The Planning Company

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

# MEMORANDUM

TO: Baldwin Township Planning Commission

FROM: D. Daniel Licht

DATE: 17 July 2024

RE: Baldwin Township – Northland Ponds; Preliminary Plat

TPC FILE:

## BACKGROUND

Town staff has determined that the proposed preliminary plat requires application for variance from provisions of the Shoreland Overlay District enacted on 17 June 2024.

The change to the Shoreland Overlay District included wetlands that were not previously regulated as public waters within the classification of Natural Environmental lakes. One of the wetlands now regulated as a Natural Environment lake in accordance with the provisions of the Shoreland Overlay District is within the subject property.

The public hearing noticed to consider the preliminary plat application at the Planning Commission meeting did not identify the need to consider a variance. As such, the public hearing will be re-noticed, including notice being sent to the Department of Natural Resources, for the Planning Commission meeting on 28 August 2024 at 7:00PM

## CONCLUSION

Town staff recommends that the Planning Commission remove the public hearing regarding the Northland Ponds preliminary plat application from the agenda for the 24 July 2024 Planning Commission meeting.

There is no other action by the Planning Commission required and no discussion of the proposed preliminary plat will occur at the 24 July 2024 meeting.

c. Joan Heinen, Town Clerk/Treasurer

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# PLANNING REPORT

| | |
|---|---|
| TO: | Baldwin Township Planning Commission |
| FROM: | D. Daniel Licht |
| REPORT DATE: | 17 July 2024 |
| 120-DAY DATE: | 26 October 2024 |
| RE: | Baldwin Township – Whitetail Knoll Simple Plat |
| TPC FILE: | 269.02 |

## BACKGROUND

Sand Dune Properties MN, LLC is proposing to subdivide an existing 20 acre parcel located at 28240 100th Street NW (PID 01-00036-2400) into two lots. There is an existing home on the property. The proposed subdivision requires application for Simple Plat approval to be processed in accordance with Section XX-3-3.B of the Subdivision Ordinance. The application is subject to review by the Planning Commission and approval of the Town Board. A public hearing has been noticed for the Planning Commission to consider the application at their meeting on 24 July 2024 at 7:00PM.

Exhibits:

- Site Location Map
- Preliminary Plat dated 07/10/24

## ANALYSIS

**Comprehensive Plan.** The Baldwin Township Comprehensive Plan promotes establishment of land use patterns that will provide connections to existing public amenities and the natural landscape. Existing rural residential character is to be expanded without adversely affecting scenery or open spaces. The proposed subdivision is consistent with the Comprehensive Plan.

**Zoning.** The subject property is zoned R1, General Rural District. The Simple Plat proposes subdivision of the 20 acre lot into two lots. The construction of a new single family dwelling on Lot 1, Block 1 and the existing single family dwelling on Lot 2, Block 1 are permitted uses within the R1 District.

**Surrounding Uses.** There are small platted lots to the east-northeast of the subject property within the plat of Birch Acres on the south side of Sandy Lake. North, west, south, and east of the subject property are larger unplatted parcels that are 17 acres in area and larger, several with rural residential dwellings. The proposed Simple Plat will be compatible with existing and future uses in the area.

**Lot Requirements.** Section XX-51-7 establishes lot requirements the R1 District, shown in the table 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 |

Lot 1, Block 1 is 10.19 acres in area with 350,507 square feet of buildable area. Lot 2, Block 1 is 10.22 acres in area with 368,689 square feet of buildable area. The proposed Simple Plat complies with the minimum lot requirements of the R1 District.

**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: | | |
| | Town Road | 50 feet |
| B. Side Yard (except as allowed by Section XX-51-5.A): | | 20 feet |
| C. Rear Yard: | | 25 feet |

Lot 1, Block 1 has sufficient area to accommodate construction of a single family dwelling meeting the setback requirements of the R1 District. The existing single family dwelling within Lot 2, Block complies with all setback requirements.

**Right-of-Way.** The proposed preliminary plat abuts 100th Street, which is a local Town road. The existing right-of-way for 100th Street is shown as abutting the east line of preliminary plat and measuring 40 feet in width. The travelled portion of the roadway is shown as outside of the east line of the right-of-way. The width of the right-of-way is less than the 66 feet required by Section XX-10-4.B.1 of the Subdivision Ordinance. The Town Engineer will need to review if additional right-of-way should be dedicated for 100th Street from the subject site.

**Access.** The existing house within the subject property is accessed from 100th Street and will be shifted south to a location within proposed Lot 2, Block 1. The existing driveway can can be used for access to a future single family dwelling on Lot 1, Block 1. Construction of a driveway for Lot 2, Block 1 will require approval of a driveway permit for access to 100th Street. This location will be more than 75 feet from the existing driveway accessing Lot 1, Block 1 and from the next driveway on the west side of 100th Street to the south meeting the spacing requirements of the Town Right-of-Way Ordinance.

**Utilities.** The existing and proposed single family dwellings are to be served by private Subsurface Sewage Treatment Systems and wells. The preliminary plat identifies a preliminary and secondary drain field site within Lot 1, Block 1 for a SSTS. The existing SSTS that will be located within Lot 2, Block 1 is subject to certification prior to recording a final plat. All SSTS and well plans are to be subject to review and approval of the Building Official.

**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. There is a wetland in the northeast corner of the subject property. A Level 1 wetland delineation is subject to approval by Sherburne County prior to recording the final plat.

**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 Simple Plat. The Simple Plat indicates the perimeter drainage and utility easements as required at the perimeter of the lot and over the wetlands within Lots 1 and 2, Block 1. 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. Park dedication requirements for the proposed preliminary plat are to be subject to review by the Park Committee and approval of the Town Board.

## RECOMMENDATION

The proposed Whitetail Knoll Simple Plat is consistent with the Comprehensive Plan for rural residential development and complies with the requirements of the Zoning Ordinance and Subdivision Ordinance. Our office recommends approval of the application subject to the conditions outlined below.

## POSSIBLE ACTIONS

A. Motion to recommend **approval** of the preliminary and final plat of Whitetail Knoll subject to the following conditions:

1. Construction on all lots shall comply with the following setback requirements:

| | | |
|---|---|---|
| A. Front Yard or Side Yard Abutting a Public Road: | | |
| | Town Road | 50 feet |
| B. Side Yard (except as allowed by Section XX-51-5.A): | | 20 feet |
| C. Rear Yard: | | 25 feet |

2. Right-of-way dedication for 100th Street shall be subject to review and approval of the Town Engineer.

3. Access to Lot 2, Block 1 shall require approval of a driveway permit issued by the Town Engineer.

4. All Subsurface Sewage Treatment Systems and wells shall be subject to review and approval of the Town Building Official.

5. A Level 1 Wetland Delineation shall be subject to review and approval of Sherburne County.

6. All easements shall be subject to review and approval of the Town Engineer.

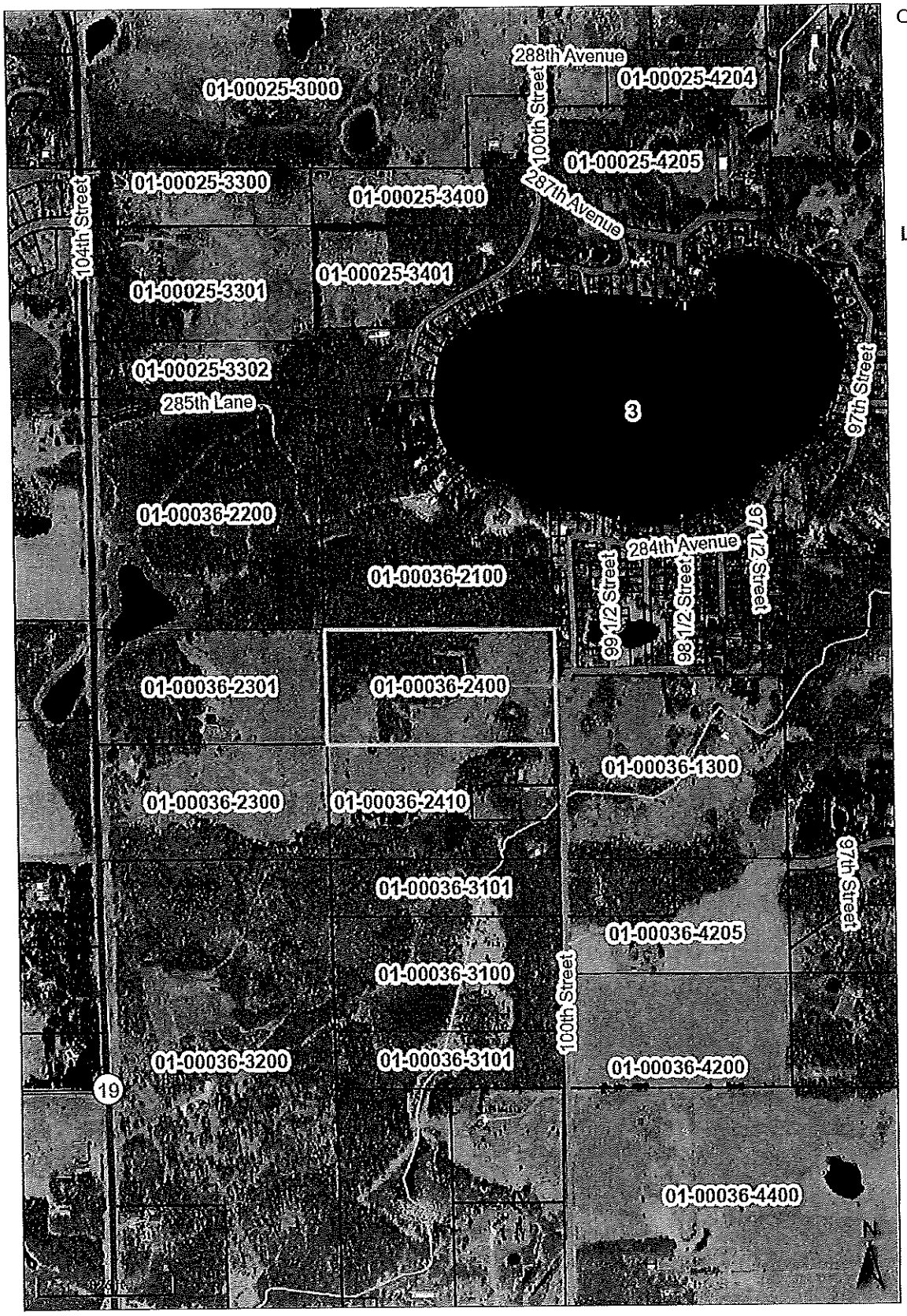
7. Park dedication requirements shall be satisfied by payment of a cash fee in lieu of land based on the Town Fee Schedule in effect at the time of final plat approval, subject to review of the Park Committee and approval of the Town Board.

B. Motion to recommend the application be **denied** based on a finding that the request is does not comply with the Zoning Ordinance and Subdivision Ordinance.

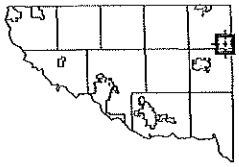
C. Motion to **table**.

c. Joan Heinen, Town Clerk/Treasurer

# Site Location Map



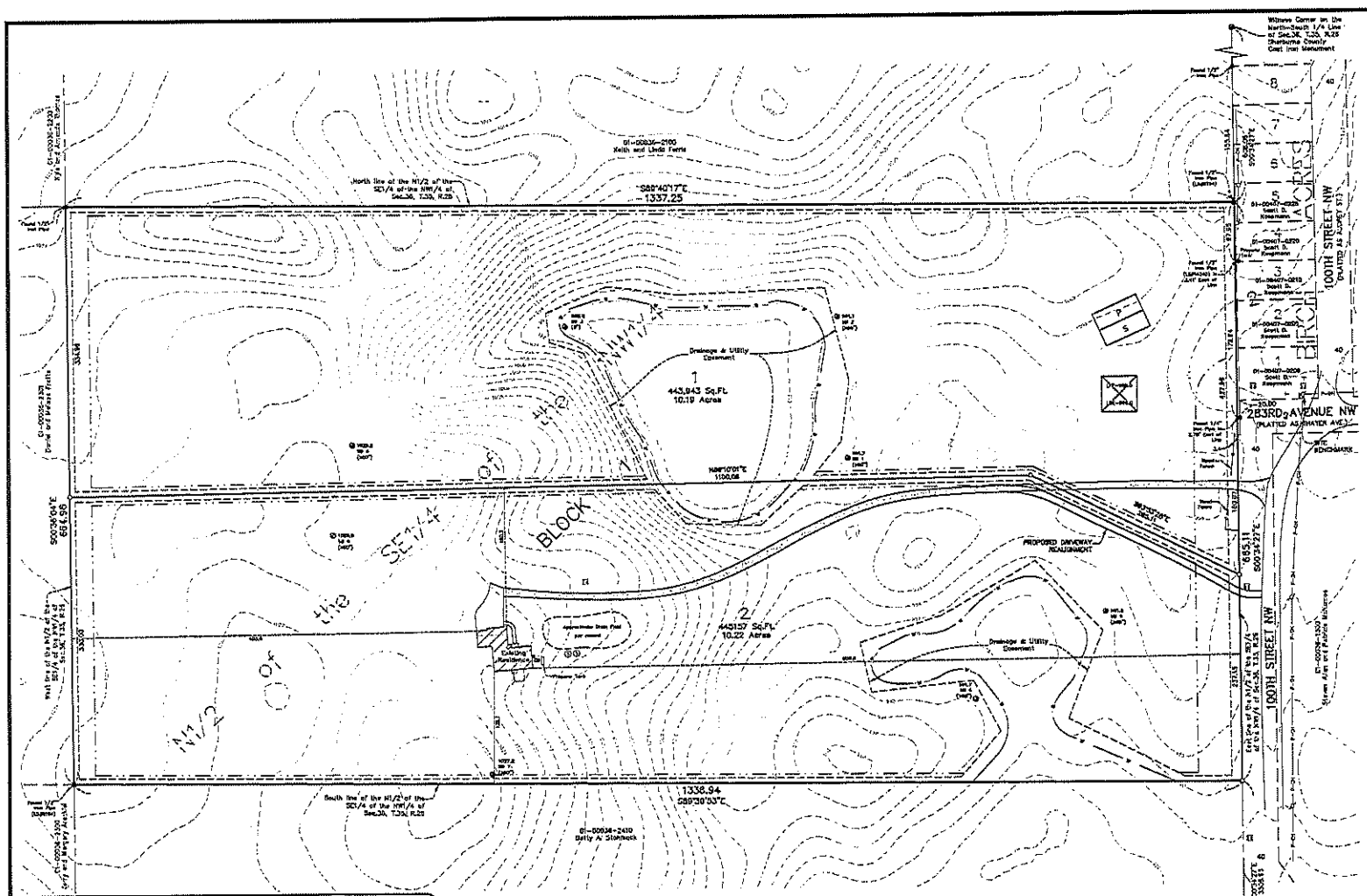

Overview



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




## DESCRIPTION OF PROPERTY TO BE PLATTED:
(PID NO. 01-00036-2400)

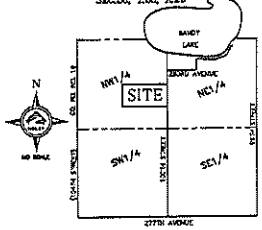
The North Half of the Southwest Quarter of the Northwest Quarter of Section 30, Township 35, Range 26, Sherburne County, Minnesota.

## NOTES:

1. The professional surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
2. The underground utilities shown are depicted per observed evidence. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. Prior to any excavation, contact Gopher State One Call for an on-site location (651-454-0002). The subsurface utility information on this survey is utility quality level D. This quality level was determined according to the guidelines of CI/ASCE 38-2, entitled "Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data.
3. Topography per 2011 MnDEO LIDAR information with field verification. (2 foot interval, NAVD88).
4. Project Benchmark: MNDOT Benchmark No. 7108 1
   Elevation = 993.88 feet (NAVD88)

   Site Benchmark: Railroad Spike in south face of Power Pole near the NW Corner of the intersection of 283RD AVENUE and 100TH ST.
   Elevation = 991.66 feet (NAVD88)
5. Soil borings were completed by Wayne E. Jacobson, MN Licensed Soils Scientist No. 30911 at Jacobson Environmental, PLLC on July 1, 2024.
6. Minimum Lowest Floor Elevations are based on the melting depths from the soil borings depicted on this preliminary plat. Final Lowest Floor Elevation shall be verified and approved by local building official prior to home construction.
7. Edge of delineated wetlands are depicted from Level 1 delineation report completed by Wayne E. Jacobson, Wetland Delineator, Certified Delineator No. 1019 at Jacobson Environmental, PLLC on July 1, 2024.

## VICINITY MAP
S30,T35, R26




## LEGEND

- ● = DENOTES FOUND IRON MONUMENT
- ○ = DENOTES SET 1/2" x 14" IRON PIPE WITH PLASTIC CAP MARKED "RLS 49130"
- (DEN 07) ⊘ = DENOTES SOIL BORING BY OTHERS (DEPTH TO MOTTLES)
- 1040 = DENOTES EXISTING CONTOUR (2 FOOT INTERVAL)
- = DENOTES BUILDING SETBACK LINE
- = DENOTES EDGE OF DELINEATED WETLAND
- = DENOTES SEPTIC CLEANOUT
- = DENOTES SEPTIC MANHOLE
- = DENOTES UTILITY POLE
- = DENOTES OVERHEAD ELECTRIC
- = DENOTES COMMUNICATION PEDESTAL
- = DENOTES ELECTRIC TRANSFORMER
- = DENOTES BITUMINOUS SURFACE
- = DENOTES GRAVEL SURFACE
- 1040.0 = DENOTES LOWEST FLOOR ELEVATION (PER SOIL BORING BY OTHERS-SEE NOTE #)
- = DENOTES POSSIBLE BUILDING SITE
- 1040.0 = DENOTES LOWEST OPENING ELEVATION
- P S = DENOTES POSSIBLE SEPTIC AREA
- = DENOTES PORTION OF LOT 36" ABOVE MOTTLED SOIL (PER SOIL BORING BY SOIL SCIENTIST)

N

RULES

0 60 120
SCALE IN FEET

| Municipality: | Baldwin Township | Building Setbacks: | Front yard: 50 feet (Township Road)<br>Rear yard: 25 feet<br>Side yard: 10 feet (Section XX-31-0.A) |
|---|---|---|---|
| Existing Zoning: | R1 – General Rural<br>O – Shoreland (Overlay) | | |
| Proposed Use: | Single Family Residential | Owner/Subdivider: | Sand Dune Properties MN, LLC<br>3938 Hwy 10 S.<br>St. Cloud, MN 56304<br>Todd Maloney – (763)-538-5722<br>Sheldon Peer – (612)-221-7190 |
| Road Mileage: | 0 LF or 0.00 Miles | | |
| Proposed Utilities: | Sewer: Private Septic<br>Water: Private Well | Surveyor: | Rum River Land Surveyors & Engineers<br>PO Box 1044<br>Princeton, MN 55371<br>(763) 389-4476<br>3601 Thurston Ave.<br>Anoka, MN 55303<br>(763) 427-5660 |
| Lot Summary: | 2 Lots | | |
| Plat Area: | Total Area: 889,100 Sq.FT. = 20.41 Acres<br>Proposed ROW: 0 Sq.FT. = 0.00 Acres<br>Park Area: 0 Sq.FT. = 0.00 Acres | | |

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:




(NOT TO SCALE)

Being 12.00 feet in width and adjoining all right of way lines unless otherwise shown on this plat and being 6.00 feet in width and adjoining all side and rear lot lines unless otherwise shown on this plat.

Wetland determination by soil borings completed by Wayne E. Jacobson of Jacobson Environmental, PLLC as depicted on this plat. All lots contain at least 40,000 sq.ft. of unobstructed and contiguous land that is buildable (.5% minus slope) meeting the criteria in MN Chapter 7080.

| Wayne E. Jacobson<br>Name of Licensed Soil Scientist | Brian D. Hanson<br>Name of Licensed Land Surveyor |
|---|---|
| 30911<br>License | 49130<br>License |
| Wayne E. Jacobson<br>Signature | Brian D. Hanson<br>Signature |
| 07/01/24<br>Date | 07/09/24<br>Date |

AREA OF PROPOSED LOT (36" ABOVE MOTTLED SOIL)
(PER SOIL BORINGS BY SOIL SCIENTIST)

| Lot 1, Block 1 = 350,307 Sq.Ft. | Lot 2, Block 1 = 368,893 Sq.Ft. |
|---|---|

| DATE | REVISION |
|---|---|
| | |

Jul 10, 2024 – 11:06am
H:\rpl_sum\land Desktop\P0091\P-4354.10\dwg\4354.10.dwg

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 Professional Land Surveyor under the laws of the State of Minnesota.

Brian Hanson, PLS
Date 07/10/24 Lic. No. 49130

| | |
|---|---|
| SCALE BY: SMM | |
| DRAWN BY: JJ | DATE: 07/10/24 |
| DESIGN BY: BP | FILE NO: P-4354.10 |

**RUM RIVER**
LAND SURVEYORS • ENGINEERS
305 Pearl Street, Princeton, MN 55371
O-763.389.4476 RRLS.com

WHITETAIL KNOLL

PRELIMINARY PLAT
FOR
SAND DUNE PROPERTIES MN, LLC
SHERBURNE COUNTY, MINNESOTA

SHEET 1 OF 1 SHEETS

The Planning Company
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# PLANNING REPORT

| | |
|---|---|
| TO: | Baldwin Township Planning Commission |
| FROM: | D. Daniel Licht |
| REPORT DATE: | 17 July 2024 |
| 60-DAY DATE: | 26 August 2024 |
| RE: | Baldwin Township – Kemp (PID 01-00409-0254); Variance |
| TPC FILE: | 269.02 |

## BACKGROUND

David and Bonnie Kemp own the property at 14037 290th Avenue, which is developed with a single family dwelling built in 1963 that has an area of 771 square feet. The house exists as a legal non-conforming structure that encroaches within the setback from the ordinary high water level of Elk Lake, which the lot abuts the north shore of. Mr. and Ms. Kemp are proposing to expand the single family dwelling on the landward side of the lot. The proposed construction exceeds the impervious surface limits established by Section XX-90-10.B.1 of the Zoning Ordinance. Mr. and Ms. Kemp have applied for a variance to allow construction of the proposed single family dwelling, which is to be 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 24 July 2024 at 7:00PM.

Exhibits:

- Site Location Map
- Certificate of Survey dated 6/27/24
- Building plans dated July 8, 2024 (5 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. The subject site is lot within the Elk Pointe subdivision platted in 1956 along the shoreline of Elk Lake to provide for residential use and recreational enjoyment of the waterbody. The continued use of the property as a single family dwelling is consistent with the Comprehensive Plan.

**Zoning.** The subject site is zoned R1, General Rural District and single family dwellings are allowed as a permitted use. Elk Lake is a designated General Development Lake and adjacent properties are subject to the standards of the Shoreland Overlay District. Single family dwellings are also a permitted use within the Shoreland Overlay District.

**Surrounding Uses.** There are similar sized lots developed with single family dwellings to the east and west of the subject property along the shoreline of Elk Lake. There are larger acreage rural residential parcels to the north of 290th Avenue across from the subject property. The expansion of the existing single family dwelling upon the property will be compatible with the surrounding 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 (the minimum lot requirements of the R1 District are greater than those of the Shoreland Overlay District). The parcel is only 11,835 square feet (0.271 acres) in area, 47 feet in width, and approximately 255 feet in depth to the Ordinary High Water Level and is, therefore, a legal non-conforming lot of record.

**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:

| **R1 District Setbacks** | | |
|---|---|---|
| 290th Ave. | Side | OHWL |
| 50ft. | 10ft. | 75ft. |

The existing single family dwelling encroaches into the required setback from the Ordinary High Water Level of Elk Lake. The proposed addition to the existing single family dwelling will be to the north on the landward side of the building and will not increase the non-conforming condition relative to the setback required from the ordinary high water level of Elk Lake.

The existing single family dwelling encroaches into the 10 foot side yard setback from the west property line and is, in fact, over the west lot line. There is an existing easement in place over the property to the west allowing for the property encroachment. The proposed expansion is entirely within the subject site and does not encroach closer to the west line of the encroachment easement than the existing structure.

The existing structure and proposed expansion complies with the side yard setback required from the east property line.

The proposed single family dwelling complies with the setback required from 290th Avenue.

Section XX-90-8.B.1 of the Zoning Ordinance allows for expansion of non-conforming structures within the Shoreland Overlay District provided that the addition complies with all setback, height, and other requirements of the Zoning Ordinance. As the expansion does not increase the non-conformity with respect to the setbacks required from the ordinary high water level or west lot line, the proposed expansion is consistent with the intent of the Zoning Ordinance.

**Impervious Surface.** Section XX-90-10.B.1 of the Zoning Ordinance limits impervious surface within a lot subject to Shoreland Overlay District standards to 25 percent. The existing impervious surfaces within the lot are identified as 26.5 percent of the lot area on the Certificate of Survey, which does not comply with the Zoning Ordinance. The site plan for the property with the proposed expansion indicates an increase in impervious surface to 34.2 of the lot area. The proposed impervious surface would be only four percent of a lot with an area of 2.5 acres or 10 percent of a 40,000 square foot lot, which is the minimum area required in the Shoreland Overlay District. The proposed impervious surface resulting from the expansion of the existing single family dwelling is reasonable based on the area of the lot being only 11 percent of the minimum 2.5 acre lot area requirement.

**Building Height.** Section XX-90-9.F of the Zoning Ordinance limits the height of structures within the Shoreland Overlay District to 25 feet. The height of a structure is defined by the Zoning Ordinance as being measured to the mid-point of a pitched roof. The height of the expanded structure will be approximately 18 feet, which complies with the Zoning Ordinance.

**Access.** The property has one access to 290th Avenue, which the site plan indicates will not be altered as part of the property.

**Wetlands.** Development review pertaining to potential wetland impacts remain subject to approval of Sherburne County in accordance with Section XX-16-4.A of the Zoning Ordinance. The proposed development will not impact wetlands and no County Wetland Conservation Act Land Use Permit is required.

**Utilities.** The proposed single family dwelling is to be served by an on-site septic system and well. All SSTS issues are subject to review and approval of the Building Official at the time a building permit is applied for.

## RECOMMENDATION

Our office recommends approval a variance from front yard, side yard, and impervious surface limits to allow for redevelopment of the property at 28517 100th Street. Findings of Fact supporting Town staff's recommendation have been prepared for consideration by the Planning Commission, which includes the conditions outlined below.

## POSSIBLE ACTIONS

A. Motion to **adopt** Findings of Fact as presented and recommend **approval** of a variance for 14037 290th Avenue (01-00409-0254), 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.

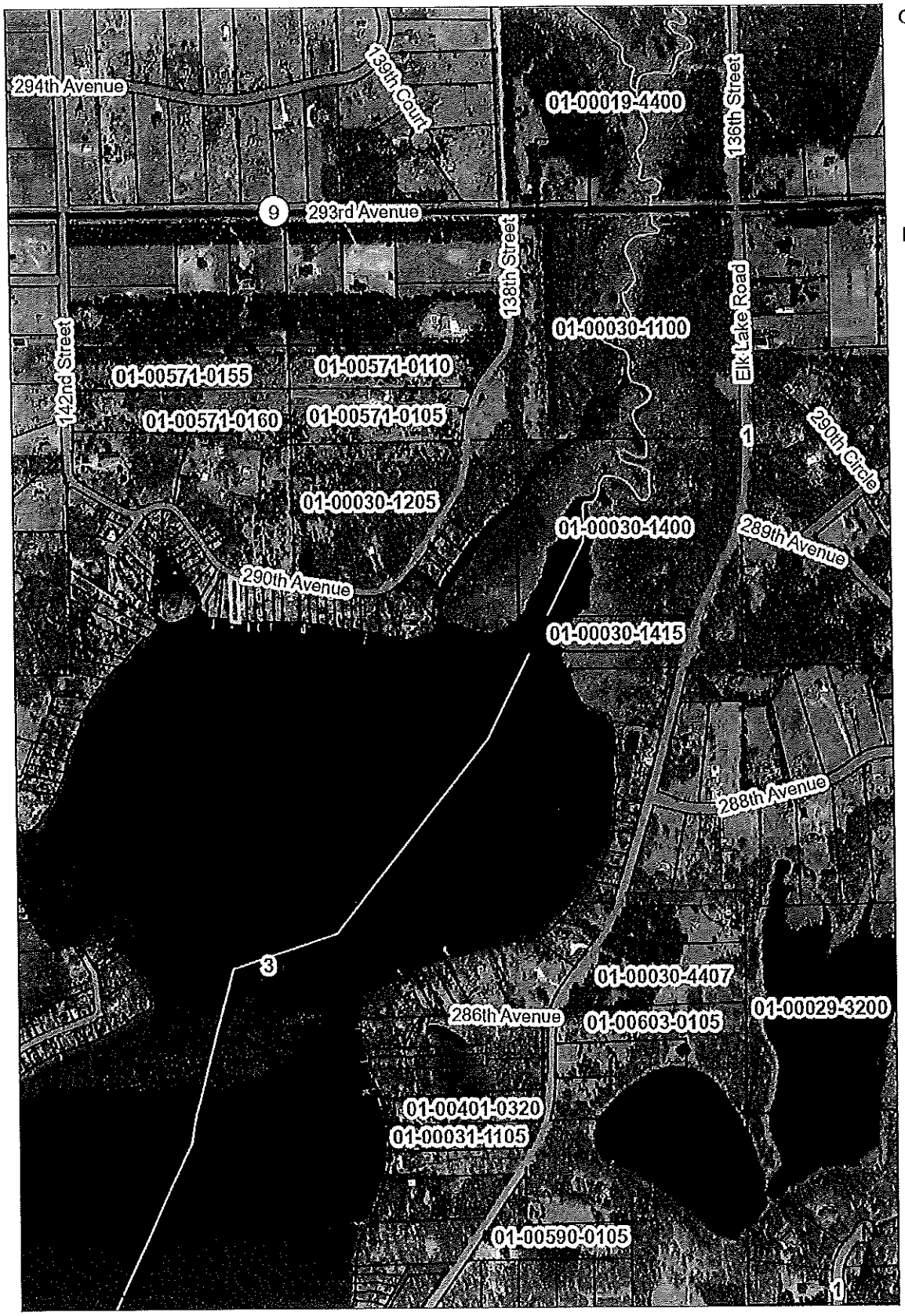
   2. All Subsurface Sewage Treatment System issues shall be subject to review and approval of the Building Official.

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.

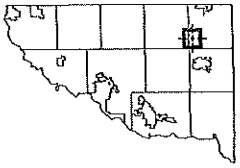
C. Motion to **table**.

c. Joan Heinen, Town Clerk/Treasurer
   Andy Schreder, Town Building Official
   Matt Kind, Town Engineer

# Site Location Map




Overview



Legend

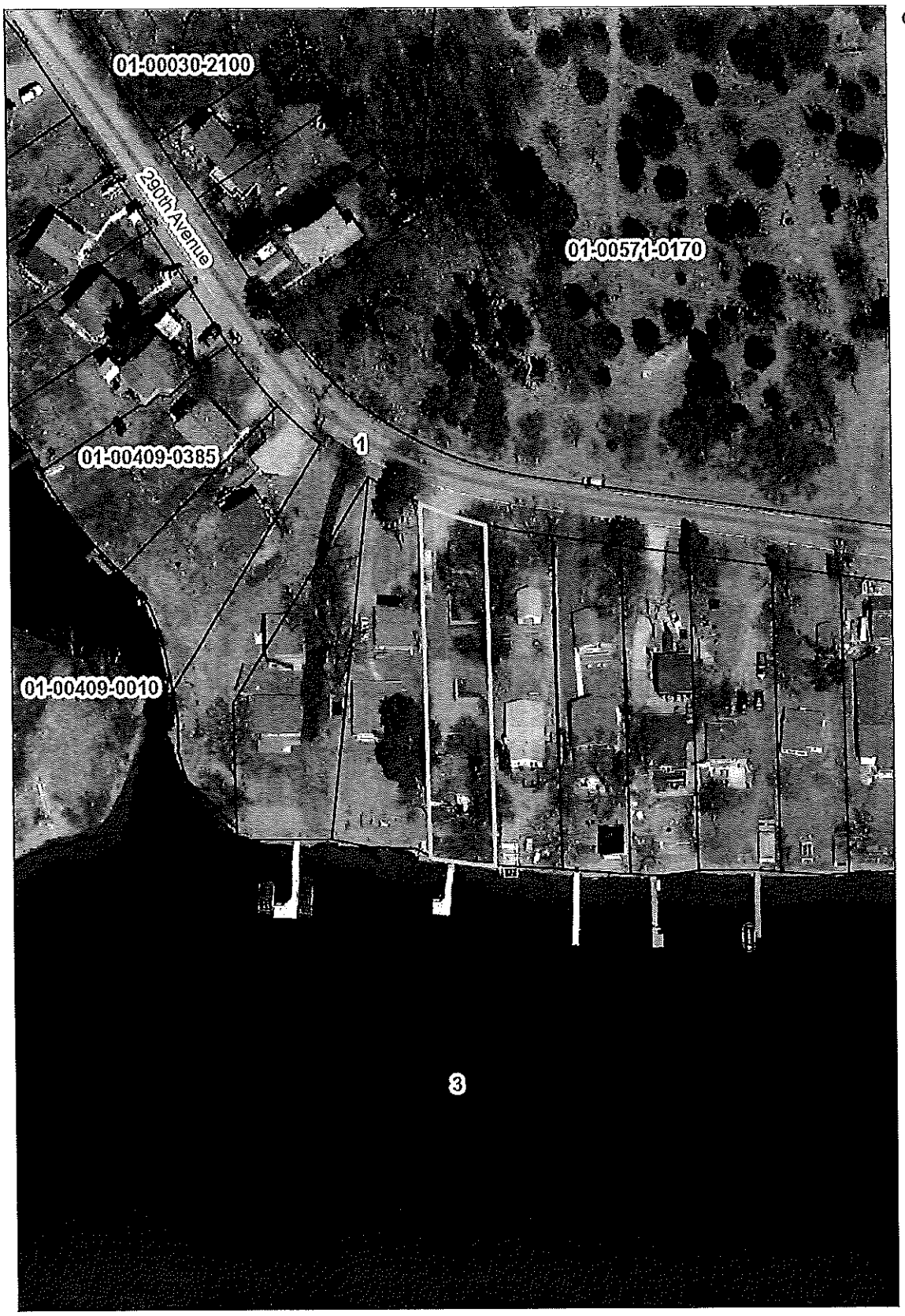
Roads

- 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

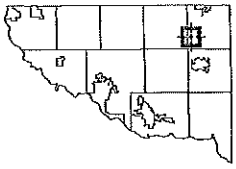
Parcels

Streams

# Site Location Map




Overview



Legend

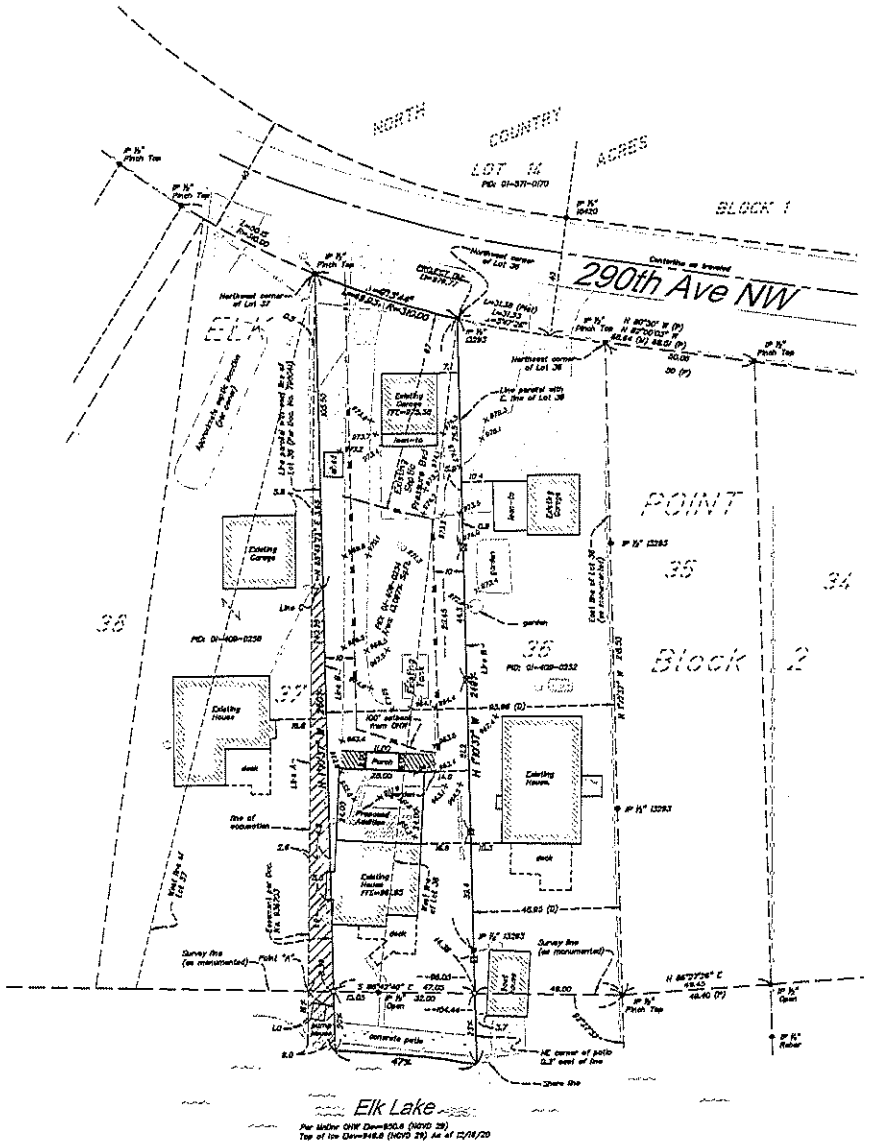
Roads

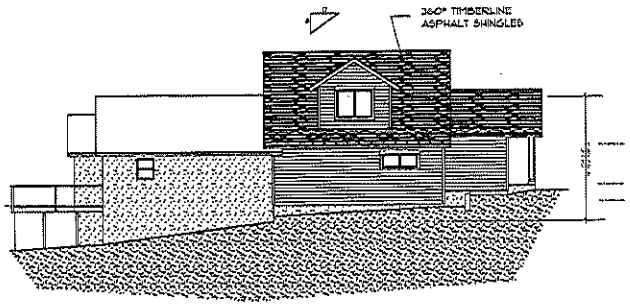
- MN Highway; US Highway
- Municipal-State Aid Street
- Municipal Street
- Township Road
- State Forest Road
- Bureau of Fish and Wildlife Road
- Connector (Ramp)
- Privately Maintained Public Access Road
- County Road
- County-State Aid Highway

Parcels

Streams

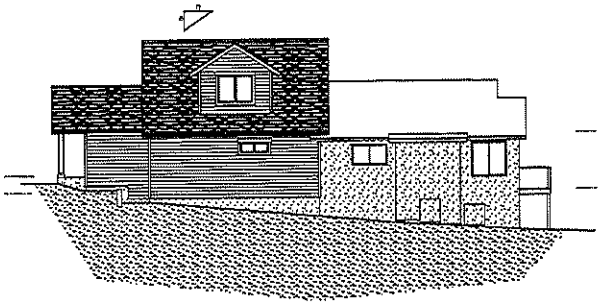
# Certificate of Survey
## for
# David Kemp
### Part of Lots 36 & 37, Block 2, ELK POINT
### Baldwin Township, Sherburne County, Minnesota
### Section 30, Township 35, Range 26


NORTH COUNTRY ACRES
LOT 14
PID: 01-371-0170
BLOCK 1
290th Ave NW
ELK
POINT
35
34
36
Block 2
Existing Garage
Existing House
Existing Deck
Existing Pump
Proposed Addition
Existing Shed
Existing Dock
Existing Pier
Existing Boat Lift
Existing Fire Pit
Existing Gravel Drive
Existing Asphalt Drive
Existing Concrete Pad
Existing Concrete Walk
Existing Wood Walk
Existing Wood Deck
Existing Concrete Patio
Existing Wood Fence
Existing Chain Link Fence
Existing Wood Retaining Wall
Existing Concrete Retaining Wall
Existing Stone Retaining Wall
Existing Concrete Curb
Existing Bituminous Curb
Existing Bituminous Driveway
Existing Concrete Driveway
Existing Gravel Driveway
Existing Concrete Pavement
Existing Bituminous Pavement
Existing Gravel Pavement



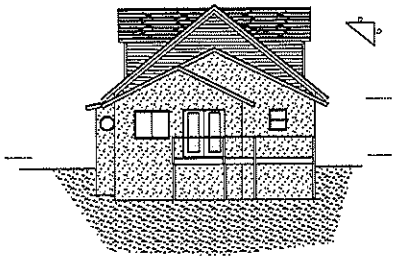

LEFT ELEVATION

SCALE: 1/8" = 1'-0"



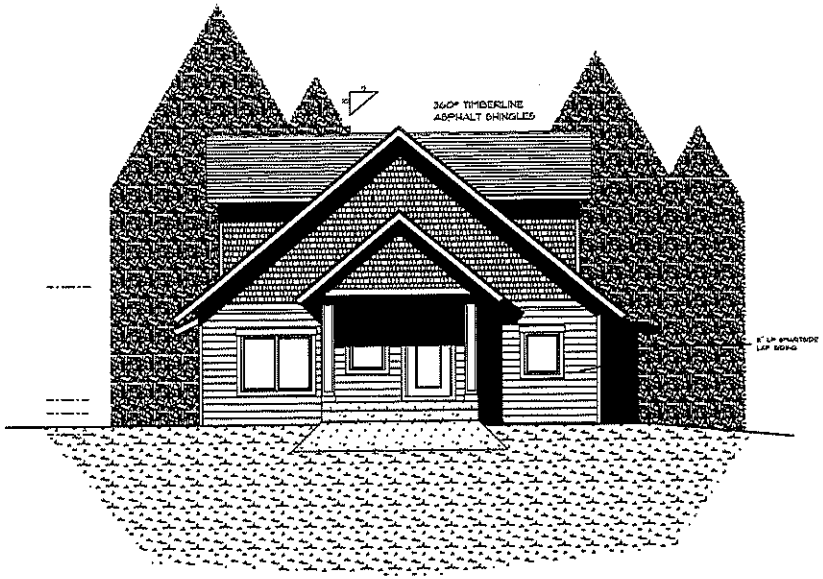
RIGHT ELEVATION

SCALE: 1/8" = 1'-0"



LAKE ELEVATION

SCALE: 1/8" = 1'-0"




FRONT ELEVATION

SCALE: 1/8" = 1'-0"

## GENERAL NOTES - EXTERIOR

- KICKOUT FLASHING TO BE INSTALLED AS NEEDED
  - EXTERIOR WALL FRAMER TO VERIFY KICKOUT FLASHING IS INSTALLED PRIOR TO FRAMING
- CARPENTER TO FLASH ALL EXTERIOR WINDOWS
  - DOORS PER FHA AND IRC CODE REQUIREMENTS

## WINDOWS

- WINDOW SILLS SIZE SHOWN
  - TYPE AND SIZE PER PLAN
- BUILDER TO VERIFY ALL ROUGH OPENING DIMENSIONS AND HEADER HEIGHTS.

## EXTERIOR FINISHES

- SIDING AS NOTED

SHARPLINE HOME DESIGN LLC

PLAN NO: DAVE AND BONNIE KEPP
14031 290th AVE NW
ZIMMERMAN

DATE: July 8, 2024

DRAWN BY: RB

DRAWING NUMBER: 23-005

SHEETS: ONE of 5

NOTE: ALL DIMESIONS OF EXISTNG STRUCTURE ARE APPROXIMATE AND MUST BE FIELD VERIFIED PRIOR TO ORDERING MATERIAL AND TRUSSES. CONTRACTOR IS RESPONIBLE FOR ANY ADJUSTMENTS.

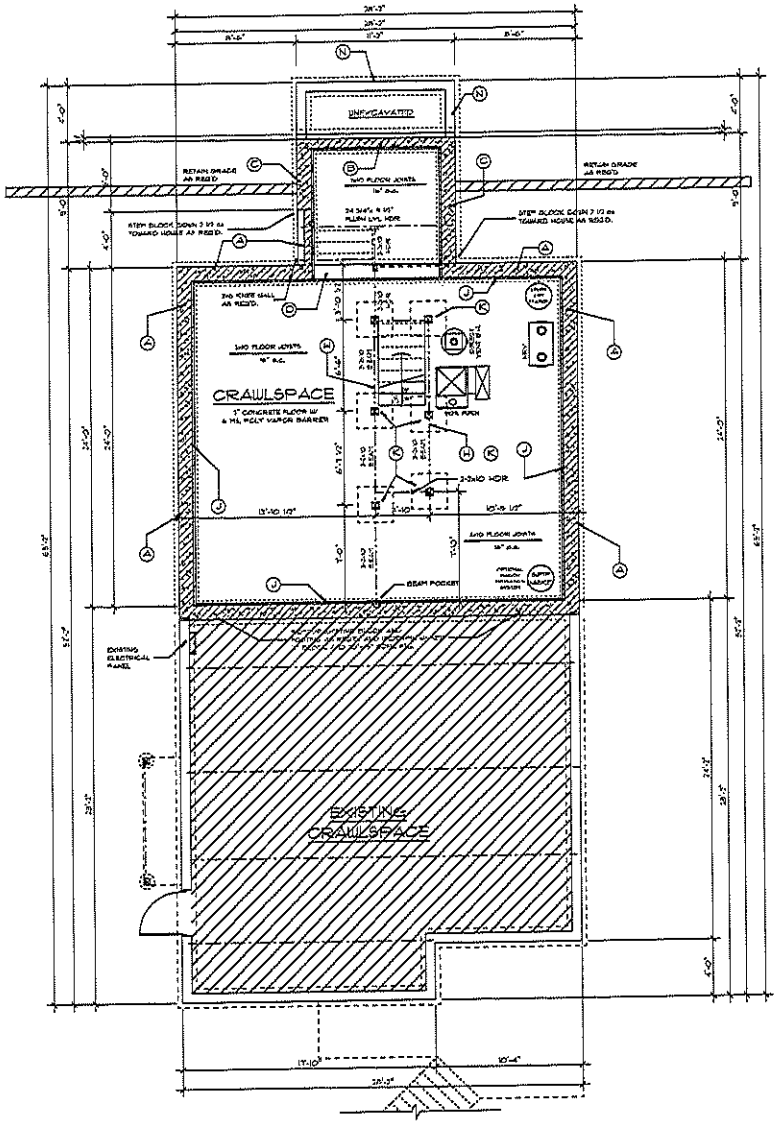
RADON NOTES

CONTRACTOR TO PROVIDE A PASSIVE RADON MITIGATION SYSTEM USING PVC 3" "GASTIGHT" PVC PIPE THRU ROOF 12" MIN ABOVE DECK.

PVC TO BE INSTALLED INTO "T" FITTING SET IN MIN. 4" GRAVEL FILL BELOW SLAB. USE 10' PERFORATED PIPE EACH DIRECTION OF "T".

OPTION:
PVC TO BE INSTALLED AND SEALED INTO SUMP BASKET

VERIFY DETAILS WITH LOCAL CODES AND LOCATION OF PIPE ON SITE




FOUNDATION PLAN

## GENERAL NOTES - FOUNDATION

- DIMENSIONS ARE FROM INTERIOR FACE OF CONCRETE FOUNDATION WALLS
- FOUNDATION CONTRACTOR TO VERIFY ALL ROUGH-IN PLUMBING LOCATIONS AND ANY OTHER PENETRATION THRU CONCRETE FLOOR PRIOR TO CONSTRUCTION.
- BUILDER/FOUNDATION CONTRACTOR TO VERIFY FOOTING SIZE AND REINFORCEMENT REQUIREMENTS BASED ON EXISTING SOIL CONDITIONS PRIOR TO CONSTRUCTION.
- FOUNDATION FOOTINGS TO BE MIN. 3000 PSI CONCRETE

## WINDOWS

- WINDOW GLASS SIZE MASONRY - STYLE AND SIZE AS NOTED
- WINDOWS DESIGNATED WITH "E" MEET EGRESS CODES
- BUILDER TO VERIFY WINDOW AND DOOR ROUGH OPENINGS AND HEADER HEIGHTS

## FLOOR SYSTEM

- 2x10 FLOOR JOISTS 16" o.c.

## FRAMING

- PROVIDE SOLID BLOCKING AT ALL POINT LOADS

■ - DENOTES SOLID BLOCKING IN WALL CONFORMS TO FOUNDATION BELOW

## FOUNDATION NOTES

(A) 8 ea 12" CONCRETE BLOCK, 20"x 8" CONCRETE FOOTING W/ 3-#4 REBAR CONT.

(B) 1 ea 8" WIDE HIGH ON 4 ea 12" CONCRETE BLOCK, 20"x 8" CONCRETE FOOTING W/ 3-#4 REBAR CONT.

(C) 1 ea 12" WIDE HIGH ON 6 ea 12" CONCRETE BLOCK, 20"x 8" CONCRETE FOOTING W/ 3-#4 REBAR CONT.

(D) 3 ea 12" CONCRETE BLOCK, 20"x 8" CONCRETE FOOTING W/ 3-#4 REBAR CONT.

(H) 2x4 STUDS 16" O.C. 1 ea 4" WIDE HIGH 20"x8" CONCRETE FOOTING W/ 3-#4 REBAR CONT.

(J) 2" FOAM INSULATION R-10 MIN

(K) 6x6 WOOD POST SOLID BLOCK 30"x30"x12" CONC PTG

(N) 4 ea 8" CONCRETE BLOCK, 16"x 8" CONCRETE FOOTING W/ 3-#4 REBAR CONT.

NOTE: GENERAL CONTRACTOR OR BUILDER TO VERIFY ALL SITE CONDITIONS, DIMENSIONS, ELEVATIONS, & FIELD ADJUSTMENTS PRIOR TO CONSTRUCTION

PLAN NUMBER 23-005

SHEET 2 of 5

NOTE: ALL DIMESIONS OF EXISTNG STRUCTURE ARE APPROXIMATE AND MUST BE FIELD VERIFIED PRIOR TO ORDERING MATERIAL AND TRUSSES. CONTRACTOR IS RESPONIBLE FOR ANY ADJUSTMENTS.

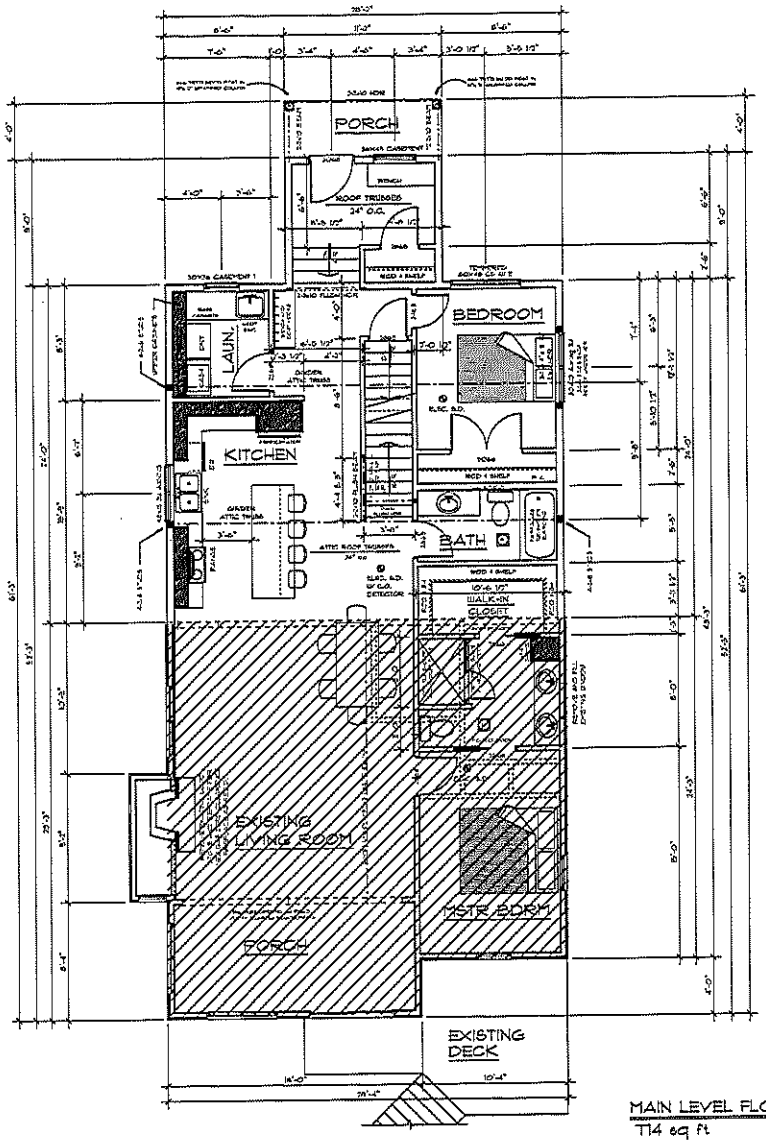
EXISTING WALLS

EXISTING WALLS TO BE REMOVED

NEW CONSTRUCTION 2x4

NEW CONSTRUCTION 2x6

DIMENSIONS ON EXISTING ARE APPROXIMATE: CONTRACTOR TO VERIFY AND ADJUST IN FIELD AS REQ'D.




MAIN LEVEL FLOOR PLAN
714 sq ft
SCALE: 1/4" = 1'-0"

## GENERAL NOTES - MAIN FLOOR

### WINDOWS

- UNLESS OTHER SIZE SHOWN
  - STYLE AND SIZE AS NOTED
- UNLESS WINDOW HEIGHTS SET TO 27 RUN" FFF FLOOR UNLESS NOTED OTHERWISE
- BUILDER TO VERIFY WINDOW AND DOOR ROUGH OPENINGS AND HEADER HEIGHTS
- PROVIDE WINDOW CONTROL OPENING DEVICE TO APPLICABLE WINDOWS AS REQ'D

### FRAMING

- PLATE HEIGHTS SHOWN PRACTICAL
  - 8' 1 1/8" MAX LEVEL MATCH EXISTING
  - DOUBLE STUDS AT WINDOWS AND DOOR HEADERS
- PROVIDE SOLID BLOCKING AT ALL POINT LOADS

■ - DENOTES SOLID BEARING IN WALL CONTINUOUS TO FOUNDATION BELOW

- DIMENSIONS ARE FROM EXTERIOR FACE OF SHEATHING OF EXTERIOR WALLS AND CENTERLINE OF INTERIOR PARTITIONS.

## CONSTRUCTION NOTES

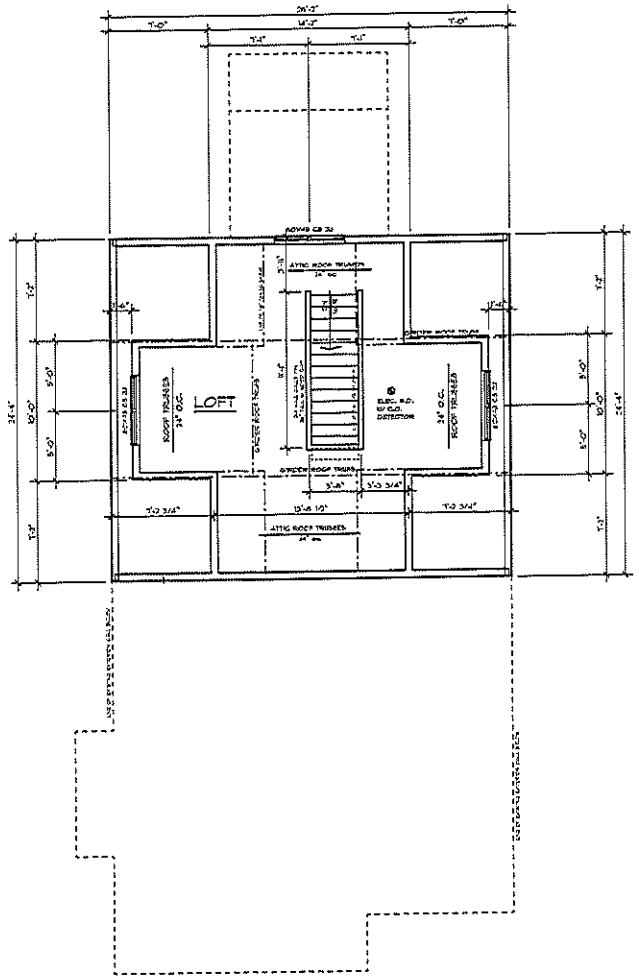
- ALL HEADERS 2x10 UNLESS NOTED OTHERWISE
- ALL HVAC SYSTEMS TO REVIEWED AND ADJUSTED ON SITE BY MECHANICAL CONTRACTOR
- ALL 4x4 POSTS SITTING ON SONO FOOTINGS TO HAVE METAL POST BASES WITH 3/8" DIA x 10" ANCHOR BOLTS

NOTE: GENERAL CONTRACTOR IS RESPONSIBLE TO VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD AND BE RESPONSIBLE FOR LIFE.

SHEET 3 of 5

PLAN NO. 23-005

NOTE: ALL DIMESIONS OF EXISTNG STRUCTURE ARE APPROXIMATE AND MUST BE FIELD VERIFIED PRIOR TO ORDERING MATERIAL AND TRUSSES. CONTRACTOR IS RESPONIBLE FOR ANY ADJUSTMENTS.




## GENERAL NOTES - SECOND FLOOR

### WINDOWS

- SINGLE GLASS SIZE SHOWN
  - STYLE AND SIZE AS NOTED
- WINDOW HEADER HEIGHTS SET TO 6'-7 3/4" OFF FLOOR UNLESS NOTED OTHERWISE
- BUILDER TO VERIFY WINDOW AND DOOR ROUGH OPENINGS AND HEADER HEIGHTS
- PROVIDE WINDOW CONTROL OPENING DEVICE TO APPLICABLE WINDOWS AS REQ'D

### FRAMING

- PLATE HEIGHTS (ROUGH FRAME)
  - 7'-6" ROUGH CLG HT.
  - DOUBLE STUDS AT WINDOWS AND DOOR HEADERS
- PROVIDE SOLID BLOCKING AT ALL POINT LOADS
  - DENOTES SOLID BEARING IN WALL CONTINUOUS TO FOUNDATION BELOW
- DIMENSIONS ARE FROM EXTERIOR FACE OF SHEATHING OF EXTERIOR WALLS AND CENTERLINE OF INTERIOR PARTITIONS

## CONSTRUCTION NOTES

- ALL HEADERS SOLID UNLESS NOTED OTHERWISE
- ALL HVAC SYSTEMS TO REVIEWED AND ADJUSTED ON SITE BY MECHANICAL CONTRACTOR
- ALL 4x4 POSTS SITTING ON CONC FOOTINGS TO HAVE TRITAL POST BASES SPH 3/8" DIA x 10" ANCHOR BOLTS

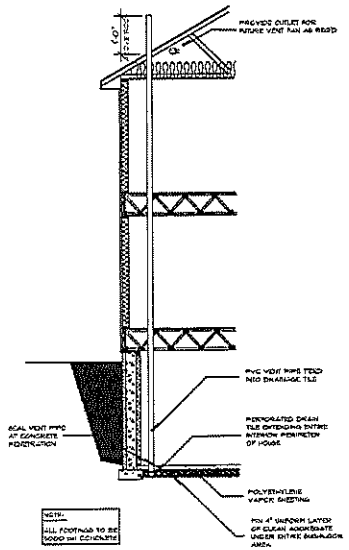
## SECOND LEVEL FLOOR PLAN

455 sq ft

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

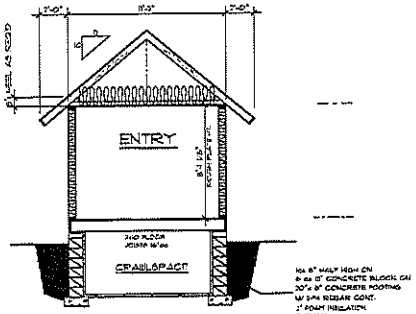
NOTE: GENERAL CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLAN DIMENSIONS, DIMENSIONS AND CONDITIONS IN THE FIELD AND BE RESPONSIBLE FOR SAME.

| | | |
|---|---|---|
| 1'-0" | 4 of 5 | PLAN NUMBER 23-005 |



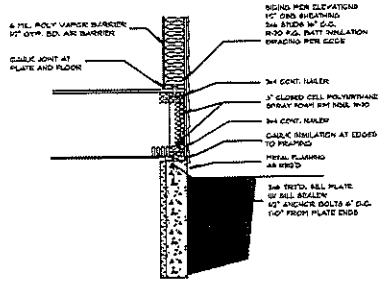

SUB-SLAB DEPRESSURIZATION (PASSIVE)

IF REQUIRED



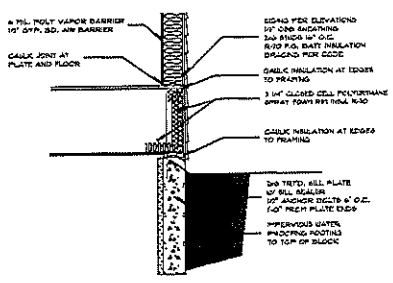

CROSS SECTION

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



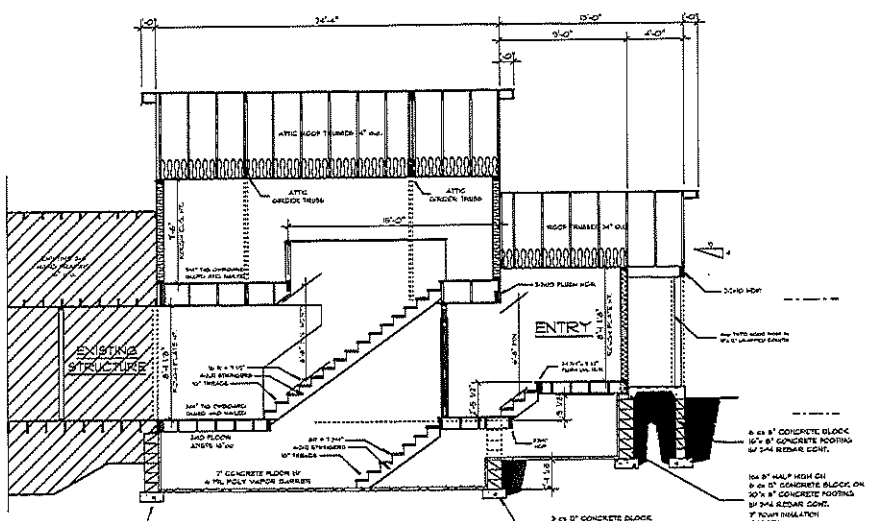

RIM DETAIL

POURED / TRUSS



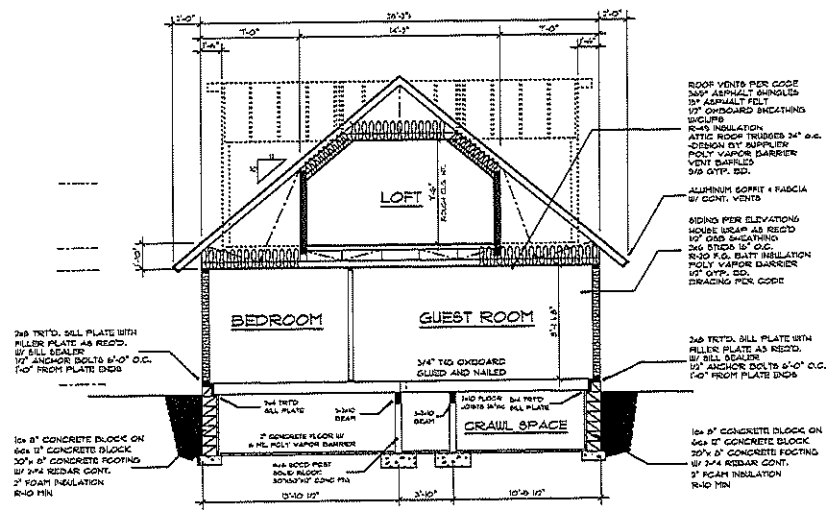

RIM DETAIL

POURED / TRUSS




CROSS SECTION

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




CROSS SECTION

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

NOTE: GENERAL CONTRACTOR & BUILDER TO VERIFY ALL DIMENSIONS & CONDITIONS ON JOB PRIOR TO CONSTRUCTION. ARCHITECT NOT RESPONSIBLE FOR ERRORS.

PLAN NUMBER 23-005

SHEET 5 OF 5

BALDWIN TOWNSHIP
PLANNING COMMISSION
VARIANCE
FINDINGS OF FACT & RECOMMENDATION

**APPLICANT:** David and Bonnie Kemp

**APPLICATION:** Request for variance to allow expansion of a single family dwelling at 14037 290th Avenue.

**PLANNING COMMISSION MEETING:** 24 July 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 01-00409-0254.

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 expansion of a legal non-conforming single family dwelling on a legal non-conforming lot resulting in impervious surfaces greater than the limit established by Section XX-90-10.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: Expansion of the existing structure to allow for a continuation of a residential use of the subject property 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 variance is due to the non-conforming area of the property resulting in impervious surfaces greater than allowed within the Shoreland Overland District. If the subject property complied with the minimum lot area requirements of the Zoning Ordinance, impervious surface would be 10 percent or less of the area of the lot. Approval of the variance is consistent with the intent of the Zoning Ordinance to allow 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 requirements, 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 area 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 east and west are similar in character to the subject 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, or by not increasing existing non-conforming conditions, in consideration of the non-conforming area of the lot.*

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 17 July 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 24 July 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 24th day of July, 2024.**

**MOTION BY:** Calvin Schmock
**SECOND BY:** Joy Johnson
**ALL IN FAVOR:** 7
**THOSE OPPOSED:** 0

**BALDWIN TOWNSHIP PLANNING COMMISSION**

BY: Clarence Mattson
Clarence Mattson, Chair

ATTEST: Marlene Nelson
Marlene Nelson, Administrative Assistant