

3800 Laverne Avenue North
Lake Elmo, MN 55042

(651) 747-3900
www.lakeelmo.org

NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday July 24, 2017 at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
 2. Approve Agenda
 3. Approve Minutes
 - a. July 10, 2017
 4. Public Hearings
 - a. **VARIANCE:** A request from Glenwood Homes for a variance from the minimum structure setback standard from the Ordinary High Water Level of a Recreational Development Lake within the Shoreland District to allow the expansion of a non-conforming structure for the property located at 8690 Lake Jane Trl N. PID #09.029.21.42.0014.
 5. Business Items
 - a.
 6. Updates
 - a. City Council Updates – 7/18/17 Meeting
 - i. Easton Village 3rd Addition Final Plat - passed
 - ii. Easton Village 3rd Addition Developer Agreement - passed
 - Staff Updates
 - iii. Upcoming Meetings:
 - August 14, 2017
 - August 28, 2017
 - iv. MAC CEP Report-none
 - v. Comprehensive Plan Update
 - b. Commission Concerns
7. Adjourn

***Note: Every effort will be made to accommodate person or persons that need special considerations to attend this meeting due to a health condition or disability. Please contact the Lake Elmo City Clerk if you are in need of special accommodations.



**City of Lake Elmo
Planning Commission Meeting
Minutes of July 10, 2017**

Chairman Kreimer called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Kreimer, Dodson, Emerson, Williams, Lundquist, Johnson, Larson and Hartley

COMMISSIONERS ABSENT: Dorschner

STAFF PRESENT: Planning Director Wensman

Approve Agenda:

The agenda was accepted as presented

Approve Minutes: June 12, 2017

M/S/P: Hartley/Dodson, move to approve the June 12, 2017 minutes as amended, **Vote: 7-0, motion carried unanimously.**

Business Item – Easton Village 3rd Addition Final Plat

Wensman started his presentation regarding Easton Village 3rd addition final plat. The final plat includes 28 single family lots that are located within an 8.53 acre area. The preliminary plat was revised with the 2nd Addition which increased the number of lots in 3rd addition area from 27 lots to 28 lots with the lot sizes being decreased. Outlot A was added for landscaping and Outlot B was moved for a trail corridor to provide better connection from the park in 1st addition. Also the eyebrows were removed. There were a few engineering comments regarding construction plans and easements. The parkland dedication will be acquired with this phase of the development. The landscape plans are generally consistent with the preliminary landscape plans, but there may be revisions to comply with City Standards. Conditions of Preliminary Plat are generally met, and anything outstanding will be made a condition of approval of final plat. The final plat is consistent with the revised preliminary plat.

There was some discussion regarding the disclosure statement to the first homeowners and the encouragement to incorporate interior noise reduction measures. There was also discussion regarding the preliminary plat condition #1 that requires adequate title evidence. Wensman stated that this condition was met.

Kreimer asked how many more phases there would be or if there was a phasing plan. Wensman stated that there will probably be one or possibly 2 more.

Johnson asked if historically there have been complaints regarding the noise at the airport. Larson stated that with the upcoming changes at the airport, there will be different types of planes that will be able to use the airport. This could include small jets which will have safety and sound impacts for the surrounding area. Wensman stated that he has not personally received any complaints. Williams stated that he has lived here since 1972 and the MAC has been receiving complaints since that time.

M/S/P: Williams/Dodson, move to add condition #10 that all title work must be submitted and accepted by the City Attorney before City officials sign the final plat, ***Vote: 7-0, motion carried unanimously.***

M/S/P: Hartley/Larson, move to recommend approval of Easton Village 3rd Addition Final Plat with the 10 conditions of approval as drafted by staff and updated by the Commission, ***Vote: 7-0, motion carried unanimously.***

City Council Updates – June 20, 2017 Meeting

- i) 9359 Jane Road – Shoreland Variance – passed
- ii) Lakewood Crossing 2nd Addition Preliminary and Final Plat & PUD – passed
- iii) Fence Ordinance – passed
- iv) Inwood 5th addition developer agreement amendment - passed

City Council Updates – July 5, 2017 Meeting

- i) Royal Golf Zoning Map Amendment – passed
- ii) Southwind Easement Vacation – passed
- iii) Southwind Final Plat – passed
- iv) Southwind Developer Agreement – passed
- v) Hidden Meadows 2nd Addition Final Plat - passed

Staff Updates

1. Upcoming Meetings
 - a. July 24, 2017
 - b. August 14, 2017
2. MAC CEP Report

Commission Concerns

Kreimer asked about the final plat for Inwood and berms. Wensman stated that there was a compromise reached between the developer and Washington County that required the developer to shave back the berm and put a wall in.

Meeting adjourned at 7:35 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant

DRAFT



STAFF REPORT

DATE: 7/24/2017

REGULAR

ITEM #: 4a

MOTION

TO: Planning Commission

FROM: Emily Becker, City Planner

AGENDA ITEM: Shoreland Variance Request to Allow Expansion of an Existing Non-Conforming Structure Which Does Not Meet Minimum Structure Setback from Ordinary High Water Level – 8690 Lake Jane Trail North

REVIEWED BY: Stephen Wensman, Planning Director

BACKGROUND:

The City has received application from Glenwood Homes of 10920 Kingsborough Ct S Cottage Grove, MN 55016 for a variance to allow expansion of a non-conforming structure which does not meet the required minimum structure setback standard from the Ordinary High Water Level (OHWL) within a shoreland district of the City's shoreland ordinance.

ISSUE BEFORE THE COMMISSION:

The Planning Commission is being asked to hold a public hearing and make recommendation on the above-mentioned variance requests.

PROPOSAL DETAILS/ANALYSIS:

Applicant: Glenwood Homes, 10920 Kingsborough Ct, Cottage Grove, MN 55016

Property Owners: Ben and Breanna Pepin, 8690 Lake Jane Trail North, Lake Elmo, MN 55042

Location: 8690 Lake Jane Trail North, PID# 09.029.21.42.0014, Lot 8, Block 1, Lake Jane Manor No. 1, Washington County, Minnesota

Request: Variance from Shoreland Standard – Expansion of a Non-Conforming Structure Not Meeting Minimum Structure Setback from the Ordinary High Water Level

Existing Land Use: Single-Family Detached Residential Dwelling

Surrounding Land Use: Surrounded by other single-family detached residential dwellings and abuts Lake Jane on the northerly side of the property

Existing Zoning: Rural Single Family/Shoreland Overlay District

Comprehensive Plan: Rural Single Family

History: The home was built in 1968, prior to the City's adoption of its shoreland ordinance.

Deadline for Action: Application Complete – 5/9/2017
60 Day Deadline – 7/8/2017
Extension Letter Mailed – N/A
120 Day Deadline – N/A

Applicable Regulations: Article V – Zoning Administration and Enforcement
Article XIX – Shoreland Management Overlay District

Request Details. The applicant is proposing to construct a 640 square foot addition, a 196 square foot porch, 188 square foot patio, and a 626 square foot addition to his garage (including a 129 square foot storage area). The applicant is not able to expand the home on the front side of the house due to septic setback standards and cannot expand the garage on the west side of the existing garage due to side yard setback standards and so is requesting that the expansions be made to the side and rear of the lot. The current home is currently non-conforming in that it is setback approximately 75 feet from the OHWL, and the required structure setback from the OHWL is 100 feet.

Lot Details. The property meets all setbacks for the Rural Single Family Zoning district but does not meet the minimum lot size requirement of 1.5 acres.

- *Area:* 29,195 square feet (0.67 acres)
- *Front yard setback:* 92.2 feet (40 feet required)
- *Side yard setback (west):* 16.4 feet (10 feet required)
- *Proposed side yard setback (east):* Approximately 28 feet (10 feet required)
- *Proposed structure setback from OHWL:* 75.1 feet (100 feet required)
- *Proposed septic setbacks:* approximately 32 feet from septic equipment and approximately 60 feet from drainfield (10 and 20 feet required, respectively)
- *Existing Impervious Surface:* 23.7% (6921 sf)
- *Proposed Impervious Surface Area:* 23.2% (6772 sf)
- *Septic Permit Needs.* The proposed addition will include a guest bedroom but will also convert an existing bedroom in to living space and therefore no septic permit or inspection is required.

Impervious Surface. The existing amount of impervious surface on the lot totals 23.7%. The proposal also includes removing 235 square feet of bituminous surface along with 1553 square feet of concrete (a total of 1788 square feet of impervious surface), reducing the total impervious surface area on the property to 23.2%. The escrow for the building permit will include the cost of removal of the impervious surface to ensure that the impervious surface on the lot does not increase as a result of the proposed additions.

Nonconformities within a Shoreland. The City’s Shoreland Ordinance states that all additions or expansions to the outside dimensions of an existing nonconforming structure must meet the setback, height, and other requirements of the Shoreland Ordinance. Any deviation from these requirements must be authorized by a variance. It should be noted that this provision in the ordinance was not drastically changed in the 2017 amendment to the Shoreland Section of the Zoning Code, as previously an improvement to a riparian substandard structure was allowed to extend laterally by a conditional use permit (as opposed to a variance), provided it was in compliance with all other dimensional standard. There is also a provision that allows setback averaging where structures exist on the adjoining lots on both sides of a proposed building site, but the existing home on the subject lot is closer to the OHWL than those of adjoining properties.

Minnesota Department of Natural Resources (MNDNR) Review. Per State Statute, the City is required to notify the MNDNR of variance requests within a shoreland district. The MNDNR has reviewed and responded to this variance request, and their response is attached to this report. The MNDNR has recommended that if this variance is granted, that the City include the condition that the impervious surface created by the further encroachment of the structure within the required setback from the OHWL be mitigated. The MNDNR has specifically recommended that the condition be that the Applicant direct rain gutter discharges into a rain garden (infiltration basin designed to capture and infiltrate runoff). However, because the Applicant is actually reducing the impervious surface on the lot, especially that within the required structure setback from the OHWL, Staff does not recommend that this condition be added. This

condition has been recommended by Staff in previous variance requests due to MNDNR recommendation, but that was because the impervious surface was increased. The Planning Commission may wish to recommend a different form of mitigation, such as recommending a condition that the Applicant use pervious pavers on the patio. Staff has recommended adding a condition of approval that an escrow in the amount of an estimated cost of the removal of the existing bituminous and concrete surface be provided with issuance of the building permit so that the City may ensure its removal.

RECOMMENDED FINDINGS:

An applicant must establish and demonstrate compliance with the variance criteria set forth in Lake Elmo City Code Section 154.017 before an exception or modification to city code requirements can be granted. These criteria are listed below, along with recommended findings from Staff regarding applicability of these criteria to the applicant's request.

- 1) **Practical Difficulties.** A variance to the provision of this chapter may be granted by the Board of Adjustment upon the application by the owner of the affected property where the strict enforcement of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration and then only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter. Definition of practical difficulties - "Practical difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control.

FINDINGS: The subject property was platted and the house was built prior to adoption of Shoreland standards by the City and therefore the house does not meet the minimum structure setback requirement from the Ordinary High Water Level and is legal non-conforming. The property owner wants to expand the current home, and because of the location of the septic tank and septic mound in the front yard, it is not an option to do so in the front of the existing house.

- 2) **Unique Circumstances.** The plight of the landowner is due to circumstances unique to the property not created by the landowner.

FINDINGS: The property owner did not plat the lot or construct the original home, which were both done prior to adoption of the City's shoreland standards.

- 3) **Character of Locality.** The proposed variance will not alter the essential character of the locality in which the property in question is located.

FINDINGS: The proposed additions do not encroach any further than the existing deck in to the setback from the Ordinary High Water Level of Lake Jane. The proposed addition will not further impair lake views for adjacent or nearby property owners.

- 4) **Adjacent Properties and Traffic.** The proposed variance will not impair an adequate supply of light and air to properties adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood.

FINDINGS. The proposed addition will not further impair lake views of neighboring properties. It also will not increase congestion of public streets or substantially diminish or impair property values within the neighborhood.

FISCAL IMPACT:

None.

OPTIONS:

The Planning Commission may:

- Recommend approval of the variance request, subject to the condition of approval as recommended by Staff.
- Amend condition of approval as recommended by Staff and recommend approval of the variance requests, subject to amended condition(s) of approval.
- Recommend denial of the variance requests.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the request by Glenwood Homes for a shoreland variance request from the minimum structure setback from the Ordinary High Water Level for the property located at 8690 Lake Jane Trail North. Staff also recommends the following condition of approval:

- 1) The Applicant shall secure any required permits and plan approvals from the City and other applicable jurisdictions.
- 2) The Applicant shall provide an escrow in the amount of an estimated cost of the removal of the existing bituminous and concrete surface as shown on the proposed survey.

The suggestion motion for taking action on the Staff recommendation is as follows:

“Move to recommend approval of the request for shoreland variance from the minimum structure setback from the Ordinary High Water Level for the property located at 8690 Lake Jane Trail N, subject to conditions of approval as recommended by Staff”

ATTACHMENTS:

- Application with narrative and survey
- MNDNR comments

Date Received: _____
Received By: _____
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

- Comprehensive Plan Zoning District Amend Zoning Text Amend Variance*(see below) Zoning Appeal
- Conditional Use Permit (C.U.P.) Flood Plain C.U.P. Interim Use Permit (I.U.P.) Excavating/Grading
- Lot Line Adjustment Minor Subdivision Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan PUD Preliminary Plan PUD Final Plan Wireless Communications

Applicant: GLENWOOD HOMES
Address: 10920 KINGSEBOROUGH CT
Phone # 651-261-7931
Email Address: MORGAN@GLENWOODHOMESL.L.C.COM

Fee Owner: BEN & BREANNA PERIN
Address: 8690 LAKE JANE TRAIL N
Phone # 651-428-4191
Email Address: _____

Property Location (Address): 8690 LAKE JANE TRAIL N
(Complete (long) Legal Description: SEE SURVEY - L&B1 LAKE JANE MANOR No. 1)
PID#: _____

Detailed Reason for Request: WE ARE SEEKING A LAKE SHORE SETBACK AND WADGEFACE RATIO VARIANCE

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

CURRENT PROPERTY HAS LOT BORDER ON GARAGE SIDE AND SEPTIC TO FRONT SO ONLY LEAVES REAR AND HOUSE SIDE, WHICH IS WHERE ARE MAKING THE IMPROVEMENTS.

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 6.26.17

Signature of fee owner: [Signature] Date: _____

Ben J Perin



Lake Elmo City Hall
651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant  Date 6-26-17

Name of applicant MORGAN JENKINS Phone 651.261.7931
(Please Print)

Name and address of Contact (if other than applicant) GLENWOOD HOMES

10920 KINGSBUROUGH CT.

COTTAGE GROVE, MN 55016



Lake Elmo City Hall
651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant BEN AND BRENDA PEPIN
(Please Print)

Street address/legal description of subject property 3690 LAKE JANE TRAIL N.
LS B I LAKE JANE MANOR No. 1

 Signature Ben J Pepin 6-26-17 Date

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.



City of Lake Elmo
Escrow Agreement for Municipal Review Services
Deposit Agreement

THIS AGREEMENT is made this 26 day of JUNE 2017, by the Applicant and Owner (hereinafter individually and collectively referred to as "Applicant") in favor of the City of Lake Elmo, a municipal corporation of Minnesota (hereinafter referred to as "City").

A. "Applicant" whose name and address is:

GLENWOOD HOMES
10920 KINGSBOROUGH CT
COTTAGE GROVE, MN 55016

B. "Owner" whose name and address is:

BEN & BREANNA PEPIN
2690 LAKE JANE TRAIL N
LAKE ELMO, MN

RECITALS

WHEREAS, the Applicant has applied to the City for approval for one or more of the following:
 (Circle One)

- 1. Concept / Sketch Plan
- 2. Preliminary Plat
- 3. Final Plat
- 4. Planned Unit Development
- 5. Open Space Development
- 6. Conditional Use Permit
- 7. Commercial Zoning / Use
- 8. EAW Review

WHEREAS, the Applicant acknowledges the receipt of benefit to the property, from the City's technical and compliance review of the application; and

WHEREAS, under authority granted to it, including Minnesota Statutes Chapters 412 and 462, the City will process the application on the condition that the Applicant enter into this Deposit Agreement, which agreement defines certain duties and responsibilities of the Applicant, as well as the City; and the Applicant shall provide cash to the City in the amount satisfactory to the City; and provide security to the City for the payment of all review costs incurred by the City.

NOW THEREFORE, the City and Applicant agree as follows:

1. **Requirement.** The Applicant is required to make the necessary deposits prior to the process of municipal planning, public works, legal & engineering review commences.
2. **Review Process.** Applicant acknowledges and agrees that the City shall commence to review and process the review request checked above at such a time that this Agreement is executed by all parties and the cash required for the specific review is deposited and posted by the City's Finance Department. The City may provide a review completion schedule to the Applicant at the time of deposit. The City reserves the right to modify the schedule based on the completeness of the application, the need for additional information for review, or revisions to the application that may occur during the scheduled review.
3. **Use of Deposited Funds.** The City may draw upon the deposits to pay the costs it incurs in connection with reviewing the application. The City shall determine all of its costs, including both administrative and consulting services, at the rates charged by the City or its consultants, determined according to the City's adopted fee schedule. A copy of the current administrative and consulting rates is attached as Exhibit "A", which rates are subject to change by the City, without notice to the Applicant. Exhibit "A" should not be construed as an exhaustive list of consultants and Applicants shall be responsible for all other consulting fees related to the application. The City shall provide Applicant with the applicable rates for consultants used in the review prior to commencement. This Agreement does not pertain to ancillary charges incurred by reviewing of other governmental bodies, including but not limited to, Soil & Water Conservation Districts, Washington County Government, Water Shed, or any other unit of government that may, by right, have review authority.
4. **Conditions of Deposit.** The following stipulations and conditions shall apply to the deposit account for review services contemplated under this Agreement.
 - a. Payment shall be made to City consultants, included but not limited to legal and planning, in the amounts billed to the City, according to consulting rates in effect at the time of the execution of the agreement. Such consulting deemed necessary for the proper review of the application shall be at a usual and customary rate as it relates to the subject matter of the application for payment as determined by the City.
 - b. The City shall reimburse itself from deposit accounts for all costs and expense incurred by the City in connection with the implementation and enforcement of this Agreement. Reimbursement shall occur on a monthly basis and the City's Finance Department shall notify Applicant of the reimbursement via account reconciliation report.
 - c. The City shall not be responsible for paying any interest on the money deposited under the Agreement.
 - d. If in the discretion of both the City's Finance Department and the Community Development Department, there is deemed to be an inadequate balance in the deposit account to pay for all fees and costs incurred by the City, the City will notify the Applicant for the need for an additional deposit. The total of the additional deposit shall be calculated by City staff based on the amount of work yet to be completed in the review of the application. Applicant

agrees to make the additional deposit within (10) days of a receipt of such notice. For purposes hereof, receipt of notice shall be deemed made upon the depositing of the notice in the U.S. Mail, postage paid. In the event, the Applicant fails to make the additional deposit with (10) days of receipt of the notice, the City will terminate its review process and not re-commence until the appropriate deposit is made and posted by the City's Finance Department.

e. No applications will be processed or forwarded to the appropriate governing reviewing body by the City until all amounts due under this Agreement have been paid in full.

5. **Positive Balance in Escrow Accounts.** Upon the happening of any of the following events, the balance in the deposit account less outstanding fees shall be paid to the Applicant within (90) days of receipt by the City of a written request by the Applicant for payment: (1) completion of the development process; or (2) the application is withdrawn by the Applicant; (3) the applicant is denied by the City for any reason.
6. **Deposit Amounts.** The initial deposit amount contemplated for each the purposes described under the Agreement, which may be revised by the City from time to time, are set forth for Exhibit "B" attached hereto.
7. **Accounting.** If there has been activity in the account, the City will provide a monthly accounting of all expenses charged against the account or when requested by the Applicant. An accounting will also be provided when the City notices the need for an additional escrow deposit.
8. **Terms of Breach.** In the event of any terms of this Agreement are breached by the Applicant, including, but not limited to failure to make additional deposits when required by the City, the City may cease processing any application submitted by the Applicant or order the Applicant to cease any further development or progress under the terms of this Agreement, or both. Applicant indemnifies and holds the City harmless from any liability, claim, action or suit by or any obligation to the Applicant arising from or in connection with the City exercising or enforcing the terms and conditions of this Agreement or action on the Application. The Applicant shall pay all costs and expenses, including reasonable attorney fees and suit costs, incurred by the City arising from or in connection with the City any terms and conditions of this Agreement.
9. **Validity.** If any portion, section, subsection, sentence, clause, paragraph or phrase of this Agreement is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portion of this Agreement.
10. **Binding Agreement.** The parties mutually recognize and agree that all terms and conditions of this Agreement shall run with the land herein described and shall be binding upon the heirs, successors, administrators and assigns of the parties referenced in this Agreement.
11. **Amendments.** The terms of this Agreement shall not be amended without the written consent of the City and all parties hereto.

[Signature Page Follows]



MORGAN JENKINS
Residential Design LLC

Project Site Variance Description Supplement

June 26, 2017

Subject:

This is brief description of the variance requests for the project located at 8690 Lake Jane Trail North, Lake Elmo.

Description:

The current site is a lakeside site with an existing property and an onsite septic area. The current house does not meet building conditions including setbacks to lake OHWL and hard surface area coverage ratio.

Proposed Home:

The proposed remodeled home will require two variances:

1. The lakeside setback of the existing property is currently 73.1'. This is nonconforming to the city ordinance for septic serviced lakeside lots lakeside setback of 100.0'. We are requesting a variance of 26.9' this would match the existing house; we are not looking to encroach any closer than the existing condition. This is still well beyond the DNR shoreline ordinance of 50'. This variance would be a requirement of any applicant requesting any permit for this property due to the existing house position. Please keep in mind the existing does not meet the setback ordinance. See the survey for actual dimensions.
2. The current property has a hard surface coverage area ratio of 23.7% we are proposing to remove and reduce this to 23.2%. This is a significant improvement to the existing conditions. Please keep in mind the existing property does not meet the ratio currently. See the survey for the actual calculations.

In general, each of the above variance requests meets the criteria of approval under the city variance provisions listed in city code.

In addition, any modification to one request would most likely result in a negative way to another. The footprint of the proposed home has been designed to work within the lakeside setback existing, and reduce the hard surface area, and lastly, been designed from the exterior to be a major improvement to the site and to the city neighborhood landscape.

Design Principles- Narrative

8690 Lake Jane Trail North

Lake Elmo, MN

1. **Regionalism:** The design reflects on stone material from the region, and shake siding from lakeshore inspired architecture of older area homes.
2. **Context:** This project is situated on a lot with an onsite septic treatment area in the front of home leaving no area for improvement. The existing home is positioned against the garage side lot line setback with no room for improvement. The rear of the home fronts on Lake Jane and is currently setback approximately 73' to the OHNL, leaving no improvement without encroaching closer to the lake. There is currently room to the house side to the eastern lot line. Due to the existing house position there are only two areas where applicate can make improvements without negatively impacting the lakeside setback or hard surface ratio.
The proposed additions to the house occur in these areas. However, due the removal of existing concrete hard surface areas we are proposing a reduction in hard surface area ratio from 23.7% to 23.2%. Approval of our requests will result in an improvement to the existing conditions.
3. **Scale & Massing:** I feel we have done a good job of blending the needed space and the proportions; this house does not feel big, but rather "fits" the existing house style and does not overpower the rear lakeside elevation.
4. **Composition:** Again as mentioned in item 3, I believe the house presents itself very well. Smaller multi- level, moving to modern design elevation, and anchored by quality materials.
5. **Hierarchy:** The plan uses elements at the front complimented with window placement and detailed trim work.
6. **Color:** Selection for exterior colors has not been finalized but will reflect an lakeshore inspired base of colors.
7. **Detail & Craftsmanship:** Glenwood Homes is the general contractor for this project and has a history of producing a high level of quality and service to his clients and is commitment to building only a quality product. Morgan Jenkins Residential Design is the designer of the project and has a history of producing quality designed projects for clients and has more than 25 years of designing homes on lakes all over the Twin Cities and surrounding communities. More information is available if requested.
8. **Transformation:** This home is being designed and built for the sole use of the current Owners, but has been given attention to qualities that will make it attractive to the community.
9. **Simplicity:** This home requires careful attention to its multi-level plan and position on the site. The challenge is the available space for improvement. This small home manages to function well as a whole to meet the needs of the owner and is a good fit for the neighborhood. The existing home has manu current conditions that affect the remodelina neaativelu. and this plan will improve the existing conditions. Therefore we respectfully ask for the relaxation of the hard surface ratio to 23.2% and the lakeside setback to the existing 73.1' as per the survey submitted. These needed approvals will make this a house that will be an attractive and beneficial building to the city of Lake Elmo.

CERTIFICATE OF SURVEY

~for~ GLENWOOD HOMES, LLC
 ~of~ 8690 LAKE JANE TRAIL NORTH

VICINITY MAP

PART OF SEC. 9, TWP. 29, RNG. 21



WASHINGTON COUNTY, MINNESOTA
(NO SCALE)

NORTH

GRAPHIC SCALE



1 INCH = 20 FEET

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
 - DENOTES IRON MONUMENT SET, MARKED RLS# 41578
 - DENOTES AIR CONDITIONING UNIT
 - DENOTES ELECTRICAL BOX
 - x 952.36 DENOTES EXISTING SPOT ELEVATION
 - ⊕ DENOTES GAS METER
 - ⊖ DENOTES GUY WIRE
 - ⊞ DENOTES MAILBOX
 - ⊙ DENOTES POWER POLE
 - ⊚ DENOTES SEPTIC MANHOLE
 - ⊛ DENOTES SIGN
 - ⊜ DENOTES WELL
 - ⊝ DENOTES EXISTING CONTOURS
 - ⊞ DENOTES OVERHEAD WIRES
 - ⊟ DENOTES RETAINING WALL
 - ⊠ DENOTES BITUMINOUS SURFACE
 - ⊡ DENOTES CONCRETE SURFACE
 - ⊢ DENOTES IMPERVIOUS SURFACE REMOVAL
- TREE DETAIL:**
- Denotes Elevation
 - Denotes Tree Quantity
 - Denotes Tree Size in Inches
 - Denotes Tree Type

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 1/13/17.
- Bearings shown are on Washington County datum.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.

LEGAL DESCRIPTION

Lot 8, Block 1, LAKE JANE MANOR NO. 1, Washington County, Minnesota.

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.

Jason E. Rud
 JASON E. RUD

Date: 6/27/17 License No. 41578

IMPERVIOUS COVERAGE

EXISTING:

Lot area above OHW: 29,195 sq. ft.
 Existing house/garage: 2,226 sq. ft.
 Existing bituminous drive: 1,874 sq. ft.
 Existing concrete: + 2,821 sq. ft.
 Total existing impervious area: 6,921 sq. ft.
 23.7%

PROPOSED

Lot area above OHW: 29,195 sq. ft.
 Existing house/garage: 2,226 sq. ft.
 Existing bituminous drive: 1,874 sq. ft.
 Existing concrete: + 2,821 sq. ft.
 Total existing impervious area: 6,921 sq. ft.
 23.7%

Proposed garage: + 626 sq. ft.
 Proposed addition: + 629 sq. ft.
 Proposed patio: + 188 sq. ft.
 Proposed porch: + 196 sq. ft.
 Bituminous removals: - 235 sq. ft.
 Concrete removals: - 1,553 sq. ft.
 Total proposed impervious area: 6,772 sq. ft.
 23.2%



BENCHMARK

MNDOT GSID STATION #33636
 MNDOT NAME: MICHAEL MN163
 ELEVATION: 919.421 (NGVD 29)

E. G. RUD & SONS, INC.
 EST. 1977
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701

DRAWN BY: BPN	JOB NO: 17018BT	DATE: 1/18/17	
CHECK BY: JER	SCANNED <input type="checkbox"/>		
1	2/22/17	ADDED PROPOSED ADDITIONS BPN	
2	6/27/17	REVISED IMPERVIOUS COVERAGE CMB	
3			
NO.	DATE	DESCRIPTION	BY



MORGAN JENKINS

Residential Design, LLC

10920

KINGSBOROUGH COURT

COTTAGE GROVE

MN. 55016

651-261-7931

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GLENWOOD



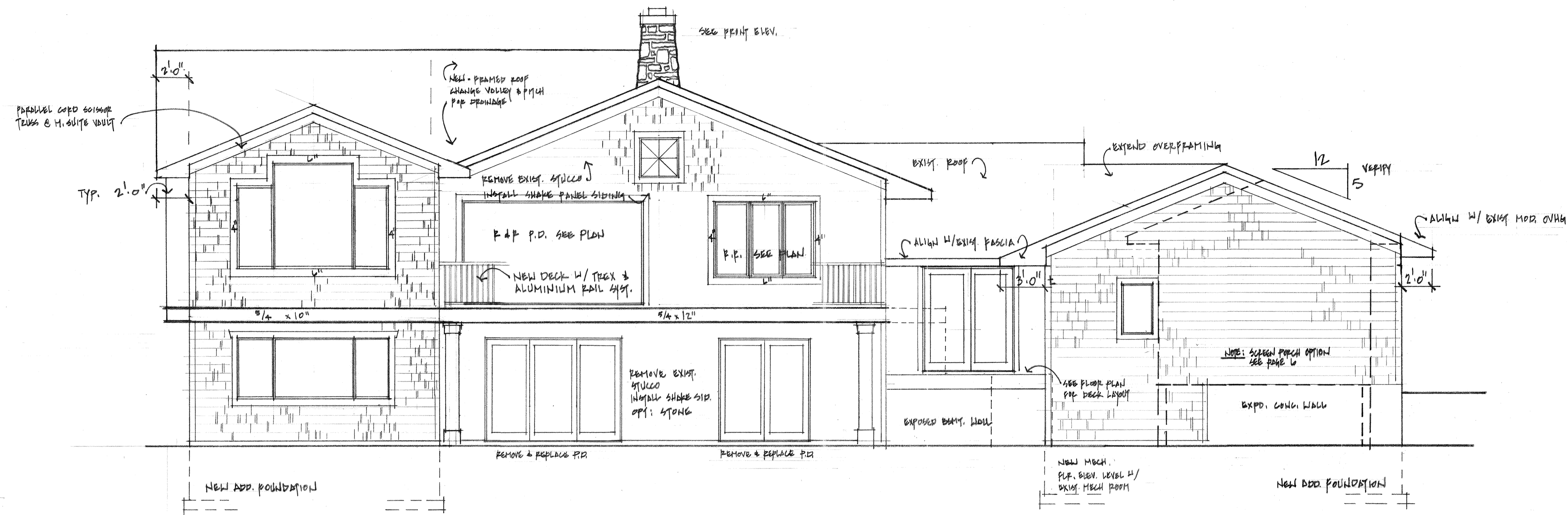
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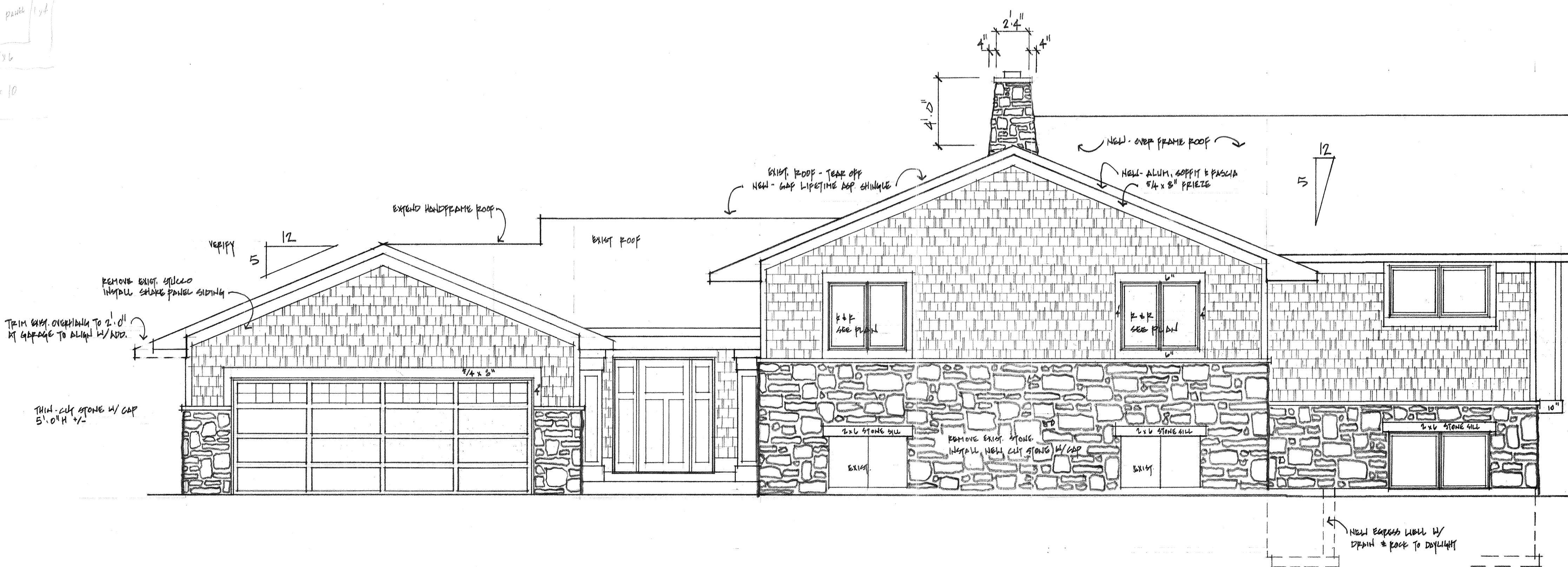
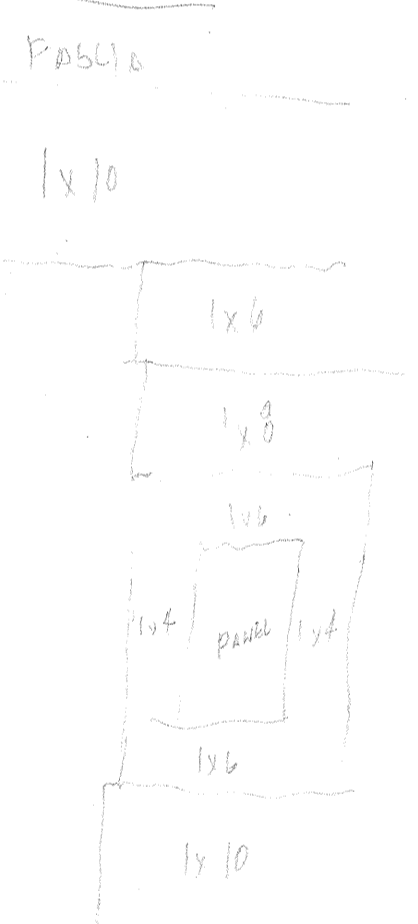
FINE HOMES AND
RENOVATIONS

10920 KINGSBOROUGH CT.
COTTAGE GROVE, MN. 55016

BEN & BREANNA PEPIN
8690 LAKE JANE TRAIL
LAKE ELMO, MN



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



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

REVISION RECORD

1	6.20.17	
2		
3		
4		
5		
6		

PROJ. NO.

SHEET

1 OF 5



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KINGSBOROUGH COURT
COTTAGE GROVE
MN. 55016
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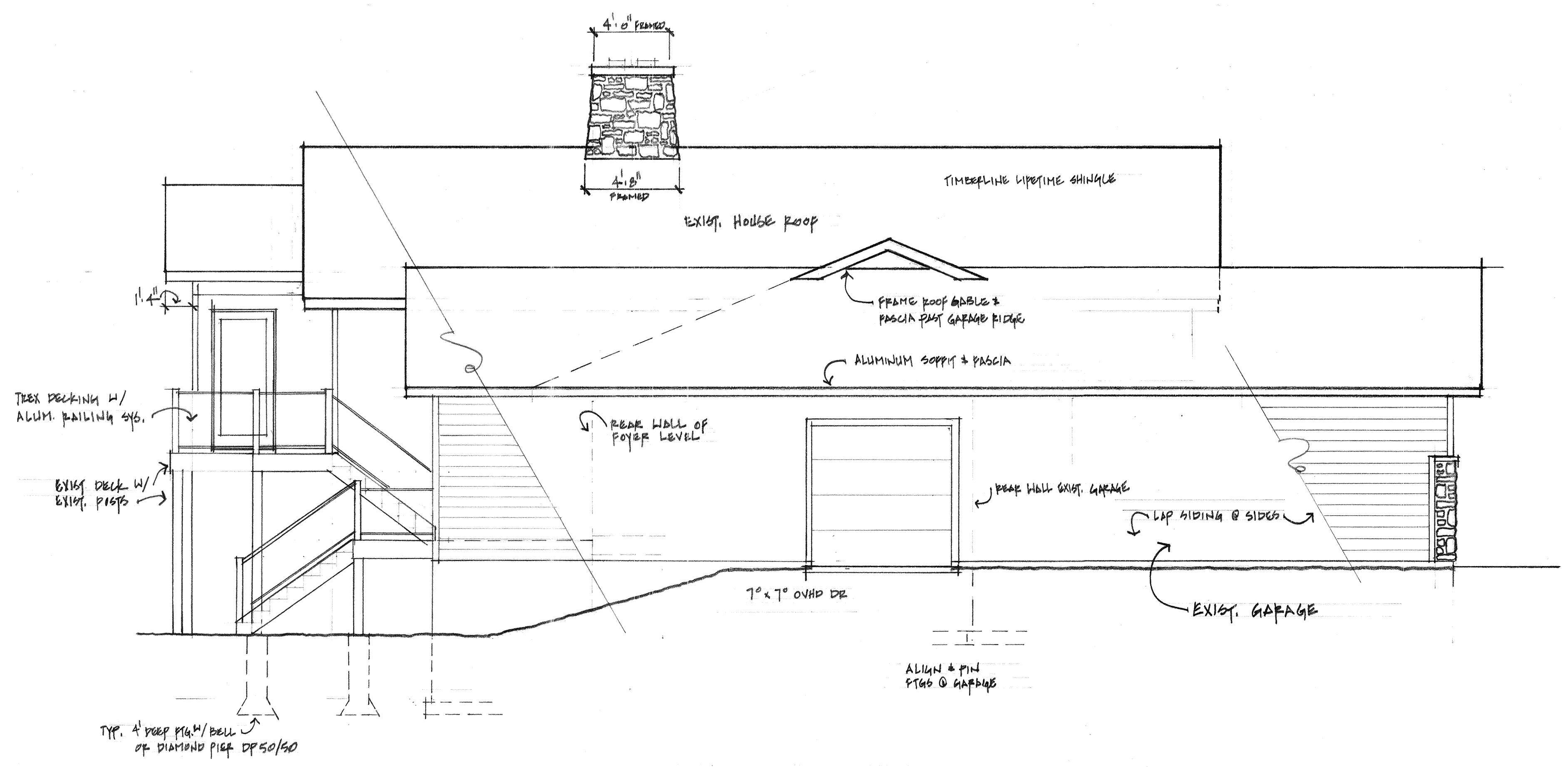
HOMES, LLC

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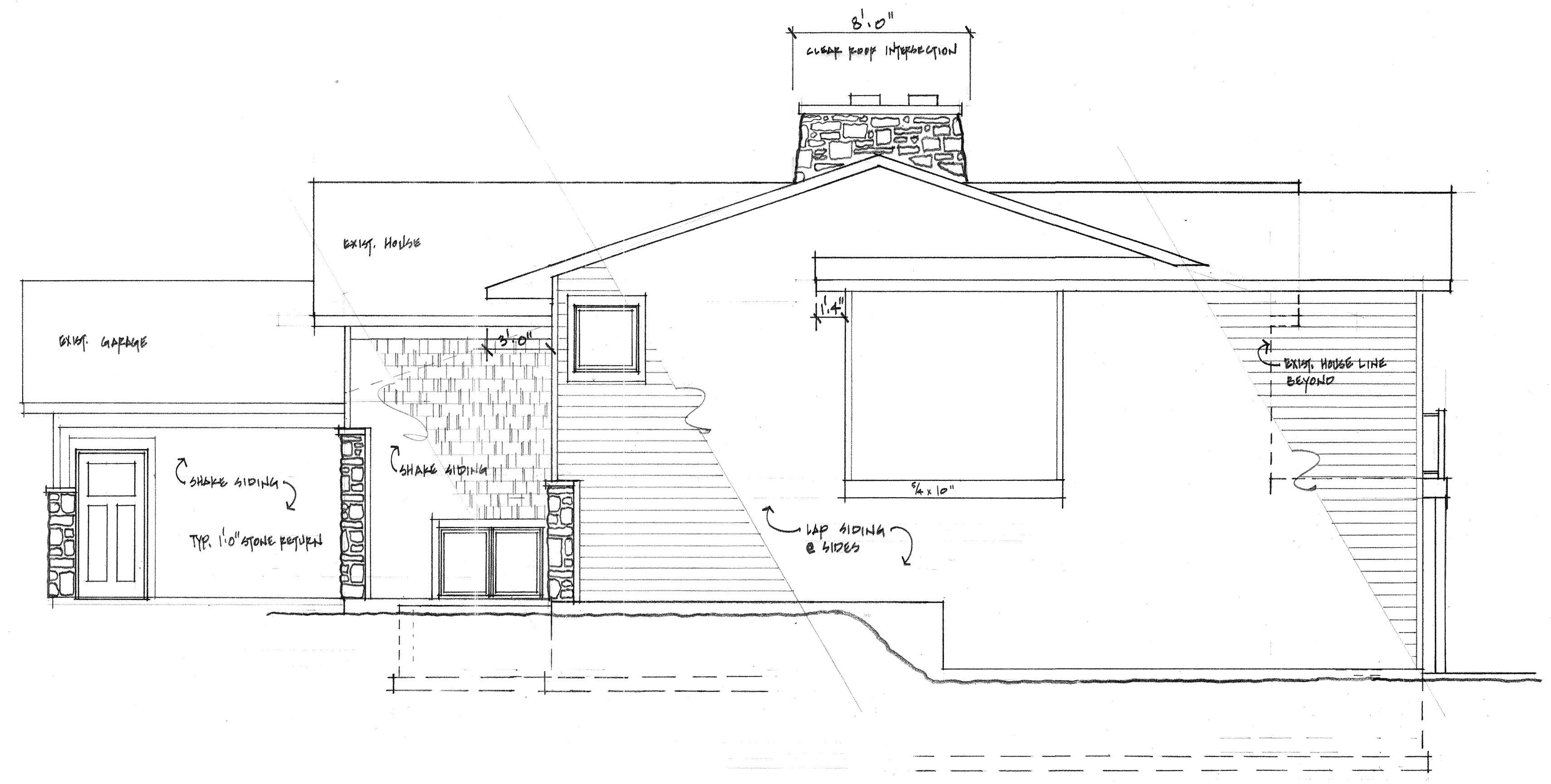
FINE HOMES AND RENOVATIONS

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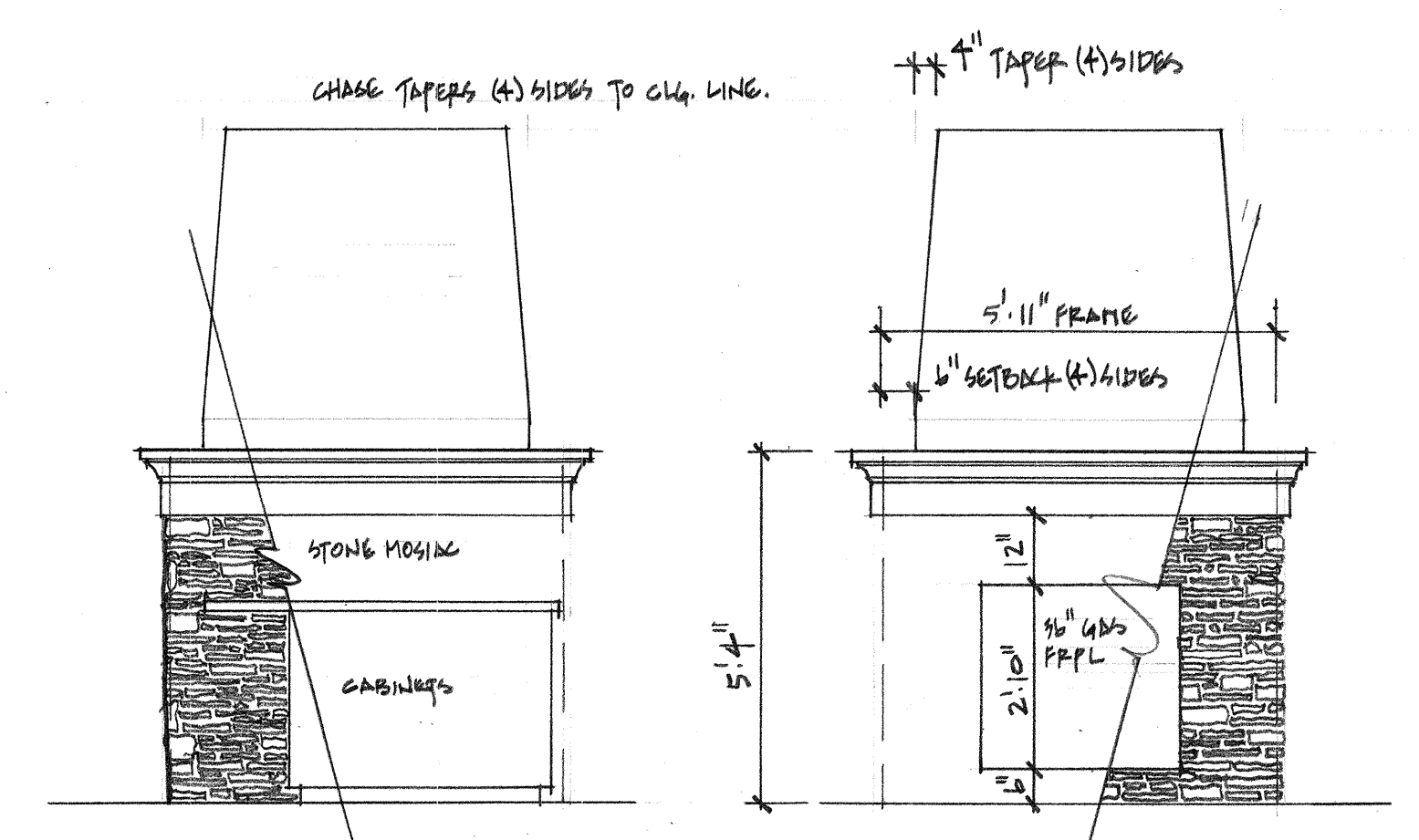
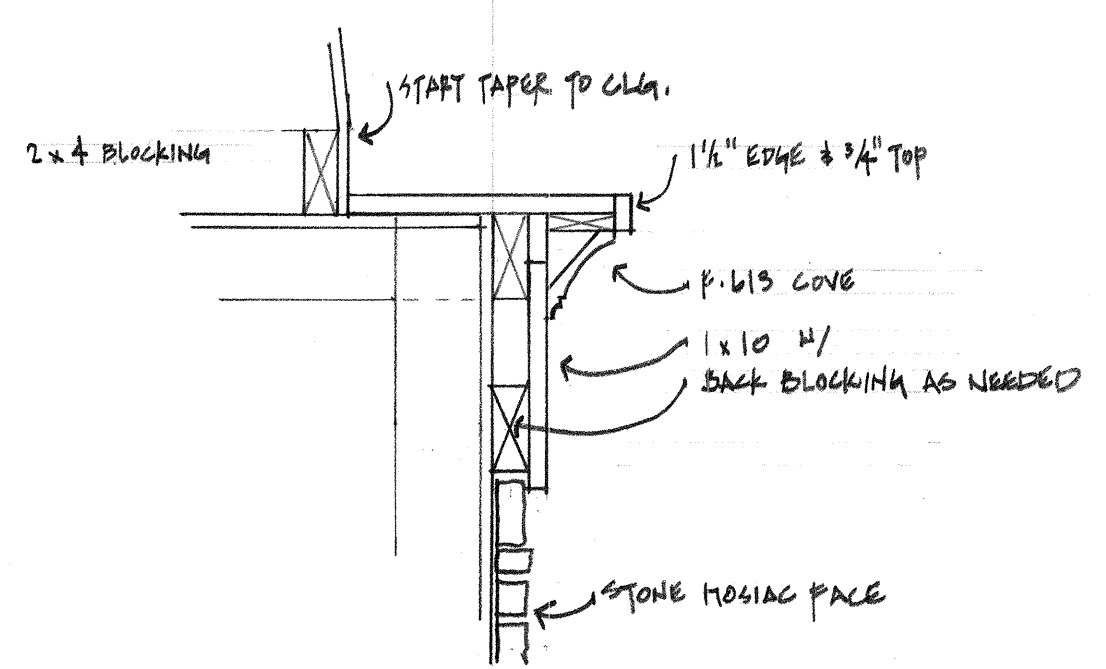
BEN & BREANNA PEPIN
2690 LAKE JANE TRAIL
LAKE ELMO, MN



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



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



FIREPLACE DETAIL
SCALE: 3/8" = 1'-0"

REVISION RECORD	
1	6.20.17
2	
3	
4	
5	
6	

PROJ. NO.

SHEET **2** OF **5**

From: [Sorensen, Jenifer \(DNR\)](#)
To: [Emily Becker](#)
Subject: RE: Lake Jane Variance Request 8690 Lake Jane Trail North
Date: Friday, July 07, 2017 10:16:13 AM

Yes, I'd like to include this comment. Since the structure is expanding toward the shoreline, this would seem like a reasonable expectation to have the landowner construct the gutters such that they redirect the runoff to an area of infiltration.

Thanks –

Jen

Jenifer Sorensen

East Metro Area Hydrologist (Ramsey and Washington Counties)
Division of Ecological and Water Resources

Minnesota Department of Natural Resources

1200 Warner Road
St Paul, MN 55106
Phone: 651-259-5754
Email: jenifer.sorensen@state.mn.us

From: Emily Becker [mailto:EBecker@lakeelmo.org]
Sent: Friday, July 07, 2017 9:26 AM
To: Sorensen, Jenifer (DNR) <jenifer.sorensen@state.mn.us>
Subject: RE: Lake Jane Variance Request 8690 Lake Jane Trail North

Jen,

As noted in the application, the impervious surface will in fact be decreased, as they will be removing existing asphalt and bituminous surface. Please let me know that you saw this and if you still recommend that they install the rain garden.

Emily Becker
City Planner
City of Lake Elmo
651-747-3912
ebecker@lakeelmo.org



From: Sorensen, Jenifer (DNR) [mailto:jenifer.sorensen@state.mn.us]
Sent: Thursday, July 06, 2017 7:01 PM

To: Emily Becker <EBecker@lakeelmo.org>

Subject: RE: Lake Jane Variance Request 8690 Lake Jane Trail North

Emily –

MNDNR has the following comment for the variance request for 8690 Lake Jane Trail North to expand the existing residential structure:

- If a variance is granted for this project, MNDNR recommends that the City of Lake Elmo include condition on the variance that mitigates for the impervious surface created by the further encroachment of the structure within the OHW setback, such as:
 - Direct rain gutter discharges into a rain garden (infiltration basin designed to capture and infiltrate runoff).

Thank you for the opportunity to comment on this variance request.

Jen

Jenifer Sorensen

East Metro Area Hydrologist (Ramsey and Washington Counties)
Division of Ecological and Water Resources

Minnesota Department of Natural Resources

1200 Warner Road
St Paul, MN 55106
Phone: 651-259-5754
Email: jenifer.sorensen@state.mn.us

From: Emily Becker [<mailto:EBecker@lakeelmo.org>]

Sent: Friday, June 30, 2017 11:02 AM

To: Sorensen, Jenifer (DNR) <jenifer.sorensen@state.mn.us>

Subject: Lake Jane Variance Request 8690 Lake Jane Trail North

Jen,

Attached is another shoreland variance request and very rough draft staff report. Please note that the impervious surface will not actually increase, it will decrease, as they are proposing to remove existing impervious surface. The public hearing will be held on July 24, so please have any comments in by July 19th at the latest.

Emily Becker
City Planner
City of Lake Elmo
651-747-3912
ebecker@lakeelmo.org

