_____ ft.
Lot Size:	_____ sq ft	<u>11,176</u> sq ft	_____ sq ft
Hardcover: <u>MAX. 30%</u>	<u>3,3528</u> sq ft	<u>1,910</u> sq ft	_____ sq ft

4. Does the present use of the property conform to all regulations for the zoning district in which it is located? Yes ( ), No (X). If no, specify each non-conformity:

- HARDCOVER

- BUILDING SETBACKS

5. Are there exceptional or extraordinary circumstances justifying the expansion unique to the property such as lot size or shape, topography or other circumstances over which the owners of the property since enactment of this chapter have no control? Please check all that apply:

- ( ) too narrow
- ( ) too small
- ( ) too shallow
- ( ) topography
- ( ) drainage
- ( ) shape
- ( ) soil
- (X) existing situation
- ( ) other: specify

Please describe: CURRENT OWNERS INHERITED A NON-CONFORMING PLACEMENT OF THE HOUSE ON THE LOT. EAST SIDE OF HOUSE ENCRACHES ON THE SETBACK.

6. Were the exceptional or extraordinary circumstances described above created by the action of anyone having property interests in the land after the zoning ordinance was adopted (1982)? Yes ( ), No (X). If yes, explain:

CONDITIONS WERE EXISTING UPON PURCHASE OF THE PROPERTY

7. Were the exceptional or extraordinary circumstances created by any other person-made change, such as the relocation of a road? Yes (X), No ( ). If yes, explain:

ORIGINAL OWNER SITED THE HOUSE IMPROPERLY

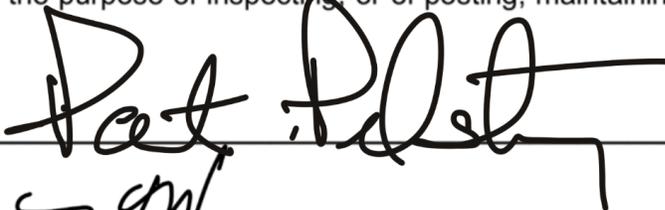
8. Are the exceptional or extraordinary circumstances for which you request an expansion permit peculiar only to the property described in this petition? Yes (X), No ( ). If no, list some other properties which are similarly affected?

\_\_\_\_\_

9. Comments: SEE ATTACHED

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that all of the above statements and the statements contained in any required papers or plans to be submitted herewith are true and accurate. I acknowledge that I have read all of the variance information provided. I consent to the entry in or upon the premises described in this application by any authorized official of the City of Mound for the purpose of inspecting, or of posting, maintaining and removing such notices as may be required by law.

Owner's Signature  Date 8/1/24  
Applicant's Signature  Date 7.31.24

## WINDMILLER DESIGN STUDIO

415 Indian Mound Street #101  
Wayzata, Mn 55391



### Pelstring Residence

5032 Edgewater Drive  
Mound, MN 55364

### Project Comments:

- The property owners have inherited a non-conforming house placement on the lot. The existing foundation was placed in the east setback +/- 1'-0" when the house was built.
- The lot was subdivided in 1994 and the designation was changed to R1A. This information was not provided during our initial site research to guide us in the design process.
- Our design intention is to follow the line of the existing house with a 9' family room addition toward the lake. Lakeside expansion does not get closer to the lake than the existing structure. Garage expansion is within the front and side yard setback. The garage addition at the side yard steps in by 1'-4" to conform with the 10' side yard setback. Please see survey.
- Vaulted family room expansion on the main floor is one level.
- New deck is in line with the existing house on the lakeside.
- Basement expansion matches the size of the main level family room expansion.
- Bonus area above the garage utilizes dormers to keep the roof line low and unobtrusive. Line of the addition roof eave will be only slightly higher than the existing eave.

Sincerely,

Max Windmiller

Windmiller Design Studio

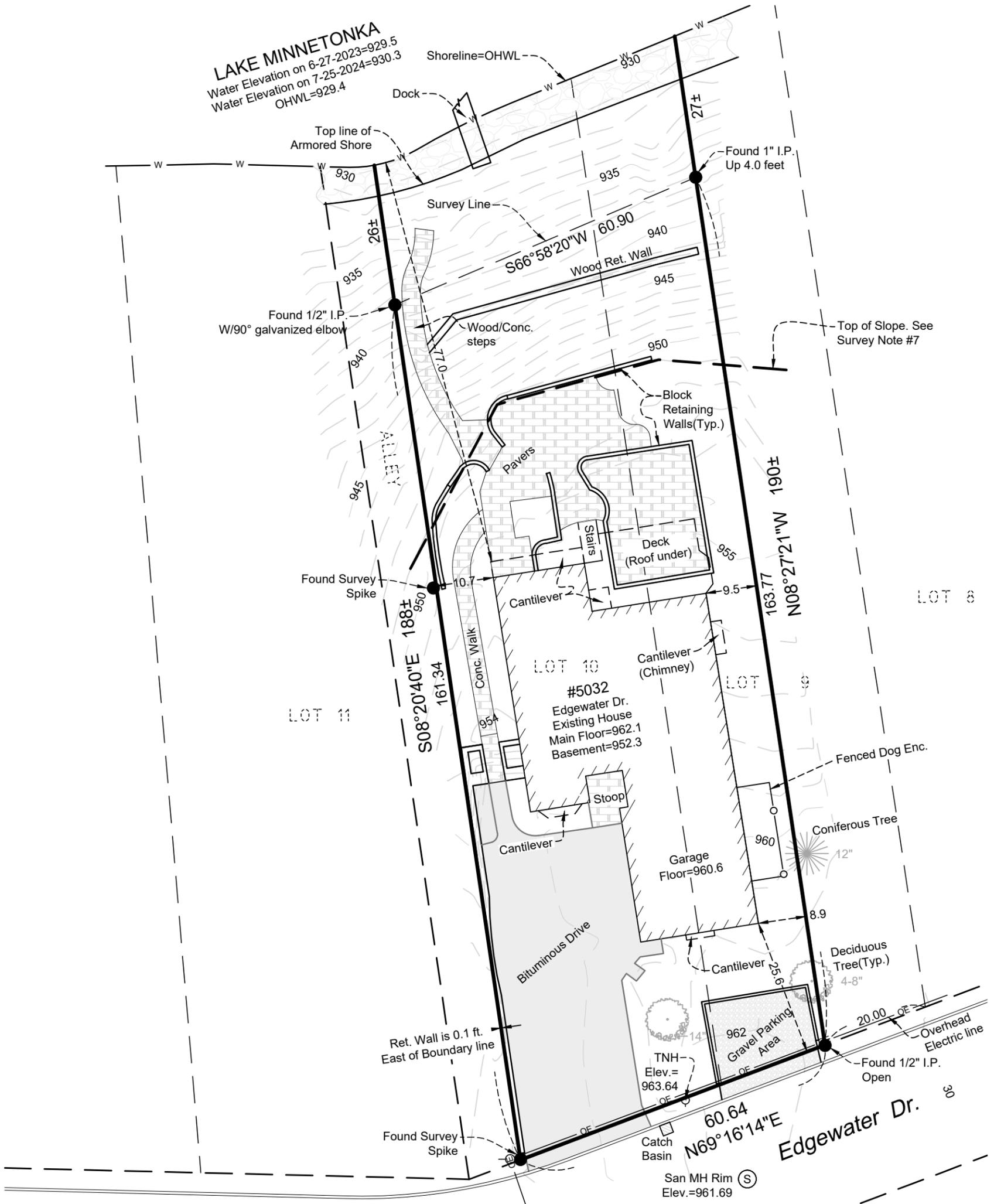
[Max@WindmillerDS.com](mailto:Max@WindmillerDS.com)

T. 952.250.1941

# Certificate of Survey - Existing Condition

Survey Prepared For: Patrick and Kaia Pelstring

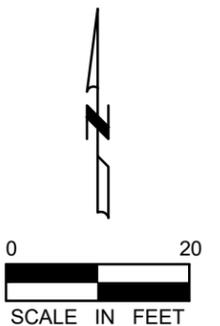
Property Description: Lot 10 and the Westerly part of Lot 9, lying Westerly of the Easterly 20 feet as measured on the South line of said Lot 9, SKARP AND LINDQUIST'S GLEN ARBOR ADDITION, Hennepin County, Minnesota, according to Warranty Deed Doc. No. A10651174.



## Survey Notes

● Denotes found Iron Monument, as noted.

1. This Survey intends to show the boundaries of the above described property and the location of certain existing improvements thereon. It does not purport to show all improvements or encroachments. A Title Report was not furnished to the Surveyor in preparation of this survey. Additional encumbrances on the property may be disclosed by such a report.
2. The basis of bearings for this survey is based on measurements made in the Hennepin County Coordinate System.
3. Benchmark Hennepin County Geodetic Control Point "MOUND", Elevation = 937.83 (NAVD88).
4. No specific soils investigation has been completed by the surveyor on this property. The suitability of soils to support the planned construction is not the responsibility of the surveyor.
5. The site conditions shown on this survey are representative of the existing conditions on the date of last fieldwork: July 25, 2024.  
(See sheet 2 for proposed features and additional notes)



**LINDGREN**  
Land Surveying

PO Box 217  
Chanhassen, MN 55317  
(952) 223-0063

I hereby certify that this survey, map, 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.

Signed: \_\_\_\_\_

Eric B. Lindgren, Land Surveyor  
Minnesota License Number 48176

Date: July 30, 2024

Revised Aug. 2, 2024 (adjusted gar. addn.)

PROJ. NO.  
16823R

SHEET  
1 of 2

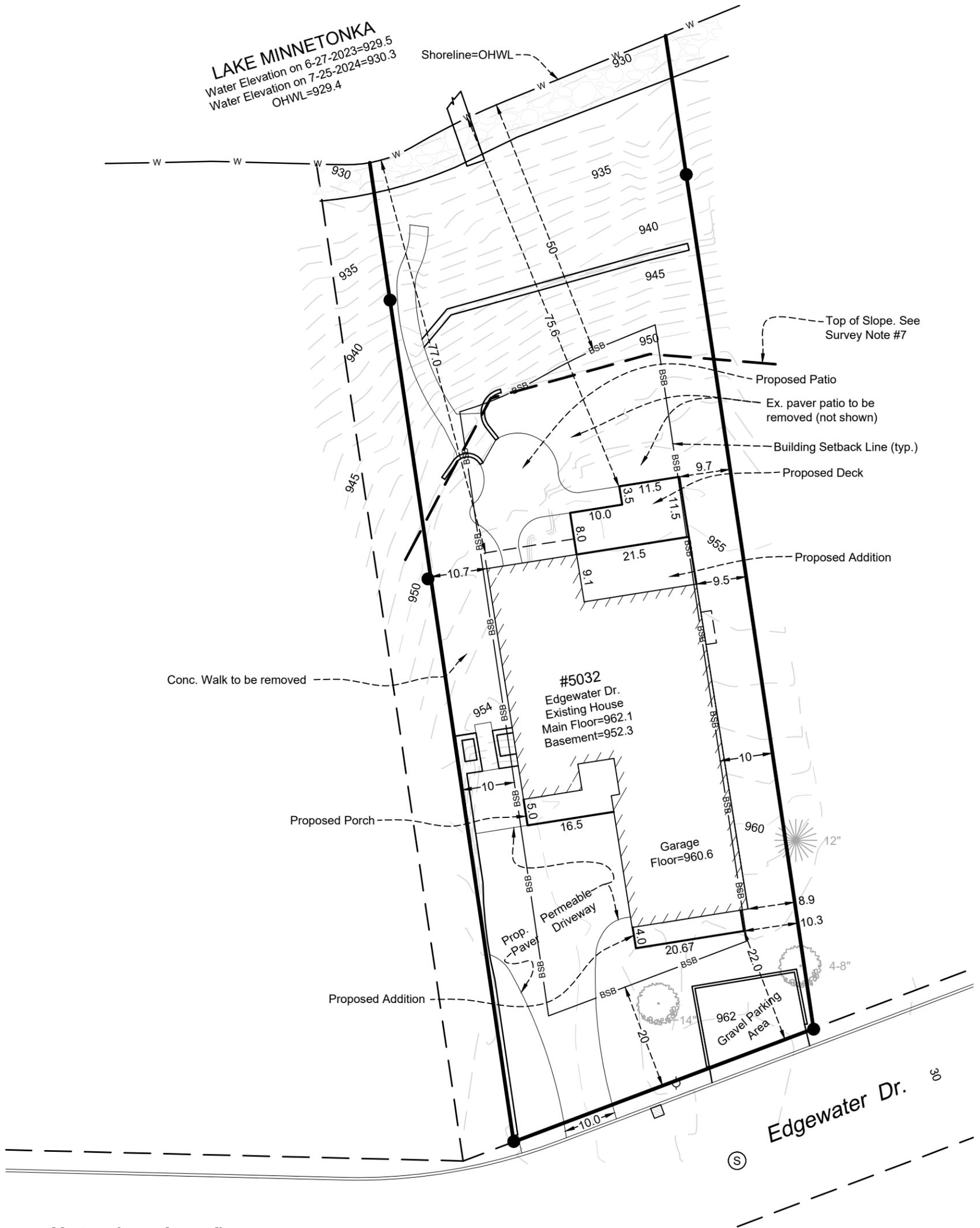
BOOK/PAGE  
003/141

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# Certificate of Survey - Proposed Features

Survey Prepared For: Patrick and Kaia Pelstring

Property Description: See Sheet 1.



## Survey Notes (continued)

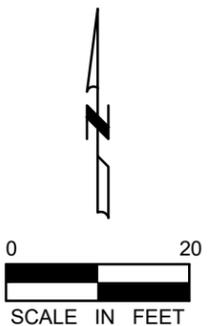
6. Impervious Surface Calculations (see worksheet for details):

Parcel Area = 11,176 Sq. Ft. = 0.26 Acre

Existing Coverage = 5,404 Sq. Ft. = 48.4%

Proposed Coverage = 3,329 Sq. Ft. = 29.8%

7. Bluff Determination. The top of the steep slope is at approximate elevation 950 to 951 and does not rise 25 feet above the Ordinary High Water Line. As such the site does not have a bluff according to Bluff Definitions in Mound City Code Sec. 129. A 1994 Survey provided by the City, performed by Frank Cardarelle (LS # 6508), does show Top and Toe of Bluff. The Top of Bluff line shown on that survey is approximately 948 to 952 elevation, also not rising 25 feet above OHWL. Perhaps a different bluff definition was in use at the time of that survey.



**LINDGREN**  
 Land Surveying

PO Box 217  
 Chanhassen, MN 55317  
 (952) 223-0063

PROJ. NO.  
 16823R

SHEET  
 2 of 2

BOOK/PAGE  
 003/141

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5032 Edgewater Drive, Mound  
 Prepared by: Eric Lindgren, PLS  
 Prepared for: Patrick and Kaia Pelstring  
 Prepared on: July 20, 2023 (Rev3 = July 30, 2024)  
 LLS Project Number: 16823R  
 All measurements in Square Feet (ft^2)

Existing Impervious Coverage:

Notes

Lot Area	11176
House with Cantilevers	2169
Bituminous Driveway and Front Stoop	1522
Retaining Wall and Steps down from driveway	126
West Side Conc. Walkway	134
Deck (with underdrain)	308
Rear Pavers and Ret Walls	1145
TOTAL:	5404
Percentage of coverage:	48.4%

\*Excludes Portion of Drive in R.O.W.

Proposed Impervious Coverage:

Notes

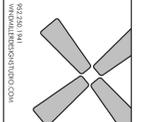
Lot Area	11176
House with Cantilevers	2149
Bituminous Driveway and Front Stoop	0
Retaining Wall and Steps down from driveway	126
West Side Conc. Walkway	0
Deck (with underdrain)	0
Rear Pavers and Ret Walls	0
Permeable Paver Driveway	151
New Front Porch/Entryway	120
Garage Addition	88
Rear Addition to house	196
Adjusted rear patio and steps to lake	505
Proposed Deck and Stairs	0
TOTAL:	3335
Percentage of coverage:	29.8%

\*Some cantilever areas now accounted for in additions

\*To be replaced with stepping stones

\*Total paver area on parcel is 1008, 15% counted as impervious

\*212 Sq. Ft. prop. deck assumed to be pervious (1/4" or greater spacing between deck boards)



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ARCHITECTURE/INTERIOR

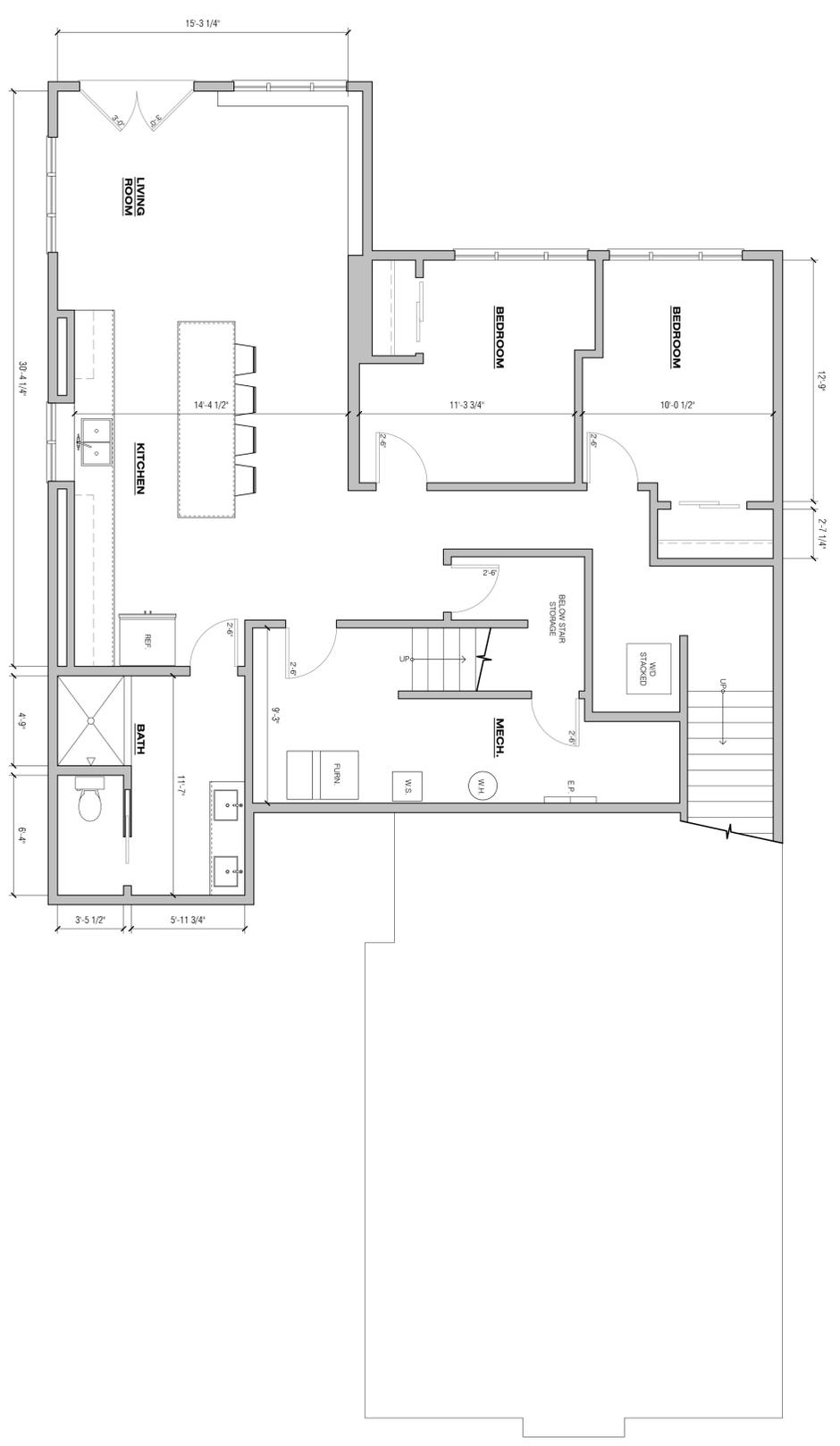
# PELSTRING RESIDENCE

5032 EDGEWATER DR MOUND MN, 55364

DATE: 8/1/24  
ISSUE DATE: 8/1/24

AB1.0  
AS-BUILT  
FOUNDATION PLAN

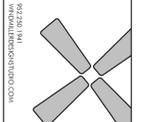
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**DRAWING KEY:**

	EXISTING STUD WALL
	EXISTING FOUNDATION WALL

1 As-Built Foundation Plan  
AB1.0 / 1/4\" = 1'-0"



9/22/20 141  
ARCHITECTURE/INTERIOR/COM

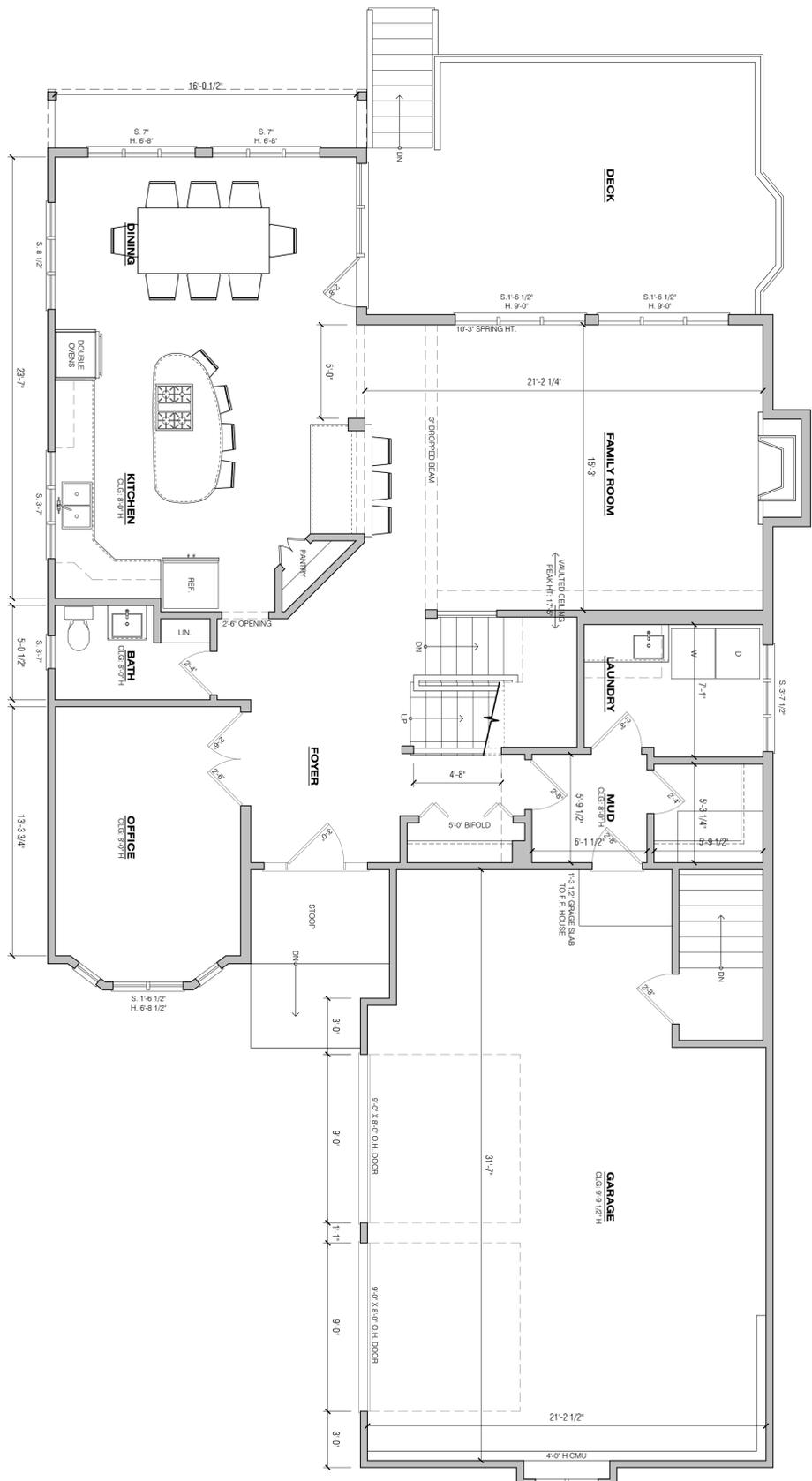
# PELSTRING RESIDENCE

5032 EDGEWATER DR MOUND MN, 55364

1. THE CLIENT HAS REVIEWED THIS SET OF DRAWINGS AND APPROVES THE INFORMATION CONTAINED HEREIN. THE CLIENT'S REVIEW IS LIMITED TO THE INFORMATION PROVIDED TO THE ARCHITECT AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED TO THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR THE CLIENT'S REVIEW OF THIS SET OF DRAWINGS.

ISSUE DATE  
8.1.24

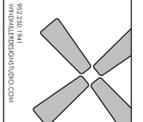
AB1.1  
AS-BUILT  
MAIN LEVEL



DRAWING KEY	
EXISTING STUD WALL	[Symbol]

1 As-Built Main Level Plan  
AB1.1 1/4" = 1'-0"

NOT FOR CONSTRUCTION



9/22/20 141  
ARCHITECTURE/INTERIOR/COM

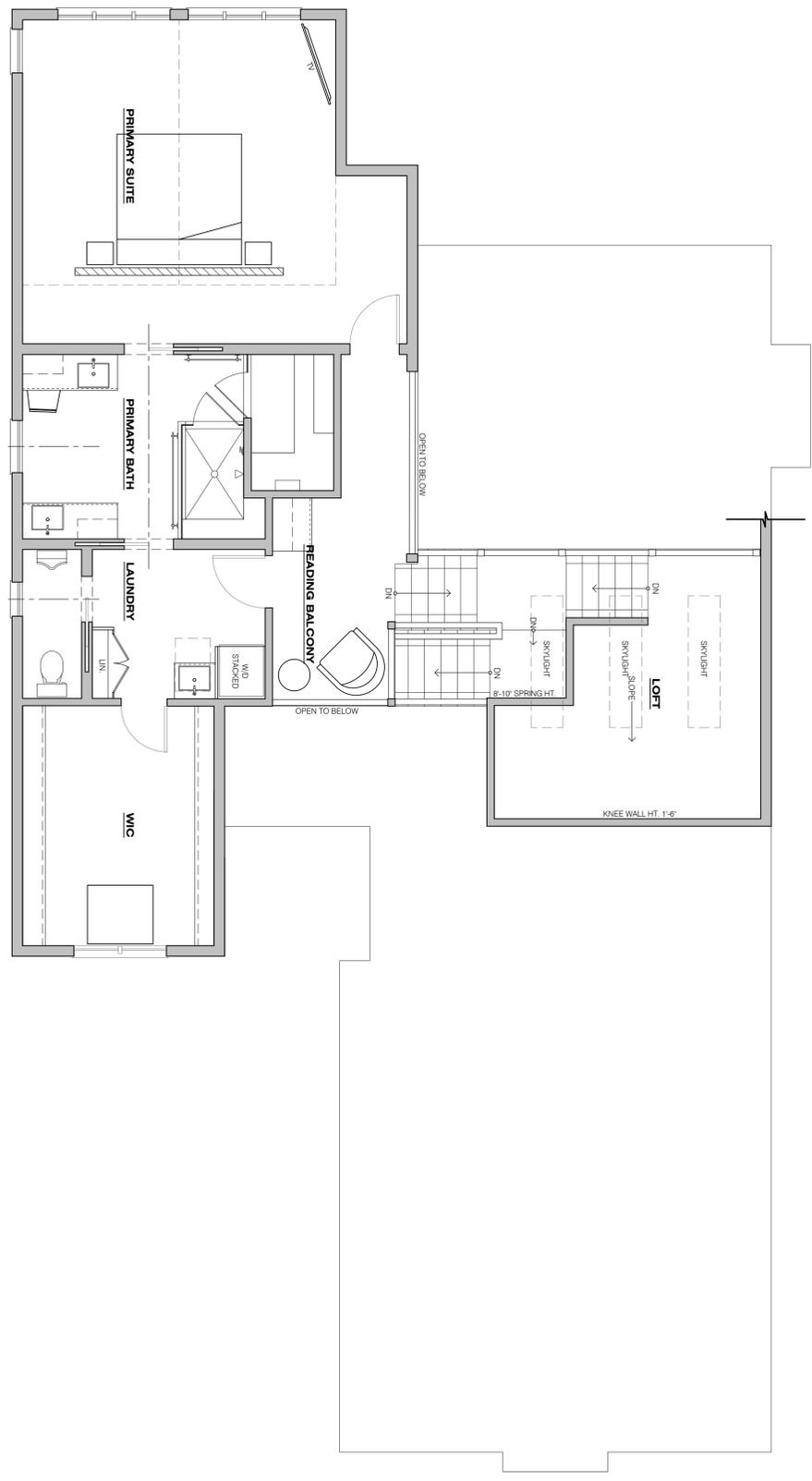
# PELSTRING RESIDENCE

5032 EDGEWATER DR MOUND MN, 55364

**NOTES**  
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED.  
2. FINISHES TO BE DETERMINED BY THE ARCHITECT.  
3. SEE SCHEDULE FOR MATERIALS AND FINISHES.  
4. SEE SPECIFICATIONS FOR CONSTRUCTION METHODS.  
5. SEE SCHEDULE FOR EQUIPMENT AND FIXTURES.  
6. SEE SCHEDULE FOR LIGHTING FIXTURES.  
7. SEE SCHEDULE FOR MECHANICAL AND ELECTRICAL SYSTEMS.  
8. SEE SCHEDULE FOR PAINTS AND COATINGS.  
9. SEE SCHEDULE FOR GLASS AND GLAZING.  
10. SEE SCHEDULE FOR METALS AND FABRICATIONS.  
11. SEE SCHEDULE FOR WOODWORK AND MILLWORK.  
12. SEE SCHEDULE FOR CERAMIC TILE AND STONE.  
13. SEE SCHEDULE FOR PLASTER AND GYPSONUM.  
14. SEE SCHEDULE FOR CONCRETE AND MASONRY.  
15. SEE SCHEDULE FOR ROOFING AND SITESWORK.

ISSUE DATE  
8.1.24

AB1.2  
AS-BUILT  
UPPER LEVEL

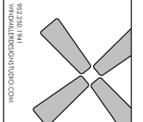


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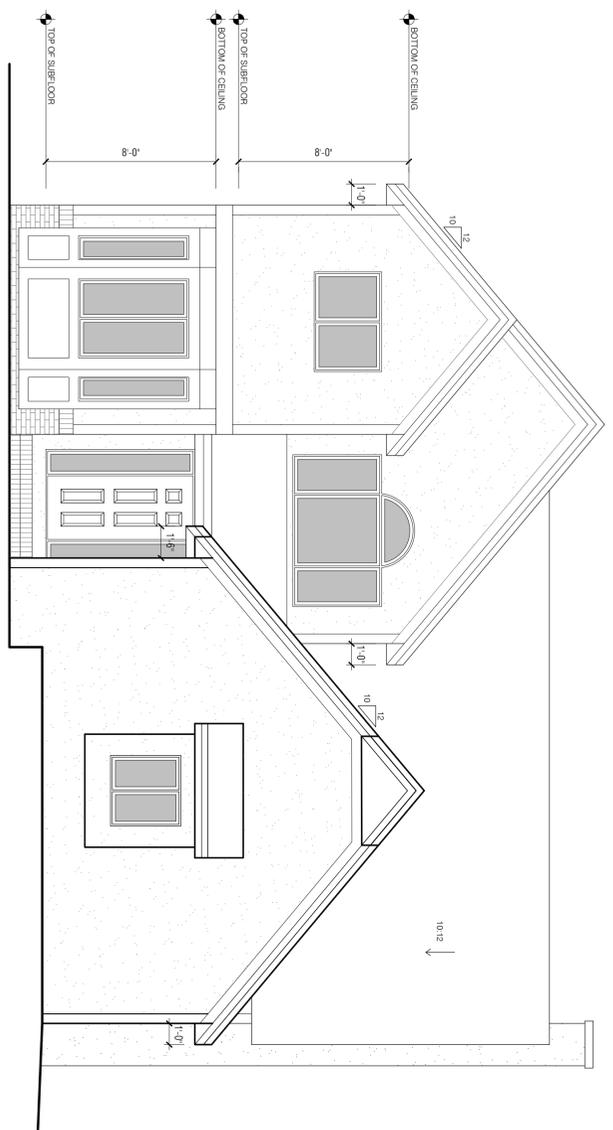
EXISTING STUD WALL	[Line style]
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1 As-Built Upper Level Plan  
A01.2 1/4" = 1'-0"

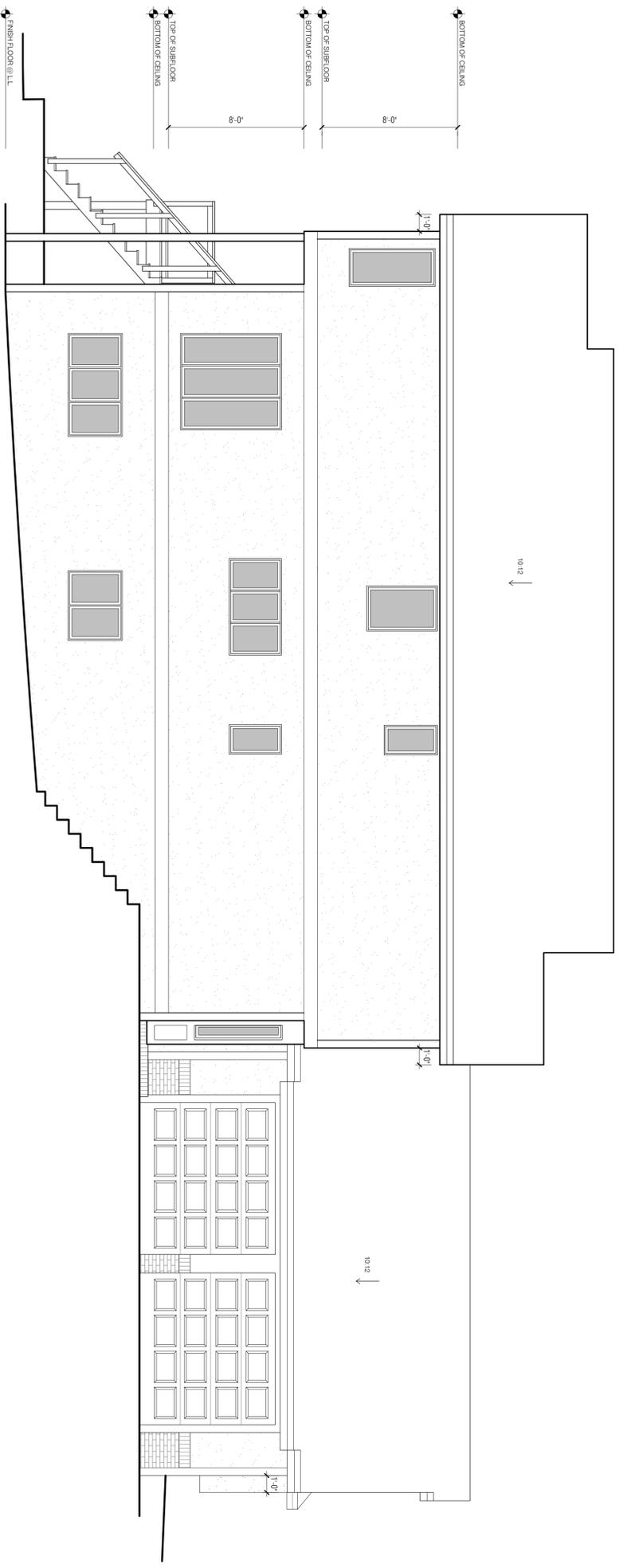
NOT FOR CONSTRUCTION



952265.141  
ARCHITECTURE/INTERIOR.COM



1  
As-Built Exterior Elevation - North  
AS2.0 1/4" = 1'-0"



2  
As-Built Exterior Elevation - East  
AS2.0 1/4" = 1'-0"

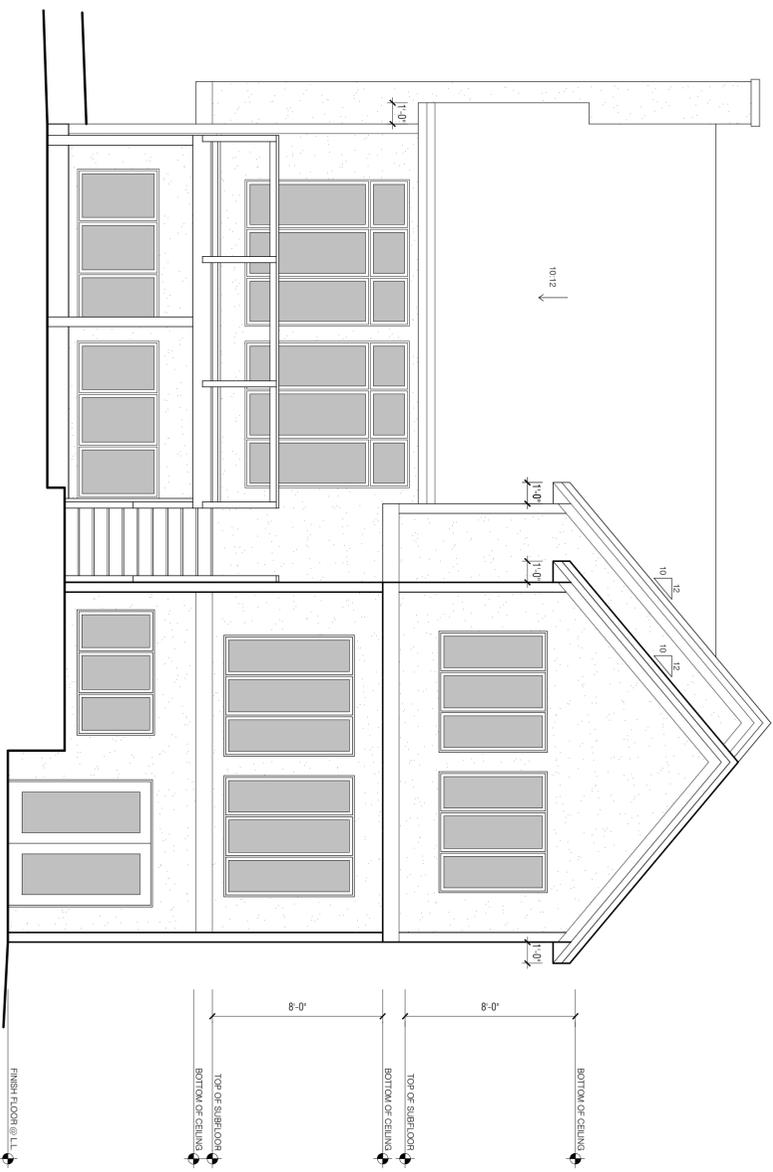
# PELSTRING RESIDENCE

5032 EDGEWATER DR MOUND MN, 55364

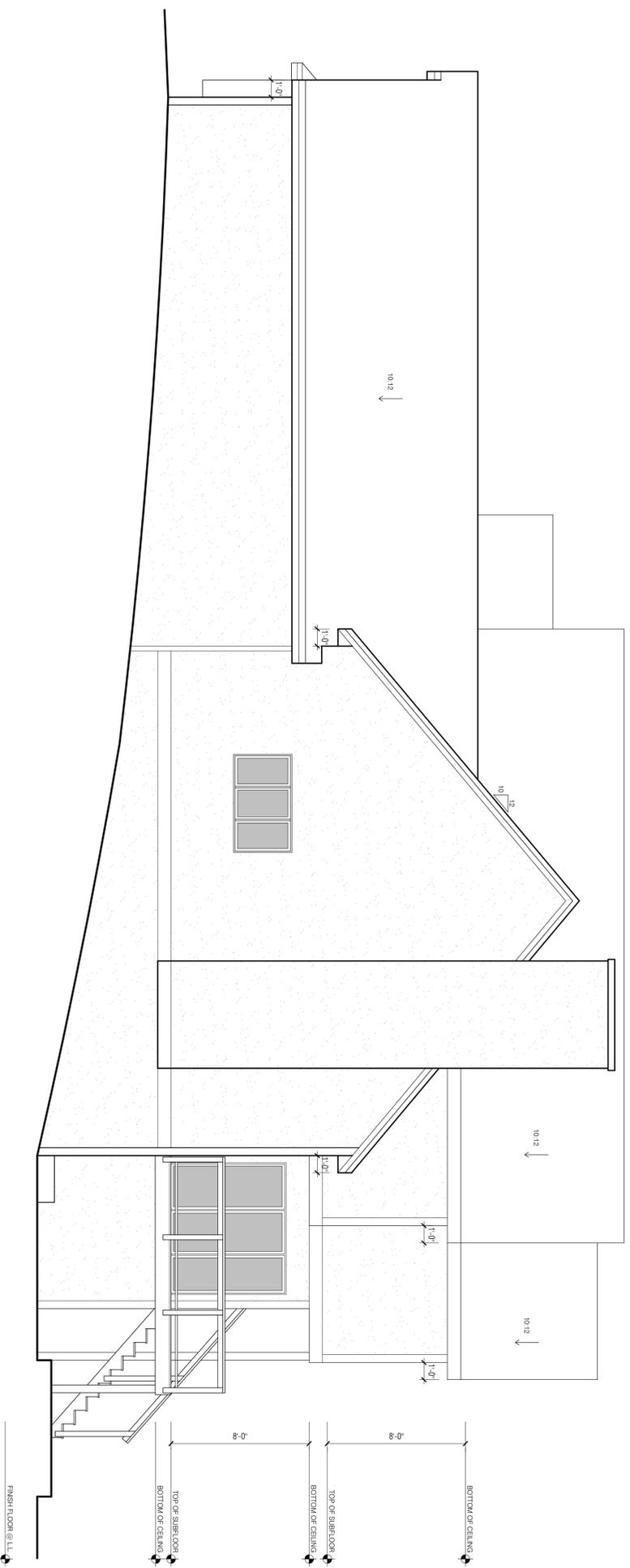
ISSUE DATE  
8.1.24

AB2.0  
AS-BUILT  
EXTERIOR ELEVATIONS

NOT FOR CONSTRUCTION



1 As-Built Exterior Elevation - South  
AS2.1 1/4" = 1'-0"

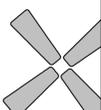


2 As-Built Exterior Elevation - West  
AS2.1 1/4" = 1'-0"

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PELSTRING RESIDENCE  
5032 EDGEWATER DR MOUND MN, 55364

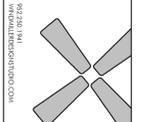
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ARCHITECTURE/INTERIOR/DOOR



DATE: 8/1/24  
ISSUE DATE: 8/1/24

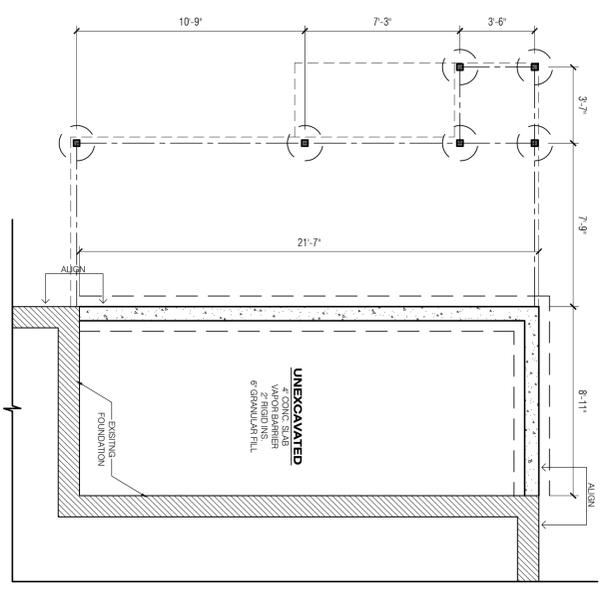
ISSUE DATE  
8/1/24

AB2.1  
AS-BUILT  
EXTERIOR ELEVATIONS

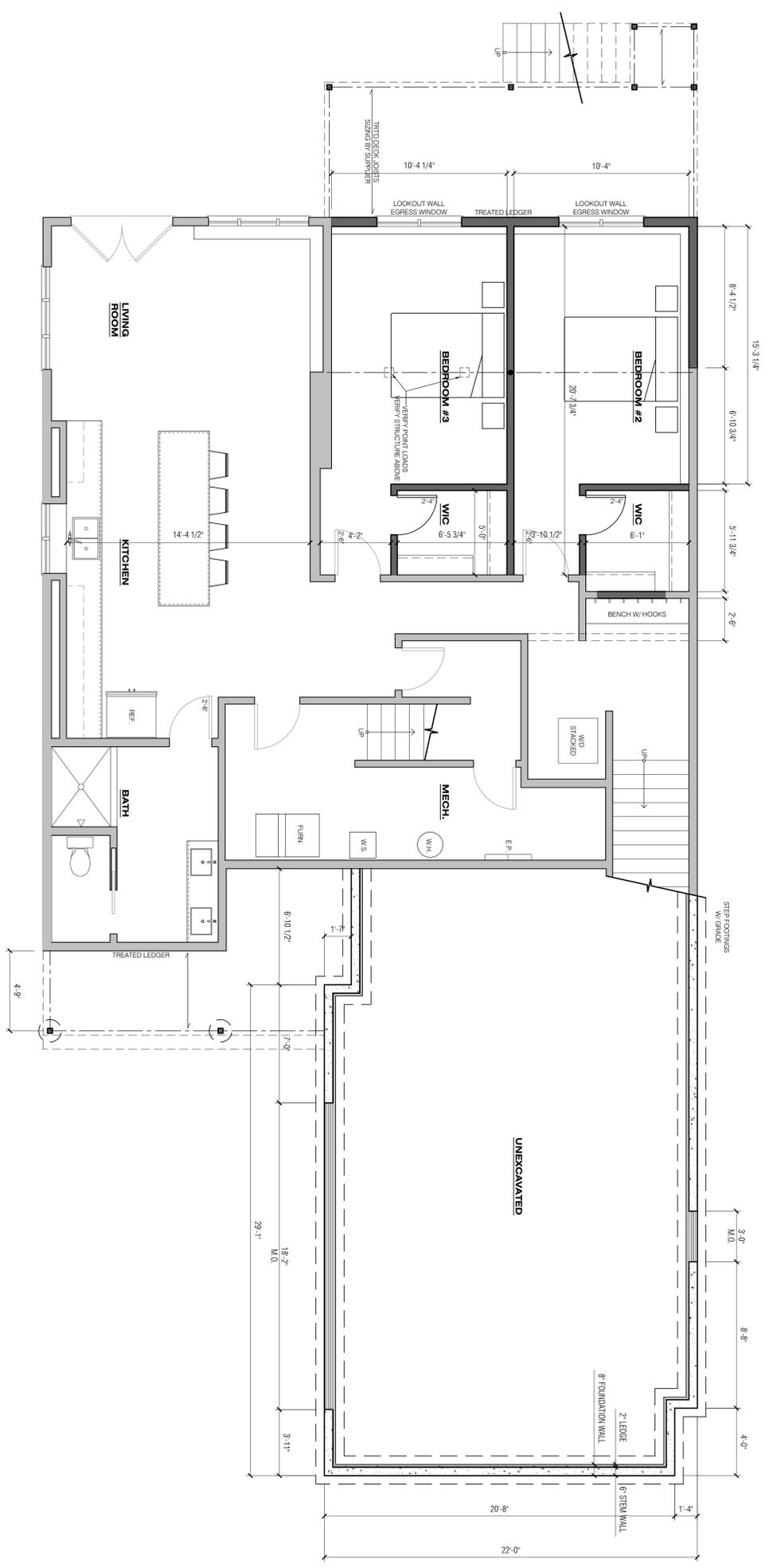


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 FOUNDATION/FOUNDATION

PELSTRING RESIDENCE  
 5032 EDGEWATER DR MOUND MN, 55364



2 Foundation Plan  
 A1.0 1/4" = 1'-0"



AREA CALCULATIONS SUMMARY - FINISHED				AREA CALCULATIONS SUMMARY - UNFINISHED				
LOWER LEVEL	UPPER LEVEL	TOTALS	EXISTING FINISHED SPACE	UNFINISHED FINISHED SPACE	TOTAL FINISHED SPACE	EXISTING UNFINISHED SPACE	UNFINISHED UNFINISHED SPACE	TOTAL UNFINISHED SPACE
1,300	1,282	2,582	194	0	194	0	0	0
1,077	1,077	2,154	0	0	0	0	0	0
<b>TOTALS</b>	<b>TOTALS</b>	<b>TOTALS</b>	<b>1,077</b>	<b>1,077</b>	<b>2,154</b>	<b>0</b>	<b>0</b>	<b>0</b>

DRAWING KEY:

	EXISTING STUD WALL
	EXISTING FOUNDATION WALL
	DEMOWALL
	NEW STUD WALL
	NEW FOUNDATION WALL

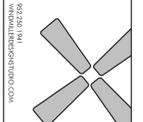
1 Lower Level Plan  
 A1.0 1/4" = 1'-0"

NOT FOR CONSTRUCTION

A1.0  
 FOUNDATION  
 PLAN

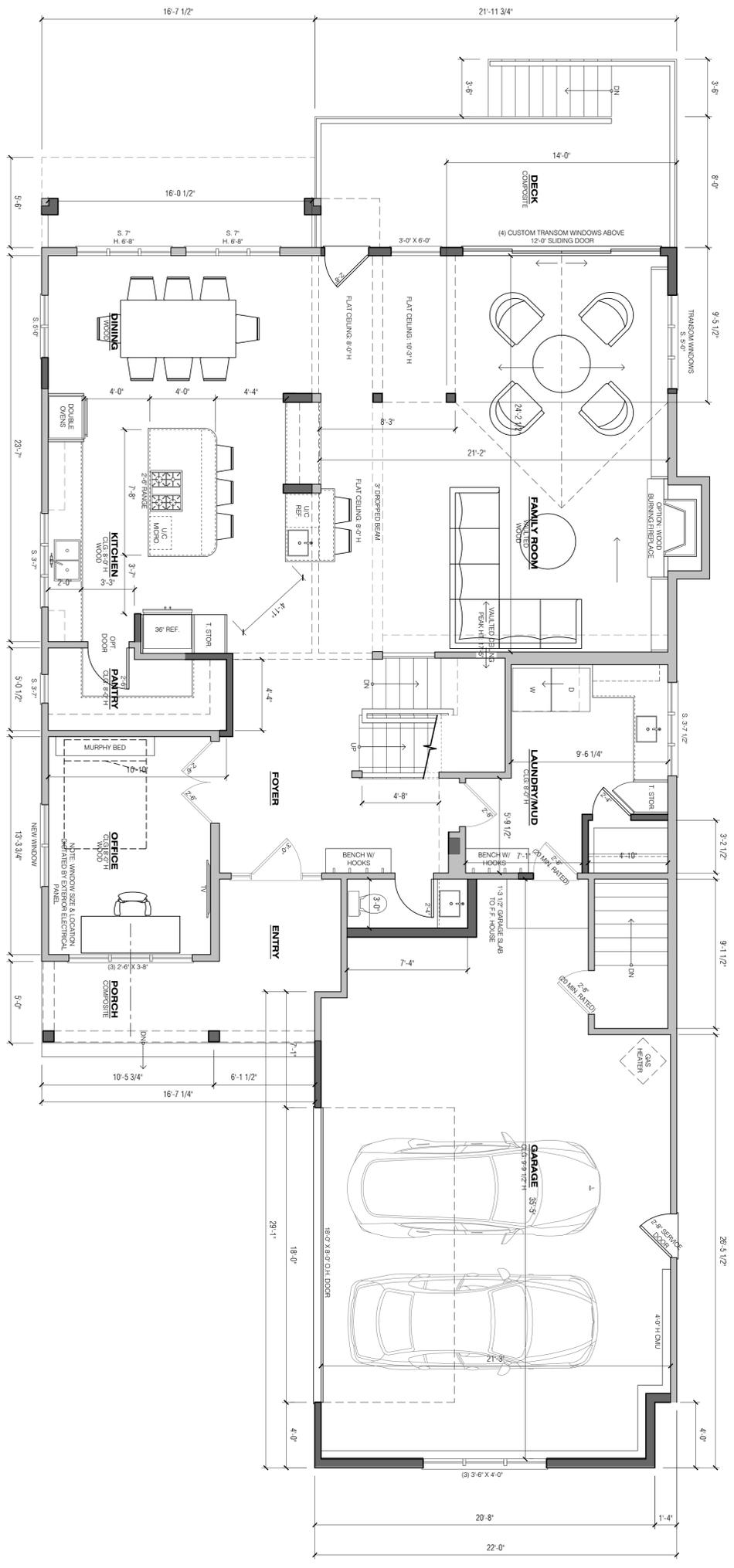
ISSUE DATE
8.1.24

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 A:\PROJECTS\2020\141\DWG\MAINLEVEL.PLM

PELSTRING RESIDENCE  
 5032 EDGEWATER DR MOUND MN, 55364



AREA CALCULATIONS SUMMARY - FINISHED				AREA CALCULATIONS SUMMARY - UNFINISHED			
LOWER LEVEL	EXISTING FINISHED SPACE	FINISHED SPACE	TOTAL FINISHED SPACE	LOWER LEVEL	EXISTING UNFINISHED SPACE	UNFINISHED SPACE	TOTAL UNFINISHED SPACE
1,300	194	1,527	1,527	0	0	0	0
1,302	205	1,527	1,527	774	0	354	1,128
1,077	678	1,755	1,755	0	0	0	0
<b>TOTALS</b>	<b>3,279</b>	<b>1,077</b>	<b>4,856</b>	<b>TOTALS</b>	<b>774</b>	<b>354</b>	<b>1,128</b>



1 Main Level Plan  
 A1.1 1/4" = 1'-0"

NOT FOR CONSTRUCTION

**A1.1**  
 MAIN LEVEL PLAN

ISSUE DATE  
 8.1.24

DATE  
 9/22/20

SCALE  
 1/4" = 1'-0"

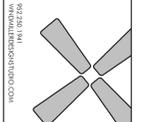
PROJECT  
 PELSTRING RESIDENCE

LOCATION  
 5032 EDGEWATER DR MOUND MN, 55364

OWNER  
 [REDACTED]

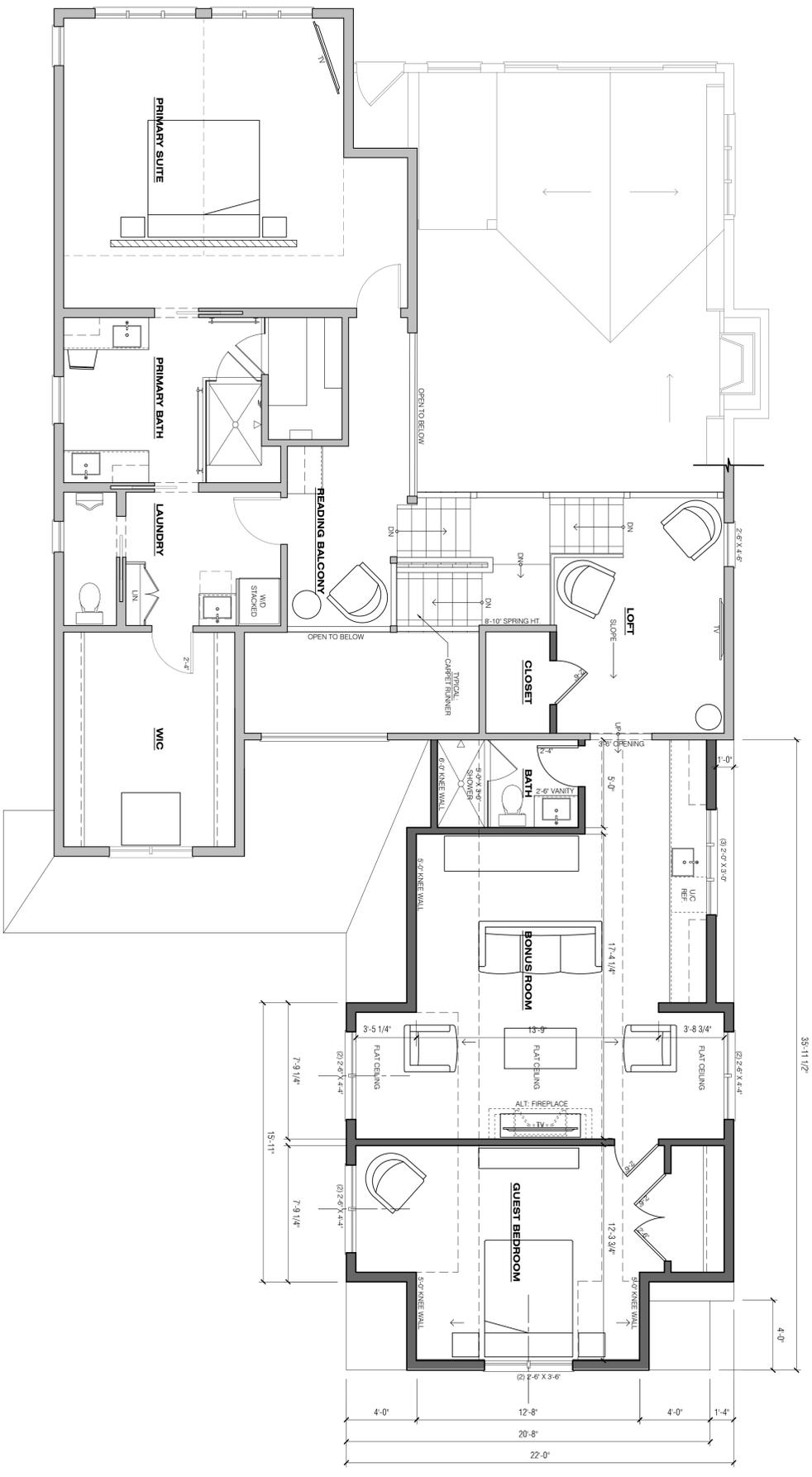
DESIGNER  
 [REDACTED]

DATE  
 9/22/20



9/23/20 141  
 A12/UPPER LEVEL PLAN

PELSTRING RESIDENCE  
 5032 EDGEWATER DR MOUND MN, 55364



AREA CALCULATIONS SUMMARY - FINISHED				AREA CALCULATIONS SUMMARY - UNFINISHED			
	EXISTING FINISHED SPACE	FINISHED SPACE	TOTAL FINISHED SPACE		EXISTING UNFINISHED SPACE	UNFINISHED SPACE	TOTAL UNFINISHED SPACE
LOWER LEVEL	1,300	194	1,494	LOWER LEVEL	0	0	0
MAIN LEVEL	1,382	205	1,587	MAIN LEVEL	774	354	1,128
UPPER LEVEL	1,077	678	1,755	UPPER LEVEL	0	0	0
<b>TOTALS</b>	<b>3,759</b>	<b>1,077</b>	<b>4,836</b>	<b>TOTALS</b>	<b>774</b>	<b>354</b>	<b>1,128</b>

DRAWING KEY:

EXISTING STUDIO WALL	
DEMOWALL	
NEW STUDIO WALL	

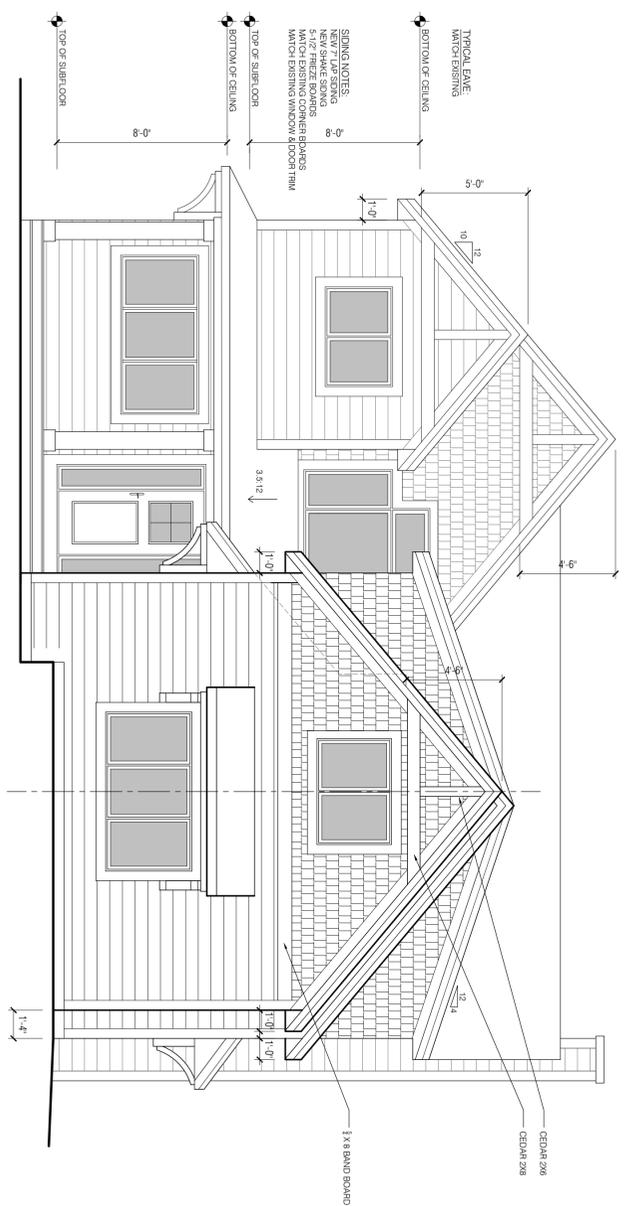
1 Upper Level Plan  
 A1.2 1/4" = 1'-0"

NOT FOR CONSTRUCTION

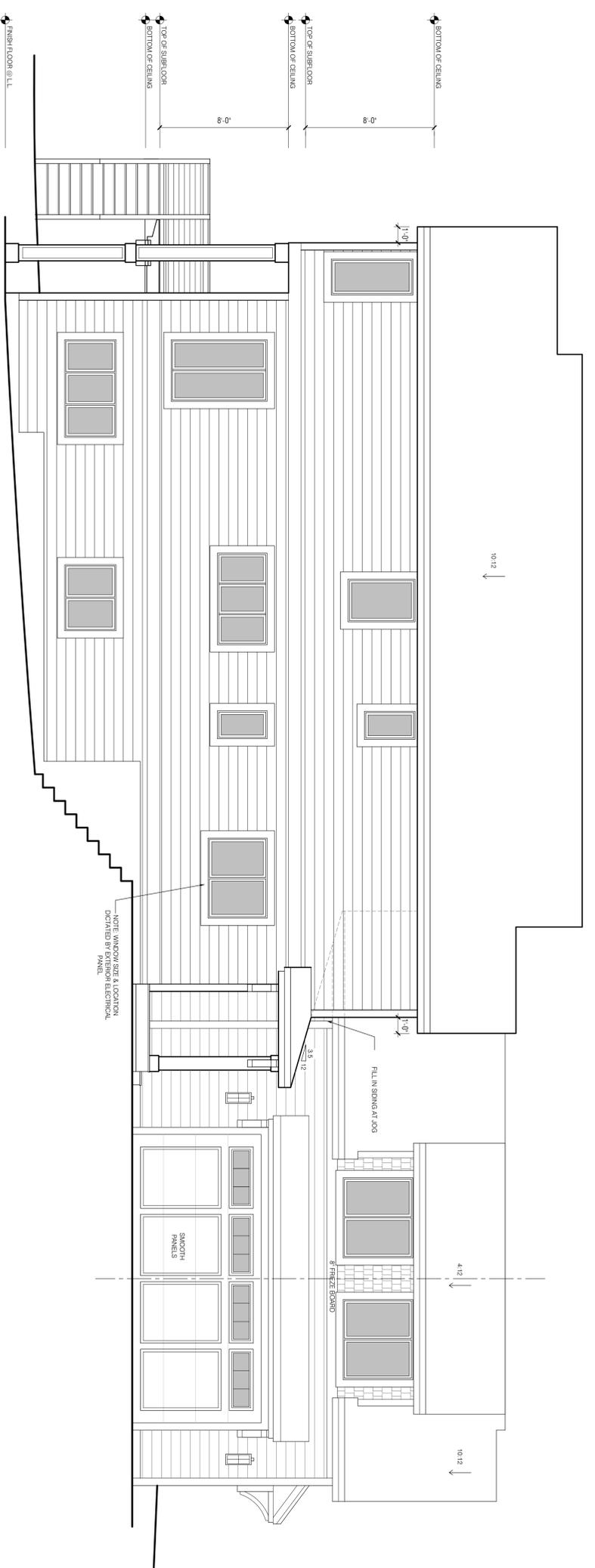
ISSUE DATE  
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A1.2  
 UPPER LEVEL  
 PLAN

Project: 2024-08-14 10:00 AM

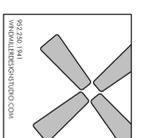


1 Exterior Elevation - South  
A2.0 1/4" = 1'-0"



2 Exterior Elevation - West  
A2.0 1/4" = 1'-0"

NOT FOR CONSTRUCTION



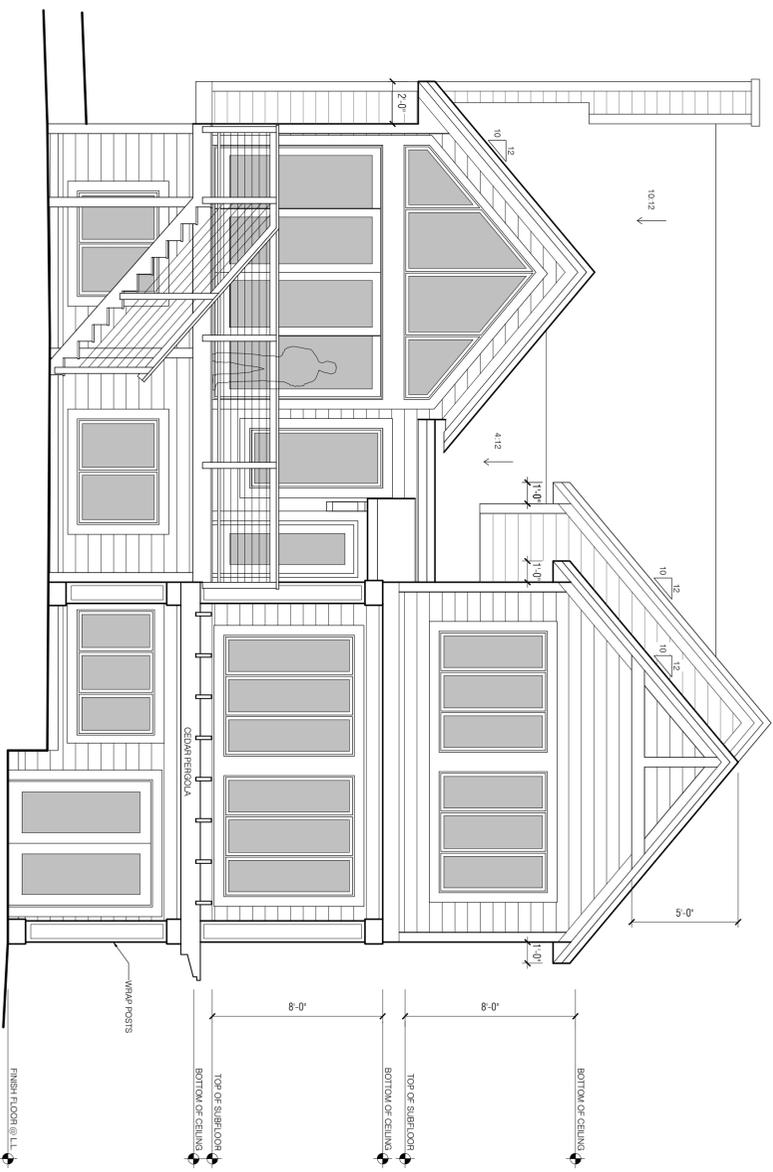
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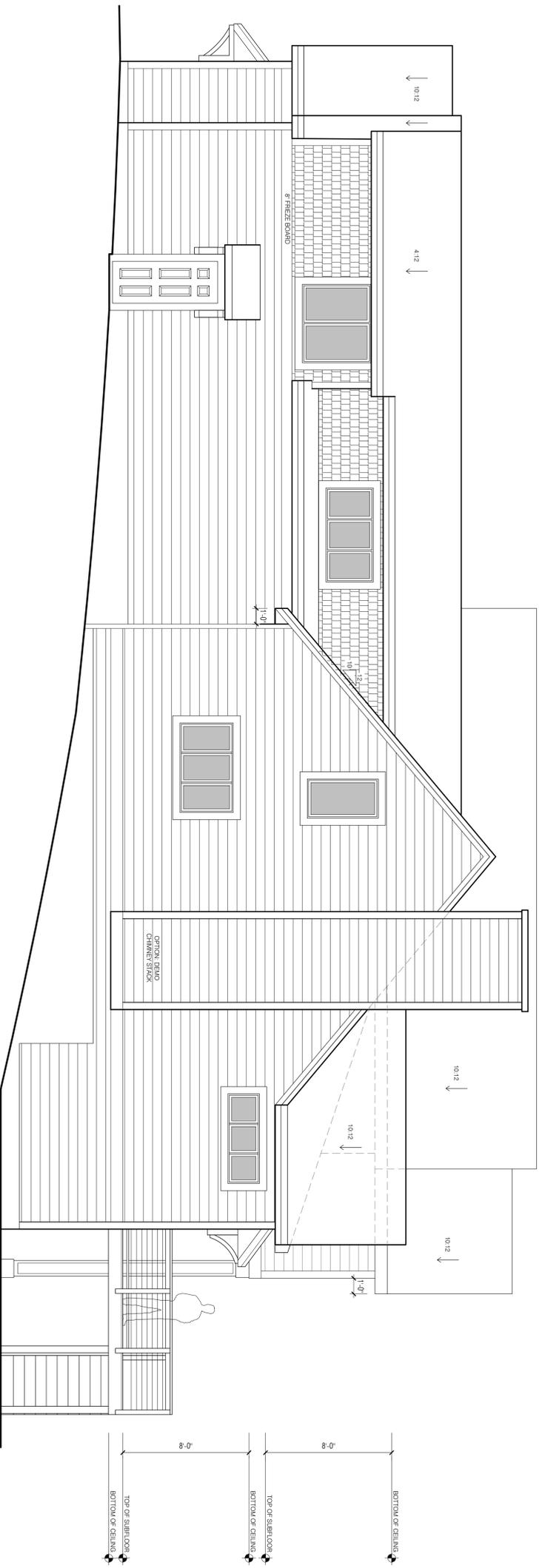
ISSUE DATE  
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A2.0

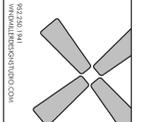
EXTERIOR ELEVATIONS



1 Exterior Elevation - North  
A2.1 1/4" = 1'-0"



3 Exterior Elevation - East  
A2.1 1/4" = 1'-0"



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ARCHITECTURE/INTERIOR

PELSTRING RESIDENCE  
5032 EDGEWATER DR MOUND MN, 55364

ISSUE DATE

8.1.24

A2.1  
EXTERIOR ELEVATIONS

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