

# AGENDA

## Greenwood City Council Meeting

Wednesday, December 4, 2019

20225 Cottagewood Road, Deephaven, MN 55331



*The public is invited to speak when items come up on the agenda (comments are limited to 3 minutes).  
The public may speak regarding other items during Matters from the Floor (see below). Agenda times are approximate.  
Hearing devices are available from the recording technician.*

- 7:00pm 1. CALL TO ORDER | ROLL CALL | APPROVE MEETING AGENDA
- 7:01pm 2. CONSENT AGENDA  
*Consent Agenda items are considered to be routine and are approved through one motion with no discussion by the city council. Council members may remove any Consent Agenda item for discussion and separate consideration under Other Business.*
- A. Approve: 10-31-19 City Council TnT and Fall Sales Ratio Study Worksession with Assessors
  - B. Approve: 11-06-19 City Council Worksession / Meeting Minutes
  - C. Approve: 11-14-19 City Council Special Meeting Minutes
  - D. Approve: Oct Cash Summary Report
  - E. Approve: Oct Certificates of Deposit Report
  - F. Approve: Nov Verifieds, Check Register, Electronic Fund Transfers
  - G. Approve: Dec Payroll Register
  - H. Approve: 2020 License Applications
- 7:05pm 3. MATTERS FROM THE FLOOR  
*This is an opportunity for the public to address the council regarding matters not on the agenda. Comments are limited to 3 minutes. Typically, the council will not take action on items presented at this time, but will refer items to staff for review, action, and / or recommendation for future council action.*
- 7:10pm 4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS
- A. Chief Meehan: Quarterly Police Update
  - B. Meet: Julie Getchell, Planning Commission Applicant
  - C. Announcement: Planning Commission Term Expirations
- 7:20pm 5. PUBLIC HEARINGS
- A. Truth in Taxation Hearing: 2020 Budget & Tax Levy  
*Note: April 2019 was the opportunity to speak regarding property valuations for taxes payable in 2020.*
- 7:25pm 6. ACTION RELATED TO PUBLIC HEARINGS
- A. Consider: Res 46-19, Final 2020 Tax Levy; Res 47-19, Final 2020 Budget
- 7:30pm 7. PLANNING, ZONING & SUBDIVISION ITEMS
- A. Consider: Res 42-19, Variance Findings to Exceed Maximum Permitted Building Volume, Roland & Ranee Jacobus, 5290 Meadville Street
  - B. 1st Reading: Ord 297 Revising Section 1140.10 Subd. 2(c) Swimming Pools, Hot Tubs, and Spas and Res 48-19 Summary of Ord 297
- 8:00pm 8. UNFINISHED BUSINESS
- A. Consider: Estimates for Maintenance of Greenwood Park Tennis Court
- 8:05pm 9. NEW BUSINESS
- A. Consider: Year-End Fund Transfers
- NONE 10. OTHER BUSINESS
- 8:15pm 11. COUNCIL REPORTS
- A. Conrad: Planning Commission
  - B. Cook: LMCD, SABLID, Public Works Committee
  - C. Fletcher: LMCC, Fire, Administrative Committee, Metro Cities, League of MN Cities
  - D. Kind: Police, Administrative Committee, Public Works Committee, Mayors' Meetings, Website
  - E. Roy: Minnetonka Community Education
- 8:30pm 12. ADJOURNMENT



**Agenda Item:** Consent Agenda

**Summary:** The consent agenda items are considered to be routine and are approved through one motion with no discussion by the city council. Council members may remove consent agenda items for further discussion. Removed items will be placed under Other Business on the agenda.

The consent agenda items are included in the hard copy of the full council packet and in the electronic version of the packet available at [www.greenwoodmn.com](http://www.greenwoodmn.com).

**Council Action:** Required. Possible motion ...

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

# MINUTES

## Greenwood Truth in Taxation and Fall Sales Ratio Study Worksession with Assessors



Thursday, October 31, 2019  
20225 Cottagewood Road, Deephaven, MN 55331

### Worksession

#### 1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the worksession to order at 4:05pm.  
Members Present: Mayor Kind; Councilmembers Tom Fletcher, Kristi Conrad  
Members Absent: Councilmembers Bill Cook, Rob Roy  
Others Present: County Assessors Jim Atchison, Mike Smerdon

**Motion by Kind to approve the worksession agenda. Second by Fletcher. Motion passed 3-0.**

#### 2. DISCUSSION: Regarding Truth in Taxation Materials and Fall Sales Ratio Study

County Assessor Jim Atchison gave 3 sample copies of the Truth in Taxation mailing to Mayor Kind. He also distributed copies of the Hennepin County Property Tax Comparison documents showing the percent of change for property taxes (county, school, city, etc) paid in 2019 compared to what will be collected in 2020 for residential, apartments, and commercial properties in Greenwood. Out of 251 single-family residential properties in Greenwood, 99 will see a tax decrease of -20% to 0%, 152 will see a 0.1% to 20% increase.

Mr. Atchison also distributed a version of the Hennepin County Property Tax Comparison document that showed the 2019 to 2020 property tax change in terms of dollar amounts. 99 residential properties will see a property tax a decrease of -\$750 to \$0, 84 will see a \$0.01 to \$900, 68 will see an increase of over \$900.

Proposed Levies & Taxes notices will be mailed to property owners and will be live on hennipin.us on November 12, 2019. The notices for assessment year 2019 payable 2020 will be purple in color. Last year's notices for assessment year 2108 payable 2019 were red in color.

Mr. Atchison also distributed sales study documents showing that Greenwood had 10 single-family sales during the past year. 6 of the sales were on-lake properties on St. Alban's Bay. The median sales ratio was 85.6% (the assessed value was 85.6% of what the properties actually sold for). The county's goal is 95%, so it indicates that Greenwood's 2020 spring assessment valuations for taxes payable 2021 will increase by approximately 9.4% on average.

Neighboring cities had the following single-family ratios: Excelsior 89.3%, Deephaven 92.7%, Tonka Bay 90.9%, Shorewood 89.1%. So their 2020 spring assessment valuations for taxes payable 2021 are likely to increase as well.

#### 3. ADJOURNMENT

**Motion by Conrad to adjourn the meeting at 4:54pm. Second by Fletcher. Motion passed 3-0.**

*This document is intended to meet statutory requirements for city council worksession minutes.*

# MINUTES

## Greenwood City Council Meeting

Wednesday, November 6, 2019

20225 Cottagewood Road, Deephaven, MN 55331



### 1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the meeting to order at 7:00pm.

Members Present: Mayor Kind; Councilmembers Kristi Conrad, Bill Cook, Tom Fletcher, Rob Roy

Staff Members Present: City Zoning Administrator Dale Cooney

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

### 2. CONSENT AGENDA

A. Approve: 10-02-19 City Council Worksession / Meeting Minutes

B. Approve: Sep Cash Summary Report

C. Approve: Sep Certificates of Deposit Report

D. Approve: Oct Verifieds, Check Register, Electronic Fund Transfers

E. Approve: Nov Payroll Register

F. Approve: Liquor License

**Consent agenda motion by Kind that the council approves the 2020 On-Sale and Sunday Liquor License for Mayette Enterprises, LLC. Second by Roy. Motion passed 5-0.**

G. Approve: Res 43-19 St. Alban's Bay Lk Improvement Dist 2020 Budget, Tax Levy, Assessment Roll

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

### 3. MATTERS FROM THE FLOOR

Jill Nagel, 21895 Byron Circle expressed concern regarding ...

- Buckthorn along the LRT trail. Response: The council will ask 3 Rivers Park District if they are willing to do a buckthorn project again.
- Visibility of vehicles at the intersection of the Byron Circle exit and Minnetonka Blvd. Response: The council will contact public works to trim the branches.
- Carlson property's irrigation system making puddles on the LRT trail. Response: The council will contact the property owner to ask that the irrigation system be adjusted to avoid the trail.
- Carlson property tree removal on city and railroad property. Response: The city forester will meet with the property owner to ensure restoration.

### 4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

~~A. Chief Meehan: Quarterly Police Update — Postponed to 12-04-19 Council Meeting~~

B. Ken Potts: Annual Prosecution Update

No council action taken. *View report at LMCC-TV.org.*

C. Announcement: Special Meeting, CUP Signage Application, Greenwood Market, 21380 Hwy 7, Th 11/14 at 5:30pm, Council Chambers

No council action taken. *View announcement at LMCC-TV.org.*

### 5. PUBLIC HEARINGS

A. None

### 6. ACTION RELATED TO PUBLIC HEARINGS

A. None

7. PLANNING, ZONING & SUBDIVISION ITEMS

A. ~~Consider: Res 42-19, Variance Findings to Exceed Maximum Permitted Building Volume, Roland & Ranee Jacobus, 5290 Meadville Street — Postponed to 01-02-20 Council Meeting~~

B. 1st Reading: Ord 294, Amending Section 1135.05 C-2 Zoning District

**Motion by Fletcher that the city council (1) approves the first reading of ordinance 294 amending the city's subdivision code Section 1135.05 regarding marinas as written; (2) waives the second reading; and (3) directs that ordinance 294 be submitted to the Sun-Sailor for publication. Second by Roy. Motion passed 5-0.**

C. Consider: Res 44-19, Grading Conditional Use Permit Findings, Matthew Frauenshuh, 5155 Weeks Road

**Motion by Kind that the city council (1) adopts resolution 44-19 laying out the findings of fact APPROVING the conditional use permit request of Matthew Frauenshuh, 5155 Weeks Road, with a revision to add condition E requiring the applicant to submit a landscaping plan to the city council for approval prior to construction; (2) directs the city staff to mail a copy of the findings to the applicant and the DNR; and (3) place an Affidavit of Mailing for each of the mailings in the property file. Second by Cook. Motion passed 5-0.**

8. UNFINISHED BUSINESS

A. Consider: Estimates for Maintenance of Greenwood Park Tennis Court  
No council action. *View discussion at LMCC-TV.org.*

9. NEW BUSINESS

A. Discuss: Possible Comments re: LMCD Harvesting Program Evaluation and Starry Stonewart Protection & Emergency Action Plan

**Motion by Cook that the city council authorizes the mayor to send a letter to the LMCD Board on behalf of the Greenwood city council based on the "possible comments" document in the council packet with revisions as discussed. Second by Roy. Motion passed 5-0.**

10. OTHER BUSINESS

A. None

11. COUNCIL REPORTS

A. Conrad: Planning Commission

No council action taken. *View report at LMCC-TV.org.*

B. Cook: Lake Minnetonka Conservation District, Public Works Committee, St. Alban's Lake Improvement District

No council action taken. *View report at LMCC-TV.org.*

C. Fletcher: LMCC, Fire, Administrative Committee, Metro Cities, League of MN Cities

No council action taken. *View report at LMCC-TV.org.*

D. Kind: Police, Administrative Committee, Public Works Committee, Mayors' Meetings, Website

**The consensus of the council was that the city council is okay with the Lake Minnetonka Half-Marathon route using Greenwood's portion of Minnetonka Blvd. as a temporary route while the Narrows bridge is under construction.**

**Motion by Kind to appoint Councilman Tom Fletcher as Greenwood's Metro Cities' voting delegate. Second by Cook. Motion passed 5-0.**

E. Roy: Minnetonka Community Education

No council action taken. *View report at LMCC-TV.org.*

12. ADJOURNMENT

**Motion by Roy to adjourn the meeting at 8:42pm. 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](http://www.lmcc-tv.org) for 1 year, and on DVD at the city office (permanent archive).*

# MINUTES

## Greenwood City Council Special Meeting

Thursday, November 14, 2019

20225 Cottagewood Road, Deephaven, MN 55331



### 1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the meeting to order at 5:30 pm.

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

Members Absent: Councilmember Kristi Conrad

Staff Members Present: City Zoning Administrator Dale Cooney

**Motion by Roy to approve the agenda. Second by Cook. Motion passed 3-0.**

**Fletcher arrived at 5:33.**

### 2. Consider: Res 45-19 Findings for Conditional Use Permit Request, Akshay Patel, 21380 State Highway 7

**Motion by Cook to approve resolution 45-19 approving the conditional use permit request of Akshay Patel to replace existing signage with rebranded signage with the additional condition that a light switch be installed on the east side of the canopy to control the illuminated signage in case of negative impacts to nearby residential properties.**

**Fletcher made a friendly amendment to add the condition that "The project must be completed according to the specifications and design requirements in the submitted plans."**

**Motion and friendly amendment second by Roy. Motion passed 4-0.**

### 3. ADJOURNMENT

**Motion by Cook to adjourn the meeting at 5:38pm. Second by Roy. Motion passed 4-0.**

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Description	GL Account	Amount
12/01/19	PC	12/01/19	12011901	CONRAD, KRISTI	39		001-10101	286.53
12/01/19	PC	12/01/19	12011902	COOK, WILLIAM B.	37		001-10101	286.53
12/01/19	PC	12/01/19	12011903	Fletcher, Thomas M	33		001-10101	186.53
12/01/19	PC	12/01/19	12011904	Kind, Debra J.	34		001-10101	429.80
12/01/19	PC	12/01/19	12011905	ROY, ROBERT J.	38		001-10101	286.53
Grand Totals:								<u>1,475.92</u>

Check Issue Date(s): 11/01/2019 - 11/30/2019

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
11/19	11/13/2019	11356	808	ADVANTAGE SIGNS & GRAPHICS INC	101-20100	89.90
11/19	11/13/2019	11357	51	BOLTON & MENK, INC.	602-20100	11,275.00
11/19	11/13/2019	11358	9	CITY OF DEEPHAVEN	101-20100	6,378.38
11/19	11/13/2019	11359	594	CITY OF EXCELSIOR	602-20100	16,158.52
11/19	11/13/2019	11360	315	DOCK & LIFT INC.	605-20100	1,800.00
11/19	11/13/2019	11361	822	ECM PUBLISHERS INC	101-20100	97.35
11/19	11/13/2019	11362	819	FINANCE & COMMERCE INC	101-20100	26.67
11/19	11/13/2019	11363	68	GOPHER STATE ONE CALL	602-20100	39.15
11/19	11/13/2019	11364	850	KENNEDY, GRAVEN, CHARTERED	101-20100	2,874.09
11/19	11/13/2019	11365	886	KENNETH N. POTTS, P.A.	101-20100	400.00
11/19	11/13/2019	11366	99	LAKE MTKA CONSERVATION DISTRIC	605-20100	342.50
11/19	11/13/2019	11367	105	METRO COUNCIL ENVIRO SERVICES	602-20100	2,323.07
11/19	11/13/2019	11368	893	REPUBLIC SERVICES #894	101-20100	1,981.45
11/19	11/13/2019	11369	38	SO LAKE MINNETONKA POLICE DEPT	101-20100	16,334.25
11/19	11/13/2019	11370	855	SOUTHWEST NEWSPAPERS	404-20100	108.90
11/19	11/13/2019	11371	903	T & D LANDSCAPE INC	502-20100	2,800.00
11/19	11/13/2019	11372	902	WASTE MANAGEMENT OF WI-MN	101-20100	15.03
11/19	11/13/2019	11373	145	XCEL ENERGY	101-20100	231.98
Totals:						<u>63,276.24</u>

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

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City Recorder: \_\_\_\_\_

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
<b>ADVANTAGE SIGNS &amp; GRAPHICS INC</b>					
808	ADVANTAGE SIGNS & GRAPHIC	00040269	SIGNS - SLOW HIDDEN D WAY	10/29/2019	89.90
Total ADVANTAGE SIGNS & GRAPHICS INC					89.90
<b>BOLTON &amp; MENK, INC.</b>					
51	BOLTON & MENK, INC.	0240116	2019 SEWER PROJECT	09/30/2019	2,369.00
		0241651	2019 DEVELOPMENT REVIEW	10/31/2019	384.00
		0241653	2019 MISC DRAINAGE	10/31/2019	860.00
		0241654	2019 MISC ENGINEERING	10/31/2019	482.00
		0241655	2019 SEWER PROJECT	10/31/2019	2,235.00
		0241657	2019 STREET IMPROVEMENTS	10/31/2019	4,945.00
Total BOLTON & MENK, INC.					11,275.00
<b>CITY OF DEEPAVEN</b>					
9	CITY OF DEEPAVEN	NOV 2019	RENT & EQUIPMENT	11/13/2019	487.45
			Postage		53.05
			COPIES		168.50
			PARK MAINTENANCE		100.76
			Clerk Services		4,041.00
			ZONING		1,027.62
			TREE MNTNCE		500.00
Total CITY OF DEEPAVEN					6,378.38
<b>CITY OF EXCELSIOR</b>					
594	CITY OF EXCELSIOR	00201947	2019 WASTE WATER FEES	10/24/2019	16,158.52
Total CITY OF EXCELSIOR					16,158.52
<b>DOCK &amp; LIFT INC.</b>					
315	DOCK & LIFT INC.	341626	REMOVE FLOATING DOCK	10/29/2019	1,800.00
Total DOCK & LIFT INC.					1,800.00
<b>ECM PUBLISHERS INC</b>					
822	ECM PUBLISHERS INC	732517	LEGAL NOTICE	10/17/2019	97.35
Total ECM PUBLISHERS INC					97.35
<b>FINANCE &amp; COMMERCE INC</b>					
819	FINANCE & COMMERCE INC	744471184	PLANNING COMM PUBLIC HEARING	10/15/2019	26.67
Total FINANCE & COMMERCE INC					26.67
<b>GOPHER STATE ONE CALL</b>					
68	GOPHER STATE ONE CALL	9100431	Gopher State calls	10/31/2019	39.15
Total GOPHER STATE ONE CALL					39.15
<b>KENNEDY, GRAVEN, CHARTERED</b>					
850	KENNEDY, GRAVEN, CHARTERED	08 31 19	LEGAL SERVICES	08/31/2019	742.50
		09 30 19	LEGAL SERVICES	09/30/2019	2,131.59
Total KENNEDY, GRAVEN, CHARTERED					2,874.09
<b>KENNETH N. POTTS, P.A.</b>					
886	KENNETH N. POTTS, P.A.	OCT 2019	PROSECUTION SVCS	11/04/2019	400.00

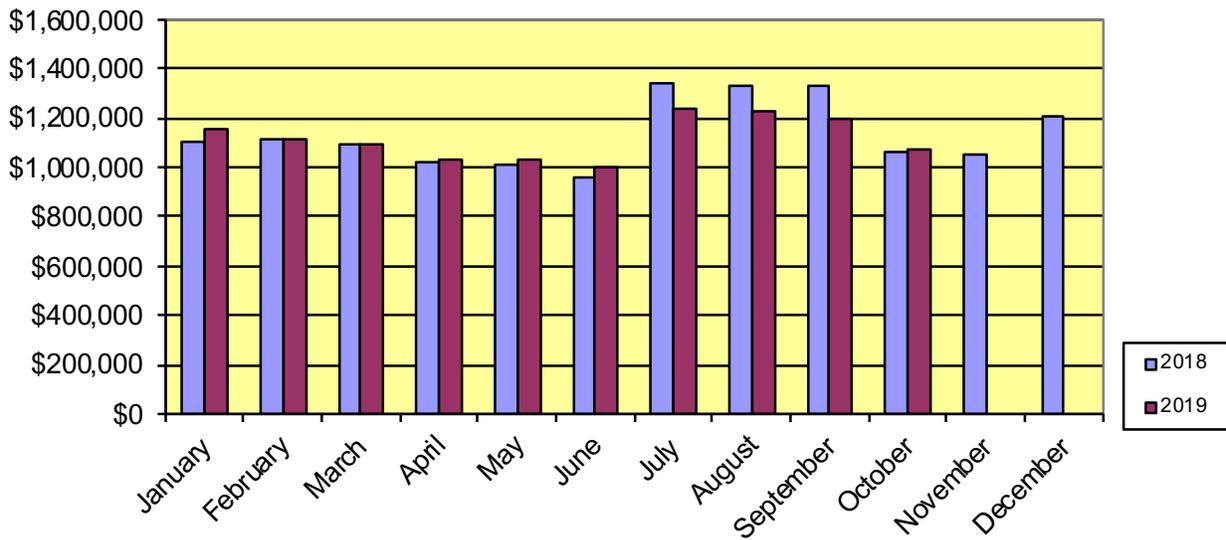
Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
	Total KENNETH N. POTTS, P.A.				400.00
<b>LAKE MTKA CONSERVATION DISTRIC</b>					
99	LAKE MTKA CONSERVATION DI	2020	2020 MULTIPLE DOCK LICENSE	11/07/2019	342.50
	Total LAKE MTKA CONSERVATION DISTRIC				342.50
<b>METRO COUNCIL ENVIRO SERVICES</b>					
105	METRO COUNCIL ENVIRO SERV	0001102510	Monthly wastewater Charge	11/06/2019	2,323.07
	Total METRO COUNCIL ENVIRO SERVICES				2,323.07
<b>REPUBLIC SERVICES #894</b>					
893	REPUBLIC SERVICES #894	0894-005016519	RECYCLING SVCS	10/15/2019	1,981.45
	Total REPUBLIC SERVICES #894				1,981.45
<b>SO LAKE MINNETONKA POLICE DEPT</b>					
38	SO LAKE MINNETONKA POLICE	NOV 2019	2019 OPERATING BUDGET	11/01/2019	16,334.25
	Total SO LAKE MINNETONKA POLICE DEPT				16,334.25
<b>SOUTHWEST NEWSPAPERS</b>					
855	SOUTHWEST NEWSPAPERS	10 2019	LEGAL NOTICE	10/31/2019	108.90
	Total SOUTHWEST NEWSPAPERS				108.90
<b>T &amp; D LANDSCAPE INC</b>					
903	T & D LANDSCAPE INC	191001563	LANDSCAPING MNTNCE	10/01/2019	2,800.00
	Total T & D LANDSCAPE INC				2,800.00
<b>WASTE MANAGEMENT OF WI-MN</b>					
902	WASTE MANAGEMENT OF WI-M	7313108-1593-1	GW PARK TRASH CAN	10/31/2019	15.03
	Total WASTE MANAGEMENT OF WI-MN				15.03
<b>XCEL ENERGY</b>					
145	XCEL ENERGY	10 25 19	4925 MEADVILLE STREET *	10/25/2019	8.39
			Sleepy Hollow Road *		8.40
			LIFT STATION #1		42.16
			LIFT STATION #2		7.11
			LIFT STATION #3		44.22
			LIFT STATION #4		45.24
			LIFT STATION #6		76.46
	Total XCEL ENERGY				231.98

Total Paid: 63,276.24

Total Unpaid: -

Grand Total: 63,276.24

### City of Greenwood Monthly Cash Summary



Month	2018	2019	Variance with Prior Month	Variance with Prior Year
January	\$1,109,319	\$1,160,255	-\$50,044	\$50,936
February	\$1,112,677	\$1,113,218	-\$47,037	\$541
March	\$1,093,832	\$1,093,116	-\$20,102	-\$716
April	\$1,026,926	\$1,035,438	-\$57,678	\$8,512
May	\$1,015,367	\$1,030,665	-\$4,773	\$15,298
June	\$963,832	\$1,001,314	-\$29,351	\$37,482
July	\$1,343,594	\$1,235,754	\$234,440	-\$107,840
August	\$1,334,231	\$1,229,599	-\$6,155	-\$104,632
September	\$1,336,282	\$1,196,210	-\$33,389	-\$140,072
October	\$1,063,710	\$1,071,209	-\$125,001	\$7,499
November	\$1,056,473		-\$1,071,209	-\$1,056,473
December	\$1,210,299		\$0	-\$1,210,299

Bridgewater Bank Checking	\$25,408
Bridgewater Bank Money Market	\$246,366
Bridgewater Bank CD's	\$799,435
	<b>\$1,071,209</b>

<b><u>ALLOCATION BY FUND</u></b>	
General Fund	\$227,196
Special Project Fund	\$8,406
General Fund Designated for Parks	\$26,311
Bridge Capital Project Fund	\$181,244
Road Improvement Fund	\$88,278
Stormwater Fund	\$37,359
Sewer Enterprise Fund	\$393,479
Marina Enterprise Fund	\$108,986
	<b>\$1,071,209</b>

## GREENWOOD CERTIFICATES OF DEPOSIT

**Report Date** 10/31/19

Acct #	Bank	Date	Term	Maturity	Rate	Amount
x237	Bridgewater Bank	11/08/18	18 Month	05/08/20	2.48%	\$ 133,255.39
x238	Bridgewater Bank	03/08/19	18 Month	09/08/20	2.82%	\$ 133,180.73
x239	Bridgewater Bank	05/08/18	18 Month	11/08/20	2.48%	\$ 133,103.67
x240	Bridgewater Bank	05/08/18	18 Month	03/08/21	2.23%	\$ 133,053.28
x241	Bridgewater Bank	05/08/18	18 Month	11/08/19	2.08%	\$ 133,421.01
x242	Bridgewater Bank	05/08/18	22 Month	03/08/20	2.08%	\$ 133,421.01
<b>TOTAL</b>						<b>\$ 799,435.09</b>

### 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 Alerus Bank or Bridgewater Bank. Second by Cook. Motion passed 5-0.*

*11-02-16 Motion by Fletcher that the city council authorizes an increase from \$500,000 to \$600,000 for the city's maximum balance of certificate of deposit. Second by Roy. Motion passed 5-0.*

*10-04-17 Motion by Fletcher that the city council approves the August Certificates of Deposit Report and increases the maximum combined balance for Certificates of Deposit from \$600,000 to \$700,000. Second by Kind. Motion passed 4-0.*

*05-02-18 Motion by Conrad that the Greenwood city council (1) authorizes the administrative committee to move forward with the Bridgewater Bank CD staging concept; and (2) authorizes a maximum of \$800,000 to be invested in CDs. Second by Quam. Motion passed 5-0.*

*04-03-19 Motion by Fletcher to raise the allowable certificate of deposits balance to \$900,000 to allow for interest growth. Second by Conrad. Motion passed 4-0.*



**Agenda Number: 2H**

**Agenda Date: 12-04-19**

*Prepared by Dana Young*

**Agenda Item: 2020 License Approvals**

**Summary:** 12-31-19 is the deadline for Council approval of all 2020 licenses that require council approval. While the city has already received the vast majority of all of the applications and fees at this time, it is recommended that the council approve 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. Suggested motion ...

I move the Council approve 2020 licenses for the entities listed below contingent upon the city receiving applications and fees by 12-31-19:

<b>Commercial Marinas</b>	Bean's Greenwood Marina Excelsior Bay Harbor Kreslins' Marina
<b>Gas Station</b>	Greenwood Market
<b>Rental Permits</b>	David & Karen Colwell, 21830 Byron Circle Terry & Jill Nagel, 21885 Byron Circle Lake Bechtell, 5100 Curve Street Sunny Kim, 21380 Excelsior Blvd David Rubenstein, 21885 Fairview Street Andrew Althsuser, 5200 Greenwood Circle John Klinkner, 5205 Greenwood Circle Jim Norman, 5370 Manor Road Patty Loftus, 5165 Meadville Street Keith Wilcock, 21260 Minnetonka Blvd Thomas Smith, 5135 West Street
<b>Tobacco</b>	Greenwood Market
<b>Trash Haulers</b>	Aspen Waste Blackowiak Disposal Randy's Environmental Services Republic Services Waste Management



**Agenda Number: 4A**

**Agenda Date: 12-04-19**

*Prepared by Deb Kind*

**Agenda Item:** Quarterly Police Update, Chief Michael Meehan

**Summary:** Per the city council's request, a representative from the South Lake Minnetonka Police Department attends Greenwood council meetings on a quarterly basis to give the council a brief update regarding police activities in the city and South Lake area. This also is an opportunity for the council to have a discussion with a SLMPD representative regarding police issues and concerns.

**Council Action:** None required.



**Agenda Number: 4B**

**Agenda Date: 12-04-19**

*Prepared by Deb Kind*

**Agenda Item:** Planning Commission Applicant: Julie Getchell

**Summary:** The city council received the attached planning commission application from Julie Getchell.

The planning commission holds public hearings and makes recommendations to the city council regarding zoning issues including variances and conditional use permits. The planning commission is comprised of 5 voting members and 3 alternate members. There currently are 3 vacancies on the planning commission:

B-2	Term expires Mar 2021
Alt-1	Term expires Mar 2020
Alt-2	Term expires Mar 2021

Terms are for 2 years, and the city does not limit the number of terms a planning commissioner may serve.

Julie will attend the 12-04-19 for an informal "interview."

**City Council Action:** None required. The council typically appoints planning commission members at the March council meeting for terms beginning at the March planning commission meeting. The council also may appoint planning commission members at anytime to serve mid-term vacancies. See related agenda item 4C.

# Planning Commission Application



Please complete the below form and return to 20225 Cottagewood Road, Deephaven, MN 55331. You also may submit the application by email to [administrator@greenwoodmn.com](mailto:administrator@greenwoodmn.com), or by fax to 952.474.1274. The submission of this application does not obligate you to volunteer for any city service. New applicants will be invited to a city council meeting for an informal interview. We enjoy meeting you.

Name	Julie Getchell	
Address	5185 Greenwood Circle	
Phone	612-309-2949	
Email	julie.getchell.10@gmail.com	
Job Title	retired	
How many years have you lived in the Lake Minnetonka area?	32	
How many years have you lived in Greenwood?	27	
Are you able to attend meetings on the 2nd Wednesday of each month?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Would you be willing to attend a city-paid training class?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Why do you want to serve on the planning commission?	I know there is a need and I'd like to be more knowledgeable about zoning issues	
Do you have any special qualifications or capabilities that would serve Greenwood well on the planning commission?	Finance, accounting & analytical background. CPA & CFA - no special construction background	
What would be your main goal as a member of the planning commission?	Civic responsibility	
Office Use Only	Date Received: 11/5/19	

Updated 06-03-18



**Agenda Number: 4C**

**Agenda Date: 12-04-19**

*Prepared by Deb Kind*

**Agenda Item:** Planning Commission Term Expirations

**Summary:** The planning commission holds public hearings and makes recommendations to the city council regarding zoning issues including variances and conditional use permits. The planning commission is comprised of 5 voting members and 3 alternate members. This March, the terms of 3 planning commissioner seats expire:

- A-1 Dean Barta, Term expires Mar 2020
- A-2 David Steingas, Term expires Mar 2020
- A-3 Kelsey Nelson, Term expires Mar 2020

In addition, the following seats are vacant:

- B-2 Term expires Mar 2021
- Alt-1 Term expires Mar 2020
- Alt-2 Term expires Mar 2021

Terms are for 2 years, and the city does not limit the number of terms a planning commissioner may serve. Anyone who is interested in serving on the planning commission can stop by city hall to get an application or download the form from the city website at [greenwoodmn.com](http://greenwoodmn.com). Planning commission applicants will be invited a council meeting where the council will have the opportunity to ask the applicants questions and make the final appointments.

For the council's reference, attached is a spreadsheet showing planning commission attendance.

**Council Action:** None required.

# PLANNING COMMISSION ATTENDANCE - 2019

	Jan	Feb	Mar	Apr	May	Jun	Jul#	Aug	Oct	Oct*	Nov	
A-1 Dean Barta (6/18-3/20)	X	X	X		X	X		X				
A-2 David Steingas (10/16-3/20)	X		X	X	X	X	X	X	X	X	X	
A-3 Kelsey Nelson (11/18-3/20)	X	X	X		X	X		X	X	X	X	
B-1 Pat Lucking (2/01-3/21)	X	X	X	X	X	X	X		X	X	X	
B-2 Jennifer Gallagher (9/16-3/19)	X	X	X	NA	X	X	NA	NA	NA	NA	NA	
Alt-3 Kristi Conrad (council liaison)	X	X	X	X	X	X			X	X	X	

\*Special Meeting

#Meeting cancelled due to lack of quorum

X	ATTENDED MEETING
	ABSENT
NA	NOT ON COMMISSION
X	NO MEETING



Agenda Number: **5A&6A**

Agenda Date: **12-04-19**

Prepared by *Deb Kind*

**Agenda Item:** Truth in Taxation Hearing, Res 46-19 Approving Final Levy for Taxes Payable in 2020, and Res 47-19 Approving Final 2020 Budget

**Summary:** Attached is a copy of the "final" draft of the 2020 budget, which includes the tax levy amount of \$636,492 (shaded gray at the top of page 1). This amount represents a -0.21% change from last year's levy and is the amount included on the attached 46-19 resolution for approving the final tax levy for taxes payable in 2020. Also attached is resolution 47-19 for approving the 2020 general fund budget amount of \$782,595. This amount represents a .66% increase from last year's budget.

The tax levy and budget are the result of council discussions at worksessions and council meetings in August and September. The preliminary tax levy was approved at the September council meeting. Other than changing the title from "preliminary" to "final," no changes have been made to the budget since the preliminary tax levy was approved. In accordance with state law, the council may make changes to the budget at the December council meeting, but the levy amount cannot increase from the preliminary levy amount.

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

**5A – Truth in Taxation Hearing:** This is an opportunity for the public to speak regarding the 2020 city levy and budget.

Note: April 2019 was the opportunity for the public to speak regarding property valuations for taxes payable in 2020.

Council action is required to open and close the public hearing ...

1. I move the city council opens the Truth in Taxation public hearing.
2. I move the city council closes the Truth in Taxation public hearing.

**6A – Council Action:** Required. Suggested motions ...

1. I move the council (1) adopts resolution 46-19 approving the 2019 tax levy in the amount of \$636,492 to be collected in 2020 and directs the city clerk to send the information to Hennepin County; and (2) adopts resolution 47-19 approving the 2020 general fund budget in the amount of \$782,595.
2. Other motion ???

# 2020 Greenwood FINAL Budget

		2017	2018	2018	2019	2019	2020	%	% Total
		Actual	Actual	Budget	June YTD	Budget	Budget	Change	Budget
<b>GENERAL FUND REVENUE</b>									
1	<b>TAXES</b>								
2	101-31010 General Property Tax	632,875	636,002	637,879	5,813	637,825	636,492	-0.21%	
3	101-31020 General Property Tax - Delinquent	9,853	1,801	0	0	0	1,500	#DIV/0!	
4	101-31040 Fiscal Disparities	3,430	2,272	3,200	270	3,200	2,000	-37.50%	
5	101-31800 Surcharge Revenue	34	141	0	39	0	0	#DIV/0!	
6	101-31910 Penalties	481	62	0	3	0	0	#DIV/0!	
7		<b>646,674</b>	<b>640,278</b>	<b>641,079</b>	<b>6,125</b>	<b>641,025</b>	<b>639,992</b>	<b>-0.16%</b>	<b>81.78%</b>
8	<b>LICENSES &amp; PERMITS</b>								
9	101-32110 Liquor & Cigarette Licenses	10,700	10,500	10,550	0	10,700	10,500	-1.87%	
10	101-32180 Other Business Licenses / Permits (Rental, Commercial Marina, Garbage Hauler, Tree Contractor, Etc)	4,394	7,600	4,500	2,725	4,500	5,000	11.11%	
11	101-32210 Building Permits	29,876	54,947	30,000	24,612	30,000	30,000	0.00%	
12	101-32211 Electric Permits	4,016	3,268	4,000	2,099	4,000	4,000	0.00%	
13	101-32240 Animal Licenses	500	35	500	570	500	50	-90.00%	
14		<b>49,486</b>	<b>76,350</b>	<b>49,550</b>	<b>30,006</b>	<b>49,700</b>	<b>49,550</b>	<b>-0.30%</b>	<b>6.33%</b>
15	<b>INTERGOVERNMENT REVENUE</b>								
16	101-33402 Homestead Credit (Market Value Credit)	0	0	0	0	0	0	#DIV/0!	
17	101-33423 Other Grants / Aids (Recycle Grant, Small Cities Assistance, Etc.)	4,848	9,568	0	0	0	0	#DIV/0!	
18	101-33610 County Aid to Municipalities	1,769	1,758	1,700	0	1,700	1,700	0.00%	
19		<b>6,617</b>	<b>11,326</b>	<b>1,700</b>	<b>0</b>	<b>1,700</b>	<b>1,700</b>	<b>0.00%</b>	<b>0.22%</b>
20	<b>PUBLIC CHARGES FOR SERVICES</b>								
21	101-34103 Zoning & Subdivisions (Variances, Conditional Use Permits, Etc.)	4,900	10,300	6,000	6,100	6,000	6,000	0.00%	
22	101-34207 False Alarm Fee	0	0	0	0	0	0	#DIV/0!	
23	101-34304 Load Limit Fees	3,867	5,813	5,000	3,363	5,000	5,000	0.00%	
24	101-34409 Recycling Fees (2019: \$20 per quarter)	16,857	18,508	20,332	10,809	25,415	24,967	-1.76%	
25		<b>25,624</b>	<b>34,621</b>	<b>31,332</b>	<b>20,272</b>	<b>36,415</b>	<b>35,967</b>	<b>-1.23%</b>	<b>4.60%</b>
26	<b>FINES, FORFEITURES &amp; PENALTIES</b>								
27	101-35101 Court Fines	7,327	9,518	6,000	4,190	7,000	7,000	0.00%	0.89%
28									
29	<b>INVESTMENT &amp; MISCELLANEOUS INCOME</b>								
30	101-36102 Investment Income	6,873	11,878	7,000	8,785	12,000	17,570	46.42%	
31	101-36230 Misc. Income: Parking Permits, Civil Citations, Etc. (2017 includes Southshore Center Payout)	34,856	2,054	500	1,827	500	2,000	300.00%	
32		<b>41,728</b>	<b>13,932</b>	<b>7,500</b>	<b>10,612</b>	<b>12,500</b>	<b>19,570</b>	<b>56.56%</b>	<b>2.50%</b>
33	<b>OTHER FINANCING SOURCES</b>								
34	101-39200 Interfund Operating Transfer: From Marina Fund	12,500	12,500	12,500	0	12,500	12,500	0.00%	
35	101-39201 Administration Expense Reimbursement: 10% of Marina Revenue	3,730	3,860	3,860	0	3,960	4,120	4.04%	
36	101-39202 Administrative Expense Reimbursement: 10% of Sewer Revenue	10,090	10,090	10,090	0	10,090	9,664	-4.22%	
37	101-39203 Administrative Expense Reimbursement: 10% of Stormwater Revenue	2,573	2,573	2,573	0	2,573	2,532	-1.60%	
38		<b>28,893</b>	<b>29,023</b>	<b>29,023</b>	<b>0</b>	<b>29,123</b>	<b>28,816</b>	<b>-1.05%</b>	<b>3.68%</b>
39									
40	<b>Total Revenue</b>	<b>806,350</b>	<b>815,048</b>	<b>766,184</b>	<b>71,204</b>	<b>777,463</b>	<b>782,595</b>	<b>0.66%</b>	

# 2020 Greenwood FINAL Budget

		2017 Actual	2018 Actual	2018 Budget	2019 June YTD	2019 Budget	2020 Budget	% Change	% Total Budget
<b>GENERAL FUND EXPENSES</b>									
41	<b>COUNCIL &amp; PLANNING COMMISSION</b>								
42	101-41100-103	Council Salaries (2019 Mayor \$465.40/mo, Council \$310.27/mo; 2020 Mayor \$470.98/mo, Council \$313	19,800	19,978	19,978	10,239	20,477	20,723	1.20%
43	101-41100-122	FICA Contributions (6.2%)	1,228	1,239	1,239	635	1,270	1,285	1.20%
44	101-41100-123	Medicare Contributions (1.45%)	287	290	290	149	297	300	1.20%
45	101-41100-371	Training / Conference Registration	0	0	1,000	0	1,000	1,000	0.00%
46	101-41100-372	Meals / Lodging	252	185	175	138	175	175	0.00%
47	101-41100-433	Misc. (Dues, Subscriptions, Supplies, Etc.)	30	60	100	0	100	100	0.00%
48			<b>21,597</b>	<b>21,752</b>	<b>22,781</b>	<b>11,160</b>	<b>23,319</b>	<b>23,583</b>	<b>1.13%</b>
49	<b>ELECTIONS</b>								
50	101-41200-103	Election Salaries (Part-Time Election Judge Salaries \$9 per hour)	0	1,544	1,670	0	0	1,700	#DIV/0!
51	101-41200-214	Operational Support - Forms (Ballots, Voter Reg. Rosters)	0	42	265	0	0	270	#DIV/0!
52	101-41200-319	Equipment Maintenance (County Agreement, \$187.50 x 2 Voting Machines, \$160 for Automark)	0	559	1,069	534	0	1,100	#DIV/0!
53	101-41200-372	Meals / Lodging (Election Judge Meals & Snacks)	0	295	300	0	0	300	#DIV/0!
54	101-41200-439	Misc. (Supplies, Postage, Public Notices, Etc.)	0	1,183	332	0	0	350	#DIV/0!
55			<b>0</b>	<b>3,623</b>	<b>3,635</b>	<b>534</b>	<b>0</b>	<b>3,720</b>	<b>#DIV/0!</b>
56	<b>ADMINISTRATION</b>								
57	101-41400-201	Office Supplies	0	0	150	0	150	0	-100.00%
58	101-41400-202	Duplicating (Council Packets, Etc.)	1,355	1,854	1,800	523	1,800	1,800	0.00%
59	101-41400-204	Stationary, Forms, Printing	251	1,142	1,000	423	1,000	1,000	0.00%
60	101-41400-309	Professional Services - Other (ISP, Website, Email)	425	194	600	0	600	500	-16.67%
61	101-41400-310	Clerk's Contract with Deephaven	39,200	39,918	41,678	17,780	42,720	44,002	3.00%
62	101-41400-311	Office Rent & Equipment (2017-2020 \$487.45 per month)	5,362	5,849	5,849	2,437	5,849	5,849	0.00%
63	101-41400-313	Professional Services (Civic Accounting)	2,168	2,212	2,163	1,606	2,175	2,250	3.45%
64	101-41400-322	Postage	837	1,111	800	359	1,000	1,000	0.00%
65	101-41400-351	Newspaper Legal Notices	922	1,447	900	179	1,000	1,000	0.00%
67	101-41400-439	Misc. (Equipment, Dog Tags, Meadville Launch Stickers, Etc.)	809	1,352	725	811	800	800	0.00%
68			<b>51,328</b>	<b>55,077</b>	<b>55,665</b>	<b>24,118</b>	<b>57,094</b>	<b>58,201</b>	<b>1.94%</b>
69	<b>ASSESSOR</b>								
70	101-41500-309	Assessor - Hennepin County (\$19,000 for 2018-2020)	8,667	19,000	19,000	10,500	19,000	19,000	0.00%
71	101-41500-439	Assessor - Other (Public Notices, Processing, Tax Rolls)	382	175	600	0	600	400	-33.33%
72			<b>9,049</b>	<b>19,175</b>	<b>19,600</b>	<b>10,500</b>	<b>19,600</b>	<b>19,400</b>	<b>-1.02%</b>
73	<b>LEGAL SERVICES</b>								
74	101-41600-304	Legal Services - General	5,482	5,316	10,000	1,480	10,000	8,000	-20.00%
75	101-41600-308	Legal Services - Prosecution	5,964	4,800	4,000	2,000	4,800	4,800	0.00%
76	101-41600-309	Legal Services - Litigation	422	0	2,000	0	2,000	2,000	0.00%
77			<b>11,868</b>	<b>10,116</b>	<b>16,000</b>	<b>3,480</b>	<b>16,800</b>	<b>14,800</b>	<b>-11.90%</b>

# 2020 Greenwood FINAL Budget

		2017 Actual	2018 Actual	2018 Budget	2019 June YTD	2019 Budget	2020 Budget	% Change	% Total Budget
78	<b>AUDITING</b>								
79	101-41700-301 Auditing (\$1000 for state auditor filing requirements)	9,700	1,000	2,000	1,000	1,500	1,000	-33.33%	
80		<b>9,700</b>	<b>1,000</b>	<b>2,000</b>	<b>1,000</b>	<b>1,500</b>	<b>1,000</b>	<b>-33.33%</b>	<b>0.13%</b>
81	<b>GENERAL GOVERNMENT TOTAL</b>	<b>103,542</b>	<b>110,744</b>	<b>119,682</b>	<b>50,792</b>	<b>118,313</b>	<b>120,704</b>	<b>2.02%</b>	<b>15.42%</b>
82									
83	<b>LAW ENFORCEMENT</b>								
84	101-42100-310 Law Enforcement - Contract	182,352	191,201	191,201	98,006	196,011	200,179	2.13%	
85	101-42100-311 Police Side Building Facility (Based on Total Tax Capacity on County Website in July)	43,658	46,030	46,030	23,008	46,016	45,272	-1.62%	
86	101-42100-439 Police Safety - Other (Jail, Court Overtime, Etc.)	1,307	3,958	2,500	197	1,500	1,500	0.00%	
87		<b>227,317</b>	<b>241,189</b>	<b>239,731</b>	<b>121,210</b>	<b>243,527</b>	<b>246,951</b>	<b>1.41%</b>	<b>31.56%</b>
88	<b>FIRE</b>								
89	101-42200-309 Fire Protection - Operations (2020: This number includes both operations and facilities)	74,689	79,930	79,930	42,634	85,268	148,549	74.21%	
90	101-42200-311 Fire Side Building Facility	55,087	61,405	61,405	30,583	61,166	0	-100.00%	
91		<b>129,776</b>	<b>141,335</b>	<b>141,335</b>	<b>73,217</b>	<b>146,434</b>	<b>148,549</b>	<b>1.44%</b>	<b>18.98%</b>
92	<b>PUBLIC SAFETY TOTAL</b>	<b>357,093</b>	<b>382,524</b>	<b>381,066</b>	<b>194,427</b>	<b>389,961</b>	<b>395,500</b>	<b>1.42%</b>	<b>50.54%</b>
93									
94	<b>ZONING</b>								
95	101-42400-308 Zoning Administration	4,330	5,973	7,000	2,211	7,000	7,000	0.00%	
96	101-42400-309 Public Notices	530	1,500	2,000	476	2,000	2,000	0.00%	
97	101-42400-310 Building Inspections (69% of Building & Electrical Permits)	18,369	33,429	23,460	9,325	23,460	23,460	0.00%	
98	101-42400-438 Misc. (County Recording Fees, State Bldg. Surcharge, etc.)	0	0	0	46	0	0	#DIV/0!	
99	<b>ZONING TOTAL</b>	<b>23,229</b>	<b>40,902</b>	<b>32,460</b>	<b>12,058</b>	<b>32,460</b>	<b>32,460</b>	<b>0.00%</b>	<b>4.15%</b>
100									
101	<b>ENGINEERING</b>								
102	101-42600-303 Engineering Fees - Misc.	2,223	4,490	2,000	3,332	3,000	4,500	50.00%	
103		<b>2,223</b>	<b>4,490</b>	<b>2,000</b>	<b>3,332</b>	<b>3,000</b>	<b>4,500</b>	<b>50.00%</b>	<b>0.58%</b>
104	<b>UTILITIES &amp; ROADS</b>								
105	101-43100-381 S&R - Utility Services - Elec (Includes Siren Electric)	4,532	5,055	5,000	2,016	5,000	5,000	0.00%	
106	101-43100-409 Other - Road Repair & Maintenance (Public Works Repairs)	952	3,928	4,000	605	3,000	4,000	33.33%	
107		<b>5,484</b>	<b>8,983</b>	<b>9,000</b>	<b>2,620</b>	<b>8,000</b>	<b>9,000</b>	<b>12.50%</b>	<b>1.15%</b>
108	<b>MAJOR ROAD IMPROVEMENTS</b>								
109	101-43200-229 Major Road Improvements - Construction	0	0	0	0	0	0	#DIV/0!	
109	101-43200-303 Major Road Improvements - Engineering	0	0	0	0	0	0	#DIV/0!	
110	101-43200-500 Transfer to Road Improvement Fund	134,000	244,000	124,000	0	124,000	124,000	0.00%	
111	Note: Deephaven's 2017 road costs were 9% of their budget	<b>134,000</b>	<b>244,000</b>	<b>124,000</b>	<b>0</b>	<b>124,000</b>	<b>124,000</b>	<b>0.00%</b>	<b>15.84%</b>

# 2020 Greenwood FINAL Budget

		2017 Actual	2018 Actual	2018 Budget	2019 June YTD	2019 Budget	2020 Budget	% Change	% Total Budget
112	<b>PUBLIC WORKS</b>								
113	101-43900-226 Signs	594	303	1,500	0	1,000	1,000	0.00%	
114	101-43900-312 Snow Plowing	6,673	22,869	15,000	17,432	18,000	18,540	3.00%	
115	101-43900-313 Trees, Weeds, Mowing	19,135	12,353	16,000	302	20,000	16,000	-20.00%	
116	101-43900-314 Park & Tennis Court Maintenance	3,387	3,241	3,500	0	4,000	4,000	0.00%	
117	101-43900-315 Trail Snow Plowing (LRT and Tar Paths)	71	1,762	2,000	1,411	1,500	1,500	0.00%	
118		<b>29,860</b>	<b>40,527</b>	<b>38,000</b>	<b>19,145</b>	<b>44,500</b>	<b>41,040</b>	<b>-7.78%</b>	<b>5.24%</b>
119	<b>ROADS &amp; PUBLIC WORKS TOTAL</b>	<b>171,567</b>	<b>297,999</b>	<b>173,000</b>	<b>25,097</b>	<b>179,500</b>	<b>178,540</b>	<b>-0.53%</b>	<b>22.81%</b>
120									
121	<b>MISC. EXPENSES</b>								
122	101-49000-310 Recycling Contract (2020 2.8% increase, 2021 2.94% increase)	17,911	24,287	20,650	9,633	24,739	24,967	0.92%	
123	101-49000-311 Spring Clean-Up Day	4,671	4,481	4,500	5,729	4,500	6,000	33.33%	
124	101-49000-369 League of Minnesota Cities Insurance Trust / Liability & Property	3,984	4,419	3,300	0	4,000	4,500	12.50%	
125	101-49000-370 League of Minnesota Cities Insurance Trust / Workers Comp	200	319	160	200	325	325	0.00%	
126	101-49000-433 Misc. Expenses	0	0	100	0	100	100	0.00%	
127	101-49000-435 League of Minnesota Cities	873	895	850	0	875	922	5.35%	
128	101-49000-436 Lake Minnetonka Conservation District	6,298	6,816	6,816	3,545	7,090	7,077	-0.18%	
129	101-49000-437 July 4th Fireworks & Parade (\$1500 Chamber of Commerce, \$100 parade)	1,636	1,587	1,600	1,500	1,600	2,000	25.00%	
130	<b>MISC. TOTAL</b>	<b>35,573</b>	<b>42,805</b>	<b>37,976</b>	<b>20,607</b>	<b>43,229</b>	<b>45,891</b>	<b>6.16%</b>	<b>5.86%</b>
131									
132	<b>Subtotal</b>	<b>691,004</b>	<b>874,973</b>	<b>744,184</b>	<b>302,981</b>	<b>763,463</b>	<b>773,095</b>	<b>1.26%</b>	
133									
134	<b>CONTINGENCY &amp; FUND TRANSFERS</b>								
135	101-49000-439 Contingency	0	0	12,000	0	4,000	0	-100.00%	
136	101-49000-500 Transfer to Bridge Fund	20,000	10,000	10,000	0	10,000	9,500	-5.00%	
137	101-49000-720 General Fund Transfer Out	0	0	0	0	0	0	#DIV/0!	
138	<b>CONTINGENCY &amp; FUND TRANSFER TOTAL</b>	<b>20,000</b>	<b>10,000</b>	<b>22,000</b>	<b>0</b>	<b>14,000</b>	<b>9,500</b>	<b>-32.14%</b>	<b>1.21%</b>
139									
140	<b>Total Expenses</b>	<b>711,004</b>	<b>884,973</b>	<b>766,184</b>	<b>302,981</b>	<b>777,463</b>	<b>782,595</b>	<b>0.66%</b>	
141									
142	<b>GENERAL FUND YEAR-END CASH BALANCE</b> (Goal: 35%-50% of Operating Expenditures)	<b>599,432</b>	<b>541,528</b>						
143	<i>Percent of Operating Expenditures</i>	<b>84.31%</b>	<b>61.19%</b>						

# 2020 Greenwood FINAL Budget

		2017	2018	2018	2019	2019	2020	%	% Total	
		Actual	Actual	Budget	June YTD	Budget	Budget	Change	Budget	
144	<b>SEWER ENTERPRISE FUND</b> <i>This fund may be used for any city purpose. Goal: \$400,000.</i>									
145	602-34401	REVENUE: Sewer Use Charges (\$65 per quarter)	97,056	96,121	100,899	48,322	100,899	96,645	-4.22%	
146	602-34402	REVENUE: Late Charges & Penalties	390	262	0	124	0	250	#DIV/0!	
147	602-34403	REVENUE: Delinquent Sewer Payments Received	205	186	0	0	0	150	#DIV/0!	
148	602-34404	REVENUE: Delinquent Sewer Late Fees Received	0	0	0	0	0	0	#DIV/0!	
149	602-34405	REVENUE: Interfund Transfer In	0	0	0	0	0	0	#DIV/0!	
150	602-34408	REVENUE: Permit Fees	300	600	0	375	0	300	#DIV/0!	
151	602-36220	REVENUE: Other Income (SAC charges)	0	0	0	0	2,500	0	-100.00%	
152	602-38100	REVENUE: Grant Revenue	0	0	0	0	0	0	#DIV/0!	
153	602-37100	REVENUE: Excelsior Blvd. Watermain Project (Excelsior Blvd Watermain Assessment Payments)	12,469	11,267	0	0	12,000	11,250	-6.25%	
154	602-36100	REVENUE: Special Assessments	6,787	6,466	0	0	0	6,500	#DIV/0!	
155	602-43200-303	EXPENSE: Engineering Sewer	4,683	10,175	10,000	2,454	10,000	10,000	0.00%	
156	602-43200-309	EXPENSE: Met Council	48,543	41,590	45,000	9,292	52,000	43,087	-17.14%	
157	602-43200-310	EXPENSE: Public Works Sewer	6,759	7,179	6,000	3,244	7,000	7,000	0.00%	
158	602-43200-381	EXPENSE: Utility Services - Electric	2,489	3,186	2,500	562	3,000	3,000	0.00%	
159	602-43200-404	EXPENSE: Repair & Maintenance	16,565	10,579	12,000	9,921	14,000	14,000	0.00%	
160	602-43200-410	EXPENSE: Excelsior Blvd. Watermain Project (Hennepin County Special Assessment Fee)	388	0	0	0	400	0	-100.00%	
161	602-43200-439	EXPENSE: Misc. (Gopher State One Call, Forms, Printing, Insurance, etc.)	594	492	900	203	900	600	-33.33%	
162	602-43200-530	EXPENSE: Capital Outlay (I&I Projects)	0	0	14,000	0	14,000	14,000	0.00%	
163	602-43200-720	INTERFUND TRANSFER OUT: To General Fund (10% of budgeted sewer revenue for adm. costs)	23,190	10,090	10,090	0	10,090	9,664	-4.22%	
164		<b>Net Total</b>	<b>13,996</b>	<b>31,612</b>	<b>409</b>	<b>23,146</b>	<b>4,009</b>	<b>13,743</b>	<b>242.80%</b>	
165		<b>SEWER ENTERPRISE FUND CASH BALANCE</b>	<b>317,750</b>	<b>349,362</b>						
166										
167	<b>STORMWATER SPECIAL REVENUE FUND</b> <i>This fund may be used for any city purpose.</i>									
168	502-34401	REVENUE: Stormwater Use Charges (2018, 2019, 2020: \$19 per quarter)	25,434	25,149	25,729	12,659	25,729	25,317	-1.60%	
169	502-34403	REVENUE: Delinquent Stormwater Payments Received	0	0	0	0	0	0	#DIV/0!	
170	502-34404	REVENUE: Delinquent Stormwater Late Fees Received	0	0	0	0	0	0	#DIV/0!	
171	502-34405	INTERFUND TRANSFER IN	13,100	0	0	0	0	0	#DIV/0!	
172	502-43200-303	EXPENSE: Engineering Stormwater	1,724	10,154	3,500	1,242	3,500	3,500	0.00%	
173	502-43200-310	EXPENSE: Public Works Stormwater	476	1,473	0	242	0	0	#DIV/0!	
174	502-43200-319	EXPENSE: Equipment and Maintenance	0	0	0	0	0	0	#DIV/0!	
175	502-43200-409	EXPENSE: Street Sweeping	2,362	2,453	2,700	2,641	2,700	2,700	0.00%	
176	502-43200-439	EXPENSE: Misc. (EPA Fee, Public Notices, Etc.)	172	606	250	176	250	500	100.00%	
177	502-43200-530	EXPENSE: Capital Outlay	33,732	3,536	0	0	0	0	#DIV/0!	
178	502-43200-720	INTERFUND TRANSFER OUT: To General Fund (10% of budgeted stormwater rev. for adm. costs)	2,573	2,573	2,573	0	2,573	2,532	-1.60%	
179		<b>Net Total</b>	<b>-2,505</b>	<b>4,354</b>	<b>16,706</b>	<b>8,359</b>	<b>16,706</b>	<b>16,086</b>	<b>-3.71%</b>	
180		<b>STORMWATER SPECIAL REVENUE FUND CASH BALANCE</b>	<b>18,989</b>	<b>23,343</b>						
181										

# 2020 Greenwood FINAL Budget

		2017 Actual	2018 Actual	2018 Budget	2019 June YTD	2019 Budget	2020 Budget	% Change	% Total Budget
182	<b>PARK SPECIAL REVENUE FUND</b> <i>This is a dedicated fund for park "acquisitions" only. Cannot be used for maintenance.</i>								
183	401-36230	REVENUE: Park Dedication Fees	0	0	0	0	0	#DIV/0!	
184	401-45100-100	EXPENSE: Park Improvements	0	2,176	0	0	0	#DIV/0!	
185		<b>Net Total</b>	<b>0</b>	<b>-2,176</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>#DIV/0!</b>	
186		<b>PARK FUND CASH BALANCE</b>	<b>16,756</b>	<b>14,580</b>					
187	<b>MARINA ENTERPRISE FUND</b> <i>This fund may be used for any city purpose. Goal: \$55,000 Tonka Dock; \$65,000 Permanent Dock; \$120,000 Floating Dock.</i>								
188	605-36201	REVENUE: Slip Fees (2020: \$1550 x 26 boats, \$300 x 1 sailboats, \$50 x 12 canoes)	36,800	38,000	38,600	39,450	39,600	41,200	4.04%
190	605-45100-309	EXPENSE: Professional Services (Dock In and Out, Weed Removal)	6,800	8,300	7,000	1,800	7,000	8,500	21.43%
191	605-45100-310	EXPENSE: Public Works	0	196	500	0	500	500	0.00%
192	605-45100-439	EXPENSE: Misc. (LMCD Multi-Dock License \$350, SABLID / AIS \$2500, Insurance \$873)	2,843	2,843	3,723	2,500	3,723	3,723	0.00%
193	605-45100-590	EXPENSE: Capital Outlay	0	0	0	0	0	0	#DIV/0!
194	605-49300-720	OPERATING TRANSFER: To General Fund	12,500	12,500	12,500	0	12,500	12,500	0.00%
195	605-49300-721	ADMINISTRATIVE EXPENSE: To General Fund (10% of budgeted marina revenue for adm. costs)	3,730	3,860	3,860	0	3,960	4,120	4.04%
196		<b>Net Total</b>	<b>10,928</b>	<b>10,301</b>	<b>11,017</b>	<b>35,150</b>	<b>11,917</b>	<b>11,857</b>	<b>-0.50%</b>
197		<b>MARINA ENTERPRISE FUND CASH BALANCE</b>	<b>68,403</b>	<b>78,704</b>					
198	<b>BRIDGE CAPITAL PROJECT FUND</b> <i>This fund was created in 2010. The funds may be used for any city purpose. Goal: \$200,000</i>								
199	403-39200	REVENUE: Transfer from General Fund	20,000	10,000	10,000	0	10,000	10,000	0.00%
200	403-45100-303	EXPENSE: Engineering	13,722	2,072	4,000	30	4,000	2,000	-50.00%
201	403-45100-304	EXPENSE: Legal Services	0	0	0	0	0	0	#DIV/0!
202	403-45100-530	EXPENSE: Capital Outlay	0	0	0	0	0	0	#DIV/0!
203		<b>Net Total</b>	<b>6,278</b>	<b>7,928</b>	<b>6,000</b>	<b>-30</b>	<b>6,000</b>	<b>8,000</b>	<b>33.33%</b>
204		<b>BRIDGE CAPITAL PROJECT FUND CASH BALANCE</b>	<b>173,376</b>	<b>181,304</b>					
205	<b>SPECIAL PROJECT FUND</b> <i>This fund was created in 2013.</i>								
206	301-36103	REVENUE: Greenwood Park Stormwater Project	207,755	0	0	0	0	0	#DIV/0!
207	301-47000-603	EXPENSE: Greenwood Park Stormwater Project (Capital Outlay, Engineering, Etc)	133,536	39,779	0	21,235	0	0	#DIV/0!
208		<b>Net Total</b>	<b>74,219</b>	<b>-39,779</b>	<b>0</b>	<b>-21,235</b>	<b>0</b>	<b>0</b>	<b>#DIV/0!</b>
209		<b>SPECIAL PROJECT FUND CASH BALANCE</b>	<b>67,489</b>	<b>27,710</b>					
210	<b>ROAD IMPROVEMENT FUND</b> <i>This fund was created in 2014. The funds may be used for any city purpose. Goal: \$_____.</i>								
211	404-36230	REVENUE: Transfers from General Fund and other Funds	138,848	244,000	124,000	0	124,000	124,000	0.00%
212	404-36231	REVENUE: Misc. Revenue	3,974	0	0	0	0	0	#DIV/0!
213	404-45100-100	EXPENSE: Capital Outlay (2018 number includes engineering, public notices, etc.)	196,960	230,402	75,000	0	75,000	75,000	0.00%
214	404-45100-303	EXPENSE: Engineering Expenses, Public Notices, Etc.	70,220	0	20,000	2,434	20,000	20,000	0.00%
215		<b>Net Total</b>	<b>-128,332</b>	<b>13,598</b>	<b>29,000</b>	<b>-2,434</b>	<b>29,000</b>	<b>29,000</b>	<b>0.00%</b>
216		<b>ROAD IMPROVEMENT FUND CASH BALANCE</b>	<b>109,425</b>	<b>123,023</b>					
217	<b>Total Cash Balance</b>		<b>1,247,263</b>						



**City of Greenwood  
Resolution 46-19**

**A RESOLUTION APPROVING THE 2019 TAX LEVY, COLLECTIBLE IN 2020**

**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 2019, upon taxable property in the city of Greenwood, Minnesota for general fund activities:

**TOTAL LEVY: \$636,492**

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 4th day of December, 2019.

\_\_\_ AYES \_\_\_ NAYS

CITY OF GREENWOOD

By: \_\_\_\_\_  
Debra J. Kind, Mayor

Attest: \_\_\_\_\_  
Dana H. Young, City Clerk



**City of Greenwood  
Resolution 47-19**

**A RESOLUTION APPROVING THE 2020 CITY BUDGET**

**WHEREAS**, the city council of the city of Greenwood has reviewed the 2020 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 2020 city budget at the December 4, 2019 city council meeting.

**NOW, THEREFORE BE IT RESOLVED** by the city council of the city of Greenwood, that the 2020 general fund budget in the amount of **\$782,595** is hereby approved.

**ADOPTED** by the city council of Greenwood, Minnesota this 4th day of December, 2019.

\_\_\_ AYES \_\_\_ NAYS

CITY OF GREENWOOD

By: \_\_\_\_\_  
Debra J. Kind, Mayor

Attest: \_\_\_\_\_  
Dana H. Young, City Clerk



Agenda Number: **7A**

Agenda Date: **12-04-19**

Prepared by Dale Cooney & Deb Kind

**Agenda Item:** Consider Res 42-19, Findings for Variance Request, Roland & Rane Jacobus, 5290 Meadville Street

**Summary:** Copies of the application materials and staff report are attached reference. Notice of the public hearing was published in the Finance & Commerce newspaper on 10-11-19. The planning commission held a public hearing at their 10-24-19, meeting. The planning commission considered public comment, applicant's comments, application materials, and staff reports when making their recommendation (see planning commission action below).

This agenda item was originally scheduled to be heard at the 11-06-19 council meeting. The applicant submitted a written request that action on the variance application be postponed and considered at the 01-02-20 council meeting. Then the applicant requested that the topic be placed on the 12-04-19 council agenda. Findings will be prepared based on direction from the council at the 12-04-19 council meeting. The city council must incorporate city code section 1155.20 variance criteria as well as any conditions in the motion. By law, the council may approve a request based on verbal findings of fact and the applicant may proceed with their project based on verbal findings. If the council wishes to deny the request, then the findings must be in writing. See the note at the bottom of this memo.

For the council's reference, here are percentages over max for the volume variances that were approved compared to the Jacobus request ...

5130 Meadville (Krezowski): Lot size: 7,113. Max building volume: 42,678. Permitted building volume: 43,589. Percentage Over Max: 2.1%.

5260 Meadville (Kroening): Lot size: 7,234. Max building volume: 43,404. Permitted building volume: 48,215. Percentage Over Max: 11.08%.

5290 Meadville (Jacobus): Lot size: 6,080. Max building volume: 36,480. Requested building volume: 40,135. Percentage Over Max: 10.02%.

Attached are documents from the applicant followed by documents from the 10-24-19 planning commission meeting (staff report, etc).

**Planning Commission Action:** The planning commission held a public hearing on the request at a special meeting on October 24, 2019 and on a 3-0 vote recommended denial of the request.

**Key Dates:**

Application complete:	October 15, 2019
Notice of Public Hearing published:	October 11, 2019
Planning Commission Public Hearing:	October 24, 2019
City Council Consideration:	December 4, 2019
60-Day Deadline:	December 14, 2019
Applicant's Authorized Deadline:	January 2, 2020
120-Day Deadline:	February 12, 2020

**Council Action:** The city council must take action by 01-02-19 unless the council decides to exercise the city's option to extend to the 120-day deadline (02-12-20) to consider the request. Possible motions ...

1. I move the city council directs staff to draft resolution 42-19 laying out the findings of fact **APPROVING OR DENYING** the building volume variance requests of Roland and Rane Jacobus for 5290 Meadville Street, with the conditions discussed by the city council and place on the January 2, 2020 council agenda for consideration.
2. I move the city council directs city staff to exercise the city's option to extend to the 120-day deadline (02-12-20) to process the variance application of Roland and Rane Jacobus, 5290 Meadville Street, by mailing written notice and placing an Affidavit of Mailing in the property file. The written notice shall state the reason for the extension is:  
\_\_\_\_\_.

*Note: MN statue 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).*

November 21, 2019

To the Greenwood City Council:

This letter and the accompanying materials are intended to supplement our Variance application dated October 15, 2019, and provide a better background and context for our request.

It is our intention to put forward a volume variance request for our home as it is currently constructed, which we feel is equitable and reasonable given all that has transpired to date.

From the onset of this project, we have worked with staff to submit all required paperwork and meet additional requests in good faith. There has always been an open line of communication between the City and us, as we have sought to construct our home within the variances we were granted. The volume methodology used by our architect was shown in writing on sheets AC1 and AC2 of the plans that were submitted with our application. These plans and calculations were part of the March 2019 variance application that was reviewed, discussed, unanimously approved by the City staff, Planning Commission and City Council, and permitted in May. The question of our volume was not brought to our attention by City staff until late September, after our home was largely completed.

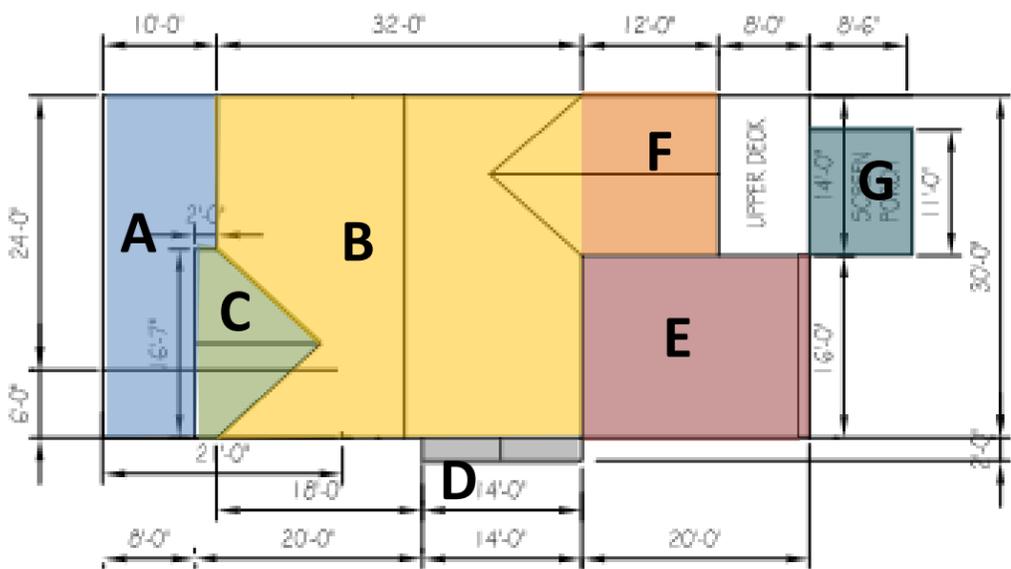
We voluntarily ceased any further work on the home. Our builder conducted a volume calculation of the as-built structure, at which time a discrepancy was identified and attributed to our architect's original volume methodology. We complied with the City's request to submit a volume variance application and it was brought before the Planning Commission on October 24. Notwithstanding our good faith actions to meet City requests, we were met with a harsh and judgmental environment at the Planning Commission which did not promote healthy two-way conversation. Following that meeting, my brief communication with City Staff and the Mayor on next steps suggested to me that I should hire a new architect and a land use and zoning attorney to assist in bringing forward our variance application to the City Council.

Our new architect, Tammy Magney, has consulted with City staff and our builder to ensure her volume methodology meets the City's interpretation of the code. She will be presenting her independent 3<sup>rd</sup> party volume findings on our behalf at the meeting. We will also speak to the unique nature of our lot and the changes to its surrounding landscape.

The cost to us to date attributed to lost construction time, lost contractors, additional architect, storage, legal, travel and temporary housing expenses is already over \$20,000. We hope to reach a reasonable resolution through an open and respectful discussion on December 4.

Thank you.

Randy and Rane Jacobus  
5290 Meadville Street  
Greenwood, MN 55331



FLOOR PLAN

SQUARE FOOTAGE		Main Floor Footprint = 1,228 SF; Garage = 528 SF			
VOLUME		Allowable Volume	6,080 SF x 6 =	36,480 CF	
ASSUMES FINAL FINISHED GRADE					
ZONE	DIMENSIONS	SF	AVG HT (FT)	CF	
A GARAGE FRONT + 10' COVERED ENTRY	10' X 30'	300	12.66	3,798.00	
B MAIN HOUSE + 11' COVERED ENTRY	32' X 30'	960	24.33	23,356.80	
C1 SOUTH DORMER	16'-7" X 2'	33.2	9.83	326.36	
C SOUTH DORMER		7	1	7.00	
D STAIR BUMP	14' X 2'	28	23	644.00	
E1 LIVING ROOM	16'X11'	16	20.83	333.28	
E LIVING ROOM	16'X19'	304	17.33	5,268.32	
F BEDROOM	12'X14'	168	10.33	1,735.44	
F KITCHEN / LOWER LEVEL BEDROOM	20'X14'	280	13.66	3,824.80	
G PORCH	8'-6 X 11'	93.5	9	841.50	
<b>TOTAL CUBIC FOOT OF HOUSE</b>				<b>40,135.50 CF</b>	
				Exceeds allowable volume by	3,655.50 10.02%
UNENCLOSED VOLUME		"Would not hold water if tipped upside down" statement made by planning commissioner			
	DIMENSIONS	SF	AVG HT (FT)	CF	
	ENTRY WALKWAY	21'x 6'	126	11.33	1,427.58
	G PORCH	8'-6" X 11'	93.5	9	841.50
<b>SUB TOTAL</b>				<b>2,269.08</b>	
<b>TOTAL CUBIC FOOT OF HOUSE WITH DEDUCTS</b>				<b>37,866.42 CF</b>	
				Exceeds allowable volume by	1,386.42 3.80%

**MAGNEY ARCHITECTURE**  
 548 LAKE STREET, EXCELSIOR, MN 55331  
 612-701-7117 TMAGNEY@MAGNETS.COM

**JACOBUS HOME**

ADDRESS:  
 5250 MEADVILLE STREET  
 GREENWOOD MN 55331

Sheet Title:  
 VOLUME STUDY

Date:  
 NOVEMBER 20, 2019

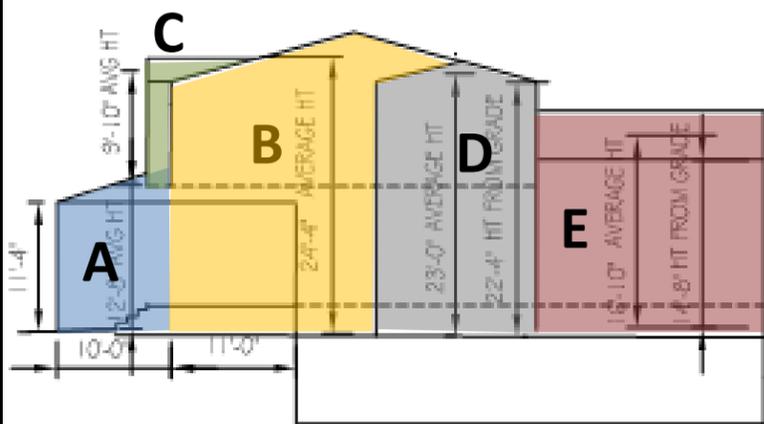
DRAWN BY: TSM

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT HAS BEEN PREPARED BY ME AND OR UNDER MY SUPERVISION AND THAT I AM A LEGALLY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

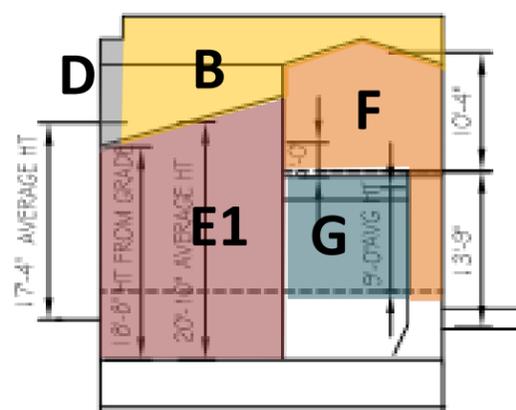
*Jamie S. Magney*

JAMIE MAGNEY, AIA LICENSE NUMBER: 18017  
 EXPIRES: JUNE 30, 2020

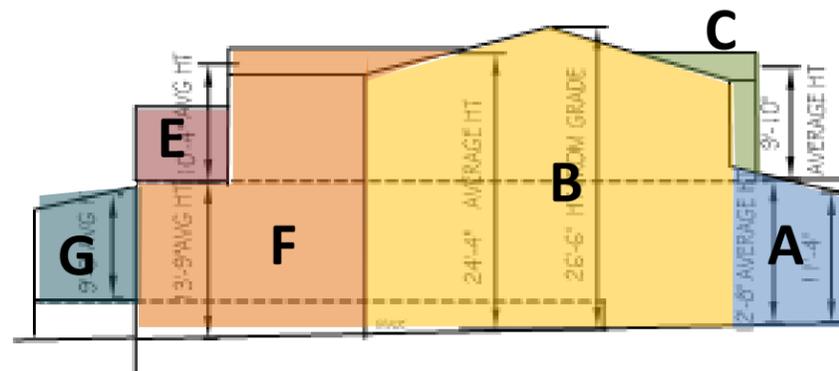
Sheet Number:  
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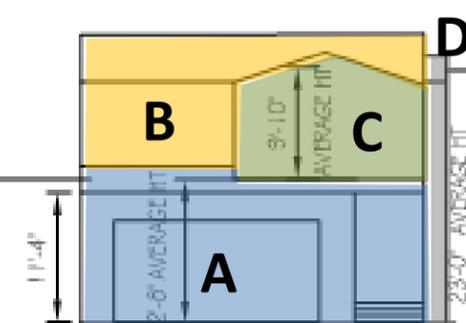
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

## 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: The City Council approved a variance for this structure and site plan in March 2019. Granting this additional variance does not alter those findings, as the structure and site plan are the same. This 2,400 sf, 2-story, 3 bed home is in harmony with the purpose and intent of the ordinance, which is to allow a reasonable single-family home on this property.</p>
<p>Is the variance consistent with the comprehensive plan?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  Please explain: The City Council approved a variance for this structure and site plan in March 2019, allowing for the remodel, rebuild and enhancement of the property. A building permit was issued in May and all required building inspections have been passed to date. Granting of this additional variance does not alter previous variance findings. The variance is consistent with the City's Comprehensive Plan which encourages appropriately sized homes that are respectful of the natural environment. The variance-approved structure and site plan reduced hardcover and has a foundation footprint that is slightly less than the grandfathered structure.</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 City Council approved a variance for this structure and site plan in March 2019. Granting of this additional volume variance does not alter those findings. The foundation of the new home (without garage) is smaller than the original structure at 1,228 sq ft. The new home was narrowed, moved 4-6' away from the north property line, and left at the exact same setback from the lake as the previous home. At the request of City Council, the garage was completely removed from the city easement, and substantially removed from the front yard setback (only 2 ft. remain within 30 ft. on the front south edge of the garage). City Council acknowledged this would increase the overall footprint of the structure and lot hard cover.</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 City Council approved a variance that acknowledged the unique circumstances of this lot in March 2019. Granting this additional variance does not alter those findings. The 6,080 sq. ft area, 40-foot width, and significant grade variation relative to other lots on the street are unique circumstances that were not created by the landowner. Compounded with the council's request to move the existing garage completely on to the lot, these circumstances result in a very limited allowable building size for the home.</p>
<p>Will the variance alter the essential character of the locality?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  Please explain: The City Council approved a variance for this structure and site plan in March 2019. Granting this additional variance will not alter those findings, as the request is less than the building bulk of what is allowable on every other lot in the community and certainly is comparable to other homes on its immediate street. Similar variances have already been granted on our street and within the neighborhood so owners can build viable residences. While practical difficulties among these lots may vary, the granting of these variances demonstrates the City Council recognizes the challenges these lots bring. There are very few of these lots remaining to be renovated, so the overall effect will not alter the character of the larger locality. The style of these new/remodeled homes, including my home, continue to upgrade and reface the aesthetic as a whole. The previous structures on my property were dilapidated, the property itself was kept in total disrepair, littered with garbage and overgrown landscaping.</p>
<p>Will the variance impair an adequate supply of light and air to adjacent property?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  Please explain: Findings of my existing variance state that the new structure does not impair light and air to the adjacent property. Granting this additional variance does not alter those findings, as the structure is the same. The new home was moved 4-6 feet from the property line, where the prior structure was located only 2 feet from the property line. The new structure increases light and air to the adjacent property. Moving the structure to the south and renovating the lot and lakeshore landscaping also created increased site lines of Excelsior Bay for the adjoining residential neighbor.</p>
<p>Will the variance unreasonably increase the congestion in the public street?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  Please explain: The City Council findings of my existing variance state that I have decreased congestion on the street. Granting this additional variance will not alter those findings. The prior encroachments into the street easement and setback have now been removed because the garage has been moved back and attached to the primary structure. The result is additional access and turnaround capability and off-street parking for guests.</p>
<p>Will the variance increase the danger of fire or endanger the public safety?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  Please explain: The City Council findings of my existing variance state that there is no increase on either, and granting of this additional variance does not alter those findings. In fact, the home will actually reduce the danger of fire because it is now in compliance with current building code. Five-hour fire walls and appropriate window usage were required by building permit inspectors on both sides of the home. There is also increased access for the home and adjacent property for fire and emergency as well as turnaround access at the end of the street.</p>

Will the variance unreasonably diminish or impair established property values within the neighborhood?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: The City Council findings of my existing variance state that it will not unreasonably diminish or impair property values. In reality, the completion of this home will more than double the value for this property from a resale and property tax perspective, which also increases the overall value of the neighborhood.
--	--

**VARIANCE APPLICATION - Page 2 of 3**

**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.

<b>Neighbor #1 Address:</b> Jeff Solom, 5280 Meadville Street, Greenwood, MN. 55331	
Signature:	Date:
Print Name: Jeff Solom was notified by email and we have spoken several times directly	

<b>Neighbor #2 Address:</b> Kent Carlson, 12900 Minnetonka Boulevard, Excelsior, MN 55331	
Signature:	Date:
Print Name: Kent Carlson and property managers have been notified by email and we have spoken several times directly	



**Agenda Item:** Consider variance requests of Roland and Rane Jacobus to exceed the maximum permitted building volume in conjunction with the construction of a new house at 5290 Meadville Street.

**Summary:** Roland and Rane Jacobus, property owners at 5290 Meadville Street, are applying for an after-the-fact variance request to exceed the maximum permitted building volume. The house, which is currently under construction, was approved via a variance requests in January and February of 2019 (see attached). It was brought to the property owners' attention that the house likely exceeded building volume requirements and that the house would 1) need to be reduced to comply with building volume, or 2) that a variance would be required to make the house legal nonconforming.

The property is zoned R-1, is 6,080 square feet in size and is 40-feet wide.

**Building Volume:**

As proposed, the house would have an above grade building volume of 40,531 cubic feet. Per Section 1140.18 (Subd. 3)(1) of the zoning code, the maximum allowable building volume for the property is 36,480 cubic feet, and the applicants are seeking a variance of 4,051 cubic feet from the maximum allowable building volume. The originally submitted volume calculation for the house was 33,614 cubic feet, which was subsequently confirmed to be inaccurate.

At 6,080 square feet in size and 40 feet wide, the property is one of the smallest in Greenwood. The R-1 zoning code requires that an existing vacant lot of record be 6,750 square feet in size and 45 feet wide to be considered buildable. The maximum allowable building volume for a minimum sized lot is 40,500.

To give some context for the scale of the requested volume excess, the proposed house would be zoning code compliant on a lot with an additional 675 square feet, which amounts to a 5-foot lot width increase on the existing lot. For the sake of comparison, some similar properties in Greenwood that have recently been reviewed by the City Council:

5130 Meadville (Krezowski): Lot size - 7,113. Max building volume - 42,678. Permitted building volume - 43,589  
5260 Meadville (Kroening): Lot size – 7,234. Max building volume – 43,404 Permitted building volume - 48,215  
5185 Greenwood Circle (Getchell): Lot size - 6,478. Max building volume – 38,868. Permitted building volume – 36,503  
(No variance requested.)

**Staff Recommendation:**

Staff recommends approval of the variance request of Roland and Rane Jacobus for a variance to exceed the maximum permitted building volume by 4,051 cubic feet in order to construct a new house at 5290 Meadville Street, as proposed.

- a) The variance, if granted, will be in harmony and keeping with the spirit and intent of the zoning ordinance because the purpose of the ordinance 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. The proposed house is consistent with that purpose.
- b) The variance, if granted, will be consistent with the comprehensive plan which encourages, safe, healthy, and quality housing that respects the natural environment of the community.
- 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 seeks to create a modestly sized house on a small, substandard property. The building volume increase is modest, comparable to other newly approved houses in the community, and could be accommodated on a slightly larger property (6,755 square feet). The proposed building volume is essentially equal to the building volume permitted on the minimum buildable lot size within the R-1 zoning district.
- d) The plight of the landowner-applicant is due to circumstances unique to the property and not created by the landowner because: at 6,080 square feet in size and 40 feet wide, the property is one of the smallest in the city. The creation of an appropriately sized home on the property is difficult within the building volume constraints. A

slight increase in the property size (5 feet of lot width) would provide sufficient additional lot area for the proposed house to be zoning code compliant.

- e) The variance, if granted, will not alter the essential character of the locality, because: the proposed house is similar to or less than the building volume on recently constructed houses on other similarly sized lots.
- 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.

# Variance Application



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

Date application submitted	10/11/19
Date application complete (office use only)	
Property address	5290 Meadville Street, Greenwood, MN 55331
Property identification number (PID)	26-117-23-33-0008
Property owner's current mailing address	5290 Meadville Street, Greenwood, MN 55331
Names of all property owners	Ronald Ranee Jacobus
Cell phone and email of property owner(s)	612-750-1522
Name of builder / architect (if any)	Todd Francis
Company name of builder / architect	Hampton Construction
Cell phone and email of builder / architect	952-220-2137
Company address	1824 Buerkle Rd., White Bear Lake, MN
Present use of property	Residential
Property acreage	0.14
Existing variances or conditional use permits	<input type="checkbox"/> No <input type="checkbox"/> Yes – please attach a copy
Request is for	<input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Addition <input type="checkbox"/> Remodel <input type="checkbox"/> Replace
The variance(s) are being requested to (e.g. build a garden shed)	Increase Maximum above grade building volume allowance on new home under construction.

## Requested variance(s):

	Required*	Proposed	Difference
<input type="checkbox"/> Side Yard (feet)			
<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 checked="" type="checkbox"/> Maximum Above Grade Building Volume (cubic feet)	36,480	40531	4051
<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](http://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.

**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: The variance presents the best solution to moving and rebuilding an existing 22' x 30' ramshackle garage that has sat in a public easement for over 35 years. This solution significantly increases fire and emergency access to the house and neighbors properties, relieves clutter at end of street, further increases light, drainage and air flow between properties, creates a street-visible front yard, and relieves congestion on street due to off-street availability of guest parking for 5290.</p>
<p>Is the variance consistent with the comprehensive plan?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                  Please explain: The City's Comprehensive Housing and Land Use Plan Page 9 -- "Properties will likely be improved through repair, renovation, or demolition and reconstruction". The City Council unanimously approved my new home footprint for the property, acknowledged the need to demolish the garage, and then asked that the rebuild bring the garage entirely on to my lot. All of this is consistent with the City's comprehensive plan to enhance the community when opportunity's occur to outdated properties.</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 proposal significantly enhances the look and functionality of the property, as well as the street and neighborhood. It clears the garage out of the Public Easement, creates important fire and emergency access and turnaround, and gets guests vehicles out of the street. The garage size has been decreased to 22' x 24' to accommodate a street-side front door for the home. City Council knows moving garage on to the property will increase hard cover that Owner had reduced significantly from 49.4% to 32.4% prior to their request. The variance still lowers hardcover from previous conditions to 43.8%, and utilizes the lot and available green space much more effectively.</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: After approving a variance for a new home, the City Council requested that the homeowner look at all options to successfully move the existing garage out of the public easement. Given the size of the lot and the size of the public easement on this narrow street, City Council knew this request would require Owner to file another variance and change hard cover and building volume from the existing approved variance.</p>
<p>Will the variance alter the essential character of the locality?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                  Please explain: It will significantly improve and enhance the character. This variance will complete a very positive upgrade of the entire property by creating an attractive full-time residence and front yard visible from Meadville Street, Minnetonka Blvd. and the bike path. It will also get rid of the existing visible clutter and congestion on Meadville Street due to crowding and lack of off-street parking</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: The requested variance enhances the already approved variance, which demonstrated an increase in light, air and drainage between adjacent properties. Moving the garage back will create even more light and air by creating an open front yard, relieving congestion by the neighbors garage and sidewalk to house, and relieving parking congestion on the street. Currently, tight proximity to neighbor, ramshackle fence, a crumbing lean-to, and sprawling, unmanicured hardcover significantly impacts the properties.. All of these issues will be corrected.</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 variance proposal significantly decreases congestion. The variance will provide complete access and turnaround for fire and emergency vehicles, as well as City street maintenance. Visitors will also have off-street parking and turnaround access in the driveway</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: The variance will decrease the risk significantly, as there will now actually be enough room for fire and emergency access and turnaround.</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: When garage is moved back to adjoin the new home being built on the property, the finished full-time residence will showcase a beautiful front elevation and landscaped yard to traffic on the bike trail and Minnetonka Blvd. It will also de-clutter and relieve congestion currently visible on Meadville street. We believe this variance proposal is very much in concert with other significant renovations being made all along Meadville Sreet and Excelsior Bay that upgrades the value and character of Solberg's Point.</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.

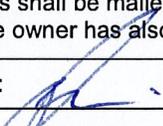
<b>Neighbor #1 Address:</b> 5280 Meadville Street, Greenwood, MN. 55331	
Signature:	Date:
Print Name: Jeff Solum will be notified via email	

<b>Neighbor #2 Address:</b> 21900 Minnetonka Boulevard, Excelsior, MN. 55331	
Signature:	Date:
Print Name: Kent Carlson will be notified via email	

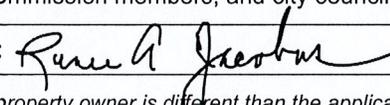
**The undersigned contacted the following regulatory bodies and will seek approvals if required:**

(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 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: 10/11/2019
--	------------------

**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: 10/11/2019
--	------------------

*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)	<b>\$450</b>
Shoreland Management Review Fee (nonrefundable)	<b>\$200</b>
<b>Total Amount Due (make check payable to the City of Greenwood)</b>	<b>\$650</b>

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

634 cubic ft

5,762 cubic ft

13,059 cubic ft

1,632 cubic ft

1,530 cubic feet

15,876 cubic ft

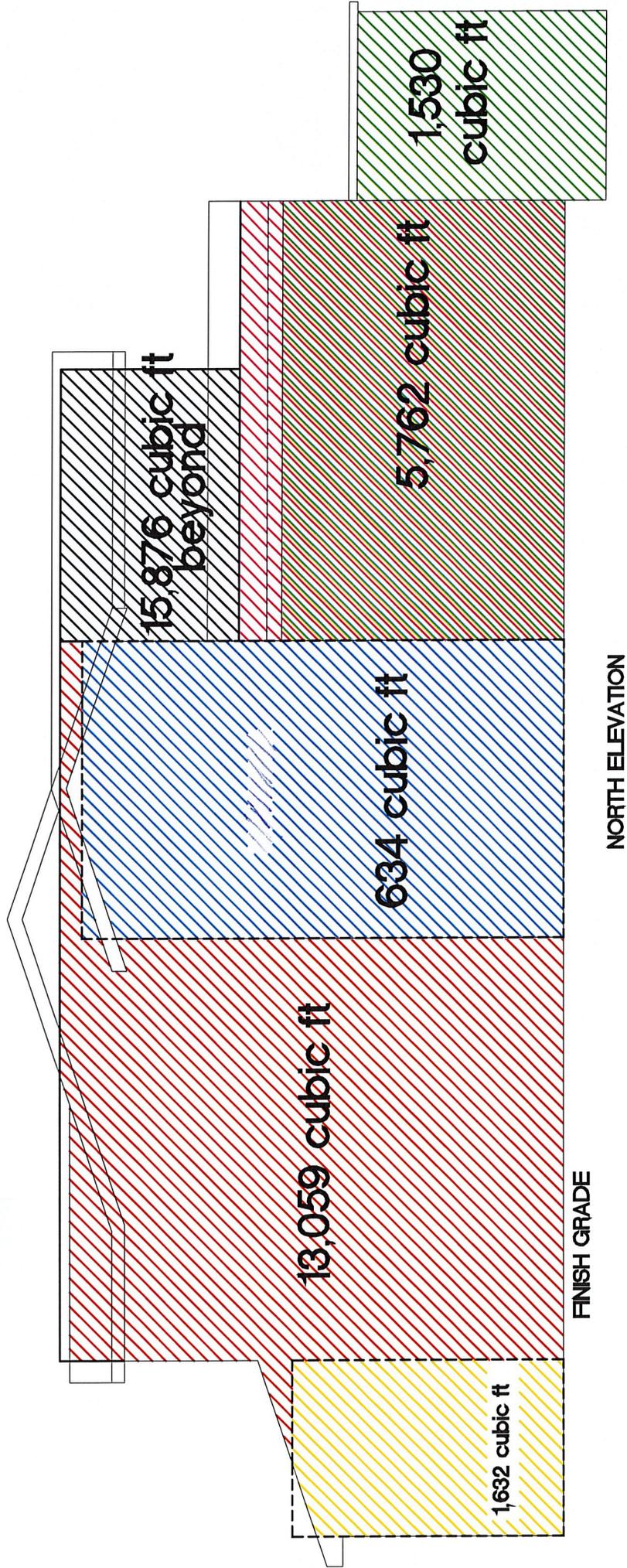
2,038 cubic feet

↑ SOUTH ELEVATION

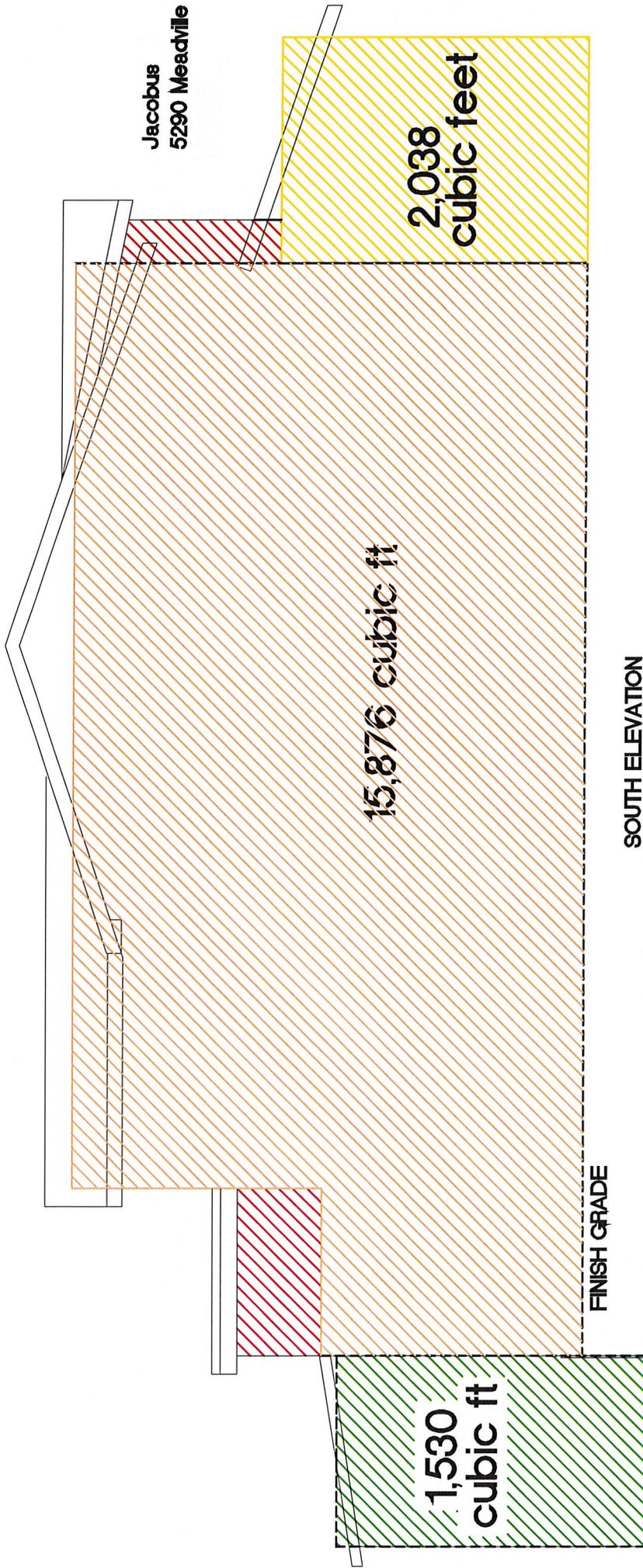
PLAN VIEW

Jacobus  
5290 Meadville

Jacobus  
5290 Meadville



Jacobus  
5290 Meadville



15,876 cubic ft

2,038  
cubic feet

1,530  
cubic ft

SOUTH ELEVATION

FINISH GRADE

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](http://www.greenwoodmn.com).

Property Owner(s)	Roland & Ranee Jacobus
Property Address	5290 Meadville Street

Person completing this form:  Property Owner  Builder / Architect

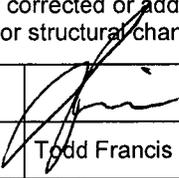
Per code section 1140.18 (view at [www.greenwoodmn.com](http://www.greenwoodmn.com) or at city hall), no lot in the residential zones of the city may be host to principal and accessory buildings and structures whose above grade building volume (expressed in cubic feet) is greater than the following maximums:

- (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.

<b>The "above grade building volume" calculation for the property is:</b>	<b>40,531 cubic feet</b>
---	--------------------------

**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: 10-11-19
Print Name	Todd Francis	

**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

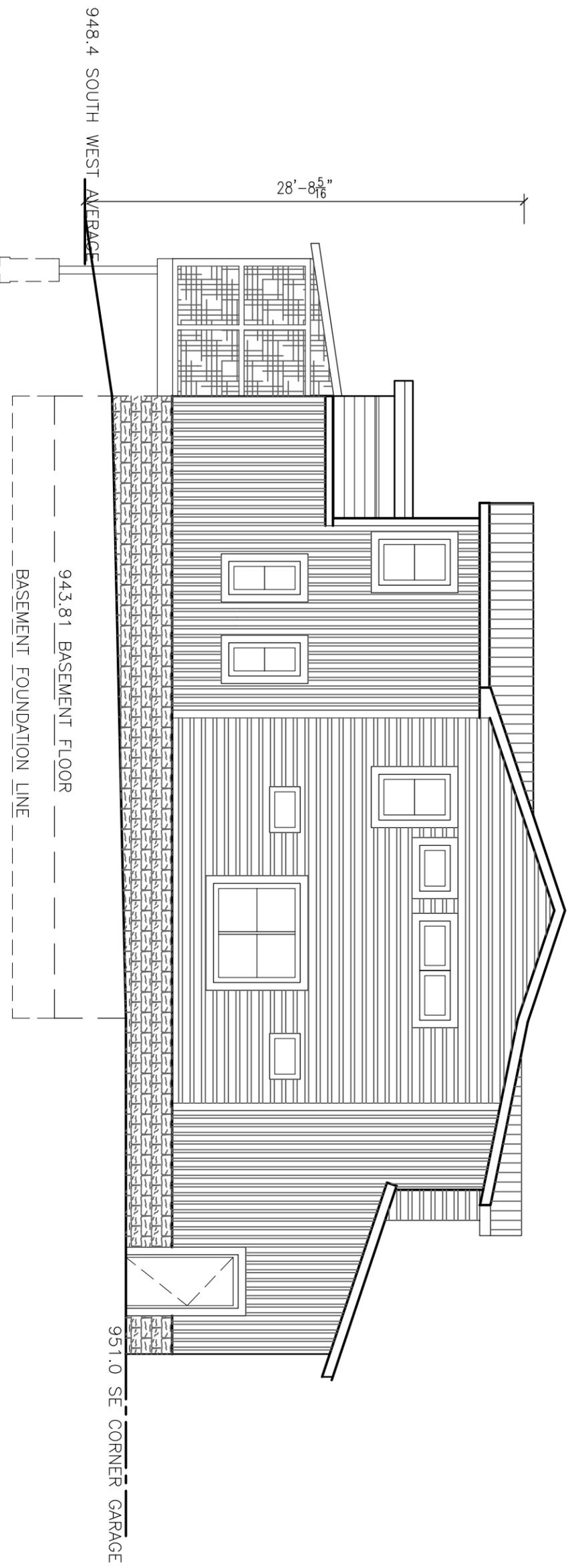
LETOURNEAU DESIGN  
 ASSOCIATES, LLC  
 PROJECT MANAGEMENT  
 AND DEVELOPMENT  
 8001 5th Street  
 SLP, Minnesota 55432  
 PH: 763.717.4966  
 PH: 612.599.6044

HOUSE REMODELING FOR  
 Randy & Rane Jacobus  
 5290 MEADVILLE St, GREENWOOD MN

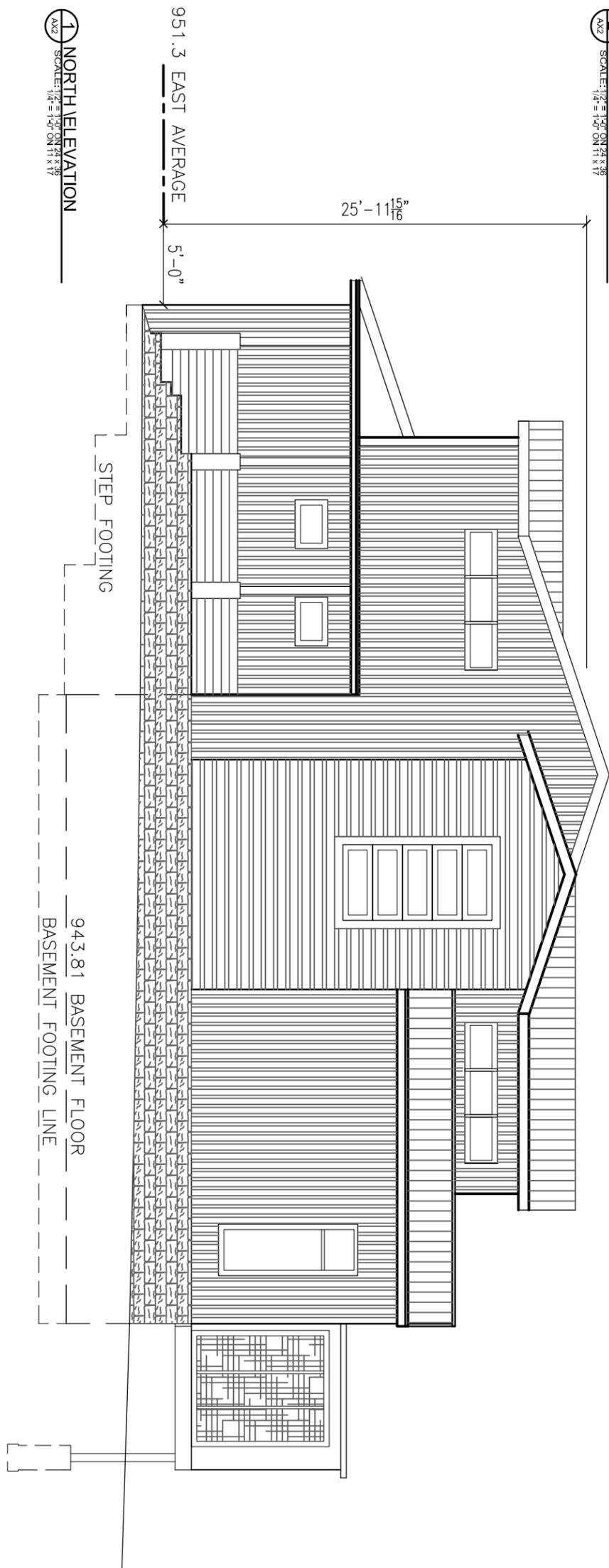
Copyright 2008  
 Letourneau Design Assoc, LLC  
 Designer: JASTIN  
 Drawn By: JCL  
 Checked By:  
 Revisions  
 12-07-18 REVIEW  
 12-12-18 PLANNING MEETING  
 01-28-19 MIDROOF CALCULATION


Sheet Number

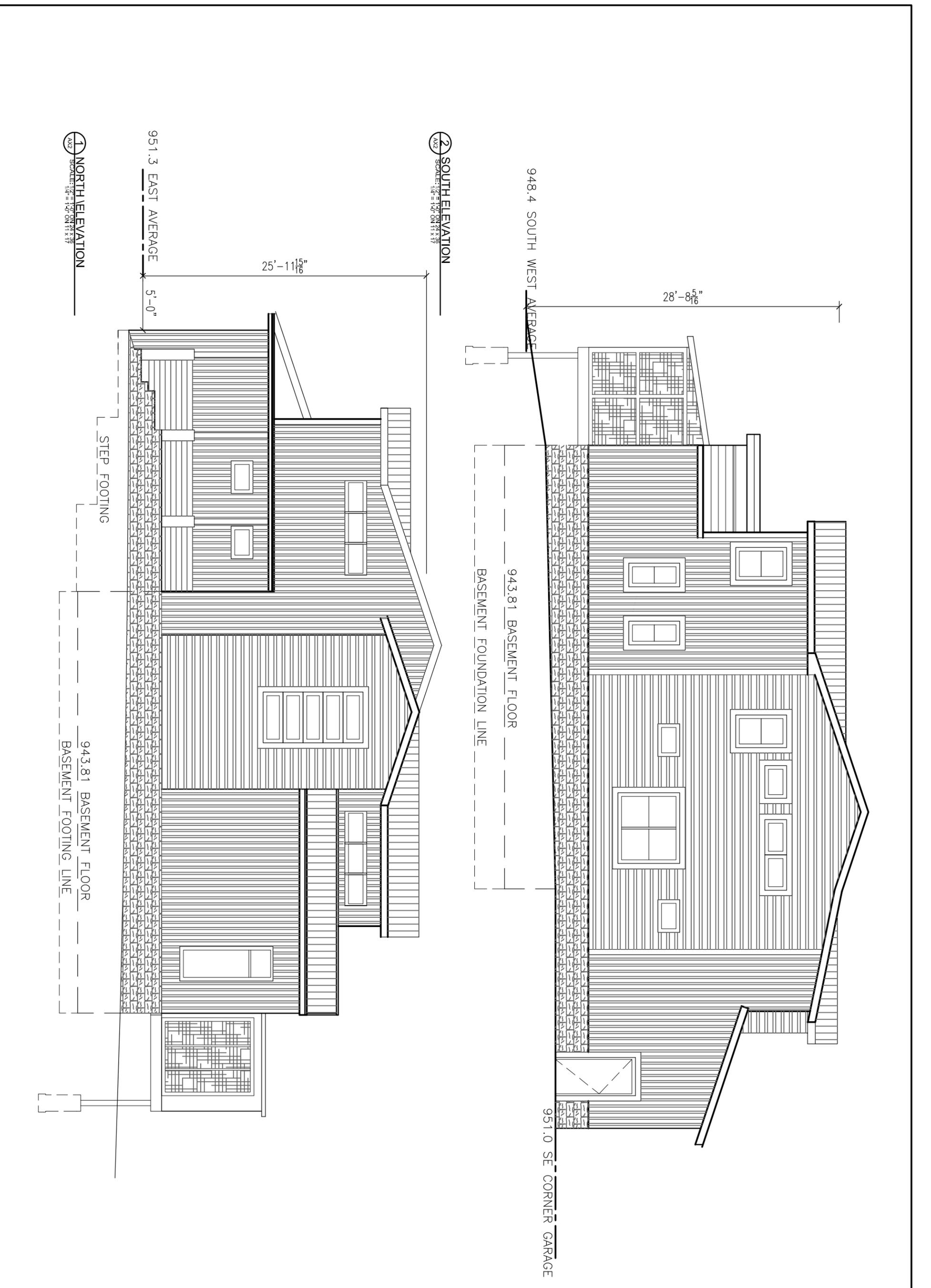
AX2



2 SOUTH ELEVATION  
 SCALE: 1/4" = 1'-0" ON 11 x 17

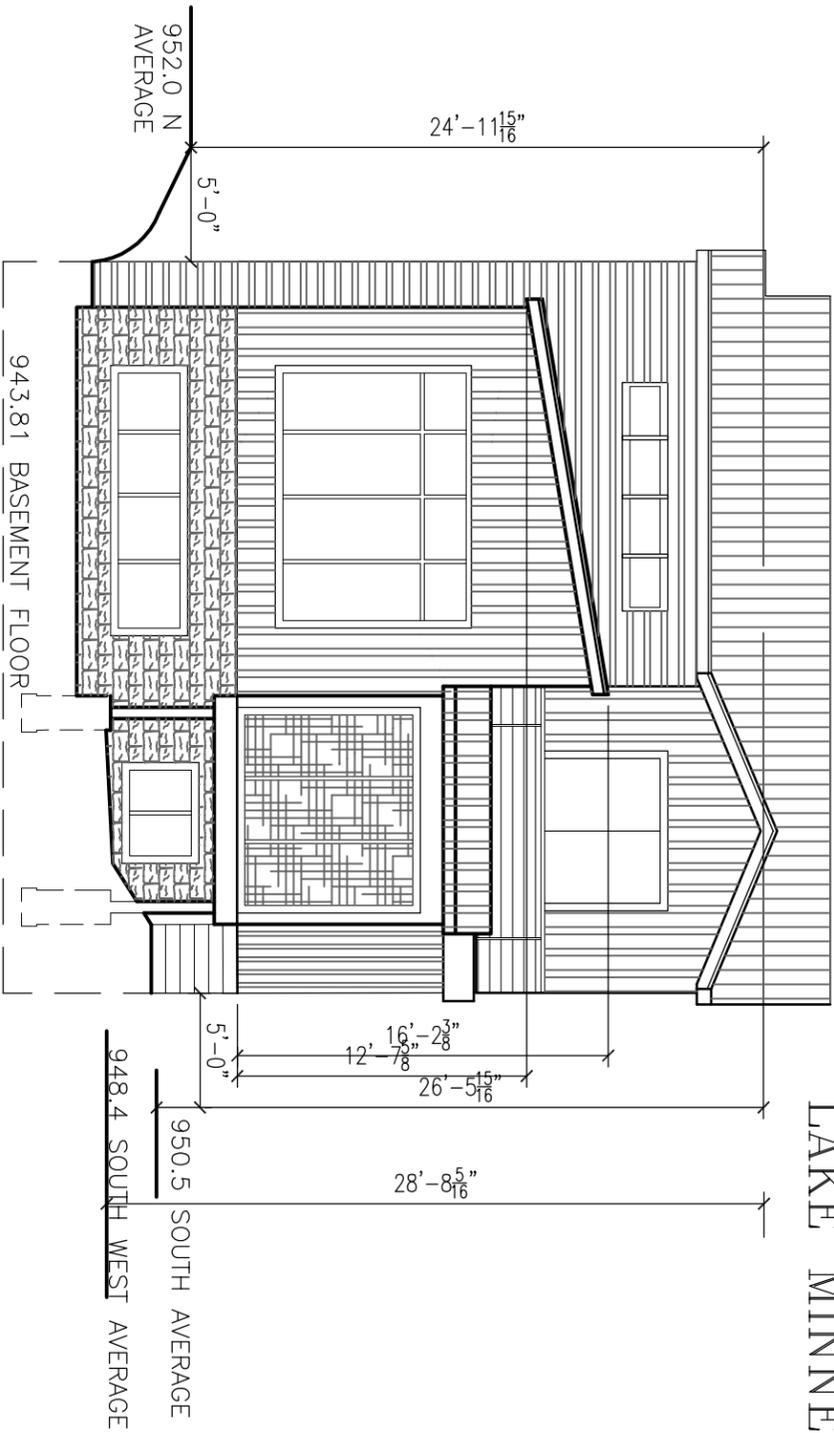


1 NORTH ELEVATION  
 SCALE: 1/4" = 1'-0" ON 11 x 17

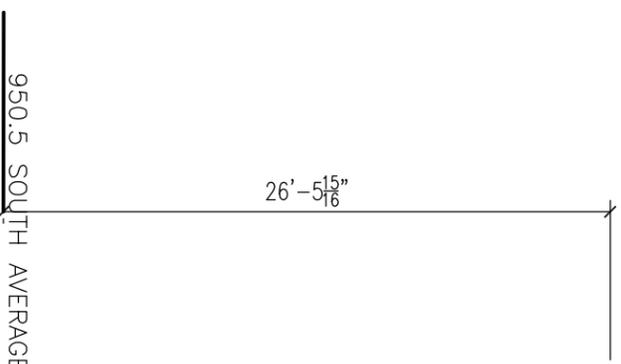


# JACOBUS RESIDENCE

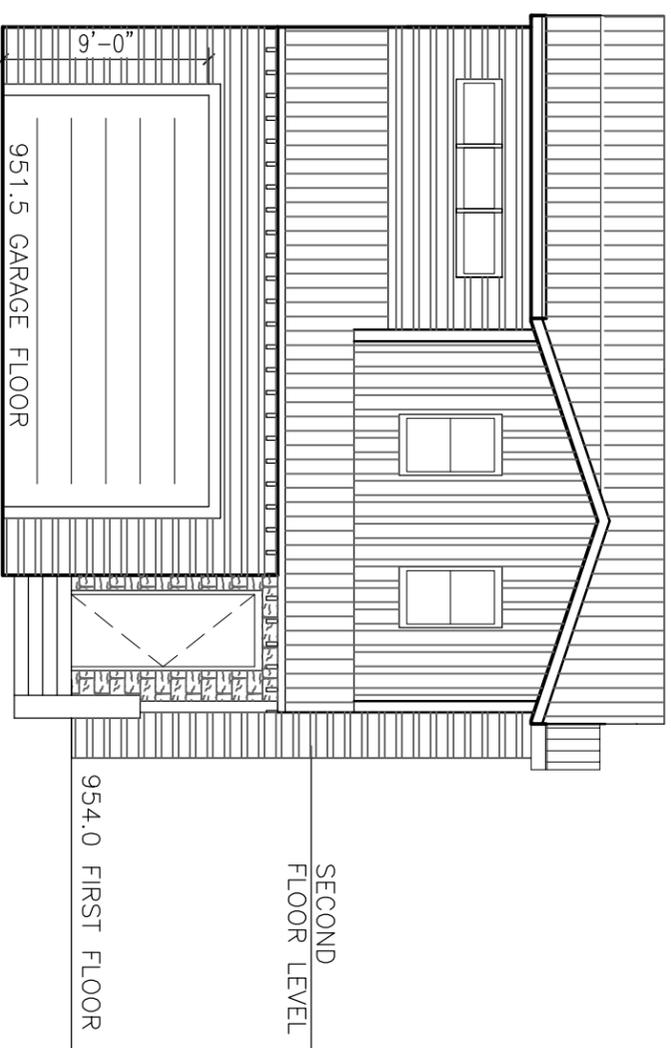
## LAKE MINNETONKA



2 LAKE VIEW ELEVATION  
AX1 SCALE: 1/2" = 1'-0" ON 11 X 17



2 MEADVILLE ROAD ELEVATION  
AX1 SCALE: 1/2" = 1'-0" ON 11 X 17



LEVIKREUHL DESIGN  
ASSOCIATES, LLC  
PROJECT MANAGEMENT  
AND DEVELOPMENT

8001 5th Street  
SLP, Minnesota 55432  
PH: 763.717.4966  
PH: 612.599.6044

HOUSE REMODELING FOR  
Randy & Rane Jacobus  
5290 MEADVILLE St, GREENWOOD MN

Copyright 2008  
Levikreuhl Design Assoc, LLC

Designer: JASON

Drawn By: JCL

Checked By:

Revisions

12-07-18 REVIEW

12-12-18 PLANNING MEETING

01-28-19 MIDROOF CALCULATION

NO.	DATE	DESCRIPTION

Sheet Number

AX1



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](http://www.greenwoodmn.com).

Property Owner(s)	Roland and Rane Jacobus
Property Address	5290 Meadville Street, Greenwood, MN. 55331

Person completing this form:  Property Owner  Builder / Architect

Per code section 1140.18 (view at [www.greenwoodmn.com](http://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:	24,738.28
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*33,614.15 w/ basement*

**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	<i>Ranee A. Jacobus</i>	Date: 1/10/19
Print Name	Ranee A. Jacobus	

**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

RESOLUTION NO 06-19

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

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**In Re: Application of Roland and Rane Jacobus for the property at 5290 Meadville Street for a variance from Greenwood ordinance code sections 1120.15 in order to encroach into the north and south side yard setbacks in conjunction with the construction of a new house on the property.**

---

**WHEREAS**, Applicants Roland and Rane Jacobus (hereinafter 'Applicant') is the owner of property commonly known as 5290 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-33-0008) being real property located in Hennepin County, Minnesota and legally described as follows:

THAT PART OF LOT 3, SOLBERG'S POINT, LYING SOUTH OF THE NORTH 60 FEET THEREOF,  
HENNEPIN COUNTY, MINNESOTA.

; and

**WHEREAS**, the applicant proposes to encroach into the north and south side yard setbacks in order to construct new house on the property; 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 December 12, 2018; 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 5290 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-33-0008) is a single-family lot of record located within the R-1 district.
2. The applicants propose to build a new house that would encroach into the north and south side yard setbacks on the property. Section 1120.15 of the city code requires side yard setbacks of 8 feet for the 40 foot wide lot. Applicants are proposing side yard setbacks of 3.8 feet on the south side and 3.9 feet on the north side. The existing house has a south side yard setback of 2.9 feet and a north side yard setback of 2 feet. Meeting the city setback requirements would limit the house width to 24 feet wide, which would not meet the minimum house width requirements.

3. 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."

4. The applicants assert that the proposed variance request complies with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6.
5. The planning commission, on a 3-0 vote, recommended the council approve the request of Roland and Ranee Jacobus to vary from city code section 1120.15 to encroach into the south side yard setback by 4.2 feet, and into the north side yard setback by 4.1 feet in order to build a new house at 5290 Meadville Street, as proposed. The motion was 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 of the ordinance 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. The proposed expansion is consistent with that purpose and is a modest house on a challenging, undersized property.
  - b) The variance, if granted, will be consistent with the comprehensive plan which encourages, safe, healthy, and quality housing that respects the natural environment of the community.
  - 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 property while improving upon the existing nonconforming conditions. The narrow lot creates challenges to meeting the setback standards and the building width standards.
  - d) The plight of the landowner-applicant is due to circumstances unique to the property and not created by the landowner because: the buildable area on the property is limited due to the 40 foot lot width and the overall size of the lot.
  - e) The variance, if granted, will not alter the essential character of the locality, because: the proposed house is a modest change from existing conditions and 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.
6. Based on the foregoing, the city council determined that the variance request complies with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6.

## 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 granting of variances from section 1120.15 and therefore variances to encroach into south side yard setback by 4.2 feet and into the north side yard setback by 4.1 feet in order to build a new house at 5290 Meadville Street be **APPROVED**.

The approval is conditioned that: a) the proposed lake yard setback be adjusted to meet the 50 foot minimum lake yard

setback requirement.

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

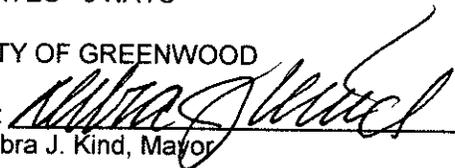
That the application of Roland and Rane Jacobus for the property at 5290 Meadville Street, Greenwood, Minnesota 55331 for variances from section 1120.15 to encroach into south side yard setback by 4.2 feet, and into the north side yard setback by 4.1 feet in order to build a new house at 5290 Meadville Street is **APPROVED**.

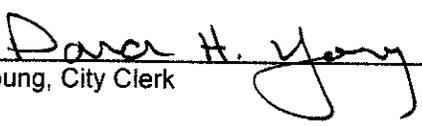
The approval is conditioned that: a) the proposed lake yard setback be adjusted to meet the 50 foot minimum lake yard setback requirement.

**PASSED** this 2nd day of January, 2019 by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments for the city of Greenwood, Minnesota.

4 AYES 0 NAYS

CITY OF GREENWOOD

By:   
Debra J. Kind, Mayor

Attest:   
Dana Young, City Clerk

## RESOLUTION NO 13-19

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

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**In Re: Application of Roland and Rane Jacobus for the property at 5290 Meadville Street for a variance from Greenwood ordinance code sections 1120.15 and 1140.80(4)(c)(2) to encroach into the front and south side yard setbacks and exceed the maximum permitted impervious surface area, and exceed the maximum construction related tree removal in conjunction with the construction of an attached garage on the property.**

---

**WHEREAS**, Applicants Roland and Rane Jacobus (hereinafter 'Applicant') are the owners of property commonly known as 5290 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-33-0008) being real property located in Hennepin County, Minnesota and legally described as follows:

THAT PART OF LOT 3, SOLBERG'S POINT, LYING SOUTH OF THE NORTH 60 FEET THEREOF,  
HENNEPIN COUNTY, MINNESOTA.

; and

**WHEREAS**, the applicant proposes to encroach into the front and south side yard setbacks and exceed the maximum permitted impervious surface area, and exceed the maximum construction related tree removal in conjunction with the construction of an attached garage on the property; 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 February 13, 2019; 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 5290 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-33-0008) is a single-family lot of record located within the R-1 district.

The applicants propose to build a new attached that would encroach into the front and south side yard setbacks on the property. Section 1120.15 of the city code requires side yard setbacks of 8 feet for the 40 foot wide lot. Applicants are proposing a south side yard setback of 3.9 feet and a front setback of 27.2 feet. The January 2019 approval permitted the proposed extent of the house, and the proposed attached garage would be a further encroachment along this same setback line. The attached garage would be setback as close as 27.2 feet from the front property line. The angle of the front property line creates this minor encroachment, as the north corner of the garage is 32.4 feet from the property line. A 686 square foot detached garage is proposed to be removed as part of this project. Currently, that garage encroaches 14.3 feet into the public right-of-way and 7.8 feet into the north side yard setback.

2. Section 1120.15 of the Greenwood Zoning Code limits the impervious area for a property of this size to 33.9%. The property is currently at 49.4% impervious, which excludes areas that encroach into the public right-of-way and the neighboring commercial property. As proposed, the impervious areas would be reduced to 43.8%, and the calculation now includes the entirety of the proposed garage.
3. Section 1140.80 of the Greenwood Zoning Code regulates tree removal and replacement. The applicants propose to remove all but two of the existing, non-noxious trees on the property. Only one of the proposed trees to be removed (the silver maple clump) is considered significant. The lot is narrow and the trees are in close proximity to the existing house. Because of these factors, it would be very difficult to save the trees. Given their location, and their generally

small size, staff is supportive of the proposed tree removal.

As proposed, 47 of the 74 diameter inches of trees (64%) on the property would be removed. Applicants are permitted to remove 15 diameter inches. The equivalent of five 12 foot tall coniferous trees and one 24" or greater softwood deciduous tree would need to be replaced. Applicants are proposing 2 x 3" deciduous trees, and 10 x 2" deciduous trees. As proposed the trees meet the replacement requirements. At least 4 of the replacement trees would be replaced on site, and the remaining 8 trees may be placed on site, or reimbursed to the city at fair market value per Section 1140.80, Subd. 7.

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 applicants assert 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, on a 4-0 vote, recommended the council approve with conditions the request of Roland and Rane Jacobus to vary from city code section 1120.15 to encroach into the south side yard setback by 4.1 feet, to encroach into the front yard setback by 2.8 feet, to exceed the maximum permitted impervious surface area by 9.9%, and to exceed the maximum allowable construction related tree removal by 44% (32 diameter inches) in order to build an attached garage at 5290 Meadville Street, as proposed.

And subject to the following conditions:

- a) Applicants will pay the required landscape security to the city per city code Section 1140.80 Subd. 9.

The motion was 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 of the ordinance 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. The proposed garage is consistent with that purpose while simultaneously a non-conforming detached garage from the property.
- b) The variance, if granted, will be consistent with the comprehensive plan which encourages, safe, healthy, and quality housing that respects the natural environment of the community.
- 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 creates an attached garage on a small,

narrow property while also eliminating the existing detached garage that encroaches into the public right-of-way and the north side yard setback.

- d) The plight of the landowner-applicant is due to circumstances unique to the property and not created by the landowner because: the buildable area on the property is limited due to the 40 foot lot width and the overall size of the lot. The front property line angles inward creating a small portion of the garage that encroaches into the setback while most of the proposed structure exceeds setback requirements. The proposed impervious areas are a reduction from legal nonconforming conditions, while also locating the garage structure entirely within the property lines.
- e) The variance, if granted, will not alter the essential character of the locality, because: the proposed attached garage makes the property significantly more conforming than existing conditions.
- 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.

7. Based on the foregoing, the city council determined that the variance request complies with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6.

## 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 granting of variances from sections 1120.15 and 1140.80(4)(c)(2) and therefore variances to encroach into the south side yard setback by 4.1 feet, to encroach into the front yard setback by 2.8 feet, to exceed the maximum permitted impervious surface area by 9.9%, and to exceed the maximum allowable construction related tree removal by 44% (32 diameter inches) in order to build an attached garage at 5290 Meadville Street be **APPROVED**.

The approval is conditioned that: a) Applicants will pay the required landscape security to the city per city code Section 1140.80 Subd. 9.

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

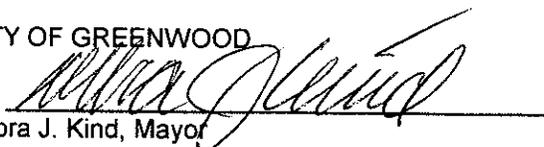
That the application of Roland and Rane Jacobus for the property at 5290 Meadville Street, Greenwood, Minnesota 55331 for variances from sections 1120.15 and 1140.80(4)(c)(2) and therefore variances to encroach into the south side yard setback by 4.1 feet, to encroach into the front yard setback by 2.8 feet, to exceed the maximum permitted impervious surface area by 9.9%, and to exceed the maximum allowable construction related tree removal by 44% (32 diameter inches) in order to build an attached garage at 5290 Meadville Street is **APPROVED**.

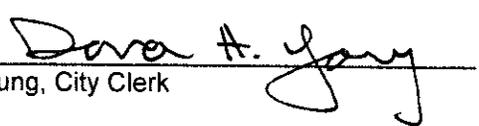
The approval is conditioned that: a) Applicants will pay the required landscape security to the city per city code Section 1140.80 Subd. 9.

**PASSED** this 6th day of March, 2019 by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments for the city of Greenwood, Minnesota.

5 AYES 0 NAYS

CITY OF GREENWOOD

By:   
Debra J. Kind, Mayor

Attest:   
Dana Young, City Clerk

**LEGAL DESCRIPTION:**  
That part of Lot 3, Solberg's Point, lying South of the North 60 feet thereof, Hennepin County, Minnesota.

- SCOPE OF WORK & LIMITATIONS:**
- Showing the length and direction of boundary lines of the legal description listed above. 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.
  - Showing the location of observed existing improvements we deem necessary for the survey.
  - Setting survey markers or verifying existing survey markers to establish the corners of the property.
  - Showing and tabulating impervious surface coverage of the lot for your review and for the review of such governmental agencies that may have jurisdiction over these requirements to verify they are correctly shown before proceeding with construction.
  - Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.
  - This survey has been completed without the benefit of a current title commitment. There may be existing easements or other encumbrances that would be revealed by a current title commitment. Therefore, this survey does not purport to show any easements or encumbrances other than the ones shown hereon.
  - While we show a proposed location for this home or addition, we are not as familiar with your proposed plans as you, your architect, or the builder are. Review our proposed location of the improvements and proposed yard grades carefully to verify that they match your plans before construction begins. Also, we are not as familiar with local codes and minimum requirements as the local building and zoning officials in this community are. Be sure to show this survey to said officials, or any other officials that may have jurisdiction over the proposed improvements and obtain their approvals before beginning construction or planning improvements to the property.
  - Note that all building dimensions and building tie dimensions to the property lines, are taken from the siding and or stucco of the building.
  - While we show the building setback lines per the City of Greenwood web site, we suggest you show this survey to the appropriate city officials to be sure that the setback lines are shown correctly. Do this BEFORE you use this survey to design anything for this site.

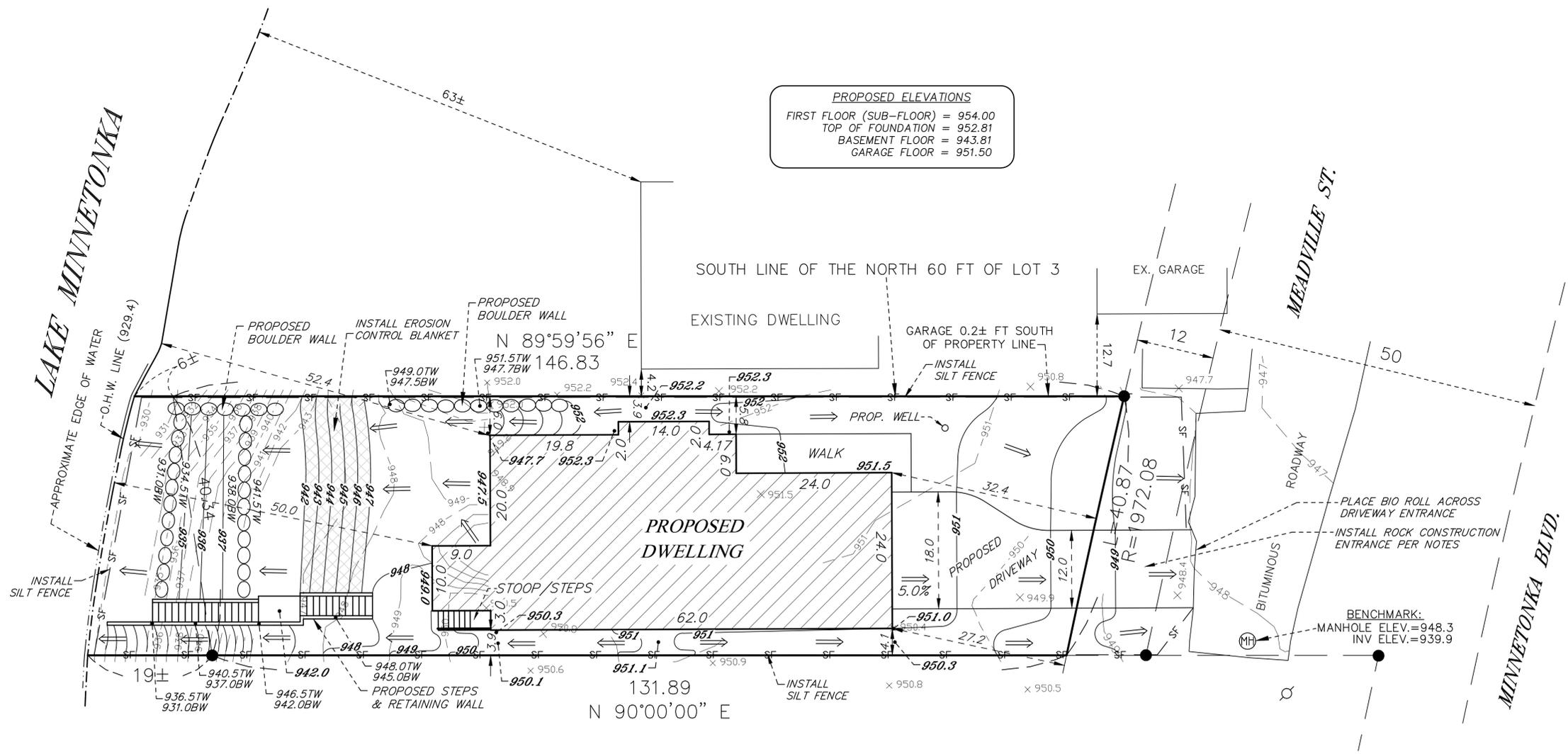
**STANDARD SYMBOLS & CONVENTIONS:**  
● Denotes iron survey marker, found, unless otherwise noted.

- GRADING & EROSION CONTROL NOTES:**
- BEFORE DEMOLITION AND GRADING BEGIN**
- Install silt fence/bio roll around the perimeter of the construction area.
  - Sediment control measures must remain in place until final stabilization has been established and then shall be removed. Sediment controls may be removed to accommodate short term construction activity but must be replaced before the next rain.
  - A temporary rock construction entrance shall be established at each access point to the site and a 6 inch layer of 1 to 2 inch rock extending at least 50 feet from the street into the site and shall be underlain with permeable geotextile fabric. The entrance shall be maintained during construction by top dressing or washing to prevent tracking or flow of sediments onto public streets, walks or alleys. Potential entrances that are not so protected shall be closed by fencing to prevent unprotected exit from the site.
  - Contractor shall install inlet protection on all existing storm sewer inlets in accordance with the city standard details. Inlet protection shall also be provided on all proposed storm sewer inlets immediately following construction of the inlet. Inlet protection must be installed in a manner that will not impound water for extended periods of time or in a manner that presents a hazard to vehicular or pedestrian traffic.
- DURING CONSTRUCTION:**
- When dirt stockpiles have been created, a double row of silt fence shall be placed to prevent escape of sediment laden runoff and if the piles or other disturbed areas are to remain in place for more than 14 days, they shall be seeded with Minnesota Department of Transportation Seed Mixture 22-111 at 100 lb/acre followed by covering with spray mulch.
  - A dumpster shall be placed on the site for prompt disposal of construction debris. These dumpsters shall be serviced regularly to prevent overflowing and blowing onto adjacent properties. Disposal of solid wastes from the site shall in accordance with Minnesota Pollution Control Agency requirements.
  - A separate container shall be placed for disposal of hazardous waste. Hazardous wastes shall be disposed of in accordance with MPCA requirements.
  - Concrete truck washout shall be in the plastic lined ditch and dispose of washings as solid waste.

- Sediment control devices shall be regularly inspected and after major rainfall events and shall be cleaned and repaired as necessary to provide downstream protection.
  - Streets and other public ways shall be inspected daily and if litter or soils has been deposited it shall promptly be removed.
  - If necessary, vehicles, that have mud on their wheels, shall be cleaned before exiting the site in the rock entrance areas.
  - Moisture shall be applied to disturbed areas to control dust as needed.
  - Portable toilet facilities shall be placed on site for use by workers and shall be properly maintained.
  - If it becomes necessary to pump the excavation during construction, pump discharge shall be into the stockpile areas so that the double silt fence around these areas can filter the water before it leaves the site.
  - Temporary erosion control shall be installed no later than 14 days after the site is first disturbed and shall consist of broadcast seeding with Minnesota Department of Transportation Seed Mixture 22-111 at 100 lb/acre followed by covering with spray mulch.
  - Erosion control measures shown on the erosion control plan are the absolute minimum. The contractor shall install temporary earth dikes, sediment traps or basins and additional silt fencing as deemed necessary to control erosion.
- SITE WORK COMPLETION:**
- When final grading has been completed but before placement of seed or sod an "as built" survey shall be done per City of Greenwood requirements to insure that grading was properly done.
  - When any remedial grading has been completed, sod or seeding shall be completed including any erosion control blankets for steep areas.
  - When turf is established, silt fence and inlet protection and other erosion control devices shall be disposed of and adjacent streets, alleys and walks shall be cleaned as needed to deliver a site that is erosion resistant and clean.
  - Contractor shall maintain positive drainage of a minimum 2% slope away from proposed building.

EXISTING HARDCOVER		PROPOSED HARDCOVER	
HOUSE	1,178 SQ. FT.	HOUSE	1,834 SQ. FT.
GARAGE	339 SQ. FT.	FRONT WALK	171 SQ. FT.
FRONT STONE WALK	132 SQ. FT.	REAR STOOP/STEPS	33 SQ. FT.
DECK	358 SQ. FT.	LAKE SIDE STEPS/WALLS	165 SQ. FT.
SOUTHERLY WALK/STEPS	256 SQ. FT.	DRIVEWAY	457 SQ. FT.
STONE STEPS (TO BASEMENT)	47 SQ. FT.	TOTAL PROPOSED HARDCOVER	2,660 SQ. FT.
GAZEBO	75 SQ. FT.	AREA OF LOT TO O.H.W. LINE	6,080 SQ. FT.
STONE PATIO	185 SQ. FT.	LOT COVERAGE	43.8%
WOOD STEPS/DOCK/WALLS	431 SQ. FT.		
TOTAL EXISTING HARDCOVER	3,001 SQ. FT.		
AREA OF LOT TO O.H.W. LINE	6,080 SQ. FT.		
LOT COVERAGE	49.4%		

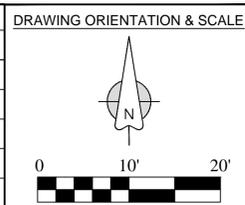
**PROPOSED ELEVATIONS**  
FIRST FLOOR (SUB-FLOOR) = 954.00  
TOP OF FOUNDATION = 952.81  
BASEMENT FLOOR = 943.81  
GARAGE FLOOR = 951.50



**LEGEND**

EXISTING CONTOUR	--- 950 ---
EXISTING SPOT ELEVATION	x 950.5
PROPOSED CONTOUR	— 950 —
PROPOSED SPOT ELEVATION	950.5 ↗
DRAINAGE ARROW - FLOW	⇒
SILT FENCE/BIO ROLL	— SF —

DATE	REVISION DESCRIPTION
12-7-18	MOVED SCREEN PORCH & UPDATED HOUSE FOOTPRINT
12-13-18	UPDATED HARDCOVER TABULATION
1-7-19	ADDED ATTACHED GARAGE & LOWERED HOUSE 0.5'
1-21-19	REMOVED TREES FROM SURVEY



**CLIENT/JOB ADDRESS**

**RANEE JACOBUS**  
5290 MEADVILLE STREET  
GREENWOOD, MN

**Advance**  
Surveying & Engineering, Co.  
17917 Highway No. 7  
Minnetonka, Minnesota 55345  
Phone (952) 474-7964  
Web: www.advsur.com

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Joshua S. Rinke*  
Joshua S. Rinke  
# 52716  
LICENSE NO.  
NOVEMBER 14, 2018  
DATE

DATE SURVEYED: NOV. 5, 2018  
SURVEYED BY: ADVANCED SURVEYING, & ENG., CO.  
DATE DRAFTED: NOVEMBER 14, 2018

**SHEET TITLE**  
PROPOSED SURVEY  
**SHEET SIZE:** 22 X 34  
**DRAWING NUMBER**  
181361 JR

**SHEET NO.**  
**S1**  
SHEET 1 OF 2

**From:** Ranee Jacobus <raneejacobus@gmail.com>  
**Sent:** Tuesday, October 15, 2019 2:43 PM  
**To:** Debra Kind; Cooney Dale; LUCKING PAT  
**Cc:** Francis Todd; Randy Jacobus  
**Subject:** 5290 Meadville

Good morning. I dropped off payment for Variance this morning and assume everything needed for the Planning Committee meeting on Oct 24 is in your hands.

**This is notice that as of last week, we stopped all future sub-contractor work on our home and will re-access any future work after Nov 6.**

**However, there is residual work we are trying to complete as quickly as possible to correct real issues with work paid for to date so we can protect the house from weather and vandals while we sit idle. These are outlined below:**

- 1. CORRECT ISSUE: DON STODOLA WELL COMPANY** Just found out the brevity of this issue today. A sub-contractor (not sure who the culprit is yet) bumped into my new well (completed in June) in my yard sometime in the last couple weeks and caused a leak in my new system. This issue was only discovered this weekend when the area broke away completely, creating a pond and runoff in my backyard. When it dries off enough for Rick Stodola's well equipment to get to the well, they will be there assessing and fixing. Obviously, whenever a well is compromised, we are required to address it immediately.
- 2. CORRECT ISSUE: STEVENS INSULATION** Just saw comments of Insulation inspection upon returning to Minnesota. Insulation was finished last week. It was already paid for and in process prior to my being told that we needed to go to Variance. There are 2 minor punch items from the Insulation inspector that Stevens will be coming back to do today or tomorrow, and another bigger punch item that involves water intrusion to batt in the garage that needs to be taken down and dried out.
- 3. CORRECT ISSUE: WATER INTRUSION.** Trying to nail down the culprit of water intrusion in garage and two areas of house that started a week ago and surfaced again over the weekend, causing damage to batt in garage and puddling on Main Floor in two areas. Obviously we can't continue to let this happen over the next three weeks. My builder and framer will be addressing this together. They believe it is flashing related and there will have to be some remedial work on these two areas to get the house water tight.
- 4. INCOMPLETE WORK STOPPED. EXTERIOR SIDING.** We were paying the siders in installments based on the work they completed. Due to weather last week, they just finished up the work on Monday we had paid them to do with last installment. They are caulking work to date today, then will be gone from the property until further notice from us.
- 5. INCOMPLETE WORK. ROOF.** There are still two areas of upper roof exposed that were supposed to be shingled two weeks ago. It has been painful trying to get these people back to finish their job. These areas are minimal (were originally going to be metal and were told they weren't suitable for metal after the fact) and should be shingled before winter storms hit and snow sits up there. Garage and screen porch will remain un-shingled until after Nov 6, as they don't affect interior of home.
- 6. TEMPORARY GARAGE DOOR.** We cancelled the scheduled installation last week of our permanent garage door since we also cancelled drywalling of house. However, we will be installing some type of temporary garage door front to secure the home, as we have a large amount of purchased finish materials sitting in our garage.

Just wanted to communicate that we are in no way being presumptuous about the outcome of our variance. We are just asking for your understanding in our wish to remedy and protect our investment to date as quickly as we can so there are no concerns while it is on hold.

Thank you.

Ranee and Randy Jacobus

To: The Greenwood Planning Commission:

From: Jeff Solum residing at 5280 Meadville St.

Date: 10/22/2019

I recently received a notice for variance at 5290 Meadville St. the property of Raneë and Randy Jacobus. I am the next door neighbor residing at 5280 Meadville St. My understanding from the notice, is that the new house that is currently under construction exceeds the maximum volume allowed for the size of the property on which it sits.

While I appreciate that the house was moved over from my south property line by an average of 3.2 feet, I must say that as it was going up, I was a bit overwhelmed by the size. I remember asking the planning commission during their planning stage and original variance request last fall, to consider allowing the house to be moved back from the previous location somewhat to avoid the massive wall that extends 24 ft in front of my house on my south side but apparently that was not a consideration since the house was in compliance on it's rear setback (from the lake) of 50'.

I have had the pleasure of getting to know Raneë and Randy over the summer during the project. We have collaborated on some of the lakeside landscaping which I really appreciate and has turned out nicely.

Early in July I had a conversation with Raneë about the wall height on the north side of her house (the part that extends in front of my house). I thought she was missing out on some spectacular views of the lake from the second story. She originally had planned to have windows facing north in the master bedroom and some larger windows at the top of the stairs for views westward from the second floor rec room. But according to her she needed to increase the pitch of the roof over her living room for reasons I am not quite clear on. So the wall height was increased going up toward the south which is adjacent to the master bedroom on the second floor. I asked her at that time why she did not simply lower the wall height on the north side (wall facing me) to accommodate the greater pitch in the roof. She told me that her builder either decided that was not an option or at least had not considered that option and that it was too late to make such a modification. I still think they are missing out on the views of the lake and have made somewhat of a hardship for me given the overall height of the wall which extends in front of my place and is on my south facing side.

On the evening of on Wednesday October 16<sup>th</sup> I called up Randy and Raneë , after having received the request for variance notice and suggested that if they did not get the variance, that I believe the easiest fix for decreasing the volume would be to lower the roof and vaulted ceiling over the family room on the main floor since that roof is composed of only rafters and not complex trusses. This is also not living space so it would have no effect on the overall living square footage.

Had I not received the notice, I would not have brought the subject up again as I did in July when modifications would have been much simpler and less costly.

I know that the wall height on the north side is within the specifications originally proposed, however the wall height depicted on the original drawings was apparently the interior wall height (12 ft) which may have been somewhat misleading but was pointed out to me by Raneë. When I measured the

exterior wall height it is nearly 15 ft from the top of the roof line to the ground. So accounting for the floor trusses of 14" and 12" rafters, subfloor, ceilings, roof sheeting, etc. the outside measurement makes some sense and after final grading will be just under 15 ft above ground.

***I want to be a good neighbor and I can live with whatever the planning commission and city council decides with regards to this variance request,*** however if the decision is for Randy and Raneer to make any modifications to get closer to, or within the volume maximum, I would propose the following modifications:

1. Lower the roof height over the family room so that the North side of the wall is reduced by at least 3 ft making the interior measurement no more than 9 ft on the north wall and the exterior measurement above ground no more than 12 ft.
2. In addition, it does not take too much imagination to envision a nice larger deck on the rear of the family room (lakeside) in exchange for some of the lakeside interior living space. That sounds like a big project but when you think about it, it may make the most sense from a cost and engineering problem to solve since the front wall of the family room could be moved back from the lake relatively easily compared to other alternatives to reducing the volume.

Respectfully submitted,

Jeff Solum and Bonnie Waldorf

5280 Meadville St.



**Agenda Number: 7B**

**Agenda Date: 12-04-19**

*Prepared by Dale Cooney*

**Agenda Item:** 1st Reading: Ord 297, Amending Chapter 11, Section 1140.10 Subd. 2(c) regarding swimming pools, hot tubs, and spas and Res 48-19 a summary of Ord 297.

**Summary:** The current zoning code has reduced setback requirements for freestanding swimming pools, hot tubs, and spas. While they can be more easily removed and replaced, the visual impacts of freestanding swimming pools, hot tubs, and spas are as great as or greater than that of in-ground swimming pools, hot tubs, and spas. Because of these impacts, the city council is proposing that the setbacks be the same for both in-ground and freestanding swimming pools, hot tubs, and spas.

**Planning Commission Action:** The planning commission held a public hearing at their 11-13-19 meeting and, on a 3-0, recommended approval of the ordinance amendment as written.

**Timeline:**

- ~~10-2-19 City council discusses potential revisions to the ordinance.~~
- ~~10-21-19 The public hearing notice is submitted to the Sun-Sailor for publication.~~
- ~~10-31-19 The public hearing notice is published in the Sun-Sailor (10+ days prior to planning commission meeting).~~
- ~~11-13-19 Planning commission holds public hearing and makes recommendation.~~
- 12-04-19 City council considers 1st reading of the ordinance (may make revisions / may waive 2nd reading).
- 12-05-19 If the 2nd reading is waived, the ordinance is submitted to the Sun-Sailor for publication.
- 12-12-19 If the 2nd reading is waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).
- 01-02-19 City council considers 2nd reading of the ordinance (may make revisions).
- 01-09-19 The ordinance is submitted to the Sun-Sailor for publication.
- 01-16-19 The ordinance is published in the Sun-Sailor (goes into effect on this date).

**Council Action:** Potential motions ...

1. I move the city council (1) approve the first reading of ordinance 297 amending Section 1140.10 Subd. 2(c) of the city code regarding swimming pools, hot tubs, and spas as written / as amended; (2) waives the second reading; and (3) directs that summary resolution 48-19 be submitted to the Sun-Sailor for publication.
2. I move the city council (1) approve the first reading of ordinance 297 Section 1140.10 Subd. 2(c) of the city code regarding swimming pools, hot tubs, and spas as written / as amended; and (2) directs that the ordinance be placed on the January council agenda for a 2nd reading.
3. Do nothing (maintain current ordinance) 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. The 2nd reading may be waived by a unanimous vote of city council members present at the meeting. In order to publish an ordinance by title and summary the ordinance must be approved by a 4/5ths vote. 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  
1140.10 SUBD. 2(C) REGARDING SWIMMING POOLS, HOT TUBS, AND SPAS**

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

SECTION 1.

Greenwood ordinance code section 1140.10 Subd. 2(c) is amended to read as follows:

“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
Driveway Monument Posts (see subd. 8 below)	2 feet	5 feet	2 feet	Not allowed	Not allowed
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
<del>Swimming Pools, Hot Tubs—freestanding</del>	<del>50 feet</del>	<del>10 feet</del>	<del>30 feet</del>	<del>10 feet</del>	<del>35 feet</del>
Swimming Pools, <del>Hot Tubs</del> , Spas – in-ground (see subd. 7 below) <del>and freestanding</del>	50 feet	10 feet	30 feet	10 feet	50 feet
Miscellaneous Secondary Accessory Structures Not Listed Above – with a footprint of 2 sq ft or greater	50 feet	10 feet	30 feet	10 feet	50 feet

”

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 \_\_\_\_\_, 2019.

\_\_\_ AYES \_\_\_ NAYS

CITY OF GREENWOOD

By: \_\_\_\_\_  
Debra J. Kind, Mayor

Attest: \_\_\_\_\_  
Dana H. Young, City Clerk

First reading: \_\_\_\_\_, 2019  
Second reading: \_\_\_\_\_, 2019  
Publication: \_\_\_\_\_, 2019

**RESOLUTION 48-19**

**A RESOLUTION OF THE CITY OF GREENWOOD, MINNESOTA  
APPROVING PUBLICATION OF ORDINANCE NUMBER 297 BY TITLE AND SUMMARY**

**WHEREAS**, on December 4, 2019 the city council of the city of Greenwood adopted "Ordinance 297 Amending Greenwood Ordinance Code Section \_\_\_ Regarding Pools, Hot Tubs, and Spas."

**WHEREAS**, the city council has prepared a summary of ordinance 297 as follows:

1. The purpose of this ordinance is to make the lakeside setback for freestanding pools, hot tubs, and spas consistent with the setbacks for inground pools, hot tubs, and spas.
2. The ordinance specifies a 50ft lakeside setback for inground and freestanding pools, hot tubs, and spas.

**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 297 clearly informs the public of intent and effect of the ordinance.
2. The city clerk is directed to publish ordinance 297 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 \_\_\_\_\_, 2019.

\_\_\_ AYES \_\_\_ NAYS

CITY OF GREENWOOD

By: \_\_\_\_\_  
Debra J. Kind, Mayor

Attest: \_\_\_\_\_  
Dana H. Young, City Clerk

CITY OF GREENWOOD

Debra J. Kind, Mayor  
Attest: Dana H. Young, City Clerk  
First reading: \_\_\_\_\_, 2019  
Second reading: \_\_\_\_\_, 2019  
Publication: \_\_\_\_\_, 2019



**Agenda Number: 8A**

**Agenda Date: 12-04-19**

*Prepared by Deb Kind*

**Agenda Item:** Estimates for Maintenance of Greenwood Park Tennis Court

**Summary:** At the 08-07-19 council meeting, there was a motion by Cook that the city council authorizes staff to develop options and secure estimates for maintaining the tennis court at Greenwood Park (everything from repainting stripes to reconstruction). Second by Roy. Motion passed 4-0.

On 10-01-19, the council received an estimate \$82,650 for reconstruction of the tennis court (see attached). As of the council packet deadline, the city has not received estimates for lesser projects. If the estimates become available, they will be emailed to the city council and hardcopies will be available at the meeting.

**Council Action:** No council action is required. Potential motions ...

1. I move the city council (1) authorizes up to \$ \_\_\_\_\_ for a \_\_\_\_\_ project at the Greenwood Park tennis court, and (2) directs the cost be paid from the \_\_\_\_\_ fund.
2. Do nothing or other motion ...

**Preliminary Cost Estimate**

MEADVILLE TENNIS COURT IMPROVEMENTS  
CITY OF GREENWOOD, MINNESOTA  
OCTOBER 1, 2019

<b>ITEM NO.</b>	<b>BID ITEM</b>	<b>APPROX. QUAN.</b>	<b>UNIT</b>	<b>UNIT PRICE</b>	<b>AMOUNT</b>
1	Mobilization	1	LS	<u>\$5,000.00</u>	<u>\$5,000.00</u>
2	Common Excavation (CV)	40	CY	<u>\$50.00</u>	<u>\$2,000.00</u>
3	Pavement Removal (Any Thickness)	800	SY	<u>\$7.00</u>	<u>\$5,600.00</u>
4	Concrete Removal (Any Thickness)	90	SF	<u>\$10.00</u>	<u>\$900.00</u>
5	Fence Post Removal/Salvage	6	EA	<u>\$250.00</u>	<u>\$1,500.00</u>
6	Fence Post and Footing Replace/Reinstall	6	EA	<u>\$250.00</u>	<u>\$1,500.00</u>
7	Salvage and Reinstall Fence	60	LF	<u>\$40.00</u>	<u>\$2,400.00</u>
8	Salvage and Re-Install Tennis Net Posts With New Footings	4	EA	<u>\$2,500.00</u>	<u>\$10,000.00</u>
9	Tennis Net Anchors and Footings	1	EA	<u>\$2,500.00</u>	<u>\$2,500.00</u>
10	SPWEA240B Tennis Court Surfacing	70	TON	<u>\$125.00</u>	<u>\$8,750.00</u>
11	SPNWB230B Tennis Court Bituminous Base	140	TON	<u>\$150.00</u>	<u>\$21,000.00</u>
12	Acrylic Surfacing and Line Painting	1	LS	<u>\$10,000.00</u>	<u>\$10,000.00</u>
13	Class 5 Aggregate Base	30	TON	<u>\$50.00</u>	<u>\$1,500.00</u>
14	Granular Borrow	40	CY	<u>\$50.00</u>	<u>\$2,000.00</u>
15	Concrete Mow Strip	60	LF	<u>\$50.00</u>	<u>\$3,000.00</u>
16	Turf Restoration (Including Top Soil)	1	LS	<u>\$5,000.00</u>	<u>\$5,000.00</u>
				<b>TOTAL BID:</b>	<b><u>\$82,650.00</u></b>



Agenda Number: **9A**

Agenda Date: **12-04-19**

*Prepared by Deb Kind*

**Agenda Item:** Consider 2019 Year-End Fund Transfers

**Summary:** Each December, the council considers fund transfers. Below is a motion for the council's consideration.

Note: The Road Fund transfer was made earlier in the year, so that transfer is not included in the suggested motion.

**Council Action:** Suggested motions ...

1. I move the council approves the following budgeted 2019 fund transfers:
  - a. **\$12,500** from 605-49300-720 Marina Enterprise Fund Transfer Out to 101-39200 General Fund Interfund Operating Transfer In
  - b. **\$3,960** from 605-49300-721 Marina Enterprise Fund Transfer Out to 101-39201 General Fund Administrative Expense Reimbursement
  - c. **\$10,090** from 602-43200-720 Sewer Enterprise Fund Transfer Out to 101-39202 General Fund Administrative Expense Reimbursement
  - d. **\$2,573** from 502-43200-720 Stormwater Special Revenue Fund Transfer Out to 101-39203 General Fund Administrative Expense Reimbursement
  - e. **\$10,000** from 101-49000-500 General Fund Bridge Transfer to 403-39200 Bridge Capital Project Fund
2. Other motion ???



Agenda Number: **11A-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 are included in the hard copy of the full council packet and in the electronic version of the packet available at [www.greenwoodmn.com](http://www.greenwoodmn.com).

**Council Action:** None required.



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.

**GREENWOOD PLANNING COMMISSION  
WEDNESDAY, OCTOBER 24, 2019  
6:00 P.M.**

**1. CALL TO ORDER/ROLL CALL**

Lucking called the meeting to order at 6:14 p.m. Steingas arrived at 6:16

Members Present: Chairman Pat Lucking, Commissioners Kelsey Nelson, and David Steingas

Others Present: Council Liaison Kristi Conrad and Zoning Administrator Dale Cooney

Absent: Commissioner Dean Barta

**2. PUBLIC HEARINGS**

**2a. Public hearing to consider variance requests of Roland and Rane Jacobus to exceed the maximum permitted building volume in conjunction with the construction of a new house at 5290 Meadville Street.**

Lucking introduced the agenda item and opened the public hearing.

Bob Newman of 5230 Meadville Street said that he did not see the reason or justification for the variance, so he would like to hear the reason for the request.

Ranee Jacobus, applicant, said that they applied for a variance in November of 2018 to replace the house on the property. She said that the city requested that she move the existing garage out of the right-of-way and so she reapplied with an attached garage proposal which seemed to be the best solution for the house. She said that once the garage was added the volume from the architect went from something in the low 20,000 cubic feet to something closer to 33,000 cubic feet. She said that she submitted those numbers in good faith since they seemed to make sense to her. Jacobus said that the footprint of the house has not changed and that, contrary to the neighbor's concerns, the house is being built to what was approved. She said that city staff raised concerns about the house in September. She said that she did a spreadsheet to recalculate the volume. She said that staff provided an estimate of volume that was different than what she was using. Jacobus said that she assumed that the architect had done it the correct way. She said that she did not realize that the city was looking for a different type of volume calculation than what was originally presented. She said that she has generally shut down construction and boarded up the house. She asked her builder to verify the volume for the house and the builder generated the numbers.

Conrad asked her justification for the variance. Jacobus said that they used the wrong method to calculate the volume. She said that there is a minor change to the roof pitch based on insurability concerns about the roof pitch.

Steingas asked about the wall height. Rane said it was 12 feet from the first floor. Steingas said that it is measured from the grade. He said that it is the builder's and architect's issue. He said that the volume is always measured from the exterior structure.

She said that the architect provided the interior livable space.

Conrad asked if building volume or gross volume were technical terms. Cooney said that the building volume calculation is pretty unique to Greenwood and that there are other, more widely accepted methods out there such as Floor Area Ratio (FAR).

Steingas said that the north wall is over 24 feet tall, and the wall exceed code requirements and that the building should be designed to comply and that the building is not compliant as far as wall

**GREENWOOD PLANNING COMMISSION  
WEDNESDAY, OCTOBER 24, 2019  
6:00 P.M.**

height and volume. He said that planning commission did not have dimensions on the plans. Jacobus said that she sent staff plans with dimensions.

Cooney said that the variance request is not about wall height and that the planning commission and city council saw building elevations with height measurements. Steingas said that wall height impacts volume, but clarified that it was the building volume form that contained the incorrect information.

Jacobus said that the city approved a two-story home and that they new it was a two-story home when they reviewed it so the wall height should not matter. She said that the plans have not changed from those that were approved by the city council.

Lucking said that the building volume was underreported by nearly 7,000 cubic feet. He said that the underreported volume led to the city allowing a few aspects of the request that might not have been otherwise approved.

Jacobus said that she presented information that she believed to be true and went through four months of city process and redesigned the proposal to take the garage off of the right-of-way based on the city's request.

Conrad asked if the builder had any ideas to reduce volume. Todd Francis, builder for the architect, said that the screened porch could easily be removed. He said that the master suite could be modified. Francis said that other houses were granted variance to exceed volume.

Steingas said that there were mitigating circumstances with those other properties. Lucking said that the volume granted was much less than the original request.

Conrad asked what happens if the variance is denied. Cooney said that they would have to make the volume comply by taking reductions from the existing configuration of the house. He said as long as noncompliant items, such as a roofline, were the same or less, they could make it legal by subtracting volume.

Francis asked about the volume calculation and if veneer and shingles count. Steingas said everything counts, everything above grade. Steingas said that he does not think the neighbor to the north will see the light of day.

Jacobus said that her house is not bigger than any of the other houses on the street.

Bob Newman said that his original question was not answered. He said that he has not heard the justification for the variance on the property. He said that the city did a lot of work on the massing ordinance so that the size of a house is appropriate for the property.

Michael Kroening at 5260 Meadville said that this is not personal, but that the neighborhood has a vested interest in the outcome. He asked if there were two meetings with different proposals. Cooney said that was correct. Kroening said that some of the comments made at the first meeting were that it would be a modest house which was the premise for allowing the house. He said that allowed the house to expand within the setbacks.

Jacobus said that there was an existing garage in the right-of-way that was not part of the calculation, which created a big jump in volume.

Kroening asked if they get the maximum allowable building volume or if they get the volume that was shown on the submitted volume form. Cooney said that is the city council's decision.

Steingas said that the builder is ultimately responsible for the building volume overage since they submitted for the permit.

**GREENWOOD PLANNING COMMISSION  
WEDNESDAY, OCTOBER 24, 2019  
6:00 P.M.**

Jacobus said that the house is a great edition to the neighborhood. She said that she is not responsible for the trees removed on the commercial property next door. She said that the lot is smaller but the house is comparable in size and enhances the neighborhood.

Lucking said that he does not see that there is an argument in favor of the variance.

Steingas said that he agrees. He said that there were a lot of variances given for the small property.

Motion by Steingas to recommend denial of the request. Motion was seconded by Nelson. Motion carried 3-0.

**3. ADJOURN**

Motion by Nelson to adjourn the meeting. Lucking seconded the motion. Motion carried 3-0. The meeting was adjourned at 7:27 p.m.

Respectively Submitted,  
Dale Cooney - Zoning Administrator

November 6, 2019

Lake Minnetonka Conservation District  
Board of Directors  
SENT VIA EMAIL  
vschleuning@lmcd.org



**Re: Greenwood Response to Draft LMCD Harvesting Program Evaluation and Starry Stonewort Protection & Emergency Action Plan**

Dear LMCD Board –

The city of Greenwood appreciates the LMCD's efforts in developing the Draft LMCD Harvesting Program Evaluation and Starry Stonewort Protection & Emergency Action Plan. Our comments are below ...

The Draft Harvesting Program Evaluation includes very helpful comparisons of harvesting versus chemical controls and financial data for the harvester operations. The report states and its comparisons show that there is not a one-size-fits-all solution for a lake as diverse as Lake Minnetonka.

The Final Harvesting Program Evaluation should include a discounted cash-flow analysis and use this as the basis for its per-acre costs throughout the report. In its introduction, the harvesting report incorrectly compares LMCD operated harvester costs of \$514 per acre to \$787 per acre based on a quote from one contractor. This is based on a historical analysis of 10 years of data with the only equipment expenditure being in 2012 for the noninsured portion of the replacement cost of a harvester that flipped over on the lake. The projected financial analysis notes that major equipment investments will be required in 2020 and provides projected and estimated costs for 5-, 10-, and 20-year periods. It is not appropriate to simply add cash-flows in a scenario such as this. A discounted cash-flow or Net Present Value analysis should be used instead to compare in-house and contracted harvesting costs. For example, over 10 years (which is most likely the appropriate time period for this analysis), the 2020 discounted expense using a 3% annual rate of return shows a nominal 2% savings at \$2,606,579 (\$753 cost per acre on a net present value basis) for LMCD operated harvesters compared to \$2,654,361 (\$767 per acre) for contracted harvesters assuming the same harvest volumes. Over 20 years the discounted expense using LMCD operated harvesters is \$5,190,124 or \$750 per acre as compared to \$5,575,088 or \$806 per acre for contracted harvesters. Having a financially accurate comparison is important because the contracted option will clearly have relatively lower costs if the harvested acres are reduced significantly and provides much greater flexibility for prioritizing future uses of LMCD funds.

The Draft Harvesting Program Evaluation includes a Long-Term Goal of Native Aquatic Plant Community Restoration on pages 26 and 27 and includes discussions and strategies to achieve this goal. Greenwood suggests that this section of the Final report include information on the experience on St. Alban's Bay where the substitution of chemical treatments for harvesting since 2011 has resulted in significant native plant restoration without any of the interventions that are discussed in the report.

The two reports provide a basis for Greenwood's position regarding these key policy areas:

- If the LMCD elects to support milfoil and curly leaf pondweed control at its current level, it should not continue to make harvesting its exclusive strategy, since many portions of the lake are more suited to chemical controls.
- The LMCD should be focusing its limited dollars on long-term strategies that have the potential for greater general lake-wide benefit. For example, page 5-10 of the Draft Starry Stonewort Report shows high probabilities of preventing starry stonewort introduction on Lake Minnetonka with a Preemptive Pilot Study and Bi-Weekly Surveys at priority boat accesses.
- If the LMCD continues a mechanical harvesting program, it should be done in the most cost-effective, safe, and efficient manner possible. Evaluation of in-house vs contracted services should include all of the costs. And harvesting should only be done where necessary.
- The LMCD should consider that operating its own harvesters with the associated supervision and staffing makes them into a substantial fixed cost each season with the tendency to operate them as much as possible regardless of whether they are the most effective option or best use of LMCD funds.
- On page 13 of the Draft Harvester Program Evaluation it states that, "the cost for the LMCD to continue the existing weed harvesting program will incur substantial expenses in year 2020 due to the need to replace most of the existing harvesting equipment." Therefore, the LMCD should make a decision regarding in-house vs contracting for harvesting before the start of the 2020 harvesting season.
- The LMCD should support and fund scientific understanding of Lake Minnetonka and everything that happens on and in the lake – including any AIS prevention / management program.

Sincerely,

A handwritten signature in black ink that reads "Debra J. Kind".

Mayor Debra J. Kind  
and the Greenwood City Council

**GREENWOOD PLANNING COMMISSION  
WEDNESDAY, NOVEMBER 13, 2019  
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 Kelsey Nelson, and David Steingas

Others Present: Council Liaison Kristi Conrad and Zoning Administrator Dale Cooney

Absent: Commissioner Dean Barta

**2. MINUTES – Regular meeting of October 9, 2019 and special meeting minutes of October 24, 2019**

Motion by Steingas to approve the minutes as written. Motion was seconded by Nelson. Motion carried 3-0.

**3. PUBLIC HEARINGS**

**3a. Public hearing to consider the conditional use permit request of Akshay Patel, 21380 State Highway 7, to replace existing signage with rebranded signage** – Section 1140.40(3)(2) of the Zoning Ordinance states “No sign shall be erected, altered, reconstructed, maintained or moved in the city without first securing a conditional use permit from the city in accordance with section 1150 of the city’s ordinances.”

Lucking introduced the agenda item and opened the public hearing. Hearing no public comments, Lucking closed the public hearing.

Lucking said that he was supportive of the request and that it seemed straightforward. Steingas said he supported the proposed conditions.

Motion by Steingas to recommend approval of the request based on the recommendation, findings, and conditions of staff. Motion was seconded by Lucking. Motion carried 3-0.

**3b. Public hearing to consider an ordinance revising Section 1140.10 Subd. 2(c) regarding swimming pools, hot tubs, and spas.**

Lucking introduced the agenda item and opened the public hearing.

Hearing no public comments Lucking closed the public hearing.

Steingas said that he was supportive but worried about the changes and future residents claiming that the neighbors received approval for something more than they are allowed. Conrad said that is the nature of changing any ordinance.

Motion to approve as written by Steingas. Motion was seconded by Nelson. Motion carried 3-0.

**4. NEW BUSINESS**

**5. LIAISON REPORT**

Conrad presented the liaison report. She said that the property at 5290 Meadville asked to have their application heard at the January 2, 2020 meeting. Cooney noted that they were making revisions.

**GREENWOOD PLANNING COMMISSION  
WEDNESDAY, NOVEMBER 13, 2019  
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Conrad said that the scrutiny with this property has also raised some questions about the new structure at 5260 Meadville. Steingas said that he worked with the applicant to set expectations and reduce the scope of the project.

Conrad said that the question of tree removal along 21900 Minnetonka Boulevard was raised and that the city forester was reviewing the work done to ensure that it was done to his requirements.

Lucking asked if the grading ordinance could be revised to specify grading that only affects the finished grade of the house. He said that he feels like the city is still having to review relatively minor grading changes via the CUP process.

Lucking noted that there has been a lot of police activity at Georgetown Manor.

**6. ADJOURN**

Motion by Lucking to adjourn the meeting. Steingas seconded the motion. Motion carried 3-0. The meeting was adjourned at 7:50 p.m.

Respectively Submitted,  
Dale Cooney - Zoning Administrator