



**WHITE BEAR  
TOWNSHIP**

1858  
RAMSEY COUNTY  
MINNESOTA

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750  
FAX 651-426-2258  
Email: [wbt@whitebeartownship.org](mailto:wbt@whitebeartownship.org)

Board of Supervisors  
ROBERT J. KERMES, *Chair*  
ED M. PRUDHON  
STEVEN A. RUZEK

**AGENDA  
PLANNING COMMISSION MEETING  
JUNE 28, 2018**

1. **6:30 p.m.** Call Meeting to Order at Township Administrative Offices, 1281 Hammond Road.
2. Approval of Agenda (Additions/Deletions).
3. Approval of Minutes of May 24, 2018.
4. **Consent Agenda:** None.
5. **Larkin & Gina Adey, 5265 Grand Avenue** – Request for a 16.4' Right-of-Way Setback Variance, Minor Subdivision Requiring Lot Size & Width Variances to Allow Construction of a Front Entryway & Lot Subdivision.
6. **Zoning Ordinance Updates** – Shoreland Management Section.
7. **Intensive Vegetation Clearing.**
8. **Off-Season Dock & Boat Lift Storage.**
9. Added Agenda Items.
10. Adjournment.

**White Bear Township's  
Mission:**

To provide White Bear Township residents, businesses and visitors with reliable, high quality municipal services while serving as open and responsible stewards of the public trust.





**Planning Commission Meeting  
June 28, 2018**

**Agenda Number:** 1 – 2 - 3

**Subject:** Call to Order – 6:30 p.m.  
Heritage Hall, 4200 Otter Lake Road  
  
Approval of June 28, 2018 Agenda  
Approval of Minutes of May 24, 2018

**Documentation:** June 28, 2018 Agenda  
May 24, 2018 Meeting Minutes

**Action / Motion for Consideration:**

Call meeting to order:	6:30 p.m.
Approval of Agenda:	June 28, 2018 (additions/deletions)
Approval of Minutes:	Meeting of May 24, 2018

**MINUTES  
PLANNING COMMISSION MEETING  
MAY 24, 2018**

The meeting was called to order at 6:31 p.m.

Present: Artner, Denn, Flann, Kotilinek, Loes, Patrick, Swisher; Town Board Liaison: Ruzek; Planner: Riedesel.

**APPROVAL OF AGENDA (Additions/Deletions):** Artner moved approval of the agenda with the following amendment: Add 9A) Cambridge Downs; and 9B) Winter Storage of Summer Docks. Loes seconded. Ayes all.

**APPROVAL OF MINUTES OF APRIL 26, 2018:** Artner moved approval of the Minutes of April 26, 2018. Loes seconded. Ayes all.

**CONSENT AGENDA:** There were no Consent Agenda items.

**KRISTEN LIPPERT PEINADO & HILARIO PEINADO ZEPEDA, 2360 HOXIE AVENUE – REQUEST FOR THE FOLLOWING VARIANCES TO ALLOW A HOME REMODEL & GARAGE REPLACEMENT – HOME: 1) 20.1’ RIGHT-OF-WAY SETBACK VARIANCE FROM HOXIE AVENUE; 2) 28.1’ RIGHT-OF-WAY SETBACK VARIANCE FROM O’CONNOR’S ALLEY; GARAGE: 1) 30.1’ RIGHT-OF-WAY SETBACK VARIANCE FROM CONNOR’S ALLEY; 2) 6.4’ SIDE YARD SETBACK VARIANCE; 3) 27.1% GREEN AREA VARIANCE:**

The applicants are requesting approval of several variances which would allow them to add a second story to their existing home and reconstruct their existing garage. The property is triangular shaped and abuts Hoxie Avenue and O’Connor’s alley. The lot is 7,113 square feet in area and is considered an undersized lot of record. The home is located 14.9’ from the Hoxie Avenue right-of-way at its closest point and 6.9’ from the O’Connor’s Alley. The area between the home and alley is partially paved. The garage is located 4’9” from the O’Connor’s Alley right-of-way and 3.6’ from the side lot line. A variance to construct the garage in its current location was approved by the Town in 1985. The impervious area on the lot is 3,713 square feet or 52.2% of the lot. The applicants would like to add a second story onto the home keeping the existing footprint. The applicants would also like to add a second story onto the garage keeping the current footprint. As an alternative, the applicants could attach the garage to the house, shifting the angle of the garage so there is a 90° intersection for the driveway and alley. Shifting the location of the garage would increase the side setback and would allow removal of a portion of their existing driveway, increasing the green area on the property. The deck between the home and garage would be removed, if this option is considered. Livable area would be constructed between the home and garage if this construction option is preferred.

The Variance Board reviewed the variance requests. The consensus was the second story addition fits the standards for approval of a variance. Regarding the garage, Ms. Lippert Peinado would prefer an attached garage which would be in a slightly different location. The Code Enforcement Officer, at the Variance Board meeting, noted that an attached garage would create additional green space on the lots, especially if existing asphalt is removed as part of the

MINUTES  
PLANNING COMMISSION MEETING  
MAY 24, 2018

addition. A greater setback from O'Connor's Alley would also be achieved if the garage were to be attached as shown. The existing garage could be reconstructed in the same location as a variance which was approved for the garage in 1985. The Variance Board recommends approval of the variances as requested with the attached garage option as the proposed second story will have the same setback as the first story.

Artnr moved, based on Variance Board review and recommendation to recommend to the Town Board to approve the requests to allow a home remodel and garage replacement as follows: 1) Home: 20.1' right-of-way setback variance from Hoxie; and 2) 28.1' right-of-way setback variance from O'Connor's Alley. For the Garage: 1) 30.1' right-of-way setback variance from O'Connor's Alley; 2) 6.4' side yard setback variance; and 3) 27.1% green area variance. Kotilinek seconded. Ayes all.

**FRANK (JOE) LEVINS & ANNA-LISE LEVINS, 5433 RIDGEWAY – REQUEST FOR A 27.5' RIGHT-OF-WAY SETBACK VARIANCE FROM RIDGEWAY AVENUE & A 4' RIGHT-OF-WAY SETBACK VARIANCE FROM AN UNDEVELOPED RIGHT-OF-WAY:**

The Levin's are requesting approval of a 27.5' right-of-way setback and a 4' right-of-way setback variance which would allow them to construct a porch onto their existing home at 5433 Ridgeway Avenue. The Levin's home is located 7'6" from the Ridgeway right-of-way. The porch addition, which is planned to replace a deck, is located on the east side of the home. The porch addition is planned to be 12' x 40' in size. The porch is designed as an extension of the north wall of the home, which is 7'6" from the right-of-way. 27.5' of the porch is proposed to encroach into the setback area. In 2002, the Levin's were granted 29' and 33' right-of-way setback variances in order to add a second story onto the existing footprint of their one story home. In 1992 the previous homeowners were granted a 15' right-of-way setback variance which allowed construction of a deck and walkway. This deck and walkway is proposed to be replaced by the new porch. At that time the Town required that a walkway be constructed to access a new deck set back 20' from the right-of-way. The porch is proposed to extend along the entire length of the home. This is greater in area than the deck and walkway and would have more square footage within the setback area. The Levin lot is one-half acre in size with 115+ feet of frontage on Ridgeway Avenue. It is not considered an undersized lot of record. The home is located in the northwest corner of the lot within 8' of the Ridgeway right-of-way. An underdeveloped right-of-way exists on the west side of the home, 3' from the home. Based on the location of the home on the lot, any addition will require a right-of-way setback variance.

The Variance Board reviewed the request for variances. They noted that the addition would be no closer to the right-of-way than the existing home and the porch which is proposed to be larger than the deck still meets the standards set forth by the Zoning Ordinance to approve a variance. The Code Enforcement Officer noted at the Variance Board meeting that the front door should stay in its current location due to the home design. The home is an existing non-conforming structure, the current building line will be maintained and subject to reconfiguration of the proposed eave so it is no closer to the right-of-way than the existing eave. The plan view was changed to show the porch flush with the north side of the house.

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MAY 24, 2018

Artnier moved, based on Variance Board review and recommendation to recommend to the Town Board to approve the request for a 27.5' right-of-way setback variance from Ridgeway Avenue and a 4' right-of-way setback variance form an undeveloped right-of-way to construct a four season porch onto the east side of the home at 5433 Ridgeway Avenue. Flann seconded. Ayes all.

**SPECIALTY MANUFACTURING COMPANY/SUPREME OUTDOOR ADVERTISING, 5858 CENTERVILLE ROAD – SKETCH PLAN REVIEW FOR ZONING ORDINANCE AND SIGN ORDINANCE AMENDMENTS TO PERMIT OUTDOOR ADVERTISING SIGNS:**

Supreme Outdoor Advertising & SMC are asking the Town to consider amending the Sign and Zoning ordinances which would allow them to place 2 outdoor advertising signs (billboards) on their property at 5858 Centerville Road. Two 2-faced signs are being considered. Currently outdoor advertising signs are permitted only in the Outdoor Advertising Sign Overlay District. The Sign Overlay District is located along I-35E between North Birch Lake Boulevard and Hammond Road. Currently there are 3 signs located in the district. The ordinance amendment creating the Overlay Zone was adopted in 2001. The ordinance amendment allowing outdoor advertising signs was adopted in part so signs would not be placed across the freeway from residential zoning districts. Since the adoption of the Sign Overlay District, noise walls have been added along the freeway abutting residential homes. The off premise advertising signs shall have a maximum height of 40' measured from the grade at the base of the sign or the elevation of the adjacent travel lane of I-35E, whichever is greater. Off premise advertising signs shall be located no closer than 800 feet measured along the freeway, from any other off premises advertising sign. No off premise advertising sign shall have more than two faces, and each sign must be intended to read from an opposite direction. The area of the basic sign face shall not be more than 672 square feet, but may, in addition to the basic sign face, contain extensions, cutouts or top lettering provided such extensions do not exceed 20% of the area of the basic sign face and are an integral part of the design of the message of the basic sign face.

The Planner stated that the review is a concept review. The applicant is interested if their request for amendment of the Sign and Zoning ordinances is acceptable as presented. It was noted that no LED lighting is proposed and that design and message would be something that is consistent. The Planner will come back with wording for ordinances amendment.

It was the consensus of the Planning Commission that they are open to the sketch plan for Zoning Ordinance and Sign Ordinances amendments to permit outdoor advertising signs at the SMC property.

**ZONING ORDINANCE UPDATES – SHORELAND MANAGEMENT SECTION:** The MN DNR is recommending modifications to the Shoreland Management section of the Town's Zoning Ordinance and city ordinances relating to Shoreland Management. The Planning Commission has been discussing amendments to the "clear cutting" or the "intensive vegetation clearing" section of the ordinance. In Staff's opinion, it is still a poor definition which needs work to define exactly how the Town wants to regulate the removal. During review of the Zoning Ordinance updates it was noted that the changes and amendments are difficult to follow.

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PLANNING COMMISSION MEETING  
MAY 24, 2018**

There was discussion relative to cutting mature trees on properties around the lake. A question was asked how the Town would even know if trees are cut down. The Planner noted that cutting of substantial quantity trees are part of the Shoreland Management section of the Zoning Ordinance. He will prepare something temporary until an amendment is reviewed and proposed. The matter will be discussed at future Planning Commission meetings.

Artner moved to continue the matter of Zoning Ordinance updates for Shoreland Management section for further review after format change. Kotilinek seconded. Ayes all.

**CAMBRIDGE DOWNS:** There have been comments received from residents regarding the name of the proposed North Oaks development. Comments included that the name "Cambridge Downs" does not represent the rural nature of the Township. At the last Town Board Meeting, Supervisor Prudhon asked Mark Houge, North Oaks Company, if they would be open to suggestions for a name for the development. Mr. Houge stated that they would receive any suggestions. Of names suggested, it was the consensus that "Three Oaks" would be a good name. Three Oaks was an old file name at North Oaks.

Artner moved to recommend to the Town Board that the name Three Oaks be submitted to North Oaks Company as a suggested name for the development instead of Cambridge Downs. Kotilinek seconded. Ayes all.

**WINTER STORAGE OF SUMMER DOCKS:** There was discussion relative to storing of summer docks during the winter months. It was suggested that something that is fair and consistent be recommended. The Planner will contact other communities around the lake to see what their regulations are. The matter will come back for further discussion after information is received.

Artner moved to adjourn the meeting at 7:42 p.m. Kotilinek seconded. Ayes all.

Respectfully Submitted,

Joan J. Clemens  
Recording Secretary



**Planning Commission Meeting  
June 28, 2018**

**Agenda Number: 4 - Consent Agenda**

**Subject: None**

**Documentation:**

**Action / Motion for Consideration:**



## Planning Commission Meeting June 28, 2018

**Agenda Number:** 5

**Subject:** Larkin & Gina Adey, 5265 Grand Avenue – Request for a 16.4' Right-of-Way Setback Variance, Minor Subdivision Requiring Lot Size & Width Variances to Allow Construction of a Front Entryway & Lot Subdivision

**Documentation:** Staff Memo /  
Variance Application /  
Minor Subdivision Application

### Action / Motion for Consideration:

Receive Information / Discussion

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**Minutes**  
**Variance Board Meeting**  
**June 20, 2018**

**LARKIN & GINA ADEY, 5265 GRAND AVENUE – Request for a 16.4' Right-of-Way Setback Variance and a Minor Subdivision Requiring Lot Size & Width Variances to Allow Construction of a Front Entryway & Lot Subdivision:** Riedesel summarized the proposal to construct a front entryway onto the home. The new entryway would replace an existing landing. The existing landing is located 18.6' from the Grand Avenue right-of-way. A 16.4" right-of-way setback variance is requested to add the entryway.

Riedesel also summarized the request to subdivide the lot into two parcels requiring an 18.03' lot width variance and a 3,002 square feet lot size variance for the proposed Parcel B. Parcel A, which has the Adey home and garage, exceeds the Town's lot size and square footage requirements.

The Adey property is located in the White Bear Beach neighborhood which has a variety of lot widths and sizes. Many of the lots platted in this neighborhood were 40'-50' wide. Many were combined to create larger lots. Several homes were constructed on smaller lots, however. On the Adey block there are 9 existing homes. Four of the homes are on 43' wide lots, one corner lot is 45' wide. The Adey lot is 171.88' wide. The remaining 3 lots are; 105 wide (corner lot), and two 86' wide lots one of which is a corner lot. Three of these lots are in the City of White Bear Lake.

The Variance Board reviewed other blocks in the White Bear Beach neighborhood surrounding the Adey block.

The Variance Board discussed the right-of-way variance for the porch addition. It was noted that the addition is not planned to be closer to the right-of-way than the existing landing. The Variance Board looked at the neighborhood and determined that the addition would be consistent in setback with other homes on the block and within the neighborhood.

Johnson moved to recommend to the Planning Commission to recommend to the Town Board to approve the 16.'4 right-of-way setback variance as requested as it would have the same setback as the existing landing structure, is consistent with other properties in the neighborhood, is similar to other variances issued in the neighborhood, and meets the standards set forth by the Zoning Ordinance to approve a variance. Denn seconded. Ayes all.

The Variance Board then discussed the subdivision and variance requests to create a new buildable lot.

There was considerable discussion on the variance process and creation of a lot which needs both square footage and lot width variances. It was noted that the Town has approved variances which require either a lot width or a minor square footage variance but not both. No similar subdivision and variance requirements have involved creating a lot this small or narrow.

The Variance Board consensus was that the requested variances would not meet the standards for approval but the Town could consider creating a new zoning district which could include the Bellaire, Bald Eagle and Beach neighborhoods. Smaller lot sizes and widths could be considered for the new zone.

Short moved to recommend to the Planning Commission to recommend to the Town Board to deny the variances to create a new lot due to the substandard area and lot width variances needed and the request does not meet the standards set forth by the Zoning Ordinance to approve the variances. Johnson seconded. Ayes all.

Short moved to recommend to the Planning Commission to consider a Zoning Ordinance amendment to create a new single family residential zoning district which would allow reduced lot sizes in older neighborhoods where there are already numerous small lots. Johnson seconded. Ayes: Short, Johnson. Nay: Denn.

Denn noted that he does not support the ordinance change since smaller lots and increased density will detract from the neighborhood.

## MEMORANDUM

**TO: PLANNING COMMISSION**  
**FROM: TOM RIEDESEL**  
**DATE: JUNE 13, 2018**

**SUBJECT: CONSTRUCTION OF A FRONT ENTRYWAY & LOT SUBDIVISION**

**REQUESTS: 16.4' RIGHT-OF-WAY SETBACK VARIANCE**  
**MINOR SUBDIVISION REQUIRING LOT SIZE & WIDTH**  
**VARIANCES**

**LOCATION: 5265 GRAND AVENUE**  
**ZONING: R-1**  
**APPLICANTS: LARKIN & GINA ADEY**

The Adey's are requesting approval of a minor subdivision, requiring lot width and lot size variances, and a 16.4' right-of-way setback variance. The right-of-way setback variance is requested to allow construction of an entryway into the home. The home currently has a small deck at the front. The Adey's would like to add a covered entryway in the location of the deck. The front deck is located 18.6' from the Grand Avenue right-of-way. A 16.4' right-of-way setback variance is required to replace the non-conforming deck with a larger structure.

In addition to the right-of-way setback variance, the Adey's would like to separate the southerly portion of the lot, creating a new buildable lot. The Adey property consist of 4, 43' wide lots which were tied together for tax purposes. The Adey's home and garage are located on the northerly 3 parcels. Lot #4 is vacant. The total area of the 4 lots is 24,982 square feet in area. The Town's minimum lot square footage requirement is 12,000 square feet. Lot width requirements are 80' for an interior lot and 105' for a corner lot. The proposed parcels are:

Parcel A – 15,984 square feet in area. The width of this corner lot is proposed to be 109.91 x 145.61. The Adey home and garage are located on the proposed Parcel A.

Parcel B - 8,998 square feet in area. The width of this lot is proposed to be 61.97' wide.

Parcel A as proposed meets the Town's minimum lot width and square footage requirements.

Parcel B as proposed will require two variances:

1. An 18.03 lot width variance
2. A 3,002 square foot lot size variance

The property is located in the White Bear Beach neighborhood. Lot sizes vary but there are several undersized lots of record. Many of the lots were platted with lot widths between 40' and 50' wide. Most were combined to create larger lots. Several were developed as individual lots, however. The block where the Adey's home is located has 9 homes. Four of these lots with homes are 43' wide. One corner lot is 45' wide. The Adey lot is 171.88' wide and the remaining three lots are 105' wide (corner lot) and two are 86' wide. One of the 86' wide lots is a corner lot. Six of the nine lots are undersized lots of record. Three of these properties are in the City of White Bear Lake.

The block across the street from the Adey's home has six homes, of which all lots exceed 80' in width. Three of the four corner lots are less than 105' wide, however.

The block south of Adey's has five homes in the Township and two in the City of White Bear Lake.

Three of the five homes in the Township are constructed on undersized lots of record.

The block north of Adey's has all but one lot which meets current lot size requirements.

Other blocks in the White Bear Beach neighborhood have varying lot sizes, many of which are undersized.

#### Right-of-Way Setback Variance:

The right-of-way setback variance is requested to add a front entryway onto the home. Currently there is an at grade deck which is proposed to be replaced by the entryway. The Adey garage is placed closer to the 2<sup>nd</sup> Street right-of-way than the porch which is proposed abutting Grand Avenue. It appears that the homes at 5255 Grand, 2560 2<sup>nd</sup> Street, 2559 1<sup>st</sup> Street all have the front facing portions of their homes closer to the right-of-way than what the Adey's are requesting. Based on the character of the neighborhood, especially this block, the porch addition appears to be consistent with several of the other homes in the neighborhood. A 16.4' right-of-way setback variance must be approved to allow the entryway addition.

#### Subdivision Requiring Lot Size & Width Variances:

This unique block in the White Bear Beach neighborhood has homes on conforming sized lots and homes on small undersized lots. A new home has been designed which will meet setback requirements if the Adey's are permitted to subdivide their lot. The Town must review and take action on the variance requests including:

- An 18.03' lot width variance request.
- A 3,002 square foot lot size request.

There are five mature trees which will most likely have to be removed to make way for a new home. It appears that of these five, three may be able to be worked around. The large oak tree in the rear yard would be worth working around if possible.

If the subdivision is approved as requested, the following are recommended conditions for approval:

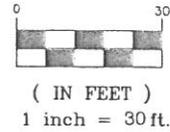
- A. Payment of a park dedication fee for Parcel B.
- B. Payment of a Utility Hook-Up fee for the future home on Parcel B.
- C. The builder shall consider a home design which will avoid destruction of all mature trees on the lot.
- D. Approval of an 18.03' lot width variance for Parcel B.
- E. Approval of a 3,002 square foot lot size variance for Parcel B.
- F. Provision of 10' drainage and utility easements along the lot lines for parcels A & B (easements shall not be located over any existing buildings).

TR/psw  
cc:admin/add.file  
b:adey

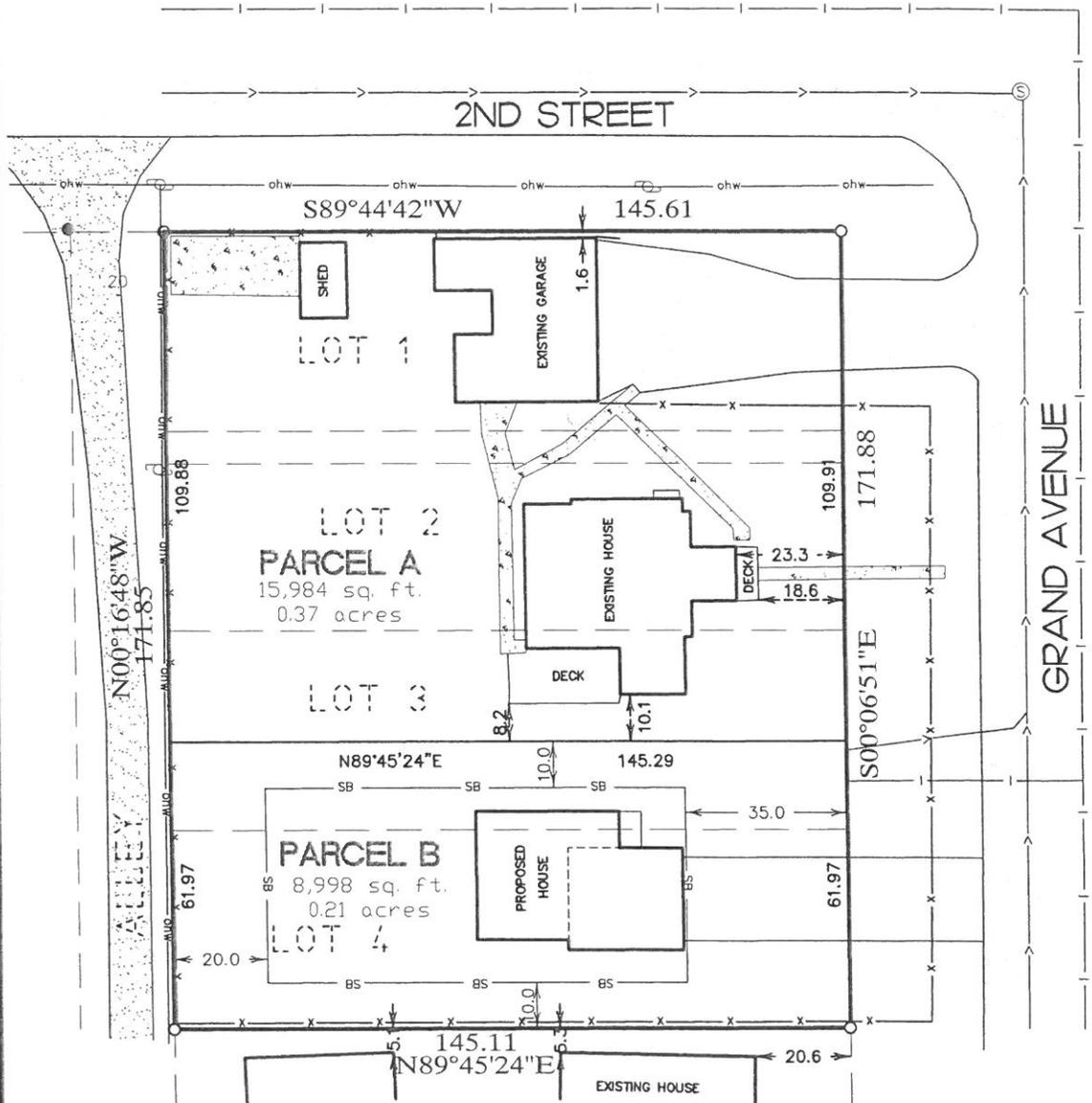


# CONCEPT PLAN

FOR: LARKIN ADEY  
 ADDRESS: 5265 GRAND AVENUE, WHITE BEAR TWP.



NORTH



### NOTES

- BEARING'S SHOWN ARE ON ASSUMED DATUM.

- DENOTES UTILITY POLE
- DENOTES SANITARY SEWER MANHOLE
- DENOTES OVERHEAD WIRE
- DENOTES WATERMAIN
- DENOTES SANITARY SEWER
- DENOTES GRAVEL
- DENOTES CONCRETE
- DENOTES BITUMINOUS

### LEGAL DESCRIPTION

Lot 4, Lot 3, and South 36 feet of Lot 2, Block 21, White Bear Beach. ALSO that part of Section 12, Township 30, Range 22, described as follows to-wit:  
 Beginning at a point on the West line of Grand Avenue, 50 South of the South line of Second Street, thence North to South line of Second Street, thence West 145.51 feet, thence South 50 feet; thence East to point of beginning, Ramsey County, Minnesota.

I hereby certify that this plan, survey 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.

JOB#18087

JOSHUA P. SCHNEIDER

Date: 5-22-18 Reg. No. 44655

**ACRE LAND SURVEYING**  
 Blaine, MN 55448  
 763-238-6278 js.acrelandsurvey@gmail.com





# VARIANCE APPLICATION FORM

White Bear Township

1281 Hammond Road

White Bear Township, MN 55110

Phone 651-747-2750 Fax 651-426-2258

[www.ci.white-bear-township.mn.us](http://www.ci.white-bear-township.mn.us)

## INTRODUCTION

Variations from the literal provisions of this Ordinance shall only be permitted when they are in harmony with the general purposes and intent of this Ordinance, and when the terms of the variance are consistent with the Comprehensive Plan. Variations may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the provisions of this Ordinance. "Practical Difficulties", as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by this Ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variations shall be granted for earth sheltered construction as defined in Minnesota Statutes, when in harmony with this Ordinance. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The Town Board may impose conditions in granting a variance that are directly related to and in rough proportion to an impact created by the variance. Conditions may be imposed in the granting of variations to insure compliance and to protect adjacent properties.

\_\_\_\_\_ Fee \$225

APPLICANT(S) Larkin L. Adey PHONE (Home) 952 818 6010  
Gina L. Adey (Business) \_\_\_\_\_  
ADDRESS 5265 Grand Ave. (Cell) 612 735 1474

PROPERTY OWNER Larkin + Gina Adey

ADDRESS OF SITE 5265 Grand Ave. ZONING R1

EXISTING USE OF SITE Home

DESCRIPTION OF VARIANCE REQUEST Add front covered front entry encroaching into setback area.

SETBACKS:	Required	Existing	Requested
Front Yard	<u>35</u>	<u>23.3</u>	<u>23 18.6</u>
Side Yard	<u>10</u>	<u>71.98</u>	<u>NA</u>
Side Yard	<u>10</u>	<u>—</u>	<u>NA</u>
Rear Yard	<u>10</u>	<u>—</u>	<u>NA</u>
Other (Specify)	_____	_____	_____

Applicant understands that the Variance Application fee will not be refunded if, after being submitted, the application is denied or the applicant chooses to withdraw.

It is the policy of White Bear Township that all identifiable costs associated with a Variance Application within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.

*Tach A. Adly*  
*[Signature]*  
\*Signature of Applicant(s)

5/30/2018  
Date

\*Prior to applying for a variance it is recommended that the applicant contact Town staff in order to discuss the proposal.

<u>To Be Completed By Office:</u>	
Date Request Received <u>5/30/2018</u>	
By <u><i>[Signature]</i></u> (Staff Member)	\$225.00 Fee Received
Date Application Complete _____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

STATEMENT OF AFFECTED  
PROPERTY OWNERS

If a signed statement is not provided by the applicant for a variance, the Town Board shall order a public information meeting which will include printed notice to all property owners within 350' of the property where the variance is requested. Public Notice publication costs will be the responsibility of the applicant.

I am the owner of the property at: 5265 Grand Ave. I am requesting that the Town of White Bear grant me a variance from Ordinance No. \_\_\_\_\_, for the following purpose:

Front exterior entry extension + remodel. Minor subdivision.

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

PROPERTY OWNERS

1. Name: Ken Petronak Address: 5299 Grand Ave  
Phone: (Home) 651 407 6014  
(Bus.) \_\_\_\_\_  
(Cell) " "  
Comments: Great...

Date: 5/30/2018 Signatures: [Signature]

2. Name: Jean Begbie Address: 5295 Grand Ave.  
Phone: (Home) \_\_\_\_\_  
(Bus.) \_\_\_\_\_  
(Cell) 651-707-7611  
Comments: \_\_\_\_\_

Date: 5/30/18 Signatures: Jean Begbie

3. Name: Patricia Lebakken Address: 5292 Grand Ave  
Phone: (Home) \_\_\_\_\_  
(Bus.) \_\_\_\_\_  
(Cell) 651-270-4031  
Comments: Looks good!

Date: 5-30-18 Signatures: Patricia A. Lebakken

**STATEMENT OF AFFECTED  
PROPERTY OWNERS**

If a signed statement is not provided by the applicant for a variance, the Town Board shall order a public information meeting which will include printed notice to all property owners within 350' of the property where the variance is requested. Public Notice publication costs will be the responsibility of the applicant.

I am the owner of the property at: \_\_\_\_\_ . I am requesting that the Town of White Bear grant me a variance from Ordinance No. \_\_\_\_\_, for the following purpose:  
\_\_\_\_\_  
\_\_\_\_\_

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

**PROPERTY OWNERS**

1. Name: JOANN Naegeli Address: 5258 Grand Ave.  
Phone: (Home) 651 340-2864  
(Bus.) \_\_\_\_\_  
(Cell) \_\_\_\_\_  
Comments: \_\_\_\_\_  
\_\_\_\_\_

Date: 5-30-2018 Signatures: Joann Naegeli

2. Name: BRENT D. HARRY Address: 5250 GRAND AVE  
Phone: (Home) (651) 426-3727  
(Bus.) \_\_\_\_\_  
(Cell) \_\_\_\_\_  
Comments: \_\_\_\_\_  
\_\_\_\_\_

Date: 5-30-2018 Signatures: Brent D. Harry

3. Name: JIM & Cheryl Miller Address: 5262 Hope Ave  
Phone: (Home) 651-409-1988  
(Bus.) \_\_\_\_\_  
(Cell) 651 263-9710  
Comments: \_\_\_\_\_  
\_\_\_\_\_

Date: 6/7/18 Signatures: Jim Miller | Cheryl Miller

## STATEMENT OF AFFECTED PROPERTY OWNERS

If a signed statement is not provided by the applicant for a variance, the Town Board shall order a public information meeting which will include printed notice to all property owners within 350' of the property where the variance is requested. Public Notice publication costs will be the responsibility of the applicant.

I am the owner of the property at: \_\_\_\_\_ I am requesting that the Town of White Bear grant me a variance from Ordinance No. \_\_\_\_\_, for the following purpose:

\_\_\_\_\_

\_\_\_\_\_

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

### PROPERTY OWNERS

1. Name: Meghan Davis Address: 5284 Grand Av  
Phone: (Home) 618-978-0349  
(Bus.) \_\_\_\_\_  
(Cell) \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

Date: 6/7/18 Signatures: [Signature] / \_\_\_\_\_

2. Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone: (Home) \_\_\_\_\_  
(Bus.) \_\_\_\_\_  
(Cell) \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_ Signatures: \_\_\_\_\_ / \_\_\_\_\_

3. Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone: (Home) \_\_\_\_\_  
(Bus.) \_\_\_\_\_  
(Cell) \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_ Signatures: \_\_\_\_\_ / \_\_\_\_\_



## MINOR SUBDIVISION APPLICATION FORM

### INTRODUCTION

A minor subdivision is a division of one parcel into two lots. Neither parcel can be further subdivided. The newly created lot must front on an existing street and cannot require the extension of municipal facilities or any public improvement. Utility connection charges and park dedication fees may apply.

APPLICANT(S) Larkin L. Adey PHONE (Home) 952 818 6010  
Gina L. Adey (Business) 612 735 1674  
(Cell) \_\_\_\_\_

ADDRESS 5265 Grand Ave.  
White Bear Township MN

PROPERTY OWNER Larkin L. Adey  
Gina L. Adey

ADDRESS OF SITE 5265 Grand Ave. ZONING R1

EXISTING USE OF SITE Residential

\_\_\_\_\_ Fee (\$35.00 plus \$150.00 Initial Expense Deposit, Plus All Related Additional Costs Incurred Regarding the Request)

It is the policy of White Bear Township that all identifiable costs associated with a Minor Subdivision within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.

Carl S. Ady

Carl S. Ady  
Signature of Applicant(s)

5/30/2018  
Date

To Be Completed By Office:

Date Request Received 5/30/2018

By [Signature]  
(Staff/Member)

\$35.00 Fee + \$150 Deposit Received  Yes  
 No

Date Application Complete \_\_\_\_\_



## Planning Commission Meeting June 28, 2018

**Agenda Number:** 6

**Subject:** Zoning Ordinance Updates – Shoreland Management Section

**Documentation:** Please Bring May Packet which contains the Model Wording

### Action / Motion for Consideration:

Receive Information / Discussion

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Minutes  
Planning Commission Meeting  
May 24, 2018

**ZONING ORDINANCE UPDATES – SHORELAND MANAGEMENT SECTION:** The MN DNR is recommending modifications to the Shoreland Management section of the Town's Zoning Ordinance and city ordinances relating to Shoreland Management. The Planning Commission has been discussing amendments to the "clear cutting" or the "intensive vegetation clearing" section of the ordinance. In Staff's opinion, it is still a poor definition which needs work to define exactly how the Town wants to regulate the removal. During review of the Zoning Ordinance updates it was noted that the changes and amendments are difficult to follow.

There was discussion relative to cutting mature trees on properties around the lake. A question was asked how the Town would even know if trees are cut down. The Planner noted that cutting of substantial quantity trees are part of the Shoreland Management section of the Zoning Ordinance. He will prepare something temporary until an amendment is reviewed and proposed. The matter will be discussed at future Planning Commission meetings.

Artner moved to continue the matter of Zoning Ordinance updates for Shoreland Management section for further review after format change. Kotilinek seconded. Ayes all.



**Planning Commission Meeting  
June 28, 2018**

**Agenda Number:** 7

**Subject:** Intensive Vegetation Clearing

**Documentation:** Staff Memo

**Action / Motion for Consideration:**

Receive Information / Discussion

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**Minutes  
Planning Commission Meeting  
November 30, 2018**

**CLEAR CUTTING ON BALD EAGLE LAKE:** The Planner reported that the Planning Commission directed staff to contact abutting communities regarding clear cutting. It appears that other communities have standard wording on the matter. Artner noted that at the south end of Bald Eagle Lake the ice, during the winter, takes out the soil. She reported 15 feet of trees have been skimmed and the shoreline area is gouged. She reported that if trees are trimmed the roots, should be left, to hold the soil together. Kotilinek asked if there are DNR staff who could come and look at what the people did. The Planner reported that he will talk with the watershed district.

## MEMORANDUM

**TO: PLANNING COMMISSION**  
**FROM: TOM RIEDESEL**  
**DATE: JUNE 19, 2018**

**SUBJECT: TREE REMOVAL IN SHORELAND MANAGEMENT ZONE**

The Planning Commission and staff have been working on refining the Shoreland Management Section of the Zoning Ordinance, which would better define what is considered "Intensive Vegetation Clearing". The following are several ordinance additions which could be considered.

Tree removal in the shore impact zone (which is the area between the ordinary high water level and 50% of the structure setback) is limited to 10% of the existing significant trees.

Significant trees are defined as:

Significant tree – aspen (quaking & big tooth), honey locust, butternut, mountain ash, blue beech, tamarack, hickory, oaks, birch, pine, spruce, basswood, hackberry, walnut, maple (except silver maple), apple, cherry and other native fruit bearing trees and trees exceeding 15" in diameter as measured 4 ½' above the ground.

The Town may approve removal of existing significant trees on a lot exceeding 10% of the shore impact zone limitation when a re-landscaping plan is approved by the Town Board.

Intensive vegetation clearing – Intensive vegetation clearing is prohibited, except for the following:

Clearing of vegetation that is dead, diseased, dying or hazardous;  
Clearing to prevent the spread of diseases or insect pests;  
Removal of invasive non-native species;  
Restoration and erosion control management activities consistent with a plan approved by the Town Board, local watershed district or water management organization.

TR/psw  
cc:admin.file  
b:intensiveclearing



**Planning Commission Meeting  
June 28, 2018**

**Agenda Number: 8**

**Subject: Off-Season Dock & Boat Lift Storage**

**Documentation:**

**Action / Motion for Consideration:**

Receive Information / Discussion

Still researching at this time.  
So far, I have found no City's or Lake Conservation  
Districts which regulate this.



**Planning Commission Meeting  
June 28, 2018**

**Agenda Number:** 9 - 10

**Subject:** Added Agenda Items  
Adjournment

**Documentation:**

**Action / Motion for Consideration:**



## Planning Commission Meeting June 28, 2018

**Subject:** Items passed by the Town Board Pertaining to the Planning Commission

**Documentation:** Minutes

Minutes  
Town Board Meeting  
June 4, 2018

**PUBLIC HEARING - CONDITIONAL USE PERMIT REQUEST AT OTTER LAKE ELEMENTARY SCHOOL, 1401 COUNTY ROAD H-2 TO ALLOW CONSTRUCTION OF A 32' X 32' ACCESSORY STRUCTURE ON A 36' X 36' CONCRETE PAD:** The Public Hearing was held at 7:04 p.m. Prudhon moved to waive the reading of Public Notice noting that proper publication was made. Ruzek seconded. Ayes all. Ruzek moved to open the Public Hearing. Prudhon seconded. Ayes all.

The Planner reported that Otter Lake Elementary School is a conditional use in the R-1 zoning district and approval of a new Conditional Use Permit is necessary for all improvements to the site. The school is located at the corner of County Road H-2 and Otter Lake Road. The proposal is for an outdoor learning center on the north side of the school. The learning center is proposed to consist of an open sided pavilion 32' x 32' on a 36' x 36' concrete pad and an 8' wide accessible path to an existing pathway. The learning center is proposed on the north side of the school in an area which is maintained as turf. The pavilion is planned to be located more than 500' from the nearest home. The Planner provided an overhead photo of what the open sided classroom would look like. Funding for the project will be provided one-half from a grant from the school district and the other half from fundraising by the parents of students at the school. Enough funding has become available to do the cement slab this year and the remainder of the project either this year or next year. The proposal was presented to the Planning Commission and there was unanimous recommendation for approval. Kermes asked if there is any maintenance required on the part of the Township. The Planner stated that the school will operate and maintain the learning center.

Ruzek moved to open the public comment portion of the Public Hearing. Prudhon seconded. Ayes all.

Joe Samuel, 7 Blue Goose Road, North Oaks, parent of an Otter Lake School student, stated that outdoor classrooms are a growing effort in schools and outdoor learning centers are part of the curriculum at the school. He stated that this is a district project. The cost of the structure is \$50,000 and to date they have raised one half of that amount through outreach and grants. They have just started their outreach to parents of the students. They will put in the concrete slab this year and construct the structure in the 2019 school year. There is a two part roof system to allow for venting. They will extend power from the school. Prudhon asked if there is any need for fire sprinkling since the structure will be metal. Joe Samuel stated that there is no need for sprinkling. In response to a question if there would be any furniture for the structure, Joe Samuel stated that they will have furniture and that is part of their fund raising efforts. There are different options and the most economical approach is to have picnic tables for the students. They are looking at an option to use limestone rocks that would act

as seating for the students or desk space. Most of the lighting is day lighting and they are looking at having downcast lighting. Ruzek asked about a security. Joe Samuel stated that there will be perimeter lighting around the building on the north side of the school. At this point they have reached out to the Ramsey County Sheriff's Office for input, based on activity in the area. No changes have been recommended as yet. Kermes asked if the school would allow this facility to be used by social groups. Joe Samuel stated that the school's preference is for the structure to be available to the school during the school day and to organizations such as the boy and girl scout organization after hours.

There were no further public comments. Prudhon moved to close the public portion of the Public Hearing. Ruzek seconded. Ayes all.

Ruzek moved, based on staff review and recommendation to approve a Conditional Use Permit / Zoning Certification / Requirements for Otter Lake Elementary School, 1401 County Road H-2 which will allow construction of a 32' x 32' pavilion on a 36' x 36' concrete base. Prudhon seconded. Ayes all.