

AGENDA

Greenwood City Council Meeting

Wednesday, December 2, 2015
20225 Cottagewood Road, Deephaven, MN 55331



Worksession

In accordance with open meeting laws, the worksession is open for public viewing, but there will be no opportunity for public participation.

- 6:00pm 1. CALL TO ORDER | ROLL CALL | APPROVE WORKSESSION AGENDA
- 6:00pm 2. DISCUSS UPDATE OF ORDINANCE 245 REGARDING ACCESSORY STRUCTURES
- 6:50pm 3. ADJOURNMENT

Regular Meeting

The public is invited to speak to items on the regular agenda. The public may speak regarding other items during Matters from the Floor. Agenda times are approximate.

- 7:00pm 1. CALL TO ORDER | ROLL CALL | APPROVE REGULAR MEETING AGENDA
- 7:00pm 2. CONSENT AGENDA
 - Council members may remove consent agenda items for discussion. Removed items will be put under Other Business.*
 - A. Approve: 11-04-15 City Council Worksession Minutes
 - B. Approve: 11-04-15 City Council Meeting Minutes
 - C. Approve: 11-04-15 City Council Closed Session Minutes
 - D. Approve: October Cash Summary Report
 - E. Approve: October Certificates of Deposit Report
 - F. Approve: November Verifieds, Check Register, Electronic Fund Transfers
 - G. Approve: December Payroll Register
 - H. Approve: 2nd Reading, Ord 248, Amendment to Allow Waiving of 2nd Readings
 - I. Approve: 2016 License Applications
 - J. Approve: 2015 Recycling Report Showing October Household Participation
- 7:05pm 3. MATTERS FROM THE FLOOR
 - This is an opportunity for the public to address the council regarding matters not on the agenda. The council will not engage in discussion or take action on items presented at this time. However, the council may ask for clarification and may include items on a future agenda. Comments are limited to 3 minutes.*
- 7:10pm 4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS
 - A. None
- 7:10pm 5. PUBLIC HEARING
 - A. Public Hearing: Request for Simple Subdivision, Nathan Raich, 21200 Mtka Blvd
Consider: Res 23-15, Findings for Simple Subdivision Request, Nathan Raich, 21200 Mtka Blvd
- 7:10pm 6. UNFINISHED BUSINESS
 - A. Consider: Res 14-15, Findings for Hardcover Variance Request and Res 15-15, Findings for Grading Conditional Use Permit Request, Mary McQuinn, 5025 Covington Street
 - B. 2nd Reading: Ord 245, Regarding Accessory Structures and Uses and Res 18-15, Summary of Ord 245 for Publication
 - C. 2nd Reading: Ord 247, Amending Municipal Watercraft Ordinance and Res 22-15 Summary of Ord 247 for Publication
- 7:30pm 7. NEW BUSINESS
 - A. Consider: Res 26-15, Findings for Variance Request, Joel Davis and Heather Garibaldi-Davis, 21795 Mtka Blvd
 - B. Consider: Res 24-15, Final 2016 Tax Levy and Res 25-15 Final 2016 Budget
 - C. Consider: 2015 Budget Line Item Adjustments, Fund Transfers, and Year-End Contributions
 - D. 1st Reading: Ord 250, Amending City Code Sections 300.07 & 600.7 Regarding Building Permits and Simple Subdivisions
 - E. Discuss: Ord 251 Amending Chapter 11 Regarding City Forester, Hazard Trees, Variance Standards for Impervious Surface Regulations and Application Procedure for Mailing Lists
- 8:30pm 8. OTHER BUSINESS
 - A. None
- 8:30pm 9. COUNCIL REPORTS
 - A. Cook: Planning Commission, Parks, Sewer Study, St. Alban's Bay Bridge
 - B. Fletcher: Lake Minnetonka Communications Commission, Fire
 - C. Kind: Police, Administration, Mayors' Meetings, Website
 - D. Quam: Roads & Sewers, Minnetonka Community Education
 - E. Roy: Lake Minnetonka Conservation District, St. Alban's Bay Lake Improvement District
- 8:50pm 10. ADJOURNMENT
- 9:00pm **CLOSED SESSION** for attorney-client privilege to discuss Shorewood's partition action lawsuit regarding the Southshore Center.



Worksession

Agenda Date: 12-02-15

Prepared by Deb Kind

Agenda Item: Discuss Update of Ord 245, Regarding Accessory Structures and Uses

Summary: The 1st reading of the ordinance was approved with revisions at the 10-07-15 city council meeting. At the 11-04-15 meeting, the city council continued the 2nd reading of the ordinance in order to allow time to schedule a worksession to discuss the city attorney's recommendations. The city council held a worksession on 11-10-15 to discuss the city attorney's recommendations. The attached draft of the ordinance includes revisions based on the 11-10-15 discussion and city attorney's recommendations. Also attached is resolution 18-15, a summary of ordinance 245 for publication. Since the ordinance is 11 pages long and many changes were made, the council will discuss the revised ordinance in a 6pm worksession prior to the 7pm regular meeting.

Timeline:

- ~~09-09-15~~ Deadline for the draft of the ordinance for inclusion in the planning commission packet.
- ~~09-16-15~~ Planning commission holds public hearing and makes a recommendation to the city council.
- ~~10-07-15~~ City council considers 1st reading of the ordinance (may make revisions).
- ~~11-04-15~~ City council continued 2nd reading of the ordinance.
- ~~11-10-15~~ City council held a worksession to discuss city attorney's recommendations.
- 12-02-15 City council considers 2nd reading of the ordinance (may make revisions).
- 12-03-15 The ordinance is submitted to the Sun-Sailor for publication.
- 12-10-15 The ordinance is published in the Sun-Sailor (goes into effect on this date).

Council Action: No action may be taken during the worksession. Official action will be taken under 6B on the regular council agenda.

Greenwood code section 1215 requires 2 readings of all ordinances prior to adoption. The 2nd reading shall be within 3 months of the 1st reading. There may be changes between the 1st and 2nd readings. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE CHAPTER 11 REGARDING
SETBACKS AND GENERAL REGULATIONS FOR ACCESSORY STRUCTURES AND USES**

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

SECTION 1.

Greenwood ordinance code section 1102.00 Definitions is hereby amended to add the following new and amended definitions:

“Air Conditioner means a device that lowers the air temperature by compressor, refrigeration cycle, evaporation, or free cooling.”

“Arbor means an open a structure of vertical posts or lattice that supports cross-beams or an archway, often serving as a gate or entrance, and typically covered with trained climbing or trailing plants.”

“Awning means a sheet of canvas or other material attached to a principal or accessory structure that is used to keep the sun or rain off a window, doorway, deck, or patio.”

“Building Line means a line parallel to a lot line at the applicable zone building setback, or the foundation line of the principal building on the lot, whichever is greater.”

“Deck means an unenclosed roofless horizontal surface constructed of any material (including class 5 gravel) greater than 2 square feet in area or greater than 10 square feet in a 50 square foot area of a lot. (THIS DEFINITION APPEARS UNDER “PATIO, SLAB” AND “DECK”)”

“Driveway means a horizontal surface constructed of any material greater than 10 square feet in area within any 100 square foot area of a lot that is used for driving or parking vehicles thereon. (THIS DEFINITION APPEARS UNDER “DRIVEWAY” AND “PARKING PAD”)”

“Fire Pit means a hole dug into the ground or a freestanding metal vessel in which a contained outdoor fire is made.”

“Generator means a machine or engine that can produce electrical energy.”

“Monument Sign means any freestanding sign mounted on the ground or mounted on a base that is attached to the ground. (SIGNS 1140) ”

“Outdoor Fireplace means a brick, stone, or metal-lined structure with a chimney where fuel is burned and is located outdoors. Outdoor fireplaces may be built-in (secured to a foundation or slab), or a freestanding item of movable personal property.”

“Outdoor Kitchen means a counter with a grill, range, or other heating source located outdoors. Outdoor kitchens may be built-in (secured to a foundation or slab), or a freestanding item of movable personal property.”

“Parking Pad means a horizontal surface constructed of any material greater than 10 square feet in area within any 100 square foot area of a lot that is used for driving or parking vehicles thereon. (THIS DEFINITION APPEARS UNDER “DRIVEWAY” AND “PARKING PAD”)”

“Patio, Slab means an unenclosed roofless horizontal surface constructed of any material greater than 2 square feet in area or greater than 10 square feet in a 50 square foot area of a lot. (THIS DEFINITION APPEARS UNDER “PATIO, SLAB” AND “DECK”)”

“Pergola means an open a structure of vertical posts or lattice that supports cross-beams, typically covered with trained climbing or trailing plants.”

“Play Structure means a frame for children to play on, typically including one or more swings and a slide. (THIS DEFINITION APPEARS UNDER “SWING SET” AND “PLAY STRUCTURE”)”

“Sidewalk, Path, Walkway, Trail (hereinafter “sidewalk”) means a horizontal surface constructed of any building or surfacing material greater than 2 square feet in area or greater than 10 square feet in a 50 square foot area of a lot used for pedestrian traffic including walking, biking, etc.”

“Sport Court means a horizontal surface area made of any material on which tennis or other sports are played. (THIS DEFINITION APPEARS UNDER “SPORT COURT” AND “TENNIS COURT”)”

“Structure means anything constructed or erected, the use of which requires a location on the ground or attachment to something having a location on the ground. The word “structure” includes the word “building” as defined in this section.”

Structure (Floodplain) When used in the context of the floodplain ordinance section 1174, structure means anything constructed or erected on the ground or attached to the ground or on-site utilities, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes, travel trailers / vehicles not meeting the exemption criteria specified in section 1174 and other similar items.”

Structure (Primary Accessory) means an uninhabited subordinate building or other subordinate structure that has a footprint that is greater than 36 square feet, is located on the same lot as a principal structure, and the use is clearly subordinate to the use of the principal structure. Examples of accessory structures / uses include, but are not limited to, detached garages, sheds, and storage buildings.”

Structure (Principal) means the structure or building which represents the primary building or use of a given lot as permitted under the zoning code.”

Structure (Secondary Accessory) means an uninhabited subordinate structure, equipment, or personal property that is located on the same lot as a principal structure whose use or enjoyment is supplementary to the use of a principal structure or a primary accessory structure. Examples of secondary accessory structures / uses include, but are not limited to, patios, decks, slabs, driveways, parking pads, sidewalks, air conditioners, generators, fire pits, outdoor fireplaces, outdoor kitchens, swimming pools, hot tubs, spas, tennis courts, sport courts, play structures, swing sets, monument signs (commercial properties), pergolas, arbors, trellises. (SEE THE ALPHABETICAL LISTINGS IN THIS SECTION 1102 FOR DEFINITIONS OF EACH OF THESE ITEMS)”

Structure (Water-Oriented Accessory) Pursuant to Minnesota state rule 6120.2500, water-oriented accessory structure means a small, above ground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures include, but are not limited to, boathouses, gazebos, screen houses, fish houses, pump houses, and detached decks.”

Swimming Pool, Hot Tub, Spa means a structure made of any material that is filled with water and used for swimming, soaking, or bathing. Such may be built into the ground or freestanding.”

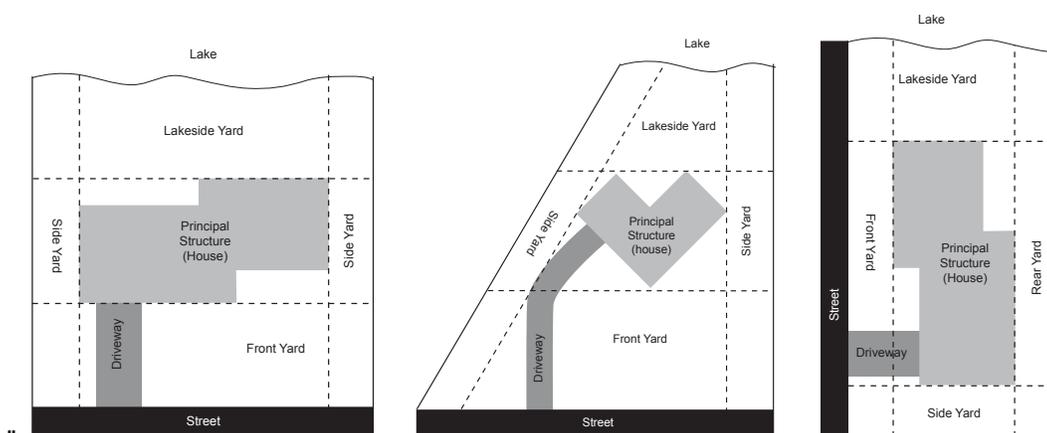
Swing Set means a frame for children to play on, typically including one or more swings and a slide. (THIS DEFINITION APPEARS UNDER “SWING SET” AND “PLAY STRUCTURE”) ”

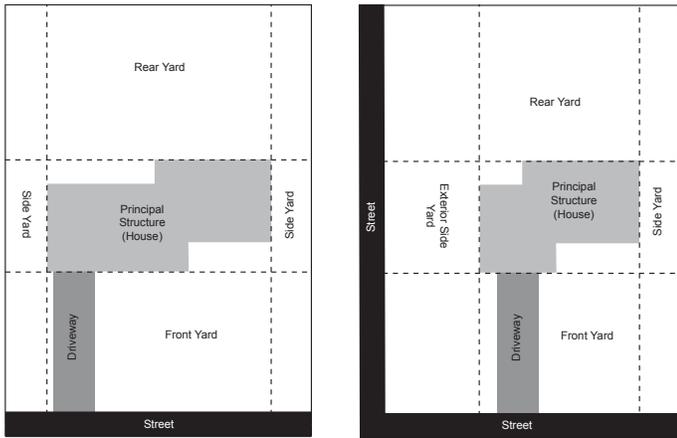
Tennis Court means a horizontal surface area made of any material on which tennis or other sports are played. (THIS DEFINITION APPEARS UNDER “SPORT COURT” AND “TENNIS COURT”) ”

Trellis means a vertical structure made from an open framework or lattice of intersecting pieces of any material typically covered with trained climbing or trailing plants.”

Yard means unobstructed space, subject only to lawfully permitted accessory structures and uses (both primary and secondary) on the same lot with a building, lying between the foundation wall of the principal structure and the lot lines.

The following illustrations show examples of yard locations:





“**Yard (Front)** means the space extending across the full width of the lot and lying between the edge of the public right-of-way open and actually used for travel and the nearest building line of the principal structure. The front property line, not the street pavement, shall be used for measuring the front yard setback. For principal structure or primary accessory structures, the foundation wall shall be used for measuring the setback. For secondary accessory structures, the closest edge of the structure shall be used for measuring the setback.”

“**Yard (Exterior Side)** means the space extending across the full width of the lot and lying between the edge of a second public right-of-way open and used for travel and the nearest building line of the principal structure. The property line, not the street pavement, shall be used for measuring the setback. For principal structure or primary accessory structures, the foundation wall shall be used for measuring the setback. For secondary accessory structures, the closest edge of the structure shall be used for measuring the setback. Properties with an exterior side yard(s) are referred to in this code as “corner lots.”

“**Yard (Lake or Lakeside)** means the space extending the full width of the lot and lying between the ordinary high water level of the lake and the nearest building line of the principal structure. In no event shall the lakeside yard be interpreted to coincide with definition of front yard contained herein. For principal structure or primary accessory structures, the foundation wall shall be used for measuring the setback. For secondary accessory structures, the closest edge of the structure shall be used for measuring the setback.”

“**Yard (Rear)** means the space between the rear property line and the nearest building line of the principal structure, for the full width of the lot. The rear yard typically is located opposite that of the front yard. For lots that front on 2 or more streets, the zoning administrator shall determine the location of the rear yard. For principal structure or primary accessory structures, the foundation wall shall be used for measuring the setback. For secondary accessory structures, the closest edge of the structure shall be used for measuring the setback.”

“**Yard (Side)** means the space between the side property line of the lot and the nearest building line of the principal structure extending the full length of the property. For principal structure or primary accessory structures, the foundation wall shall be used for measuring the setback. For secondary accessory structures, the closest edge of the structure shall be used for measuring the setback.”

SECTION 2.

Greenwood ordinance code section 1120.05 R-1A Permitted Uses is amended to read as follows:

“Section 1120.05. R-1A Permitted Uses.

No building shall be used or shall hereafter be erected, altered or converted in any manner, except as provided in section 1120 et seq. Permitted uses shall be:

Subd. 1. Principal Uses.

- (a) Single-family detached dwellings (excluding the leasing or renting of rooms).
- (b) Open area, parks and playgrounds owned and operated by a public agency, or by a home association for a subdivision or neighborhood.
- (c) Residential subdivisions, including streets, lighting, sanitary sewer service, and water service.
- (d) Uses mandated in state statutes as permitted uses.

Subd. 2. Primary Accessory Uses.

- (a) Private detached garages.

- (b) Tool house, sheds, and similar storage areas for domestic supplies.
- (c) Commonly accepted municipal playground equipment, and park shelter buildings.
- (d) Swimming beaches.
- (e) Boat docks.
- (f) Home occupations as regulated by section 480.
- (g) Signs as regulated in section 1140 et seq.

Subd. 3. Secondary Accessory Uses.

- (a) Off-street parking, driveways, parking pads.
- (b) Play structures, swing sets.
- (c) Patios, decks, slabs, sidewalks.
- (d) Air conditioners, generators.
- (e) Fire pits, outdoor fireplaces, outdoor kitchens for the use and convenience of the resident and their guests.
- (f) Freestanding swimming pools, hot tubs, spas for the use and convenience of the resident and their guests.
- (g) Pergolas, arbors, trellises.

Subd. 4. Conditional Uses.

- (a) Public utilities including such items as electrical distribution station or any such similar structure located above ground.
- (b) Permanent in-ground swimming pools and spas for the use and convenience of the resident and their guests.
- (c) Tennis courts, sport courts.
- (d) Signs as regulated in section 1140 et seq.
- (e) Churches, chapels, synagogues, temples, and similar religious buildings.”
- (f) Uses mandated in state statutes as conditional uses.”

SECTION 3.

Greenwood ordinance code section 1122.05 R-1B Permitted Uses is amended to read as follows:

“Section 1122.05. R-1B Permitted Uses.

No building shall be used or shall hereafter be erected, altered or converted in any manner, except as provided in section 1122 et seq. Permitted uses shall be:

Subd. 1. Principal Uses.

- (a) Uses as permitted in the R-1A district.

Subd. 2. Primary Accessory Uses.

- (a) Uses as permitted in the R-1A district.

Subd. 3. Secondary Accessory Uses.

- (a) Uses as permitted in the R-1A district.

Subd. 4. Conditional Uses.

- (a) Uses as permitted in the R-1A district.”

SECTION 4.

Greenwood ordinance code section 1123.05 R-1C Permitted Uses is amended to read as follows:

“Section 1123.05. R-1C Permitted Uses.

No building shall be used or shall hereafter be erected, altered or converted in any manner, except as provided in section 1123 et seq. Permitted uses shall be:

Subd. 1. Principal Uses.

- (a) Uses as permitted in the R-1A district.

Subd. 2. Primary Accessory Uses.

- (a) Uses as permitted in the R-1A district.

Subd. 3. Secondary Accessory Uses.

- (a) Uses as permitted in the R-1A district.

Subd. 4. Conditional Uses.

- (a) Uses as permitted in the R-1A district.
- (b) Theater with Attached Restaurant.”

SECTION __.

Greenwood ordinance code section 1125.05 R-2 Permitted Uses is amended to read as follows:

“Section 1125.05. R-2 Permitted Uses.

No building shall be used or shall hereafter be erected, altered or converted in any manner, except as provided in section 1125 et seq. Permitted uses shall be:

Subd. 1. Principal Uses.

- (a) Uses as permitted in the R-1A district.

Subd. 2. Primary Accessory Uses.

- (a) Uses as permitted in the R-1A district.

Subd. 3. Secondary Accessory Uses.

- (a) Uses as permitted in the R-1A district.

Subd. 4. Conditional Uses.

- (a) Uses as permitted in the R-1A district.”

SECTION 5.

Greenwood ordinance code section 1120.15 R-1A Setbacks is amended to read as follows:

“Section 1120.15. R-1A Setbacks.

Subject to the provisions of section 1176 et seq., the following front, side, rear, and lake yard setbacks shall be considered as minimum standards for buildings:

Land Use	Front Yard	Side Yard	Exterior Side Yard (Corner Lot)	Rear Yard	Lake Yard
Single-Family Principal Structure	30 feet	15 feet	30 feet	35 feet	50 feet
Municipal Park Equipment & Buildings	50 feet	50 feet	50 feet	50 feet	Not Allowed
Public & Private Utilities	50 feet	100 feet	50 feet	100 feet	100 feet
Accessory Structures	See section 1140.10 for Accessory Structures and Uses (primary and secondary) Setbacks and General Regulations				

SECTION 6.

Greenwood ordinance code section 1122.15 R-1B Setbacks is amended to read as follows:

“Section 1122.15. R-1B Setbacks.

Subject to the provisions of section 1176 et seq., the following front, side, rear, and lake yard setbacks shall be considered as minimum standards for buildings:

Land Use	Front Yard	Side Yard	Exterior Side Yard (Corner Lot)	Rear Yard	Lake Yard
Single-Family Principal Structure	35	15	35	60	50
Municipal Park Equipment & Buildings	Same as R-1A	Same as R-1A	Same as R-1A	Same as R-1A	Same as R-1A
Public & Private Utilities	Same as R-1A	Same as R-1A	Same as R-1A	Same as R-1A	Same as R-1A
Accessory Structures	See section 1140.10 for Accessory Structures and Uses (primary and secondary) Setbacks and General Regulations				

SECTION 7.

Greenwood ordinance code section 1123.15 R-1C Setbacks is amended to read as follows:

“Section 1123.15. R-1C Setbacks.

Subject to the provisions of section 1176 et seq., the following front, side, rear, and lake yard setbacks shall be considered as minimum standards for buildings:

Land Use	Front Yard	Side Yard	Exterior Side Yard (Corner Lot)	Rear Yard
Single-Family Principal Structure	Same as R-1A	Same as R-1A	Same as R-1A	Same as R-1A
Municipal Park Equipment & Buildings	Same as R-1A	Same as R-1A	Same as R-1A	Same as R-1A
Public & Private Utilities	Same as R-1A	Same as R-1A	Same as R-1A	Same as R-1A
Accessory Structures	See section 1140.10 for Accessory Structures and Uses (primary and secondary) Setbacks and General Regulations			

Land Use	Front Yard (Southerly Yard - Parking Lot)	Side Yard (Easterly Yard - Trail)	Exterior Side Yard (Westerly Yard)	Rear Yard (Northerly Yard - Pond)
Theater with Attached Restaurant	180 feet	15 feet	50 feet	Per Watershed Rules
Theater with Attached Restaurant <u>Primary</u> Accessory Structures	Not Allowed	10 feet	35 feet	Per Watershed Rules
Theater with Attached Restaurant <u>Secondary</u> Accessory Structures	See section 1140.10 subd. 2C for Setbacks and General Regulations for Secondary Accessory Structures and Uses			

SECTION 8.

Greenwood ordinance code section 1125.15 and R-2 Setbacks is amended to read as follows:

“Section 1125.15. R-2 Setbacks.

Subject to the provisions of section 1176 et seq., the following front, side, rear, and lake yard setbacks shall be considered as minimum standards for buildings:

Land Use	Front Yard	Side Yard	Exterior Side Yard (Corner Lot)	Rear Yard	Lake Yard
Single-Family Principal Structure	30 feet	10 feet	30 feet	35 feet	50 feet
Municipal Park Equipment	Same as R-1A	Same as R-1A	Same as R-1A	Same as R-1A	Same as R-1A
Public & Private Utilities	Same as R-1A	Same as R-1A	Same as R-1A	Same as R-1A	Same as R-1A
Accessory Structures	See section 1140.10 for Accessory Structures and Uses (primary and secondary) Setbacks and General Regulations				

SECTION 9.

Greenwood ordinance code section 1120.20 and R-1A Building Minimum Requirements is amended to read as follows:

“Section 1120.20. R-1A Building Minimum Requirements.

Subd. 1. Principal structures in the district shall:

- (a) not exceed 28 feet in building height and 42 feet in structure height,
- (b) be of a minimum width of 25 feet,
- (c) have a minimum floor space of 800 square feet,
- (d) be supported by foundation walls and frost footings of 42 inches in depth or current state building code, requirements whichever is greater,
- (e) meet all current standards of city building codes and appendices,
- (f) be served with a private garage and hard-surfaced (see section 1140.46) driveway to the public street.

Subd. 2. Primary accessory structures in the district shall:

- (a) be limited to 1 private garage, and 1 tool house shed or similar storage building per principal structure,

- (b) not exceed 15 feet in building height,
- (c) have a maximum combined floor space of all primary accessory structures on the lot of 1,000 square feet and in no event shall the accessory structures of private garage, tool house shed, and similar storage buildings combined exceed 60% of the total at-grade, main floor square footage of the principal structure,
- (d) meet all current standards of city building codes and appendices.”

SECTION 10.

Greenwood ordinance code section 1122.20 and R-1B Building Minimum Requirements is amended to read as follows:

“Section 1122.20. R-1B Permitted Uses.

Subd. 1. Principal structures in the district shall:

- (a) Minimum requirements as listed in the R-1A district.

Subd. 2. Primary accessory structures in the district shall:

- (a) Minimum requirements as listed in the R-1A district.

SECTION 11.

Greenwood ordinance code section 1123.20 and R-1C Building Minimum Requirements is amended to read as follows:

“Section 1123.20. R-1C Permitted Uses.

Subd. 1. Principal structures in the district shall:

- (a) Minimum requirements as listed in the R-1A district.

Subd. 2. Primary accessory structures in the district shall:

- (a) Minimum requirements as listed in the R-1A district.

SECTION 12.

Greenwood ordinance code section 1125.20 and R-2 Building Minimum Requirements is amended to read as follows:

“Section 1125.20. R-2 Permitted Uses.

Subd. 1. Principal structures in the district shall:

- (a) Minimum requirements as listed in the R-1A district.

Subd. 2. Primary accessory structures in the district shall:

- (a) Minimum requirements as listed in the R-1A district.

SECTION 13.

Greenwood ordinance code section 1140.10 is amended to read as follows:

“Section 1140.10. Setbacks and General Regulations for Accessory Structures and Uses (Primary and Secondary).

Subd. 1. Purpose. To preserve (1) the public safety and welfare, (2) the enjoyment of property, (3) property values, and (4) to prevent adverse impacts arising from overcrowding or competing uses associated with the placement of accessory structures and uses, the city has determined that the below setbacks and regulations are necessary to protect the public welfare of the city.

Subd. 2. Setback Standards for Accessory Structures and Uses (Primary and Secondary).

- A. *Unobstructed Green Space Perimeter Requirement.* All lots shall establish and maintain a 2-foot wide green space perimeter of open yard space along all lot lines (boundary lines) free of all accessory structures and uses (primary and secondary), subject only to (a) the right angle traversing of same by driveway, parking pad, or sidewalk, (b) code compliant authorized fences, and (c) code compliant authorized lakeside improvements.
- B. *Primary Accessory Structures and Uses Setback Minimums - Residential Zones.* Subject to the Unobstructed Green Space Perimeter Requirement (subd. 2A above), the minimum yard setback for all primary accessory structures / uses in residential zones R-1A, R-1B, R-1C, and R-2, inclusive, (as same are defined in this code including sections 1120, 1122, 1123, and 1125), are as follows:

	Front Yard Setback	Side Yard Setback	Exterior Side Yard Setback (Corner Lot)	Rear Yard Setback	Lakeside Yard Setback
Primary Accessory Structures - Residential Zones (see sections 1120.20, 1122.20, 1123.20, 1125.20 for more regulations)	100 feet	10 feet	30 feet	10 feet	50 feet

C. *Secondary Accessory Structures and Uses Setback Minimums.* Subject to the Unobstructed Green Space Perimeter Requirement (subd. 2A above), for each of the specific secondary accessory structures / uses identified in the table below, the minimum yard setbacks stated therein shall control and supersede the setback minimums for primary accessory structures stated in subd. 2B above. See section 1102 for definitions.

	Front Yard Setback	Side Yard Setback	Exterior Side Yard Setback (Corner Lot)	Rear Yard Setback	Lakeside Yard Setback
Driveways, Parking Pads (see section 1140.46)	0 feet	5 feet	0 feet	10 feet	50 feet
Fire Pits (built-in or freestanding)	50 feet	5 feet	30 feet	10 feet	10 feet
Monument Signs (for commercially-regulated properties only, see section 1140.40 subd 8(d) for more regulations)	2 feet	10 feet	2 feet	Not allowed	Not allowed
Outdoor Fireplaces, Outdoor Kitchens (built-in or freestanding)	50 feet	5 feet	30 feet	10 feet	35 feet
Patio, Deck, Slabs– less than 30 inches in height at all points, excluding railing, pergola, etc.	50 feet	5 feet	30 feet	10 feet	35 feet
Patio, Deck, Slabs – 30+ inches in height at any point, excluding railing, pergola, etc.	50 feet	10 feet	30 feet	10 feet	50 feet
Pergolas, Arbors, Trellises (see subd 4 below)	20 feet	5 feet	30 feet	10 feet	35 feet
Sidewalks (see subd. 5 below)	0 feet	5 feet	0 feet	10 feet	0 feet
Sport Courts, Tennis Courts (see subd. 6 below)	50 feet	10 feet	30 feet	10 feet	50 feet
Swimming Pools, Hot Tubs – freestanding	50 feet	5 feet	30 feet	10 feet	35 feet
Swimming Pools, Spas – in-ground (see subd. 7)	50 feet	10 feet	30 feet	10 feet	50 feet

Subd. 3. Proximity and Attachment of Primary Accessory Structures to Principal Structures. If a primary accessory structure is attached or physically connected to the main principal structure by any means, utility connections excepted, it shall be deemed a part of the main principal structure and shall comply in all respects with the requirements of the zoning ordinance applicable to the principal structure. No primary accessory structure shall be closer than 5 feet to the principal structure. No primary accessory structure may be attached to and / or made a part of the principal structure, if so doing would cause the principal structure to become noncompliant with the setbacks applicable to the principal structure.

Subd. 4. Pergolas, Arbors, and Trellises. Must meet the setback requirements in subd. 2C above. The maximum height for a pergola or arbor is 10 feet. The maximum total combined square feet per property for pergolas or arbors located in a garden, in a grassy area, or over a sidewalk is 100 square feet. The maximum total combined square foot per property for pergolas located over a deck or patio that is compliant with the setbacks in subd. 2C above is 400 square feet. The maximum total combined linear feet per property for trellises located in a garden or grassy area is 50 feet. Trellises up to 2 additional feet in height may be added as a decorative element to a code compliant fence so long as the combined length of the trellises do not exceed 10% of the total length of the property line. In no case shall a Trellis exceed 8 feet in height unless it is attached to the principal structure or primary accessory structure.

Subd. 5. Sidewalks. Must meet the setback requirements in subd. 2C above. Sidewalks may exceed 4 feet in only one direction. If adjacent to lakeshore, sidewalks must be perpendicular (not parallel) to the shoreline.

Subd. 6. Sport Courts and Tennis Courts. Must meet the setback requirements in subd. 2C above. A conditional use permit is required for all sport courts and tennis courts subject to reasonable conditions for the protection of public safety, health, and welfare.

Subd. 7. In-Ground Swimming Pools and In-Ground Spas. Must meet the setback requirements in subd. 2C above. All equipment related to operation or maintenance of an in-ground pool or in-ground spa must comply with the setbacks. A conditional use permit is required for all in-ground pools and in-ground spas subject to reasonable conditions for the protection of public safety, health, and welfare.”

SECTION 14.

Greenwood ordinance code section 1140.11 “Swimming Pool Standards” repealed in its entirety.

SECTION 15.

Greenwood ordinance code section 1140.20 is amended to read as follows:

"Section 1140.20. Yard Regulations.

The following requirements qualify or supplement, as the case may be, the district regulations appearing elsewhere in this ordinance. Measurements shall be taken from the nearest point of the structure (foundation wall of a building) to the lot line in question, subject to the following qualifications:

Subd. 1. Determination of Yard Locations. For lots that front on 2 or more public right-of-ways (corner lots), the zoning administrator shall determine the location of the front yard, exterior side yard, and rear yard.

Subd. 2. Limit on Front Yard and Exterior Side Yards. No lot shall be required to provide more than 1 front yard or more than 1 exterior side yard setback.

Subd. 3. Buildable Width of Lots. The front yard setback requirements shall be observed on each street side of a corner lot; provided, however, that the buildable width of a lot shall not be reduced to less than 30 feet.

Subd. 4. Yards for Open Land Uses. Where a lot is to be occupied for permitted use without buildings or structures thereon, the side yards and front yards required herein for the zone within which such lot is located, shall be provided and maintained between such use and the respective lot lines; provided that side and rear yards shall not be required on lots without buildings or structures, used for garden purposes or public playgrounds.

Subd. 5. Regulations of Obstructions in Required Yards.

- A. *Obstructions in Front or Exterior Side Yards*. The required front yard or exterior side yard (corner lots) shall not contain any wall, fence, structure, tree, shrub, or other growth that may cause danger to traffic on a public street by obscuring the view.
- B. *Air Conditioners and Generators*. Must be located within 5 feet of the wall of a principal structure or accessory structure. May encroach into a required yard setback as long as there is a minimum of a 5-foot setback from the property line. Generators over 20kw require a conditional use permit subject to reasonable conditions for the protection of public safety, health, and welfare.
- C. *Awnings*. Must extend no more than 4 feet from the wall of a principal structure or accessory structure. May encroach into a required yard setback as long as there is a minimum of a 5-foot setback from the property line.
- D. *Eaves and Gutters*. Must extend no more than 30 inches from the wall of a principal structure or accessory structure. May encroach into a required yard setback as long as there is a minimum of a 5-foot setback from the property line.
- E. *Fire Escapes*. Open or lattice enclosed fire escapes or fireproof outside stairways may project into a required yard setback up to 2 feet as long as there is a minimum of a 5-foot setback from the property line."

SECTION 16.

Greenwood ordinance code section 1140.46 "Driveways" is amended to read as follows:

"Section 1140.46. Driveways and Parking Pads.

Subd. 1. Purpose. The city finds that sand, gravel, and dirt from driveways and parking pads are a source of uncontrolled eroded sediment and outwash upon the streets and roads of the community. Furthermore, that such uncontrolled material is a hazard to pedestrians, vehicles, and the public welfare in general by creating an uncertain and varied surface on the traveled portion of the community streets and roads; that the material is carried by surface waters and deposited upon lowlands, wetlands and lakes of the community, thereby adding unnecessary sediment and deleterious material to the community water sources. Wherefore the lowlands, wetlands, and lakes of the city and the safety of travelers upon the community streets and roads must be protected in the interest of the public health, safety and welfare. Therefore, the city has determined that the standards set forth below are necessary to protect the health, safety, and welfare of the city.

Subd. 2. Standards for Driveways and Parking Pads. Each residential lot shall be limited to one 24-foot curb cut for a driveway. If curb cuts are a minimum of 48 feet apart, an additional 24-foot curb cut for a driveway or parking pad shall be allowed with a conditional use permit subject to reasonable conditions for the protection of public safety, health, and welfare.

Subd. 3. Surface Materials for Driveways and Parking Pads. All driveways and parking pads that abut public streets shall be constructed with bituminous blacktop, cement, brick pavers, or similar material in such a manner as to eliminate areas of open sand, gravel, or dirt."

~~Subd. 4. Proscriptions.~~

~~A. Inspections. All driveways shall be subject to inspection by the city building inspector. The city building inspector shall issue a warning to any property owner who fails to comply with the provisions of this ordinance. The warning~~

shall notify the owner of the provisions of this ordinance and direct that the property owner bring their property into compliance or face a fine. Upon the issuance of a warning to the property owner, all driveways on their property shall be brought into compliance within 30 days or a day certain set by the city building inspector not to be less than 30 days from the date of the warning. A violation of this section is a misdemeanor.

B. Fines shall be waived upon presentation to the city clerk of a contract or other suitable evidence of intent to comply on a day certain. Such extension shall not exceed 30 days beyond the termination of the warning period.

C. Variances. Upon the recommendation of the city building inspector the city council may grant a variance where compliance would cause an undue hardship or it is determined that a driveway may be partially paved and achieve the purposes of this ordinance. Variances shall be subject to periodic review and revocation where an abuse of the granted variance is found or financial circumstances of the owner change.

SECTION 17.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ____ day of _____, 2015.

____ AYES ____ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk

First reading: October 7, 2015
Second reading: _____, 2015
Publication: _____, 2015

RESOLUTION 18-15

**A RESOLUTION APPROVING PUBLICATION
OF ORDINANCE NUMBER 245 BY TITLE AND SUMMARY**

WHEREAS, on December 2, 2015 the city council of the city of Greenwood adopted "Ordinance 245 amending Greenwood ordinance code chapter 11 Regarding Setbacks and General Regulations for Accessory Structures and Uses"

WHEREAS, the city council has prepared a summary of ordinance 245 as follows:

1. The purpose of this ordinance is to add new definitions, clarify old definitions, establish setbacks, and establish general regulations regarding primary and secondary accessory structures / uses to preserve (1) the public safety and welfare, (2) the enjoyment of property, (3) property values, and (4) to prevent adverse impacts arising from overcrowding or competing uses associated with the placement of accessory structures and uses.
2. The ordinance includes a new Unobstructed Green Space Perimeter Requirement that states: "All lots shall establish and maintain a 2-foot wide green space perimeter of open yard space along all lot lines (boundary lines) free of all accessory structures and uses (primary and secondary), subject only to (a) the right angle traversing of same by driveway, parking pad, or sidewalk, (b) code compliant authorized fences, and (c) code compliant authorized lakeside improvements."
3. The ordinance includes a new table that lists setback standards for the following: Primary Accessory Structures - Residential Zones; Driveways, Parking Pads; Fire Pits; Monument Signs; Outdoor Fireplaces, Outdoor Kitchens; Pato, Deck, Slabs; Pergolas, Arbors, Trellises; Sidewalks; Sport Courts, Tennis Courts; Swimming Pools, Hot Tubs, Spas.
4. The ordinance includes general regulations for Pergolas, Arbors, and Trellises; Sidewalks; Sport Courts and Tennis Courts; In-Ground Swimming Pools and In-Ground Spas; Driveways and Parking Pads.
5. The ordinance includes regulations of obstructions in required yards for Air Conditioners and Generators; Awnings; Eaves and Gutters; Fire Escapes.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD:

1. The city council finds that the above title and summary of ordinance 245 clearly informs the public of intent and effect of the ordinance.
2. The city clerk is directed to publish ordinance 245 by title and summary, pursuant to Minnesota statutes, section 412.191, subdivision 4.
3. A full copy of the ordinance is available at the Greenwood city office, 20225 Cottagewood Road, Deephaven, MN 55331.

ADOPTED by the city council of the city of Greenwood, Minnesota this ___ day of _____, 2015.

___ AYES ___ NAYS

CITY OF GREENWOOD

Debra J. Kind, Mayor

Attest: Dana Young, City Clerk

First reading: October 7, 2015

Second reading: _____, 2015

Publication: _____, 2015



Agenda Item: Consent Agenda

Summary: The consent agenda typically includes the most recent council minutes, cash summary report, verified report, electronic fund transfers, and check registers. The consent agenda also may include the 2nd reading of ordinances that were approved unanimously by the council at the 1st reading. Council members may remove consent agenda items for further discussion. Removed items will be placed under Other Business on the agenda.

Council Action: Required. Possible motion ...

1. I move the council approves the consent agenda items as presented.



MINUTES

Greenwood City Council Closed Session

Wednesday, November 4, 2015

20225 Cottagewood Road, Deephaven, MN 55331

1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind convened the closed session at 8:32pm with the following statement:

I now convene a closed session of the Greenwood city council pursuant to Minn. Stat. 13D.05 Subd. 3(b) for attorney-client privilege to discuss Shorewood's partition action lawsuit regarding the Southshore Center.

Members Present: Mayor Kind; Councilmembers Bill Cook, Tom Fletcher, Bob Quam, Rob Roy

Others Present: City Attorney Mark Kelly

2. CLOSED SESSION

The city council went into closed session. Per state law, the session was not audio recorded and will not be made public.

3. ADJOURNMENT

Motion by Roy that the city council ends the closed session at 9pm. Second by Cook. Motion passed 5-0.

MINUTES

Greenwood City Council Meeting

Wednesday, November 4, 2015

20225 Cottagewood Road, Deephaven, MN 55331



1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the meeting to order at 7pm.

Members Present: Mayor Kind; Councilmembers Bill Cook, Tom Fletcher, Bob Quam, Rob Roy

Others Present: City Engineer Dave Martini, City Attorney Mark Kelly

Motion by Kind to approve the agenda. Second by Quam. Motion passed 5-0.

2. CONSENT AGENDA

A. Approve: 10-07-15 City Council Meeting Minutes

B. Approve: 10-17-15 City Council Special Meeting Minutes

C. Approve: 10-22-15 City Council Worksession Minutes

D. Approve: September Cash Summary Report

E. Approve: September Certificates of Deposit Report

F. Approve: October Verifieds, Check Register, Electronic Fund Transfers

G. Approve: November Payroll Register

Motion by Kind to approve the consent agenda. Second by Roy. Motion passed 5-0.

3. MATTERS FROM THE FLOOR

No one spoke during matters from the floor.

4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

A. City Engineer: Stormwater Drainage

Motion by Cook that the city council directs the city attorney to draft a standard drainage easement agreement. Second by Fletcher. Motion passed 5-0.

5. PUBLIC HEARINGS

A. Simple Subdivision Request, Chuck Elliot, 4965 Sleepy Hollow Road

Motion by Fletcher to open the public hearing. Second by Roy. Motion passed 5-0.

No one spoke during the public hearing.

Motion by Cook to close the public hearing. Second by Quam. Motion passed 5-0.

6. UNFINISHED BUSINESS

A. 2nd Reading: Ord 245, Regarding Accessory Structures, Recreational Improvements, and Miscellaneous Improvements / Uses; Res 18-15, Summary of Ord 245

Motion by Fletcher that the council continue the 2nd reading to the December 2 council meeting to give the city council time to meet in a worksession to discuss the city attorney's suggested revisions. Second by Roy. Motion passed 5-0.

B. 2nd Reading: Ord 246, Amending Sign Ordinance; Res 19-15, Summary of Ord 246

Motion by Fletcher that the city council approves the 2nd reading of ordinance 246 with the following revision: Change the total square footage for multi-tenant commercial properties from 100 square feet to 75 square feet in paragraph (i). Second by Cook. Motion passed 5-0.

Motion by Roy that the city council approves the resolution 19-15, a summary of ordinance 246 for publication, with the following revision: Change the total square footage for multi-tenant commercial properties from 100 square feet to 75 square feet in paragraph (i). Second by Fletcher. Motion passed 5-0.

- C. 1st Reading: Ord 247, Amending Municipal Watercraft Ordinance

Motion by Fletcher that the city council approves the 1st reading of ordinance 247 with revisions as discussed by the city council. Second by Cook. Motion passed 5-0.

- D. Consider: St. Alban's Bay Lake Improvement District, Next Steps

Motion by Cook that the city council approves resolution 21-15 regarding certification of the St. Alban's Bay Lake Improvement District assessment roll to the county. Second by Roy. Motion passed 5-0.

7. NEW BUSINESS

- A. Consider: Res 20-15, Simple Subdivision Request, Chuck Elliot, 4965 Sleepy Hollow Road

Motion by the Quam that the city council accepts the recommendation and findings of staff and adopts resolution 20-15, approving the simple subdivision request of Chuck Elliot, 4965 Sleepy Hollow Road with the direction that the city attorney work with staff to revise the format of the findings. Second by Cook. Motion passed 5-0.

- B. 1st Reading: Ord 248, Amending City Code Section 1215 to Allow Waiving of 2nd Readings of Ordinances

Motion by Roy that the city council approves the 1st reading of ordinance 248 which allows the city council to waive the 2nd reading of ordinances with a unanimous vote of the city council members present at the meeting. Second by Fletcher. Motion passed 5-0.

- C. Discuss: Ord 249, Amending City Code Sections 510, 1140.60, 1150.20, and 1155 Regarding Security Deposits / Agreements for Landscaping and for Conditions of Approved Variances and Conditional Use Permits

Motion by Fletcher that the city council directs that ordinance 249 regarding security deposits / agreements be sent to the planning commission for their review and recommendation with the following changes: Separate out variance and conditional use security deposits / agreements on the table, specify that city council approval is required, and state that the city council will set the fee. Second by Quam. Motion passed 5-0.

8. OTHER BUSINESS

- A. None

9. COUNCIL REPORTS

- A. Cook: Planning Commission, Parks, Sewer Study, St. Alban's Bay Bridge
- B. Fletcher: Lake Minnetonka Communications Commission, Fire
- C. Kind: Police, Administration, Mayors' Meetings, Website
- D. Quam: Roads & Sewers, Minnetonka Community Education
- E. Roy: Lake Minnetonka Conservation District, St. Alban's Bay Lake Improvement District

No council action was taken.

10. ADJOURNMENT

Motion by Roy to adjourn the meeting at 8:25pm. Second by Cook. Motion passed 5-0.

This document is intended to meet statutory requirements for city council meeting minutes. A video recording was made of the meeting, which provides a verbatim account of what transpired. The video recording is available for viewing on LMCC TV channel 8 for 1 month, at www.lmcc-tv.org for 1 year, and on DVD at the city office (permanent archive).



MINUTES

Greenwood City Council Worksession

Wednesday, November 4, 2015

20225 Cottagewood Road, Deephaven, MN 55331

1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the meeting to order at 6:06pm.

Members Present: Mayor Kind; Councilmembers Bill Cook, Tom Fletcher, Bob Quam, and Rob Roy (arrived 6:10pm)

Others Present: City Forester Manuel Jordan

Motion by Kind to approve the agenda. Second by Quam. Motion passed 4-0.

2. EMERALD ASH BORER DISCUSSION WITH CITY FORESTER MANUEL JORDAN

Manuel presented information regarding:

- A. EAB - what it is, what type of damage does it do, why we should care.
 - a. The city council saw specimens of the larvae, beetles, and tree damage.
 - b. EAB will kill ALL ash trees unless they are treated in perpetuity.
 - c. Removal of dead ash trees on public land could be costly. Fortunately, Greenwood has a wide variety of trees and there are not a lot of ash trees on public land.
- B. Recent EAB findings close to Greenwood.
 - a. EAB has been found in Plymouth and Minneapolis.
- C. What other cities are doing about it.
 - a. Some cities are removing all ash trees on public land.
 - b. Some cities are treating all ash trees on public land. This is very costly and must be done in perpetuity.
 - c. Most cities are doing something in between. For instance, some cities are removing poor and marginal ash trees now in an effort to spread out the cost of removal over time.

The city council and Manuel also discussed the city's policy regarding EAB. Next steps are:

- A. Manuel will conduct a quick inventory of ash trees in Shuman Woods Park.
- B. Manuel will mark ash trees for removal if they are "weak specimens" located close to a public street / trail / play area or have the potential to interfere with utility lines. Otherwise, ash trees on public property will become habitat for wildlife.
- C. An article about EAB will be included in the next city newsletter and will direct property owners to consult with a certified arborist to determine options for privately-owned trees.

3. ADJOURNMENT

Motion by Roy to adjourn the worksession at 6:55pm. Second by Quam. Motion passed 5-0.



MINUTES

Greenwood City Council Worksession

Tuesday, November 10, 2015

20225 Cottagewood Road, Deephaven, MN 55331

1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the meeting to order at 3pm.

Members Present: Mayor Kind; Councilmembers Bill Cook, Tom Fletcher, Bob Quam, and Rob Roy

Others Present: City Attorney Mark Kelly

Motion by Quam to approve the agenda. Second by Roy. Motion passed 5-0.

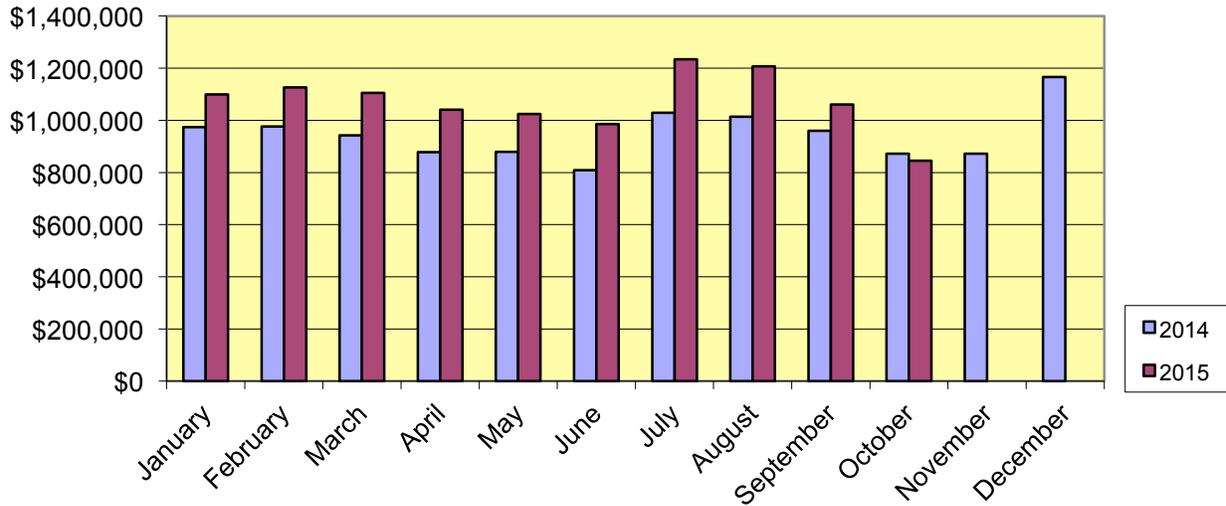
2. DISCUSS: Potential Revisions to Ordinance 245, Regarding Accessory Structures, Recreational Improvements, and Miscellaneous Improvements / Uses

The city council discussed each point on the city attorney's 11-02-15 memo. The ordinance will be revised based on the discussion and will be included on the 12-02-15 city council agenda for a 2nd reading.

3. ADJOURNMENT

Motion by Roy to adjourn the worksession at 5:45pm. Second by Cook. Motion passed 5-0.

City of Greenwood
Monthly Cash Summary



Month	2014	2015	Variance with Prior Month	Variance with Prior Year
January	\$973,698	\$1,100,038	-\$65,893	\$126,340
February	\$976,134	\$1,125,995	\$25,957	\$149,861
March	\$942,468	\$1,105,199	-\$20,796	\$162,731
April	\$878,040	\$1,041,296	-\$63,903	\$163,256
May	\$879,272	\$1,025,022	-\$16,274	\$145,750
June	\$808,884	\$986,189	-\$38,833	\$177,305
July	\$1,029,060	\$1,234,400	\$248,211	\$205,340
August	\$1,013,814	\$1,207,294	-\$27,106	\$193,480
September	\$960,083	\$1,061,011	-\$146,283	\$100,928
October	\$872,707	\$845,408	-\$215,603	-\$27,299
November	\$871,871	\$0	-\$845,408	-\$871,871
December	\$1,165,931	\$0	\$0	-\$1,165,931

Bridgewater Bank Money Market	\$174,353
Bridgewater Bank Checking	\$19,322
Beacon Bank CD	\$407,058
Beacon Bank Money Market	\$341,443
Beacon Bank Checking	(\$96,768)
	\$845,408

ALLOCATION BY FUND

General Fund	\$222,735
Special Project Fund	\$0
General Fund Designated for Parks	\$22,685
Bridge Capital Project Fund	\$117,173
Road Improvement Fund	\$40,000
Stormwater Fund	\$12,426
Sewer Enterprise Fund	\$361,599
Marina Enterprise Fund	\$68,790
	\$845,408

GREENWOOD CERTIFICATES OF DEPOSIT

Report Date: 10/31/15

Acct #	Bank	Date	Term	Maturity	Rate	Amount
101-10410	Beacon Bank	11/06/14	13 month	12/06/15	0.70%	\$ 61,335.70
101-10407	Beacon Bank	01/04/15	13 month	02/04/16	0.70%	\$ 61,883.00
101-10408	Beacon Bank	04/05/15	13 month	05/05/16	0.70%	\$ 61,450.84
101-10411	Beacon Bank	06/22/15	13 month	07/22/16	0.60%	\$ 80,420.62
101-10409	Beacon Bank	08/05/15	13 month	09/05/16	0.60%	\$ 61,359.73
101-10412	Beacon Bank	10/22/15	13 month	11/22/16	0.60%	\$ 80,608.33
					TOTAL	\$ 407,058.22

CITY COUNCIL POLICY: 09-03-14 Motion by Roy to authorize the administrative committee to open CDs with a maximum initial maturity of 25 months with a combined maximum total CD balance of \$500,000 at Beacon Bank or Bridgewater Bank. Second by Cook. Motion passed 5-0.

Check Issue Date(s): 11/01/2015 - 11/30/2015

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
11/15	11/17/2015	12160	853	ALLEGRA	101-20100	37.31
11/15	11/17/2015	12161	10	AMERICAN SOLUTIONS FOR BUSINES	101-20100	142.41
11/15	11/17/2015	12162	51	BOLTON & MENK, INC.	101-20100	9,154.00
11/15	11/17/2015	12163		Information Only Check	101-20100	.00 V
11/15	11/17/2015	12164	9	CITY OF DEEPHAVEN	101-20100	6,670.30
11/15	11/17/2015	12165	315	DOCK & LIFT INC.	605-20100	1,500.00
11/15	11/17/2015	12166	822	ECM PUBLISHERS INC	101-20100	72.63
11/15	11/17/2015	12167	860	EROSION PRODUCTS LLC	101-20100	33.00
11/15	11/17/2015	12168	790	GMH ASPHALT CORPORATION	101-20100	5,775.96
11/15	11/17/2015	12169	68	GOPHER STATE ONE CALL	602-20100	95.70
11/15	11/17/2015	12170	802	GRAINGER	101-20100	47.76
11/15	11/17/2015	12171	3	KELLY LAW OFFICES	101-20100	2,200.00
11/15	11/17/2015	12172	841	LAW OFFICE GREGORY E KELLER PA	101-20100	575.00
11/15	11/17/2015	12173	105	METRO COUNCIL ENVIRO SERVICES	602-20100	1,912.42
11/15	11/17/2015	12174	859	PRIDE CONSTRUCTION & EXC INC	502-20100	9,880.00
11/15	11/17/2015	12175	38	SO LAKE MINNETONKA POLICE DEPT	101-20100	15,586.42
11/15	11/17/2015	12176	145	XCEL ENERGY	101-20100	577.22
Totals:						<u>54,260.13</u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
ALLEGRA					
853	ALLEGRA	116187	38X8 2-SIDED CORO W/GROMMETS	10/23/2015	37.31
Total ALLEGRA					37.31
AMERICAN SOLUTIONS FOR BUSINES					
10	AMERICAN SOLUTIONS FOR BU	INV02340418	LASER CHECKS	10/27/2015	142.41
Total AMERICAN SOLUTIONS FOR BUSINES					142.41
BOLTON & MENK, INC.					
51	BOLTON & MENK, INC.	0183995	2014 I/I REDUCTION GRANT APP	10/31/2015	3,779.00
		0183996	2014 MS4 ADMN	10/31/2015	648.00
		0183997	2015 DEVELOPMENT REVIEW	10/31/2015	345.00
		0183998	2015 MISC ENGINEERING	10/31/2015	1,881.00
		0184000	2015 STREET IMPROVEMENTS	10/31/2015	2,501.00
Total BOLTON & MENK, INC.					9,154.00
CITY OF DEEPHAVEN					
9	CITY OF DEEPHAVEN	OCT 2015	RENT & EQUIPMENT	11/01/2015	487.45
			Postage		50.89
			COPIES		242.00
			SEWER		125.34
			STREETS		358.48
			WEED/TREE/MOWING		89.62
			PARK MAINTENANCE		179.24
			STORM SEWERS		268.86
			Clerk Services		3,434.00
			WM MUELLER - BLACKTOP		430.64
			SCHOOL DISTRICT LUNCH		76.10
			ZONING		927.68
Total CITY OF DEEPHAVEN					6,670.30
DOCK & LIFT INC.					
315	DOCK & LIFT INC.	27778	REMOVE FLOATING DOCK	11/03/2015	1,500.00
Total DOCK & LIFT INC.					1,500.00
ECM PUBLISHERS INC					
822	ECM PUBLISHERS INC	0267046	BAL DUE ON INVOICE	10/15/2015	.02
		276160	LEGAL NOTICE	11/12/2015	72.61
Total ECM PUBLISHERS INC					72.63
EROSION PRODUCTS LLC					
860	EROSION PRODUCTS LLC	2475	DOUBLE NET STRAW BLANKET	10/29/2015	33.00
Total EROSION PRODUCTS LLC					33.00
GMH ASPHALT CORPORATION					
790	GMH ASPHALT CORPORATION	111715	2015 ST IMPROVE-RETAINAGE	11/17/2015	5,775.96
Total GMH ASPHALT CORPORATION					5,775.96
GOPHER STATE ONE CALL					
68	GOPHER STATE ONE CALL	149215	Gopher State calls	10/31/2015	95.70

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
	Total GOPHER STATE ONE CALL				95.70
GRAINGER					
802	GRAINGER	6306457905	WARNING FLAGS	11/02/2015	47.76
	Total GRAINGER				47.76
KELLY LAW OFFICES					
3	KELLY LAW OFFICES	6380	GENERAL LEGAL	10/27/2015	2,200.00
	Total KELLY LAW OFFICES				2,200.00
LAW OFFICE GREGORY E KELLER PA					
841	LAW OFFICE GREGORY E KELL	111015	PROSECUTION BILL	11/10/2015	575.00
	Total LAW OFFICE GREGORY E KELLER PA				575.00
METRO COUNCIL ENVIRO SERVICES					
105	METRO COUNCIL ENVIRO SERV	0001049465	Monthly wastewater Charge	11/03/2015	1,912.42
	Total METRO COUNCIL ENVIRO SERVICES				1,912.42
PRIDE CONSTRUCTION & EXC INC					
859	PRIDE CONSTRUCTION & EXC I	103015	EXCAVATING FEES - MEADVILLE ST	10/30/2015	9,880.00
	Total PRIDE CONSTRUCTION & EXC INC				9,880.00
SO LAKE MINNETONKA POLICE DEPT					
38	SO LAKE MINNETONKA POLICE	NOV 2015	2015 OPERATING BUDGET EXP	11/01/2015	15,586.42
	Total SO LAKE MINNETONKA POLICE DEPT				15,586.42
XCEL ENERGY					
145	XCEL ENERGY	102615	SIREN	10/26/2015	3.57
			Sleepy Hollow Road *		8.74
			4925 MEADVILLE STREET *		8.72
			LIFT STATION #1		35.30
			LIFT STATION #2		29.94
			LIFT STATION #3		22.95
			LIFT STATION #4		27.43
			LIFT STATION #6		54.73
			Street Lights *		385.84
	Total XCEL ENERGY				577.22

Total Paid: 54,260.13

Total Unpaid: -

Grand Total: 54,260.13

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Description	GL Account	Amount
12/01/15	PC	12/01/15	12011501	COOK, WILLIAM B.	37		001-10100	184.70
12/01/15	PC	12/01/15	12011502	Fletcher, Thomas M	33		001-10100	84.70
12/01/15	PC	12/01/15	12011503	Kind, Debra J.	34		001-10100	277.05
12/01/15	PC	12/01/15	12011504	Quam, Robert	32		001-10100	184.70
12/01/15	PC	12/01/15	12011505	ROY, ROBERT J.	38		001-10100	184.70
Grand Totals:								<u>915.85</u>

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 1215.06
TO ALLOW WAIVING OF 2ND READINGS OF ORDINANCES**

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

SECTION 1.

Greenwood ordinance code section 1215.06 is amended to read as follows:

“Section 1215.06. Two Readings of Ordinances.

There shall be 2 readings of all ordinances prior to adoption. The 2nd reading shall be within 3 months of the 1st reading. There may be changes between the 1st and 2nd readings. The 2nd reading may be waived by a unanimous vote of city council members present at the meeting.”

SECTION 2.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ___ day of _____, 2015.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk

First reading: November 4, 2015
Second reading: _____, 2015
Publication: _____, 2015



520 Tamarack Ave.
Long Lake, MN. 55356

November 13, 2015

Dear Mrs. Mayor Kind and Council Members,

Below is a simple chart illustrating the participation or set-out rates for the City of Greenwood's residential city-wide recycling for the month of October, 2015. The residential dwellings in the City of Greenwood are doing a terrific job on the consistency of set-out and making certain that the material in the cart is acceptable. For the five weeks of collection in October the set-out numbers were as follows:

October 01, 2015: 274/290

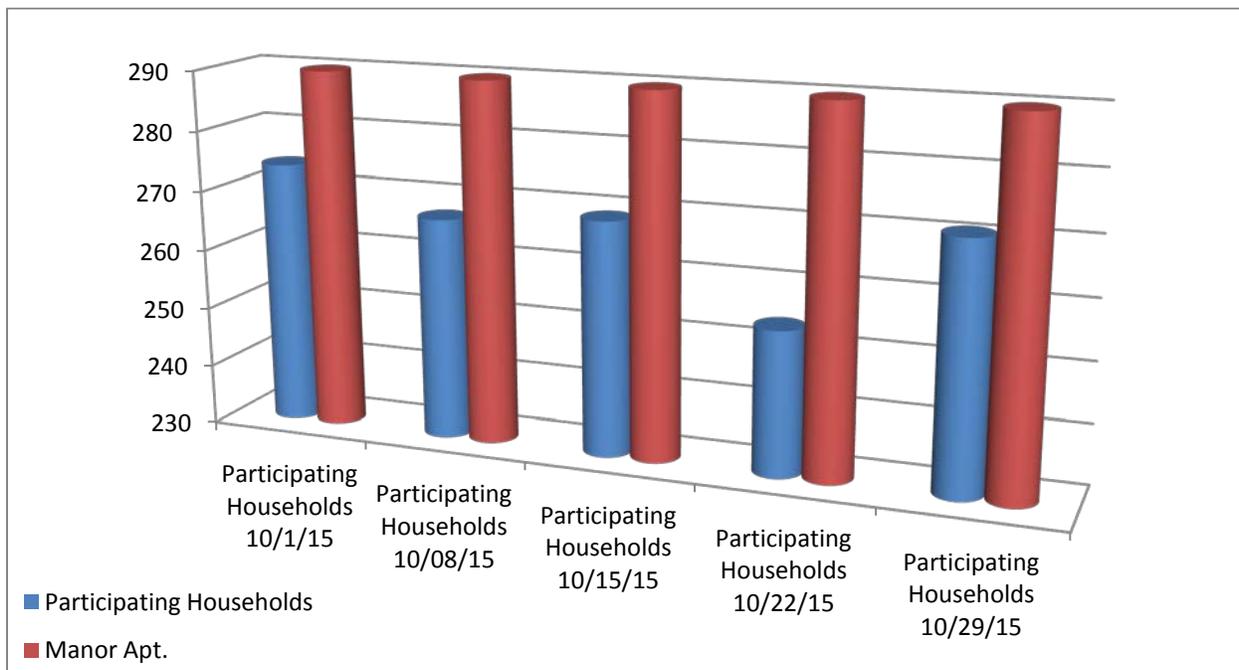
October 08, 2015: 267/290

October 15, 2015: 269/290

October 22, 2015: 254/290

October 29, 2015: 271/290

The one commercial location has a 100% set-out rate and is consistently full each week. All material collected is delivered to Dem Con Recycling in Shakopee, MN. The percentage of homes consistently not out, have been the same homes that have never participated in the recycling program.



If you have any questions regarding these finds, please feel free to contact us.

Thank you for your time,

Corey & Emilee Metcalf | Vintage Waste Systems, Inc. | 952-472-0401



Agenda Item: 2016 Licenses

Summary: 12-31-15 is the deadline for applications and fees for 2016 licenses that require council approval. Since the city has not received all of the applications and fees at this time, it is recommended that the council approves the licenses listed in the motion below contingent upon the city receiving applications and fees by the deadline. This is the same procedure that has been followed in the past.

Council Action: Required. The below motion is what is proposed to be approved with the consent agenda ...

I move the council approves 2016 licenses for the entities listed below contingent upon the city receiving applications and fees by 12-31-15:

Commercial Marinas	Bean's Greenwood Marina Excelsior Bay Harbor Kreslins' Marina
Liquor	Excelsior Entertainment LLC (Old Log)
Rental Permits	David Colwell, 21830 Byron Circle Terry & Jill Nagel, 21885 Byron Circle Jason Johnson, 21080 Excelsior Blvd Sunny Kim, 21380 Excelsior Blvd Lake Mtka Associates, 21650 Fairview Street Mark & Jean Lewry, 21690 Fairview Street David Rubenstein, 21885 Fairview Street Andrew Althsuser, 5200 Greenwood Circle John Klinkner, 5205 Greenwood Circle Mary Kellogg, 5050 Highview Place Jim Norman, 5370 Manor Road Juliann Schultz, 5470 Manor Road Scott & Lisa Christian, 5500 Maple Heights Road Patty Loftus, 5165 Meadville Street Thomas Hammer, 5260 Meadville Street Keith Wilcock, 21260 Minnetonka Blvd
Tobacco	Greenwood Market
Trash Haulers	Allied Waste Aspen Waste Blackowiak Disposal Randy's Sanitation Vintage Waste Waste Management



Agenda Number: **5A**

Agenda Date: **12-02-15**

Prepared by *Deb Kind*

Agenda Item: Public Hearing, Simple Subdivision Request, Nathan Raich, 21200 Mtka Blvd Subdivision

Summary: The staff report and resolution with the findings of fact for the 21200 Mtka Blvd Subdivision simple subdivision request are attached. Prior to taking action, a public hearing needs to be held. Since the subdivision section is in chapter 6 and is not in the zoning chapter 11 of the city code, the city council will hold the public hearing at the 12-02-15 city council meeting. The notice for the public hearing was published in the Sun-Sailor on 11-19-15. Notice also was mailed to neighboring properties. As of the council packet deadline, no written comments have been received by the city.

To inform the public, the staff report and applicant's presentation will be heard prior to the public hearing.

Key Dates:

Application complete: ~~November 12, 2015~~
Notice of Public Hearing published: ~~November 19, 2015~~
City Council Public Hearing: December 2, 2015
60-Day Final Plat Deadline: January 11, 2015

Council Action: Action required by January 11, 2015.

Suggested motions for the public hearing:

1. I move the council **opens** the public hearing.
2. I move the council **closes** the public hearing.

Suggested motions for council action:

1. I move the City Council accepts the recommendation and findings of staff and **approves with conditions** the simple subdivision request of Nathan Raich to subdivide 21200 Minnetonka Boulevard into two separate parcels as identified on the submitted surveys, as presented. The motion is conditioned that:
 - a. The approval is contingent on a signed right-of-way permit agreeable to the city and executed by January 8, 2016 with all legal fees associated with the agreement to be paid by the applicant.
 - b. The subdivision shall be recorded with the county registrar of deeds or registrar of titles within 30 days after the execution of the right-of-way permit agreement; otherwise the approval shall be considered void.
 - c. The applicant shall, immediately upon recording, furnish the clerk with 2 prints of the final plat showing evidence of the recording.
 - d. Prior to construction, the applicant shall provide for the city's approval the proposed location of all improvements within the public right-of-way.
 - e. Prior to recording, the applicant shall pay the city \$22,000 in park dedication fees.
2. I move the City Council **denies** the simple subdivision request of Nathan Raich to subdivide 21200 Minnetonka Boulevard into two separate parcels as identified on the submitted surveys, as presented. The applicant has not met the following criteria as required by the ordinance in that _____.



Staff Report 5A

Agenda Date: 12-02-15

Prepared by Dale Cooney

Zoning Administrator

**Agenda Item: Consider Simple Subdivision Request of Nathan Raich
for 21200 Minnetonka Boulevard.**

Summary: Nathan Raich, is proposing to subdivide the property at 21200 Minnetonka Boulevard into two separate parcels. Mr. Raich has entered into a purchase agreement with Dan Heiland, the current owner of the property. A copy of the signed purchase agreement addendum consenting to the subdivision proposal is attached to this staff report.

Section 600.07 of the City Ordinance defines the Simple Subdivision process: One lot may be subdivided into two separate buildable lots, or smaller pieces may be severed for the purpose of accretion onto neighboring parcels, provided the severed portion does not make the balance of the remaining lot a nonconforming lot. Planning Commission review is not required as a part of the simple subdivision process.

Zoning Compliance:

The proposed subdivision is within the R1-A zoning district. The applicant has submitted surveys with possible house and driveway access that would meet setback and hardcover requirements. The surveys are only meant to demonstrate the viability of the subdivision and, at this point, are not proposing specific house locations.

21200 Minnetonka Boulevard	Lot Area (sf)	Lot Width	Lot Depth	Impervious Surface Area	Front Setback	Side Setbacks	Rear Setback
Required	15,000	75	150'	30%	30'	15'	35'
Lot A	15,021	100'	150'	13.5% (Existing)	57.0'	19.9'(N) / 53.5'(S)	44.1'
Lot B	25,270	100'	265'	16.6% (Proposed)	>30'	>15'	>35'

As proposed, the subdivision meets the dimensional requirements necessary to create two buildable lots. Under the new configuration, the existing house and driveway on proposed Lot A would remain zoning-code compliant. Zoning issues such as grading and tree removal would be addressed at the building phase. However, the city engineer reviewed the proposed subdivision and did not raise any concerns about the overall buildability of the lot.

Street and Utility Access:

As currently proposed, in order to create street and utility access the property, Lot B would use the currently vacant city right-of-way known as Crestwood Lane. Access would include both driveway access, connection to the sewer main on Minnetonka Boulevard, and any buried gas or electric utility lines.

While an easement agreement through Lot A is an option for street and utility access, the City Engineer believes that using the vacant right of way is a cleaner and more stable long-term solution. An agreement with the city is ostensibly a more secure agreement than one with another private homeowner. The City Engineer did not see a problem with the private utilities being located within the public right-of-way. He did say that the city would want to have oversight as to the locations of these utilities in order to have adequate space for any municipal utility expansions in this area.

Section 630 of the City Code outlines the requirements for right-of-way access. Section 630.10 states: "Any person may apply to the city council for a permit to keep or maintain private property within a publicly owned right-of-way. The application shall be in writing and must describe with specificity the private property and right-of-way involved, and the nature and extent of the requested encroachment. The city council may grant the permit if it is determined that the use applied for is incidental and not inconsistent with safe and efficient public use. However, no permit will be issued until the applicant has agreed in writing to waive any right to recover from the city for damage occurring to the property located within the right-of-way which may result from the performance of the city or its agents of its public duties required by law."

The fee for a right-of-way access permit shall be determined by the City Council. Past right-of-way permit fees have been based on the costs associated with the creation of the legal documents for the right-of-way permit.

If the City Council is willing to approve the use of the public right-of-way for the proposed Lot B, the City Council should determine if they are comfortable approving the subdivision contingent upon approval of the right-of-way permit, or if the right-of-way permit would need to be secured before authorization of the subdivision could proceed.

Sewer Lateral Connection Fee:

The sewer main on this portion of Minnetonka Boulevard belongs to the City of Shorewood. Any fees associated with the connection to this sewer main would be paid to the City of Shorewood.

Park Dedication:

Park dedication land or fees are typically required during the subdivision process when additional lots are created that would generate additional demands on the city's park system. Park dedication requirements are based upon new lots created and not the original parcel as a whole. City code gives the City Council discretion whether or not to require park dedication, and whether or not the requirement would be in the form of land or cash in lieu of land. The maximum percentage of land is 8% of the new lot(s) and the maximum park dedication fee is 8% of the fair market value of the new lot(s).

The 2010 Comprehensive Plan does not identify any park lands or trails that the City of Greenwood has prioritized for future acquisition. Further, the 2010 Comprehensive Plan states that "Since 99% of the land within the City of Greenwood is currently developed, providing additional park and recreation facilities is both an expensive and difficult task to accomplish." The property also currently has a paved path separated from the street within the existing city right-of-way, making it unnecessary to acquire additional land for public trails at this location.

Because of this, staff recommends that the city pursue a park dedication fee in lieu of land acquisition. Michael Smeardon, the City Assessor, estimates that the new rear lot, Parcel B, would be valued at \$275,000. Based on the city's 8% park dedication fee, the fee for the proposed subdivision would be \$22,000.

Timeline and Approval

The usual zoning 60-day timeline with possible 60-day extension does not apply to subdivision applications. For the city's simple subdivision process, it is the opinion of City Attorney Mark Kelly that the 60-day timeline for final plat approval is applicable. The primary difference is that state statute does not allow for a 60-day extension. Therefore, the city would need to approve or deny the application within the 60-day timeline.

The Simple subdivision ordinance states that "The subdivider shall conform with all other applicable requirements of section 600 et seq including public right-of-way and easement dedication that may be required." City Attorney Mark Kelly interprets this statement to apply to final plat recording requirements which state:

- If the final plat is approved by the council, the subdivider shall record it with the county registrar of deeds or registrar of titles within 30 days after the date of approval; otherwise the approval shall be considered void.
- The subdivider shall, immediately upon recording, furnish the clerk with 2 prints of the final plat showing evidence of the recording.

Staff Recommendation:

Staff recommends **approval with conditions** of the subdivision request of Nathan Raich to subdivide 21200 Minnetonka Boulevard into two separate parcels as identified on the submitted surveys. The recommendation is based upon findings from the review criteria found in Section 600.07 of the Greenwood Code of Ordinances:

1. The size of the newly created buildable lots conforms to the minimum requirements of the zoning ordinance.
2. Each buildable lot that abuts upon a public street or upon an existing easement or private street provides satisfactory ingress and egress. The applicant has proposed use of the vacant public right-of-way for utility access, which would provide satisfactory ingress and egress pending city approval of the right-of-way permit.
3. The subdivision will not lend itself to future subdivision.
4. There are no existing structures on the proposed buildable lot (Lot B). Both proposed lots would be compliant with the city's impervious surface restrictions.
5. The remainder lot (Lot A) is zoning code and shoreland management district code compliant in matters of location of accessory structures, hard cover maximums and sideyard setbacks relative to both principal and accessory structures.
6. The city may impose such additional conditions as it deems necessary and appropriate.

Staff's recommendation is based upon the following conditions:

- a. Approval shall be contingent on a signed right-of-way permit agreeable to the city and executed by January 8, 2016 with all legal fees associated with the agreement to be paid by the applicant.
- b. The subdivision shall be recorded with the county registrar of deeds or registrar of titles within 30 days after the execution of the right-of-way permit agreement; otherwise the approval shall be considered void.
- c. The applicant shall, immediately upon recording, furnish the clerk with 2 prints of the final plat showing evidence of the recording.
- d. Prior to construction, the applicant shall provide for the city's approval the proposed location of all improvements within the public right-of-way.
- e. Prior to recording, the applicant shall pay the city \$22,000 in park dedication fees.

PUBLIC HEARING NOTICE

**Wednesday,
December 2, 2015
7:00 p.m.
City Hall Council Chambers
20225 Cottagewood Road**

**Consider application for
a Simple Subdivision of
21200 Minnetonka Boulevard
into two lots.**

You are invited

The City Council invites you to a public hearing. You are given notice because you are adjacent to the subject property. The meeting will begin at 7:00 p.m. The hearing may not start until later in the evening, depending on other agenda items that may precede this one.

What's being proposed?

Nathan Raich is applying for the following in conjunction with the property at 21200 Minnetonka Boulevard:

- **A simple subdivision to subdivide the existing property into two buildable lots.**
- **Section 600.07** of the City Ordinance defines the Simple Subdivision process: One lot may be subdivided into two separate buildable lots, or smaller pieces may be severed for the purpose of accretion onto neighboring parcels, provided the severed portion does not make the balance of the remaining lot a nonconforming lot.
- **A permit from the City of Greenwood to keep a private driveway and private utility access within a public right-of-way.**
- **Section 630** of the City Code outlines the requirements for right-of-way access. Section 630.10 states that any person may apply to the city council for a permit to keep or maintain private property within a publicly owned right-of-way. The application shall be in writing and must describe with specificity the private property and right-of-way involved, and the nature and extent of the requested encroachment.

What happens at the meeting?

The applicant or a representative of the applicant will present their case for the above mentioned request. The City Council will give anyone wanting to speak the opportunity to do so. The City Council requests that a spokesperson speak for a group with a consensus opinion. While resident input is highly valued, the City Council legally cannot rely solely on resident opinions in making its decision. In addition, ordinance standards, laws, and city policies limit the City Council's decisions. Public comments should address these standards, a copy of which may be obtained online or by calling the City Zoning Administrator.

The decision by the City Council is final subject to the right of appeal, and subject to exceptions as may be provided for in City Ordinance.

How can I stay informed?

If you have questions, would like further information, or cannot attend the hearing and would like to make comments, please contact Dale Cooney, the Zoning Administrator at (952) 358-9938 or by email at dalec@mediacombb.net.

The agenda and staff report for this project will be available by **November 20th**.

ADVANCE SURVEYING & ENGINEERING CO.

5300 S. Hwy. No. 101 Minnetonka, MN 55345 Phone (952) 474 7964 Fax (952) 225 0502 WWW.ADVSUR.COM

SURVEY FOR: **NATE RAICH**

SURVEYED: October 29, 2015 DRAFTED: October 30, 2015
 REVISED: November 11, 2015, to show hardcover calculations.

ADDRESS OF ORIGINAL PARCEL:
 21200 Minnetonka Blvd, Greenwood, Mn

LEGAL DESCRIPTION OF ORIGINAL PARCEL:
 Lots 2 and 3, Lot 30, except the Southerly 15 feet thereof, and Lot 31, Block 13, Minnetonka Manor, Hennepin County, Minnesota.

Certificate of Title No. 1411256

PROPOSED LEGAL DESCRIPTION OF PARCEL A:
 Lots 2 and 3, Block 13, Minnetonka Manor, Hennepin County, Minnesota.

Contains: 15,021 Sq Ft

PROPOSED LEGAL DESCRIPTION OF PARCEL B:
 Lot 30, except the Southerly 15 feet thereof, and all of Lot 31, Block 13, Minnetonka Manor, Hennepin County, Minnesota.

Contains: 25,720 Sq Ft

SCOPE OF WORK & LIMITATIONS:

- Showing the length and direction of boundary lines of the above legal description we were furnished. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey, have been shown.
- We show a proposed division of the property per your instructions. Please review the proposed division to verify that it is what you intended. We suggest you submit this survey to the governmental agencies that have jurisdiction over it to obtain their approvals, if you can, before making any decisions regarding the property.
- Showing the location of existing improvements we deemed important.
- Setting new monuments or verifying old monuments to mark the corners of the property.
- While we show the minimum building setback lines per our interpretation of the city's zoning code, said setback lines must be verified by the appropriate city officials to be sure that they are shown correctly. Do this before using the survey to make any decisions regarding the property.
- While we show possible future dwellings and hardcover calculations, it should be noted that those are based on concept plans and are subject to change. We have not looked any further into the feasibility of building homes on said lots in regards to possible access, grading, or utility issues.

STANDARD SYMBOLS & CONVENTIONS:

"●" Denotes found iron monument, unless otherwise shown.

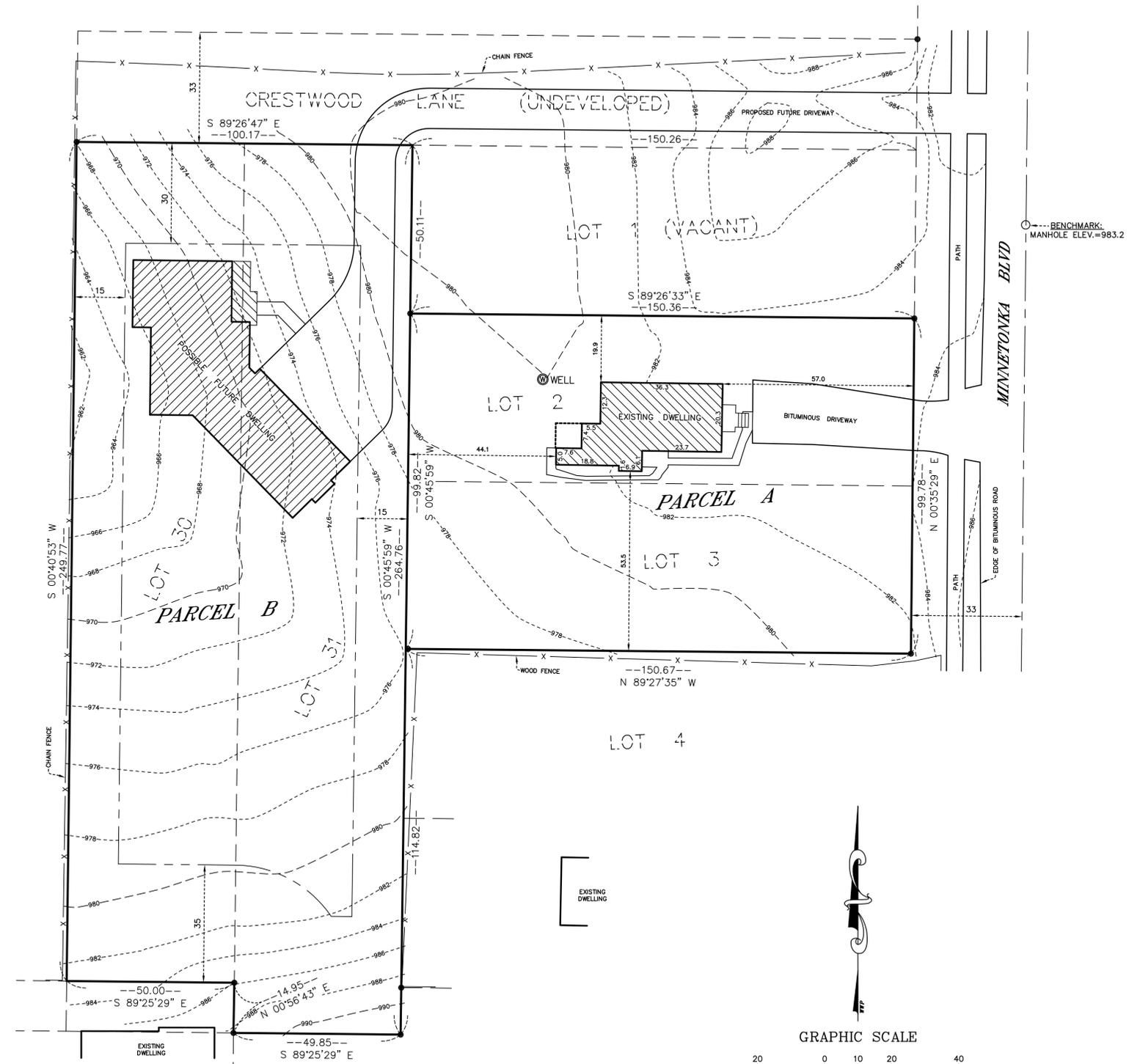
CERTIFICATION:

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

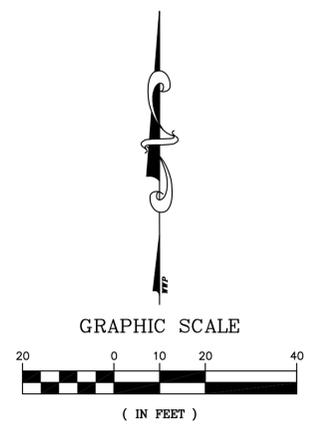
Signature: *Wayne W. Preuhs* Typed Name: Wayne W. Preuhs

Reg. No.: 43503

Date: November 11, 2015



EXISTING HARDCOVER ORIGINAL LOT		EXISTING HARDCOVER PARCEL A		PROPOSED HARDCOVER PARCEL B	
HOUSE	965 SQ. FT.	HOUSE	965 SQ. FT.	HOUSE	2,256 SQ. FT.
DECK	48 SQ. FT.	DECK	48 SQ. FT.	PORCH	120 SQ. FT.
DRIVEWAY	828 SQ. FT.	DRIVEWAY	828 SQ. FT.	DRIVEWAY	1,832 SQ. FT.
WALK	185 SQ. FT.	WALK	185 SQ. FT.	WALK	62 SQ. FT.
TOTAL EXISTING HARDCOVER	2,026 SQ. FT.	TOTAL EXISTING HARDCOVER	2,026 SQ. FT.	TOTAL PROPOSED HARDCOVER	4,270 SQ. FT.
AREA OF LOT	40,741 SQ. FT.	AREA OF LOT	15,021 SQ. FT.	AREA OF LOT	25,720 SQ. FT.
LOT COVERAGE	5.0%	LOT COVERAGE	13.5%	LOT COVERAGE	16.6%





ADDENDUM TO PURCHASE AGREEMENT

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form. © 2011 Minnesota Association of REALTORS®, Edina, MN

1. Date 11/09/15

2. Page _____

3. Addendum to Purchase Agreement between parties, dated Oct 4, 2015, pertaining to the
4. purchase and sale of the property at 21200 Minnetonka Boulevard
5. Greenwood, MN 55331

6. In the event of a conflict between this Addendum and any other provision of the Purchase Agreement, the language
7. in this Addendum shall govern.

8. Seller and current owner of above referenced property consents on the
9. Subdivision application to the City of Deephaven. This is consenting to
10. allow NR Properties/Nathan Raich to submit the application on their
11. behalf.

- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.

31. [Signature] 11/11/15 [Signature] 11/11/15
(Seller) DAN HEILAND (Date) (Buyer) NRP LLC (Date)

32. _____
(Seller) (Date) (Buyer) (Date)

33. THIS IS A LEGALLY BINDING CONTRACT BETWEEN BUYERS AND SELLERS.
34. IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN APPROPRIATE PROFESSIONAL.



Generic Application Form

(this form is not a permit or license)



Person completing form: Property Owner Business Manager Builder Other: Future owner of property per PA.

If you prefer to complete this form electronically, it is available for downloading at www.greenwoodmn.com.

Use this form if a specific form does not exist for the permit or license desired.

Date form completed	12/17
Applicant (first name, full middle name, last name)	Nathan Alexander Raich
Property address	21200 Minnetonka Blvd
Mailing address (if different than property address)	2904 Aspen Lake Dr Ne, Blaine MN 55449
Cell phone	651-283-1305
Email address	nraich@loanpacific.com
MN license number (if applicable)	NA

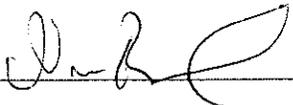
Type of permit / license desired: Subdivision of property

Please attach a narrative description or drawing to this application cover sheet.

The undersigned hereby makes this application for a the above listed permit / license and acknowledges the following:

- I certify information submitted on this form is true and correct to the best of my knowledge. I understand that giving false information on this application constitutes cause for the immediate revocation of any permit / license issued hereunder.
- I am familiar with the provisions of the applicable Greenwood ordinance(s) for this application agree to operate in accordance with the code book of ordinances of the city of Greenwood (available for viewing at city hall and at www.greenwoodmn.com), and with the laws of the state of Minnesota.

The permit / license fee is non-refundable and must be submitted at the time of application. Fees are listed in chapter 5, section 510 of the city code book available for viewing at city hall or at www.greenwoodmn.com.

Signature of applicant  Date: 11/10/15

For Office Use Only	Approved By:	Fee Paid: <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Check	Amount \$ 1500.00	Approval Date: 11/12/15
----------------------------	--------------	---	-------------------	-------------------------

Form Updated 06.02.15

RESOLUTION NO 23-15

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA
ACTING AS THE BOARD OF APPEALS & ADJUSTMENTS

APPROVING

IN RE: The application of Nathan Raich for a Simple Subdivision pursuant to Greenwood ordinance code section 600.07 to subdivide the property at 21200 Minnetonka Boulevard into two separate parcels.

RECITALS

WHEREAS, Applicant Nathan Raich (hereinafter 'Applicant') desires to subdivide into two parcels the real property commonly known as 21200 Minnetonka Boulevard, Greenwood, Minnesota 55331 (PID No. 26-117-23-13-0017), being real property located in Hennepin County, Minnesota, legally described as follows: "Lots 2 and 3, Lot 30, except the Southerly 15 feet thereof, and all of Lot 31, Block 13, Minnetonka Manor," according to the plat thereof of record and on file in the office of the Hennepin County Recorder."; and

WHEREAS, Applicant has entered into a purchase agreement with the current owner of the property, Dan Heiland of Trading Post Properties, LLC (hereinafter 'Heiland');

WHEREAS, Heiland has consented to allow the Applicant submit the subdivision application on Heiland's behalf as evidenced by a signed purchase agreement addendum; and

WHEREAS, Pursuant to section 600.07, Applicant applies for Simple Subdivision to subdivide the existing parcel into two buildable parcels, hereinafter referred to as "Parcel A" and "Parcel B"; and

WHEREAS, Parcel A is illustrated and legally described on the November 11, 2015 Advance Surveying & Engineering Co. survey as follows:

"Lots 2 and 3, Block 13, Minnetonka Manor, Hennepin County, Minnesota"

See, survey attached hereto as Exhibit A; and

WHEREAS, Parcel A is illustrated and legally described on the November 11, 2015 Advance Surveying & Engineering Co. survey as follows:

"Lot 30, except the Southerly 15 feet thereof, and all of Lot 31, Block 13, Minnetonka Manor, Hennepin County, Minnesota"

See, survey attached hereto as Exhibit A; and

WHEREAS, notice of a public hearing was published, and a public hearing was held before the city council to consider the application; and

WHEREAS, public comment was taken at the public hearing before the city council on December 2, 2015; and

WHEREAS, the city council of the city of Greenwood has received the staff report, and considered the application, the comments of the applicant and the comments of the public.

NOW, THEREFORE, the city council of the city of Greenwood, Minnesota does hereby make the following:

FINDINGS OF FACT

1. The foregoing Recitals are adopted as if set out here at in full.
2. That the real property commonly known as 21200 Minnetonka Boulevard, Greenwood, Minnesota 55331 (PID No. 26-117-23-13-0017) is a single lot of record located within the R1A district.
3. The survey submitted by the Applicant, (Exhibit A), illustrates the locations and dimensions of Parcel A and Parcel B. This survey also illustrates the existing improvements, setbacks, topography and hardcover for the property.
4. Greenwood ordinance code section 600.07 states that a lot of record may be subdivided into: (1) two separate buildable lots or (2) smaller pieces may be severed for the purpose of accretion onto neighboring parcels, provided the severed portion does not make the balance of the remaining lot a nonconforming lot; and provided:
 - A. The size of the newly created buildable lots conform to the minimum requirements of the zoning ordinance;
 - B. Each buildable lot abuts upon a public street or upon an existing easement or a private street access that is determined by the city council as providing satisfactory ingress and egress;
 - C. The subdivision will not lend itself to future subdivision for the creation of additional properties within the applicable zone;
 - D. All existing structures and/or uses found on the new buildable lot shall be removed and if a smaller piece has been severed for accretion onto a neighboring parcel, the severed portion shall not increase the hardcover on the property to which it is accreted;
 - E. The remainder lot, (after severance of a buildable lot or a smaller piece for accretion onto a neighboring parcel) shall be zoning code and shore land management district code compliant in matters of location of accessory structures, hard cover maximums and side yard setbacks relative to both principal and accessory structures; and
 - F. The city may impose such additional conditions as it deems necessary and appropriate, including requiring the applicant to enter into a developer's agreement with the city, in form meeting the approval of the city attorney.
5. Greenwood ordinance code section 630.10 states that any person may apply to the city council for a permit to keep or maintain private property within a publicly owned right-of-way. The application shall be in writing and must describe with specificity the private property and right-of-way involved, and the nature and extent of the requested encroachment. The city council may grant the permit if it is determined that the use applied for is incidental and not inconsistent with safe and efficient public use. However, no permit will be issued until the applicant has agreed in writing to waive any right to recover from the city for damage occurring to the property located within the right-of-way which may result from the performance of the city or its agents of its public duties required by law.
6. The Applicant proposes to use currently vacant city right-of-way known as Crestwood Lane in order to provide driveway and utility access to Parcel B and the Applicant has submitted in writing a permit request to the city council to keep or maintain private property for Parcel B within the Crestwood Lane right-of way.
7. The Simple Subdivision request complies with the criteria in Greenwood ordinance section 600.07, to-wit:
 - A. The sizes of the newly created buildable lots conform to the minimum requirements of the zoning ordinance;
 - B. Each buildable lot that abuts upon a public street or upon an existing easement or private street provides satisfactory ingress and egress. The applicant has proposed use of the vacant public right-of-way for utility access, which would provide satisfactory ingress and egress pending city approval of the right-of-way permit;
 - C. The subdivision will not lend itself to future subdivision;
 - D. There are no existing structures on the proposed buildable lot (Parcel B). Both proposed lots would be compliant with the city's impervious surface restrictions;
 - E. The remainder lot (Parcel A) is zoning code and shoreland management district code compliant in matters of location of accessory structures, hard cover maximums and sideyard setbacks relative to both principal and accessory structures.

8. The following conditions should be imposed on the grant of this subdivision request:
- A. Approval shall be contingent on a signed right-of-way permit agreeable to the city and executed by January 8, 2016 with all legal fees associated with the agreement to be paid by the applicant.
 - B. The subdivision shall be recorded with the county registrar of deeds or registrar of titles within 30 days after the execution of the right-of-way permit agreement; otherwise the approval shall be considered void.
 - C. The applicant shall, immediately upon recording, furnish the clerk with 2 prints of the final plat showing evidence of the recording.
 - D. Prior to construction, the applicant shall provide for the city's approval the proposed location of all improvements within the public right-of-way.
 - E. Prior to recording, the applicant shall pay the city \$22,000 in park dedication fees.

CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the city council makes the following conclusions of law:

The applicant has made an adequate demonstration of facts meeting the standards of section 600.07 necessary for grant of a Simple Subdivision and therefore:

1. The Simple Subdivision application to subdivide 21200 Minnetonka Boulevard into Parcel A and Parcel B **should** be approved on the conditions set forth above at Findings of Fact No. 8.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Greenwood, Minnesota:

That the application of Nathan Raich for:

1. The Simple Subdivision pursuant to Greenwood ordinance code section 600.07 to subdivide 21200 Minnetonka Boulevard into Parcel A and Parcel B legally described in Exhibit A attached hereto, is APPROVED on the following conditions:
 - A. Approval shall be contingent on a signed right-of-way permit agreeable to the city and executed by January 8, 2016 with all legal fees associated with the agreement to be paid by the applicant.
 - B. The subdivision shall be recorded with the county registrar of deeds or registrar of titles within 30 days after the execution of the right-of-way permit agreement; otherwise the approval shall be considered void.
 - C. The applicant shall, immediately upon recording, furnish the clerk with 2 prints of the final plat showing evidence of the recording.
 - D. Prior to construction, the applicant shall provide for the city's approval the proposed location of all improvements within the public right-of-way.
 - E. Prior to recording, the applicant shall pay the city \$22,000 in park dedication fees.

PASSED this 2nd day of December, 2015 by the city council of the city of Greenwood, Minnesota.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk



Agenda Number: **6A**

Agenda Date: **12-02-15**

Prepared by *Deb Kind*

Agenda Item: Res 14-15, Findings for Hardcover Variance Request and Res 15-15, Findings for Grading Conditional Use Permit Request, Mary McQuinn, 5025 Covington Street

Summary: At the 10-07-15 city council meeting, Dale Gustafson of Greendale Design requested a variance to exceed impervious surface limitations and a grading conditional use permit on behalf of Mary McQuinn, 5025 Covington Street. The city council discussed the requests and approved the following motion ...

Motion by Quam that the Greenwood city council notify Mary McQuinn, 5025 Covington St, in writing that the city will take up to an additional 60 days to take action regarding her variance and conditional use permit request to allow time for the city engineer to review the plans. Second by Kind. Motion passed 3-2 with Cook and Fletcher voting against the motion.

On 10-08-15 city zoning administrator sent written notification to the applicant regarding the city taking an additional 60 days to take action (new deadline: December 19, 2015).

Attached are the application materials, the city zoning administrator's memo from 10-07-15, the findings resolutions from the 10-07-15 meeting, a 09-09-15 letter from the city engineer that was inadvertently left out of the 10-07-15 city council packet, an 11-11-15 email from the city engineer with additional comments for the city council's consideration, and a **new proposal** from the applicant regarding the possibility of improving stormwater drainage at Greenwood (Meadville) Park.

Key Dates:

Application complete:	August 21, 2015
Notice of Public Hearing published:	September 3, 2015
Planning Commission Public Hearing:	September 16, 2015
City Council Consideration:	October 7, 2015
60-Day Deadline:	October 20, 2015
City Council Consideration:	December 2, 2015
120-Day Deadline:	December 19, 2015

Council Action: The city council must take action by 12-19-15. Suggested motions ...

1. I move the city council accepts the planning commissions recommendation and adopts resolutions 14-15 and 15-15, findings for **denial** of the variance and grading conditional use permit applications for Mary McQuinn, 5025 Covington Street as written (with the following revisions: _____).
2. I move the city council (1) accepts the written request from the applicant to delay action to the 01-06-16 city council meeting; (2) directs staff to draft findings for **approval** of the variance and conditional use permit requests for Mary McQuinn, 5025 Covington Street, based on the council's discussion; and (3) directs the findings for **approval** and **denial** be placed on the 01-06-16 city council agenda for consideration.

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



Agenda Item: Res 14-15, Findings for Variance Request to Exceed 30% Hardcover, and Res 15-15, Findings for Grading Conditional Use Permit Request, Dale Gustafson on behalf of Mary McQuinn, 5025 Covington Street

Summary: Dale Gustafson of Greendale Design is requesting a variance to exceed impervious surface limitations and a grading conditional use permit on behalf of Mary McQuinn, 5025 Covington Street.

The hardcover proposal includes the creation of a second driveway that would allow for easy automobile ingress and egress for guests on the property. The proposal would also remove an existing parking area at the street. The applicant is proposing an impervious surface area of 35.1% for the property. Section 1176.04. (3)(3)(a) of the city zoning code states that impervious surface coverage in all residential districts as expressed as a percentage of the lot area, shall not exceed 30%. The applicant is proposing an impervious surface area of 35.1% for the property and is seeking a variance to exceed the maximum impervious surface area by 5.1%.

To mitigate the excess impervious surface area, the applicant proposes a number of water recapture / reuse systems, infiltration trenches, and rain gardens. As proposed, these systems could mitigate a one-inch rainfall event for an area covering the equivalent 34,319 square feet. This is far in excess of the proposed 7058 square feet of total hardcover for the site. The proposed grading for the driveway and stormwater mitigation systems, and other regrading on the property, requires a conditional use permit. Section 1140.19 (2) of the city zoning code requires the a conditional use permit for any the grading or site / lot topography alteration request involving more than 200 square feet of surface area, and involving more than 20 cubic yards of material. The applicant is proposing to impact 16,023 square feet of surface area and 296 cubic yards of soil and is seeking a conditional use permit.

Planning Commission Action: Variance Request: Commissioner Bechtell made a motion to recommend that the city council **deny** the application of Dale Gustafson for a variance of Greenwood ordinance section 1176.04 (3)(3)(a) to exceed the maximum allowable impervious surface area of 30% by 5.1% for a total impervious surface area of 35.1% as presented, based on the following findings: The plight of the landowner-applicant is **NOT due** to circumstances unique to the property and is created by the landowner because previously approved plans currently allow for adequate driveway access for the property while also remaining under the allowable impervious surface area. Second by Commissioner Paeper. Motion passed 5-0.

Conditional Use Permit Request: Chairman Lucking made a motion to recommend that the city council **deny** the application of Dale Gustafson for a Conditional Use Permit required by Greenwood ordinance section 1140.19 (2) when grading or site / lot topography alteration involves more than 200 square feet of surface area or involves more than 20 cubic yards of material, based on the following findings: Absent the associated variance, the interest in the public health, safety, comfort, convenience and general welfare of the neighborhood **are NOT** being met because the proposed changes will unnecessarily alter the grade the property. Second by Commissioner Reeder. Motion passed 5-0.



BOLTON & MENK, INC.[®]

Consulting Engineers & Surveyors

2638 Shadow Lane, Suite 200 • Chaska, MN 55318-1172

Phone (952) 448-8838 • Fax (952) 448-8805

www.bolton-menk.com

September 9, 2015

Dale Cooney, Zoning Coordinator
City of Greenwood
20225 Cottagewood Road
Deephaven, MN 55331

**RE: 5025 Covington Street
Engineering Review #1**

Dear Mr. Cooney,

I have completed review of the plans submitted for 5025 Covington Street. Following are my comments for your consideration:

1. The proposed layout and grading design will maintain existing drainage patterns. Stormwater runoff will continue to drain from east to west along the north and south property lines. Proposed raingardens on each property line and an infiltration trench will provide rate control and volume reduction.
2. Grades will not be altered by more than 2' in an area greater than 300 square feet, so no variance for grade alteration is necessary.
3. If raingardens and infiltration trench are proposed to mitigate excess hardcover, calculations should be submitted verifying required volume reduction is provided.
4. Typical sections for the proposed raingardens and infiltration trench should be submitted for review. Sections should include an underdrain. Underdrain should be daylighted near west property line with 6" concrete headwall and rodent guard.
5. If gutters and roof drains are to be installed, drains should be routed to proposed raingardens and infiltration trench to maximum extent possible.
6. In order to not block flow of stormwater runoff, a 6" clear space should be provided between the ground and bottom of the proposed fence on the south property line.

Please do not hesitate to contact me if you have any questions or comments. Thank you.

Sincerely,

Robert E. Bean, Jr., P.E.

BOLTON & MENK, INC.

Dale Cooney

From: Robert Bean <bobbe@bolton-menk.com>
Sent: Wednesday, November 11, 2015 10:42 AM
To: 'Dale Cooney'
Subject: RE: 5025 Covington comments

Follow Up Flag: Follow up
Flag Status: Flagged

Dale,

I have completed review of the information submitted for 5025 Covington Street. Following are my comments for City consideration:

1. The Hardcover Calculations submitted on 8/18/15 indicate proposed impervious is over the required 30% maximum by approximately 1,028 s.f. In order to mitigate this excess hardcover, a volume equal to 1" runoff over the excess impervious should be retained on site. This results in 86 c.f. required to be retained. The applicant's runoff calculations indicate over 2,500 c.f. of volume retention is to be provided. However, only the volume of void spaces should be considered for volume retention in the infiltration trench and rain garden media. With revisions to calculations for void spaces, the proposed improvements will still provide over 900 c.f. volume retention. Therefore, these improvements should provide more than adequate volume retention.
2. Typical sections for the proposed raingardens and infiltration trench should be submitted for review. Sections should include an underdrain. Underdrain should be daylighted near west property line with 6" concrete headwall and rodent guard.
3. If gutters and roof drains are to be installed, drains should be routed to proposed raingardens and infiltration trench to maximum extent possible.
4. In order to not block flow of stormwater runoff, a 6" clear space should be provided between the ground and bottom of the proposed fence on the south property line.

If you have any questions or comments, please contact me to discuss.

Thanks,

Robert E. Bean, Jr, P.E.

LEED Green Assoc.

Bolton & Menk, Inc.

P:(952) 448-8838, ext 2892

F:(952) 448-8805

email: bobbe@bolton-menk.com

From: Dale Cooney [<mailto:dalec@mediacombb.net>]

Sent: Monday, November 09, 2015 10:54 AM

To: Robert Bean <bobbe@bolton-menk.com>

Subject: 5025 Covington comments

Bob,

Any comments you have for the Greenwood City Council related to the submitted plans/calculations at 5025 Covington would need to be submitted to me by 11/19. If you would like a couple of more days, you could send them directly to

Mayor Kind by 11/23. (I will be out of the office the week of Thanksgiving and would not be able to forward the information along.)

-Dale

Dale Cooney

Zoning Coordinator
Deephaven • Greenwood • Woodland

20225 Cottagewood Road
Deephaven, MN 55331

Direct: 952.358.9938
Main: 952.474.4755
Fax: 952.474.1274

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Variance Application



Person completing form: Property Owner (Builder / Architect)
 If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

Date application submitted	August 18, 2015
Date application complete (office use only)	
Property address	5025 Covington Street
Property identification number (PID)	26-117-23-24-0032
Property owner's current mailing address	5225 Blake Road, Edina MN, 55435
Names of all property owners	Mary A McQuinn
Cell phone and email of property owner(s)	952-935-3698 jlander@quinstardlc.com
Name of builder / architect (if any)	Dale A. Gustafson
Company name of builder / architect	Greendale Design
Cell phone and email of builder / architect	763-286-5142
Company address	1845 Wisconsin Ave N Golden Valley MN, 55427
Present use of property	Home under construction
Property acreage	0.46 acres
Existing variances or conditional use permits	No Yes – please attach a copy
Request is for	New Construction Addition Remodel Replace Variance for hard cover
The variance(s) are being requested to (e.g. build a garden shed)	

Requested Variance(s) COTTAGEWOOD RD, DEEPHAVEN, MN 55331 • P: 952.474.6633 • F: 952.474.1274 • www.greenwoodmn.com

	Required*	Proposed	Difference
Side Yard (feet)			
Front Yard (feet)			
Rear Yard (feet)			
Lake Setback (feet)			
Building Height (feet)			
Structure Height (feet)			
Wetland Setback (feet)			
Bluff Setback (feet)			
Maximum Above Grade Building Volume (cubic feet)			
Hardcover (percentage)	70	35.1	5.11%
Other:			

* See page 2 of the CUP & Variance Checklist document for the requirements for various zoning districts.

Making your case for the grant of a variance

Per state law and city code section 1155 (view at city hall or at www.greenwoodmn.com) any persons may request variances from the literal provisions of the zoning ordinance, shoreland management district ordinance, wetland ordinance, and other applicable zoning regulations in instances where their strict enforcement would cause practical difficulties because of circumstances unique to the individual property under consideration. A variance shall only be permitted when it is in harmony with the purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. Economic considerations alone shall not constitute practical difficulties.

"Practical difficulties," as used in connection with the granting of a variance, means:

- (a) that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- (b) the plight of the landowner is due to circumstances unique to the property and not created by the landowner;

(c) and the variance, if granted, will not alter the essential character of the locality.

VARIANCE APPLICATION - Page 1 of 3

Establishing a "practical difficulty"

Please respond to each of the following questions. If you are unable to establish a "practical difficulty," please consider alternatives to your construction plans that may remove the need for a variance.

<p>Is the variance in harmony with the purposes and intent of the ordinance?</p>	<p><u>Yes</u> No Please explain: The additional hard cover will be more than compensated for by means addressed in the plan</p>
<p>Is the variance consistent with the comprehensive plan?</p>	<p>Yes <u>No</u> Please explain: It is not, but the mitigation and unique solutions will compensate to the increase in hard cover</p>
<p>Does the proposal put the property to use in a reasonable manner?</p>	<p><u>Yes</u> No Please explain: Yes, normal residential use</p>
<p>Are there unique circumstances to the property not created by the landowner? 100 PURLWOOD RD, DEEPHAVEN, MN 55331 • P: 952.474.6633 • F: 952.474.1274 • www.greenwoodmn.com</p>	<p><u>Yes</u> No Please explain: The original owners design did not adequately allow for normal family vehicle use. The limit of hard space left no room for modifications. This owner did not request the square footage of the home that was partially complete at the time of purchase.</p>
<p>Will the variance alter the essential character of the locality?</p>	<p>Yes <u>No</u> Please explain: When the project is complete none of the unique means of handling water runoff will be evident to the passer by.</p>
<p>Will the variance impair an adequate supply of light and air to adjacent property?</p>	<p><u>Yes</u> No Please explain: Yes, there should be no change in light or air to adjacent properties.</p>
<p>Will the variance unreasonably increase the congestion in the public street?</p>	<p>Yes <u>No</u> Please explain: There will be no congestion added to the public street, in fact it will reduce the regular congestion on the public street by providing space for the owner on their property in stead of the street.</p>
<p>Will the variance increase the danger of fire or endanger the public safety?</p>	<p>Yes <u>No</u> Please explain: There is not connection to fire in this case.</p>
<p>Will the variance unreasonably diminish or impair established property values within the neighborhood?</p>	<p>Yes <u>No</u> Please explain: It will be an exceptional home that will be expertly maintained and will add to the value of other houses in the neighborhood.</p>

Adjacent property owners' acknowledgement: It is not required by ordinance, but applicants are highly encouraged to review plans with adjacent property owners and secure signatures in this section. Attach another page if there are more than 2 adjacent neighbors.

The undersigned acknowledges that we have reviewed the plans for the proposed improvements or proposed use of the property listed on page 1 of this document. We understand that by signing this acknowledgement, that we NOT being asked to declare approval or disapproval of the proposal, but merely are confirming for the city council that we aware of the plans and that we understand that the proposed project requires city council approval.

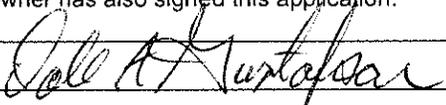
Neighbor #1 Address:	
Signature:	Date:
Print Name:	

Neighbor #2 Address:	
Signature:	Date:
Print Name:	

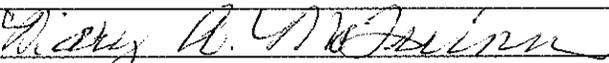
The undersigned contacted the following regulatory bodies and will seek approvals if required:

- (1) Lake Minnetonka Conservation District 952.745.0789 (2) Minnehaha Creek Watershed District 952.471.0590

Applicant's acknowledgement and signature(s): The undersigned hereby submits this application for the described action by the city and is responsible for complying with all city requirements with regard to this request. This application should be processed in my name, and I am the party whom the city should contact about this application. The applicant certifies that the information supplied is true and correct to the best of their knowledge. The undersigned also acknowledges that before this request can be considered and / or approved, all required information and fees must be paid to the city, and if additional fees are required to cover costs incurred by the city, the city has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees. An incomplete application will delay processing and may necessitate rescheduling the review timeframe. The application timeline commences once an application is considered complete when all required information and fees are submitted. The undersigned recognizes that they are solely responsible for submitting a complete application and that upon failure to do so, recognizes city staff has no alternative but to reject the application until it is complete or to recommend denial regardless of its potential merit. A determination of completeness of the application shall be made within 10 business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant with in 10 business days of application. I am the authorized person to make this application and the fee owner has also signed this application.

Signature: 	Date: 8-18-15
--	---------------

Property owner's acknowledgement and signature: The undersigned is the fee title owner of the page 1 described property. I acknowledge and agree to this application and further authorize reasonable entry onto the property by city staff, consultants, agents, planning commission members, and city council members for purposes of investigation and verification of this request.

Signature: 	Date: 8-5-15
--	--------------

Note: If the property owner is different than the applicant, signatures from the both the applicant and the property owner are required.

Variance Fee (nonrefundable)	\$400
Shoreland Management Review Fee (nonrefundable)	\$200
Total Amount Due (make check payable to the City of Greenwood)	\$600

For Office Use Only	Fee Paid: Cash Check #:	Amount \$
----------------------------	----------------------------	-----------



Permit #	FORM #8
Receipt #	Return this document to City Hall

Grading Permit Application

This form becomes a "permit" when city staff issues a permit number. If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

Property Owner(s)	Mary A. McQuinn
Property Address	5025 Coventing Street, Greenwood, MN 55331

Person completing this form: Grading Contractor Property Owner Builder / Architect

This sheet is accompanied by a **Building Permit Application (Form #1)**: Yes (skip to section 2) No (complete section 1)

SECTION 1

Date Application Submitted	September 7, 2015
Property Owner's Mailing Address	5225 Blake Road, Edina MN 55435
Property Owner's Phone Number	952-935-4848 email jlander@quinstarllc.com
Property Owner's Email	<small>CITY OF GREENWOOD • 20225 COTTAGEWOOD RD, DEEPHAM MN 55331 • P: 952.474.6633 • F: 952.474.1274 • www.greenwoodmn.com</small>
Contractor or Builder / Architect Name	Dale Gustafson
Contractor or Builder / Architect Address	1845 Wisconsin Ave N, Golden Valley, MN 55427
Contractor or Builder / Architect Phone	763-544-4215
Contractor or Builder / Architect Email	dalegus@earthlink.net

SECTION 2

Total surface area to be moved, disturbed, cut, or filled (square feet)	16,023 sq ft
Total volume of soil or earth to be moved, disturbed, cut, or filled (cubic feet)	296 cu yds (average of 6" per sq ft)
Estimated start date	September 2015

Work is required for: Remodeling of an existing structure Construction of a new structure Other: Completion of landscape

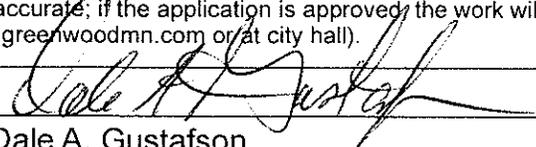
Work is due to circumstances not related to the land or existing drainage issues, but due to an election by the property owner to make an addition to a principal or accessory structure: Yes No

The average elevation of the land will increase / decrease by: Less than 1ft
1ft or more in a 100+ sq ft area (city engineer approval required) 2ft or more in a 300+ sq ft area (variance required)

Per code section 1140.19 subd 3, the following items must submitted with this application:

(1) Survey (2) Stormwater Management Plan prepared by a civil engineer

The undersigned hereby submits this application (including a survey and Stormwater Management Plan) for a grading permit and certifies the information provided on this permit application is true and correct to the best of my knowledge. The property owner(s) listed above are the sole fee title owner(s) of the described property; information provided on this application and submitted documents is true, complete and accurate; if the application is approved, the work will be in accordance with the application and city code section 1140.19 (view at www.greenwoodmn.com or at city hall).

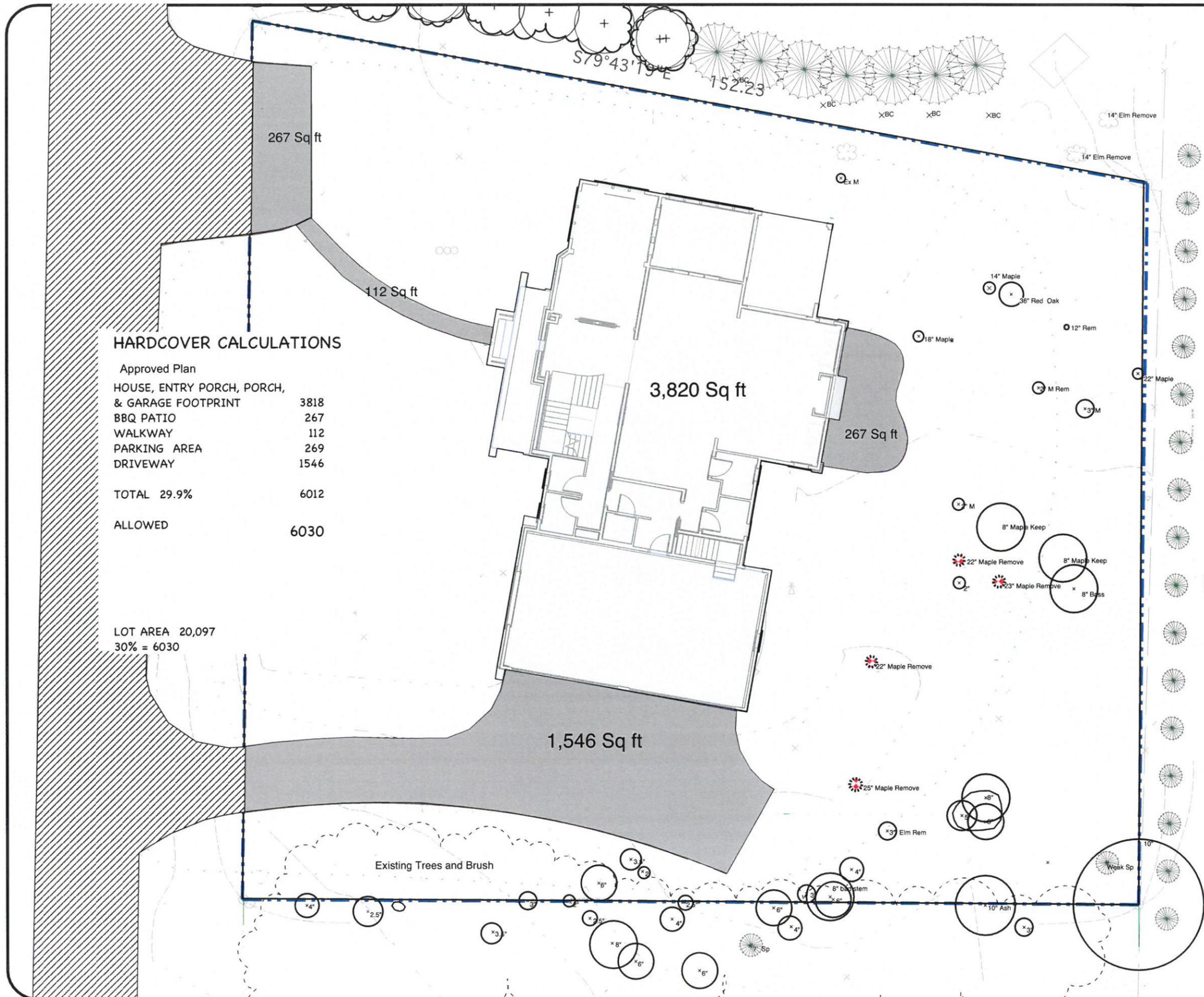
Signature		Date: September 7/2015
Print Name	Dale A. Gustafson	

This section completed if grading is NOT in conjunction with a building permit:

HARDCOVER CALCULATIONS

Approved Plan	
HOUSE, ENTRY PORCH, PORCH, & GARAGE FOOTPRINT	3818
BBQ PATIO	267
WALKWAY	112
PARKING AREA	269
DRIVEWAY	1546
TOTAL 29.9%	6012
ALLOWED	6030

LOT AREA 20,097
30% = 6030



Drive Approved 2014
Scale: 1 inch = 10 feet
August 3, 2015

McQuinn Residence
5025 Covington St
Greenwood, Min 55331

Green-Dale Design
old hands at new design

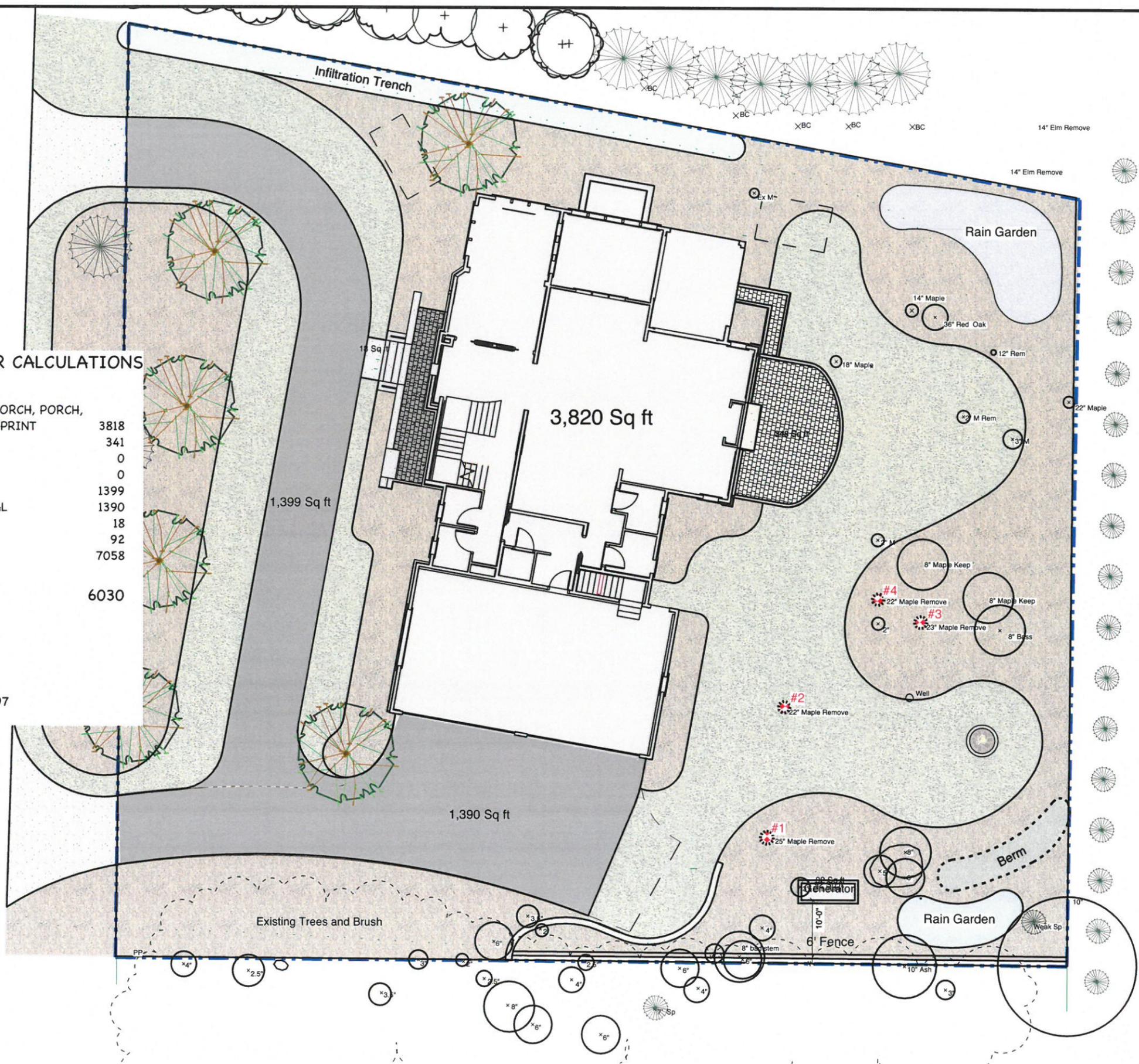


1845 Wisconsin Ave. No. Golden Valley, MN 55427 Tel. (763)544-4215

HARDCOVER CALCULATIONS

Proposed Plan	
HOUSE, ENTRY PORCH, PORCH, & GARAGE FOOTPRINT	3818
BBQ PATIO	341
WALKWAY	0
PARKING AREA	0
DRIVEWAY NEW	1399
DRIVE ORIGINAL	1390
FRONT WALK	18
GENERATOR	92
TOTAL 35.1%	7058
ALLOWED	6030

LOT AREA 20,097
30% = 6030



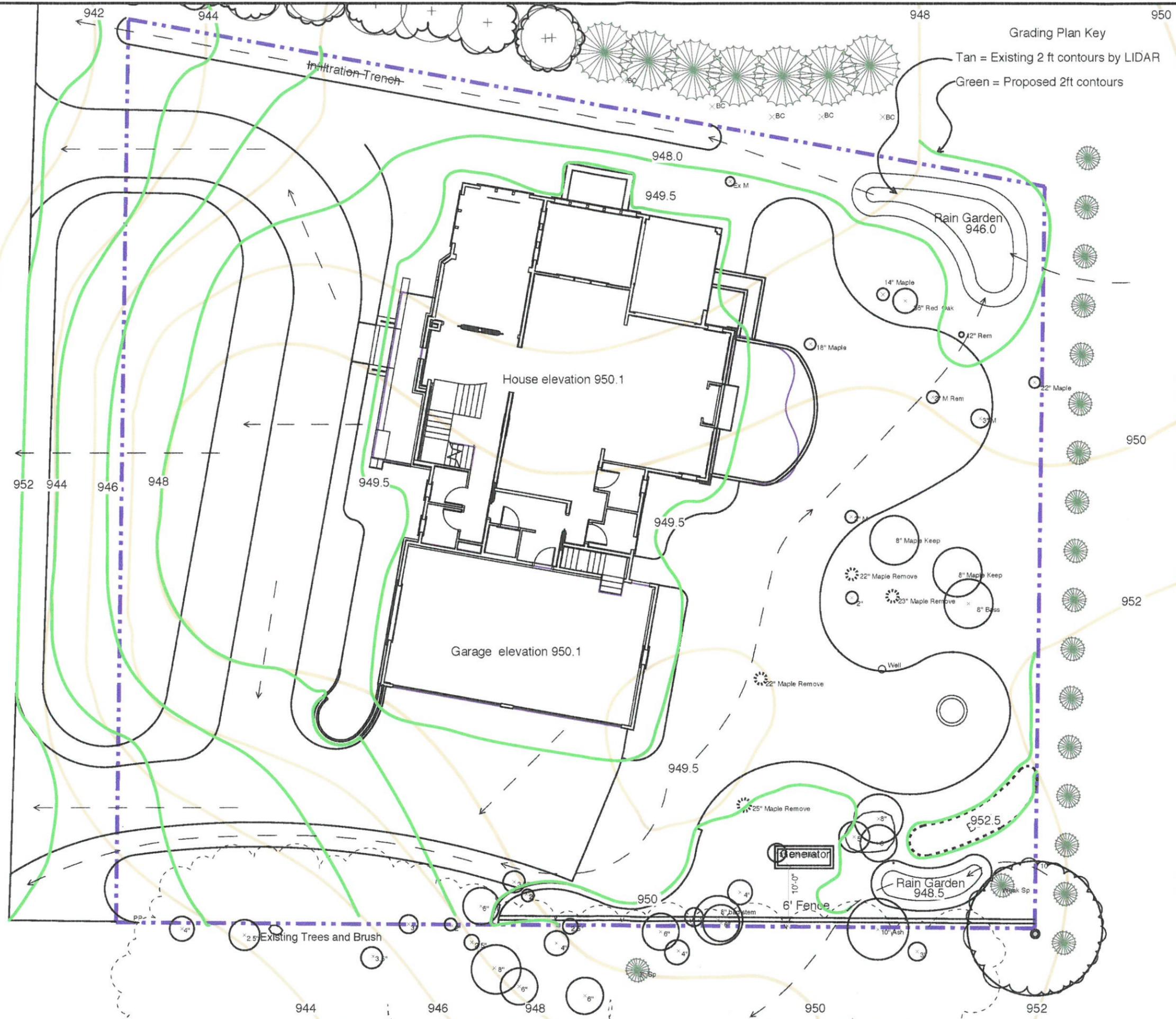
Drive Option 1-8/3/15
HARD SURFACE
Scale: 1 inch = 10 feet
August 18, 2015

McQuinn Residence
5025 Covington St
Greenwood, Mn 55331

Green-Dale Design
old hands at new design



1845 Wisconsin Ave. No. Golden Valley, MN 55427 Tel. (763)544-4215



Grading Plan Key
 Tan = Existing 2 ft contours by LIDAR
 Green = Proposed 2ft contours

Grading Plan 2015
 Scale: 1 inch = 10 feet
 Sep 4, 2015

McQuinn Residence
 5025 Covington St
 Greenwood, Min 55331

Green-Date Design
 old hands at new design



1845 Wisconsin Ave. No. Golden Valley, MN 55427 Tel: (763)544-4215

952

944

946

948

950

952

954

GENERAL NOTES

- SHARRATT DESIGN & COMPANY MAKES NO WARRANTY AS TO THE EXACT CONDITIONS TO BE ENCOUNTERED ON SITE. THESE DRAWINGS ARE PROVIDED TO DELINEATE THE DESIGN INTENT ONLY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND SUB-CONTRACTORS TO PERFORM FIELD INVESTIGATION BEFORE UNDERTAKING ANY DEMOLITION OR RECONSTRUCTION ACTIVITY.
- THE DEMOLITION NOTES AS SHOWN IN THESE DRAWINGS GENERALLY OUTLINE VARIOUS ITEMS OF DEMOLITION WORK. IT IS NOT TO BE CONSTRUED AS ALL INCLUSIVE OF ALL CUTTINGS, DEMOLITION OF FINISHES AND REQUIRED PATCHING.
- G.C. AND ALL SUB-CONTRACTORS SHALL COMPLETELY FAMILIARIZE THEMSELVES WITH EXISTING CONDITIONS BY VISITING THE SITE PRIOR TO SUBMITTING THEIR PROPOSALS. ALL TRADES ARE EXPECTED TO READ ALL DEMOLITION NOTES.
- WARRANTIES SHALL BE IN ACCORDANCE WITH STATE MINIMUM STANDARDS OR GREATER. REGISTERED BUILDER PROGRAMS AND/OR PRODUCT WARRANTIES. LIABILITY AND WORKERS COMPENSATION CERTIFICATE OF INSURANCE WILL BE REQUIRED FROM ALL SUBCONTRACTORS.
- GENERAL CONTRACTOR AND ALL SUBCONTRACTORS TO VERIFY AND COORDINATE ALL CONDITIONS AND DIMENSIONS PRIOR TO WORK THROUGH THE ENTIRE BUILDING PROCESS. G.C. TO CONTACT Gopher ONE TO VERIFY LOCATIONS OF ALL UNDERGROUND ELECTRICAL, UTILITIES, SEWER, GAS, ETC. PRIOR TO COMMENCING WORK. IMMEDIATELY REPORT AND/OR REVIEW ALL QUESTIONS, DISCREPANCIES AND CONDITIONS WITH THE OWNER/ARCHITECT PRIOR TO PROCEEDING WITH WORK.
- ALL CONSTRUCTION AND/OR MATERIALS AS INDICATED SHALL BE AT OR ABOVE INDUSTRY STANDARDS FOR SIMILAR CUSTOM RESIDENTIAL CONSTRUCTION.
- ALL CONSTRUCTION WORK SHALL CONFORM TO ALL APPLICABLE CODES.
- ALL SURVEY DATA, SOIL DATA, MECHANICAL, ELECTRICAL, AND STRUCTURAL ENGINEERING OF SYSTEMS, SIZES AND LAYOUTS (INCLUDING TRUSS, FRAMING, AND GROUND DESIGN) SHALL BE BY THE RESPECTIVE SUBCONTRACTOR AND/OR SUPPLIER OF THOSE SYSTEMS OR BY OTHER NECESSARY CONSULTANTS AND SHALL BE COORDINATED BY THE GENERAL CONTRACTOR. INFORMATION SHOWN IN REGARD TO THESE CONCERNS IS ONLY FOR INFORMATION AND IS INTENDED TO PROVIDE AN INDICATION OF THE DESIGN INTENT ONLY. USE OF CONSULTANT DATA BY SDC DOES NOT INFER OR ENDORSE THE ACCURACY OF THE DATA. EACH CONSULTANT AND CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTNESS AND ACCURACY OF DATA SUPPLIED BY THE RESPECTIVE CONSULTANT AND/OR CONTRACTOR.
- GENERAL CONTRACTOR SHALL COORDINATE AND SITE THE BUILDING ON THE OWNERS LEGAL SURVEY. GENERAL CONTRACTOR TO NOTIFY OWNER AND/OR ARCHITECT OF ANY DISCOVERED DISCREPANCIES PRIOR TO ANY SITE WORK.
- GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR SHORING AND BRACING AND FOR ALL TEMPORARY FACILITIES & SERVICES INCLUDING BUT NOT LIMITED TO POWER, WATER, TELEPHONE, FAX, SANITATION FACILITIES AND FIRE FIGHTING EQUIPMENT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL REQUIRED EROSION CONTROL MEASURES AND ANY SPECIFIC ENVIRONMENTAL IMPACT ISSUES ARISING FROM CONSTRUCTION ON THE SITE.
- THE CONTRACTOR SHALL MAINTAIN THE SITE IN FIRST-CLASS CONDITION DURING THE PROJECT. ALL WASTE AND DEBRIS SHALL PROMPTLY BE REMOVED. CONSTRUCTION SHALL BE GIVEN TO MATERIAL STORAGE ON THE SITE AND ITS IMPACT ON ADJOINING NEIGHBORS.
- THE CONTRACTOR SHALL PROVIDE FINAL CLEANING OF ALL INTERIOR AND EXTERIOR SURFACES. ALL TRANSPARENT MATERIALS ARE TO BE LEFT IN A POLISHED CONDITION. REMOVE ALL LABELS THAT ARE NOT INTENDED TO REMAIN AS PERMANENT INSTRUCTION INFORMATION.
- GENERAL CONTRACTOR SHALL PROVIDE INSTRUCTIONS TO THE OWNER PERTAINING TO OPERATION AND MAINTENANCE OF MECHANICAL AND ELECTRICAL EQUIPMENT. COMPARE AND FORWARD TO THE OWNER ALL MAINTENANCE AND OPERATIONS DATA AND WARRANTIES IN THE FORM OF A WELL-ORGANIZED OWNERS NOTEBOOK.
- ROOF TRUSS ENGINEERING AND DESIGN TO BE PROVIDED BY TRUSS SUPPLIER. TRUSS SUPPLIER TO FIELD-VERIFY ALL FRAMED DIMENSIONS AND CONDITIONS PRIOR TO TRUSS FABRICATION. TRUSS SUPPLIER TO COORDINATE FINAL TRUSS SOLUTION WITH PROJECT STRUCTURAL ENGINEER AND/OR GENERAL CONTRACTOR. TRUSS SUPPLIER TO COORDINATE TRUSS DESIGN WITH ENERGY CODE REQUIREMENTS.
- ALL WINDOW DESIGNATIONS ARE FOR MARVIN WINDOWS. SIMILAR LOEWEN OR ANDERSON WINDOWS MAY BE USED. CONTRACTOR TO MATCH EXISTING WINDOWS AS POSSIBLE. WINDOWS ARE TO BE PREFINISHED METAL CLAD WINDOWS WITH DOUBLE-PANE, LOW-E INSULATED GLASS STANDARD PREFINISHED COLOR AND STANDARD HARDWARE FINISH AS SELECTED BY OWNER. WINDOWS TO BE SIMILAR IN SIZE AND SPECIFICATION TO THOSE INDICATED ON THE PLAN. WINDOW MANUFACTURER SHALL SUBMIT WINDOW SCHEDULE AND SHOP DRAWINGS OF ALL CUSTOM WINDOWS AND GLAZING TO G.C. AND OWNER REVIEW PRIOR TO FABRICATION. GENERAL CONTRACTOR AND WINDOW SUPPLIER TO CONFIRM TEMPERED GLASS LOCATIONS, EGRESS AND VENT WINDOW REQUIREMENTS, LITE PATTERNS, WINDOW SIZES, WINDOW OPERATION, JAMB SIZES, EXTENSION JAMBS, ETC. WITH OWNER.
- CABINET DRAWINGS... (TBD)... ARE NOT CABINET SHOP DRAWINGS, BUT DEPICT DESIGN INTENT ONLY. CABINET MANUFACTURER TO COORDINATE FINAL CABINET DESIGN WITH AS-BUILT DIMENSIONS (FIELD-VERIFY). WITH FIELD CHANGES MADE DURING CONSTRUCTION. WITH FINAL MILLWORK PROFILES. WITH FINAL COUNTERTOP THICKNESS AND DESIGN, AND WITH FINAL APPLIANCE AND FIXTURE SELECTIONS. CABINET MAKER TO VERIFY END PANEL DESIGNS AND CABINET CLEARANCES WITH OWNER PRIOR TO CABINET FABRICATION. CABINET MAKER TO MEET WITH OWNERS TO DISCUSS AND VERIFY ALL DRAWER AND CABINET DIVISIONS AND USES, INCLUDING PULLOUT LOCATIONS, SPOKE PARTITION LOCATIONS, LAZY SUSAN LOCATIONS, CUTTING BOARD LOCATIONS, COST RAMIFICATIONS, AND ANY OTHER SUGGESTIONS THE CABINET MAKER OR OWNER MAY HAVE FOR MAXIMIZING CABINETRY EFFICIENCY AND EASE OF USE. ALSO CONFIRM CABINET HARDWARE QUANT AND OPERATIONS / DRAWER FINISHES AND KNOB LOCATIONS. SUBCONTRACTORS TO REFER TO APPROVED CABINET SHOP DRAWINGS PRIOR TO ROUGH FRAMING FOR CABINETS/BUILT-INS. REPORT ANY DISCREPANCIES TO G.C., OWNER AND CABINET MAKER PRIOR TO PROCEEDING WITH WORK.
- GENERAL CONTRACTOR TO COORDINATE OWNERS, REVIEW AND APPROVAL OF SAMPLES OF ALL INTERIOR AND EXTERIOR FINISH MATERIALS INCLUDING PROFILES, SIZES, SPECIES, MORTAR AND GROUT COLORS, JOINT SIZES, FINISHES AND COLORS PRIOR TO OPENING OF SAME. SAMPLES SHALL BE PROVIDED ON-SITE. HOMEOWNER DEEMS NECESSARY, AND IN SIZE LARGE ENOUGH TO SEE IN THE FINAL SPACE (E.G. 4X4 WALL PAINT SAMPLES, AND STAINED AND FINISHED WOOD FLOOR SAMPLES). G.C. TO COORDINATE OWNERS REVIEW AND APPROVAL OF MOCKUPS OF INTERIOR AND EXTERIOR CASINGS, TRIM, NEVELLS, AND RAILINGS PRIOR TO CONTRACTOR ORDERING OF SAME (ON SITE WHEN OWNER DEEMS NECESSARY). OWNER TO REVIEW AND APPROVE MOCKUPS OF ALL STONE ON SITE, INCLUDING SIZE & SPECIES, MORTAR JOINT SIZE, MORTAR COLOR, STONE STACK, CAP SPECIES AND SIZE. STONE SAMPLES SHALL BE DISPLAYED ALONGSIDE RELEVANT INTERIOR AND EXTERIOR FINISH MATERIALS AS REQUIRED FOR FINISH COORDINATION. G.C. SHALL COORDINATE OWNERS COUNTERTOP SELECTIONS, AND SHALL VERIFY THAT NATURAL STONE GLASS THAT OWNER SELECTS ARE PROPERLY STORED, AND USED IN THE FINAL PROJECT.

19. DIMENSIONS LOCATING EXTERIOR WALLS ARE TO THE EXTERIOR FACE OF STUD AND/OR FACE OF FOUNDATION WALLS, UNLESS NOTED OTHERWISE. DIMENSIONS LOCATING INTERIOR WALLS ARE TO CENTERLINE OF STUD, UNLESS NOTED OTHERWISE. DIMENSIONS LOCATING DOORS AND WINDOWS ARE TO CENTERLINE OF OPENING, UNLESS NOTED OTHERWISE.

20. ALL EXTERIOR WALLS SHALL BE 2x6 AS PER BUILDING SECTIONS, U.N.O. ALL BEARING WALLS, PLUMBING WALLS AND WALLS WITH POCKET DOORS TO BE 2x6 CONSTRUCTION, U.N.O. ALL OTHER WALLS TO BE 2x4 CONSTRUCTION TO THICKNESS SHOWN ON ARCHITECTURAL AND STRUCTURAL DRAWINGS, U.N.O. HEADERS SHALL BE SIZED PER STRUCTURAL PLANS, OR COORDINATED WITH STRUCTURAL ENGINEER OR SUPPLIER.

21. SITE PLAN AND RELATED INFORMATION PROVIDED BY SURVEYOR IS USED HERE TO SHOW DESIGN INTENT ONLY. VERIFY ALL CONDITIONS AND DIMENSIONS W/ SURVEYOR.

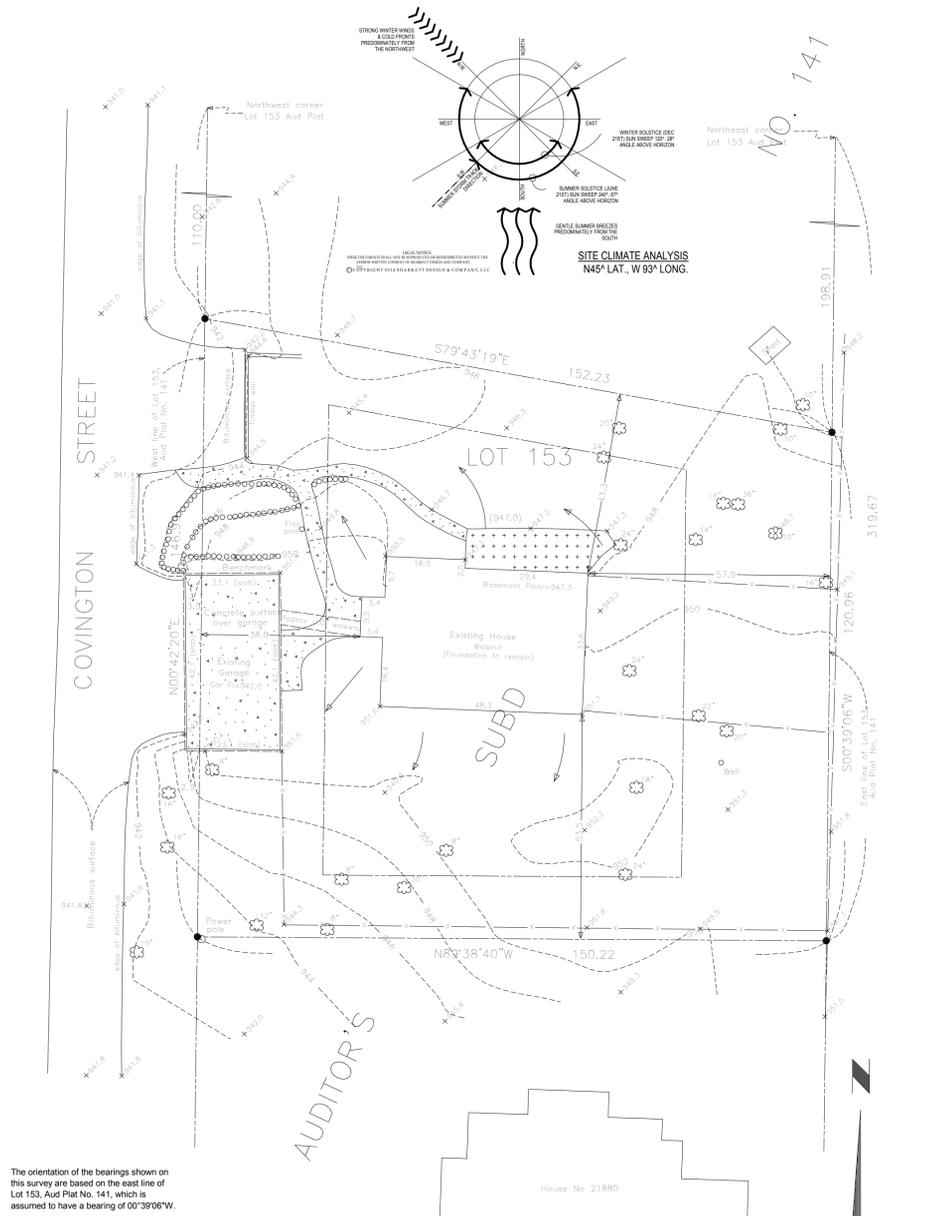
22. CONTRACTOR TO VERIFY ACOUSTIC INSULATION LOCATIONS W/ OWNER PRIOR TO VAPOR BARRIER & DRYWALL INSTALLATION. ACOUSTIC CONSIDERATION TO BE GIVEN TO HVAC DUCT LAYOUTS AND PLUMBING LOCATIONS, AND ACOUSTIC DAMPENING TO BE PROVIDED TO HVAC SYSTEM AND PLUMBING WASTE STACKS AS REQUIRED TO MINIMIZE SOUND TRANSMISSION.

23. PLUMBING ROUGH-IN DIMENSIONS ARE PROVIDED FOR REFERENCE ONLY. ALL PLUMBING DIMENSIONS ARE TO BE COORDINATED BY THE GENERAL CONTRACTOR AND/OR PLUMBING SUBCONTRACTOR WITH SPECIFIC FIXTURE SELECTIONS AND FINAL CABINET DESIGN. ALL FLOOR DRAINS CONNECTED TO SANITARY SEWER TO HAVE BACK-FLOW PREVENTERS INSTALLED.

24. MECHANICAL EQUIPMENT & CONTROL LOCATIONS TO BE VERIFIED WITH OWNER PRIOR TO INSTALLATION. SEE DRAWINGS FOR PROPOSED LOCATIONS. MAKEUP AIR TO BE PROVIDED AS PER I.R.C. AND ANY OTHER APPLICABLE CODES. SUPPLY AND RETURN REGISTER COVERS TO BE APPROVED BY OWNER. ASSUME FLUSH WOOD VENTS TO MATCH WOOD FLOOR SPECIES & FINISH FOR B.O. WHERE AFFECTED BY MECHANICAL DUCTS AND EQUIPMENT. CEILING HEIGHTS AND SOFFIT SIZES AND LOCATIONS TO BE APPROVED BY OWNER PRIOR TO INSTALLATION OF HVAC DUCTS AND EQUIPMENT ALL VENT AND GRILLE LOCATIONS WITH OWNER PRIOR TO INSTALLATION.

25. GENERAL CONTRACTOR SHALL PROVIDE INSTRUCTIONS TO THE OWNER PERTAINING TO OPERATION AND MAINTENANCE OF MECHANICAL AND ELECTRICAL EQUIPMENT. AT COMPLETION OF CONSTRUCTION COMPARE AND FORWARD TO THE OWNER ALL MAINTENANCE AND OPERATIONS DATA AND WARRANTIES IN THE FORM OF A WELL-ORGANIZED OWNERS NOTEBOOK.

26. DOOR & WINDOW HARDWARE & WINDOW SCHEDULE SHALL BE BY GENERAL CONTRACTOR. SUBMIT SHOP DRAWINGS FOR OWNER AND ARCHITECT REVIEW AND APPROVAL PRIOR TO FABRICATION.



2. EXISTING SITE
1" = 20'-0"

1. PROPOSED ARCHITECTURAL SITE PLAN
1" = 20'-0"

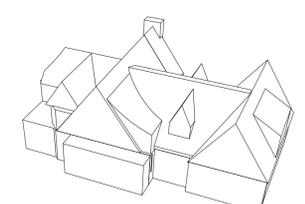
5m
MH
Benchmark
TR=943.2

HARDCOVER CALCULATIONS

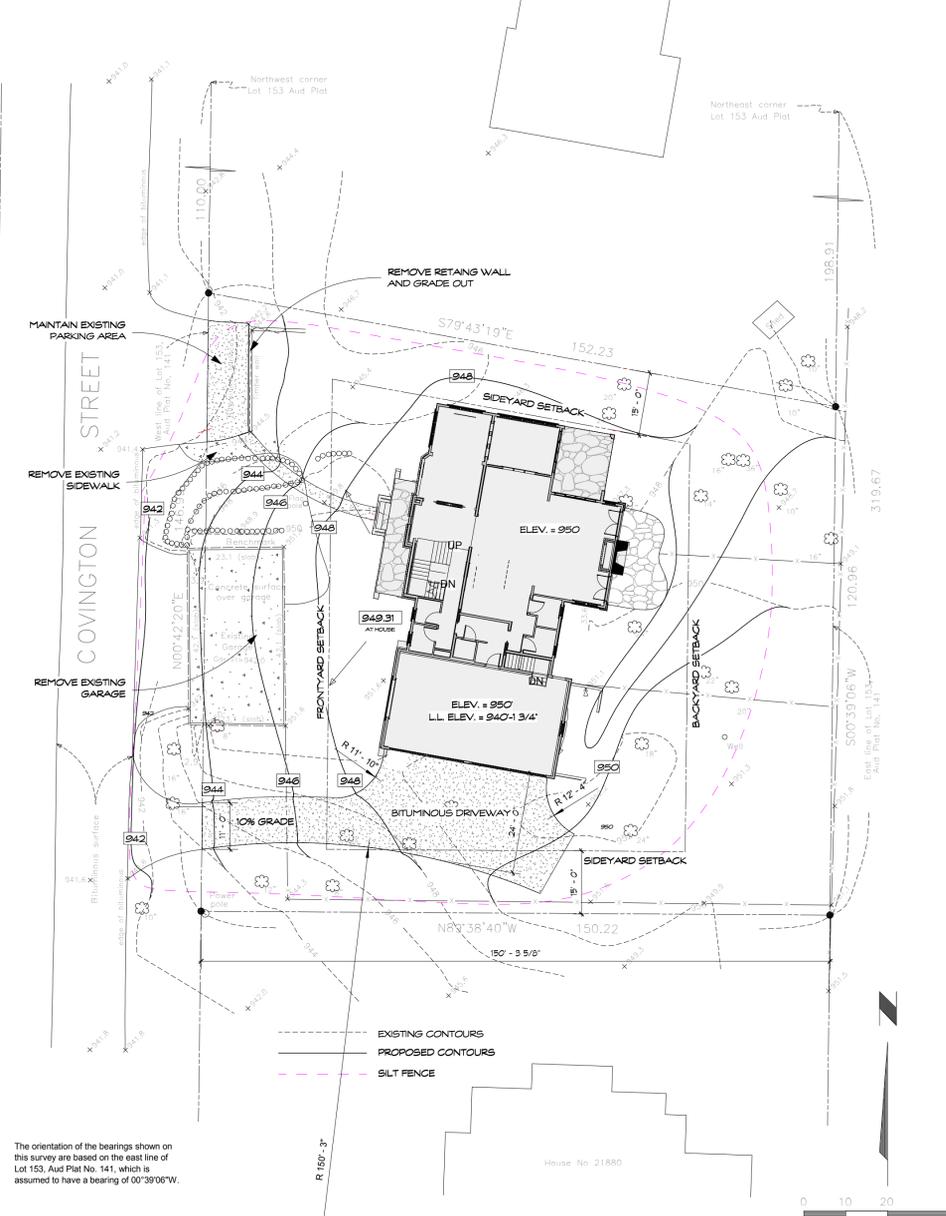
HOUSE, ENTRY PORCH, SCREEN PORCH & GARAGE FOOTPRINT	3096
880 PATIO	287
WALKWAY	102
PARKING AREA	369
DRIVEWAY	1546
TOTAL	6012
ALLOWED	6030

VOLUME CALCULATION

VOLUME TOTAL	84,168 CU.FT.
ALLOWABLE VOLUME	85,268 CU.FT. (0.048 CU.FT.)



3. 3D VOLUME MODEL



1. PROPOSED ARCHITECTURAL SITE PLAN
1" = 20'-0"

5m
MH
Benchmark
TR=943.2

ABBREVIATIONS:

ABV ABOVE	ALT ALTERNATE	AP ACCESS PANEL	AV AUDIO/VISUAL	B.I. BUILT-IN	B.L. BUILD LINE	B.N. BULL-NOSSED	B.O. BY OWNER	BTM BOTTOM OF	CAB CABINET	CIP CAST IN PLACE	CLS CEILING	CLR CLEAR	CL CENTERLINE	CNTR COUNTERTOP	C.O. CASED OPENING	COL COLUMN	C.O.S. CLOSET ORGANIZATION SYSTEM	CONC CONCRETE	CPT CARPET	C.T. CERAMIC TILE	D CLOTHES DRYER	DBL DOUBLE	DET DETAIL	DN DOWN	DR DOOR	GD GARBAGE DISPOSAL	D.W. DISHWASHER	ELEG ELECTRIC	EXIST EXISTING	FL FLOOR	FRE FREEZER	F.P. FROST PROOF	FURN FURNITURE	GYP. BD. GYPSUM BOARD (DRYWALL)	G.C. GENERAL CONTRACTOR	GL GLASS	H HIGH	I.B.C. INTERNATIONAL BUILDING CODE	LL LOWER LEVEL	MA MASTER	M.L. MAIN LEVEL	N.I.C. NOT IN CONTRACT	NOM. NOMINAL	O.H. OVERHEAD	OPT. OPTIONAL	PL PLATE	P.T. PRESSURE TREATED	QTY QUANTITY	R.C.P. REFLECTED CEILING PLAN	REF REFRIGERATOR	R.I. ROUGH IN	R.O. ROUGH OPENING	SHL SHELF	S SINK	SDC SHARRATT DESIGN COMPANY	S.P. WATER SPOUT	S.T. STONE TILE	T&G TONGUE-AND-GROOVE	TH THRESHOLD	THP TEMPERED	T.O. TOP OF	T.B.D. TO BE DETERMINED	T.B.S. TO BE SELECTED	TV TELEVISION	TYP TYPICAL	U.C. UNDER COUNTER	U.G. UNDERGROUND	U.N.O. UNLESS NOTED OTHERWISE	W. WIDE	W WASHING MACHINE	W WITH	W.C. WATER CLOSET	WD WOOD	WDW WINDOW	W.R.C. WESTERN RED CEDAR
-----------	---------------	-----------------	-----------------	---------------	-----------------	------------------	---------------	---------------	-------------	-------------------	-------------	-----------	---------------	-----------------	--------------------	------------	-----------------------------------	---------------	------------	-------------------	-----------------	------------	------------	---------	---------	---------------------	-----------------	---------------	----------------	----------	-------------	------------------	----------------	---------------------------------	-------------------------	----------	--------	------------------------------------	----------------	-----------	-----------------	------------------------	--------------	---------------	---------------	----------	-----------------------	--------------	-------------------------------	------------------	---------------	--------------------	-----------	--------	-----------------------------	------------------	-----------------	-----------------------	--------------	--------------	-------------	-------------------------	-----------------------	---------------	-------------	--------------------	------------------	-------------------------------	---------	-------------------	--------	-------------------	---------	------------	--------------------------

sharratt design & company
 464 Second Street Suite 100
 Excelsior, MN 55331
 Phone: 952.470.9750
 Fax: 952.767.5859
 Info@sharrattdesign.com

SHEET INDEX

- A1 SITE PLAN
- A2 FOUNDATION PLAN
- A3 LOWER LEVEL FLOOR PLAN
- A4 MAIN LEVEL FLOOR PLAN
- A5 UPPER LEVEL FLOOR PLAN
- A6 ROOF PLAN
- A7 SOUTH & WEST ELEVATIONS
- A8 NORTH & EAST ELEVATIONS
- A9 BUILDING SECTIONS
- A10 BUILDING SECTIONS
- A11 BUILDING SECTIONS
- A12 BUILDING SECTIONS
- A13 BUILDING SECTIONS
- A14 INTERIOR ELEVATIONS
- A15 INTERIOR ELEVATIONS
- A16 INTERIOR ELEVATIONS
- A17 INTERIOR ELEVATIONS
- A18 SCHEDULES
- A19 DETAILS
- A20 BRACKETS AND DETAILS
- A21 TRUSSES & DETAILS
- E1 LOWER LEVEL ELECTRICAL
- E2 MAIN LEVEL ELECTRICAL
- E3 UPPER LEVEL ELECTRICAL
- S1 STRUCTURAL FOUNDATION PLAN
- S2 MAIN LEVEL FRAMING PLAN
- S3 UPPER LEVEL LOW ROOF FRAMING
- S4 ROOF FRAMING PLAN
- S5 STRUCTURAL DETAILS
- S6 STRUCTURAL DETAILS AND NOTES

PROJECT TEAM

ARCHITECT
 SHARRATT DESIGN & CO. LLC.
 CONTRACT: RICK HENRIKSEN

STRUCTURAL ENGINEER

CONTACT: STEVE EIKER
 AM STRUCTURAL
 112 EAST MAPLE STREET
 RIVER FALLS, WI 54222
 715-426-4430

GENERAL CONTRACTOR

CONTACT: ANDY VASEK
 MATHEW VASEK CONSTRUCTION
 10713 201st. COURT
 SILVER LAKE, MN 55381
 320-523-4541

ISSUED FOR

ISSUE DATE	CHECK	CLIENT	MEETING SET	ESTIMATES	REVISION	PERMIT	BID SET	ADDITION	CONSTRUCTION SET	CHANGE ORDER
10-29-14										
11-4-14			X							
11-11-14				X						
11-13-14								X	CD	
11-18-14				X						
12-18-14				X						
1-12-15				X						
1-15-15				X						
3-25-15				X						
3-30-15				X						
4-2-15			X							
4-20-15				X						

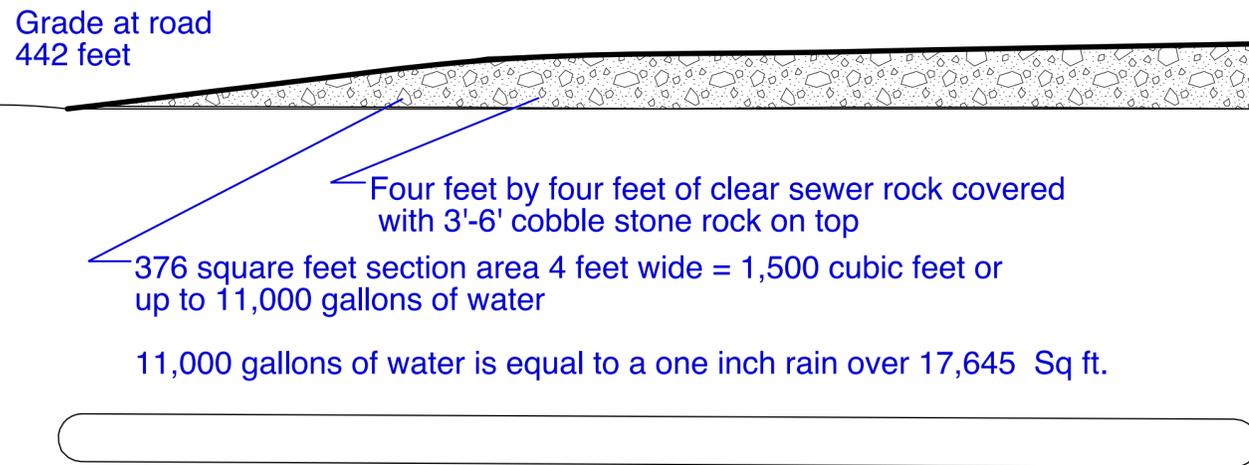
PROPOSED NEW CONSTRUCTION FOR THE

McQUINN HOME
 5025 COVINGTON STREET
 GREENWOOD, MN 55331

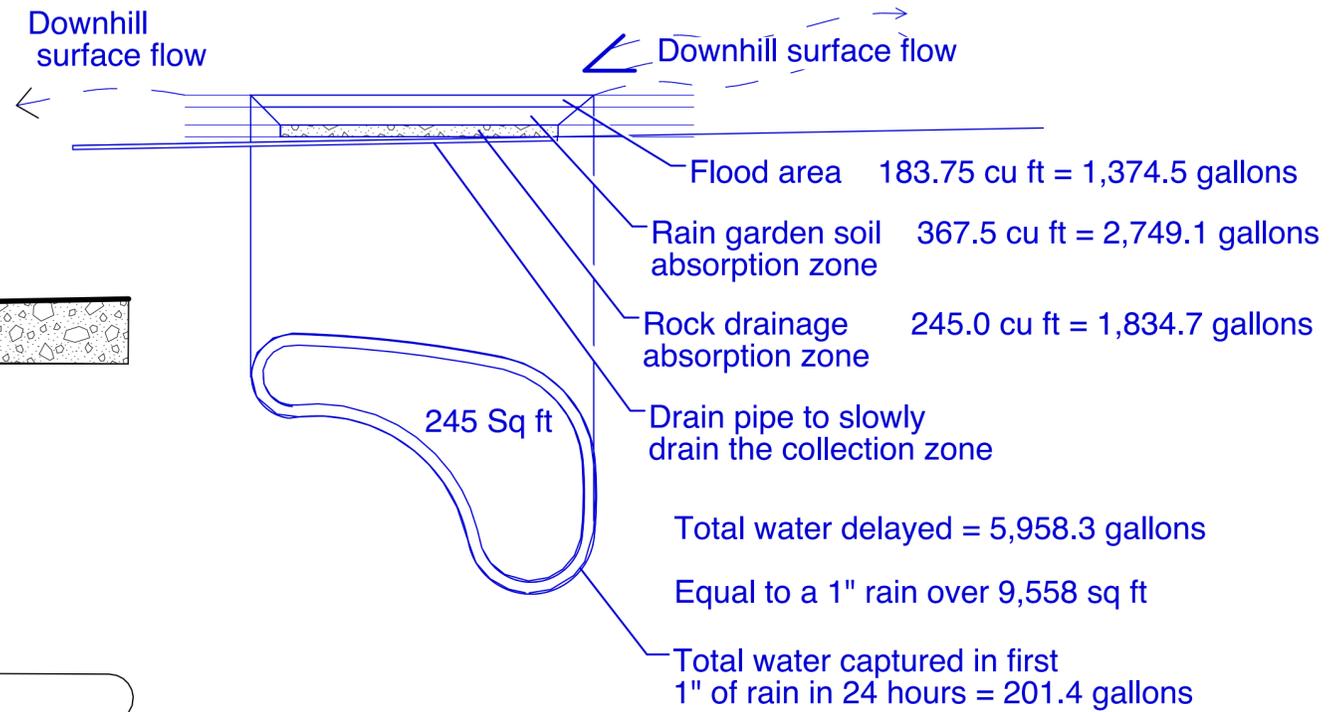
SHEET **A1** NUMBER

LEGAL NOTICE
 THESE DOCUMENTS SHALL NOT BE REPRODUCED OR REDISTRIBUTED WITHOUT EXPRESSED WRITTEN CONSENT OF SHARRATT DESIGN & COMPANY, INC.
 © COPYRIGHT 2015 SHARRATT DESIGN & COMPANY, LLC

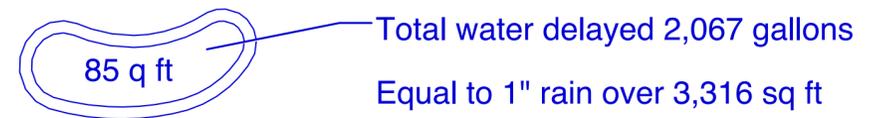
Infiltration Trench



North Rain Garden



South Rain Garden



Total Rain Capture

Water delay totaled by square feet for a 1" rain

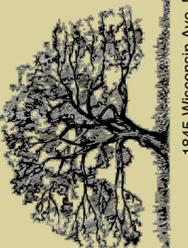
Infiltration trench	17,625 sq ft
North rain garden	9,558 sq ft
South rain garden	3,316 sq ft
Roof of house	3,820 sq ft
Total run off delay	34,319 sq ft
Lot area	20,037 sq ft

Runoff savings 2015
Scale: 1 inch = 10 feet
Sep 4, 2015

McQuinn Residence
5025 Covington St
Greenwood, Mn 55331

Green-Dale Design
old hands at new design

1845 Wisconsin Ave. No. Golden Valley, MN 55427 Tel. (763)544-4215



TOPOGRAPHIC SURVEY FOR MATHEWS VASEK CONSTRUCTION

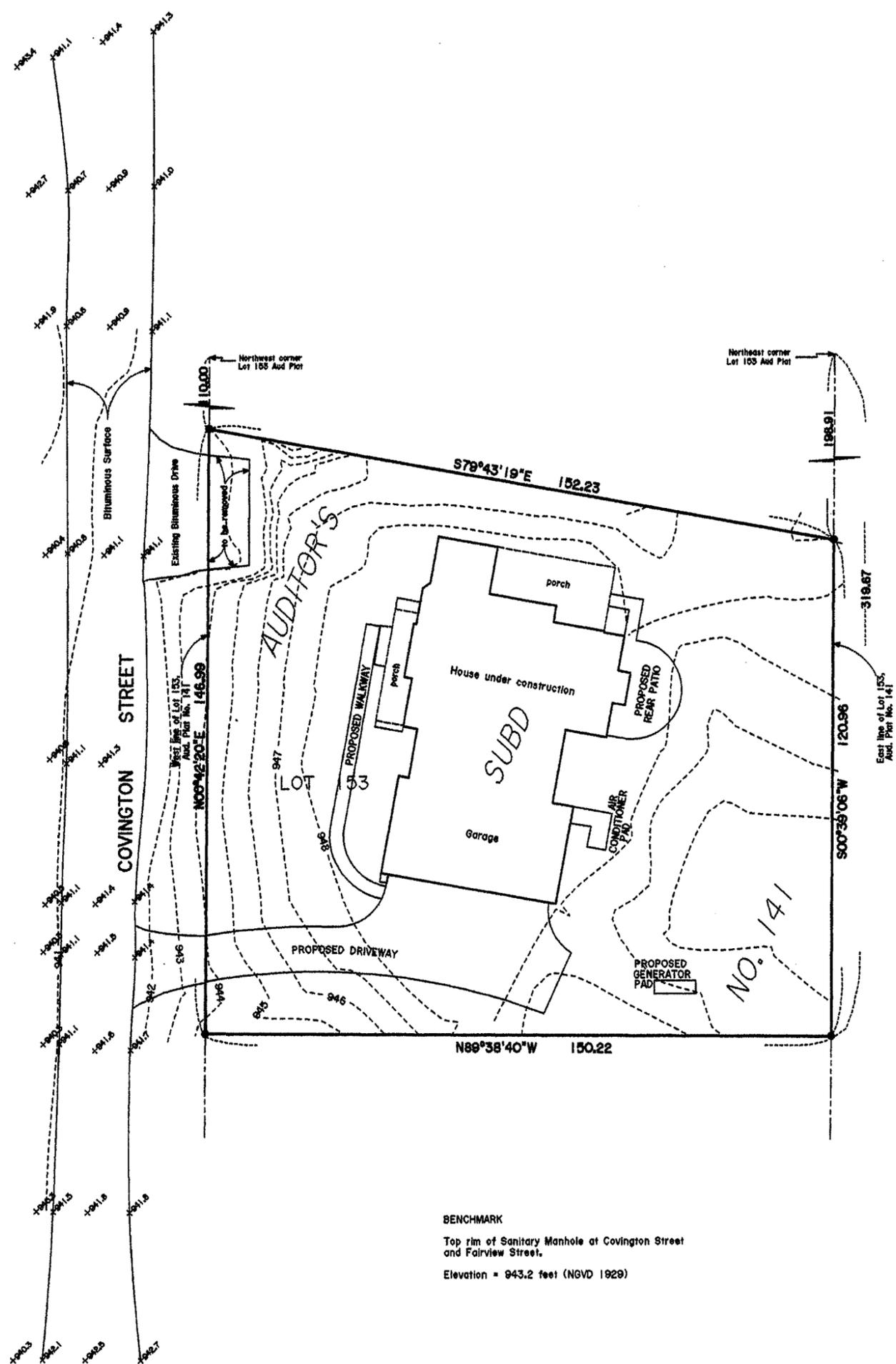
Address: 5025 Covington Street
Greenwood, MN 55331

DESCRIPTION (provided by client)

That part of Lot 153, Auditor's Subdivision No. One Hundred Forty-One (141) Hennepin County, Minnesota, which lies Northerly of a line described as follows: Beginning at a point in the East line of said Lot 153 distant 319.67 feet South of the Northeast corner thereof; thence West at right angles a distance of 150 feet to a point in the West line of said Lot 153 and said line there ending.

Except that part thereof which lies North of the following described line:
Beginning at a point on the West line of said Lot 153 a distance of 110.00 feet South of the Northwest corner of said Lot 153; thence Southeasterly to a point on the East line of said Lot 153 a distance of 196.91 feet South of the Northeast corner of said Lot 153 and said line there terminating.

Registered Property as evidenced by Certificate No. 1057117.



PROPOSED IMPERVIOUS SURFACE CALCULATIONS

Lot Area = 20102 Square Feet

Proposed House Footprint Area = 3826 Square Feet
(includes garage, entry porch and NE porch)

Proposed Driveway Area as shown = 1536 Square Feet

Proposed Rear Patio Area as shown = 343 Square Feet

Proposed Front Walkway Area as shown = 232 Square Feet

Air Conditioner Pad (in place) = 60 Square Feet

Generator Pad (in place) = 31 Square Feet

TOTAL IMPERVIOUS SURFACE COVERAGE = 6028 Square Feet
29.99% Lot Coverage

SURVEY NOTES

- The elevations shown on this survey were obtained on October 2, 2015 and represent the topography of the property on that date.
- We were not granted permission to access property to the east to obtain elevations on the adjoining property. Additional elevations were shot in the surrounding neighborhood to verify that the contours shown on the Hennepin County Natural Resources Interactive Map represent elevations and drainage of the area.

- Denotes iron monument found
- x Denotes existing spot elevation
- - - 948 - - - Denotes existing contour line

BENCHMARK

Top rim of Sanitary Manhole at Covington Street
and Fairview Street.

Elevation = 943.2 feet (NGVD 1929)

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

Jeffrey R. Busch
Jeffrey R. Busch

Date: Oct. 5, 2015 Lic. No. 24309

PELLINEN LAND SURVEYING, INC

P O Box 35
Hutchinson, Minnesota 55350

Phone (320) 587-4789
Fax (320) 587-3752

JOB NO 14026C BK P-410 Pg 15

TOPOGRAPHIC SURVEY FOR MATHEWS VASEK CONSTRUCTION

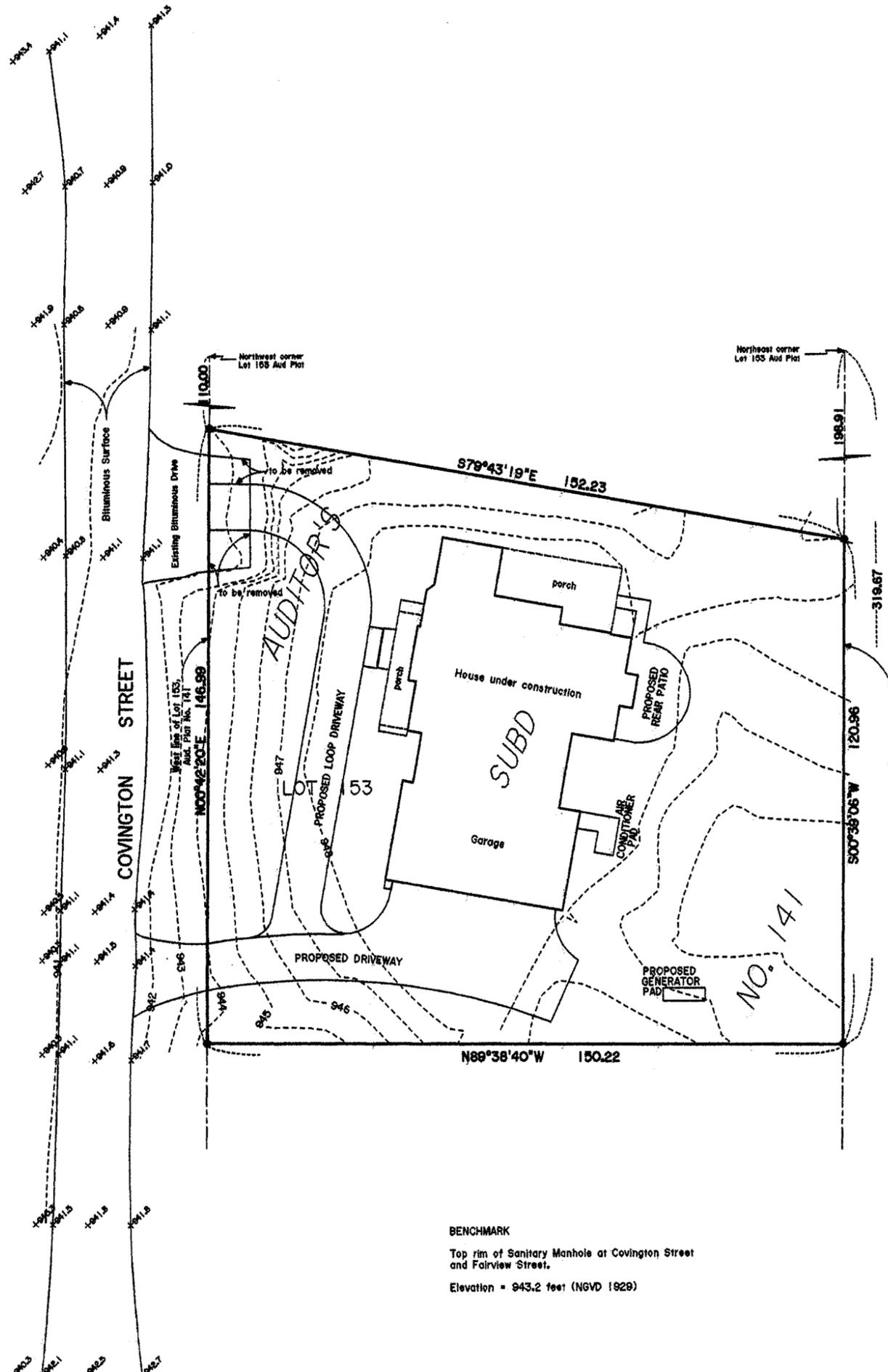
Address: 5025 Covington Street
Greenwood, MN 55331

DESCRIPTION (provided by client)

That part of Lot 153, Auditor's Subdivision No. One Hundred Forty-One (141) Hennepin County, Minnesota, which lies Northerly of a line described as follows: Beginning at a point in the East line of said Lot 153 distant 319.67 feet South of the Northeast corner thereof; thence West at right angles a distance of 150 feet to a point in the West line of said Lot 153 and said line there ending.

Except that part thereof which lies North of the following described line:
Beginning at a point on the West line of said Lot 153 a distance of 110.00 feet South of the Northwest corner of said Lot 153; thence Southeasterly to a point on the East line of said Lot 153 a distance of 196.91 feet South of the Northeast corner of said Lot 153 and said line there terminating.

Registered Property as evidenced by Certificate No. 1057117.



PROPOSED IMPERVIOUS SURFACE CALCULATIONS

Lot Area = 20102 Square Feet

Proposed House Footprint Area = 3826 Square Feet
(includes garage, entry porch and NE porch)

Proposed Driveway Area as shown = 1536 Square Feet

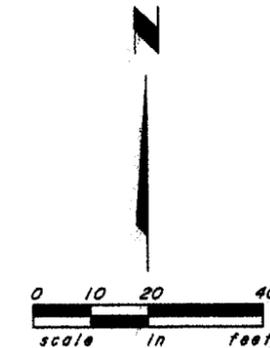
Proposed Rear Patio Area as shown = 343 Square Feet

Proposed Loop Driveway Area as shown = 1434 Square Feet

Air Conditioner Pad (in place) = 60 Square Feet

Generator Pad (in place) = 31 Square Feet

TOTAL IMPERVIOUS SURFACE COVERAGE = 7230 Square Feet
35.97% Lot Coverage



SURVEY NOTES

1. The elevations shown on this survey were obtained on October 2, 2015 and represent the topography of the property on that date.

2. We were not granted permission to access property to the east to obtain elevations on the adjoining property. Additional elevations were shot in the surrounding neighborhood to verify that the contours shown on the Hennepin County Natural Resources Interactive Map represent elevations and drainage of the area.

- Denotes iron monument found
- × Denotes existing spot elevation
- 948 --- Denotes existing contour line

BENCHMARK

Top rim of Sanitary Manhole at Covington Street
and Fairview Street.

Elevation = 943.2 feet (NGVD 1929)

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

Jeffery R. Rausch
Jeffery R. Rausch

Date: Oct. 5, 2015 Lic. No. 24329

PELLINEN LAND SURVEYING, INC.

P O Box 35
Hutchinson, Minnesota 55350

Phone (320) 587-4789
Fax (320) 587-3792

JOB NO 14026C BK P-410 Pg 15

Dale Cooney

From: Stafford, Sharla K <skstafford@cbburnet.com>
Sent: Wednesday, September 16, 2015 4:25 PM
To: DaleC@mediacombb.net
Cc: eric@staffordfamilyrealtors.com; sharla@staffordfamilyrealtors.com
Subject: Feedback for Public Hearing Notice for the McQuinn Residence

Dale –

Please confirm receipt and share this email with the council for tonight's meeting.

Eric and I are neighbors directly to the south of the McQuinn property. We are writing because we are primarily concerned about the change in grade and hardcover as our backyard will be directly and negatively impacted.

The only impervious structure at present on the McQuinn property is their house. The driveway is currently gravel so this large area is absorbing rain and eventually any standing water. We are also protected from runoff and erosion by a silt fence that runs between our properties. In addition, four very mature maple trees were just removed between our property lines and this may further impact drainage. Once a driveway and retaining walls are installed, and the silt fence is removed, water will flow off their property and directly onto ours.

The McQuinn's garage is at an elevation of 950.1 and our property is at an elevation of 948, 946 and 944 where it abuts their yard. Water would route directly down from the McQuinn driveway to our property. This area of our property is the flattest area in our yard and where our three young children play soccer, softball and kickball. We do not want this to become a drainage ditch.

We welcome a solution (trench or French drain?) that would provide a water diversion or runoff from their property and protect the playable area on our yard from being chronically wet. We want the McQuinn's to be able to make this property work for them, we just don't want to be negatively impacted by the current plan. The current plan has an infiltration Trench along the north end of their property – would that be a solution for the south edge to manage water flow?

We are sorry we can't attend the meeting tonight. Eric is showing homes and I am running our three daughters to Soccer practice and Youth Group.

Thank you for considering our concerns.

Best regards,

Sharla Stafford / on behalf of Eric and Sharla Stafford

Sharla Stafford • Coldwell Banker Burnet • Distinctive Homes Division
O: 952.470.2578 • M: 612.282.6895 • StaffordFamilyRealtors.com
International President's Premier • Top 1% of Agents in the Nation
Awarded Super Real Estate Agent for Exceptional Ability & Service 2005 - 2013

RESIDENT COMMENT FORM - This form will become part of the public record and therefore may be viewed by anyone.

GENERAL COMMENTS ON REQUEST:

I RESPECTFULLY REQUEST THAT THE COMMISSION AND THE COUNCIL APPROVE THIS APPLICATION. MY PROPERTY ABUTS THIS PROPERTY AND WE ARE VERY PLEASED WITH THE HOME THEY ARE BUILDING. IT IS A GREAT IMPROVEMENT OVER WHAT WAS THERE AND A REAL PLUS FOR THE NEIGHBORHOOD.

SPECIFIC ISSUES or CONCERNS:

NONE. PLEASE GIVE THIS APPLICATION "THE GREEN LIGHT".

Name: FRANK & SUZIE BRIXIUS

Address: 21720 FAIRVIEW

952-474-3583

Please return completed form to the attention of Dale Cooney @ 20225 Cottagewood Road, Deephaven MN 55331 or fax to (952) 474-1274.

Dale Cooney
Zoning Coordinator
Greenwood, Mn

Dear Mr. Cooney,

Re: Request for Variance for 5025 Covington Street

We would like to submit an additional idea to the City Council for what can be done in reference to the runoff from the 5025 Covington property and beyond.

The owners, Mr. & Mrs. McQuinn think this is a good idea for the neighborhood drainage problems and would like to suggest that we enter into discussion with the appropriate city staff and boards to see if this work is possible.

Mr. & Mrs. McQuinn understand that the city most likely does not have a current budget for this particular area of the city and they would like to pay for the entire project that is proposed. They also understand that there are many issues that would need to be addressed before this project could get the approval of the City Council.

I have submitted a concept plan for the project, that would include:

- *Regrading the edge of the current pond in the Meadville Park to expand the water holding capacity of that pond by 4,723 cubic feet. The expansion would have to be on the east and west side of the pond because of property or space considerations.

- *The path would have to be moved and some trees removed. Rebuilding the new and old parts of the trail and planting some new trees that would be permanent replacement for the some the lower quality trees growing there now.

- *Regrading and upgrading the drainage on both sides of Covington to help with the drainage in that area.

Mr. & Mrs. McQuinn are not new to this type of contribution to their community. At their current residence they have worked tirelessly with the City of Edina to improve and maintain the park for a couple decades. They suggested many improvements and have willingly paid for the installation, maintenance and upgrading to the park as it has matured. They are willing to do the same with Meadville Park.

Dale Gustafson

Greendale Design

TECHNICAL MEMORANDUM

Date: November 20, 2015
Subject: McQuinn Residence Hydrologic Investigation – 5025 Covington St., Greenwood, MN
Prepared For: Marty Campion, PE
Prepared By: Dave Poggi, PE

A. INTRODUCTION

Civil Methods, Inc. has completed a hydrologic investigation for the future McQuinn residence located at 5025 Covington St. in Greenwood, MN. The preferred layout includes the construction of a new home, driveway, and other associated impervious areas totaling 0.17 acres, or 37% of the 0.46 acre lot. As this exceeds the maximum impervious percentage permitted by City Code (30%), the property has been evaluated for feasible Best Management Practices (BMP) to mitigate the increased runoff associated with the excess area. Further, the pond in the downstream city park has been evaluated for additional stormwater management improvements.

It is shown below that the property can feasibly infiltrate a runoff volume equivalent to 3" of runoff from the proposed site impervious area, or, looked at a different way, a runoff volume equivalent to the onsite and offsite runoff generated by a 2" rainfall event. This abstracted volume removes nearly all of the annual runoff from the 1.26 acre watershed area draining to, and including, the subject property.

In addition to this narrative there are multiple Attachments referenced below, including:

- Attachment A Figures
- Attachment B Soils Map
- Attachment C HydroCAD Output

B. EXISTING SITE CONDITIONS

The property at 5025 Covington St. and surrounding area consist of loamy soils of Hydrologic Soil Group Type C, indicating soils with low infiltration rates (Attachment B). The lot receives runoff from approximately 0.80 acres of adjacent property to the east (Figure 1), and drains west to Covington Street. The site runoff combines with additional offsite runoff on the west side of the street, before draining south along the street and ultimately into the ponding area in the woods north of Fairview Street. The pond receives runoff from approximately 4.00 acres of watershed area, based on LiDAR information and a cursory field visit (actual drainage patterns may vary slightly). On the day of the field visit, standing water was observed along the western edge of Covington St., and evidence of erosion was present, indicating where water had flowed during previous storms. There is no indication of a constructed outlet present at the pond.

The McQuinn property (total of 0.46 acres) is proposed to include 0.17 acres of impervious area; for reference, the runoff generated from 1" of rainfall over this impervious area would equal 629 cubic feet. Also for reference, the runoff generated from the 1.26 acre drainage area (0.46 acre McQuinn lot plus 0.80 acres offsite) during a 2.0" rainfall event is 1,873 ft³, as determined with HydroCAD hydrologic modeling software (output in Attachment C).

C. HYDROLOGIC EVALUATION – RUNOFF MITIGATION BMP ALTERNATIVES

Infiltration: Potential infiltration locations are shown in Figure 2, including three vegetated infiltration basins (rain gardens) and one rock trench. The rain gardens are depressed areas consisting of amended soil and native vegetation, while the rock trench is a subtle rock swale with 30% void space in the rock to a depth as needed. As shown, the rain gardens would infiltrate a volume of 1,570 cubic feet, and the rock trench would infiltrate a volume of 540 cubic feet, for a total of 2,110 cubic feet.

The rain gardens must draw down within 48 hours to ensure vegetation survivability; this places a limit on the allowable depth, as deeper basins take longer to drain. Given the low infiltration rates of the native soils onsite, the maximum basin depth is 10" (from the planting bed to the overflow elevation). For the rain garden footprints shown, this 10" depth yields a storage volume of 1,570 ft³. In addition to native plantings tolerant of standing water, the basin bottoms shall have a minimum depth of 24" of sand/compost soil media on top of the native soils. This amended soil will extend the functional life of the basins and provide a planting medium suitable for thriving vegetation.

The rock infiltration trench stores water in the void spaces between the rocks, and infiltrates it through the bottom of the trench. The proposed trench is 100 feet long, 4 feet wide, and 4.5 feet deep; assuming a void space of 30%, these dimensions provide for a storage/infiltration volume of 540 cubic feet. The surface of the trench should be depressed slightly to facilitate downward water movement, and the rock should be enclosed in a geotextile fabric to prevent migration of surrounding soils. Table 1 summarizes the design results:

Table 1: Infiltration BMP Summary

Infiltration BMP	Volume Provided, (ft ³)	Footprint (ft ²)
Rain Garden, Northeast	190	320
Rain Garden, Southeast	80	130
Rain Garden, West	1,300	1,850
Rock Infiltration Trench	540	400
TOTAL:	2,110 ft³	2,700 ft²

The runoff generated from a 2" rainfall event over the 1.26 acre drainage area amounts to 1,873 cubic feet. The proposed infiltration volume of 2,110 cubic feet exceeds the runoff produced during a 2"

storm; for reference, rainfalls exceeding 2" in 24 hours typically occur just 1 – 2 times per year for this location.

Harvesting and Reuse: The site has been assessed by others for a rainwater harvesting and reuse system; however, to be effective, the system would need a larger catchment/collection area than the 3,820 ft² indicated in the analysis. Using only the roof area as a source would yield less than one-half the necessary irrigation water, and it would not provide adequate supply to keep the tanks sufficiently filled.

For this scenario, additional contributing area would have to come from the other impervious areas on the property, and would require the use of an underground cistern. Assuming a source area of all the site impervious area (0.17 acres), an optimized underground cistern would be approximately 10,000 gallons (1,336 cubic feet), and would provide roughly 75% of the annual irrigation needs. However, the 1,336 cubic feet of volume stored in the tank prior to bypass is less than the volume provided through the infiltration measures described above. This, combined with the additional construction and maintenance costs associated with such a system, indicate that runoff harvesting and reuse is not a preferred option for volume reduction at this property.

Park Improvements: The park located west of Covington Street contains an existing pond that receives runoff from the overall 4.00 acre watershed. The pond is in the middle of the wooded lot and contains dying and downed trees as well as debris along its edge. It may be desirable to clean up the pond edge, as well as provide additional storage. The pond does not appear to have an existing designed outlet, and adding storage would decrease the likelihood of the pond overflowing.

The existing ponding area is substantial and provides considerable runoff storage. The HydroCAD model indicates that the existing pond would contain the volume from a 4.8" rainfall event, a storm with just a 5-10% chance of occurring in any given year. Excavating 600 cubic yards of material from the pond would increase the storage, allowing it to hold runoff from up to a 6.0" event (2-3% chance of occurring annually).

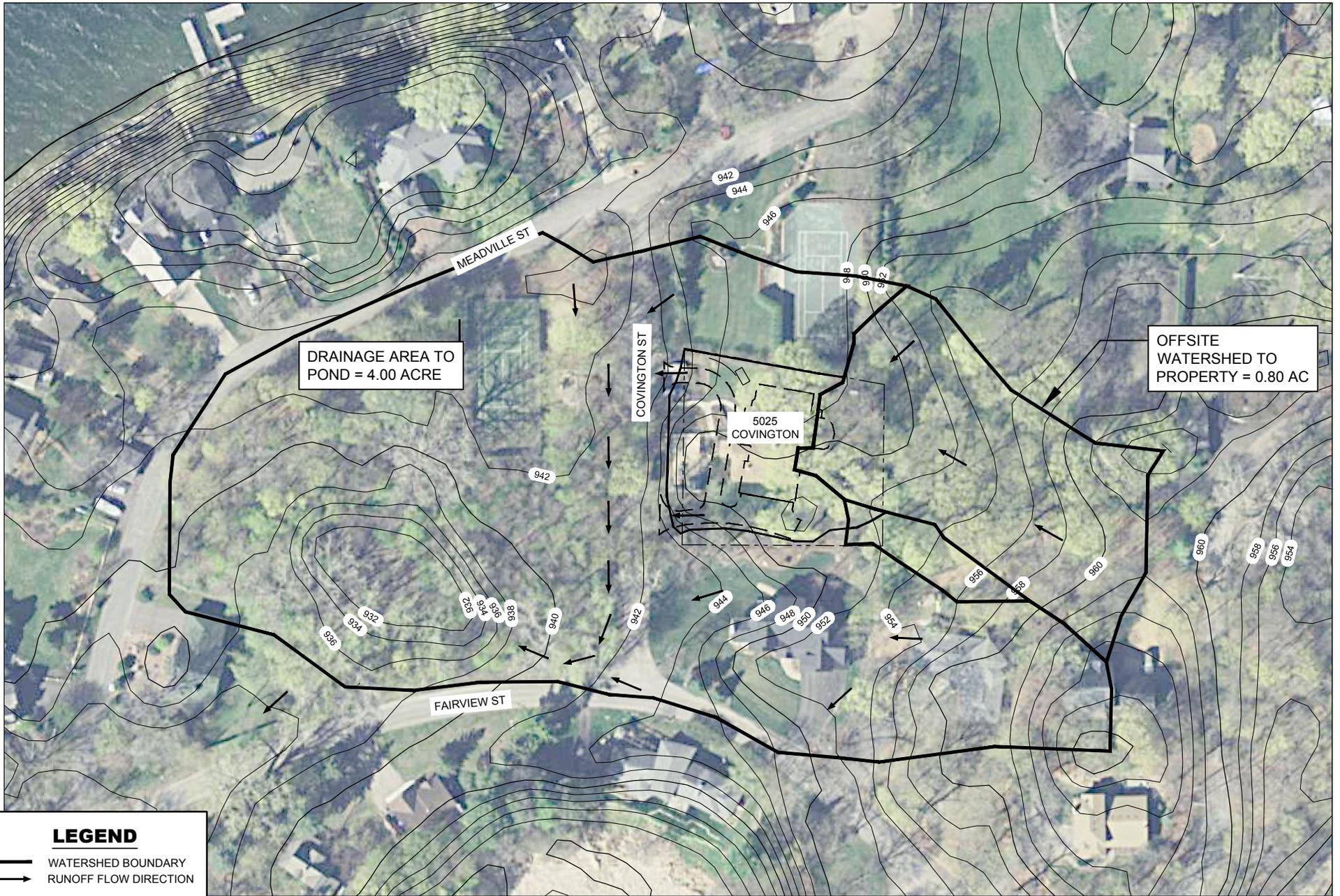
During a field visit, standing water was observed along the west edge of the pavement on Covington Street. If excavation and grading work is done in the park, it may be desirable to grade an adequate conveyance pathway from the street to the pond. The stabilized swale would provide a non-erosive pathway to the pond, and facilitate street drainage (important for traffic safety and pavement longevity).

D. SUMMARY

There are multiple alternatives to improve the current stormwater conditions of the area evaluated, including rain gardens, rock infiltration trenches, harvesting and reuse, and park/pond excavation and grading. These BMPs vary in cost, effectiveness, and maintenance requirements, but all would improve upon the existing drainage conditions in the 4.00 acre watershed.

ATTACHMENT A

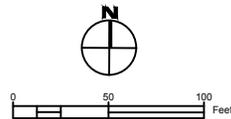
FIGURES



LEGEND

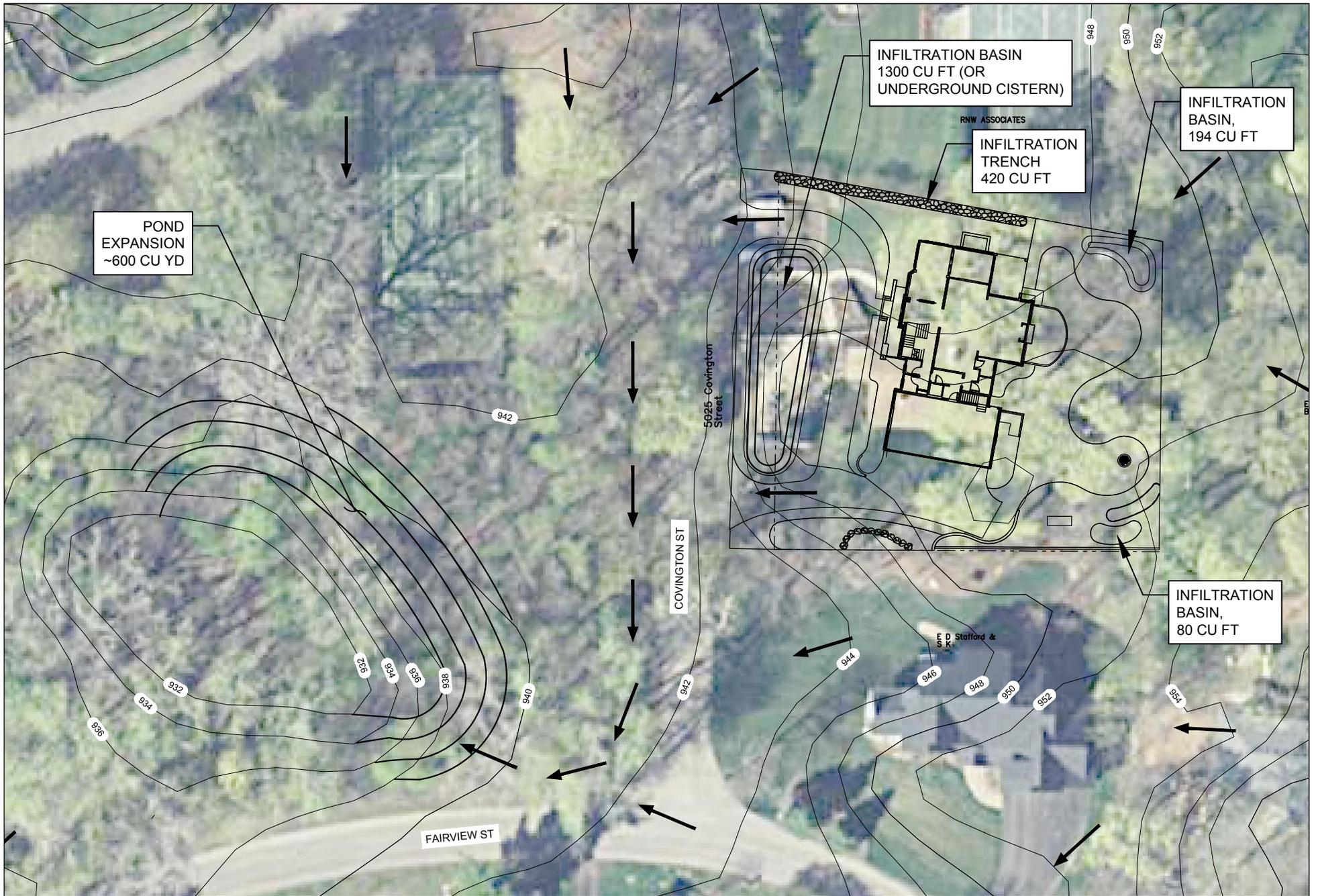
-  WATERSHED BOUNDARY
-  RUNOFF FLOW DIRECTION

CIVIL METHODS, INC.
 1551 Livingston Avenue, Suite 104
 West St. Paul, MN 55118
 o:763.210.5713 | www.civilmethods.com

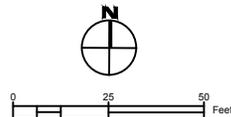


PROJECT SITE
 McQuinn Residence Hydrologic Investigation
 5025 Covington St., Greenwood, MN

FIGURE
 1
 OF
 2



CIVIL METHODS, INC.
1551 Livingston Avenue, Suite 104
West St. Paul, MN 55118
o:763.210.5713 | www.civilmethods.com



POTENTIAL BMP ALTERNATIVES

McQuinn Residence Hydrologic Investigation
5025 Covington St., Greenwood, MN

FIGURE
2
OF
2

ATTACHMENT B

SOILS MAP

Hydrologic Soil Group—Hennepin County, Minnesota



Map Scale: 1:1,610 if printed on A landscape (11" x 8.5") sheet.

0 20 40 80 120 Meters

0 50 100 200 300 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

Soil Rating Polygons

-  A
-  A/D
-  B
-  B/D
-  C
-  C/D
-  D
-  Not rated or not available

Soil Rating Lines

-  A
-  A/D
-  B
-  B/D
-  C
-  C/D
-  D
-  Not rated or not available

Soil Rating Points

-  A
-  A/D
-  B
-  B/D

-  C
-  C/D
-  D
-  Not rated or not available

Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hennepin County, Minnesota
 Survey Area Data: Version 11, Sep 18, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 26, 2014—Sep 7, 2014

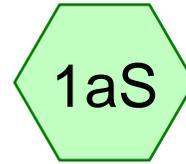
The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

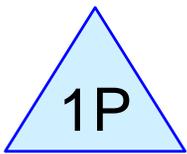
Hydrologic Soil Group— Summary by Map Unit — Hennepin County, Minnesota (MN053)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
L16A	Muskego, Blue Earth, and Houghton soils, ponded, 0 to 1 percent slopes	B/D	0.5	3.5%
L22C2	Lester loam, 6 to 10 percent slopes, moderately eroded	C	12.9	95.3%
U1A	Urban land-Udorthents, wet substratum, complex, 0 to 2 percent slopes		0.1	0.7%
W	Water		0.1	0.5%
Totals for Area of Interest			13.5	100.0%

ATTACHMENT C

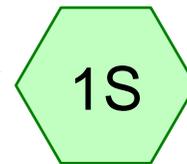
HYDROCAD MODEL OUTPUT



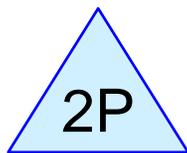
Area to Lot/Infiltration
Areas



Existing Pond



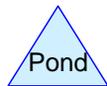
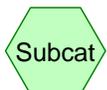
Drainage Area to Pond



Expanded Pond



Drainage Area to Pond



5025 Covington

MSE 24-hr 3 2" Event Rainfall=2.00"

Prepared by Civil Methods, Inc.

Printed 11/20/2015

HydroCAD® 10.00-15 s/n 07283 © 2015 HydroCAD Software Solutions LLC

Page 2

Time span=0.00-48.00 hrs, dt=0.05 hrs, 961 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1aS: Area to Runoff Area=54,950 sf 13.74% Impervious Runoff Depth=0.41"
Tc=15.0 min CN=76 Runoff=0.58 cfs 0.043 af

Subcatchment 1S: Drainage Area Runoff Area=174,075 sf 25.00% Impervious Runoff Depth=0.52"
Tc=20.0 min CN=79 Runoff=2.12 cfs 0.174 af

Subcatchment 2S: Drainage Area Runoff Area=174,075 sf 25.00% Impervious Runoff Depth=0.52"
Tc=20.0 min CN=79 Runoff=2.12 cfs 0.174 af

Pond 1P: Existing Pond Peak Elev=933.09' Storage=7,579 cf Inflow=2.12 cfs 0.174 af
Outflow=0.00 cfs 0.000 af

Pond 2P: Expanded Pond Peak Elev=932.76' Storage=7,578 cf Inflow=2.12 cfs 0.174 af
Outflow=0.00 cfs 0.000 af

Total Runoff Area = 9.254 ac Runoff Volume = 0.391 af Average Runoff Depth = 0.51"
76.53% Pervious = 7.082 ac 23.47% Impervious = 2.171 ac

Summary for Subcatchment 1aS: Area to Lot/Infiltration Areas

Runoff = 0.58 cfs @ 12.27 hrs, Volume= 0.043 af, Depth= 0.41"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 2" Event Rainfall=2.00"

	Area (sf)	CN	Description
*	7,550	98	
	47,400	72	Woods/grass comb., Good, HSG C
	54,950	76	Weighted Average
	47,400		86.26% Pervious Area
	7,550		13.74% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

Summary for Subcatchment 1S: Drainage Area to Pond

Runoff = 2.12 cfs @ 12.33 hrs, Volume= 0.174 af, Depth= 0.52"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 2" Event Rainfall=2.00"

	Area (sf)	CN	Description
*	43,519	98	25% Impervious
	130,556	72	Woods/grass comb., Good, HSG C
	174,075	79	Weighted Average
	130,556		75.00% Pervious Area
	43,519		25.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
20.0					Direct Entry,

Summary for Subcatchment 2S: Drainage Area to Pond

Runoff = 2.12 cfs @ 12.33 hrs, Volume= 0.174 af, Depth= 0.52"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 2" Event Rainfall=2.00"

	Area (sf)	CN	Description
*	43,519	98	25% Impervious
	130,556	72	Woods/grass comb., Good, HSG C
	174,075	79	Weighted Average
	130,556		75.00% Pervious Area
	43,519		25.00% Impervious Area

5025 Covington

MSE 24-hr 3 2" Event Rainfall=2.00"

Prepared by Civil Methods, Inc.

Printed 11/20/2015

HydroCAD® 10.00-15 s/n 07283 © 2015 HydroCAD Software Solutions LLC

Page 4

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
20.0					Direct Entry,

Summary for Pond 1P: Existing Pond

Inflow Area = 3.996 ac, 25.00% Impervious, Inflow Depth = 0.52" for 2" Event event
 Inflow = 2.12 cfs @ 12.33 hrs, Volume= 0.174 af
 Outflow = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af, Atten= 100%, Lag= 0.0 min
 Primary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
 Peak Elev= 933.09' @ 25.15 hrs Surf.Area= 7,889 sf Storage= 7,579 cf

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)
 Center-of-Mass det. time= (not calculated: no outflow)

Volume	Invert	Avail.Storage	Storage Description
#1	932.00'	72,900 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
932.00	6,020	0	0
934.00	9,450	15,470	15,470
936.00	13,990	23,440	38,910
938.00	20,000	33,990	72,900

Device	Routing	Invert	Outlet Devices
#1	Primary	936.00'	177.0 deg x 10.0' long Sharp-Crested Vee/Trap Weir Cv= 2.46 (C= 3.08)

Primary OutFlow Max=0.00 cfs @ 0.00 hrs HW=932.00' (Free Discharge)
 ↳1=Sharp-Crested Vee/Trap Weir (Controls 0.00 cfs)

Summary for Pond 2P: Expanded Pond

Inflow Area = 3.996 ac, 25.00% Impervious, Inflow Depth = 0.52" for 2" Event event
 Inflow = 2.12 cfs @ 12.33 hrs, Volume= 0.174 af
 Outflow = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af, Atten= 100%, Lag= 0.0 min
 Primary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
 Peak Elev= 932.76' @ 25.15 hrs Surf.Area= 10,792 sf Storage= 7,578 cf

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)
 Center-of-Mass det. time= (not calculated: no outflow)

Volume	Invert	Avail.Storage	Storage Description
#1	932.00'	93,200 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

5025 Covington

MSE 24-hr 3 2" Event Rainfall=2.00"

Prepared by Civil Methods, Inc.

Printed 11/20/2015

HydroCAD® 10.00-15 s/n 07283 © 2015 HydroCAD Software Solutions LLC

Page 5

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
932.00	9,200	0	0
934.00	13,400	22,600	22,600
936.00	18,600	32,000	54,600
938.00	20,000	38,600	93,200

Device	Routing	Invert	Outlet Devices
#1	Primary	936.00'	177.0 deg x 10.0' long Sharp-Crested Vee/Trap Weir Cv= 2.46 (C= 3.08)

Primary OutFlow Max=0.00 cfs @ 0.00 hrs HW=932.00' (Free Discharge)
↑**1=Sharp-Crested Vee/Trap Weir** (Controls 0.00 cfs)

5025 Covington

MSE 24-hr 3 6" Event Rainfall=6.00"

Prepared by Civil Methods, Inc.

Printed 11/20/2015

HydroCAD® 10.00-15 s/n 07283 © 2015 HydroCAD Software Solutions LLC

Page 6

Time span=0.00-48.00 hrs, dt=0.05 hrs, 961 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1aS: Area to Runoff Area=54,950 sf 13.74% Impervious Runoff Depth=3.38"
Tc=15.0 min CN=76 Runoff=5.50 cfs 0.355 af

Subcatchment 1S: Drainage Area Runoff Area=174,075 sf 25.00% Impervious Runoff Depth=3.68"
Tc=20.0 min CN=79 Runoff=16.36 cfs 1.225 af

Subcatchment 2S: Drainage Area Runoff Area=174,075 sf 25.00% Impervious Runoff Depth=3.68"
Tc=20.0 min CN=79 Runoff=16.36 cfs 1.225 af

Pond 1P: Existing Pond Peak Elev=936.09' Storage=40,167 cf Inflow=16.36 cfs 1.225 af
Outflow=1.08 cfs 0.332 af

Pond 2P: Expanded Pond Peak Elev=935.93' Storage=53,377 cf Inflow=16.36 cfs 1.225 af
Outflow=0.00 cfs 0.000 af

Total Runoff Area = 9.254 ac Runoff Volume = 2.806 af Average Runoff Depth = 3.64"
76.53% Pervious = 7.082 ac 23.47% Impervious = 2.171 ac

5025 Covington

MSE 24-hr 3 6" Event Rainfall=6.00"

Prepared by Civil Methods, Inc.

Printed 11/20/2015

HydroCAD® 10.00-15 s/n 07283 © 2015 HydroCAD Software Solutions LLC

Page 7

Summary for Subcatchment 1aS: Area to Lot/Infiltration Areas

Runoff = 5.50 cfs @ 12.24 hrs, Volume= 0.355 af, Depth= 3.38"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 6" Event Rainfall=6.00"

	Area (sf)	CN	Description
*	7,550	98	
	47,400	72	Woods/grass comb., Good, HSG C
	54,950	76	Weighted Average
	47,400		86.26% Pervious Area
	7,550		13.74% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

Summary for Subcatchment 1S: Drainage Area to Pond

Runoff = 16.36 cfs @ 12.30 hrs, Volume= 1.225 af, Depth= 3.68"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 6" Event Rainfall=6.00"

	Area (sf)	CN	Description
*	43,519	98	25% Impervious
	130,556	72	Woods/grass comb., Good, HSG C
	174,075	79	Weighted Average
	130,556		75.00% Pervious Area
	43,519		25.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
20.0					Direct Entry,

Summary for Subcatchment 2S: Drainage Area to Pond

Runoff = 16.36 cfs @ 12.30 hrs, Volume= 1.225 af, Depth= 3.68"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 6" Event Rainfall=6.00"

	Area (sf)	CN	Description
*	43,519	98	25% Impervious
	130,556	72	Woods/grass comb., Good, HSG C
	174,075	79	Weighted Average
	130,556		75.00% Pervious Area
	43,519		25.00% Impervious Area

5025 Covington

MSE 24-hr 3 6" Event Rainfall=6.00"

Prepared by Civil Methods, Inc.

Printed 11/20/2015

HydroCAD® 10.00-15 s/n 07283 © 2015 HydroCAD Software Solutions LLC

Page 8

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
20.0					Direct Entry,

Summary for Pond 1P: Existing Pond

Inflow Area = 3.996 ac, 25.00% Impervious, Inflow Depth = 3.68" for 6" Event event
 Inflow = 16.36 cfs @ 12.30 hrs, Volume= 1.225 af
 Outflow = 1.08 cfs @ 13.78 hrs, Volume= 0.332 af, Atten= 93%, Lag= 89.2 min
 Primary = 1.08 cfs @ 13.78 hrs, Volume= 0.332 af

Routing by Stor-Ind method, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
 Peak Elev= 936.09' @ 13.78 hrs Surf.Area= 14,257 sf Storage= 40,167 cf

Plug-Flow detention time= 312.5 min calculated for 0.332 af (27% of inflow)
 Center-of-Mass det. time= 215.8 min (1,024.8 - 808.9)

Volume	Invert	Avail.Storage	Storage Description
#1	932.00'	72,900 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
932.00	6,020	0	0
934.00	9,450	15,470	15,470
936.00	13,990	23,440	38,910
938.00	20,000	33,990	72,900

Device	Routing	Invert	Outlet Devices
#1	Primary	936.00'	177.0 deg x 10.0' long Sharp-Crested Vee/Trap Weir Cv= 2.46 (C= 3.08)

Primary OutFlow Max=1.04 cfs @ 13.78 hrs HW=936.09' (Free Discharge)
 ↳1=Sharp-Crested Vee/Trap Weir (Weir Controls 1.04 cfs @ 0.87 fps)

Summary for Pond 2P: Expanded Pond

Inflow Area = 3.996 ac, 25.00% Impervious, Inflow Depth = 3.68" for 6" Event event
 Inflow = 16.36 cfs @ 12.30 hrs, Volume= 1.225 af
 Outflow = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af, Atten= 100%, Lag= 0.0 min
 Primary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
 Peak Elev= 935.93' @ 25.15 hrs Surf.Area= 18,428 sf Storage= 53,377 cf

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)
 Center-of-Mass det. time= (not calculated: no outflow)

Volume	Invert	Avail.Storage	Storage Description
#1	932.00'	93,200 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

5025 Covington

MSE 24-hr 3 6" Event Rainfall=6.00"

Prepared by Civil Methods, Inc.

Printed 11/20/2015

HydroCAD® 10.00-15 s/n 07283 © 2015 HydroCAD Software Solutions LLC

Page 9

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
932.00	9,200	0	0
934.00	13,400	22,600	22,600
936.00	18,600	32,000	54,600
938.00	20,000	38,600	93,200

Device	Routing	Invert	Outlet Devices
#1	Primary	936.00'	177.0 deg x 10.0' long Sharp-Crested Vee/Trap Weir Cv= 2.46 (C= 3.08)

Primary OutFlow Max=0.00 cfs @ 0.00 hrs HW=932.00' (Free Discharge)
↑**1=Sharp-Crested Vee/Trap Weir** (Controls 0.00 cfs)

5025 Covington

MSE 24-hr 3 10-Year Rainfall=4.26"

Prepared by Civil Methods, Inc.

Printed 11/20/2015

HydroCAD® 10.00-15 s/n 07283 © 2015 HydroCAD Software Solutions LLC

Page 10

Time span=0.00-48.00 hrs, dt=0.05 hrs, 961 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1aS: Area to Runoff Area=54,950 sf 13.74% Impervious Runoff Depth=1.94"
Tc=15.0 min CN=76 Runoff=3.15 cfs 0.204 af

Subcatchment 1S: Drainage Area Runoff Area=174,075 sf 25.00% Impervious Runoff Depth=2.18"
Tc=20.0 min CN=79 Runoff=9.70 cfs 0.725 af

Subcatchment 2S: Drainage Area Runoff Area=174,075 sf 25.00% Impervious Runoff Depth=2.18"
Tc=20.0 min CN=79 Runoff=9.70 cfs 0.725 af

Pond 1P: Existing Pond Peak Elev=935.45' Storage=31,572 cf Inflow=9.70 cfs 0.725 af
Outflow=0.00 cfs 0.000 af

Pond 2P: Expanded Pond Peak Elev=934.63' Storage=31,573 cf Inflow=9.70 cfs 0.725 af
Outflow=0.00 cfs 0.000 af

Total Runoff Area = 9.254 ac Runoff Volume = 1.654 af Average Runoff Depth = 2.14"
76.53% Pervious = 7.082 ac 23.47% Impervious = 2.171 ac

5025 Covington

MSE 24-hr 3 10-Year Rainfall=4.26"

Prepared by Civil Methods, Inc.

Printed 11/20/2015

HydroCAD® 10.00-15 s/n 07283 © 2015 HydroCAD Software Solutions LLC

Page 11

Summary for Subcatchment 1aS: Area to Lot/Infiltration Areas

Runoff = 3.15 cfs @ 12.24 hrs, Volume= 0.204 af, Depth= 1.94"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 10-Year Rainfall=4.26"

	Area (sf)	CN	Description
*	7,550	98	
	47,400	72	Woods/grass comb., Good, HSG C
	54,950	76	Weighted Average
	47,400		86.26% Pervious Area
	7,550		13.74% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

Summary for Subcatchment 1S: Drainage Area to Pond

Runoff = 9.70 cfs @ 12.30 hrs, Volume= 0.725 af, Depth= 2.18"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 10-Year Rainfall=4.26"

	Area (sf)	CN	Description
*	43,519	98	25% Impervious
	130,556	72	Woods/grass comb., Good, HSG C
	174,075	79	Weighted Average
	130,556		75.00% Pervious Area
	43,519		25.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
20.0					Direct Entry,

Summary for Subcatchment 2S: Drainage Area to Pond

Runoff = 9.70 cfs @ 12.30 hrs, Volume= 0.725 af, Depth= 2.18"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 10-Year Rainfall=4.26"

	Area (sf)	CN	Description
*	43,519	98	25% Impervious
	130,556	72	Woods/grass comb., Good, HSG C
	174,075	79	Weighted Average
	130,556		75.00% Pervious Area
	43,519		25.00% Impervious Area

5025 Covington

MSE 24-hr 3 10-Year Rainfall=4.26"

Prepared by Civil Methods, Inc.

Printed 11/20/2015

HydroCAD® 10.00-15 s/n 07283 © 2015 HydroCAD Software Solutions LLC

Page 12

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
20.0					Direct Entry,

Summary for Pond 1P: Existing Pond

Inflow Area = 3.996 ac, 25.00% Impervious, Inflow Depth = 2.18" for 10-Year event
 Inflow = 9.70 cfs @ 12.30 hrs, Volume= 0.725 af
 Outflow = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af, Atten= 100%, Lag= 0.0 min
 Primary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
 Peak Elev= 935.45' @ 25.15 hrs Surf.Area= 12,744 sf Storage= 31,572 cf

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)
 Center-of-Mass det. time= (not calculated: no outflow)

Volume	Invert	Avail.Storage	Storage Description
#1	932.00'	72,900 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
932.00	6,020	0	0
934.00	9,450	15,470	15,470
936.00	13,990	23,440	38,910
938.00	20,000	33,990	72,900

Device	Routing	Invert	Outlet Devices
#1	Primary	936.00'	177.0 deg x 10.0' long Sharp-Crested Vee/Trap Weir Cv= 2.46 (C= 3.08)

Primary OutFlow Max=0.00 cfs @ 0.00 hrs HW=932.00' (Free Discharge)
 ↳1=Sharp-Crested Vee/Trap Weir (Controls 0.00 cfs)

Summary for Pond 2P: Expanded Pond

Inflow Area = 3.996 ac, 25.00% Impervious, Inflow Depth = 2.18" for 10-Year event
 Inflow = 9.70 cfs @ 12.30 hrs, Volume= 0.725 af
 Outflow = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af, Atten= 100%, Lag= 0.0 min
 Primary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 0.00-48.00 hrs, dt= 0.05 hrs
 Peak Elev= 934.63' @ 25.15 hrs Surf.Area= 15,041 sf Storage= 31,573 cf

Plug-Flow detention time= (not calculated: initial storage exceeds outflow)
 Center-of-Mass det. time= (not calculated: no outflow)

Volume	Invert	Avail.Storage	Storage Description
#1	932.00'	93,200 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

5025 Covington

MSE 24-hr 3 10-Year Rainfall=4.26"

Prepared by Civil Methods, Inc.

Printed 11/20/2015

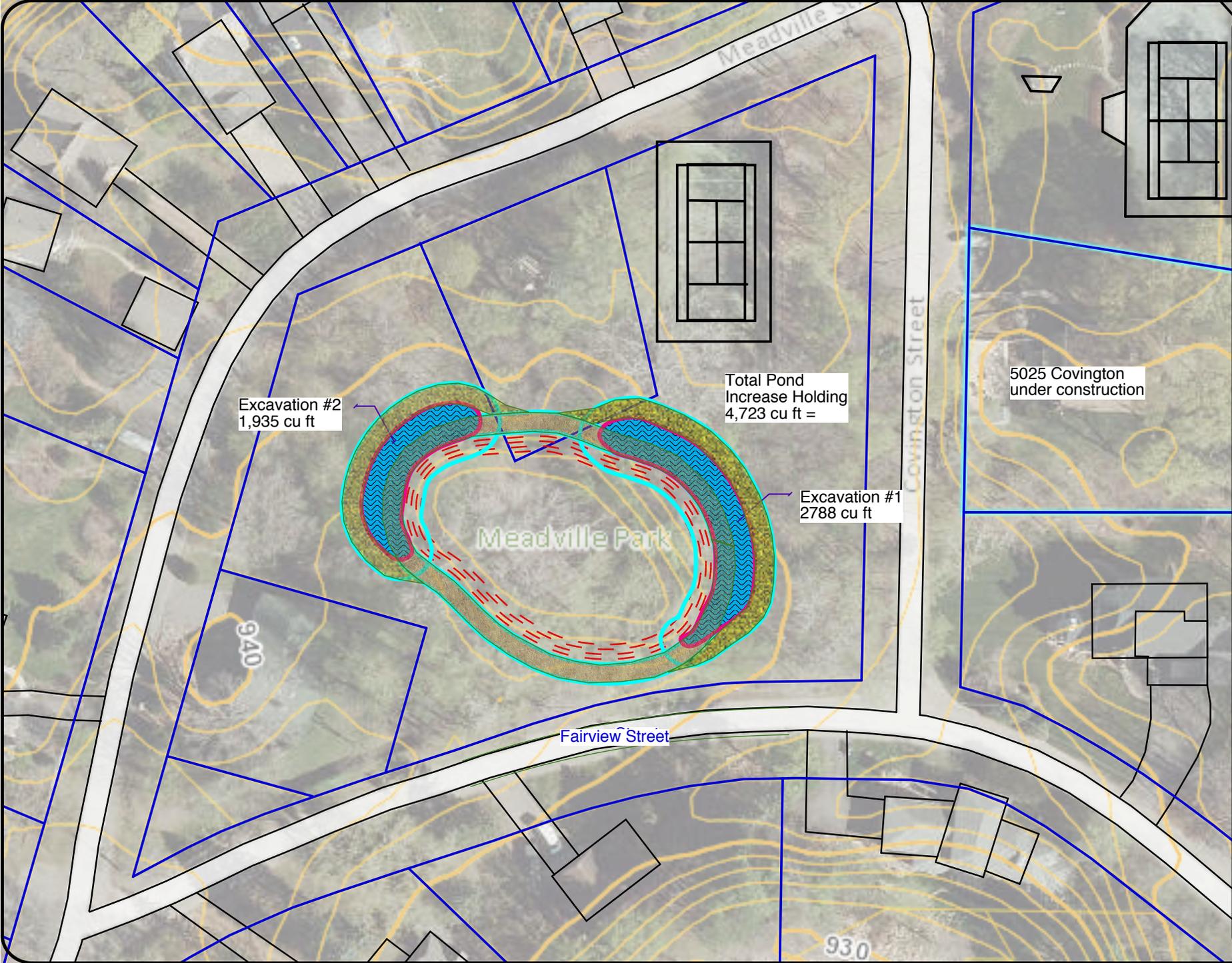
HydroCAD® 10.00-15 s/n 07283 © 2015 HydroCAD Software Solutions LLC

Page 13

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
932.00	9,200	0	0
934.00	13,400	22,600	22,600
936.00	18,600	32,000	54,600
938.00	20,000	38,600	93,200

Device	Routing	Invert	Outlet Devices
#1	Primary	936.00'	177.0 deg x 10.0' long Sharp-Crested Vee/Trap Weir Cv= 2.46 (C= 3.08)

Primary OutFlow Max=0.00 cfs @ 0.00 hrs HW=932.00' (Free Discharge)
↑**1=Sharp-Crested Vee/Trap Weir** (Controls 0.00 cfs)



Excavation #2
1,935 cu ft

Total Pond
Increase Holding
4,723 cu ft =

Excavation #1
2788 cu ft

5025 Covington
under construction

Meadville Park

Scale: 1 inch = 30 feet
November 20, 2015

Meadville Park
Meadville Street
Greenwood MN

Green-Dale Design
old hands at new design
1845 Wisconsin Ave. No. Golden Valley, MN 55427 Tel. (763)544-4215





Project Information: McQuinn Residence
5025 Covington Street
Greenwood, MN 55331

Date: 8/31/2015

Quick Water Use Calculation (no adjustment)

27,154	gallons in an acre inch
14,909	square feet
0.34	acres
9,232	Estimated gallons per week
28	irrigation weeks
258,509	Estimated gallons per season
\$ -	cost per 1000/gal

Quick Analysis (annual)

142,839	Estimated Water Use (gal)
56,047	Potential Collection (gal)
(86,792)	Potential Backup Needed (gal)
10,203	Minimum Storage Recommended*
18,836	Optimum Storage Capacity**
\$ -	Potential Cost of Backup

*Two week reservoir for seasonal average

**Two week reservoir for the hottest month

Estimated Water Use by Plant Type

Type	Square Ft	Acres	Amount	Estimated Gal/Week
Turf	5,633	0.13	1	3,511
Plants	9,276	0.21	0.75	4,337
Total/Week (gal)				7,848
Total/Month (gal)				31,393
Total/Season (gal)				219,753

Estimated Water Use with Seasonal Adjustment (Twin Cities)

Month	April	May	June	July	August	September	October
Seasonal Adjustment	25%	50%	80%	120%	100%	60%	20%
Total/Week (gal)	1,962	3,924	6,279	9,418	7,848	4,709	1,570
Total/Month (gal)	7,848	15,697	25,115	37,672	31,393	18,836	6,279
Total/Season (gal)							142,839

Potential Rainwater Collection (no adjustment)

3,820	Collection Area (Square Feet)
1	Inch(s)
0.09	Acres
2,381	Potential Gallons Collected per Rainfall
2,322	Potential Usable Rainfall (-2.5% Spoilage)

Potential Rainwater Collection per Month

Month	April	May	June	July	August	September	October
Average Rainfall (in)	2.68	3.35	4.25	4.06	4.29	3.07	2.44
Potential Collection (gal)	6,222	7,778	9,868	9,426	9,960	7,128	5,665
Estimated Usage (gal)	7,848	15,697	25,115	37,672	31,393	18,836	6,279
Deficit/Surplus (gal)	(1,626)	(7,919)	(15,247)	(28,246)	(21,433)	(11,708)	(614)
Potential Backup Needed							(86,792)

RESOLUTION NO 14-15

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA
ACTING AS THE BOARD OF APPEALS & ADJUSTMENTS

DENYING

IN RE: The application of Dale Gustafson, representing Mary McQuinn of 5025 Covington Street, for a variance to Greenwood ordinance code section 1176.04(3)(3)(a) to exceed the maximum allowable impervious surface area by 5.1% in order to construct a second driveway.

WHEREAS, Mary McQuinn is the owner of property commonly known as 5025 Covington Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-24-0032); and

WHEREAS, application was made for variance to section 1176.04(3)(3)(a) to permit construction of a second driveway that would exceed the maximum allowable impervious surface area by 5.1%; and

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

WHEREAS, public comment was taken at the public hearing before the planning commission on September 16, 2015; and

WHEREAS, the city council of the city of Greenwood has received the staff report, the recommendation of the planning commission, and considered the application, the comments of the applicant and the comments of the public.

NOW, THEREFORE, the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments does hereby make the following:

FINDINGS OF FACT

1. That the real property located at 5025 Covington Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-24-0032) is a single-family lot of record located within the R1A district.
2. The applicant proposes to construct a second driveway that exceeds the maximum allowable impervious surface area.
3. Greenwood ordinance code section 1176.04(3)(3)(a) states, "Impervious surface coverage in all residential districts as expressed as a percentage of the lot area, shall not exceed 30%"
4. The applicant proposes to have a total impervious surface area of 35.1% and seeks a variance to exceed the maximum allowable impervious surface area by 5.1%.
5. Greenwood ordinance section 1155.10, subd 4, 5 & 6 states:

"Subd. 4. Practical Difficulties Standard. "Practical difficulties," as used in connection with the granting of a variance, means:

- (a) that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- (b) the plight of the landowner is due to circumstances unique to the property and not created by the landowner;
- (c) and the variance, if granted, will not alter the essential character of the locality

Economic considerations alone shall not constitute practical difficulties.

Subd. 5. Findings. The board, in considering all requests for a variance, shall adopt findings addressing the following questions:

- (a) Is the variance in harmony with the purposes and intent of the ordinance?
- (b) Is the variance consistent with the comprehensive plan?
- (c) Does the proposal put property to use in a reasonable manner?
- (d) Are there unique circumstances to the property not created by the landowner?
- (e) Will the variance, if granted, alter the essential character of the locality?

Subd. 6. Practical Difficulties Considerations. When determining reasonable manner or essential character, the board will consider, but will not be limited to, the following:

- (a) Impair an adequate supply of light and air to adjacent property.
- (b) Unreasonably increase the congestion in the public street.
- (c) Increase the danger of fire or endanger the public safety.
- (d) Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.”

- 6. The applicant asserts that the proposed variance request complies with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6.
- 7. The planning commission discussed the variance request and on a 5-0 vote recommended the council deny the application of application of Dale Gustafson, representing Mary McQuinn of 5025 Covington Street, for variances to Greenwood ordinance code section 1176.04(3)(3)(a) to exceed the maximum allowable impervious surface area by 5.1% in order to construct a second driveway, as presented. The proposal does not meet the practical difficulties standards outlined in section 1155.10(4) in that the plight of the landowner-applicant is not due to circumstances unique to the property and is created by the landowner because previously approved plans currently allow for adequate driveway access for the property while also remaining under the allowable impervious surface area.
- 8. Based on the foregoing, the city council determined that variance request:
 - (a) Does not comply with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6.
 - (b) The plight of the landowner-applicant is not due to circumstances unique to the property and is created by the landowner because previously approved plans currently allow for adequate driveway access for the property while also remaining under the allowable impervious surface area.

CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the city council acting as the Board of Appeals & Adjustments makes the following conclusions of law:

The applicant has **not** made an adequate demonstration of facts meeting the standards of section 1155.10 necessary for the grant of a variance and therefore a variance to section 1176.04(3)(3)(a) to exceed the maximum allowable impervious surface area by 5.1% should **not** be granted.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments:

That the application of Dale Gustafson, representing Mary McQuinn of 5025 Covington Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-24-0032) for a variance to section 1176.04(3)(3)(a) to exceed the exceed the maximum allowable impervious surface area by 5.1% is **DENIED**.

PASSED this ___ day of _____, 2015 by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments for the city of Greenwood, Minnesota.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk

RESOLUTION NO 15-15

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA
ACTING AS THE BOARD OF APPEALS & ADJUSTMENTS

DENYING

In Re: Application of Dale Gustafson, representing Mary McQuinn of 5025 Covington Street, for a conditional use permit under Greenwood ordinance code section 1140.19(2) and 1150.20 to permit grading or site / lot topography alterations involving more than 200 square feet of surface area, and involving more than 20 cubic yards of material.

WHEREAS, Mary McQuinn is the owner of property commonly known as 5025 Covington Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-24-0032) in conformance with Greenwood ordinance code sections 1140.19(2) and 1150.20 has made application for a conditional use permit (CUP); and

WHEREAS, the applicant proposes to regrade the property in order to accommodate a second driveway and several stormwater mitigation systems; and

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

WHEREAS, public comment was taken at the public hearing before the planning commission on September 16, 2015; and

WHEREAS, the city council of the city of Greenwood has received the staff report, the recommendation of the planning commission, and considered the application, the comments of the applicant, and the comments of the public.

NOW, THEREFORE, the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments does hereby make the following:

FINDINGS OF FACT

1. That the real property located at 5025 Covington Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-24-0032) is a single-family lot of record located within the R1A district.
2. Pursuant to Greenwood ordinance code 1140.19(2), the property owner proposes to regrade the property in order to accommodate a second driveway and several stormwater mitigation systems which would require grading or altering site / lot topography involving more than 200 square feet of surface area, and involving more than 20 cubic yards of material, which requires the property owner to apply for a CUP.
3. Pursuant to Greenwood ordinance code section 1150.20, subd. 3, Conditional Use Permits (general regulations), the city council may impose such conditions and safeguards upon the property benefitted by a CUP as may be necessary to maintain compatibility with other properties in the neighborhood.
4. Greenwood ordinance section 1150.20, subd 1 states:

“Subd. 1. The planning commission shall make findings and recommendations to the city council. The council may then authorize a conditional use by resolution provided the evidence presented is such as to establish:

 - (a) That the proposed use will comply with the regulations specified in this ordinance for the district in which the proposed use is to be located.
 - (b) That the use is one of the conditional uses permitted for the district in which it is to be located.
 - (c) The use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or city.
 - (d) The use will be harmonious with the objectives of the comp plan.
 - (e) The use will not be hazardous or disturbing to existing or future neighboring uses.

- (f) The use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, sewer, schools, or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
- (g) The use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- (h) The use will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.
- (i) The use will have vehicular approaches to the property that do not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
- (j) The use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.
- (k) The use will not depreciate surrounding property values.”

- 6. The applicant asserts that the proposed CUP request complies with CUP standards in Greenwood ordinance section 1150.20, subd 1.
- 7. The planning commission discussed the CUP request and on a 5-0 vote recommended **denial** because the proposed CUP request **does not** comply with the CUP standards in Greenwood ordinance section 1150.20, subd 1, because:
 - a. Absent the associated variance, the interest in the public health, safety, comfort, convenience and general welfare of the neighborhood are not being met because the proposed changes will unnecessarily alter the topography of the property.
- 8. Based on the foregoing, the city council determined that the proposed CUP request CUP request does not comply with the CUP standards in Greenwood ordinance section 1150.20, subd 1, because:
 - a. Absent the associated variance, the interest in the public health, safety, comfort, convenience and general welfare of the neighborhood are not being met because the proposed changes will unnecessarily alter the topography of the property.

CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the city council acting as the Board of Appeals & Adjustments makes the following conclusions of law:

- 1. The applicant has **not** made an adequate demonstration of facts meeting the standards of sections 1140.19(2) and 1150.20 necessary for the grant of a CUP.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments that the city of Greenwood does hereby **deny** a Conditional Use Permit to the applicant for the subject property to regrade the property in order to accommodate a second driveway and several stormwater mitigation systems which would require grading or altering site / lot topography involving more than 200 square feet of surface area, and involving more than 20 cubic yards of material.

PASSED this ____ day of _____, 2015 by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments for the city of Greenwood, Minnesota.

____ AYES ____ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk



Agenda Number: 6B

Agenda Date: 12-02-15

Prepared by Deb Kind

Agenda Item: 2nd Reading: Ord 245, Accessory Structures and Uses and Res 18-15, Summary of Ord 245 for Publication

Summary: See worksession memo.

Timeline:

- ~~09-09-15~~ Deadline for the draft of the ordinance for inclusion in the planning commission packet.
- ~~09-16-15~~ Planning commission holds public hearing and makes a recommendation to the city council.
- ~~10-07-15~~ City council considers 1st reading of the ordinance (may make revisions).
- ~~11-04-15~~ City council continued 2nd reading of the ordinance.
- ~~11-10-15~~ City council held a worksession to discuss city attorney's recommendations.
- 12-02-15 City council considers 2nd reading of the ordinance (may make revisions).
- 12-03-15 The ordinance is submitted to the Sun-Sailor for publication.
- 12-10-15 The ordinance is published in the Sun-Sailor (goes into effect on this date).

Council Action: No action required. Potential motions ...

1. I move the city council approves the 2nd reading of ordinance 245 regarding accessory structures and uses dated _____.
2. I move the city council approves resolution 18-15, a summary of ordinance 245 for publication dated _____.
3. Do nothing or other motion?

Greenwood code section 1215 requires 2 readings of all ordinances prior to adoption. The 2nd reading shall be within 3 months of the 1st reading. There may be changes between the 1st and 2nd readings. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.



Agenda Number: 6C

Agenda Date: 12-02-15

Prepared by Deb Kind

Agenda Item: 2nd Reading: Ord 247, Amending Municipal Watercraft Ordinance and Res 22-15 Summary of Ord 247 for Publication

Summary: The 1st reading of ordinance 247 was approved with revisions at the 11-04-15 city council meeting. The attached draft of the ordinance includes revisions based on the 11-04-15 council discussion. Also attached is resolution 22-15, a summary of ordinance 247 for publication.

Timeline:

- ~~11-04-15 City council considers 1st reading of the ordinance (may make revisions).~~
- 12-02-15 City council considers 2nd reading of the ordinance (may make revisions).
- 12-03-15 The ordinance is submitted to the Sun-Sailor for publication.
- 12-10-15 The ordinance is published in the Sun-Sailor (goes into effect on this date).

Council Action: No action required. Potential motions ...

1. I move the city council approves the 2nd reading of ordinance 247 amending the municipal watercraft ordinance (with the following revisions: _____).
2. I move the city council approves resolution 22-15, a summary of ordinance 247 for publication.
3. Do nothing or other motion?

Greenwood code section 1215 requires 2 readings of all ordinances prior to adoption. The 2nd reading shall be within 3 months of the 1st reading. There may be changes between the 1st and 2nd readings. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 425 REGARDING MUNICIPAL WATERCRAFT SPACES**

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

SECTION 1.

Greenwood ordinance code section 425 is amended to read as follows:

“SECTION 425. MUNICIPAL WATERCRAFT SPACES.

Section 425.00. Purpose.

The city maintains municipal docks, sailboat slips, and canoe racks on and adjacent to Lake Minnetonka to provide watercraft facilities primarily for residents of the city who do not own lakeshore properties.

Section 425.05. Definitions.

See chapter 12 for definitions.

Section 425.07. Marina Clerk.

The position of marina clerk is hereby created. The city council shall designate from time to time the person who shall perform the duties of the marina clerk.

Section 425.10. Priority Schedule for Space Permits.

Space permits for the St. Alban's Bay municipal docks, Meadville sailboat slips, and Meadville canoe racks are granted based on the following priority schedule:

1. First Priority: Previous year's watercraft space permit holders.
2. Second Priority: Off-shore Greenwood residents on the waiting list.
3. Third Priority: Lakeshore Greenwood residents on the waiting list.
4. Fourth Priority: Non-residents on the waiting list.

Section 425.15. Process.

The following outlines the process for issuance of watercraft space permits:

- (a) Get on the waiting list. Complete a “waiting list” application and deliver by mail or in person to the marina clerk. A maximum of 2 names per address per space may appear on each list in the order they are received. Separate lists will be maintained for each of the watercraft space locations (St. Alban's Bay docks, Meadville sailboat slips, and Meadville canoe rack) for the 4 priority categories listed in section 425.10. An address is allowed to appear only once per list. Once an address has been assigned a watercraft space for a location, the address may not appear on the waiting list for that location.
- (b) Past permittees must submit an application by March 15. The marina clerk will mail “slip renewal” applications to past watercraft space permit holders (“permittees”) before February 1 each year. The applicant shall submit a watercraft space permit application to the marina clerk no later than March 15. Failure to meet the March 15 deadline shall cause past permittees to lose their priority and their name will go to the bottom of the appropriate waiting list.
- (c) Slips are assigned to past permittees first. Past permittees will be assigned the same slip as the previous year.
- (d) Open spaces assigned to past permittees who request relocation. After March 15 open spaces will be assigned to past permittees who request relocation on their application. Open spaces will be assigned based on seniority. Seniority is determined by the date the permittee was first assigned a space.
- (e) Open spaces assigned to waiting list. The marina clerk will offer remaining open spaces to the person(s) at the top of the waiting list in writing. New permittees must complete the application requirements in section 425.25 within 15 days of the date of mailing. Failure to meet the 15-day deadline shall be treated the same as if the space was declined. If the person(s) at the top position on the waiting list declines to take a watercraft space, their name(s) shall go to the bottom of the waiting list, and the offer will go to the next person(s) on the list. If more than one space opens up in a given year, a letter (A, B, C, etc.) is added to the year for seniority purposes. The letter corresponds to the order of the dates on the waiting list application.
- (f) Adding or deleting names. A second name may be added or changed, as long as the second person resides at the same address. If either person moves from the city, their name shall be removed from the list. In the case of one person moving to another address in the city, the person staying at the original address shall keep the priority position on the list and the other person will go to the bottom of the appropriate waiting list. In the case of death, the priority position can only go to a second person if their name was on the list with the deceased. No one under the age of 18 is allowed to be on a dock list or waiting list. All requests for name changes must be in writing and establish residency.

Section 425.20 Additional Provisions for the Meadville Sailboat Slips.

Subd. 1. The city holds interest in various public right-of-way and other properties that abut public waters of Lake Minnetonka (apart from the St. Alban's Bay municipal dock site). The subdivisions set forth below state special conditions and provisions related to the identified lake access lots.

Subd. 2. Terms and Conditions. The use of that certain public access lying westerly of Meadville Street located between property tax ID parcels 261172332-0004 and 261172332-0011 (commonly called the Meadville boat launch) is subject to the following terms and conditions:

- (a) The city may offer watercraft permits for up to 2 watercraft.
- (b) Watercraft spaces shall be for sailboats only.
- (c) The city shall not be responsible for providing any docking facilities at this site.
- (d) Boatlifts supplied by the permittee may be used. Any watercraft space permittee that desires to place a boatlift at this assigned site shall request preapproval from the marina clerk. The marina clerk may limit the size and location of the proposed lift.

Section 425.23 Municipal Watercraft Space Permits Not Transferrable to Other Locations.

Permittees shall be entitled to renewal at the same location, but shall not obtain rights of priority to a permit at any other location. Permittees at the Meadville sailboat slips or canoe rack, may be on the waiting list for a permit at the St. Alban's Bay docks. In the event a Meadville sailboat permittee is granted a permit for the St. Alban's Bay docks, such person shall not also be entitled keep their Meadville sailboat permit. However, Meadville canoe rack space permittees, may keep their space if they are granted a permit for a space on the St. Alban's Bay docks or Meadville sailboat slip.

Section 425.25. Application Requirements.

An applicant for a watercraft space permit must:

- (a) Complete the application form and pay the requisite non-refundable fee (set forth in chapter 5).
- (b) Establish residency by submitting a photocopy of a Minnesota driver's license or Minnesota state identification card to the marina clerk. If 2 names are on the application, both must prove residency and live at the same address.
- (c) Submit a photocopy of the watercraft title and Department of Natural Resources (DNR) registration card indicating that at least one of the applicants is the owner of the watercraft. Maximum of 2 names (both must reside at the same address) may appear on the title and registration card. If a watercraft does not have a title or registration card, this requirement may be waived by the marina clerk.
- (d) Provide a description of the watercraft including make, model, length, beam (width). Watercraft with continuous permits each year since 1997 shall be exempt from length and beam (width) requirements. If a watercraft does not require registration, the requirement for a DNR registration number may be waived by the marina clerk.
- (e) All watercraft owners must sign an acknowledgement and waiver of claims against the city.
- (f) If an applicant does not have a boat, the applicant must provide the information listed in (c) and (d) above prior to placing a boat in the assigned space.

Section 425.26. Additional Provisions for Canoe Rack Spaces.

- (a) Canoe rack permit holders may place one canoe, or up to two kayaks / paddleboards within their designated space provided that doing so does not impede the usage of adjacent spaces.
- (b) Private locks may be used to secure watercraft, but must be removed by October 15.

(SECTION 425 UPDATED TO ADD PROVISIONS FOR CANOE RACKS SEPT. 2012, ORD. 212)

Section 425.30. Use of Watercraft Space and General Regulations.

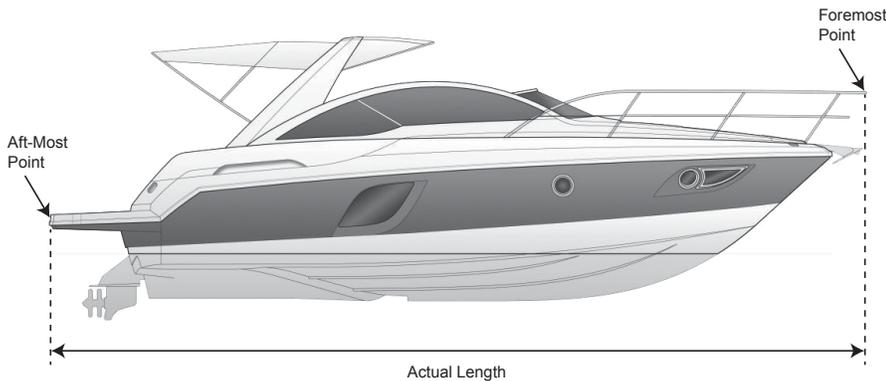
Subd. 1. Rights Not Assignable. A watercraft space permit is not assignable. No watercraft space permit holder may sell, assign, lease, sublet, or otherwise transfer any rights in the waiting list, or under a watercraft space permit, nor allow any watercraft other than that designated on the watercraft space permit holder's application to be moored or kept within the designated watercraft space.

Subd. 2. Watercraft Use. No person may keep a watercraft within a watercraft space except with a valid watercraft space permit first issued pursuant to this ordinance. Permittees who desire to change to a new watercraft are required to submit a new application to the marina clerk in advance for confirmation of compliance. No watercraft shall be moored in a watercraft space until the marina clerk approves such watercraft as the identified watercraft in the owner's application. In the event a watercraft is sold during mid-season, new watercraft owner shall have no right to use the watercraft space.

Subd. 3. Watercraft Size Regulations. The actual length of all watercraft must comply with the maximum measurements listed on the table below. The watercraft manufacturer's length or the length listed on the DNR registration card may not be the actual length of the watercraft. The watercraft's length is the distance between the foremost point and aft-most point with all equipment in operating position (see the below illustration). Swim platforms, bow pulpits, bow rails, outboard

/ stern drives, bow anchors all must be included in the measurement. The watercraft's width (beam) also must be measured from the outer-most side points. Tip for measuring: When the watercraft is out of the water, hang a string with a metal nut attached from the aft-most and foremost points (length) and from the outer-most side points (width), then measure the distance between the metal nuts with a tape measure.

	Maximum Length	Maximum Width (Beam)
St. Alban's Bay Dock Slips 1A, 1B, 1C, 1-11	23 feet	8 feet, 6 inches
St. Alban's Bay Dock Slips 1D, 12-22	26 feet	8 feet, 6 inches



Subd. 4. Permittee Assumption of Liability and Indemnification. The acceptance of a watercraft space permit by the permittee shall constitute the acknowledgment and agreement by the applicant / permittee that they shall be responsible for any and all damages caused by the permittee, their guests and invitees, or the watercraft itself, to the watercraft space, the dock in general, any other watercraft, persons or property which may arise as a result of storm, vandalism, accident, negligence, intentional act, or act of God. By accepting a watercraft space permit, the permittee agrees to hold the city harmless against any and all claims, directly or indirectly, connected with their watercraft.

Subd. 5. Fees. Fees paid in conjunction with the issuance of a permit are non-refundable. Watercraft space permit fees shall be established, from time to time by the city council and set forth in chapter 5 of this code. Fees may be prorated for permits issued mid-season.

Subd. 6. Cooperation. Permittees shall cooperate with city officials in all inquiries, verifications, directions, or orders that the city official makes or issues. If a permittee violates this paragraph, the permittee will immediately lose their watercraft space permit and their name(s) will go to the bottom of the appropriate waiting list.

Subd. 7. Final Decisions. All determinations by the marina clerk relating to prioritization of the waiting lists, the issuance of permits, and space assignments shall be final.

Subd. 8. Limit on Permits. No more than 1 St. Alban's Bay dock permit may be issued per single-family residence / applicant, per boating season. St. Alban's Bay dock permit holders may not have a Meadville sailboat slip and vice versa, but St. Alban's Bay dock and Meadville sailboat slip permit holders may have a canoe rack space permit. There is no limit to the number of canoe rack space permits issued per single-family residence / applicant, per boating season.

Subd. 9. Common / Collective Ownership or Commercial Use. Watercraft owned by partnerships, corporations, associations, or used or licensed for commercial purposes shall not be eligible to receive a watercraft space permit.

Subd. 10. Additional Watercraft Permit Regulations. The city may adopt, by resolution, watercraft and watercraft space permit regulations regarding use of municipal docks, watercraft spaces, proper mooring, hours of use, conduct of persons on or about municipally owned, operated, or controlled watercraft spaces or other related topics. A violation of said regulations shall be a petty misdemeanor. Failure to abide by regulations shall be cause for the city to revoke or elect not to renew a permittee's watercraft space permit for the coming boating season and the loss of all waiting list priority.

Subd. 11. Quiet Enjoyment. No person, permittee, or watercraft operator shall disturb the quiet enjoyment of municipal watercraft spaces by other persons, permittees, or the general public in or about any watercraft space, nor otherwise obstruct the use of watercraft spaces, nor allow a watercraft owned, operated, or under their control, to go unattended or improperly tied or secured. If a permittee violates this paragraph, the permittee will immediately lose their watercraft space permit and their name(s) will go to the bottom of the appropriate waiting list.

Subd. 12. Acknowledgment of City Code. As a pre-condition to the issuance of any watercraft space permit by the marina clerk, the permittee shall sign an acknowledgment that they understand that they are subject to the provisions of city code section 425 regarding municipal watercraft spaces.

Subd. 13. Watercraft Parking and Beaching. Only permittees are allowed to park watercraft at municipal docks, slips, or racks. No watercraft is allowed to beach or pull up on municipal shoreline.

Section 425.35. Boating Season, Expiration of Permit, and Removal of Watercraft.

The boating season is May 15 to October 15. All watercraft space permits shall expire at the end of the boating season. Watercraft shall be removed from watercraft space permits on or before the end of the boating season. Subsequent to the end of the boating season, the city may impound all watercraft remaining in watercraft spaces. All impoundment and storage cost incurred by the city shall be payable by the permittee and may be certified to taxes if unpaid. Failure to pay impoundment and storage costs shall be cause for the city to revoke or elect not to renew a permittee’s watercraft space permit for the coming boating season and the loss of waiting list priority.

Section 425.40. Parking.

Subd. 1. It shall be unlawful to park any trailer or vehicle used in the transportation of boats upon any public parking space or adjacent to any public ground within the city, without obtaining written permission of the city council. Any vehicle used for the transportation of boats or any boat dock, trailer or fish house which shall be parked, placed, kept, or abandoned on, or which shall obstruct any public street, highway, or other public property, may be seized and impounded by any authorized officer or employee of the city.

Subd. 2. Permittees shall not park vehicles on the public ground or in no-parking zones on the streets adjacent to the St. Alban’s Bay docks or the Meadville launch area. Violators will be ticketed. Permittees who receive 2 tickets within 24 months shall immediately lose their watercraft space permit and their name(s) will go to the bottom of the appropriate waiting list.

Section 425.45. Launching.

No person shall launch or remove from the waters of Lake Minnetonka any watercraft requiring or utilizing a trailer of similar conveyance for the transportation when such launching or removal requires crossing over or through property owned by the city, except as specifically authorized by the city, and then upon such fees as may be established by the city council from time to time and set forth in chapter 5 of this code book.

Section 425.50. Swimming, Fishing.

No person shall swim or water ski from the municipal docks. Fishing is permitted, provided proper precautions are taken so as not to interfere with the normal operation of watercraft, or otherwise damage watercraft moored or docked at the municipal docks.

Section 425.55. Littering.

No person shall deposit, throw, or leave any refuse, cans, bottles, paper, or other discarded material of whatsoever kind or nature on or near the municipal docks or the public lands from which the municipal docks emanate nor throw said materials into the waters of Lake Minnetonka.”

SECTION 2.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ___ day of _____, 2015.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk

First reading: November 4, 2015

Second reading: _____, 2015

Publication: _____, 2015

RESOLUTION 22-15

**A RESOLUTION APPROVING PUBLICATION
OF ORDINANCE NUMBER 247 BY TITLE AND SUMMARY**

WHEREAS, on December 2, 2015 the city council of the city of Greenwood adopted "Ordinance 247 amending Greenwood ordinance code section 425 Regarding Municipal Watercraft Spaces"

WHEREAS, the city council has prepared a summary of ordinance 247 as follows:

1. The purpose of this ordinance is to clarify overall language, ensure rules are enforceable, and make other updates.
2. The ordinance removes the June 15 deadline to occupy a watercraft space and removes the requirement to employ the use of a watercraft space for 60 days or greater during the boating season.
3. The ordinance increases the length of boats allowed at St. Alban's Bay Dock Slips 1D and 12-22 from 23 feet to 26 feet. The maximum width for all boats remains at 8 feet, 6 inches.
4. The ordinance adds section 425.30 subdivision 3 Watercraft Size Regulations: The actual length of all watercraft must comply with the maximum measurements listed on the table below. The watercraft manufacturer's length or the length listed on the DNR registration card may not be the actual length of the watercraft. The watercraft's length is the distance between the foremost point and aft-most point with all equipment in operating position. Swim platforms, bow pulpits, bow rails, outboard / stern drives, bow anchors all must be included in the measurement. The watercraft's width (beam) also must be measured from the outer-most side points. Tip for measuring: When the watercraft is out of the water, hang a string with a metal nut attached from the aft-most and foremost points (length) and from the outer-most side points (width), then measure the distance between the metal nuts with a tape measure.

	Maximum Length	Maximum Width (Beam)
St. Alban's Bay Dock Slips 1A, 1B, 1C, 1-11	23 feet	8 feet, 6 inches
St. Alban's Bay Dock Slips 1D, 12-22	26 feet	8 feet, 6 inches

5. The ordinance includes a drawing showing how to measure watercraft.
6. The ordinance adds subdivision 2 to section 425.40 Parking: Permittees shall not park vehicles on the public ground or in no-parking zones on the streets adjacent to the St. Alban's Bay docks or the Meadville launch area. Violators will be ticketed. Permittees who receive 2 tickets within 24 months shall immediately lose their watercraft space permit and their name(s) will go to the bottom of the appropriate waiting list.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD:

1. The city council finds that the above title and summary of ordinance 247 clearly informs the public of intent and effect of the ordinance.
2. The city clerk is directed to publish ordinance 247 by title and summary, pursuant to Minnesota statutes, section 412.191, subdivision 4.
3. A full copy of the ordinance is available at the Greenwood city office, 20225 Cottagewood Road, Deephaven, MN 55331.

ADOPTED by the city council of the city of Greenwood, Minnesota this ___ day of _____, 2015.

___ AYES ___ NAYS

CITY OF GREENWOOD

Debra J. Kind, Mayor

Attest: Dana Young, City Clerk

First reading: November 4, 2015

Second reading: _____, 2015

Publication: _____, 2015



Agenda Number: **7A**

Agenda Date: **12-02-15**

Prepared by *Deb Kind*

Agenda Item: Res 26-15, Findings for Variance Request, Joel Davis and Heather Garibaldi-Davis, 21795 Mtka Blvd

Summary: Attached are the staff report and resolution with the findings of fact for the variance request from Joel Davis and Heather Garibaldi-Davis, 21795 Mtka Blvd.

Key Dates:

Application complete:	October 26, 2015
Notice of Public Hearing published:	November 5, 2015
Planning Commission Public Hearing:	November 18, 2015
City Council Consideration:	December 2, 2015
60-Day Deadline:	December 25, 2015
120-Day Deadline (if necessary):	February 23, 2016

Council Action: The city council must take action by 12-25-15. Suggested motions ...

1. I move the city council accepts the planning commissions recommendation and adopts resolution 26-15 findings for **approval** of the variance request from Joel Davis and Heather Garibaldi-Davis, 21795 Mtka Blvd, as written (with the following revisions: _____).
2. I move the city council directs staff to notify the applicant that the city council needs an additional 60 days to give staff time to do the following: (1) draft findings for **denial** of the variance request from Joel Davis and Heather Garibaldi-Davis, 21795 Mtka Blvd, based on the council's discussion; and (2) place the findings for **approval** and **denial** on the 01-06-16 city council agenda for consideration.

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



Staff Report 7A

Agenda Date: 12-02-15

Prepared by Dale Cooney

Zoning Administrator

Agenda Item: Consider Variance Request, Joel Davis and Heather Garibaldi-Davis, 21795 Minnetonka Boulevard.

Summary: Joel Davis and Heather Garibaldi-Davis, homeowners at 21795 Minnetonka Boulevard, are seeking a variance from the side yard setback requirements to build an addition onto their existing house.

	Front Setback	North Side Setback	South Side Setback	Lakeshore Setback	Impervious Surface Area	Volume	Principal Structure Height
Permitted/Required	30	15'	15'	50'	30%	92,722 cf	28'
Existing	>30	14' 10"	16'	60' 1"	34.8%	unknown	28' 6"
Proposed	>30	10' 1"	15' 2"	60' 1"	29.96%	55, 642 cf	27' 6"

The proposal would expand the existing house by adding a two car garage with living space above. The applicants plan to convert the existing garage area into finished living space. The home expansion would encroach into the north side yard setback.

Section 1120:15 of the Zoning Ordinance requires a minimum side yard setback of 15 feet. The applicant proposes a side yard setback of 10 feet, 1 inch for the proposed home addition. The proposal requires a variance of 4 feet, 11 inches of the side yard setback.

The lot sharply narrows at this point of the property, making the construction of a conforming garage difficult. As part of the home addition, the property owners will bring the impervious surface coverage back into compliance with the 30% impervious surface coverage limitation.

The proposed structure complies with the front yard setback requirements outlined in Section 1120.15, the height limitations outlined in Section 1120.20, the maximum permitted grade alteration permitted in Section 1140.19, building volume outlined in Section 1140.18, and the tree regulations outlined in Section 1140.80.

Staff Recommendation:

Staff recommends approval of the variance request of Joel Davis and Heather Garibaldi-Davis to encroach 4 feet, 11 inches from the minimum required side yard setback for the proposed home addition at 21795 Minnetonka Boulevard, as presented.

Staff findings, based on the practical difficulty standards found in city code section 1155.10:

- a) The variance, if granted, will be in harmony and keeping with the spirit and intent of the zoning ordinance because: The purpose and intent of the ordinance is to allow the orderly development and redevelopment of property within the city and when the ordinance standards cannot be met, it outlines the procedures to vary from these standards. The applicant is seeking to vary from the setback standards in order to complete an otherwise zoning code compliant home addition that would not be possible due to the narrowness of the lot in this particular part of the property .
- b) The variance, if granted, will be consistent with the comprehensive plan’s guiding use for the subject property in the applicable zoning because of the character of the proposed use is consistent with the applicable zoning.
- c) Though the property owner's proposed *manner of use* of the property is not permitted by the zoning ordinance without a variance, the proposed *manner of use* is reasonable because: it maintains the single family nature of the property at a scope and scale consistent with the zoning standards.

- d) The plight of the landowner-applicant is due to circumstances unique to the property and not created by the landowner because: the property narrows considerably at this particular point making it infeasible to meet both the setback requirements and the dimensional standards required for a two car garage.
- e) The variance, if granted, will not alter the essential character of the locality, because: the proposed expansion would remain consistent with the scope and scale of the surrounding properties.
- f) The variance, if granted, will not:
 - i. Impair an adequate supply of light and air to adjacent property;
 - ii. Unreasonably increase the congestion in the public street;
 - iii. Increase the danger of fire or endanger the public safety; or
 - iv. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.

Planning Commission Action:

Commissioner Bechtell made a motion to recommend that the city council **approve** the application of Joel Davis and Heather Garibaldi-Davis to encroach 4 feet, 11 inches from the minimum required side yard setback for the proposed home addition at 21795 Minnetonka Boulevard, as presented, based on the following findings:

- a) The variance, if granted, will be in harmony and keeping with the spirit and intent of the zoning ordinance because: The purpose and intent of the ordinance is to allow the orderly development and redevelopment of property within the city and when the ordinance standards cannot be met, it outlines the procedures to vary from these standards. The applicant is seeking to vary from the setback standards in order to complete an otherwise zoning code compliant home addition that would not be possible due to the narrowness of the lot in this particular part of the property .
- b) The variance, if granted, will be consistent with the comprehensive plan's guiding use for the subject property in the applicable zoning because of the character of the proposed use is consistent with the applicable zoning.
- c) Though the property owner's proposed *manner of use* of the property is not permitted by the zoning ordinance without a variance, the proposed *manner of use* is reasonable because: it maintains the single family nature of the property at a scope and scale consistent with the zoning standards.
- d) The plight of the landowner-applicant is due to circumstances unique to the property and not created by the landowner because the property narrows considerably at this particular point and, due to circumstances of geometry and limited lot width, make it infeasible to meet both the setback requirements and the dimensional standards required for a two car garage.
- e) The variance, if granted, will not alter the essential character of the locality, because: the proposed expansion would remain consistent with the scope and scale of the surrounding properties.
- f) The variance, if granted, will not:
 - i. Impair an adequate supply of light and air to adjacent property;
 - ii. Unreasonably increase the congestion in the public street;
 - iii. Increase the danger of fire or endanger the public safety; or
 - iv. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.

The motion was seconded by Commissioner Sundberg. The motion carried 5-0.

KEY DATES:

Application complete:	October 26, 2015
Notice of Public Hearing published:	November 5, 2015
Planning Commission Public Hearing:	November 18, 2015
City Council Consideration:	December 2, 2015
60-Day Deadline:	December 25, 2015
120-Day Deadline (if necessary):	February 23, 2016

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

Variance Application



Person completing form: Property Owner Builder / Architect

If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

Date application submitted	10/20/2015
Date application complete (office use only)	
Property address	21795 Minnetonka Boulevard Greenwood, MN 55331
Property identification number (PID)	26-117-23-34-0026
Property owner's current mailing address	6080 Burlwood Court Shorewood, MN 55331
Names of all property owners	Joel Davis and Heather Garibaldi-Davis
Cell phone and email of property owner(s)	Joel: 651-302-8218 davis.joel@principal.com Heather: 952-221-2975 hcgaribaldi@yahoo.com
Name of builder / architect (if any)	Brian Harju
Company name of builder / architect	Autumn Ridge Homes
Cell phone and email of builder / architect	763-269-2697
Company address	sales@autumnridgehomesmn.com
Present use of property	Home
Property acreage	.51 acres
Existing variances or conditional use permits	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – please attach a copy
Request is for	<input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel <input type="checkbox"/> Replace
The variance(s) are being requested to (e.g. build a garden shed)	Build an addition the size of a two stall garage that does not move the home any closer to the lake.

Requested variance(s):

		Required*	Proposed	Difference
<input checked="" type="checkbox"/>	Side Yard (feet)	15'	10.1'	4.9'
<input type="checkbox"/>	Front Yard (feet)			
<input type="checkbox"/>	Rear Yard (feet)			
<input type="checkbox"/>	Lake Setback (feet)			
<input type="checkbox"/>	Building Height (feet)			
<input type="checkbox"/>	Structure Height (feet)			
<input type="checkbox"/>	Wetland Setback (feet)			
<input type="checkbox"/>	Bluff Setback (feet)			
<input type="checkbox"/>	Maximum Above Grade Building Volume (cubic feet)			
<input type="checkbox"/>	Hardcover (percentage)			
<input type="checkbox"/>	Other:			

* See page 2 of the CUP & Variance Checklist document for the requirements for various zoning districts.

Making your case for the grant of a variance

Per state law and city code section 1155 (view at city hall or at www.greenwoodmn.com) any persons may request variances from the literal provisions of the zoning ordinance, shoreland management district ordinance, wetland ordinance, and other applicable zoning regulations in instances where their strict enforcement would cause practical difficulties because of circumstances unique to the individual property under consideration. A variance shall only be permitted when it is in harmony with the purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. Economic considerations alone shall not constitute 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 the zoning ordinance;
- the plight of the landowner is due to circumstances unique to the property and not created by the landowner;
- and the variance, if granted, will not alter the essential character of the locality.

Establishing a "practical difficulty"

Please respond to each of the following questions. If you are unable to establish a "practical difficulty," please consider alternatives to your construction plans that may remove the need for a variance.

<p>Is the variance in harmony with the purposes and intent of the ordinance?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain:</p>
<p>Is the variance consistent with the comprehensive plan?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain:</p>
<p>Does the proposal put the property to use in a reasonable manner?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: The variance is requested to increase the liveability of the home.</p>
<p>Are there unique circumstances to the property not created by the landowner?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: The lot is an irregular shape that causes it to become very narrow between the front of the existing garage the rest of the property. The driveway from Minnetonka Boulevard to the garage is very long and narrow.</p>
<p>Will the variance alter the essential character of the locality?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: No. The current home is inconsistent with the character of the neighborhood. The variance will allow us to improve and remodel the home to make it consistent with the character of other homes in the area.</p>
<p>Will the variance impair an adequate supply of light and air to adjacent property?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain:</p>
<p>Will the variance unreasonably increase the congestion in the public street?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: The driveway is very long so the variance will have no impact on the traffic along Minnetonka Boulevard.</p>
<p>Will the variance increase the danger of fire or endanger the public safety?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain:</p>
<p>Will the variance unreasonably diminish or impair established property values within the neighborhood?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: The variance will allow us to improve the look and value of the home, which should only have a positive impact on the property values of the neighboring properties.</p>

Adjacent property owners' acknowledgement: It is not required by ordinance, but applicants are highly encouraged to review plans with adjacent property owners and secure signatures in this section. Attach another page if there are more than 2 adjacent neighbors.

The undersigned acknowledges that we have reviewed the plans for the proposed improvements or proposed use of the property listed on page 1 of this document. We understand that by signing this acknowledgement, that we NOT being asked to declare approval or disapproval of the proposal, but merely are confirming for the city council that we aware of the plans and that we understand that the proposed project requires city council approval.

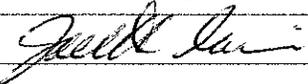
Neighbor #1 Address:	
Signature:	Date:
Print Name:	

Neighbor #2 Address:	
Signature:	Date:
Print Name:	

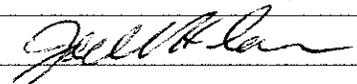
The undersigned contacted the following regulatory bodies and will seek approvals if required:

(1) Lake Minnetonka Conservation District 952.745.0789 (2) Minnehaha Creek Watershed District 952.471.0590

Applicant's acknowledgement and signature(s): The undersigned hereby submits this application for the described action by the city and is responsible for complying with all city requirements with regard to this request. This application should be processed in my name, and I am the party whom the city should contact about this application. The applicant certifies that the information supplied is true and correct to the best of their knowledge. The undersigned also acknowledges that before this request can be considered and / or approved, all required information and fees must be paid to the city, and if additional fees are required to cover costs incurred by the city, the city has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees. An incomplete application will delay processing and may necessitate rescheduling the review timeframe. The application timeline commences once an application is considered complete when all required information and fees are submitted to the city. The applicant recognizes that they are solely responsible for submitting a complete application and that upon failure to do so, recognizes city staff has no alternative but to reject the application until it is complete or to recommend denial regardless of its potential merit. A determination of completeness of the application shall be made within 10 business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant within 10 business days of application. I am the authorized person to make this application and the fee owner has also signed this application.

Signature: 	Date: 10/26/2015
--	------------------

Property owner's acknowledgement and signature: The undersigned is the fee title owner of the page 1 described property. I acknowledge and agree to this application and further authorize reasonable entry onto the property by city staff, consultants, agents, planning commission members, and city council members for purposes of investigation and verification of this request.

Signature: 	Date: 10/26/2015
--	------------------

Note: If the property owner is different than the applicant, signatures from the both the applicant and the property owner are required.

Variance Fee (nonrefundable)	\$400
Shoreland Management Review Fee (nonrefundable)	\$200
Total Amount Due (make check payable to the City of Greenwood)	\$600

For Office Use Only	Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check #:	Amount \$
----------------------------	---	-----------

Permit #	FORM #12 Return this document to City Hall
Receipt #	



Shoreland Management Worksheet

If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

Property Owner(s)	Joel Davis and Heather Garibaldi-Davis
Property Address	21795 Minnetonka Boulevard Greenwood, MN 55331

Person completing this form: Property Owner Builder / Architect

Per the Construction Site Management ordinance (section 305.00 subd 2b) a Shoreland Management Worksheet is required for building projects \$10,000+. Per section 1176.03, subd. 3 & 10, a Shoreland Compliance Review is required for all properties within 1,000 feet of the Ordinary High Water Level of Lake Minnetonka (all properties in the city). **Fee: \$200. Collected on Form #1.**

The proposed project includes the following (check all that apply):

- Repair
- Improve
- Change or alter use of land
- Change size or shape of lot
- Erect a structure
- Expand impervious surface
- Install or maintain water line
- Install or maintain sewer line
- Grade or fill
- Remove vegetation
- Trim vegetation

Current lot size (square feet)	23,861 sq. ft.
Proposed lot size (square feet)	23,861 sq. ft (no change)
Dimensions of proposed structure(s)	Addition will be 26' x 25'.
Total square footage of proposed structure(s)	Addition square footage = 650 sq. ft. Total square footage including addition = 2,527 sq. ft. (footprint of home including proposed addition)
Percent of existing hardcover	34.8%
Total hardcover including proposed hardcover	29.96%
Amount of fill to be added (cubic yards)	Not yet determined
Amount of soil to be removed (cubic yards)	Not yet determined
Type and area of vegetation to be removed	Small river birch and some landscape shrubbery in immediate path of addition. New shrubbery will be added during landscaping.

The undersigned hereby certifies that the above information is true and correct to the best of his / her knowledge.

Signature		Date: 10/26/2015
Print Name	Joel H. Davis	

Form Updated 10-27-14

Permit #	FORM #4 Return this document to City Hall
Receipt #	



Building Survey Checklist

If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

Property Owner(s)	Joel Davis and Heather Garibaldi-Davis
Property Address	21795 Minnetonka Boulevard Greenwood, MN 55331

Person completing this form: Property Owner Builder / Architect

Survey Requirements (section 300.15). Every application for a building permit must be accompanied by a certified site survey (excluding interior remodels, re-roofs, re-siding, and general maintenance). Because the survey will be used to determine whether an application is in conformance with city code, it will be the responsibility of the applicant to ensure information provided on the survey corresponds to submitted building plans. An issued building permit and / or land alteration permit will authorize only land alterations identified on a survey. An original signature is required on the certificate of survey. The survey shall provide the following information unless otherwise approved and initialed by the zoning administrator:

- Graphic scale of not less than 1 inch to 30 feet and north arrow.
- Legal description of property.
- Dimensions and bearing of front, rear, and side property lines.
- Parcel size in acres and square feet.
- Location and dimensions of all the existing improvements, including but not limited to; buildings, structures, retaining walls or timbers, riprap, seawall, steps, parking areas, driveways, storage areas, utilities, and wells; including but not limited to sanitary and storm manholes, hydrants, catch basins, power poles, phone boxes, fences, and any encroachments.
- Location and dimension of all proposed buildings and structures.
- Location of building corners on adjacent properties.
- Outside dimensions of proposed structure(s) including decks, porches, retaining walls (include elevations at bottom of footing and top of wall), stoops, stairs, cantilevers, fireplaces, bay and bow windows, egress window wells.
- Impervious surface calculations – existing and proposed - % and square footage.
- "Building pad" setbacks on the survey according to the ordinance provisions and show the closest distance between the building and front lot lines(s), side lot line(s) and rear lot line(s), ordinary high water level (OHWL- elevation of 929.4 feet above sea level), 50ft lake setback, bluff toe / top lines, 30ft bluff setback, and shoreline improvements, including but not limited to riprap, seawall, or retaining timber.
- Distance between principal buildings and accessory buildings and structures, and shoreline improvements.
- Delineate all wetland, OHWL of lakes, easements, driveways.
- Location of all easements of record including but not limited to tree preservation, wetland conservation, cross-access, etc.
- Topographic contours at 2-foot intervals of existing and proposed elevations.
- Lowest floor level, first floor elevation, top of block, and garage slab.
- Indication of direction of surface water drainage by arrows – existing and proposed.
- Tree removal, tree preservation plan.
- Grading plan.
- All significant trees as described in section 1140.80.
- Wetland boundaries with OHWL and 100-year flood elevation if applicable.
- Driveway grade.
- Wetland buffer areas and wetland or lake setback dimensions.
- Location and type of erosion and sediment control measures to be installed by permit holder.

Additional Survey Requirements for Construction Site Management Plans (projects \$10,000+)

- Location of soil stockpiling.
- Location of temporary toilet.
- Location of dumpster.
- Location of on-site and/or street parking plan for construction workers.

Additional Survey Requirements for Building Volume Calculations (projects with area more than 20% of 1st floor of the principal structure).

- Building Perimeter Grade. The average of all elevation measurements taken off the finished grade or surface of the ground, sidewalk or paving around the perimeter of a building or structure at (a) points 5 feet distant and perpendicular to the building perimeter commencing at the most northerly corner thereof and thence clockwise at similarly situated points every 10 feet around the building perimeter, (b) the point of highest grade within 5 feet of the building perimeter and (c) the point of lowest grade within 5 feet of the building perimeter.

As-Built Surveys The zoning administrator may require additional surveys or measurements to verify compliance with the ordinances throughout the duration of the project. Additional surveys and measurements may include, but are not limited to, foundation survey, impervious surface survey, grading survey, and structure height verification. The city will withhold the certificate of occupancy for any project in which additional survey(s) have been requested and not provided until such time the requested survey(s) have been submitted and approved by the zoning administrator.

Form Updated 10-27-14

Permit #	FORM #5 Return this document to City Hall
Receipt #	



Building Volume Compliance Form

If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

Property Owner(s)	Joel Davis and Heather Garibaldi-Davis
Property Address	21795 Minnetonka Boulevard Greenwood, MN 55331

Person completing this form: Property Owner Builder / Architect

Per code section 1140.18 (view at www.greenwoodmn.com or at city hall), no lot in the residential zones of the city may be host to principal and accessory buildings and structures whose above grade building volume (expressed in cubic feet) is greater than the following maximums:

- (1) Lots of 7500 square feet or less in area may be host to buildings, structures, and accessory structures whose above grade building volume is not greater than a volume equal to 6 times the lot area.
- (2) Lots between 7500 square feet and 15,000 square feet in area may be host to buildings, structures, and accessory structures whose above grade building volume is not greater than a volume equal to 42,000 cubic feet plus a volume of cubic feet equal to a figure 4 times (lot area minus 7500 square feet).
- (3) Lots greater than 15,000 square feet in area may be host to buildings, structures, and accessory structures whose above grade building volume is not greater than a volume equal to 75,000 cubic feet plus a volume of cubic feet equal to a figure 2 times (lot area minus 15,000 square feet).

- Exclusions. All space above unroofed structures such as decks, patios, and wholly in-ground, at grade, pools with no exposed sides shall be excluded from the calculation of building volume.
- Inclusions. Enclosed or unenclosed porches or porticos shall be included in the total volume of the building.
- Building Perimeter Grade means the average of all elevation measurements taken off the finished grade or surface of the ground, sidewalk or paving around the perimeter of a building or structure at (a) points 5 feet distant and perpendicular to the building perimeter commencing at the most northerly corner thereof and thence clockwise at similarly situated points every 10 feet around the building perimeter, (b) the point of highest grade within 5 feet of the building perimeter and (c) the point of lowest grade within 5 feet of the building perimeter.

Exemption for small projects: The proposed improvements involve an area equal to 20% or less of the first floor of the principal structure, therefore I request the city zoning administrator waive the requirement to submit the additional survey requirements and the "above grade building volume" calculation.

The "above grade building volume" calculation for the property is:	55,642 sq. ft.
---	-----------------------

Sworn Statement: The undersigned hereby submits this "sworn statement" that the "above grade building volume" calculation is prepared in conformance with the provisions of code section 1140.18. In the event of inaccuracies, misstatements, incomplete information, or errors in the application and/or supporting materials, the city may issue stop work orders, or delay action on applications pending receipt of corrected or additional information. The undersigned assumes all risk of loss or expenses caused by any such deficiency, delay, or structural changes required to cause the structure to come into code compliance.

Signature		Date: 10/26/2015
Print Name	Joel H. Davis	

As-Built Construction Statement (to be signed prior to a certificate of occupancy being issued): The undersigned hereby submits this "sworn statement" and the attached as-built plans verifying the "above grade building volume" of the structure conforms to code section 1140.18.

Signature		Date:
Print Name		

Form Updated 10-27-14

Permit #	FORM #13 Return this document to City Hall
Receipt #	



Tree Permit Application

This form becomes a "permit" when city staff issues a permit number. If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

Property Owner(s)	Joel Davis and Heather Garibaldi-Davis
Property Address	21795 Minnetonka Boulevard Greenwood, MN 55331

This sheet is accompanied by a **Building Permit Application (Form #1)**: Yes No

Person completing this form: Tree Contractor* Property Owner Builder / Architect

* Note: Tree contractors must have a Greenwood Tree Contractor License. The application is available at www.greenwoodmn.com or at city hall.

Date application submitted	10/26/2015
Name of tree contractor (if any)	
Company name of tree contractor	
Tree contractor address	
Tree contractor license number	
Cell phone and email of tree contractor	

The undersigned hereby make this application for (check all that apply):

- Conditional Use Permit to Remove Trees in Shore Impact Zone or Bluff Impact Zone (significant* trees within 25 feet of shore or within 20 feet of the top of a bluff). This permit must be reviewed by the planning commission and approved by the city council. The process can take up to 60 days. **Fee: \$100**
- Construction-Related Tree Removal Permit. Home addition: remove up to 10% of trees. New construction: remove up to 20% of trees. Tree preservation plan required for both. **Fee: \$250**
- Permit to Exceed the Permitted Tree Harvest to remove more than 2 significant* trees per year, or maximum of 5 significant* trees over a 5-year period. **Fee: \$100**

* Significant trees are trees with the following minimum circumferences (inches): hardwoods 31, softwoods 44, conifers 38

Attached is (check all that apply):

- Tree Preservation Plan. Required for construction-related tree removal permits. Must include the specifications outlined in section 1140.80, subd. 6 (view at city hall or at www.greenwoodmn.com).
- Tree Replacement Plan. Required for a variance application to exceed 20% tree removal for new construction or subdivision, or exceed 10% tree removal for a home addition. Tree replacement plans must comply with the table listed in section 1140.80, subd. 8 (view at city hall or at www.greenwoodmn.com).

The undersigned hereby acknowledge the following: The property owner(s) listed above are the sole fee title owner(s) of the described property; information provided on this application and submitted documents is true, complete and accurate; if the application is approved, the work will be in accordance with the application and tree preservation ordinance (code section 1140.80, view at www.greenwoodmn.com or at city hall); the undersigned authorize photographs of the property and reasonable entry onto the property by city staff, consultants, agents, and city council members; the undersigned further agree to hold the city of Greenwood harmless from all liabilities that may arise directly or indirectly from the work performed.

Signature of property owner (required)		Date: 10/26/2015
Signature of tree contractor or builder / architect (if any)		Date:

This section completed if tree permit is NOT in conjunction with a building permit:

For Office Use Only	Fee Amount \$	Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check #	Date Pmt Received:
---------------------	---------------	--	--------------------

Form Updated 09-01-15

Permit #	FORM #8 Return this document to City Hall
Receipt #	



Grading Permit Application

This form becomes a "permit" when city staff issues a permit number. If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

Property Owner(s)	Joel Davis and Heather Garibaldi-Davis
Property Address	21795 Minnetonka Boulevard Greenwood, MN 55331

Person completing this form: Grading Contractor Property Owner Builder / Architect
 This sheet is accompanied by a **Building Permit Application (Form #1)**: Yes (skip to section 2) No (complete section 1)

SECTION 1

Date Application Submitted	10/26/2015
Property Owner's Mailing Address	6080 Burlwood Court Shorewood, MN 55331
Property Owner's Phone Number	651-302-8218 (Joel) 952-221-2975 (Heather)
Property Owner's Email	Davis.joel@principal (Joel) hcgaribaldi@yahoo.com (Heather)
Contractor or Builder / Architect Name	Autumn Ridge Homes
Contractor or Builder / Architect Address	P.O. Box 375 Delano, MN 55328
Contractor or Builder / Architect Phone	763-269-2697
Contractor or Builder / Architect Email	Sales@autumnridgehomesmn.com

SECTION 2

Total surface area to be moved, disturbed, cut, or filled (square feet)	Not yet determined
Total volume of soil or earth to be moved, disturbed, cut, or filled (cubic feet)	Not yet determined.
Estimated start date	12/15/2015

Work is required for: Remodeling of an existing structure Construction of a new structure Other:

Work is due to circumstances not related to the land or existing drainage issues, but due to an election by the property owner to make an addition to a principal or accessory structure: Yes No

The average elevation of the land will increase / decrease by: Less than 1ft
 1ft or more in a 100+ sq ft area (city engineer approval required) 2ft or more in a 300+ sq ft area (variance required)

Per code section 1140.19 subd 3, the following items must submitted with this application:

(1) Survey (2) Stormwater Management Plan prepared by a civil engineer

The undersigned hereby submits this application (including a survey and Stormwater Management Plan) for a grading permit and certifies the information provided on this permit application is true and correct to the best of my knowledge. The property owner(s) listed above are the sole fee title owner(s) of the described property; information provided on this application and submitted documents is true, complete and accurate; if the application is approved, the work will be in accordance with the application and city code section 1140.19 (view at www.greenwoodmn.com or at city hall).

Signature		Date: 10/26/2015
Print Name	Joel H. Davis	

This section completed if grading is NOT in conjunction with a building permit:

For Office Use Only	Fee Amount \$	Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check #	Date Pmt Received:
---------------------	---------------	--	--------------------

Form Updated 10-27-14

RESOLUTION NO 26-15

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA
ACTING AS THE BOARD OF APPEALS & ADJUSTMENTS

APPROVING

IN RE: The application of Joel Davis and Heather Garibaldi-Davis of 21795 Minnetonka Boulevard, for a variance from Greenwood ordinance code section 1120.15 for a reduced side yard setback for the construction of an addition to an existing house.

WHEREAS, Joel Davis and Heather Garibaldi-Davis are the owners of property commonly known as 21795 Minnetonka Boulevard, Greenwood, Minnesota 55331 (PID No. 26-117-23-34-0026), being real property located in Hennepin County Minnesota, legally described as follows: See Exhibit A Attached; and

WHEREAS, application was made for a variance to section 1120.15 to permit construction of a house addition that encroaches into the side yard setback by 4 feet, 11 inches; and

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

WHEREAS, public comment was taken at the public hearing before the planning commission on November 18, 2015; and

WHEREAS, the city council of the city of Greenwood has received the staff report, the recommendation of the planning commission, and considered the application, the comments of the applicant and the comments of the public.

NOW, THEREFORE, the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments does hereby make the following:

FINDINGS OF FACT

- 1. That the real property located at 21795 Minnetonka Boulevard, Greenwood, Minnesota 55331 (PID No. 26-117-23-34-0026) is a single-family lot of record located within the R1A district.
- 2. The applicant proposes to construct a house addition that encroaches into the side yard setback by 4 feet, 11 inches.
- 3. Greenwood ordinance code section 1120.15 states, "Subject to the provisions of section 1176 et seq., the following front side and rear yard setbacks shall be considered as minimum standards for buildings:

Land Use	Front Yard*** (ft.)	Lot, Interior - Side Yard (ft.)	Exterior Side Yard (ft.)	Rear Yard (ft.)	Lakeshore (ft.)
Single-Family Principal Structure	30	15	30	35	50
Municipal Park Equipment	50	50	50	50	—
Single-Family Accessory Structures	*	10	35	10	**

- 4. Greenwood ordinance section 1155.10, subd 4, 5 & 6 states:

"Subd. 4. Practical Difficulties Standard. "Practical difficulties," as used in connection with the granting of a variance, means:

- (a) that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- (b) the plight of the landowner is due to circumstances unique to the property and not created by the landowner;
- (c) and the variance, if granted, will not alter the essential character of the locality

Economic considerations alone shall not constitute practical difficulties.

Subd. 5. Findings. The board, in considering all requests for a variance, shall adopt findings addressing the following questions:

- (a) Is the variance in harmony with the purposes and intent of the ordinance?
- (b) Is the variance consistent with the comprehensive plan?
- (c) Does the proposal put property to use in a reasonable manner?
- (d) Are there unique circumstances to the property not created by the landowner?
- (e) Will the variance, if granted, alter the essential character of the locality?

Subd. 6. Practical Difficulties Considerations. When determining reasonable manner or essential character, the board will consider, but will not be limited to, the following:

- (a) Impair an adequate supply of light and air to adjacent property.
- (b) Unreasonably increase the congestion in the public street.
- (c) Increase the danger of fire or endanger the public safety.
- (d) Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.”

- 5. The applicant asserts that the proposed variance request complies with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6.
- 6. The planning commission discussed the variance request and on a 5 - 0 vote recommended the council approve the application of Joel Davis and Heather Garibaldi-Davis for a variance of Greenwood Ordinance Section 1120:15 to encroach 4 feet, 11 inches into the required 15 foot side yard setback for the proposed house addition at 21795 Minnetonka Boulevard, as presented. The proposal meets the practical difficulties standards outlined in section 1155.10(4) in that:
 - (a) The variance will be in harmony and keeping with the spirit and intent of the zoning ordinance because the purpose and intent of the ordinance is to allow the orderly development and redevelopment of property within the city and when the ordinance standards cannot be met, it outlines the procedures to vary from these standards. The applicant is seeking to vary from the setback standards in order to complete an otherwise zoning code compliant home addition that would not be possible due to the narrowness of the lot in this particular part of the property.
 - (b) The variance will be consistent with the comprehensive plan’s guiding use for the subject property in the applicable zoning because of the character of the proposed use is consistent with the applicable zoning.
 - (c) Though the property owner's proposed *manner of use* of the property is not permitted by the zoning ordinance without a variance, the proposed *manner of use* is reasonable because it maintains the single family nature of the property at a scope and scale consistent with the zoning standards.
 - (d) The plight of the landowner-applicant is due to circumstances unique to the property and not created by the landowner because the property narrows considerably at this particular point and, due to circumstances of geometry and limited lot width, make it infeasible to meet both the setback requirements and the dimensional standards required for a two car garage.
 - (e) The variance will not alter the essential character of the locality, because the proposed expansion would remain consistent with the scope and scale of the surrounding properties.
 - (f) The variance will not:
 - i. Impair an adequate supply of light and air to adjacent property;
 - ii. Unreasonably increase the congestion in the public street;
 - iii. Increase the danger of fire or endanger the public safety; or
 - iv. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.
- 7. Based on the foregoing, the city council determined that variance request:
 - (a) Complies with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6.
 - (b) Is in harmony with the purpose and intent of the ordinance, which is to provide a use zone for low-density single-family dwellings that will be exclusive of other types of use for the purpose of creating a quality semi-estate district.

And the city council has determined that the following conditions should be imposed on any variance grant:

- (a) The project must be completed according to the specifications and design requirements in the submitted plans.

(b) A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

8. Subject to the stated conditions, the variance, if granted, will be in harmony with the purpose and intent of the zoning ordinance and may be granted.

CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the city council acting as the Board of Appeals & Adjustments makes the following conclusions of law:

The applicant has made an adequate demonstration of facts meeting the standards of section 1155.10 necessary for the grant of a variance and therefore:

A. A variance to section 1120.15 to encroach 4 feet, 11 inches into the required 15 foot side yard setback should be granted.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments:

That the application Joel Davis and Heather Garibaldi-Davis of 21795 Minnetonka Boulevard, Greenwood, Minnesota 55331 (PID No. 26-117-23-34-0026) for:

A. A variance to section 1120.15 to encroach 4 feet, 11 inches into the required side yard setback is APPROVED with the following conditions:

- (a) The project must be completed according to the specifications and design requirements in the submitted plans.
- (b) A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

PASSED this 2nd day of December, 2015 by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments for the city of Greenwood, Minnesota.

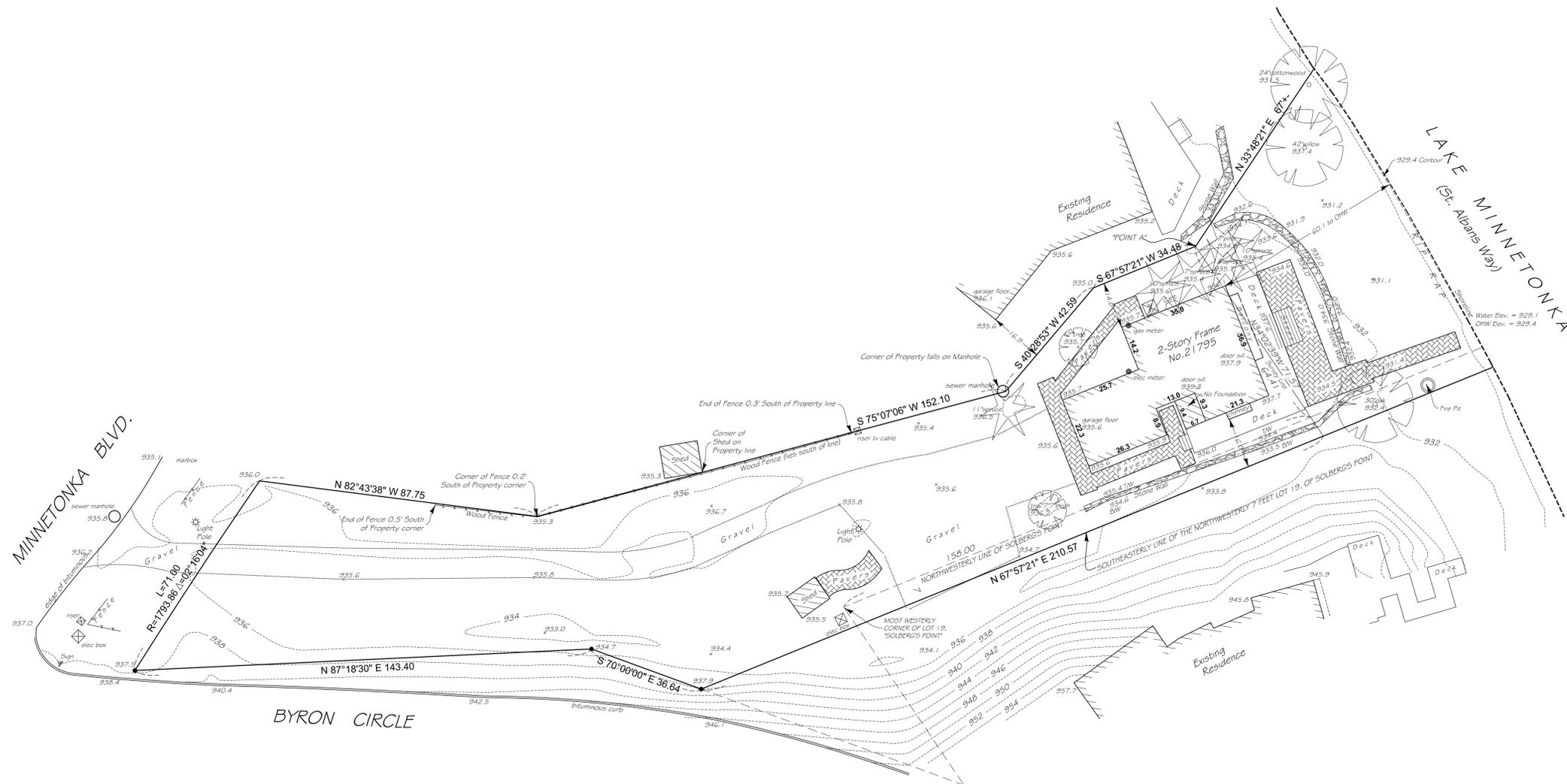
___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk

EXISTING CONDITIONS SURVEY FOR:
MARK D. WILLIAMS CUSTOM HOMES



Legal Description

That part of Lot 188, Auditor's Subdivision Number 141, Hennepin County Minnesota which lies southerly of the following described line: Commencing at the most Westerly corner of Lot 19, Solberg's Point; thence on an assumed bearing of North 67 degrees 57 minutes 21 seconds East along the Northwesterly line of said Lot 19, a distance of 158 feet; thence North 34 degrees 02 minutes 39 seconds West a distance of 64.41 feet, to a point hereinafter referred to as "Point A"; thence North 33 degrees 48 minutes 21 seconds East a distance of 66 feet, more or less, to the shore line of St. Albans Bay, Lake Minnetonka, said shoreline being the point of beginning of the line to be described; thence South 33 degrees 48 minutes 21 seconds West, a distance of 66 feet, more or less, to said "Point A"; thence South 67 degrees 57 minutes 21 seconds West a distance of 34.48 feet; thence South 40 degrees 28 minutes 53 seconds West a distance of 42.59 feet; thence South 75 degrees 07 minutes 06 seconds West a distance of 152.10 feet; thence North 82 degrees 43 minutes 38 seconds West a distance of 87.75 feet, to a point on the Westerly line of said Lot 188 distant 71 feet Northerly from the Southwesterly corner of said Lot 188 and said line there terminating. Except that part of Lot 188 Auditor's Subdivision Number 141 which lies Southeasterly of the southwesterly extensions of the southeasterly line of the Northwesterly 7.00 feet of Lot 19, Solberg's Point, also Northwesterly 7.00 feet of said Lot 19, except roads.

notes:

Property Address: 21795 Minnetonka, Blvd., Greenwood, MN 55331
 PID No. 26-117-23-34-0026
 Title commitment showing easements of record, if any, not provided.
 Area of Parcel to Ordinary High Water = 23,861 sq ft
 Ordinary high water elevation (OHW) = 929.4 feet

EXISTING HARDCOVER
 Building = 1825 sq.ft
 Deck area = 690 sq.ft
 Pavers = 1457 sq.ft
 Walls = 267 sq.ft
 Shed = 89 sq.ft
 Gravel driveway = 4237 sq.ft
 Total Hardcover = 8565 sq.ft
 Area of Parcel = 23861
 Percentage of Hardcover = 35.9%

CERTIFICATION

The only easements shown are from plats of record or information provided by client.
 I certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed land Surveyor under the laws of the State of Minnesota.
 Surveyed this 14th day of July 2015.
 Rev. 7-23-15 gravel drive added to hardcover
 Rev 8-3-15 corrected paver hardcover

Prepared by:
 The Gregory Group, Inc. d.b.a.
 Lot Surveys Company
 7601 73rd Avenue N,
 Brooklyn Park, MN 55428
 phone 763-560-3093
 fax 763-560-3522

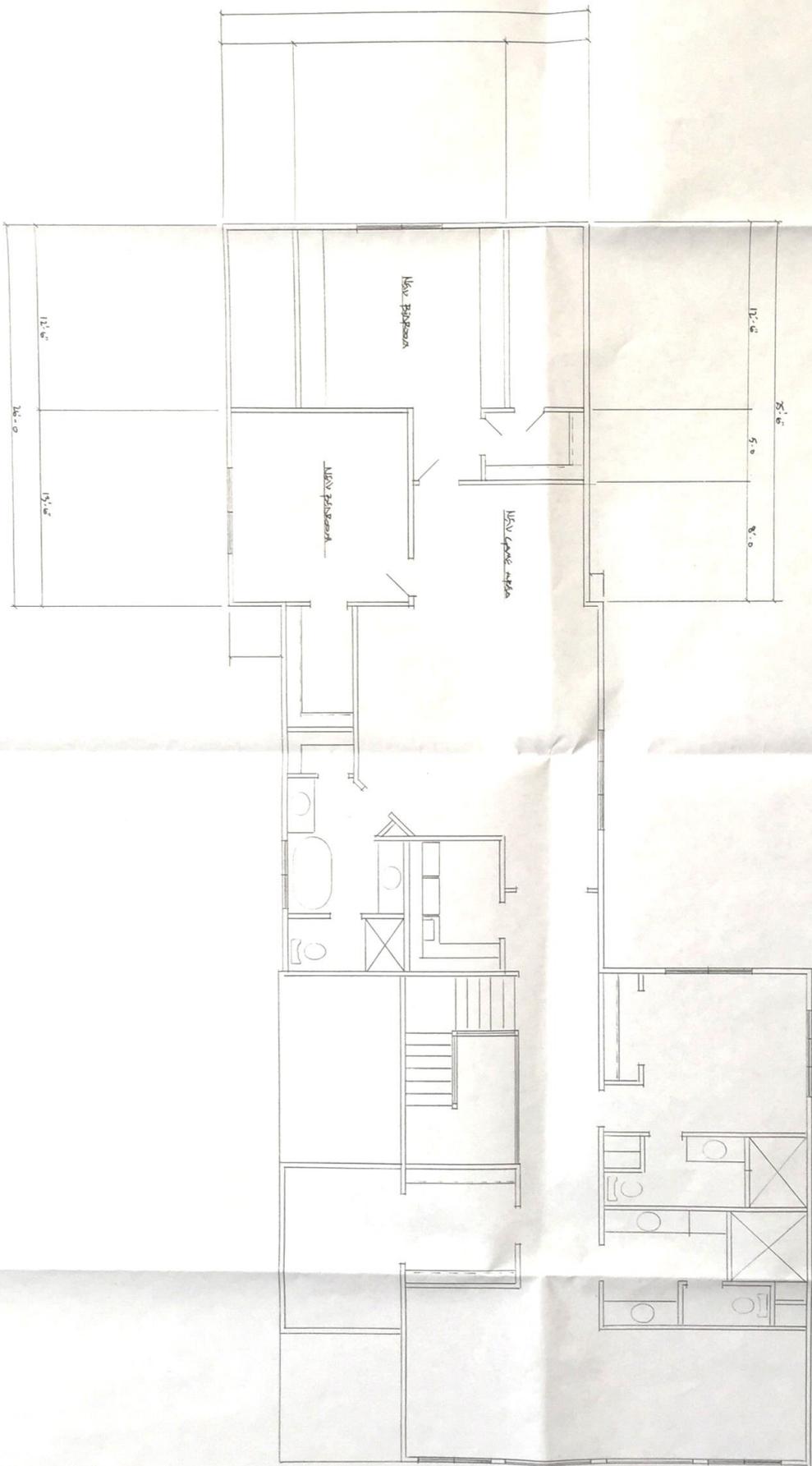
Signed: *Gregory R. Praych*
 Gregory R. Praych Registration No. 24992

LEGEND

- ⊗ Steel Post
- Denotes Iron Monument Set
- Denotes Iron Monument Found
- ☼ Light
- ⊕ Hydrant
- ⊖ Power Pole
- ⊙ Catch Basins
- Manhole
- Fence
- Overhead Wires
- Sanitary Sewer
- Storm Sewer
- Watermain
- Gas Main
- Easement Line
- Building Line
- ① Denotes height of building to adjacent ground

Legend of Symbols & Abbreviations



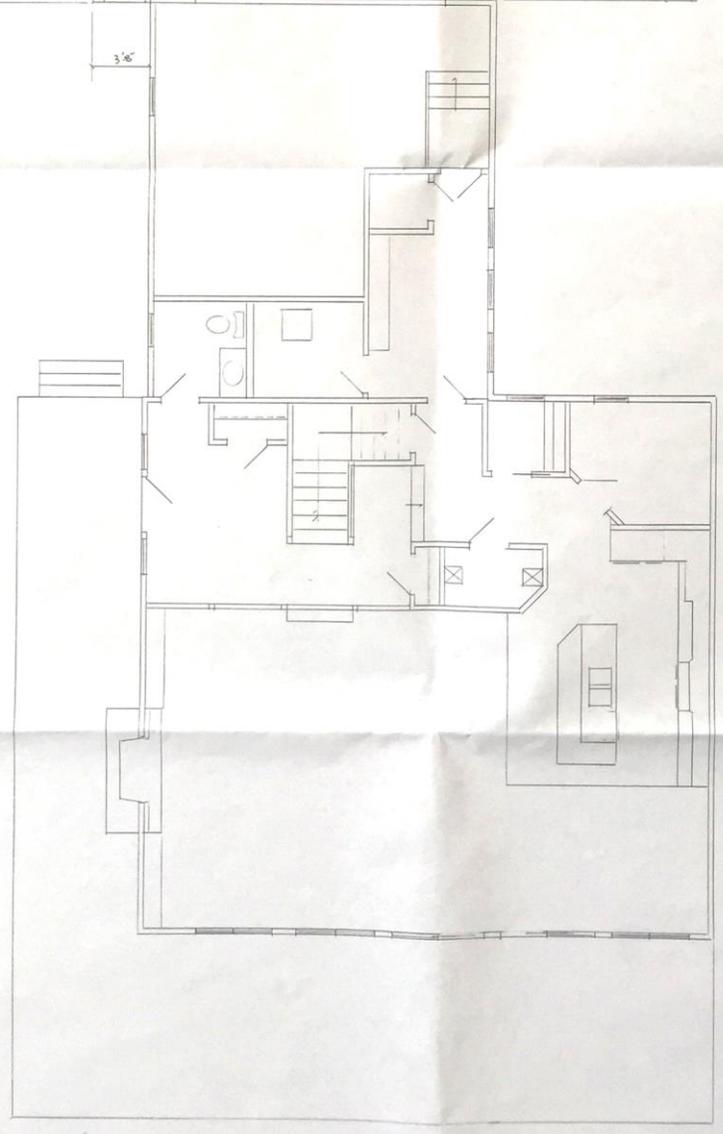


Upper Floor Plan
 1/2" = 1'-0"

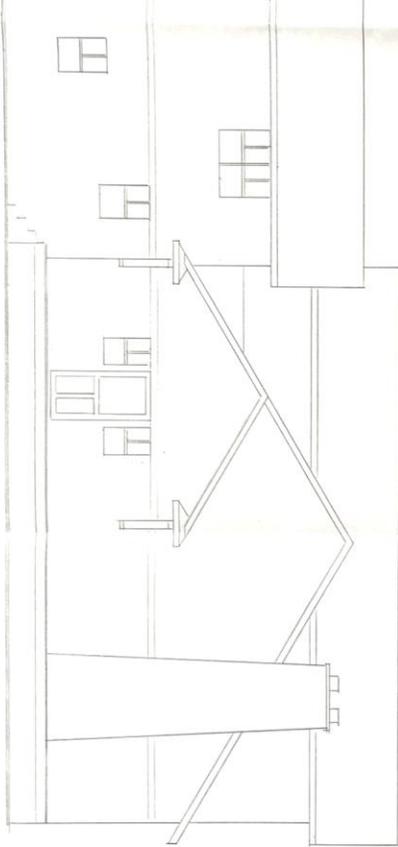
Top - all fr. 5/4" x 11"
New 2x11 - 12" insulation in space



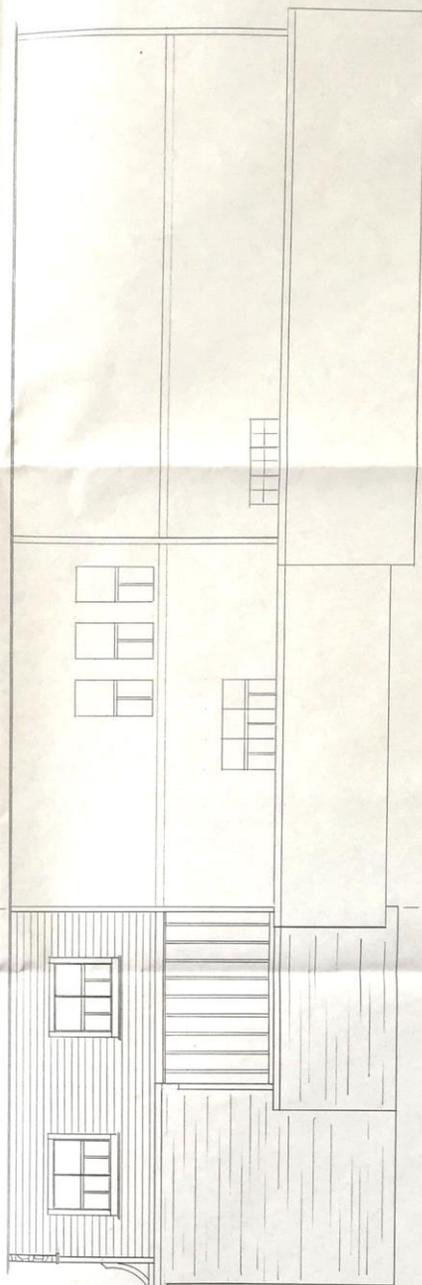
MAIN FLOOR PLAN
4/10



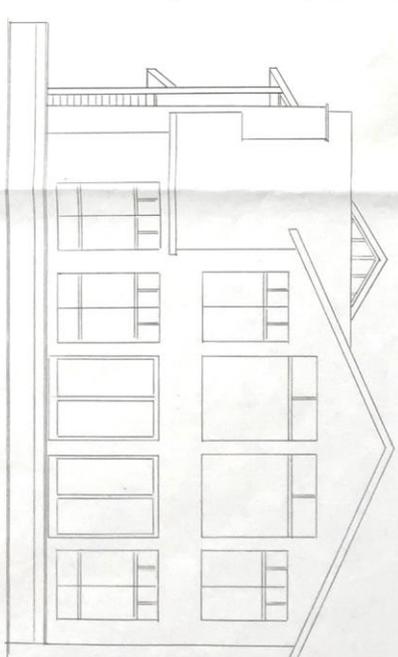
South Elevation
4'-10"



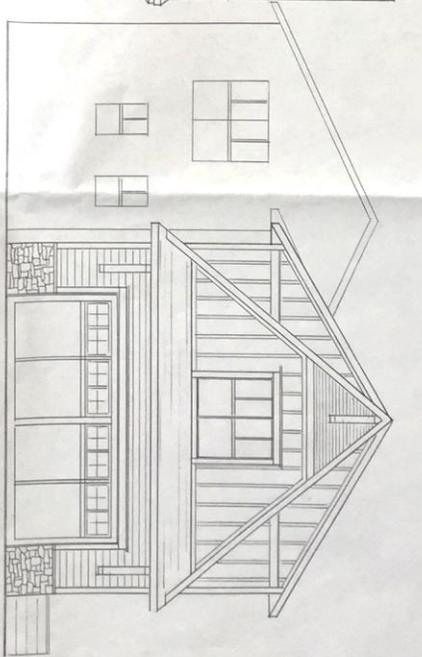
North Elevation
4'-10"



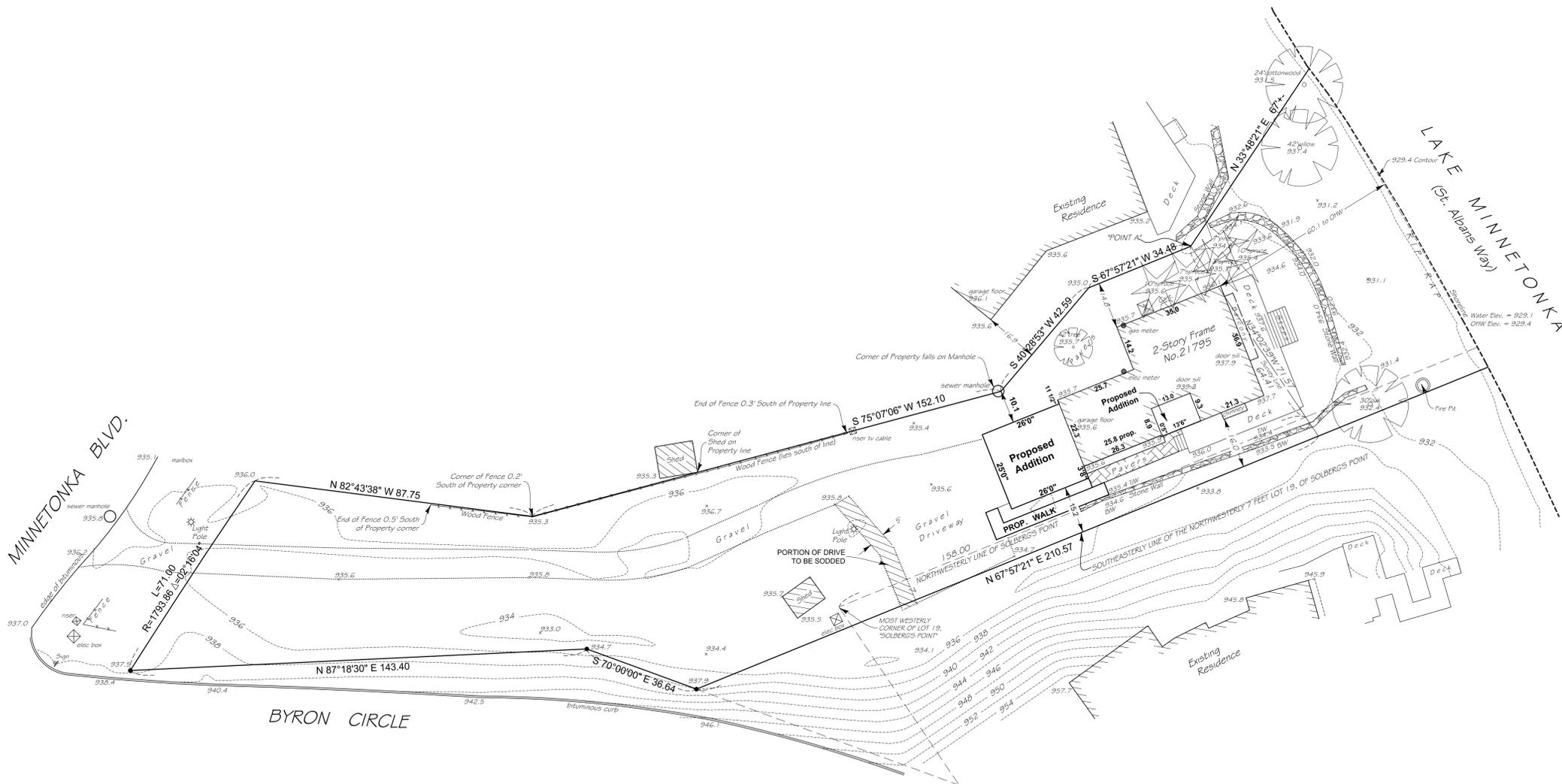
East Elevation
4'-10"



West Elevation
4'-10"



SITE PLAN SURVEY FOR:
JOEL & HEATHER DAVIS
 P. O. Box 375
 Delano, MN 55328



Legal Description

That part of Lot 188, Auditor's Subdivision Number 141, Hennepin County Minnesota which lies southerly of the following described line: Commencing at the most Westerly corner of Lot 19, Solberg's Point; thence on an assumed bearing of North 67 degrees 57 minutes 21 seconds East along the Northwesterly line of said Lot 19, a distance of 158 feet; thence North 34 degrees 02 minutes 39 seconds West a distance of 64.41 feet, to a point hereinafter referred to as "Point A"; thence North 33 degrees 48 minutes 21 seconds East a distance of 66 feet, more or less, to the shore line of St. Albans Bay, Lake Minnetonka, said shoreline being the point of beginning of the line to be described; thence South 33 degrees 48 minutes 21 seconds West, a distance of 66 feet, more or less, to said "Point A"; thence South 67 degrees 57 minutes 21 seconds West a distance of 34.48 feet; thence South 40 degrees 28 minutes 53 seconds West a distance of 42.59 feet; thence South 75 degrees 07 minutes 06 seconds West a distance of 152.10 feet; thence North 82 degrees 43 minutes 38 seconds West a distance of 87.75 feet, to a point on the Westerly line of said Lot 188 distant 71 feet Northerly from the Southwest corner of said Lot 188 and said line terminating. Except that part of Lot 188 Auditor's Subdivision Number 141 which lies Southeasterly of the southwesterly extensions of the southeasterly line of the Northwesterly 7.00 feet of Lot 19, Solberg's Point, also Northwesterly 7.00 feet of said Lot 19, except roads.

notes:

Property Address: 21795 Minnetonka, Blvd., Greenwood, MN 55331
 PID No. 26-117-23-34-0026
 Title commitment showing easements of record, if any, not provided.
 Area of Parcel to Ordinary High Water = 23,861 sq ft
 Ordinary high water elevation (OHW) = 929.4 feet

EXISTING HARDCOVER	PROPOSED HARDCOVER
Building = 1,825 sq.ft	Building = 2,527 sq.ft
Deck area = 690 sq.ft	Deck area = 694 sq.ft
Pavers = 1,457 sq.ft	Pavers = 317 sq.ft
Shed = 89 sq.ft	Shed = 88 sq.ft
Gravel driveway = 4,237 sq.ft	Gravel driveway = 3,523 sq.ft
Total Hardcover = 8,298 sq.ft	Total Hardcover = 7,149 sq.ft
Area of Parcel = 23,861	Area of Parcel = 23,861
Percentage of Hardcover = 34.8%	Percentage of Hardcover = 29.96%

Legend of Symbols & Abbreviations

- LEGEND**
- ⊗ Steel Post
 - Denotes Iron Monument Set
 - Denotes Iron Monument Found
 - ☼ Light
 - ⊕ Hydrant
 - ⊖ Power Pole
 - ⊙ Catch Basins
 - Manhole
 - Fence
 - Overhead Wires
 - Sanitary Sewer
 - Storm Sewer
 - Watermain
 - Gas Main
 - Easement Line
 - Building Line
 - ⑫ Denotes height of building to adjacent ground



CERTIFICATION

The only easements shown are from plats of record or information provided by client.

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

Surveyed this 19th day of October 2015.
 Revised 10/21/2015 hardcover
 Revised 11/3/2015 hardcover (shed)

Prepared by:
 The Gregory Group, Inc. d.b.a.
 Lot Surveys Company
 7601 73rd Avenue N.
 Brooklyn Park, MN 55428
 phone 763-560-3093
 fax 763-560-3522

Signed:
 Gregory R. Praych Registration No. 24992



Agenda Number: 7B

Agenda Date: 12-02-15

Prepared by Deb Kind

Agenda Item: Res 24-15 Approving Final Levy for Taxes Payable in 2016 and Res 25-15 Approving Final 2016 Budget

Summary: Attached is a copy of the final budget, which includes the tax levy amount of \$642,490 (shaded gray at the top of page 1). This is the amount that is included on the attached resolution 24-15 for approving the final tax levy for taxes payable in 2016. Also attached is resolution 25-15 to approve the 2016 general fund budget amount of \$782,015.

The tax levy and budget are the result of council discussions at worksessions and council meetings in August and September. The preliminary tax levy of \$642,750 was approved at the September council meeting. This amount has been reduced slightly for the final levy approval (by law, it cannot be increased). The following changes have been made to the spreadsheet since the preliminary approval in September:

1. Auditing line 79 on page 3 was changed from \$9857 to \$9600 to reflect the amount of the new contract.
2. Publics Safety Building line 85 on page 3 was changed from \$47,218 to \$46,115 to reflect the amount determined by the SLMPD.
3. Contingency line 136 on page 4 was changed from \$12,400 to \$13,500 to keep the total levy (\$642,490) close to what was approved for the preliminary levy (\$642,750).

The council is not required to take action on the below fund budgets. However, since the 2011 budget process, the below fund budgets have been included on the budget spreadsheet for the council's reference and for the public to view.

- A. Sewer Enterprise Fund
- B. Stormwater Special Revenue Fund
- C. Park Special Revenue Fund
- D. Marina Enterprise Fund
- E. Bridge Capital Project Fund
- F. Special Project Fund
- G. Road Improvement Fund

Public Comment Opportunity: The December council meeting also is the opportunity for the public to comment regarding the tax levy and budget.

Council Action: Required. Suggested motions ...

1. I move the council adopts resolution 24-15 approving the 2016 tax levy in the amount of \$642,490 to be collected in 2016 and directs the city clerk to send the information to Hennepin County.
2. I move the council adopts resolution 25-15 approving the 2016 general fund budget in the amount of \$782,015.

2016 Greenwood FINAL Budget

		2013 Actual	2014 Actual	2014 Budget	2015 June YTD	2015 Budget	2016 Budget	% Change	% Total Budget
GENERAL FUND REVENUE									
1	TAXES								
2	101-31010 General Property Tax	621,465	648,923	643,874	3,068	642,782	642,490	-0.05%	
3	101-31020 General Property Tax - Delinquent	10,995	7,186	0	0	0	0	#DIV/0!	
4	101-31040 Fiscal Disparities	3,237	3,472	0	0	0	3,262	#DIV/0!	
5	101-31800 Surcharge Revenue	101	127	0	62	0	0	#DIV/0!	
6	101-31910 Penalties	12	0	0	0	0	0	#DIV/0!	
7		635,810	659,708	643,874	3,130	642,782	645,752	0.46%	82.58%
8	LICENSES & PERMITS								
9	101-32110 Liquor & Cigarette Licenses	15,217	10,450	10,050	50	10,050	10,050	0.00%	
10	101-32180 Other Business Licenses / Permits (Rental, Peddler, Commercial Marina, Trash, Tree Contractors)	4,165	4,021	4,500	1,555	4,000	4,000	0.00%	
11	101-32210 Building Permits	47,749	67,347	30,000	37,405	36,000	45,000	25.00%	
12	101-32211 Electric Permits	8,017	8,466	2,000	1,686	5,000	5,000	0.00%	
13	101-32240 Animal Licenses	475	340	450	500	450	450	0.00%	
14		75,623	90,624	47,000	41,195	55,500	64,500	16.22%	8.25%
15	INTERGOVERNMENT REVENUE								
16	101-33402 Homestead Credit (Market Value Credit)	0	0	0	0	0	0	#DIV/0!	
17	101-33423 Other Grants / Aids (Recycle Grant, Etc.)	2,606	18,985	0	0	0	2,500	#DIV/0!	
18	101-33610 County Aid to Municipalities (CAM Road Aid)	1,800	1,802	0	0	0	0	#DIV/0!	
19	101-33630 MN State Aid (Local Government Aid, Small Cities Assistance, Etc.)	0	0	0	0	0	0	#DIV/0!	
20		4,406	20,787	0	0	0	2,500	#DIV/0!	0.32%
21	PUBLIC CHARGES FOR SERVICES								
22	101-34103 Zoning & Subdivisions (Variances, Conditional Use Permits, Etc.)	6,652	6,800	4,000	4,391	5,000	6,000	20.00%	
23	101-34207 False Alarm Fee	0	0	75	0	75	0	-100.00%	
24	101-34304 Load Limit Fees	12,475	6,448	6,000	9,463	4,000	6,000	50.00%	
25	101-34409 Recycling Fees	19,579	19,352	19,000	9,389	19,500	17,000	-12.82%	
26		38,706	32,600	29,075	23,243	28,575	29,000	1.49%	3.71%
27	FINES, FORFEITURES & PENALTIES								
28	101-35101 Court Fines	7,312	6,153	6,000	3,574	5,600	6,000	7.14%	0.77%
29									
30	MISC. INCOME								
31	101-36102 Investment Income	2,867	4,681	2,200	2,655	4,000	5,000	25.00%	
32	101-36230 Photocopy Revenue, Donations, Refunds, Parking Permit Revenue, Workshop Revenue, Etc.	15,492	3,076	0	316	0	500	#DIV/0!	
33		18,359	7,758	2,200	2,971	4,000	5,500	37.50%	0.70%
34	OTHER FINANCING SOURCES								
35	101-39201 Interfund Operating Transfer: From Marina Fund	12,500	12,500	12,500	0	12,500	12,500	0.00%	
36	101-39200 Administration Expense Reimbursement: 10% of Marina Revenue	3,086	3,346	3,346	0	3,470	3,600	3.75%	
37	101-39202 Administrative Expense Reimbursement: 10% of Sewer Revenue	10,866	10,866	10,866	0	10,090	10,090	0.00%	
38	101-39203 Administrative Expense Reimbursement: 10% of Stormwater Revenue	1,625	1,625	1,625	0	2,302	2,573	11.76%	
39		28,077	28,337	28,337	0	28,362	28,763	1.41%	3.68%
40									
41	Total Revenue	808,293	845,967	756,486	74,114	764,819	782,015	2.25%	

2016 Greenwood FINAL Budget

		2013 Actual	2014 Actual	2014 Budget	2015 June YTD	2015 Budget	2016 Budget	% Change	% Total Budget
GENERAL FUND EXPENSES									
42	COUNCIL & PLANNING COMMISSION								
43	101-41100-103	13,200	13,200	13,200	6,600	13,200	13,200	0.00%	
44	101-41100-122	818	818	818	409	818	818	0.00%	
45	101-41100-123	191	191	191	96	191	191	0.00%	
46	101-41100-371	2,386	90	1,200	0	1,200	1,200	0.00%	
47	101-41100-372	0	84	100	142	100	150	50.00%	
48	101-41100-433	30	0	150	93	150	100	-33.33%	
49		16,626	14,383	15,660	7,340	15,660	15,660	0.00%	2.00%
50	ELECTIONS								
51	101-41200-103	0	1,900	1,900	0	0	1,900	#DIV/0!	
52	101-41200-214	31	43	160	0	50	50	0.00%	
53	101-41200-319	534	676	535	0	550	700	27.27%	
54	101-41200-372	0	882	650	0	0	885	#DIV/0!	
55	101-41200-439	0	453	650	0	0	450	#DIV/0!	
56		565	3,953	3,895	0	600	3,985	564.17%	0.51%
57	ADMINISTRATION								
58	101-41400-201	0	189	150	62	150	150	0.00%	
59	101-41400-202	1,209	2,312	1,400	674	1,800	1,800	0.00%	
60	101-41400-204	1,239	1,010	800	321	1,000	1,000	0.00%	
61	101-41400-309	415	815	450	0	450	600	33.33%	
62	101-41400-310	34,195	36,936	37,793	17,777	35,714	36,785	3.00%	
63	101-41400-311	5,972	5,905	5,999	2,925	5,999	5,849	-2.50%	
64	101-41400-313	1,988	2,032	1,970	1,038	1,990	2,100	5.53%	
65	101-41400-322	820	713	800	260	800	800	0.00%	
66	101-41400-351	759	798	1,000	190	800	800	0.00%	
67	101-41400-439	495	630	725	515	725	725	0.00%	
68		47,093	51,340	51,087	23,762	49,428	50,609	2.39%	6.47%
69	ASSESSOR								
70	101-41500-309	14,000	15,000	15,000	0	17,000	18,000	5.88%	
71	101-41500-439	75	382	100	172	125	400	220.00%	
72		14,075	15,382	15,100	172	17,125	18,400	7.45%	2.35%
73	LEGAL SERVICES								
74	101-41600-304	8,073	11,812	12,000	1,990	12,000	12,000	0.00%	
75	101-41600-308	3,393	3,813	4,000	2,673	4,000	4,000	0.00%	
76	101-41600-309	0	0	0	0	0	0	#DIV/0!	
77		11,466	15,625	16,000	4,663	16,000	16,000	0.00%	2.05%

2016 Greenwood FINAL Budget

		2013 Actual	2014 Actual	2014 Budget	2015 June YTD	2015 Budget	2016 Budget	% Change	% Total Budget
78	AUDITING								
79	101-41700-301 Auditing (\$9,600 in 2016 for 2015 audit, \$9700 in 2017 for 2016 audit, \$9,800 in 2018 for 2017 audit)	10,717	9,480	9,480	9,600	9,570	9,600	0.31%	
80		10,717	9,480	9,480	9,600	9,570	9,600	0.31%	1.23%
81	GENERAL GOVERNMENT TOTAL	100,541	110,163	111,222	45,537	108,383	114,254	5.42%	14.61%
82									
83	LAW ENFORCEMENT								
84	101-42100-310 Law Enforcement - Contract	177,053	182,215	182,215	93,519	187,637	192,895	2.80%	
85	101-42100-311 Police Side Lease - Facilities (Based on Total Tax Capacity on County Website in July)	47,296	45,628	45,629	23,160	46,319	46,115	-0.44%	
86	101-42100-439 Police Safety - Other (Jail, Court Overtime, Etc.)	1,132	4,266	1,000	272	1,000	2,500	150.00%	
87		225,481	232,109	228,844	116,950	234,956	241,510	2.79%	30.88%
88	FIRE								
89	101-42200-309 Fire Protection - Operations (2015 actual includes \$2382 from 2014 excess reserves)	64,856	70,517	70,517	32,355	69,474	73,859	6.31%	
90	101-42200-311 Fire Side Lease - Facilities	58,092	60,371	60,371	28,439	56,878	57,983	1.94%	
91		122,948	130,888	130,888	60,794	126,352	131,842	4.35%	16.86%
92	PUBLIC SAFETY TOTAL	348,429	362,997	359,732	177,744	361,308	373,352	3.33%	47.74%
93									
94	ZONING								
95	101-42400-308 Zoning Administration	2,867	4,372	3,327	3,307	3,500	4,000	14.29%	
96	101-42400-309 Public Notices	1,794	2,408	850	364	1,700	2,000	17.65%	
97	101-42400-310 Building Inspections (69% of Building & Electrical Permits)	32,788	39,784	22,080	33,997	28,290	34,500	21.95%	
98	101-42400-438 Misc. (County Recording Fees, State Bldg. Surcharge, etc.)	0	0	200	0	200	0	-100.00%	
99	ZONING TOTAL	37,449	46,564	26,457	37,668	33,690	40,500	20.21%	5.18%
100									
101	ENGINEERING								
102	101-42600-303 Engineering Fees - Misc.	3,828	1,212	1,400	2,776	2,500	3,000	20.00%	
103		3,828	1,212	1,400	2,776	2,500	3,000	20.00%	0.38%
104	UTILITIES & ROADS								
105	101-43100-381 S&R - Utility Services - Elec (Includes Siren Electric)	5,479	4,534	4,750	2,441	5,500	5,000	-9.09%	
106	101-43100-409 Other - Road Repair & Maintenance (Public Works Repairs)	5,506	2,881	5,000	1,882	5,000	4,500	-10.00%	
107		10,985	7,414	9,750	4,323	10,500	9,500	-9.52%	1.21%
108	MAJOR ROAD IMPROVEMENTS								
109	101-43200-229 Major Road Improvements - Construction	106,696	63,030	110,000	0	75,000	0	-100.00%	
109	101-43200-303 Major Road Improvements - Engineering	28,386	21,315	20,000	3,897	15,000	0	-100.00%	
110	101-43200-500 Major Road Improvements - Transfer to Road Improvement Fund	0	40,000	0	0	44,000	134,000	204.55%	
111		135,081	124,345	130,000	3,897	134,000	134,000	0.00%	17.14%

2016 Greenwood FINAL Budget

		2013 Actual	2014 Actual	2014 Budget	2015 June YTD	2015 Budget	2016 Budget	% Change	% Total Budget
112	PUBLIC WORKS								
113	101-43900-226 Signs (2012-2018: Retroreflectivity Project)	10,826	11,090	11,000	365	5,000	2,500	-50.00%	
114	101-43900-312 Snow Plowing	10,587	22,166	16,000	7,594	16,000	20,000	25.00%	
115	101-43900-313 Trees, Weeds, Mowing	8,241	11,441	20,000	1,436	10,000	12,000	20.00%	
116	101-43900-314 Park & Tennis Court Maintenance	1,263	0	1,000	358	1,000	1,000	0.00%	
117	101-43900-315 Trail Snow Plowing (LRT and Tar Paths)	4,146	2,008	2,100	1,128	2,100	2,100	0.00%	
118		35,063	46,705	50,100	10,882	34,100	37,600	10.26%	4.81%
119	ROADS & PUBLIC WORKS TOTAL	184,957	179,676	191,250	21,878	181,100	184,100	1.66%	23.54%
120									
121	MISC. EXPENSES								
122	101-49000-310 Recycling Contract	17,911	19,539	19,050	9,770	20,000	20,650	3.25%	
123	101-49000-311 Spring Clean-Up Day	2,307	2,253	2,500	3,238	2,500	3,300	32.00%	
124	101-49000-369 League of Minnesota Cities Insurance Trust / Liability & Property	4,119	2,417	2,500	176	5,000	2,500	-50.00%	
125	101-49000-370 League of Minnesota Cities Insurance Trust / Workers Comp	54	138	110	145	140	150	7.14%	
126	101-49000-433 Misc. Expenses	95	0	0	0	100	100	0.00%	
127	101-49000-434 Southshore Community Center	900	1,200	1,200	0	1,200	1,200	0.00%	
128	101-49000-435 League of Minnesota Cities	779	798	1,063	0	1,100	800	-27.27%	
129	101-49000-436 Lake Minnetonka Conservation District	6,450	6,880	6,880	3,280	6,560	6,009	-8.40%	
130	101-49000-437 July 4th Fireworks & Parade (\$1500 Chamber of Commerce, \$100 parade)	1,442	1,518	1,500	1,600	1,100	1,600	45.45%	
131	MISC. TOTAL	34,057	34,743	34,803	18,208	37,700	36,309	-3.69%	4.64%
132									
133	Subtotal	705,433	734,143	723,464	301,035	722,181	748,515	3.65%	
134									
135	CONTINGENCY & FUND TRANSFERS								
136	101-49000-439 Contingency	308	0	13,022	0	12,638	13,500	6.82%	
137	101-49000-500 Transfer to Bridge Fund	20,000	20,000	20,000	0	30,000	20,000	-33.33%	
138	CONTINGENCY & BRIDGE FUND TRANSFER TOTAL	20,308	20,000	33,022	0	42,638	33,500	-21.43%	4.28%
139									
140	Total Expenses	725,741	754,143	756,486	301,035	764,819	782,015	2.25%	
141									
142	GENERAL FUND CASH BALANCE (Goal: 35%-50% of Operating Expenditures)	422,786	502,981						
	<i>Audited Percent of Operating Expenditures</i>	54.00%	67.10%						

2016 Greenwood FINAL Budget

		2013 Actual	2014 Actual	2014 Budget	2015 June YTD	2015 Budget	2016 Budget	% Change	% Total Budget
142	SEWER ENTERPRISE FUND <i>This fund may be used for any city purpose. Goal: \$250,000.</i>								
143	602-34401	REVENUE: Sewer Use Charges (\$65 per quarter)	107,019	104,941	108,660	47,535	100,899	100,899	0.00%
144	602-34402	REVENUE: Late Charges & Penalties	800	809	0	176	0	0	#DIV/0!
145	602-34403	REVENUE: Delinquent Sewer Payments Received	444	547	0	0	0	0	#DIV/0!
146	602-34404	REVENUE: Delinquent Sewer Late Fees Received	20	40	0	0	0	0	#DIV/0!
147	602-34408	REVENUE: Permit Fees	100	525	0	300	0	0	#DIV/0!
148	602-38100	REVENUE: Grant Revenue	0	0	0	0	0	0	#DIV/0!
149	602-37100	REVENUE: Excelsior Blvd. Watermain Project (Contributions for Study, Assessment Payments)	45,260	8,302	0	0	0	0	#DIV/0!
150	602-36100	REVENUE: Special Assessments	2,351	17,423	0	0	0	0	#DIV/0!
151	602-43200-303	EXPENSE: Engineering Sewer	15,573	10,725	7,500	692	10,000	10,000	0.00%
152	602-43200-309	EXPENSE: Met Council and Excelsior	38,989	40,308	40,000	17,100	44,447	45,000	1.24%
153	602-43200-310	EXPENSE: Public Works Sewer	4,762	8,403	3,700	3,231	3,700	6,000	62.16%
154	602-43200-381	EXPENSE: Utility Services - Electric	2,377	2,469	2,500	1,211	2,500	2,500	0.00%
155	602-43200-404	EXPENSE: Repair & Maintenance	8,358	11,939	7,000	6,500	7,000	12,000	71.43%
156	602-43200-410	EXPENSE: Excelsior Blvd. Watermain Project (Construction, Engineering, Legal Costs, Etc.)	21,949	12,028	0	90	0	0	#DIV/0!
157	602-43200-439	EXPENSE: Misc. (Gopher State One Call, Forms, Printing, Insurance, etc.)	850	763	2,000	274	2,000	900	-55.00%
158	602-43200-530	EXPENSE: Capital Outlay (I&I Projects)	0	38,108	0	0	25,000	14,000	-44.00%
159	602-43200-720	ADMINISTRATIVE EXPENSE: To General Fund (10% of budgeted sewer revenue for adm. costs)	10,866	10,866	10,866	0	10,090	10,090	0.00%
160		Net Total	52,270	-3,023	35,094	18,914	-3,838	409	-110.66%
161		SEWER ENTERPRISE FUND CASH BALANCE	446,226	443,203					
162	STORMWATER SPECIAL REVENUE FUND <i>This fund may be used for any city purpose.</i>								
163	502-34401	REVENUE: Stormwater Use Charges (\$19 per quarter)	16,148	16,097	16,250	10,994	23,021	25,729	11.76%
164	502-34403	REVENUE: Delinquent Stormwater Payments Received	0	0	0	0	0	0	#DIV/0!
165	502-34404	REVENUE: Delinquent Stormwater Late Fees Received	0	0	0	0	0	0	#DIV/0!
166	502-43200-303	EXPENSE: Engineering Stormwater	9,848	2,802	6,700	2,159	6,700	6,700	0.00%
167	502-43200-310	EXPENSE: Public Works Stormwater	0	960	0	269	0	0	#DIV/0!
168	502-43200-319	EXPENSE: Equipment and Maintenance	0	0	0	0	0	0	#DIV/0!
169	502-43200-409	EXPENSE: Street Sweeping	2,236	2,469	3,000	2,612	3,000	3,000	0.00%
170	502-43200-439	EXPENSE: Misc. (EPA Fee, Etc.)	214	43	250	216	250	250	0.00%
171	502-43200-530	EXPENSE: Capital Outlay	0	15,000	0	0	0	0	#DIV/0!
173	502-43200-720	ADMINISTRATIVE EXPENSE: To General Fund (10% of budgeted stormwater rev. for adm. costs)	1,625	1,625	1,625	0	2,302	2,573	11.76%
174		Net Total	2,226	-6,802	4,675	5,738	10,769	13,206	22.63%
175		STORMWATER SPECIAL REVENUE FUND CASH BALANCE	13,764	8,625					

2016 Greenwood FINAL Budget

		2013 Actual	2014 Actual	2014 Budget	2015 June YTD	2015 Budget	2016 Budget	% Change	% Total Budget
180	PARK SPECIAL REVENUE FUND <i>This is a dedicated fund for park "acquisitions" only. Cannot be used for maintenance.</i>								
181	401-36230	REVENUE: Park Dedication Fees	0	0	0	0	0	#DIV/0!	
182	401-45000-000	EXPENSE: Park Improvements	0	0	0	4,370	0	#DIV/0!	
183		Net Total	0	0	0	-4,370	0	#DIV/0!	
184		PARK FUND CASH BALANCE	27,055	27,055					
185	MARINA ENTERPRISE FUND <i>This fund may be used for any city purpose. Goal: \$55,000 Tonka Dock; \$65,000 Permanent Dock; \$120,000 Floating Dock.</i>								
186	605-36201	REVENUE: Slip Fees (\$1350 x 26 boats, \$300 x 2 sailboats, \$50 x 6 canoes)	30,860	32,700	33,460	34,050	34,700	36,000	3.75%
187	605-45100-309	EXPENSE: Professional Services (Dock In and Out)	4,000	3,000	5,150	1,500	5,150	3,500	-32.04%
188	605-45100-310	EXPENSE: Public Works	300	474	2,000	179	2,000	500	-75.00%
189	605-45100-439	EXPENSE: Misc. (LMCD Multi-Dock License \$350, SABLID / AIS \$5000, Insurance \$873)	6,223	2,925	6,223	5,000	6,223	6,223	0.00%
190	605-45100-590	EXPENSE: Capital Outlay	0	0	0	0	0	0	#DIV/0!
191	605-49300-720	OPERATING TRANSFER: To General Fund	12,500	12,500	12,500	0	12,500	12,500	0.00%
192	605-49300-721	ADMINISTRATIVE EXPENSE: To General Fund (10% of budgeted marina revenue for adm. costs)	3,086	3,346	3,346	0	3,470	3,600	3.75%
193		Net Total	4,751	13,801	4,241	27,371	5,357	13,277	147.84%
194		MARINA ENTERPRISE FUND CASH BALANCE	40,735	48,832					
195	BRIDGE CAPITAL PROJECT FUND <i>This fund was created in 2010. The funds may be used for any city purpose. Goal: \$200,000</i>								
196	403-39200	REVENUE: Transfer from General Fund	20,000	20,000	20,000	0	30,000	20,000	-33.33%
197	403-45100-303	EXPENSE: Engineering	0	150	2,000	1,050	2,000	2,000	0.00%
198	403-45100-304	EXPENSE: Legal Services	0	0	2,000	0	2,000	2,000	0.00%
199	403-45100-530	EXPENSE: Capital Outlay	0	0	0	0	0	0	#DIV/0!
200		Net Total	20,000	19,850	16,000	-1,050	26,000	16,000	-38.46%
201		BRIDGE CAPITAL PROJECT FUND CASH BALANCE	98,613	118,463					
202	SPECIAL PROJECT FUND <i>This fund was created in 2013 for the Greenwood Circle Xcel Project. The fund may be used for other special projects in the future.</i>								
203	301-36102	REVENUE: Greenwood Circle Xcel Project	36,900	0	0	0	0	0	#DIV/0!
204	301-47000-602	EXPENSE: Greenwood Circle Xcel Project	0	0	0	0	0	0	#DIV/0!
205		Net Total	36,900	0	0	0	0	0	#DIV/0!
206		SPECIAL PROJECT FUND CASH BALANCE	36,900	0					
207	ROAD IMPROVEMENT FUND <i>This fund was created in 2014. The funds may be used for any city purpose. Goal: \$_____ for Minnetonka Blvd rehabilitation project.</i>								
208	404-36230	REVENUE: Transfer from General Fund	0	40,000	0	0	44,000	134,000	204.55%
208	404-45100-100	EXPENSE: Capital Outlay	0	0	0	0	0	75,000	#DIV/0!
209	404-45100-303	EXPENSE: Engineering Expenses	0	0	0	0	0	20,000	#DIV/0!
210		Net Total	0	40,000	0	0	44,000	39,000	-11.36%
211		ROAD IMPROVEMENT FUND CASH BALANCE	0	40,000					
212	Total Cash Balance (audited total of all funds combined)		1,086,079	1,189,159					

**CITY OF GREENWOOD
RESOLUTION NO. 24-15**

A RESOLUTION APPROVING THE 2015 TAX LEVY, COLLECTIBLE IN 2016

BE IT RESOLVED by the city council of the city of Greenwood that the following sum of money be levied for the current year, collectible in 2016, upon taxable property in the city of Greenwood, Minnesota for general fund activities:

TOTAL LEVY: \$642,490

The city clerk is hereby instructed to transmit a certified copy of this resolution to the county auditor of Hennepin County Minnesota.

ADOPTED by the city council of Greenwood, Minnesota this ____ day of _____, 2015.

____ AYES ____ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk

**CITY OF GREENWOOD
RESOLUTION NO. 25-15**

A RESOLUTION APPROVING THE 2016 CITY BUDGET

WHEREAS, the city council of the city of Greenwood has reviewed the 2016 city budget and determined that the proposed expenditures and revenues adequately address the needs of the city and the residents it serves,

WHEREAS, the public had the opportunity to comment on the 2016 city budget at the December 2, 2015 city council meeting.

NOW, THEREFORE BE IT RESOLVED by the city council of the city of Greenwood, that the 2016 general fund budget in the amount of **\$782,015** is hereby approved.

ADOPTED by the city council of Greenwood, Minnesota this ___ day of _____, 2015.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk



Agenda Item: Consider: 2015 Budget Line Item Adjustments, Fund Transfers, and Year-End Contributions

1. **Summary:** Each December, the council considers budget line item adjustments, fund transfers, and year-end contributions. Mayor Kind and Councilman Fletcher (the administrative committee) reviewed the 2015 expenses as of October 31 and recommend the below motions. Note: Based on the auditor's recommendation, the council needs to ensure the actual expenses do not exceed the budgeted expenses for the current year. If changes are made to the expense side of the budget, changes need to be made to the revenue side to keep the budget balanced. Since the city currently is in litigation regarding the Southshore Center, the administrative committee recommends that the city does not contribute \$1,200 (101-49000-434) to the city of Shorewood for the Southshore Center voluntary contribution.

Council Action: Required. Suggested motions ...

2. I move the council approves the following line item adjustments to the **2015** budget EXPENSES:

General Fund Code Number	Line Item Title	Original 2015 Budget Amount	12-02-15 Amount	CHANGE
101-42400-308	Zoning Administration	3,500	10,000	6,500
101-42400-310	Building Inspections	28,290	57,090	22,500
TOTAL				29,000

AND the following line item adjustments to the **2015** budget REVENUES:

General Fund Code Number	Line Item Title	Original 2015 Budget Amount	12-02-15 Amount	CHANGE
101-34103	Zoning / Subdivisions / Variances	5,000	8,000	3,000
101-34304	Load Limit Fees	4,000	11,000	7,000
101-32210	Building Permits	36,000	55,000	19,000
TOTAL				29,000

3. I move the council approves the following **2015** fund transfers:

- a. **\$3,470** from 605-49300-721 Marina Fund Transfer to 101-39200 General Fund for Administrative Expense Reimbursement
- b. **\$12,500** from 605-49300-720 Marina Fund Transfer to 101-39201 General Fund
- c. **\$10,090** from 602-43200-720 Sewer Fund Transfer to 101-39202 General Fund for Administrative Expense Reimbursement
- d. **\$2,302** from 502-43200-720 Stormwater Fund Transfer to 101-39203 General Fund for Administrative Expense Reimbursement
- e. **\$30,000** from 101-49000-500 General Fund Bridge Transfer to 403-39200 Bridge Fund
- f. **\$10,000** from 101-43200-500 General Fund Major Road Improvement to 404-36230 Road Improvement Fund

4. Other motions ???



Agenda Number: **7D**

Agenda Date: **12-02-15**

Prepared by *Deb Kind*

Agenda Item: 1st Reading, Ord 250, Amending City Code Sections 300.07 & 600.7 Regarding Building Permits and Simple Subdivisions

Summary: This ordinance is one of two to address items that need to be “cleaned up” in our code, based on a list of items compiled by former zoning administrator Gus Karpas and new zoning administrator Dale Cooney. Attached is the first ordinance (number 250) and it addresses the following ...

1. State law requires a building permit, so our code should expressly state that a building permit is required.
2. Adding "open for travel" to paragraph 2 of the Simple Subdivision ordinance clarifies that fronting on an unpaved road right-of-way is not sufficient.
3. The intent of paragraph 4 of the Simple Subdivision ordinance is that the accretion of one lot onto another should not cause the lot that is accreted to exceed the maximum hardcover allowed. The current wording is not clear. Also, the current paragraph 4 states that all existing structures and / or uses on the new buildable lot shall be removed. This is problematic if a small portion of one lot is accreted onto another lot for the convenience of both property owners who intend to stay in their current homes. This is why "buildable" is removed from paragraphs 1 & 2 as well -- the newly-created lots might not be intended for new construction.

While reviewing the ordinance, city attorney Mark Kelly recommended removing the option to subdivide one lot into two separate lots from the Simple Subdivision section of the ordinance. Doing so would mean that such subdivisions would be required to complete the process for a Full Plat.

The attached draft of ordinance 250 includes the city attorney's recommended changes in addition to the "clean-up" changes.

Timeline:

- 12-02-15 City council considers 1st reading of the ordinance (may make revisions).
- 01-06-16 City council considers 2nd reading of the ordinance (may make revisions).
- 01-07-16 The ordinance is submitted to the Sun-Sailor for publication.
- 01-14-16 The ordinance is published in the Sun-Sailor (goes into effect on this date).

Council Action: No action required. Potential motions ...

1. I move the city council approves the 1st reading of ordinance 250 as written (with the following changes: _____).
2. Do nothing or other motion?

Greenwood code section 1215 requires 2 readings of all ordinances prior to adoption. The 2nd reading shall be within 3 months of the 1st reading. There may be changes between the 1st and 2nd readings. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.

ORDINANCE NO. 250

AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA AMENDING GREENWOOD ORDINANCE CODE SECTIONS 300.07 AND 600.7 REGARDING BUILDING PERMITS AND SIMPLE SUBDIVISIONS

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

SECTION 1.

Greenwood ordinance code section 300 Building Codes is amended to add the following section:

“Section 300.07. Building Permit Required.

No person, shall undertake a construction project that requires a permit by the Minnesota State Building Code without a valid building permit issued by the city. No permit may be issued unless the zoning administrator has determined that the proposed construction project complies with the zoning code and / or the applicant has obtained the necessary variance and / or conditional use permit as may be required.”

SECTION 2.

Greenwood ordinance code section 600.07 Simple Subdivision is amended to read as follows:

“Section 600.07. Simple Subdivision.

~~One lot may be subdivided into: two separate buildable lots; or Smaller pieces~~ Portions of a lot may be severed for the purpose of accretion onto neighboring parcels, provided the severed portion does not make the balance of the remaining lot a nonconforming lot; and provided:

1. The size of the newly-created ~~buildable~~ lots conform to the minimum requirements of the zoning ordinance;
2. Each ~~buildable~~ lot abuts upon a public street open for travel or upon an existing easement or a private street access that is determined by the city council as providing satisfactory ingress and egress;
3. The subdivision will not lend itself to future subdivision for the creation of additional properties within the applicable zone;
4. ~~All existing structures and / or uses found on the new buildable lot shall be removed, and if~~ If a smaller piece has been severed for accretion onto a neighboring parcel, the severed portion shall not increase cause the hardcover to exceed the maximum allowed on the property to which it is accreted;
5. The remainder lot (after ~~severance of a buildable lot or a smaller piece for accretion is~~ acreted onto a neighboring parcel) shall be zoning code and shoreland management district code compliant in matters of location of accessory structures, hard cover maximums, and sideyard setbacks relative to both principal and accessory structures; and
6. The city may impose such additional conditions as it deems necessary and appropriate for public safety, health, and welfare, including requiring the applicant to enter into a an encroachment agreement, easement agreement, or developer’s agreement with the city, in form meeting the approval of the city attorney.

A dimensional map of such subdivision must be filed with the city clerk before the division is submitted to the council for approval. A fee set by the city council and recorded in chapter 5 of this code book, together with actual costs of publication of notice, provided that any other fees required under the section 600 et seq shall be paid by the applicant ~~including those due toward the city park fund contribution~~ as set by the city code, as well as payment for all sewer hookup charges which might be due. The subdivider shall conform with all other applicable requirements of section 600 et seq including public right-of-way and easement dedication that may be required.

As further limitation to the authorized simple subdivision of one parcel of land into two tracts, no such division shall be approved if there is any provision or authorization as a result of the division to allow and permit by easement access to Lake Minnetonka from off-shore lake lots; should there be a desire to provide such access, the subdivider shall be required to plat the property pursuant to the terms of section 600.10 et seq ~~600 et seq~~ and apart from the provisions of this section governing simple subdivision.”

SECTION 3.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ___ day of _____, 2016.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk

First reading: _____, 2016
Second reading: _____, 2016
Publication: _____, 2016



Agenda Number: **7E**

Agenda Date: **12-02-15**

Prepared by *Deb Kind*

Agenda Item: Discuss Ord 251 Amending Chapter 11 Regarding City Forester, Hazard Trees, Variance Standards for Impervious Surface Regulations and Application Procedure for Mailing Lists

Summary: This ordinance is two of two to address items that need to be “cleaned up” in our code, based on a list of items compiled by former zoning administrator Gus Karpas and new zoning administrator Dale Cooney. Attached is the second ordinance (number 251) and it addresses the following ...

1. Moves the establishment of City Forester and Certified Tree inspector out of the Diseased Trees section of the code because the city forester’s authority is broader than just for diseased trees.
2. Defines Hazard Tree -- a definition that is used in the new Dead, Dying, and Hazard Tree section.
3. Adds a section regarding Dead, Dying, and Hazard Trees in the Tree Ordinance where people will look for it. In the past, the city zoning administrator and city forester have relied on the public nuisance section of the code which does not specify common sense exceptions for dead, dying, or hazard trees (e.g. should not require a conditional use permit for removal, should not count towards annual permitted harvest, should not be subject to enforcement of Harvesting Without a Permit).
4. Clarifies the impervious surface variance standards apply to *legal* and *illegal* nonconforming landscape-related impervious surfaces. Adds the new 30+ inch standard for decks and patios. Deletes retaining walls from the variance landscape-related impervious surface list, because the city historically has not required retaining walls to be included in impervious hardcover calculations. Note: Deephaven and Woodland also do not count retaining walls as hardcover.
5. Deletes the requirement for variance applicants to provide mailing lists to the city. Mailings still are required by another section of the ordinance, but staff takes care of securing the mailing list.

The changes in ordinance 251 affect chapter 11. Therefore, the planning commission needs to hold a public hearing, review, and make a recommendation regarding the ordinance. Below is the timeline.

Timeline:

- 11-20-15 Public Hearing notice submitted to Sun-Sailor.
- 12-02-15 City council discusses ordinance.
- 12-03-15 Public Hearing notice published in Sun-Sailor.
- 12-16-15 Planning commission holds public hearing, reviews ordinance, and makes recommendation
- 01-06-16 City council considers 1st reading of the ordinance (may make revisions).
- 01-07-16 If 2nd reading is waived, ordinance is submitted to the Sun-Sailor for publication.
- 01-14-16 If 2nd reading is waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).
- 02-03-16 City council considers 2nd reading of the ordinance (may make revisions).
- 02-04-16 If 2nd reading is not waived, ordinance is submitted to the Sun-Sailor for publication.
- 02-11-16 If 2nd reading is not waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).

Council Action: No action required. Potential motions ...

1. I move the city council directs the planning commission to hold a public hearing, review, and make a recommendation regarding ordinance 251 as written (with the following revisions: _____).
2. Do nothing or other motion?

Greenwood code section 1215 requires 2 readings of all ordinances prior to adoption. The 2nd reading shall be within 3 months of the 1st reading. There may be changes between the 1st and 2nd readings. Ordinances go into effect once they are published in the city’s official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.

ORDINANCE NO. 251

AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA AMENDING GREENWOOD ORDINANCE ZONING CODE CHAPTER 11 REGARDING CITY FORESTER, HAZARD TREES, VARIANCE STANDARDS FOR IMPERVIOUS SURFACE REGULATIONS, AND VARIANCE APPLICATION PROCEDURE FOR MAILING LISTS

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

SECTION 1.

Greenwood ordinance code section 1140 is amended to move 1140.85 Diseased Trees subdivisions 10 and 11 to new section 1140.79 and amend to read as follows:

“Section 1140.79. City Forester and Certified Tree Inspector.

Subd. ~~40~~ 1. *Position of City Forester.* The position of city forester is hereby created. The city council shall designate from time to time the person who shall perform the duties of city forester.

Subd. 44 2. *Certified Tree Inspector.* The city council or city clerk may designate one or more persons who are certified by the commissioner of agriculture of the state of Minnesota to serve as certified tree inspector(s) for the city.”

SECTION 2.

Greenwood ordinance code section 1102 is amended to add the following definition:

“Hazard Tree means a dead or dying tree, dead parts of a live tree, or an unstable live tree (due to structural defects or other factors) that is within striking distance of people or property (a target). Hazard trees have the potential to cause property damage, personal injury, or fatality in the event of a failure.”

SECTION 3.

Greenwood ordinance code section 1140 is amended to add the following section:

“Section 1140.86. Dead, Dying, and Hazard Trees.

Subd. 1. *Hazard Trees.* The city forester shall perform inspections to determine whether trees are “hazard trees” (see section 1102 for definition) that need to be trimmed or removed. If the hazard tree is located on private property, the property owner is not required to secure a conditional use permit for removal within the shore impact zone or bluff impact zone (section 1140.80 subd 3A) and the tree removal does not count towards the property’s annual permitted harvest (section 1140.80 subd 3B).”

Subd. 2. *Dead or Dying Trees.* If the city forester confirms or the property owner claims in a notarized signed statement that a tree was dead or dying prior to removal from private property, the property owner is not required to secure a conditional use permit for removal within the shore impact zone or bluff impact zone (section 1140.80 subd 3A), and the tree removal does not count towards the property’s annual permitted harvest (section 1140.80 subd 3B), and the property owner is not subject to enforcement of “Harvesting Without a Permit” (section 1140.80 subd. 12B).”

SECTION 4.

Greenwood ordinance code section 1176.07.05 subd 4 Impervious Surface Policies and Conditions paragraph 2 is amended to read as follows:

“2. Variance applicants shall provide a certified survey showing separate calculations for the items listed below for structural-related impervious surfaces and landscape-related impervious surfaces.

- Structural-related impervious surfaces include buildings, decks and patios 30+ inches in height, staircases, etc.
- Landscape-related impervious surfaces include sidewalks, ~~retaining walls~~, steps, plastic landscaping sheets, patios or decks less than 30 inches in height, etc.

Legal and illegal nonconforming landscape-related impervious surfaces cannot be exchanged for an increase in structural-related impervious surfaces to obtain a variance from impervious surface requirements.”

SECTION 5.

Greenwood ordinance code section 1155.15 Variance Application Procedure subd 1(g) is amended to read as follows:

~~(g) A mailing list of property owners located within 350 feet of the subject property obtained from and certified by Hennepin County, Minnesota.~~ The application shall include verification that there are no delinquent property taxes, special assessments, interest or city utility fees due and owing upon the subject parcel.

SECTION 6.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ____ day of _____, 2016.

____ AYES ____ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk

First reading: _____, 2016
Second reading: _____, 2016
Publication: _____, 2016



Agenda Number: **7E**

Agenda Date: **12-02-15**

Prepared by *Deb Kind*

Agenda Item: Discuss Ord 251 Amending Chapter 11 Regarding City Forester, Hazard Trees, Variance Standards for Impervious Surface Regulations and Application Procedure for Mailing Lists

Summary: This ordinance is two of two to address items that need to be “cleaned up” in our code, based on a list of items compiled by former zoning administrator Gus Karpas and new zoning administrator Dale Cooney. Attached is the second ordinance (number 251) and it addresses the following ...

1. Moves the establishment of City Forester and Certified Tree inspector out of the Diseased Trees section of the code because the city forester’s authority is broader than just for diseased trees.
2. Defines Hazard Tree -- a definition that is used in the new Dead, Dying, and Hazard Tree section.
3. Adds a section regarding Dead, Dying, and Hazard Trees in the Tree Ordinance where people will look for it. In the past, the city zoning administrator and city forester have relied on the public nuisance section of the code which does not specify common sense exceptions for dead, dying, or hazard trees (e.g. should not require a conditional use permit for removal, should not count towards annual permitted harvest, should not be subject to enforcement of Harvesting Without a Permit).
4. Clarifies the impervious surface variance standards apply to *legal* and *illegal* nonconforming landscape-related impervious surfaces. Adds the new 30+ inch standard for decks and patios. Deletes retaining walls from the variance landscape-related impervious surface list, because the city historically has not required retaining walls to be included in impervious hardcover calculations. Note: Deephaven and Woodland also do not count retaining walls as hardcover.
5. Deletes the requirement for variance applicants to provide mailing lists to the city. Mailings still are required by another section of the ordinance, but staff takes care of securing the mailing list.

The changes in ordinance 251 affect chapter 11. Therefore, the planning commission needs to hold a public hearing, review, and make a recommendation regarding the ordinance. Below is the timeline.

Timeline:

- 11-20-15 Public Hearing notice submitted to Sun-Sailor.
- 12-02-15 City council discusses ordinance.
- 12-03-15 Public Hearing notice published in Sun-Sailor.
- 12-16-15 Planning commission holds public hearing, reviews ordinance, and makes recommendation
- 01-06-16 City council considers 1st reading of the ordinance (may make revisions).
- 01-07-16 If 2nd reading is waived, ordinance is submitted to the Sun-Sailor for publication.
- 01-14-16 If 2nd reading is waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).
- 02-03-16 City council considers 2nd reading of the ordinance (may make revisions).
- 02-04-16 If 2nd reading is not waived, ordinance is submitted to the Sun-Sailor for publication.
- 02-11-16 If 2nd reading is not waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).

Council Action: No action required. Potential motions ...

1. I move the city council directs the planning commission to hold a public hearing, review, and make a recommendation regarding ordinance 251 as written (with the following revisions: _____).
2. Do nothing or other motion?

Greenwood code section 1215 requires 2 readings of all ordinances prior to adoption. The 2nd reading shall be within 3 months of the 1st reading. There may be changes between the 1st and 2nd readings. Ordinances go into effect once they are published in the city’s official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.

ORDINANCE NO. 251

AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA AMENDING GREENWOOD ORDINANCE ZONING CODE CHAPTER 11 REGARDING CITY FORESTER, HAZARD TREES, VARIANCE STANDARDS FOR IMPERVIOUS SURFACE REGULATIONS, AND VARIANCE APPLICATION PROCEDURE FOR MAILING LISTS

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

SECTION 1.

Greenwood ordinance code section 1140 is amended to move 1140.85 Diseased Trees subdivisions 10 and 11 to new section 1140.79 and amend to read as follows:

“Section 1140.79. City Forester and Certified Tree Inspector.

Subd. ~~40~~ 1. *Position of City Forester.* The position of city forester is hereby created. The city council shall designate from time to time the person who shall perform the duties of city forester.

Subd. 44 2. *Certified Tree Inspector.* The city council or city clerk may designate one or more persons who are certified by the commissioner of agriculture of the state of Minnesota to serve as certified tree inspector(s) for the city.”

SECTION 2.

Greenwood ordinance code section 1102 is amended to add the following definition:

“Hazard Tree means a dead or dying tree, dead parts of a live tree, or an unstable live tree (due to structural defects or other factors) that is within striking distance of people or property (a target). Hazard trees have the potential to cause property damage, personal injury, or fatality in the event of a failure.”

SECTION 3.

Greenwood ordinance code section 1140 is amended to add the following section:

“Section 1140.86. Dead, Dying, and Hazard Trees.

Subd. 1. *Hazard Trees.* The city forester shall perform inspections to determine whether trees are “hazard trees” (see section 1102 for definition) that need to be trimmed or removed. If the hazard tree is located on private property, the property owner is not required to secure a conditional use permit for removal within the shore impact zone or bluff impact zone (section 1140.80 subd 3A) and the tree removal does not count towards the property’s annual permitted harvest (section 1140.80 subd 3B).”

Subd. 2. *Dead or Dying Trees.* If the city forester confirms or the property owner claims in a notarized signed statement that a tree was dead or dying prior to removal from private property, the property owner is not required to secure a conditional use permit for removal within the shore impact zone or bluff impact zone (section 1140.80 subd 3A), and the tree removal does not count towards the property’s annual permitted harvest (section 1140.80 subd 3B), and the property owner is not subject to enforcement of “Harvesting Without a Permit” (section 1140.80 subd. 12B).”

SECTION 4.

Greenwood ordinance code section 1176.07.05 subd 4 Impervious Surface Policies and Conditions paragraph 2 is amended to read as follows:

“2. Variance applicants shall provide a certified survey showing separate calculations for the items listed below for structural-related impervious surfaces and landscape-related impervious surfaces.

- Structural-related impervious surfaces include buildings, decks and patios 30+ inches in height, staircases, etc.
- Landscape-related impervious surfaces include sidewalks, ~~retaining walls~~, steps, plastic landscaping sheets, patios or decks less than 30 inches in height, etc.

Legal and illegal nonconforming landscape-related impervious surfaces cannot be exchanged for an increase in structural-related impervious surfaces to obtain a variance from impervious surface requirements.”

SECTION 5.

Greenwood ordinance code section 1155.15 Variance Application Procedure subd 1(g) is amended to read as follows:

~~(g) A mailing list of property owners located within 350 feet of the subject property obtained from and certified by Hennepin County, Minnesota.~~ The application shall include verification that there are no delinquent property taxes, special assessments, interest or city utility fees due and owing upon the subject parcel.

SECTION 6.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ____ day of _____, 2016.

____ AYES ____ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk

First reading: _____, 2016
Second reading: _____, 2016
Publication: _____, 2016



Agenda Number: **9A-E**

Agenda Item: Council Reports

Summary: This is an opportunity for each council member to present updates and get input regarding various council assignments and projects. Related documents may be attached to this cover memo.

Council Action: None required.



Closed Session

Agenda Date: 12-02-15

Prepared by Deb Kind

Agenda Item: Closed session for attorney-client privilege to discuss Shorewood's partition action lawsuit regarding the Southshore Center

Summary: On 09-08-15, Shorewood submitted a partition action summons and complaint document to the district court. On 09-28-15, Shorewood amended the complaint document. On 09-20-15, George Hoff (the attorney representing the cities of Deephaven, Excelsior, Greenwood, and Tonka Bay) submitted an answer to Shorewood's amended complaint. The cities will participate in mediation on 12-10-15. The city council may hold a closed session on 12-02-15 to discuss the case with the city attorney.

Council Action: The city council must take action to open and end the closed session. Suggested motions ...

1. I move the city council convenes a closed session pursuant to MN statute 13D.05 Subd 3b for attorney-client privilege to discuss Shorewood's partition action lawsuit regarding the Southshore Center.
2. I move the city council adjourns the closed session.

13D.05 Subd. 3(a) is for closed meetings to evaluate the performance of an individual who is subject to the city council's authority. The city council shall identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the city council shall summarize its conclusions regarding the evaluation. A meeting must be open at the request of the individual who is the subject of the meeting. 13D.05 Subd. 1(d) The meeting must be electronically recorded. The recordings must be preserved for at least 3 years after the date of the meeting.

13D.05 Subd. 3(b) is for closed meetings for attorney-client privilege. 13D.05 Subd. 1(d) All closed meetings, except those closed as permitted by the attorney-client privilege, must be electronically recorded.

13D.05 Subd. 3(c) is for closed meetings to (1) determine the asking price for real or personal property to be sold by the city, (2) review confidential or protected nonpublic appraisal data, (3) develop or consider offers or counteroffers for the purchase or sale of real or personal property. Before holding a closed meeting to under this paragraph, the city council must identify on the record the particular real or personal property that is the subject of the closed meeting. The proceedings of a meeting closed under this paragraph must be tape recorded. The recording must be preserved for 8 years after the date of the meeting and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the city council has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the tape. A list of members and all other persons present at the closed meeting must be made available to the public after the closed meeting. An agreement reached that is based on an offer considered at a closed meeting is contingent on approval of the city council at an open meeting. The actual purchase or sale must be approved at an open meeting after the notice period required by statute or city council's internal procedures, and the purchase price or sale price is public data.



Agenda Number: **FYI**

Agenda Item: FYI Items in Council Packet

Summary: The attached items are included in the council packet for the council's information (FYI) only. FYI items typically include planning commission minutes and other items of interest to the council. When the agenda is approved at the beginning of the meeting, any council member may request to move an FYI item to the regular agenda for further discussion. Moved items will be placed under Other Business on the agenda.

Council Action: No council action is needed for FYI items.



BOLTON & MENK, INC.®

Consulting Engineers & Surveyors

2638 Shadow Lane, Suite 200 • Chaska, MN 55318-1172

Phone (952) 448-8838 • Fax (952) 448-8805

www.bolton-menk.com

November 2, 2015

City of Shorewood
Attn: Paul Hornby
5755 Country Club Road
Shorewood, MN 55331

RE: 2015 Minnetonka Boulevard Improvements

Dear Mr. Hornby:

The City of Greenwood has completed improvements to the portion of Minnetonka Boulevard that is shared with Shorewood with its 2015 Street Improvements Project. The scope of work for the project included approximately 700' of reclamation, with a new surface consisting of 5" of bituminous in the area where the most severe distress was visible.

As completed the cost of the project totaled \$79,781.07. Therefore, Shorewood's share of the project costs is \$39,890.54 plus engineering costs for project design and construction of \$7,180.29 for a total project cost of **\$47,070.83**.

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

Sincerely,
BOLTON & MENK, INC.

David P. Martini, P.E.
Principal Engineer

cc: Deb Kind, Mayor - City of Greenwood

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, NOVEMBER 18, 2015
7:00 P.M.**

1. CALL TO ORDER/ROLL CALL

Chairman Lucking called the meeting to order at 7:00 p.m.

Members Present: Chairman Pat Lucking, Commissioners Lake Bechtell, Kristi Conrad, David Paeper, Douglas Reeder, Rick Sundberg and Fiona Sayer

Absent: None (Commissioner Reeder arrived at 7:30.)

Others Present: Council Liaison Bill Cook, City Attorney Mark Kelly, and Zoning Administrator Dale Cooney.

2. MINUTES – September 16, 2015

Commissioner Paeper moved to approve the minutes of September 16, 2015 as presented. Commissioner Bechtell seconded the motion. Motion carried 5-0.

3. PUBLIC HEARINGS

3a. Consider Variance Request, Joel Davis and Heather Garibaldi-Davis, 21795 Minnetonka Boulevard

Chairman Lucking introduced the agenda item and opened the public hearing. He stated that the homeowners at 21795 Minnetonka Boulevard are seeking a variance from the side yard setback requirements to build an addition onto their existing house. Lucking said that Section 1120:15 of the Zoning Ordinance requires a minimum side yard setback of 15 feet. He said that the applicant proposes a side yard setback of 10 feet, 1 inch for the proposed home addition. The proposal requires a variance of 4 feet, 11 inches of the side yard setback.

Applicant Joel Davis of 21795 Minnetonka Boulevard, Greenwood, Minnesota 55331, said that the house is a three bedroom house and that they have three children. Davis said that the addition is to give the family more space for the children. He said they were not trying to build a huge house.

Chairman Lucking asked, since the house is very close to Lake Minnetonka, if the house had a basement. Davis said that the house did not have a basement. Lucking asked if the applicants had gotten any feedback from their neighbors about the addition. Heather Garibaldi-Davis of 21795 Minnetonka Boulevard, Greenwood, Minnesota 55331, said that they had not heard anything from the neighbors, but that the house to the north is transitioning ownership.

Chairman Lucking closed the public hearing.

Chairman Lucking asked the Planning Commissioners if they had any comments.

Commissioner Sundberg said that the addition is bigger than some garages, but that he did not have an issue with the proposal. He said that the proposal would not interfere with any lake views.

Commissioner Sayer said that she agreed with Sundberg. She said that she was pleased that the applicants had reduced the hardcover.

Commissioner Conrad asked how the hardcover was being reduced. Joel Davis said that the reduction was coming mostly from removing pavers around the house. Commissioner Conrad asked if the applicants had explored the option of a breezeway from the house to the proposed addition in order to make the property zoning code compliant.

GREENWOOD PLANNING COMMISSION
WEDNESDAY, NOVEMBER 18, 2015
7:00 P.M.

Heather Davis said that they had not explored that option since the expansion would have bedrooms for the children above the garage.

Commissioner Conrad asked if it would be possible to reduce the garage width by the amount of the encroachment to get within the ordinance restrictions. Chairman Lucking said that a narrower two garage could be built, but that it would be small by today's standards.

Council Liaison Cook said that he would like to see staff's recommendations be modified in paragraph four of the findings to include the language "due to circumstances of geometry and lot width." He said that he wanted to ensure the uniqueness of the lot is conveyed in the findings. Council Liaison Cook said that he would be supportive of this application because of the uniqueness of the lot.

Commissioner Paeper said that he supported the application and said that he thought it would be unreasonable to build a garage narrow enough to meet the restrictions of the lot. He said that the garage was a little larger than typical, but not unreasonably so.

Commissioner Bechtell expressed his support of the proposal.

Chairman Lucking said that he agreed with the other commissioners and that he had not seen a lot that was so pinched in one area.

Chairman Lucking entertained a motion to approve the proposal as submitted. Motion to approve by Commissioner Bechtell, seconded by Commissioner Sundberg. Motion carried 5-0.

4. LIAISON REPORT

Council Liaison Cook said that he had two items to report on. He said that the proposed ordinance regulating accessory structures changes the definition of accessory structure to a very broad and comprehensive definition that includes almost anything made out of a building materials.

City Attorney Kelly said that the City can regulate accessory uses as well as accessory structures.

Commissioner Sunderberg asked if things like swingsets would be allowed since those types of things are often bigger than structures. Council Liaison Cook said that he didn't remember how the ordinance handled swingsets specifically, but that the new ordinance would include a green zone where those types of items would not be allowed. Cook said that generators now have to be within five feet of the house.

Commissioner Bechtell asked if this would bring more things in front of the Planning Commission. City Attorney Kelly said that this would probably have more impact for the Zoning Coordinator.

Commissioner Sundberg said that things such as swingsets and playhouses near the lake are more problematic than permanent grills far away from the lake, since they block the views for adjacent neighbors.

Council Liaison Cook said that freestanding items are not considered structures. Commissioner Sundberg said that things like plastic playhouses escape the proposed structure definition and he finds that problematic.

(Commissioner Reeder arrived at the meeting at this point.)

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, NOVEMBER 18, 2015
7:00 P.M.**

Council Liaison Cook said that the other item he wanted to mention was that the city council is working on an ordinance amendment to do away with multiple readings of new or amended ordinances. He said that it still needs to go through the second reading before it can be approved.

5. ADJOURN

Motion by Commissioner Reeder to adjourn the meeting. Chairman Lucking seconded the motion. Motion carried 5-0. The meeting was adjourned at 7:31 pm.

Respectively Submitted,
Dale Cooney - Zoning Administrator