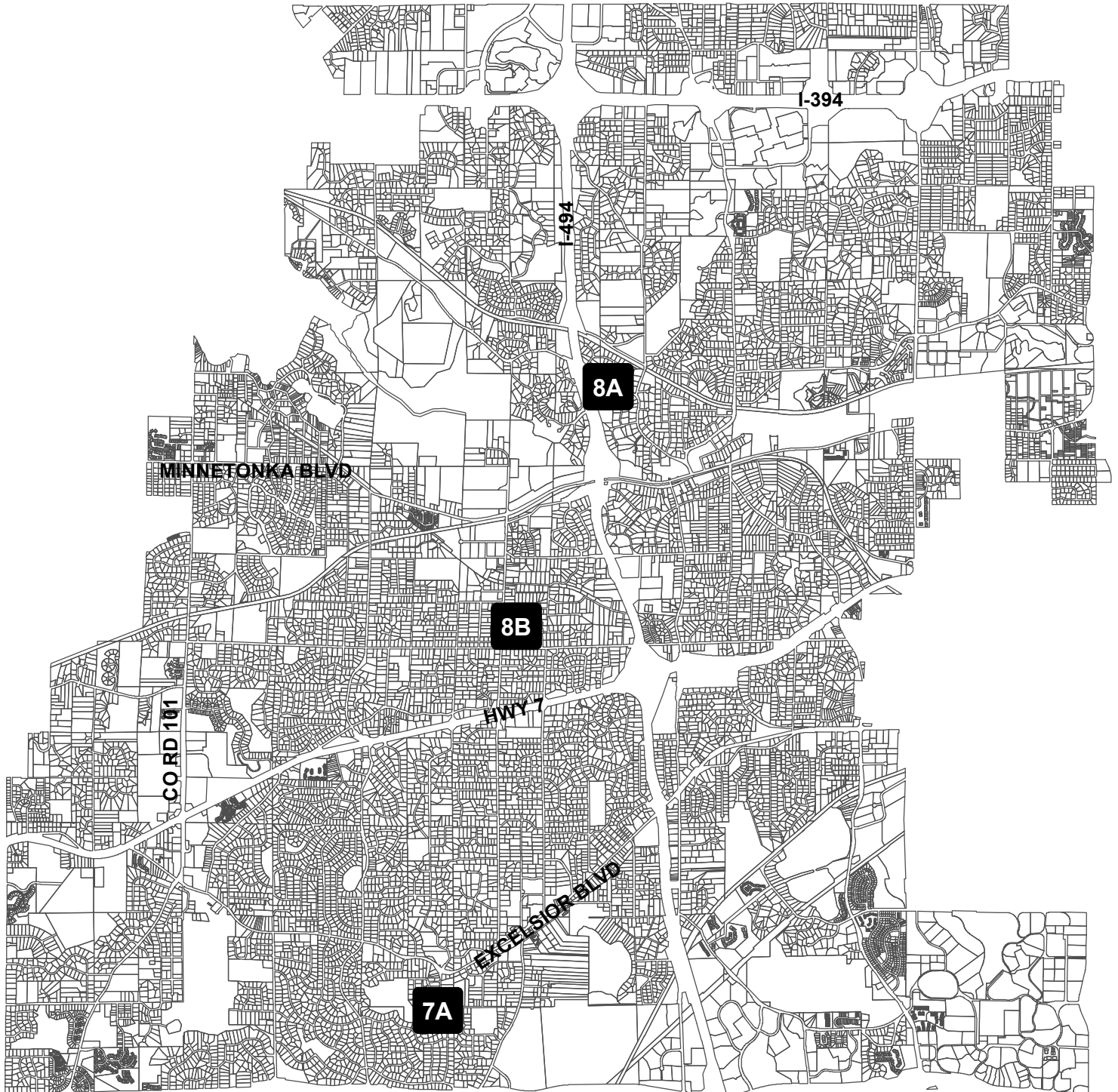




CITY OF  
**MINNETONKA**

# MINNETONKA PLANNING COMMISSION OCT. 14, 2021

14600 Minnetonka Blvd. • Minnetonka, MN 55345  
(952) 939-8200 • Fax (952) 939-8244  
minnetonkamn.gov





**Planning Commission Agenda  
Oct. 14, 2021**

**City Council Chambers – Minnetonka Community Center**

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Approval of Minutes:** Sept. 30, 2021
- 5. Report from Staff**
- 6. Report from Planning Commission Members**
- 7. Public Hearings: Consent Agenda**
  - A. Resolution approving an expansion permit for an addition to the home at 5800 Lake Rose Circle.  
  
Recommendation: Adopt the resolution. (4 votes)
    - Final Decision, subject to appeal
    - Project Planner: Susan Thomas
- 8. Public Hearings: Non-Consent Agenda Items**
  - A. Resolution approving a conditional use permit for an accessory structure over 1,000 square feet in size at 13907 McGinty Road East.  
  
Recommendation: Recommend the city council adopt the resolution. (4 Votes)
    - Recommendation to City Council (Nov. 8, 2021)
    - Project Planner: Ashley Cauley
  - B. Resolution denying a conditional use permit for an accessory structure over 1,000 square feet in size at 4127 Williston Road.  
  
Recommendation: Recommend the city council adopt the resolution. (4 Votes)
    - Recommendation to City Council (Nov. 8, 2021)
    - Project Planner: Susan Thomas

## Planning Commission Agenda

Oct. 14, 2021

Page 2

### 9. Adjournment

#### 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 Oct. 28, 2021 agenda.

<b>Project Description</b>	Dick's Sporting Goods, multiple actions
<b>Project Location</b>	12437 Wayzata Blvd
<b>Assigned Staff</b>	Ashley Cauley
<b>Ward Councilmember</b>	Rebecca Schack, Ward 2

<b>Project Description</b>	Top Ten Liquors, CUP for restaurant use
<b>Project Location</b>	1641 Plymouth Road
<b>Assigned Staff</b>	Ashley Cauley
<b>Ward Councilmember</b>	Rebecca Schack, Ward 2

<b>Project Description</b>	Monson Meadows, PPL for two-lot subdivision
<b>Project Location</b>	5500 Rowland Road
<b>Assigned Staff</b>	Ashley Cauley
<b>Ward Councilmember</b>	Brian Kirk, Ward 1

<b>Project Description</b>	Call and Kosanke Residence, VAR for a pool
<b>Project Location</b>	5724 Seven Oaks Court
<b>Assigned Staff</b>	Drew Ingvalson
<b>Ward Councilmember</b>	Brian Kirk, Ward 1

**Unapproved  
Minnetonka Planning Commission  
Minutes**

**Sept. 30, 2021**

**1. Call to Order**

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

**2. Roll Call**

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

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, Assistant City Planner Susan Thomas, Natural Resources Manager Leslie Yetka, and IT Assistant Joonas Sundstrom.

**3. Approval of Agenda**

***Waterman moved, second by Henry, to approve the agenda as submitted with additional comments and a survey provided in the change memo dated Sept. 30, 2021.***

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

**4. Approval of Minutes: Aug. 19, 2021**

***Banks moved, second by Maxwell, to approve the Aug. 19, 2021 meeting minutes as submitted.***

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

**5. Report from Staff**

Gordon briefed the commission on the city-wide open house that will take place next Tuesday, Oct. 5, 2021, from 5 p.m. to 8 p.m.

The next planning commission meeting is scheduled to be held on Oct. 14, 2021.

**6. Report from Planning Commission Members**

Maxwell noted that early voting is available at city hall.

Powers encouraged everyone to attend the open house and tour the new police and fire facilities.

7. **Public Hearings: Consent Agenda**

No items were removed from the consent agenda for discussion or separate action.

***Powers moved, second by Waterman, to approve the items listed on the consent agenda as recommended in the respective staff reports as follows:***

**A. Resolution approving a setback variance to enclose an existing deck at 2418 Emerald Trail.**

Adopt the resolution approving a setback variance to enclose an existing deck at 2418 Emerald Trail.

**B. Resolution approving an aggregate side yard setback variance for an addition to the existing home at 3977 Earlynn Lane.**

Adopt the resolution approving an aggregate side yard setback variance for an addition to the existing home at 3977 Earlynn Lane.

**C. Resolution approving a front yard setback variance for an addition to the existing home at 15111 Stone Ridge Trace.**

Adopt the resolution approving a front yard setback variance for an existing home at 15111 Stone Ridge Trace.

**D. Resolution amending the existing sign plan to allow a wall sign at 12400 Whitewater Drive.**

Adopt the resolution amending the existing Minnetonka Corporate Center sign plan as it pertains to 12400 Whitewater Drive.

Jason Meyer, the applicant, was available for questions.

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

Acting Chair Hanson stated that an appeal of the planning commission's decision to the city council must be made in writing to city staff within ten days of this meeting.

8. **Public Hearings**

**A. Ordinance regarding definitions and lot shape.**

Acting Chair Hanson introduced the proposal and called for the staff report.

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

The public hearing was opened. No testimony was submitted, and the hearing was closed.

Waterman found the proposed ordinance amendment straightforward. The housekeeping changes make sense. He agrees with the changes and promotion of regular-shaped lots as long as a variance could be approved when needed to protect natural features. He appreciates the steep-slope clarification.

***Henry moved, second by Powers, to recommend that the city council adopt the ordinance amendment regarding definitions and lot shape.***

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

This item is scheduled to be reviewed by the city council on Oct. 18, 2021.

**B. Ordinance regarding tree protection.**

Acting Chair Hanson introduced the proposal and called for the staff report.

Thomas, Yetka, Gordon and Wischnack reported. They recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

In response to Henry's question, Gordon explained how a survey was utilized to collect input from residents who were given six weeks to respond. A month is a good length of time for a deadline to receive comments since a majority of people tend to forget the request after a few weeks.

Wischnack noted that, as shown in the staff report, 29 percent of the 2,071 subscribers to the city council, planning commission, and sustainability commission packets and 37 percent of the 7,065 emails sent to subscribers of the Natural Resources News and Events, Sustainable Minnetonka, and Latest News opened and read the agenda packet for the meeting. The survey will be open and accepting comments until the city council meeting, and 96 residents have already taken the survey.

Henry noted that many survey respondents favor protecting Minnetonka's tree canopy and support tree protection ordinances that would require more tree preservation than the proposed changes to the tree protection ordinance.

Wischnack stated that 95 percent of respondents in the city-wide survey answered that Minnetonka does a good or excellent job of forest management.

In response to Henry's comment, Yetka explained that the proposed amendment would allow staff to look at individual sites, determine which trees would provide more benefit than others, and gain protection for the tree species that are considered highly valuable.

Thomas provided an example of a site that would require either the removal of a cottonwood tree or an oak tree. In that situation, the site plan that would preserve the oak tree would be approved.

Maxwell supports making the tree-species-priority list available to developers and property owners before one would submit an application for a land-use project. Thomas agreed that it would be advertised and provided to applicants. The list was not included in the ordinance so that the list could be modified without an ordinance amendment.

Banks asked how the escrow deposit is handled when the \$500 penalty is imposed and under what circumstances an applicant would pay into the natural-resource fund. Gordon explained that one piece that determines a landscape plan is based on the monetary value of a project. Sometimes there is not enough area to plant all of the required landscape for a project on the site. An applicant could pay into the natural-resource fund in exchange for not planting all required vegetation on the site. The funds would be used to plant the landscaping somewhere else in the city.

Thomas explained that the amount of the escrow deposit would be based on the cost to replace the required landscaping. After a full growing season, natural resources staff visit each site to make sure the required landscaping is still alive. Staff will return the escrow to the applicant once the landscaping has survived one year.

Yetka explained that mitigation of landscaping to another site is determined by the height and diameter of each tree and additional vegetation. The value to be paid to the natural resource fund would be determined on a case-by-case basis.

Wischnack explained that Minnetonka has enforced violations of the tree protection ordinance based on amounts provided in the city charter.

Waterman thanked staff and the public for responding to the survey. He noted the more restrictive single-family home requirement. He asked if single-family property owners removing trees is a current issue that causes a lot of tree loss. Thomas explained that house removal and reconstruction occur fairly often, and typically a smaller house is replaced by a larger house. The proposed amendment would be a significant change from the current ordinance.

Waterman asked for examples of previous applications that would not have met the new proposed ordinance standard. Thomas knew of several applications that removed 35 percent of the high-priority trees. She suspects that several proposals previously approved would not meet the requirements of the proposed ordinance and would require different site designs or building placement to meet the proposed requirements.

Waterman asked how 50 percent was chosen. Thomas answered that no other community has the current tree protection requirements that Minnetonka has and do not have anything similar to the 50 percent requirement. It would be a significant change.

Powers appreciated the work done by staff. He likes everything proposed in the ordinance but felt it would be "too timid." Powers supports the city by reviewing the tree protection ordinance on a regular basis, extending the lookback for tree removal from two years to ten years, and working to grow the tree canopy by requiring two or three trees to be planted for every one removed.

Yetka explained that the mitigation ratio of high-priority trees is one inch in diameter to one inch in diameter, not one tree for one tree. That is not changing. The proposal would change the current ordinance to require that every significant tree removed to be replaced by two-inches-in-diameter of a significant tree.

Henry supports expanding the woodland protection areas. Yetka explained that the woodland protection areas are remnants of land from the canopy to the ground that preserves what ecosystems historically existed previously.

Henry asked if eliminating invasive species could be included in the tree ordinance. Yetka explained that it is more in the realm of educating and reaching out to property owners to help them understand the benefits of removing invasive species and planting native species.

In response to Hanson's request, Thomas directed those interested in learning about tree ordinances in other cities to follow a link provided in the staff report. Staff was unable to find another ordinance that protects heritage trees, requires replanting, and protects forested areas.

Hanson noted that the proposed ordinance would lead the way in tree protection ordinances.

Maxwell asked what kinds of incentives had been considered. Gordon responded that the city has sponsored a subsidized tree sale for residents for several years and frequently provides educational seminars. Yetka explained that the incentives would not be listed in the ordinance. Natural resources staff constantly scout the city, looking for trees with diseases that have to be removed. Sometimes the city helps fund the removal of diseased trees. The city provides education for replanting and is looking at increasing the number of trees offered by installing a gravel-bed nursery to grow more small trees and make them available to residents who have lost trees. That is a goal for 2022.

The public hearing was opened. No testimony was submitted, and the hearing was closed.

Maxwell saw the benefit of the changes. She was unclear on how much it would cost. A developer may not even submit an application because the tree protection ordinance could not be met, and the cost would never be known. Review of an application could



take an extra two months, more staff time, and costs she may be unaware of to meet tree protection ordinance requirements. She supports the changes but would like to have an idea of what it could cost.

Wischnack explained that staff emailed the proposed changes to developers. The gathering of data for each proposed project would be gathered the same way for any application. It is possible the changes may cause re/developments not to happen. The Dominion project reworked its site plan a few times to meet current tree protection ordinance requirements. Maxwell appreciated that an applicant could work with staff to get a proposal as close as possible before submitting an application that would be reviewed by the planning commission. She wanted to make sure that was an option.

Maxwell thought the focus could be on tree protection and tree replacement. She supports the proposal. She appreciates the staff's hard work and excellent presentation.

Banks thanked the staff for the great presentation and proposed changes. He supports the proposal. It moves the city in the right direction. It would help prevent climate change. He would appreciate clarity regarding the cost that would be paid into the natural-resources fund to allow developers to budget for that cost. He would love to see a lot of education for property owners and developers utilizing the website and Minnetonka Memo.

Waterman thanked the staff for the informative presentation. He was glad to see a general agreement from resident comments that support the changes to protect the tree canopy. The ordinance amendment is important to protect a natural resource that cannot be easily replaced. The goal is to enhance and maintain the tree canopy. He agrees that not all of it can be done with ordinances. He supports the current programs such as the tree sale and educational seminars. The proposal is a big step forward in regard to subdivisions and residential, single-family house redevelopments while respecting individual property-owner rights. He struggled with some previously approved projects that removed a large number of significant trees. If there is a great public good, a variance could be approved. He supports the proposal.

Powers appreciates the staff's work on the proposed ordinance amendment. He supports the proposal but would support councilmembers making some changes such as making the look back three years instead of two years and replacing a tree an inch in diameter with a tree one foot in diameter. This is an opportunity to get in front of what is happening with the environment.

In response to Henry's question, Wischnack referred to the presentation that showed that Minnetonka has more tree canopy now than it ever has since it was recorded. The area previously consisted of numerous farm fields.

Henry acknowledged the thought and effort put into the proposal. He likes the forest of the future ideas. He likes the tree sale. The proposal has what it needs. He likes the ordinance amendment the way it is. He supports the proposal.

Acting Chair Hanson did not like the single-family residential restrictions. He thought that went way too far. That was his feedback as an individual. He shared the concern that some re/development projects may be prevented, but he felt that the proposal makes the city more attractive for better re/developments. He thanked the staff for two years of work. He looks forward to seeing what happens at the city council review.

***Powers moved, second by Waterman, to recommend that the city council adopt the ordinance amendment regarding tree protection.***

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

This item is scheduled to be reviewed by the city council on Oct. 18, 2021.

**9. Adjournment**

***Maxwell moved, second by Banks, to adjourn the meeting at 8:52 p.m. Motion carried unanimously.***

By: \_\_\_\_\_

Lois T. Mason  
Planning Secretary

# **Minnetonka Planning Commission Meeting**

## **Agenda Item 7**

Public Hearing: Consent Agenda

**MINNETONKA PLANNING COMMISSION**  
**Oct. 14, 2021**

**Brief Description** Expansion permit for an addition to the home at 5800 Lake Rose Circle.

**Recommendation** Adopt the resolution approving the expansion permit.

**Background**

The subject property is located south of the Lake Rose channel. A home was constructed on the property in 1977, prior to the adoption of the first city's shoreland ordinance in 1986. The ordinance requires a 75-foot setback from the ordinary high water level (OHWL) of Lake Rose. The home has a non-conforming shoreland setback of 18 feet.

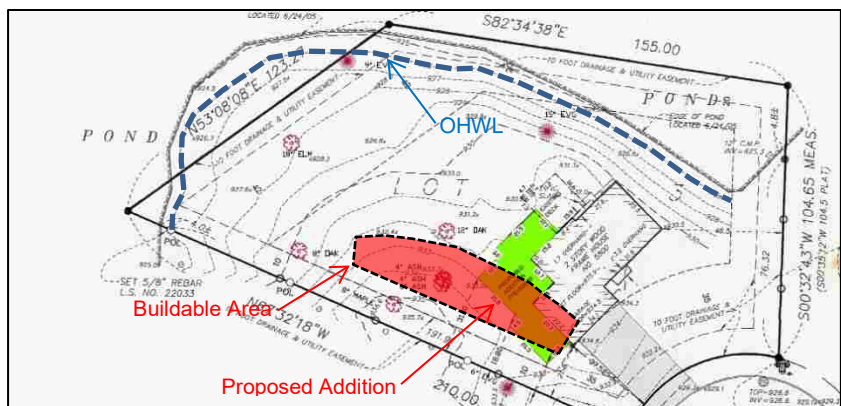
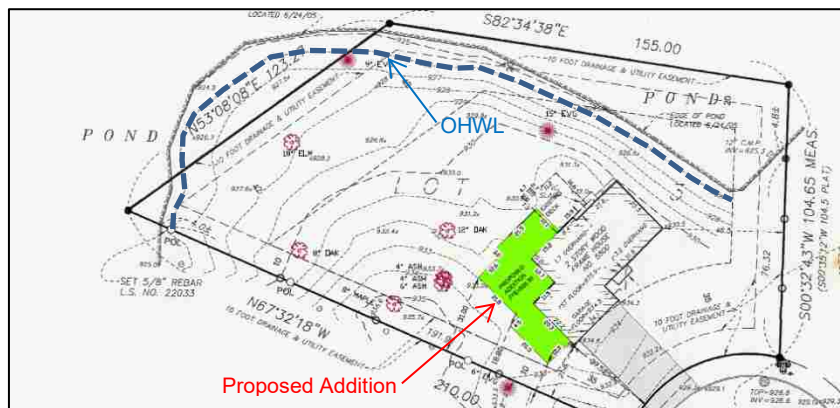
**Proposal**

On behalf of the property owners, Classic Home Renovation is proposing to construct a roughly 1,550 square foot addition to the home. The addition would have a shoreland setback of 41 feet. An expansion permit is required.

**Staff Analysis**

Staff finds that the proposal would meet the expansion permit standard outlined in the city code:

- The proposed addition is reasonable, as it would be located significantly further from the OHWL than the existing home.
- The proposed addition would not impact neighborhood character, as it would be located further from the OHWL than the existing homes on either side of the subject property.
- Given the required setbacks from OHWL and property lines, the 24,480 square foot property has just 1,690 square feet of buildable area. This is a unique circumstance not common to other similarly zoned properties.



**Staff Recommendation**

Adopt the resolution approving an expansion permit for an addition to the home at 5800 Lake Rose Circle.

Originator: Susan Thomas, AICP, Assistant City Planner  
Through: Loren Gordon, AICP, City Planner

### Supporting Information

#### Surrounding Land Uses

The property is surrounded by single-family homes, zoned R-1.

#### Planning

Guide Plan designation: low-density residential  
Zoning: R-1

#### Variance v. Expansion

A variance is required for any alteration that will intrude into one or more setback areas beyond the distance of an existing, non-conforming structure. An expansion permit is required for any alteration that maintains the existing non-conformity. The applicant's proposal requires an expansion permit. While the addition does not meet the required setback, it has a greater setback than the home's existing, non-conforming setback.

#### Burden of Proof

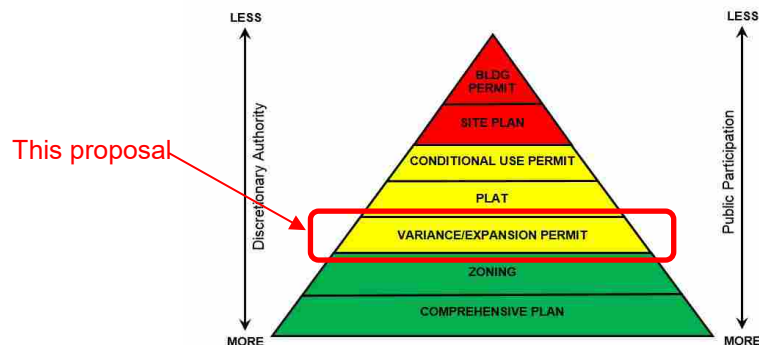
By city code, an expansion permit for a non-conforming use may be granted but is not mandate when an applicant meets the burden of proving that:

1. The proposed expansion is a reasonable use of the property, considering such things as:
  - Functional and aesthetic justifications for the expansions;
  - Adequacy of off-street parking for the expansion;
  - Absence of adverse off-site impacts from such things as traffic, noise, dust odors, and parking;
  - Improvement to the appearance and stability of the property and neighborhood.
2. The circumstances justifying the expansion are unique to the property, are not caused by the landowner, are not solely for the landowner's convenience, and are not solely because of economic considerations; and
3. The expansion would not adversely affect or alter the essential character of the neighborhood.

#### Neighborhood Comments

The city sent notices to 29 area property owners and received no comments to date.

#### Pyramid of Discretion



**Motion Options**

The planning commission has three options:

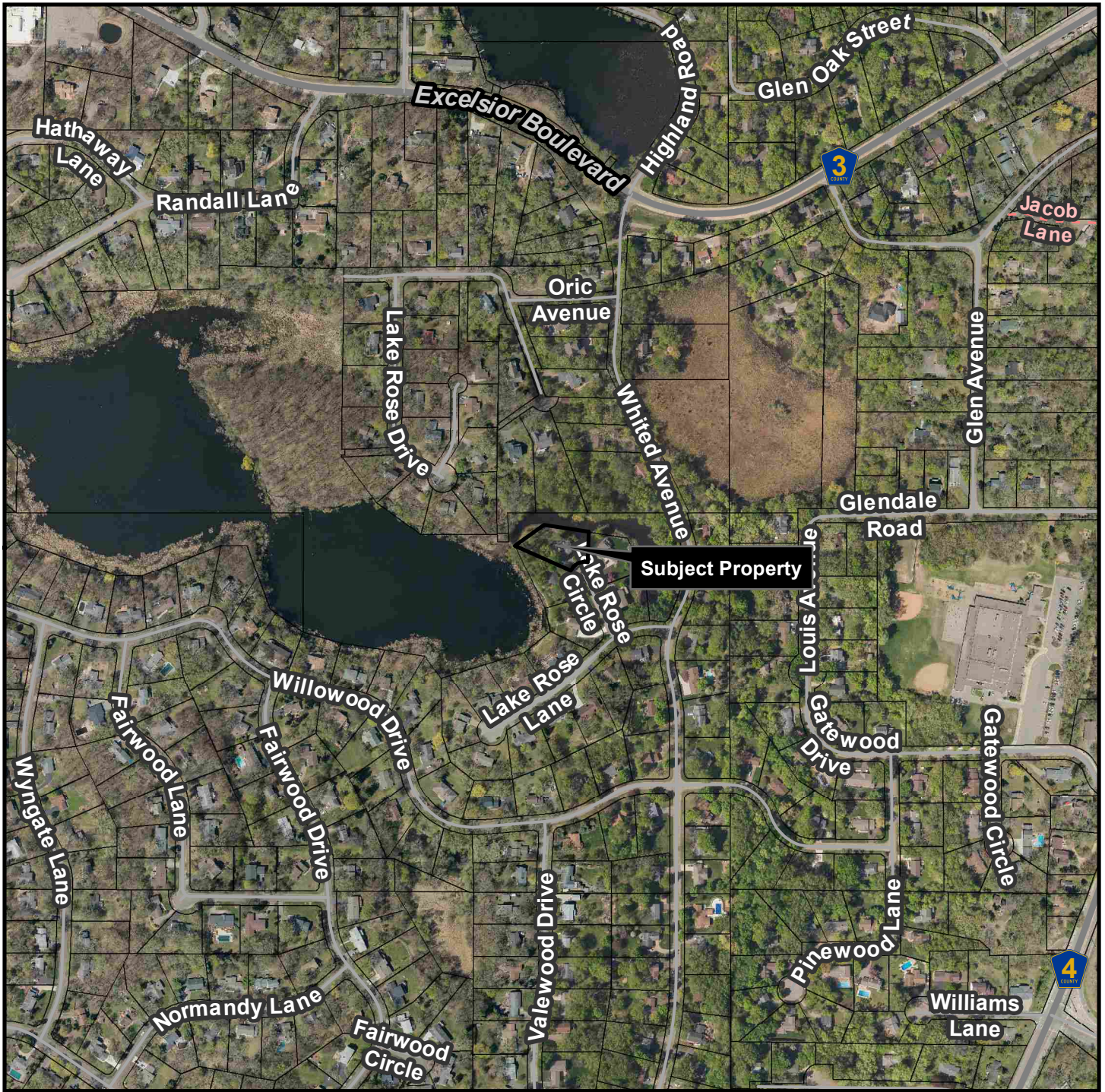
1. Concur with the staff recommendation. In this case, a motion should be made to adopt the resolution approving the request.
2. Disagree with the staff's recommendation. In this case, a motion should be made denying the request. This motion must include a statement as to why the request is denied.
3. 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.

**Appeals**

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

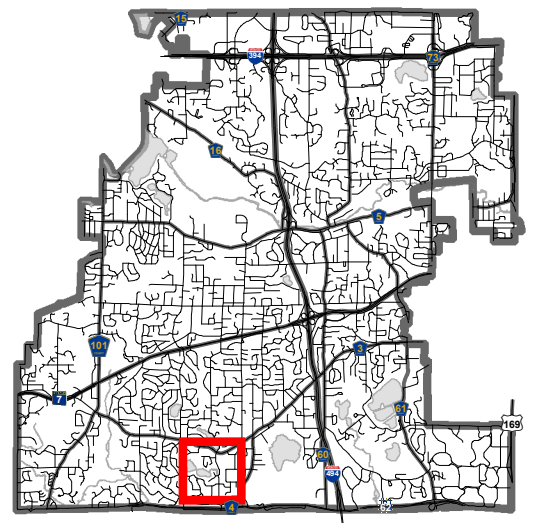
**Deadline for  
Decision**

Dec. 20, 2021



### Location Map

Project: Kightlinger Residence  
Address: 5800 Lake Rose Circle





# SITE PLAN

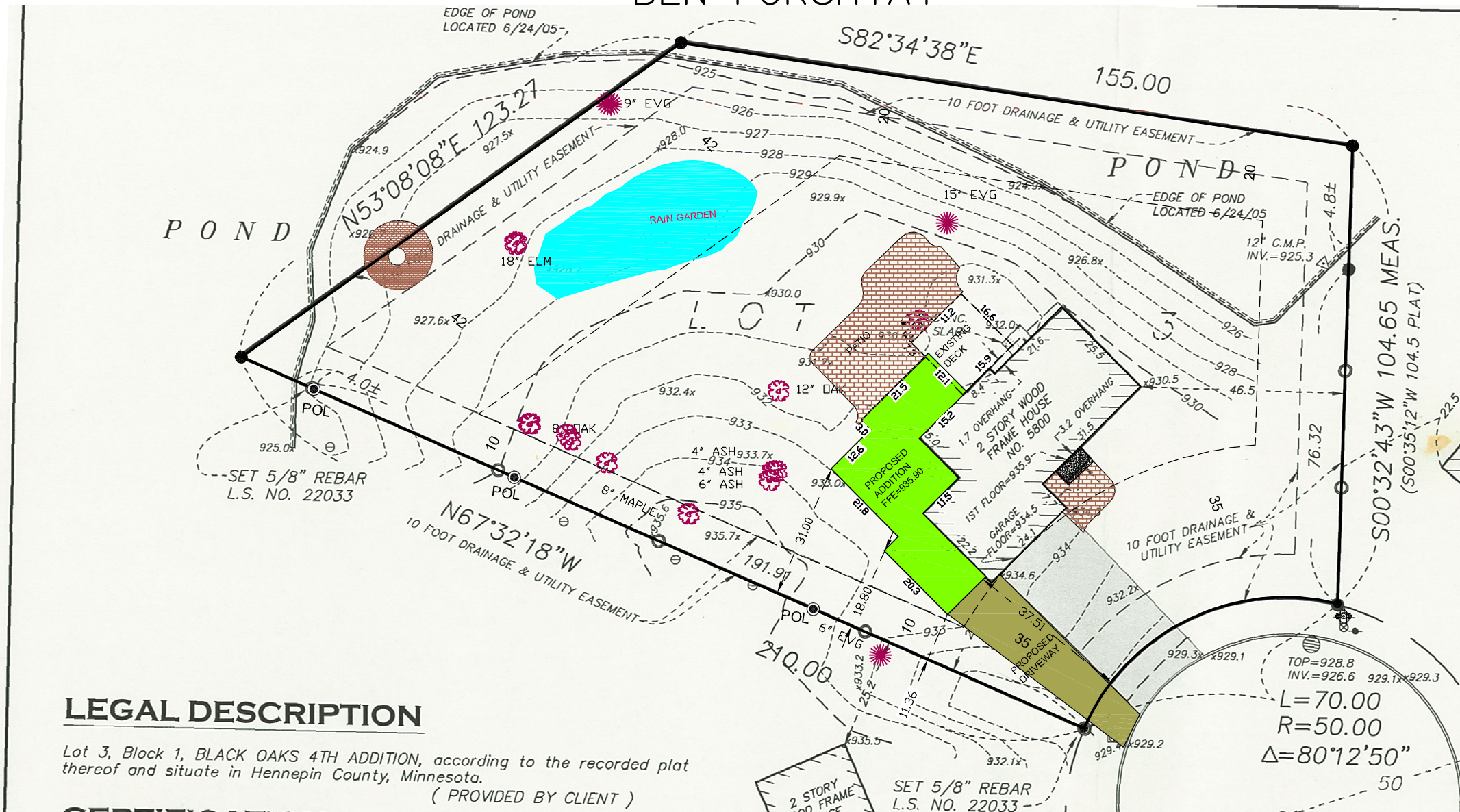
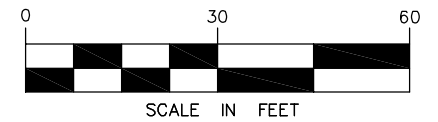
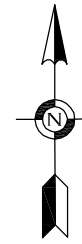
-for-  
**BEN FORSHAY**

### SURVEY NOTE

THIS SITE PLAN IS BASED ON SURVEY COMPLETED ON JUNE 24TH, 2004 BY EGAN, FIELD & NOVAK. EDS CARRY NO RESPONSIBILITIES FOR ANY ERRORS AND DISCREPANCY FOR SAID SURVEY WORK.

Call 48 Hours before digging  
**GOPHER STATE ONE CALL**

Twin Cities Area 651-454-0002  
MN. Toll Free 1-800-252-1166



### LEGEND

- DENOTES FOUND PROPERTY IRON
- DENOTES SET 1/2" X 18" REBAR WITH PLASTIC CAP "PLS 25105"
- POL ○ DENOTES SET POL (POINT ON LINE)
- DENOTES BOUNDARY LINE
- - - DENOTES LOT LINE
- - - DENOTES SETBACK LINE
- x999.99 DENOTES EXISTING SPOT ELEVATION
- 999 - DENOTES EXISTING CONTOUR LINE
- FFE DENOTES FINISH FLOOR ELEVATION
- [Pattern] DENOTES BITUMINOUS SURFACE
- [Pattern] DENOTES PAVER BRICK SURFACE
- [Tree Icon] DENOTES DECIDUOUS TREE
- [Tree Icon] DENOTES CONIFEROUS TREE
- [Green Box] DENOTES PROPOSED ADDITION
- [Brown Box] DENOTES PROPOSED DRIVEWAY
- [Hydrant Icon] DENOTES FIRE HYDRANT

### LEGAL DESCRIPTION

Lot 3, Block 1, BLACK OAKS 4TH ADDITION, according to the recorded plat thereof and situate in Hennepin County, Minnesota.  
( PROVIDED BY CLIENT )

### REFERENCE BENCHMARK

ELEVATION = 933.05 @ TOP NUT OF HYDRANT, E SIDE WHITED AVE ACROSS FROM LAKE ROSE LANE (NGVD 1929 DATUM)

### BUILDING SETBACKS

ZONING: R-1 = LOW DENSITY RESIDENTIAL DISTRICT.  
HOUSE: FRONT = MINIMUM OF 35 FT. FROM THE RIGHT-OF-WAY OF LOCAL AND NEIGHBORHOOD COLLECTOR STREETS AND RAILROAD LINES, OR 50 FT. FROM THE RIGHT-OF-WAY OF MAJOR COLLECTOR OR ARTERIAL ROADWAYS AS IDENTIFIED IN THE COMPREHENSIVE PLAN.  
REAR = MINIMUM OF 40 FT. OR 20 PERCENT OF THE DEPTH OF THE LOT, WHICHEVER IS LESS  
SIDE = THE SUM OF THE SIDE YARD SETBACKS SHALL NOT BE LESS THAN 30 FT. WITH A MINIMUM SETBACK OF 10 FT.

### EXISTING HARDCOVER

EXISTING HOUSE	1,696 SQ. FT.
EXISTING BRICK SURFACE	855 SQ. FT.
EXISTING CONCRETE STOOP	35 SQ. FT.
EXISTING BRICK FIRE PIT	114 SQ. FT.
EXISTING BIT. DRIVEWAY	733 SQ. FT.
TOTAL IMPERVIOUS AREA	3,433 SQ. FT.
TOTAL LOT AREA	24,483 SQ. FT.
EXISTING HARDCOVER	14.0%

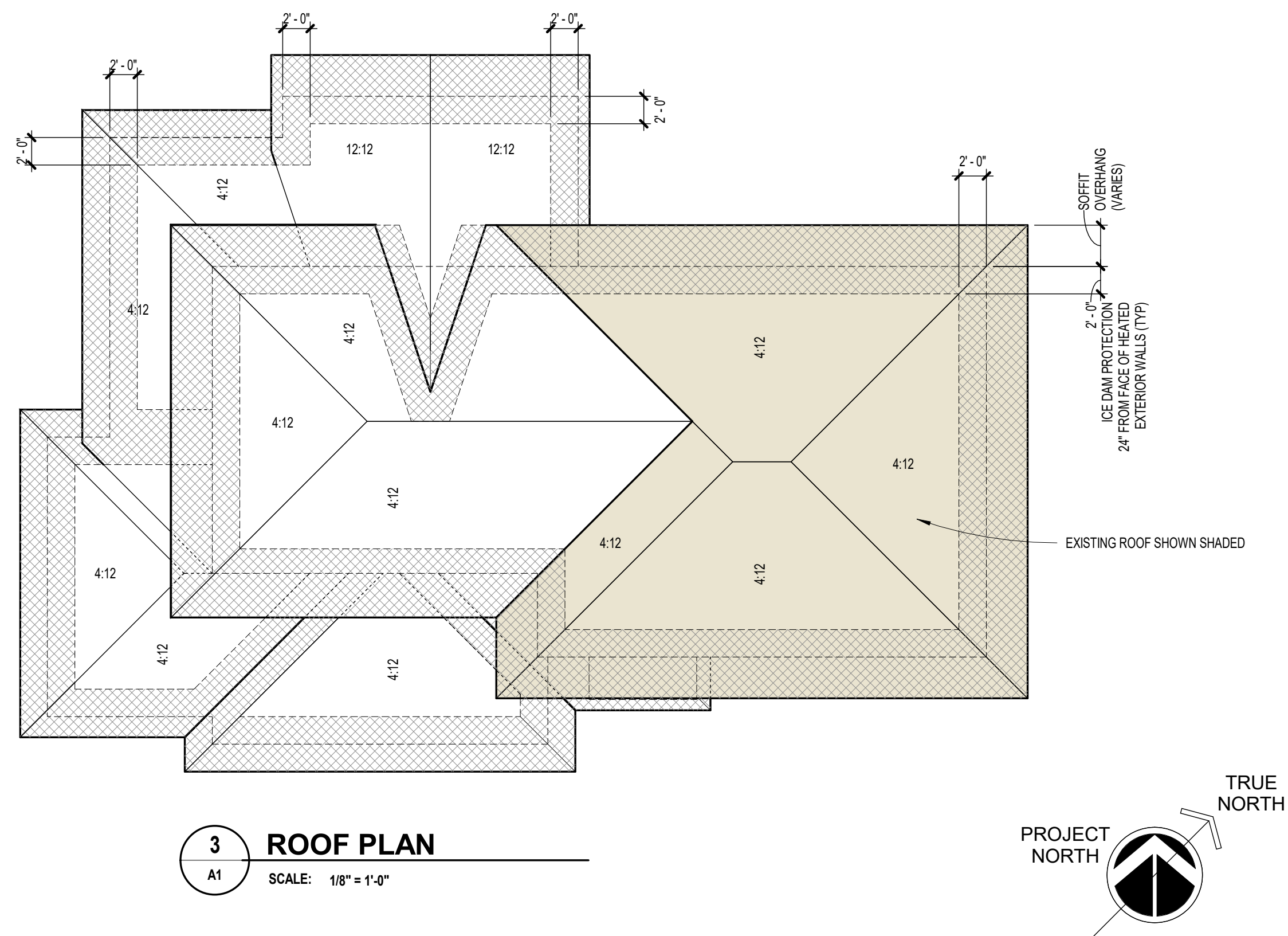
### PROPOSED HARDCOVER

EXISTING HOUSE	1,512 SQ. FT.
PROPOSED ADDITION	860 SQ. FT.
EXISTING BRICK SURFACE	855 SQ. FT.
EXISTING CONCRETE STOOP	35 SQ. FT.
EXISTING BRICK FIRE PIT	114 SQ. FT.
PROPOSED BIT. DRIVEWAY	548 SQ. FT.
EXISTING BIT. DRIVEWAY	733 SQ. FT.
TOTAL IMPERVIOUS AREA	4,657 SQ. FT.
TOTAL LOT AREA	24,483 SQ. FT.
PROPOSED HARDCOVER	19.0%

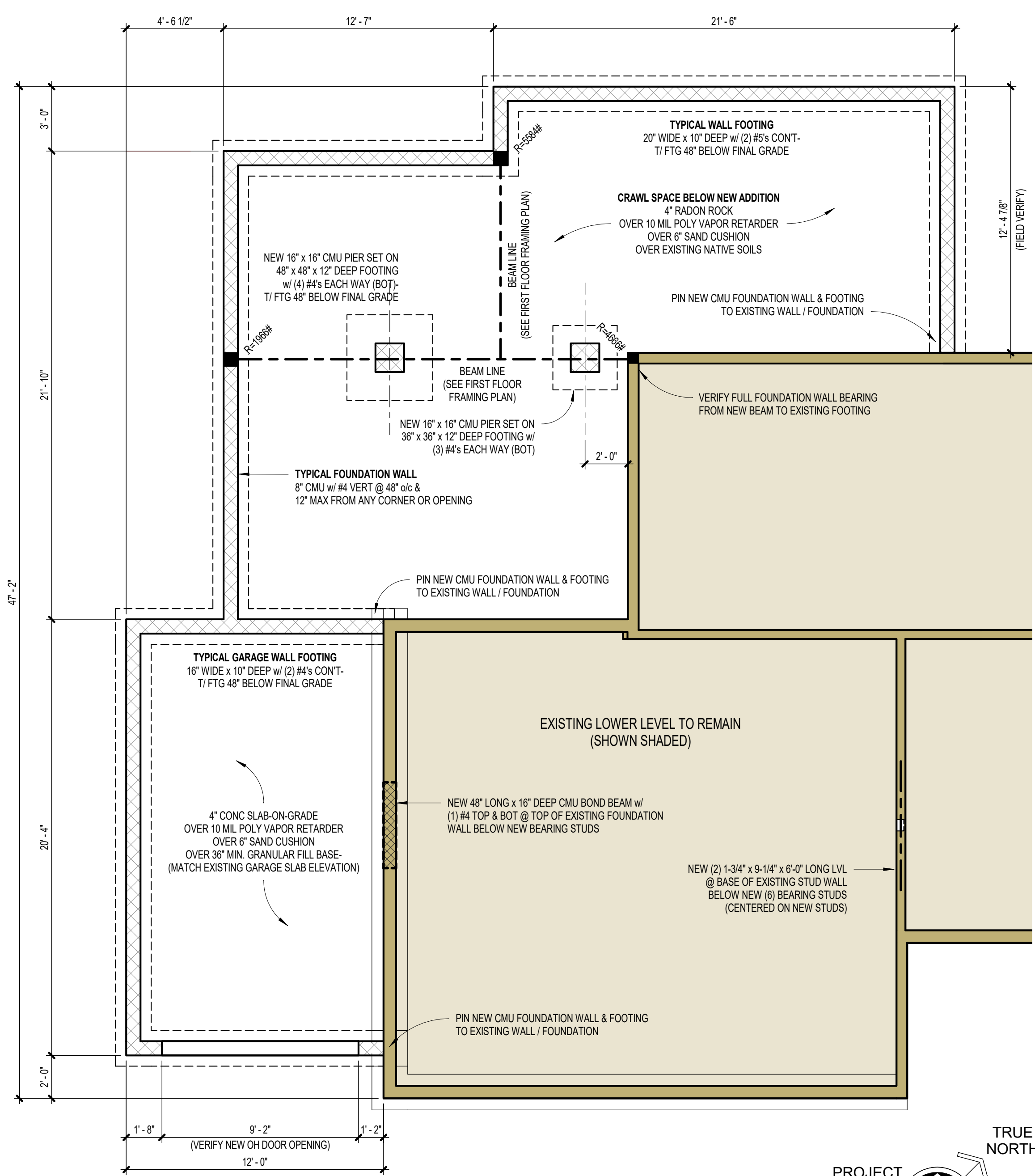
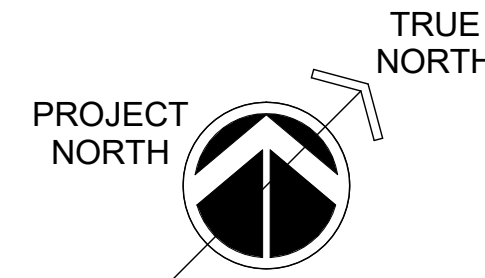
### NOTES

1. THE BASIS OF THE BEARING SYSTEM IS ASSUMED.
2. NO SPECIFIC SOIL INVESTIGATION HAS BEEN COMPLETED
3. CONTRACTOR SHALL VERIFY PROPOSED ELEVATIONS AND DIMENSIONS.
4. NO TITLE INFORMATION WAS PROVIDED FOR THIS SURVEY. THIS SURVEY DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD.
5. EXISTING UTILITIES AND SERVICES SHOWN HEREON OWNER LOCATED EITHER PHYSICALLY ON THE GROUND DURING THE SURVEY OR FROM EXISTING RECORDS MADE AVAILABLE TO US OR BY RESIDENT TESTIMONY. OTHER UTILITIES AND SERVICES MAY BE PRESENT. VERIFICATION AND LOCATION OF UTILITIES AND SERVICES SHOULD BE OBTAIN FROM THE OWNERS OF RESPECTIVE UTILITIES BY CONTACTING GOPHER STATE ONE CALL AT (651) 454-0002 PRIOR TO ANY DESIGN, PLANNING OR EXCAVATION.

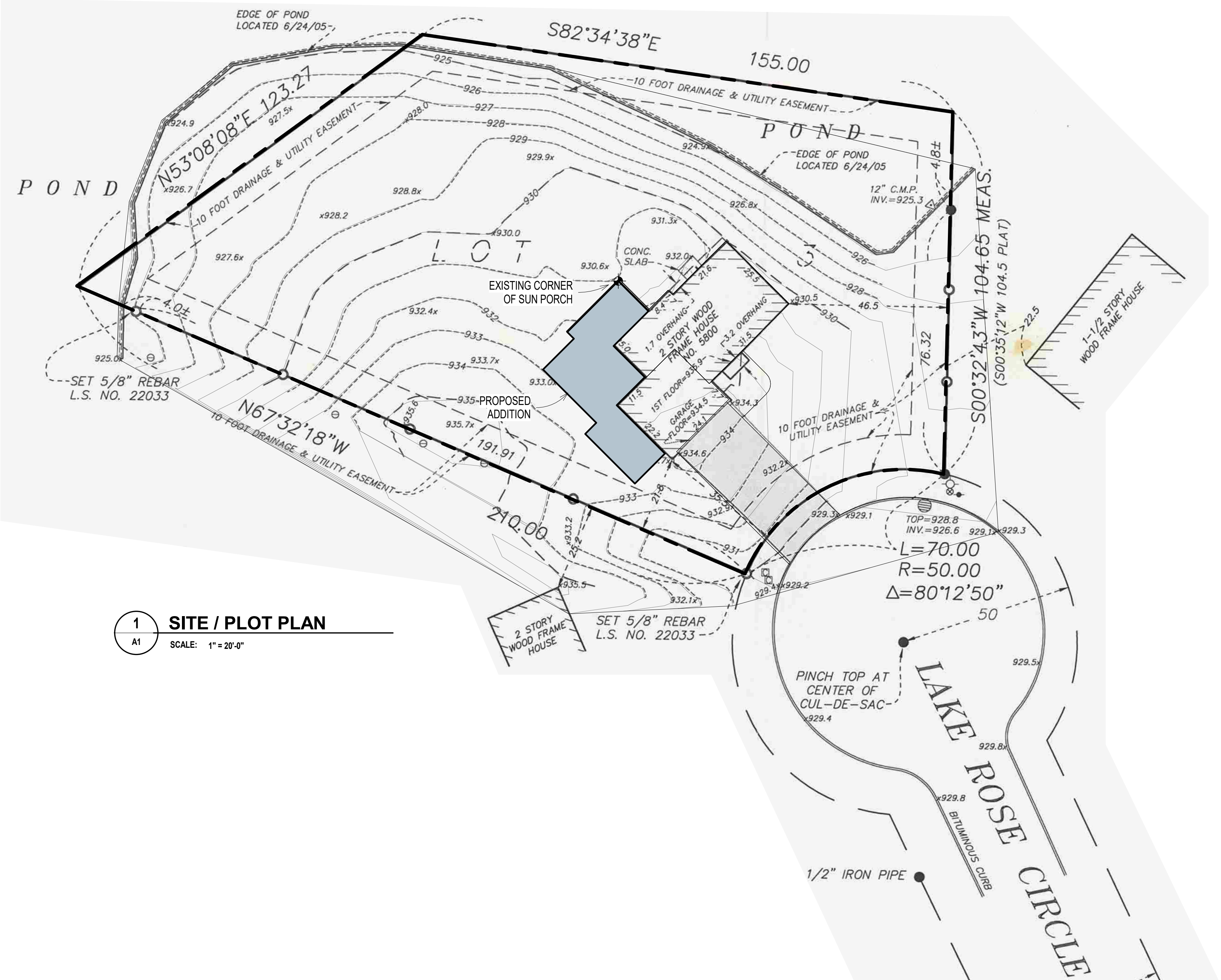
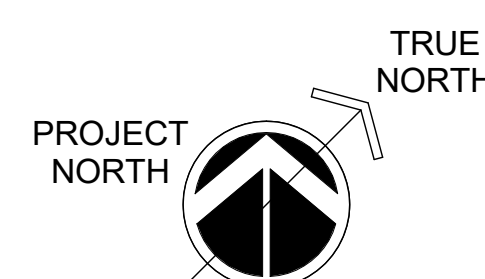
NO.	DATE	DESCRIPTION	BY



**3 ROOF PLAN**  
A1 SCALE: 1/8" = 1'-0"



**2 FOUNDATION PLAN**  
A1 SCALE: 1/4" = 1'-0"



**1 SITE / PLOT PLAN**  
A1 SCALE: 1" = 20'-0"



**PROJECT DIRECTORY:**

**OWNER:**  
AMY / BRETT KIGHTLINGER  
5800 LAKE ROSE CIRCLE  
MINNETONKA, MINNESOTA 55345  
(612) 619-4638

**ARCHITECT:**  
SDK ARCHITECTS LLC  
5075 HOLLY LANE NORTH - UNIT 7  
MINNEAPOLIS, MINNESOTA 55446  
(763) 331-5178  
CONTACT: STEPHEN D. KRAUSE

**GENERAL CONTRACTOR:**  
CLASSIC HOME RENOVATION  
(952) 215-1926  
BEN@CHRENO.NET  
CONTACT: BEN FORSHSTAY  
WEBSITE: WWW.CHRENO.NET

**SHEET INDEX:**

- ARCHITECTURAL DRAWINGS:**
- A1 ARCHITECTURAL SITE / PLOT PLAN / FOUNDATION PLAN / ROOF PLAN
  - A2 FLOOR PLANS
  - A3 FRAMING PLANS
  - A4 EXTERIOR ELEVATIONS / BUILDING SECTIONS
  - A5 EXTERIOR ELEVATIONS / BUILDING SECTIONS

**GENERAL NOTES:**

- 1) THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS INCLUDING LOCATIONS OF EXISTING UTILITIES AND EASEMENTS.
- 2) ALL WORK SHALL BE IN ACCORDANCE WITH LOCAL, STATE AND NATIONAL CODES FOR ALL TRADES.
- 3) DO NOT SCALE DRAWINGS. DISTORTIONS EXIST DUE TO REPRODUCTION PROCESS.
- 4) THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS.
- 5) ALL USERS OF THESE DRAWINGS AND SPECIFICATIONS SHALL BE RESPONSIBLE FOR REVIEWING A COMPLETE SET OF PLANS TO CONFIRM DESIGN INTENT. REPORT DISCREPANCIES TO THE ARCHITECT IMMEDIATELY UPON THEIR DISCOVERY.
- 6) STRUCTURAL ELEMENTS SHOWN ON THIS SHEET ARE INCLUDED FOR BIDDING PURPOSES ONLY. FINAL DESIGN OF ANY STRUCTURAL COMPONENT SHALL BE DETERMINED BY & BE THE SOLE RESPONSIBILITY OF A PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF MINNESOTA.



I HEREBY CERTIFY THAT THIS DRAWING, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT IN THE STATE OF MINNESOTA.

Stephen D. Krause  
#17979 DATE 8-19-2021

Expansion & Renovation to the  
**KIGHTLINGER RESIDENCE**  
5800 Lake Rose Circle - Minnetonka, MN

REVISIONS		
#	Description	Date

**SITE / PLOT PLAN FOUNDATION PLAN ROOF PLAN**

Project Number: 21-003  
Date: AUG 19, 2021  
Drawn By: SDK  
Checked By: SDK  
Issued for Construction  
**A1**  
Scale: As indicated

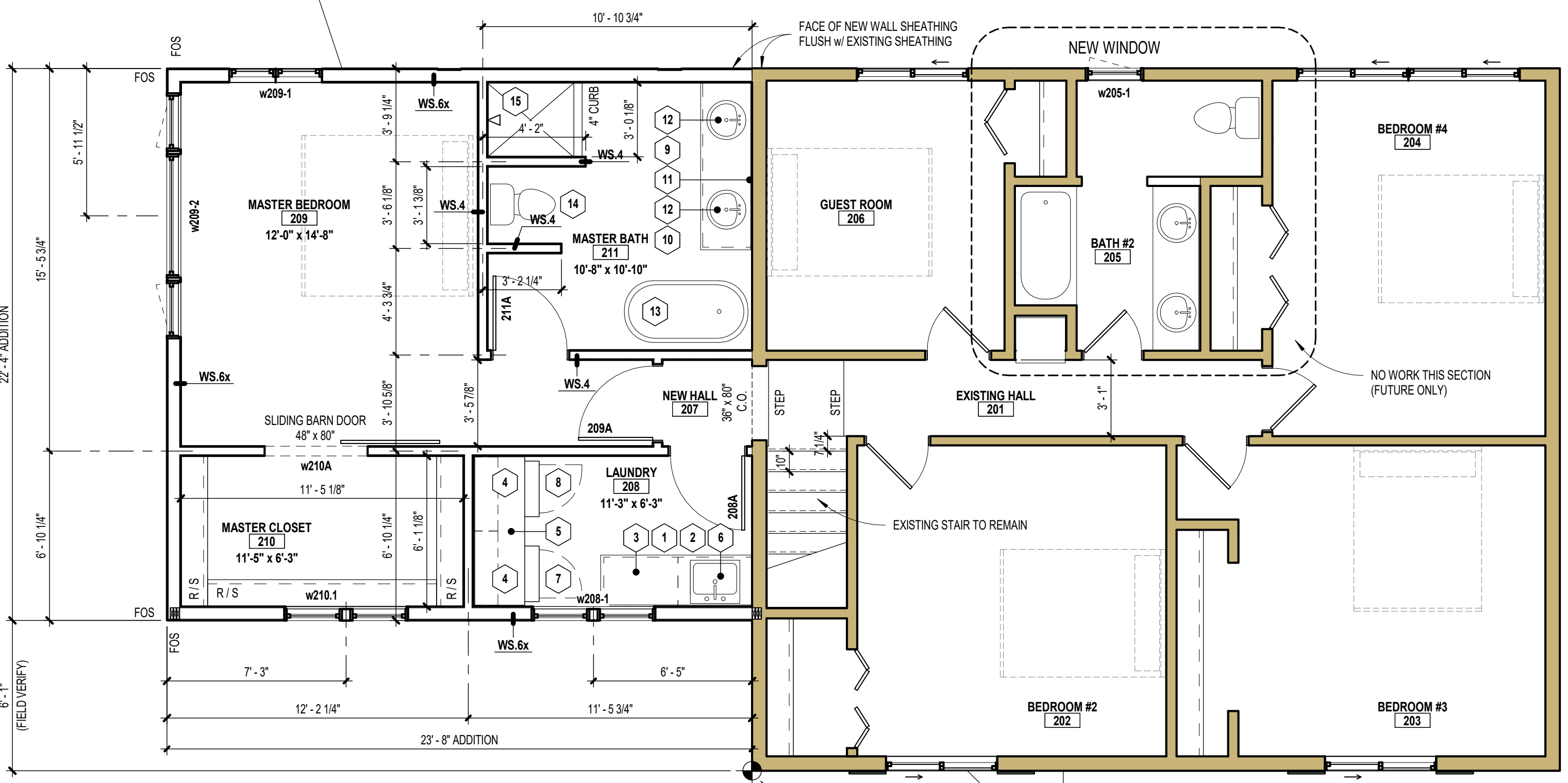
I HEREBY CERTIFY THAT THIS DRAWING, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT IN THE STATE OF MINNESOTA.

Stephen D. Krause DATE 8-19-2021  
#17979

Expansion & Renovation to the  
**KIGHTLINGER RESIDENCE**  
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REVISIONS		
#	Description	Date

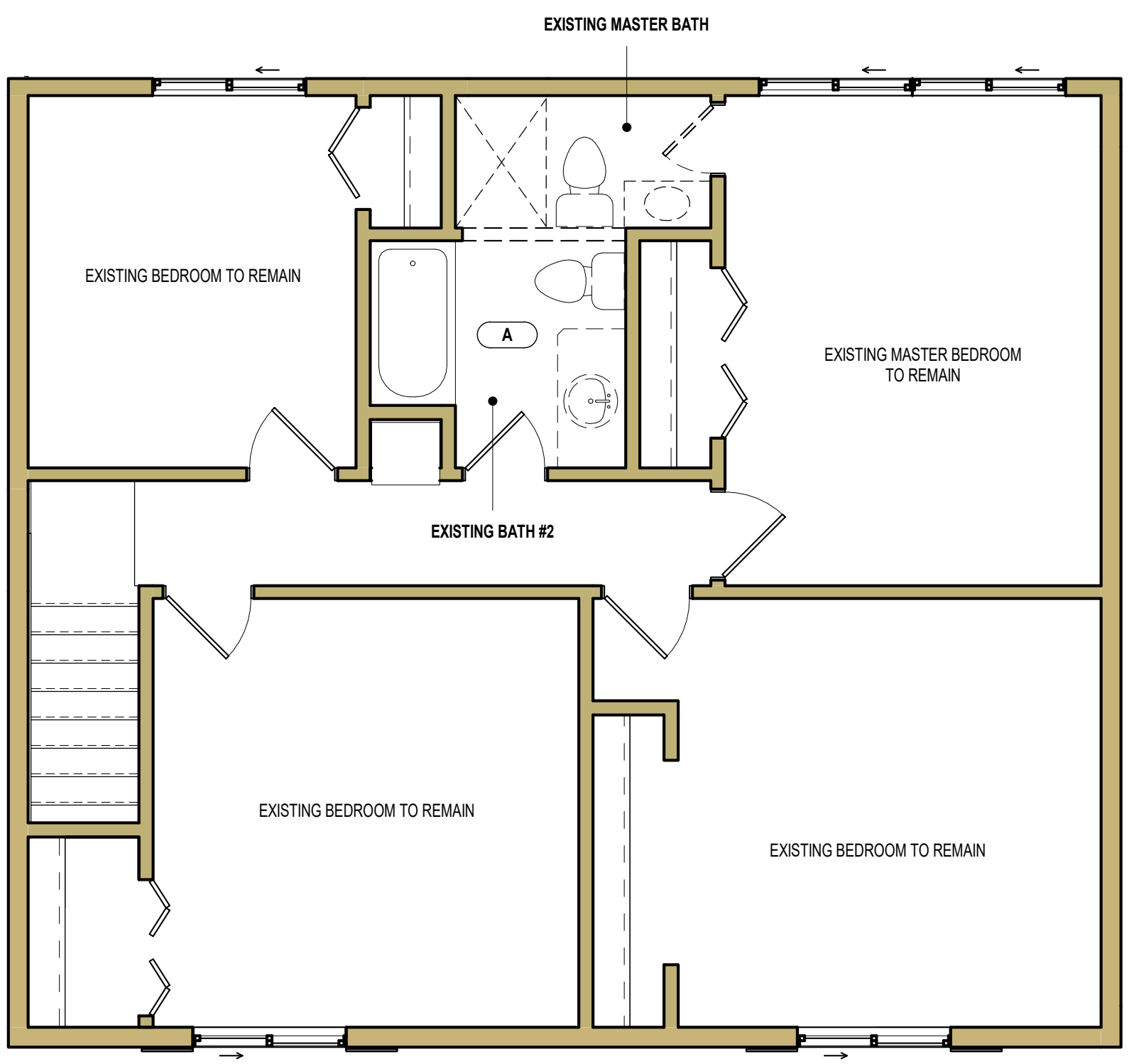
FLOOR PLANS	
Project Number:	21-003
Date:	AUG 19, 2021
Drawn By:	SDK
Checked By:	SDK
Issued for Bidding	
<b>A2</b>	
Scale:	As indicated



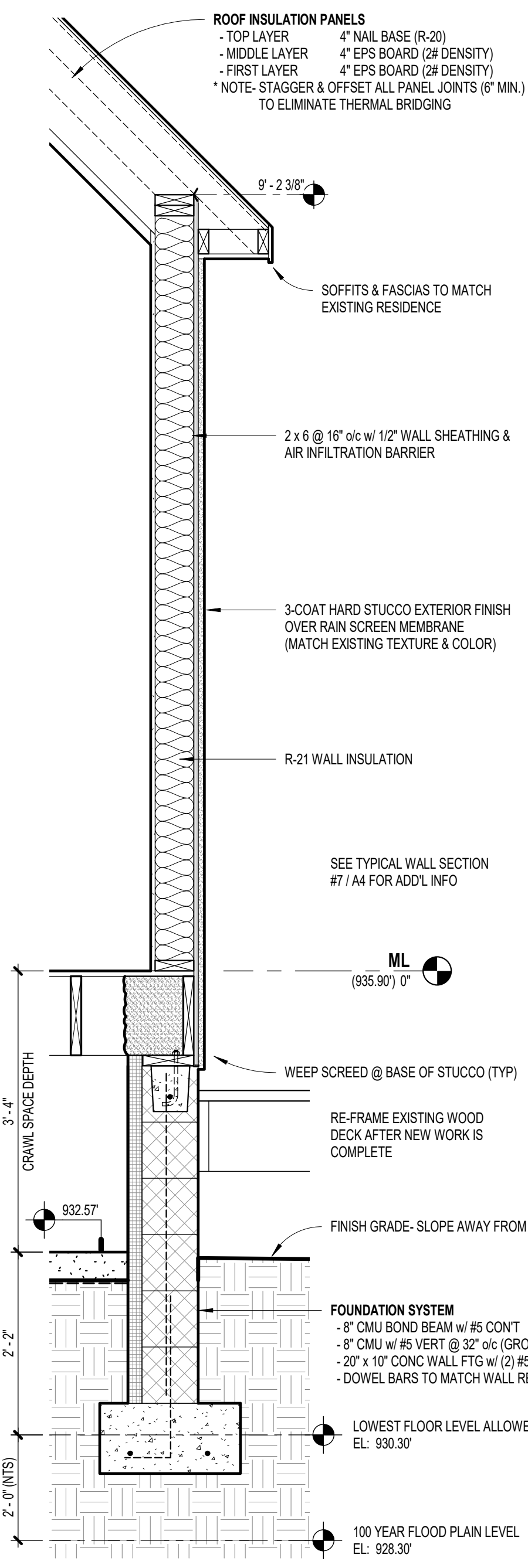
**2 UPPER FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

- FIXTURE LEGEND:**
- BASE CABINET- 36" WIDE x 34-1/2" HIGH w/ (2) DOORS & (2) DRAWERS
  - SINK BASE CABINET- 36" WIDE x 34-1/2" HIGH w/ (2) DOORS & (2) DRAWERS (FRONTS ONLY)
  - COUNTER TOP #1- 73-1/2" LONG x 25-1/4" DEEP w/ 4" HIGH BACKSPLASH & SINK CUTOUT
  - WALL CABINET- 36" LONG x 30" HIGH w/ (1) ADJUSTABLE SHELF / SHELF PINS
  - COUNTER TOP #2- 72" LONG x 25-1/4" DEEP w/ 4" HIGH BACKSPLASH
  - LAUNDRY SINK- 24" WIDE x 16" DEEP SINGLE BOWL w/ GOOSENECK FAUCET & LEVER HANDLES
  - WASHER- TOP OR FRONT LOAD UNIT 27" WIDE w/ LAUNDRY BOX, SUPPLY HOSES & DISCHARGE HOSE
  - DRYER- FRONT LOAD UNIT 27" WIDE w/ 3" VENT TO EXTERIOR SOFFIT
  - VANITY CABINET- 80" WIDE x 28-1/2" HIGH w/ (2) SINK BASE UNITS w/ (2) DOORS & (3) CENTER DRAWERS
  - COUNTER TOP #3- 81-1/4" LONG x 25-1/4" DEEP w/ 4" HIGH BACKSPLASH
  - MIRROR- 36" HIGH x 80" WIDE BEVEL EDGED MIRROR w/ MOUNTING CLIPS
  - LAVATORY- UNDERMOUNT SOLID SURFACE SINGLE SINK BOWL w/ FAUCET & CONTROLS
  - TUB- FREE STANDING SOAKING TUB w/ WALL MOUNTED FAUCET & CONTROLS
  - TOILET- TALL / ADA COMPLIANT WATER CLOSET w/ SEAT & MIXING VALVE
  - SHOWER- WALK IN SHOWER w/ WALL MOUNTED CONTROLS & SHOWER HEAD

- DEMOLITION LEGEND: (ALL WORK FUTURE - N.I.C.)**
- A** EXISTING BATHROOMS DEMOLITION WORK
    - REMOVE EXISTING DOOR & FRAME FROM EXISTING MASTER BATH
    - REMOVE EXISTING WOOD-FRAMED WALL BETWEEN THE TWO BATHROOMS
    - REMOVE EXISTING CABINETRY & COUNTER TOP FROM EXISTING MASTER BATH
    - REMOVE ALL FINISHES FROM EXISTING MASTER BATH
    - REMOVE EXISTING PLUMBING FIXTURES FROM EXISTING MASTER BATH (VANITY, TOILET & SHOWER); TERMINATE & CAP ALL PLUMBING LINES AS REQUIRED BY STATE PLUMBING CODE
    - REMOVE EXISTING CABINETRY & COUNTER TOP FROM EXISTING BATH #2
    - REMOVE ALL FINISHES FROM EXISTING BATH #2
    - REMOVE EXISTING PLUMBING FIXTURES FROM EXISTING BATH #2 AS SHOWN DASHED (VANITY & TOILET); TERMINATE & CAP ALL PLUMBING LINES AS REQUIRED BY STATE PLUMBING CODE
    - EXISTING TUB / SHOWER TO REMAIN. PROTECT FROM DAMAGE ENTIRE DURATION OF CONSTRUCTION



**3 UL DEMO PLAN**  
SCALE: 1/4" = 1'-0"

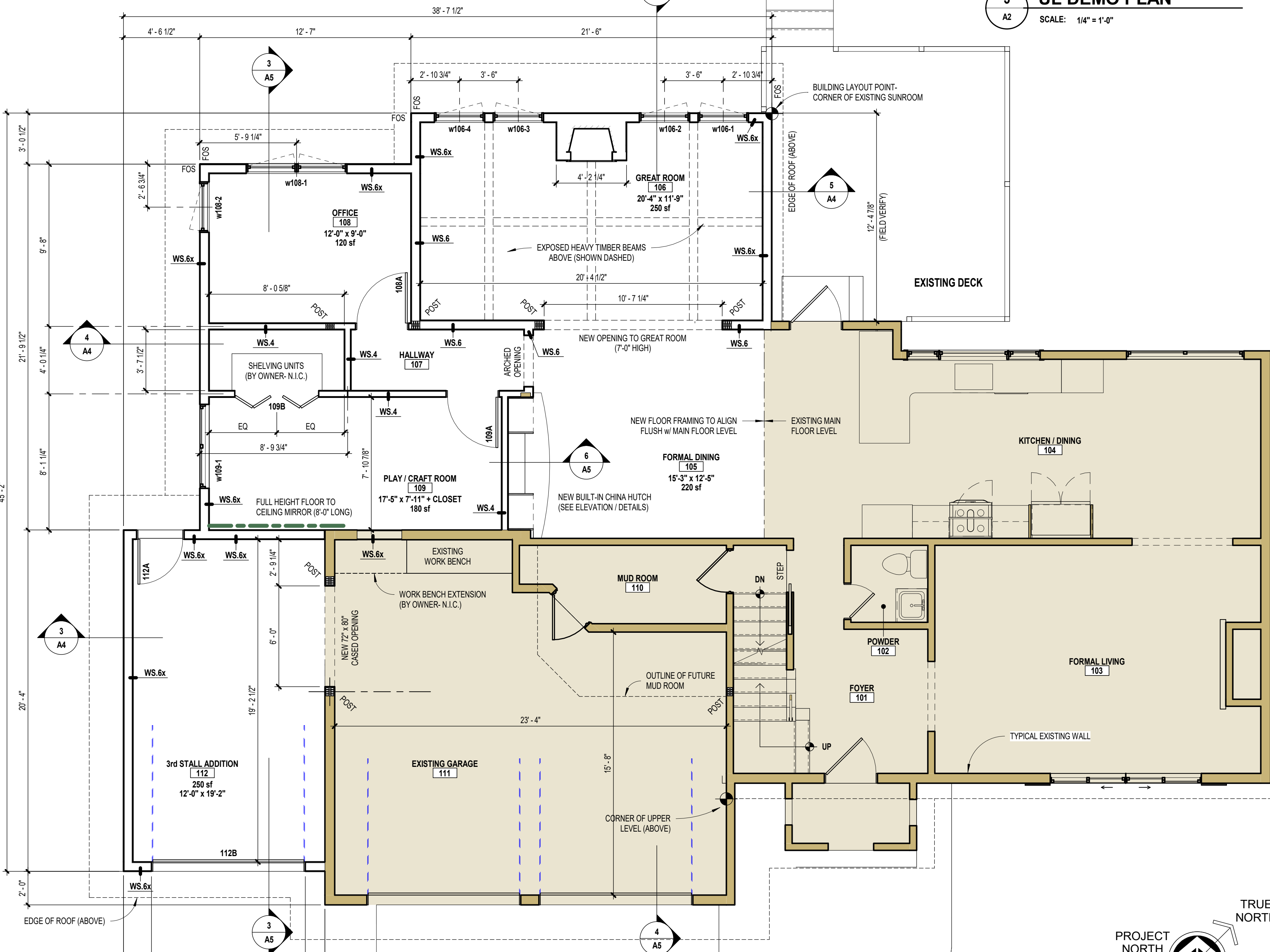


**4 WALL SECTION @ GREAT ROOM**  
SCALE: 3/4" = 1'-0"

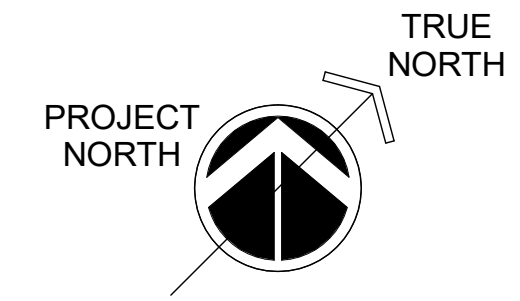
- DOOR SCHEDULE / NOTES:**
- DOOR GROUP #1 - INTERIOR SWINGING DOORS**  
DOORS #108A, #109A, #208A, #209A, #211A  
DOOR SIZE- 36" x 80" x 1-3/8" SOLID CORE  
DOOR PANEL- MATCH EXISTING STYLE & FINISH  
DOOR FRAME- MATCH EXISTING STYLE & FINISH  
1-1/2" PAIR BUTT HINGES-  
MATCH EXISTING STYLE & FINISH  
LOCKSET (BEDROOM FUNCTION)-  
MATCH EXISTING STYLE & FINISH  
WALL STOP- BASEBOARD SPRING STOP
  - DOOR GROUP #2 - INTERIOR BI-FOLD DOORS**  
DOOR #109B  
DOOR SIZE- 60" x 80" x 1-3/8" SOLID CORE  
DOOR PANEL- MATCH EXISTING STYLE & FINISH  
DOOR FRAME- MATCH EXISTING STYLE & FINISH  
MEDIUM DUTY BI-FOLD DOOR HARDWARE
  - DOOR GROUP #3 - INTERIOR BARN DOOR**  
DOOR #210A  
DOOR SIZE- 48" x 80" x 1-3/8" SOLID CORE  
DOOR PANEL- MATCH EXISTING STYLE & FINISH  
DOOR FRAME- CASSED OPENING  
MEDIUM DUTY BARN DOOR HARDWARE
  - DOOR GROUP #4 - EXTERIOR SWINGING DOORS**  
DOORS #112A  
DOOR SIZE- 36" x 80" x 1-3/8" SOLID CORE  
DOOR PANEL- MATCH EXISTING STYLE & FINISH  
DOOR FRAME- MATCH EXISTING STYLE & FINISH  
1-1/2" PAIR BUTT HINGES-  
MATCH EXISTING STYLE & FINISH  
LOCKSET (BEDROOM FUNCTION)-  
MATCH EXISTING STYLE & FINISH  
WALL STOP- BASEBOARD SPRING STOP
  - DOOR GROUP #5 - OVERHEAD DOORS**  
DOOR #112B  
DOOR SIZE- 9'-0" x 7'-0" HIGH x 2" THICK (INSULATED)  
DOOR PANEL- MATCH EXISTING STYLE & FINISH  
DOOR FRAME- MATCH EXISTING STYLE & FINISH  
OPERATOR- MEDIUM DUTY RESIDENTIAL (CHAIN DRIVE)  
w/ CONTROLS & REMOTE

- WINDOW SCHEDULE / NOTES:**
- WINDOW GROUP #1 -**  
WINDOWS #w106-1 / #w106-4 (OPP HAND)  
WINDOW SIZE- MARVIN #UCA2872 w/ #JUDGNFPOLY P4 (ABOVE)  
WINDOW FINISH- CLADDING (WHITE)  
GLASS- DOUBLE PANE w/ LOW-E & ARGON FILLED  
NOTES- OPERABLE UNIT (NO GRIDS); P4 UNIT FIXED (NO GRIDS)
  - WINDOW GROUP #2 -**  
WINDOWS #w106-2 / #w106-3 (OPP HAND)  
WINDOW SIZE- MARVIN #UCA2872 w/ #JUDGNFPOLY P2 (ABOVE)  
WINDOW FINISH- CLADDING (WHITE)  
GLASS- DOUBLE PANE w/ LOW-E & ARGON FILLED  
NOTES- OPERABLE UNIT (NO GRIDS); P2 UNIT FIXED (NO GRIDS)
  - WINDOW GROUP #3 -**  
WINDOWS #w108-1  
WINDOW SIZE- MARVIN (2) #UCA3670  
WINDOW FINISH- CLADDING (WHITE)  
GLASS- DOUBLE PANE w/ LOW-E & ARGON FILLED  
NOTES- UCA UNITS MULLED AS SINGLE UNIT; OPERABLE UNIT (NO GRIDS)
  - WINDOW GROUP #4 -**  
WINDOW #w108-2  
WINDOW SIZE- MARVIN #UCA3670  
WINDOW FINISH- CLADDING (WHITE)  
GLASS- DOUBLE PANE w/ LOW-E & ARGON FILLED  
NOTES- OPERABLE UNIT (NO GRIDS)
  - WINDOW GROUP #5 -**  
WINDOWS #w109-1  
WINDOW SIZE- MARVIN (2) #JUDH3063  
WINDOW FINISH- CLADDING (WHITE)  
GLASS- DOUBLE PANE w/ LOW-E & ARGON FILLED  
NOTES- DHfs OPERABLE (NO GRIDS); MULL AS ONE UNIT
  - WINDOW GROUP #6 -**  
WINDOWS #w208-1 / #w.210-1  
WINDOW SIZE- MARVIN (2) #ELAWN2828  
WINDOW FINISH- CLADDING (WHITE)  
GLASS- DOUBLE PANE w/ LOW-E & ARGON FILLED  
NOTES- OPERABLE UNIT (NO GRIDS)
  - WINDOW GROUP #7 -**  
WINDOWS #w209-1  
WINDOW SIZE- MARVIN (2) #ELDH2640  
WINDOW FINISH- CLADDING (WHITE)  
GLASS- DOUBLE PANE w/ LOW-E & ARGON FILLED  
NOTES- OPERABLE UNIT; ELDH UNITS MULLED AS SINGLE UNIT (NO GRIDS)
  - WINDOW GROUP #8 -**  
WINDOWS #w209-2  
WINDOW SIZE- MARVIN (2) #ELCA2947 FLANKERS & (1) #ELCAP5747 CENTER  
WINDOW FINISH- CLADDING (WHITE)  
GLASS- DOUBLE PANE w/ LOW-E & ARGON FILLED  
NOTES- CASEMENTS OPERABLE (NO GRIDS); MULL AS ONE UNIT

- FUTURE WORK (N.I.C.)**
- WINDOW GROUP #10 -**  
WINDOWS #w205-1  
WINDOW SIZE- MARVIN #ELCA2947  
WINDOW FINISH- CLADDING (WHITE)  
GLASS- DOUBLE PANE w/ LOW-E & ARGON FILLED  
NOTES- OPERABLE UNIT (NO GRIDS)



**1 MAIN FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



I HEREBY CERTIFY THAT THIS DRAWING, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT IN THE STATE OF MINNESOTA.

Stephen D. Krause  
#17979

DATE 8-19-2021

# Expansion & Renovation to the KIGHTLINGER RESIDENCE

5800 Lake Rose Circle - Minnetonka, MN

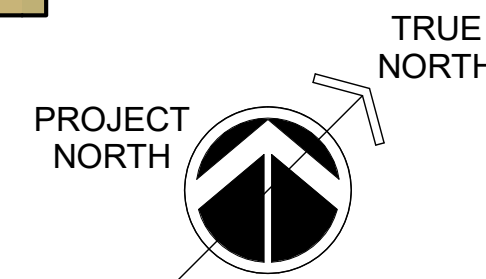
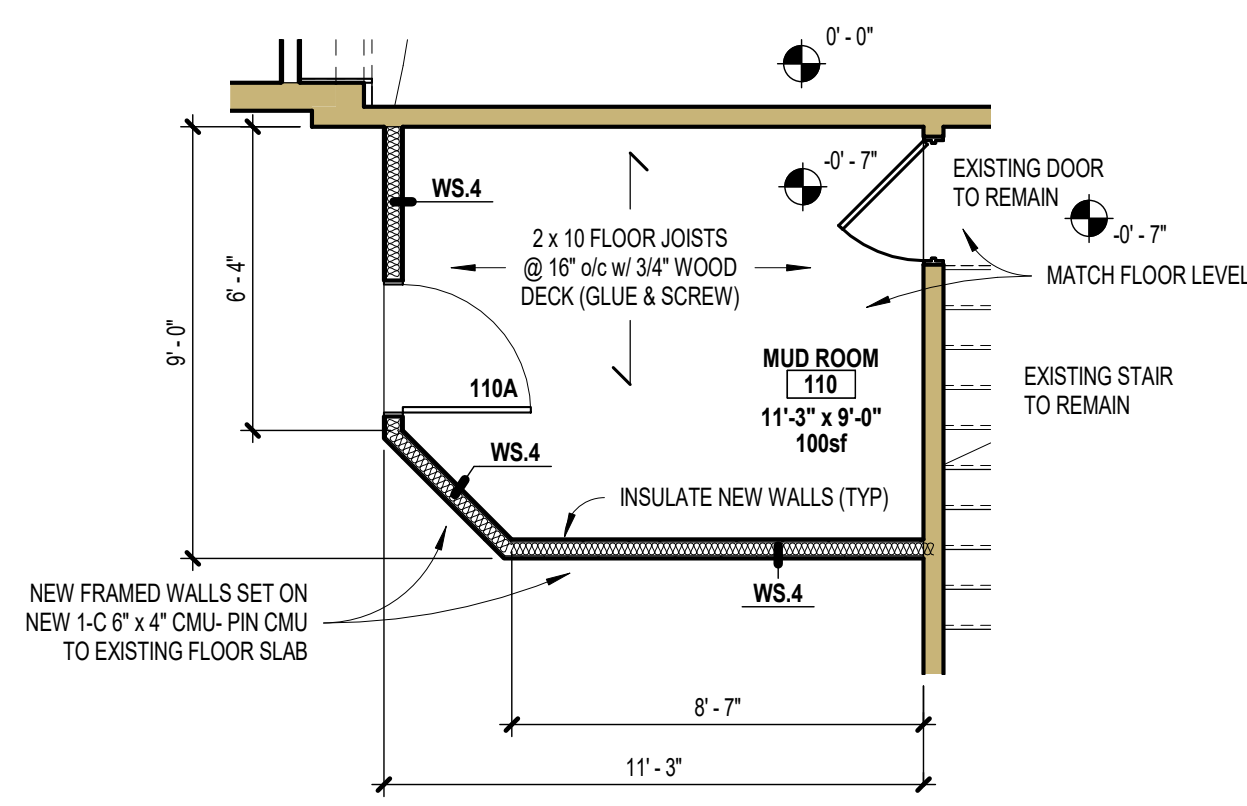
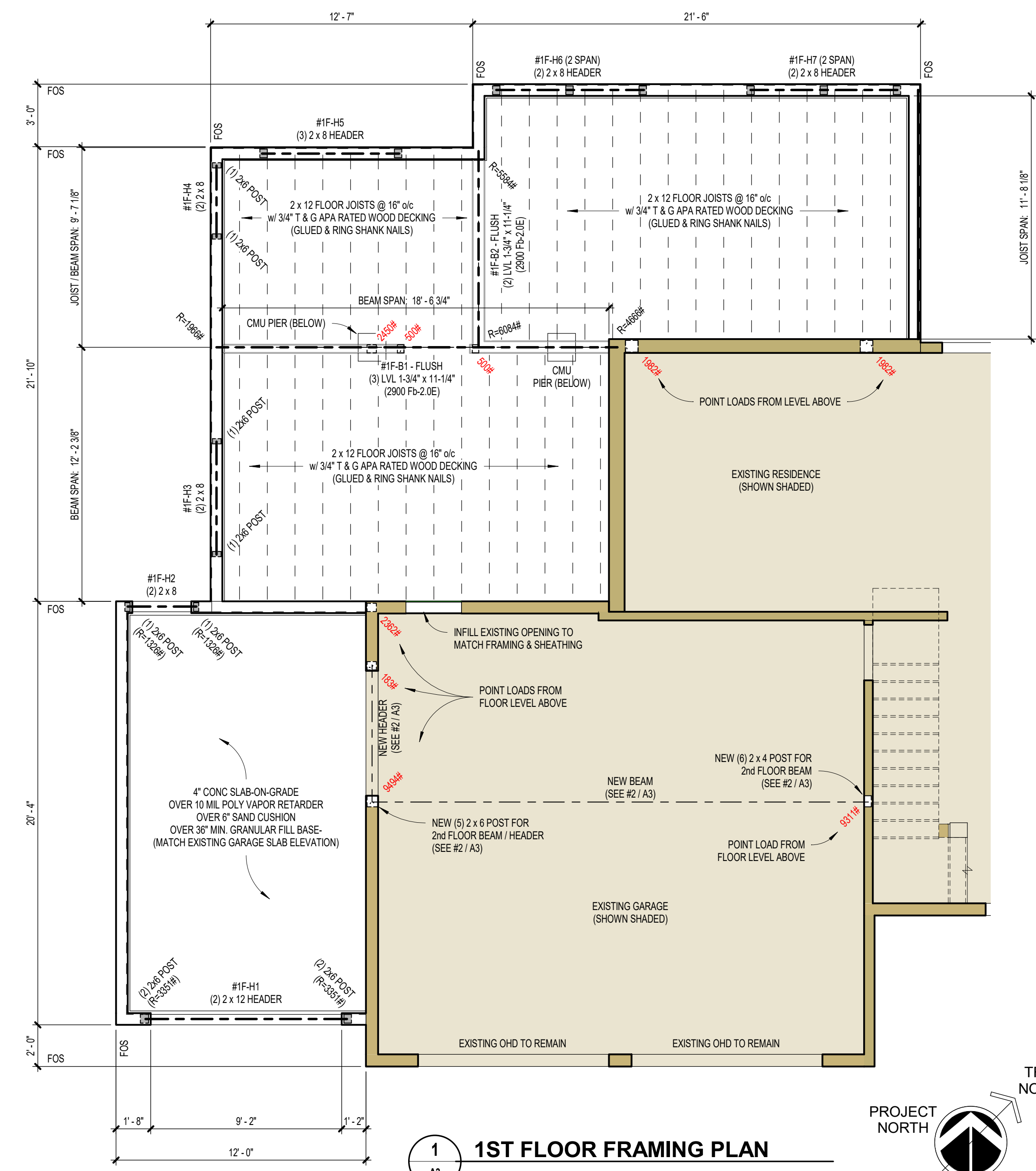
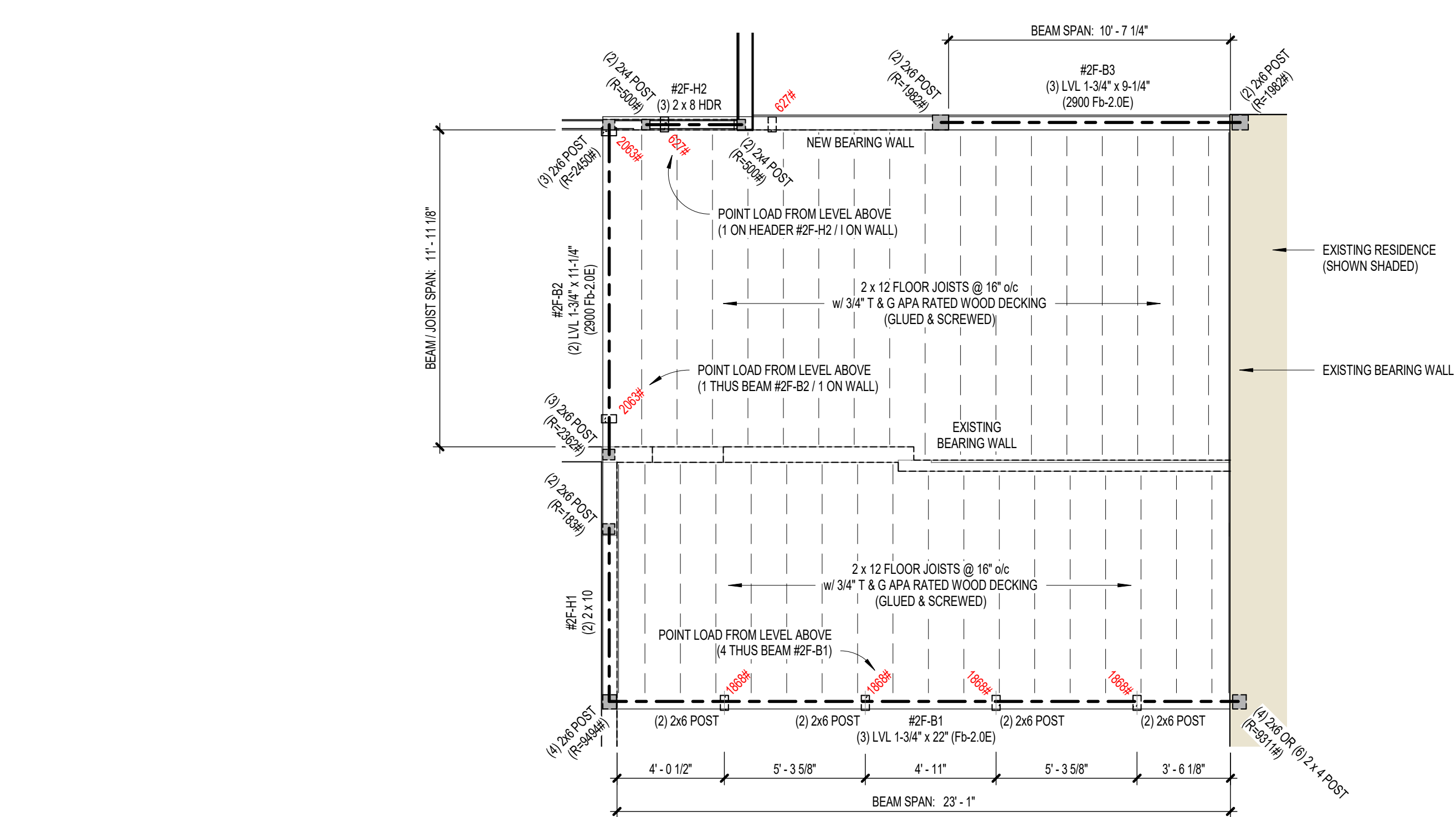
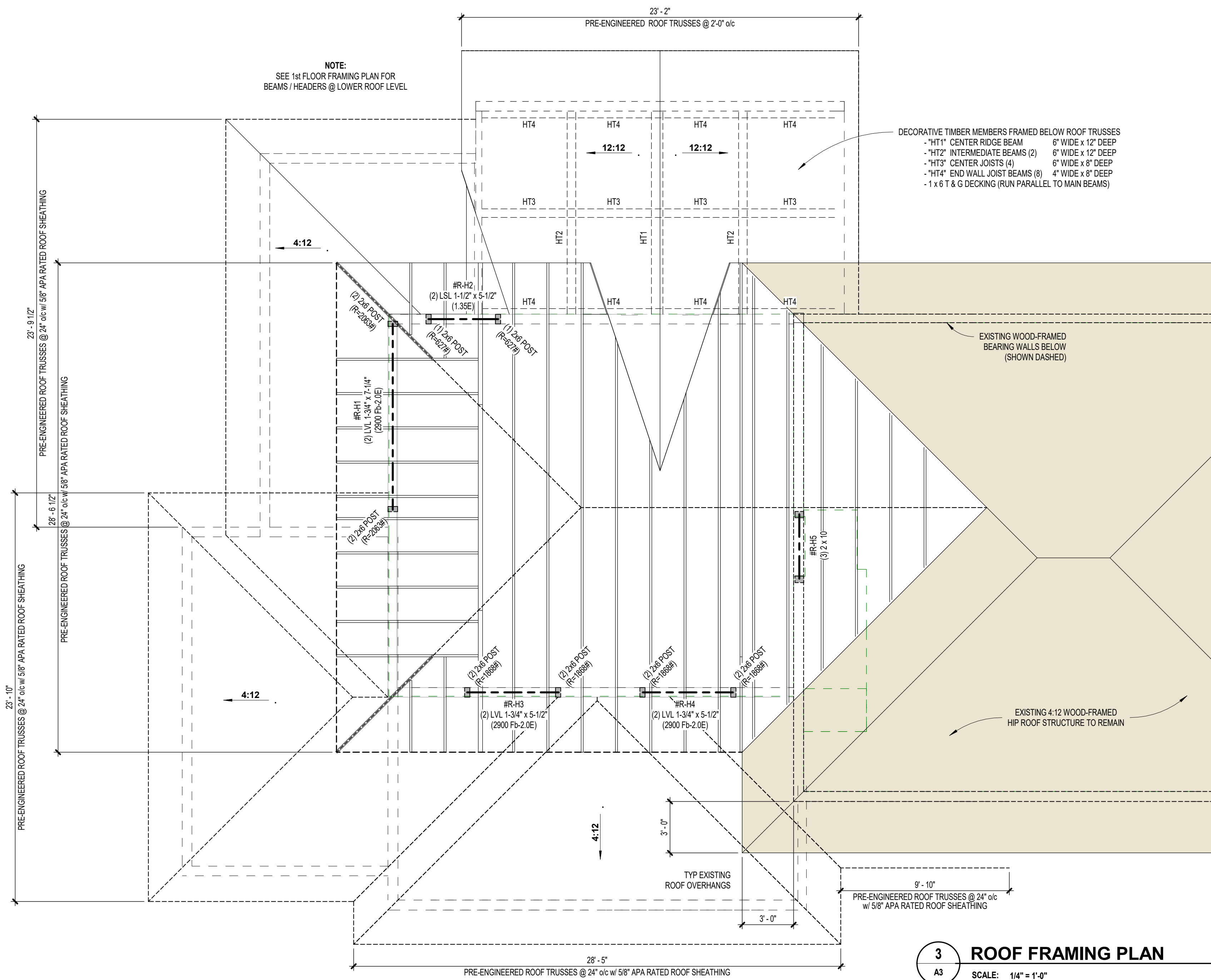
#	Description	Date

**FRAMING PLANS**

Project Number: 21-003  
Date: AUG 19, 2021  
Drawn By: SDK  
Checked By: SDK

Issued for Bidding  
**A3**

Scale: 1/4" = 1'-0"



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Stephen D. Krause  
#17979

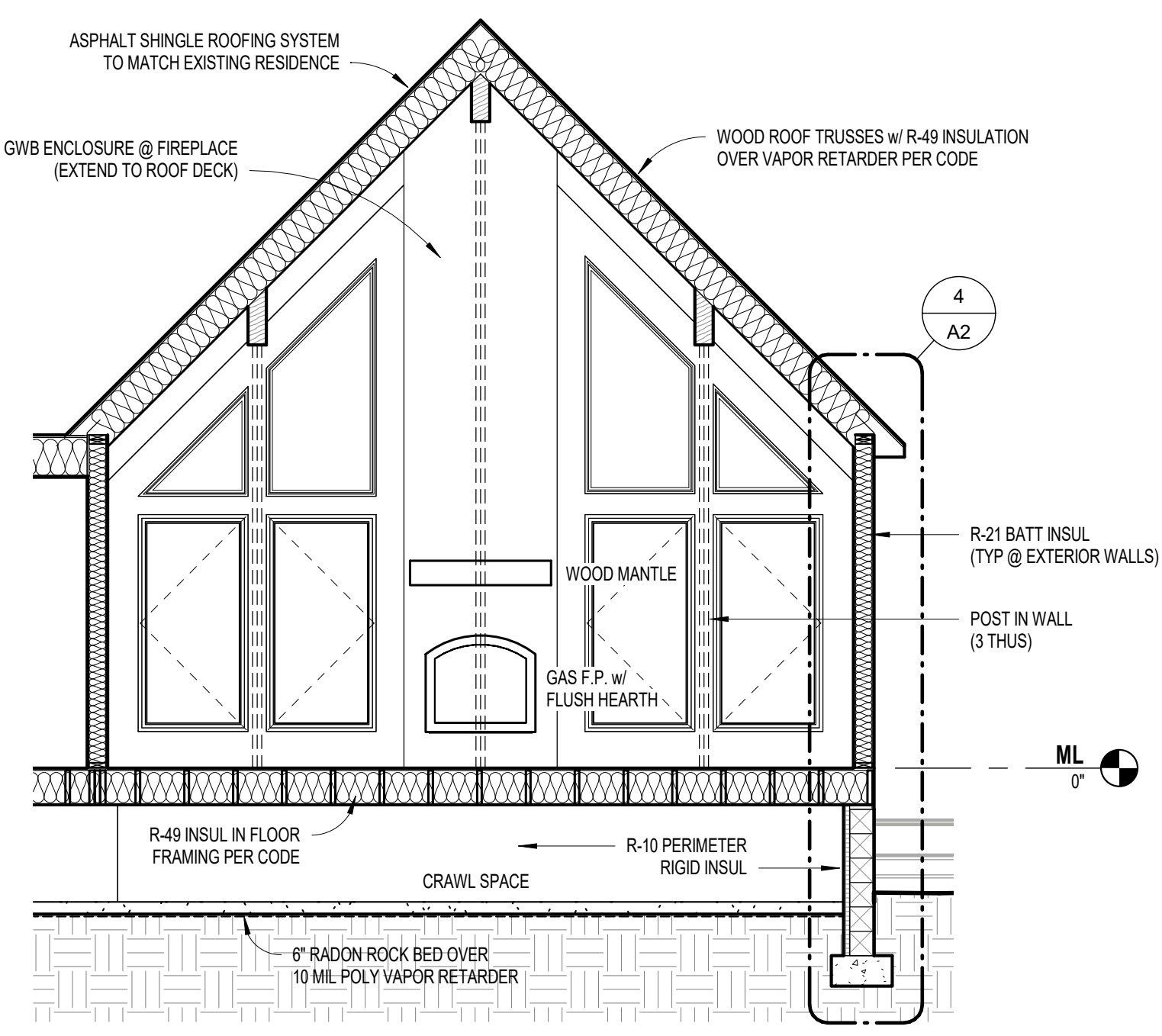
8-19-2021  
DATE

Expansion & Renovation to the  
**KIGHTLINGER RESIDENCE**  
5800 Lake Rose Circle - Minnetonka, MN

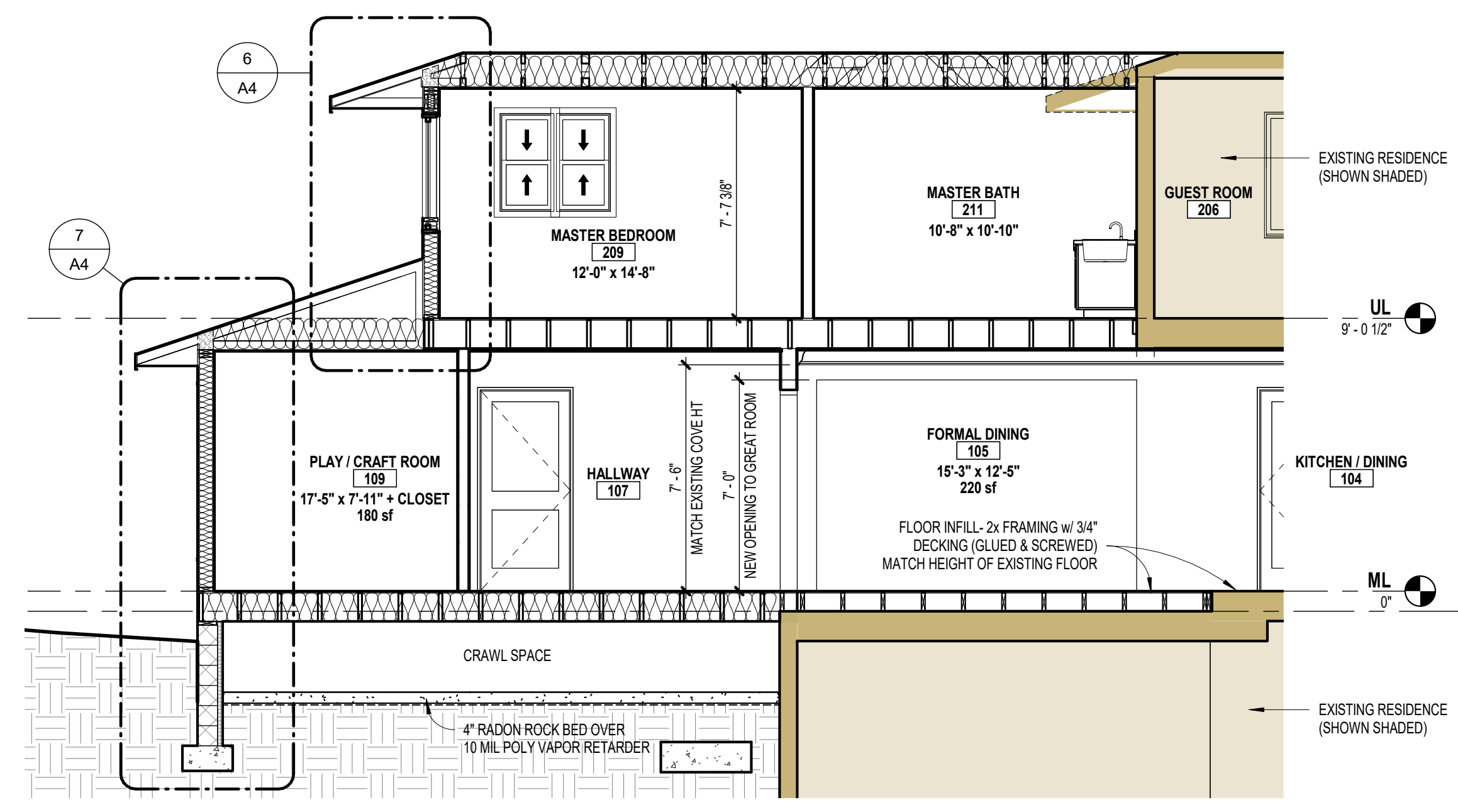
REVISIONS		
#	Description	Date

**EXTERIOR ELEVATIONS / BUILDING SECTIONS**

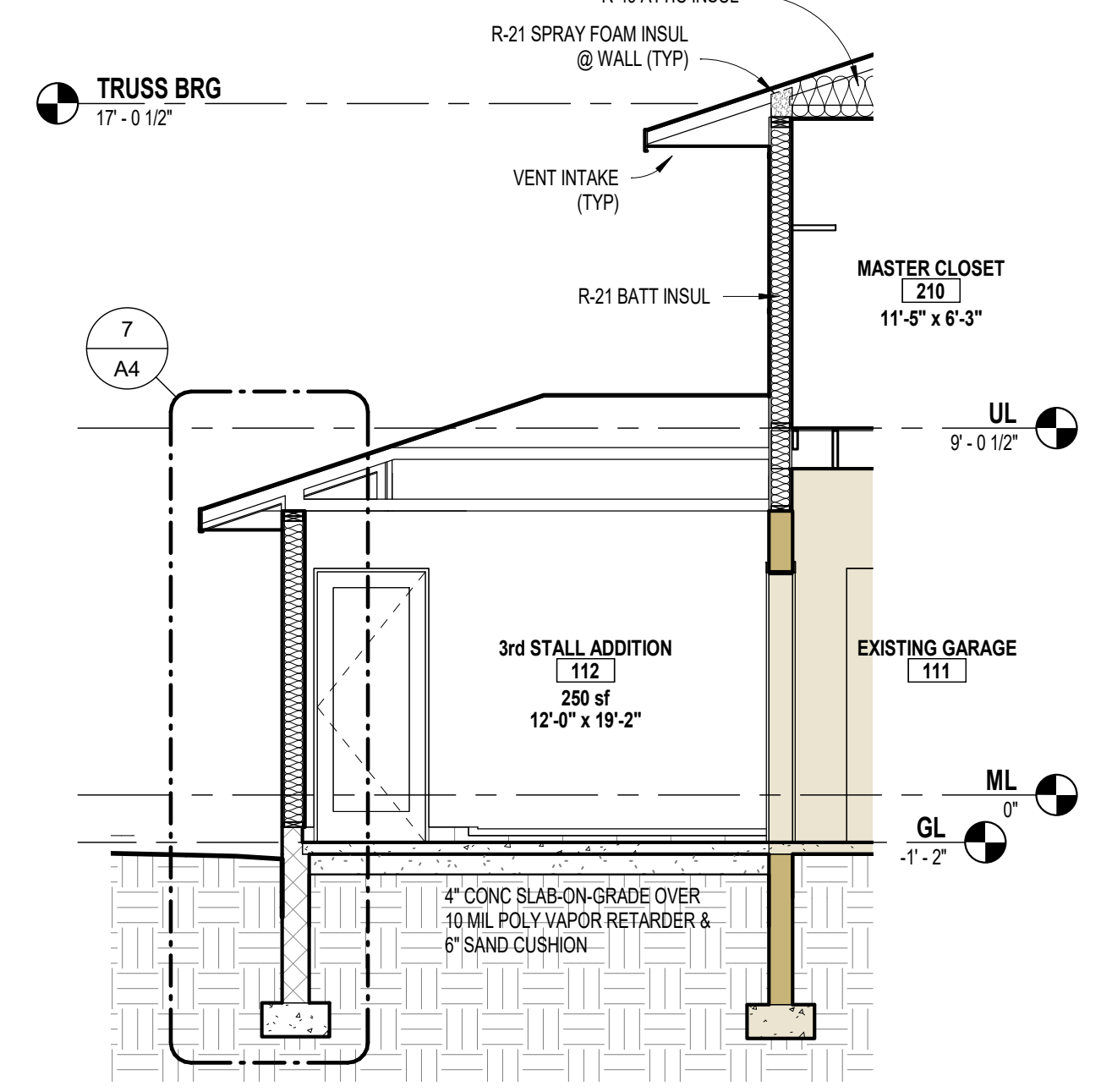
Project Number: 21-003  
Date: AUG 19, 2021  
Drawn By: SDK  
Checked By: SDK  
Issued for Bidding  
**A4**  
Scale: As indicated



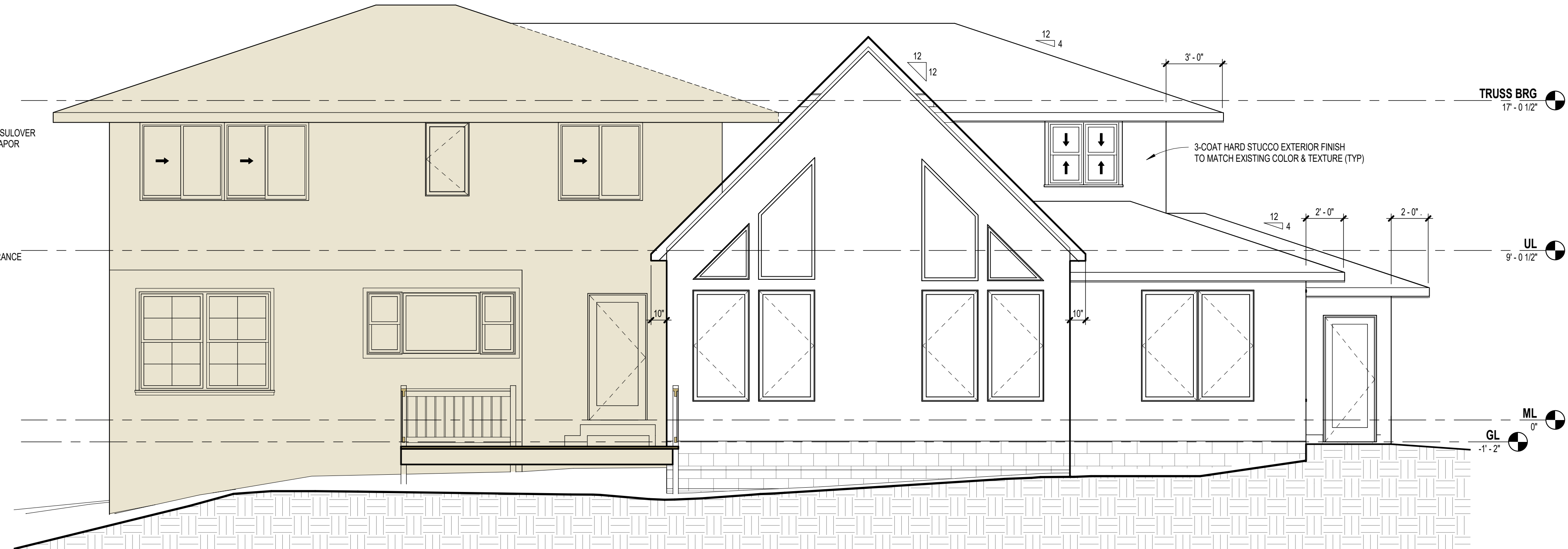
**5 BUILDING SECTION #3**  
SCALE: 1/4" = 1'-0"



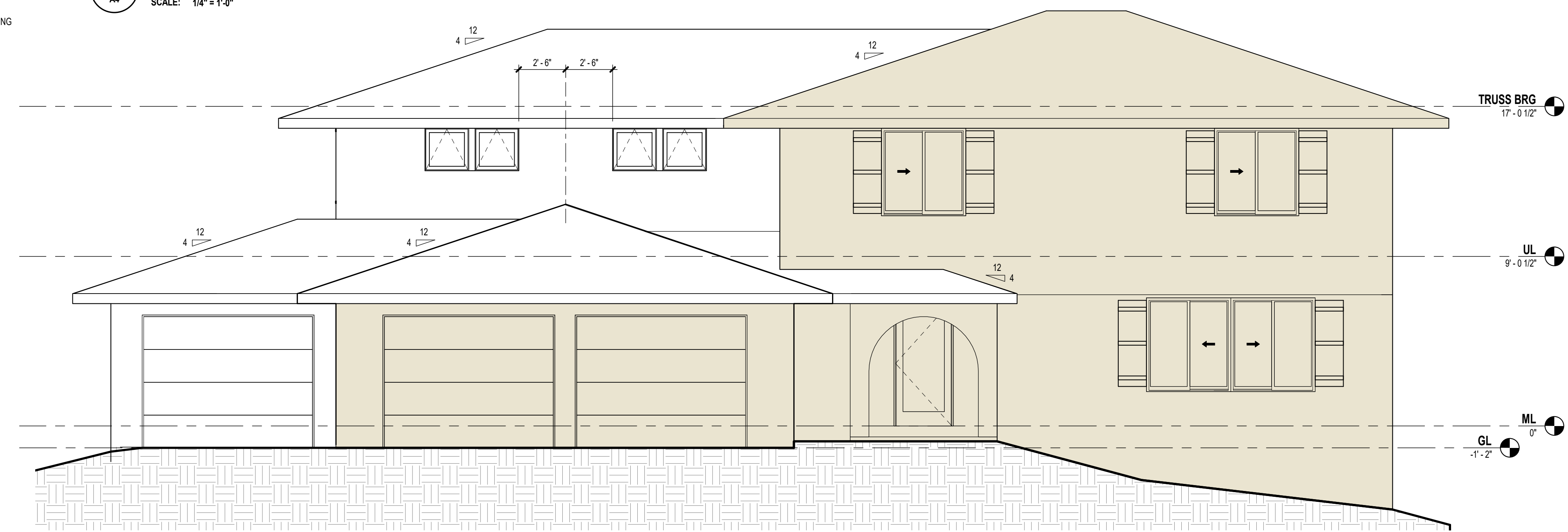
**4 BUILDING SECTION #2**  
SCALE: 1/4" = 1'-0"



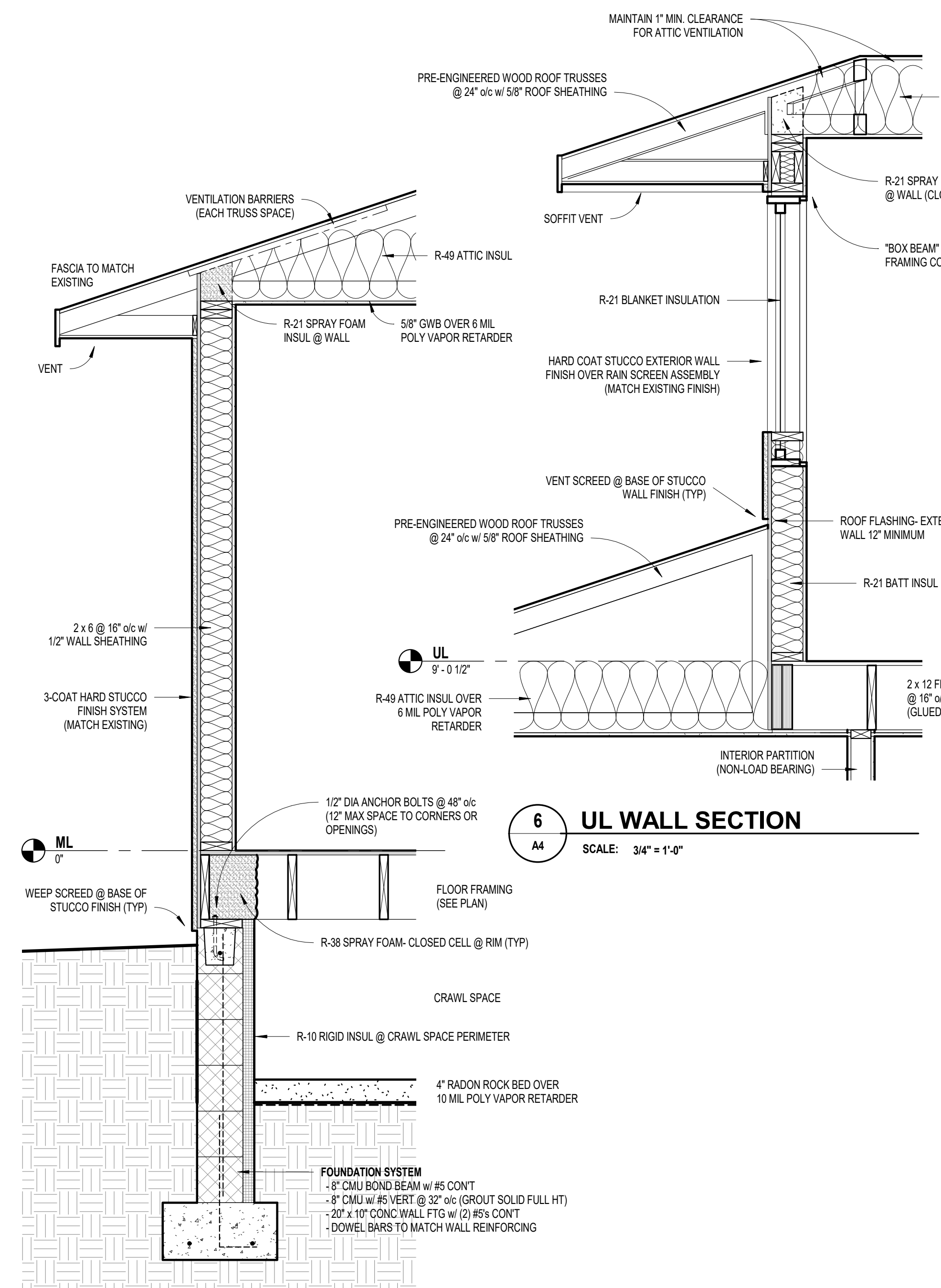
**3 BUILDING SECTION #1**  
SCALE: 1/4" = 1'-0"



**2 NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"

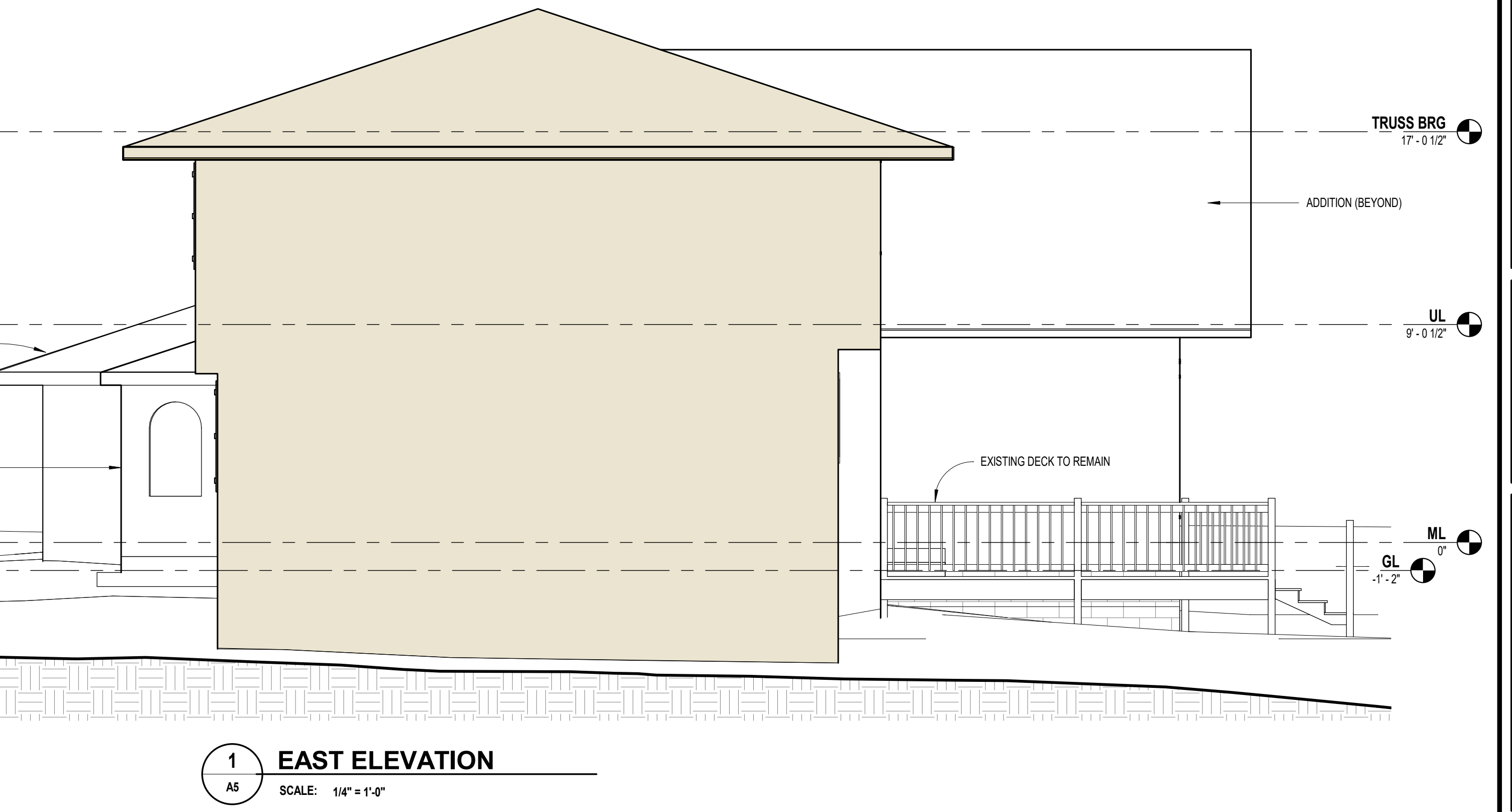
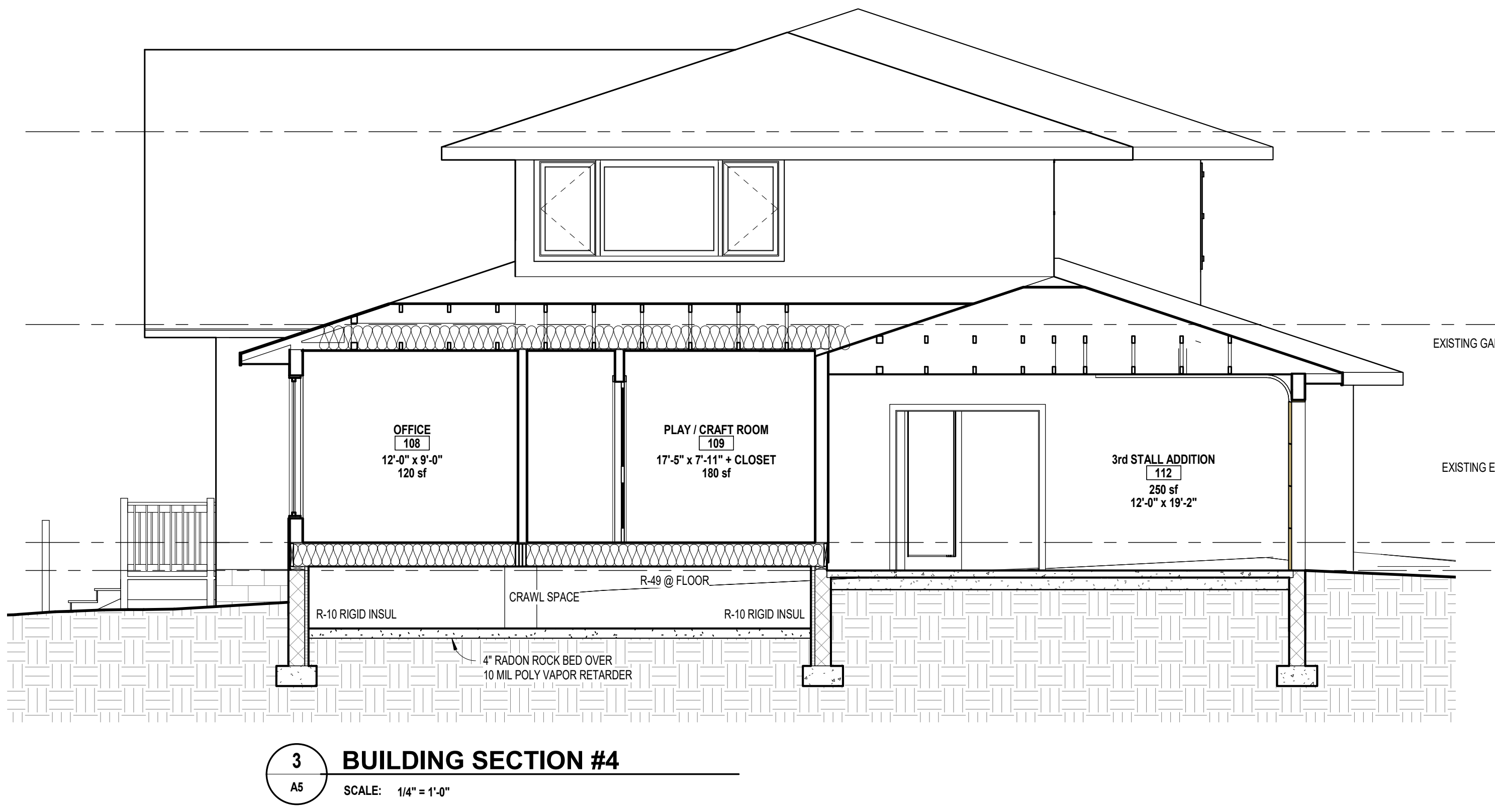
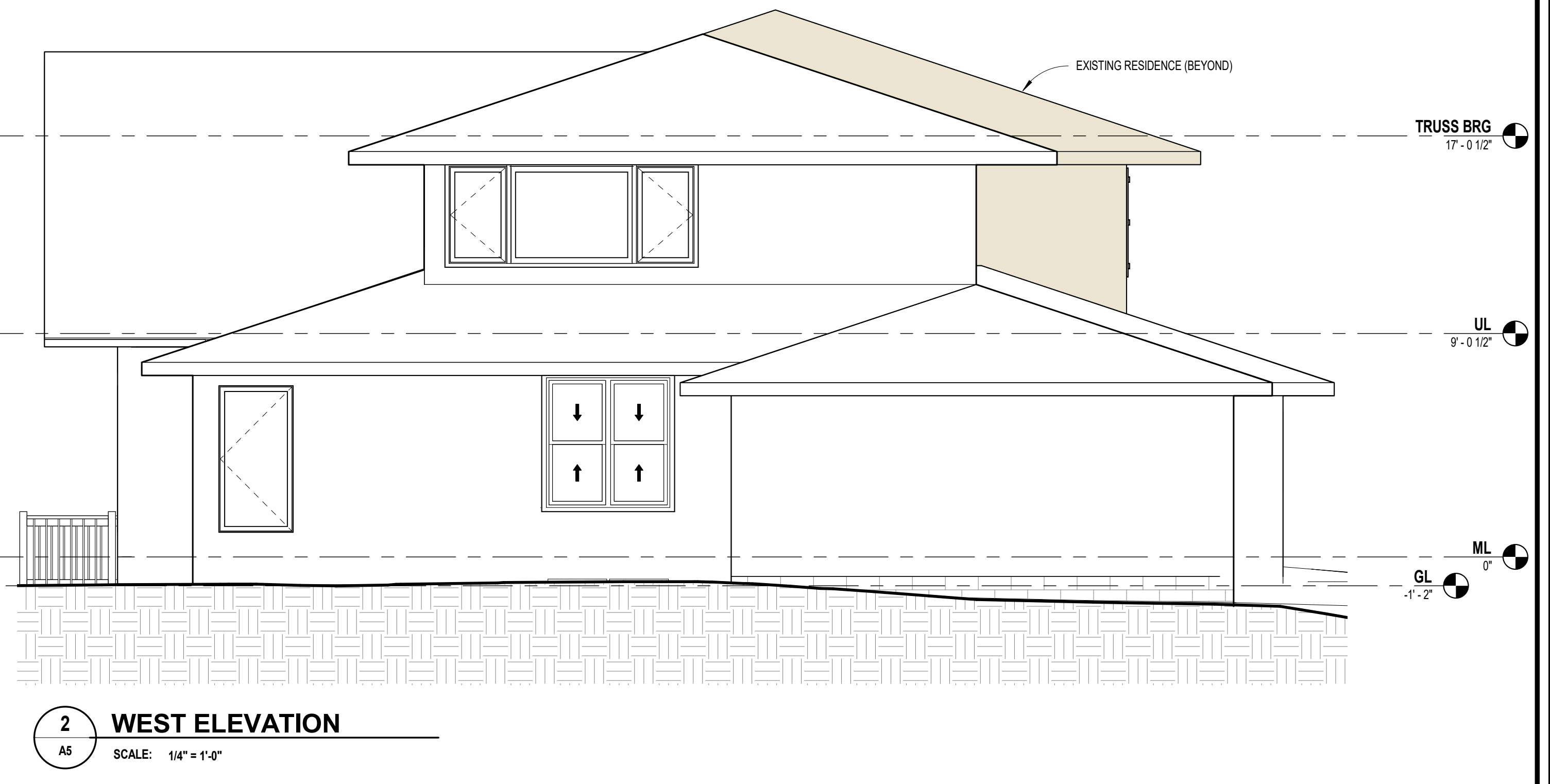
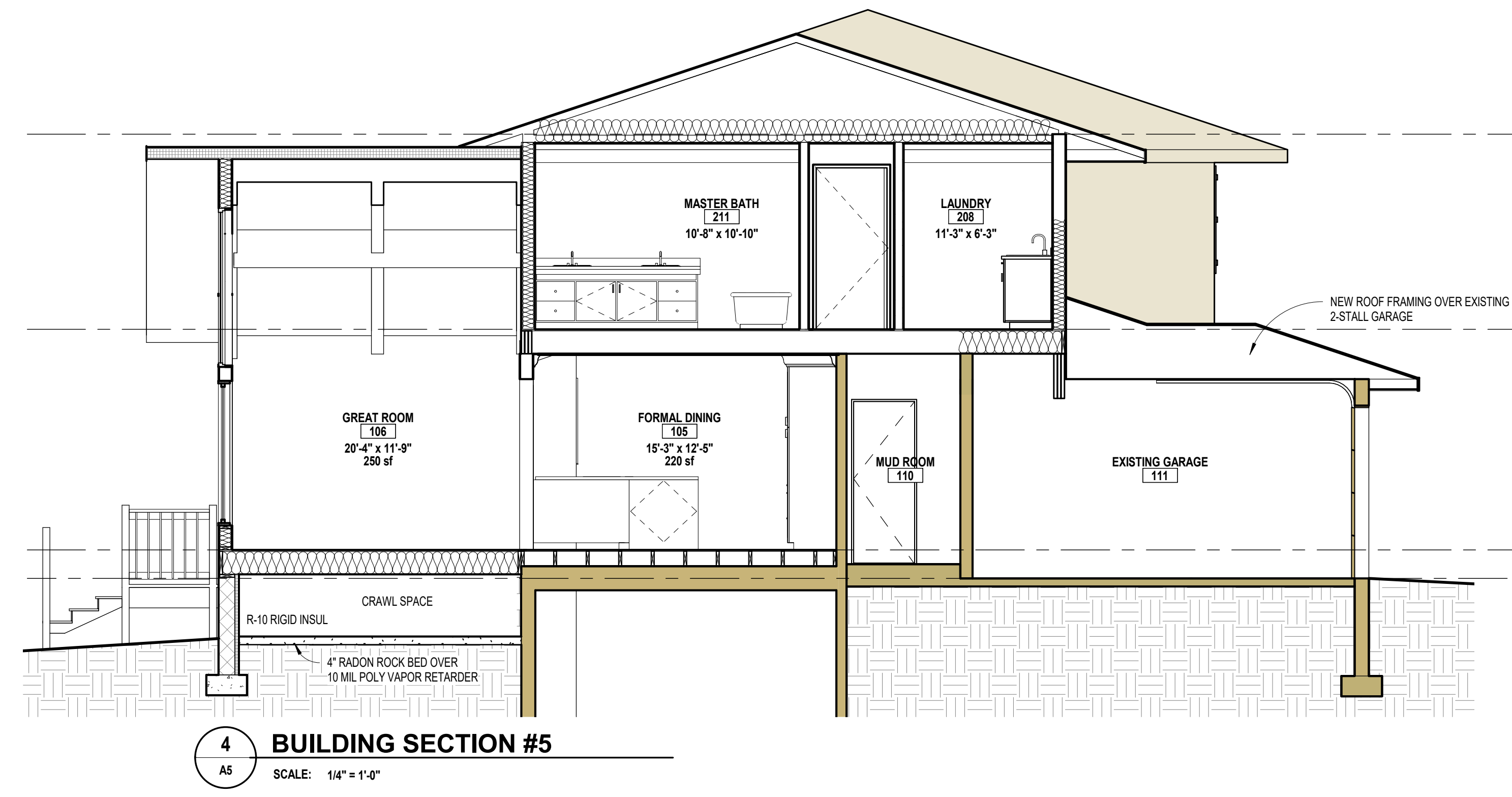
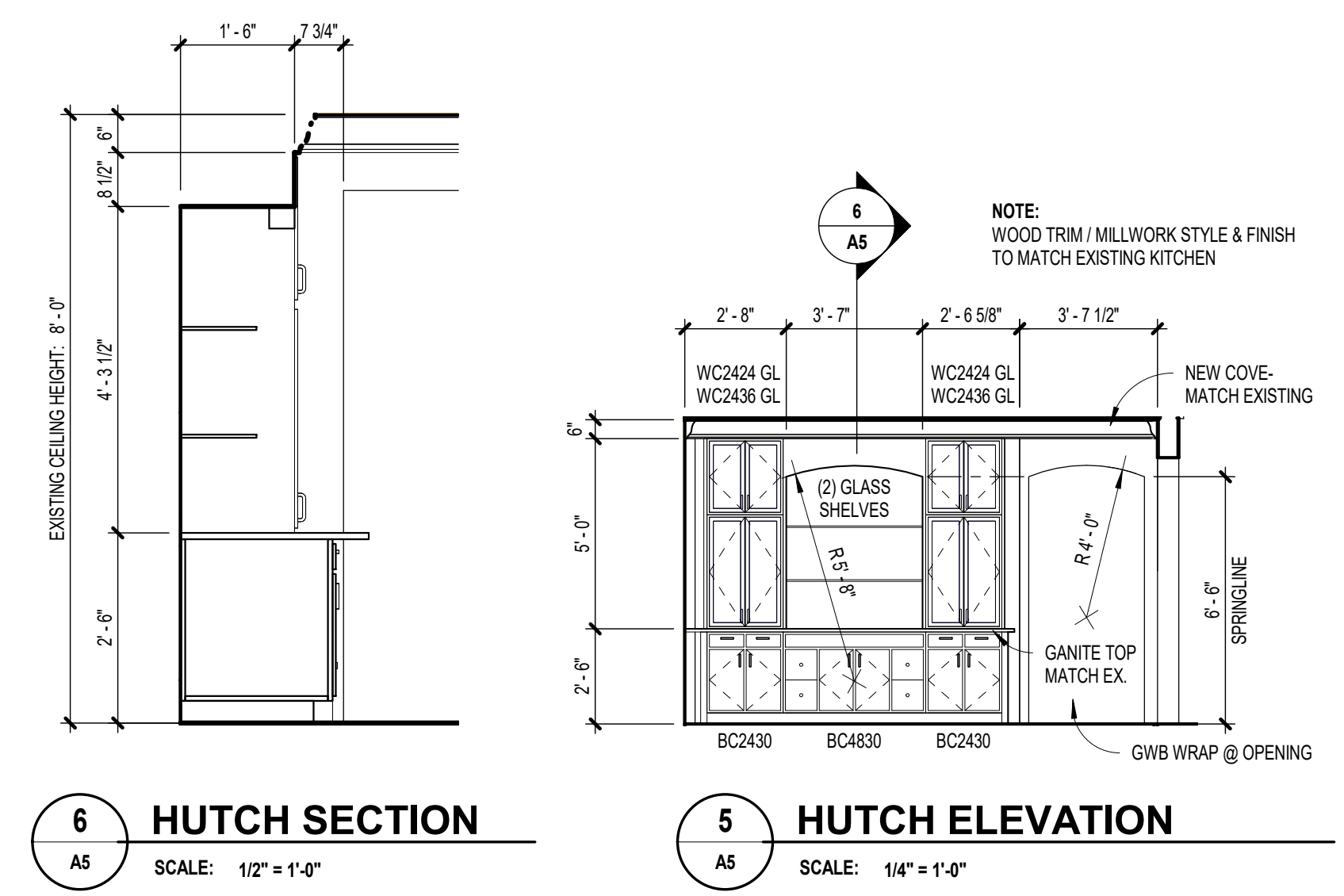


**1 SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"



**6 UL WALL SECTION**  
SCALE: 3/4" = 1'-0"

**7 TYPICAL WALL SECTION**  
SCALE: 3/4" = 1'-0"



**REVISIONS**

#	Description	Date

**EXTERIOR ELEVATIONS / BUILDING SECTIONS**

Project Number: 21-003  
 Date: AUG 19, 2021  
 Drawn By: SDK  
 Checked By: SDK  
 Issued for Bidding  
**A5**  
 Scale: As indicated

## Planning Commission Resolution No. 2021-

### Resolution approving an expansion permit for an addition to the home at 5800 Lake Rose Circle

---

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

Section 1. Background.

- 1.01 The subject property is located at 5800 Lake Rose Circle Grays Bay Blvd. It is legally described as: Lot 3, Block 1, BLACK OAKS ADDITION, Hennepin County, Minnesota.
- 1.02 A home was constructed on the subject property in 1977, prior to the adoption of the city's shoreland ordinance in 1986. The shoreland ordinance requires a 75-foot setback from the ordinary high water level (OHWL) of Lake Rose. The home has a non-conforming shoreland setback of 18 feet.
- 1.03 On behalf of the property owners, Classic Home Renovation is proposing to construct a roughly 1,550 square foot addition to the home. The addition would have a shoreland setback of 41 feet. An expansion permit is required.
- 1.04 Minnesota Statute §462.357 Subd. 1(e)(b) allows a municipality, by ordinance, to permit an expansion of nonconformities.
- 1.05 City Code §300.29 Subd. 3(g) allows expansion of a nonconformity only by variance or expansion permit.
- 1.06 City Code §300.29 Subd. 7(c) authorizes the planning commission to grant expansion permits.

Section 2. Standards.

- 2.01 City Code §300.29 Subd. 7(c) states that an expansion permit may be granted but is not mandated when an applicant meets the burden of proving that:
  - 1. The proposed expansion is a reasonable use of the property, considering such things as functional and aesthetic justifications for the expansion; adequacy of off-site parking for the expansion; absence of adverse off-site impacts from such things as traffic, noise, dust, odors, and parking;

and improvement to the appearance and stability of the property and neighborhood.

2. The circumstances justifying the expansion are unique to the property, are not caused by the landowner, are not solely for the landowner's convenience, and are not solely because of economic considerations; and
3. The expansion would not adversely affect or alter the essential character of the neighborhood.

Section 3. Findings.

3.01 The application for the expansion permit is reasonable and would meet the required standards outlined in City Code §300.29 Subd. 7(c):

1. Reasonableness. The proposed addition is reasonable, as it would be located significantly further from the OHWL than the existing home.
2. Unique Circumstance. Given the required setbacks from OHWL and property lines, the 24,480 square foot property has just 1,690 square feet of buildable area. This is a unique circumstance not common to other similarly zoned properties.
3. Character of Neighborhood. The proposed addition would not impact neighborhood character, as it would be located further from the OHWL than the existing homes on either side of the subject property.

Section 4. Planning Commission Action.

4.01 The planning commission approves the above-described expansion permit 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:
  - Site plan, dated Sept. 24, 2021
  - Building elevations and floor plans, dated Aug. 19, 2021
2. Prior to issuance of a building permit:
  - a) This resolution must be recorded with Hennepin County.
  - b) Submit the following:



- 1) A landscaping plan for staff review and approval. The plan must meet minimum landscaping and mitigation requirements as outlined in the ordinance.
  - 2) A construction management plan. The plan must be in a city-approved format and must outline minimum site management practices and penalties for non-compliance. NOTE: All construction equipment and staging must access the project area from the driveway and southwestern side of the lot, furthest from the shoreland.
  - 3) Cash escrow in the amount of \$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 problems.
- c) Install a temporary rock driveway and erosion control fencing for staff inspection. Redundant silt fence is required for all areas downslope of the project. These items must be maintained throughout the course of construction.
3. This expansion permit will expire on Dec. 31, 2022, unless the city has issued a building permit for the project covered by this resolution or has approved a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on Oct. 14, 2021.

---

Josh Sewell, 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 Oct. 14, 2021.

---

Fiona Golden, Deputy City Clerk

# **Minnetonka Planning Commission Meeting**

## **Agenda Item 8**

Public Hearing: Non-Consent Agenda

**MINNETONKA PLANNING COMMISSION**  
**Oct. 14, 2021**

**Brief Description** Conditional use permit for a 1,500 square foot accessory structure at 13907 McGinty Rd East

**Recommendation** Recommend the city council approves the request.

**Background**

The property at 13907 McGinty Road is located at the intersection of McGinty Road East and Forest Lane. Despite the appearance of a corner lot, Forest Lane is a private drive and is not considered a public right-of-way.

The property is improved with a 3,020 square foot, single-story, rambler-style house.

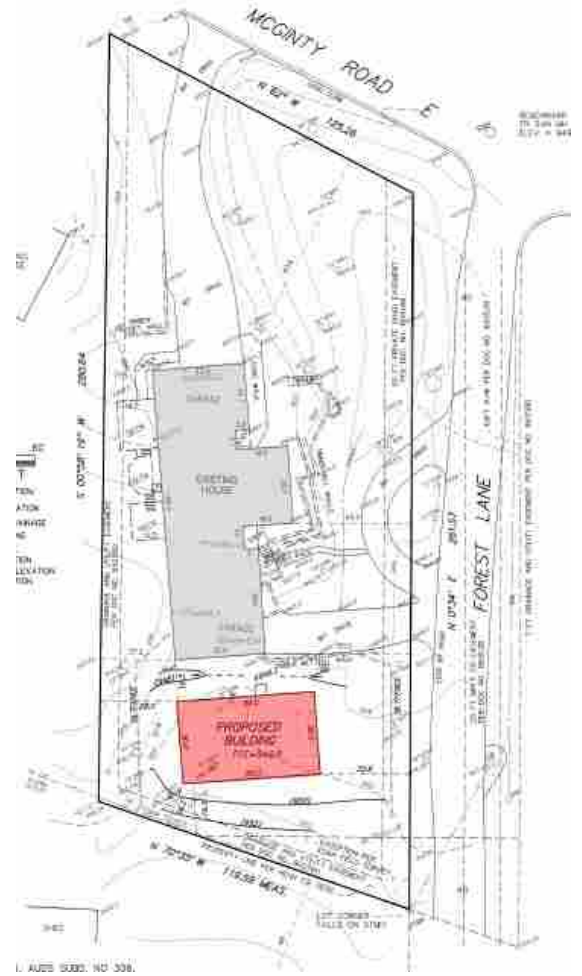
**Introduction**

Marlo Baldwin and Roger Walker are proposing to construct a 1,500 square foot accessory structure to be used as a woodshop. Accessory structures in excess of 1,000 square feet require a conditional use permit.

The following is intended to summarize the proposal:

	<b>City Code</b>	<b>Proposed</b>
<i>Size</i>	up to 1,000 sq. ft.: permitted  1000+ sq. ft.: requires conditional use permit	1,500 sq. ft.
<i>Height</i>	Up to 12 ft.: permitted 12+ ft.: requires conditional use permit	12 ft.
<i>Front yard setback (north)</i>	35 ft.	200 ft.
<i>Side yard setback (east)</i>	15 ft. *	32 ft.
<i>Rear yard setback (south)</i>	15 ft.	16 ft.
<i>Side yard setback (west)</i>	15 ft.	28 ft.

\* The setback would increase to 35 feet if Forest Lane were to open as a public street in the future.



### **Staff Analysis**

Staff finds that the applicant's proposal is reasonable:

- The proposal meets the conditional use permit and site and building plan standards for such structures as outlined in city code.
- Despite the appearance of a corner lot, Forest Lane is a private drive, and the lot would be subject to the "standard" R-1 setback standards. The proposal would meet the required side and rear setbacks. Additionally, the structure would visually appear to meet a front yard setback if Forest Lane is opened as a public right-of-way.

### **Staff Recommendation**

Recommend that the city council adopt the resolution approving a conditional use permit for a 1,500 square foot accessory structure at 13907 McGinty Road East.

Originator: Ashley Cauley, Senior Planner

Through: Loren Gordon, AICP, City Planner

### Supporting Information

**Surrounding Land Uses**

All surrounding properties are zoned R-1, low density residential and guided for low density residential.

**Planning**

Guide Plan designation: low density residential  
Zoning: R-1

**CUP Standards**

The proposal would meet the general conditional use permit standards as outlined in City Code §300.16 Subd.2:

1. The use is consistent with the intent of this ordinance;
2. The use is consistent with the goals, policies, and objectives of the comprehensive plan;
3. The use does not have an undue adverse impact on governmental facilities, utilities, services, or existing or proposed improvements; and
4. The use does not have an undue adverse impact on public health, safety, or welfare.

The proposal would meet the general conditional use permit standards as outlined in City Code §300.16 Subd. 3(f) regarding detached garages, storage sheds, or other accessory structures in excess of 1,000 square feet of gross floor area, or 12 feet in height:

1. Side and rear setbacks equal to the height of the structure or 15 feet, whichever is greater;

**Finding:** The accessory structure would be 12 feet in height and would require side and rear setbacks of 15 feet. The proposed structure would meet the setback requirements.

2. No additional curb cuts are permitted;

**Finding:** No additional curb cuts are proposed. Typically, the city would include a general condition of approval restricting additional curb cuts. However, the staff is not including this as a condition as Forest Lane is a private drive.

3. Not to be used for commercial activities;

**Finding:** The applicant has indicated that the accessory structure would not be used for commercial activities. Nonetheless, this has been included as a condition of approval.

4. Structure to be architecturally consistent with the principal structure;

**Finding:** The structure is reasonably designed. The applicant must provide additional information on the exterior materials for generally consistency with the principal structure.

5. Landscaping to be required to buffer views when highly visible from adjoining properties; and

**Finding:** Existing vegetation will screen the new structure. A tree removal and landscaping plan are included as a condition of approval. Staff will review these plans to ensure that this condition is met at the time of a building permit.

6. Site and building plan subject to review pursuant to section 300.27 of this ordinance;

**Finding:** The proposal would meet the site and building plan standards outlined in Section 300.27 and below.

#### **SBP Standards**

The proposal would comply with all site and building standards as outlined in City Code 300.27 Subd.5

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;

**Finding:** The proposal has been reviewed by the city's planning, building, engineering, natural resources, fire, and public works staff. Staff finds it to be generally consistent with the city's development guides.

2. Consistency with this ordinance;

**Finding:** The proposal would result in a 1,500 sq. ft. accessory structure. This structure would be subordinate to the principal structure and would meet all conditional use permit and setback requirements outlined in the city ordinance.

3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;

**Finding:** Grading and tree removal is required to construct the accessory structure. The proposal would remove four trees. The applicant has located the structure to visually maintain a front yard setback if Forest Lane were ever publicly opened and preserve

the trees, which provide natural screening, along the rear property line.

4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;

**Finding:** The location of the structure allows for the preservation of open space adjacent to the public right-of-way and was located to avoid more intrusive grading.

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:

- a) an internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors, and the general community;
- b) the amount and location of open space and landscaping;
- c) materials, textures, colors, and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and
- d) vehicular and pedestrian circulation, including walkways, interior drives, and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.

**Finding:** The location of the accessory structure was intuitively located so that, if Forest Lane were to open as a public right-of-way in the future, the structure would visually appear to meet a front yard setback requirement. As a condition of approval, the applicant must submit additional information on façade materials for staff to ensure consistency with the existing house.

6. Promotion of energy conservation through design, location, orientation, and elevation of structures, the use and location of the glass in structures and the use of landscape materials and site grading; and

**Finding:** The proposal would require a building permit and would be required to meet minimum energy standards.

7. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air, and those aspects of



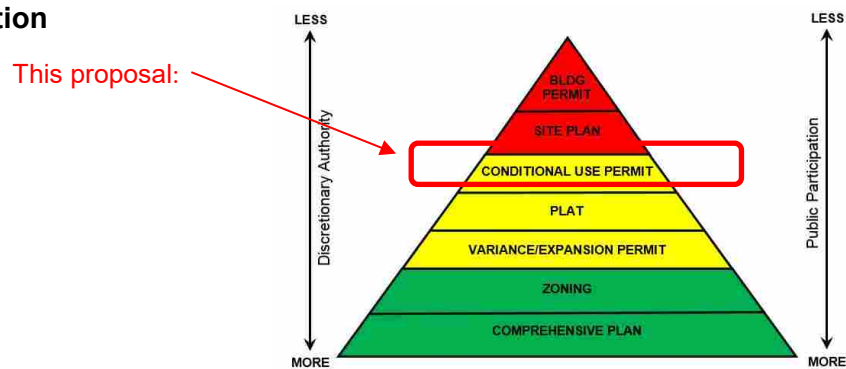
design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

**Finding:** The structure would be screened by existing vegetation and would not be visible from the adjacent public right-of-way. Additional mitigation and landscaping may be required at the time of a building permit.

**Natural Resources**

Best management practices must be followed during the course of site preparation and construction activities. This would include installation and maintenance of a temporary rock driveway, erosion control, and tree protection fencing. As a condition of approval, the applicant must submit a construction management plan detailing these management practices.

**Pyramid of Discretion**



**Voting Requirement**

The planning commission will make a recommendation to the city council. A recommendation for approval requires an affirmative vote of a simple majority.

**Motion Options**

The planning commission has three options:

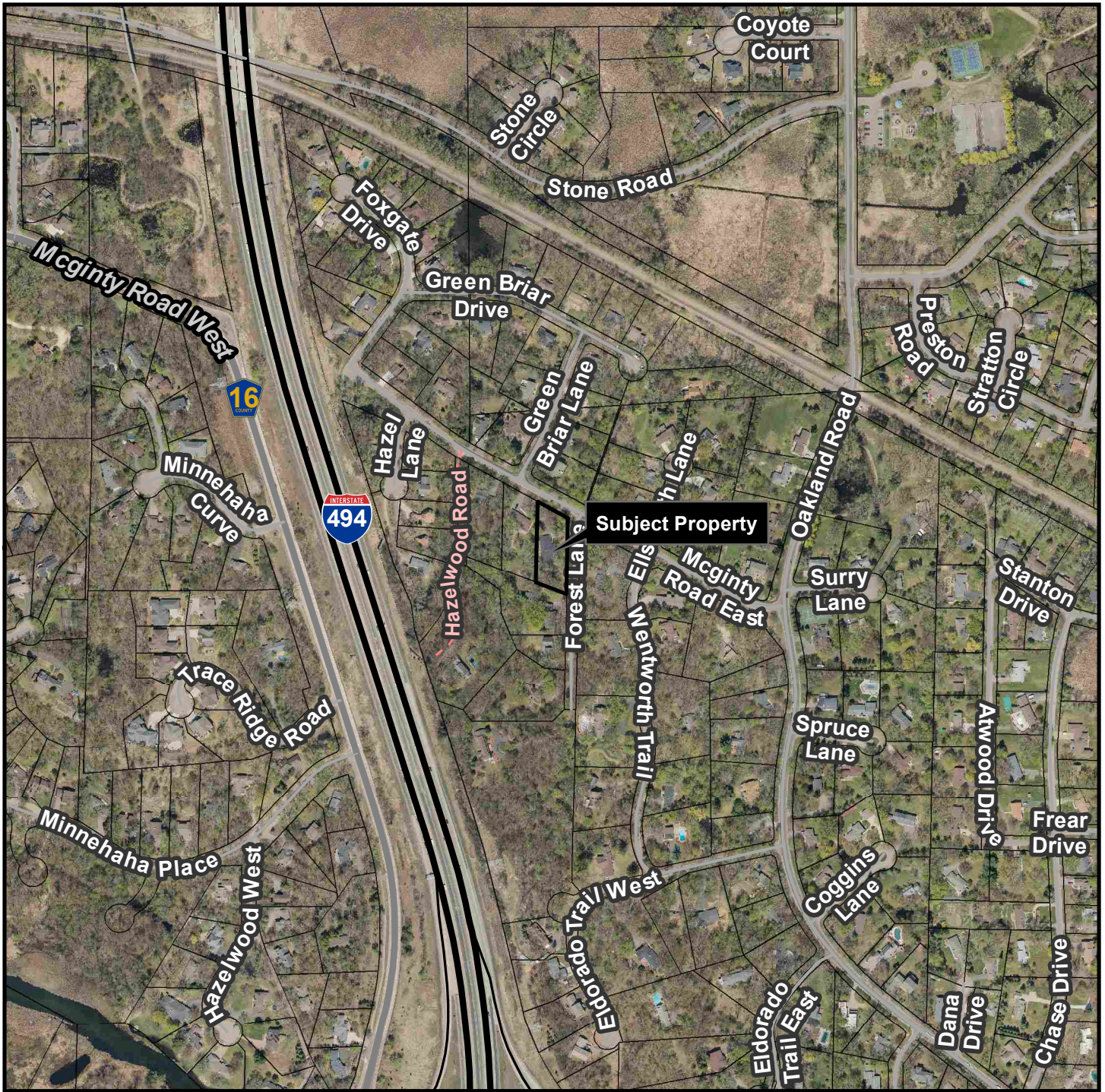
1. Concur with the staff recommendation. In this case, a motion should be made recommending the city council adopt the resolution approving the request.
2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the request. This motion must include a statement as to why denial is recommended.
3. Table the requests. 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.

**Neighborhood Comments**

The city sent notices to 31 area property owners and received no comments.

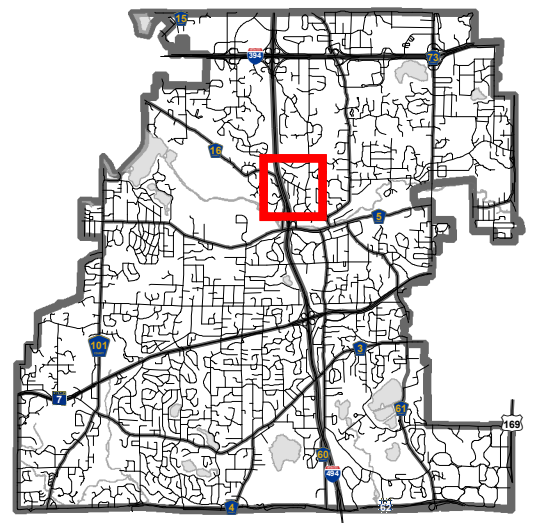
**Deadline for  
Decision**

Dec. 20, 2021



**Location Map**

Project: Baldwin Residence  
 Address: 13907 McGinty Road East



13907 McGinty Road East  
Minnetonka, MN 55305

August 24, 2021

Ms. Ashley Cauley, Senior Planner, and  
Mr. Kevin McDermott, Building Inspector  
City of Minnetonka  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

Re: Conditional Use Permit for 13907 McGinty Road East, Application # **255181**

Dear Ms. Cauley and Mr. McDermott:

We are writing this letter to provide additional information for the Conditional Use Permit we are currently applying for through the City of Minnetonka. This is to build a workshop for my son-in-law's woodworking hobby and to store a vehicle, boat and assorted belongings. In Ms. Cauley's Email of Monday, August 9, 2021, she pointed out several issues that needed to be addressed in the permit application process.

The following information responds to the Condition Use Permit bullets. Specifically:

- **The side and rear setbacks** are 16.2 feet and 28 feet (south and west respectively) from the nearest property lines. For height, the building per the building height definition used by the City, will be 12 feet (see Page 5) On the east, the proposed building would be 32.8 feet from Forest Lane and approximately 15.3 feet from the existing home to the north. We understand this all to be within the City's acceptable distances. Please see the new Survey Document, Page 4, dated 8/24/2021 submitted with this application process for more details.
- There are **no additional curb cuts** needed or required for the workshop proposed.
- We understand this building **cannot be used for commercial purposes** and will not do so. This was never part of the purpose of building the workshop; it's just for personal use and enjoyment.
- **We don't think the structure will be highly visible from adjoining properties.** Roger Walker has talked to all neighbors on Forest Lane and the neighbor whose backyard faces the front of the house and proposed structure. They have not indicated any concerns to us about the structure or landscaping. **If you all determine it is or if a neighbor does express concerns, we are more than willing to add landscaping to buffer views for neighbors and pledge to work with the City to ensure appropriateness.**
- We understand the site and building plan will be **subject to review per City Ordinance 300.27** and believe we would be in compliance with such for the Conditional Use Permit process.

**Survey:** Our resubmitted information includes a copy of the survey with the proposed building structure on it to allow staff to ensure proper set backs are met. See the first bullet above for more information and the referenced new attachment, Page 4.

**Building Height:** Thank-you for answering our questions on building height by the email and through the phone call yesterday, Monday, August 23, 2021. We understand the height limits/requirements and believe we are in compliance with those planning for 12 feet. See page 5.

**Plan:** We believe the application package additions – page 4: Proposed building location on surveyed site; and page 5, building height indication inclusion – respond to your notes there.

**Table of Contents for the Application Package included in Project Docx:**

1. **Page 1 and 2:** Original two page Residential Building Permit Application with notes on updates submitted 8/6/2021 and now 8/24/2021
2. **Page 3:** Original survey submitted without proposed building
3. **Page 4: New submission,** original survey with proposed building located on it. Indicates set backs and other dimensions.
4. **Page 5:** Basic structure of Workshop Building not drawn to scale but including dimensions for the new proposed structure. Specifically note **NEW** 12 foot high building height, see A on the attachment. Overall building dimensions, windows, transit windows and entry passage doors dimensions are listed as well as garage door opening with directional views.
5. **Page 6:** No new updates on this view. Showing walls, siding, engineered trusses and flooring summary plans with relevant dimensions.
6. **Page 7:** Foundation plan. No new updates. Shows freeze wall and footings cross section dimensions as well as noting rebar, anchor bolts and spacing plans.

Thank-you again for all your help and from that of other staff members at the City. We hope third try on the submission will meet the needs. However, if there are additional questions please let us know. We understand time is of the essence to fit into earliest available fall committee meeting.

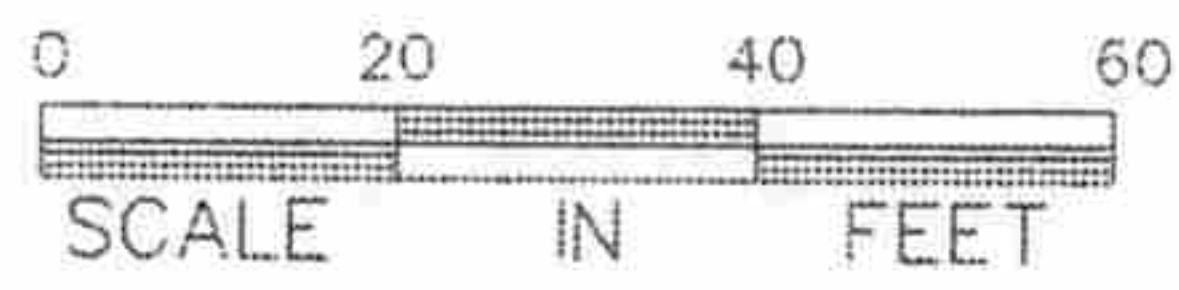
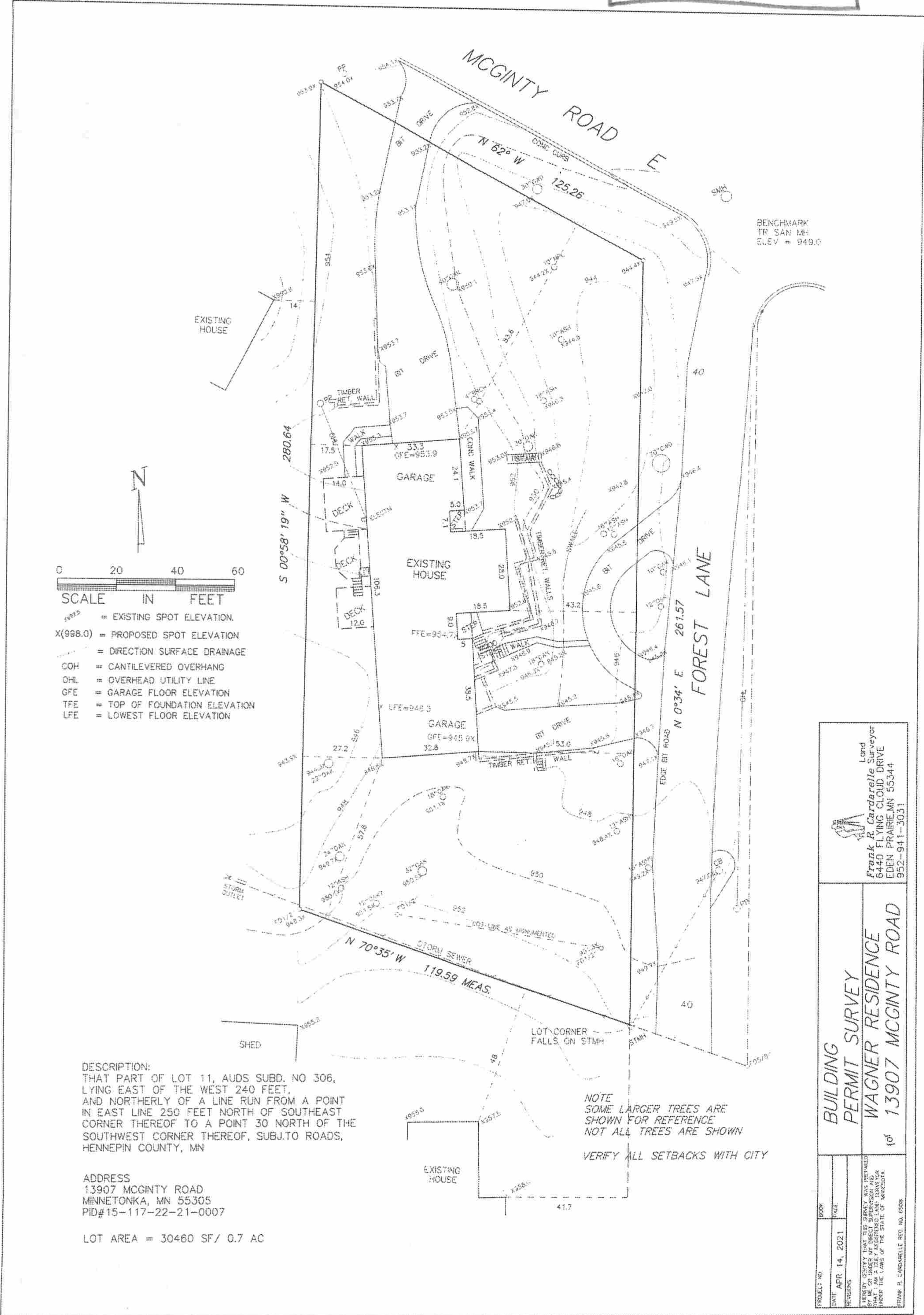
Yours truly,



Roger Walker



Marlo Baldwin




- = EXISTING SPOT ELEVATION.
- X(998.0) = PROPOSED SPOT ELEVATION
- - - = DIRECTION SURFACE DRAINAGE
- COH = CANTILEVERED OVERHANG
- OHL = OVERHEAD UTILITY LINE
- GFE = GARAGE FLOOR ELEVATION
- TFE = TOP OF FOUNDATION ELEVATION
- LFE = LOWEST FLOOR ELEVATION

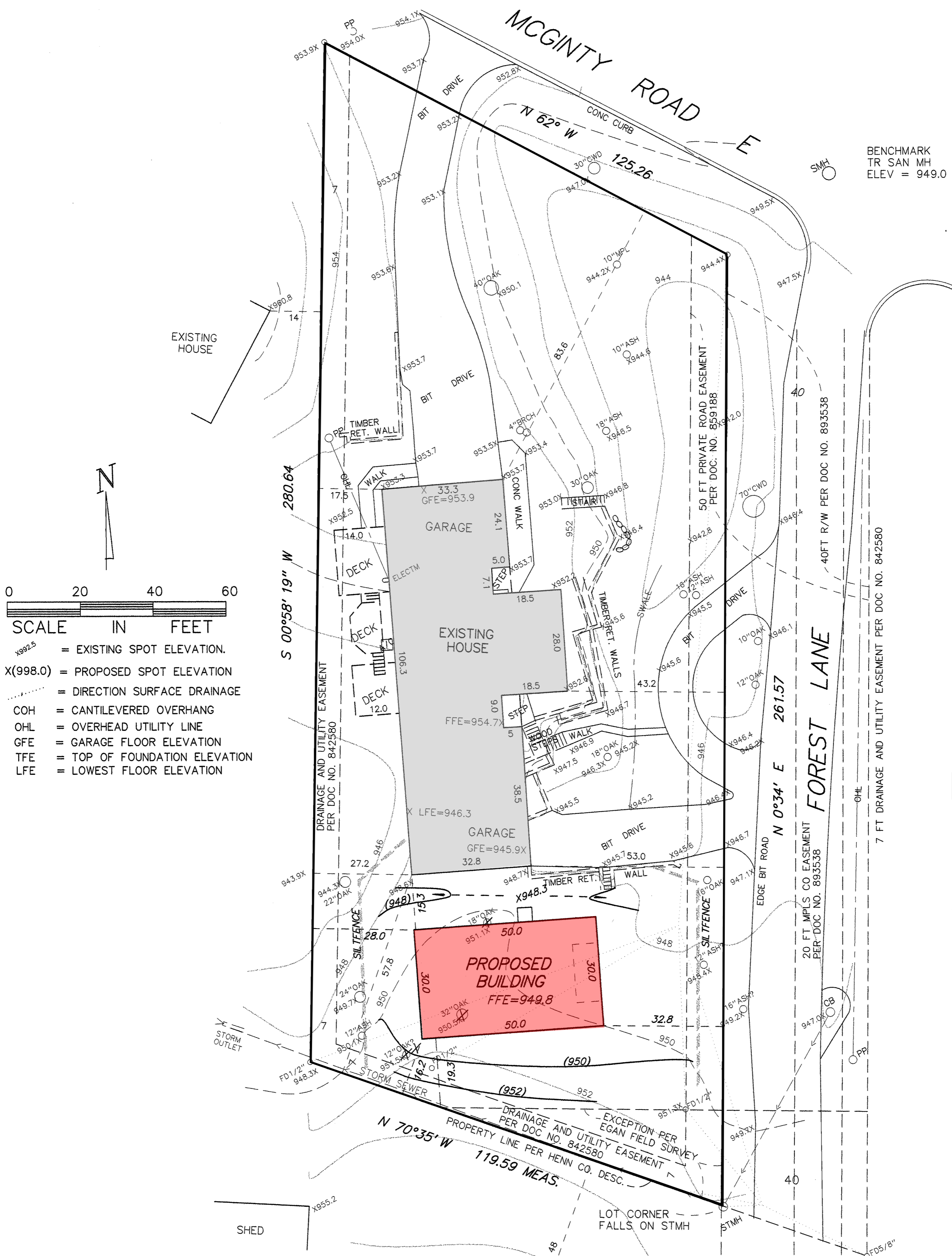
DESCRIPTION:  
 THAT PART OF LOT 11, AUDS SUBD. NO 306,  
 LYING EAST OF THE WEST 240 FEET,  
 AND NORTHERLY OF A LINE RUN FROM A POINT  
 IN EAST LINE 250 FEET NORTH OF SOUTHEAST  
 CORNER THEREOF TO A POINT 30 NORTH OF THE  
 SOUTHWEST CORNER THEREOF, SUBJ. TO ROADS,  
 HENNEPIN COUNTY, MN

ADDRESS  
 13907 MCGINTY ROAD  
 MINNETONKA, MN 55305  
 PID#15-117-22-21-0007

LOT AREA = 30460 SF/ 0.7 AC

NOTE  
 SOME LARGER TREES ARE  
 SHOWN FOR REFERENCE  
 NOT ALL TREES ARE SHOWN  
 VERIFY ALL SETBACKS WITH CITY

 Land Frank R. Cardarelle Surveyor 6440 FLYING CLOUD DRIVE EDEN PRAIRIE, MN 55344 952-941-3031	
BUILDING PERMIT SURVEY WAGNER RESIDENCE 13907 MCGINTY ROAD	
PROJECT NO. SHEET REVISIONS	BOOK APR 14, 2021 1
I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED SURVEYOR AS AUTHORIZED UNDER THE LAWS OF THE STATE OF MINNESOTA FRANK R. CARDARELLE, REG. NO. 6508	



0 20 40 60  
**SCALE IN FEET**

Y992.5 = EXISTING SPOT ELEVATION.  
 X(998.0) = PROPOSED SPOT ELEVATION  
 --- = DIRECTION SURFACE DRAINAGE  
 COH = CANTILEVERED OVERHANG  
 OHL = OVERHEAD UTILITY LINE  
 GFE = GARAGE FLOOR ELEVATION  
 TFE = TOP OF FOUNDATION ELEVATION  
 LFE = LOWEST FLOOR ELEVATION

**DESCRIPTION:**  
 THAT PART OF LOT 11, AUDS SUBD. NO 306,  
 LYING EAST OF THE WEST 240 FEET,  
 AND NORTHERLY OF A LINE RUN FROM A POINT  
 IN EAST LINE 250 FEET NORTH OF SOUTHEAST  
 CORNER THEREOF TO A POINT 30 FT NORTH OF THE  
 SOUTHWEST CORNER THEREOF, SUBJ. TO ROADS,  
 HENNEPIN COUNTY, MN

**ADDRESS**  
 13907 MCGINTY ROAD  
 MINNETONKA, MN 55305  
 PID#15-117-22-21-0007

**LOT AREA = 30460 SF/ 0.7 AC**

**NOTE**  
 SOME LARGER TREES ARE  
 SHOWN FOR REFERENCE  
 NOT ALL TREES ARE SHOWN  
 SURVEY IS SUBJECT TO  
 CHANGE PER TITLE OR  
 EASEMENT INFORMATION

41.7 **VERIFY ALL SETBACKS WITH CITY**

BENCHMARK  
 TR SAN MH  
 ELEV = 949.0

Land  
**Frank R. Cardarelle** Surveyor  
 6440 FLYING CLOUD DRIVE  
 EDEN PRAIRIE, MN 55344  
 952-941-3031

**BUILDING PERMIT SURVEY**  
**WAGNER RESIDENCE**  
**13907 MCGINTY ROAD**

9/23/21 ADD EASEMENTS, NOTES  
 PER EGAN FIELD 1987 SURVEY  
 8/23/21 PROPOSED

PROJECT NO.	BOOK
DATE	PAGE
APR 14, 2021	
REVISIONS	

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED  
 BY ME OR UNDER MY SUPERVISION AND THAT I AM A LICENSED SURVEYOR  
 UNDER THE LAWS OF THE STATE OF MINNESOTA.

FRANK R. CARDARELLE REG. NO. 6508

Updated 8/6/2021

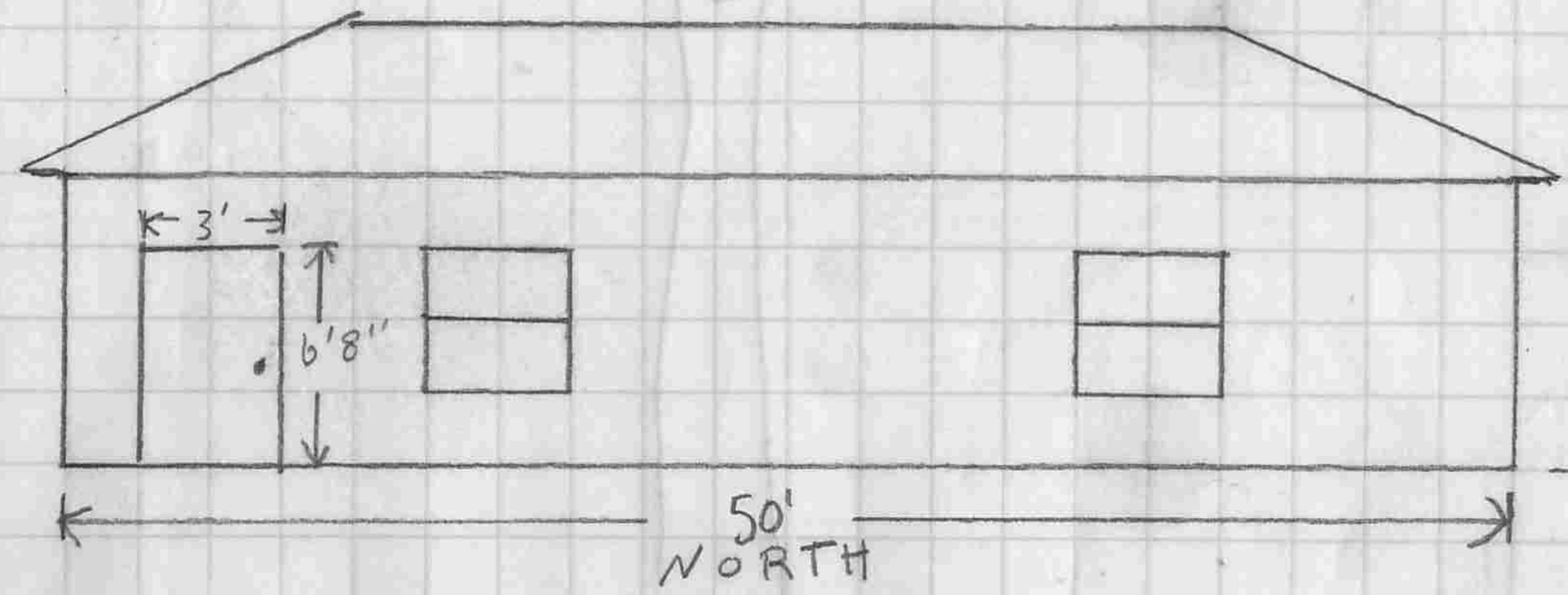
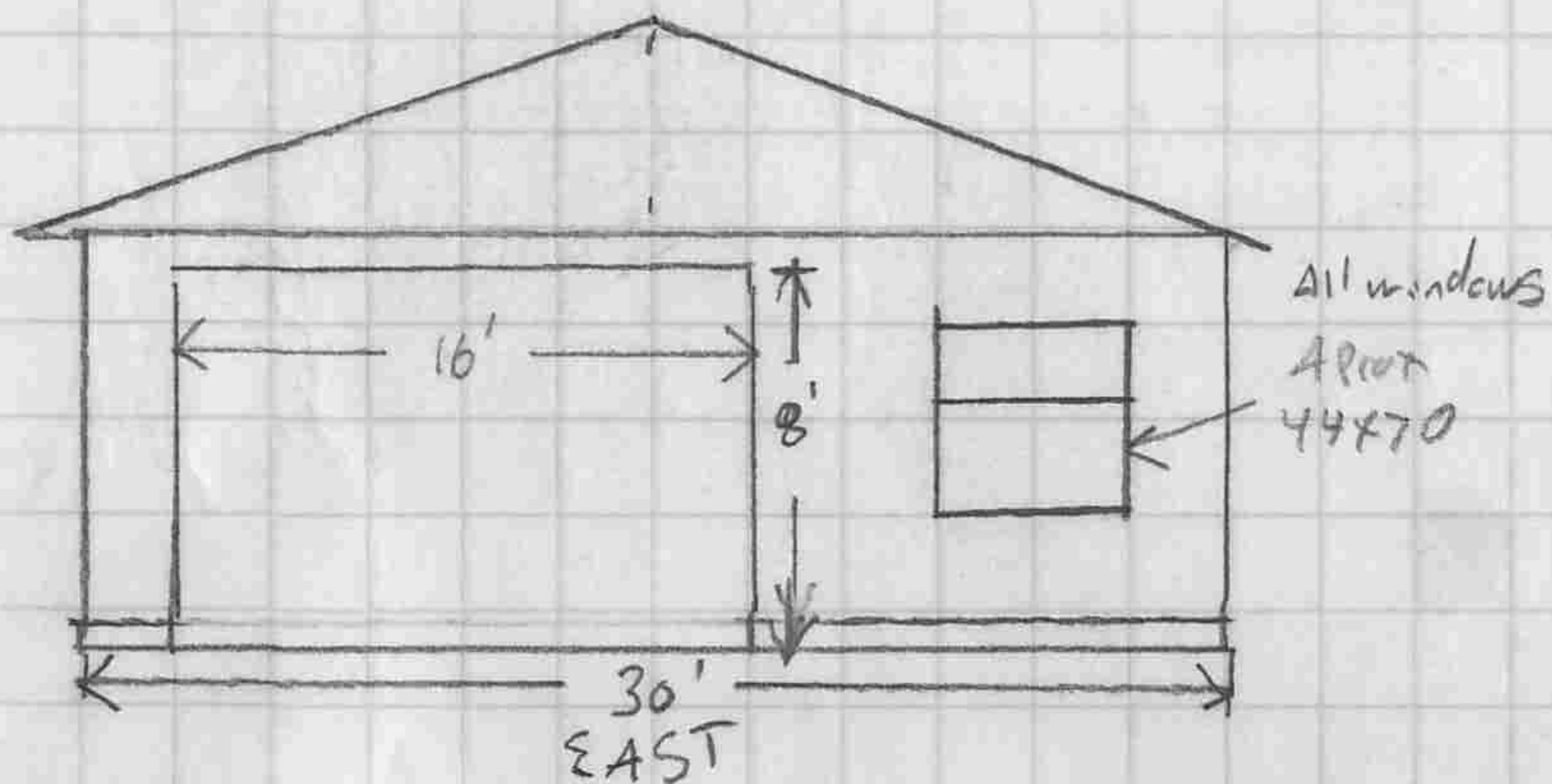
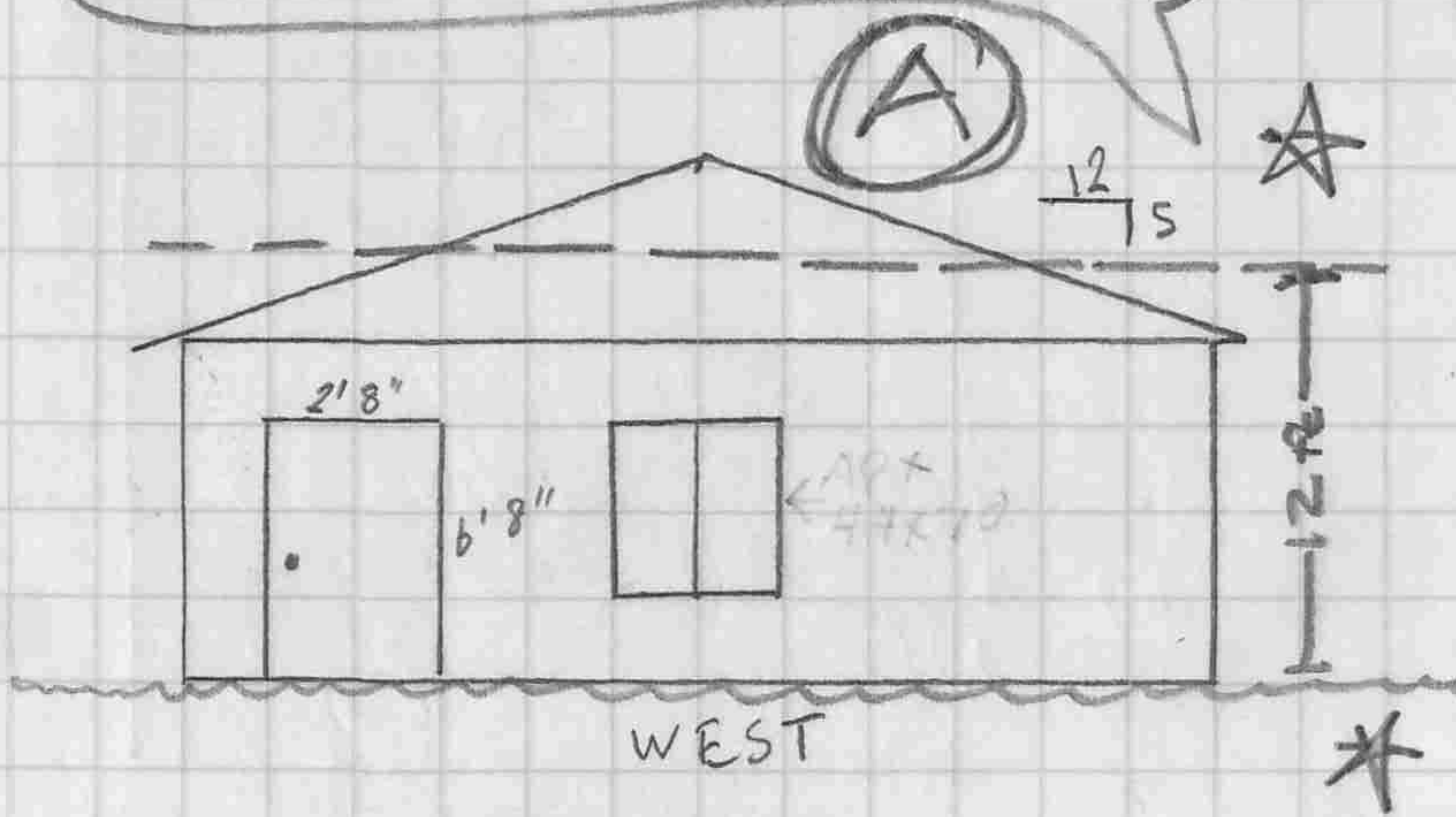
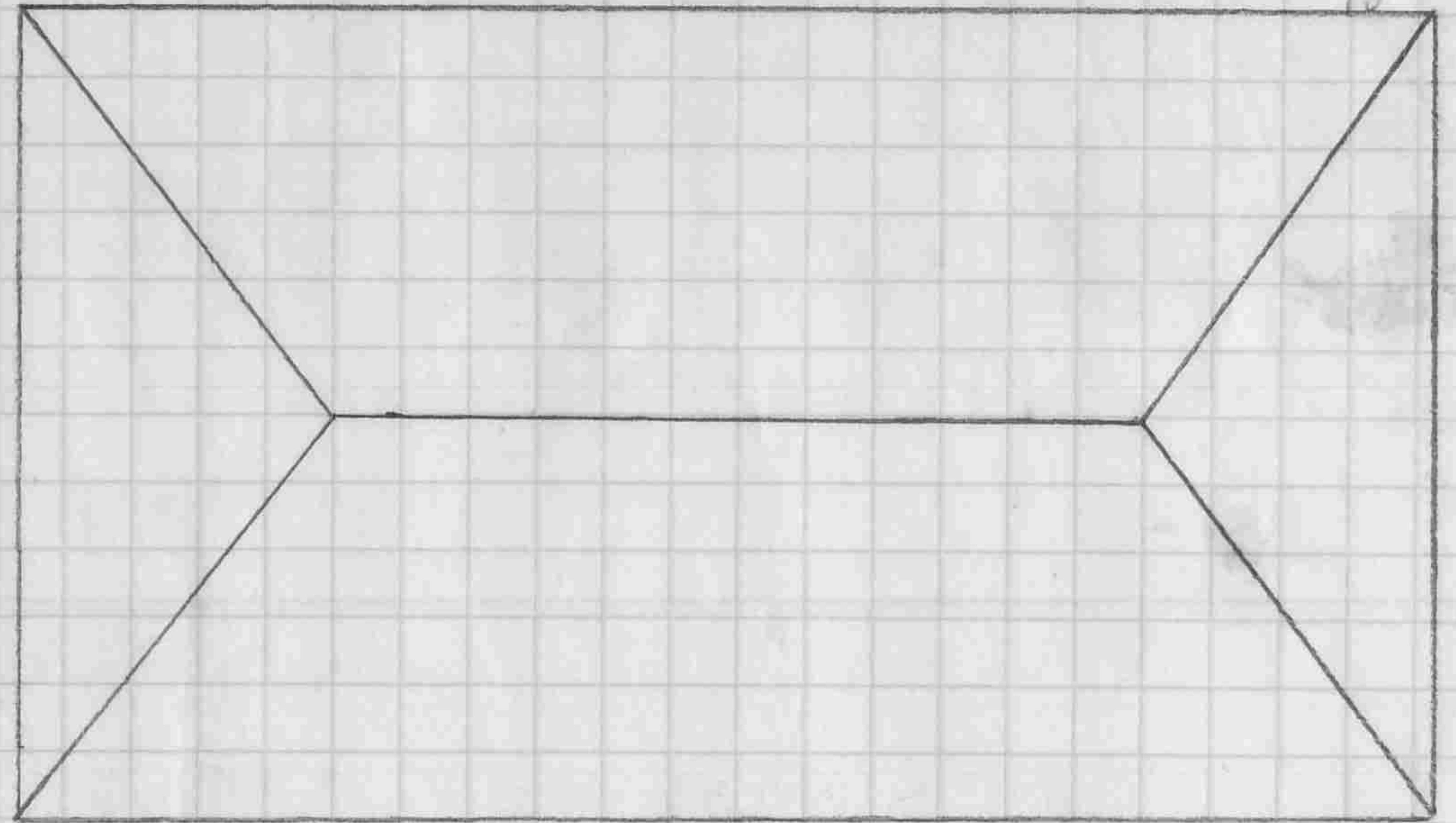
for Headers:

- Windows & Transit windows & Entry Passage doors double 2" x 10"

- Garage door opening double 12" microlam

Updated 8/18/2021

\* Bldg Height 12 ft





Not to Scale

UPDATE: 8/6/2021

- Anchor BOLTS concrete to wood installed 1/2" anchor bolts imbedded

Roofing to match existing house Roof  
Asfalt shingles  
Felt.

7" into the foundation  
spaced 6ft. max. apart.

12  
5

Enganered trusses to span the entire 30' span 2" o/c

Ty8 2" soffit

Walls to be  
2x6 16" o/c

Insulated with  
Faced bats.

Siding

Plywood 7/16" min  
Vertical battens  
To match existing  
house

PAGE 6

FLOOR

2" Foam Insulation / 6x6 wire mesh / 3"-4" Concrete

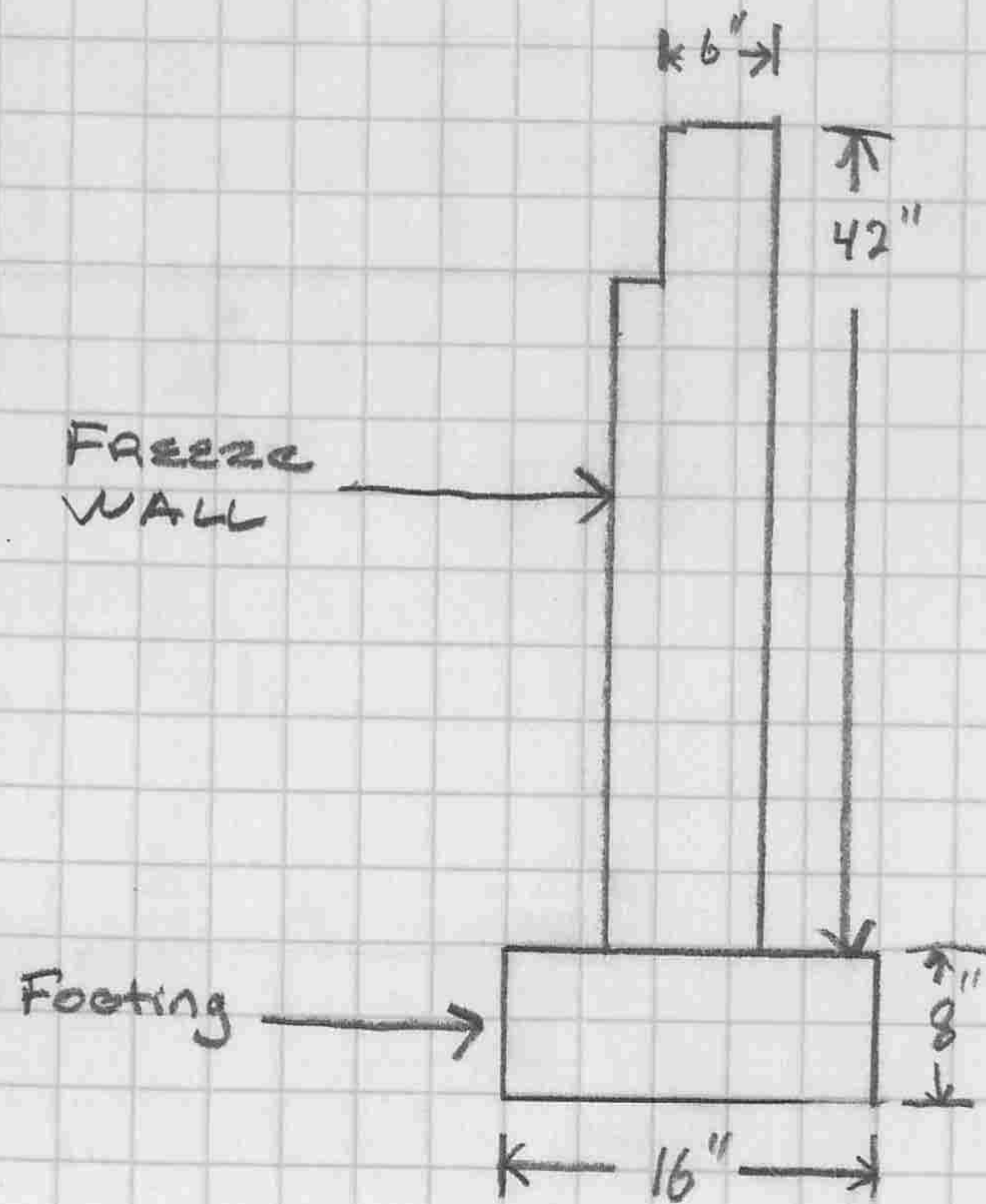
With in floor  
radiant hot water heat.

UPDATED: 8/6/2021

# Foundation Plan

NOT TO SCALE

Note: Rebar reinforced footing and wall per code, including 1/2" anchor bolts imbedded min. 7" into freeze wall spaced max. 6ft. apart.



**Resolution No. 2021-**

**Resolution approving a conditional use permit for a 1,500 square foot accessory structure at 13907 McGinty Road East**

---

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

Section 1. Background.

1.01 Marlo Baldwin and Roger Walker have requested a conditional use permit for an accessory structure in excess of 1,000 square feet.

1.02 The property is located at 13907 McGinty Road East. It is legally described as:

That part of Lot 11, AUDS SUBD. No 306, lying east of the west 240 feet, and Northerly of a line run from a point in east line 250 feet north of southeast corner thereof to a point 30 feet north of the southwest corner thereof, subject to roads, Hennepin County, MN

1.03 On Oct. 14, 2021, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the permit.

Section 2. Standards.

2.01 City Code §300.16 Subd. 2 outlines the general standards that must be met for granting a conditional use permit. These standards are incorporated into this resolution by reference.

2.02 City Code §300.16 Subd. 3(f) outlines the following specific standards that must be met for granting a conditional use permit for such facilities:

1. Side and rear setbacks equal to the height of the structure or 15 feet, whichever is greater;
2. No additional curb cuts are permitted;
3. Not to be used for commercial activities;

4. Structure to be architecturally consistent with the principal structure;
5. Landscaping to be required to buffer views when highly visible from adjoining properties; and
6. Site and building plan subject to review pursuant to section 300.27 of this ordinance.

Section 3. Findings.

3.01 The proposal meets the general conditional use permit standards outlined in City Code §300.16 Subd.2.

3.02 The proposal meets the specific conditional use permit standards outlined in City Code §300.16 Subd.3(a).

1. The accessory structure would be 12 feet in height and would require side and rear setbacks of 15 feet. The proposed structure would meet the setback requirements.
2. No additional curb cuts are proposed. Typically, the city would include a general condition of approval restricting additional curb cuts. However, the staff is not including this as a condition because Forest Lane is a private drive.
3. The applicant has indicated that the accessory structure would not be used for commercial activities. Nonetheless, this has been included as a condition of approval.
4. The structure is reasonably designed. The applicant must provide additional information on the exterior materials for general consistency with the principal structure prior to the issuance of a building permit. This has been included as a condition of approval.
5. The proposal meets site and building plan standards outlined in City Code §300.27 Subd. 5
  - a) The proposal has been reviewed by the city's planning, building, engineering, natural resources, fire, and public works staff. Staff finds it to be generally consistent with the city's development guides.
  - b) The proposal would result in a 1,500 sq. ft. accessory structure. This structure would be subordinate to the principal structure and would meet all conditional use permit and setback requirements outlined in the city ordinance.
  - c) Grading and tree removal are required to construct the accessory structure. The proposal would remove four trees. The applicant

has located the structure to visually maintain a front yard setback if Forest Lane were ever publicly opened and preserve the trees, which provide natural screening, along the rear property line.

- d) The location of the structure allows for the preservation of open space adjacent to the public right-of-way and was located to avoid more intrusive grading.
- e) The location of the accessory structure was intuitively located so that, if Forest Lane were to open as a public right-of-way in the future, the structure would visually appear to meet a front yard setback requirement. As a condition of approval, the applicant must submit additional information on façade materials for staff to ensure consistency with the existing house.
- f) The proposal would require a building permit and would be required to meet minimum energy standards.
- g) The structure would be screened by existing vegetation and would not be visible from the adjacent public right-of-way. Additional mitigation and landscaping may be required at the time of a building permit.

Section 4. City Council Action.

4.01 The above-described conditional use permit is approved, subject to the following conditions:

1. This resolution must be recorded with Hennepin County.
2. A building permit is required. The following items are required prior to the release of a building permit:
  - a) Submit information on façade materials that is generally consistent with the principle structure.
  - b) Submit a tree mitigation plan. This plan must meet minimum mitigation requirements as outlined ordinance. However, at the sole discretion of staff, mitigation may be decreased.
  - c) Submit a landscaping plan.
3. The accessory structure cannot be used for commercial activities.
4. Install a temporary rock driveway, erosion control, tree, wetland protection fencing, and any other measures identified as the SWPPP for staff inspection. These items must be maintained throughout the course of construction.

5. The city council may reasonably add or revise conditions to address any future unforeseen problems.
6. Any change to the approved use that results in a significant increase in a significant change in character would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on Nov. 8, 2021.

---

Brad Wiersum, Mayor

Attest:

---

Becky Koosman, 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 City Council of the City of Minnetonka, Minnesota, at a meeting held on Nov. 8, 2021.

---

Becky Koosman, City Clerk

**MINNETONKA PLANNING COMMISSION**  
**Oct. 14, 2021**

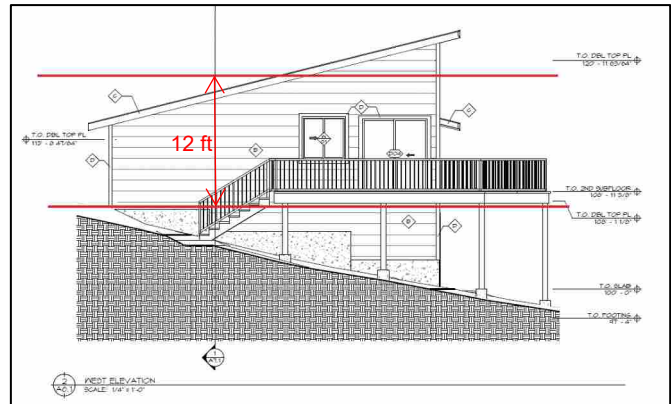
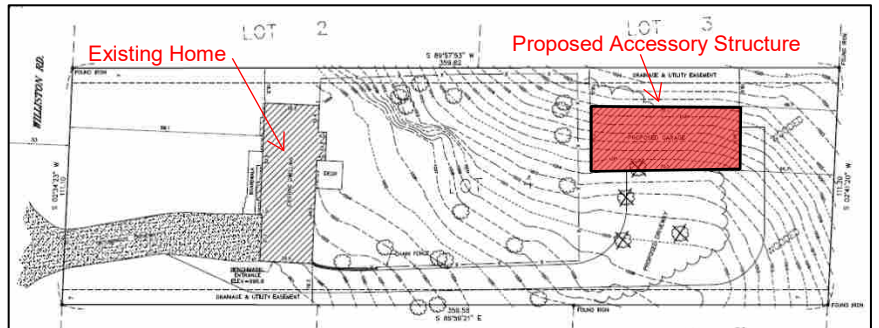
**Brief Description** Conditional use permit for an accessory structure in excess of 1,000 square feet at 4127 Williston Road

**Recommendation** Recommend the city council approve deny the permit request.

**Proposal**

The 0.9-acre subject property is located on the east side of Williston Road, just north of its intersection with Lake Street Extension. Property owner Zachary Klonne is proposing to construct an accessory structure in the northeast corner of the lot. The submitted plans a building with a footprint of 2,100 square feet and a total area of roughly 2,865 square feet. The space within the building would be divided between vehicular storage, general storage, workshop, office, entertaining, and bathroom space. The building would have a code-defined height of 12 feet.

By city code, accessory structures over 1,000 square feet in area or 12 feet in height are conditionally permitted uses.



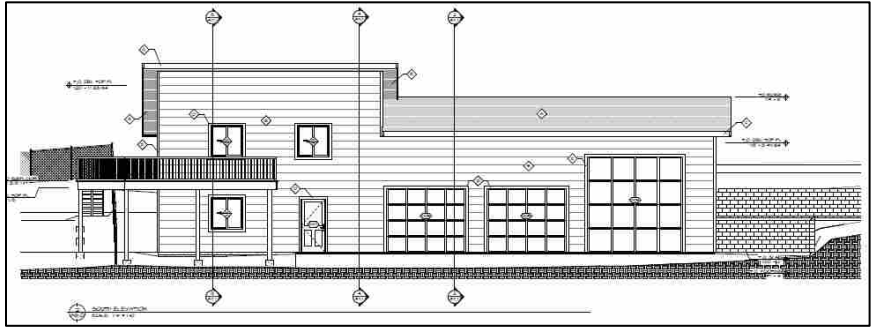
**Staff Analysis**

A conditionally permitted use is a use that is permitted if the standards outlined in the city code for such use are met. Staff finds that the applicant's proposal would not meet several of the standards for large accessory structures. (All of the standards are outlined in the "Supporting Information" section of this report.)

- **Consistent with the Ordinance.** By definition, an accessory structure is a structure "subordinate to, and associated with the principal structure" on the same lot.<sup>1</sup> The proposed accessory structure would have a footprint larger than that of the existing home and would be just 500 square feet less in total area. Given the proposed size and

<sup>1</sup> City Code §300.02.147

proposed spaces – including garage space, habitable space, and a deck – the structure would not be clearly subordinate to the principal use. Instead, it would have the appearance of a second principal use on the property.



- **Preservation of the site in its natural state to the extent practicable.** The site's topography slopes upward from west to east, rising roughly 28 feet from the existing home to the east property line. As located, the proposed structure would require a roughly 205-foot long driveway. The building itself would result in excavation – or “cut” – of one to seven feet over its full footprint, resulting in a significant volume of earth removed. Locating an accessory structure closer to the existing home would require less grading and result in less tree impact.
- **Creation of a harmonious relationship of buildings and open spaces.** The structure would be located 124 feet from the existing home, unnecessarily impacting the site's natural topography and existing trees. Further, this location would be closer to two neighboring homes than to the applicant's home.

### Summary Comments

The city has approved conditional use permits for large accessory buildings in the past. However, the city must – and does – review each application for such use individually. It is the staff's opinion that the combination of proposed size, design, and location makes this specific proposal unreasonable. The staff does understand that the owner's desire to add additional habitable/usable space to their property. This could be done in a variety of ways, including an addition to the home or construction of an accessory structure of up to 1,000 square feet and 12 feet in height, both of which could be accomplished through the administrative building permit process.

### Staff Recommendation

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.

Originator: Susan Thomas, AICP, Assistant City Planner  
Through: Loren Gordon, AICP, City Planner



### Supporting Information

<b>Surrounding Land Uses</b>	All surrounding properties are zoned R-1, guided for low density residential and improved with single-family homes.
<b>Planning</b>	Guide Plan designation: low density residential Zoning: R-1, low density residential
<b>CUP Standards</b>	<p>City Code §300.16 Subd.2 outlines the general standards that must be met for granting a conditional use permit on a residential lot. The proposal would not meet one of these standards.</p> <ol style="list-style-type: none"><li>1. The use is consistent with the intent of this ordinance. <p><b>Finding:</b> <u>The proposed structure would not meet this standard.</u> The intent of the ordinance as it pertains to accessory structures on single-family properties is to allow property owners construction of structures "subordinate to, and associated with," their homes. The proposed structure does not meet this intent. The proposed accessory structure would have a footprint larger than that of the existing home and would be just 500 square feet less in total area. Given the proposed size and the design – which includes garage space, habitable space, and a deck –the structure would not be clearly subordinate to the principal use. Instead, it would have the appearance of a second principal use on the property.</p></li><li>2. The use is consistent with the goals, policies, and objectives of the comprehensive plan; <p><b>Finding:</b> The proposal would meet the site’s low-density designation in the comprehensive plan.</p></li><li>3. The use does not have an undue adverse impact on governmental facilities, utilities, services, or existing or proposed improvements; and <p><b>Finding:</b> The proposed structure would be unlikely to have an undue adverse impact on governmental facilities, utilities, services, or existing or proposed improvements</p></li><li>4. The use does not have an undue adverse impact on public health, safety, or welfare. <p><b>Finding:</b> The proposed structure would be unlikely to have an undue adverse impact on public health, safety, or welfare.</p></li></ol>

City Code §300.16 Subd.3(f) outlines the following specific standards that must be met for granting a conditional use permit for accessory

structures in excess of 1,000 square feet of gross floor area or 12 feet in height. The proposal would not meet one of these standards.

1. Side and rear setbacks equal to the height of the structure or 15 feet, whichever is greater;

**Finding:** The structure would have a code-defined height of 12 feet and would be set back 18 and 44 feet from the side and rear property lines, respectively.

2. No additional curb cuts to be permitted;

**Finding:** Access to the structure would be via an extension of the existing driveway. No additional curb cuts are proposed.

3. Not to be used for commercial activities;

**Finding:** The applicant has indicated the structure would be for personal use only.

4. Structure to be architecturally consistent with the principal structure;

**Finding:** The intent of this standard is to ensure that accessory structures within residential zoning districts appear to be residential in nature. The structure would have a different architectural form than the existing home. However, the applicant indicates the structure would incorporate similar materials as the existing home.

5. Landscaping to be required to buffer views when the structure is highly visible from adjoining properties; and

**Finding:** The structure would be reasonably screened by existing topography and vegetation along the property lines.

6. Site and building plan subject to review pursuant to Section 300.27 of this ordinance.

**Finding:** The structure would not meet several site and building plan standards. See the following section.

### **SBP Standards**

City Code §300.27, Subd. 5, states that in evaluating a site and building plan, the city will consider its compliance with the following standards. The proposal would not meet several of these standards.

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;

**Finding:** The proposal has been reviewed by the city's planning, building, engineering, natural resources, fire, and public works staff. It would meet the site's low-density designation in the comprehensive plan. Though large in size and site impact, the proposal would not trigger the stormwater management rules of the water resources management plan.

2. Consistency with this ordinance;

**Finding:** The proposed structure would not meet this standard. By definition, an accessory structure is a structure "subordinate to, and associated with the principal structure" on the same lot. The proposed accessory structure would have a footprint of 2,100 square feet – larger than that of the existing home – and would be just 500 square feet less in total area. Given the proposed size and the design – which includes garage space, habitable space, and a deck – the structure would not be clearly subordinate to the principal use. Instead, it would have the appearance of a second principal use on the property.

3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;

**Finding:** The proposed structure would not meet this standard. The site's topography slopes upward from west to east, rising roughly 28 feet from the existing home to the east property line. As located, the proposed structure would require a roughly 205-foot long driveway. The building itself would result in excavation – or "cut" – of one to seven feet over its full footprint, resulting in a significant volume of earth removed. Locating an accessory structure closer to the existing home would require less grading and result in less tree impact.

4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;

**Finding:** The proposed structure would not meet this standard. The structure would be located 124 feet from the existing home, unnecessarily impacting the site's natural topography and existing trees. Further, this location would be closer to two neighboring homes than to the applicant's home.

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
  - a) An internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors, and the general community;

- b) The amount and location of open space and landscaping;
- c) Materials, textures, colors, and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and
- d) Vehicular and pedestrian circulation, including walkways, interior drives, and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.

**Finding:** The proposed structure would not meet this standard.  
The structure would be located 124 feet from the existing home. Existing topography and trees would be unnecessarily impacted.

- 6. Promotion of energy conservation through design, location, orientation, and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and

**Finding:** The proposal would require a building permit and would be required to meet minimum energy standards.

- 7. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light, air, and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

**Finding:** The structure would be screened by existing vegetation and would not be visible from the adjacent public right-of-way. If approved, tree mitigation and landscaping may be required at the time of a building permit.

## ADU

The proposed building has not been designed as an accessory dwelling unit (ADU). By definition, an ADU is a secondary dwelling that “includes provisions for living independent of the principal dwelling, such as areas for sleeping, cooking, and sanitation, as determined by the city planner.”<sup>2</sup> The proposed building does not have obvious cooking or sanitation spaces. (In staff’s opinion, a half bath would not qualify as an independent sanitation area.)

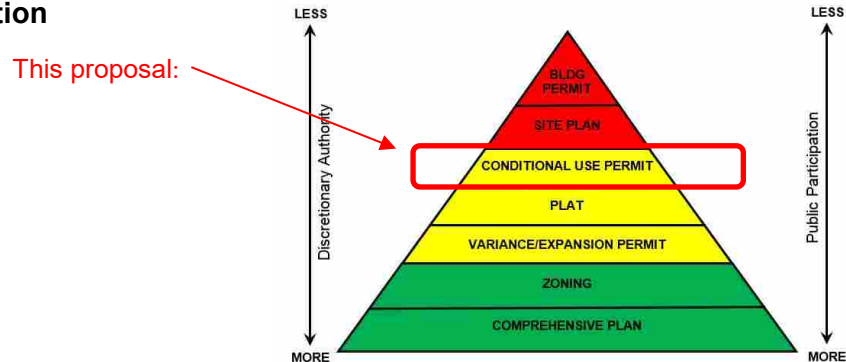
Further, the accessory structure would not meet the ADU size thresholds established by ordinance, which limit such buildings to

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<sup>2</sup> City Code §300.02.4

1,000 square feet or 35 percent of the floor area of the principal dwelling.

### Pyramid of Discretion



### Voting Requirement

The planning commission will make a recommendation to the city council. Both the commission's recommendation and the city council's final approval require an affirmative vote of a simple majority.

### Motion Options

The planning commission has three options:

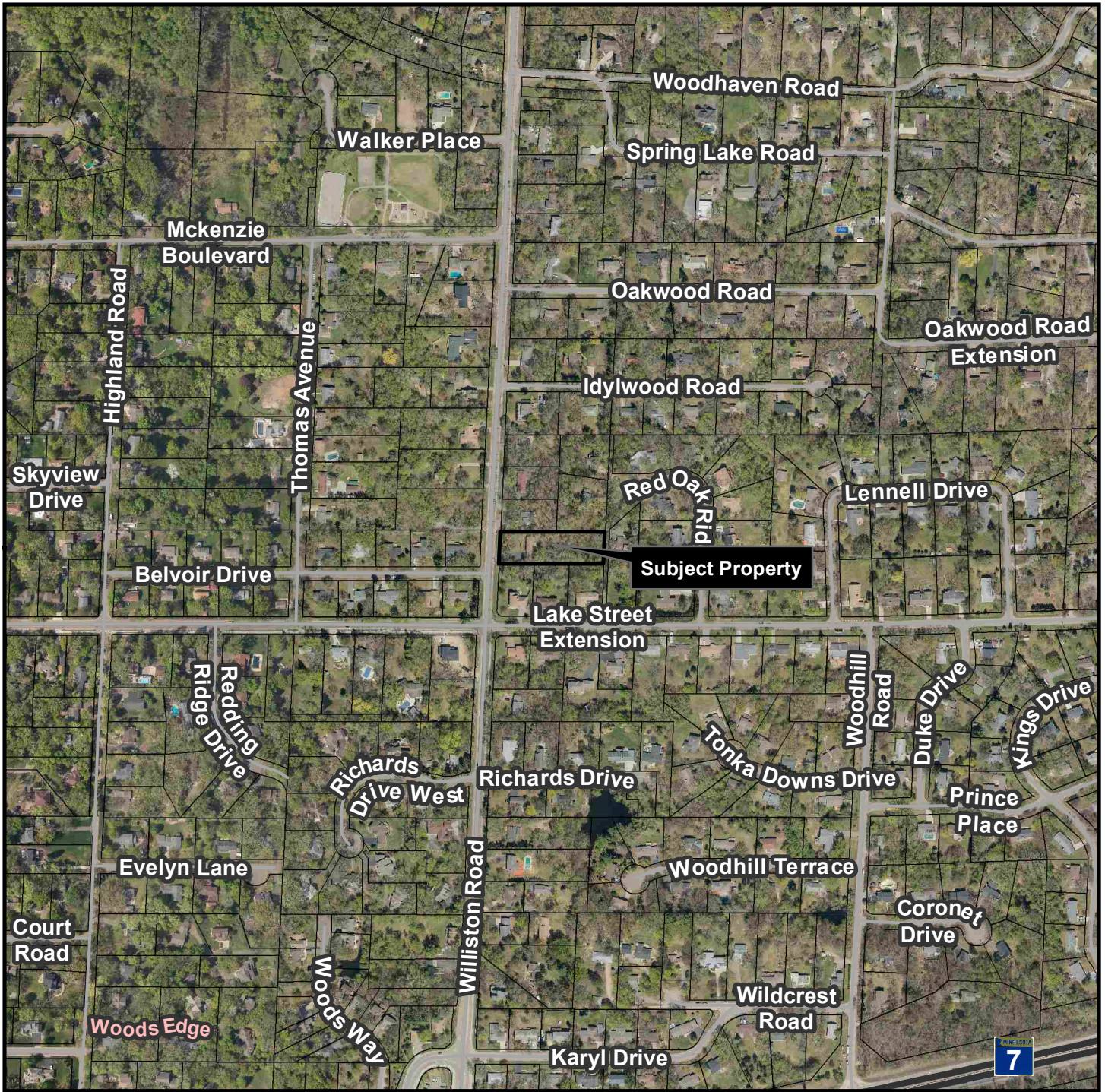
1. Concur with the staff recommendation. In this case, a motion should be made recommending the city council adopt the resolution denying the request.
2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council approve the request. This motion must include a statement as to how the ordinance standards are met.
3. Table the requests. 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.

### Neighborhood Comments

The city sent notices to 52 area property owners and received 16 responses, which are attached.

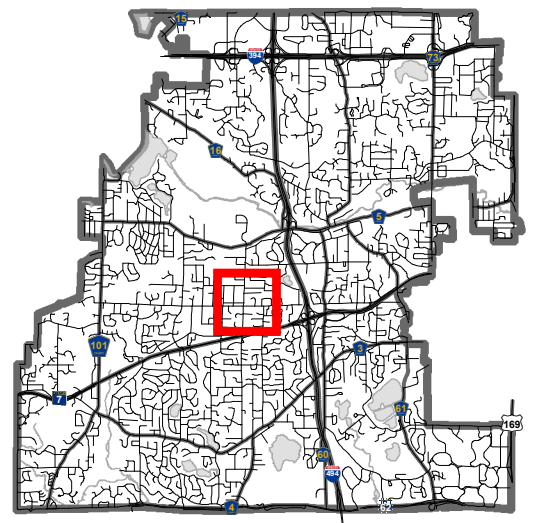
### Deadline for Decision

Dec. 20, 2021



### Location Map

Project: Klonne Residence  
Address: 4127 Williston Rd



**LEGAL DESCRIPTION:** LOT 4, BLOCK 1, WILLISTON PARK LOTS REPLAT,  
HENNEPIN COUNTY, MINNESOTA

**WRITTEN STATEMENT:** We are proposing to construct a 1915 sq ft detached garage with a 732 sq ft loft and attached deck. The purpose of the structure is to add enclosed and heated parking, storage, workshop, and entertaining space that cannot otherwise be incorporated into the existing home. The existing home includes an attached garage with a single 18' garage door that is suitable for only a single full-size vehicle or two compact vehicles. The existing garage is built in such a way that an expansion to the existing garage is not possible. The nature of the existing garage and driveway require us to park two trailers in the front yard and one truck in the driveway and provides limited workshop and storage space. The grade of the existing driveway in front of the home is approximately 10 degrees, making maneuvering a truck with trailer onto the property difficult and dangerous from Williston Road, especially during the winter season. The proposed structure would allow enough driveway space to comfortably drive forward from Williston Road and turn around in front of the proposed garage, without the need to stop and reverse the trailer from Williston Road. Additionally, the proposed structure would provide a level surface that will allow us to look forward to expanding our family and having a safe location for children's activities such as learning to ride a bike and playing various games and sports. The proposed structure would be built into a hillside at the rear of the property with a code defined height of 12 ft and would be setback 15 feet from the property line. Access to the structure would be via an extension from the existing driveway. No additional curb cuts are proposed. The structure would be used strictly for residential purposes and no commercial activity. The structure would be architecturally similar to the existing home in that the style, materials, and color are similar to the existing home and residential in nature. It is our belief the structure would be reasonably screened by existing topography and vegetation along the property lines. Should neighboring properties express concern, we are willing to plant more vegetation to further buffer views. The structure would meet the site and building plan standards as outlined in city code.

**LEGAL DESCRIPTION:**

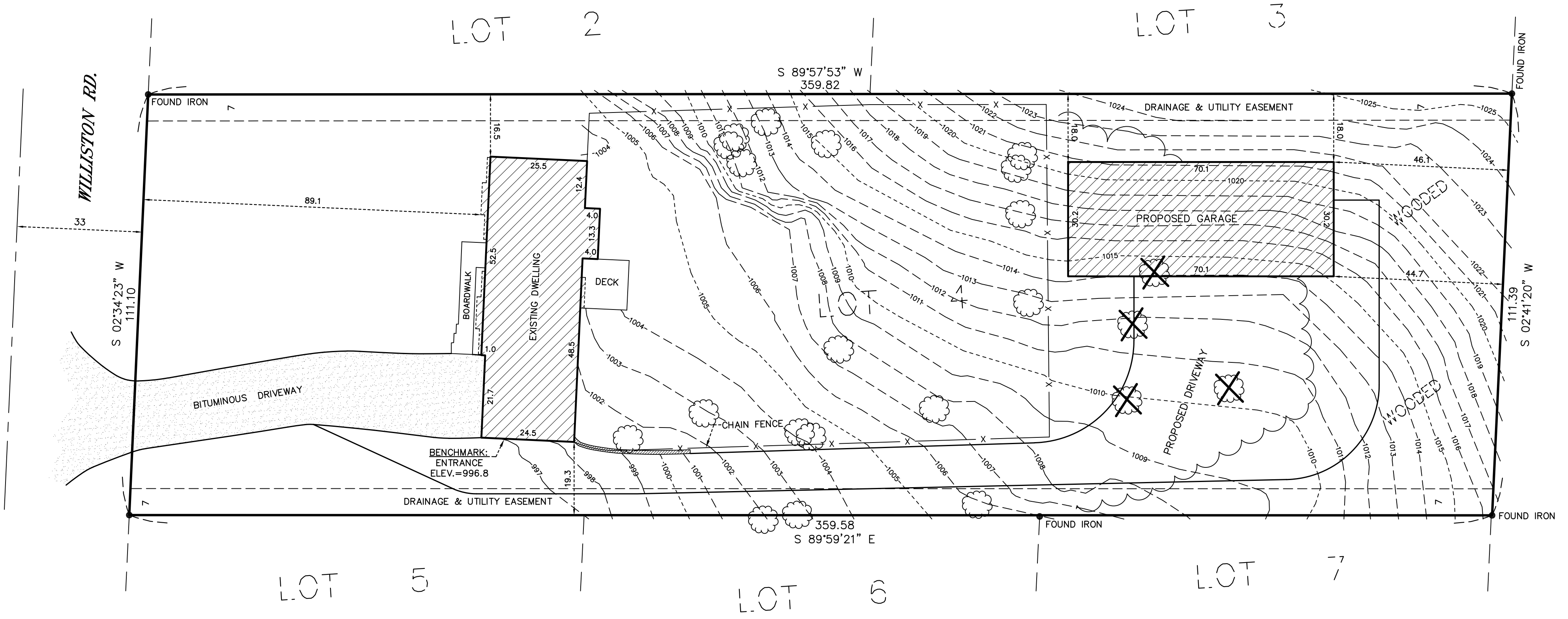
Lot 4, Block 1, Williston Park Lots Replat, Hennepin County, Minnesota.

**STANDARD SYMBOLS & CONVENTIONS:**

"●" Denotes iron survey marker, set, unless otherwise noted.

**SCOPE OF WORK & LIMITATIONS:**

1. Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
2. Showing the location of observed existing improvements we deem necessary for the survey.
3. Setting survey markers or verifying existing survey markers to establish the corners of the property.
4. Existing building dimensions and setbacks measured to outside of siding or stucco.
5. This survey has been completed without the benefit of a current title commitment. There may be existing easements or other encumbrances that would be revealed by a current title commitment. Therefore, this survey does not purport to show any easements or encumbrances other than the ones shown hereon.
6. While we show a proposed location for this garage, we are not as familiar with your proposed plans as you, your architect, or the builder are. Review our proposed location of the improvements carefully to verify that they match your plans before construction begins. Also, we are not as familiar with local codes and minimum requirements as the local building and zoning officials in this community are. Be sure to show this survey to said officials, or any other officials that may have jurisdiction over the proposed improvements and obtain their approvals before beginning construction or planning improvements to the property.



DATE	REVISION DESCRIPTION	DWG ORIENTATION	SCALE	CLIENT/JOB ADDRESS	<p><b>Advance</b> Surveying &amp; Engineering, Co.</p> <p>17917 Highway No. 7 Minnetonka, Minnesota 55345 Phone (952) 474-7964 Web: www.advsur.com</p>	<p>I HEREBY CERTIFY THAT THIS PLAN, SURVEY 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.</p> <p><i>Wayne W. Preugs</i> Wayne W. Preugs #43503 LICENSE NO. MAY 27, 2021 DATE</p>	DATE SURVEYED:	SHEET TITLE	SHEET NO.
7/2/21	ADD TOPO OF REAR YARD		<p>ZACH KLONNE 4127 WILLISTON RD. MINNETONKA, MN</p>	MAY 19, 2021			PROPOSED SURVEY	<p>S1</p>	
9/12/21	SHOW PROPOSED GARAGE AND DRIVEWAY			DATE DRAFTED:	SHEET SIZE: 17 X 22				
				MAY 21, 2021	DRAWING NUMBER				
					210833 WP				





## GENERAL NOTES

- DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF THIS DESIGNER. WHETHER THE PROJECT FOR WHICH THEY WERE PREPARED IS EXECUTED AND CONSTRUCTED OR NOT, THESE DOCUMENTS ARE NOT TO BE REPRODUCED IN ANY FORM AND THEY ARE NOT TO BE USED BY THE PROJECT OWNER NOR ANY OTHER ENTITY ON ANY OTHER PROJECTS OR FOR ANY EXTENSIONS OR ADDITIONS OR ALTERATIONS TO THE ORIGINAL PROJECT EXCEPT BY WRITTEN AUTHORIZATION AND PERMISSION FROM AND AGREEMENT WITH THIS DESIGNER.
- ALL WORK SHALL BE PERFORMED BY SKILLED AND QUALIFIED WORKMEN IN ACCORDANCE WITH THE BEST PRACTICES OF THOSE TRADES INVOLVED, AND IN COMPLIANCE WITH BUILDING REGULATIONS AND/OR GOVERNMENTAL LAWS, STATUTES OR ORDINANCES CONCERNING THE USE OF UNION LABOR.
- CONTRACTORS SHALL BE RESPONSIBLE FOR THE DISTRIBUTION OF DRAWINGS AND/OR SPECIFICATIONS TO THE TRADES UNDER THEIR JURISDICTION.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS AT THE JOB SITE AND SHALL NOTIFY THE DESIGNER OF ANY DISCREPANCIES, OMISSIONS, AND/OR CONFLICTS BEFORE PROCEEDING WITH THE WORK.
- DO NOT SCALE DRAWINGS; DIMENSIONS SHALL GOVERN. LARGER SCALE DRAWINGS SHALL GOVERN SMALLER SCALE.
- ANY AMBIGUITIES, DISCREPANCIES, OR CONFLICTS DISCOVERED THROUGH THE USE OF THESE DRAWINGS SHALL BE REPORTED IMMEDIATELY TO THE DESIGNER.
- CONTRACTOR MUST COMPLY WITH THE RULES AND REGULATIONS OF AGENCIES HAVING JURISDICTION AND SHALL CONFORM TO ALL CITY, COUNTY, STATE AND FEDERAL CONSTRUCTION, SAFETY AND SANITARY LAWS, CODES, STATUTES AND ORDINANCES. ALL FEES, TAXES, PERMITS, APPLICATIONS AND CERTIFICATES OF INSPECTION, AND THE FILING OF ALL WORK WITH GOVERNMENTAL AGENCIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- EACH TRADE WILL PROCEED IN A FASHION THAT WILL NOT DELAY THE TRADES FOLLOWING THEM.
- ALL WORK SHALL BE ERECTED AND INSTALLED PLUMB, LEVEL, SQUARE, TRUE AND IN PROPER ALIGNMENT.
- ALL MATERIALS SHALL BE NEW, UNUSED AND OF THE HIGHEST QUALITY IN EVERY RESPECT, UNLESS NOTED OTHERWISE. MANUFACTURED MATERIALS AND EQUIPMENT SHALL BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS AND INSTRUCTIONS.
- THERE SHALL BE NO SUBSTITUTION OF MATERIALS WHERE A MANUFACTURER IS SPECIFIED, WHERE THE TERMS "EQUAL TO", "EQUIVALENT" OR "APPROVED EQUAL" ARE USED, THE DESIGNER SHALL DETERMINE EQUALITY BASED ON INFORMATION SUBMITTED BY THE CONTRACTOR.
- ALL WORK AND MATERIALS SHALL BE GUARANTEED AGAINST DEFECTS FOR A PERIOD OF AT LEAST ONE (1) YEAR FROM APPROVAL FOR FINAL PAYMENT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CUTTING AND PATCHING REQUIRED FOR THEIR WORK.
- CONTRACTOR SHALL AT ALL TIMES KEEP THE PREMISES FREE OF ACCUMULATION OF WASTE MATERIALS OR RUBBISH. PREMISES TO BE SWEEP CLEAN DAILY OF RELATED CONSTRUCTION DEBRIS. AT THE COMPLETION OF THE WORK, LEAVE THE JOB SITE FREE OF ALL MATERIALS AND BROOM CLEAN.
- PATCH ALL AREAS WHERE FLOOR IS NOT LEVEL OR TRUE PRIOR TO THE INSTALLATION OF FLOORING OR CARPETING.
- TO INSURE PROPER AND ADEQUATE BLOCKING, ALL BLOCKING FOR CABINET WORK WILL BE THE RESPONSIBILITY OF THE CABINET CONTRACTOR.
- UPON COMPLETION OF THE WORK THE CONTRACTOR SHALL WALK THROUGH WITH THE DESIGNER AND COMPLETE A "PUNCH LIST" OF CORRECTIONS AND UNSATISFACTORY AND/OR INCOMPLETE WORK. FINAL PAYMENT WILL BE CONTINGENT UPON THE COMPLETION OF THESE ITEMS.
- ANY CHANGE WHICH RESULTS IN EXTRA COST SHALL NOT PROCEED WITHOUT WRITTEN AUTHORIZATION OF THE OWNER AND THE DESIGNER.
- THE DESIGN, ADEQUACY, AND SAFETY OF ERECTION BRACING, SHORING, TEMPORARY SUPPORTS, ETC. IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR AND HAS NOT BEEN CONSIDERED BY THE DESIGNER OR ENGINEER. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE STABILITY OF THE STRUCTURE THROUGHOUT CONSTRUCTION.

## ABBREVIATIONS

AB	ANCHOR BOLT	FND	FOUNDATION	R / RAD	RADIUS
A.F.F.	ABOVE FINISH FLOOR	FIN	FINISH	REF	REFERENCE
ALT	ALTERNATE	F.O.	FACE OF	REINF	REINFORCE / REINFORCEMENT
		FT	FEET / FOOT	REQ'D	REQUIRED
		FTG	FOOTING	R.O.	ROUGH OPENING
BLKG	BLOCKING	FTG	FOOTING	RS	ROUGH SAWN
B.M.	BENCH MARK	G.C.	GENERAL CONTRACTOR	SCHED	SCHEDULE
BTM	BOTTOM	GA	GAUGE	SF	SQUARE FEET
BN	BOUNDARY NAILING	GLB	GLULAM BEAM	SHTG	SHEATHING
BRG	BEARING	GEN	GENERAL	SIM	SIMILAR
BTWN	BETWEEN	GT	GIRDER TRUSS	SOB	SLAB-ON-GRADE
		GYP	GYPSPUM	SQ	SQUARE
CJ	CONTROL JOINT	HORIZ	HORIZONTAL	SS	STAINLESS STEEL
CJP	CAST-IN-PLACE	HT	HEIGHT	STD	STANDARD
CMU	CONCRETE MASONRY UNITS	MAX	MAXIMUM	STRUCT	STRUCTURAL
CL	CENTERLINE	MFR	MANUFACTURER	SN	SHEARWALL
CLG	CEILING	MIN	MINIMUM	TEMP	TEMPERED
CLR	CLEAR	MECH	MECHANICAL	T.O.	TOP OF
COL	COLUMN	(N)	NEW	TYP	TYPICAL
CONC	CONCRETE	NTS	NOT TO SCALE	UNO	UNLESS NOTED OTHERWISE
CONT	CONTINUOUS	O/	OVER	VIF	VERIFY IN FIELD
		OC	ON CENTER	VERT	VERTICAL
DBL	DOUBLE	OH	ORIENTED STRAND BOARD		
DF	DOUGLAS FIR	OSB	ORIENTED STRAND BOARD		
DM	DIMENSION	OPNG	OPENING		
DTL	DETAIL	OPP	OPPOSITE		
DN	DOWN	PAF	POWDER ACTUATED FASTENER		
DWG	DRAWING	PL	PLYWOOD		
		PLF	PLYWOOD		
EN	EDGE NAILING	PREFAB	PREFABRICATED		
EY	EACH WAY	PREFIN	PREFINISHED		
ELEV	ELEVATION	P.T.	PRESSURE TREATED		
EQ	EQUAL				
(E)	EXISTING				
EXT	EXTERIOR				

## PROJECT INFORMATION

<b>OWNER:</b> ZACH & ALLISON KLONNE 4127 WILLISTON RD MINNETONKA, MN 55345	<b>LEGAL DESCRIPTION:</b> LOT 4, BLOCK 1, WILLISTON PARK LOTS REPLAT, HENNEPIN COUNTY, MINNESOTA
<b>PROJECT SQUARE FOOTAGES:</b> GARAGE LEVEL: 1,915 SF LOFT LEVEL: 732 SF	<b>PROJECT ADDRESS:</b> 4127 WILLISTON RD MINNETONKA, MN 55345
<b>TOTAL:</b> 2,647 SF	<b>SURVEYOR:</b> ADVANCE SURVEY & ENGINEERING, CO. 17911 HIGHWAY NO. 7 MINNETONKA, MN 55345 PH: 952-474-7864 CONTACT: WAYNE FREUHS

## SHEET LIST

A0.1	COVER PAGE
A1.0	SITE PLAN
A1.1	SITE DETAILS
A2.1	FLOOR PLANS
A2.2	ROOF PLAN
A4.1	WINDOW AND DOOR SCHEDULE
A5.1	STAIR DETAILS
A6.0	EXTERIOR ELEVATIONS
A6.1	EXTERIOR ELEVATIONS
A7.1	BUILDING SECTIONS
S1.1	FOUNDATION PLAN
S1.2	FOUNDATION DETAILS
S2.1	SECOND LEVEL FRAMING PLAN
S2.2	FLOOR FRAMING DETAILS
S3.1	ROOF FRAMING PLAN
S3.2	ROOF FRAMING DETAILS
S3.3	ROOF TRUSS PROFILES

## TYPICAL SYMBOLS

	-KEYED NOTE, REFERENCE SCHEDULE ON SHEET
	-ROOM NUMBER
	-FLOOR SYSTEM TAG
	-FINISH TAG
	-DOOR TAG
	-WINDOW TAG
	-WALL TAG
	-INTERIOR ELEVATION
	DETAIL NUMBER
	SHEET NUMBER
	-EXTERIOR ELEVATION
	DETAIL NUMBER
	SHEET NUMBER
	-BUILDING SECTION
	DETAIL NUMBER
	SHEET NUMBER
	-DETAIL
	DETAIL REMARKS
	DETAIL NUMBER
	SHEET NUMBER

**KLONNE SHOP**  
4127 WILLISTON RD  
MINNETONKA, MN 55345

REVISIONS	
DATE	
09.14.2021	1

ISSUE: FOR PERMIT  
DATE: 09.13.2021  
DRAWN BY: JDC

COVER  
PAGE

A0.1

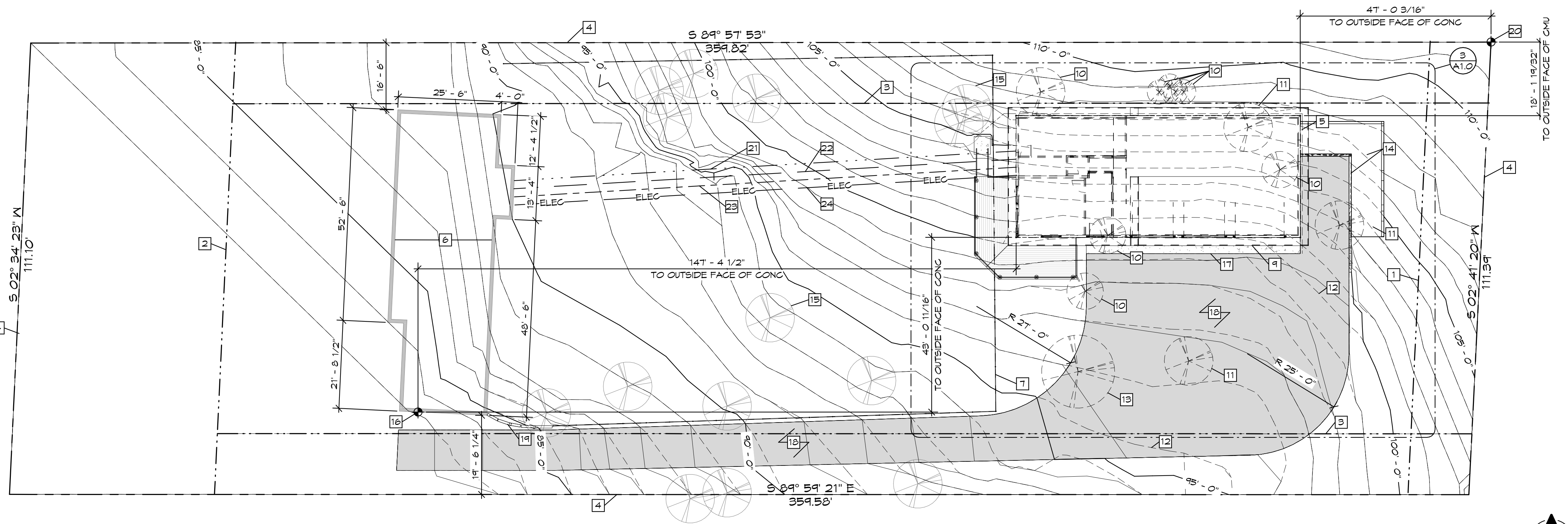
# PLAN NOTES - SITE PLAN

1. VERIFY ALL SITE INFORMATION WITH DESIGNER/OWNER PRIOR TO EXCAVATION.
2. VERIFY BURIED UTILITY LOCATIONS PRIOR TO ANY EXCAVATION WORK.
3. SITE INFORMATION AND TOPOGRAPHY MAP PROVIDED BY: ADVANCE SURVEYING & ENGINEERING, CO.
4. ALL ADJACENT GRADING, LANDSCAPING, AND HARDSCAPE TO SLOPE AWAY FROM STRUCTURES MINIMUM 1/2" : 12".
5. VERIFY FINAL STRUCTURE LOCATION WITH DESIGNER AND OWNER PRIOR TO EXCAVATION.
6. CONTRACTOR TO SECURE ALL PERMITS AND PROVIDE SERVICES/UTILITIES FROM PROPERTY LINE TO STRUCTURE. CONTRACTOR IS RESPONSIBLE FOR ALL HOOK-UPS AND ASSOCIATED FEES.
7. DRAWING ELEVATION 100'-0" EQUALS SITE ELEVATION 1014' ON CIVIL DRAWINGS. VERIFY WITH DESIGNER & OWNER PRIOR TO EXCAVATION.
8. ALL ON SITE UTILITIES TO BE BURIED.
9. VERIFY FINAL BENCH MARK PRIOR TO CONSTRUCTION.
10. LANDSCAPE/IRRIGATION BY OTHERS. CONTRACTOR TO PROVIDE FINAL SITE GRADING.
11. DRIVE CONSTRUCTION TO COMPLY WITH APPLICABLE COUNTY STANDARDS.
12. PROVIDE CULVERTS AS NECESSARY.
13. PROVIDE TOPSOIL & FINAL GRADING TO ALL DISRUPTED AREAS.
14. BUILDING ENVELOPE / HOUSE FOOTPRINT TO BE STAKED BY ENGINEER PRIOR TO CONSTRUCTION.

## SITE PLAN KEYNOTES

MARK	NOTE
1	15'-0" SETBACK LINE
2	50'-0" SETBACK LINE
3	15'-0" SETBACK LINE
4	LOT LINE
5	BUILDING FOOTPRINT
6	EXISTING DWELLING
7	EXISTING CHAINLINK FENCE TO REMAIN
8	ROOF LINE
10	EXISTING 10" DIAMETER OAK TREE TO BE REMOVED
11	EXISTING 12" DIAMETER OAK TREE TO BE REMOVED
12	ORIGINAL CONTOURS TO BE REGRADED - TYPICAL
13	EXISTING 23" DIAMETER OAK TREE TO BE REMOVED
14	SITE RETAINING WALL BY OWNER / G.C.
15	EXISTING OAK TREE TO REMAIN - TYPICAL
16	BENCHMARK - VERIFY WITH CIVIL ENGINEER
17	CONCRETE FLATWORK - REFERENCE SHEET S1.1
18	ASPHALT DRIVE
19	EXISTING SITE RETAINING WALL
20	FOUND IRON PER CIVIL
21	BURIED WATER LINE - TIE INTO EXISTING DWELLING
22	BURIED SEPTIC LINE - TIE INTO EXISTING DWELLING
23	BURIED GAS LINE - TIE INTO EXISTING DWELLING
24	BURIED ELECTRICAL LINE - TIE INTO EXISTING DWELLING

WILLISTON RD  
S 02° 34' 23" W  
111.10'



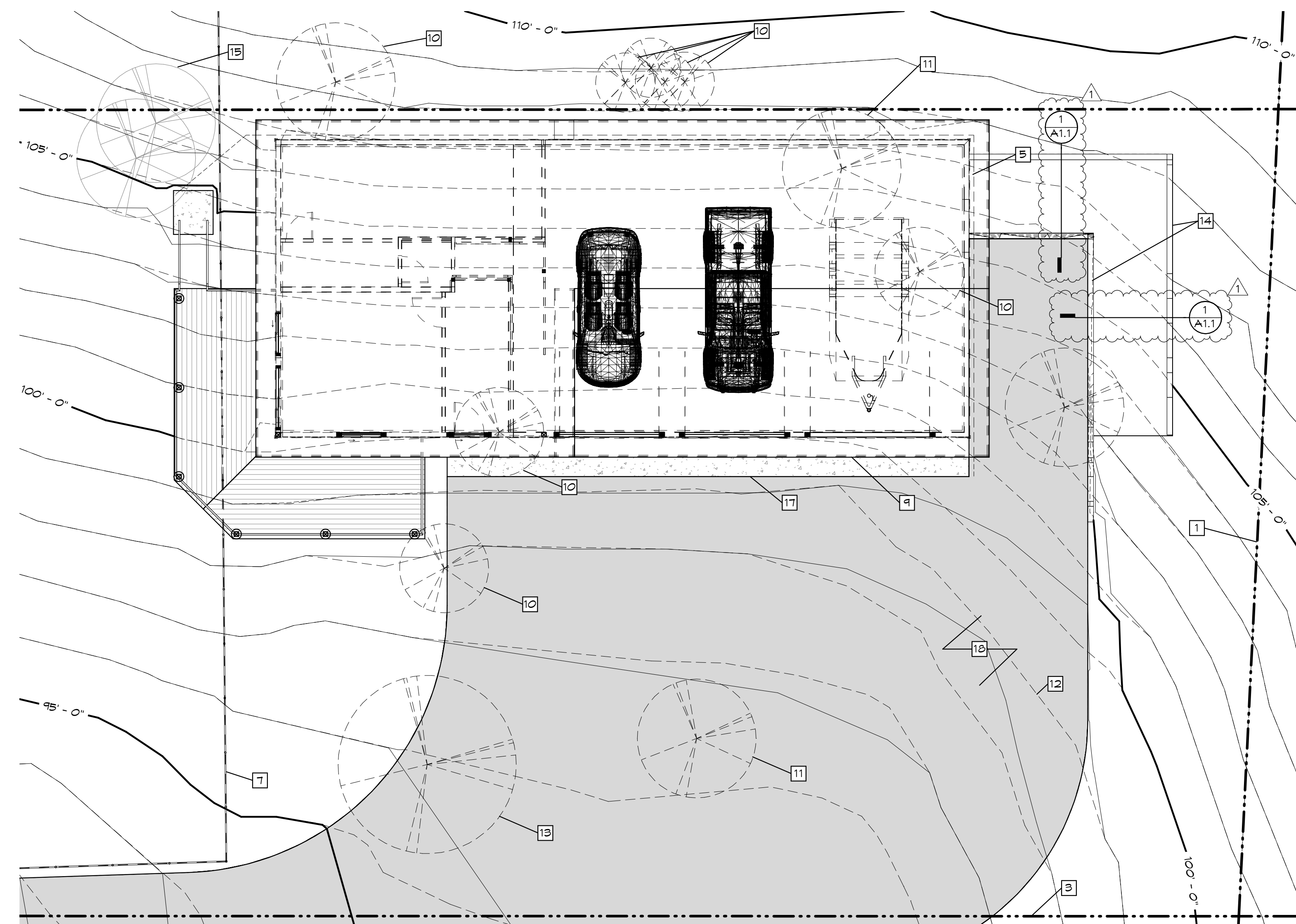
1 SITE PLAN  
SCALE: 1/16" = 1'-0"



2 VICINITY MAP  
SCALE: 1 1/2" = 1'-0"



3 ENLARGED SITE PLAN  
SCALE: 1/8" = 1'-0"



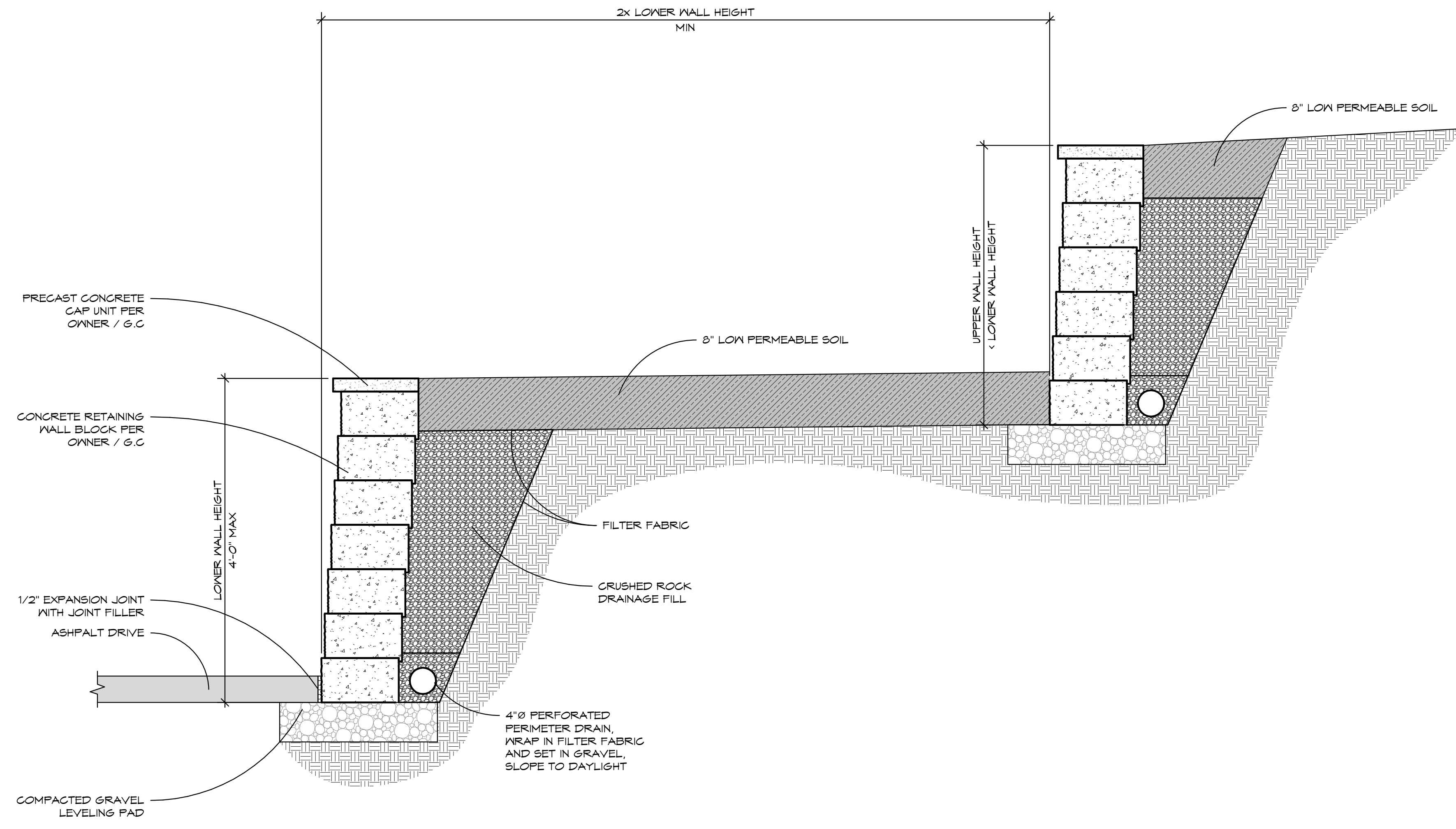
**KLONNE SHOP**  
4127 WILLISTON RD  
MINNETONKA, MN 55345

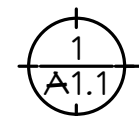
REVISIONS	DATE
1	09.14.2021

ISSUE: FOR PERMIT  
DATE: 08.13.2021  
DRAWN BY: JDK

SITE PLAN

A1.0





**TERRACED WALL DETAIL**  
 SCALE: 1" = 1'-0"

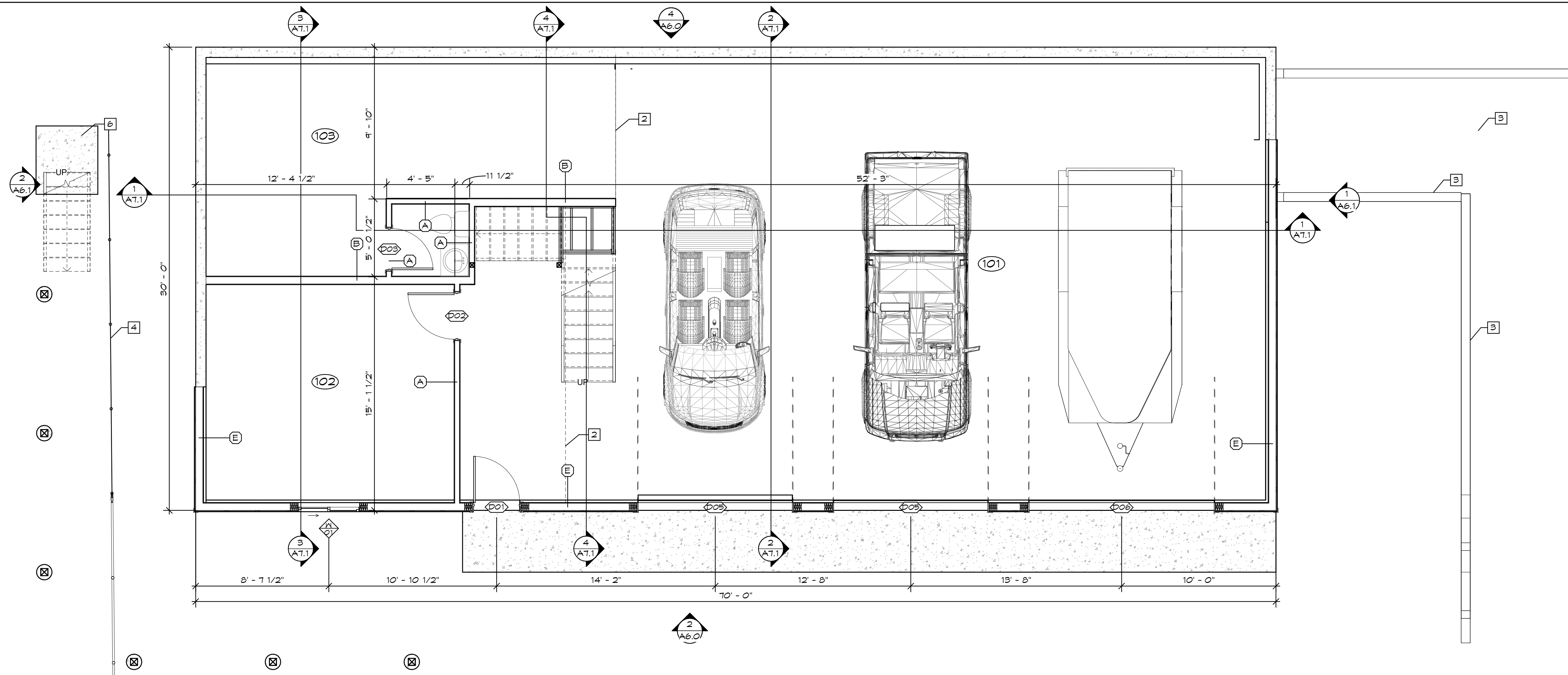
**KLONNE SHOP**  
 4127 WILLISTON RD  
 MINNETONKA, MN 55345

REVISIONS	
NO.	DATE
1	09.14.2021

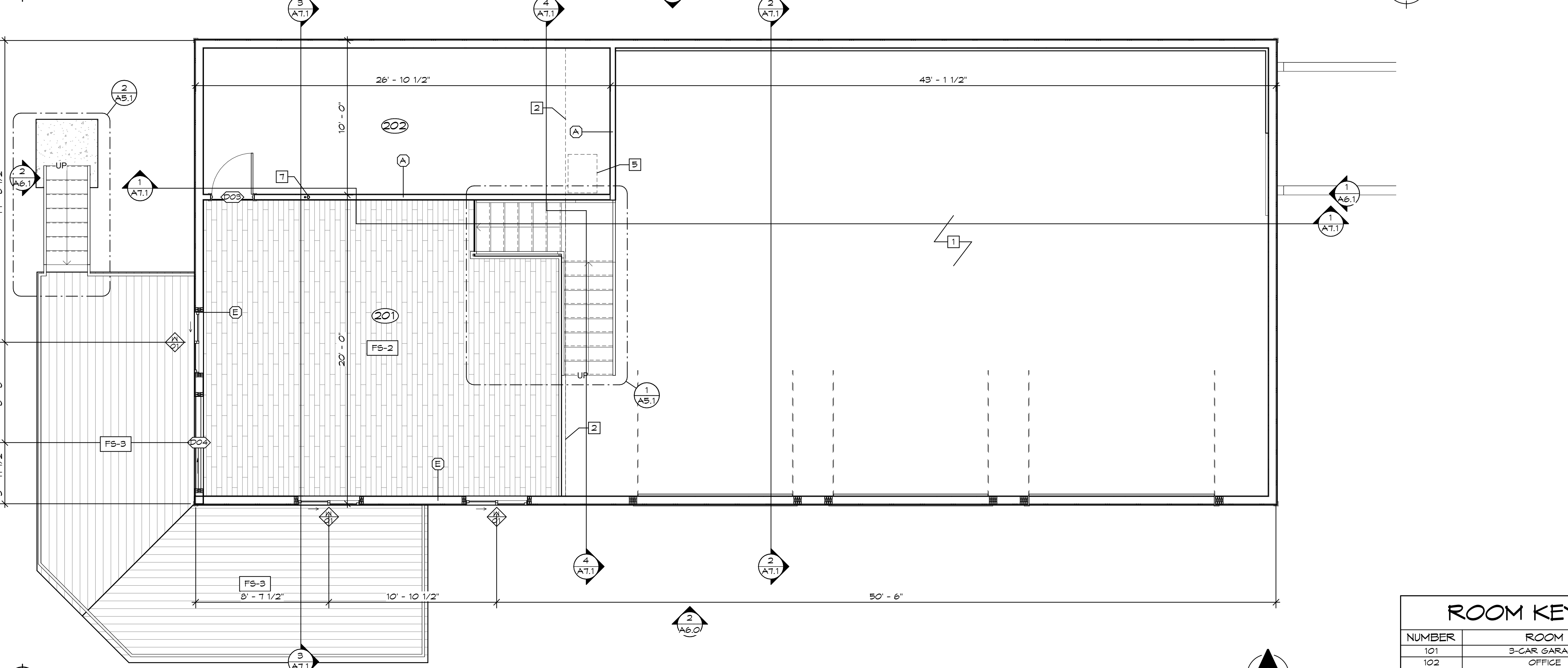
ISSUE: FOR PERMIT  
 DATE: 08.19.2021  
 DRAWN BY: JPK

**SITE  
 DETAILS**

  
**A1.1**



**1 FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"



**2 2ND FLOOR**  
 SCALE: 1/4" = 1'-0"

WALL SCHEDULE	
MARK	WALL ASSEMBLY
A	2x4 STUDS @ 16" OC, 1/2" LAYER TYPE 'X' GYPSUM WALL BOARD EACH SIDE
B	2x6 STUDS @ 16" OC, 1/2" LAYER TYPE 'X' GYPSUM WALL BOARD EACH SIDE
E	EXTERIOR FINISH MATERIAL (REF A6.0 & A6.1) OVER TYVEK OVER 1/2" EXTERIOR OSB SHEATHING OVER 2x6 STUDS @ 16" OC W/ 2x COMMON NAILS (6" OC EDGE NAILING AND 6" OC FIELD NAILING), 1/4" MIN R-21 INSULATION OVER 1/2" TYPE 'X' GYPSUM WALL BOARD

- TYPICAL EXTERIOR WALL TYPE TO BE (E) UNLESS NOTED OTHERWISE ON PLANS.
- TYPICAL INTERIOR WALL TYPE TO BE (B) UNLESS NOTED OTHERWISE ON PLANS.
- SHEARWALLS NOTED WITH SYMBOL (S) AND INDICATED WITH HATCH - [HATCH], REFERENCE SCHEDULE ON REQUIREMENTS.
- REFERENCE STRUCTURAL DRAWINGS FOR ALL SHEARWALL LOCATIONS AND SIZES. STRUCTURAL DRAWINGS TO TAKE PRIORITY ON ALL WALL SIZES.
- REFERENCE SHEET A4.1 FOR WINDOW, AND DOOR INFORMATION.
- DOOR OPENINGS TO BE CENTERED IN WALL OR 6" FROM ADJACENT WALL UNLESS NOTED OTHERWISE.
- CONTRACTOR TO VERIFY ALL QUANTITIES AND SIZES WITH MANUFACTURER PRIOR TO CONSTRUCTION.

PLAN NOTES - FLOOR PLAN	
1.	WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. DO NOT SCALE THE DRAWINGS. THE CONTRACTOR SHALL VERIFY AND IS RESPONSIBLE FOR ALL DIMENSIONS (INCLUDING ROUGH OPENINGS) AND CONDITIONS ON THE JOB SITE.
2.	DOOR OPENINGS TO BE CENTERED IN WALL OR 6" FROM ADJACENT WALL UNLESS NOTED OTHERWISE.
3.	CONTRACTOR TO VERIFY ALL QUANTITIES AND SIZES WITH MANUFACTURER PRIOR TO CONSTRUCTION.
4.	ALL WORK IS TO COMPLY WITH THE LATEST ADOPTED VERSIONS OF THE INTERNATIONAL ONE & TWO FAMILY DWELLING CODE, UNIFORM BUILDING CODE OF ANY APPLICABLE STATE, COUNTY, OR LOCAL JURISDICTION.
5.	PLUMBING, MECHANICAL DIAGRAMS, LAYOUTS AND/OR DESIGN TO BE SUPPLIED BY CONTRACTOR OR SUB-CONTRACTOR.
6.	ENGINEERED PRODUCTS (ROOF TRUSSES / JOISTS) TO HAVE DESIGN, ENGINEERING SPECIFICATIONS, AND LAYOUT SUPPLIED BY MANUFACTURER.
7.	THE TYPE OF EXTERIOR FINISH, THE INSTALLATION, AND THE WATERPROOFING DETAILS ARE TO BE THE FULL RESPONSIBILITY OF THE OWNER/BUILDER. THIS DESIGNER ASSUMES NO RESPONSIBILITY OF THE BUILDING ENVELOPE.
8.	THE CONTRACTOR IS RESPONSIBLE TO CHECK THE PLANS AND NOTIFY DESIGNER OF ANY ERRORS OR OMISSIONS PRIOR TO THE START AND/OR DURING CONSTRUCTION. DESIGNER IS NOT RESPONSIBLE FOR CONSTRUCTION MEANS AND METHOD, ACTS OR OMISSIONS OF THE CONTRACTOR AND/OR SUB-CONTRACTOR.

ROOM KEY	
NUMBER	ROOM
101	3-CAR GARAGE
102	OFFICE
103	WORKSHOP
201	LOFT
202	STORAGE

FLOOR PLAN KEYNOTES	
MARK	NOTE
1	OPEN TO BELOW
2	LINE OF CEILING TRANSITION ABOVE
3	SITE RETAINING WALL BY OWNER / G.C.
4	EXISTING CHAINLINK FENCE TO REMAIN
5	ATTIC ACCESS ABOVE
6	CONCRETE OR PAVER STAIR LANDING PER OWNER / G.C.
7	PLUMBING STUB OUTS - VERIFY WITH OWNER PRIOR TO CONSTRUCTION

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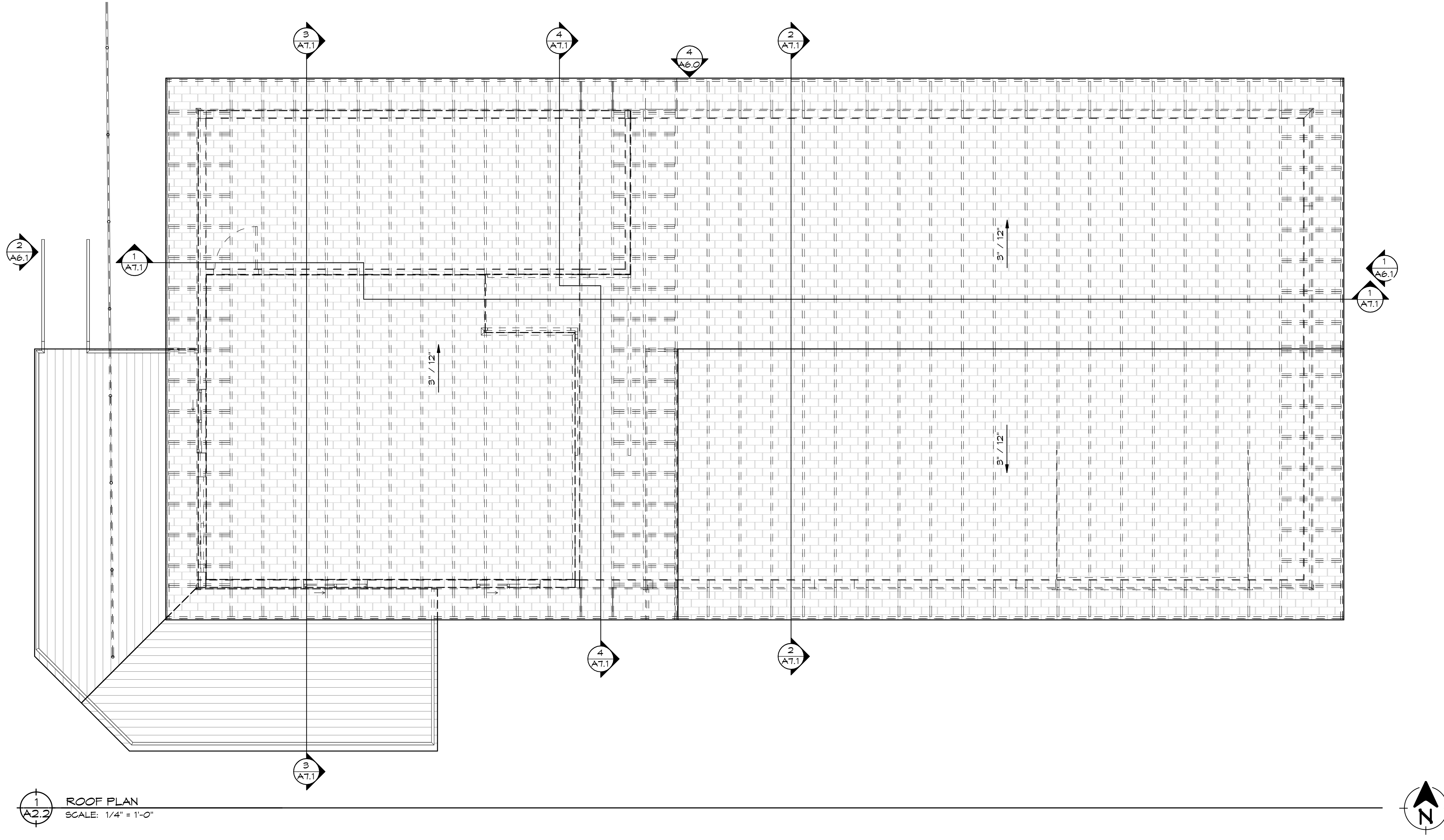
**FLOOR PLANS**  
**A2.1**

**PLAN NOTES - ROOF FRAMING PLAN**

1. PROVIDE 1-ROLL (36" WIDTH) OF ICE DAM/WATERPROOF MEMBRANE AT ROOF/WALL INTERSECTIONS, EDGES, VALLEYS, AND ROOF PENETRATIONS.
2. PROVIDE 2-ROLLS (36" WIDTH) OF ICE DAM/WATERPROOF MEMBRANE AT ROOF EDGES.
3. PROVIDE SHEET METAL STEP FLASHING AT ALL ROOF / WALL INTERSECTIONS, 18" MIN VERTICAL LEG AND 12" MIN HORIZONTAL LEG.
4. VERIFY VENT LOCATIONS PRIOR TO CONSTRUCTION.
5. TYPICAL ROOF SYSTEM TO BE: EXTERIOR ROOF FINISH MATERIAL (REF A6.0 & A6.1) OVER 1 1/2" T&G PLYWOOD GLUED AND NAILED WITH 10d NAILS (6" OC BOUNDARY NAILING, 6" OC EDGE NAILING, AND 12" OC FIELD NAILING) OVER ROOF TRUSSES (SEE S3.3 FOR TRUSS PROFILES) 1/4" MIN R-49 INSULATION OVER 1/2" TYPE 'X' GYPSUM CEILING BOARD.

**ROOF FRAMING KEYNOTES**

MARK	NOTE
1	DROPPED GABLE END TRUSS
2	RIDGE



1  
A2.2 ROOF PLAN  
SCALE: 1/4" = 1'-0"

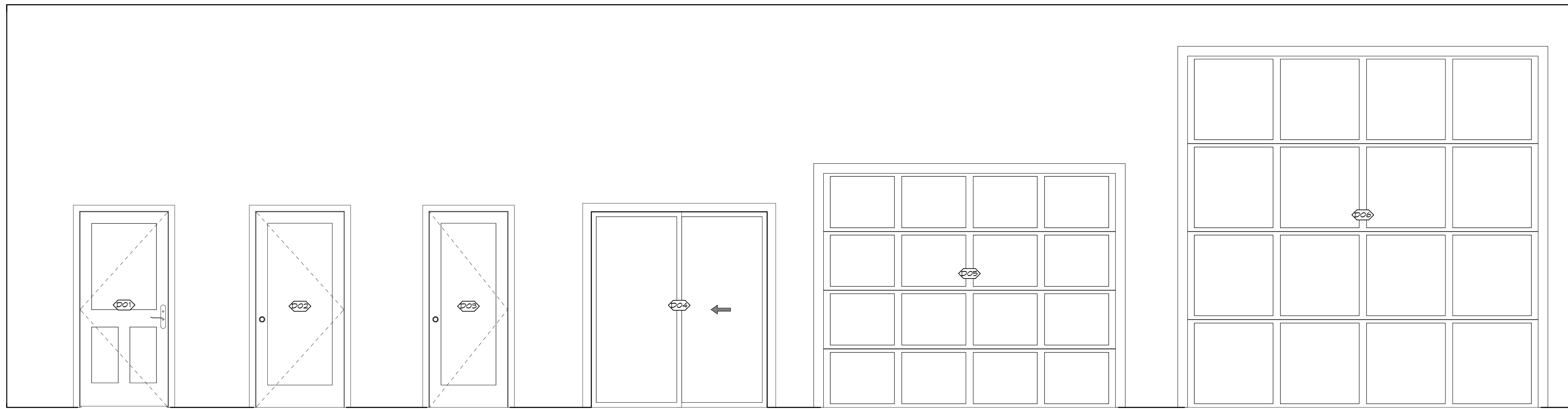
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ROOF PLAN

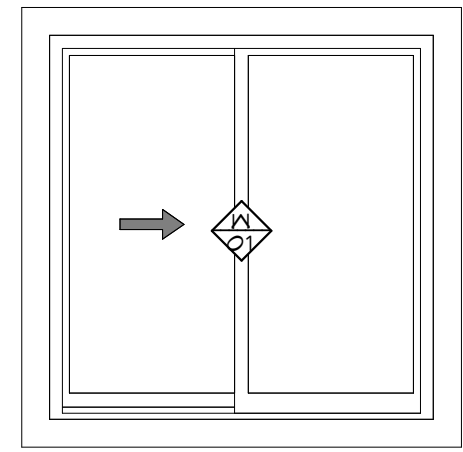
A2.2



1  
A4.1 DOOR ELEVATIONS  
SCALE: 1/2" = 1'-0"

DOOR SCHEDULE				
MARK	MANUFACTURER	UNIT DIMENSIONS (WxH)	HEAD HEIGHT	R.O. (WxH)
01		36" x 80"	6' - 8"	38" x 81"
02		36" x 80"	6' - 8"	38" x 81"
03		32" x 80"	6' - 8"	34" x 81"
04		72" x 80"	6' - 8"	74" x 81"
05		120" x 96"	8' - 0"	122" x 97"
06		144" x 144"	12' - 0"	146" x 145"

NOTES:  
 1. VERIFY ALL DOOR SWINGS ON PLAN. ELEVATIONS FOR REFERENCE ONLY.  
 2. CONTRACTOR TO VERIFY ALL QUANTITIES AND SIZES WITH MANUFACTURER PRIOR TO CONSTRUCTION.



WINDOW SCHEDULE				
MARK	MANUFACTURER	OPERATION	UNIT DIMENSIONS (WxH)	R.O. (WxH)
01		SL	48" x 48"	48 1/2" x 48 1/2"

NOTES:  
 1. CONTRACTOR TO VERIFY ALL QUANTITIES AND SIZES WITH MANUFACTURER PRIOR TO CONSTRUCTION.

2  
A4.1 WINDOW ELEVATIONS  
SCALE: 1/2" = 1'-0"

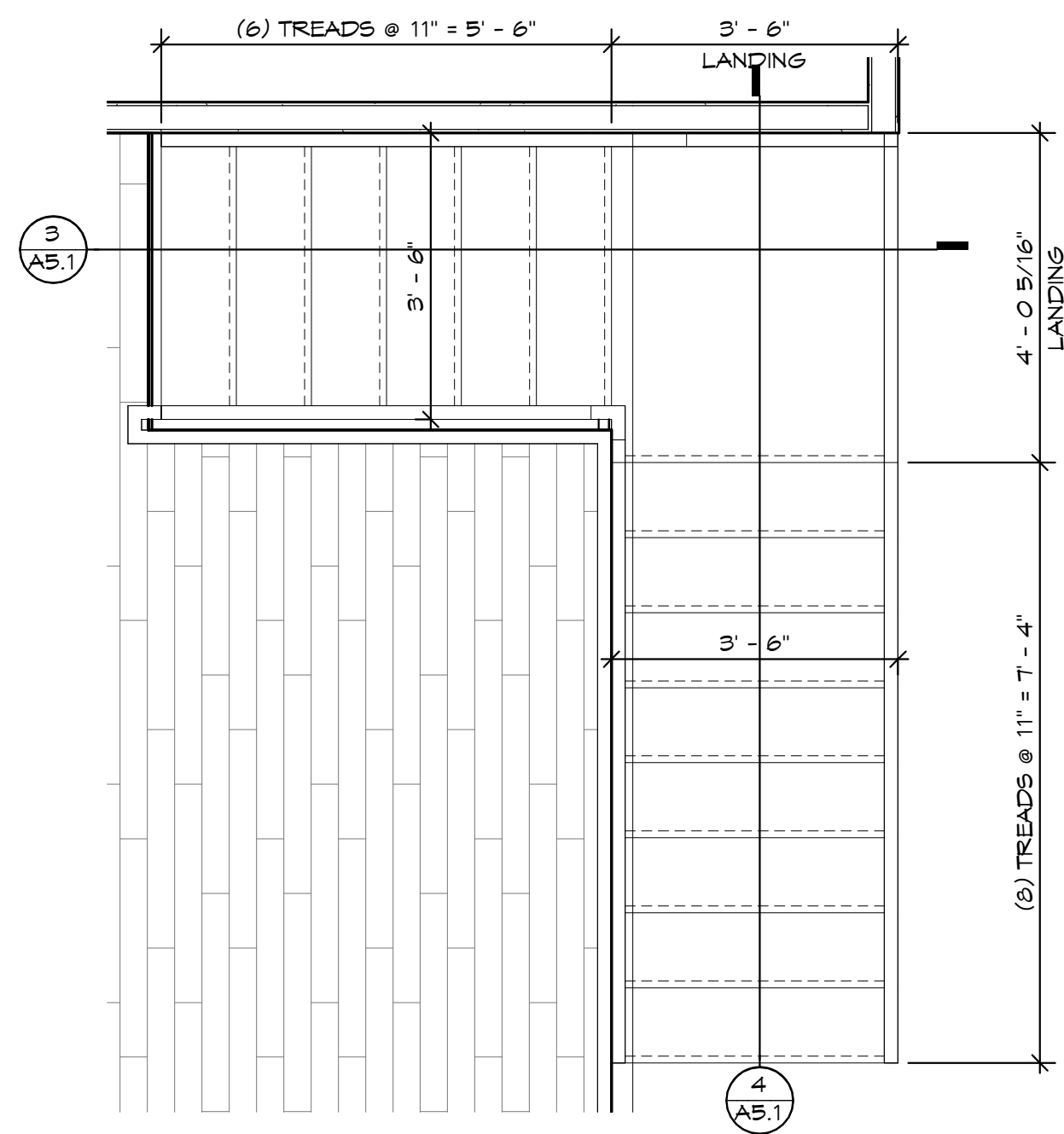
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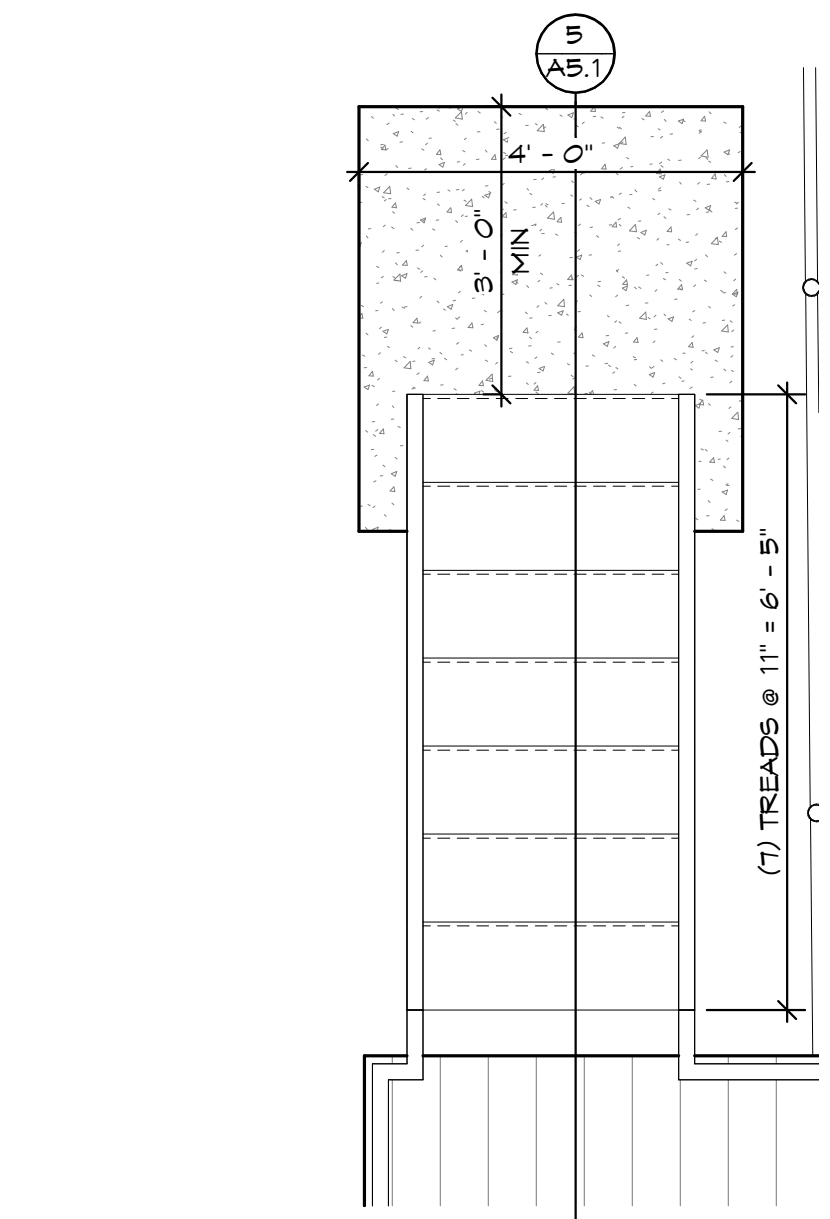
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WINDOW AND DOOR SCHEDULE

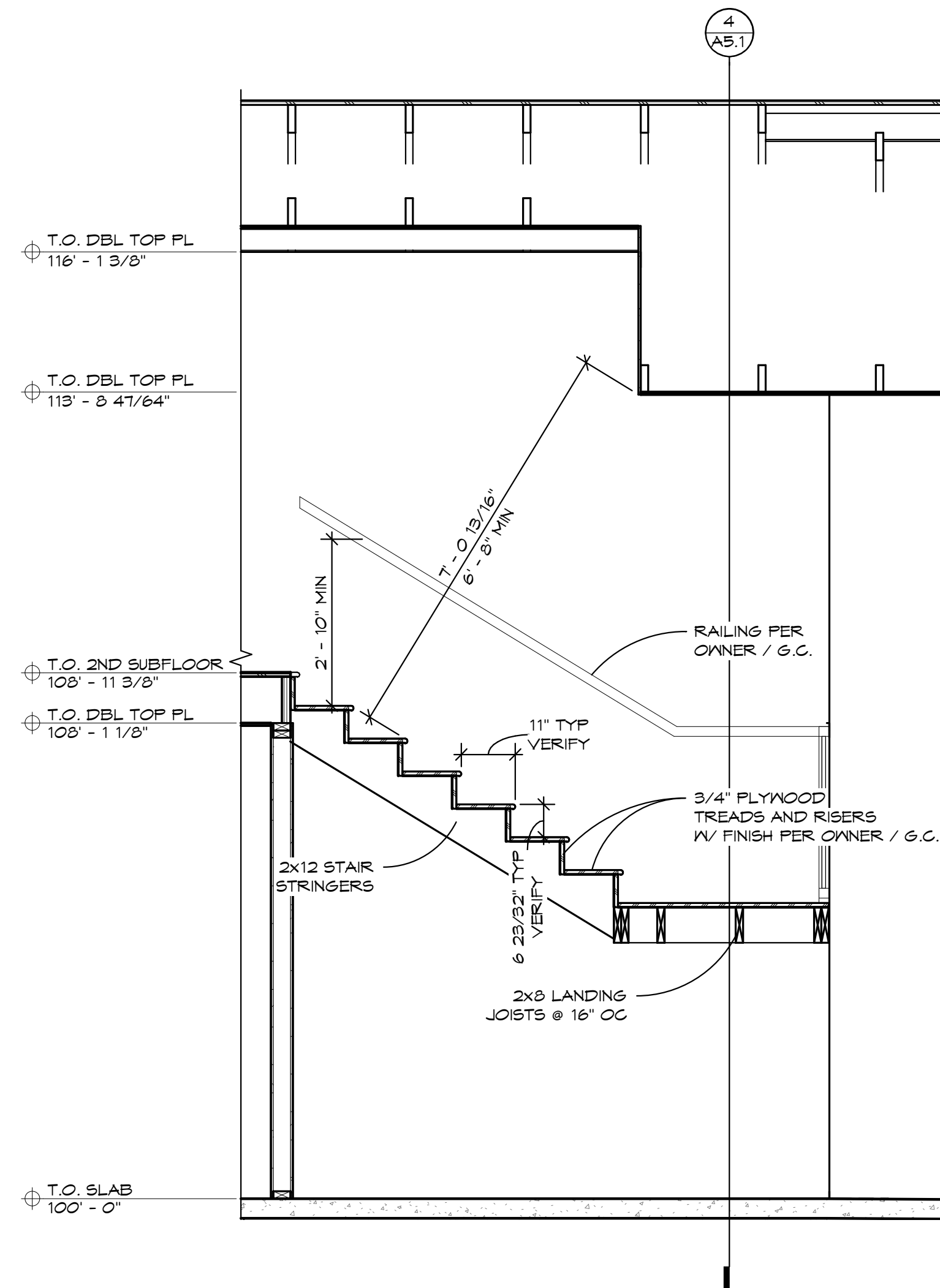
A4.1



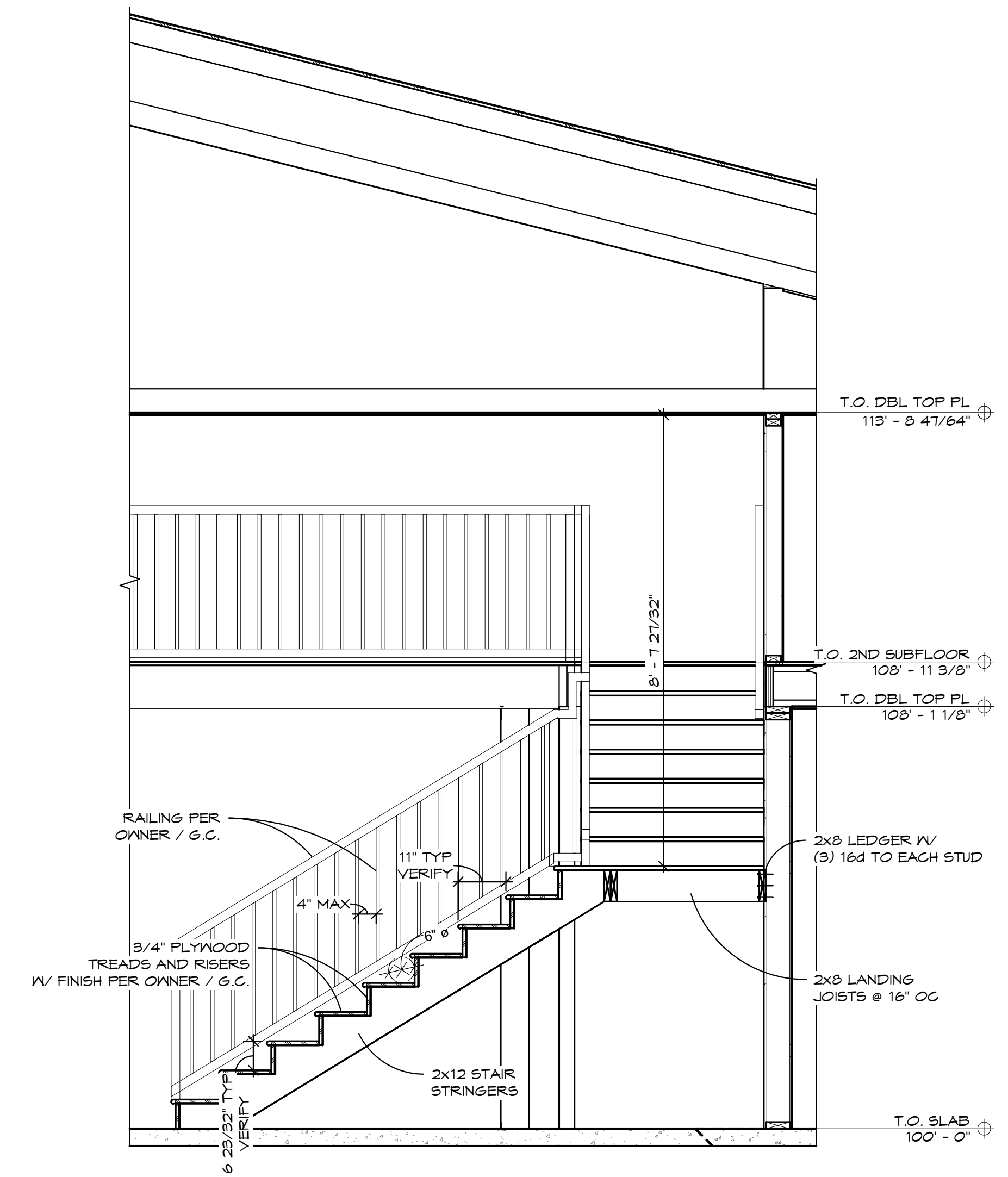
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A5.1  
ENLARGED STAIR PLAN  
SCALE: 1/2" = 1'-0"



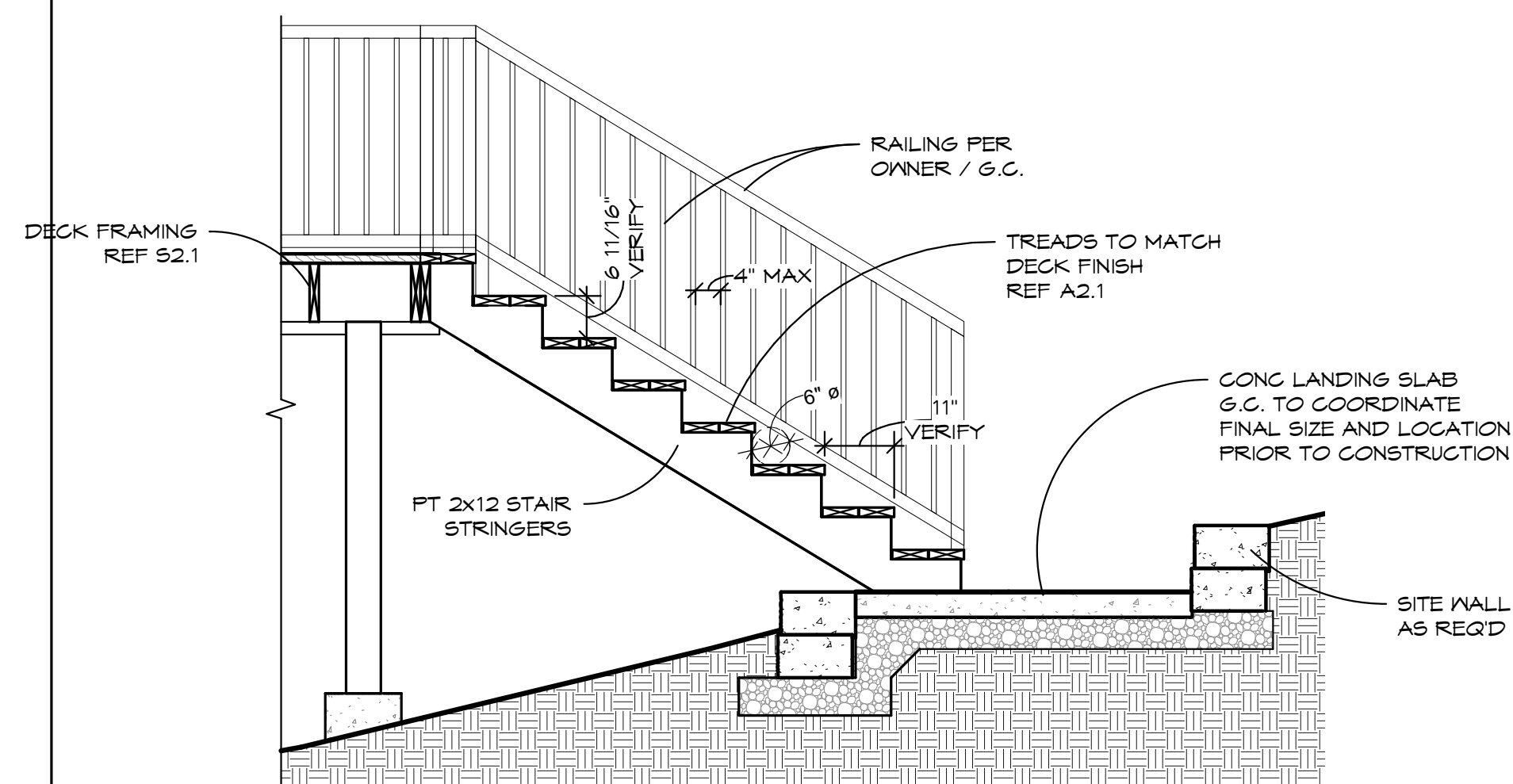
2  
A5.1  
ENLARGED STAIR PLAN  
SCALE: 1/2" = 1'-0"



3  
A5.1  
STAIR SECTION  
SCALE: 1/2" = 1'-0"



4  
A5.1  
STAIR SECTION  
SCALE: 1/2" = 1'-0"



5  
A5.1  
STAIR SECTION  
SCALE: 1/2" = 1'-0"

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STAIR  
DETAILS

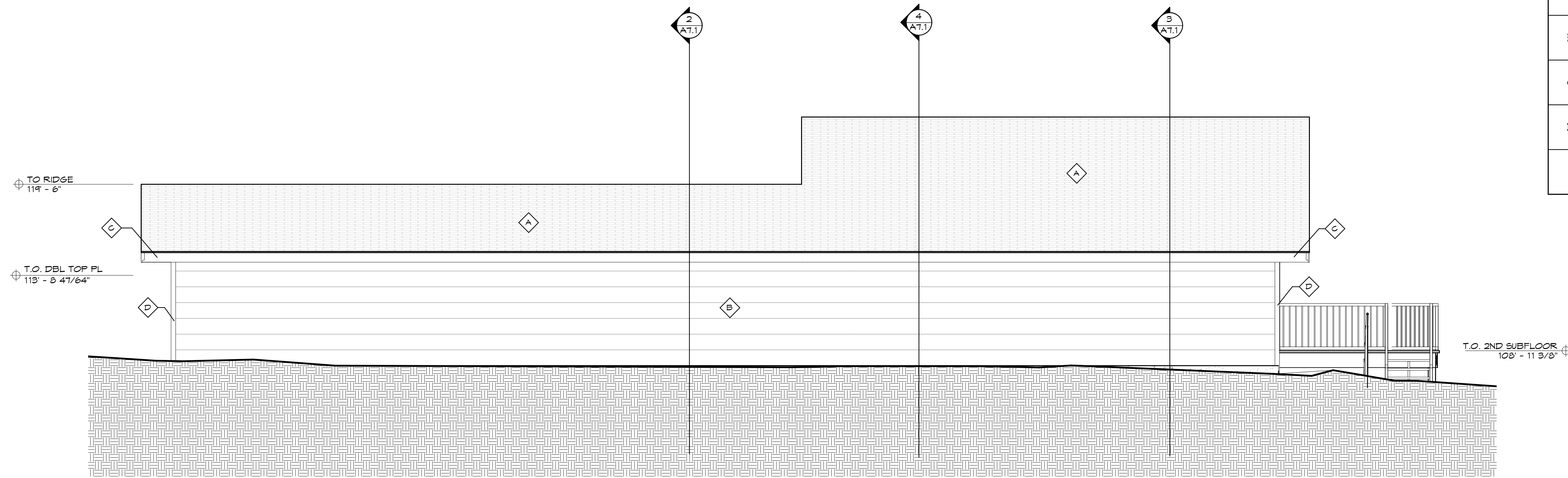
A5.1

**NOTES - EXTERIOR ELEVATIONS**

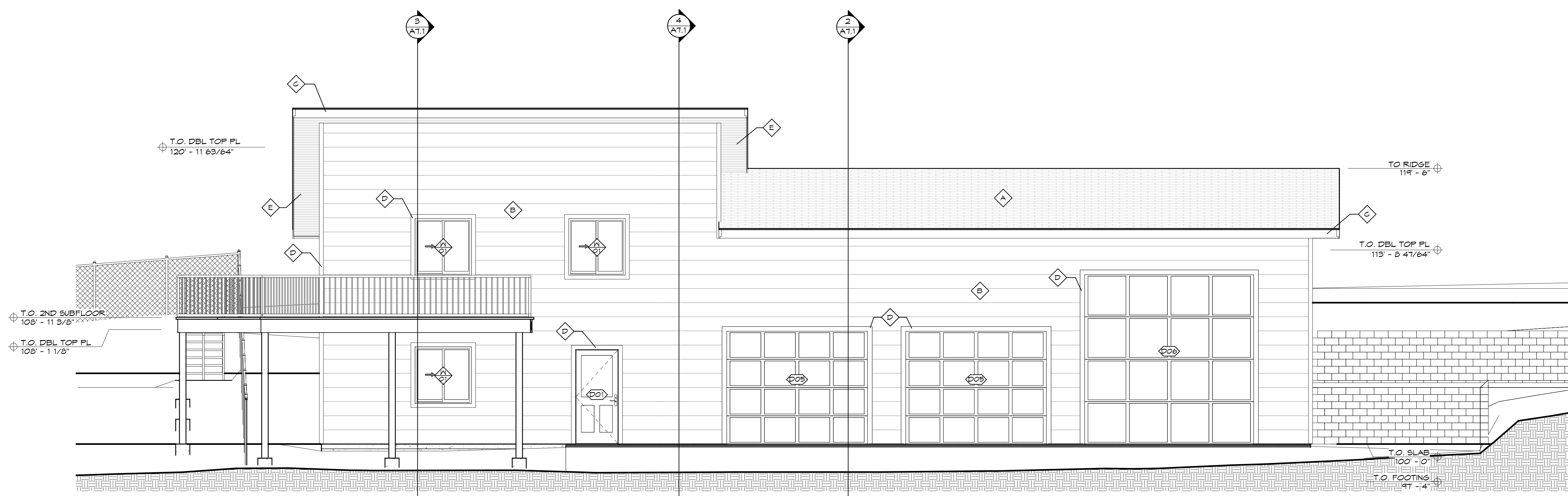
1. CONTRACTOR TO VERIFY ALL ELEVATIONS, NOTIFY DESIGNER OF ANY DISCREPANCIES.
2. CONTRACTOR TO VERIFY ALL FINAL FINISHES, TEXTURES AND COLOR SELECTIONS WITH DESIGNER/OWNER PRIOR TO ORDERING.

**EXTERIOR FINISH SCHEDULE**

MARK	DESCRIPTION	COMMENTS
A	MALARKY WINDSOR ASPHALT SHINGLES	COLOR - MIDNIGHT BLACK
B	LP SMARTSIDE 12" 38 SERIES CEDAR TEXTURE LAP SIDING	COLOR - CAVERN STEEL
C	LP SMARTSIDE 7.21" 540 SERIES CEDAR TEXTURE FASCIA	COLOR - SNOWSCAPE WHITE
D	LP SMARTSIDE 3.5" 540 SERIES CEDAR TEXTURE TRIM	COLOR - SNOWSCAPE WHITE
E	LP 38 SERIES CEDAR TEXTURE SOFFIT	COLOR - SNOWSCAPE WHITE



**4 NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"



**2 SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"

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**EXTERIOR ELEVATIONS**

**A6.0**

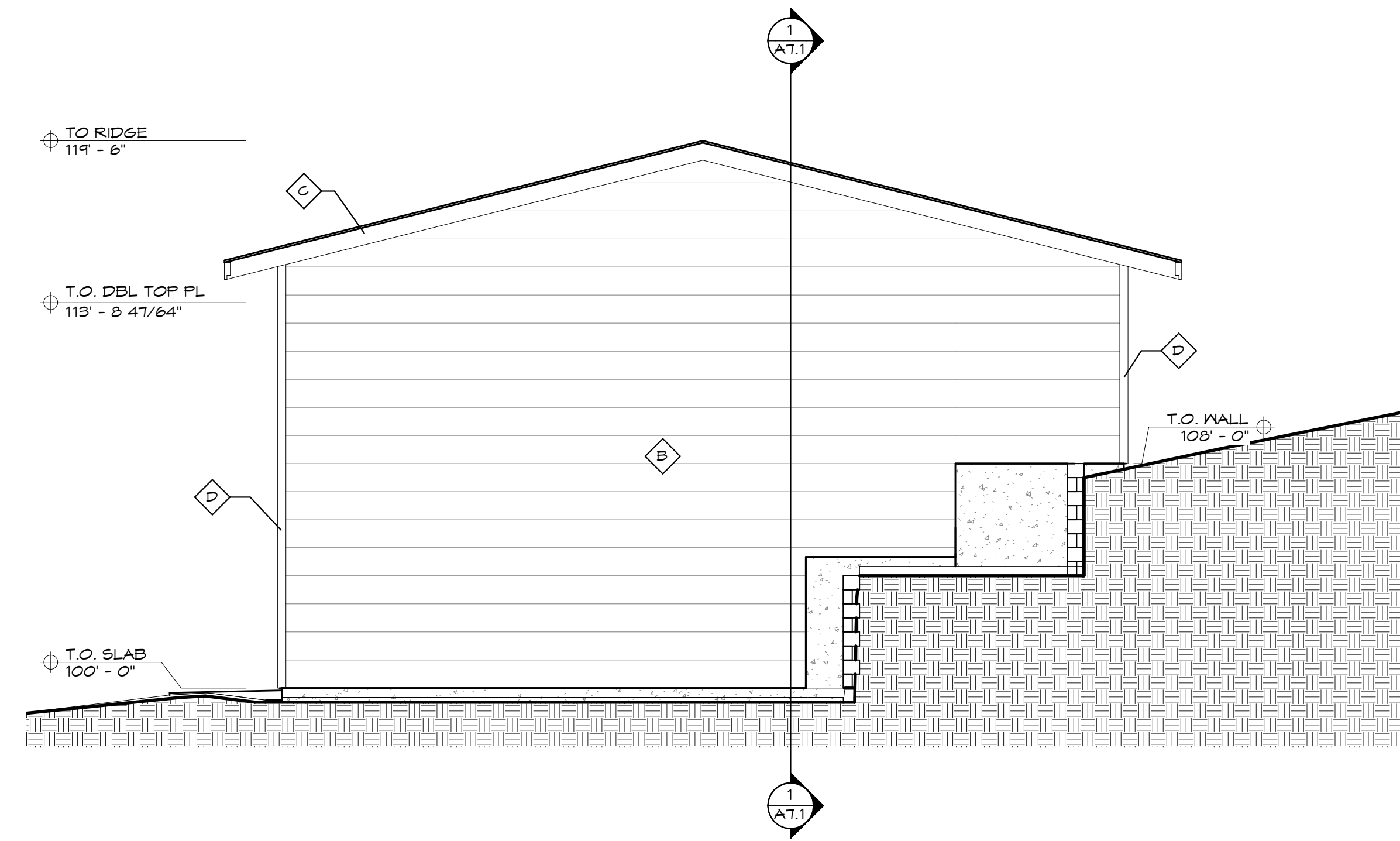


**NOTES - EXTERIOR ELEVATIONS**

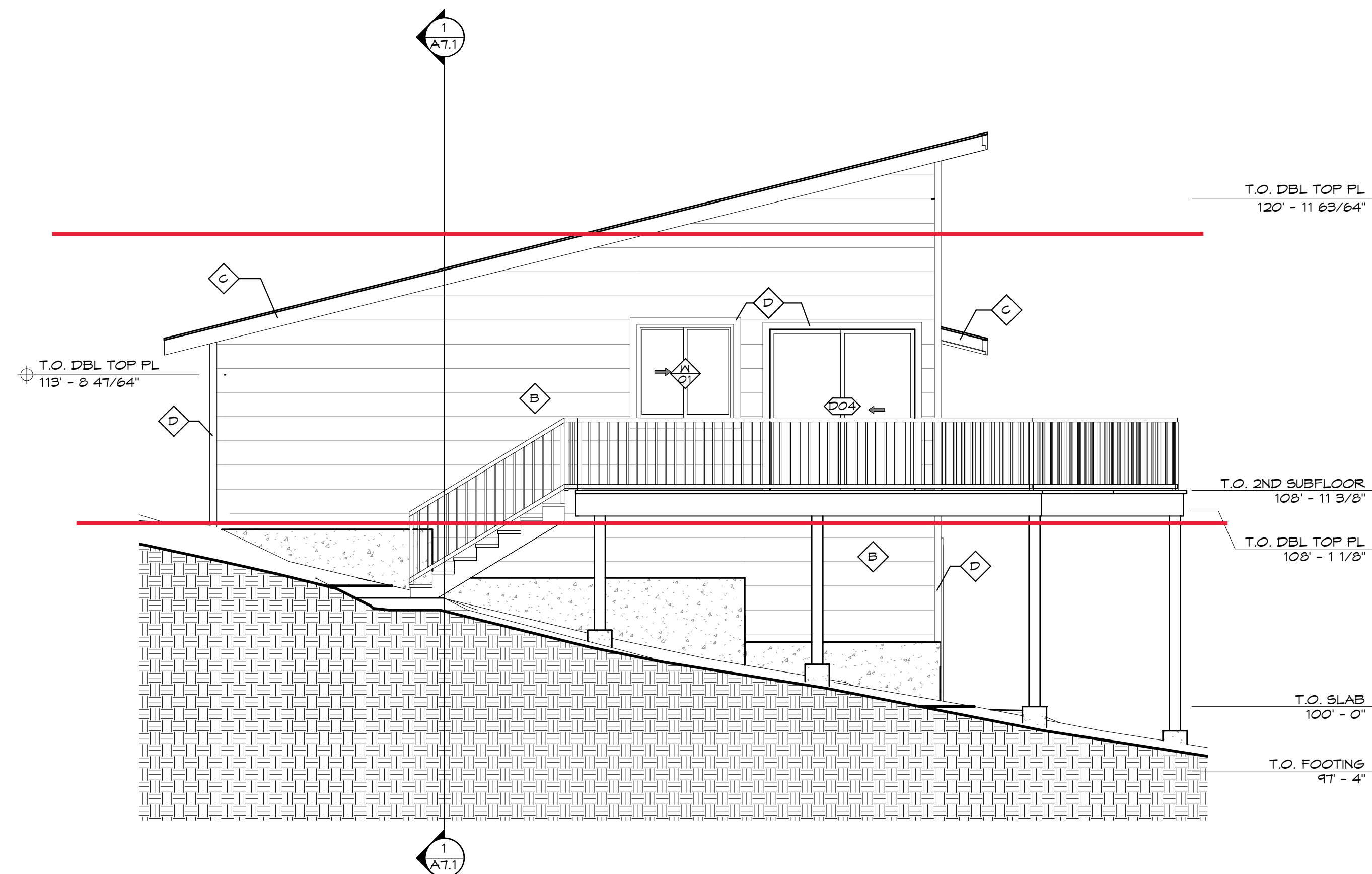
1. CONTRACTOR TO VERIFY ALL ELEVATIONS, NOTIFY DESIGNER OF ANY DISCREPANCIES.
2. CONTRACTOR TO VERIFY ALL FINAL FINISHES, TEXTURES AND COLOR SELECTIONS WITH DESIGNER/OWNER PRIOR TO ORDERING.

**EXTERIOR FINISH SCHEDULE**

MARK	DESCRIPTION	COMMENTS
A	MALARKY WINDSOR ASPHALT SHINGLES	COLOR - MIDNIGHT BLACK
B	LP SMARTSIDE 12" 38 SERIES CEDAR TEXTURE LAP SIDING	COLOR - CAVERN STEEL
C	LP SMARTSIDE 7.21" 540 SERIES CEDAR TEXTURE FASCIA	COLOR - SNOWSCAPE WHITE
D	LP SMARTSIDE 3.5" 540 SERIES CEDAR TEXTURE TRIM	COLOR - SNOWSCAPE WHITE
E	LP 38 SERIES CEDAR TEXTURE SOFFIT	COLOR - SNOWSCAPE WHITE



**1 EAST ELEVATION**  
SCALE: 1/4" = 1'-0"



**2 WEST ELEVATION**  
SCALE: 1/4" = 1'-0"

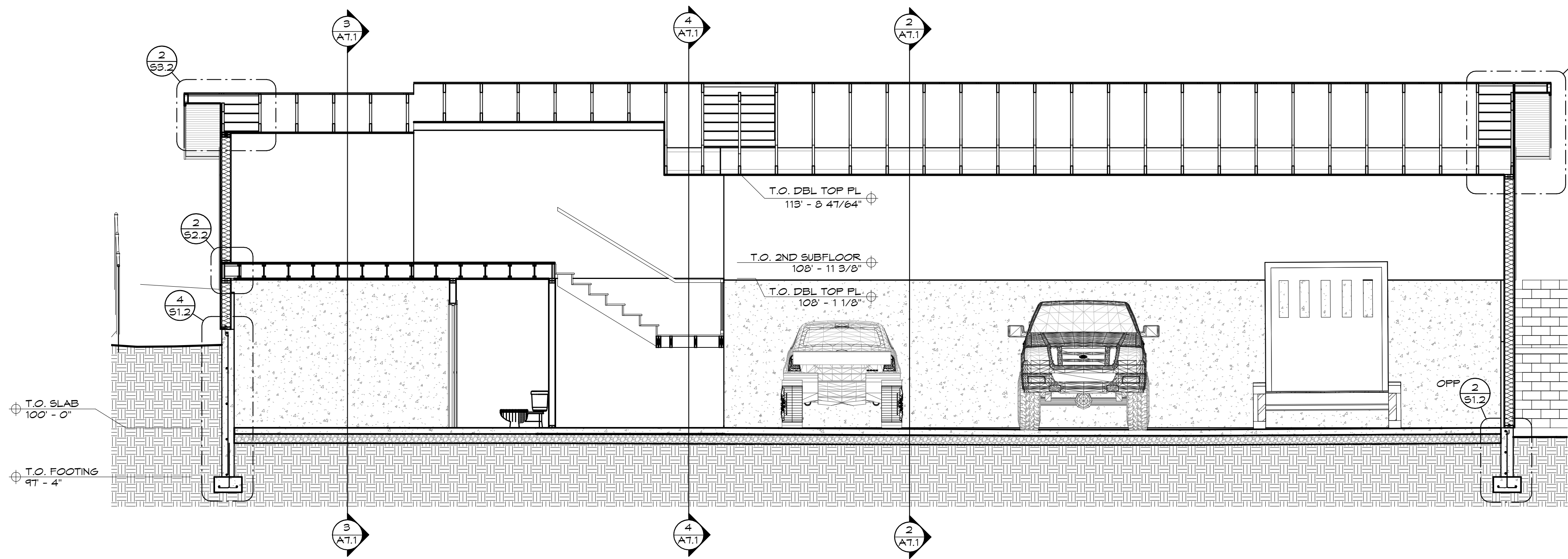
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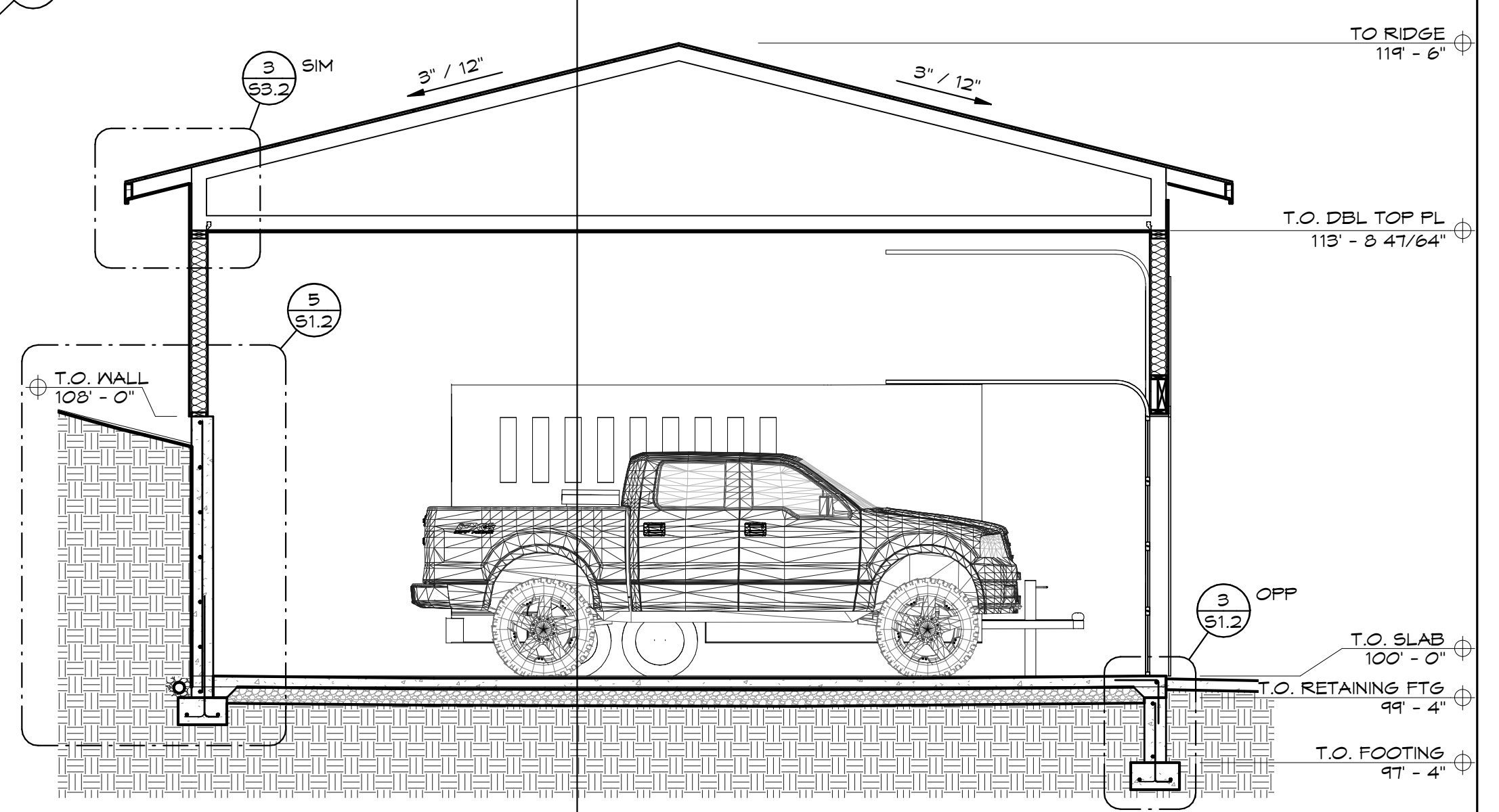
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**EXTERIOR ELEVATIONS**

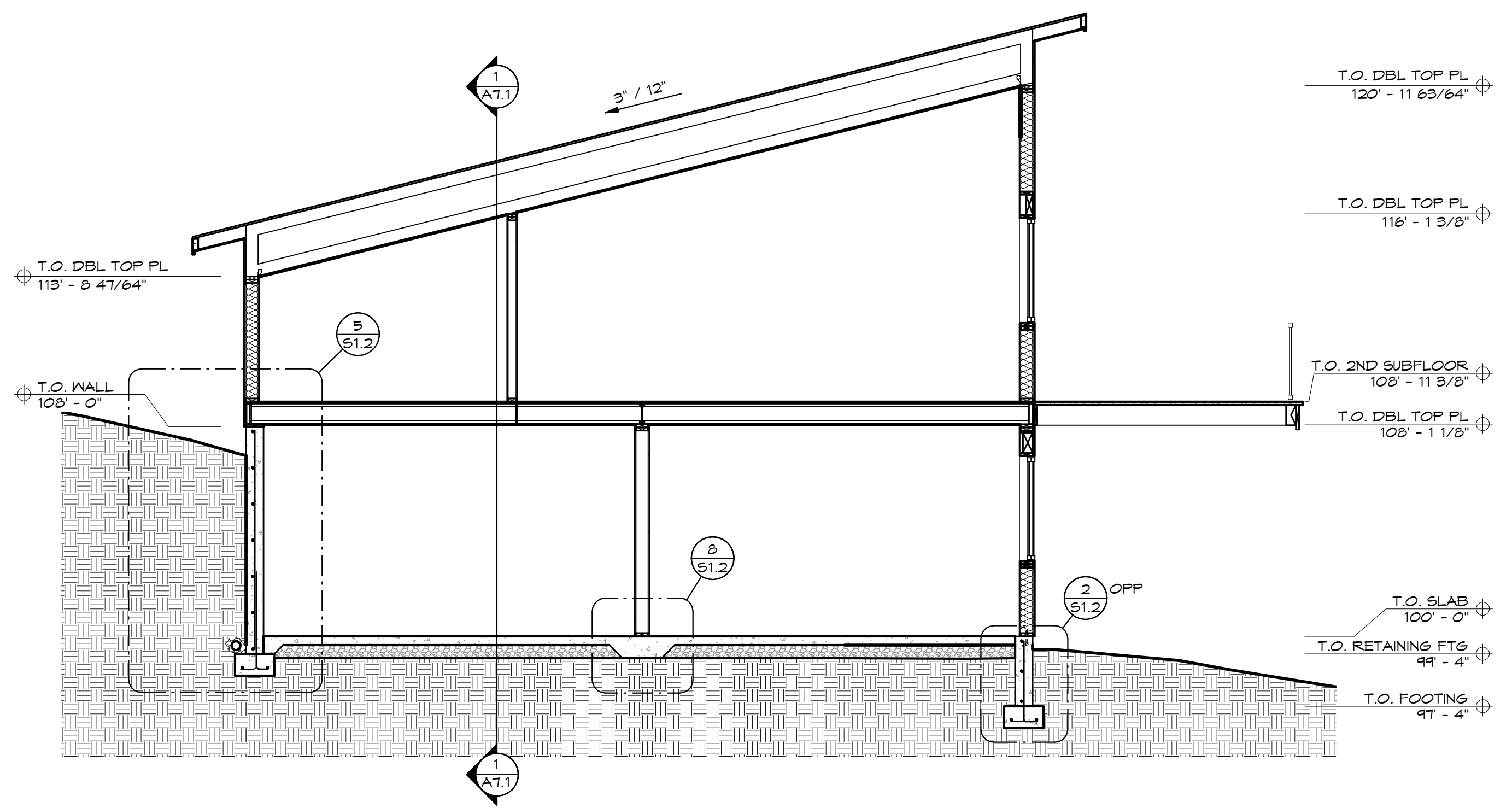
**A6.1**



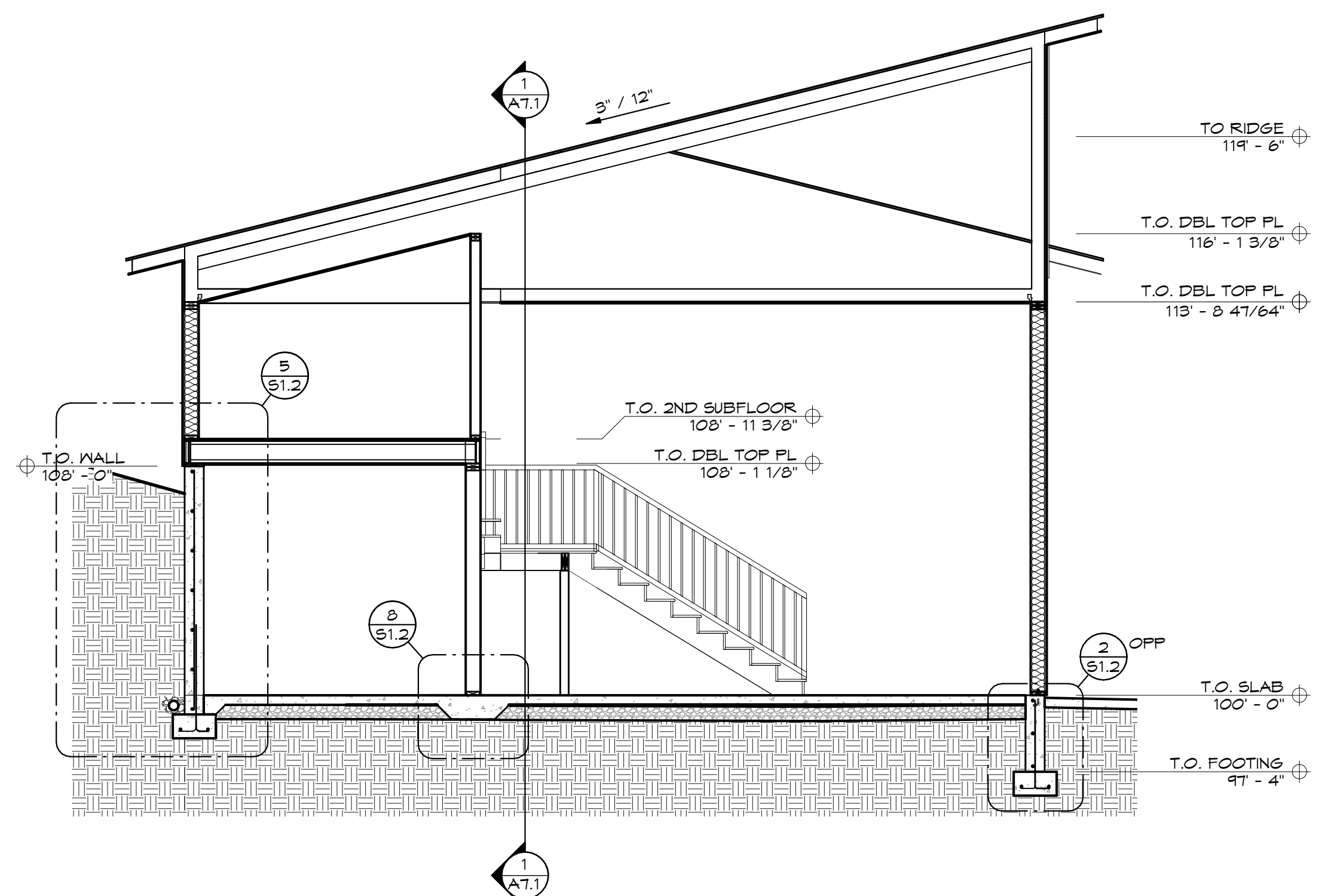
1 BUILDING SECTION  
SCALE: 1/4" = 1'-0"



2 BUILDING SECTION  
SCALE: 1/4" = 1'-0"



3 BUILDING SECTION  
SCALE: 1/4" = 1'-0"



4 BUILDING SECTION  
SCALE: 1/4" = 1'-0"

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**BUILDING SECTIONS**

**A7.1**

### FOOTING SCHEDULE

MARK	FOOTING DESCRIPTION	NOTES
A	1' - 6" x 10" CONTINUOUS CONCRETE STRIP FOOTING W/ (3) #4 BARS CONT. BOTTOM	
C	1' - 6" x 10" CONTINUOUS THICKENED SLAB FTG W/ (2) #4 CONTINUOUS BARS, BOTTOM	
D	2' - 0" SQ x 10" THICK PAD FTG W/ (2) #4 BARS EACH WAY, BOTTOM	

### FLOOR SYSTEM SCHEDULE

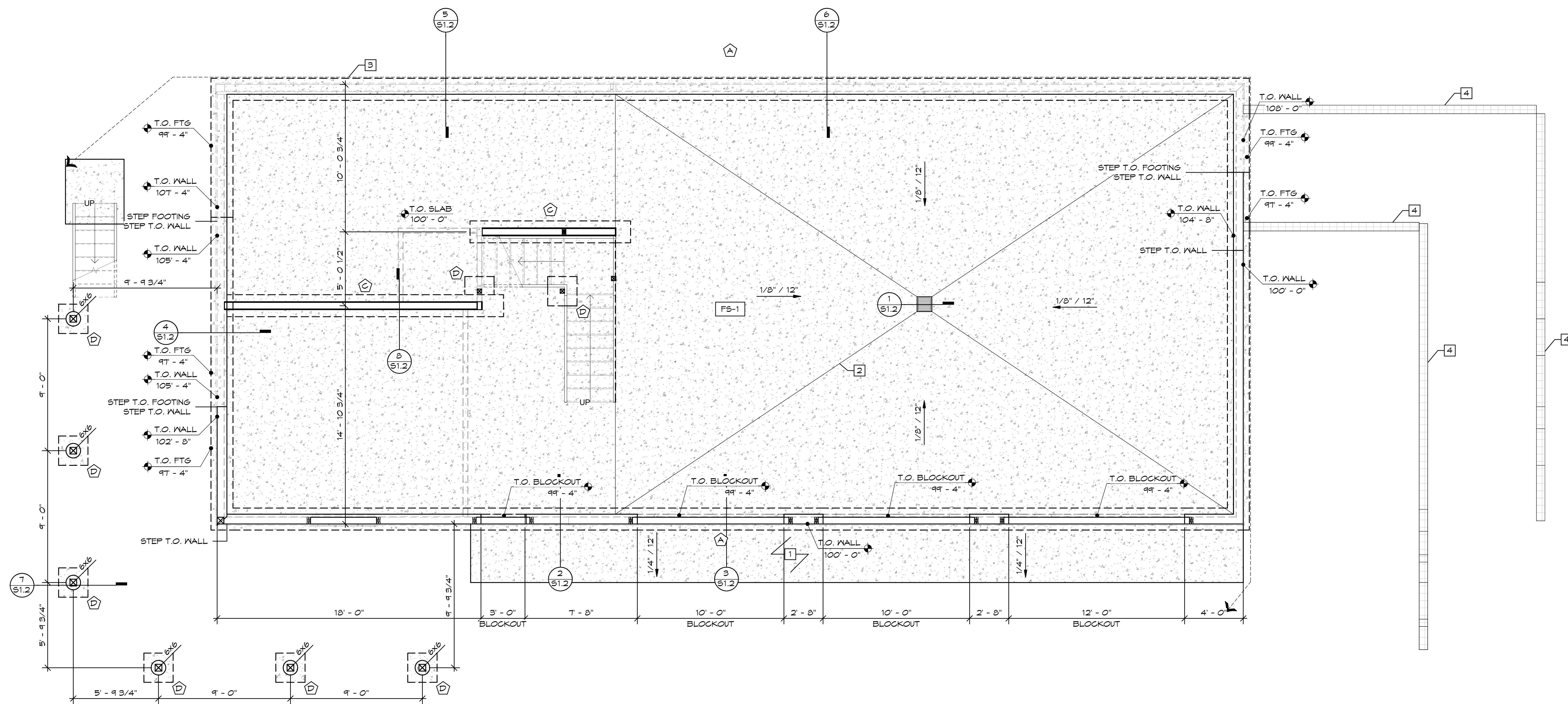
MARK	FLOOR SYSTEM
FS-1	4" CONCRETE SLAB REINFORCED W/ #4 @ 18" OC EACH WAY OVER 6 MIL VAPOR BARRIER OVER 6" WASHED AGGREGATE, SLOPED AS SHOWN ON PLAN
FS-2	FINISH FLOOR (PER G.C. / OWNER) OVER 23/32" T&G PLYWOOD GLUED AND NAILED WITH 10d NAILS (8" OC BOUNDARY NAILING, 6" OC EDGE NAILING, AND 12" OC FIELD NAILING) OVER 1 1/2" TJI 110 FLOOR JOISTS (SEE A2.2)
FS-3	1" x 5 1/2" TREX DECKING W/ (2) #10 x 2 1/2" DECKMATE COMPOSITE SCREWS TO EACH DECK JOIST OVER P.T. 2X10 DECK JOISTS (SEE A2.2)

### FOUNDATION PLAN NOTES

- TYPICAL FOUNDATION CONSTRUCTION TO BE 6" WIDE CONCRETE STEMWALL, REINFORCE WITH #4 VERTICAL BARS @ 24" OC. PROVIDE ALTERNATE BENDS INTO FOOTING AND #4 HORIZONTAL CONTINUOUS BARS @ 24" OC MIN. UNLESS NOTED OTHERWISE ON FLANS.
- ALL ANCHOR BOLTS TO BE 1/2" Ø W/ 1" MIN EMBED @ 48" OC MAX AND WITHIN 12" OF CORNERS. MIN (2) ANCHOR BOLTS PER SILL.
- PROVIDE RADON MITIGATION MEASURES AS REQUIRED.
- GRADE TO SLOPE AWAY FROM STRUCTURE 1/2" : 12" MIN.
- ALL SLAB REINFORCING TO HAVE 1 1/2" CLEAR TO TOP OF SLAB.
- ALL WOOD EXPOSED TO CONCRETE, WEATHER, OR WITHIN 6" OF GRADE TO BE PRESSURE TREATED.
- T.O. SLAB DENOTES HIGHEST POINT. SLOPE AS REQUIRED, MIN 1/4" : 12".
- EXTERIOR FACE OF CONCRETE EQUALS EXTERIOR FACE OF STUD, UNO.
- ALL HANGERS AND CONNECTORS TO BE SIMPSON UNLESS NOTED OTHERWISE.
- ALL FOUNDATION WALLS TO BE CENTERED ON FOOTING, UNLESS NOTED OTHERWISE.
- BACKFILL WITH 6" TOPSOIL OVER NATIVE SOIL OVER 16" OF 3/4" MINUS GRAVEL. DO NOT COMMENCE BACK FILLING FOUNDATION UNTIL FRAMING IS COMPLETE.

### FOUNDATION KEYNOTES

MARK	NOTE
1	4" CONCRETE APRON SLAB REINFORCED W/ #3 BARS @ 24" OC EACH WAY OVER 4" WASHED AGGREGATE - BROOM FINISH
2	SAN CUT CONTROL JOINTS
3	4" DIAMETER PERFORATED PERIMETER DRAIN, WRAP IN FILTER FABRIC AND SET IN GRAVEL - SLOPE TO DAYLIGHT
4	SITE RETAINING WALL BY OWNER / G.C.



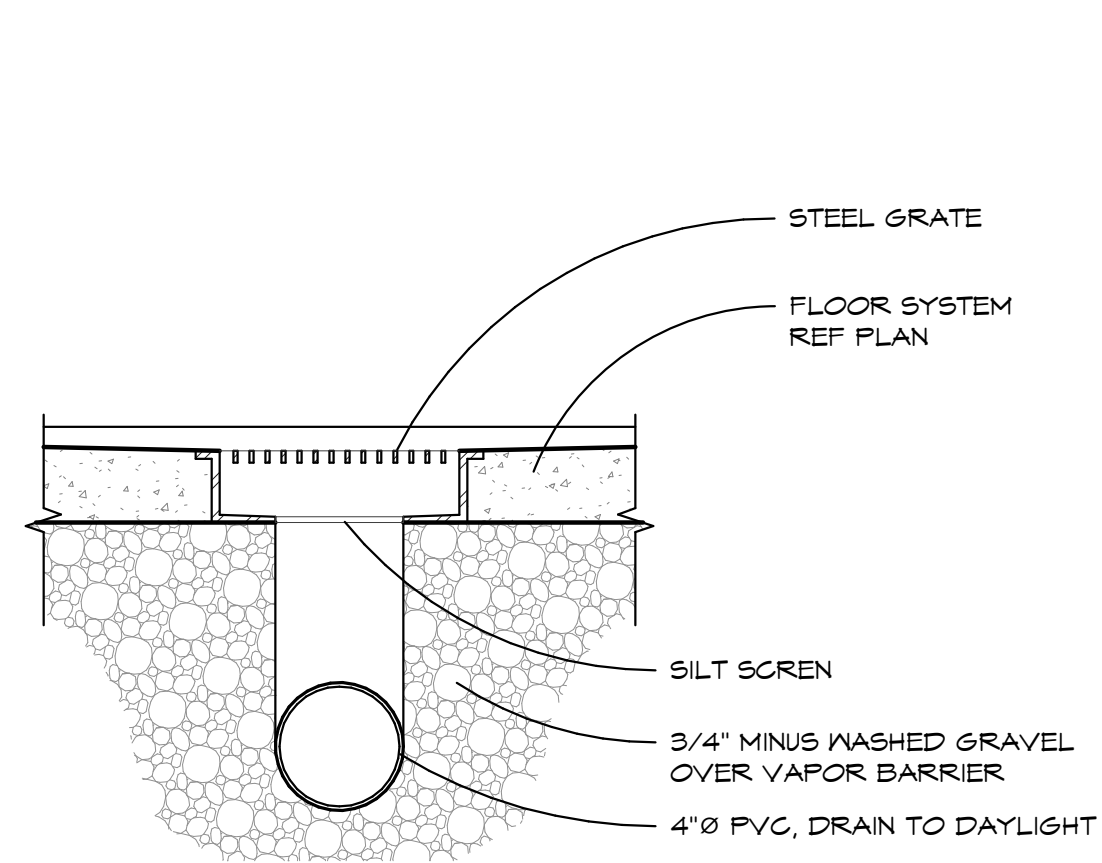
FOUNDATION PLAN  
SCALE: 1/4" = 1'-0"

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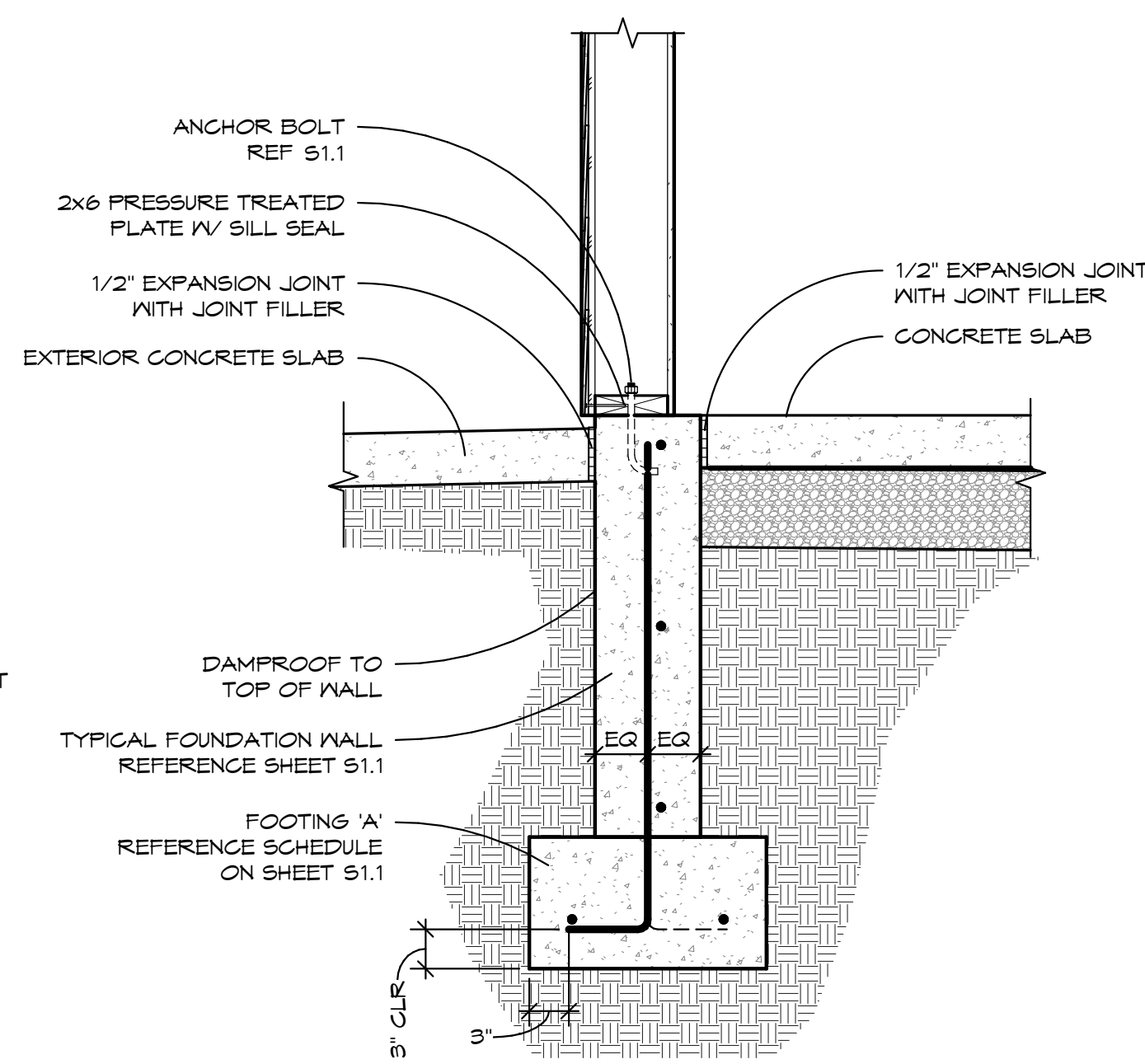
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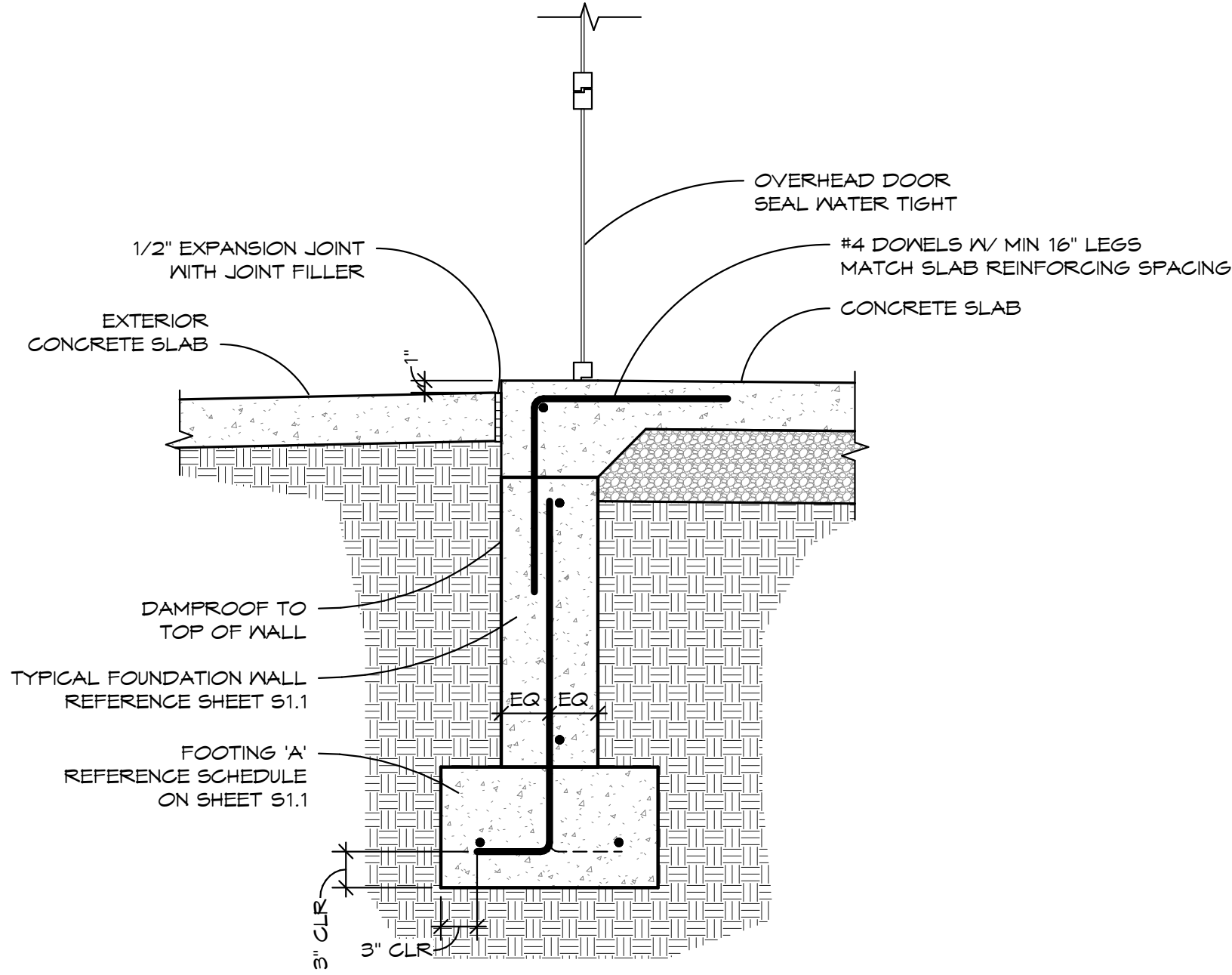
FOUNDATION PLAN  
**S1.1**



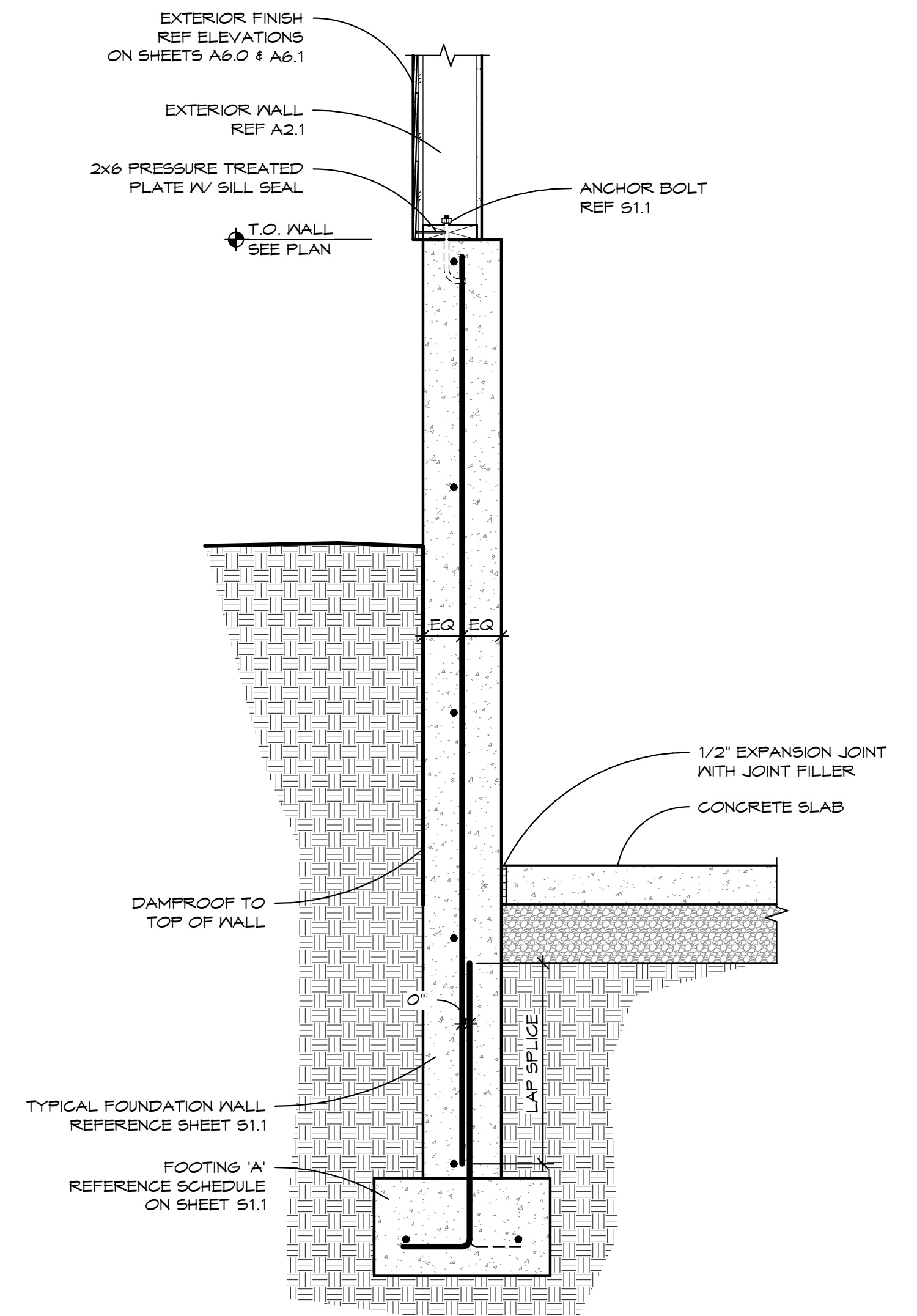
1  
S1.2 FLOOR DRAIN DETAIL  
SCALE: 1" = 1'-0"



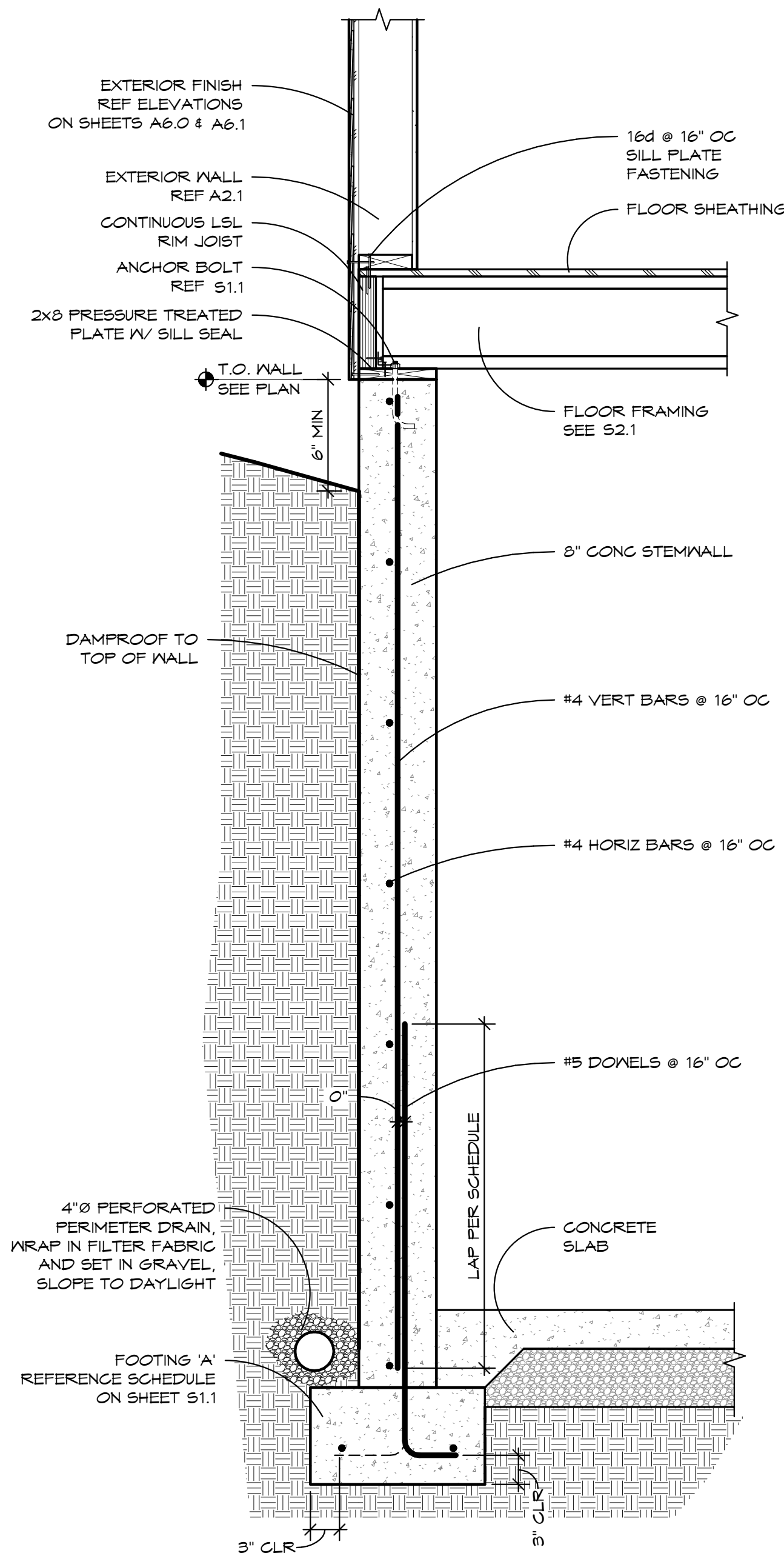
2  
S1.2 TYPICAL GARAGE WALL  
SCALE: 1" = 1'-0"



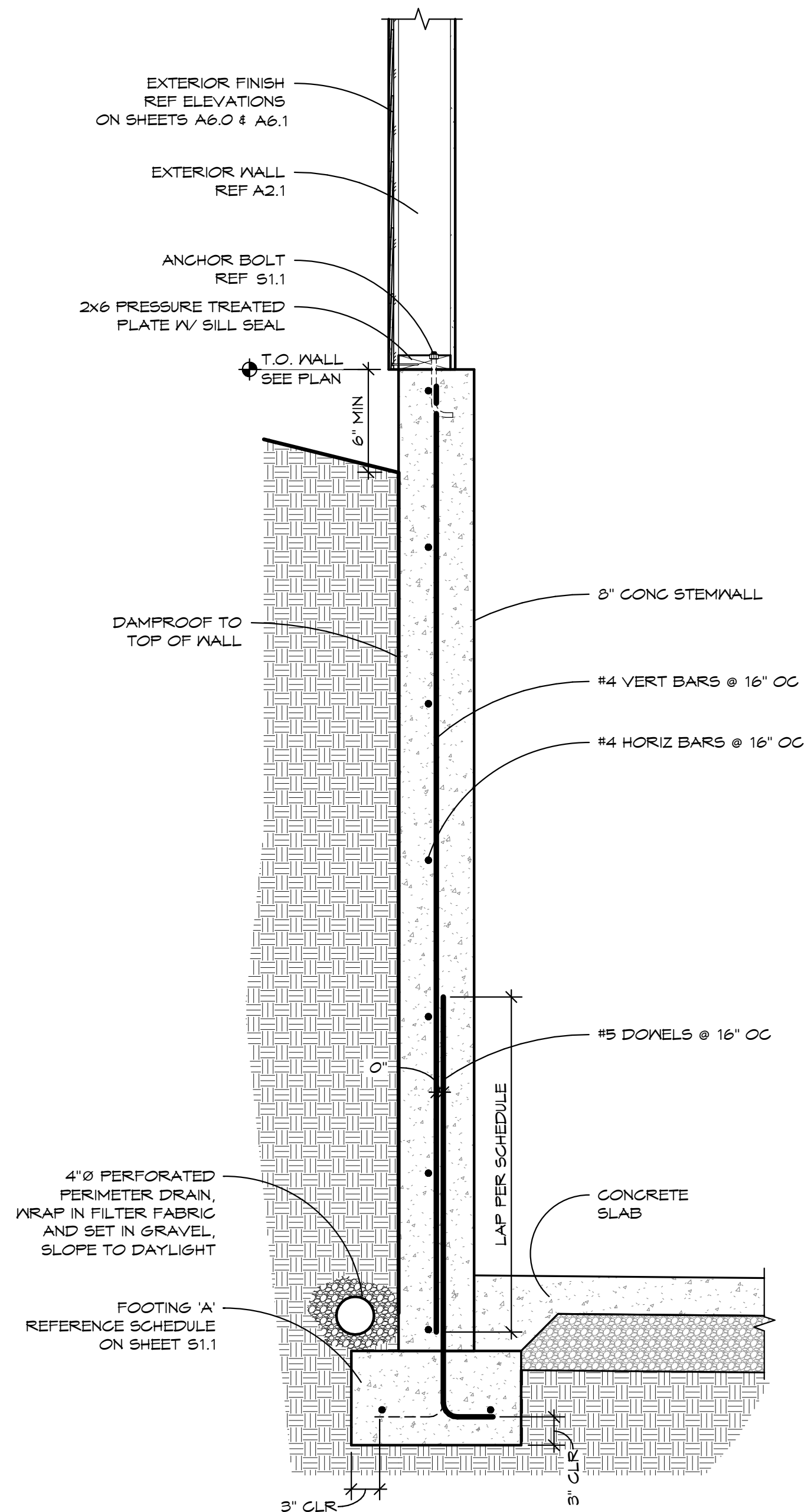
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S1.2 TYPICAL SLAB BLOCKOUT  
SCALE: 1" = 1'-0"



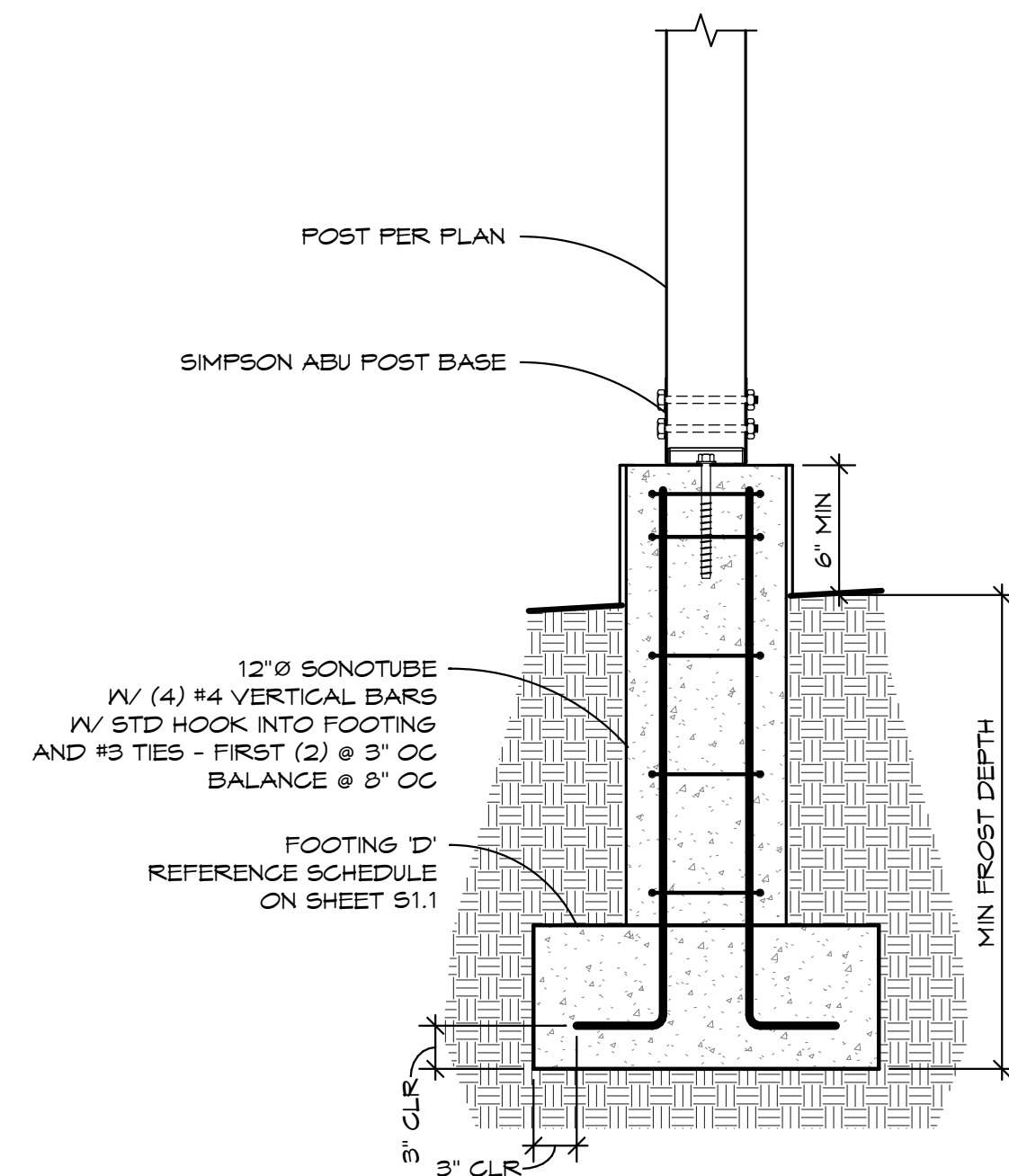
4  
S1.2 TYPICAL GARAGE WALL  
SCALE: 1" = 1'-0"



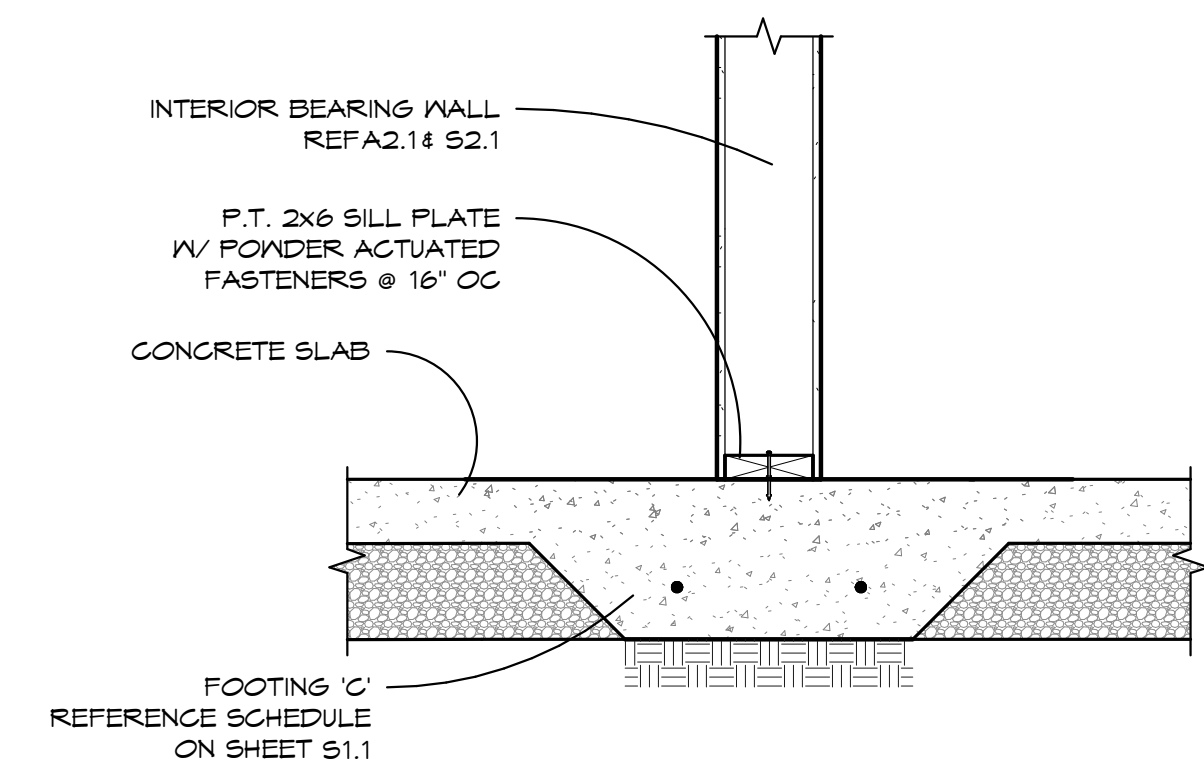
5  
S1.2 TYPICAL GARAGE RETAINING WALL  
SCALE: 1" = 1'-0"



6  
S1.2 TYPICAL GARAGE RETAINING WALL  
SCALE: 1" = 1'-0"



7  
S1.2 TYPICAL EXTERIOR COLUMN  
SCALE: 1" = 1'-0"



8  
S1.2 TYPICAL INTERIOR BEARING WALL  
SCALE: 1" = 1'-0"

REBAR LAP SCHEDULE IN CONCRETE

#3	14"
#4	25"
#5	32"
#6	38"

9  
S1.2 REBAR LAP SCHEDULE  
SCALE: 1" = 1'-0"

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FOUNDATION  
DETAILS

S1.2

**PLAN NOTES - FLOOR FRAMING**

1. PROVIDE SOLID BLKG BETWEEN FRAMING AT BEARING WALL LOCATIONS.
2. ALL DECK FRAMING TO BE PRESSURE TREATED MATERIAL IF REQUIRED.
3. PROVIDE 6" MINIMUM URETHEN INSULATION AT CONTINUOUS RIM JOIST ENTIRE PERIMETER.
4. ALL HANGERS AND FRAMING CONNECTIONS ARE TO BE SIMPSON, UNLESS NOTED OTHERWISE.

**HEADER SCHEDULE**

MARK	SIZE	KING STUDS	TRIMMER STUDS	REMARKS
HDR1	(2) 2x10	(1) 2x	(1) 2x	
HDR2	(2) 2x12	(2) 2x	(2) 2x	
HDR3	5 1/2"x12" GL	(2) 2x	(2) 2x	
HDR4	(3) 2x10	(2) 2x	(2) 2x	

**BEAM SCHEDULE**

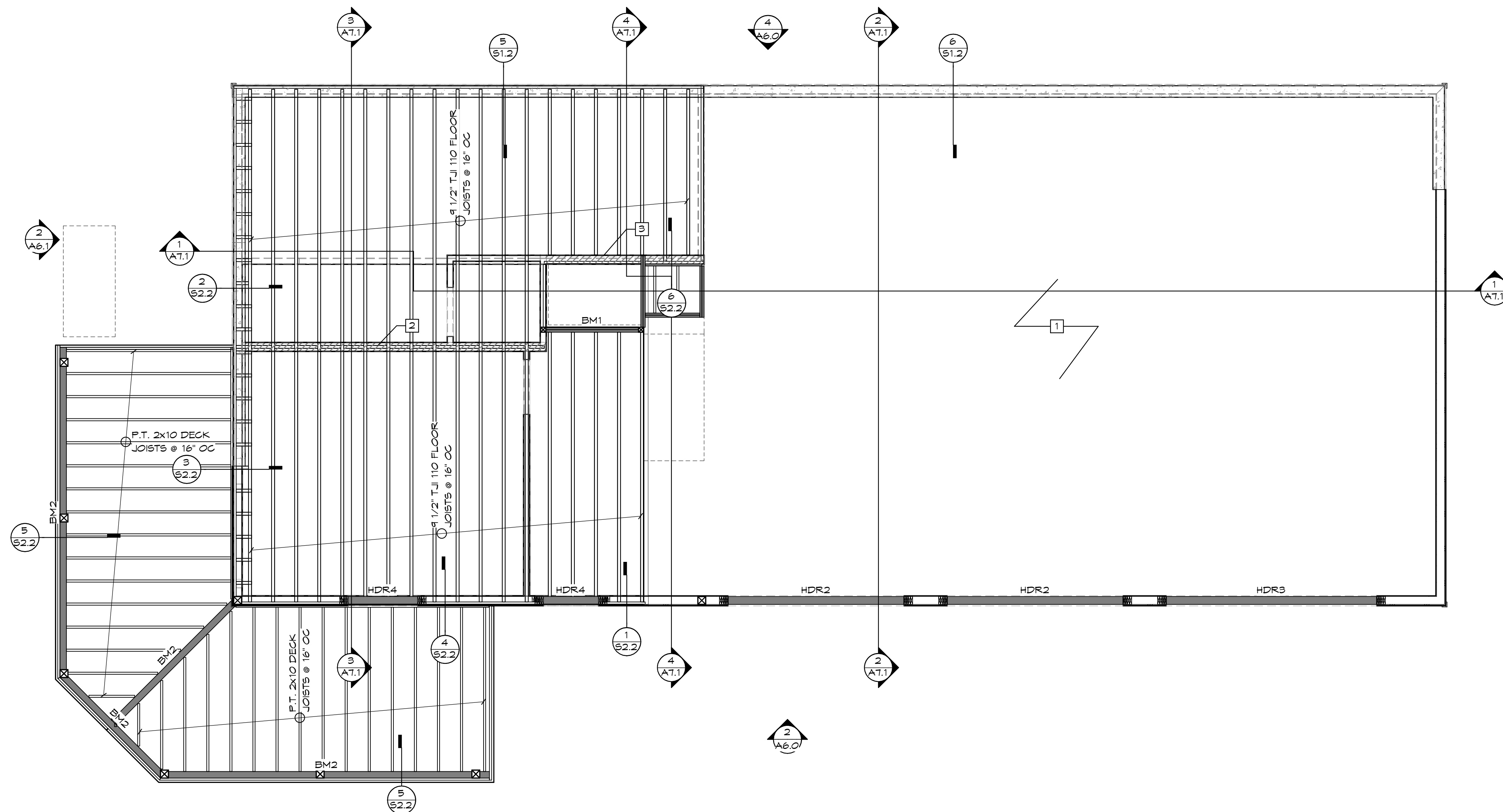
MARK	SIZE	COMMENTS
BM1	(2) 1 3/4"x9 1/2" LVL	
BM2	(3) 2x10	

**FLOOR SYSTEM SCHEDULE**

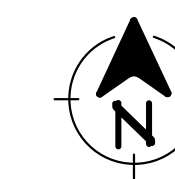
MARK	FLOOR SYSTEM
F5-1	4" CONCRETE SLAB REINFORCED W/ #4 @ 18" OC EACH WAY OVER 6 MIL VAPOR BARRIER OVER 6" WASHED AGGREGATE, SLOPED AS SHOWN ON PLAN
F5-2	FINISH FLOOR (PER G.C. / OWNER) OVER 23/32" T&G PLYWOOD GLUED AND NAILED WITH 10d NAILS (6" OC BOUNDARY NAILING, 6" OC EDGE NAILING, AND 12" OC FIELD NAILING) OVER 9 1/2" TJI 110 FLOOR JOISTS (SEE A2.2)
F5-3	1" x 5 1/2" TREX DECKING W/ (2) #10 x 2 1/2" DECKMATE COMPOSITE SCREWS TO EACH DECK JOIST OVER P.T. 2x10 DECK JOISTS (SEE A2.2)

**FLOOR FRAMING KEYNOTES**

MARK	NOTE
1	OPEN TO BELOW
2	BEARING WALL BELOW WITH SOLID BLOCKING BETWEEN FLOOR JOISTS
3	BEARING WALL BELOW WITH CONTINUOUS RIM JOIST



SECOND LEVEL FRAMING PLAN  
SCALE: 1/4" = 1'-0"

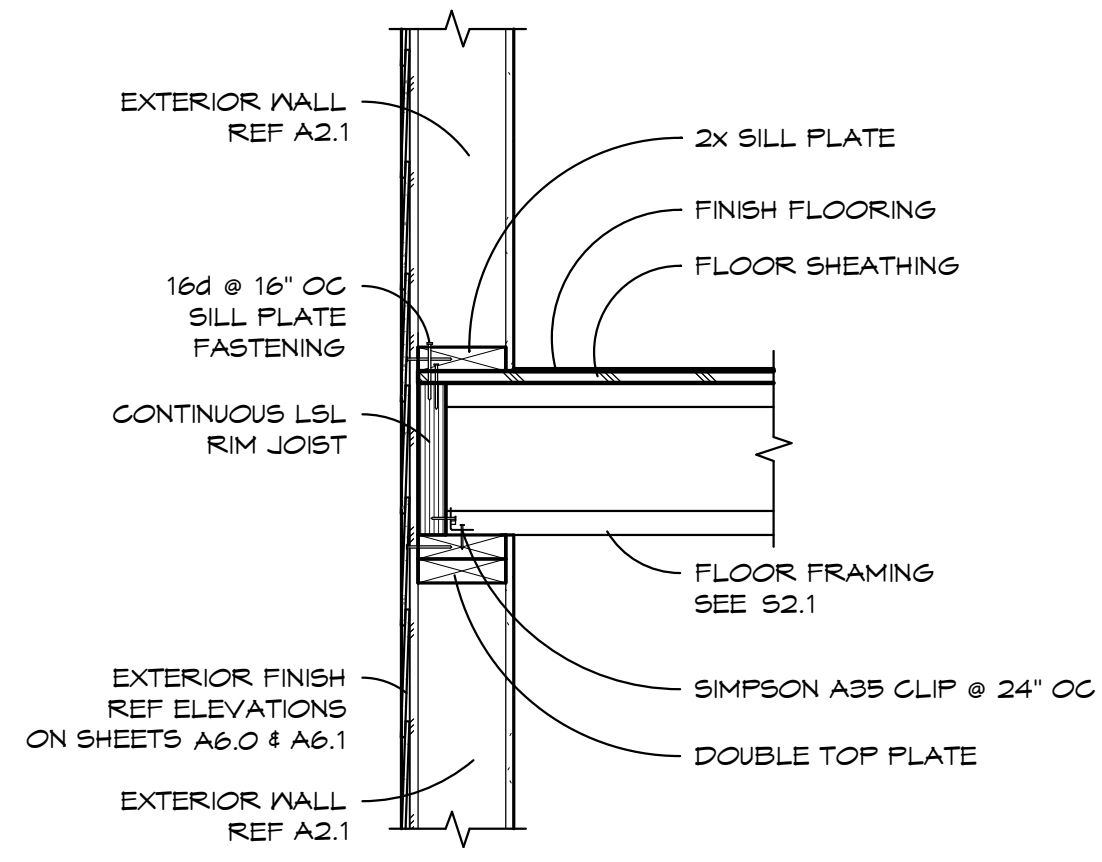


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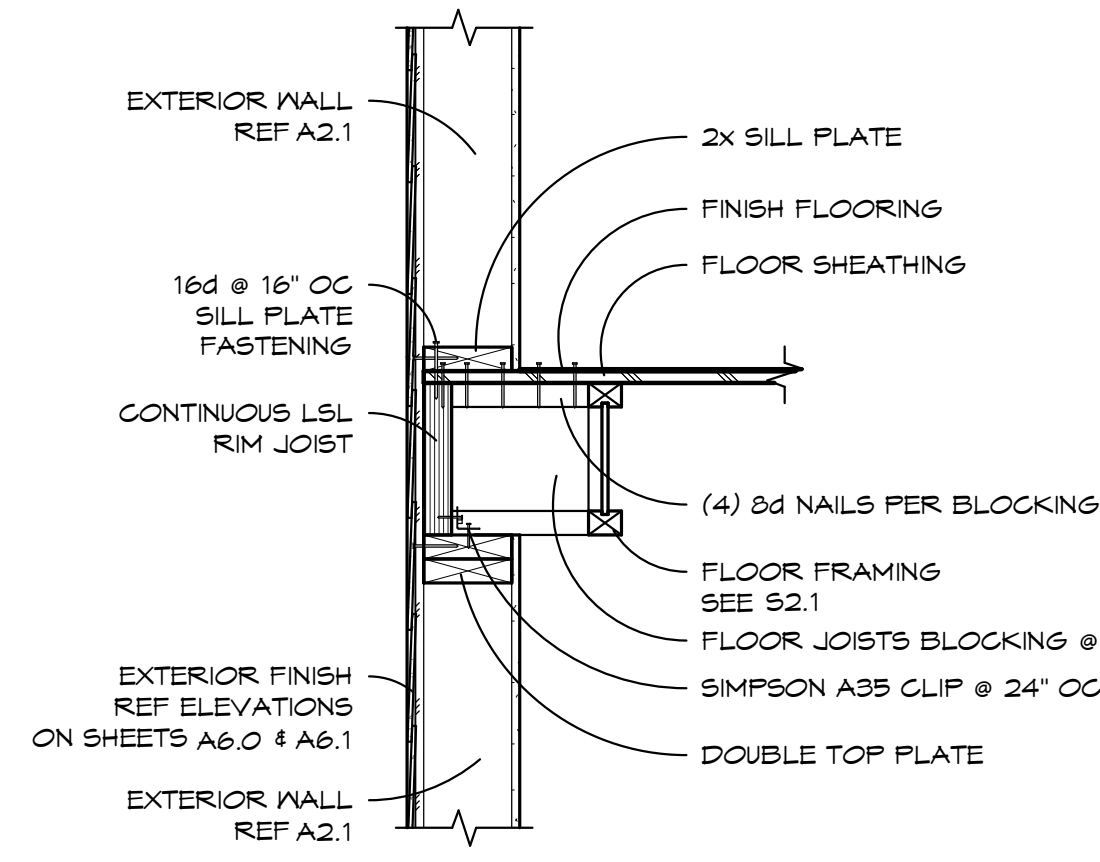
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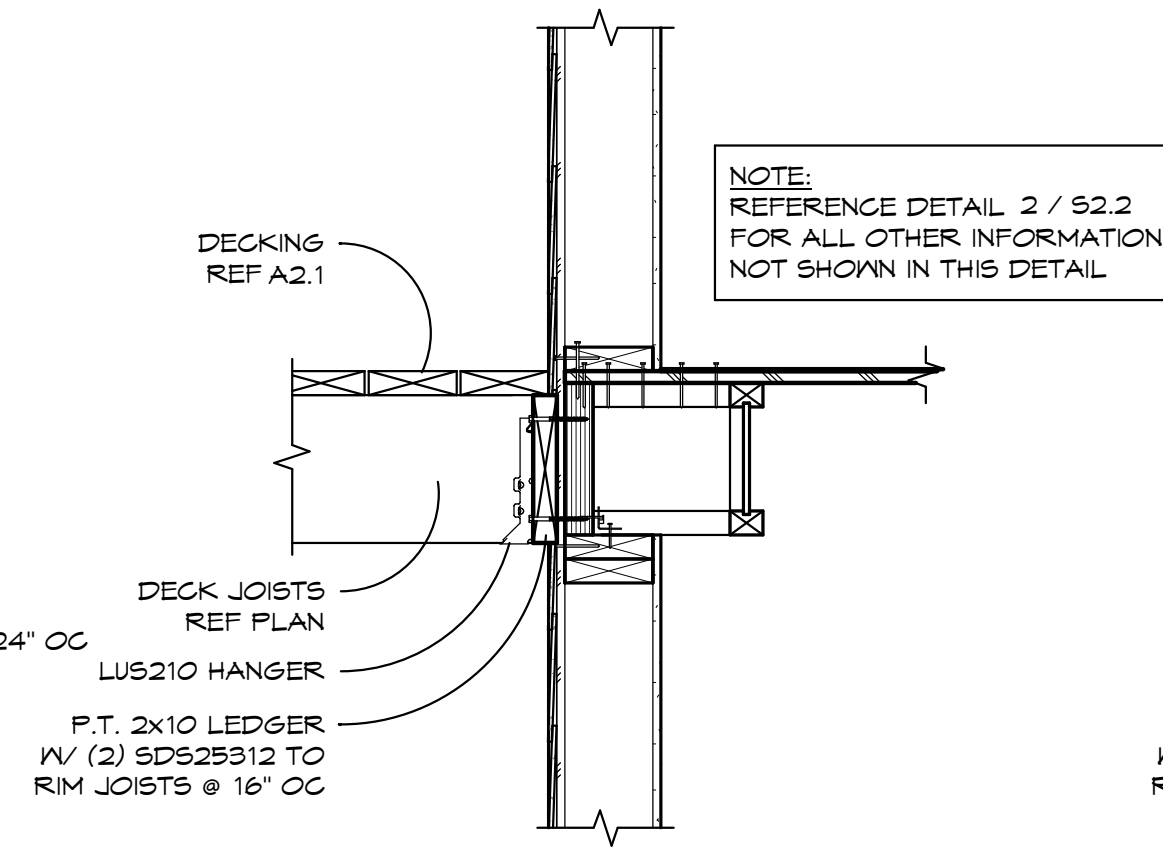
SECOND LEVEL FRAMING PLAN  
**S2.1**



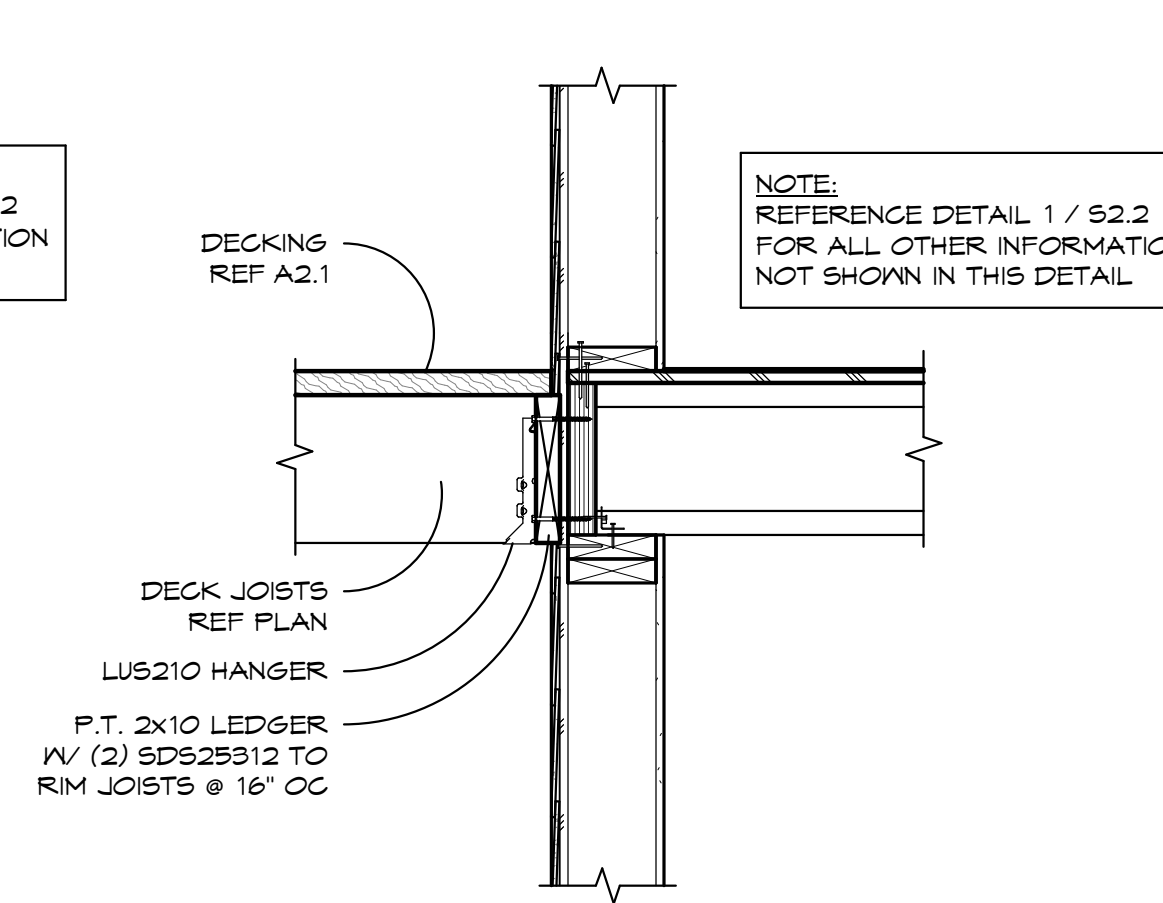
1  
S2.2 TYPICAL FLOOR FRAMING JOISTS PERPENDICULAR  
SCALE: 1" = 1'-0"



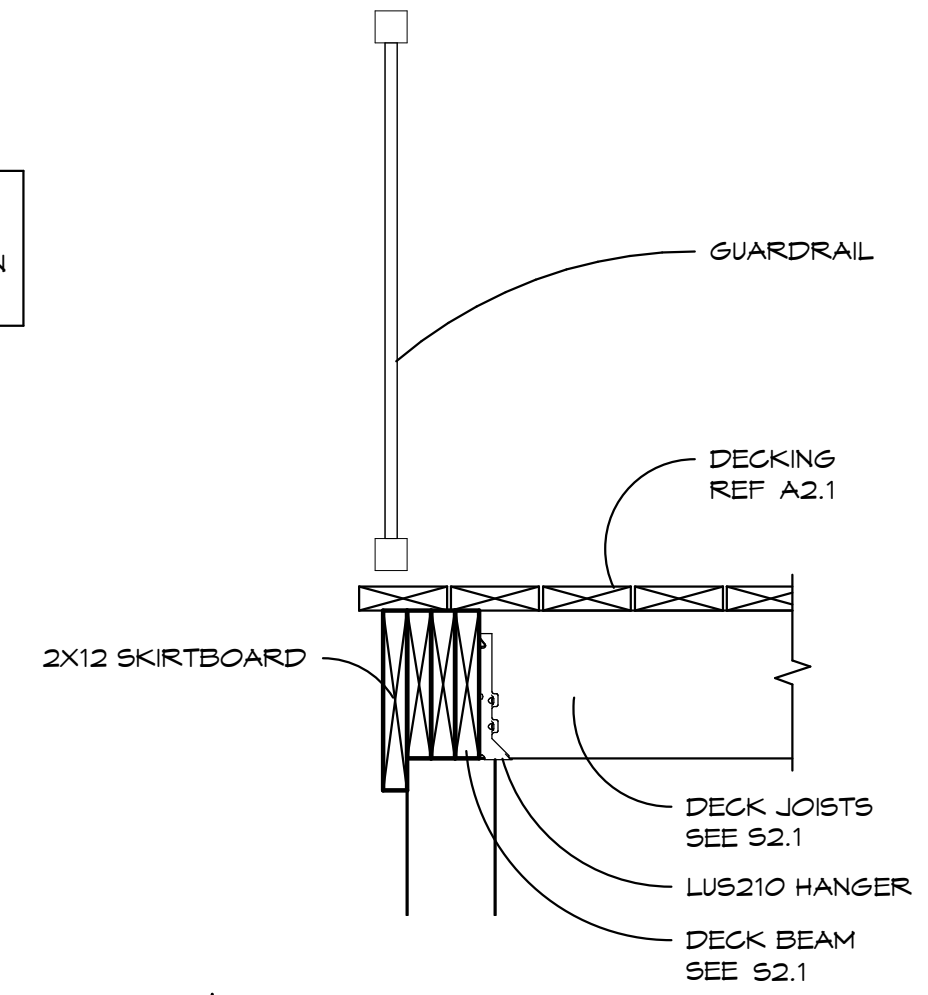
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S2.2 TYPICAL FLOOR FRAMING JOISTS PARALLEL  
SCALE: 1" = 1'-0"



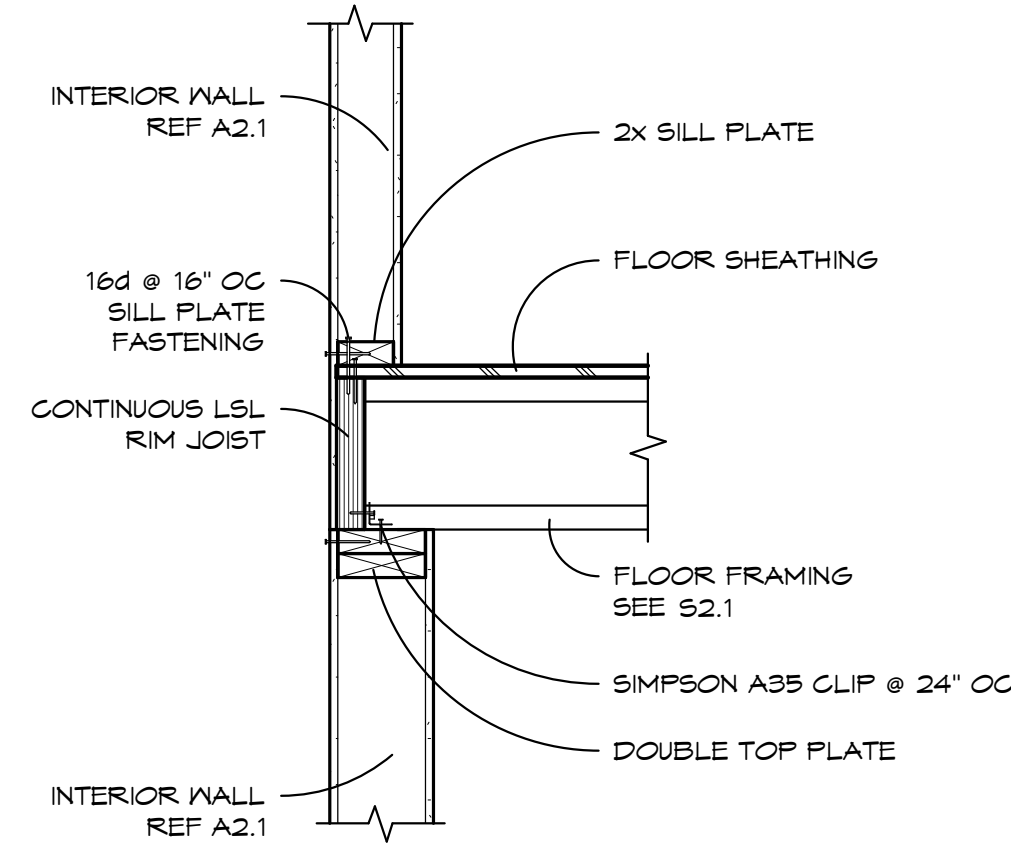
3  
S2.2 TYPICAL DECK FRAMING  
SCALE: 1" = 1'-0"



4  
S2.2 TYPICAL DECK FRAMING  
SCALE: 1" = 1'-0"



5  
S2.2 TYPICAL DECK FRAMING  
SCALE: 1" = 1'-0"



6  
S2.2 TYPICAL FLOOR FRAMING JOISTS PERPENDICULAR  
SCALE: 1" = 1'-0"

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FLOOR  
FRAMING  
DETAILS

S2.2

**PLAN NOTES - ROOF FRAMING PLAN**

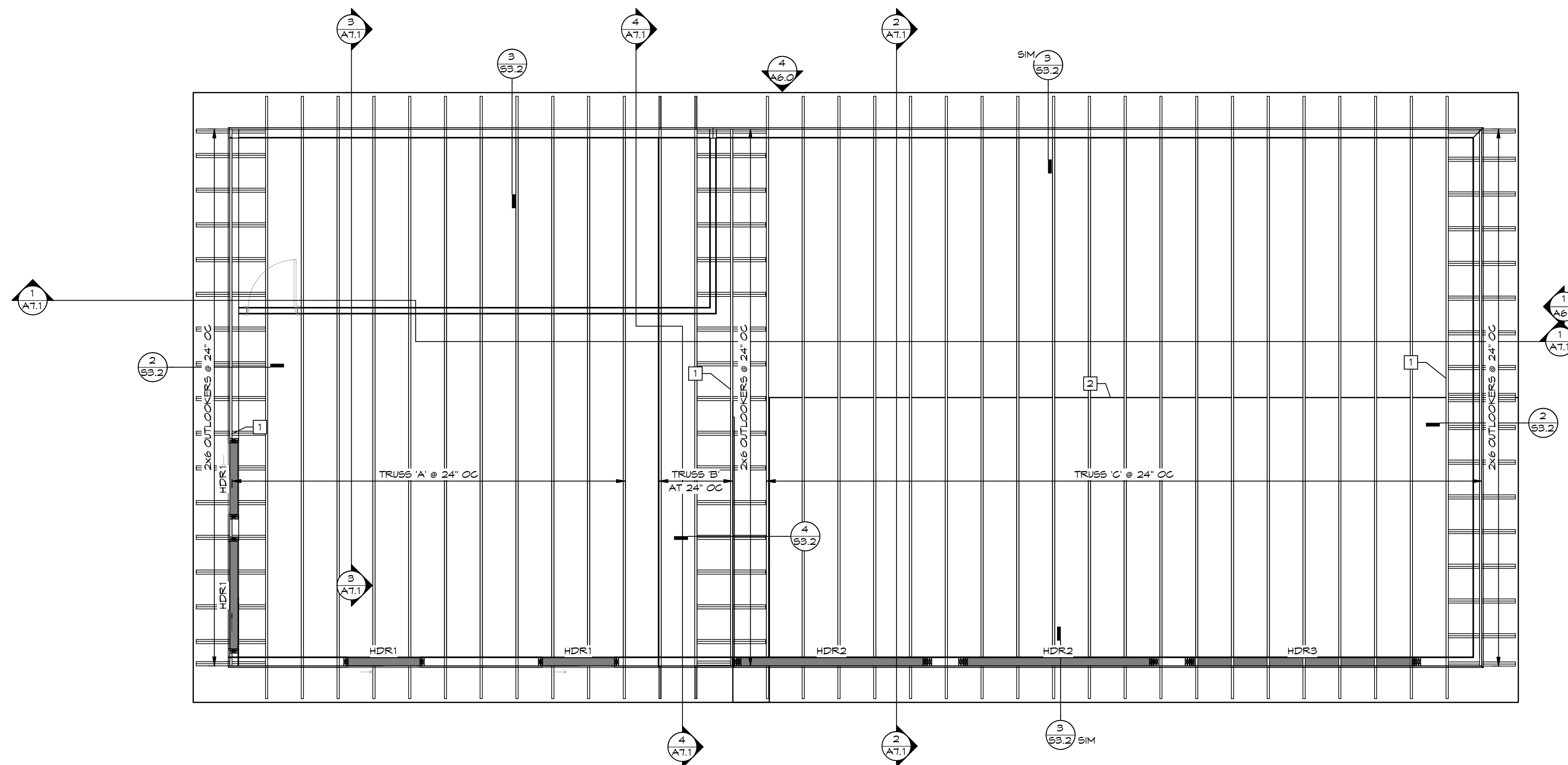
1. PROVIDE 1-ROLL (36" WIDTH) OF ICE DAM/WATERPROOF MEMBRANE AT ROOF/WALL INTERSECTIONS, EDGES, VALLEYS, AND ROOF PENETRATIONS.
2. PROVIDE 2-ROLLS (36" WIDTH) OF ICE DAM/WATERPROOF MEMBRANE AT ROOF EDGES.
3. PROVIDE SHEET METAL STEP FLASHING AT ALL ROOF / WALL INTERSECTIONS, 18" MIN VERTICAL LEG AND 12" MIN HORIZONTAL LEG.
4. VERIFY VENT LOCATIONS PRIOR TO CONSTRUCTION.
5. TYPICAL ROOF SYSTEM TO BE: EXTERIOR ROOF FINISH MATERIAL (REF A6.0 & A6.1) OVER 1 1/2" T&G PLYWOOD GLUED AND NAILED WITH 10d NAILS (6" OC BOUNDARY NAILING, 6" OC EDGE NAILING, AND 12" OC FIELD NAILING) OVER ROOF TRUSSES (SEE S3.3 FOR TRUSS PROFILES) 1/4" MIN R-49 INSULATION OVER 1/2" TYPE 'X' GYPSUM CEILING BOARD.

**HEADER SCHEDULE**

MARK	SIZE	KING STUDS	TRIMMER STUDS	REMARKS
HDR1	(2) 2X10	(1) 2X	(1) 2X	
HDR2	(2) 2X12	(2) 2X	(2) 2X	
HDR3	5 1/2" X 12" GL	(2) 2X	(2) 2X	
HDR4	(3) 2X10	(2) 2X	(2) 2X	

**ROOF FRAMING KEYNOTES**

MARK	NOTE
1	DROPPED GABLE END TRUSS
2	RIDGE



1  
S3.1  
**ROOF FRAMING PLAN**  
SCALE: 1/4" = 1'-0"

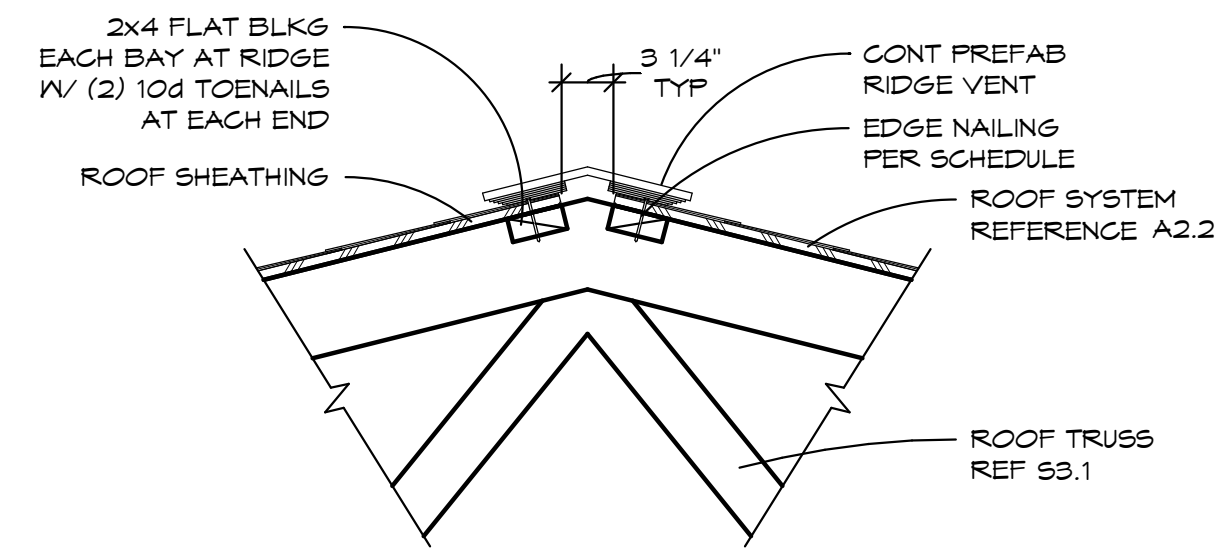
**KLONNE SHOP**  
4127 WILLISTON RD  
MINNETONKA, MN 55345

REVISIONS	DATE

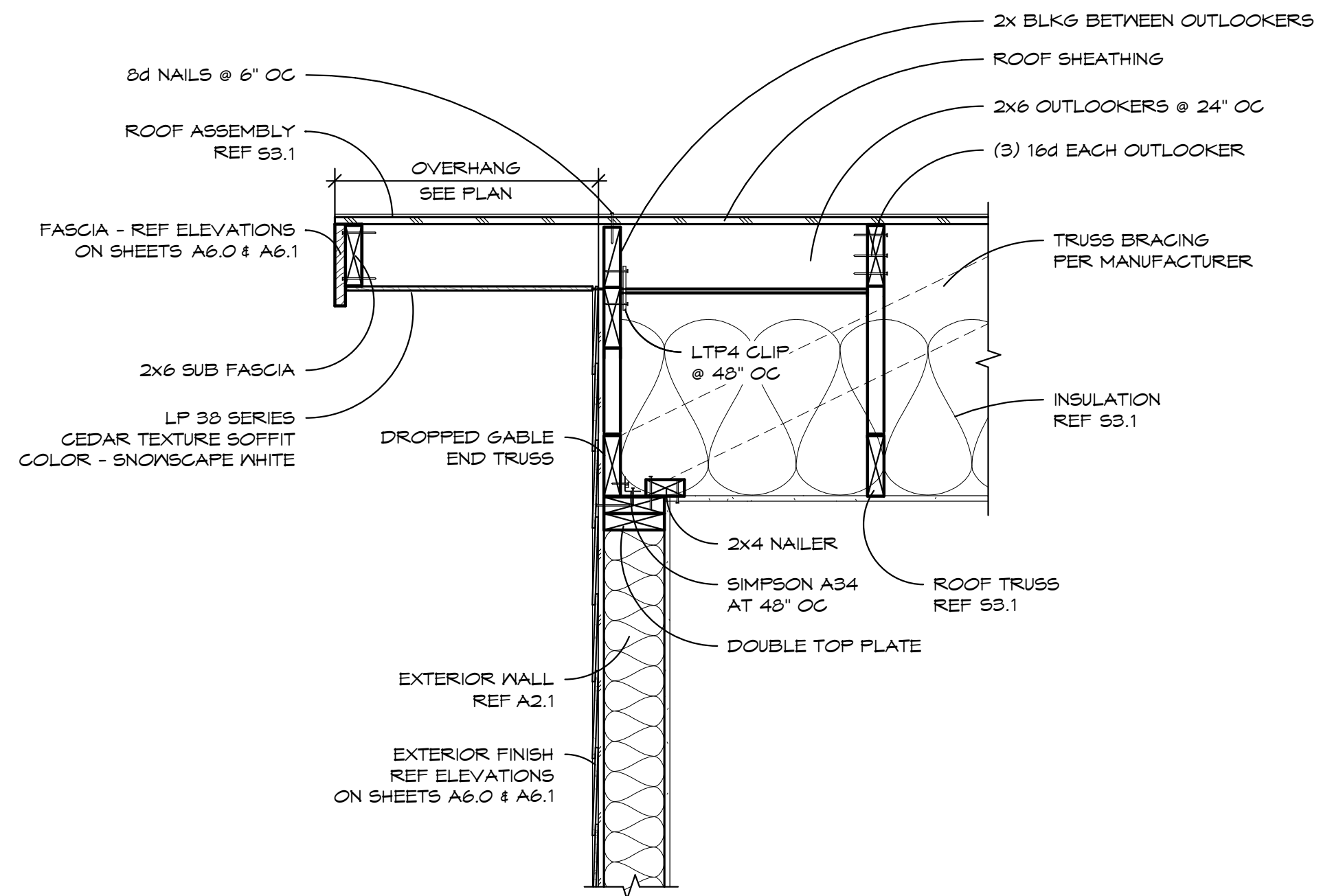
ISSUE: FOR PERMIT  
DATE: 08.13.2021  
DRAWN BY: JDK

**ROOF FRAMING PLAN**

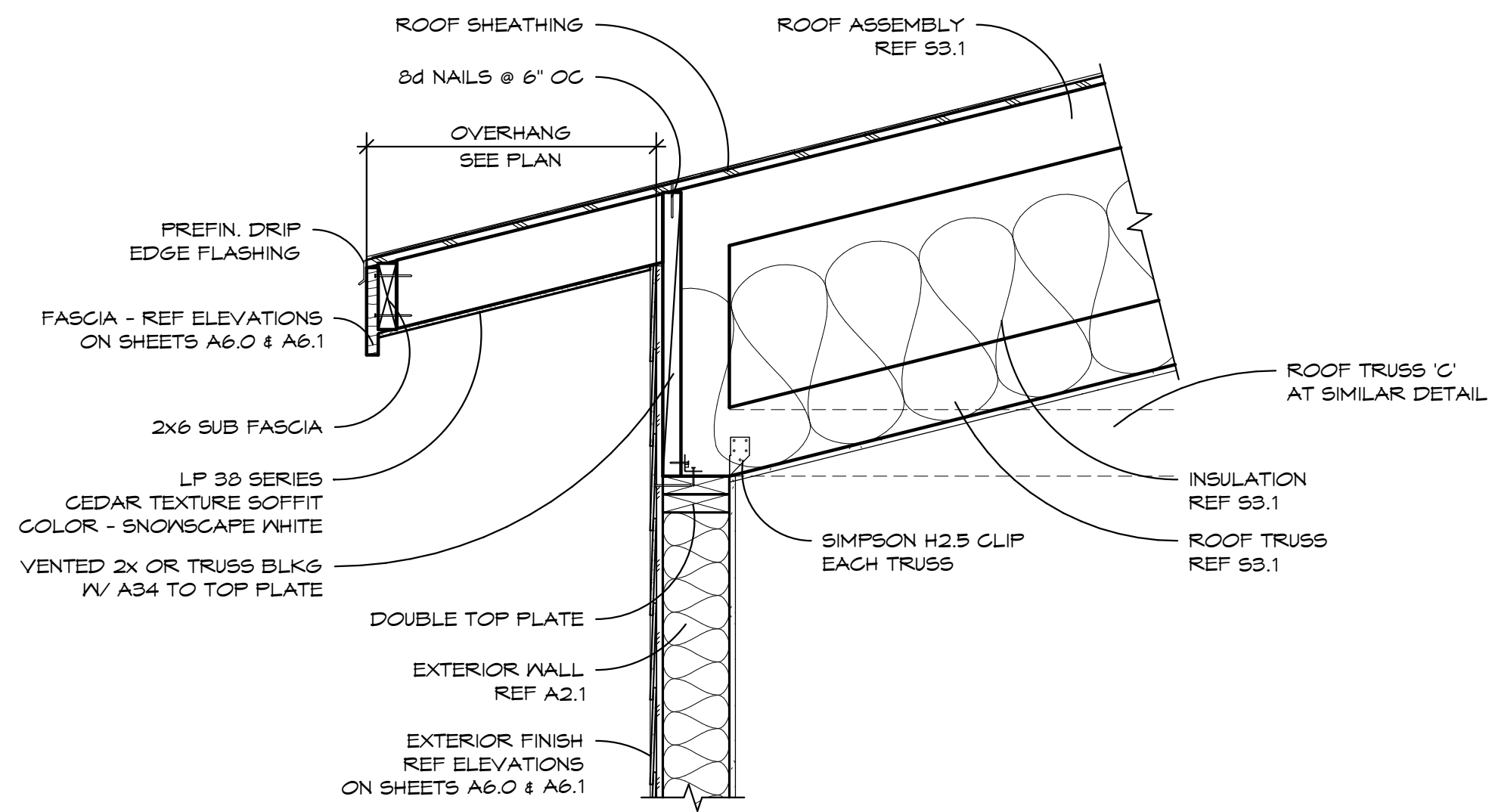
**S3.1**



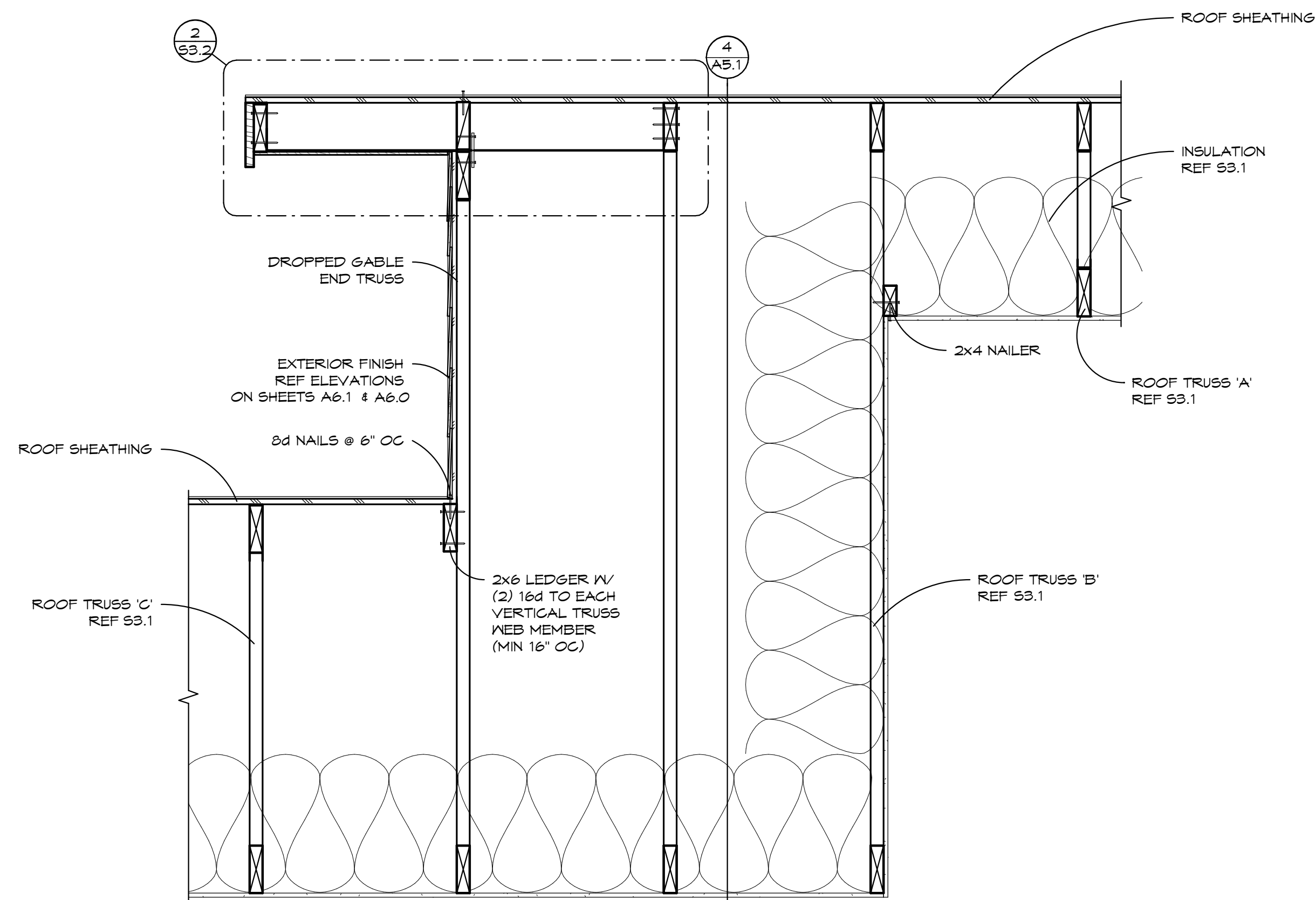
1  
S3.2  
TYPICAL RIDGE VENT DETAIL  
SCALE: 1" = 1'-0"



2  
S3.2  
TYPICAL GABLE END DETAIL  
SCALE: 1" = 1'-0"



3  
S3.2  
TYPICAL EAVE DETAIL  
SCALE: 1" = 1'-0"



4  
S3.2  
ROOF FRAMING AT ROOF STEP/CEILING TRANSITION  
SCALE: 1" = 1'-0"

**KLONNE SHOP**  
4127 WILLISTON RD  
MINNETONKA, MN 55345

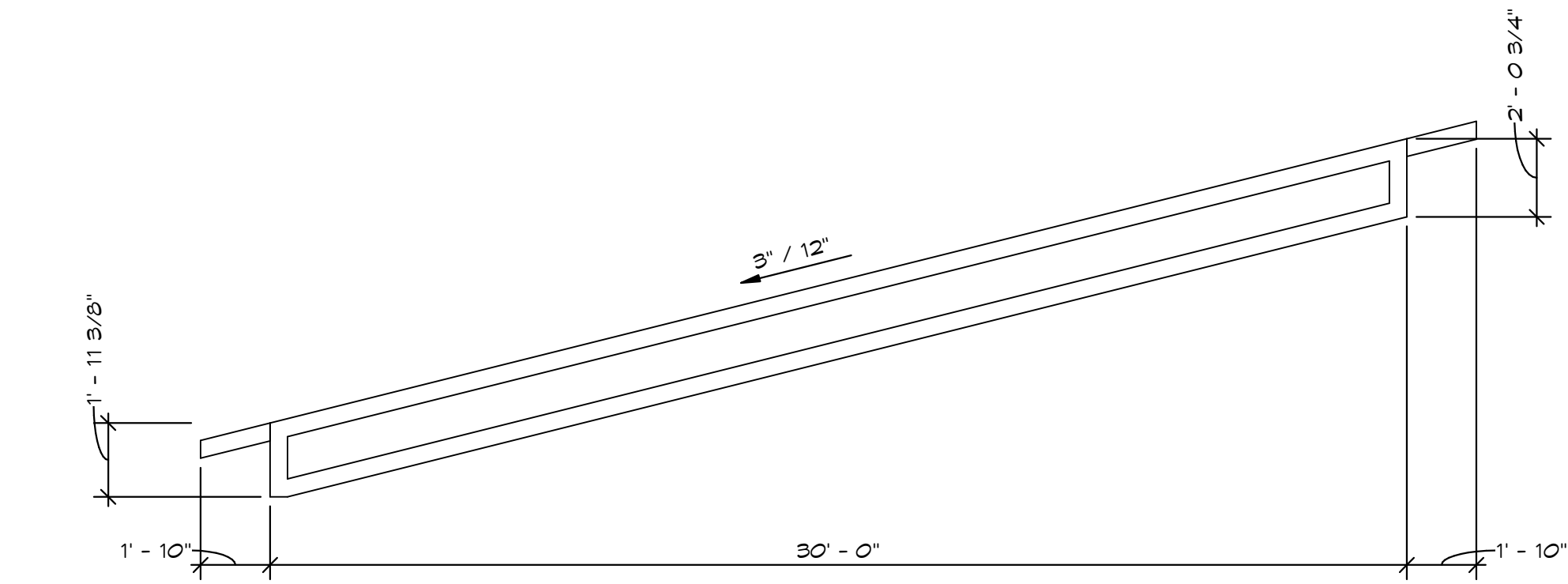
REVISIONS	DATE

ISSUE: FOR PERMIT  
DATE: 08.19.2021  
DRAWN BY: JDK

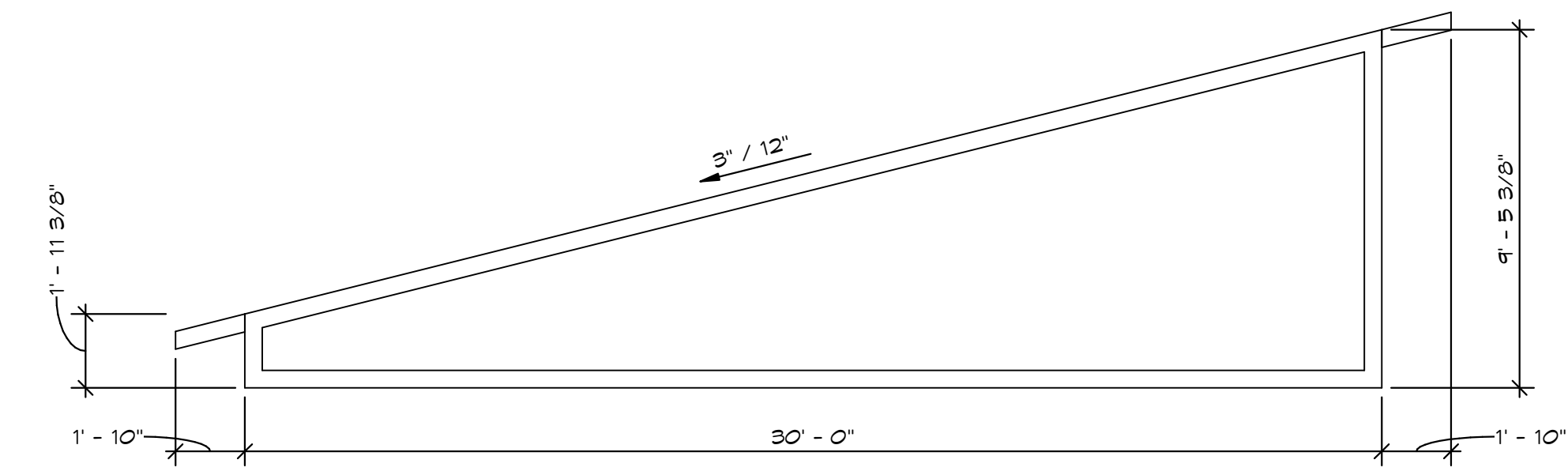
**ROOF FRAMING DETAILS**

**S3.2**

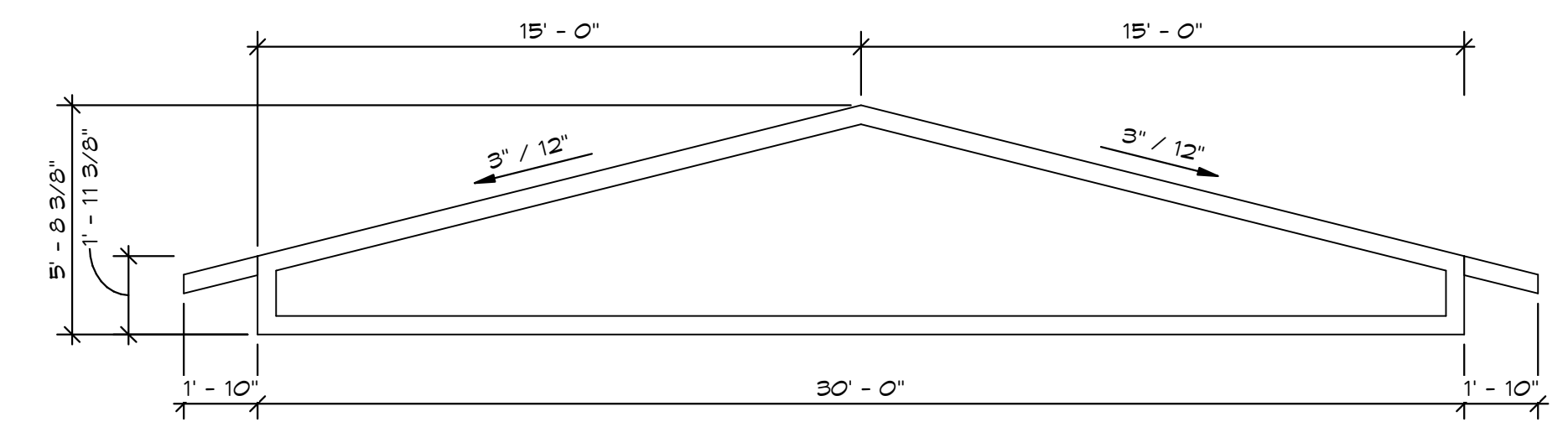




1  
53.3 TRUSS PROFILE 'A'  
SCALE: 1/4" = 1'-0"



2  
53.3 TRUSS PROFILE 'B'  
SCALE: 1/4" = 1'-0"



3  
53.3 TRUSS PROFILE 'C'  
SCALE: 1/4" = 1'-0"

**KLONNE SHOP**  
4127 WILLISTON RD  
MINNETONKA, MN 55345

REVISIONS	DATE
△	

ISSUE: FOR PERMIT  
DATE: 08.19.2021  
DRAWN BY: JPK

ROOF  
TRUSS  
PROFILES

53.3

October 4, 2021

Susan Thomas and the Planning Commission  
City of Minnetonka  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

and

Bradley Schaeppi  
Minnetonka City Council, Ward 3  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

Re: Response to Written Statement by Homeowner, Klonne Residence Proposal for Accessory Structure at 4127 Williston Road

Dear Ms. Thomas, Mr. Schaeppi, and the Planning Commission,

We are direct property neighbors of the Klonne property as our property at 14660 Lake Street Extension abuts the Klonne's property on the southeast portion of their lot which, for the past 43 years, has been forest. We would have a direct and immediate negative impact from your approval of the Klonne's proposed project both in a decrease to our property value and to our use and enjoyment of our own property. We ask you to consider the impact this proposed structure would have to us directly and we ask you to decline the proposal in its current form.

We would like to respond to the Klonnes' Written Statement and building plans submitted to the Planning Commission.

In our research into Minnetonka permitting for accessory structures, we note that Minnetonka City Code allows for a 12-foot high, 1,000 square foot additional garage structure on the Klonne's lot. The Klonnes are proposing a significantly larger structure—almost double the square feet and height—a similar size to their existing house on the front of their property and even larger than several houses on neighboring properties.

My wife and I have lived in an adjacent property to the back of the Klonne's property for 43 years, since we built our house at 14660 Lake Street Extension in this wooded area in 1978. We have enjoyed the wooded rear yard and have added additional windows in the last decade to span much of the back of our house which are intended for us to enjoy the serenity and privacy of these 100-year woods. Since the Klonnes moved in about a year ago, they have successfully clear-cut much of their back wooded lot, disrupting the neighborhood with construction equipment and chain saws frequently, and have greatly diminished what we thought would be an unbuildable and private wooded yard. We have already found it necessary to call the police for a noise complaint once since they moved in due to a loud party at their house on the front of their lot. I hate to imagine what adding an unnecessary "entertaining space" at the far rear of their lot, nowhere near their existing house and instead directly adjacent to four existing houses, would do for noise complaints.

The Klonnes are proposing building a monstrous, two-story outbuilding at the far rear of their property—in fact it is closer to our house and three other adjoining neighbor's houses on Lake Street Extension and Red Oak Ridge than it is to the Klonnes' own house at the front of their lot on Williston

Road. **(See building plans, page 3, our house is "Lot 7".)** The length and two-story main face of this proposed two-story outbuilding would directly face the back of our property and would disrupt our enjoyment of our back yard and the main floor living spaces in our home. The Klonnes have submitted plans for a 1,915 square foot, two story structure with three garage stalls including one oversized garage stall designed for storing oversized equipment on an oversized trailer (Mr. Klonne owns a construction company) which reaches a door height of 12 feet tall. This height is dramatically taller than a standard garage door for the area and neighborhood and, in fact, is the maximum height that the top of the roof should meet for an additional garage the city would allow to be built on their lot. All three garage doors, one passage door, and several workshop and loft/entertaining space windows and part of the proposed deck would all also face our back yard. I fear that the lighting the Klonnes would install to cover such a large structure with so many garage stalls, doors, and windows would be flooding our back yard and into the living space of our home at all hours of day and night and would greatly disrupt our enjoyment of our home and property of 43 years. The entire two-story side of their building directly faces our home and the size of it dwarfs all the adjoining properties, our home being a rambler-style home with the single-story side on this rear portion of our property. Additionally, the design of the proposed structure does not match their existing home as they inaccurately state in their Written Statement, nor does it fit into the esthetic of the existing and well-established surrounding neighborhood. **(See building plans, pages 3-4.)**

The Klonnes state in their Written Statement that their structure is 12 feet tall. IT IS NOT. This can be clearly seen by any layperson examining the plans for the proposed structure. I am having a hard time finding the exact height of their proposed two story structure based on the plans they've submitted, but it appears they are twisting their "12 foot high" statement to measure from the top of the earth where it is built into a hillside on the north side to measure 12 feet high to the lower of two roof peaks. This doesn't consider into the measurement the additional roofline which juts above the "12-foot" height on the two-story side of the building on the walkout level/south side, and must actually measure close to 25-30 feet high from the ground at that level. The oversized garage door itself measures 12 feet high, so the actual roofline must be close to 25-30 feet tall. The total height of the top of the roofline on the drawings for the walkout level, two story side of the building is not indicated, perhaps intentionally. **(See building plans, pages 3,9, 13.)**

The Klonnes also state in their Written Statement that the purpose of the structure is to incorporate additional "entertaining space which cannot otherwise be incorporated into the existing home" **(see building plans, page 2)**. I find it incredibly hard to believe that they are unable to make use of the existing "entertaining space" of their home, or that, as the owner of a construction and remodeling company, they are unable remodel the existing home in such a way that incorporates more "entertaining space". Their statement that they need the additional entertaining space to be added on their proposed two-story workshop, loft, office, and garage structure is simply untrue. I have attached pictures from the Realtor.com listing from when they purchased their home about a year ago that there is plenty of room to add onto the back of their home and to increase deck space or add patio space as well. It is not necessary to include this "entertaining space" on an additional structure and disrupt the use and enjoyment of three or four adjoining neighbors' properties instead **(see Attachment to Sundell Letter, page 1, photo A)**. Additionally, there appears to be plenty of existing space behind their current garage to add a deeper garage space and accommodate a "workshop" area there, contrary to the statement by the Klonnes that they are unable to incorporate workshop space into the existing structure. The Klonnes carefully word their Statement to make it sound like their "children" need a place to ride bikes **(see building plans, page 2)**, but the Klonnes don't have any children so therefore have the entire basement and living areas of their existing home and deck in which to entertain. There is absolutely no "necessity" to add additional deck, loft, entertaining space, and workshop to the proposed new garage as they could be easily incorporated within or added to the existing structure.

The Klonnes also state in their Written Statement that they are unable to maneuver a trailer in their existing driveway (*see building plans, page 2*). I have enclosed a picture from Realtor.com from when they purchased the home showing the house also has a paved turn-around space which should allow the Klonnes to maneuver any reasonably sized vehicle and trailer in the existing space (*see Attachment to Sundell Letter, page 1, photo B*). Mr. Klonne owns a construction company and based on the type of trailer he has drawn into the proposed plans for the new structure, it looks like he actually seeks to turn around oversized trailers, perhaps his current oversized construction trailer which is located in the middle of his front yard, for his business in his residential driveway. Otherwise, the current space the property has in place should be sufficient to turn any reasonably-sized passenger truck and trailer around in. I, myself, have a truck and trailer and am intimately familiar with operating trailers in residential driveways, and the current space should be more than sufficient to do so. Their turnaround area is above the "hill" portion of their driveway so the angle should not truly be an issue. The Klonnes currently have a canvas storage tent (not allowed, I believe, in Minnetonka) placed on this turnaround space. Thus, with the disallowed tent there, that appears to be the reason they are unable to maneuver a trailer to be turned around in their current space. Mr. Klonne lists the address for his construction business as his home address on Williston Road (*see Attachment to Sundell Letter, page 2, item D*), so it is reasonable to make the connection that he'll be housing business equipment in the two-story, oversized proposed structure, since any reasonably sized, residential purposes wouldn't require such a huge outbuilding structure.

To add the additional 3-stall plus two-story loft, deck, and workshop space of this size and magnitude should not be necessary in this residential neighborhood. Two regular vehicles (including one pickup truck) should reasonably fit in their existing, standard-for-the-neighborhood, two car attached garage (*see Attachment to Sundell Letter, page 1, photo C*). If they need additional parking for a second large truck, their existing "dune buggy" type vehicle, and a trailer, plus a workshop area, then a standard sized, 12 foot tall, 1,000 square foot garage should be sufficient. If they have more equipment, vehicles, and trailers than 5 reasonably sized garage stalls would hold, they should be expected to rent additional storage as does any other resident of Minnetonka in this type of late-1980s-built neighborhood. They should not be allowed to add an oversized two-story outbuilding at the back of their lot, clear-cut the existing forest, and inconvenience their neighbors with additional traffic and "entertaining" at the far rear of their lot which abuts four well-established homes and who have been enjoying the privacy and solitude of the existing property for 43+ years.

The Klonnes purchased a home in 2020 in a well-established residential neighborhood, with lot sizes that accommodate regular residential uses. They did not purchase a property in a rural area with standard 5+ acre lots, where adding such an oversized outbuilding wouldn't be a nuisance to the surrounding neighbors. The Klonnes own a property which closely abuts six other properties, and they are proposing adding an "outbuilding" structure designed for a rural setting with a much larger lot, which neither fits in with the esthetic of Minnetonka, with the immediate the neighborhood, nor with the properties directly abutting it. They are proposing to build this monstrous outbuilding to sit closer to the homes on four adjoining properties than it would sit to their own home. This will drastically affect the use, enjoyment, and privacy the existing neighboring properties currently enjoy.

NONE of the owners of the adjoining properties to the rear of his property approve of the City approving the Klonnes' proposed Conditional Use Permit for this structure in its current form. The Klonnes have already clear-cut much of the forest at the back of their property, which has already affected the use and enjoyment of the neighboring properties. They do not need to add more disruption to the serene and private wooded residential neighborhood by adding an oversized outbuilding. From the day they moved in, the Klonnes have not been responsive to the needs to the immediate neighbors and have, in fact, gotten into yelling matches with us instead of listening to our noise and privacy concerns.

I urge you to decline the Klannes' request for this Conditional Use Permit as it is an unnecessary eyesore and doesn't fit into the esthetic of the surrounding neighborhood and properties, is a similar size as the existing house on their property, and which will undoubtedly lower the property values of five directly adjacent properties.

We welcome any inquiries you may have for further clarification on our response. Our contact info is below.

Best regards,

Donald & Susan Sundell

14660 Lake Street Extension  
Minnetonka, MN 55345  
(952) 935-2232  
donsundell@q.com



A

Rear view of Klonnes' existing home showing plenty of room for expansion and use of entertaining space on the existing house.



B

Front view of Klonnes' existing home showing existing paved vehicle and trailer turnaround area which falls above the "hill" in the front.



C

Front view of Klonne's existing home showing the full two car attached garage which houses two vehicles.

D

Klonne Minnesota Building License showing Minnetonka business address.

(Source: <https://secure.doli.state.mn.us/lookup/licensing.aspx>)



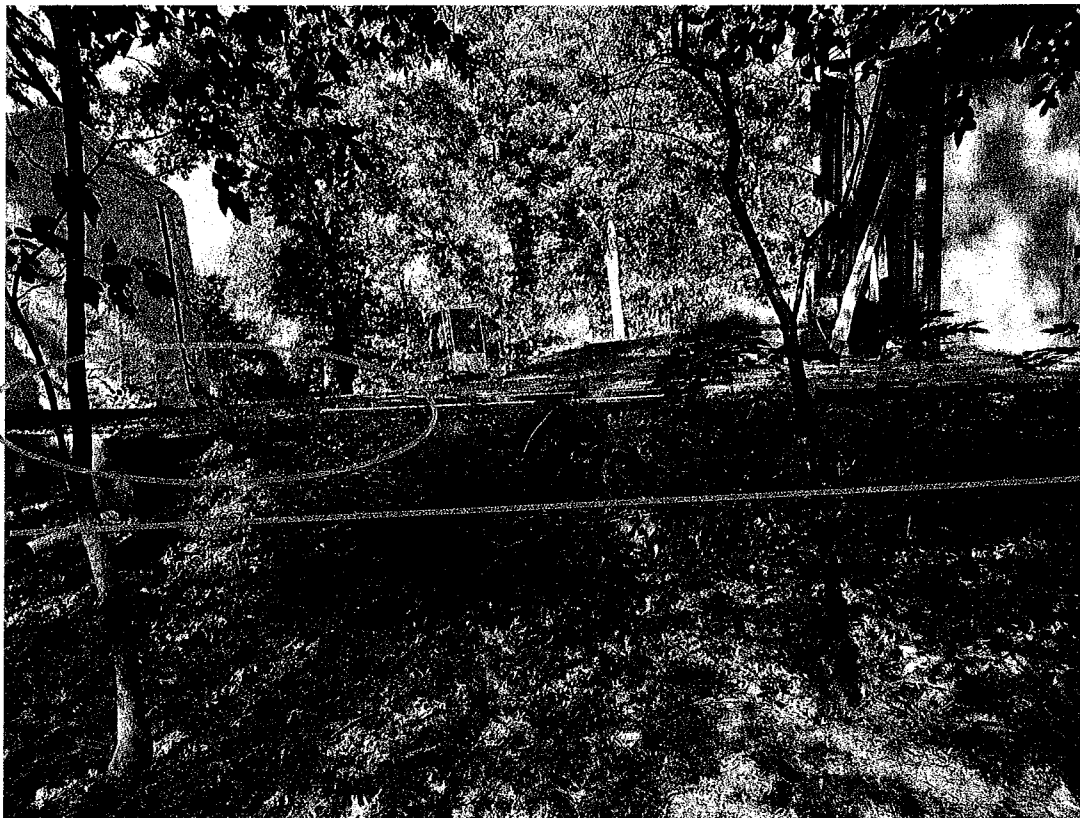
## LICENSE/CERTIFICATE/REGISTRATION DETAIL

Class Type:	RESIDENTIAL BLDG CONTRACTOR	Number:	BC763834
Application No:	476402	Status:	ISSUED
Expire Date:	3/31/2023	Effect Date:	6/4/2021
Orig Date:	11/26/2019	Print Date:	6/7/2021
Enforcement Action:	NO		
Workplace Experience:	N/A		

Name: ENGINEERED CONSTRUCTION CONCEPTS LLC  
 Address: 4127 WILLISTON RD  
 MINNETONKA, MN 55345  
 Phone: 763-614-9804

### Business Relationship Requirements

Name:	KLONNE, ZACHARY J	Lic/Reg No:	QB763669 [View license/registration]
Status:	ISSUED	Application No:	474977
Expire Date:	11/22/2023	Effect Date:	11/23/2021
Orig Date:	11/22/2019		

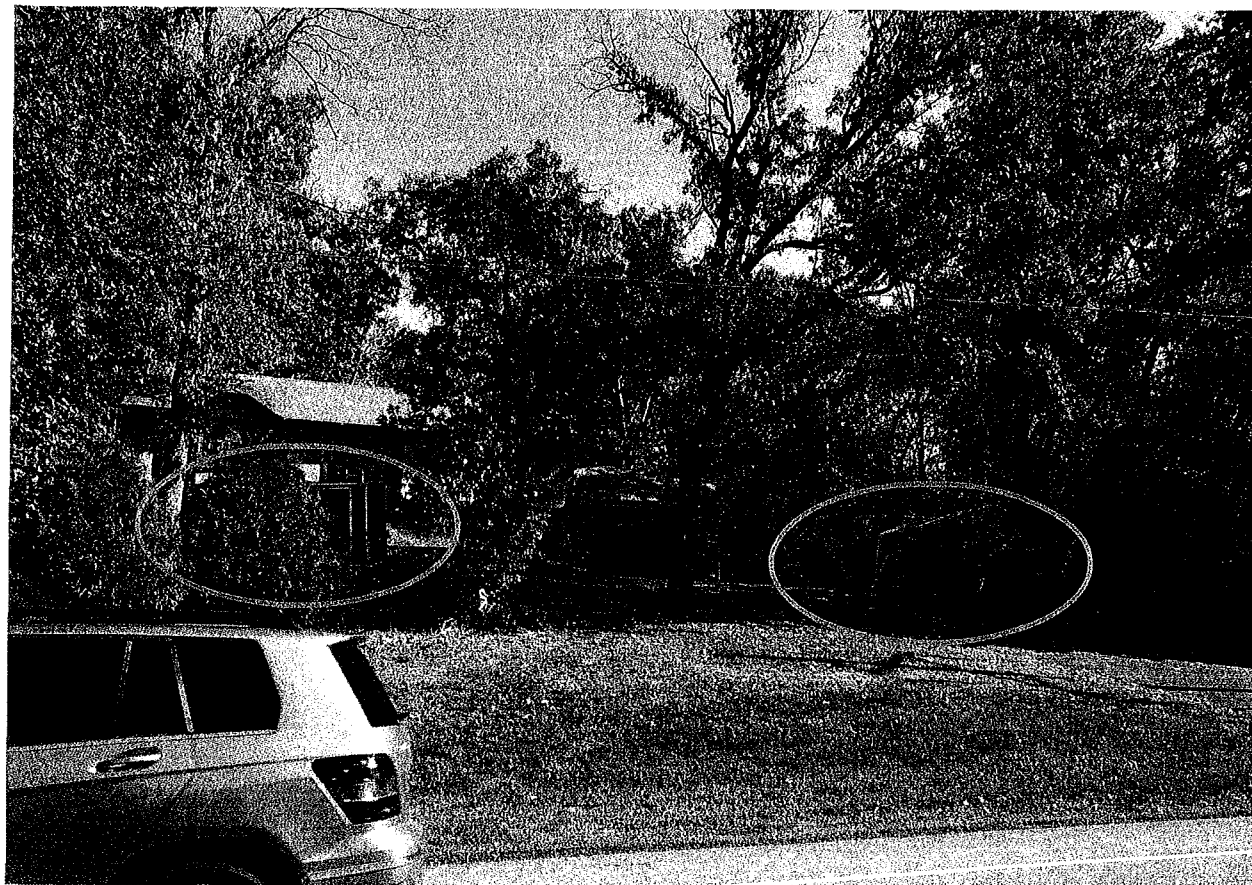


Yellow is the property line from neighbor at 14720 Lake St Ext. Would need retaining wall or there's a drop off to the neighbors' property where it's already eroding. Also shows existing turnaround area with canvas storage tent on it now.



Yellow is the property line from neighbor at 14720 Lake St Ext. Not much room for a driveway to the back yard, would need retaining wall or there's a drop off to the neighbors' properties.





Front view of house showing turnaround pad with canvas storage tent and construction trailer in front yard. Picture below: turnaround pad and construction business storage.





Picture taken from edge of Sundells' property (14660 Lake St Ext) of what remains of the forest. The trees circled would likely need to be cut down because that's where the proposed outbuilding and driveway would need to go. This is the directional view the Sundells have from their deck, house, and back yard. The proposed 2-story outbuilding would stand taller than the top of this picture.

Red = approximate outbuilding location.

Yellow = Trees to be cut down.

Blue = Driveway.



Picture taken from edge of Sundells' property (14660 Lake St Ext) which shows a view of the back of the Klonnes' house & shows the area which would become driveway & where the forest has already been cleared & a fence put in.

To: City of Minnetonka  
Assistant City Planner  
Susan Thomas and  
Planning Division  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

Monday, October 4, 2021

My husband and I have lived in our home at 14660 Lake Street Extension since August 1978, with our seven year old triplet daughters, Anne, Ellen and Amy. Anne died two years later having been hit by a car on Williston Road and Belvoir Drive. Ellen and Amy are now 50 years old and live in Minnetonka and St. Louis Park respectively.

My husband of 55 years (!), Don (age 83) and I (age 77) have finally retired; Don from his small engine repair business. I retired after 35 gratitude filled and heart warming years as a doctoral level psychologist. Over those memorable years I officed in Minnetonka, Wayzata and Hopkins.

I am sharing the family history with the reader with hope that he/she will understand the strong sense of stewardship Don and I have developed during the 43 years as the first and only owners of our home. We resided in Stillwater for one year due to my husband's job demands. Additionally, we also lived in Minnetonka at 15845 Sunset Road for five years before the Stillwater move. We have enjoyed and appreciated our Minnetonka citizenship for almost 50 years! Neither of us can imagine living any where else.

I would like to chronicle our past interactions since the Klonnes bought their home on 4127 Williston Road.

1. Shortly after moving into their home, Mr. Klonne brought a hanging basket of pink petunias to us and gave them as a new neighbor gesture to Don. (Who is the new neighbor?) It seemed like a strange exchange at the time but makes sense now.
2. My first conversation with the Klonnes and a friend of theirs, was when I walked down to their house and introduced myself and asked why they were cutting down the trees in their back yard and what was their plan. By then the neighborhood was alive with talk of what could possibly be happening in the Klonne's yard, especially all the old and majestic trees that were being sacrificed. There were all manner of questions upon seeing and hearing the demise of the forest. In answer to those questions, Mr. Klonne continued to deny any plans to build another house or any other sort of building, for example, a garage for his home building business. A few months later they constructed a black chain link fence in the middle 1/3 of their land, for their three dogs, I assumed.
3. One night that summer Mr. and Mrs. Klonne were out walking their three dogs and stopped and talked to us in our driveway. Again, when questioned about why they were clear cutting the trees in the back two-thirds of their property, they again denied any plans to build anything on the land.

It was anxiety producing, to say the least, to repeatedly hear and see the woods being cut down without any answers nor responses from the property owners. This land was a big, thick and beautiful woods being cut down and wasted. When our daughters were younger they spent many treasured hours, days and even years building forts and houses in "the forest". It was also crazy making to hear continual denials about the Klonne's future plans. I wonder if they realized the probable feelings, outcomes and relationships they were in in the process of building with the neighbors.

4. Lastly, the most recent and the final time I have had any communication with the Klonnes was mid summer this year when Mr. Klonne and I had a shouting match from his deforested back yard and me on our deck. Certainly I am not proud of that episode I participated in and I share it only to illustrate how the lying and denying continued and seemed to be worsening. None of us in the neighborhood knew the real plan until two days ago. On Saturday when the postcard from the City came with the announcement about the Public Hearing re: the accessory structure in the backyard at 4127 Williston Road.

Since receiving the Public Hearing notice, at long last, I have the plans and finally know what is going on and what is being proposed.

The "1915 square feet detached structure with a 732 square feet loft and attached deck" is larger than most, perhaps all, of the homes in the neighborhood, certainly larger than our home and the Klonne's. Several years ago we added more windows on the north side of our house so we would have a large and grand view of the woods and in all seasons of the year from our living room, dining area and kitchen.. The front of the proposed Klonne building faces our backyard. On that plan there are three garage doors, one much larger than the other two, three windows and a front door. As I studied more of the Klonne plan the structure looks to me like a airplane hanger. I try not to imagine what, if it were to be approved and built, it would look like in the middle of winter with outside yard lights shining from the accessory structure into our house.

I cannot imagine any more noise nor upset than Mr. Klonne has already caused with his chainsaw and bobcat if this plan is approved.

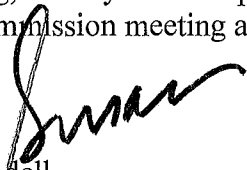
I cannot imagine what will happen to the property values of the houses in the area if this plan is approved.

I don't understand why this building is to be located in the far back of Mr. Klonne's property and more in our view than in his and closer to us than to him. I don't understand why he feels he needs to have a three car garage, an office, a bathroom and an entertaining space and why he chose to build it closer to our house than his own. There would be five vehicles in those five garage stalls entering and exiting the driveway on to Williston Road, if this plan is approved.

I don't understand why they bought their house at all in this area if it doesn't meet their needs. I don't understand the manner in which they approached their plan by lying and deceiving so many of us.

I don't understand how the Klonnes can rationalize their behavior to date and their plan which seems to be so one-sided, self serving and uncaring about others in the neighborhood.

So, in closing, thank you to the persons who will have read this letter. Don and I will be at the Planning Commission meeting and the City Council meeting. Again, thank you for your time and attention.

Sincerely,  
  
Susan E. Sundell  
14660 Lake Street Extension  
Minnetonka, MN 55345

**Susan Thomas,  
Planning Dept  
City of Minnetonka**

**Re: Klonne Residence Public Hearing October 14, 2021**

**Our property at 14660 Lake St. Extension, adjoins the Klonne property and would be adversely impacted by the construction of the proposed building. This building would be directly north of our rear yard, and would dominate the view from our deck and living room window wall, a view we have cherished for the 43 years we have lived here.**

**Mr Klonne proposes a garage, shop space and “entertainment” space 70 feet wide that claims to be “strictly for residential purposes and no commercial activity”. This is difficult to believe considering the 12 foot height of the garage door, along with 2-8 foot overhead doors. It seems that the site would be better served by expanding the existing house to include entertainment and shop space. If there is any doubt as to the commercial use intent of the petitioner, an internet search of “Zack Klonne” produces his business name as “Construction Concepts, LLC” and address 4127 Williston Road.**

**Another justification this proposal makes for this project is where Mr. Klonne's statement claims that he needs to construct a turn-around for his trucks and trailers. I would point out that he has a paved turn-around at the top of his existing driveway on which he has put a canvas covered “hoop-house”, presumably for storage of materials or equipment for his construction business. This is in his front yard, closer to Williston Road than is his house. That space would easily satisfy any turn-around needs.**

**If approved as proposed, a condition should include a screening barrier of evergreen plantings of a sufficient height to shield neighboring properties from the year-around sight of the structure. This building would be an eyesore in a residential setting.**

**Donald G. Sundell  
14660 Lake St. Extension  
Minnetonka, MN 55345**

To:  
City of Minnetonka  
Planning Division  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

Dear Planning Commission,

We are direct neighbors of the Klonnes Property and we do not support the approval of the Klonnes Project at 4127 Williston Road, Minnetonka, MN. We feel the size and uses of the proposed structure are too large and unnecessary for the existing property and neighborhood, and we feel approving it would have an immediate and drastic impact to lower our property's value and would disrupt the use and enjoyment we have of our property. Please do not approve the proposal.

Sincerely,

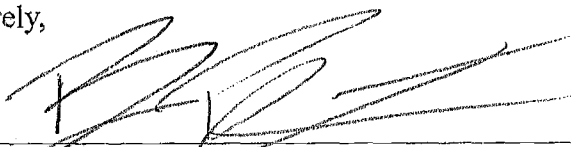
(sign) Kevin Hennessey  
(names) Kevin Hennessey  
(address) 14629 Lake Street ext  
Minnetonka, MN 55345

To:  
City of Minnetonka  
Planning Division  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

Dear Planning Commission,

We are direct neighbors of the Klonnes Property and we do not support the approval of the Klonnes Project at 4127 Williston Road, Minnetonka, MN. We feel the size and uses of the proposed structure are too large and unnecessary for the existing property and neighborhood, and we feel approving it would have an immediate and drastic impact to lower our property's value and would disrupt the use and enjoyment we have of our property. Please do not approve the proposal.

Sincerely,

(sign) 

(names) Ben Peterson

(address) 14519 Lake st ext Minnetonka

---



To:  
City of Minnetonka  
Planning Division  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

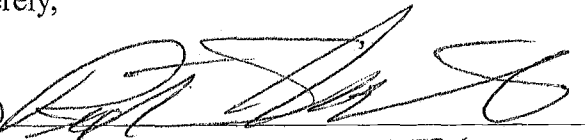
Dear Planning Commission,  
We are direct neighbors of the Klonnes Property and we do not support the approval of the Klonnes Project at 4127 Williston Road, Minnetonka, MN. We feel the size and uses of the proposed structure are too large and unnecessary for the existing property and neighborhood, and we feel approving it would have an immediate and drastic impact to lower our property's value and would disrupt the use and enjoyment we have of our property. Please do not approve the proposal.

Sincerely,

(sign)

(names)

(address)

  
Robert S Karsten  
4108 Red Oak Ridge

---

To:  
City of Minnetonka  
Planning Division  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

Dear Planning Commission,

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Sincerely,

(sign) Kara Johnson

(names) Kara Johnson

(address) 14593 Lake St. Ext

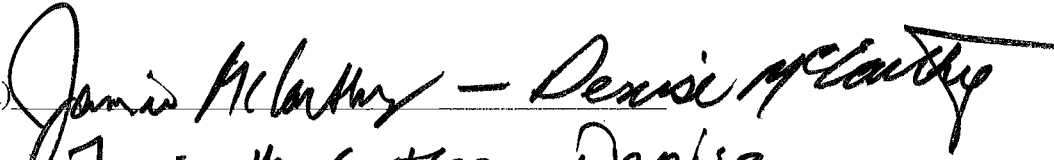
Minnetonka, MN 55345

To:  
City of Minnetonka  
Planning Division  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

Dear Planning Commission,

We are direct neighbors of the Klonnés Property and we do not support the approval of the Klonnés Project at 4127 Williston Road, Minnetonka, MN. We feel the size and uses of the proposed structure are too large and unnecessary for the existing property and neighborhood, and we feel approving it would have an immediate and drastic impact to lower our property's value and would disrupt the use and enjoyment we have of our property. Please do not approve the proposal.

Sincerely,

(sign)   
(names) Jamie McCarty Denise  
(address) 14607 Lake St Extension  
Minnetonka, MN 55345

To:  
City of Minnetonka  
Planning Division  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

Dear Planning Commission,

We are direct neighbors of the Klonnes Property and we do not support the approval of the Klonnes Project at 4127 Williston Road, Minnetonka, MN. We feel the size and uses of the proposed structure are too large and unnecessary for the existing property and neighborhood, and we feel approving it would have an immediate and drastic impact to lower our property's value and would disrupt the use and enjoyment we have of our property. Please do not approve the proposal.

Sincerely,

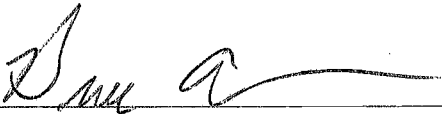
(sign) Don & Susan Sundell  
(names) Don & Susan Sundell  
(address) 14660 Lake St. Ext.  
Minnetonka, MN 55345

To:  
City of Minnetonka  
Planning Division  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

Dear Planning Commission,

We are direct neighbors of the Klonnes Property and we do not support the approval of the Klonnes Project at 4127 Williston Road, Minnetonka, MN. We feel the size and uses of the proposed structure are too large and unnecessary for the existing property and neighborhood, and we feel approving it would have an immediate and drastic impact to lower our property's value and would disrupt the use and enjoyment we have of our property. Please do not approve the proposal.

Sincerely,

(sign)  \_\_\_\_\_

(names) Bruce Ackerman

(address) \_\_\_\_\_

\_\_\_\_\_

To:  
City of Minnetonka  
Planning Division  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

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Sincerely,

(sign) Robert W. Werner

(names) Robert W. Werner

(address) 14555 Lake St. Ext.

Minnetonka, MN 55345

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Sincerely,

(sign) Robert Muellerberry

(names) 4134 Red Oak

Ridge

(address) \_\_\_\_\_

\_\_\_\_\_

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Planning Division  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

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Sincerely,

(sign) W.A. Anderson

(names) Lakae Anderson

(address) 4103 Red Oak Ridge

M.T.A. MN 55345



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City of Minnetonka  
Planning Division  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

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Sincerely,

(sign) Katherine & Dave Dalino

(names) Katherine & Dave Dalino

(address) 4140 Red Oak Ridge

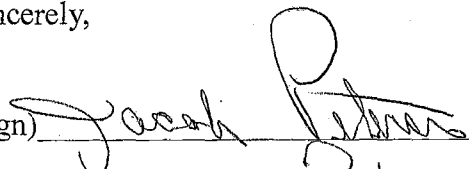
Minnetonka MN 55345

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Sincerely,

(sign)   
(names) JACOB PETERSON  
(address) 14680 LAKE ST. NW.

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To:  
City of Minnetonka  
Planning Division  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

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Sincerely,

(sign) 

(names) Rich Straw

(address) 14720 LAKE ST EXT MTKA MN 55345

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## **Resolution No. 2021-**

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

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

Section 1. Background.

- 1.01 The subject property is located at 4127 Williston Road. It is legally described as:
- 1.02 Property owner Zachary Klonne is proposing to construct an accessory structure in the northeast corner of the subject property. The submitted plans illustrate a building with a footprint of 2,100 square feet and a total area of roughly 2,865 square feet. The space within the building would be divided between vehicular storage, general storage, workshop, office, entertaining, and bathroom space. The building would have a code-defined height of 12 feet.
- 1.03 On Oct. 14, 2021, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council deny the request.

Section 2. Standards.

- 2.01 City Code §300.16 Subd.2 outlines the following general standards that must be met for granting a conditional use permit on a residential lot.
1. The use is consistent with the intent of this ordinance.
  2. The use is consistent with the goals, policies, and objectives of the comprehensive plan;
  3. The use does not have an undue adverse impact on governmental facilities, utilities, services, or existing or proposed improvements; and
  4. The use does not have an undue adverse impact on public health, safety, or welfare.

2.02 City Code §300.16 Subd.3(f) outlines the following specific standards for accessory structures in excess of 1,000 square feet of gross floor area or 12 feet in height.:

1. Side and rear setbacks equal to the height of the structure or 15 feet, whichever is greater;
2. No additional curb cuts to be permitted;
3. Not to be used for commercial activities;
4. Structure to be architecturally consistent with the principal structure;
5. Landscaping to be required to buffer views when the structure is highly visible from adjoining properties; and
6. Site and building plan subject to review pursuant to section 300.27 of this ordinance.

2.03 City Code §300.27 Subd. 5, states that in evaluating a site and building plan, the city will consider its compliance with the following standards.

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;
2. Consistency with this ordinance;
3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;
4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;
5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
  - a) An internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors, and the general community;
  - b) The amount and location of open space and landscaping;
  - c) Materials, textures, colors, and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and

- d) Vehicular and pedestrian circulation, including walkways, interior drives, and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.
6. Promotion of energy conservation through design, location, orientation, and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and
7. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air, and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

### Section 3. Findings.

- 3.01 The proposal would not meet the general conditional use permit standards as outlined in City Code §300.16 Subd.2.
1. Consistent with the intent of the ordinance. The intent of the ordinance as it pertains to accessory structures on single-family properties is to allow property owners construction of structures "subordinate to, and associated with," their homes. The proposed structure does not meet this intent. The proposed accessory structure would have a footprint larger than that of the existing home and would be just 500 square feet less in total area. Given the proposed size and the design – which includes garage space, habitable space, and a deck –the structure would not be clearly subordinate to the principal use. Instead, it would have the appearance of a second principal use on the property.
- 3.02 The proposal does not meet the conditional use permit standard outlined in City Code §300.16 Subd.3(f)(6), as outlined in Section 3.03 below.
- 3.03 The proposal would meet three site and building plans standards outlined in City Code §300.27 Subd.5:
1. Consistency with the ordinance. By definition, an accessory structure is a structure "subordinate to, and associated with the principal structure" on the same lot. The proposed accessory structure would have a footprint of 2,100 square feet – larger than that of the existing home – and would be just 500 square feet less in total area. Given the proposed size and proposed spaces – including garage space, habitable space, and a deck – the structure would not be clearly subordinate to the principal use. Instead, it would have the appearance of a second principal use on the property.

2. Preservation of the site in its natural state to the extent practicable. The site's topography slopes upward from west to east, rising roughly 28 feet from the existing home to the east property line. As located, the proposed structure would require a roughly 205-foot long driveway. The building itself would result in excavation – or "cut" – of one to seven feet over its full footprint, resulting in a significant volume of earth removed. Locating an accessory structure closer to the existing home would require less grading and result in less tree impact.
  
3. Creation of a harmonious relationship of buildings and open spaces. The structure would be located 124 feet from the existing home, unnecessarily impacting the site's natural topography and existing trees. Further, this location would be closer to two neighboring homes than to the applicant's home.

Section 4. City Council Action.

4.01 The above-described conditional use permit is hereby denied.

Adopted by the City Council of the City of Minnetonka, Minnesota, on Nov. 8, 2021.

---

Brad Wiersum, Mayor

Attest:

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Becky Koosman, 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 City Council of the City of Minnetonka, Minnesota, at a meeting held on Nov. 8, 2021.

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Becky Koosman, City Clerk