

City of Lakeland Shores
P.O. Box 246 Lakeland Shores, Minnesota 55043

Tel. (651) 436-1789

Fax (651) 436-6964

Application for a Variance Amendment

1. Name and address of applicant Telephone No.

Mike + Erica Finnegan Home: _____
333 Quixote Ave N Office: _____
Lakeland Shores MN Fax: _____
55043 Cellular: (612) 205-5531 - Mike
612 803-8308 - Erica

2. Legal description of property including street address:

Lots 27 and 28 - Lakeland Bluffs, Washington County, MN
333 Quixote Ave N., Lakeland, MN 55043 Subject to utility easement
PID: 35.029.20.41.0046

3. Name(s) and address of owners and other parties with a legal interest in the property.

None

4. A certified list of names and addresses of the record owners of all property within 500 feet. Provide list on address labels.

5. Attach up to date survey and site plan 1".20' scale, showing:

- a. parcel dimensions
- b. location, dimensions, and square footage of all existing structures and proposed building(s), including heights, setbacks, floor plans and elevations
- c. curb cuts, driveways, access roads, parking spaces, off-street loading areas, and sidewalks,
- d. elevations and bluff line(s)

6. Landscape plan to be provided with building permit application or as required.

7. Septic plan for onsite disposal. Must be approved by Washington County Department of Health. N/A

8. The variance(s) requested and the reasons for the request. See attached letter.

9. Enclose the application fee (non-refundable) in the amount of \$100. In addition to the non-refundable fee, the undersigned applicant agrees to deposit an amount of \$500 to cover review costs incurred by the City, and to reimburse the City for any costs which may exceed the deposit.

The City Council holds regular meetings on the first Thursday of the month at 6:30 p.m. at the Lakeland City Hall, 690 Quinnell Avenue North, Lakeland, Minnesota. To be scheduled or placed on the agenda, please call the City Clerk at 651-436-1789 at least seven days before the meeting.

City of Lakeland Shores
P.O. Box 246
Lakeland Shores, MN, 55043

7/1/2019

Dear Mayor Zeller and City Council Members of Lakeland Shores,

I, and my wife Erica, are writing to request a variance at 333 Quixote Avenue South in order to make a few additions to our home.

The Additions

The first addition we would like to make is to add a home office and a porch on the north side of our home. The exact dimensions and location are outlined in the attached Plan. (Exhibit 3) Currently there is a screen porch and a patio underneath it in this area.

The second addition we would like to make at our property is a 45 foot by 12 foot deck coming off of our kitchen and proposed porch. (Exhibit 3)

Both additions meet the practical difficulty/particular hardship standard for a variance.

Reasonableness of the Additions

First, the home office/porch addition is a reasonable use of the property. I work for Jeff Anderson and Associates. We represent survivors of childhood sexual abuse. Recently, a number of states, including New York and Arizona, have enacted laws benefiting survivors which will require me to work hours to correspond to the various time zones. It will also require additional travel. This necessitates a functioning home office. Attached is a letter from my boss Jeff Anderson discussing this as well. (Exhibit 4). The porch area will simply be on the second floor of the addition, taking the area currently occupied by the screen porch and patio. This

addition will keep the current lines of the house and essentially square off that portion of the house. Additionally, home offices and porches are not uncommon in Lakeland Shores. For these reasons the request for the home office/porch variance is a reasonable use.

Similarly, the deck addition is a reasonable use of the property. Both of our neighbors have decks on their homes as do a number of the river homes in Lakeland Shores. Accordingly a deck is a reasonable use of the property.

Need Due to Circumstances Unique to the Property

Second, the need for the variance is due to circumstances unique to our property which we did not cause. We bought the property in September of 2007. The house was built in 2001. We have not done anything to the house or the land which impacts the request for the variance since we moved here. Further it is our understanding that historically the house on this property used to be much closer to the river but was removed in 2001.

One unique aspect of our property which is particularly relevant to our request is the valley going through the property which appears to have been on the property for decades. This means that both of our neighbors houses are much closer to the river than our house. Our house sits approximately 80-100 feet behind both of our neighbors' houses. This can be seen on the attached aerial view of the properties. (Exhibit 5) Going south all of the Lakeland Shores houses near our home are approximately 100 feet closer to the river than our property.

Another unique aspect of our property is the tree cover surrounding our house. From the river this makes our entire house extremely difficult to see from the main channel of the river. (Exhibit 6). Whereas you can see our neighbor's house to the south you can barely see our house

from the river. (Exhibit 6). It is difficult to see our home even from the mouth of the bay on our property. (Exhibit 7)

Further, a unique aspect of our property is that there is a bay off the main channel of the river. Occasionally a fisherman comes into the bay but 99% of boaters and people on the river are over 500 feet from the proposed additions when on the main channel of the river. (Exhibits 8,9) This also makes it much more difficult to see any portion of our house from the main river channel. The home office/porch addition will not be visible or extremely difficult to see from the main channel of the river.

Lastly, the north side of our property has a hill approximately 100 feet behind our home which is in between the river and the proposed additions. This can be seen on the attached survey and aerial picture. (See Exhibits 2, 10) This further makes it difficult if not impossible to see the additions from the river. (Exhibit 6) It also makes it difficult to see the north side of the home even standing in our backyard looking up on the north side. (Exhibit 11)

We believe that these unique aspects of our property support the variance.

Essential Character of Lakeland Shores

Third, the additions will not alter the essential character of Lakeland Shores and the properties near our home. The additions will be the same color and follow the same lines as our currently on our home. An aerial photo of our home shows that our proposed additions would be approximately 100 feet further away from the river than our neighbors' houses and 100 feet behind our neighbor's deck to the north of us. (Exhibits 5, 10) The additions would be completely behind both neighbors' houses. It would also be even be slightly behind a second garage on our southern neighbor's property. (Exhibit 12)

Importantly because of the hill on the north side of our property, the tree cover and the proposed additions being more than 500 feet from the main channel, you will not be able to see any of the additions from the main channel of the river. This means that it will not alter the essential character of the river or the community.

Lastly, our neighbors on the river to the north, Chas and Nancy Arend, are supportive of our request. Similarly, our neighbors on the river to the south, Steve and Susan Larson, are also supportive of our request for the variance.

Because the elements of the variance for the additions are met, we respectfully request that the City Council grant the variance.

Please let us know if you need any further information from us, our builder Divine Custom Homes, or our survey company E.G. Rud and Sons.

Sincerely,

Two handwritten signatures in blue ink. The first signature is 'E.F.' and the second is 'M.F.' with a long horizontal stroke extending to the right.

Mike and Erica Finnegan

Dear Mayor Zeller and Lakeland Shores City Council Members,

I am writing regarding Mike and Erica Finnegan's request for a variance at 333 Quixote avenue north. I believe it is necessary for Mike to have a home office.

Mike Finnegan has worked for me and with me at Jeff Anderson and Associates for the last seventeen years. We have the honor of representing survivors of childhood sexual abuse here in Minnesota and across the country. Over the last year there have been several developments nationwide that dictate that we need to have Mike be able to work from home at certain hours. First a number of states have opened up their statute of limitations or time limits for survivors of childhood sexual abuse. New York, New Jersey, and Vermont on the east coast. And Arizona in the west. It is also highly likely that California will open its statute of limitations this year. Our office represents a number of survivors on the east coast and west coast. What this means time wise is that our business hours are now 7 am to 7pm central. In order for Mike to work effectively for our firm, a home office is a must. This will allow him to continue doing the work he has while still making sure that he is able to get home to be with his children, Will and Ella.

If you need any further information or have any questions please contact me anytime.

Exhibit 1:

**Legal Description of the property: 333 Quixote Ave N, Lakeland
Shores, MN 55043**

Lots 27 and 28, Lakeland Bluffs, Washington County, MN

Subject to utility easement

PID: 35.029.20.41.0046



CERTIFICATE OF SURVEY

-for- DIVINE CUSTOM HOMES
-of- 333 Quixote Avenue South
Lakeland Shores, Minnesota

PROPERTY DESCRIPTION:

Lots 27 and 28, LAKELAND BLUFFS, Washington County, Minnesota.

- NOTES**
- This survey was prepared without the benefit of title work. Adverse claims, easements or other encumbrances may exist that have not been shown. Survey subject to federal loan rules of a lender's title commitment or an attorney's title opinion.
 - Bearings shown are on Washington County datum.
 - Parcel ID Number: 3028270441206.
 - Contours taken from 1987 topo LDM.

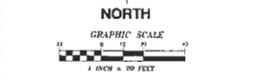
BENCHMARK

WATER SURFACE ELEVATION ON MAY 23 2019 WAS 656.42 (NGVD, 1929)

- LEGEND**
- IN NOTES FROM TEMPORARY POINTS AS LABELED
 - DENOTES IRON ROD WITH 1/2" DIA. 10" LONG
 - △ DENOTES 1/2" DIA. IRON ROD WITH 1/2" DIA. 10" LONG
 - DENOTES AIR CONDITIONING UNIT
 - DENOTES LIGHT FIXTURE
 - DENOTES ELECTRICAL METER
 - DENOTES GAS METER
 - DENOTES FIRE ALARM
 - DENOTES RETAINING WALL
 - DENOTES IRON ANCHOR SUBRACH
 - DENOTES CONCRETE SURFACE
 - DENOTES LEGAL CONTOUR
 - DENOTES EXISTING SPOT ELEVATION

TREE DETAIL

- DENOTES SUGAR MAPLE
- DENOTES RED BUD
- DENOTES WHITE BARK PINE
- DENOTES RED PINE
- DENOTES WHITE PINE
- DENOTES LARCH
- DENOTES SPRUCE
- DENOTES FIR
- DENOTES PINE
- DENOTES BIRCH
- DENOTES ASH
- DENOTES HICKORY
- DENOTES WALNUT
- DENOTES CHERRY
- DENOTES PLUM
- DENOTES SLOE
- DENOTES YEW
- DENOTES JUNIPER
- DENOTES CEDAR
- DENOTES SPICEWOOD
- DENOTES BOXWOOD
- DENOTES HYDRANGEA
- DENOTES LILAC
- DENOTES SPICEBUSH
- DENOTES DOGWOOD
- DENOTES BURNING BUSH
- DENOTES NINEBARK
- DENOTES BLACK LOCUST
- DENOTES RED LOCUST
- DENOTES WHITE LOCUST
- DENOTES BLACK ALN
- DENOTES WHITE ALN
- DENOTES RED ALN
- DENOTES PINEAPPLE
- DENOTES SPICEWOOD
- DENOTES BOXWOOD
- DENOTES HYDRANGEA
- DENOTES LILAC
- DENOTES SPICEBUSH
- DENOTES DOGWOOD
- DENOTES BURNING BUSH
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- DENOTES BLACK LOCUST
- DENOTES RED LOCUST
- DENOTES WHITE LOCUST
- DENOTES BLACK ALN
- DENOTES WHITE ALN
- DENOTES RED ALN
- DENOTES PINEAPPLE



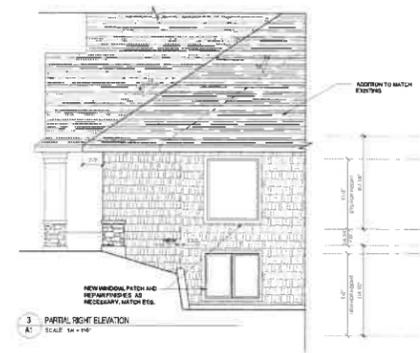
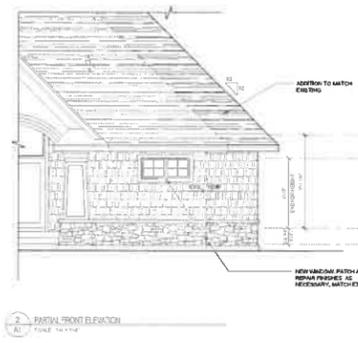
F. G. RUD & SONS, INC.
Professional Land Surveyors
6775 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-6200 Fax (651) 361-6701



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF MINNESOTA.
PRELIMINARY
DATE: _____ LICENSE NO. 41378

NO.	DATE	DESCRIPTION	P.
1			
2			
3			

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EXHIBIT
2



DiZine
 ARCHITECTS
 17100 County Rd. N.
 Suite 200, Maple Grove, MN 55862
 Phone: 763.427.1111
 Fax: 763.427.1111
 www.dizine.com

CONSULTANTS

DATE
6.26.2019

REVISIONS	DATE
	6.26.2019

DRAWN BY:
A. DENNEN

Finnegan Remodel
 xxxxxxxx
 Lakeland, MN

PROJECT #
X13

SHEET #
A1

FOR PERMIT





JEFF ANDERSON & ASSOCIATES PA
REACHING ACROSS TIME FOR JUSTICE

July 1, 2019

City of Lakeland Shores
P.O. Box 246
Lakeland, MN 55043

Re: 333 Quixote Avenue North, Lakeland, MN 55043

Dear Mayor Zeller and Lakeland Shores City Council Members:

I am writing regarding Mike and Erica Finnegan's request for a variance at 333 Quixote Avenue North. I believe it is necessary for Mike to have a home office.

Mike Finnegan has worked for me and with me at Jeff Anderson and Associates for the last 17 years. We have the honor of representing survivors of childhood sexual abuse here in Minnesota and across the country. Over the last year there have been several developments nationwide that dictate that we need to have Mike able to work from home at certain hours. A number of states have opened up their statute of limitations or time limits for survivors of childhood sexual abuse - New York, New Jersey, and Vermont on the east coast and Arizona in the west. It is also highly likely that California will open its statute of limitations this year. Our office represents a number of survivors on both coasts. What this means time wise is that our business hours are now 7 a.m. to 7 p.m. central. In order for Mike to work effectively for our firm, a home office is a must. This will allow him to continue doing the work he does for our firm, while still making sure that he is able to get home to be with his children, Will and Ella.

If you need any further information or have any questions, please contact me anytime.

Very truly yours,

Jeffrey R. Anderson
jeff@andersonadvocates.com

JRA:tg

ATTORNEYS
JEFFREY R. ANDERSON
*Minnesota
Wisconsin
Illinois
Colorado
New York
Pennsylvania*
REGISTERED FOREIGN LAWYER
(UNITED KINGDOM)

MICHAEL FINNEGAN
*Minnesota
Wisconsin
California*

MIKE RECK
*California
New York
Texas
Pennsylvania*

ELIN LINDSTROM
*Minnesota
Wisconsin*

TRUSHA GOPPE
*Minnesota
Washington DC*

JOSH PECK
Minnesota

MOLLY BURKE
Minnesota

JENNIFER STEIN
California

TAYLOR STIPPEL
Minnesota

STACEY BENSON
Minnesota

DARROW ANDERSON
Minnesota

OF COUNSEL
GREGORY GIANFORCARO
New Jersey

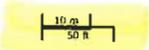
ANNIE M. KOPPLIN
*Minnesota
Hawaii*

OFFICE LOCATIONS
*St. Paul, Minnesota
Los Angeles, California
Chicago, Illinois
Kailua, Hawaii
New York, New York
London, England*



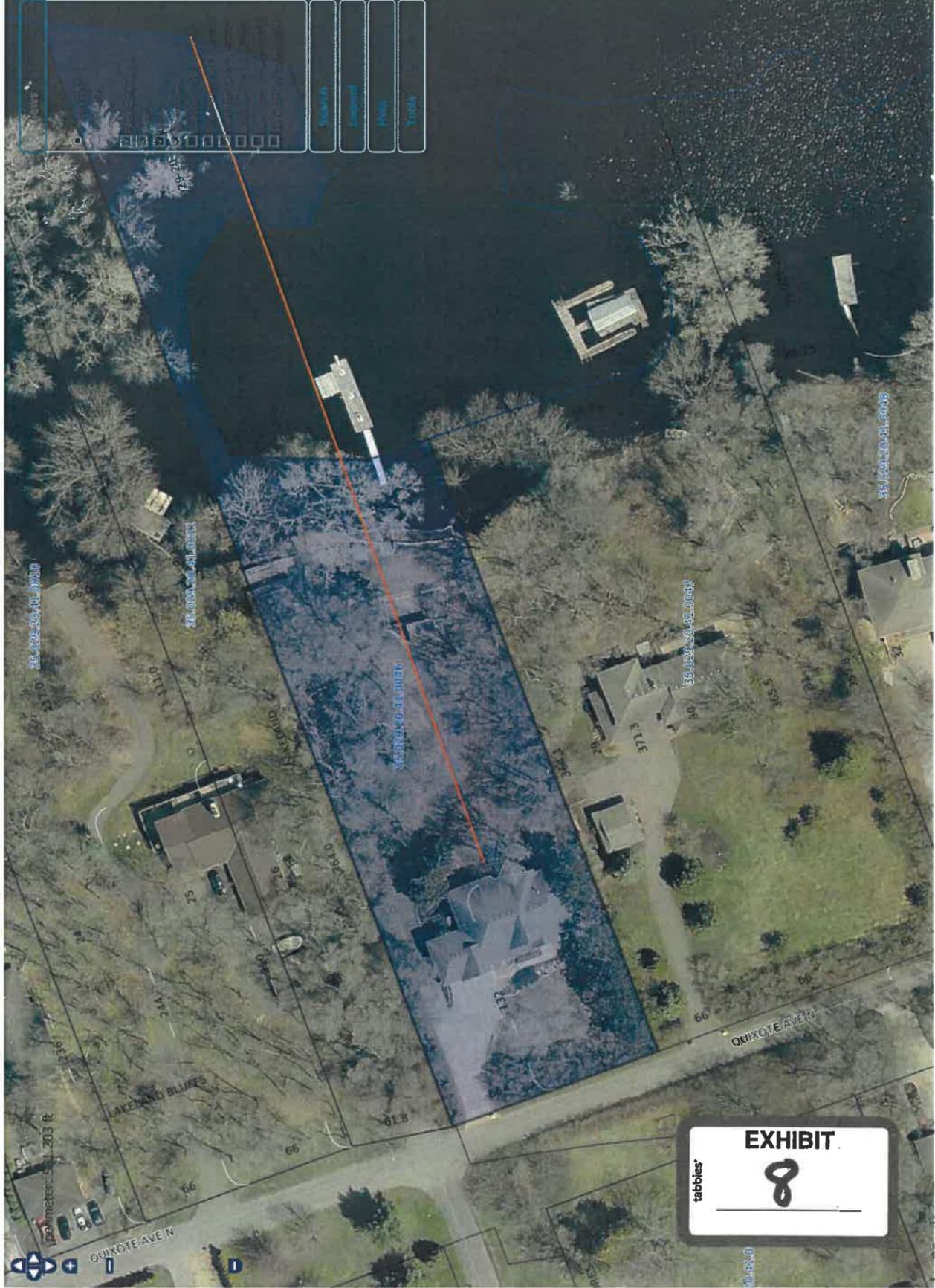


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EXHIBIT
5









531-203

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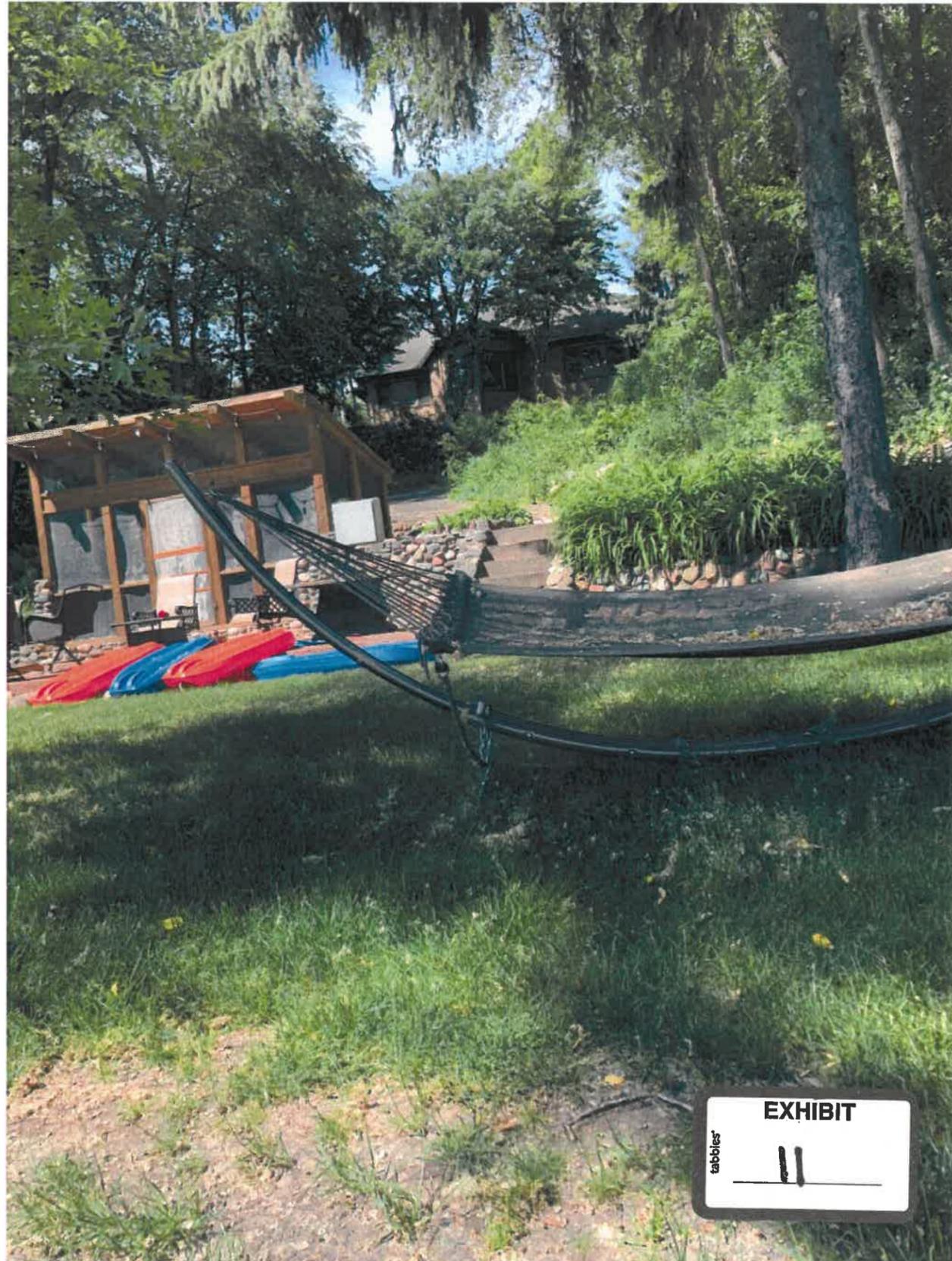
6/21/2019





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6/21/2019





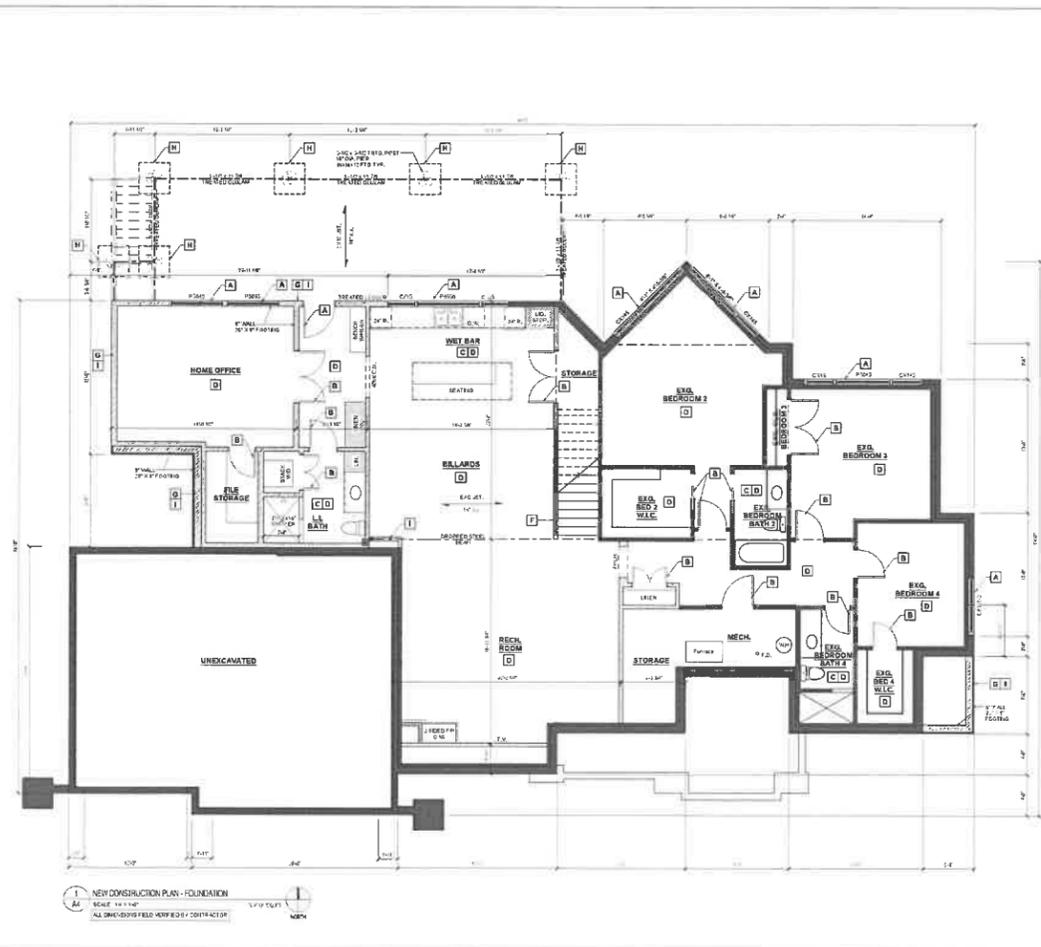
<https://maps.camavision.com/washingtonmn?pin=3502920410046>

6/21/2019

PIN 35.029.20.41.0046
Address 333 QUIXOTE AVE N
Owner FINNEGAN MICHAEL
Class Residential



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EXHIBIT
13



- KEYNOTES**
- A NEW WORK: SEE PLAN FOR FOOT AND FINISH SCHEDULE FOR DETAILS.
 - B NEW WORK: SEE PLAN FOR AREA AND FINISH SCHEDULE FOR DETAILS.
 - C NEW PLUMBING FIXTURES: HARDWARE AND ACCESSORIES, SEE FINISH SCHEDULE FOR DETAILS.
 - D NEW WORK: SEE PLAN FOR FINISH SCHEDULE FOR DETAILS.
 - E NOT USED.
 - F NEW WORK: SEE FINISH SCHEDULE FOR DETAILS.
 - G NEW WORK: SEE PLAN FOR FINISH SCHEDULE FOR DETAILS.
 - H NEW WORK: SEE PLAN FOR FINISH SCHEDULE FOR DETAILS.
 - I NEW WORK: SEE PLAN FOR FINISH SCHEDULE FOR DETAILS.

GENERAL NOTES

1. ALL NEW WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE (IRC) AND THE 2015 INTERNATIONAL MECHANICAL AND PLUMBING CODE (IMC).

2. ALL NEW WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE 2015 INTERNATIONAL ELECTRICAL CODE (IEC).

3. ALL NEW WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE 2015 INTERNATIONAL FIRE AND SAFETY CODE (IFSC).

4. ALL NEW WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE (IECC).

5. ALL NEW WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING DEPARTMENT (IBD) CODE.

Diphe
Architectural Firm

311 N. University Ave.
Channahon, IL 61018
Phone: 815.531.1234
Fax: 815.531.1235
www.diphe.com

CONSULTANTS

DATE: 5.25.2019

REVISIONS

DATE: 6.28.2019

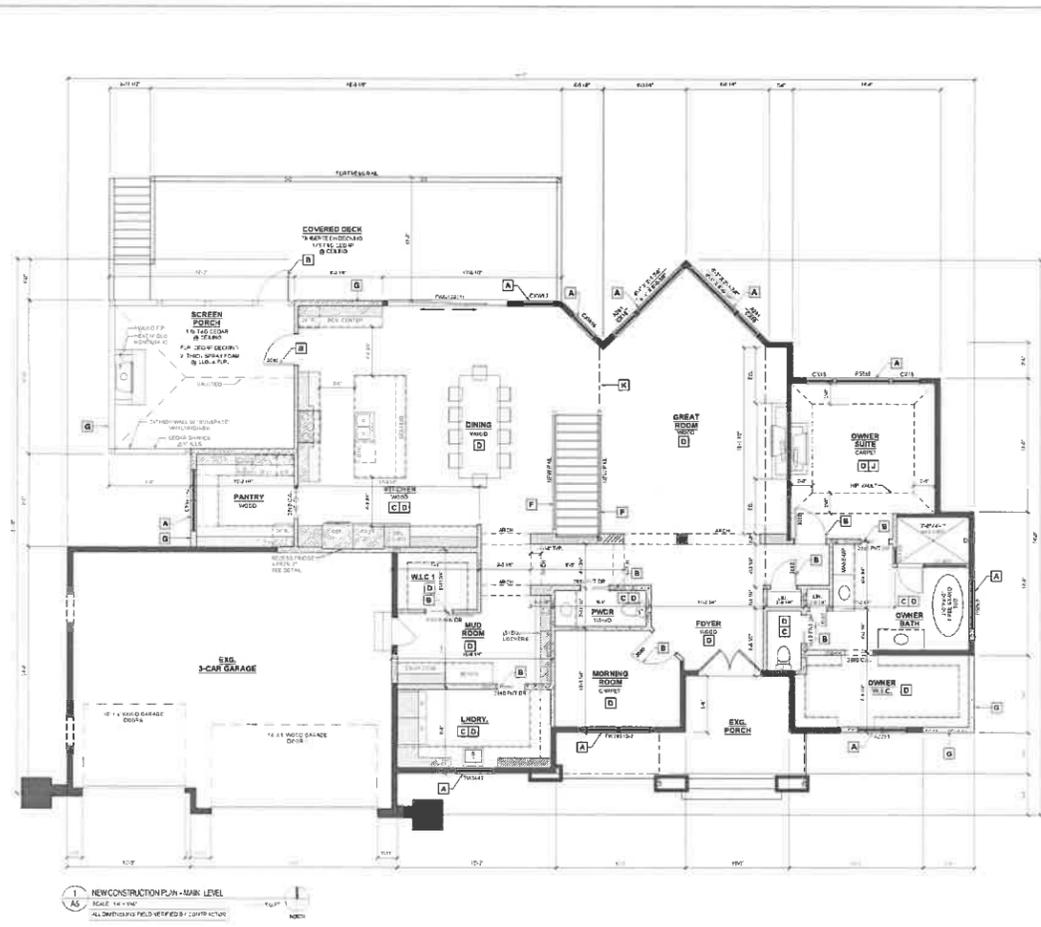
DRAWN BY: ALDENHEM

Finnegan Remodel
ARCHITECT
LANSING, MI

PROJECT # XXX

SHEET # **A4**

FOR PERMIT



- KEYNOTES**
- A SEE NOTES - SEE PLAN FOR SIZE AND FINISH SCHEDULE FOR SETBACK
 - B SEE NOTES - SEE PLAN FOR SIZE AND FINISH SCHEDULE FOR SETBACK
 - C SEE PLAN FOR FINISH SCHEDULE AND ACCESSORIES SEE FINISH SCHEDULE FOR DETAILS
 - D SEE PLAN FOR FINISH SCHEDULE AND ACCESSORIES SEE FINISH SCHEDULE FOR DETAILS
 - E NOT USED
 - F SEE PLAN FOR FINISH SCHEDULE FOR DETAILS
 - H NOT USED
 - I NOT USED

GENERAL NOTES

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE UNLESS NOTED OTHERWISE.

2. ALL FINISHES TO BE AS SHOWN ON FINISH SCHEDULE UNLESS NOTED OTHERWISE.

3. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODES (IMC/IEC).

4. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC).

Dixie
376 University Ave
 50801 5th Avenue, NW
 Grand Rapids, MI 49508
 Phone: 616.221.2200
 Fax: 616.221.2201
 www.dixiearchitect.com

CONSULTANTS

DATE:
 6.26.2019

REVISIONS
 DATE:
 6.26.2019

DRAWN BY:
 ALDENEN

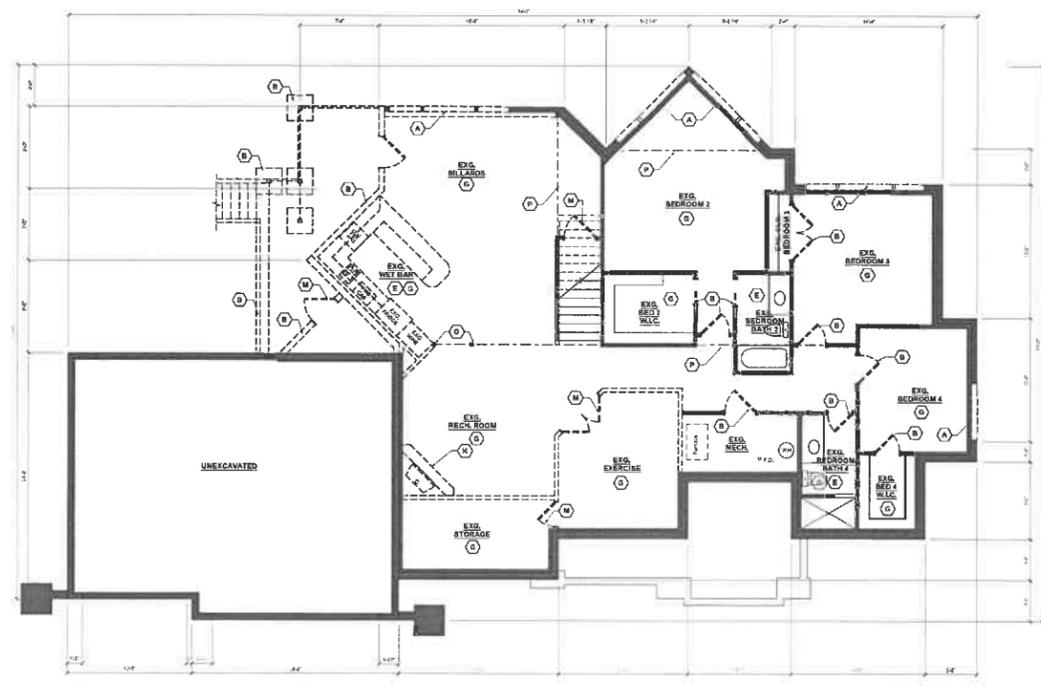
Finnegan Remodel
 XXXXXXXX
 LAGANOW, MN

PROJECT #
 XXX

SHEET #
A5

FOR PERMIT

NEW CONSTRUCTION PLAN - MAIN LEVEL
 SCALE: 1/4" = 1'-0"
 ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE UNLESS NOTED OTHERWISE



1 DECKITION PLUMB-Foundation
 SCALE 1/8" = 1'-0"
 ALL DIMENSIONS FIELD UNLESS OTHERWISE NOTED

- REVISED**
- A REMOVE EXISTING WINDOW & REPLACE WITH 48"X60" WINDOW AND REPAIR SURROUND TO MATCH EXISTING FINISHES. SEE FINISH SCHEDULE FOR DETAILS.
 - B REMOVE EXISTING DOOR. REPLACE WITH 36"X60" CASE WITH 36"X60" GLASS INSERT. SEE FINISH SCHEDULE FOR DETAILS.
 - C REMOVE EXISTING FLOOR. REMOVE AND REPAIR AS NECESSARY. SEE FINISH SCHEDULE FOR DETAILS.
 - D REMOVE EXISTING WALL AND REPAIR AS NECESSARY. SEE FINISH SCHEDULE FOR DETAILS.
 - E REMOVE EXISTING WALL AND REPAIR AS NECESSARY. SEE FINISH SCHEDULE FOR DETAILS.
 - F REMOVE EXISTING WALL AND REPAIR AS NECESSARY. SEE FINISH SCHEDULE FOR DETAILS.
 - G REMOVE EXISTING WALL AND REPAIR AS NECESSARY. SEE FINISH SCHEDULE FOR DETAILS.
 - H REMOVE EXISTING WALL AND REPAIR AS NECESSARY. SEE FINISH SCHEDULE FOR DETAILS.
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 - K REMOVE EXISTING WALL AND REPAIR AS NECESSARY. SEE FINISH SCHEDULE FOR DETAILS.
 - L REMOVE EXISTING WALL AND REPAIR AS NECESSARY. SEE FINISH SCHEDULE FOR DETAILS.
 - M REMOVE EXISTING WALL AND REPAIR AS NECESSARY. SEE FINISH SCHEDULE FOR DETAILS.
 - N REMOVE EXISTING WALL AND REPAIR AS NECESSARY. SEE FINISH SCHEDULE FOR DETAILS.
- GENERAL NOTES**
- 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE LOCAL ORDINANCES.
 - 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE LOCAL ORDINANCES.
 - 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE LOCAL ORDINANCES.
 - 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE LOCAL ORDINANCES.
 - 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE LOCAL ORDINANCES.

Diane
 CONSULTANTS

DATE:
6.28.2019

REVISIONS

DATE:
6.28.2019

DRAWN BY:
ADDENDUM

PROJECT #
XXX

SHEET #
A2

FOR PERMIT



Building a Better World
for All of Us®

MEMORANDUM

TO: Kim Points | Clerk, City of Lakeland Shores, Minnesota
FROM: John D. Parotti, PE | City Engineer (Lic. MN, WI)
DATE: August 19, 2019
RE: 333 Quixote Avenue North - Finnegan; Variance Engineering Review
SEH No. LAKSH 145435 14.00

The City Engineer is in receipt of the following documents which have been provided for review:

- Variance application dated July 3, 2019.
- Certificate of Survey prepared by E. G. Rud & Sons, Inc. with revision date of 08/05/19
- Letter from Mike and Erica Finnegan dated July 1, 2019

BACKGROUND AND UNDERSTANDING

According to the letter from the applicants, this home was constructed in 2001 and purchased by the Finnegans in 2007. The current application is for the construction of additions to the house to accommodate a home office. The office and porch addition would be placed in the location of an existing deck and screened porch. It was previously understood (see engineering memo dated July 24, 2019) that this addition would not expand impervious surface coverage as it would retain the existing footprint of the existing deck and porch. However, the updated survey indicates an increase of impervious surface would result from the proposed improvements.

The application also proposes two additions on the riverward side of the house. One is a proposed 540 square foot covered deck noted in the letter. The other is a proposed deck on the south end of the riverward side of the house with an area of approximately 133 square feet.

The survey identifies two existing accessory structures in the floodplain: one labeled "Garage" and the other labeled "Screened Porch". Existing retaining walls, concrete pavement areas and steps are also located in the floodplain. The application does not propose construction in the floodplain.

The application materials do not indicate any grading is necessary to construct the proposed improvements. Therefore, this review assumes no grading is required.

The application materials state that a variance is being requested but the relevant ordinance sections are not stated. Based on review of the proposal, it is assumed that the application is requesting a variance from the minimum dimensional standard of 50-foot bluffline setback and a variance from the maximum total lot area covered by impervious surface standard of 20% [§153.008.B(1)]. The applicant should be asked to amend the application materials to specifically state the variance request(s).

REVIEW COMMENTS

Based on an engineering review of the above listed documents, the following comments are provided for consideration:

1. This property is located in the City's Shoreland Management Area (Zone A - River A). As a result, the City's Shoreland Management Area Ordinance (Ch. 153) applies.

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 156 High Street, Suite 300, New Richmond, WI 54017-1128
SEH is 100% employee-owned | sehinc.com | 715.246.9906 | 888.881.4281 | 888.908.8166 fax

2. This property is also partially located in the St. Croix River floodplain. Therefore, the City's Floodplain Ordinance (Ch. 154) applies.
3. §153.008.C.6 requires a grading permit for any grading, filling, excavating or changing the topography landward of the high water mark. §153.088.C.6 provides an exception to the requirement for grading permit for those projects where grading is limited to the "minimum area necessary for a structure, sewage disposal system, and private road and parking area undertaken pursuant to a validly issued building permit."
The application materials propose no grading. Therefore, grading is not permitted and a grading permit is not required.
4. The survey needs to be modified to show the 100-yr floodplain (1% chance occurrence) elevation of 692.0. (§153.018.F(1))
5. According to the survey the principal structure is 225 feet from the Ordinary High Water Level (OHWL) of 680. The minimum setback from OHWL is 100 feet. The principal structure meets this setback. The existing accessory structures are constructed within the setback and therefore do not meet the minimum setback requirement. (§153.008.B(1))
6. A large portion of the parcel is slope greater than 12%. The bluff areas are shaded on the survey. The 50' bluffline setback is also shown on the survey. All existing and proposed structures are located within the bluffline setback and therefore require a variance from the 50-foot bluffline setback (§153.008.B(1)).
7. The impervious surface calculations provided on the survey are summarized below:

Existing Impervious Surface	25.4%
Propose Impervious Surface	26.4%

The maximum allowed impervious surface in the Shoreland Management Zone is 20%. (§153.008.B(1))
8. The property slopes generally from west to east. The grade west of the home is less than 2%. On the east side of the home the grade reaches slopes as steep as 67% +/- (1v:1.5h).
9. It appears that the northeast corner of the proposed covered deck would be constructed over a portion of the site with a slope of greater than 12% which is prohibited by §153.008.C(1). The project must be modified to remove any proposed construction from areas of slope greater than 12% or apply for an additional variance from this standard.
10. The proposed additions will add impervious surface to the riverward side of the house and runoff from these surfaces will fall on areas of steep bluff slopes. Measures need to be implemented to mitigate this runoff by directing it to depressions or to areas of the property sloping away from the river.
11. The City's stormwater management requirements are the same as those of the WMO. As a result, the City typically refers to comments provided by the WMO with respect to stormwater management. As of the writing of this memo, the City Engineer has not received copies of WMO review comments. It is recommended that City approvals be withheld until WMO submittal is made by the applicant and comments from the WMO received by the City. Any approvals should include WMO recommendations as conditions of approval.
12. The survey does not show a well or water service and needs to be modified to include this information.
13. The applicant should be required to submit certification from a licensed septic system designer that the existing septic system is capable of supporting the proposed additions.

Other agencies with jurisdiction over this project have also been asked to review the application materials and provide comment. If any of the comments provided herein conflict with comments provided by those agencies, it is recommended that the City apply the more conservative. It is recommended that the above be considered by the City and, if approval is given, made conditions of approval. If revisions are made to these plans for any reason (including in response to this memo), the revised plans must be resubmitted to the City for review.

CERTIFICATE OF SURVEY

~for~ DIVINE CUSTOM HOMES
 ~of~ 333 Quixote Avenue South
 Lakeland Shores, Minnesota

PROPERTY DESCRIPTION:

Lots 27 and 28, LAKELAND BLUFFS, Washington County, Minnesota.

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 05/23/19.
- Bearings shown are on Washington County datum.
- Parcel ID Number: 35.029.20.41.0046.
- Contours taken from MNTopo LIDar.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.

BENCHMARK

MINDOT NAME: "LAKELAND MND"
 ELEVATION = 863.476 (N.G.V.D. 1929)

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- △ DENOTES SET SPIKE
- ☒ DENOTES AIR CONDITIONING UNIT
- ⊕ DENOTES LIGHT POLE
- ⊖ DENOTES ELECTRICAL METER
- ⊙ DENOTES GUY WIRE
- ⊚ DENOTES POWER POLE
- ▬ DENOTES RETAINING WALL
- ▬ DENOTES BITUMINOUS SURFACE
- ▬ DENOTES CONCRETE SURFACE
- ▬ DENOTES LIDAR CONTOURS
- DENOTES EXISTING SPOT ELEVATION

TREE DETAIL

- DENOTES ELEVATION
- DENOTES TREE QUANTITY
- DENOTES TREE SIZE IN INCHES
- DENOTES TREE TYPE



NORTH

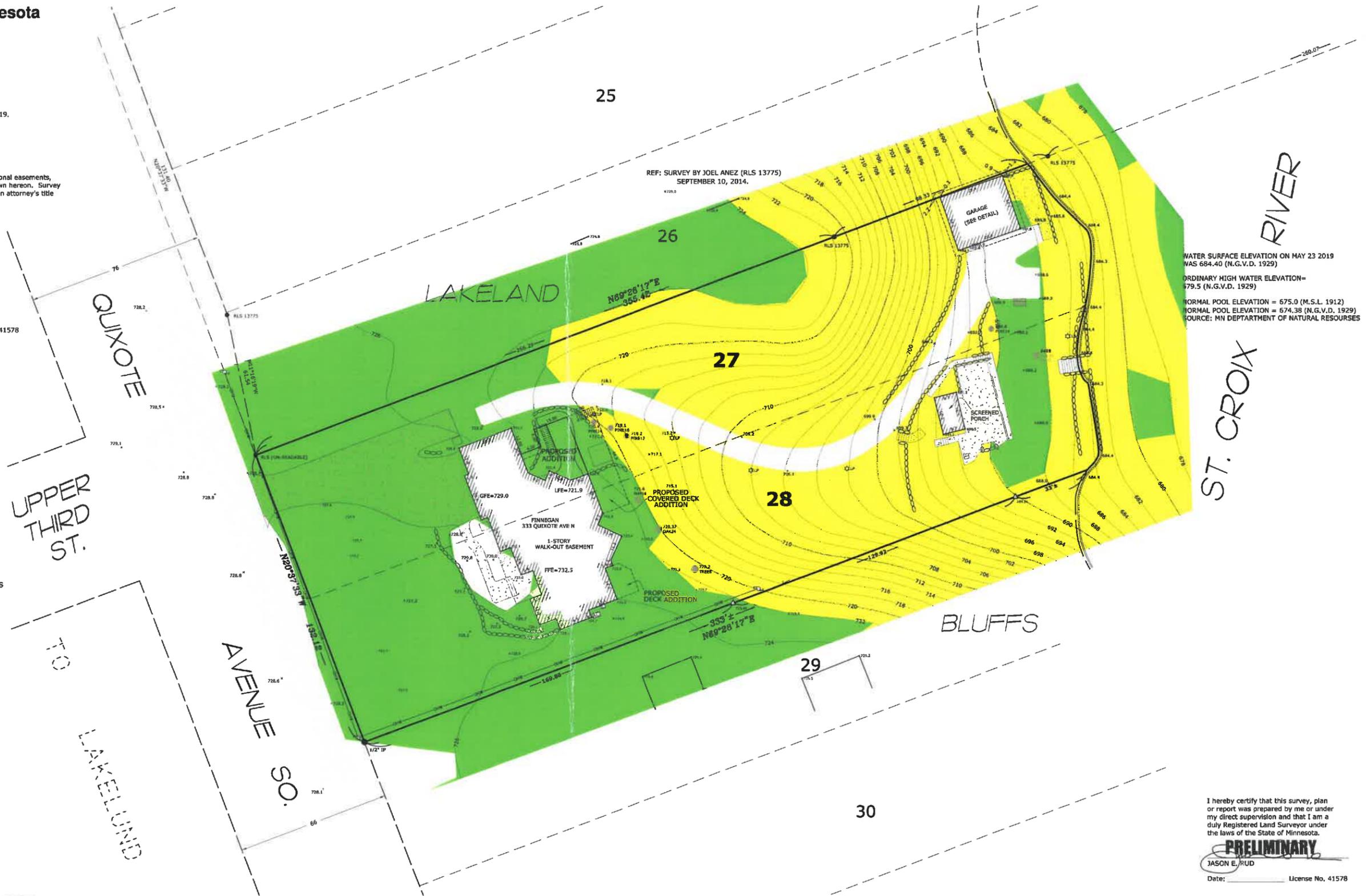
GRAPHIC SCALE



1 INCH = 20 FEET

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

WATER SURFACE ELEVATION ON MAY 23 2019
 WAS 684.40 (N.G.V.D. 1929)
 ORDINARY HIGH WATER ELEVATION=
 679.5 (N.G.V.D. 1929)
 NORMAL POOL ELEVATION = 675.0 (M.S.L. 1912)
 NORMAL POOL ELEVATION = 674.38 (N.G.V.D. 1929)
 SOURCE: MN DEPARTMENT OF NATURAL RESOURCES



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

PRELIMINARY

JASON E. RUD
 Date: _____ License No. 41578

DRAWN BY: CJT	JOB NO: 19353HS	DATE: 06/10/19	
CHECK BY: JER	SCANNED <input type="checkbox"/>		
1			
2			
3			
NO.	DATE	DESCRIPTION	BY