



NORTHWEST ASSOCIATED CONSULTANTS, INC.

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PLANNING REPORT - Major Site and Building Plan Review and Variance

TO: Sunfish Lake Planning Commission
Sunfish Lake City Council

FROM: Ryan Grittmann

DATE: May 10, 2017

RE: Sunfish Lake – 415 Salem Church Road – Major Site and Building Plan
Review and Variance

FILE: 211.01 – 17.01

Application Accepted: April 10, 2017
Planning Commission Date: May 17, 2017
Tentative City Council Review: June 6, 2017
60-day Review: July 11, 2017

**6/6/17 CC
Mtg.**

**Agenda Item
6a**

BACKGROUND

Alex and Grant Fitzer are requesting approval of a Major Site and Building Plan Review to allow the construction of a new home at 415 Salem Church Rd. The site is currently a vacant lot. A major site and building plan review is required for building alterations exceeding 1,000 square feet in area. The subject property is zoned R-1, Single Family Residential District and Shoreland Overlay District. In addition, the applicants are seeking a variance from the 30-foot maximum allowable height limit. The applicants are requesting a height of 34 feet.

A Major Site and Building Plan Review and variance requires review by the Planning Commission and final approval by the City Council.

APPROVALS REQUIRED	
Major Site and Building Plan Review	To permit the construction of a new home at 415 Salem Church Road
Building Height Variance	To permit a building height of 34 feet. Four feet taller than allowed by City Code.

Attached for reference:

Exhibit A: Variance Narrative
Exhibit B: Site Survey / Site Plan
Exhibit C: Landscape Plan

Exhibit E: Lighting Plan
 Exhibit F: Alternate Locations
 Exhibit G: City Forester Comments
 Exhibit H: City Fire Chief Email Correspondence
 Exhibit I: DNR Hydrologist Comments
 Exhibit J: City Engineer Memorandums (dated April 24, 2017, and May 9, 2017)

ISSUES ANALYSIS

Major Site and Building Plan Review

Zoning. The subject property is zoned R-1, Single Family Residential and lies within the Shoreland Overlay District of Sunfish Lake. The following table illustrates the application of district requirements to the property:

R-1 District Standards	Required	Proposed	Compliant
Net Lot Area (excluding wet areas and steep slopes)	2.5 acres	2.5 acres (existing condition)	Yes
Front Setback (South toward Salem Church Rd)	100 feet	238.7 feet	Yes
Side Yard Setback (east)	50 feet	51.9 feet	Yes
Side Yard Setback (west)	50 feet	128.5 feet	Yes
Rear Yard Setback (north)	50 feet	175 feet (approx.)	Yes
Maximum Building Coverage	10%	0.9% (Total parcel) 1.7% (Above water portion of parcel)	Yes
Building Height Limitation (height above average existing grade)	30 feet	34 feet	No*
Shoreland Overlay District Standards	Required	Proposed	Compliant
Building setback from OHWM	200 feet	> 200 feet	Yes
Maximum lot coverage by impervious surface	30%	3.6%	Yes
Sewage system setback from OHWM	150 feet	> 200 feet	Yes

**Variance requested for building height*

Lot Area. The gross area of the platted parcel is 4.69 acres, however once steep slope and wet areas are factored in, the property is 2.5 acres (108,900 square feet). The property complies with the minimum lot standards of Sunfish Lake

Building Height / Elevation. According to the Ordinance, no building structure shall exceed two and a half stories or 30 feet in height above average existing grade. The roof of the proposed two story structure is non-conforming at 34 feet above average existing grade. (It should be noted that this information can be found on the site plan rather than the building plan.) The applicants are requesting a variance from the building height (discussed later in this report).

The Building's elevation will be 987.6 feet at the peak of the roof. It should be noted, that the peak elevation of the home to the east is 991.9 feet.

Accessory Structures. The applicants are not requesting an accessory structure at this time; and no accessory structures currently exist on the property.

Architectural Design / Building Materials. As shown on the submitted building elevations, the exterior finishes on the proposed home include Hardie siding; and stone. Stone exterior materials are specifically permitted by ordinance. Hardie siding is considered a high-quality building material and has been previously approved in the City of Sunfish Lake. The foundation of the building will be block concrete. The roof will be asphalt shingles. A more thorough Building Code review will be conducted with the building permit application. The proposed building materials appear to meet the ordinance standards and the City of Sunfish Lake Design Guidelines.

Placement and Design of Roads, Driveways, and Parking Areas. The applicants are proposing a new driveway along the west property line. When the area was originally platted, it was the intent of the developer that this property would be accessed from Salem Church Road.

Lighting. Exterior lighting of homes or property is allowed as necessary for safety purposes provided the impact on surrounding properties is minimized and it is in compliance with Section 1216.06 of the Zoning Ordinance. The applicants have provided a lighting plan which includes a combination of four lights. The lighting is located primarily around the attached garage area of the new home as well as one fixture on the rear of the home next to the walkout sliding door. As such, it meets the general requirements for lighting.

Grading, Drainage, and Erosion Control. There are steep grades across the subject property. The home is being located near the center of the property. The lot slopes down to two wetlands on the property. The project will require some modification of existing site grades. The City Engineer has reviewed the grading and drainage plans and recommended approval in his report dated May 9, 2017 with the conditions outlined in his report.

The applicants submitted grading, drainage, erosion control and stormwater management plans for review by the City Engineer. The Engineer provided comments in the report dated April 24, 2017, and May 9, 2017 (see attached Exhibit J).

As a condition of major site plan approval, the applicants must adhere to the City Engineer's recommendations for construction as addressed in his report dated May 9, 2017.

Landscaping / Tree Preservation. The applicant has submitted a landscape plan that illustrates the location, type and size of trees and shrubs to be planted onsite. The plan notes that the area around the home will be seeded with grass. The plan also calls for boulder retaining walls around the east and west sides of the home.

The applicant has not submitted a tree preservation plan since no significant trees are scheduled to be removed. The property is mostly prairie with evergreen trees that have been planted to the east of the site a few years ago in anticipation of the construction of this home. The City Forester reviewed the landscape and site plan and had no objections to the project.

With regards to removal of vegetation within the shoreland setback area, Ordinance Section 1243.04.A.2 states:

2. Removal or alteration of vegetation within two-hundred (200) feet of the ordinary high water mark (the required building setback area) is only allowed subject to the following standards:
 - a. Intensive vegetation clearing within the shore and bluff impact zones and on steep slopes (12 percent or greater) is prohibited.
 - b. Preservation of the majority of natural lakefront vegetation shall be required. Mowed lawns within 100 feet of the ordinary high water mark may only be permitted in an area which encompasses up to twenty (20) percent of the shore impact zone.
 - (1) Lots existing at the time of Ordinance passage which contain mowed areas in excess of this requirement may be allowed to continue in the same manner, but under no circumstances may mowed turf areas be increased beyond that which exists or the limitations specified herein.

While the property does not abut Sunfish Lake, it is still within the 1000-foot Shoreland Overlay District. The proposed home, grading, and landscaping will meet the requirements of the Overlay District.

Screening. The property is well screened from houses to the east and west by tree coverage. As noted above, evergreen trees were planted to the east of the site to screen from the home that sits to the east. The home will be screened from the street as well.

Fences. The landscape plan shows two new retaining walls proposed with the home project as well as a retaining wall that runs along the driveway to the east (noted on the site plan). The new walls are four feet in height or less and do not require engineered plans. No other fences are proposed.

Well Pump. The proposed well site is to the southeast of the proposed home. The City Septic Inspector was provided a set of plans and did not object to the proposed location of the well. The applicants shall adhere to any future recommendations of the septic inspector regarding the well.

Septic System. A new septic system will be built on the northeast side of the property. The system includes primary and alternative septic treatment areas. The City Septic Inspector was provided a set of plans and did not object to the proposed location of the septic system or the alternate system. The applicants shall adhere to any future recommendations of the septic inspector regarding the septic system.

As a condition of major site plan approval, the applicants must comply with any recommendations of the City's Septic Specialist pertaining to the treatment of existing septic areas and the installation of new septic on the property. Further, the applicants must demonstrate to the City that a septic permit has been attained for the system that staff has reviewed and approved.

Fire Safety. The proposed home is a total of 4,324 square feet. The building will not be protected by a fire sprinkler system. The driveway will be bituminous material approximately 12 feet wide, with an additional 2 feet of clearance on each side to support a fire truck. The fire chief does not see any problems with accessing the site or exiting the site.

Airport Noise. The subject parcel does not fall under the Aircraft Noise Attenuation District Overlay and is therefore not subject to these regulations.

DNR Approval. Minnesota DNR area Hydrologist Jennie Skancke was notified of the proposed home and variance request. The Hydrologist did not have any concerns about the project.

Neighbor Notifications. All neighbors within 1,000 feet of the subject property were notified of the project. The City heard from one neighbor that expressed interest in attending the site visit and public hearing, but did not offer an opinion on the project.

Alternative Locations. The applicant has submitted three alternative site plans. The alternatives show that a variance will still be necessary due to the fact that height is calculated as the average natural grade up to the peak of the roof. This means that the home will need a variance regardless of grading on site. It should be noted that one of the alternatives shows the home rotated roughly 90 degrees clockwise. While this layout would not require a variance, it results in an acute driveway angle, not suitable

for fire truck access. In addition, the back of the home would face the back of the home to the east.

Site and Building Plan Evaluation Criteria. As described in Section 1208.04 of the City Zoning Ordinance, the Planning Commission, as its basis of recommendation, and the City Council, as its basis for decision, shall evaluate the effects of the proposed site and building plans. This review shall include, but is not limited to, the following:

- A. Whether the proposed improvements are compatible and in harmony with the existing structures in the surrounding community.
- B. Whether the proposed improvements preserve the character and nature of the surrounding community, including the natural landscape and woodland characteristics of the community.
- C. Whether the proposed improvements are not constructed of unsightly, improper or unsuitable materials.
- D. Whether the proposed improvements will not materially adversely affect any natural resources in the community, except when there is no feasible and prudent alternative to the proposed location of the improvements. For purposes of this clause, "natural resources" shall include, but not be limited to, all mineral, animal, botanical, air, water, land, timber, soil, quietude, recreational, historical, scenic and aesthetic resources.
- E. Whether the proposed site and improvements shall have an appearance that will not have an adverse effect upon adjacent residential properties.
- F. Whether the proposed site improvement complies with drainage requirements, as provided in Section 1216.04 of the Zoning Ordinance.

The proposed home appears to meet the site and building plan review criteria. The home has been designed and sited to minimize impacts on the nearby lake and surrounding properties. It is setback from the lake is over 200 feet, and its two-story design is anticipated to have minimal visual impact change from the existing buildings in the area. The home will be screened by existing tree cover. The attractive design of the home and site adds value to both the property and neighborhood.

This is a sensitive building site due to its steep topography stretching from the home to wetland areas. Sediment, stormwater, and other construction debris can easily be transported down slopes into the wetland areas. Therefore, it is essential that construction be sensitive to erosion prevention, and stormwater treatment. The applicants must adhere to the City Engineer's recommendations as outlined in his report dated May 9, 2017.

Variance

The applicants are requesting a variance approval in order to construct a home that exceeds the maximum buildable height of 30 feet. The lot is a legal conforming lot of record. As indicated in the provided variance narrative (Exhibit A), the applicants believe the project meets the variance criteria described in Ordinance Section 1206.01.C in that the variance request will not:

- a. Impair an adequate supply of light and air to adjacent property.

Staff Comment: The proposed house will still be over 100-feet away from the home to the east.

- b. Unreasonably increase the congestion in the public street.

Staff Comment: The project is new construction of a single-family home. Traffic is not expected to be increased as a result. The original plat of the area anticipated a home and driveway connection to Salem Church Road.

- c. Have the effect of allowing any district uses prohibited therein, permit a lesser degree of flood protection than the flood protection elevation for the particular area, or permit standards which are lower than those required by State law.

Staff Comment: While the project does result in a large home footprint, the amount of impervious surface will only be 3.6%; well below the City's requirement of 30% maximum.

- d. Increase the danger of fire or endanger the public safety.

Staff Comment: The proposed home is a total of 4,324 square feet. The building will not be protected by a fire sprinkler system. The fire chief has reviewed the access and is confident that a firetruck can enter and exit the property.

- e. Unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of this Title.

Staff Comment: The project is expected to increase the property value of the subject parcel and will conform to the quality of development within the neighborhood.

- f. Violate the intent and purpose of the Comprehensive Plan.

Staff Comment: The Comprehensive Plan supports low impact residential project such as this. The project is not expected to violate the intent or purpose of the Comprehensive Plan.

Section 1206.01-2 of the zoning ordinance guides variance criteria:

A variance from the terms of this Ordinance shall not be granted unless it can be demonstrated that:

- a. Practical difficulties will result if the variance is denied due to the existence of special conditions and circumstances which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same district.
 - 1) Special conditions may include exceptional topographic or water conditions or, in the case of an existing lot or parcel of record, narrowness, shallowness, insufficient area or shape of the property.
 - 2) Practical difficulties caused by the special conditions and circumstances may not be solely economic in nature, if a reasonable use of the property exists under the terms of this Title.
 - 3) Special conditions and circumstances causing practical difficulties shall not be a result of lot size or building location when the lot qualifies as a buildable parcel.

Staff Comment: The subject lot is a legal conforming lot that meets the minimum requirements for buildable lot space. The lot has 2.5 acres of buildable space. The topography of the lot includes steep slopes and wetlands. When factoring in a location for a septic system and drain field, the location for the home is limited. The lot also has an irregular shape that takes on an “elbow” shape. Due to the slope, a variance is necessary to accommodate a home. It should be noted that part of the buildable lot is inaccessible by vehicle due to a wetland.

- b. Compliance with the requirements of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance or deny the applicant the ability to put the property in question to a reasonable use and the proposed variance permits the owner to use the property in a reasonable manner.

Staff Comment: The project consists of construction of a new home. The variance allows the property owner to use the property in a similar manner to adjacent properties. The home will also be similar in size to properties to the east and west of the subject site.

- c. The special conditions and circumstances causing the practical difficulties do not result from the actions of the applicant.

Staff Comment: The original plat that this parcel is part of assumed a home would be built in this location. The property owner has taken measures to complete a minor subdivision recently in anticipation of a new home construction.

- d. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district under the same conditions.

Staff Comment: The proposed project is a single-family home similar to adjacent properties and does not include any accessory structures. Therefore, the variance does not grant any special privileges.

- e. The request is not a use variance.

Staff Comment: The request is a height variance, not a use variance.

- f. The variance requested is the minimum variance necessary to accomplish the intended purpose of the applicant.

Staff Comment: The applicants are requesting a height variance to accommodate a single-family home on a sloped lot. Due to the wetland areas, steep slope, and inaccessible area to the west, building sites on this parcel are limited.

- g. The request does not create an inconvenience to neighboring properties and uses.

Staff Comment: The single-family home will not increase traffic, and still maintains a distance of over 100-feet from homes to the east and west. The proposed location will minimize visibility and inconvenience to neighboring properties.

- h. The variance requested is in harmony with the purpose and intent of the Ordinance.

Staff Comment: The purpose of the ordinance is to allow reasonable use of a property that cannot physically meet the strict standards of the zoning ordinance. Staff feels that the variance request is consistent with this requirement.

- i. The variance requested is consistent with the Comprehensive Plan.

Staff Comment: The Comprehensive Plan supports low impact residential projects such as this. The variance request does not contradict the goals of the Comprehensive Plan.

- j. The variance requested will not alter the essential character of the locality.

Staff Comment: The proposal includes the construction of a new single-family home. The variance will not alter the character of the locality. The proposed home will be a similar size to homes to the east and west of the project site. The home will use building materials including Hardie Siding and stone exterior. The subject site is heavily wooded to the southwest of the proposed home site; and the proposed home will not be visible from the property to the west.

SUMMARY AND RECOMMENDATION

The applicants are requesting approval of Major Site and Building Plans and a Variance to allow the construction of a new home at 415 Salem Church Road.

Major Site Plan. Based on the preceding review, City staff recommends approval of the major site and building plans based on findings that the project submittal is meets performance standards within the Sunfish Lake Zoning Ordinance. Staff recommends the following conditions with approval:

1. The applicants adhere to the City Engineer's recommendations for construction, grading, drainage, and erosion control as addressed in his report dated May 9, 2017 (Exhibit J), and address any follow-up recommendations from the City Engineer.
2. The applicants must obtain a permit from the City's Septic Specialist for the installation of the proposed septic system. The applicants shall verify permit issuance prior to City Council consideration of the application. Further, the applicants shall adhere to any recommendations of the Septic Specialist in regard to the septic system or well.
3. The applicants obtain a building permit from the City Building Official prior to commencing any construction of the proposed project.
4. Upon installation, any lights which cast light on neighboring property shall not exceed one (1) foot candle (meter reading) as measured from said property abutting the property in question.
5. The applicants shall contact planning staff to arrange pre-construction and post-construction site visits, whereby staff can confirm that site and building plans and associated approval conditions have been implemented accordingly. The inspections are separate from other inspections that may be necessary by the City Building Inspector, City Septic System Inspector, City Engineer, or other individuals. The cost of site inspections is \$75.00 each and payment of this amount shall be the responsibility of the property owner.

Variance. Based on the analysis of the site and the building plans. There is evidence to support a variance request; and there is evidence that does not support a variance request. A variance approval is a policy decision that should be made by City officials. The City has two options in this regard:

1. If the Planning Commission finds that the variance request is reasonable, the following findings support the approval of a variance request:
 - a. The elevation of the home will still be lower than the home to the east.
 - b. The 30-foot height restriction is caused by the formula used to calculate the height.
 - c. Practical difficulties result from the unique configuration of the subject parcel.
 - d. The applicant's request to construct a home is reasonable and common to other properties in the City of Sunfish Lake. The home is a two-story home, similar in size to others in the area.
 - e. The applicant's request is consistent with the spirit and intent of the City's Comprehensive Plan and Zoning Ordinance by proposing a home project which, with the exception of the height variance, meets all area, zoning, material, and aesthetic requirements of the City.
 - f. Provided screening on the east and west sides of the home will be from existing trees. Its construction within the shoreland setback area is not anticipated to impact the character of the locality.
 - g. Positioning the home on the site without a variance will result in an acute angling of the driveway, not suitable for fire access (Exhibit F).
2. If the Planning Commission finds that the variance request is not reasonable, the following findings support denial of the variance request:
 - a. The burden of a hardship has not been proven. The home can be positioned on the property without a height variance (Exhibit F).
 - b. The City has taken a strong stance against height variances in the past. Lesser requests have been denied or withdrawn.

c: Cathy Iago, City Clerk
Mike Andrejka, City Building Official
Don Sterna and Eric Eckman, City Engineer
Jim Nayer, City Forester
Tim Kuntz, City Attorney
Ron Wasmund, City Septic Inspector
Dave Dreelan, Fire Chief
Alex and Grant Fitzer, Property Owners
Bob Moser, Moser Homes

April 10, 2017

To: The City of Sunfish Lake

From: Grant and Alex Fitzer

Subject: Narrative for variance request

We propose to construct a new home at 415 Salem Church Road. The design of the home is a typical two story design with a 3 car garage. The proposed location of the home is shown on the survey that accompanies this variance request. Despite our best efforts to locate an alternate location on this property and be compliant with city code, we have concluded that this proposed site location is best for reasons listed below. Unfortunately, the ridge height is 4' higher than permitted by the local ordinance. As a result we are applying for this variance.

We have identified several practical difficulties below that should substantiate the fact that a variance approval is justified:

1) **Limited options for building site:**

Despite the fact that we have a property consisting of 2.5 buildable acres as dictated by city code, the options for home sites on this property are limited. While the property is bordered by Delaware Avenue to the west, and Salem Church Road to the south, the only permitted access to the property is off of Salem Church Road. It is also important to note that an existing wetland adjacent to Salem Church Road prohibits access to the site anywhere except for the eastern edge of the property. As you will see, that is where we propose to construct the driveway.

2) **Significant slopes dominate the building area:**

A second significant wetland area that is located in the middle of the property, and a drainage swale that runs north/south bisects the lot. As a result of the limited access to the property reference above, we need to construct a home and a suitable septic area on the east side of that line. A unique characteristic of this property is the significant slopes that dominate the remaining building area. Since the topography is so steep, the median grade calculations used to determine a maximum height of a home on this property become skewed. If the proposed house location is moved north or south, similar grades are encountered and the non-compliance still exists. If the home is constructed in a north/south orientation, the home can be constructed with a higher ridge height but the orientation is much less desirable for the following reasons:

- 1) The location of the home would block the view of the neighbor to the east more significantly.
- 2) A significant amount of tree removal and substantial retaining wall would be needed to build between our new home and the property to the east.
- 3) The home could not be constructed in a way that most logically fit with the existing grades.

April 10, 2017

Narrative: Variance request

Lastly, it is very important to note that the proposed ridge height of this home is 987.6. The ridge height of the home constructed on the lot to the east is 991.9. That is 4.3 feet higher than what we are proposing.

3) Reasonable Use of the Property:

While we are asking for a height variance, our proposed residence is compliant with city code in every other respect. Therefore, the property will be used in a reasonable manner consistent with the intent of the code in the City of Sunfish Lake.

4) Character of the neighborhood:

Architecturally, the home will be very suitable for the neighborhood and it will have a size and value appropriate for this area.

It is also important to note that this request is not being made as a result of economic considerations.

In summary, we are proposing to construct a home that is compliant with all but one requirement of the City of Sunfish Lake. For the reason above, we feel that practical difficulties have been established in justifying a variance. While dealing with the unique characteristic of our property, we propose to use the site in a reasonable manner, and our proposed home will not negatively impact the character of the neighborhood.

We appreciate your consideration of this matter.

Sincerely,



Grant Fitzer



Alexandra Fitzer

CERTIFICATE OF SURVEY

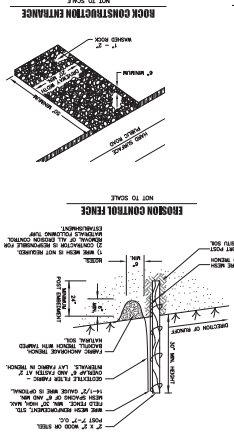
for MOSER HOMES, INC.

TRACT Y LEGAL DESCRIPTION:
That part of Lot 2 and 3, Block 1, ANGELL ARCADE, Dakota County, Minnesota, lying south of the north 256 feet thereof.

EXISTING IMPERVIOUS

PROPOSED IMPERVIOUS

TOTAL = 0.81 or 0.8%
HOUSE = 2,622sf
DRIVEWAY = 3,756sf
REAR DECK = 362sf
REAR STOOP = 126sf
FRONT WALK = 177sf
TOTAL = 7,368sf / 204,130sf = 3.6%



EROSION CONTROL FENCE
NOT TO SCALE
ROCK CONSTRUCTION ENTRANCE
NOT TO SCALE



PROPOSED TRACT Y AREA DATA:

TRACT Y: Gross lot area = 204,130sf (4.69 acres)

Buildable area = 108,900sf (2.50 acres)

BUILDING PEAK ELEVATION CALCULATION:

Average ground elevation: 960.15+959.32+953.66+954.34+948.47+945.92+5.721.86/6=953.6

Maximum peak elevation = 953.6 + 30.0' = 983.6

Proposed house peak elevation: 947.1 (Low Floor) + 40.5 = 987.6 (4' VARIANCE REQUESTED)

DENOTES BUILDABLE AREA. Area defined as land not including wetlands, drainage ways, surface water, land containing aquatic vegetation, or land in excess of 12 percent slopes.

BENCHMARK

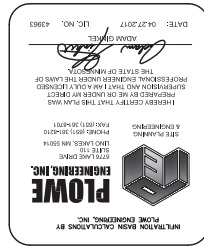
STATION #7210 (NCS name 1985AD). Located at the SW quadrant of Delaware Avenue and Salem Church Road. Elevation 904.58 (NAVD83)

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.

DANIEL W. OBERMILLER

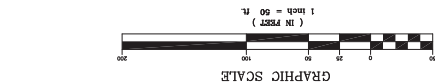
Date: 4/27/17 License No. 25341

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



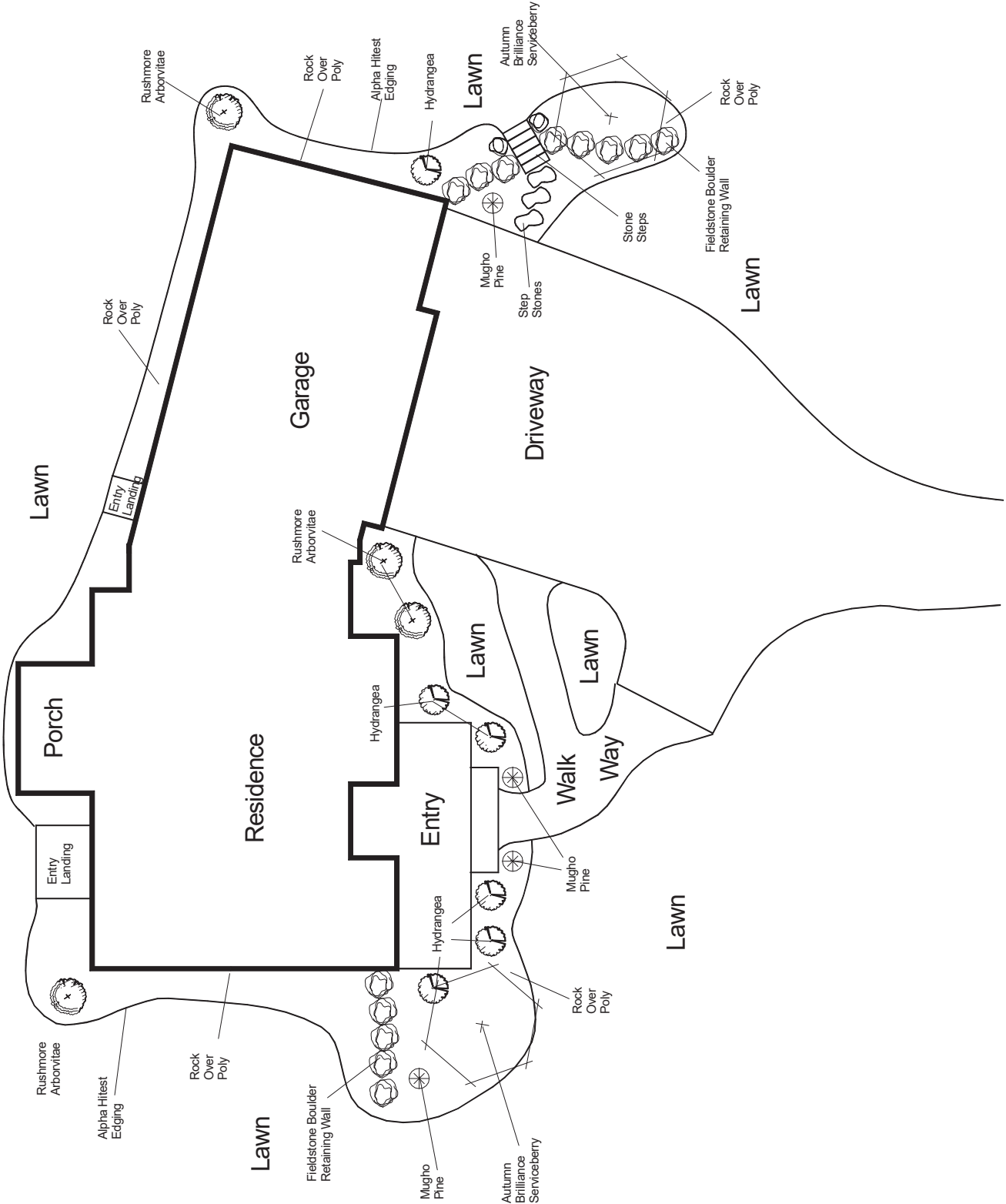
- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, RLS# 25341
- DENOTES POWER POLE
- DENOTES EXISTING SPOT ELEVATION
- DENOTES WELL
- DENOTES STORM SEWER APRON
- DENOTES WET LAND
- DENOTES WOVEN WIRE FENCE
- DENOTES EXISTING WALL
- DENOTES RETAINING WALL
- DENOTES PROPOSED 2 FOOT CONTOURS.
- DENOTES PROPOSED 2 FOOT CONTOURS.
- DENOTES PROPOSED FINISH GRADE
- DENOTES PROPOSED DRAINAGE DIRECTION
- DENOTES ORANGE TREE PROTECTION FENCING
- DENOTES HEAVY DUTY ORANGE SILT FENCING
- DENOTES WIRE BACKING.

LEGEND



NO.	DATE	DESCRIPTION	BY
5	4/27/17	REVISE EXISTING WALLS/RETAINING WALLS	DWO
4	4/27/17	ADD EXISTING WALLS/RETAINING WALLS	DWO
3	4/27/17	BASE HOUSE 4 FEET	DWO
2	12/17/17	WORK AREA AND EXISTING WALLS	DWO
1	3/15/17	ADD ADJ. SEPTIC/WELL/HSE	DWO
		CHECK BY: DWO	
		SCANNED	
		DATE: 3/10/17	
		JOB NO: 1623HS	
		DRAWN BY: DWO	





Revision #: One
Date: 3/26/2017

Scale:
1/16" = 1'

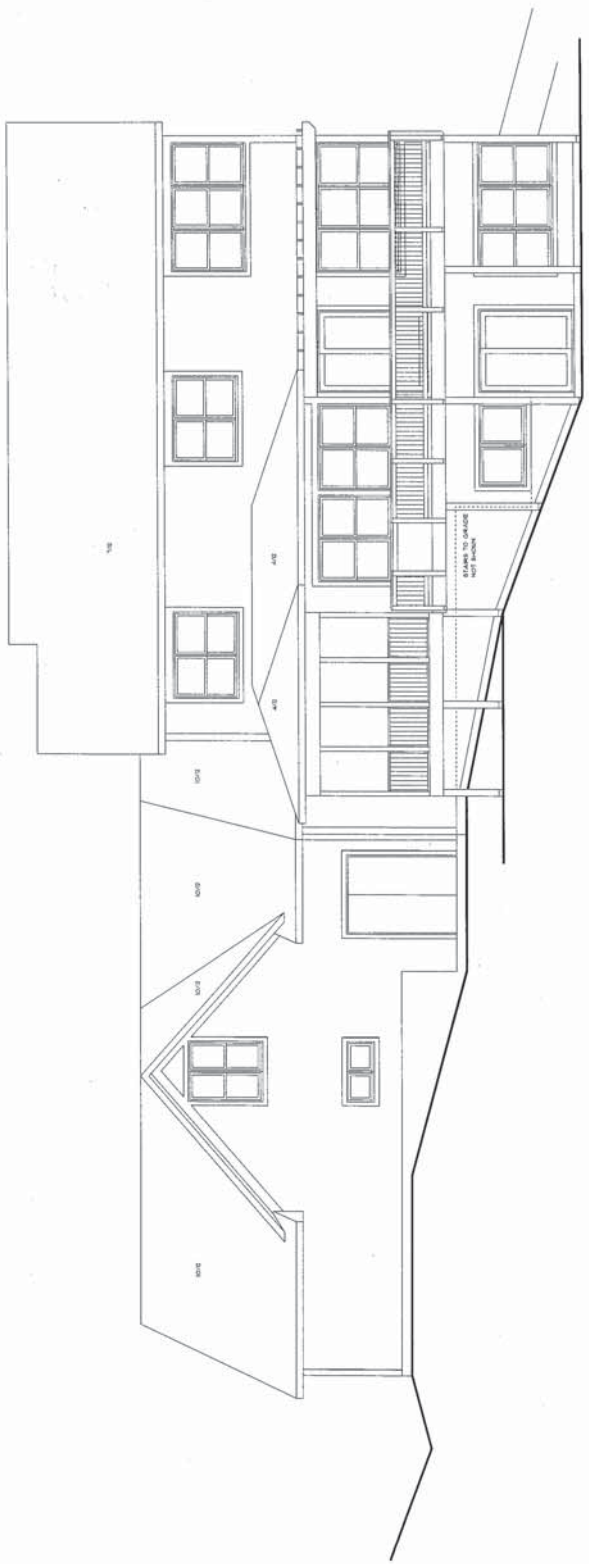
Landscape Plan: Sunfish Lake New Home
Fitzer Residence

Landscape Design by: Jim Hanson
Natural Landscape Minnesota, Inc.

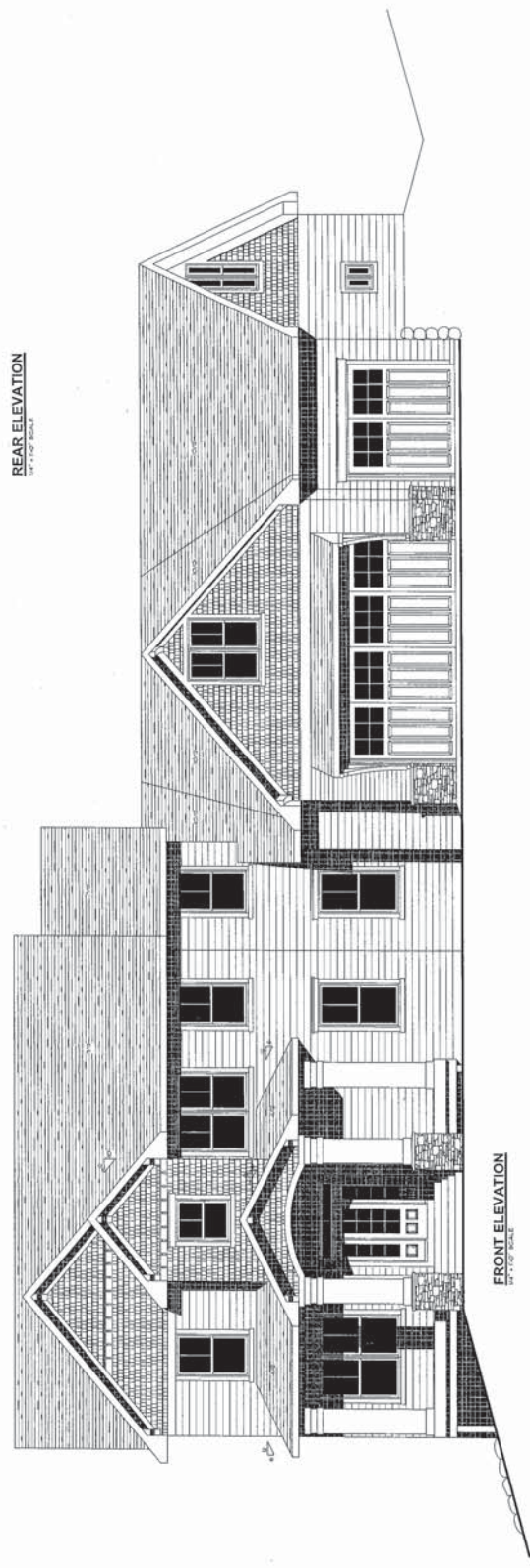
DESIGN PHASE
 PROJECT NO. 100474
 PROJECT NAME
 PROJECT LOCATION
 PROJECT DATE
 PROJECT DRAWN BY
 PROJECT CHECKED BY
 PROJECT APPROVED BY
 PROJECT SCALE
 PROJECT SHEET NO. 1 OF 6

FITZER RESIDENCE
 MOSER HOMES INC.
 SUNSHINE LAKE MN

PROJECT NO. 100474
 PROJECT NAME
 PROJECT LOCATION
 PROJECT DATE
 PROJECT DRAWN BY
 PROJECT CHECKED BY
 PROJECT APPROVED BY
 PROJECT SCALE
 PROJECT SHEET NO. 1 OF 6



REAR ELEVATION
 1/4" = 1'-0"



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



Formulas Used:

Footcandles = Total Lumens ÷ Area in Square Feet

Square Feet = Length x Width

Bulb: 60 Watt Candelabra-Base Light Bulb = 672 lumens each

Wall Light:

Total lumens for (1) bulb = 672 lumens

With the light on the wall, at 20 feet from the light in each of 3 directions, total square footage is calculated: 20' x 40' = 800 square feet.

Using the Footcandles formula: 672 lumens ÷ 800 square feet = .84 footcandles at 20 feet from light in any direction.

Hanging Light:

Total lumens for (3) bulbs: 672 lumens x 3 bulbs = 2016 total lumens

With the light in the center of a square, at 25 feet in each direction from the light, square footage is

CERTIFICATE OF SURVEY

for MOSER HOMES, INC.

TRACT Y LEGAL DESCRIPTION:

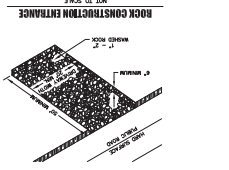
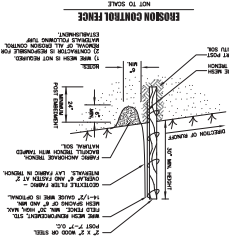
That part of Lot 2 and Block 1, ANNELL ACRES, Dakota County, Minnesota, lying south of the north 256 feet street.

EXISTING IMPERVIOUS

TOTAL = 0.61 ± or 0%

PROPOSED IMPERVIOUS

HOUSE = 2,625sf
DRIVEWAY = 3,756sf
REAR DECK = 362sf
FRONT PORCH = 1,625sf
TOTAL = 7,368sf / 204,130sf = 3.6%



EROSION & SEDIMENT CONTROL / REGULATION SPECIFICATIONS:
Prior to construction, install heavy duty erosion and sediment control measures. Erosion control measures shall be installed and maintained throughout the construction period. Erosion control measures shall be installed and maintained throughout the construction period. Erosion control measures shall be installed and maintained throughout the construction period.

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, RLS# 25341
- DENOTES POWER POLE
- DENOTES EXISTING SPOT ELEVATION
- DENOTES WELL
- DENOTES STORM SEWER APRON
- DENOTES MET LAND
- DENOTES EXISTING 2 FOOT CONTOURS.
- DENOTES RETAINING WALL
- DENOTES PROPOSED 2 FOOT CONTOURS.
- DENOTES PROPOSED FINISH GRADE
- DENOTES PROPOSED DRAINAGE DIRECTION
- DENOTES ORANGE TREE PROTECTION FENCING
- DENOTES HEAVY DUTY ORANGE SILT FENCING WITH WIRE BACKING.

PROPOSED TRACT Y AREA DATA:

TRACT Y: Gross lot area = 204,130sf (4.69 acres)
Buildable area = 108,900sf (2.50 acres)

BUILDING PEAK ELEVATION CALCULATION:

Average ground elevation: 960.15+958.32+953.66+954.34+948.47+945.92+5,721.86/6=953.6
Maximum peak elevation = 953.6 + 30.0' = 983.6
Proposed house peak elevation: 947.1 (Low floor) + 40.5' = 987.6 (VARIANCE REQUESTED)

DENOTES BUILDABLE AREA. Area defined as land not including wetlands, drainage ways, surface water, land containing aquatic vegetation, or land in excess of 12 percent slopes.

BUILDING ELEVATIONS:

(3' BASEMENT WALKOUT)
PROPOSED ELEVATIONS:
GARAGE FLOOR = 955.4
TOP OF WALL = 955.8
TOP OF FOOTING = 948.8
LOWEST FLOOR = 947.8
ROOF PEAK (40.5') = 987.6
(NAVD83)
BENCHMARK: MNDOT CSID Station #7210 (MCS name 1985AD). Located at the SW quadrant of Delaware Avenue and Salem Church Road. Elevation 904.58

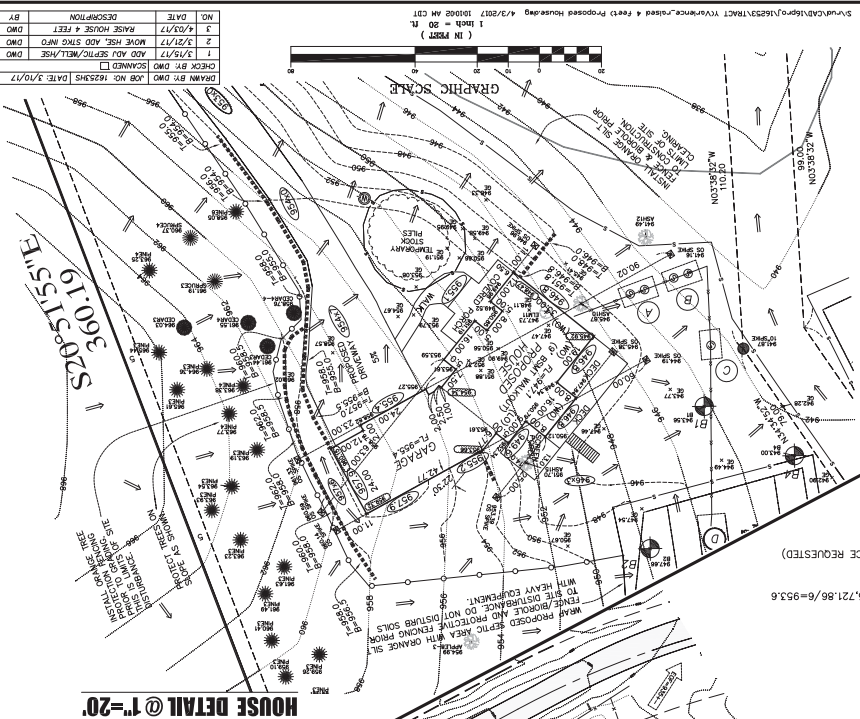
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

DANIEL W. OBERMILLER

Date: 4/03/17 License No. 25341

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

EXHIBIT F



HOUSE DETAIL @ 1"=20'



Ryan Grittman

From: Jim Naves <jim@lstrees.com>
Sent: Tuesday, April 11, 2017 9:11 AM
To: Ryan Grittman
Subject: Re: 415 Salem Church Rd - New Home Construction and Variance

Hi Ryan,

Nothing here for me to comment on.

Jim

On Tue, Apr 11, 2017 at 8:24 AM, Ryan Grittman <rgrittman@nacplanning.com> wrote:

All,

Attached are plans for a new home construction at 415 Salem Church Rd. Please respond with comments by April 25. Thanks!

Ryan Grittman

City of Sunfish Lake

Northwest Associated Consultants

4150 Olson Memorial Highway, Suite 320

Golden Valley, MN 55422

Phone: [\(763\) 957-1100](tel:(763)957-1100)

Email: rgrittman@nacplanning.com

Website: <http://www.nacplanning.com/>

Ryan Grittman

From: Dave Dreelan <Daved@mendota-heights.com>
Sent: Thursday, April 20, 2017 5:32 PM
To: Ryan Grittman
Subject: RE: 415 Salem Church Rd - Driveway

It appears that there are no significant bends in the driveway or grade issues that would interfere with our access. If the driveway is constructed to support the weight of the fire apparatus we should be fine.

Thanks
Dave

From: Ryan Grittman [rgrittman@nacplanning.com]
Sent: Wednesday, April 19, 2017 11:50 AM
To: Dave Dreelan
Subject: FW: 415 Salem Church Rd - Driveway

Hi Dave,
Here's some more info on the driveway, thanks!
-Ryan

-----Original Message-----

From: Bob Moser [mailto:bobmoser@moserhomesinc.com]
Sent: Wednesday, April 19, 2017 11:39 AM
To: Ryan Grittman <rgrittman@nacplanning.com>
Subject: RE: 415 Salem Church Rd - Driveway

Hi Ryan:

The driveway will consist of a bituminous surface 12' wide with an additional 2' wide compacted gravel surface on each side. Per the plan, the width increases at the approach to the garage. The maximum width is 36'. The length of the driveway is approximately 305'. While the grade varies, the average grade is approximately 4%.

For additional clarification/confirmation of these details, please refer to page 2 of the survey. This enlarged version of the construction area shows these details much more clearly than page 1. I have attached a copy of that information for your reference. If you enlarge this on your screen, you will see that the driveway width and grades throughout the driveway are identified. Feel free to contact me if any additional questions arise and/or if I can be of further assistance.

Thank you,
Bob

-----Original Message-----

From: Ryan Grittman [mailto:rgrittman@nacplanning.com]

Sent: Tuesday, April 18, 2017 2:13 PM

To: bobmoser (bobmoser@moserhomesinc.com) <bobmoser@moserhomesinc.com>

Subject: 415 Salem Church Rd - Driveway

Hi Bob,

The Fire Chief is asking for any additional information regarding the driveway that you might have such as width, length, and grade. Let me know what you may have. Thanks!

Ryan Grittman

City of Sunfish Lake

Northwest Associated Consultants

4150 Olson Memorial Highway, Suite 320

Golden Valley, MN 55422

Phone: (763) 957-1100

Email: rgrittman@nacplanning.com<mailto:rgrittman@nacplanning.com>

Website: <http://www.nacplanning.com/>

Ryan Grittman

From: Skancke, Jennie (DNR) <jennie.skancke@state.mn.us>
Sent: Wednesday, May 03, 2017 8:04 AM
To: Anina Nielsen; Dave Dreelan
Cc: Ryan Grittman
Subject: RE: Sunfish Lake - 415 Salem Church Road

Thank you. No comments on this one unless it were to exceed the impervious criteria, but I can't imagine it could given the size of the lot.

Best,
Jennie

Jennie Skancke - Area Hydrologist (Scott, Dakota and Carver Counties)
MnDNR | 1200 Warner Road | St. Paul, MN 55106 | T: 651-259-5790 | [Jennie.Skancke@state.mn.us](mailto:jennie.skancke@state.mn.us)

From: Anina Nielsen [mailto:anielsen@nacplanning.com]
Sent: Wednesday, May 03, 2017 6:31 AM
To: Skancke, Jennie (DNR) <jennie.skancke@state.mn.us>; Dave Dreelan <daved@mendota-heights.com>
Cc: Ryan Grittman <rgrittman@nacplanning.com>
Subject: Sunfish Lake - 415 Salem Church Road

The attached is a property owner notice for a new home in Sunfish Lake. This home falls within the Shoreland Overlay District. If any questions, please call Ryan Grittman at the number below or email him at rgrittman@nacplanning.com. Thanks,

Nina

Anina Nielsen
Northwest Associated Consultants, Inc.
4150 Olson Memorial Highway, Suite 320
Golden Valley, MN 55422
763.957.1100
anielsen@nacplanning.com



Memorandum

To: Ryan Grittmann
Northwest Associated Consultants

From: Donald W. Sterna, PE & Eric M. Eckman, PE
WSB & Associates, Inc.

Date: April 24, 2017

Re: Site and Building Plan Review
415 Salem Church Road
City of Sunfish Lake, MN
WSB Project No. 2182-240

Project Background

The applicant is proposing to construct a new home, septic drain field system and well along with the necessary grading and driveway construction. The following review is only for the engineering, storm water management, and site grading issues. The building compliance, fire access compliance and/or septic and well requirements will be handled by the City planners, Fire Chief, and Building and Septic inspectors.

In accordance with the Site Plan Building Permit Application Procedures Checklist the following items need to be provided:

- Please include the addresses of the adjacent properties on the plan sheets.
- Location, size, and elevations of any **existing utilities**, drainage control devices.

Site Grading

The applicant's proposed site grading shows a positive slope away from the house foundation except for the east side of the garage. It should be noted on the grading plan that a drainage swale with spot elevations is needed to ensure proper drainage in this area. The driveway width and turn around may need to be modified in order to comply with state fire codes. The driveway should be able to support a 15,000-pound axle weight, have a 20' wide access that is maintained year round (minimum of 14' paved surface), an appropriate turnaround area, and a minimum vertical clearance of 13'-6". Please work with the City Fire Chief to determine turn around requirements. Impervious calculations and disturbance areas shall be adjusted on the plan set accordingly.

- Any slopes steeper than or equal to 5 to 1 horizontal to vertical will require erosion control blankets.
- The builder/applicant must provide retaining wall plans for review for any walls that are 4 feet in height or taller. The plans need to be designed and signed by a registered professional engineer in the State of Minnesota.

Stormwater Management

We have reviewed the drainage narrative and stormwater calculations submitted by the Plowe Engineering on April 23, 2017. The information was reviewed for conformance to Sunfish Lake Zoning Ordinance Section 1216.04 for stormwater management. Below are our comments:

- **Volume Reduction:** The City of Sunfish Lake falls within the Valley Branch Watershed District (VBWD) boundary and is subject to the MPCA MIDs performance standards. This requires that 1.1 inches of runoff off from all new impervious surfaces is infiltrated on site, when feasible. The stormwater management for this proposed calculated volume requirements using 1-inch. The memo and design should be updated to demonstrate conformance with MIDs. The current design shows that 2931 square feet of impervious area is not routed through the infiltration BMP. The applicant should demonstrate that the volume of runoff entering the infiltration basin for a 1.1-inch rain event, is equal to or greater than the volume reduction goal.
- **Water Quality:** Effectively implementing MIDs volume reduction standards for the proposed project will result in achieving water quality goals.
- **Rate Control:** Runoff rates for the 1-, 2-, 10- and 100-year storm events were summarized for existing and proposed conditions. Runoff rates for proposed conditions slightly exceeded the rates for existing conditions. This is not in conformance with the City's stormwater ordinance.
- **Required Submittals:**
 - A description of the soils of the site, including documentation of the suitability of the soils for the infiltration basin. The MPCA Stormwater Manual should be referenced for design guidelines and requirements. This includes details on what is accepted for verification of infiltration rates.
 - The stormwater report should provide calculations that demonstrate the infiltration basin can drawdown with 48 hours, per MPCA requirements.
 - The MPCA requires that infiltration basins have a 3-foot separation from the bottom of the infiltration practice to groundwater and/or bedrock. Verification that this requirement is met with the proposed design needs to be submitted for review.
 - Location of existing water drainage systems and natural drainage patterns. This includes the wetland that is located at the southwest boundary of the property. The HydroCAD model should be updated to include the wetland, demonstrating how the wetland is impacted for proposed conditions. The proposed runoff volumes for the 1-year and 2-year storm events are lower than existing and the volumes for the 10-year and 100-year are higher than existing volumes. Applicant is required to demonstrate that this will not adversely affect or change the current condition of the wetland. Prior to issuance of any city grading or building permits, the project must comply with the Wetland Conservation Act (WCA). The City of Sunfish Lake is the LGU for the WCA.
 - A wetland delineation report is required for any wetlands located on and immediately adjacent to the site, including depth of water, a description of all vegetation which may be found in the water, a statement of general water quality and any classification given to the wetland by the MNDNR, MPCA and USACE.
 - Erosion Control Plan and SWPPP need to be reviewed for conformance.
 - A maintenance plan for any stormwater BMPS is required.
 - A 16.5-foot-wide protective buffer strip of vegetation surrounding any wetlands or basins should be shown in the planset.

- The proposed grading appears to direct runoff towards an adjacent property. City ordinance requires that the applicant obtain any necessary easements or other property interests concerning flowage of water. As such, any required drainage easements should be added to the planset.
- HydroCAD Model: The HydroCAD model shows that 6793 square feet of impervious area is routed to the infiltration basin (56,092 sf x 12.11%) and 2931 square feet (50,972 sf x 5.75%) of impervious area bypasses the infiltration basin and is routed directly to the existing wetland at the southwest corner of the property. This is a total of 9724 square feet of impervious area for the proposed site. The stormwater report and proposed conditions map indicate that 7,368 square feet of impervious surface is created with the proposed project. The discrepancy between these values needs to be corrected. Also, the HydroCAD model needs to be updated to include an MSE3 type distribution for the Atlas 14 storm events.

Erosion Control

Please provide the area of land disturbed. A National Pollutant Discharge Elimination System (NPDES) Construction Permit will be required if over an acre of land is to be disturbed.

- The debris from the construction should be placed in a dumpster to contain the demolish debris. Other Best Management Practices for erosion control and sediment control may be needed as site development progresses.
- Redundant erosion control measures should be taken along areas directly adjacent to the wetlands i.e. double row of silt fence. A note mentions bioroll and silt fence on the plans. Due to the steep slopes surrounding the wetlands, a double row of silt fence is recommended.
- The ditch along Salem Church Road shall be stabilized with erosion control blanket within 24 hours after installing the driveway culvert.

Site Access

- The Contractor must adhere to axle load limits when delivering material to the site.
- Any damage to South Robert Street shall be repaired to the City's satisfaction by the applicant prior to the issuance of a certificate of occupancy. It is recommended the builder take pictures of the roadway prior to construction to document the condition of the roadway. These pictures should be taken at a wide enough angle to verify their location.

Conclusion and Recommendations

Based upon our review of the proposed site and grading plan for the proposed new home at 415 Salem Church Road, the plans appear to be consistent with the City's requirements with the exception of the above-noted items in this memorandum. We hereby find the proposed plans not to be in accordance with City requirements and recommend denial from an engineering standpoint for this project until these items are addressed. We are requesting a new set of plans addressing these comments be resubmitted to our office prior to recommending approval.

Memorandum

To: *Ryan Grittmann*
Northwest Associated Consultants

From: *Donald W. Sterna, PE & Eric M. Eckman, PE*
WSB & Associates, Inc.

Date: *May 09, 2017*

Re: *Site and Building Plan Review (updated plans received 04/27/17)*
415 Salem Church Road
City of Sunfish Lake, MN
WSB Project No. 2182-240

Project Background

The applicant is proposing to construct a new home, septic drain field system and well along with the necessary grading and driveway construction. The following review is only for the engineering, storm water management, and site grading issues. The building compliance, fire access compliance and/or septic and well requirements will be handled by the City planners, Fire Chief, and Building and Septic inspectors.

Site Grading

The applicant's proposed site grading shows a positive slope away from the house foundation except for the east side of the garage. Notes on the grading plan with spot elevations has been provided ensure proper drainage in this area. The driveway width has been approved by the fire chief.

- Any slopes steeper than or equal to 5 to 1 horizontal to vertical will require erosion control blankets.
- The retaining walls shown on the plans have been revised and all under 4 feet in height. Therefore, no retaining wall plans need to be submitted for review.
- The proposed impervious area for the driveway in the upper right corner of survey sheet 1 differs from the label on the driveway. Please verify the correct amount of impervious area.

Stormwater Management

We have reviewed the drainage narrative and stormwater calculations submitted by the Plowe Engineering on April 27, 2017. The information was reviewed for conformance to Sunfish Lake Zoning Ordinance Section 1216.04 for stormwater management. Below are our comments:

- Volume Reduction: Volume reduction goals have been adequately addressed by the proposed stormwater management. The infiltration basin is oversized for the proposed impervious area. The plans and report indicate that there is about 7400 square feet of impervious surface, including 3756 square feet of driveway area. As mentioned, the plans also show a label in the driveway area indicating 4261 square feet. Assuming the larger of

these areas is the correct area there is still sufficient capacity in the infiltration basin. For project completeness, the report and figures should be updated with the correct values.

- Rate Control: Runoff rates for the 1-, 2-, 10- and 100-year storm events were summarized for existing and proposed conditions and are in conformance with the City's stormwater ordinance.
- Required Submittals: All of the previously requested submittals have been received for our review.
- HydroCAD Model: The HydroCAD has been updated based on our previous comments. As mentioned, the model should reflect the correct impervious area for the proposed project.
- Infiltration Basin EOF: The infiltration basin grading should be modified such that there is a minimum of 0.5 feet of freeboard from the 100 year HWL elevation. Modifying the 940 contour around the basin appears to be feasible and this would be 0.5 feet above the 100 year HWL elevation of 939.5 feet. Currently the pond will overflow uncontrolled at elevations higher than 939.5 feet, which could create erosion and drainage issues on site and off site. Also, the EOF should be armored with turf reinforced mat or rip rap to prevent excessive erosion when the EOF is utilized.

Erosion Control

The area of disturbance is under 1 acre. Therefore, an NDPES permit will not be required for this project. If any additional areas beyond the proposed area are disturbed, a permit may be required.

- The debris from the construction should be placed in a dumpster to contain the demolish debris. Other Best Management Practices for erosion control and sediment control may be needed as site development progresses.
- Redundant erosion control measures are shown on the plans. A note mentions bioroll and silt fence on the plans.
- The ditch along Salem Church Road shall be stabilized with erosion control blanket within 24 hours after installing the driveway culvert.

Site Access

- The Contractor must adhere to axle load limits when delivering material to the site.
- Any damage to Salem Church Road shall be repaired to the City's satisfaction by the applicant prior to the issuance of a certificate of occupancy. It is recommended the builder take pictures of the roadway prior to construction to document the condition of the roadway. These pictures should be taken at a wide enough angle to verify their location.

Conclusion and Recommendations

Based upon our review of the proposed site and grading plan for the proposed new home at 415 Salem Church Road, the plans appear to be consistent with the City's requirements with the exception of the above-noted items in this memorandum. We hereby find the proposed plans to be in accordance with City requirements and recommend approval from an engineering standpoint for this project. We are requesting a new set of plans addressing these comments be resubmitted to our office prior to issuing a building permit and starting construction.

CITY OF *Sunfish Lake* MINNESOTA

Planning Commission Findings of Fact & Recommendation (Denial)

Applicant's Name: Alex and Grant Fitzer

Request: The applicants request City approval of major site and building plan and variance to construct a single-family home at 415 Salem Church Road. The applicants are seeking to exceed the 30-foot height limitation requirement. The proposed home sits entirely within the 200-foot shoreland setback.

Planning Commission Meeting Date: May 17, 2017

Findings of Fact: Based on review of the application and evidence received, the Sunfish Lake Planning Commission now makes the following findings of fact and recommendation:

1. The address of the subject property is as follows:

415 SALEM CHURCH ROAD, SUNFISH LAKE, MN 55118
2. The planning report dated May 10, 2017 prepared by Northwest Associated Consultants, Inc. and the engineering report dated April 24, 2017, and May 9, 2017 prepared by WSB Associates are incorporated herein by reference.
3. The single-family home will be 4,324 total square feet, which requires Planning Commission review and City Council approval.
4. The Sunfish Lake Planning Commission reviewed the applicant's request for major site and building plan approval and variance at the May 17, 2017 Planning Commission meeting.
5. Upon review of the planning report and application information the Planning Commission found that the proposed site and building plan request and variance meets Ordinance requirements. The following findings support the Planning Commission recommendation for approval of the Major Site and Building Plans:

Major Site and Building Plans:

- a. The subject property and proposed development meet R-1 and Shoreland Overlay District setback, building coverage and impervious surface standards.

- b. The proposed development addresses Ordinance requirements pertaining to drive and parking area design, lighting design, grading, drainage and stormwater management, landscaping, and screening.
- c. The proposed home meets Ordinance requirements pertaining to building size, height, and material use.
- d. The proposed home meets other applicable Zoning Ordinance criteria.

Variance Request:

The following findings support denial of the variance request:

- a. The burden of a hardship has not been proven. The home can be positioned on the property without a height variance (Exhibit F).
- b. The City has taken a strong stance against height variances in the past. Lesser requests have been denied or withdrawn.

Recommendation:

Based on the foregoing considerations and applicable ordinances, the Planning Commission recommends denial of the applicant's major site and building plans.

Adopted by the Sunfish Lake Planning Commission this 17th day of May 2017.

City of Sunfish Lake

By: _____
Tom Hendrickson
Planning Commission Chair

ATTEST

Catherine Iago, City Clerk



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422
Telephone: 763.957.1100 Website: www.nacplanning.com

MEMORANDUM – Addendum

TO: Sunfish Lake Mayor and City Council

FROM: Ryan Grittmann

DATE: June 1, 2017

RE: Sunfish Lake – 415 Salem Church Road – Site and Building Plan Review and Variance

FILE: 211.01 – 17.01

6/6/17 CC Mtg.
Agenda
Item
6a

BACKGROUND

At the May 17, 2017 Planning Commission meeting, the Planning Commission considered a request from Alex and Grant Fitzer for a major site and building plan approval for a new home, and a variance request to permit a roof height of 34 feet (four feet above the maximum allowed by Zoning Ordinance). The Planning Commission recommended approval of the site and building plan, and denial of the variance height request. Both items were a unanimous decision. On May 30, 2017, an updated site plan was submitted along with a request to withdraw the variance proposal.

The updated site and building plan includes moving the home 10 feet to the west which brings the home down 36 inches. In addition, the revised plans reduce the heel height of the trusses, and the pitch of the roof which further reduces the height by 12 inches. This results in a home height of 30.0 feet. The home now complies with all City Codes, and no variance is required.

By moving the home 10 feet to the west, the walkout basement has been removed since the home is now on flatter ground. As a result, the base elevation of the home is altered. The original proposal had a building height of 34.0 feet, with a roof peak elevation of 987.6 feet. The revised plans show a building height of 30.0 feet and an elevation of 982.8 feet at the roof peak.

The applicants have also noted that all proposed retaining walls on the site plan will remain under four feet in height to be in compliance with retaining wall height requirements.

PLANNING COMMISSION ISSUES

Driveway Access. The issue of the driveway location was questioned at the Planning Commission site visit and public hearing. Sunfish Lake Zoning Ordinance requires a 25 foot setback from side property lines for driveways. The original Tinkers Plat from 1987 provided an access to this lot from Salem Church Road that is contained entirely within the setback. When the property was re-platted in 2008 to Angell Acres, the access remained in place. In 2017, Angell Acres was minor subdivided with the driveway access remaining in place. Staff feels that the proposed location of the driveway is in compliance with the intent of the plat and is in the correct location as proposed.

Comprehensive Plan / View Shed. The neighboring property owners to the east requested that the home be moved to the west to improve the “view shed” of their property in accordance with page 56 of the Comprehensive Plan. The applicants have complied with this request by moving the home 10 feet to the west resulting in a roof peak elevation change of 4.8 feet lower than the original proposal.

STAFF REVIEW

The City Engineer reviewed the revised site plan and had no objections to the relocation of the home. Further, the City Engineer has not recommended any changes to the conditions outlined in the Engineer’s Report dated May 9, 2017.

SUMMARY AND RECOMMENDATION

The applicants are proposing minor changes to their original site and building plan. The purpose of the changes allows the applicants to withdraw their request for a height variance. As a result, the revised changes meet all zoning requirements. The proposed changes on the site are minimal. Staff recommends approval of the revised site plan with the following conditions:

1. The applicants adhere to the recommendations of the Planner’s Report dated May 10, 2017:
 - a. The applicants adhere to the City Engineer’s recommendations for construction, grading, drainage, and erosion control as addressed in his report dated May 9, 2017 and address any follow-up recommendations from the City Engineer.
 - b. The applicants must obtain a permit from the City’s Septic Specialist for the installation of the proposed septic system. The applicants shall verify permit issuance prior to City Council consideration of the application. Further, the applicants shall adhere to any recommendations of the Septic Specialist in regard to the septic system or well.

- c. The applicants obtain a building permit from the City Building Official prior to commencing any construction of the proposed project.
 - d. Upon installation, any lights which cast light on neighboring property shall not exceed one (1) foot candle (meter reading) as measured from said property abutting the property in question.
 - e. The applicants shall contact planning staff to arrange pre-construction and post-construction site visits, whereby staff can confirm that site and building plans and associated approval conditions have been implemented accordingly. The inspections are separate from other inspections that may be necessary by the City Building Inspector, City Septic System Inspector, City Engineer, or other individuals. The cost of site inspections is \$75.00 each and payment of this amount shall be the responsibility of the property owner.
2. The applicants adhere to the recommendations of the City Engineer's Report dated May 9, 2017 including:
- a. An updated site and building plan be submitted to the Engineer's office prior to issuing a building permit.
 - b. Any slopes steeper than or equal to 5 to 1 horizontal to vertical will require erosion control blankets.
 - c. The proposed impervious area for the driveway in the upper right corner of survey sheet 1 differs from the label on the driveway. Please verify the correct amount of impervious area.
 - d. The debris from the construction should be placed in a dumpster to contain the demolish debris. Other Best Management Practices for erosion control and sediment control may be needed as site development progresses.
 - e. The Contractor must adhere to axel load limits when delivering material to the site. Any damage to Salem Church Road shall be repaired to the City's satisfaction by the applicant prior to the issuance of a certificate of occupancy. It is recommended the builder take pictures of the roadway prior to construction to document the condition of the roadway. These pictures should be taken at a wide enough angle to verify their location.

Attached for reference:

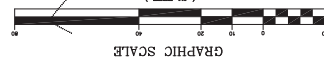
- Exhibit A: Revised Site Plan
- Exhibit B: Revised Building Plan
- Exhibit C: Tinkers Plat
- Exhibit D: Angell Acres Plat
- Exhibit E: Angell Acres Minor Subdivision / Lot Consolidation

c: Cathy Iago, City Clerk
Mike Andrejka, City Building Official
Ron Wasmund, City Septic System Inspector
Don Sterna, City Engineer
Jim Naves, City Forester
Tim Kuntz, City Attorney
Grant and Alex Fitzer, Applicants
Bob Moser, Moser Homes Inc.

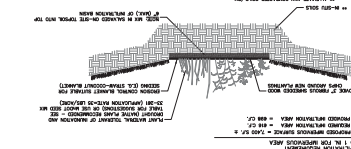
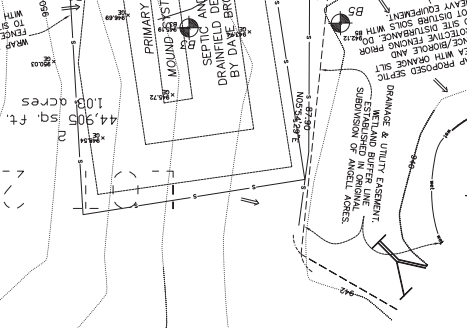
CERTIFICATE OF SURVEY

~for~ MOSER HOMES, INC.

TRACT Y LEGAL DESCRIPTION:
That part of Lot 2 and 3, Block 1, ANGELL, AGRICULTURAL, Dakota County, Minnesota, lying south of the north 256 feet thorough



HOUSE DETAIL @ 1"=20'



INfiltration BASIN
1. BASE TO BE CONSTRUCTED ON FIRM COMPRESSION OF AT LEAST 1.5% TO 2.0% COMPRESSIBILITY INDEX (C.I.)
2. MINIMUM DEPTH SHALL BE 4 FEET
3. MINIMUM WIDTH SHALL BE 10 FEET
4. 50% OF THE BASIN SHALL BE COVERED WITH A 6" MINIMUM THICKNESS OF CONCRETE SLAB
5. 50% OF THE BASIN SHALL BE COVERED WITH A 6" MINIMUM THICKNESS OF CONCRETE SLAB
6. 50% OF THE BASIN SHALL BE COVERED WITH A 6" MINIMUM THICKNESS OF CONCRETE SLAB
7. 50% OF THE BASIN SHALL BE COVERED WITH A 6" MINIMUM THICKNESS OF CONCRETE SLAB
8. 50% OF THE BASIN SHALL BE COVERED WITH A 6" MINIMUM THICKNESS OF CONCRETE SLAB
9. 50% OF THE BASIN SHALL BE COVERED WITH A 6" MINIMUM THICKNESS OF CONCRETE SLAB
10. 50% OF THE BASIN SHALL BE COVERED WITH A 6" MINIMUM THICKNESS OF CONCRETE SLAB

BUILDING PEAK ELEVATION CALCULATION:

Average ground elevation: 958.78+958.82+952.57+953.61+945.65+947.13+5,716.56/-952.76
Maximum peak elevation = 952.8 + 30.0' = 982.8
Proposed house peak elevation: 943.3 (Low Floor) + 39.5' = 982.8 (NO VARIANCE REQUESTED)

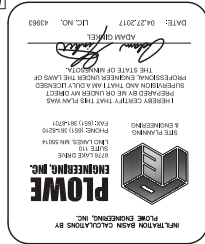
PROPOSED ELEVATIONS:

(9) BASEMENT LOOKOUT
GARAGE FLOOR = 951.6
TOP OF FLOORING = 943.0
TOP OF FLOORING = 943.0
TOP OF GARAGE WALL VARIES
ROOF PEAK (height=39.5') = 982.8

I hereby certify that this survey, plan or map 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.

DANIEL W. OBERMILLER
Date: 5/30/17 License No. 25341

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



NO.	DATE	DESCRIPTION	BY
6	9/20/17	MOSE. HSE. LOWER HOUSE	OWM
5	4/27/17	REVERSE EROSION/UTILITY BASIN/	OWM
4	4/27/17	MOSE. GAR. WALL & RETAINING	OWM
3	4/27/17	HOUSE HOUSE & FENCE	OWM
2	3/21/17	MOSE. HSE. AND SINO INFO	OWM
1	3/21/17	MOSE. HSE. AND SINO INFO	OWM

LEGEND

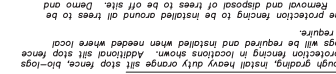
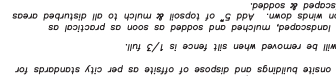
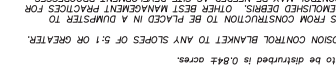
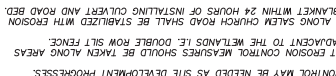
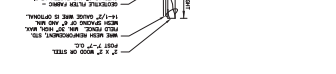
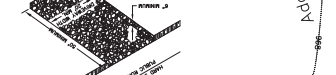
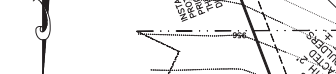
● DENOTES IRON MONUMENT FOUND AS LABELED
○ DENOTES IRON MONUMENT SET, RLS# 25341
x 952.36 DENOTES EXISTING SPOT ELEVATION
○ DENOTES WELL
○ DENOTES STORM SEWER APRON
○ DENOTES MET LAND
○ DENOTES WOMEN WIRE FENCE
○ DENOTES EXISTING 2 FOOT CONTOURS.
○ DENOTES PROPOSED 2 FOOT CONTOURS.
○ DENOTES PROPOSED FINISH GRADE
○ DENOTES PROPOSED DRAINAGE DIRECTION
○ DENOTES GRANGE TREE PROTECTION FENCING
○ DENOTES HEAVY DUTY GRANGE SILT FENCING
○ WITH WIRE BACKING.

EXISTING IMPERVIOUS

TOTAL = 0.01 or 0%
PROPOSED IMPERVIOUS

TOTAL = 7.56861 / 204,130sf = 3.6%
FRONT WALK = 177sf
FRONT STOOP = 268sf
REAR PORCH = 182sf
REAR DECK = 362sf
DRIVEWAY = 2,623sf
HOUSE = 2,623sf

NOTE: APPLY EROSION CONTROL BLANKET TO ANY SLOPES OF 5:1 OR GREATER.
EROSION CONTROL BLANKET



DESIGN PHASE	7/24/14
PRELIMINARY DATE	7/24/14
DATE OF LAST REVISION	7/24/14
DATE OF LAST REVISION	7/24/14
REVISION DATE	8/11/14 10/24/14
REVISION	1/5/15 4/27/16
REVISION	5/19/16 7/6/16
REVISION	1/13/17 3/9/17
REVISION	5/26/17

2000 TOLSON DRIVE SE
SUNFISH LAKE, MN 55086
TEL: 612-435-2382
FAX: 612-435-2382
WWW.MOSERHOMES.COM

11/13/17 3/9/17

5/26/17

12/29/16

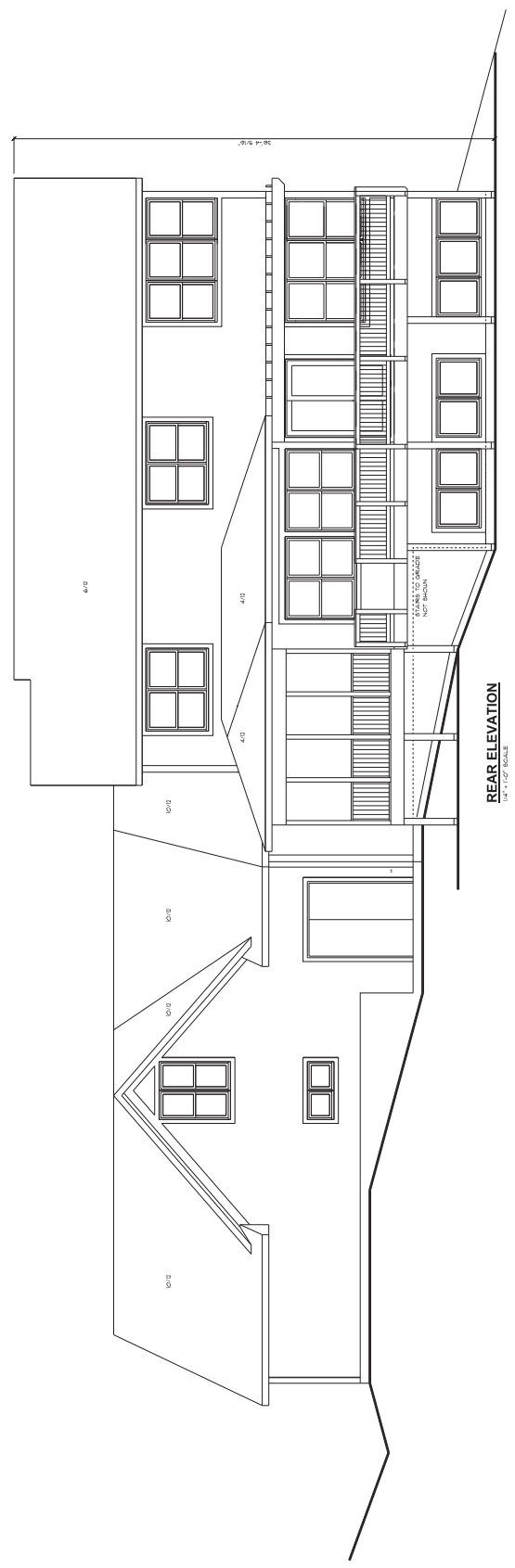
3/9/17

MOSER HOMES INC.
SUNFISH LAKE MN
FITZER RESIDENCE

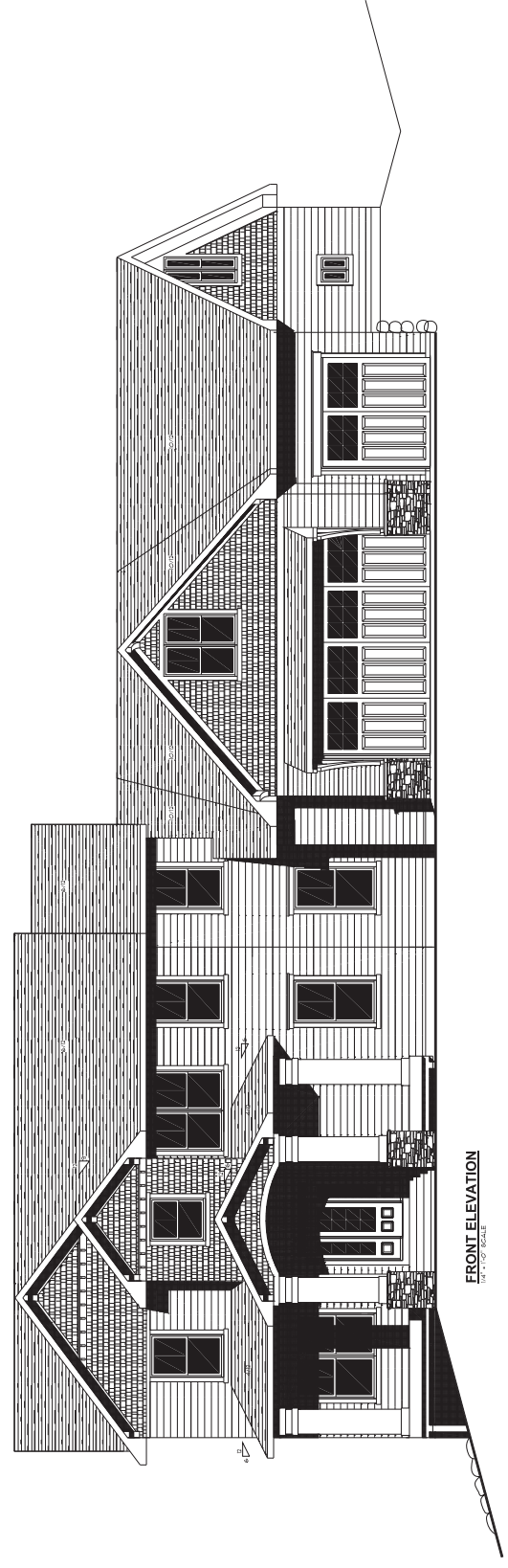
BRUCE LARSEN
1/4" = 1'-0"

1 OF 6

EXHIBIT B



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

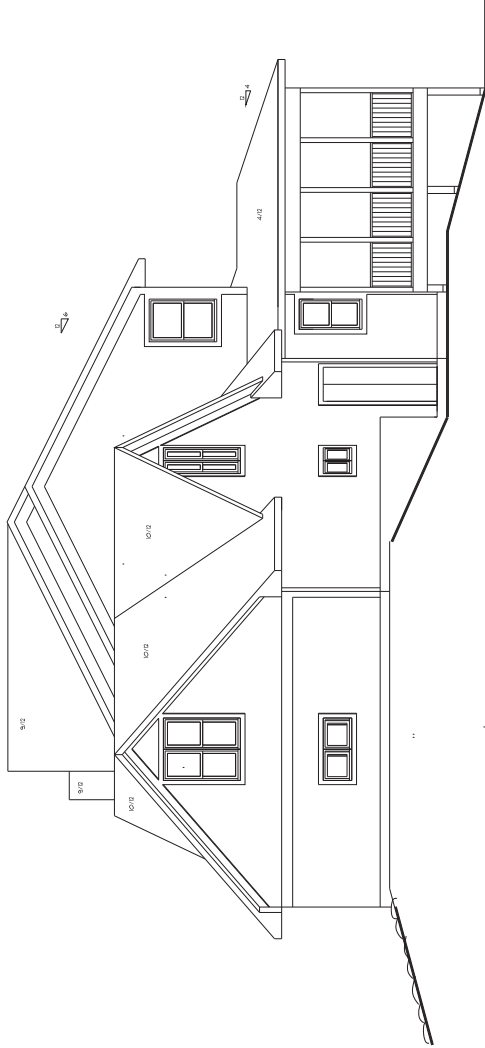


FRONT ELEVATION
1/4" = 1'-0" SCALE

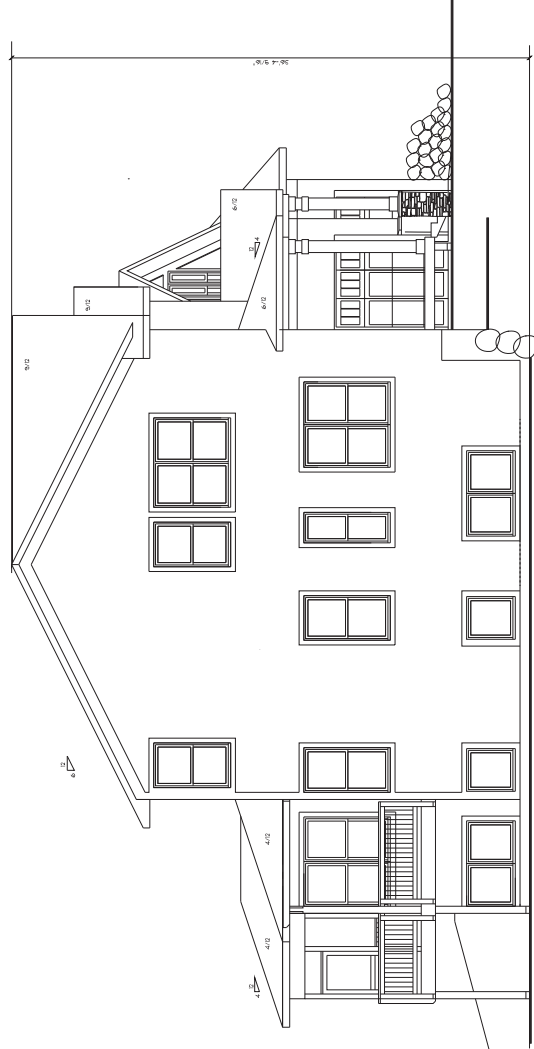
DESIGN PHASE
PROJECT NO. 77014
CITY OF ST. LOUIS
ARCHITECT
8/11/14 10/24/14
REVISIONS
1/5/15 4/27/16
5/19/16 7/6/16
3/9/17
5/26/17

MOSER HOMES INC.
SUNFISH LAKE MN
FITZER RESIDENCE

BRUCE LARSEN
1/4" = 1'-0"
2 OF 6



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



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

STAINED TO MATCH
NOT SHOWN

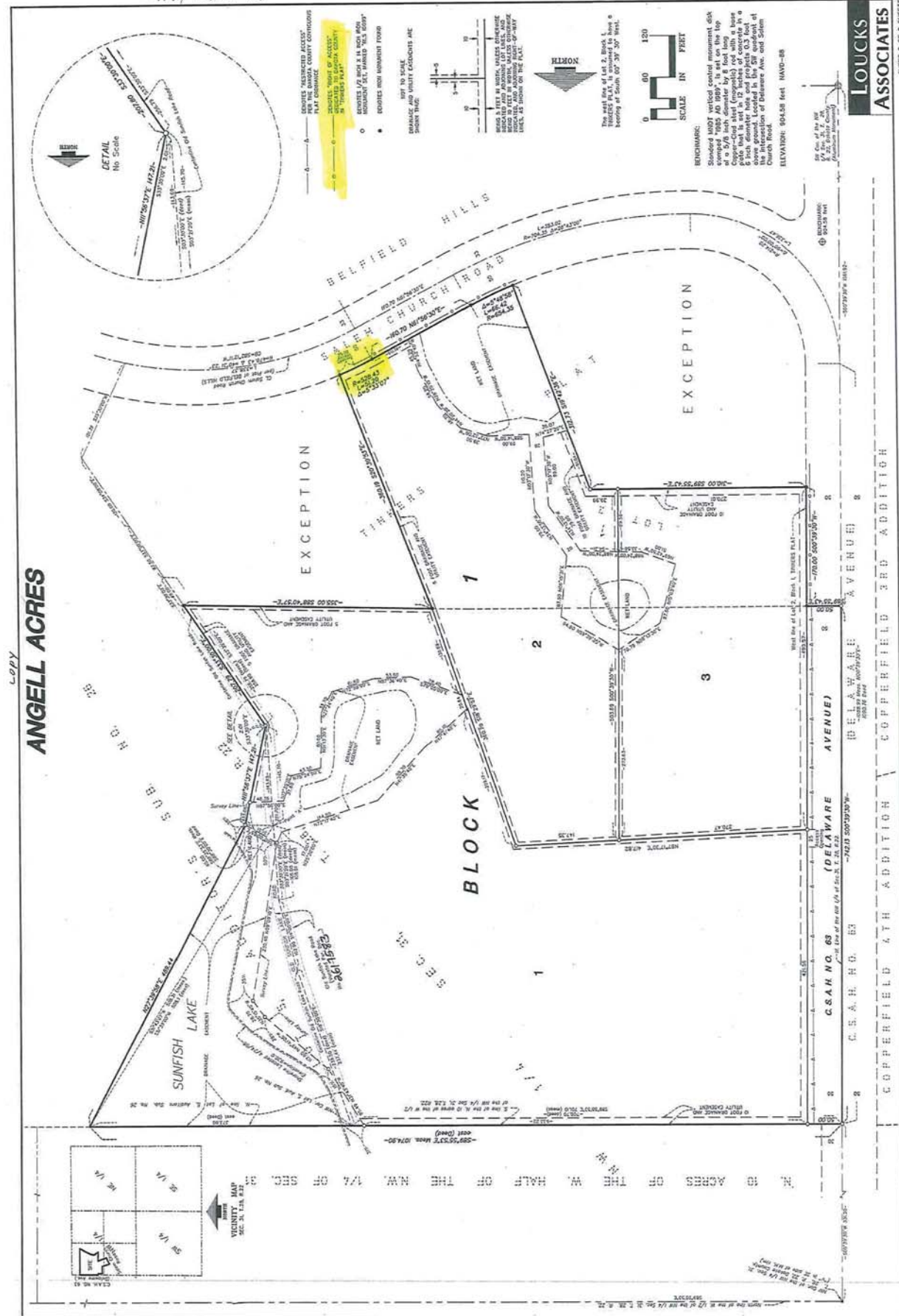
TINKERS PLAT



2 of 2

2 SHEETS
EXHIBIT D

copy
ANGELL ACRES



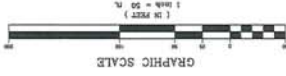
E.G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel: (651) 361-8200 Fax: (651) 361-8701
www.egrud.com

HOUSE DETAIL @ T=20'



TRACT Y:

DENOTES BUILDABLE AREA. Area defined on land not including wetlands, drainage ways, surface water, land containing aquatic vegetation, or land in excess of 12 percent slopes.



PROPOSED TRACT X & Y AREA DATA:

TRACT X: Gross lot area = 82,922[±] (13.86 acres)
(Existing home #2250 DELAMAR)
GHOST TRACT X: Gross lot area = 48,917[±] (11.24 acres)
(Existing home #2250 DELAMAR)
GHOST TRACT Y: Gross lot area = 116,155[±] (2.7 acres)
GHOST TRACT Y: Gross lot area = 110,037[±] (2.52 acres)
BUILDABLE area = 108,900[±] (2.50 acres)
TRACT Y: Gross lot area = 304,130[±] (4.89 acres)
BUILDABLE area = 108,900[±] (2.50 acres)

16253 HS

NO.	DATE	DESCRIPTION
1	3/1/16	ADJ LOT 1 TO SPLIT
2	3/1/16	ADJ LOT 1 TO SPLIT
3	3/1/16	ADJ LOT 1 TO SPLIT
4	3/1/16	ADJ LOT 1 TO SPLIT
5	3/1/16	ADJ LOT 1 TO SPLIT
6	3/1/16	ADJ LOT 1 TO SPLIT
7	3/1/16	ADJ LOT 1 TO SPLIT
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95	3/1/16	ADJ LOT 1 TO SPLIT
96	3/1/16	ADJ LOT 1 TO SPLIT
97	3/1/16	ADJ LOT 1 TO SPLIT
98	3/1/16	ADJ LOT 1 TO SPLIT
99	3/1/16	ADJ LOT 1 TO SPLIT
100	3/1/16	ADJ LOT 1 TO SPLIT

LOT RE-ALIGNMENT & CONSOLIDATION SUMMARY

THE BOUNDARIES OF LOTS 1, 2 AND 3 OF ANGEL ACRES ARE TO BE COMBINED INTO TWO LOTS AND REDIVIDED. ARE TO BE COMBINED WITH THE NORTHERLY 256[±] FEET OF SAID LOTS 3 AND 2 TO BECOME ONE TAX PARCEL, AND IS SHOWN ON THIS SKETCH AS PARCEL X. IS TO BE COMBINED INTO THE REMAINDER OF SAID LOTS 3 AND 2, IS TO BE COMBINED INTO ONE TAX PARCEL, AND IS SHOWN ON THIS PLAN AS PARCEL Y. BECAUSE PARCEL X COULD POSSIBLY BE RE-SUBDIVIDED IN THE FUTURE DUE TO THE GROSS/NET BUILDABLE AREA OF THAT PARCEL. ARE CALLED PARCELS Y1 AND Y2.



LOT REALIGNMENT AND CONSOLIDATION SKETCH

~for~ MOSER HOMES, INC.
CURRENT PROPERTY DESCRIPTION:
Lots 1, 2 and 3, Block 1, ANGEL ACRES, DeSoto County, Minnesota.
PROPOSED TRACT X LEGAL DESCRIPTION:
That part of Lot 2 and 3, Block 1, ANGEL ACRES, DeSoto County, Minnesota, and 3, Block 1, together with the north 256[±] feet of Lot 3 and 2, together with the north 256[±] feet thereof.

PROPOSED TRACT Y LEGAL DESCRIPTION:
That part of Lot 2 and 3, Block 1, ANGEL ACRES, DeSoto County, Minnesota, and 3, Block 1, together with the north 256[±] feet of Lot 3 and 2, together with the north 256[±] feet thereof.

**CITY OF SUNFISH LAKE
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. _____

**RESOLUTION APPROVING MAJOR SITE AND BUILDING PLANS TO PERMIT
CONSTRUCTION OF A SINGLE-FAMILY HOME AT THE PROPERTY LOCATED
AT 415 SALEM CHURCH ROAD, SUNFISH LAKE, DAKOTA COUNTY,
MINNESOTA.**

WHEREAS, Grant and Alex Fitzer submitted an application for a major site and building plan review to permit construction of a single-family home at the property located at 415 Salem Church Rd, legally described as:

That part of Lot 2 and 3, Block 1, ANGELL ACRES, Dakota County, Minnesota,
lying south of the north 256 feet thereof.

WHEREAS, City staff reviewed the application and outlined their review comments in a planning report dated May 10, 2017 and an addendum report dated June 1, 2017 prepared by Northwest Associated Consultants and engineering report dated April 24, 2017 and May 9, 2017 prepared by WSB Associates; and

WHEREAS, the Sunfish Lake Planning Commission held a public hearing at their regularly scheduled meeting on May 17, 2017,

WHEREAS, the Sunfish Lake Planning Commission reviewed the major site and building plan application at their May 17, 2017 meeting, along with the referenced staff reports; and

WHEREAS, upon hearing the staff presentations, applicant testimony, and public testimony, the Planning Commission closed the public hearing and recommended to the City Council approval of the major site and building plans by a vote of 5-0; whereby the following findings support the Planning Commission recommendation for approval:

1. The subject property and proposed development meet R-1 and Shoreland Overlay District setback, building coverage and impervious surface standards.
2. The proposed development addresses Ordinance requirements pertaining to drive and parking area design, lighting design, grading, drainage and stormwater management, landscaping, and screening.
3. The proposed home meets Ordinance requirements pertaining to building size, height, and material use.
4. The proposed home meets other applicable Zoning Ordinance criteria.

WHEREAS, the Sunfish Lake City Council considered the application for major site plan approval for a single-family home at their meeting on June 6, 2017 and agrees with the findings of the Planning Commission.

NOW THEREFORE BE IT RESOLVED THAT the City Council of the City of Sunfish Lake hereby approves the major site plans dated May 30, 2017 (last revision) for a single-family home with the following conditions:

1. The applicants adhere to the recommendations of the Planner's Report dated May 10, 2017:
 - a. The applicants adhere to the City Engineer's recommendations for construction, grading, drainage, and erosion control as addressed in his report dated May 9, 2017 and address any follow-up recommendations from the City Engineer.
 - b. The applicants must obtain a permit from the City's Septic Specialist for the installation of the proposed septic system. The applicants shall verify permit issuance prior to City Council consideration of the application. Further, the applicants shall adhere to any recommendations of the Septic Specialist in regard to the septic system or well.
 - c. The applicants obtain a building permit from the City Building Official prior to commencing any construction of the proposed project.
 - d. Upon installation, any lights which cast light on neighboring property shall not exceed one (1) foot candle (meter reading) as measured from said property abutting the property in question.
 - e. The applicants shall contact planning staff to arrange pre-construction and post-construction site visits, whereby staff can confirm that site and building plans and associated approval conditions have been implemented accordingly. The inspections are separate from other inspections that may be necessary by the City Building Inspector, City Septic System Inspector, City Engineer, or other individuals. The cost of site inspections is \$75.00 each and payment of this amount shall be the responsibility of the property owner.
2. The applicants adhere to the recommendations of the City Engineer's Report dated May 9, 2017 including:
 - a. An updated site and building plan be submitted to the Engineer's office prior to issuing a building permit.
 - b. Any slopes steeper than or equal to 5 to 1 horizontal to vertical will require erosion control blankets.

- c. The proposed impervious area for the driveway in the upper right corner of survey sheet 1 differs from the label on the driveway. Please verify the correct amount of impervious area.
- d. The debris from the construction should be placed in a dumpster to contain the demolish debris. Other Best Management Practices for erosion control and sediment control may be needed as site development progresses.
- e. The Contractor must adhere to axel load limits when delivering material to the site. Any damage to Salem Church Road shall be repaired to the City's satisfaction by the applicant prior to the issuance of a certificate of occupancy. It is recommended the builder take pictures of the roadway prior to construction to document the condition of the roadway. These pictures should be taken at a wide enough angle to verify their location.

This resolution is adopted by the City Council of the City of Sunfish Lake this 6th day of June 2017.

Richard Williams, Mayor

Attest:

Catherine Iago, City Clerk