

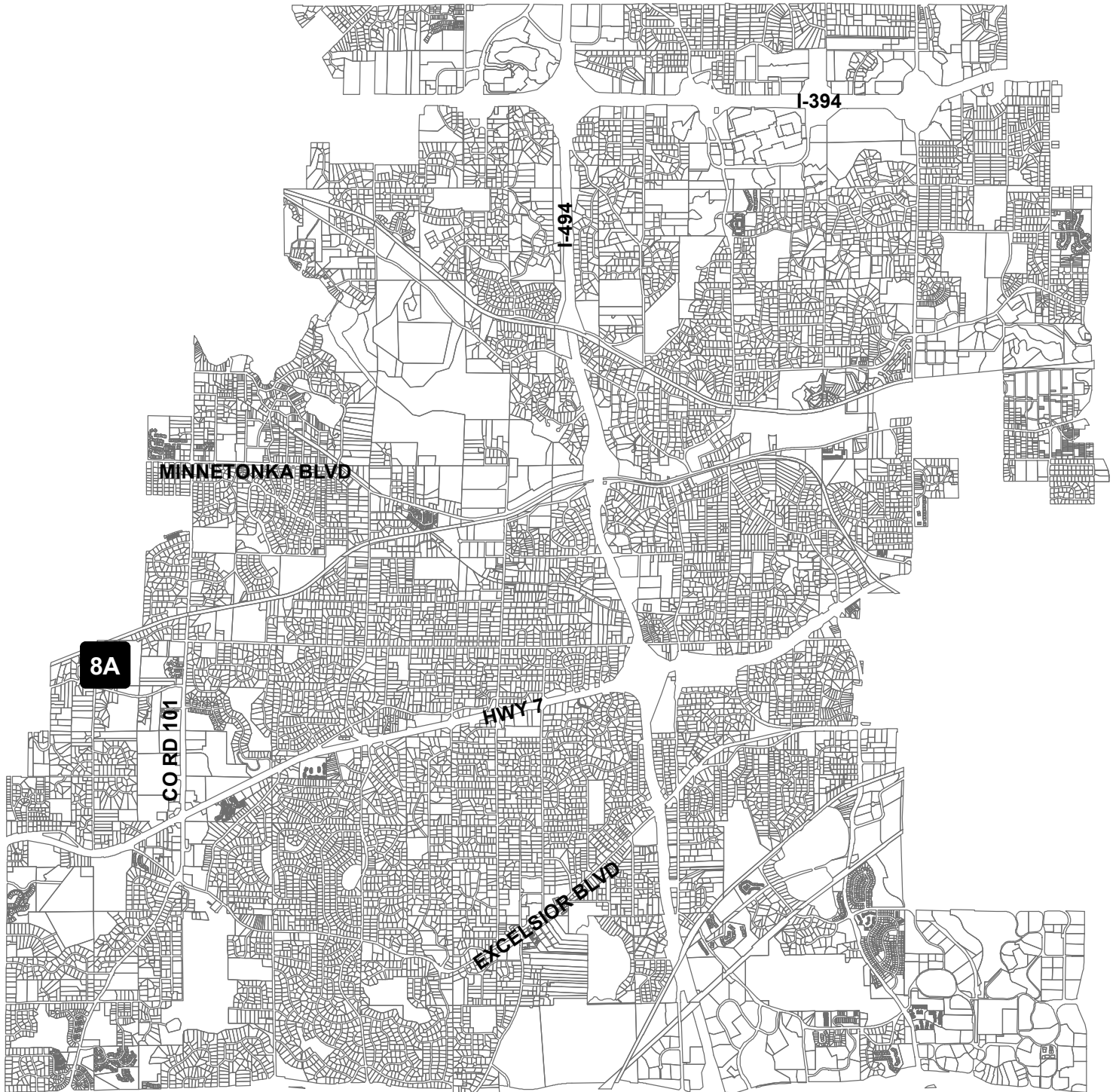


CITY OF  
**MINNETONKA**

# PLANNING COMMISSION

## JAN. 6, 2022

14600 Minnetonka Blvd. • Minnetonka, MN 55345  
(952) 939-8200 • Fax (952) 939-8244  
[minnetonkamn.gov](http://minnetonkamn.gov)





**Planning Commission Agenda  
Jan. 6, 2022**

**City Council Chambers – Minnetonka Community Center**

**1. Call to Order**

**2. Roll Call**

**3. Approval of Agenda**

**4. Approval of Minutes:** Dec. 16, 2021

**5. Report from Staff**

**6. Report from Planning Commission Members**

**7. Public Hearings: Consent Agenda**

None

**8. Public Hearings: Non-Consent Agenda Items**

A. Resolution approving a floodplain setback variance for construction of a new home at 4230 Lindsey Lane.

Recommendation: Adopt the resolution. (5 Votes)

- Final decision, subject to appeal
- Project Planner: Ashley Cauley

**9. Adjournment**

## Planning Commission Agenda

Jan. 6, 2022

Page 2

### Notices

1. Please call the planning division at (952) 939-8290 to confirm meeting dates as they are tentative and subject to change.
2. There following applications are tentatively schedule for the Jan. 20, 2022 agenda.

<b>Project Description</b>	Leonard Residence, CUP for ADU
<b>Project Location</b>	2001 Hopkins Crossroad
<b>Assigned Staff</b>	Ashley Cauley
<b>Ward Councilmember</b>	Rebecca Schack, Ward 2

<b>Project Description</b>	Unmapped, CUP for rooftop patio and coffee bar
<b>Project Location</b>	14625 Excelsior Blvd
<b>Assigned Staff</b>	Ashley Cauley
<b>Ward Councilmember</b>	Kissy Coakley, Ward 4

<b>Project Description</b>	Eagle Brook Church, concept plan
<b>Project Location</b>	15407 and 15409 Wayzata Blvd.
<b>Assigned Staff</b>	Loren Gordon
<b>Ward Councilmember</b>	Bradley Scheappi, Ward 3

<b>Project Description</b>	Charles Cudd, concept plan
<b>Project Location</b>	2615 and 2511 Plymouth Rd.
<b>Assigned Staff</b>	Loren Gordon
<b>Ward Councilmember</b>	Rebecca Schack, Ward 2

**Unapproved  
Minnetonka Planning Commission  
Minutes**

**Dec. 16, 2021**

**1. Call to Order**

Chair Sewall called the meeting to order at 6:30 p.m.

**2. Roll Call**

Commissioners Maxwell, Powers, Waterman, Banks, Hanson, and Sewall were present. Henry was absent.

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, and Assistant City Planner Susan Thomas.

**3. Approval of Agenda**

***Maxwell moved, second by Hanson, to approve the agenda as submitted with an additional comment provided in the change memo dated Dec. 16, 2021.***

***Maxwell, Powers, Waterman, Banks, Hanson, and Sewall voted yes. Henry was absent. Motion carried.***

**4. Approval of Minutes: Dec. 2, 2021**

***Waterman moved, second by Banks, to approve the Dec. 2, 2021 meeting minutes as submitted.***

***Maxwell, Powers, Waterman, Banks, Hanson, and Sewall voted yes. Henry was absent. Motion carried.***

**5. Report from Staff**

Gordon briefed the commission on land use applications considered by the city council at its meeting of Dec. 6, 2021:

- Adopted a resolution and an ordinance approving items for Dick's House of Sport at Ridgedale Center at 12437 Wayzata Blvd.
- Reviewed a concept plan for the redevelopment of the property at 14317 Excelsior Blvd.

Gordon thanked commissioners for their service to the community.

The next regular planning commission meeting is scheduled to be held on Jan. 6, 2022.

**6. Report from Planning Commission Members**

Powers enjoyed a four-hour ride-along with a Minnetonka Police Officer. He encouraged everyone to go on one.

Chair Sewall thanked staff for their hard work and flexibility to keep the city functioning in 2021.

**7. Public Hearings: Consent Agenda**

No item was removed from the consent agenda for discussion.

***Waterman moved, second by Banks, to approve the item listed on the consent agenda as recommended in the staff report as follows:***

**A. Resolution approving an aggregate side yard setback variance for an addition at 16404 Temple Drive North.**

Adopt the attached resolution approving a side yard setback variance for an addition at 16404 Temple Drive North.

***Maxwell, Powers, Waterman, Banks, Hanson, and Sewall voted yes. Henry was absent. Motion carried, and the item on the consent agenda was approved as submitted.***

Chair Sewall stated that an appeal of the planning commission's decision must be made in writing to the planning division within ten days.

**8. Public Hearings**

**A. Resolution denying a conditional use permit for an accessory structure in excess of 1,000 square feet at 4127 Williston Road.**

Chair Sewall introduced the proposal and called for the staff report.

Thomas reported. She recommended denial of the project based on the findings and subject to the conditions listed in the staff report.

Maxwell confirmed with Thomas that the proposed driveway could be built without the approval of a conditional use permit.

Waterman confirmed with Thomas that there is no "visual height" restriction. The proposed structure would meet ordinance height requirements.

Zach Klonne, owner of 4127 Williston Road, applicant, stated that:

- He understands the duty required by staff, commissioners, and councilmembers to make a decision that is best for the city and

- neighboring community. He will gladly accept the final decision and appreciates the time spent by everyone completing this process.
- The design changes to the structure make it more closely related to other similar residential-detached structures that have been approved and built in Minnetonka.
  - The design changes and addition of landscaping, evergreen trees, and fencing make approval of the conditional use permit the correct decision.
  - A twenty-foot reduction would cause the removal of the tall garage door and the south-facing wall around it. It would not require moving the trailer shown in that location, the roof above it, or the north or east walls.
  - The plan that would not require approval of a conditional use permit would allow a further extension of the features nearly 40 feet to the east beyond the proposed building edge. The south-facing wall of the extension would remain unenclosed. The alternative structure, although inherently larger, is not what the applicant desires. He believes the design accommodations made to the new plan would best fit the use and have the least amount of impact on the neighboring properties.
  - The structure would not be used for commercial activity. Many opinions and assumptions were made about his construction business at the previous meeting.

Banks appreciated the information. He asked what the landscaping would include. Mr. Klonne stated that he is willing to plant evergreens or install a fence along the side or rear property lines.

In response to Waterman's question, Mr. Klonne explained that the way he understands the building code, the aggregate 1,000 square feet includes the enclosed portion of the building. A roof and three sides with one side open would not constitute an enclosed space and would not be included in the square footage total. The roof could be extended on the east side of the building along with the rear and side walls and leave the front open to serve as a covered storage space. Without a conditional use permit, a structure under 1,000 square feet in size would be allowed to be located ten feet from the rear property line. On the revised plans, the taller garage door was eliminated.

Powers asked what the applicant plans to store in the structure. Mr. Klonne answered a few personal trailers, lawnmower, vehicle, and woodworking and metalworking equipment. The left portion of the garage would have 1,000 square feet of enclosed space. The attached garage to the house fits only one vehicle.

Chair Sewall confirmed with Mr. Klonne that more than four trees would be removed. Mr. Klonne pointed out an area where trees would be removed.

The public hearing was opened.

Don Sundell, 14660 Lake Street Extension, stated that:

- He would view the proposed structure from his living room window.
- He would prefer to look at an enclosed garage rather than covered equipment.
- He thought there would be tractors, dump trucks, and Bobcats.
- The proposal would not be subordinate to the principal structure. It would look like a second principle use.
- The proposal would not preserve the site in its natural state regarding tree removal, soil removal, and appearance.
- The proposal would not be harmonious with neighbors.
- The proposal would not be screened by topography or vegetation for six months of the year.
- The proposed structure would look like an airplane hanger.
- He did not want to have to notify the city if the site would be used for a commercial business.

Susan Sundell, 14660 Lake Street Extension, stated that:

- She provided pictures of the site.
- She and other neighbors oppose a 1,000-square-foot structure being built.
- She understands that she does not own the view.
- She wants commissioners to prevent a 1,500-square-foot structure from being built. It would adversely affect dozens of people.
- She did not want to have to notify the city if the site would be used for a commercial business.
- She did not want to look at an open garage all winter.
- She thanked commissioners for doing what they do.

Amy Sundell, daughter of Don and Susan Sundell, stated that:

- The proposed building would need to be screened from the neighbors.
- Trees would be cut down.
- She would like the building to match the look of the house.
- The proposed structure would look like a house.
- She suggested the structure be turned so its doors would be viewed from the Klonne's house instead of her parents' house.

Jack Peterson, 14680 Lake Street Extension, stated that:

- He wants the area to remain residential instead of turning into a commercial use.
- He did not see a need for the building to be 1,500 square feet instead of 1,000 square feet.
- He suggested moving the building to a location that would be more pleasing to neighbors.

No additional testimony was submitted, and the hearing was closed.

In response to Chair Sewall's question, Thomas explained that setbacks from property lines and the height of a structure are included in the review of a building permit. Minnetonka does not require screening between single-family properties. Minnetonka does not have aesthetic or architectural standards for residential structures.

In response to Maxwell's question, Thomas read the ordinance definition of an enclosed structure which is a structure that is surrounded by a roof and walls composed of any type of material. An unenclosed structure is a structure that is not surrounded by a roof and walls and is composed of any type of material. Minnetonka has many structures that consist of a roof supported by posts. They are considered unenclosed. She agreed with Mr. Klonne that a roof on posts would be considered unenclosed.

Powers asked why the applicant preferred the proposed location for the structure. Mr. Klonne explained that the slopes restrict the location. His current driveway has a steep slope, and his vehicle slid back onto Williston Road last winter. The proposed driveway would provide an area for a vehicle to turn around in the rear yard with a trailer and enter Williston Road facing forward.

Powers asked if he would consider rotating the building. Mr. Klonne answered that he did have a drawing that initially rotated the building so the garage doors would face his house, but a large retaining wall would have to be constructed where the building is currently proposed to have enough flat area. The current proposal would be more cost-effective, more visually pleasing than a large retaining wall, and provide a more usable flat area.

Banks asked Mr. Klonne in what ways he could obstruct the view of the proposed building. Mr. Klonne said that a wood fence is a possibility. There is space on all sides of the proposed driveway extension and the structure to plant evergreen trees. He also pointed out there are 30 feet of wooded area on the adjacent properties on all sides of the property line.

Thomas noted that the city could not presume that a resident would violate the zoning ordinance when submitting a land-use application.

The public hearing was reopened.

Susan Sundell wanted to know the reason for the applicant submitting the proposal.

No additional testimony was submitted, and the hearing was closed.

Maxwell saw that the modified plan was an improvement over the original proposal. She agreed with the ordinance that the proposed structure would not be small enough to be considered subordinate to the primary structure. As a neighbor, she would prefer to have an enclosed space that would look clean rather than, potentially, an open space with



trailers visible. She thought it might be better to approve a conditional use permit with conditions that would require screening and designated style rather than a large roof with equipment under it. She agreed with the staff's recommendation but struggled because an enclosed structure would look better. There is a utility easement located south of the proposed driveway, so she did not see space for evergreens to be planted in that spot.

Thomas explained that a property owner might plant a tree in a drainage and utility easement if there is no actual pipe or wires in the easement, but it would be done at the property owner's own risk since the tree would be removed if a pipe would need to be added. If there is a pipe already existing in the easement, then nothing could be planted or built in the easement.

Waterman agreed with Maxwell. Approving a conditional use permit would allow conditions to require screening. He agreed with the staff that the proposal is pretty far outside of the established parameters. He did not think he could justifiably recommend approval to the city council. The visuals were helpful to see how close it would be. He agreed with the staff's recommendation, but it was a tough decision.

Hanson was conflicted. He was leaning towards recommending approval of the application so the conditional use permit would be able to require screening and give the property owner the third garage door, which would improve the view of surrounding neighbors.

Banks agreed with commissioners. He agreed with the staff's recommendation to deny the application for the reasons listed in the staff report. He would have liked to see a landscaping plan.

Powers agreed with Banks. The proposed structure location would be in the wrong place. Over time, people adjust to seeing some new things. The structure would be too large. He liked the applicant being concerned with the neighbors' views. He agrees with the staff's recommendation. He understood that it would be important for the applicant to be able to turn the trailer around. He appreciated the neighbor providing photos.

Chair Sewall noted that views are not a right. He agreed with the staff's recommendation.

***Waterman moved, second by Powers, to recommend that the city council adopt the resolution denying a conditional use permit for an accessory structure in excess of 1,000 square feet at 4127 Williston Road.***

***Maxwell, Powers, Waterman, Banks, and Sewall voted yes. Hanson voted no. Henry was absent. Motion carried.***

This item is tentatively scheduled to be reviewed by the city council on Jan. 10, 2022.

9. Adjournment

*Banks moved, second by Maxwell, to adjourn the meeting at 7:45 p.m. Motion carried unanimously.*

By:

\_\_\_\_\_  
Lois T. Mason  
Planning Secretary

# **Minnetonka Planning Commission Meeting**

## **Agenda Item 8**

Public Hearing: Non-Consent Agenda

**MINNETONKA PLANNING COMMISSION**  
**Jan. 6, 2022**

<b>Brief Description</b>	Floodplain setback variance for construction of a new home at 4230 Lindsey Lane
<b>Recommendation</b>	Adopt the resolution approving the request.

**Background**

Marshes of Meadowwoods is a 21-acre residential redevelopment of a former golf course site. The subdivision was approved by the city council in 2003. The overall development consists of 14 single-family residential lots and two attached single-family residential units. Only two single-family residential lots remain undeveloped.

Meadowwoods is a planned unit development. It was approved as a conservation development and has a stewardship plan that addresses wetland restoration, upland prairie management, and stormwater treatment. The stewardship plan is managed by the homeowners association with oversight by the city's natural resources staff.

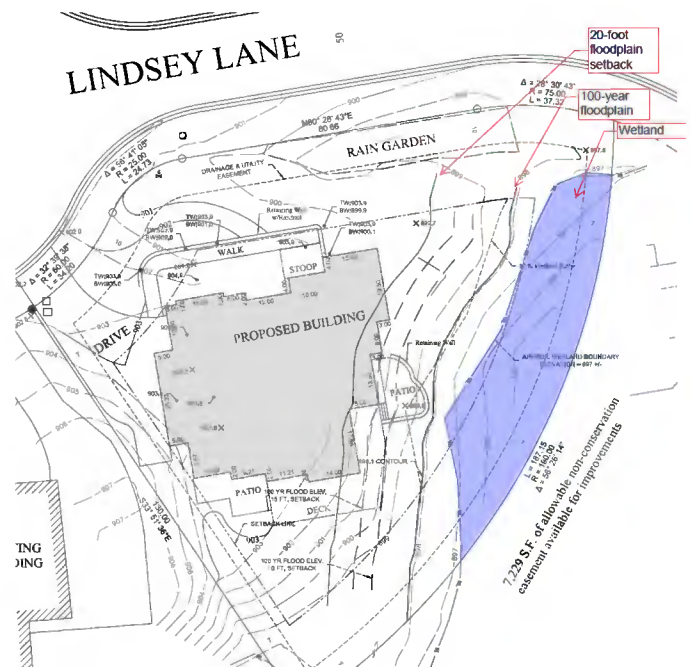
A condition of the 2003 approval required a two-foot vertical separation from the 100-year flood elevation; horizontal setbacks from floodplain elevation did not apply under the ordinance in place at that time.<sup>1</sup>

In 2004, the floodplain ordinance was amended. This amendment added areas "adjoining a wetland, pond, lake or watercourse including the floodway..." as a floodplain. The ordinance required a 20-foot horizontal setback from the edge of the floodplain district.

**Proposal**

Sushil Rana is proposing to construct a new home on the property at 4230 Lindsey Lane. The new home would be roughly 3,800 square feet in size. The three-car garage would be accessed from the cul-de-sac of Lindsey Lane. A series of patios and a deck would be located in the rear of the home.

The proposal requires a setback variance to reduce the floodplain setback from 20 feet to 15 feet for the new home.



<sup>1</sup> In 2003, the floodplain ordinance defined "floodplain" as the area subject to periodic inundation by a 100-year flood as designated on the official floodplain or wetlands district maps.

### **Staff Analysis**

Staff finds that the applicant's proposal meets the variance standard outlined in the city code:

- The proposal would result in a combined total of 200 square feet of point intrusions into the required 20-foot setback.
- The applicant revised originally submitted plans to ensure compliance with the 15-foot of separation as required by the Minnesota Department of Natural Resources (DNR).
- The new home would meet the two-foot vertical separation ("freeboard") from the 100-year flood elevation of 898.1 feet.

### **Staff Recommendation**

Adopt the resolution approving a floodplain setback variance for the construction of a new home at 4230 Lindsey Lane.

Originator: Ashley Cauley, Senior Planner  
Through: Loren Gordon, AICP, City Planner

### Supporting Information

<b>Project No.</b>	21030.21a
<b>Property</b>	4230 Lindsey Lane
<b>Applicant</b>	Sushil Rana, DaVinci Custom Homes
<b>Surrounding Land Uses</b>	All surrounding properties are single-family homes zoned R-1 and guided for low-density residential uses.
<b>Planning</b>	Guide Plan designation: low-density residential Zoning: PUD, Planned Unit Development.
<b>Meadowwoods</b>	<p>The development was approved with several requirements and guidelines for the review of building permits:</p> <ul style="list-style-type: none"><li>• <b>Wetland.</b> The development approvals reduced the wetland setbacks from 35-feet to 10-feet for buildings and 25-feet to 0-feet for decks. The setbacks were justified because of the enhancement and permanent preservation of the wetlands.  The new home would have a setback of 18 feet from the wetland, and the deck would be set back 17 feet. This meets the wetland setback requirements for the property.</li><li>• <b>Design criteria.</b> The following design criteria were integrated into the development approvals:  <i>Criteria: The homes should include building materials consisting of wood shingles and wood trim on vertical surfaces.</i>  Finding: A material board was not included. However, the elevations suggest wood shakes, board and batten, and trim. The submission of a digital material board is included as a condition of approval.  <i>Criteria: The homes should not exceed two stories in height, and the second story should be integrated into the roofline.</i>  Finding: The second floor is integrated into the roofline and is substantially smaller than the main level.  <i>Criteria: the main floor should have the appearance of extending out into the landscape through the use of porches, porticos, extended roofs, and covered outdoor rooms.</i>  Finding: The proposal includes decks and patios.</li></ul>

*Criteria: Garages should have a carriage style. Three-car garages should be tandem.*

*The 2004 amendment allowed for side load garages (regardless of size).*

Finding: The elevations suggest carriage-style garage doors. The garage would be side-loaded with access from the Lindsey Lane cul-de-sac.

*Criteria: The homes should be 2,000 to 2,400 square feet.*

Finding: The home, at 3,800 square feet, would be larger than the criteria included in the development approvals. However, staff finds the size reasonable, as it would not be the largest home in the neighborhood and would have a similar floor area ratio (FAR)<sup>2</sup> as other homes within in the development.

	Address	Lot size *	Year constructed	Gross building area *	FAR
Northern pinwheel properties – Lindsey Lane	4230 Lindsey Lane	15,650 sf	Proposed	3,785 sf	0.24
	4218 Lindsey Lane	15,715 sf	2010	2,455 sf	0.17
	4206 Lindsey Lane	15,685 sf	2006	4,500 sf	0.41
	4209 Lindsey Lane	15,800 sf	2006	2,550 sf	0.22
	4221 Lindsey Lane	15,820 sf	2011	2,260 sf	0.20
	4233 Lindsey Lane	16,585 sf	2019	3,135 sf	0.24
Hammerhead lots	4245 Lindsey Lane	23,670 sf	Vacant		
	4257 Lindsey Lane	23,095 sf	2016	3,745 sf	.20
Twinhomes	4285 Lindsey Lane	9,190 sf	2007	1,400 sf	0.2
	4289 Lindsey Lane	12,920 sf	2007	1,400 sf	0.14
Southern Pinwheel properties	18310 Kylie Court	16,390 sf	2012	3,517 sf	0.28
	18322 Kylie Court	15,820 sf	2005	2,550 sf	0.22
	18334 Kylie Court	15,800 sf	2014	3,130 sf	0.26

<sup>2</sup> By City Code Sec. 300.02, "Floor area ratio (FAR)" is – the floor area of a building as defined by the ordinance, divided by the area of the lot on which the building is located. Areas zoned as wetland, floodplain, or below the ordinary high water level of a public water is excluded from the lot area for purposes of the floor area calculation unless it can be demonstrated that there will be minimal hydrologic, aesthetic, and ecological impacts to the relevant area as determined by the city.

	18331 Kylie Court	15,680 sf	2006	2,323 sf	0.21
	18317 Kylie Court	15,720 sf	2007	2,180 sf	0.20
	18305 Kylie Court	15,420 sf	2010	2,059 sf	0.18

\* rounded to the nearest 5 feet

**McMansion Policy**

The city's McMansion policy regulates the floor area ratio (FAR) on properties when either the property or the home on the property would require a variance. The policy restricts FAR on such properties/homes to no more than the highest FAR within 400 feet of the subject property and within 1,000 feet along the same roadway.

The highest FAR within the neighborhood is 0.41. The proposal would have a FAR of 0.24.

**Variance Standard**

A variance may be granted from the requirements of the zoning ordinance when: (1) it is in harmony with the general purposes and intent of the ordinance; (2) it is consistent with the comprehensive plan; and (3) when an applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties mean that the applicant proposes to use a property in a reasonable manner not permitted by the ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and, the variance if granted, would not alter the essential character of the locality. (City Code §300.07)

**Natural Resources**

Best management practices must be followed during the course of site preparation and construction activities. This would include the installation and maintenance of erosion control fencing.

**Motion options**

The planning commission has the following motion options:

1. Concur with staff's recommendation. In this case, a motion should be made adopting the resolution approving the variance.
2. Disagree with the staff's recommendation. In this case, a motion should be denying the request. The motion should include findings for denial.
3. Table the request. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant, or both.

**Voting Requirement**

The planning commission action on the applicant's request is final subject to appeal. Approval requires the affirmative vote of five commissioners.



Any person aggrieved by the planning commission's decision about the requested variance may appeal such a decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.

**Neighborhood  
Comments**

The city sent notices to 26 area property owners and received no comments to date.

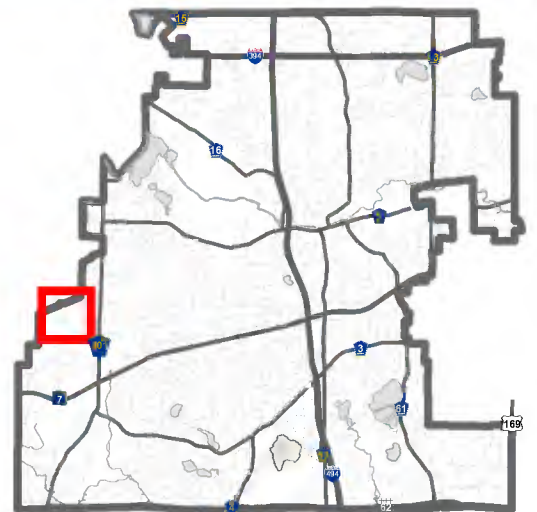
**Deadline for  
Decision**

Feb. 3, 2022



**Location Map**

Project: Da Vinci Custom Homes  
Address: 4230 Lindsey Ln



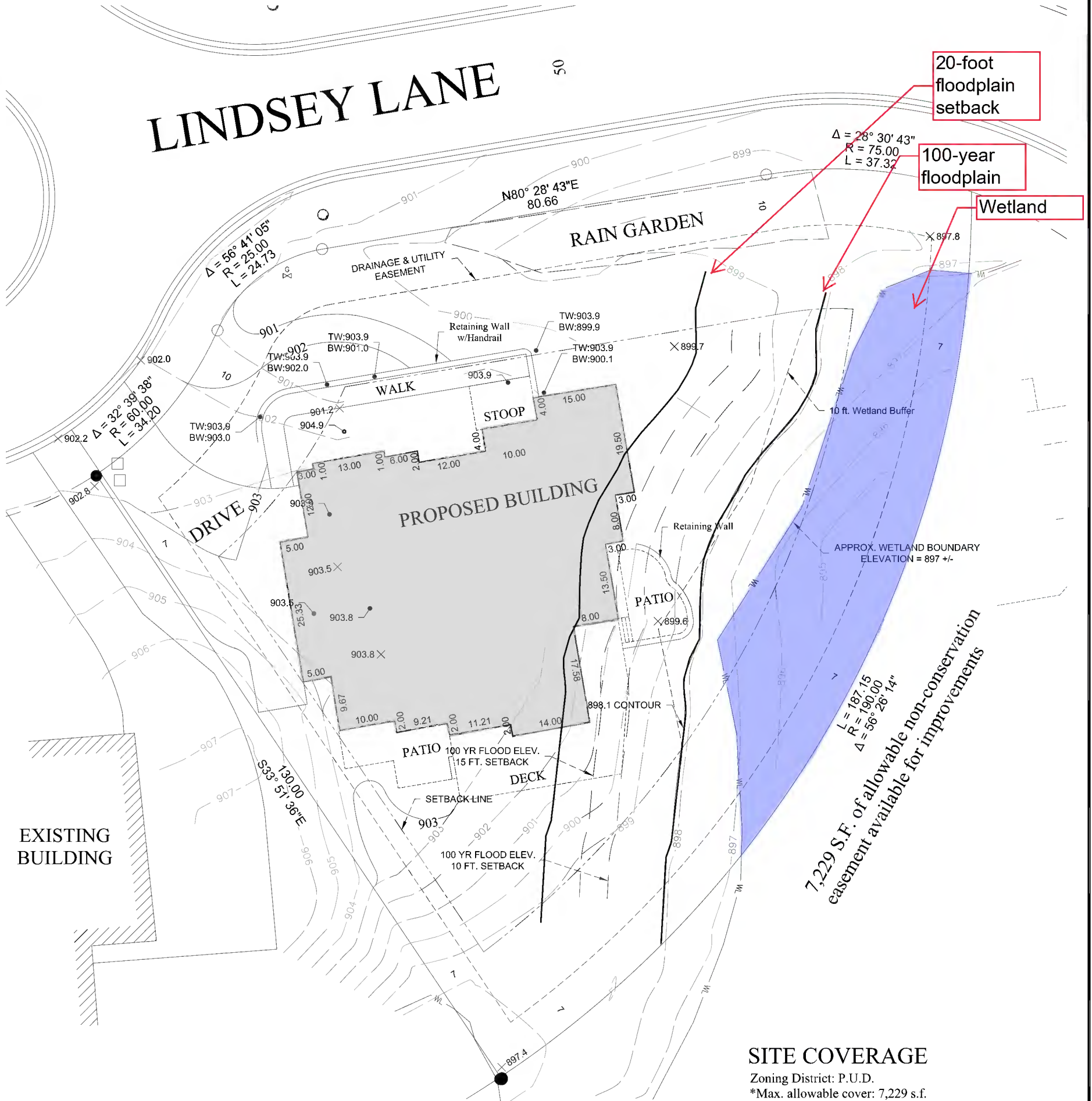
# SITE PLAN FOR Sushil Rana

## PROPERTY ADDRESS

4230 Lindsey Lane  
Minnetonka, MN 55345

## DESCRIPTION

Lot 1, Block 3,  
MARSHES OF MEADOWWOODS,  
Hennepin County, Minnesota.  
Subject to conservation easement.



## SITE COVERAGE

Zoning District: P.U.D.  
\*Max. allowable cover: 7,229 s.f.

Building: 2,887 s.f.  
Driveway: 915 s.f.  
Patio: 132 s.f.  
Deck: 498 s.f.  
Walk: 210 s.f.

\*\*Total Cover: 4,642 s.f.

\*Per agreement with City of Minnetonka.  
\*\*All coverages calc'd at 100% of shown areas.

## UTILITY NOTES

Water service: 1.5" Copper service is visible on site

Sanitary service: 6" PVC service stub location is shown per City of Minnetonka as-built.

## ELEVATIONS

Subfloor = 904.2  
Top of Block = 904.0  
Garage Floor = 903.9  
Crawl Sp. Low Flr. = 900.1

## LEGEND

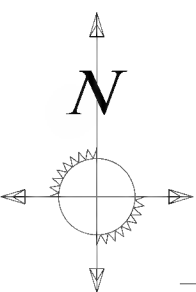
- TB □ Telephone Pedestal
- Iron Monument Found
- Iron Monument Set
- X 900.0 Existing Spot Elev.
- X 903.9 Proposed Spot Elev.
- SF — Silt Fence
- Rock Const. Entrance

## SWPPP NOTES

1. Install erosion and sediment control BMPs (silt fence, rock entrance) as shown on site plan. Contractor shall maintain BMPs for the duration of the project.
2. Contractor shall use sediment control measures to prevent excess materials leaving the site for the duration of the project.
3. Contractor shall use pollution prevention control measures on-site during all construction activity.
  - 3.1. Proper storage of on-site materials
  - 3.2. Containment of waste
  - 3.3. Proper storage and containment of chemicals
  - 3.4. Containment of concrete washout and other washout waste.
4. Remove excess materials tracked from site onto streets as needed.
5. Silt fence shall remain until landscaping has been completed and soil stabilization has been achieved.

## NOTES

Horiz. Datum: Henn. Co. PLSS  
Vert. Datum: Assumed



0 20  
Scale in Feet

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

Allen C. Schlipp  
DATE 10/11/21 LIC. NO. 21292

T:\11-M&P Stuff\M&P Orig\M&P LOGOS\LOGO M&P 1-7-10\LOGO1-7-10 B&W\address\MEDIUM.bmp

**IMPORTANT**  
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DATE: December 1, 2021  
 REVISIONS:  
 DRAWN BY:

**Bryan Rice Residence**  
 4230 Lindsey Lane  
 PROJECT REFERENCE | TS-101421

ELEVATIONS  
**A1.1**

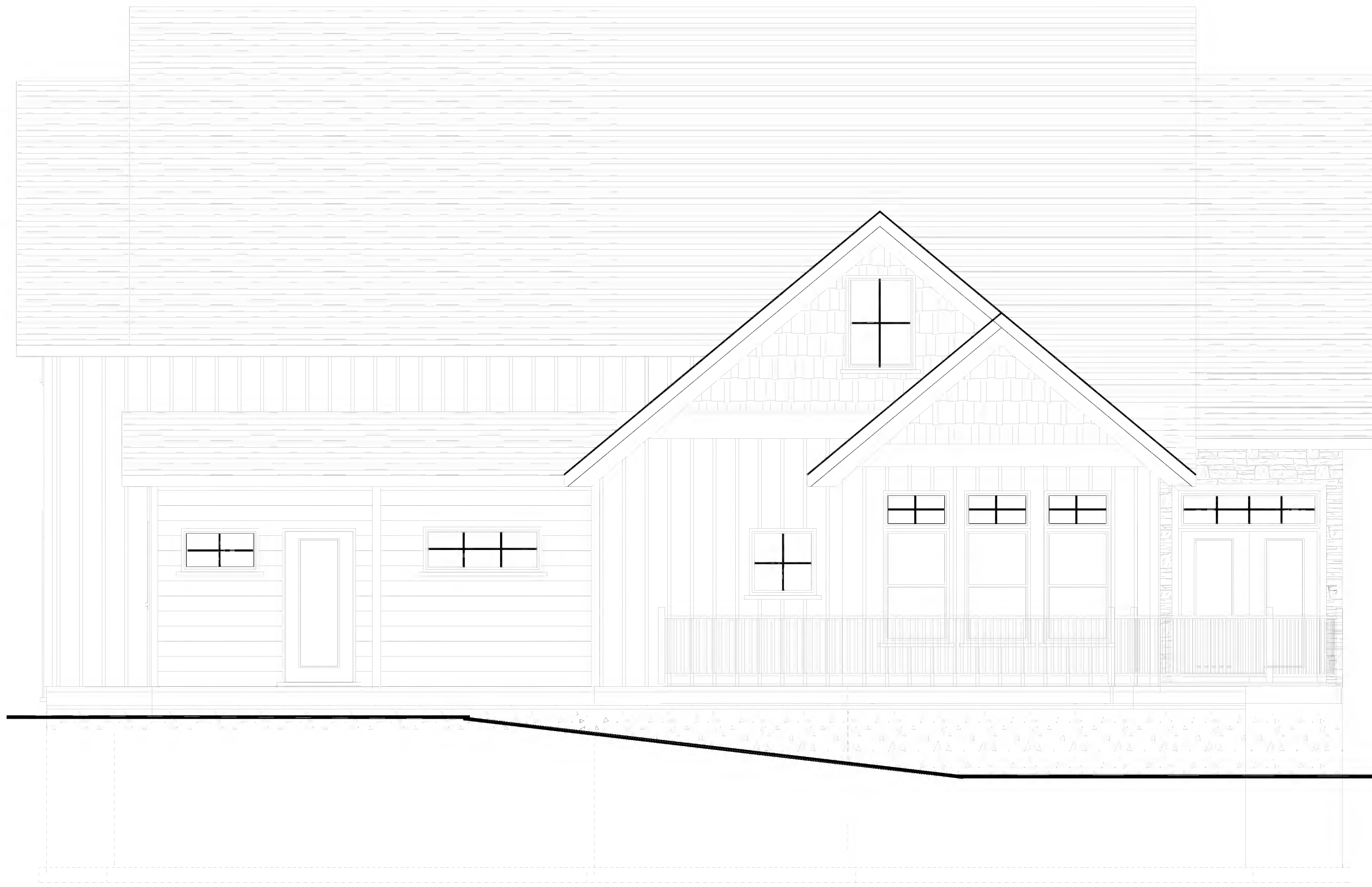


Front Elevation  
 SCALE = 1/4"=1'



Left Elevation  
 SCALE = 1/4"=1'

TOP OF PLATE  
 9'-1 1/4"  
 TOP OF SUBFLOOR  
 2'-2 1/4"  
 TOP OF FOUNDATION



Rear Elevation  
 SCALE = 1/4"=1'



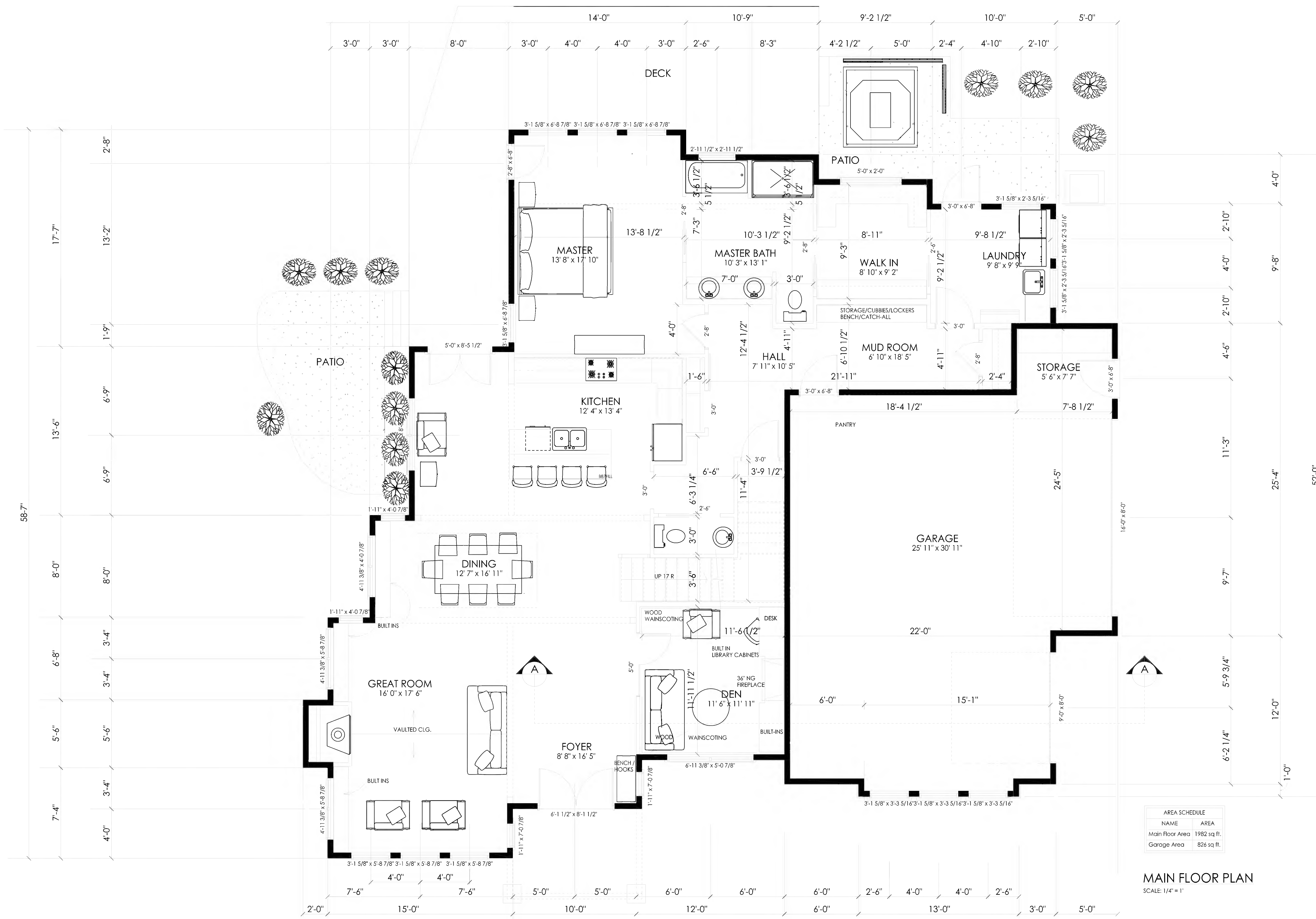
TOP OF PLATE  
 9'-1 1/8"  
 TOP OF SUBFLOOR

Right Elevation  
 SCALE = 1/4"=1'

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DATE: December 1, 2021  
 REVISIONS:  
 DRAWN BY:

**Bryan Rice Residence**  
 4230 Lindsey Lane  
 PROJECT REFERENCE | TS-101421



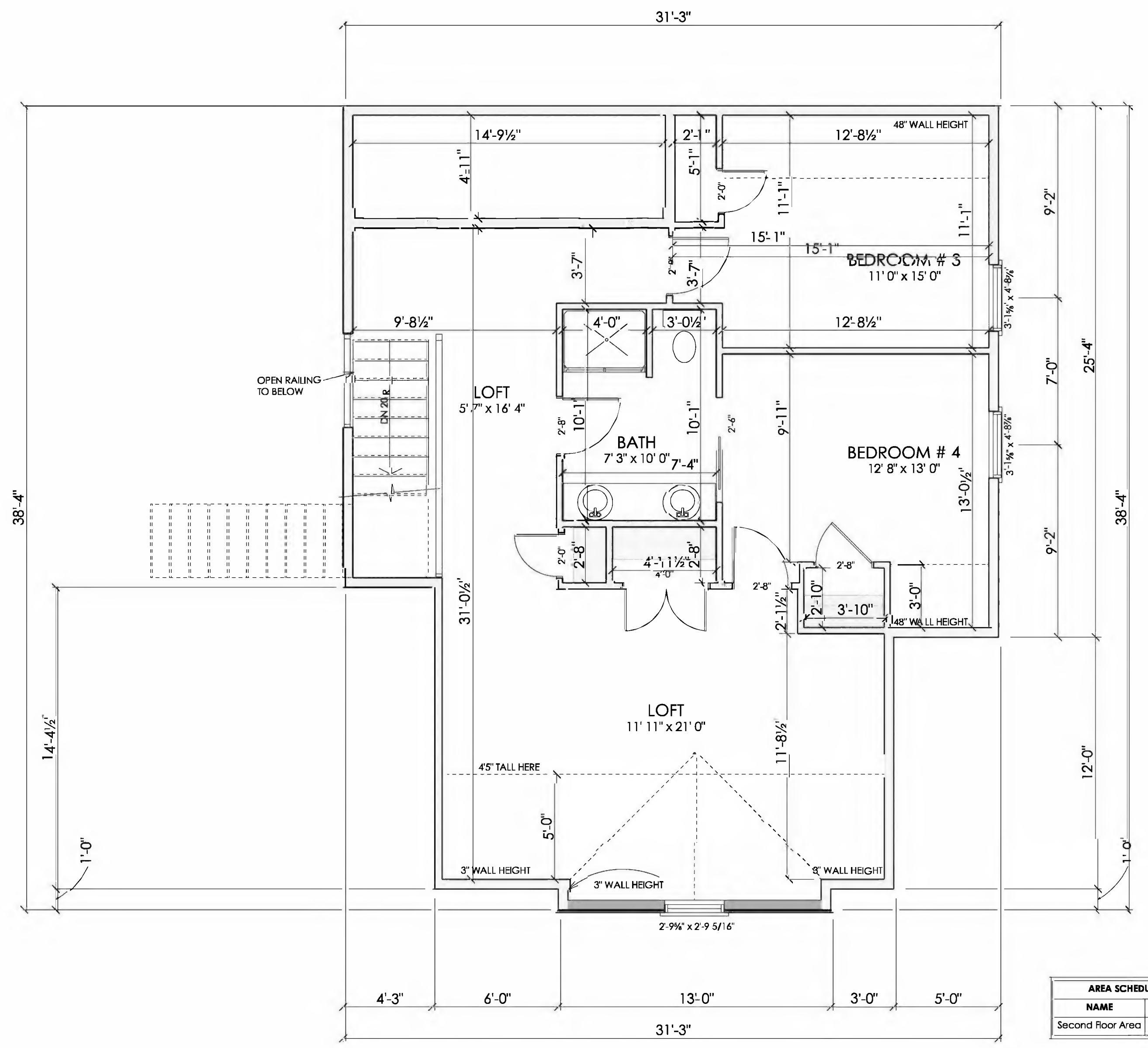
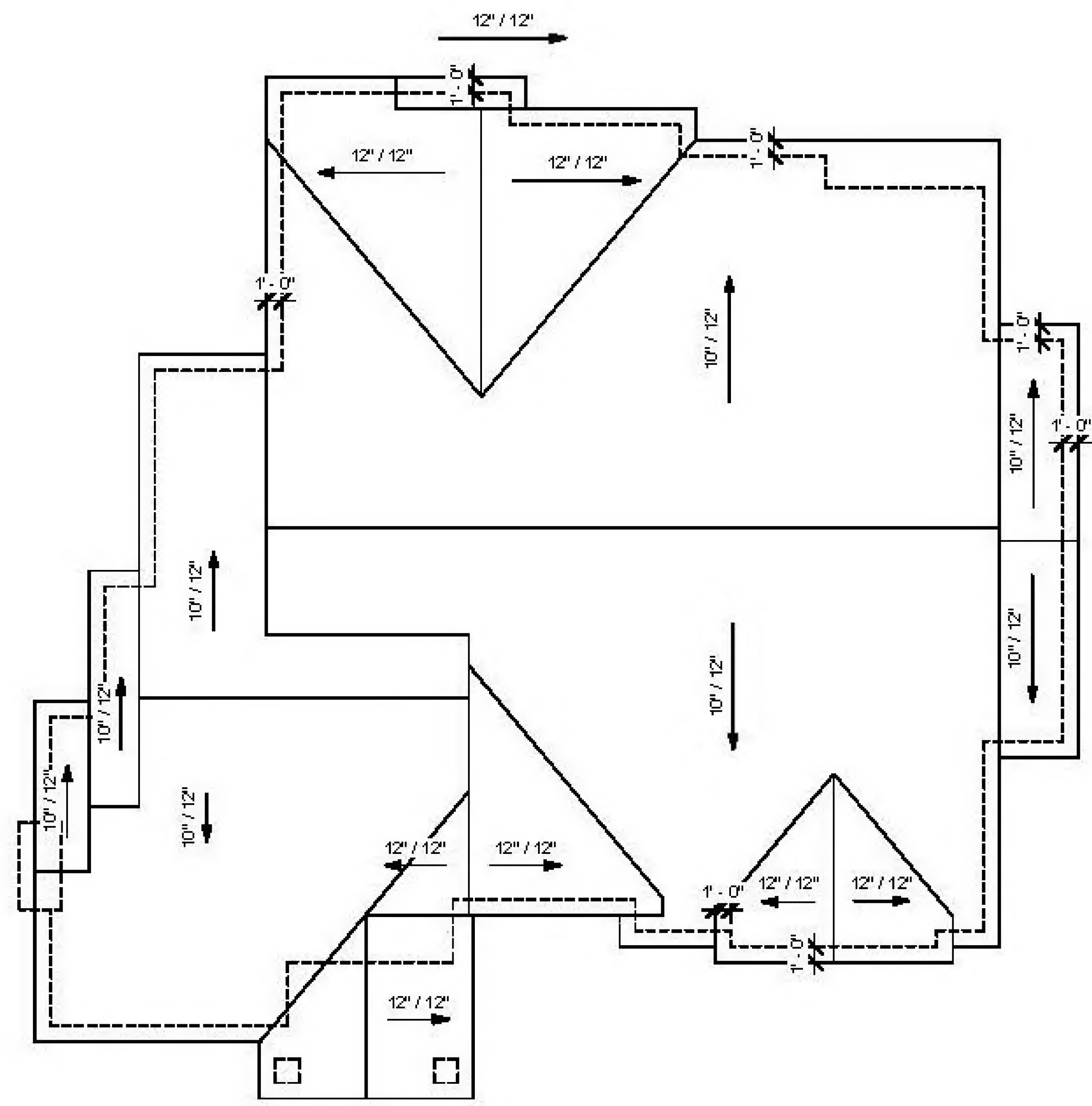
AREA SCHEDULE	
NAME	AREA
Main Floor Area	1982 sq. ft.
Garage Area	826 sq. ft.

**MAIN FLOOR PLAN**  
SCALE: 1/4" = 1'

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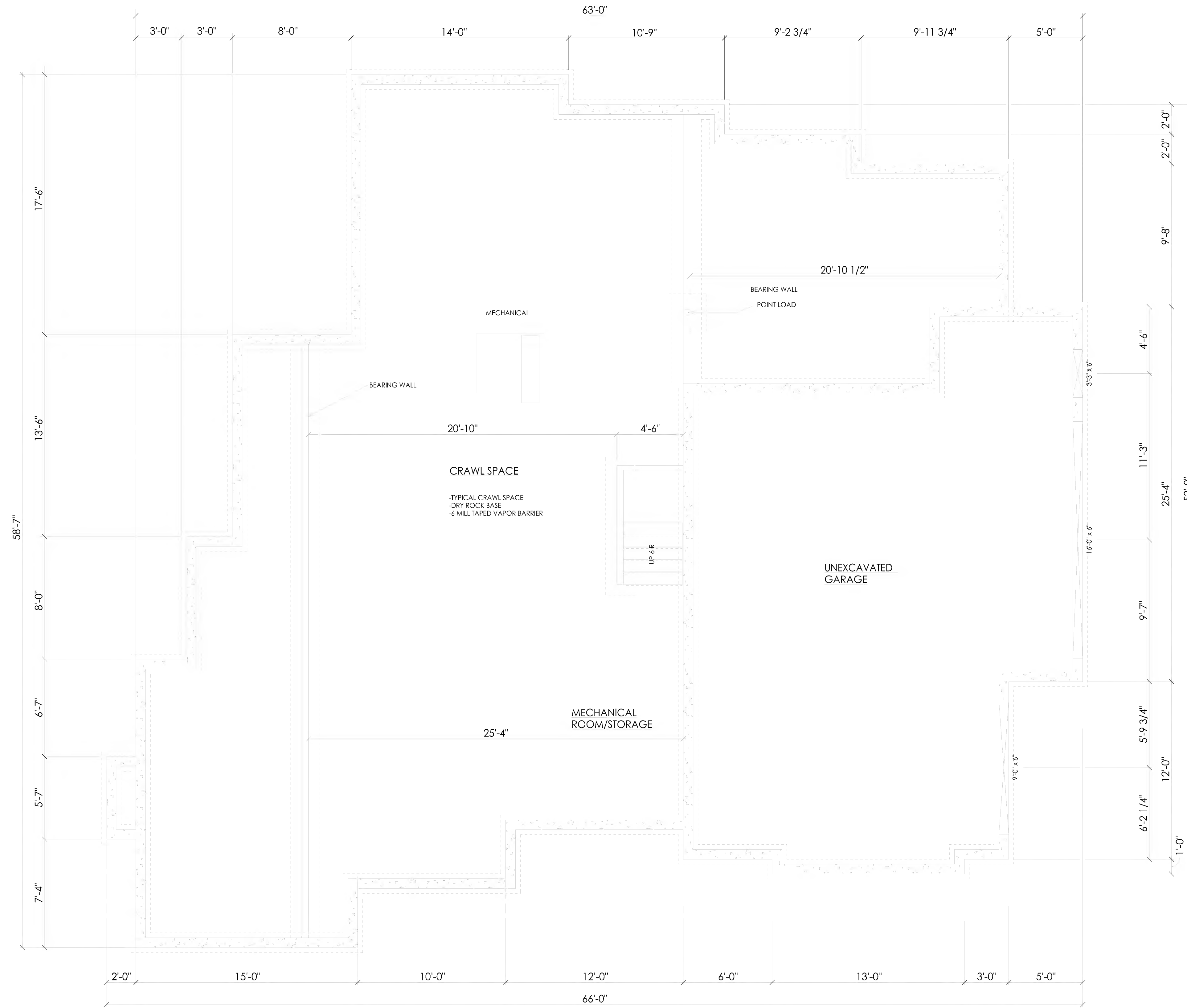
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**SECOND FLOOR PLAN**  
SCALE: 1/4" = 1'

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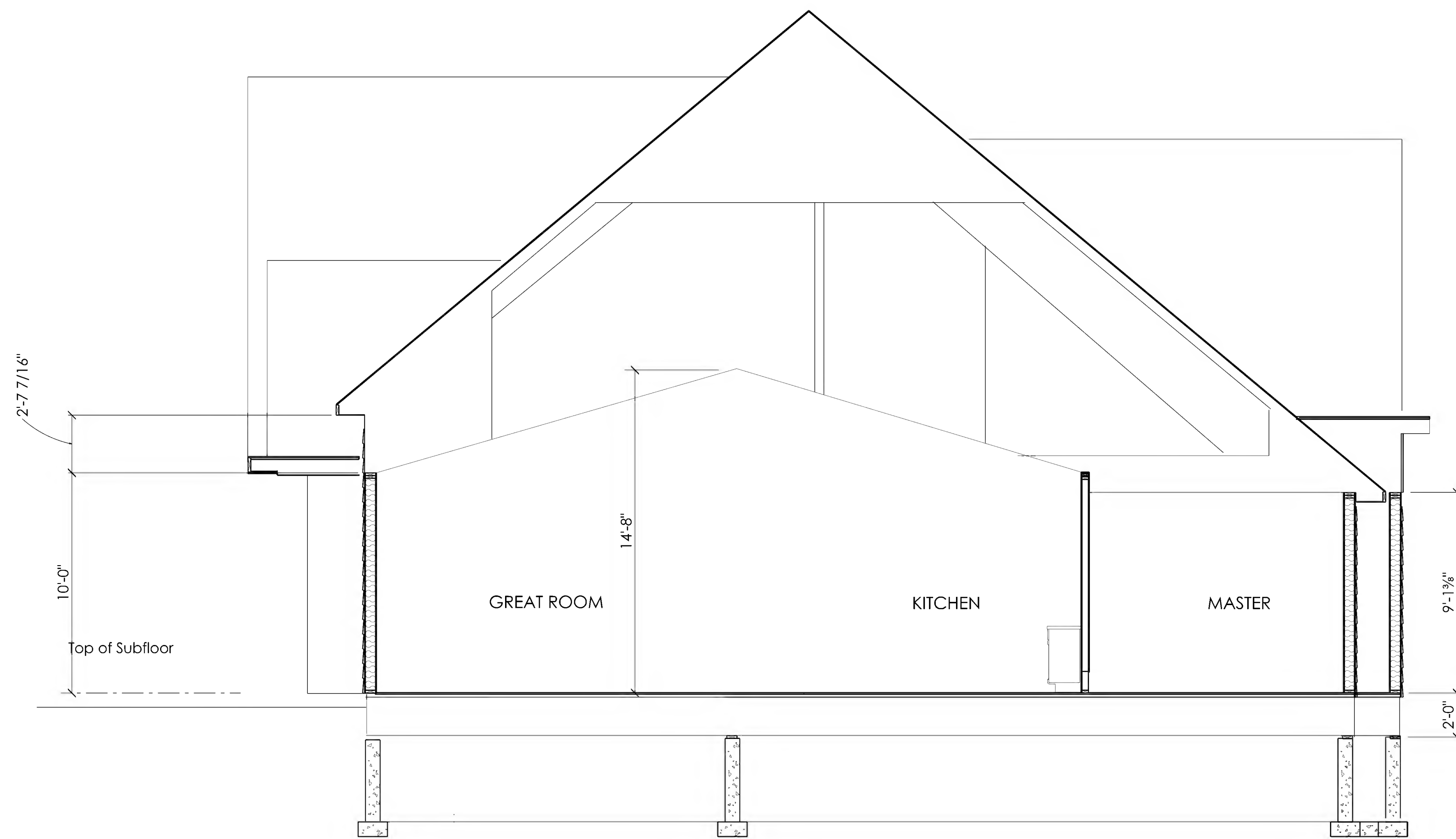


Crawl Space  
SCALE = 1/4"=1'

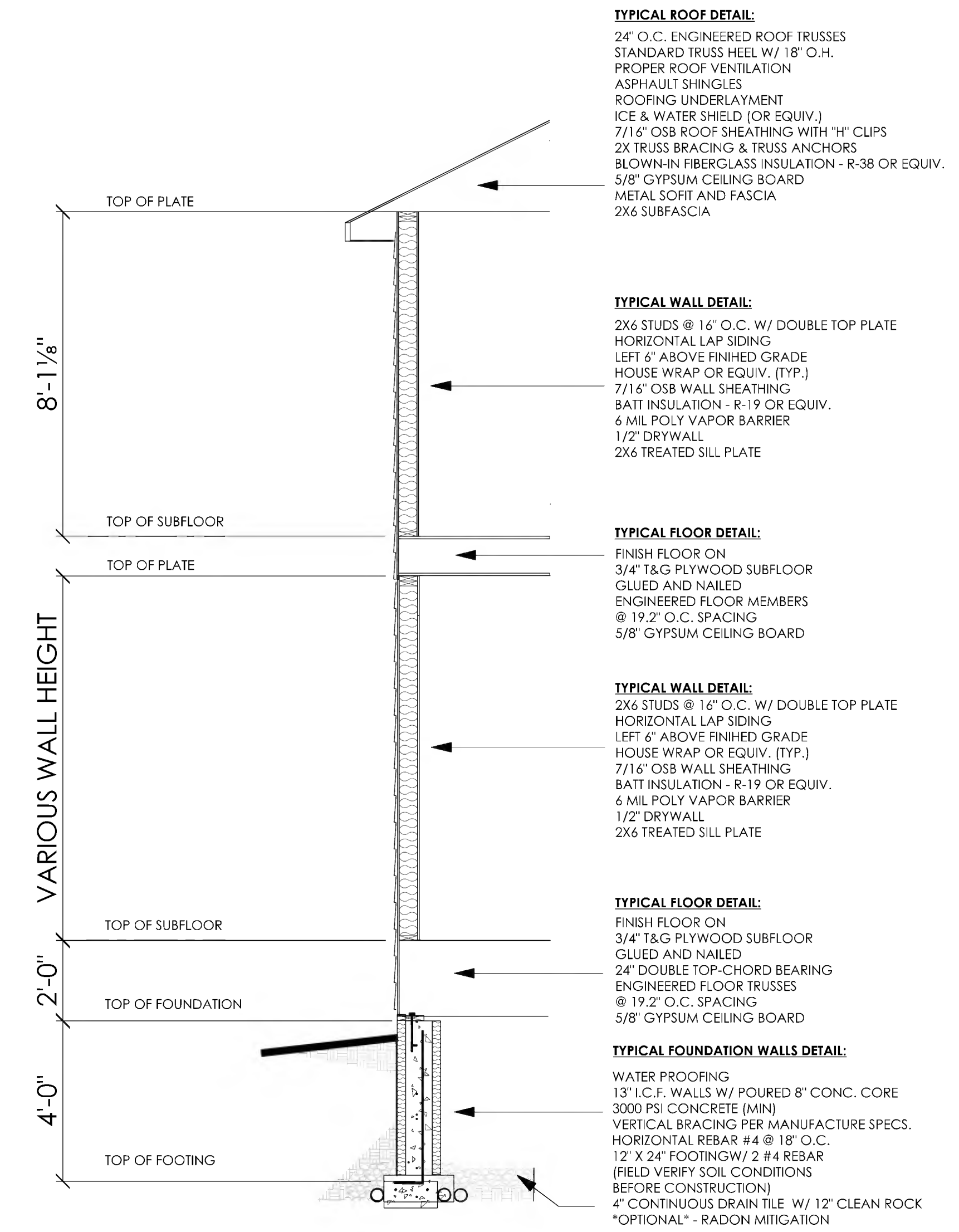
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DATE: November 18, 2021  
REVISED:  
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WALL SECTION  
SCALE: 1/4" = 1"



TYPICAL SECTION  
SCALE: 3/8" = 1"

**TYPICAL ROOF DETAIL:**  
24" O.C. ENGINEERED ROOF TRUSSES  
STANDARD TRUSS HEEL W/ 18" O.H.  
PROPER ROOF VENTILATION  
ASPHALT SHINGLES  
ROOFING UNDERLAYMENT  
ICE & WATER SHIELD (OR EQUIV.)  
7/16" OSB ROOF SHEATHING WITH "H" CLIPS  
2X TRUSS BRACING & TRUSS ANCHORS  
BLOWN-IN FIBERGLASS INSULATION - R-38 OR EQUIV.  
5/8" GYPSUM CEILING BOARD  
METAL SOFT AND FASCIA  
2X6 SUBFASCIA

**TYPICAL WALL DETAIL:**  
2X6 STUDS @ 16" O.C. W/ DOUBLE TOP PLATE  
HORIZONTAL LAP SIDING  
LEFT 6" ABOVE FINISHED GRADE  
HOUSE WRAP OR EQUIV. (TYP.)  
7/16" OSB WALL SHEATHING  
BATT INSULATION - R-19 OR EQUIV.  
6 MIL POLY VAPOR BARRIER  
1/2" DRYWALL  
2X6 TREATED SILL PLATE

**TYPICAL FLOOR DETAIL:**  
FINISH FLOOR ON  
3/4" T&G PLYWOOD SUBFLOOR  
GLUED AND NAILED  
ENGINEERED FLOOR MEMBERS  
@ 19.2" O.C. SPACING  
5/8" GYPSUM CEILING BOARD

**TYPICAL WALL DETAIL:**  
2X6 STUDS @ 16" O.C. W/ DOUBLE TOP PLATE  
HORIZONTAL LAP SIDING  
LEFT 6" ABOVE FINISHED GRADE  
HOUSE WRAP OR EQUIV. (TYP.)  
7/16" OSB WALL SHEATHING  
BATT INSULATION - R-19 OR EQUIV.  
6 MIL POLY VAPOR BARRIER  
1/2" DRYWALL  
2X6 TREATED SILL PLATE

**TYPICAL FLOOR DETAIL:**  
FINISH FLOOR ON  
3/4" T&G PLYWOOD SUBFLOOR  
GLUED AND NAILED  
24" DOUBLE TOP-CHORD BEARING  
ENGINEERED FLOOR TRUSSES  
@ 19.2" O.C. SPACING  
5/8" GYPSUM CEILING BOARD

**TYPICAL FOUNDATION WALLS DETAIL:**  
WATER PROOFING  
13" I.C.F. WALLS W/ POURED 8" CONC. CORE  
3000 PSI CONCRETE (MIN)  
VERTICAL BRACING PER MANUFACTURE SPECS.  
HORIZONTAL REBAR #4 @ 18" O.C.  
12" X 24" FOOTING W/ 2 #4 REBAR  
(FIELD VERIFY SOIL CONDITIONS  
BEFORE CONSTRUCTION)  
4" CONTINUOUS DRAIN TILE W/ 12" CLEAN ROCK  
\*OPTIONAL\* - RADON MITIGATION

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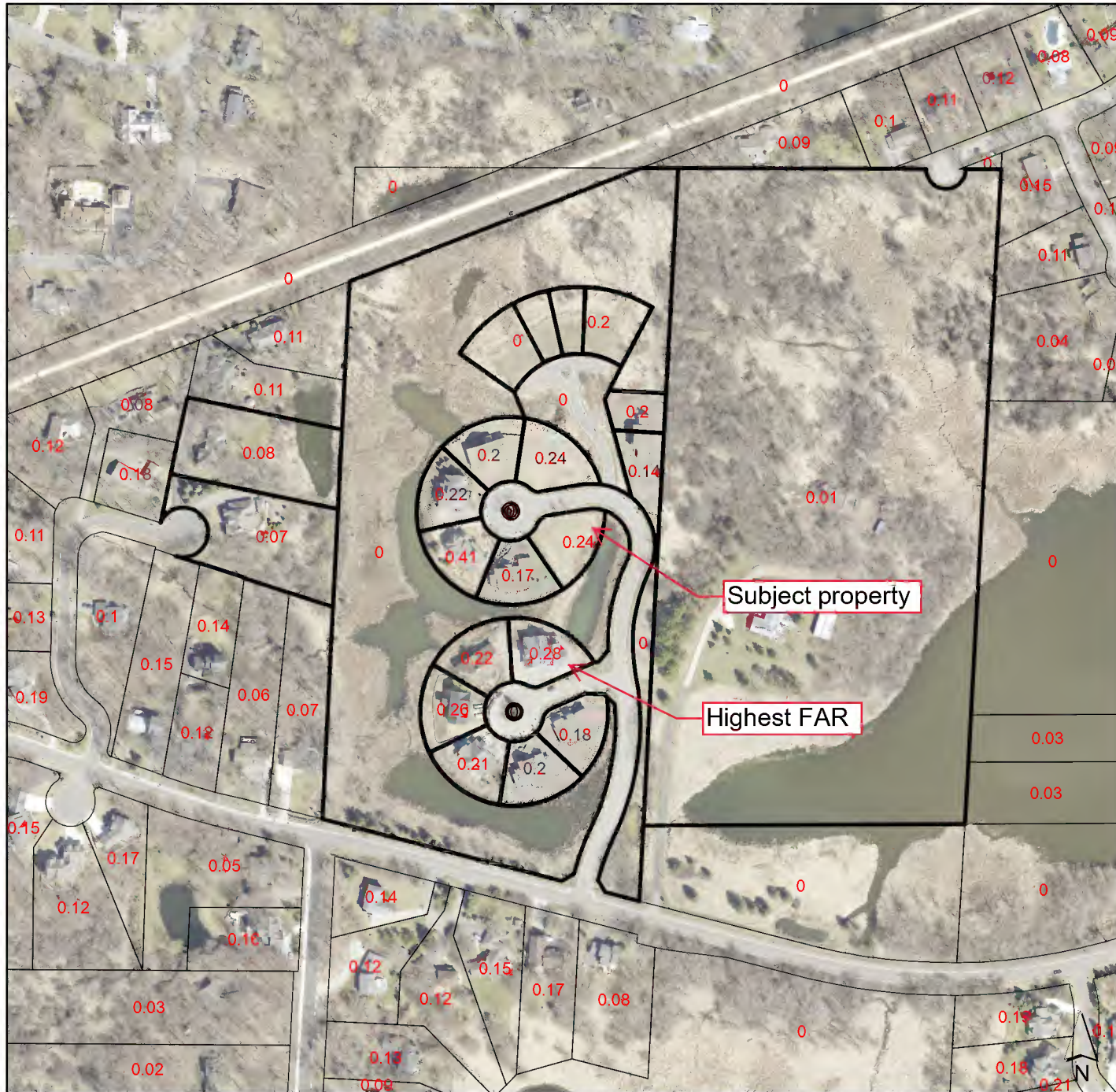
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DETAILS  
**A5**



CITY OF  
MINNETONKA



Legend

200 100 0 200 Feet



FAR

Map prepared by: City of Minnetonka

## **Planning Commission Resolution No. 2022-**

### **Resolution approving a floodplain setback variance for construction of a new home at 4230 Lindsey Lane**

---

Be it resolved by the Planning Commission of the City of Minnetonka, Minnesota, as follows:

Section 1. Background.

1.01 Sushil Rana has requested a variance from the city code to allow for the construction of a new home.

1.02 The property is located at 4230 Lindsey Lane. It is legally described as:

Lot 1, Block 3, Marshes of Meadowwoods, Hennepin County, Minnesota.

1.03 City Code §300.24 requires new principal structures, attached garages, or additions to existing structures must be set back a minimum of 20 feet upland from the edge of the floodplain district. The applicant is proposing a setback of 15 feet.

1.04 Minnesota Statute §462.357 Subd. 6, and City Code §300.07 authorizes the planning commission to grant variances.

Section 2. Standards.

2.01 By City Code §300.07 Subd. 1, a variance may be granted from the requirements of the zoning ordinance when: (1) the variance is in harmony with the general purposes and intent of this ordinance; (2) when the variance is consistent with the comprehensive plan; and (3) when the applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties means: (1) The proposed use is reasonable; (2) the need for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic considerations; and (3) the proposed use would not alter the essential character of the surrounding area.

Section 3. Findings.

3.01 The proposal meets the variance standard outlined in City Code §300.07 Subd. 1(a):

1. **PURPOSE AND INTENT OF THE ZONING ORDINANCE:** The intent of the horizontal floodplain setback is to ensure appropriate separation between the floodplain and manmade structures. The applicant’s proposal generally meets this requirement, as only five percent of the proposed home would encroach into the required setback. The remaining 95-percent would comply with the setback. The proposed patios and deck would meet the required setbacks for such structures.
  
2. **CONSISTENT WITH COMPREHENSIVE PLAN:** The guiding principles in the comprehensive plan provide for maintaining, preserving, and enhancing existing single-family neighborhoods. The requested variance would not negatively impact the existing residential character of the neighborhood and would allow the development of a lot that has remained vacant since it was created in 2003.
  
3. **PRACTICAL DIFFICULTIES:** There are practical difficulties in complying with the ordinance:
  - a) **REASONABLENESS:** The requested setback is reasonable, as it would result in minimal point intrusions into the required horizontal setback. The proposed home would meet the minimum two-foot vertical separation requirement.
  
  - b) **UNIQUE CIRCUMSTANCE:** The subject property is part of an environmental development that focuses on extending living space into the natural environment. The house has been configured and orientated to reduce intrusions into the required setback.
  
  - c) **CHARACTER OF LOCALITY:** Roughly 95 percent of the home would meet the required horizontal setback from the floodplain. The home would be reasonably sized compared to other homes within the Meadowwoods development.

Section 4. Planning Commission Action.

4.01 The planning commission approves the above-described variance based on the findings outlined in section 3 of this resolution. Approval is subject to the following conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, excepted as modified by the conditions below:
  - Survey dated Oct. 11, 2021
  - Floor plans and elevations dated Dec. 1, 2021
  
2. Prior to issuance of a building permit:

- 
- a) A copy of this resolution must be recorded with Hennepin County.
- b) The conservation easement must be amended to reflect the house footprint, as reviewed and approved by city staff.
- c) Submit a cash escrow in an amount to be determined by city staff. At the time of this approval, the amount is \$2,500. This escrow must be accompanied by a document prepared by the city attorney and signed by the builder and property owner. Through this document, the builder and property owner will acknowledge:
- The property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval, or city code standards; and
  - If compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion and/or grading problems.
- d) Submit final landscaping and tree mitigation plans. These plans must:
- Meet minimum landscaping and mitigation requirements as outlined in the ordinance. However, at the sole discretion of natural resources staff, mitigation may be adjusted based on site conditions.
  - Note, only small shrubs, perennials, and grasses may be located in public easements.
  - Include information relating to species, sizes, quantities, locations, and landscape values.
  - Include pollinator-friendly species.
- e) Submit a declaration and restrictive covenants over all mitigated areas per the WCA.
- f) Submit a material board showing exterior materials to consist of wood – or durable materials with a wood-like appearance – for review by city staff. This material board can be digital.
- g) The required minimum low floor elevation is 900.1 feet.

- h) The proposed patio on the east side of the home must be physically and structurally detached from the home or must meet floodplain setback requirements.
  - i) Install erosion control fencing as required by staff for inspection and approval. This includes fencing required to protect the existing rain garden on the north side of the property. These items must be maintained throughout the course of construction.
3. This variance will end on Dec. 31, 2023, unless the city has issued a building permit for the project covered by this variance or has approved a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on Jan. 6, 2022.

---

Joshua Sewall, Chairperson

Attest:

---

Fiona Golden, Deputy City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on Jan. 6, 2022.

---

Fiona Golden, Deputy City Clerk