



3601 Thurston Avenue
Anoka, MN 55303
763.231.5840
TPC@PlanningCo.com

PLANNING REPORT

TO: Baldwin Township Planning Commission

FROM: D. Daniel Licht

DATE: 21 March 2024

RE: Baldwin Township; Baldwin Prairie Simple Plat

TPC FILE: 269.01

BACKGROUND

33 Acre 108th LLC has acquired the 32.06 acre property located at 30010 108th Street for the purpose of subdividing it and developing single family lots. The developer is proposing an initial preliminary and final plat to subdivide the existing single family dwelling and detached accessory buildings from the balance of the property to be platted as an outlot. The proposed subdivision requires a Simple Plat application to be processed in accordance with Section XX-4-3 of the Subdivision Ordinance, which is subject to review by the Planning Commission and approval of the Town Board. A public hearing has been noticed for the Planning Commission meeting on 27 March 2024 at 7:00PM to consider the application.

Exhibits:

- Site Location Map
- Future Land Use Map
- Zoning Map
- Roadway Classification Map
- Preliminary Plat
- Final Plat

ANALYSIS

Comprehensive Plan. The Baldwin Township Comprehensive Plan establishes a goal to promote land use patterns related to the natural landscape with existing rural residential character to be expanded without adversely affecting scenery or open spaces. The proposed subdivision resulting in separation of the existing single family dwelling and accessory buildings from the balance of the property for future development is consistent with the Comprehensive Plan.

Zoning. The subject site is zoned R1, General Rural District. The preliminary plat proposes subdivision of the existing parcel into one lot encompassing the existing single family dwelling and detached accessory buildings and an outlot intended for future subdivision. Single family dwellings are allowed as a permitted use within the R1 District.

Surrounding Uses. There are larger rural residential lots to the north, south and east of the subject site. West of the subject site are unplatted parcels used in agricultural cultivation. The proposed subdivision of the existing single family dwelling onto a lot separate from the balance of the property will be compatible with existing uses in the area.

Lot Requirements. Section XX-51-7 establishes lot requirements the R1 District shown below:

A. Lot Area:		
	Platted Lot:	2.5 acres
	Buildable Area Within Parcel or Lot:	40,000 square feet
B. Lot Width:		200 feet
C. Lot Depth		300 feet

The proposed lot is 2.5 acres in area and complies with the minimum width and depth requirements of the R1 District. Soil information is indicated on the preliminary plat. The preliminary plat must be revised to indicate the buildable area within Lot 1, Block 1.

Outlots are not subject to minimum lot requirements.

Setbacks. The table below outlines the setback requirements of the R1 District established by Section XX-51-8 of the Zoning Ordinance.

A. Front Yard or Side Yard Abutting a Public Road:		
	County State Aid Highway	70 feet
B. Side Yard (except as allowed by Section XX-51-5.A):		20 feet
C. Rear Yard:		25 feet
Ordinary High Water Level		150 feet

The existing single family dwelling and detached accessory buildings within Lot 1, Block 1 comply with the setback requirements of the Zoning Ordinance.

Right-of-Way. The parcel abuts the west side of 108th Street, which is a County State Aid Highway (CSAH 19) destined as a Major Collector roadway. Collector roadways are to move traffic from neighborhoods within the Town to other neighborhoods, activity centers, or regional roadways. The proposed preliminary plat provides for dedication of 50 feet of right-of-way for the west half of 108th Street (CSAH 19). Right-of-way dedication is to be subject to review and approval of Sherburne County.

Access. There is one access from 108th Street (CSAH 19) to the existing single family dwelling and detached accessory buildings, which will be within the area of Lot 1, Block 1. Allowance of additional driveway access or road intersections to 108th Street (CSAH 19) for Outlot A is subject to review and approval of Sherburne County.

Utilities. The single family dwelling is served by an existing private Subsurface Sewage Treatment System and well. Acquisition of the property by the developer requires a point-of-sale certification that the existing septic system complies with current Minnesota Rules in accordance with Section XX-4-2.C.1 of the Building Ordinance. The developer is requested to provide a copy of the certification for Town files.

Wetlands. Administration of the Wetland Conservation Act remains within the jurisdiction of Sherburne County in accordance with Section XX-10-7 of the Subdivision Ordinance. A Level 1 wetland delineation was prepared by the developer and is subject to approval of Sherburne County. The proposed subdivision does not impact wetlands within the property.

Easements. Section XX-10-8 of the Subdivision Ordinance requires dedication of drainage and utility easements a minimum of 12 feet in width at the perimeter of each lot, which may be centered on lot side and rear lines for abutting lots within the preliminary plat. The preliminary plat indicates the perimeter drainage and utility easements are at least 12 feet in width as required. Drainage and utility easements are also shown to be dedicated over wetlands within the preliminary plat. All drainage and utility easements are to be subject to approval of the Town Engineer.

Park Dedication. Section XX-10-10 of the Subdivision Ordinance requires developers to dedicate 10 percent of the buildable area of a parcel being subdivided to the Town for park purposes. The Town may also elect to receive a cash fee in lieu of land dedication to be used only for development of the Town park system. The proposed preliminary plat does not result in any new lots being created as the balance of the property is being established as an outlot. Park dedication requirements will apply to Outlot A at the time a preliminary plat and final plat application are submitted.

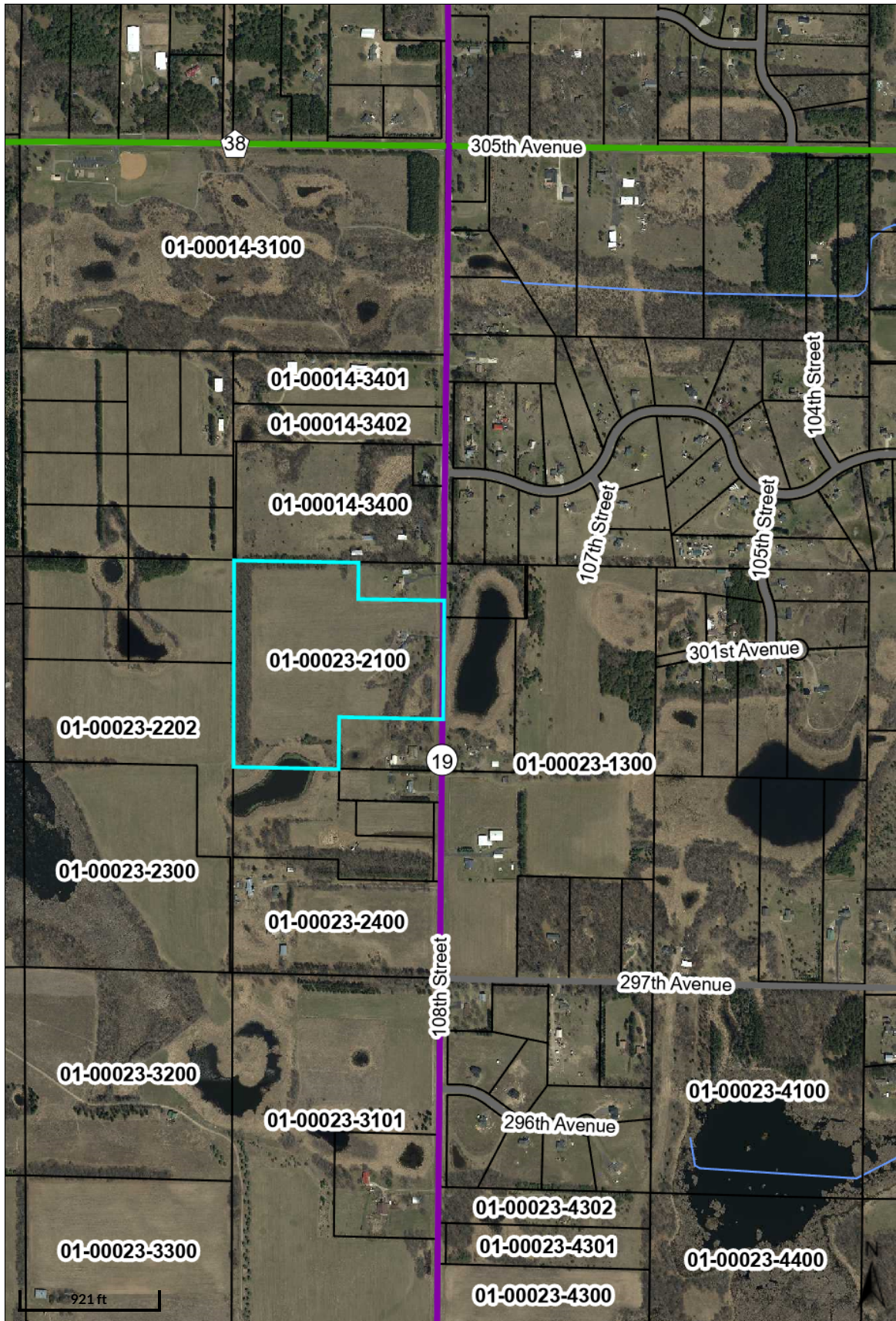
RECOMMENDATION

The proposed Baldwin Prairie Simple Plat complies with the requirements of the Zoning Ordinance and Subdivision Ordinance. Our office recommends approval of the application as outlined below.

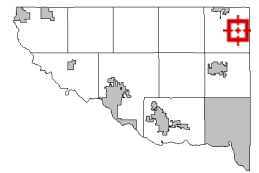
POSSIBLE ACTIONS

- A. Motion to recommend **approval** of the Baldwin Prairie Simple Plat applications subject to the following conditions:
 - 1. The preliminary plat shall be revised to indicate the buildable area within Lot 1, Block 1.
 - 2. Right-of-way dedication for 108th Street (CSAH 19) shall be subject to review and approval of Sherburne County.
 - 3. Access for Lot 1, Block 1 and Outlot A to 108th Street (CSAH 19) shall be subject to review and approval of Sherburne County.
 - 4. A certificate of compliance for the existing subsurface sewage treatment system shall be submitted in accordance with Section XX-4-2.C.1 of the Building Ordinance.
 - 5. A Level 1 wetland delineation and any wetland impacts shall be subject to review and approval of Sherburne County.
 - 6. All easements shall be subject to review and approval of the Town Engineer.
 - 7. No park dedication requirement is due at this time; park dedication requirements for Outlot A shall be deferred until such time as application is made for preliminary plat and final plat approval to subdivide the property.
- B. Motion to recommend the application be **denied** based on a finding that the request is inconsistent with the Comprehensive Plan and intent of the Zoning Ordinance.
- C. Motion to **table**.
- c. Joan Heinen, Town Clerk/Treasurer
Matthew Kind, Assistant Town Engineer
David Roedel, Assistant Public Works Director/County Engineer

Site Location Map



Overview



Legend

Roads

- MN Highway; US Highway
 - Municipal-State Aid Street
 - Municipal Street
 - Township Road
 - State Forest Road
 - Bureau of Fish and Wildlife Road
 - Connector (Ramp)
 - Privately Maintained Public Access Road
 - County Road
 - County-State Aid Highway
- Parcels
- Streams

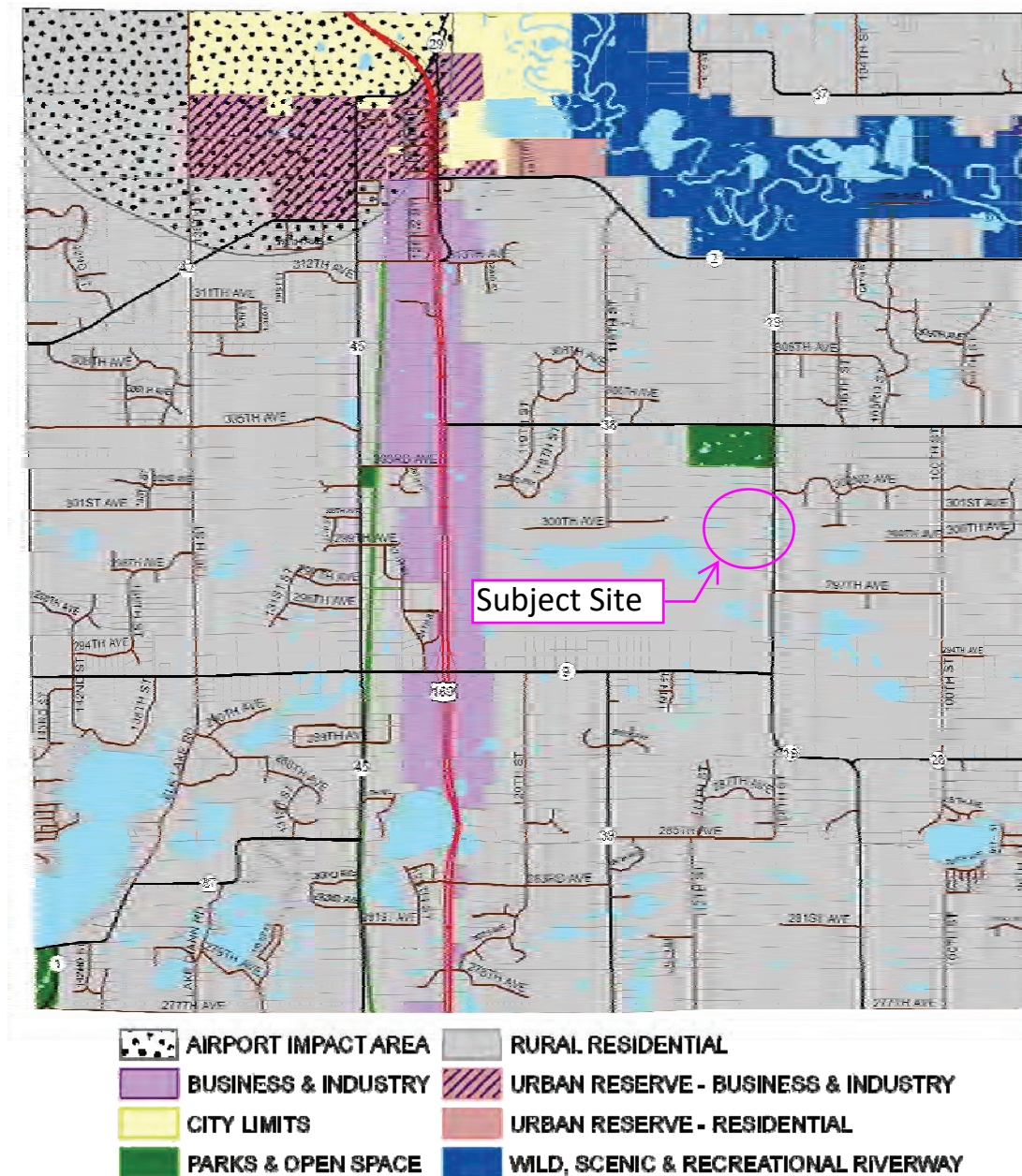


Figure 9.3: Sherburne County Future Land Use Map (Baldwin Township). Source: Sherburne County Planning & Zoning Dept.

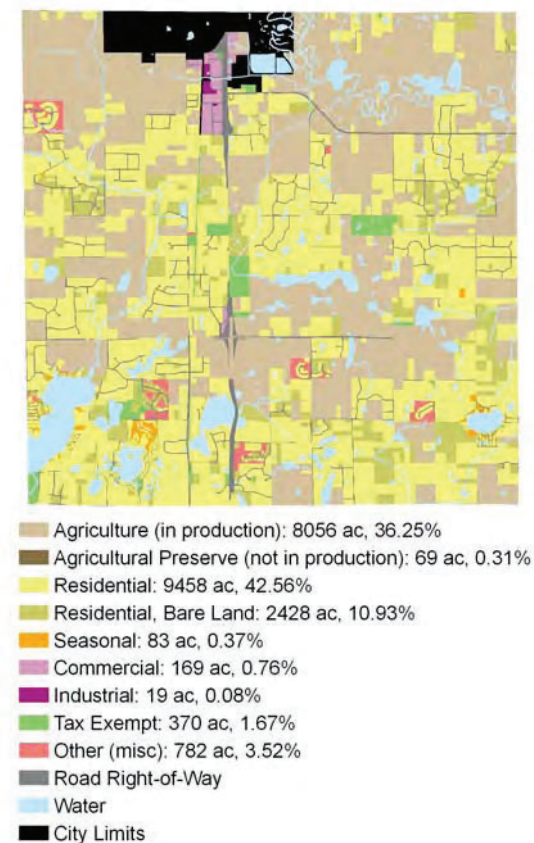
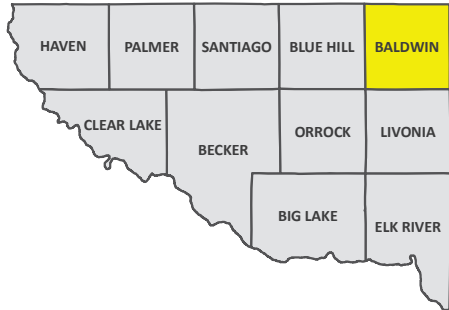


Figure 9.4: Baldwin Township existing land use by acres (2008). Source: Sherburne County Assessor's Dept.

Baldwin Township Zoning Map



Township Boundary

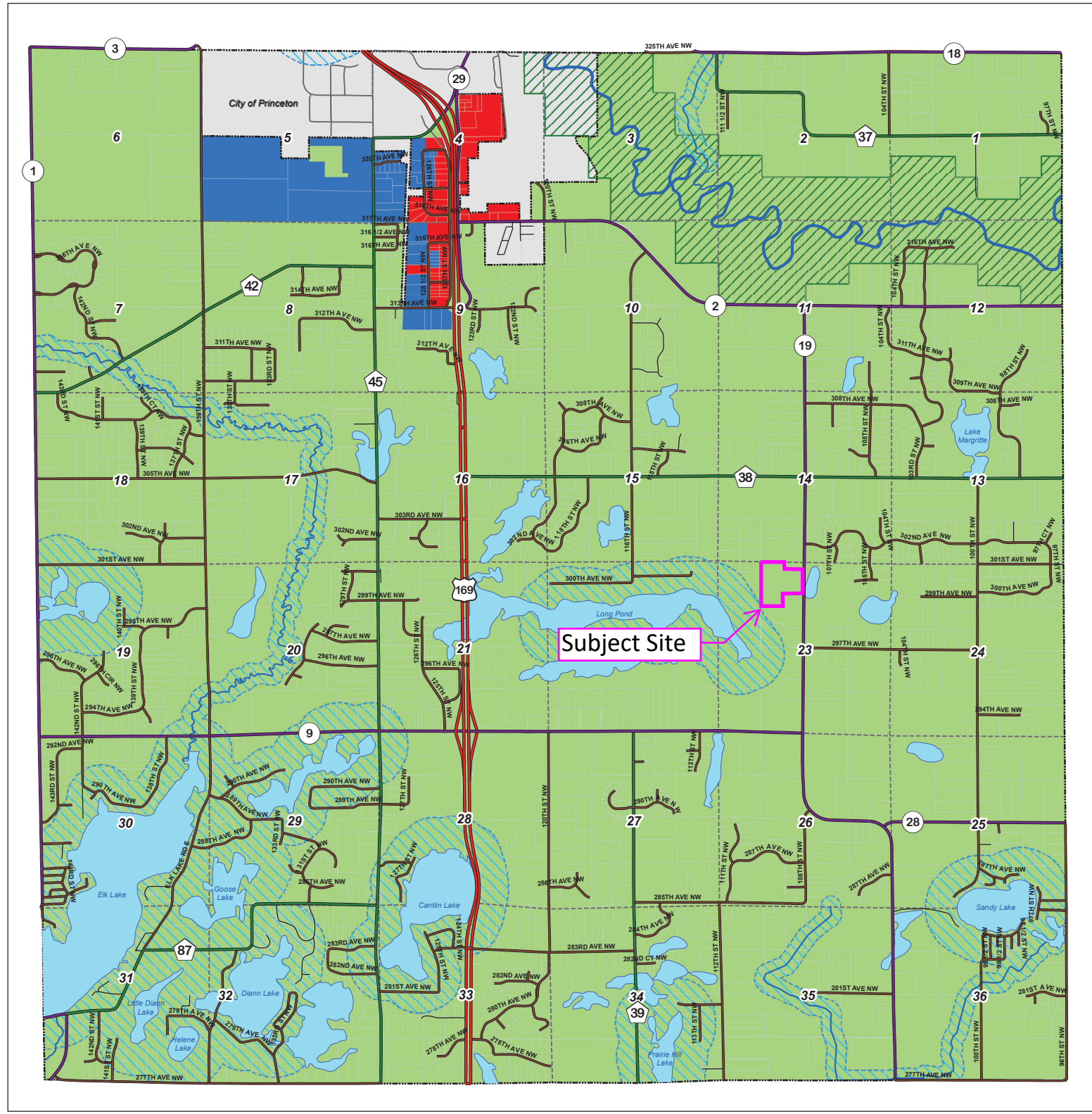
Zoning

- R1
- C1
- I1
- OS
- WS
- City Limits

Roads

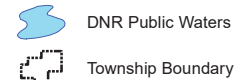
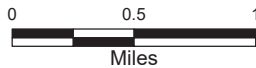
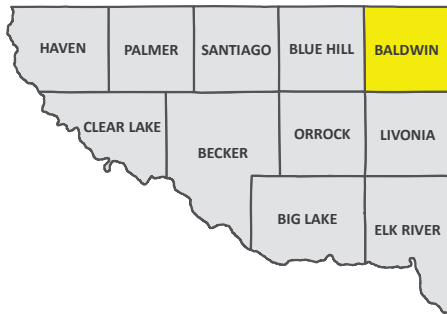
- US Highway
- County-State Aid Highway (CSAH)
- County Road
- Township Road
- Private Road
- City Street

DISCLAIMER: Baldwin Township does not warrant the accuracy nor the correctness of the information contained in this map. It is your responsibility to verify the accuracy of this information. In no event will Sherburne County be liable for any damages, including loss of business, lost profits, business interruption, loss of business information or other pecuniary loss that might arise from the use of this map or the information it contains. Map information is believed to be accurate but accuracy is not guaranteed.



Baldwin Township

ROADWAY CLASSIFICATION



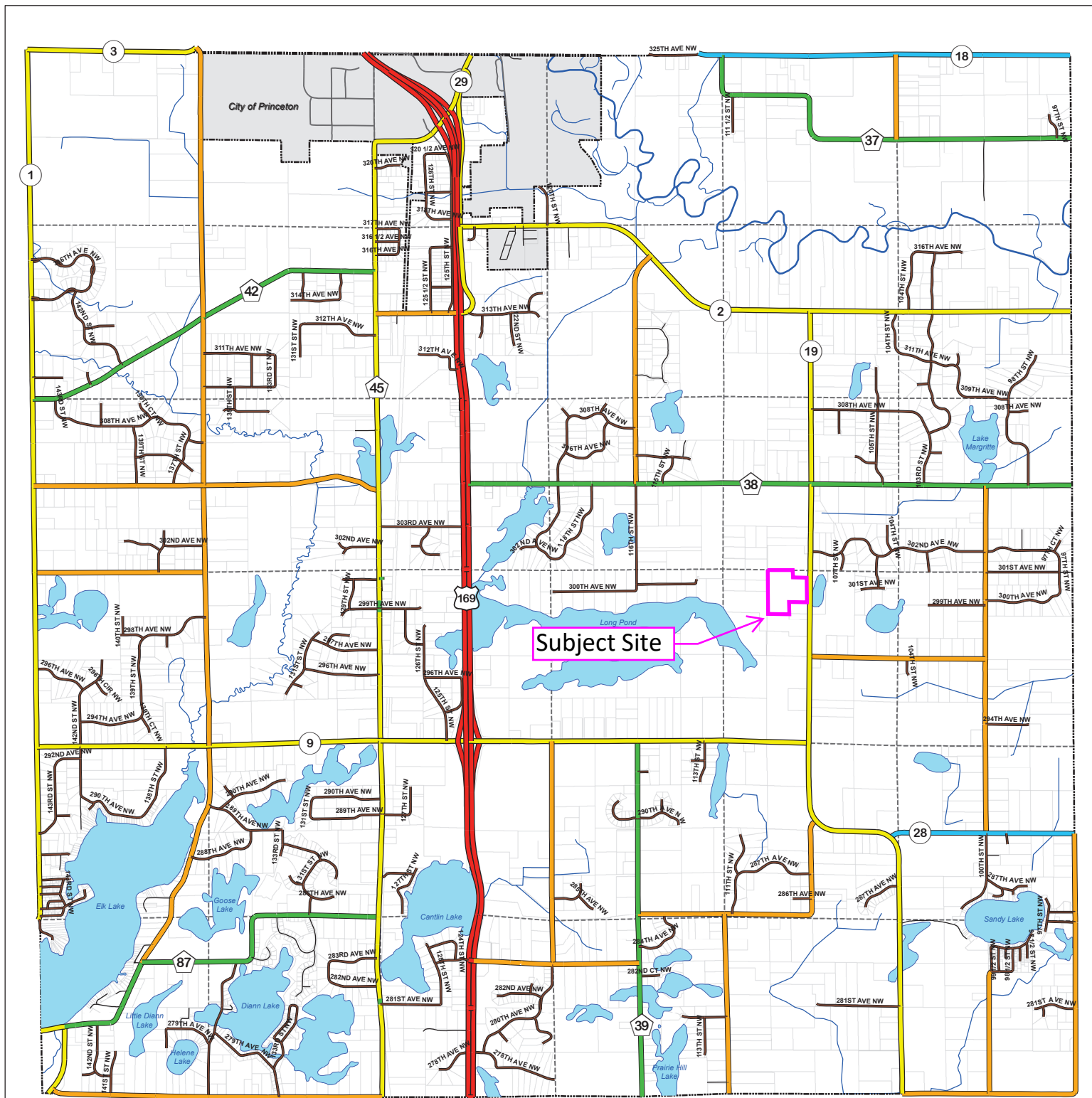
Roads

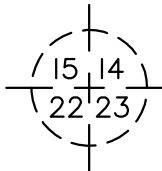
- Principal Arterial (Federal/State)
- County Major Collector
- County Minor Collector
- County Local
- Town Collector
- Town Road
- City Street
- Private Road



Source:
Sherburne County 2040 Transportation Plan
Baldwin Township

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Preliminary Plat of

NOT PLATTED

BALDWIN PRAIRIE

BALDWIN TOWNSHIP SHERBURNE COUNTY, MN

SOILS CHART

Map symbol & soil name	Hydrologic group	Water table depth (in)
I288: Seelyville-Markey complex, ponded, 0 to 1 percent slopes	A/D	0
I62: Lino loamy fine sand, 0 to 2 percent slopes	A/D	18
I109: Isanti loamy fine sand, 0 to 2 percent slopes	A/D	6
I256: Cantlin loamy fine sand, 0 to 3 percent slopes	A	42

• Data from USDA Web Soil Survey

Plat Description (Warranty Deed — Doc. No. 963498):

The Northeast Quarter of the Northwest Quarter of Section 23, Township 35, Range 26, Sherburne County, Minnesota; EXCEPT the North 230 feet of the East 545 feet of the Northeast Quarter of the Northwest Quarter, Section 23, Township 35, Range 26; AND EXCEPT all that part of the Northeast Quarter of the Northwest Quarter of Section 23, Township 35, Range 26, described as follows: Commencing at the Southeast corner of said Northeast Quarter of Northwest Quarter; thence Northerly along the East line of said Northeast Quarter of Northwest Quarter 330 feet; thence Westerly parallel with the South line of said Northeast Quarter of Northwest Quarter 660 feet; thence Southerly parallel with the East line of said Northeast Quarter of Northwest Quarter to the South line of said Northeast Quarter of Northwest Quarter; thence East along said South line to the point of beginning.

Surveyor's Note(s):

- Contours were created by MNDNR LIDAR data.
- Subject property is NOT part of the shoreline district and NOT within a flood plain district as mapped by FEMA.
- This plat was performed without the benefit of a title report. No search for easements or restrictions was made by the surveyor. We reserve the right to update this plat upon receipt of title documentation.
- Reference 2022 survey for Joss Jondahl by Bogart, Pederson and Associates, Inc.; File No. 22-0091.00
- A level I wetland delineation was performed by Robert Pennington, EWSR Cert. No. 5428, of Bogart, Pederson & Associates, Inc., on 1/23/24.



0 40
(SCALE IN FEET)
SCALE: 1 INCH = 40 FEET

I hereby certify that a boundary survey has been completed for the preliminary plat of BALDWIN PRAIRIE, Sherburne County, Minnesota.

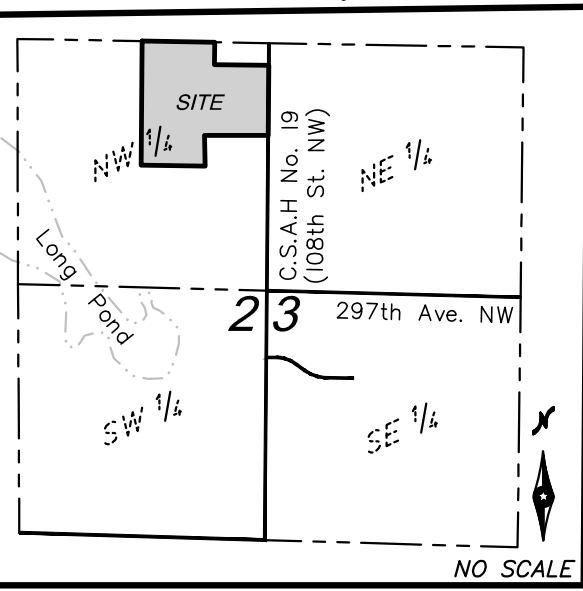
Signed: Craig Wensmann
Craig A. Wensmann
Date: 2/1/24 Lic. No. 47466

LEGEND:

- Denotes septic cleanout
- Denotes power pole
- Denotes telephone pedestal
- Denotes soil boring
- Denotes well
- Denotes delineated wetland interior
- Denotes propane tank
- Denotes bituminous surface
- Denotes concrete surface
- Denotes chainlink fence
- Denotes limited access
- Denotes tree line
- Denotes easement
- Denotes right of way
- Denotes major contour
- Denotes minor contour
- Denotes existing adjoiners
- Denotes building setback line
- Denotes field edge
- Denotes mow line
- Denotes edge of delineated wetland
- Denotes soil type boundary
- Y's Denotes soils classification type

VICINITY MAP

Sec. 23, Twp. 35, Rng. 26
Sherburne County, MN



NO SCALE

SEC 23

NOT PLATTED

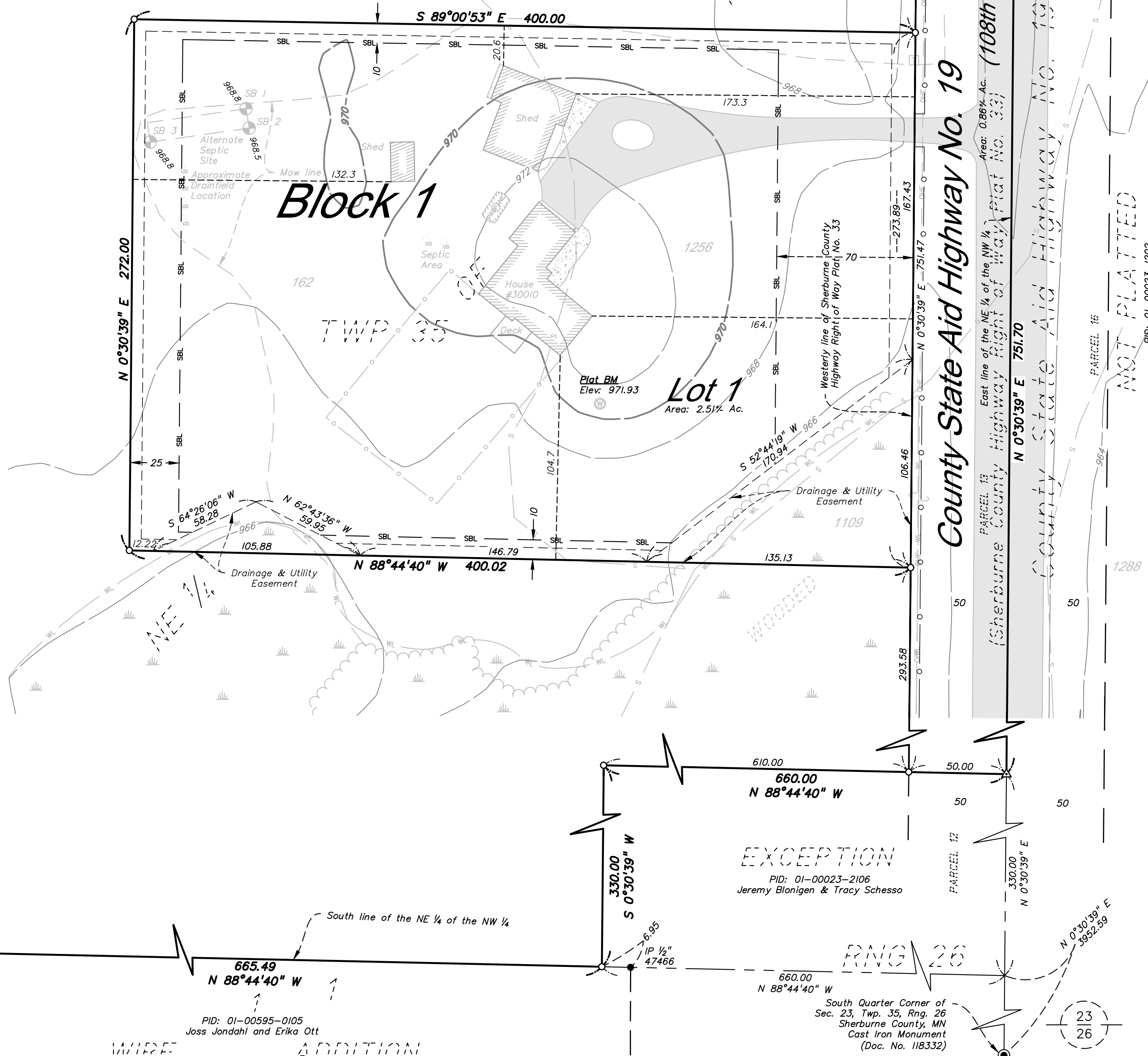
NOT PLATTED

NOT PLATTED

Outlot A

Area: 28.69% Ac.

PID: 01-00023-2100
33 Acre 108th, LLC.



BOGART, PEDERSON & ASSOCIATES, INC.

Bearings are based on the Sherburne County Coordinate System (NAD83 86 Adj.). For the purpose of this plat, the North-South Quarter line of Section 23, Township 35, Range 26 bears North 00 degrees 30 minutes 39 seconds East.

- Denotes found iron monument
- Denotes set half inch by 14 inch iron pipe with a plastic plug stamped R.L.S. 47466
- Denotes found cast iron monument
- Denotes set PK/mag nail

REFERENCE BENCHMARK:

MNDOT Geodetic Monument "09-60"
Elevation = 982.86 feet (NAVD 88)

PLAT BENCHMARK:

Top of well 32% feet SE'ly of the S'ly most corner of House No. 30010
Elevation = 971.93 feet (NAVD 88)

OWNER/DEVELOPER:

Adam Price - 33 Acre 108th, LLC
11110 Industrial Cir. Site E
Elk River, MN 55330
612-298-2625

SURVEYORS & ENGINEERS:

Bogart, Pederson & Associates, Inc.
13076 First Street
Becker, MN 55308-9322
763-262-8822

TOTAL AREA: 32.06% Acres

EXISTING ZONING: R-1, General Rural

PROPOSED ZONING: R-1, General Rural

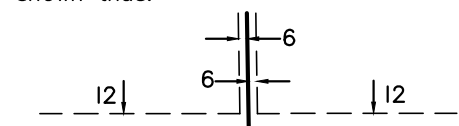
MINIMUMS:

200 feet width at setback line
300 feet depth
2.5 acres

BUILDING SETBACKS:

70' from C.S.A.H. right-of-way
25' Rear
10' Side

Drainage and Utility Easements are shown thus:



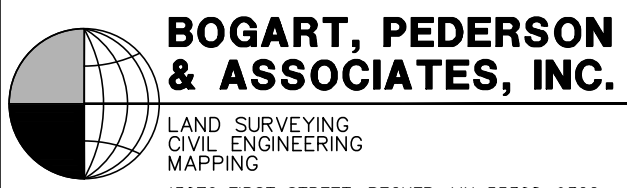
N.T.S.
Being 12 feet in width and adjoining right-of-way lines, also being 6 feet in width and adjoining lot lines, unless otherwise indicated, as shown on the plat.

DATE: 1/19/24
FIELD DATE: January 18th, 2024
BK/PG: 71.101/ Pg. 70
DRAWN BY: CK
CHECKED BY: CAW
DWG FILE: 24-0036 Prelim
FILE NO: 24.0036.00

REVISIONS:

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

Signed: Craig Wensmann
Craig A. Wensmann
Date: 1/22/24 Lic. No. 47466



PRELIMINARY PLAT

for
33 Acre 108th, LLC
BALDWIN PRAIRIE
Baldwin Township
Sherburne County, MN

**BALDWIN TOWNSHIP
SHERBURNE COUNTY, MN**

VICINITY MAP
Sec. 23, Twp. 35, Rng. 26
Sherburne County, MN

LEGEND:

- Drainage and Utility Easements are shown thus:

Being 12 feet in width and adjoining right-of-way lines, also being 6 feet in width and adjoining lot lines, unless otherwise indicated, as shown on the plat.

Bearings are based on the Sherburne County Coordinate System (NAD83. 86 Adj.). For the purpose of this plat, the east line of the Northeast Quarter of the Northwest Quarter of Section 23, Township 35, Range 26 bears North 00 degrees 30 minutes 39 seconds East.

33 Acre 108th, LLC.

STATE OF MINNESOTA COUNTY OF _____

(Signature) Notary Public, _____ County, Minnesota

Craig Wensmann, Land Surveyor
Minnesota License No. 47466

STATE OF MINNESOTA COUNTY OF _____

Notary Public, _____ County, Minnesota

(Printed Name) My Commission Expires _____

We do hereby certify that on the _____ day of _____, 20_____, the Board of Township Supervisors for Baldwin Township, Sherburne County, Minnesota approved this plat.

Chairperson	Clerk
-------------	-------

Pursuant to Sherburne County Ordinance Number 006, I hereby certify that this plat has been checked and approved as to compliance with Chapter 505, Minnesota Statutes this _____ day of _____, 20_____.

Sherburne County Surveyor

I hereby certify that this plat has been reviewed by the office of the County Highway Engineer. Dated this _____ day of _____, 20____.

Sherburne County Highway Engineer

I hereby certify taxes payable in the year _____ on lands herein described are paid in full, and there are no delinquent taxes, and that transfer was entered this _____ day of _____, 20_____.

Sherburne County Auditor/Treasurer

Approved as to form and execution this _____ day of _____, 20_____

Sherburne County Attorney

(A.K.A. SE Corner of the
NE ¼ of the NW ¼)
South Quarter Corner of
Sec. 23, Twp. 35, Rng. 26
Sherburne County, MN
Cast Iron Monument
(Doc. No. 118332)

BOGART, PEDERSON & ASSOCIATES, INC.



3601 Thurston Avenue
Anoka, MN 55303
763.231.5840
TPC@PlanningCo.com

PLANNING REPORT

TO: Baldwin Township Planning Commission

FROM: D. Daniel Licht

REPORT DATE: 22 March 2024

60-DAY DATE: 22 April 2024

RE: Baldwin Township – Casselton/Davis (PID 01-031-2205); Variance

TPC FILE: 269.02

BACKGROUND

Andrea Casselton and Theodore Davis own the property at 14338 284th Avenue on the west side of Elk Lake. There is a seasonal single family dwelling and detached garage on the property currently. The property owners are proposing to demolish the existing seasonal single family dwelling and build a new home for year-round occupancy. The proposed redevelopment of the property requires considerations of a variance due to the non-conforming width of the lot. Variance applications are processed in accordance with Section XX-6-4 of the Zoning Ordinance subject to review by the Planning Commission and approval of the Town Board. A public hearing to consider the application has been noticed for the Planning Commission meeting on 27 March 2024 at 7:00PM.

Exhibits:

- Site Location Map
- Certificate of Survey
- Site Plan
- House Plan (3 sheets)
- Findings of Fact

ANALYSIS

Comprehensive Plan. The Baldwin Township Comprehensive Plan guides development of land use patterns that provide connections to existing public amenities and the natural landscape. Existing rural residential character is to be expanded without spoiling scenery or open spaces. The conversion of the use of the property from a seasonal to year-round single family dwelling on a riparian lot on Elk Lake is consistent with the Comprehensive Plan.

Zoning. The subject site is zoned R1, General Rural District. The subject site is also within the Shoreland Overlay District of Elk Lake, which is a General Development Lake. Single family dwellings are allowed as a permitted use within the R1 District and Shoreland Overlay District.

Surrounding Uses. There are similarly sized single family lots to the north and south of the subject site also developed with single family dwellings. Use of the subject site for a year round residential use is consistent with the character of the area.

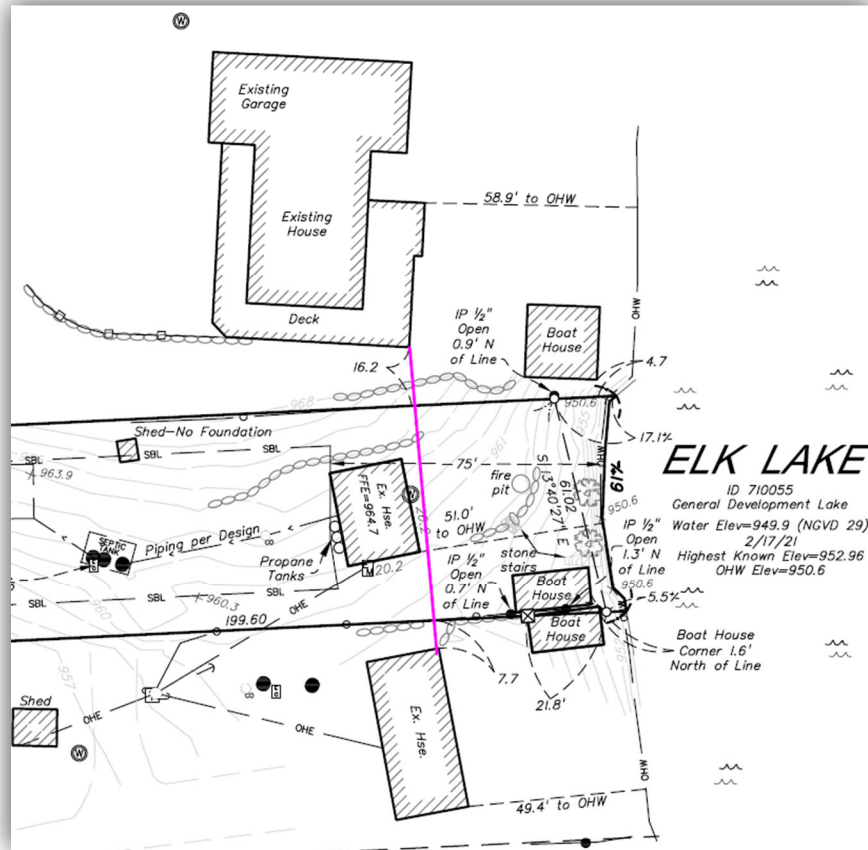
Lot Requirements. Lots within the R1 District are required by Section XX-51-7 of the Zoning Ordinance to be 2.5 acres in area, 200 feet in width measured at the front setback line abutting a public right-of-way, and 300 feet in depth. Riparian lots abutting a General Development Lake are required by Section XX-90-7.A.1 of the Zoning Ordinance to be a minimum of 40,000 square feet in area and 150 feet in width measured at the Ordinary High Water Level (OHWL).

The subject site is 1.0 acres in area, 60 feet in width, and 755 feet in depth. The property legal non-conforming lot of record governed by Section XX-15-3.C of the Zoning Ordinance and Section XX-90-8.A of the Zoning Ordinance specific to non-conforming lots within the Shoreland Overlay District. Because the width of the lot is less than 65 percent of the minimum width required by Section XX-90-7.A.1 of the Zoning Ordinance, approval of a variance is required to redevelop the property with a new single family dwelling.

Building Setbacks. The table below summarizes the setback requirements of the R1 District established by Section XX-51-8 of the Zoning Ordinance and Shoreland Overlay District established by Section XX-90-7.B.1 of the Zoning Ordinance applicable to buildings within the subject site:

	284 th Ave.	North	South	OHWL
Required	50ft.	10ft.	10ft.	75ft.
Existing House	470ft.	15ft.	15ft.	51ft.
Proposed House	450ft.	15ft.	18ft.	55ft.

The existing house does not comply with the required 75 foot setback from the OHWL of Elk Lake. The footprint of the proposed house generally overlays the existing house, but is setback and additional four feet. Section XX-90-7.B.2b of the Zoning Ordinance allows the setback to be adjusted based on the location of the houses to the north and south of the subject site as shown below. The proposed house complies with applicable setback requirements.



Impervious Surface. Section XX-90-10.B.1 of the Zoning Ordinance limits impervious surface coverage within a lot to 25 percent of the lot area. The area of the lot is 45,006 square feet (1.03 acres) in area. The Certificate of Survey identifies the existing impervious surface as 826 square feet or two percent of the lot area. The removal of the existing 25 foot by 20 foot building and construction of the new 40 foot by 26 foot house will increase impervious surface by 1,040 square feet or approximately one percent of the lot area. The impervious surface within the lot complies with the Zoning Ordinance.

Utilities. Construction of a new single family home upon the property will require certification of the existing septic system or replacement with a new system sized to serve the proposed dwelling. All SSTS issues and permit applications are subject to review and approval of the Building Official.

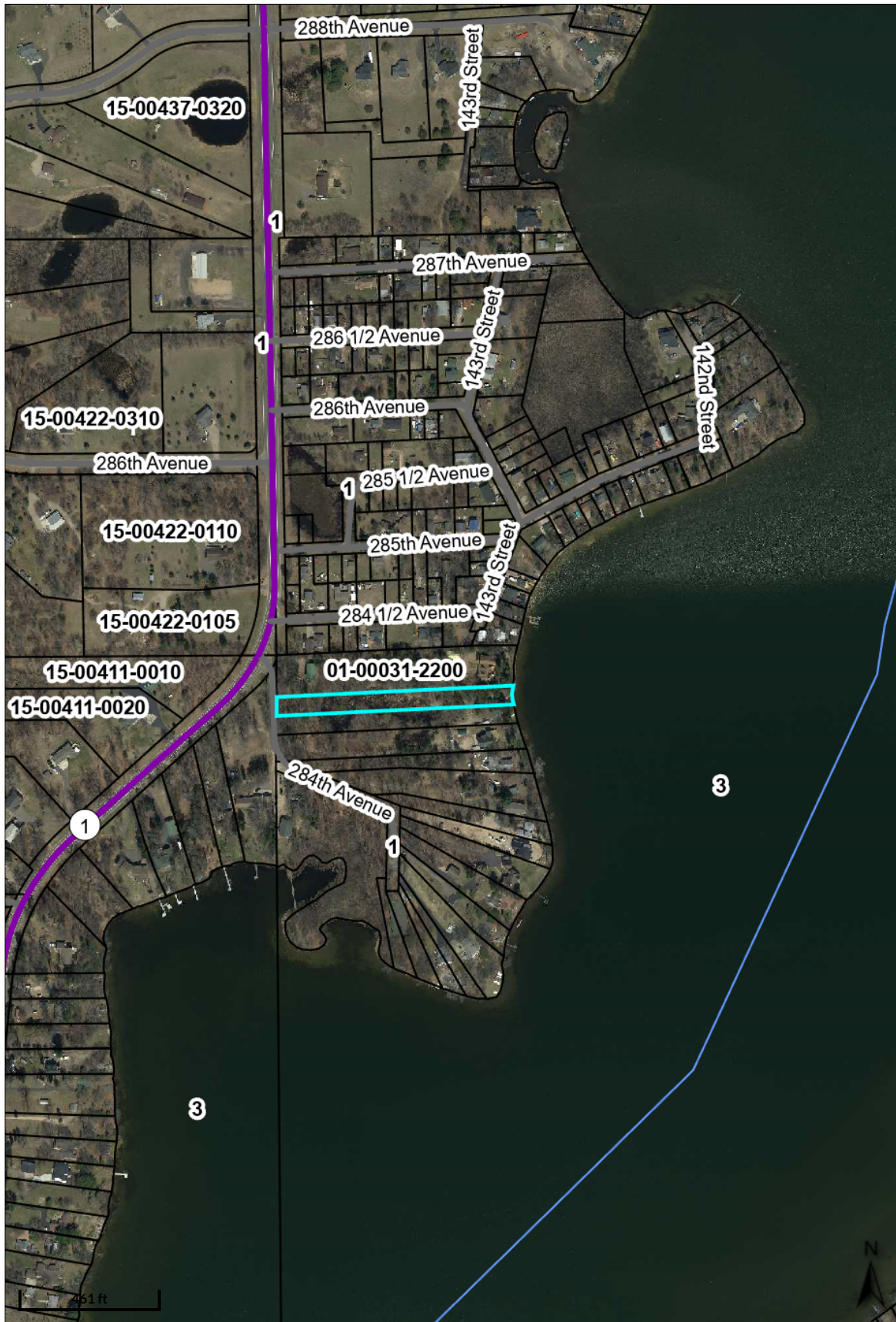
RECOMMENDATION

Our office recommends approval of a variance to allow for redevelopment of the non-conforming property with a year-round single family dwelling based on the proposed site plan complying with applicable setback and impervious surface requirements. Findings of Fact supporting this recommendation have been prepared for consideration by the Planning Commission. This recommendation includes the conditions outlined below.

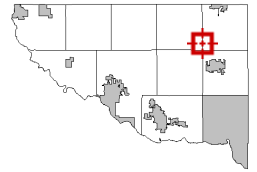
POSSIBLE ACTIONS

- A. Motion to **adopt** Findings of Fact as presented and recommend **approval** of a variance for PID 01-031-2205, subject to the following conditions:
 - 1. The property shall be developed in accordance with the site and building plans submitted to the town subject to the stipulations, limitations, and conditions as approved by the Town Board in accordance with Section XX-9-5 of the Zoning Ordinance.
 - 2. All SSTS issues and permit applications shall be subject to review and approval of the Building Official.
- B. Motion to recommend the application be **denied** based on a finding that the request is inconsistent with the Comprehensive Plan and criteria established by the Zoning Ordinance.
- C. Motion to **table**.
- c. Joan Heinen, Town Clerk/Treasurer
Andy Schreder, Town Building Official
James Bedell, DNR

Site Location Map



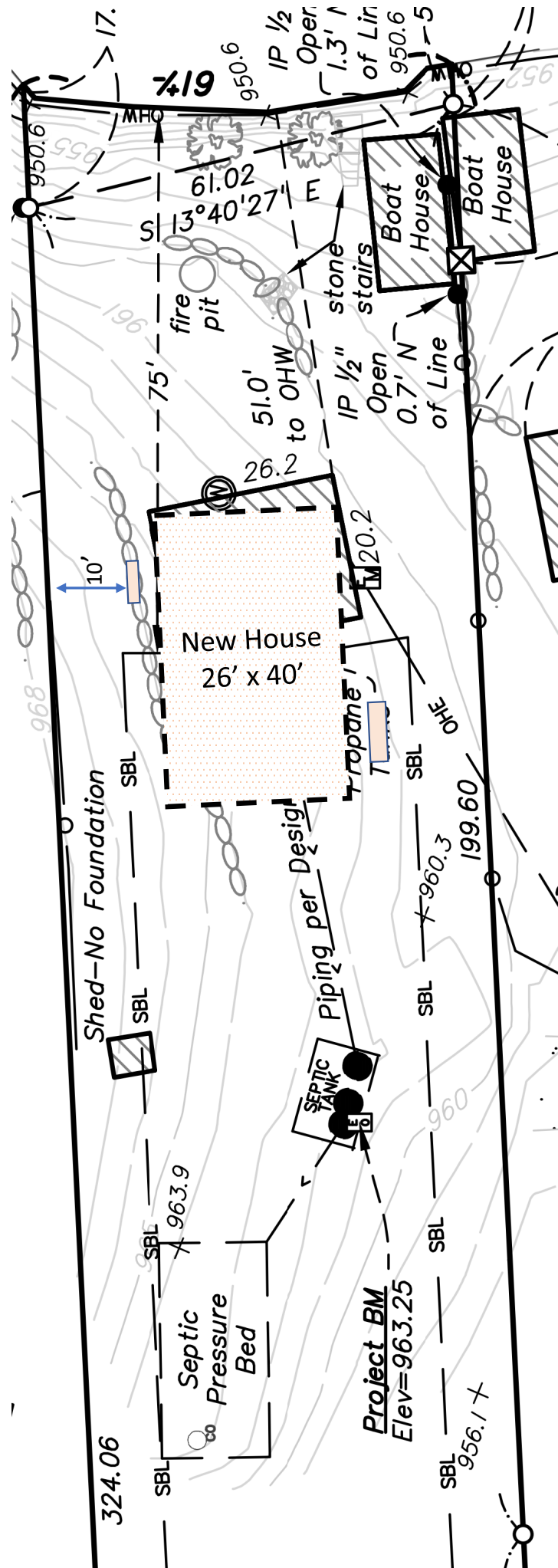
Overview



Legend

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- MN Highway; US Highway
- Municipal-State Aid Street
- Municipal Street
- Township Road
- State Forest Road
- Bureau of Fish and Wildlife Road
- Connector (Ramp)
- Privately Maintained Public Access Road
- County Road
- County-State Aid Highway
- Parcels
- Streams



GENERAL CONSTRUCTION NOTES:

ROOF ASSEMBLY ITEMS:

- * MIN. 4" AIR FLOW PASSAGE TO BE MAINTAINED @ ALL ROOF EDGES FOR A MIN. OF 4'-0" FROM OUTSIDE OF EXTERIOR WALL. INSTALL CHUTES AS REQ'D.
- * (2) ROLLS ICEWATER SHIELD @ ALL ROOF EDGES.
- * (2) ROLLS DOWNSIDE SHIELD @ ALL ROOF EDGES.
- * PROVIDE 50%-50% OF VENTED AREA IS PROVIDED W/ VENTILATORS LOCATED IN THE UPPER PORTION OF THE SPACE BEING VENTED (min. of 20" above eave or cornice) W/ BALANCE OF THE REQ'D VENTILATIONS IN THE GABLES OR CORNICE

WALL ASSEMBLY/STRUCTURE ITEMS:

- * ALL WINDOWS/DOORS TO BE CALKED PER MNFGR.
- * RECOMMENDATIONS:
 - * INTERIOR FINISHES TO BE CONTINUOUS
 - * W/ LAPPEDED SHIMS, VAPOR BARRIER TO BE CALKED TO FRAMING @ SUBFLOOR/INTERIOR PARTITION WALLS.
 - * GASKETS REQ'D AT ALL RUMPLED LOCATIONS.
 - * INTERIOR FINISHES TO BE CONTINUOUS FROM CORNER OR AN APPROVED COLLECTION POINT. PROPERTY SHALL BE GRANED AWAY FROM FOUNDATION WALL W/ MIN. GRADE FALL OF 6" WITHIN THE FIRST 10' FROM HOUSES.
 - * MINIMUM OF (2) 2X10 HOR'S W/ (1) TRIMMER AT EACH END
 - * HEADERS GREATER THAN 6'-0" (2) TRIMMERS AT EACH END
 - * (8/2) KING STUDS EACH SIDE

FOUNDATION ITEMS:

- * ALL CONC. FOUNDATION WALLS REINF. AS REQ'D PER CODE.
- * MIN. 4" AIR FLOW PASSAGE TO BE MAINTAINED @ ALL WALLS TO HAVE WATERPROOFING PERMANENTLY COATING APPLIED.
- * 1/2" dia. x 12" LONG ANCHOR BOLTS @ 6" o.c. AROUND PERIMETER SILL.
- * ANCHOR BOLTS TO BE PLACED 12" FROM END OF PLATED OR SPLICES.
- * PER LOCATION & SOILS.
- * POLY UNDER ALL CONC. SLABS.
- * DRAIN TILE AS DESIGNED BY CONTRACTOR AND/OR REQ'D PER PRESSURE TITRD.
- * ALL WOOD IN DIRECT CONTACT W/ CONC. TO BE DECAY RESISTANT OR PRESSURE TITRD.

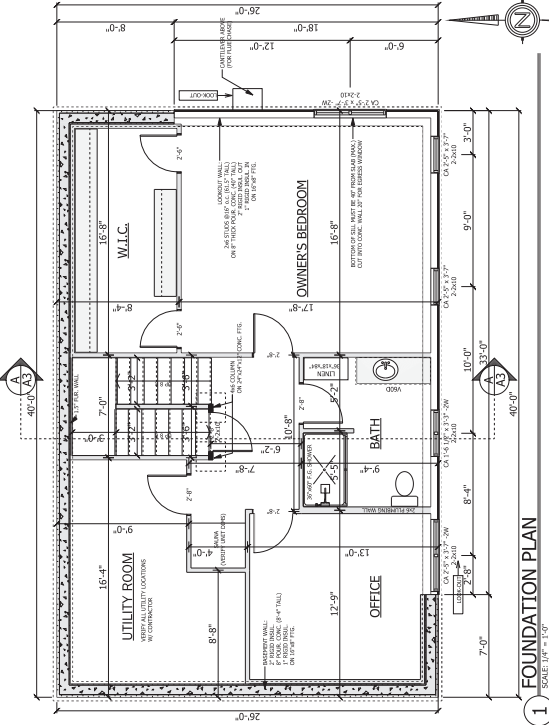
ALL OF THE GENERAL CONSTRUCTION NOTE APPLICATIONS MENTIONED GENERAL CONTRACTOR AND/OR SUB-CONTRACTORS BUILDING PRACTICES. CERTAIN DIMENSIONS MAY VARY ACCORDING TO MATERIAL USED AND/OR THE CONTRACTOR'S BUILDING PRACTICES.

NOTES:

- FOUNDATION WALL DIMENSIONS FROM OUTSIDE OF FOAM (2")
- EXTERIOR WALL DIMENSIONS FROM OUTSIDE OF SHEATHING
- INTERIOR WALL DIMENSIONS FROM CENTER OF STUD

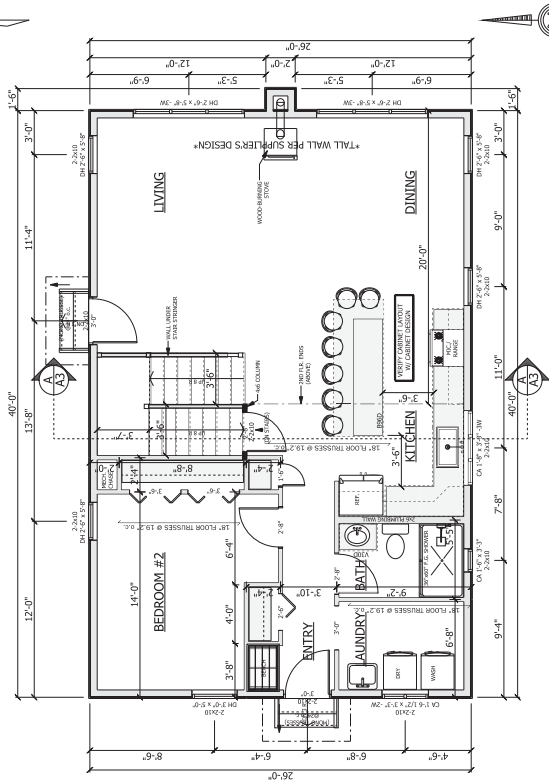
DETAILS:

- BASEMENT WALL HGT. = 8'-4"
- MAIN FLOOR PLATE HGT. = 8'-1 1/8"
- LOFT KNEE WALL PLATE HGT. = 2'-4 1/8"
- MAIN FLOOR SYSTEM = 18" FLOOR TRUSSES @ 15.2' o.c.
- LOFT FLOOR SYSTEM = 18" FLOOR TRUSSES @ 15.2' o.c.
- ROOF PITCH = 10/12



1 FOUNDATION PLAN

LIVABLE SQ. FT. = 1040



2 MAIN FLOOR PLAN

LIVABLE SQ. FT. = 1040



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INC.

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MINNESOTA
55622
PHONE (320) 274-7002

APPROVED:

CHECKED BY:

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

DRAWN BY: MSS

2/8/2024

THIS IS A PRELIMINARY SET OF PLANS. IT IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE. ANY CHANGES TO THE PLANS MUST BE MADE IN WRITING AND SIGNED BY THE ARCHITECT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN OF THE PLANS. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE USER OF THESE PLANS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL APPLICABLE CODES AND REGULATIONS. THE USER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PLANS AND FOR THE PROTECTION OF THE INFORMATION CONTAINED HEREIN. THE USER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE INFORMATION CONTAINED HEREIN.

CASSELLTON

ZIMMERMAN
MINNESOTA

PAGE:

A2

GENERAL CONSTRUCTION NOTES:

ROOF ASSEMBLY ITEMS:

- * MIN. 1" AIR FLOW PASSAGE TO BE MAINTAINED @ ALL ROOF EAVES. PROVIDE 1/2" AIR GAP ON INSIDE OF EXTERIOR WALL. INSTALL CHUTES AS REQD.
- * (2) ROLLS ICE/WATER SHIELD @ ALL ROOF EDGES.
- * ROOF VENTILATION 1/50 OR RATED TO 1/200 A/C SPACE BEING VENTED (min. of 36" above eave or cornice) W/ BALANCE OF THE REQ'D VENTILATORS IN THE EAVES OR CORNICE

WALL ASSEMBLY & STRUCTURE ITEMS:

- * ALL WINDOWS/DOORS TO BE CAULKED PER MFG'S RECOMMENDATIONS.
- * INTERIOR VAPOR BARRIERS TO BE CONTINUOUS THROUGH ALL WALLS, INCLUDING PARTITION WALLS.
- * FRAMING @ SUBFLOOR/INTERIOR PARTITION WALLS.
- * GASKETS REQ'D AT ALL RIM/PLATE LOCATIONS.
- * SURFACE DRAINAGE TO BE DIRECTED TO DOWN SEWER OR AN EXTERIOR DRAINAGE SYSTEM. ALL WALLS TO BE GRADED AWAY FROM FOUNDATION WALL W/ MIN. GRADE FALL OF 6" WITHIN THE FIRST 10' FROM HOUSE.
- * ALL ROOF EAVES TO BE NOTED ON PLANS.
- * MINIMUM OF (2) 2x10 HRS W/ (1) TRIMMER AT EACH END & (2) KING STUDS EACH SIDE

FOUNDATION ITEMS:

- * ALL CONC. FOUNDATION WALLS REINF. AS REQ'D PER CODE.
- * EXTERIOR FACE OF ALL POURED CONC. BSMT. WALLS TO HAVE 1/2" DIA. x 12" LONG ANCHOR BOLTS @ 6" O.C. AROUND PERIMETER SILL.
- * ANCHOR BOLTS TO BE PLACED 12" FROM END OF PLATED OR SPLICES.
- * CONCRETE CONTRACTOR TO VERIFY ALL FOOTING SIZES AS REQ'D.
- * POLY UNDER ALL CONC. SLABS.
- * DRAIN TILE AS DESIGNED BY CONTRACTOR AND/OR REQ'D PER PRESSURE TITRD.
- * ALL WOOD IN DIRECT CONTACT W/ CONC. TO BE DECAY RESISTANT OR TREATED.

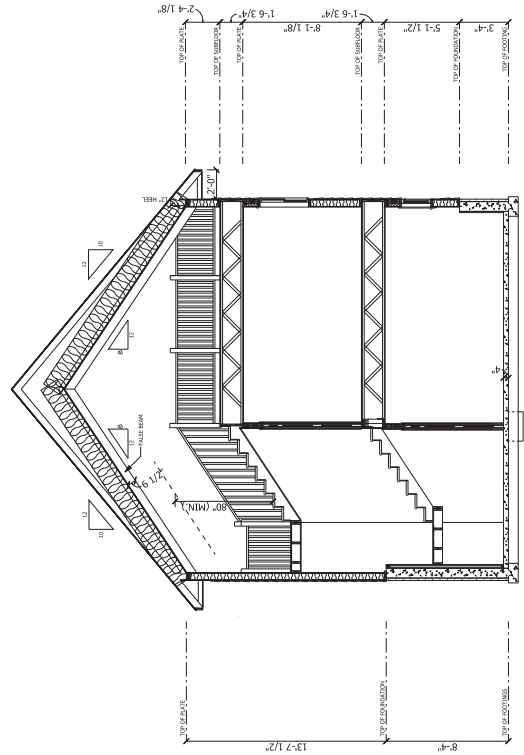
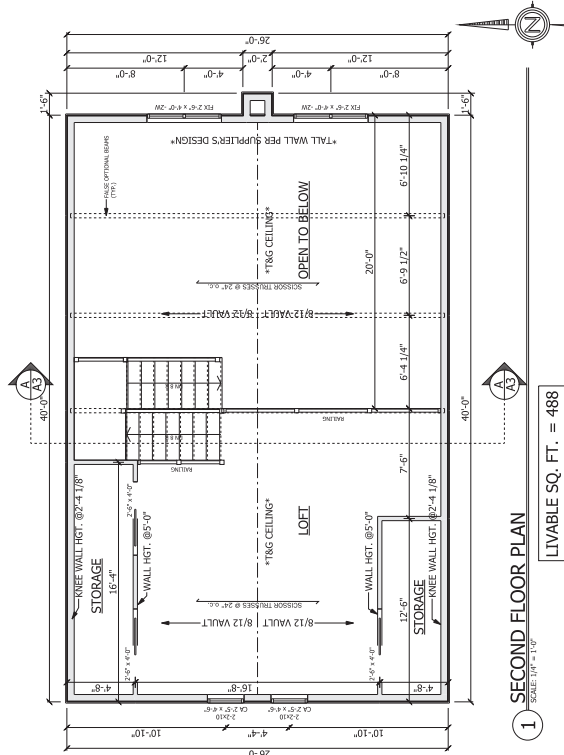
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DETAILS:

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- LOFT KNEE WALL PLATE HGT. = 18"
- MAIN FLOOR SYSTEM = 18" FLOOR TRUSSES @ 19.2' o.c.
- ROOF SYSTEM = 10' 12"



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CHECKED BY:

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DRAWN BY: MSS

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**BALDWIN TOWNSHIP
PLANNING COMMISSION
VARIANCE
FINDINGS OF FACT & RECOMMENDATION**

APPLICANT: Andrea Casselton and Theodore Davis

APPLICATION: Request for variance to allow construction of a single family dwelling at 14338 284th Avenue.

PLANNING COMMISSION MEETING: 27 March 2024

FINDINGS: Based upon review of the application and evidence received, the Baldwin Township Planning Commission now makes the following findings of fact:

1. The property identified as PID 01-031-2205.
2. The property is guided for rural land uses by the Comprehensive Plan.
3. The property is zoned R1, General Rural District and is also located within the Shoreland Overlay District of Elk Lake.
4. The applicant is requesting a variance to allow construction of a single family dwelling on a legal non-conforming lot of record as required by Section XX-90-8.A of the Zoning Ordinance.
5. The Planning Commission must take into consideration the possible effects of the request with their judgment based upon (but not limited to) the criteria outlined in Section XX-6-3 of the Zoning Ordinance:

- A. That the variance would be consistent with the comprehensive plan.

Finding: The year-round residential use of the legal non-conforming lot of record is consistent with the Comprehensive plan.

- B. That the variance would be in harmony with the general purposes and intent of [the Zoning Ordinance].

Finding: The need for variance is due to the non-conforming width of the property. The proposed site plan complies with applicable setback requirements and impervious surface limits. Approval of the requested variance is consistent with the intent of the Zoning Ordinance to allow for a reasonable use of the property as enjoyed by other properties with the same circumstances.

- C. That the plight of the landowner is due to circumstances unique to the property not created by the landowner.

Finding: The property was established as a lot of record prior to adoption of the current lot width requirement, which makes the property non-conforming.

- D. That the purpose of the variance is not exclusively economic considerations.

Finding: The need for variance is due to the legal non-conforming width of the property, which is not an economic consideration.

- E. That the granting of the variance will not alter the essential character of the neighborhood in which the parcel of land is located.

Finding: The properties to the north and south of the property are similar in character to the property and are developed with single family dwellings such that approval of the variance will not alter the character of the area.

- F. That the requested variance is the minimum action required to remedy the practical difficulty.

Finding: The proposed site plan provides for reasonable use of the property in compliance with applicable setback requirements and impervious surface limits in consideration of the non-conforming width of the lot of record.

- G. The potential for the variance to impact natural resources such as surface water, groundwater, or wetlands; sites identified for rare biological species habitat; ecologically sensitive areas; or historically significant areas.

Finding: Approval of the requested variance will not cause potential impacts to natural resources.

- H. No variance shall be granted that would allow for a lesser degree of flood protection than required by [the Zoning Ordinance].

Finding: Approval of the variance will not allow for a lesser degree of flood protection.

- I. Variances shall not be approved for any use that is not allowed under this ordinance for property in the zoning district in which the parcel or lot is located.

Finding: A single family dwelling and accessory uses of the property are permitted uses and the request is not to allow a use of the property prohibited by the Zoning Ordinance.

6. The planning report dated 22 March 2024 prepared by the Town Planner, The Planning Company LLC, is incorporated herein.
7. The Planning Commission conducted a public hearing at their meeting on 27 March 2024 to consider the application, preceded by published and mailed notice; based upon review of the application and evidence received, the public hearing was closed and the Planning Commission voted to recommended that the Town Board approve the request based on the aforementioned findings.

RECOMMENDATION: Based on the foregoing information and applicable ordinances, the Planning Commission recommends the request be **APPROVED**, subject to the following conditions:

1. The lot shall be developed in accordance with the plans on file with the Town as provided for by Section XX-6-5 of the Zoning Ordinance, subject to review and approval of the Zoning Administrator.
2. All SSTS issues and permit applications shall be subject to review and approval of the Building Official.

ADOPTED by the Planning Commission of Baldwin Township this 27th day of March, 2024.

MOTION BY:

SECOND BY:

ALL IN FAVOR:

THOSE OPPOSED:

BALDWIN TOWNSHIP PLANNING COMMISSION

BY: _____
Clarence Mattson, Chair

ATTEST: _____
Marlene Nelson, Administrative Assistant



3601 Thurston Avenue
Anoka, MN 55303
763.231.5840
TPC@PlanningCo.com

PLANNING REPORT

TO: Baldwin Township Planning Commission

FROM: D. Daniel Licht

REPORT DATE: 22 March 2024

60-DAY DATE: 22 April 2024

RE: Baldwin Township – Paulson (PID 01-412-0340); Variance

TPC FILE: 269.02

BACKGROUND

Tyler Paulson owns the property at 27931 137th Street, which abuts a Natural Environment Lake and is developed with an existing single family dwelling. The property owner is proposing to expand the house and deck on the lake-side of the property. The existing house is non-conforming as it is within the setback required from the Ordinary High Water Level of the Natural Environment Lake. Thus, the enlargement of the non-conforming building requires consideration of a variance. Variance applications are processed in accordance with Section XX-6-4 of the Zoning Ordinance subject to review by the Planning Commission and approval of the Town Board. A public hearing to consider the application has been noticed for the Planning Commission meeting on 27 March 2024 at 7:00PM.

Exhibits:

- Site Location Map
- Site Plan
- House Plans (2 sheets)
- Findings of Fact

ANALYSIS

Comprehensive Plan. The Baldwin Township Comprehensive Plan guides development of land use patterns that provide connections to public amenities and the natural landscape. Existing rural residential character is to be expanded without spoiling scenery or open spaces. The enlargement and continued use of the property as a single family dwelling on a riparian lake lot is consistent with the Comprehensive Plan.

Zoning. The subject site is zoned R1, General Rural District. The subject site is also within the Shoreland Overland District of a Natural Environment Lake. Single family dwellings are allowed as a permitted use within the R1 District and Shoreland Overlay District.

Surrounding Uses. There are scattered single family dwellings in the area surrounding the subject site and continued use of the subject site for residential use is consistent with the character of the area.

Lot Requirements. Lots within the R1 District are required by Section XX-51-7 of the Zoning Ordinance to be 2.5 acres in area, 200 feet in width measured at the front setback line abutting a public right-of-way, and 300 feet in depth. Riparian lots abutting a Natural Environment Lake are required by Section XX-90-7.A.1 of the Zoning Ordinance to be a minimum of 80,000 square feet in area and 200 feet in width measured at the Ordinary High Water Level (OHWL).

The subject site is approximately 30,492 square feet (0.7 acres) in area, 110 feet in width, and 200 feet in depth. The property legal non-conforming lot of record governed by Section XX-15-3.C of the Zoning Ordinance and Section XX-90-8.A of the Zoning Ordinance specific to non-conforming lots within the Shoreland Overlay District.

The property owner also owns two undeveloped lots of record to the north of the subject site, which together have an area of approximately 21,780 square feet (0.5 acres). Section XX-90-8.A.3 of the Zoning Ordinance states that contiguous non-conforming lots under the same ownership are not considered as separate parcels of land for sale or for development. The parcels are to be combined to meet the requirements of Section XX-90-7.A to the extent possible.

Building Setbacks. The proposed addition to the existing dwelling is enclosure of an existing deck and expansion of a deck that increases the foot print of the dwelling. The existing deck is setback 108 feet from the estimated Ordinary High Water Level of the Natural Environment Lake. The proposed enclosure and expanded deck does not encroach further into the setback from the estimated Ordinary High Water Level of the Natural Environment Lake. Nonetheless, a variance is required in accordance with Section XX-15-4.B.1 of the Zoning Ordinance to enlarge the existing non-conforming building.

Impervious Surface. Section XX-90-10.B.1 of the Zoning Ordinance limits impervious surface coverage within a lot to 25 percent of the lot area. The area of the lot is 30,492 square feet. We estimate the existing impervious surface within the lot to be 4,320 square feet or 14 percent of the lot area. The enlarged deck to be added to the house increases impervious surface by 120 square feet or less than one percent of the lot area. The impervious surface within the lot complies with the Zoning Ordinance.

Utilities. Expansion of the single family home upon the property will require certification of the existing septic system or replacement with a new system in accordance with Section XX-4-2.C.2 of the Building Ordinance. The existing septic system is within 6 feet of the house as shown on the plans submitted by the property owner. The enclosure of the existing deck and expansion of new deck does not further reduce the setback between the house and septic system. All SSTS issues and permit applications are subject to review and approval of the Building Official.

RECOMMENDATION

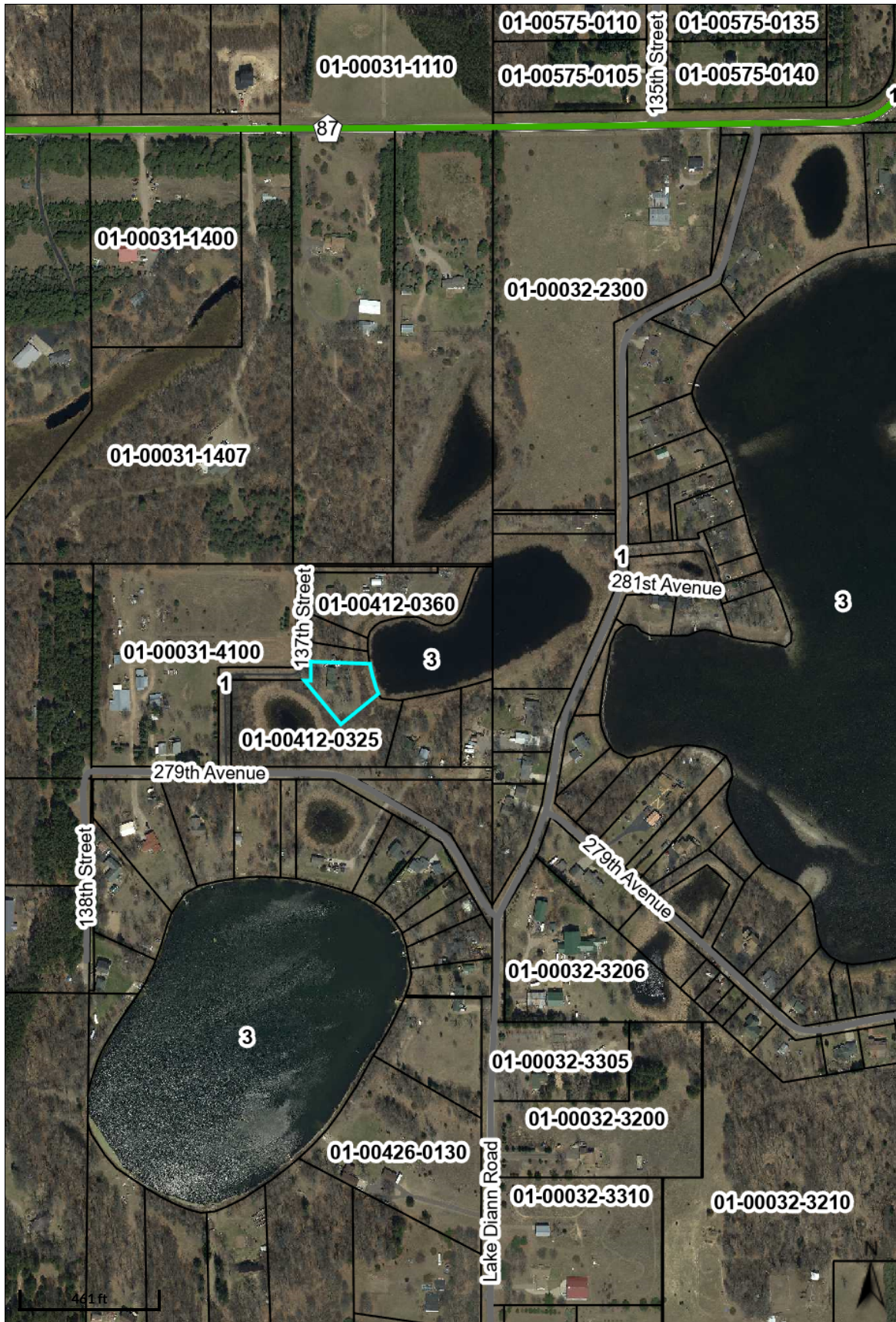
Our office recommends approval of a variance to allow enlargement of the non-conforming single family dwelling based on the project not increasing the degree of non-conformity. Findings of Fact supporting this recommendation have been prepared for consideration by the Planning Commission. This recommendation includes the conditions outlined below.

POSSIBLE ACTIONS

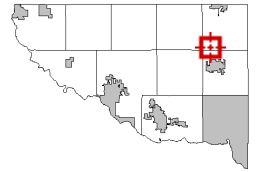
- A. Motion to **adopt** Findings of Fact as presented and recommend **approval** of a variance for PID 01-412-0340, subject to the following conditions:
 - 1. The property shall be developed in accordance with the site and building plans submitted to the town subject to the stipulations, limitations, and conditions as approved by the Town Board in accordance with Section XX-9-5 of the Zoning Ordinance.
 - 2. PID 01-412-0340 shall be combined with PIDs 01-412-0350 and 01-412-0355 as required by Section XX-90-8.A.3 of the Zoning Ordinance, subject to approval of the Zoning Administrator.
 - 3. All SSTS issues and permit applications shall be subject to review and approval of the Building Official.
- B. Motion to recommend the application be **denied** based on a finding that the request is inconsistent with the Comprehensive Plan and criteria established by the Zoning Ordinance.
- C. Motion to **table**.

- c. Joan Heinen, Town Clerk/Treasurer
 Andy Schreder, Town Building Official
 James Bedell, DNR

Site Location Map



Overview

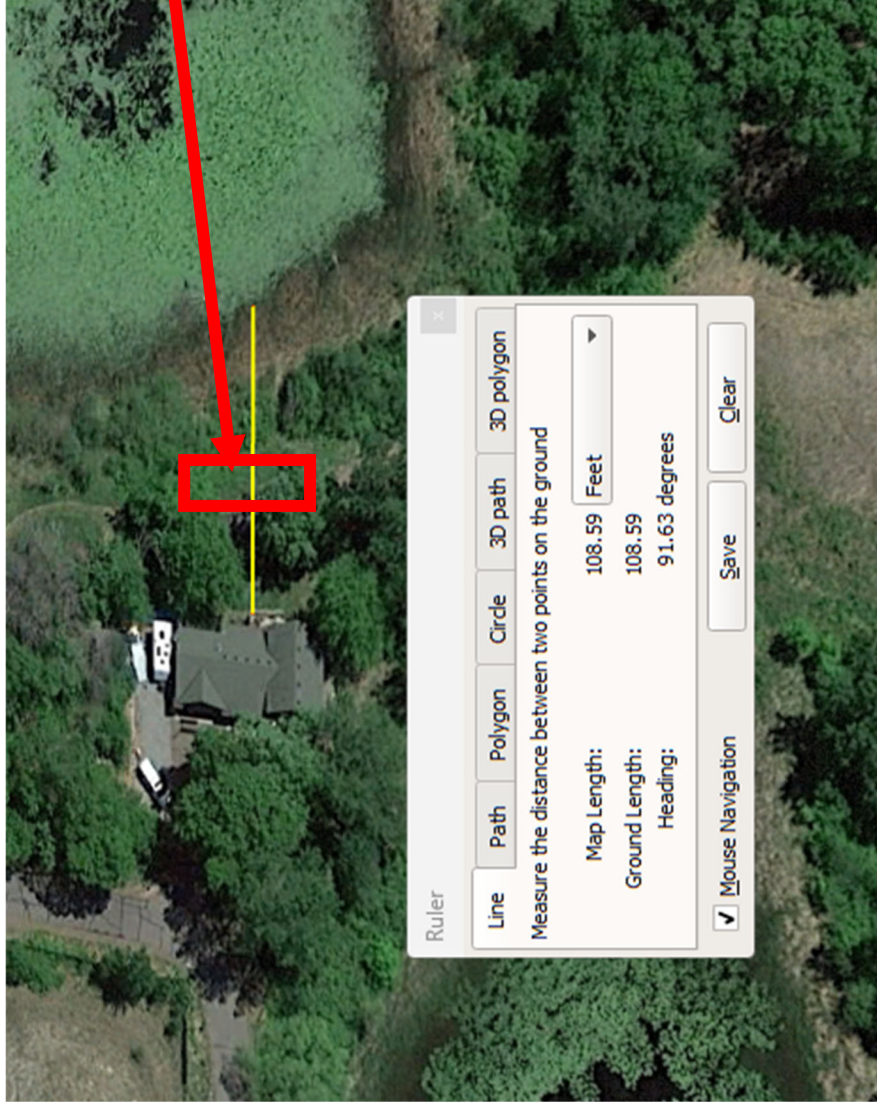


Legend

Roads

- MN Highway; US Highway
- Municipal-State Aid Street
- Municipal Street
- Township Road
- State Forest Road
- Bureau of Fish and Wildlife Road
- Connector (Ramp)
- Privately Maintained Public Access Road
- County Road
- County-State Aid Highway
- Parcels
- Streams

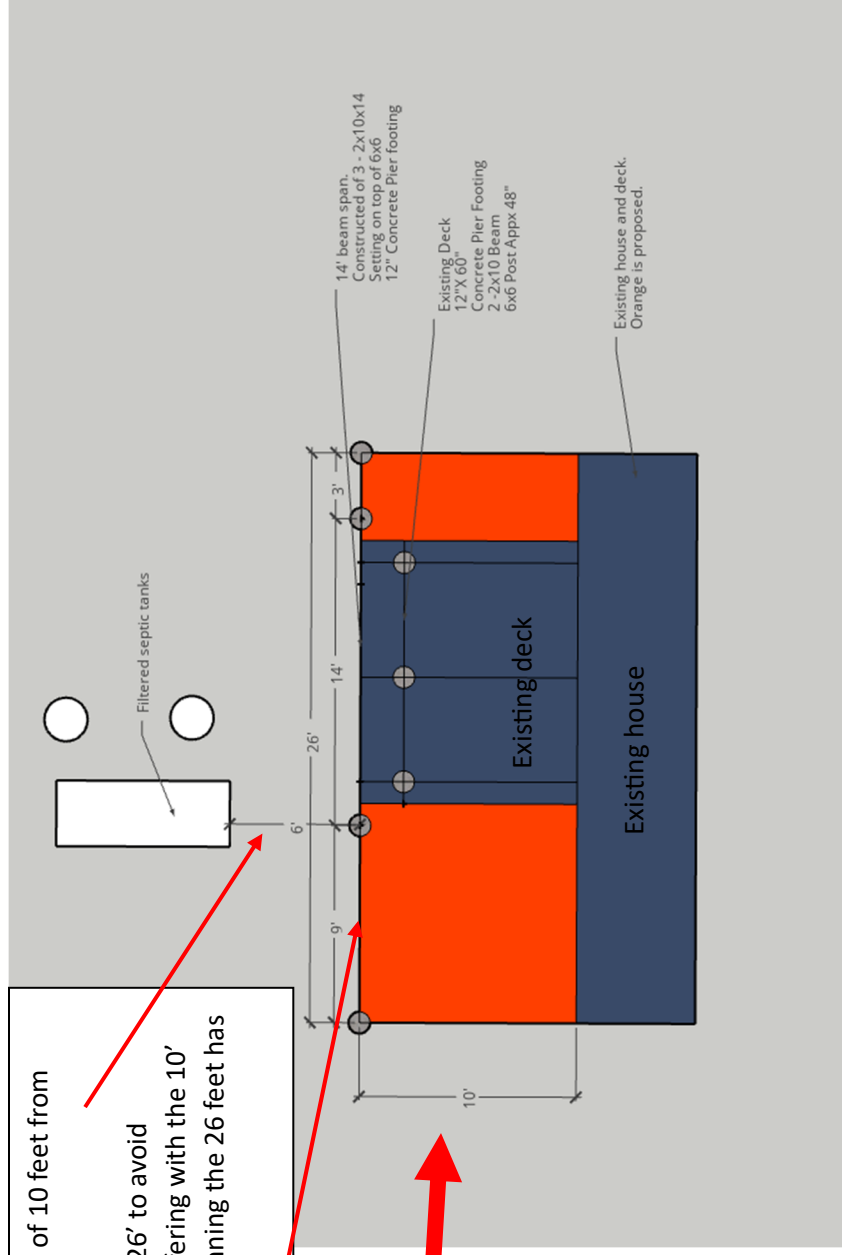
Site Map



- Proposed addition is within 108' of a pond located across the road from Lake Diann
- Filtered septic tank would be within 6' of a 12' concrete pier footing.
- All work would be located in FEMA Flood Cat X
-

"Structures should be a minimum of 10 feet from sewage tanks, MPCA"

This beam needs to span the full 26' to avoid penetrating the ground and interfering with the 10' setback. W16x31 steel beam spanning the 26 feet has been spec'd out



- Orange is the proposed new construction.
 - 12"x 60" concrete pier footings
 - 2x10x10 joists 18" OC
 - ¾ Subfloor
 - 2x6 16" OC
 -

Paulson Residential Addition

27931 137th ST NW

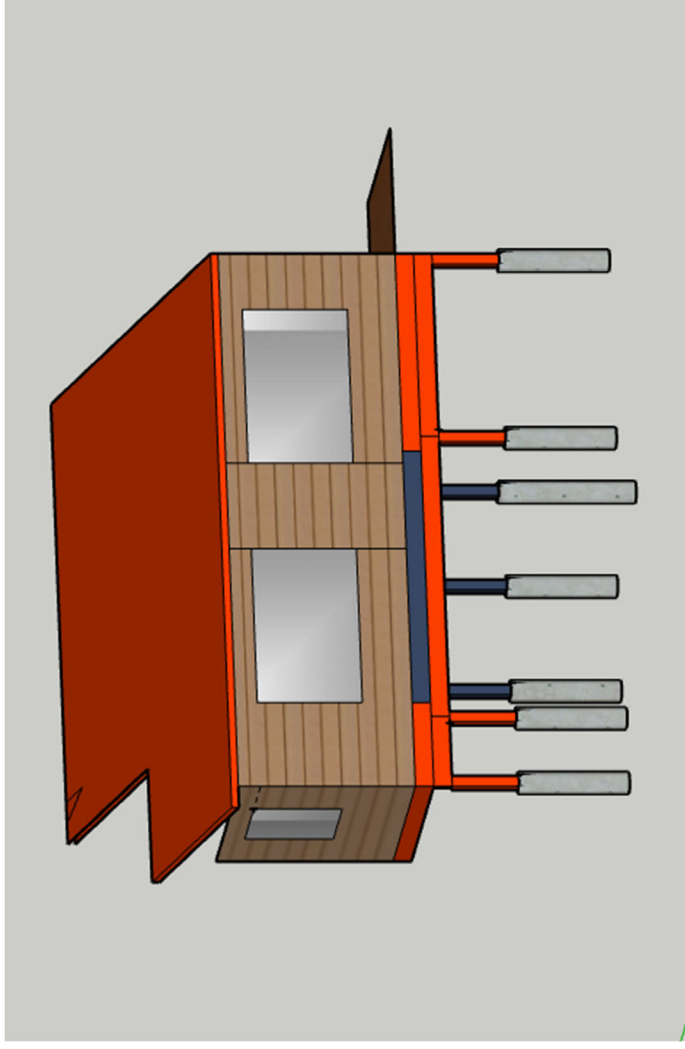
Zimmerman, MN 55398

320-496-3080

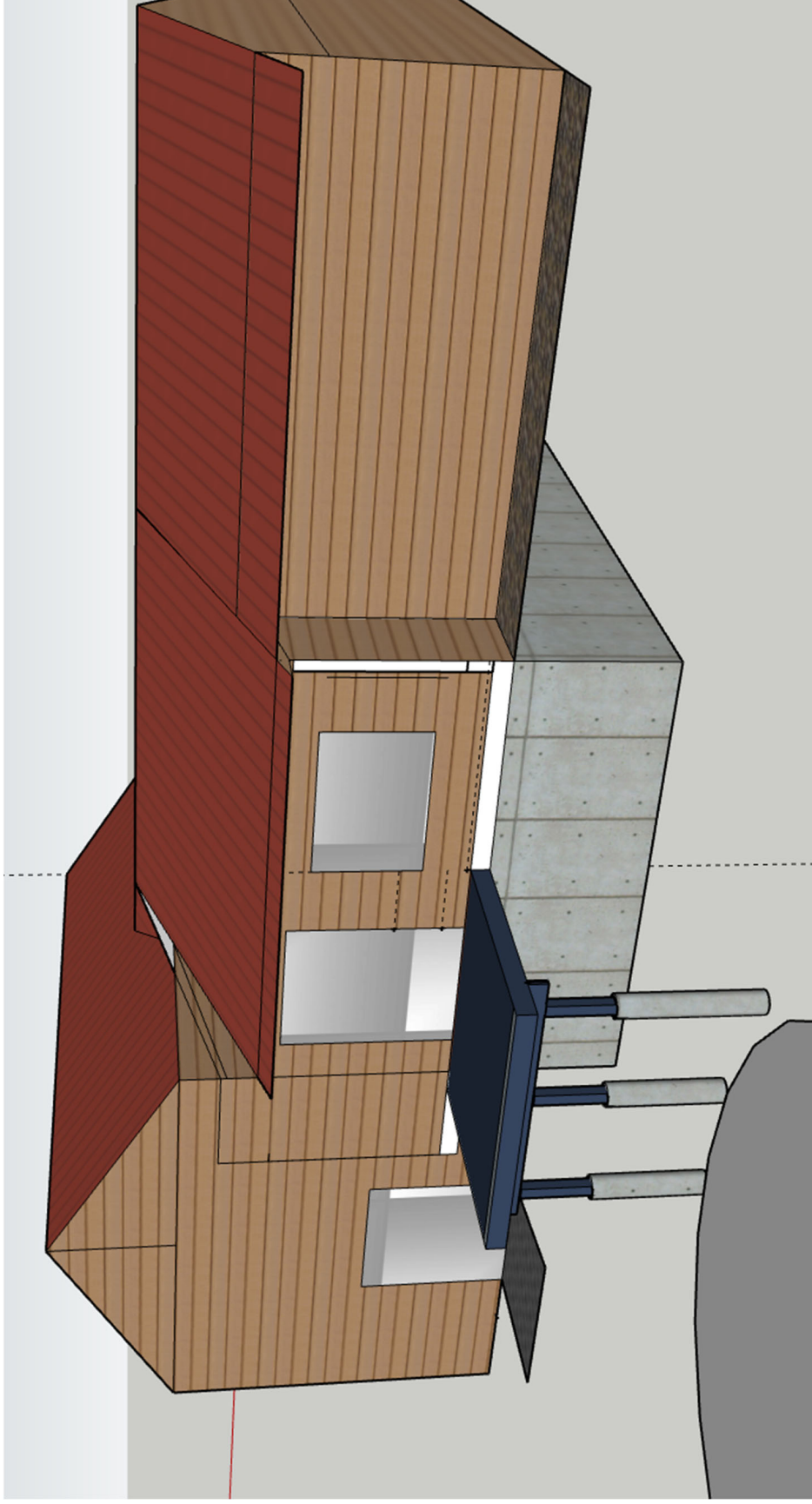
Paulson.t6@gmail.com

Scope of Work:

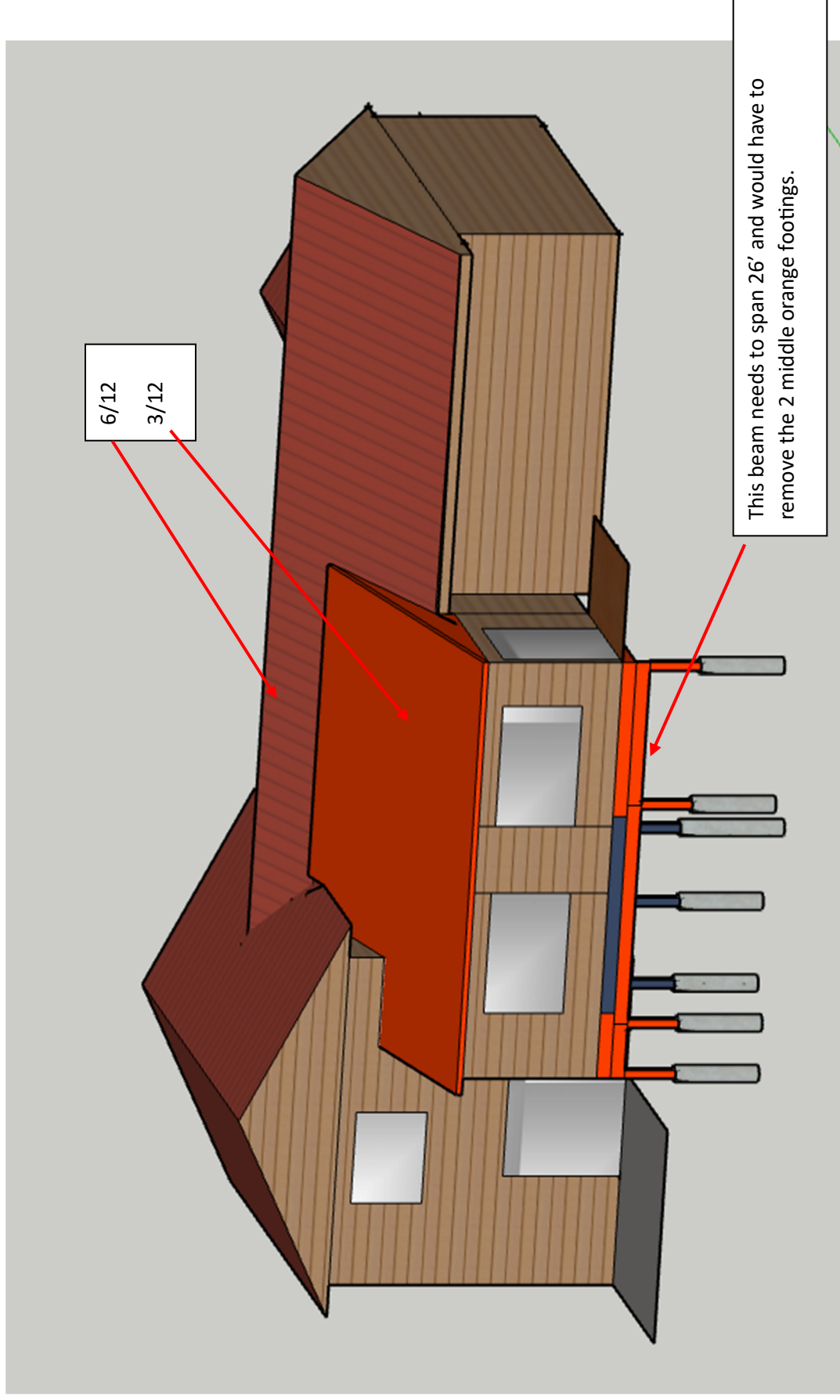
- Proposed 10x26 addition to the east side of the residence incorporating current 10x12 deck.
- Adding an overhang to the front of the house.
- Reroof with ribbed steel over existing shingles.



Current Home Layout



Proposed Home Layout



**BALDWIN TOWNSHIP
PLANNING COMMISSION
VARIANCE
FINDINGS OF FACT & RECOMMENDATION**

APPLICANT: Tyler Paulson

APPLICATION: Request for variance to allow enlargement of a single family dwelling at 27931 137th Street

PLANNING COMMISSION MEETING: 27 March 2024

FINDINGS: Based upon review of the application and evidence received, the Baldwin Township Planning Commission now makes the following findings of fact:

1. The property identified as PID 01-412-0340.
2. The property is guided for rural land uses by the Comprehensive Plan.
3. The property is zoned R1, General Rural District and is also located within the Shoreland Overlay District of a Natural Environment Lake.
4. The applicant is requesting a variance to allow enlargement of a legal non-conforming single family dwelling as required by Section XX-15-4.B.1 of the Zoning Ordinance.
5. The Planning Commission must take into consideration the possible effects of the request with their judgment based upon (but not limited to) the criteria outlined in Section XX-6-3 of the Zoning Ordinance:

- A. That the variance would be consistent with the comprehensive plan.

Finding: The existing residential use of the legal non-conforming single family dwelling is consistent with the Comprehensive plan.

- B. That the variance would be in harmony with the general purposes and intent of [the Zoning Ordinance].

Finding: The need for variance is due to the existing house being non-conforming with respect to the setback required from the Ordinary High Water Level of a Natural Environment Lake. The enlargement does not further increase the non-conformity of the existing single family dwelling. Approval of the requested variance is consistent with the intent of the Zoning Ordinance to allow for a reasonable use of the property.

- C. That the plight of the landowner is due to circumstances unique to the property not created by the landowner.
- Finding: The existing house prior was constructed prior to adoption of the current setback requirement from the Ordinary High Water Level, which makes the single family dwelling non-conforming and not any action by the property owner.*
- D. That the purpose of the variance is not exclusively economic considerations.
- Finding: The need for variance is due to the legal non-conforming status of the existing single family dwelling, which is not an economic consideration.*
- E. That the granting of the variance will not alter the essential character of the neighborhood in which the parcel of land is located.
- Finding: There are scattered residential dwellings on properties surrounding the subject site and approval of the variance will not alter the character of the area.*
- F. That the requested variance is the minimum action required to remedy the practical difficulty.
- Finding: The proposed enlargement of the existing single family dwelling will not increase the degree of non-conformity.*
- G. The potential for the variance to impact natural resources such as surface water, groundwater, or wetlands; sites identified for rare biological species habitat; ecologically sensitive areas; or historically significant areas.
- Finding: Approval of the requested variance will not cause potential impacts to natural resources.*
- H. No variance shall be granted that would allow for a lesser degree of flood protection than required by [the Zoning Ordinance].
- Finding: Approval of the variance will not allow for a lesser degree of flood protection.*
- I. Variances shall not be approved for any use that is not allowed under this ordinance for property in the zoning district in which the parcel or lot is located.
- Finding: A single family dwelling and accessory uses of the property are permitted uses and the request is not to allow a use of the property prohibited by the Zoning Ordinance.*
6. The planning report dated 22 March 2024 prepared by the Town Planner, The Planning Company LLC, is incorporated herein.
7. The Planning Commission conducted a public hearing at their meeting on 27 March 2024 to consider the application, preceded by published and mailed notice; based upon review of the application and evidence received, the public hearing was closed and the Planning Commission voted to recommended that the Town Board approve the request based on the aforementioned findings.

RECOMMENDATION: Based on the foregoing information and applicable ordinances, the Planning Commission recommends the request be **APPROVED**, subject to the following conditions:

1. The lot shall be developed in accordance with the plans on file with the Town as provided for by Section XX-6-5 of the Zoning Ordinance, subject to review and approval of the Zoning Administrator.
2. PID 01-412-0340 shall be combined with PIDs 01-412-0350 and 01-412-0355 as required by Section XX-90-8.A.3 of the Zoning Ordinance, subject to approval of the Zoning Administrator.
3. All SSTs issues and permit applications shall be subject to review and approval of the Building Official.

ADOPTED by the Planning Commission of Baldwin Township this 27th day of March, 2024.

MOTION BY:

SECOND BY:

ALL IN FAVOR:

THOSE OPPOSED:

BALDWIN TOWNSHIP PLANNING COMMISSION

BY: _____
Clarence Mattson, Chair

ATTEST: _____
Marlene Nelson, Administrative Assistant