



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

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WHITE BEAR TOWNSHIP, MN 55110

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

AGENDA TOWN BOARD MEETING NOVEMBER 19, 2018

1. **7:00 p.m.** Call to Order at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.
2. Approval of Agenda (Additions/Deletions).
3. Approval of Payment of Bills.
4. Approval of Minutes of November 5, 2018 (Additions/Deletions).
5. **Oath of Office** – Patrick Christopherson.
6. **Consent Agenda:**
 - A. **Fast Before the Feast Tri-Fitness Race** – In Accordance with the Township's Special Events Policy Approve the 5K & 10K Tri-Fitness Fast Before the Feast Race on November 22, 2018 (Thanksgiving Morning), Beginning With Registration at 6:30 a.m. & Direct the Event Coordinator to Work with Township Staff Regarding Sign Placement for the Event
 - B. **Construction Activity Report** – Receive.
7. **Old Business:**
 - A. **5513 & 5515 West Bald Eagle Boulevard** – Approve Minor Subdivision & Two Lot Width Variances.
8. **Public Hearings:**
 - A. **Side Setback Variance Request @ 4100 Bellaire Avenue** – Consider Granting a 14.2' Side Yard Setback Variance & a Permitted Use Standards Permit to Allow Site Improvements.

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.



9. **New Business:**

Town Planner Items:

- A. **Shook/Worwa, 4043 & 4053 Birch Knoll Drive** – Minor Subdivision / Lot Line Rearrangement.
- B. **Larry & Carol Leibel, Jerry & Rachael Perron & Joyce Perron** – Request for Minor Subdivision/Lot Line Rearrangement at 5956 & 5652 Portland Avenue & 5959 East County Line Road.

10. **Added Agenda Items.**

11. **Open Time.**

12. **Receipt of Agenda Materials & Supplements.**

13. **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.



**Town Board Meeting
November 19, 2018**

Agenda Number: 1 - 2 - 3 - 4

Subject: Call to Order – 7:00 p.m.
Heritage Hall, 4200 Otter Lake Road

Approval of November 19, 2018 Agenda
Approval of Payment of Bills

Approval of Minutes of November 5, 2018
(Additions/Deletions)

Documentation: November 19, 2018 Agenda
Minutes of November 5, 2018

Action / Motion for Consideration:

Call meeting to order:	7:00 p.m.
Approval of Agenda:	November 19, 2018 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	Minutes of November 5, 2018 (additions/deletions)

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The meeting was called to order at 7:08 p.m.

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Attorney: Lemmons.

APPROVAL OF AGENDA (Additions/Deletions): Prudhon moved approval of the agenda with the following amendment: Add 9A) Authorize advertisement for Accounting Clerk/Administrative Secretary. Ruzek seconded. Ayes all.

APPROVAL OF PAYMENT OF BILLS: Prudhon moved approval of the payment of bills. Ruzek seconded. Ayes all.

APPROVAL OF SPECIAL & REGULAR MINUTES OF OCTOBER 15, 2018 (Additions/Deletions): Ruzek moved approval of the Special Meeting Minutes of October 15, 2018. Prudhon seconded. Ayes all.

Ruzek moved approval of the Minutes of the Regular Meeting of October 15, 2018. Prudhon seconded. Ayes all.

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5A) Approve Resolution Certifying Delinquent Water Charges to County Auditor; 5B) Approve Resolution Certifying Delinquent Sewer Charges to County Auditor; 5C) Approve Resolution Certifying Delinquent Stormwater Charges to County Auditor; 5D) Approve Resolution Certifying Delinquent Refuse Charges to County Auditor; 5E) Authorize Town Attorney to Prepare Agreement for Replacement of Water Meters & Replacement of Certain Water Meter Radios; 5F) Reschedule Board of Canvas Meeting from Friday, November 16, 2018 at 11:55 a.m. to Friday, November 16, 2018 at 10:55 a.m. Due to new Meeting Start Time; 5G) Call Special Town Board Meeting for Monday, November 19, 2018, Beginning at 4:30 p.m. at Heritage Hall, 4200 Otter Lake Road to Attend an Open House Gathering for Bill Short; 5H) Call Special Town Board Meeting for Friday, November 30, 2018, Beginning at 5:00 p.m. at Jimmy's Event Center, 1132 County Road E East, Vadnais Heights, Minnesota to Attend Bill Short's Retirement Celebration. 5I) In Accordance with Town Ordinance No. 35, Section 9-6.3(e) and Based on Staff Review and Recommendation and Approval, Ratify the Town Clerk's Issuance of an Administrative Driveway Variance at 2609 Stacker Boulevard; 5J) Call Public Hearing for Monday, December 3, 2018 at 7:00 p.m. to Hear a Request for a Conditional Use Permit to Allow Construction of a 6,000 Square Foot Classroom Space at Calvary Church, 4604 Greenhaven Drive; 5K) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve the Connexus Energy Permit to Install a New Underground Electric Line to Service the Residence at 5530 Peterson Road Which Will Include Directional Boring Under Peterson Road and the Residence Driveway; 5L) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve the CenturyLink Permit to Replace Buried Cable to Service the Existing Residence at 5435 Brittany Court Which Will Include Boring and Open Trenching. Prudhon seconded. Ayes all.

OLD BUSINESS: There were no Old Business items.

IMPROVEMENT 2018-3 – CENTERVILLE ROADWAY IMPROVEMENTS – CONTINUATION OF PUBLIC HEARING: Prudhon moved to continue the Public Hearing at 7:15 p.m. noting that the

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Public Hearing was called on October 15, 2018 and continued to tonight. Ruzek seconded. Ayes all.

The Clerk reported that there was one property that the Town is considering levying an assessment against, JMK Cub. During the Public Hearing on October 15th representatives of the property owner objected to the assessment. The Town Board had received an appraisal and completed all the proper notifications but following discussions with the property owner decided not to take action on October 15th but rather to continue the Public Hearing to tonight so the Town Board could meet with representatives of the property owner to see if a settlement on the assessment could be reached. A Special Town Board Meeting was held last week and the Board met with representatives of JMK Cub. During that meeting the Board arrived at an agreement to an assessment of \$30,000. The Agreement has been signed by JMK Cub and provided to the Town. The Board action tonight is to receive and approve the settlement agreement. In response to a question if he was satisfied with the Settlement Agreement the Town Attorney stated that he was.

There was no public comment. Ruzek moved to close the public comment portion of the Public Hearing. Prudhon seconded. Ayes all.

Prudhon moved to close the Public Hearing. Ruzek seconded. Ayes all.

Prudhon moved, based on Staff and Town Board review and recommendation to receive and approve the Settlement Agreement Between the Town of White Bear and JMK Limited Partnership and to authorize the Town Board Chair and Town Clerk to sign the Agreement on behalf of the Town. Ruzek seconded. Ayes all.

Prudhon moved to adopt Resolution Adopting and Confirming Assessment for Improvement 2018-3. Ruzek seconded. Ayes all.

SIDE SETBACK VARIANCE REQUEST AT 4100 BELLAIRE AVENUE – CONSIDER GRANTING A 14.2’ SIDE YARD SETBACK VARIANCE AND A PERMITTED USE STANDARDS PERMIT TO ALLOW SITE IMPROVEMENTS: The Public Hearing was held at 7:19 p.m. Prudhon moved to waive the reading of Public Notice noting that proper publication was made. Ruzek seconded. Ayes all. Prudhon moved to open the Public Hearing. Ruzek seconded. Ayes all.

The Clerk reported that the hearing tonight was required before approving a side setback variance. That variance request was tied together with the Permitted Use Standards Permit which includes grading and other site improvement review. While the variance information has been prepared and ready for action the Permitted Use Standards Permit, especially the aspects dealing with drainage are still being worked on, so the Permitted Use Standards Permit cannot be approved tonight. Therefore it is recommended that the hearing for variance request be continued for two weeks to allow time for the applicant’s consultant, Town Engineer and staff to come back with a recommendation for approval for the project.

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

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Meri Gagan, 4112 Bellaire Avenue stated that their property is to the north of the dental office and wanted to be sure that nothing was being approved tonight. It was explained that while the variance information has been prepared and ready for action the Permitted Use Standards Permit, especially the aspects dealing with drainage are still being worked on, so the Permitted Use Standards Permit cannot be approved tonight. The Public Hearing will be continued to November 19, 2018 at 7:00 p.m. at which time a report will be received and action taken.

Joy Johnson, 4100 Bellaire Avenue, one of the property owners of 4100 Bellaire Avenue apologized for not being available for a few meetings as they were out of town. She stated that it is her understanding that the Town is waiting for a final grading plan. She asked if that is the only thing needed at this time. The Clerk reported that he talked with the Town Engineer today and he thinks that the grading and drainage plan has specifics that still need to be completed. Information was submitted last Friday but review has not been completed yet. Prudhon asked if Rice Creek Watershed District and Ramsey County have to review the project. The Clerk stated that he did not know what the status is but would find out. Joy Johnson stated that she thinks that Rice Creek Watershed District is not involved.

Prudhon moved to continue the Public Hearing to November 19, 2018, at 7:00 p.m. at Heritage Hall to allow for receipt of additional information. Ruzek seconded. Ayes all.

RAMSEY COUNTY SHERIFF JACK SERIER – PRESENTATION: Sheriff Serier stated that they try to provide an update each fall to all 17 communities in Ramsey County. He introduced Ramsey County Sheriff Inspector Tina Kill, who is also budget director and human resource director at the Sheriff's Office. He reported that the Sheriff's Office started their opioid coalition about one year ago. He reported that they have partnered with "Know the Truth", which is part of the Minnesota Adult and Teen Challenge in providing community education regarding the opioid crisis. In 2016/2017 there was an increase across the county in people overdosing from opioids and heroin. Unfortunately at the end of 2017 there were 72 people who died from heroin or opioid related overdoses. So far this year 45 people have died from overdoses. Hundreds of people have been saved by the use of Narcan which is an interrupter to the effects of opioids and is a true life saver. The Ramsey County Deputies carry Narcan with them in their squad first aid kits and on their person. The Ramsey County Sheriff's Office started the coalition because of concern about opioid deaths and use of opioids in our communities in Ramsey County and beyond. He stated that we cannot arrest our way out of the use of opioids and the problems caused by them. They are focusing on the end user of opioids people who get addicted by pill use or people who experiment and get addicted. Opioids, heroin, or synthetics are part of the fentanyl products that are out there and which are highly toxic. The coalition provides community education on delayed first use or prevention of first use of opioids or narcotics. They also encourage families and communities and encourage people who are addicted or people new to recovery to talk to them about hope. There is hope for them and a pathway to wellness. Their focus is not about penalizing people but is about education. They reach out to youth, families, and to people who are experiencing this through the drug court. Ramsey County has an excellent drug court and there are opportunities for people to start a new chapter in their lives. Although they run afoul of the law, they go through treatment and restore themselves to reach recovery. They have had forums on drug use and education available in the communities. They will have more forums in the new year. They are working on their SWAT team. There used to be three SWAT teams, Ramsey County, and two suburban SWAT teams – the Ramsey County Sheriff's SWAT team and East Metro SWAT team. East Metro has since absolved as an organization and are now part of the Ramsey County Sheriff's SWAT team. They

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restructured how they fund the team and how people can gain membership from different agencies. It is a good resource savings by coming together as one team. The merger has been very effective. The Ramsey County Sheriff's Office has started a safety and threat assessment group. They have assigned a sergeant full time and other trainers are in the effort to educate, consult and train in our community, schools, and churches in safety and threat assessment. It is free of charge and they will work with schools, small government buildings on how to retrofit buildings and to educate people on what they have in the Ramsey County Sheriff's office to deal with a threat. This was started this year and will grow in the next year or two. Sheriff Serier stated that they believe strongly that the bottom line is that it is tax dollars and they are good stewards in its use. In 2017 the Ramsey County Sheriff's Office returned to the contract communities a total of about \$1.2 million. He reported Ramsey County is very diverse. They want to be attentive to representing many communities across Ramsey County in their office. Resources have been spent in recruitment and outreach into the community to help increase peoples' thoughts in becoming a member of the Sheriff's Office. They have great recruitment teams and recruitment efforts through our community circle for raising gender equity. Today the jail staff of 170 employees out of 450, have about 53.5% of people who work in the detention staff are women and people of color. They are seeing the same thing happening with the sworn deputy staff. Good things are happening with the outreach to the community to help diversify the organization. Sheriff Serier thanked the community for a great year at the Fright Farm. He stated that the Fright Farm is held at the big Ramsey County barn at Frost Avenue and White Bear Avenue. There are about 80 volunteers that come together every weekend. They begin in August to build the incredible haunted house. It is open each weekend night and the closing night is Halloween. The Fright Farm is part of the Ramsey County Sheriff's Foundation. The funds go to support suburban school patrol in Ramsey County and provide funding for youth activities. The proceeds come from the Fright Farm's contribution of \$12.00 per person to tour the haunted house support these efforts. He thanked everyone for all the support they receive.

Prudhon thanked the Sheriff Serier for their participation in the Night to Unite event and the Township Day event. The kids love to see the deputies. He reported that recently the Town's Public Safety Commission completed the annual Ramsey County Sheriff's Office survey and the Sheriff's Office was given an A+. Kermes asked where the Sheriff's Office is regarding body cameras for the deputies. Sheriff Serier reported that they started field testing the newer generation of body cams last fall but there were problems with vendors being able to provide the cameras so there was a wait. In the interim they are field testing the new in-squad cameras. They would ultimately like to have a new in-squad cam system that matches or mates with the body cameras. They had eight vendors that were felt would do the job. They started field testing those in early 2018 and found that some of them had serious problems. They narrowed it down to four or five different brands that performed well and provided a good picture. They will be field testing the third brand now. When they have field tested four or five of those different brands they will go out for request for proposal early January. He went to the County Board in September and walked them through the project plan process. Once the cameras are operating a big concern is storage. There are fixed cameras in the jail and exterior cameras and mobile cams. They are trying to get them all in a common "bucket" where they are all stored commonly. The more data they recover requires the need to redact the copy and more staff will have to be hired. The project management arc started last summer and works its way through 3rd quarter 2019. Final versions of the cameras should be put out in the field 4th quarter. Kermes asked if deputies could administer Narcan. Sheriff Serier stated that the deputies are trained to administer Narcan. It is not possible to administer too much. They have just received a new mechanism for administering Narcan. It is a one phase

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nasal spray. Kermes asked how the school districts are involved with community education in general. Sheriff Serier stated that it differs in various communities. For the opioid crisis schools in Roseville, White Bear Lake, Bethel College are involved and they partnered with the Mounds School District. For other community related efforts they have a number of schools, some public and some private, participate in the DARE project. There is a Ramsey County Deputy that works with those schools. They have other interaction with the schools. They support scouting, explorer posts, and teen education and the school safety patrol program. Kermes asked if they would continue "Hot Dog with a Deputy". Sheriff Serier stated that they would continue the program in 2019 and that it has become very popular. One night they served 1100 hot dogs. The public enjoys the interaction with the deputies. The Chair thanked Sheriff Serier and Inspector Tina Kill and invited them back any time. The Sheriff thanked Bill Short, Town Clerk for all his hard work and stated that they will really miss him and wished him well in his retirement.

2018 SEALCOAT PROJECT – AUTHORIZE FINAL PAYMENT: In March 2018 the Town Board accepted the sealcoat bids and awarded the 2018 sealcoat contract to Allied Blacktop Company for \$95,960.00. The work was completed in early July. When the original invoice for this year's sealcoat project was received it was higher than the amount approved by the Town Board. Over the past several months the Public Works Director has been working with an Allied Blacktop Company estimator to reconcile the quantities used in the original invoice. During that process it was discovered that there were several of the Town's street segments that received sealcoat but were not included in the original approved amount or the length. This resulted in an increase in the total quantity of square yards by 9,251 increasing the originally approved bid amount by \$9,991.24 for a total of \$105,951.24. Improvement Fund 505 has \$150,000.00 budgeted for sealcoating, crack sealing, and any necessary engineering costs. With the additional sealcoat quantities, the total for the project is \$105,951.24 plus crack sealing of \$28,877.48 which leaves a balance of \$15,171.28 in the project fund.

Prudhon moved, based on Public Works Director's review and recommendation to approve the additional payment of \$9,951.24 to Allied Blacktop Company for additional seal coating work performed, noting that funding is provided Improvement Fund 505. Ruzek seconded. Ayes all.

LIFT STATION CLEANING – RECEIVE QUOTES AND AUTHORIZE WORK: Public Works would like to contract out the fall cleaning of all the lift stations for White Bear Township, City of North Oaks, and the City of Birchwood. Normally Public Works staff would complete this maintenance activity in-house. The cleaning of the lift stations takes an estimated 1 to 2 weeks depending on the buildup of debris within the stations. Public Works has been experimenting with chemical treatment options to reduce the debris buildup in the lift station wet wells and may be able to reduce cleaning to once per year, or at the very least reduce the existing 1-2 week window dedicated to cleaning. This fall has been especially challenging to keep up with routine maintenance activities such as hydrant flushing, winterizing the park facilities, street sweeping because the amount of time spend on asphalt patching has been extraordinary over previous years. Quotes for this routine maintenance activity were recommended by the Public Works Lead, Paul Peltier. Quotes were received from: 1) Ritter and Ritter for an amount of \$6,250.00; 2) David's Hydro Vac for \$ 7,560.00; and 3) Hydro Klean for \$15,200.00. It was noted that David's Hydro Vac provided additional information on their quote. Manhole #2 would need to run 300' of vac hose and Water Line from the road to the lake to complete the manhole cleaning. They will need to extra laborers to get the hose strung out, assembled and loaded back up. The additional cost includes time, labor, and materials: 1) 1 Hydro excavation truck at \$252.00 hour at 6 hours =

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\$1,512.00; 2) 1 support truck and hose trailer at \$80.00 per hour for 6 hours = \$ 480.00; 3) 1 extra labor at \$50.00 per hour for 6 hours = \$300.00; 4) 1 dump disposal at \$150.00 for additional project cost of \$2,442.00 for a total project cost of \$10,002.00. The Sanitary Sewer Operating Budget would provide the funding for the fall lift station cleaning. The City of Birchwood would be billed for their share of these services, while the City of North Oaks is covered by the fixed fee charge that began in 2018. Staff recommends approval of the quote from Ritter and Ritter in the amount of \$6,250.00 to perform the fall cleaning on all lift stations within White Bear Township, and those under agreement in the City of Birchwood and the City of North Oaks.

Ruzek moved to receive the quotes for lift station cleaning. Prudhon seconded. Ayes all.

Ruzek moved to approve the quote from Ritter & Ritter in the amount of \$6,250.00 to perform the fall cleaning on all the lift stations within White Bear Township, and those under agreement in the City of Birchwood and the City of North Oaks, noting that funding will be provided by the Sanitary Sewer Operating Fund. Prudhon seconded. Ayes all.

AUTHORIZE ADVERTISEMENT FOR ACCOUNTING CLERK/ADMINISTRATIVE SECRETARY POSITION: The Clerk reported that the position has been vacated and Town staff is requesting the Town Board to authorize advertisement for the position.

Prudhon moved to authorize advertisement for Accounting Clerk/Administrative Secretary position with the updated job description as presented to the Town Board. Ruzek seconded. Ayes all.

OPEN TIME: No one appeared for the open portion of the meeting.

RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS: Prudhon moved to receive all of the agenda materials and supplements for tonight's meeting. Ruzek seconded. Ayes all.

Ruzek moved to adjourn the meeting at 7:59 p.m. Prudhon seconded. Ayes all.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approve as Official Meeting Minutes

Town Board Supervisor

Date



**Town Board Meeting
November 19, 2018**

Agenda Number: 5

Subject: Oath of Office – Patrick Christopherson

Documentation: Oath

Action / Motion for Consideration:

Oath Line by Line:

OATH OF OFFICE

- 1) I, PATRICK CHRISTOPHERSON, do solemnly swear
- 2) that I will support the constitution of the United States and the State of Minnesota,
- 3) and faithfully discharge the duties of the Town Clerk-Treasurer
- 4) of the Town of White Bear in the County of Ramsey and State of Minnesota,
- 5) to the best of my judgment and ability. So help me God.



**Town Board Meeting
November 19, 2018**

Agenda Number: 6A – Consent Agenda

Subject: Fast Before the Feast Tri-Fitness Race – In Accordance with the Township’s Special Events Policy Approve the 5K & 10K Tri-Fitness Fast Before the Feast Race on November 22, 2018 (Thanksgiving Morning), Beginning With Registration at 6:30 a.m. & Direct the Event Coordinator to Work with Township Staff Regarding Sign Placement for the Event

Documentation: Staff Memo w / attachment / Tri-Fitness Correspondence

Action / Motion for Consideration:

Receive Information

In Accordance with the Township’s Special Events Policy Approve the 5K & 10K Tri-Fitness Fast Before the Feast Race on November 22, 2018 (Thanksgiving Morning), Beginning With Registration at 6:30 a.m. & Direct the Event Coordinator to Work with Township Staff Regarding Sign Placement for the Event

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: NOVEMBER 15, 2018

SUBJECT: TRI-FITNESS FAST BEFORE THE FEAST RACE

Tri-Fitness is requesting the Township's approval for their annual Fast Before the Feast Race held on Thanksgiving morning. This race has been held the last 10 years with no incidents or complaints.

The Event Coordinator has arranged to have police officers from the City of White Bear Lake at the event, and signage will be coordinated throughout the Township.

In accordance with the Special Event's Policy, the following items have been submitted:

- Certificate of Insurance listing White Bear Township as an additional insured
- Written confirmation of law enforcement coverage

PSW/s
cc:admin.file
b:feastrace18



WHITE BEAR TOWNSHIP SPECIAL EVENTS POLICY

WHEREAS THE TOWN BOARD RECEIVES REQUESTS FROM ORGANIZATIONS FOR SPECIAL EVENTS THAT ARE HELD IN WHITE BEAR TOWNSHIP, THE FOLLOWING POLICY IS HEREBY ESTABLISHED:

- 1) All special events held within the Town limits shall require Town Board approval.
- 2) Applicants shall submit a written request explaining their request, including the date, time of day, maximum number of attendees, responsible person (name and day time phone number), and all streets they are requesting to use during the event.
- 3) The applicant shall submit a Certificate of Insurance for General Liability, in the maximum amount provided by law, naming the Town of White Bear **as an additional insured** for the event. Certificate shall be stated as follows:
"TOWN OF WHITE BEAR, ITS OFFICERS, EMPLOYEES AND ASSIGNS".
- 4) Applicant's request shall include a statement regarding their contact with and approval (if required), from all agencies that may be involved with the event (i.e. RAMSEY COUNTY SHERIFF'S DEPARTMENT; RAMSEY COUNTY PARKS & RECREATION DEPARTMENT, RAMSEY COUNTY PUBLIC WORKS DEPARTMENT, WHITE BEAR LAKE FIRE DEPARTMENT, ETC.)
- 5) Applicant shall provide route notification to the residents and businesses in the affected neighborhoods by way of temporary signs along the route, as directed by the Town Board, a minimum of 5 days in advance of the event. Spraying paint on roads, telephone poles and sidewalks is prohibited - chalk is acceptable. Permanent road signage such as speed limit signs and directional signs shall not be covered by event signage.
- 6) Applicant shall be responsible for clean-up of all debris, litter, etc., resulting from the event. Applicant shall remove all temporary signage immediately after the event.
- 7) All of the above information must be submitted to the Township Office a minimum of 30 days prior to the Town Board Meeting at which the application will be considered – incomplete applications will not be considered. The 30 day requirement may be waived by the Town Board by petition of the applicant for special circumstances.
- 8) White Bear Township reserves the right to revoke all permits granted.

APPROVED BY THE TOWN BOARD MAY 3, 1999;
Amended May 6, 2002; June 2, 2003; & October 3, 2011

RAMSEY COUNTY SHERIFF'S DEPARTMENT 651-767-0640
RAMSEY COUNTY PUBLIC WORKS DEPARTMENT 651-266-7100
RAMSEY COUNTY PARKS & RECREATION DEPARTMENT 651-748-2500
WHITE BEAR LAKE FIRE DEPARTMENT 651-429-8568

Fast Before the Feast 5K and 10K

I will put signs letting the neighborhoods know about the race on the Monday prior to the race (Monday, November 19).

I have made arrangements for police officers through the city of White Bear Lake. Officers will be located at the intersections of Birch Lake Blvd and White Bear Parkway, White Bear Parkway and Otter Lake Road, and Otter Lake Road and Scheuneman Road. Volunteers will be wearing brightly colored shirts and safety vests and will be located on corners to guide athletes through the course.

The water stop for the 10K will be located between the two entrances to the development. An additional water stop will be located at the intersection of Oakmede Lane and White Bear Parkway. The waterstops will be on the side of the road, out of the way of traffic.

The races start at 8:15 and I would anticipate that all runners would be off the course by 10 am.

My contact information:

Judi Fluger

Race Director

651-470-1619 – cell

651-426-1919 – office

2370 County Road J

Suite 103

White Bear Lake MN 55110

*email: judi@trifitness
wbl.com*

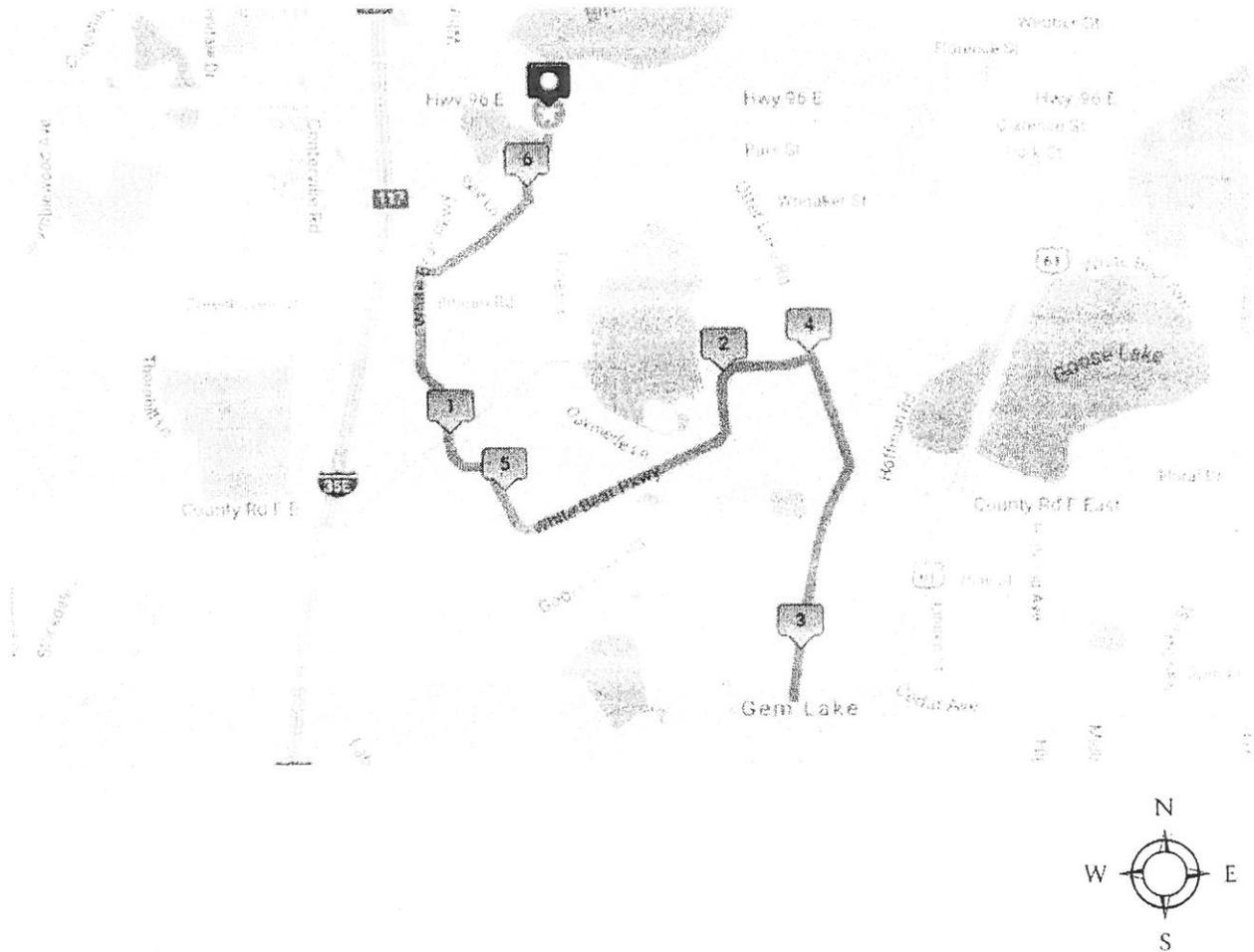
RECEIVED

NOV 07 2018

TOWN OF WHITE BEAR



Fast Before The Feast 10k Course Route



Directions:

1. Head South toward S Birch Lake Blvd
2. Right on S Birch Lake Blvd
3. Left on White Bear Pkwy
4. Right on Otter Lake Rd
5. Right on Scheuneman Rd
6. Turn around at Hillary Farm Ln and head North on Scheuneman Rd
7. Left on Otter Lake Rd
8. Left on White Bear Pkwy

9. Right on S Birch Lake Blvd

10. Head Northwest (left) right before Birchcrest Dr back to race starting position



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/22/2018

PRODUCER ABC INSURANCE INC 80 E LITTLE CANADA RD LITTLE CANADA, MN 55117	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.												
INSURED TRIFITNESS RACES, LLC	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURERS AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A: NSI a division of WEST BEND MUTUAL</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> </table>	INSURERS AFFORDING COVERAGE	NAIC #	INSURER A: NSI a division of WEST BEND MUTUAL		INSURER B:		INSURER C:		INSURER D:		INSURER E:	
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INSURER A: NSI a division of WEST BEND MUTUAL													
INSURER B:													
INSURER C:													
INSURER D:													
INSURER E:													

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS												
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	A394088	12/22/2017	12/22/2018	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>EACH OCCURRENCE</td><td style="text-align: right;">\$ 1,000,000</td></tr> <tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td style="text-align: right;">\$ 200,000</td></tr> <tr><td>MED EXP (Any one person)</td><td style="text-align: right;">EXCLUDED</td></tr> <tr><td>PERSONAL & ADV INJURY</td><td style="text-align: right;">\$ 1,000,000</td></tr> <tr><td>GENERAL AGGREGATE</td><td style="text-align: right;">\$ 2,000,000</td></tr> <tr><td>PRODUCTS - COMP/OP AGG</td><td style="text-align: right;">\$ 2,000,000</td></tr> </table>	EACH OCCURRENCE	\$ 1,000,000	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 200,000	MED EXP (Any one person)	EXCLUDED	PERSONAL & ADV INJURY	\$ 1,000,000	GENERAL AGGREGATE	\$ 2,000,000	PRODUCTS - COMP/OP AGG	\$ 2,000,000
EACH OCCURRENCE	\$ 1,000,000																	
DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 200,000																	
MED EXP (Any one person)	EXCLUDED																	
PERSONAL & ADV INJURY	\$ 1,000,000																	
GENERAL AGGREGATE	\$ 2,000,000																	
PRODUCTS - COMP/OP AGG	\$ 2,000,000																	
A		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	A394088	12/22/2017	12/22/2018	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>COMBINED SINGLE LIMIT (Ea accident)</td><td style="text-align: right;">\$</td></tr> <tr><td>BODILY INJURY (Per person)</td><td style="text-align: right;">\$</td></tr> <tr><td>BODILY INJURY (Per accident)</td><td style="text-align: right;">\$</td></tr> <tr><td>PROPERTY DAMAGE (Per accident)</td><td style="text-align: right;">\$</td></tr> </table>	COMBINED SINGLE LIMIT (Ea accident)	\$	BODILY INJURY (Per person)	\$	BODILY INJURY (Per accident)	\$	PROPERTY DAMAGE (Per accident)	\$				
COMBINED SINGLE LIMIT (Ea accident)	\$																	
BODILY INJURY (Per person)	\$																	
BODILY INJURY (Per accident)	\$																	
PROPERTY DAMAGE (Per accident)	\$																	
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>AUTO ONLY - EA ACCIDENT</td><td style="text-align: right;">\$</td></tr> <tr><td>OTHER THAN AUTO ONLY</td><td style="text-align: right;">EA ACC \$</td></tr> <tr><td></td><td style="text-align: right;">AGG \$</td></tr> </table>	AUTO ONLY - EA ACCIDENT	\$	OTHER THAN AUTO ONLY	EA ACC \$		AGG \$						
AUTO ONLY - EA ACCIDENT	\$																	
OTHER THAN AUTO ONLY	EA ACC \$																	
	AGG \$																	
A		EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$ 250.00	A394088	12/22/2017	12/22/2018	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>EACH OCCURRENCE</td><td style="text-align: right;">\$ 1,000,000</td></tr> <tr><td>AGGREGATE</td><td style="text-align: right;">\$ 1,000,000</td></tr> <tr><td></td><td style="text-align: right;">\$</td></tr> <tr><td></td><td style="text-align: right;">\$</td></tr> <tr><td></td><td style="text-align: right;">\$</td></tr> </table>	EACH OCCURRENCE	\$ 1,000,000	AGGREGATE	\$ 1,000,000		\$		\$		\$		
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		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td><input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER</td><td></td></tr> <tr><td>E.L. EACH ACCIDENT</td><td style="text-align: right;">\$</td></tr> <tr><td>E.L. DISEASE - EA EMPLOYEE</td><td style="text-align: right;">\$</td></tr> <tr><td>E.L. DISEASE - POLICY LIMIT</td><td style="text-align: right;">\$</td></tr> </table>	<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER		E.L. EACH ACCIDENT	\$	E.L. DISEASE - EA EMPLOYEE	\$	E.L. DISEASE - POLICY LIMIT	\$				
<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER																		
E.L. EACH ACCIDENT	\$																	
E.L. DISEASE - EA EMPLOYEE	\$																	
E.L. DISEASE - POLICY LIMIT	\$																	
		OTHER																

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 RACES
 FAST BEFORE THE FEAST NOVEMBER 22, 2018

CERTIFICATE HOLDER WHITE BEAR TOWNSHIP 1281 HAMMOND ROAD WHITE BEAR TOWNSHIP, MN 55110	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE Barb Davidson
--	---

Patti Walstad

From: Judi <Judi@trifitnesswbl.com>
Sent: Thursday, November 15, 2018 4:20 PM
To: Patti Walstad
Subject: RE: Fast Before the Feast

I spoke with the Captain of the White Bear Police. They did not have sufficient officers to cover the event so he authorized me to use Ramsey County officers. The tree officers handling the event are Sam Scott, Mike Tombaga and Mark Winkel. Officers will be located at White Bear Parkway and So Birch Lake Road, White Bear Parkway and Otter Lake Road and Otter Lake Road and Schueneman.

Let me know if you need anything else. Thanks Patti!

From: Patti Walstad <Patti.Walstad@whitebeartownship.org>
Sent: Thursday, November 15, 2018 8:38 AM
To: Judi <Judi@trifitnesswbl.com>
Subject: Fast Before the Feast

Hi Judi, can you just shoot me an e-mail saying who you talked with at the City regarding their police coverage for the event.

Thanks, Patti

Patti S. Walstad

Patti S. Walstad
Paralegal
White Bear Township
1281 Hammond Road
White Bear Township MN 55110

Direct Dial – 651-747-2756
Office – 651-747-2750
Fax – 651-426-2258
E-mail – patti.walstad@whitebeartownship.org

Find us on FaceBook!



**Town Board Meeting
November 19, 2018**

Agenda Number: 6B – Consent Agenda

Subject: Construction Activity Report – Receive

Documentation: Report

Action / Motion for Consideration:

Receive Information / Discuss

Receive Construction Activity Report

White Bear Township Construction Activity Report

	OCTOBER 2018		2018 YEAR TO DATE		2017 YEAR TO DATE	
<u>BUILDING PERMIT</u>						
<u>HOUSING</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
SINGLE FAMILY	-	-	10	2,657,000	21	4,693,000
TOWN HOME	-	-	-	-	-	-
TOTALS	-	-	10	2,657,000	21	4,693,000
<u>MISCELL. RESIDENTIAL</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
REMODEL & ADDITIONS	8	145,180	62	1,992,100	63	1,883,936
SIDING, ROOF. & WIND.	58	501,804	394	4,138,844	353	3,431,731
DECKS	2	8,000	33	194,400	37	209,060
SWIMMING POOLS	-	-	2	27,500	2	2,000
ACCESSORY BLDG	1	50,000	7	142,973	13	203,200
OTHER	2	14,455	30	156,283	19	589,707
TOTALS	71	719,439	528	6,652,100	487	6,319,634
<u>COMMERCIAL</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
PUBLIC BUILDINGS	-	-	4	139,000	2	135,800
INDUSTRIAL	1	381,830	2	991,830	-	-
BUSINESS	-	-	-	-	2	1,825,000
REMODEL & ADDITIONS	-	-	8	3,073,600	4	290,000
OTHER	-	-	8	288,398	8	309,500
TOTALS	1	381,830	22	4,492,828	16	2,560,300
<u>MISCELLANEOUS</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
DEMOLITION	-		2		3	
	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
<u>TOTALS</u>	72	1,101,269	562	13,801,928	527	13,572,934
PERMIT REVENUE		\$ 11,622		\$ 114,407		\$ 123,606



**Town Board Meeting
November 19, 2018**

Agenda Number: 7A – Old Business

Subject: 5513 & 5515 West Bald Eagle Boulevard – Approve Minor Subdivision & Two Lot Width Variances

Documentation: Staff Memo w/ attachments /
Building Inspector Memo /
Minor Subdivision Application /
Survey

Action / Motion for Consideration:

Town Planner Report at Meeting / Discuss

Based on Variance Board, Planning Commission & Staff Review & Recommendation Approve:

- 1) Minor Subdivision of Property
- 2) 32.78' Lot Width Variance for Parcel A
- 3) 30.29' Lot Width Variance for Parcel B

Minutes
Town Board Meeting
September 5, 2018

5513 & 5515 WEST BALD EAGLE BOULEVARD – APPROVE MINOR SUBDIVISION & TWO LOT WIDTH VARIANCES:

The Planner reported that the Visser's are requesting approval of a minor subdivision which would allow them to split their property into two parcels. The Visser's purchased the home at 5513 & 5515 West Bald Eagle Boulevard several years ago along with their son and daughter-in-law. Ken and Deborah have been living at 5515 West Bald Eagle Boulevard. Their son Travis and Tatyana live in the home at 5513. The property consists of two homes and related garages. It also has a lakeside parcel. The overall size of the property is 28,203 square feet. The lot width is 96.73'. The Visser's are proposing to split the property into Parcel A which is proposed to be 47.22' wide and 170.3' deep and includes a lakeshore parcel 46.77' wide by 78.44' deep. The square footage of these lots is proposed to be 11,470 square feet in area. Parcel B is proposed to be 49.51' wide and 210' deep and wrapping around the back portion of Ken and Deborah's lot. A 34' x 77.28' lakeshore lot is included with Parcel B. The overall size of Parcel B is proposed to be 16,733 square feet in area. The

Town's minimum lot size requirements are 80' of frontage and 12,000 square feet in area. The following variances must be approved to grant the request: 1) Parcel A: a 32.78' lot width variance and a 530 square foot lot size variance. Parcel B: a 30.49' lot width variance. In order to avoid multiple variance requests, staff has requested Ken Visser consider adding approximately 12 additional feet to the rear of their lot (Parcel A). Adding this square footage would eliminate the need for a lot square footage variance. Staff met with Mr. Visser on August 21, 2018 and he is working with his survey to add the additional square footage to the rear of Parcel A, making the proposed lot greater than 12,000 square feet in area. With this plan modification, only the lot width variances must be approved along with a minor subdivision.

At one time the garage at 5513 was owned or leased by the property owner of Bald Eagle Island. With the sale of the island, the ownership of the garage went to the Visser's. Parcel B has 2 existing garages. The back garage has a door which faces west. It appears that access to the back garage is from the northerly proposed Parcel A. Parcel B is proposed to be 16,733 square feet in area. Staff recommends adding approximately 12' to the back of Parcel A in order to create a 12,000 square foot lot. Doing this will reduce Parcel B approximately 560 square feet making Parcel B approximately 16,173 square feet in area.

Staff recommends approval of the minor subdivision subject to the following requirements: 1) Add 11.33' feet to the rear of Parcel A which would create a new lot 12,000 square feet in area; 2) approve 32.78' lot width variance for Parcel A; and 3) Approve a 30.49' lot width variance for Parcel B.

The Variance Board reviewed the subdivision proposal specifically for the variances and recommends approval with the lot line rearrangement in the back. The Planning Commission also recommends approval of the minor subdivision with the variances as proposed.

Ruzek asked if the subdivision would become two separate parcels and separately deeded. The Town Attorney stated that the applicants would have to quit claim amongst themselves. Once the minor subdivision is approved the property owners can do that themselves. It would be easier to create tax parcels by doing quit claims to create the two tax parcels. Otherwise the subdivision would have to go to the County to create two tax parcels. The deeds would have to be stamped by the Township and should be done by the end of the year. Prudhon asked if this subdivision would require 10' drainage easements around the new line. The Planner stated that dedication of drainage utility easements are a requirement with a subdivision.

The Planner explained the purpose of a 10' drainage and utility easement to Ken Visser. Ken Visser asked where the 10' easement would be on his lot. The Planner explained that the easement on Ken Visser's lot would be 10' from the lot line going down, but would not go through any structure, but around them. Ken Visser asked about the new lot for his son. The Planner stated that would be ten feet on either side of the lot line. Ken Visser asked if his driveway could be disturbed with the easement. The Planner stated that if necessary it could be done. The Town Attorney stated that the purpose of a drainage and utility easement is for the Town to do what is necessary to address a problem, but only if it is only necessary. With pre-existing homes the easement would go around the homes. Ken Visser asked if the setback would be affected if a small addition would be added to the small house. The Planner stated that it should be 10' from the property line whether there is an easement there or not. Ken Visser stated that at one point there were two lots there and then they were joined. He explained that the previous owner of the island wanted a space to store his hovercraft in the summer months and built a small structure. He had to use the driveway to get the hovercraft across Bald Eagle Boulevard and onto the water side. They bought the home nine years ago after living in Florida for 20 years. Now, with the two lots they thought that if their son and his wife could live on one of the lots they could watch the senior Visser's house if they go to Florida. He stated that he had conversations with staff and was told that it would be good to bring the lots back to original status. He stated that there are separate utility services to the smaller house. He stated that they

have had no drainage problems on the property. There is a marsh behind them and Ramsey County open space on the north side.

It was the consensus that staff work with the applicant relative to the easements. The Town Attorney noted that there is a 60 day rule involved because it is a zoning issue. He explained that under statute the Township has to act within 60 days from the date that the complete application is accepted. If the Township does not act within 60 days the request is automatically approved. An exception is if the applicant waives, in writing, the 60 day rule. The applicant stated that he agrees waiving the 60 day rule and will provide agreement in writing but stated that he can have the necessary information for the October 1, 2018 Town Board meeting, which would be within the 60 day rule. The matter will be placed on the agenda for the October 1, 2018 Town Board meeting.

** Matter was delayed numerous times after this meeting due to lack of a survey.

**Minutes
Planning Commission Meeting
August 23, 2018**

KENNETH & DEBORAH VISSER, 5515 WEST BALD EAGLE BOULEVARD – REQUEST FOR MINOR SUBDIVISION REQUIRING 1 LOT WIDTH VARIANCE AND A 530 SQUARE FOOT VARIANCE FOR PROPOSED PARCEL A: The Visser's are requesting approval of a minor subdivision, which if approved, would allow them to split their property into two parcels. The Visser's purchased the homes at 5513 & 5515 West Bald Eagle Boulevard several years ago along with their son and daughter-in-law. Ken and Deborah have been living at 5515 West Bald Eagle Boulevard. Their son and his wife live in the home at 5513. The property consists of two homes and related garages. It also has a lakeside parcel. The overall size of the property is 28,203 square feet. The lot width is 96.73'. The Visser's are proposing to spit the property into Parcel A which is proposed to be 47.22' wide and 170.3' deep and includes a lakeshore parcel 46.77' wide by 78.44' deep. The square footage of this lot is proposed to be 11,470' square feet in area. Parcel B is proposed to be 49.51' wide and 210' deep and wrapping the back portion of Ken and Deborah's lots. A 34' x 77.28' lakeshore lot is included with Parcel B. The overall size of Parcel B is proposed to be 16,733' square feet in area. The Town's minimum lot size requirements are 80' of frontage and 12,000 square feet in area.

To approve the request the following variances must be approved: 1) Parcel A – a 32.78' lot width variance and a 530 square foot lot size variance; 2) Parcel B – a 30.49' lot width variance. In order to avoid multiple variance requests, Ken Visser was asked to consider adding approximately 12 additional feet to the rear of the their lot (Parcel A). Adding this square footage would eliminate the need for a lot square footage variance. He is working with his surveyor to add the additional square footage to the rear of Parcel A making the proposed lot greater than 12,000 square feet in area. With the plan modification only the lot width variances must be approved along with a minor subdivision.

At one time the garage at 5513 was owned or leased by the property owner of Bald Eagle Island. With the sale of the island, the ownership of the garage went to the Visser's. Parcel B has two existing garages. The back garage has a door which faces west. It appears that access to the back garage is from the northerly proposed Parcel A. Parcel B is proposed to be 16,733 square feet in area. Adding approximately 12' to the back of Parcel A will create a 12,000 square foot lot. Doing this will reduce Parcel B by approximately 560 square feet making parcel B approximately 16,173' square feet in area.

The Variance Board reviewed the request. They noted that both lots were assessed for utilities and the majority of the subdivision line is consistent with the way the lots were previously separated. The Variance Board recommends approval of the lot width variances as requested noting that Parcel A lot will be enlarged to meet minimum lot square footage requirements since the proposed lot line is consistent with the previous lot line, the homes are currently in place, the lots will exceed square

footage requirements, both homes were assessed for sewer and water and a staff report in the address file recommended the lot split.

Patrick moved, based on Variance Board and staff review and recommendation to recommend to the Town Board to approve the request for minor subdivision requiring lot width variances. Kotilinek seconded. Ayes: Patrick, Kotilinek, Artner, Flann, Koster, Loes, Swisher. Abstain: Denn (concerned that this proposal is consistent with a previously considered variance/subdivision in the White Bear Beach neighborhood which was recommended for denial).

Minutes
Variance Board Meeting
August 22, 2018

KEN & DEBORAH VISSER, 5513 & 5515 WEST BALD EAGLE BOULEVARD – Request for a Minor Subdivision & Two Lot Width Variances and a 530 Square Foot Lot Size Variance & a 28 Square Foot Guest Cottage Size Variance: Ken Visser withdrew the request for a guest cottage and related 28 square foot building size variance.

Riedesel summarized the proposal from the Visser's to subdivide their lot into two parcels. The property is 28,203 square feet in area with two homes and three garages on the lot. They would like to split the lot into two parcels. Ken & Deborah Visser currently live in the northerly home and their son and wife, Travis and Tattiana live in the southerly home.

They would like to split the property into two lots. Parcel A is proposed to be 47.22' wide and 11,470 square feet in area which includes a lakeshore parcel. Parcel B is proposed to be 49.51' wide and 16,733 square feet in area also including a lakeshore parcel.

A 32.78' lot width variance and a 530 square foot lot size variance is required for Parcel A. Parcel B requires a 30.49' lot width variance as proposed.

Staff asked Mr. Visser to consider adding 12' to the rear of Parcel A as proposed in order to eliminate the need for a lot square footage variance. He agreed to rearrange the rear lot line per the staff recommendation.

There was considerable discussion regarding the history of the property including how two homes ended up on one lot. The address file revealed some of the history including a letter from staff which recommended to the Visser's in 2009 that their lot should be subdivided into two parcels.

Short noted that both lots were assessed for utilities and the majority of the subdivision line is consistent with the way the lots were previously separated.

Denn was concerned that this proposal is consistent with a previously considered variance/subdivision in the White Bear Beach neighborhood which the Variance Board recommended for denial of.

Johnson and Short felt the proposed subdivision can be recommended for approval.

Short moved to recommend to the Planning Commission to recommend to the Town Board to approve the lot width variances as requested noting that the Parcel A lot will be enlarged to meet minimum lot square footage requirements since the proposed lot line is consistent with the previous lot line, the homes are currently in place, the lots will exceed square footage requirements, both homes were assessed for sewer and water and a staff report in the address file recommended the lot split. Johnson seconded. Ayes Short and Johnson. Denn abstained.

MEMORANDUM

TO: VARIANCE BOARD
FROM: TOM RIEDESEL
DATE: AUGUST 20, 2018

SUBJECT: MINOR SUBDIVISION / LOT WIDTH VARIANCES

LOCATION: 5513 & 5515 WEST BALD EAGLE BOULEVARD
APPLICANTS: KEN & DEBORAH VISSER
ZONING: R-1

The Visser's are requesting approval of a minor subdivision which, if approved, would allow them to split their property into two parcels. The Visser's purchased the homes at 5513 & 5515 West Bald several years ago along with their son and daughter-in-law. Ken and Deborah have been living at 5515 West Bald Eagle Boulevard. Their son Travis and Tatiana live in the home at 5513.

The property consists of two homes and related garages. It also has a lakeside parcel and a parcel on the west side of the West Bald Eagle Boulevard. The overall size of the property is 28,203 square feet. The lot width is 96.73'.

The Visser's are proposing to split the property into: Parcel A which is proposed to be 47.22' wide and 170.3' deep and includes a lakeshore parcel 46.77' wide by 78.44' deep. The square footage of this lot(s) is proposed to be 11,470 square feet in area.

Parcel B is proposed to be 49.51' wide and 210' deep and wrapping around the back portion of Ken and Deborah's lot. A 34' x 77.28' lakeshore lot is included with Parcel B. The overall size of Parcel B is proposed to be 16,733 square feet in area.

The Town's minimum lot size requirements are 80' of frontage and 12,000 square feet in area.

The following variances must be approved:

Parcel A: A 32.78' lot width variance and a 530 square foot lot size variance.

Parcel B: A 30.49' lot width variance.

In order to avoid multiple variance requests, staff has requested Ken Visser to consider adding approximately 12 additional feet to the rear of their lot (Parcel A). Adding this square footage would eliminate the need for a lot square footage variance.

Staff met with Mr. Visser on August 21st. He is working with his survey to add the additional square footage to the rear of Parcel A, making the proposed lot greater than 12,000 square feet in area. With this plan modification, only the lot width variances must be approved along with a minor subdivision.

At one time the garage at 5513 was owned or leased by the property owner of Bald Eagle Island. With the sale of the island, the ownership of the garage went to the Visser's. Parcel B has 2 existing garages. The back garage has a door which faces west. It appears that access to the back garage is from the northerly proposed Parcel A.

Parcel B is proposed to be 16,733 square feet in area. Staff recommends adding approximately 12' to the back of Parcel A in order to create a 12,000 square foot lot. Doing this will reduce Parcel B by approximately 560 square feet (making parcel B approximately 16,173 square feet in area).

Recommendations:

Minor Subdivision/Variations

Staff recommends approval of the minor subdivision and lot width variations subject to the following requirements:

- Add 11.33' feet to the rear of Parcel A which would create a new lot 12,000 square feet in area.
- Approve 32.78' lot width variance for Parcel A.
- Approve a 30.49' lot width variance for Parcel B.

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

CERTIFICATE OF SURVEY

~for~ TRAVIS VISSER
 ~of~ 5515 BALD EAGLE BLVD
 WHITE BEAR TOWNSHIP, MN

EXISTING LEGAL DESCRIPTION

(Per previous Certificate of Survey)

Lot 26, VICTORIA ADDITION TO BALD EAGLE, EXCEPT the South 14.50 feet, lying easterly of the easterly right-of-way line of W. Bald Eagle Boulevard and westerly of the shoreline of Bald Eagle Lake

AND

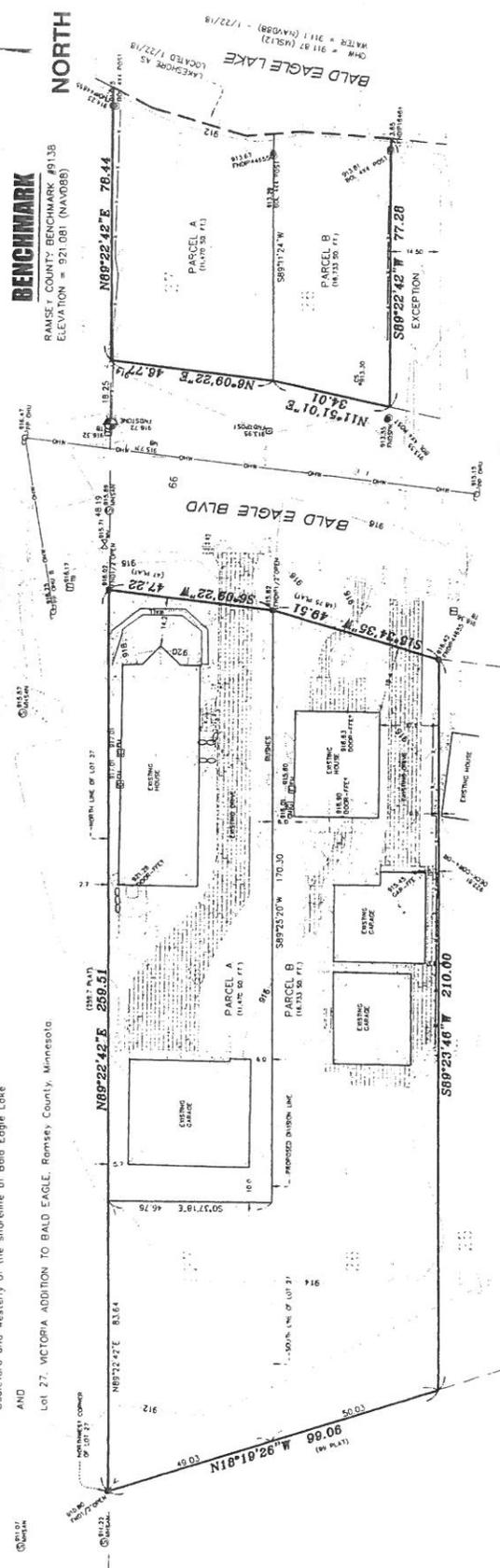
Lot 27, VICTORIA ADDITION TO BALD EAGLE, Ramsey County, Minnesota.

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 1/22/18.
- Bearings shown are on Ramsey County datum.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Due to field work being completed during the winter season, there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED PL# 41578
- ⊕ DENOTES RAMSEY COUNTY MONUMENT
- ⊙ DENOTES BOLLARD
- ⊕ DENOTES CURB STOP
- ⊕ DENOTES ELECTRICAL BOX
- ⊕ DENOTES GAS METER
- ⊕ DENOTES MAILBOX
- ⊕ DENOTES POWER POLE
- ⊕ DENOTES SANITARY SEWER MANHOLE
- ⊕ DENOTES TELEPHONE PEDESTAL
- ⊕ DENOTES WATER VALVE



IMPERVIOUS COVERAGE

EXISTING:
 Total lot area including lakeshore = 28,703 sq. ft.
 Impervious coverage area = 4,687 sq. ft.
 Percentage impervious = 16.3%

PARCEL A:
 Total lot area including lakeshore = 11,470 sq. ft.
 Existing house = 1,465 sq. ft.
 Existing garage = 1,053 sq. ft.
 Impervious coverage area = 2,650 sq. ft.
 Percentage impervious = 23.0%

PARCEL B:
 Total lot area including lakeshore = 16,733 sq. ft.
 Existing house = 727 sq. ft.
 Existing garage = 155 sq. ft.
 Existing concrete = 111 sq. ft.
 Impervious coverage area = 2,064 sq. ft.
 Percentage impervious = 12.3%

PROPOSED LEGAL DESCRIPTIONS

PARCEL A
 That part of Lot 27, VICTORIA ADDITION TO BALD EAGLE, Ramsey County, Minnesota which lies easterly of the following described line:
 Commencing at the northwest corner of said Lot 27; thence on an assumed bearing of North 89 degrees 22 minutes 42 seconds East, along the north line of said Lot 27, a distance of 83.64 feet to the point of beginning of the line to be described; thence South 00 degrees 37 minutes 18 seconds East, a distance of 46.76 feet to the south line of said Lot 27 and said line there terminating.

PARCEL B
 Lot 26, VICTORIA ADDITION TO BALD EAGLE, EXCEPT the South 14.50 feet, lying easterly of the easterly right-of-way line of W. Bald Eagle Boulevard and westerly of the shoreline of Bald Eagle Lake.



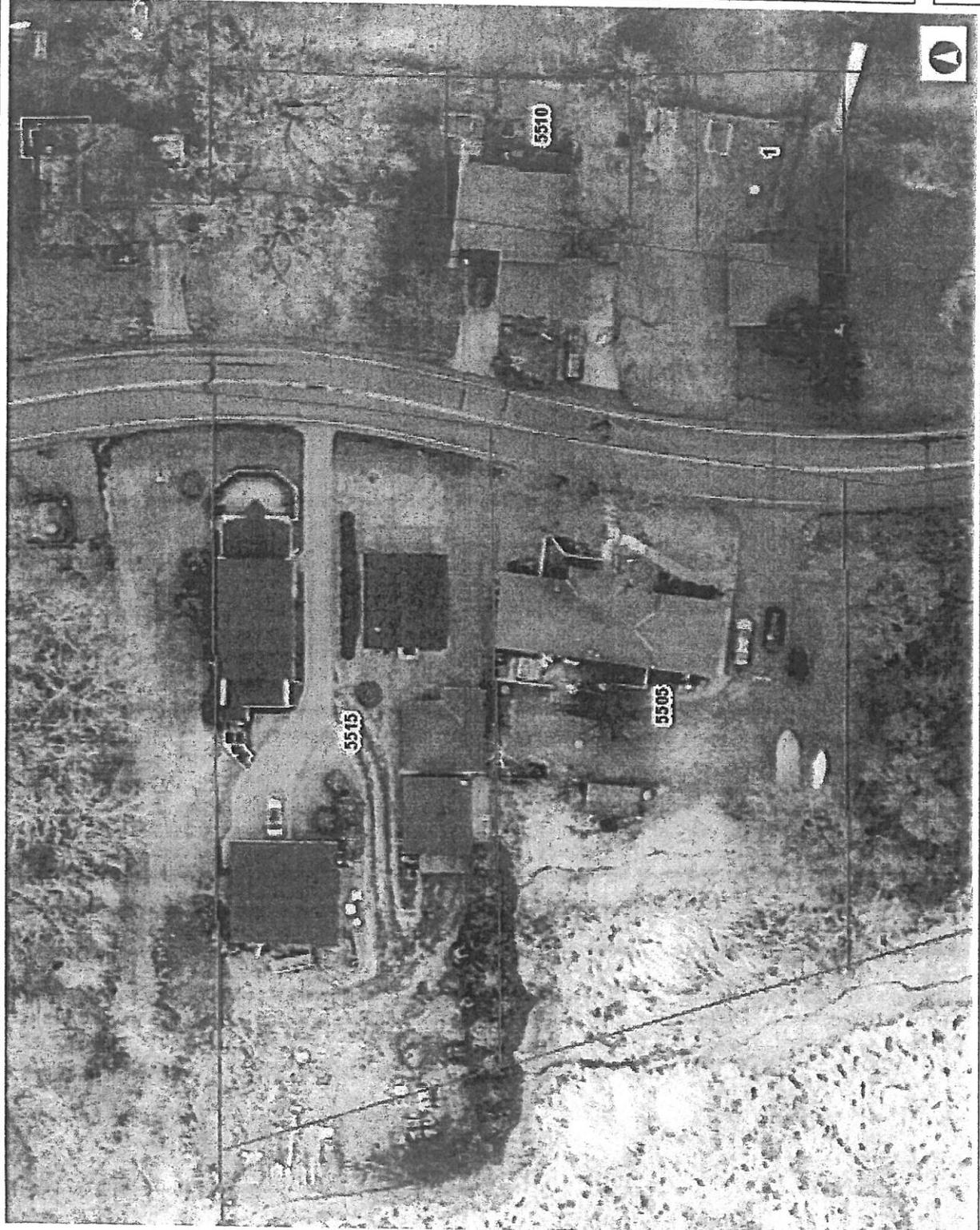
E.G. RUD & SONS, INC.
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701

DRAWN BY: CMR	JOB NO.: 180228T	DATE: 1/20/18
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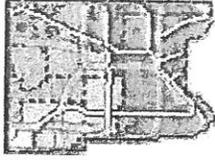
180228T

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

JASON RUD
 Date: 2/12/18 License No. 41578



Legend



-  City Halls
-  Schools
-  Hospitals
-  Fire Stations
-  Police Stations
-  Recreational Centers
-  Parcel Points
-  Parcel Boundaries

Notes

Enter Map Description

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

100.0 Feet

50.00

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NAD_1983_HARN_Adj_MN_Ramsey_Feet
 © Ramsey County Enterprise GIS Division

MEMORANDUM

TO: 5513 5515 West Bald Eagle Blvd Address File
FROM: Mike Johnson
DATE: July 8, 2009
RE: Land use

Mike Johnson, Tom Riedesel, Bill Short meet and discussed the land use of the property. It was determined that the properties each had an existing dwelling prior to the combining of the properties. After the combining of the properties the dwelling on 5513 West Bald Eagle Blvd was considered a guest cottage.

The Vissers are proposing to purchase the property reside in the main dwelling and have there son occupy the guest cottage located on 5513 West Bald Eagle.

The Vissers must apply and gain Town approval for a minor subdivision if they are proposing to use the building located at 5513 West Bald Eagle Blvd as a dwelling.



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.

\$ 780

APPLICANT(S) KENNETH VISSER PHONE (Home) 651-368-8880
DEBORAH VISSER (Business) _____
(Cell) 229-418-0008

ADDRESS 5515 W. BALD EAGLE BLVD
WHITE BEAR LAKE
MN 55110

PROPERTY OWNER KENNETH & DEBORAH VISSER

ADDRESS OF SITE 5515 W BALD EAGLE BLVD. WBL MN 55110 ZONING RESIDENTIAL

EXISTING USE OF SITE RESIDENTIAL HOME SITE

200

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.

[Handwritten Signature]
Signature of Applicant(s)

August 9, 2018
Date

To Be Completed By Office:

Date Request Received 8/13/18

By [Handwritten Signature]
(Staff Member)

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

Date Application Complete _____

CERTIFICATE OF SURVEY

for ~ TRAVIS VISSER
of ~ 5515 BALD EAGLE BLVD
WHITE BEAR TOWNSHIP, MN

EXISTING LEGAL DESCRIPTION

(Per previous Certificate of Survey)

Lot 26, VICTORIA ADDITION TO BALD EAGLE, EXCEPT the South 14.50 feet, lying easterly of the easterly right-of-way line of W. Bald Eagle Boulevard and westerly of the shoreline of Bald Eagle Lake.

AND Lot 27, VICTORIA ADDITION TO BALD EAGLE, Ramsey County, Minnesota.

PROPOSED UTILITY EASEMENTS

PARCEL A:

A utility easement over, under, and across the South 5 feet, the North 3 feet of said South 5 feet of the West 88 feet of the East 108 feet thereof of the following described property.

That part of Lot 27, VICTORIA ADDITION TO BALD EAGLE, Ramsey County, Minnesota which lies westerly of the following described line:

Commencing at the northwest corner of said Lot 27; thence on a bearing of North 89 degrees 22 minutes 42 seconds East 81.64 feet to the point of beginning of the line to be described; thence East 46.76 feet to the south line of said Lot 27 and said line there terminating.

and which lies westerly of Bald Eagle Boulevard.

Together with a utility easement over, under, and across the North 10 feet, the South 10 feet, and the West 10 feet of that part of said Lot 27 lying East of Bald Eagle Boulevard.

PARCEL B:

A utility easement over, under, and across the North 10 feet, the South 10 feet of that part of Lot 26, VICTORIA ADDITION TO BALD EAGLE, EXCEPT the easterly right-of-way line of W. Bald Eagle Boulevard, EXCEPT the South 14.50 feet of said Lot 26.

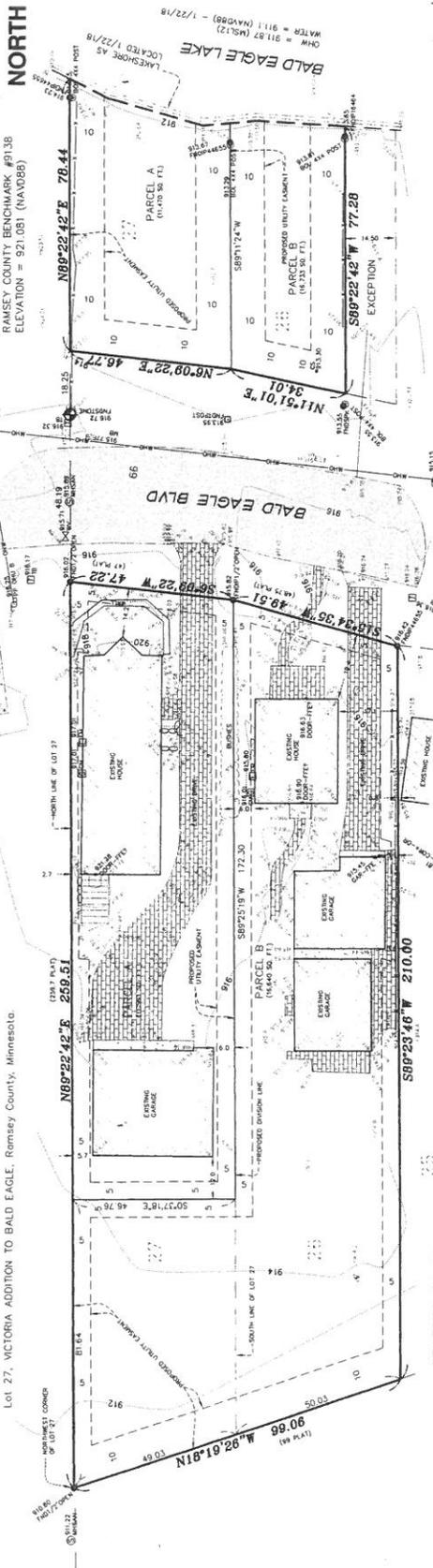
Together with a utility easement over, under, and across the North 5 feet, the East 5 feet, and the West 10 feet of the following described property.

That part of Lot 27, VICTORIA ADDITION TO BALD EAGLE, Ramsey County, Minnesota lying westerly of the following described line:

Commencing at the northwest corner of said Lot 27; thence on a bearing of North 89 degrees 22 minutes 42 seconds East 81.64 feet to the point of beginning of the line to be described; thence South 00 feet to the point of beginning of the line to be described; thence South 00 feet to the south line of said Lot 27 and the line there terminating.

AND a utility easement over, under, and across the West 10 feet, the East 5 feet, the North 5 feet of the East 177.3 feet and the South 5 feet of that part of said South 5 feet of the West 30 feet of that part of said Lot 27 lying East of Bald Eagle Boulevard.

RAMSEY COUNTY BENCHMARK #138
ELEVATION = 921.081 (NAVD88)



PROPOSED LEGAL DESCRIPTIONS

PARCEL A:

That part of Lot 27, VICTORIA ADDITION TO BALD EAGLE, Ramsey County, Minnesota which lies easterly of the following described line:

Commencing at the northwest corner of said Lot 27; thence on the north line of said Lot 27, a distance of 81.64 feet to the point of beginning of the line to be described; thence South 00 degrees 37 minutes 18 seconds East a distance of 46.76 feet to the south line of said Lot 27 and said line there terminating.

PARCEL B:

Lot 26, VICTORIA ADDITION TO BALD EAGLE, Ramsey County, Minnesota, EXCEPT the South 14.50 feet, the easterly right-of-way line of W. Bald Eagle Boulevard and westerly of the shoreline of Bald Eagle Lake.

AND

That part of Lot 27, VICTORIA ADDITION TO BALD EAGLE, Ramsey County, Minnesota lying westerly of the following described line:

Commencing at the northwest corner of said Lot 27; thence on a bearing of North 89 degrees 22 minutes 42 seconds East along the north line of said Lot 27, a distance of 81.64 feet to the point of beginning of the line to be described; thence South 00 degrees 37 minutes 18 seconds East a distance of 46.76 feet to the south line of said Lot 27 and said line there terminating.

IMPERVIOUS COVERAGE

EXISTING:

Total lot area including lakeshore = 28,203 sq. ft.
ImperVIOUS coverage area = 4,687 sq. ft.
Percentage imperVIOUS = 16.6%

PARCEL A:

Total lot area including lakeshore = 11,470 sq. ft.
Existing house = 1,465 sq. ft.
Existing garage = 1,053 sq. ft.
Existing concrete = 102 sq. ft.
Percentage imperVIOUS = 22.8%

PARCEL B:

Total lot area including lakeshore = 16,733 sq. ft.
Existing house = 727 sq. ft.
Existing garage (easterly) = 645 sq. ft.
Existing garage (westerly) = 581 sq. ft.
Existing concrete = 111 sq. ft.
Percentage imperVIOUS = 12.3%

(Note: Above calculations do not include existing pavements. Previous pavers per client.)

RECEIVED

NOV 14 2018

I hereby certify that the foregoing map or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON RUD
Date: 11/5/18 License No. 41578

NO.	DATE	DESCRIPTION	BY
1	11/5/18	ADD UTILITY EASEMENTS	JMR
2			
3			

180228T

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 1/22/18.
- Bearings shown are on Ramsey County datum.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. The user is advised to obtain upon receipt of a current title commitment or an attorney's title opinion.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and the conditions characteristic of Minnesota winters.

E.G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-9200 Fax (651) 361-8701
www.egrud.com



**Town Board Meeting
November 19, 2018**

Agenda Number: 8A – Public Hearing

Subject: Side Setback Variance Request @ 4100 Bellaire Avenue – Consider Granting a 14.2’ Side Yard Setback Variance & a Permitted Use Standards Permit to Allow Site Improvements

Documentation: Staff Memo w/ attachments /
Public Notice / Resident Letter / Mailing List /
Affidavit of Publication / PUS Application / Variance
Application / Proposed PUS

Action / Motion for Consideration:

- Note Proper Publication of the Hearing Notice in Newspaper & Waive Reading of Notice
- Open Continuation of the Public Hearing
- Open Public Comment Portion – Ask for Comments
- Close Public Portion of Hearing

Based on Planning Commission, Variance Board & Staff Review & Recommendation:

- 1) Approve the 14.2’ Side Yard Setback Variance
- 2) Permitted Use Standards Permit with Attached Requirements

for the White Bear Dental Clinic, 4100 Bellaire Avenue

Minutes
Planning Commission Meeting
October 25, 2018

J & J PROPERTIES, LLC d/b/a/ WHITE BEAR DENTAL, 4100 BELLAIRE AVENUE – REQUEST FOR PERMITTED USE STANDARDS PERMIT & 14.2’ SIDE SETBACK VARIANCE TO ALLOW SITE IMPROVEMENTS: J & J Properties, LLC, is requesting Town approval of a Permitted Use Standards Permit which would allow site improvements at White Bear Lake Dental, 4100 Bellaire

Avenue. The Johnson's are relatively new owners of the dental clinic and recently finished a remodel of the building. As part of their remodel, they also added concrete curbing to the parking lot and drive lane. A portion of the parking lot behind the building was Class V gravel. This area of the lot was also curbed and paved. Expansion of a parking lot requires approval of Permitted Use Standards Permit and also a side yard setback variance. No Permitted Use Standards Permit or variance application were processed prior to the construction taking place. After the fact permits have been requested by the applicants. A Permitted Use Standards Permit is required to permit the requested site improvements including: curbing and paving of the parking lot, construction of a trash enclosure and modifications to the stormwater treatment pond.

A 14.2' side yard setback variance is requested to allow the expanded parking lot. A side yard setback of 20' is required for off-street parking spaces and drive lanes when abutting a residential property. The dentist office abuts residential homes on the north and east side. The paved parking lot was constructed as close as 6.4' from the property to the north. With the addition of the curbing and paving and expansion of the rear parking area, the side setback was reduced to 5.8' at its closest point to the northerly lot, expanding to 6.5' at the east end of the parking lot. The rear portion of the dental office property contains a stormwater treatment pond which collects water from the parking lot and surrounding properties. Some stormwater from Bellaire Avenue also makes it way to the site. A stormwater culvert was added to Bellaire Avenue between County Road F and Bellaire Beach to help alleviate stormwater concerns along Bellaire Avenue. It appears that the Bellaire Avenue storm pipe overflows onto the dental clinic property during heavy storm events. The overflow also impacts the abutting property at 4112 Bellaire Avenue with standing water due to the grade. With the rain this past summer and fall, a lot of water was flowing onto the abutting property. The Town Engineer, applicant's engineer and representatives from Ramsey County are working together to improve drainage. The side setback variance is requested to allow the clinic to pave the rear portion of their parking lot. The lot was previously gravel. Concrete curbing was also added to delineate the edge of the parking lot and drive lane as well as to direct stormwater. The parking area in the rear is approximately 30% larger now than previously. With the addition of the concrete curb, the north side of the parking and drive lane are 6" closer to the north lot line.

Section 9-6.4 of the Zoning Ordinance was reviewed relative to variances. A Permitted Use Standards Permit is required to allow the site modifications as proposed and completed. They include expansion of the parking area, the addition of the enclosed dumpster area, and expansion of the stormwater treatment pond. The employee parking area in the rear of the building was previously gravel. The lot was also expanded by approximately 30%. A dumpster storage area was also added on the east side of the rear parking lot. With the addition of more impervious surfacing, the stormwater treatment pond on the easterly most portion of the property must be expanded. The expansion of the pond as show on the plans has not been completed to date. Representatives for White Bear Township, Ramsey County and the applicant's engineer are working together to finalize the drainage plan. A new stormwater structure is being added within the Bellaire Avenue right-of-way. Concrete curb was added to the parking lot to help direct stormwater to the pond. Previously the paved parking area flowed partially to the pond and/or to the north.

The improvements to the site are a compliment to the remodeled building. It is recommended that when the pond excavation is completed, new landscaping be added around the pond in order to replace trees removed to grade the basin. In addition, the drainage improvements must be agreed upon by the Town and Ramsey County staff as well as the property owners.

If recommended for approval, the Permitted Use Standards Permit should be subject to: 1) final approval of the grading plan and stormwater improvements by the Town Engineer, Public Works Director and Ramsey County Public Works; 2) the applicant shall provide new landscaping around the perimeter of the regraded stormwater treatment pond; and 3) the applicant shall provide drainage and utility easements in favor of the Town over the revised stormwater treatment pond.

Chuck Plowe, Plowe Engineering, stated that the existing pavement has increased the impervious surface a lot in the back. In response to a question if the pond would be increased, the Mr. Plowe stated that calculations were done for runoff as requested. As result the size of the basin was increased. It will be wider and have more capacity. It now has a 4:1 slope.

Mike Gagan, 4112 Bellaire Avenue, stated that one side of his property gets drainage from the north side of the culvert. He stated that the dental clinic parking lot is higher than his property and the water spills over the curb. Chuck Plowe stated that they would survey the elevation. He stated that quite a few trees would be removed in the ponding area. He provided a drawing showing how many trees will be removed. They will vegetate the area so the plants can handle the water. The Planner stated that a landscaping plan has been requested. In response to a question the Planner stated that when work was done at Bellaire Beach a storm water treatment pond and culvert was added along Bellaire Avenue. A retaining wall is proposed that will help to stop drainage onto the Gagan property in addition to the curb and gutter. In response to a question if the curb keeps the water from draining onto his property Mike Gagan stated that it does not keep the water from draining because it flows east. Chuck Plowe stated that the curb will now help to prevent some runoff. Prudhon asked if the Rice Creek Watershed District has been involved. The Planner stated that they have not. The issue is drainage along the right-of-way. In response to a question what the time line is to get the work done, Chuck Plowe stated that it should be done as soon as possible, however they need to get the structure so it may not happen this year. They have to realign the county overflow pipe. In response to a question if it is possible to have a cistern, Chuck Plowe stated that they would need a place to build it.

Artnr moved, based on Variance Board and staff review and recommendation to recommend to the Town Board to approve a 14.2' side yard setback variance to allow site improvements at 4100 Bellaire Avenue. Flann seconded. Ayes all.

Artnr moved, based on staff review and recommendation to recommend to the Town Board to approve a Permitted Use Standards Permit to allow site improvements at 4100 Bellaire Avenue, subject to: 1) receipt of a landscaping plan around the perimeter of the regraded stormwater treatment pond; 2) final approval of the grading plan and stormwater improvements by the Town Engineer, Public Works Director, and Ramsey County Public Works; 3) drainage and utility easements in favor of the Town over the revised stormwater treatment pond. Flann seconded. Ayes all.

Minutes
Variance Board Meeting
October 16, 2018

J & J PROPERTIES, LLC, D/B/A WHITE BEAR LAKE DENTAL – Request for 14.2' Side Setback Variance: Riedesel summarized the request as an after-the-fact request. The White Bear Lake Dental Office has been going through an extensive remodel which was inspected by the Town Building Inspector. During construction, the applicants decided to improve the parking lot with repaving and adding concrete curbing. In addition, the back parking lot which was gravel was paved and expanded.

The expansion of the lot and other exterior improvements should have been reviewed by the Town per the Permitted Use Standards Permit procedure. This step was missed by the applicants. An application for a Permitted Use Standards Permit and side setback variance has been submitted and is currently being reviewed by the Town.

A side setback variance is requested to extend the parking lot to the east behind the dental office. The lot and curb were constructed 5.8' from the side lot line at its closest point. A 20' side setback is required since the abutting property is residential. A 14.2' side setback variance is requested.

There was discussion regarding drainage on the property which has changed due to the site modifications. The drainage situation is being reviewed by Ramsey County, the Town Engineer, the Town Public Works Department, and Chuck Plowe Engineering.

Short noted that the parking lot expansion along the side lot line is slightly closer to the lot line due to the installation of a curb. This amounts to a deviation of less than one foot. He also noted that with the installation of the curb, the drainage is improved by being directed to the east rather than street flowing to the north and east.

Johnson noted that the pond to the east will need cleaning and is proposed to be increasing in capacity as part of the improvements.

Denn noted that the addition of the curb will control drainage from the parking lot so that it does not flow on to the property to the north.

Short moved to recommend to the Planning Commission to recommend approval of the variance as requested since the change in setback is considered de minimus (less than 1 foot) and the addition of the curb will provide better control of the runoff and the parking lot addition is along the same line as the existing parking lot. Denn seconded. Ayes all.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: OCTOBER 15, 2018

SUBJECT: SITE IMPROVEMENTS

REQUESTS: 14.2' SIDE YARD SETBACK VARIANCE / PERMITTED USE STANDARDS PERMIT TO ALLOW SITE IMPROVEMENTS
LOCATION: 4100 BELLAIRE AVENUE
APPLICANTS: J & J PROPERTIES, LLC – JOY & JOE JOHNSON
ZONING: B-1, LIMITED BUSINESS

J & J Properties, LLC, is requesting Town approval of a Permitted Use Standards Permit which would allow site improvements at White Bear Lake Dental, 4100 Bellaire Avenue. The Johnson's are relatively new owners of the dental clinic and recently finished a remodel of the building. As part of their remodel, they also added concrete curbing to the parking lot and drive lane. A portion of the parking lot behind the building was Class V gravel. This area of the lot was also curbed and paved. Expansion of a parking lot requires approval of Permitted Use Standards Permit and also a side yard setback variance. No Permitted Use Standards Permit or variance application were processed prior to the construction taking place. After the fact permits have been requested by the applicants.

A Permitted Use Standards Permit is required to permit the requested site improvements including: curbing and paving of the parking lot, construction of a trash enclosure and modifications to the stormwater treatment pond.

Variance:

A 14.2' side yard setback variance is requested to allow the expanded parking lot. A side yard setback of 20' is required for off-street parking spaces and drive lanes when abutting a residential property. The dentist office abuts residential homes on the north and east sides. The paved parking lot was located as close as 6.4' from the property to the north. With the addition of the curbing and paving and expansion of the rear parking area, the side setback was reduced to 5.8' at its closest part to the northerly lot, expanding to 6.5' at the east end of the parking lot.

The rear portion of the dental office property contains a stormwater treatment pond which collects water for the parking lot, and surrounding properties. Some stormwater from Bellaire Avenue also makes it way to the site. A stormwater culvert was added to Bellaire Avenue between County Road F and Bellaire Beach to help alleviate stormwater concerns along Bellaire Avenue. It appears that the Bellaire Avenue storm pipe overflows onto the dental clinic property during heavy storm events. The overflow also impacts the

abutting property at 4112 Bellaire Avenue, with standing water due to the grade. With the rain this past summer and fall, a lot of water was flowing onto the abutting property.

The Town Engineer, applicants engineer and representatives from Ramsey County are working together to improve drainage.

The side setback variance is requested to allow the clinic to pave the rear portion of their parking lot. The lot was previously gravel. Concrete curbing was also added to delineate the edge of the parking lot and drive lane as well as to direct stormwater. The parking area in the rear is approximately 30% larger now than previously. With the addition of the concrete curb, the north side of the parking and drive lane are 6" closer to the north lot line.

When reviewing a request for variance, Section 9-6.4 of the Zoning Ordinance must be reviewed. The following standards must be considered when reviewing variances. It states:

9-6.4. STANDARDS. In considering all requests for variance and in taking subsequent action, the Town Board shall approve the variance only if the following facts are established:

- (1). Without issuance of a variance, the provisions of this Ordinance would deprive the applicant of a reasonable use of property under the terms of this Ordinance.
- (2). That the special conditions and circumstances do not result from the actions of the applicant.
- (3). That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
- (4). That the proposed action will not unreasonably increase the congestion on public streets.
- (5). That the proposed action will not increase the danger of fire or endanger the public safety.
- (6). That the proposed action will not unreasonably diminish or impair established property values within the neighborhood or in any other way be contrary to the intent of this Ordinance.

A Permitted Use Standards Permit is required to allow the site modifications as proposed and completed. They include: expansion of the parking area, the addition of the enclosed dumpster area and expansion of the stormwater treatment pond.

The employee parking area in the rear of the building was previously gravel. The lot was also expanded by approximately 30%. A dumpster storage area was also added on the east side of the rear parking lot, With the addition of more impervious surfacing, the stormwater treatment pond on the easterly most portion of the property must be expanded. The expansion of the pond as shown on the plans has not be completed to date.

Representatives for White Bear Township, Ramsey County and the applicants engineer are working together to finalize the drainage plan. A new stormwater structure is being added within the Bellaire Avenue right-of-way. Concrete curb was added to the parking lot to help direct stormwater to the pond. Previously the paved parking area flowed partially to the pond and/or to the north.

When reviewing a request for a Permitted Use Standards Permit, the following standards must be considered:

9-3.4(a). The use shall be planned, designed, constructed and maintained to avoid:

- (1). Unnecessary detracting from the appearance of adjacent properties or from the Town as a whole.
- (2). Aesthetic incompatibility.
- (3). Aural Incompatibility.
- (4). Damage to vegetation.
- (5). Traffic pattern incompatibility.
- (6). Erosion of soil.
- (7). Unnecessary loss of existing natural features (vegetation, steep slopes, wetlands, water bodies).
- (8). Increased flood potential.

9-3.4(b). No development shall be allowed which will result in unusual maintenance or repair costs of road, parking areas or utility lines.

9-3.4(c). Development shall be permitted only in such a manner that the maximum number of trees shall be preserved. It shall be the duty of the applicant to demonstrate that there are no feasible alternatives to the cutting of trees on the site.

9-3.4(d). The types and density of land use proposed for the site shall be suited to the site conditions and shall adequately correct problems due to soil limitations, including but not limited to, bearing strength, shrink-swell potential, slope stability, high groundwater, or wetness.

9-3.4(e). The proposed use shall be sited, designed, oriented and landscaped to produce a harmonious relationship of building and grounds to buildings and properties in the neighborhood.

9-3.4(f). The proposed use shall show sufficient landscaping to screen undesirable features and to enhance the development.

9-3.4(g). The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the policy and recommendations of the Comprehensive Plan.

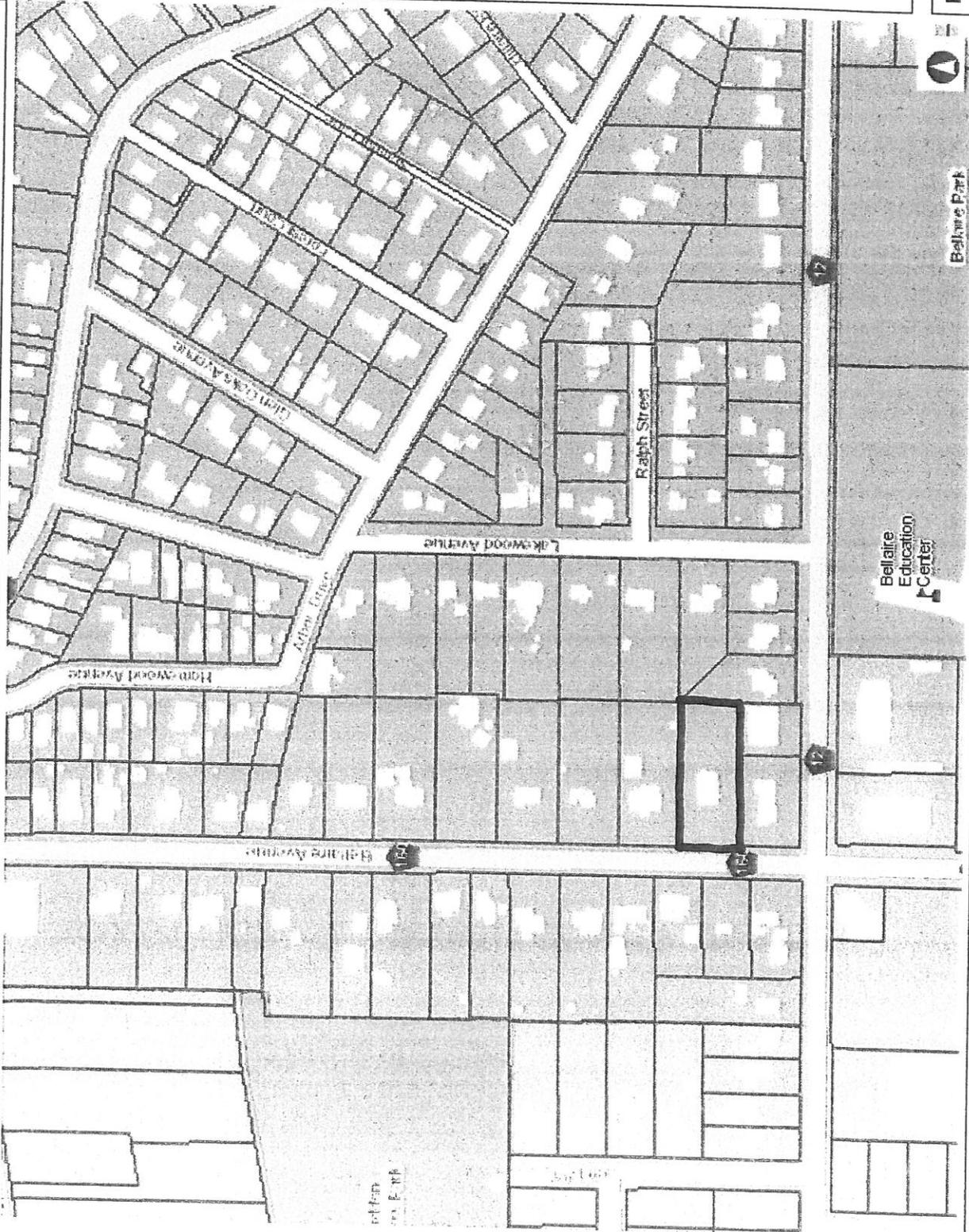
The completed improvements to the site are a compliment to the remodeled building.

It is recommended that when the pond excavation is completed, new landscaping be added around the pond in order to replace trees removed to grade the basin. In addition, the drainage improvements must be agreed upon by the Town and Ramsey County staff as well as the property owners.

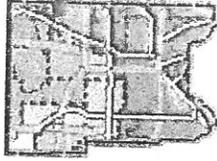
If recommended for approval, the Permitted Use Standards Permit should be subject to:

- Final approval of the grading plan and stormwater improvements by the Town Engineer, Public Works Director and Ramsey County Public Works.
- The applicant shall provide new landscaping around the perimeter of the regraded stormwater treatment pond.
- The applicant shall provide drainage and utility easements in favor of the Town over the revised stormwater treatment pond.

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



Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

Notes

Enter Map Description



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend



-  City Halls
-  Schools
-  Hospitals
-  Fire Stations
-  Police Stations
-  Recreational Centers
-  Parcel Points
-  Parcel Boundaries

Notes

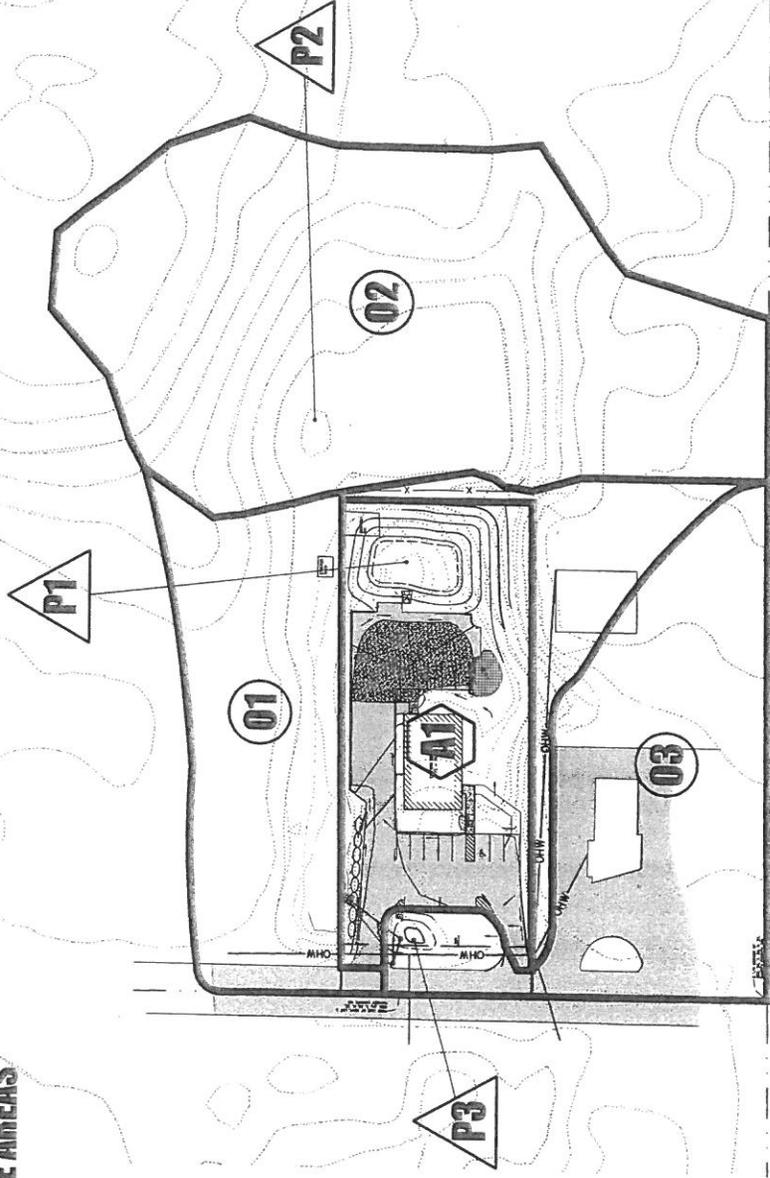
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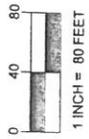
THIS MAP IS NOT TO BE USED FOR NAVIGATION



WHITE BEAR DENTAL PROPOSED DRAINAGE AREAS



NORTH



10/12/2018



NOTICE OF HEARING REQUEST FOR A VARIANCE FROM ORDINANCE NO. 35 (ZONING) OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, November 5, 2018 @ 7:00 p.m., to consider a 14.2' side yard setback variance to allow a parking lot expansion on the following property lying and being in the Town of White Bear, Ramsey County, Minnesota:

Subject to Bellaire Avenue, the North 125 feet of the South 283 feet of the West 330.22 feet of Government Lot 3, in Section 24, Township 30, Range 22, Ramsey County, Minnesota

(4100 Bellaire Avenue)

and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.

Given under my hand this 1st day of October, 2018.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

A handwritten signature in black ink, appearing to read "W. Short".

WILLIAM F. SHORT, Clerk-Treasurer



**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

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

October 24, 2018

Township Property Owner
White Bear Township, Minnesota 55110

Re: Side Yard Setback Variance Request

Dear Property Owners:

Enclosed please find a **Public Notice** regarding a side yard setback variance request at 4100 Bellaire Avenue.

The property owners are requesting approval of this variance to allow a paved parking lot with concrete curbing 5.8' from the side lot line.

The Public Hearing on the matter is scheduled for **Monday, November 5, 2018 @ 7:00 p.m. at Heritage Hall, 4200 Otter Lake Road, White Bear Township.**

If you have any questions regarding the matter please plan to attend the meeting or you may contact Tom Riedesel, Planner, at 651.747.2761 or via email at tom.riedesel@whitebeartownship.org.

Sincerely,

Patti Walstad
Paralegal

PSW/s
Enc.
cc:admin/add.file.



recycled paper

Parcel ID: 243022430087

JEFFREY R TAYLOR, LYNN M TAYLOR
4111 LAKEWOOD AVE
WHITE BEAR TOWN MN 55110-3908

Parcel ID: 243022430050

THOMAS NAPIWOSKI
4125 LAKEWOOD AVE
WHITE BEAR LAKE MN 55110-3908

Parcel ID: 243022430047

MANITOU FUND
2501 ROSEGATE
SAINT PAUL MN 55113-2717

Parcel ID: 243022430042

FLORENCE E O LEARY TRUSTEE
PO BOX 1480
JOHNSON CITY TX 78636-1480

RESIDENT
4130 BELLAIRE AVENUE
WHITE BEAR TOWNSHIP MN 55110

Parcel ID: 243022430051

PAIGE H LEE
4135 LAKEWOOD AVE
WHITE BEAR TOWNSHIP MN 55110-3908

RESIDENT
2505 COUNTY ROAD F
WHITE BEAR TOWNSHIP MN 55110

Parcel ID: 243022340016

ROBERT P JOHNSON, MARNE C JOHNSON
4087 BELLAIRE AVE
ST PAUL MN 55110-3909

Parcel ID: 243022340014

CHRISTOPHER J WEDDELL, JENNIFER A WEDDELL
4105 BELLAIRE AVE
WHITE BEAR LAKE MN 55110-3909

Parcel ID: 243022430045

J & J PROPERTIES LLC
4513 158TH ST N
HUGO MN 55038-7102

Parcel ID: 243022340013

DALE O BAILEY TRUSTEE, DIANNE J BAILEY TRUSTEE
4117 BELLAIRE AVE
WHITE BEAR LAKE MN 55110-3909

Parcel ID: 243022430088

THOMAS A STEFFENS, LINDA M STEFFENS
2515 COUNTY ROAD F E
WHITE BEAR TOWNSHIP MN 55110-3911

Parcel ID: 243022340012

MICHELE M AHERNS
4127 BELLAIRE AVE
WHITE BEAR TOWN MN 55110-3909

Parcel ID: 243022430089

PA YANG, MENG XIONG
2525 COUNTY RD F E
WHITE BEAR LAKE MN 55110-3757

Parcel ID: 243022430044

MERIBETH GAGAN
4112 BELLAIRE AVE
WHITE BEAR TOWN MN 55110-3910

Parcel ID: 243022430090

AUSTIN J HOLMES, CHELSEA J HOLMES
4105 LAKEWOOD AVE
WHITE BEAR TOWNSHIP MN 55110-3908

Parcel ID: 243022430049

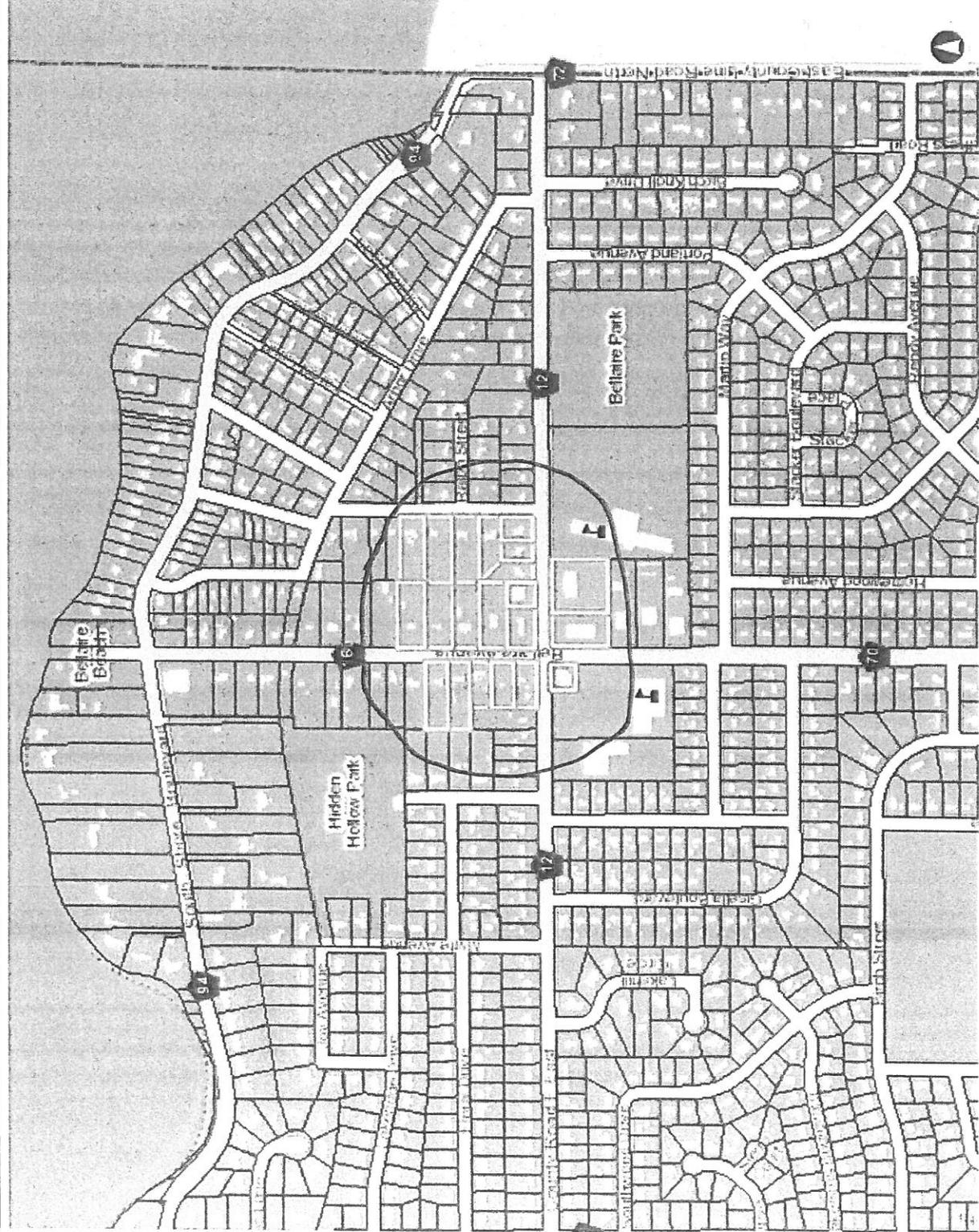
JOHN P HENNESSEY, CLAIRE M HENNESSEY
4115 LAKEWOOD AVE
WHITE BEAR TOWN MN 55110-3908

Parcel ID: 243022430046

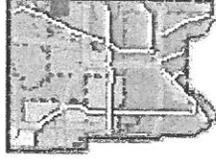
BRYAN K OEHLKE
2501 COUNTY ROAD F E
WHITE BEAR LAKE MN 55110-3911

Parcel ID: 243022430043

MICHAEL P WALDOCH
4124 BELLAIRE AVE
WHITE BEAR LAKE MN 55110-3910



Legend



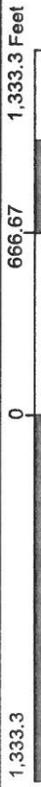
- City Halls
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Notes

Enter Map Description

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Carter Johnson, being first duly sworn, on oath states as follows:

- 1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:

Once a week, for one week, it was published on Wednesday, the 24th day of October, 2018.

- 4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:

- a) Lowest classified rate paid by commercial users for comparable space
b) Maximum rate allowed by law for the above matter
c) Rate actually charged for the above matter \$ 16.55/inch

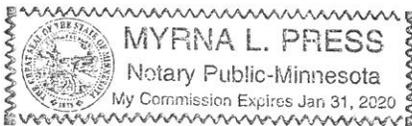
- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

BY: [Signature]
TITLE: Carter Johnson, Publisher

Subscribed and sworn to before me on this 24th day of October, 2018.

[Signature]
Notary Public





PERMITTED USE STANDARDS APPLICATION FORM

INTRODUCTION

All permitted uses outlined in the Zoning Ordinance, Section 6-4, with the exception of single family dwellings and their accessory buildings are required to meet the standards set forth in Section 9-3, Permitted Use Standards Procedure of the Zoning Ordinance.

APPLICANT(S) Joy Johnson PHONE (Home) 651-429-1437
Joe Johnson (Business) 651-653-3802
(Cell) 612-834-4700

ADDRESS 4100 Bellaire Ave
White Bear Lake, MN 55110

PROPERTY OWNER J & J Properties, LLC

ADDRESS OF SITE 4100 Bellaire Ave ZONING _____

EXISTING USE OF SITE Dental Office

DESCRIPTION OF PERMITTED USE REQUESTED PARKING LOT IMPROVEMENTS

PAID Fee (\$75.00 plus \$200.00 Expense Deposit)

CHECKLIST:

- _____ Site Plan – 15 full-sized copies (larger than 11 x 17) and one reduced size (8 ½ x 11)
- Existing conditions (all buildings, open space, retention areas, utility areas, service areas, and storage areas).
- Site improvements (proposed locations of buildings, parking areas, drives, fences, walls, signs, lighting, walkways, patios, decks and barriers).



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

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) Joy Johnson PHONE (Home) 651-429-1437
Joe Johnson (Business) 651-653-3802
 ADDRESS 4100 Bellaire Ave (Cell) 612-834-4700
White Bear Lake, MN 55110

PROPERTY OWNER J & J Properties, LLC

ADDRESS OF SITE 4100 Bellaire Ave, WBL, MN 55110 ZONING _____

EXISTING USE OF SITE DENTAL OFFICE

DESCRIPTION OF VARIANCE REQUEST REDUCED SIDE YARD SETBACK FOR PARKING

SETBACKS:	<u>Required</u>	<u>Existing</u>	<u>Requested</u>
Front Yard	_____	_____	_____
Side Yard	<u>20'</u>	<u>6'</u>	<u>6'</u>
Side Yard	_____	_____	_____
Rear Yard	_____	_____	_____
Other (Specify)	_____	_____	_____

ZONING CERTIFICATE

TOWN OF WHITE BEAR, MINNESOTA

I hereby certify that the real estate situated in the Town of White Bear, Ramsey County, Minnesota, described as follows, to-wit: Subject to Bellaire Avenue, the North 125 feet of the South 283 feet of the West 330.22 feet of Government Lot 3, in Section 24, Township 30, Range 22, Ramsey County, Minnesota, and commonly known as 4100 Bellaire Avenue, is in a(n) B-2 General Business District, and can be used for the following purpose: to construct a paved parking lot with concrete curbing in accordance with the attached Requirements, pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: November 5, 2018.

TOWN CLERK

- CONDITIONAL USE PERMIT
- PERMITTED USE
- NON-CONFORMING USE
- SPECIAL HOME OCCUPATION PERMIT
- OTHER: _____

PERMITTED USE STANDARDS PERMIT REQUIREMENTS

**J & J Properties, LLC
d/b/a White Bear Lake Dental
4100 Bellaire Avenue
White Bear Township MN 55110**

1. The following Plans are made a part hereof by reference:
 - Grading & Drainage Plan dated 10/15/18
2. All requirements of the Town's Public Works Department, Ramsey County Engineer, Ramsey County Public Works Department, Town Engineer, and Rice Creek Watershed shall be complied with.
3. A Landscaping Plan shall be submitted by the applicants which proposes landscaping in areas around the stormwater treatment pond and other areas on site which will be disturbed by grading and/or has significant trees removed.
4. Drainage and utility easements shall be provided to the Town over the stormwater treatment pond.
5. All Federal and State Statutes, rules and regulations, and any other governmental agencies shall be complied with.

TR/PSW
cc:admin.file
b:4100bellaire



**Town Board Meeting
November 19, 2018**

Agenda Number: 9A – New Business

Town Planner Item:

**Subject: Shook/Worwa, 4043 & 4053 Birch Knoll Drive – Minor
Subdivision / Lot Line Rearrangement**

**Documentation: Town Planner Memo w/ attachments /
Minor Subdivision Application**

Action / Motion for Consideration:

Town Planner Report at Meeting / Discuss

Based on Planning Commission & Staff Review & Recommendation
Approve the Minor Subdivision/ Lot Line Rearrangement Between 4043 &
4053 Birch Knoll Drive

**Minutes
Planning Commission Meeting
September 27, 2018**

SHOOK/WORWA, 4043 & 4053 BIRCH KNOLL DRIVE – MINOR SUBDIVISION / LOT LINE REARRANGEMENT: The Planner reported that the applicants, Casey & Kassie Shook and Dennis & Mary Worwa are requesting approval of a minor subdivision / lot line rearrangement which would permit them to resolve a property encroachment. Homes along this part of Birch Knoll Drive were constructed close to the south lot lines with a considerable amount of space between the homes and north lot lines. The Worwa driveway at 4053 Birch Knoll Drive encroaches onto the property at 4043 Birch Knoll Drive. As a result, the Worwa's are proposing to acquire a strip of land from the Shooks. Both lots exceed the 80' lot width and 12,000 square feet in area requirements. Both lots will continue to exceed the minimum lot width and square footage if the lot line rearrangement is approved as requested. The Shook property at 4043 Birch Knoll Drive appears to have a sidewalk which encroaches on the property at 4035 Birch Knoll Drive. An additional lot line rearrangement may be requested for 4043 & 4035 Birch Knoll Drive in the future.

Kotilinek moved to approve the Minor Subdivision at 4043 & 4053 Birch Knoll Drive, noting that Staff will discuss the Planning Commission's recommendation with the applicant. Artner seconded. Ayes all.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: SEPTEMBER 18, 2018

SUBJECT: MINOR SUBDIVISION – 4043 & 4053 BIRCH KNOLL DRIVE

The applicants Casey & Kassie Shook and Dennis & Mary Worwa are requesting approval of a minor subdivision / lot line rearrangement, which would permit them to resolve a property encroachment. Homes along this part of Birch Knoll Drive were constructed close to the south lot lines with a considerable amount of space between the homes and north lot lines.

The Worwa driveway at 4053 Birch Knoll Drive encroaches onto the property at 4043 Birch Knoll Drive. As a result, the Worwa's are proposing to acquire a strip of land from the Shooks. Both lots exceed the 80' lot width and 12,000 square feet in area. Both lots will continue to exceed the minimum lot width and square footage, if the lot line rearrangement is approved as requested.

It should be noted that the Shook property at 4043 Birch Knoll Drive appears to have a sidewalk, which encroaches on the property at 4035 Birch Knoll Drive. An additional lot line rearrangement may be requested for 4043 & 4035 Birch Knoll in the future.

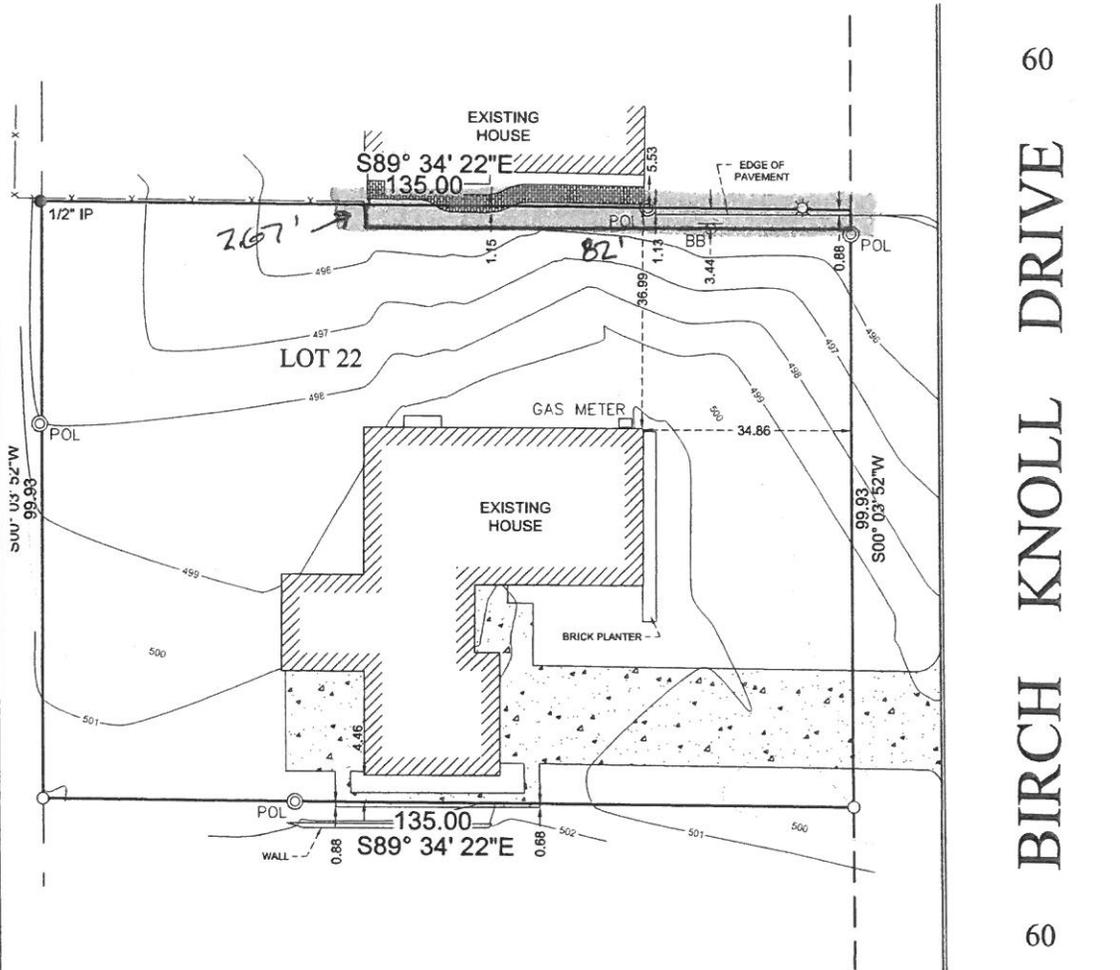
CERTIFICATE OF SURVEY FOR CASEY SHOOK

PROPERTY ADDRESS

4043 Birch Knoll Drive
White Bear Township, MN 55110

DESCRIPTION

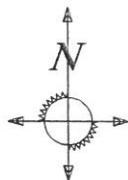
Lot 22, Block 1, BIRCHWOOD KNOLL
ADDITION WHITE BEAR TOWNSHIP
Romsey County, Minnesota



60

BIRCH KNOLL DRIVE

60



SCALE IN FEET

LEGEND:

- Denotes Iron monument found
- Denotes Iron monument set #47223
- ⊙ Denotes Point On Line set

NOTES:

Elevations are on assumed datum.

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

Allen C. Schlipp

Allen C. Schlipp
DATE 8/29/18 LIC. NO MN 21292



1440 Arcade St. Suite 250
Saint Paul, MN 55106
Phone: 651-766-0112
Fax: 651-776-0206
E-mail: info@mpasso.com



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) Casey and Kassie Shook PHONE (Home) 785-832-2171 (Shook)
Dennis and Mary Worwa (Business) 785-218-5433 (Shook)
(Cell) _____

ADDRESS 4043 Birch Knoll Drive
White Bear Twp, MN 55110

PROPERTY OWNER Casey & Kassie Shook

ADDRESS OF SITE 4043 Birch Knoll Drive ZONING R-1

EXISTING USE OF SITE Residential

185.00 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.



**Town Board Meeting
November 19, 2018**

Agenda Number: 9B – New Business

Town Planner Item:

Subject: Larry & Carol Leibel, Jerry & Rachael Perron & Joyce Perron – Request for Minor Subdivision/Lot Line Rearrangement at 5956 & 5652 Portland Avenue & 5959 East County Line Road

Documentation: Staff Memo w/attachments

Action / Motion for Consideration:

Town Planer Report at Meeting / Discuss

Based on Planning Commission & Staff Review & Recommendation Approve the Minor Subdivision/Lot Line Rearrangement at 5956 & 5952 Portland Avenue & 5959 East County Line Road Including Dedication of Drainage & Utility Easements in Favor of White Bear Township

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: OCTOBER 19, 2018
SUBJECT: LOT LINE REARRANGEMENT

REQUEST: MINOR SUBDIVISION / VACATION OF DRAINAGE & UTILITY EASEMENT
LOCATION: 5956 & 5952 PORTLAND AVE & 5959 EAST COUNTY LINE RD
APPLICANTS: LARRY & CAROL LEIBEL, JERRY & RACHEL PERRON, & JOYCE PERRON
ZONING: R1

The applicants are requesting approval of a minor subdivision, which would allow a lot line shift along the common property line. The lot line rearrangement proposes moving the northerly lot line of the Perron property 43' to the north reducing the width of the Leibel lot the same distance. The purpose of the lot line shift is to clear up an encroachment on parcel C and to allow parcel B space to construct an accessory structure at the northeast end of the driveway.

Parcel A, the Leibel property is 3.22 acres in size and approximately 172' wide at the Portland Ave right-of-way. Parcel B, the Jerry and Rachel Perron lot is 1.21 acres in size and the lot width is 313'. Parcel C, the Joyce Perron lot is 3.38 acres in size and the lot width is 313'. With the proposed lot line rearrangement, all three lots will continue to meet minimum lot size and width requirements.

When the Perron property was subdivided, drainage and utility easements were provided along the perimeter of the property. The easement must be vacated along the line to be relocated and reestablished in the new location.

Since the minimum lot size and width will continue to meet Town requirements if the lot line is relocated as proposed, the minor subdivision and easement vacation can be recommended for approval as requested.



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)

- A. Larry and Carol ~~Label~~
- B. Jerry and Rachael Perron
- C. Joyce Perron

PHONE

- A. 651-429-8213
- B. 651-762-2928
- C. 651-429-5083

ADDRESS(ES)

- A. 5956 Portland Avenue
- B. 5952 Portland Avenue
- C. 5959 East Co. Line

PROPERTY

OWNER Same as Applicants

ADDRESS OF

SITE(S) See above addresses

ZONING R-1

EXISTING USE OF SITE Residential Homes (No change in use requested). Application is being submitted for boundary line adjustment.

_____ 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.

[Signature]

Carol Liskel

[Signature]

Rachael Perron

Joyce M. Perron
Signature of Applicants

OCT. 18, 2018
Date

ATTACHED EXHIBITS:

- Tab 1 – Existing Legal Descriptions
- Tab 2 – Proposed Legal Descriptions
- Tab 3 – Depiction of Existing Parcels
- Tab 4 – Depiction of Boundary Adjustment
- Tab 5 – Depiction of Proposed Parcels
- Tab 6 – Title Commitment for Lot 2 MEYER and PETERS BALD EAGLE GARDEN LOTS
- Tab 7 – Title Policy for Jerry and Rachael Perron parcel

<u>To Be Completed By Office:</u>	<u>CR # 3515</u>
Date Request Received <u>10/18/18</u>	
By <u>Karen</u> (Staff Member)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
\$35.00 Fee + \$150 Deposit Received	
Date Application Complete _____	

Tab 1 – Existing Legal Descriptions

There are 3 parcels that currently comprise a portion of Lot 2, Meyer & Petter's Bald Eagle Garden Lots:

PARCEL A: Larry and Carol Leibel Parcel

That part of Lot 2 and that part of Portland Avenue, all in Meyer & Petter's Bald Eagle Garden Lots, Ramsey County, Minnesota, described as follows: Beginning at the Northeast corner of the South 315 feet of said Lot 2; thence Northerly along the East line of said Lot 2 to the Northeast corner of said Lot 2; thence North 89 degrees 32 minutes 47 seconds West (assumed bearing) along the North line of said Lot 2, a distance of 870.92 feet; thence South 54 degrees 37 minutes 13 seconds West to the center line of Portland Avenue as constructed and used; thence Southeasterly along said center line to the North line of the South 315 feet of said Lot 2; thence Easterly along last said North line to the point of beginning.

PARCEL B: Jerry and Rachael Perron Parcel

That part of the Southerly 315 feet of Lot 2, Meyer and Petter's Bald Eagle Garden Lots, Ramsey County, Minnesota, lying Westerly of the Easterly 478 feet thereof and lying easterly of the center line of Portland Avenue as now constructed and used.

PARCEL C: Joyce Perron Parcel

The East 478 feet of the South 315 feet of Lot 2, Meyer & Petter's Bald Eagle Garden Lots, according to the recorded plat thereof, Ramsey County, Minnesota

Tab 2 – Proposed Legal Descriptions

Following the boundary adjustment, the 3 parcels remain intact, but with new legal descriptions as follows:

PARCEL A: Larry and Carol Leibel Parcel

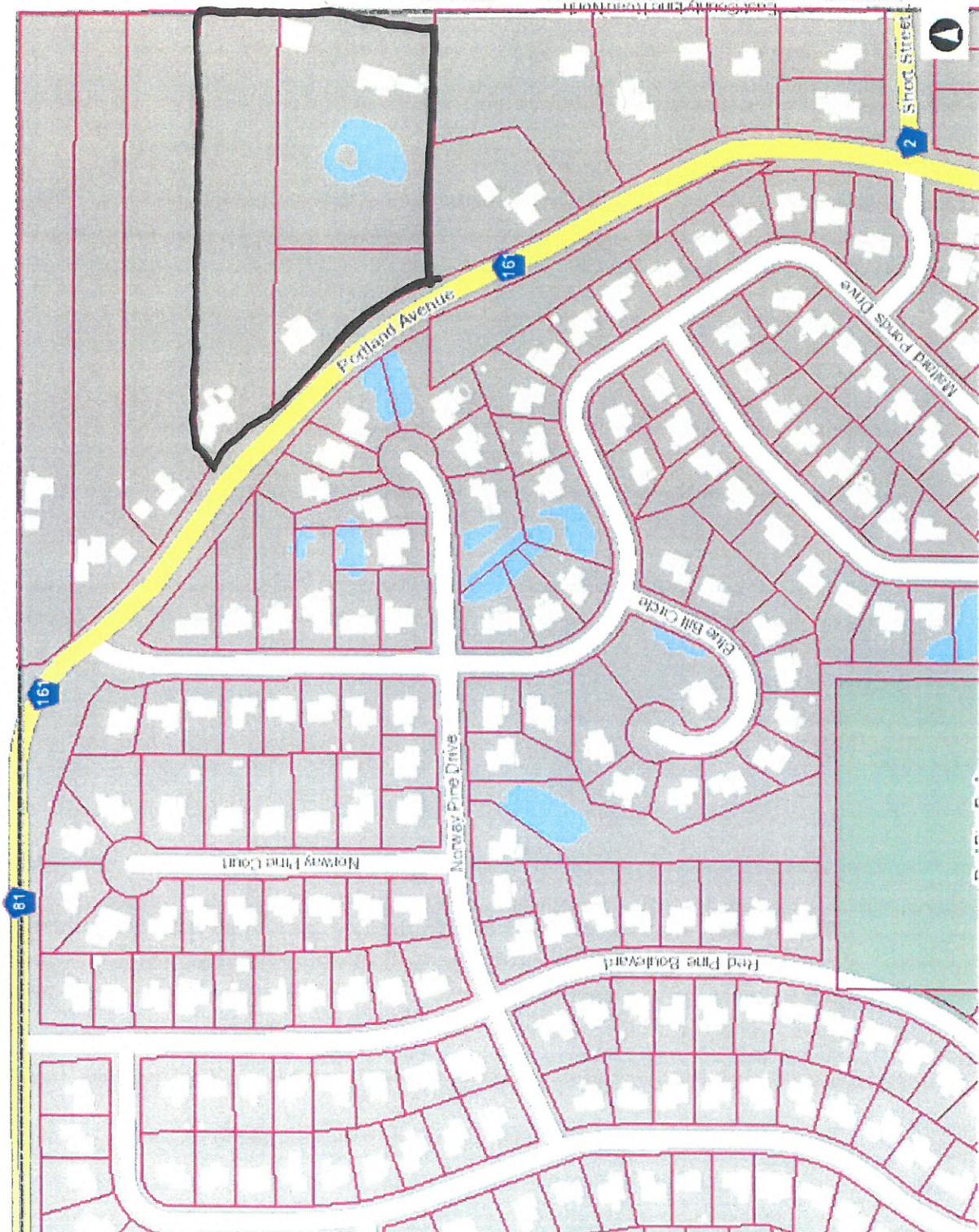
That part of Lot 2 and that part of Portland Avenue, all in Meyer and Petter's Bald Eagle Garden Lots, Ramsey County, Minnesota, described as follows: Commencing at the Northeast corner of the South 315 feet of said Lot 2; thence westerly along the North line of the South 315 feet of said Lot 2 to the to the center line of Portland Avenue as constructed and used, the point of beginning of the parcel to be described; thence North 54 degrees 37 minutes 30 seconds East to the point of intersection with the North line of the South 358 feet of said Lot 2; thence easterly along the North line of said South 358 feet to the East line of said Lot 2; thence Northerly along the East line of said Lot 2 to the Northeast corner of said Lot 2; thence North 89 degrees 52 minutes 36 seconds West along the North line of said Lot 2 as monumented, a distance of 870.89 feet; thence South 54 degrees 37 minutes 30 seconds West to the center line of Portland Avenue as constructed and used; thence Southeasterly along said center line to the North line of the South 358 feet of said Lot 2; thence Easterly along last said North line to the point of beginning.

PARCEL B: Jerry and Rachael Perron Parcel

That part of the **South 358** feet of Lot 2, Meyer and Petter's Bald Eagle Garden Lots, Ramsey County, Minnesota, lying Westerly of the Easterly 478 feet thereof and lying southeasterly of a line described as follows: Commencing at the Northeast corner of the South 315 feet of said Lot 2; thence westerly along the North line of the South 315 feet of said Lot 2 to the to the center line of Portland Avenue as constructed and used, the point of beginning of the line to be described; thence North 54 degrees 37 minutes 30 seconds East to the point of intersection with the North line of the South 358 feet of said Lot 2.

PARCEL C: Joyce Perron Parcel

The East 478 feet of the **South 358** feet of Lot 2, Meyer and Petter's Bald Eagle Garden Lots, according to the recorded plat thereof, Ramsey County, Minnesota.



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

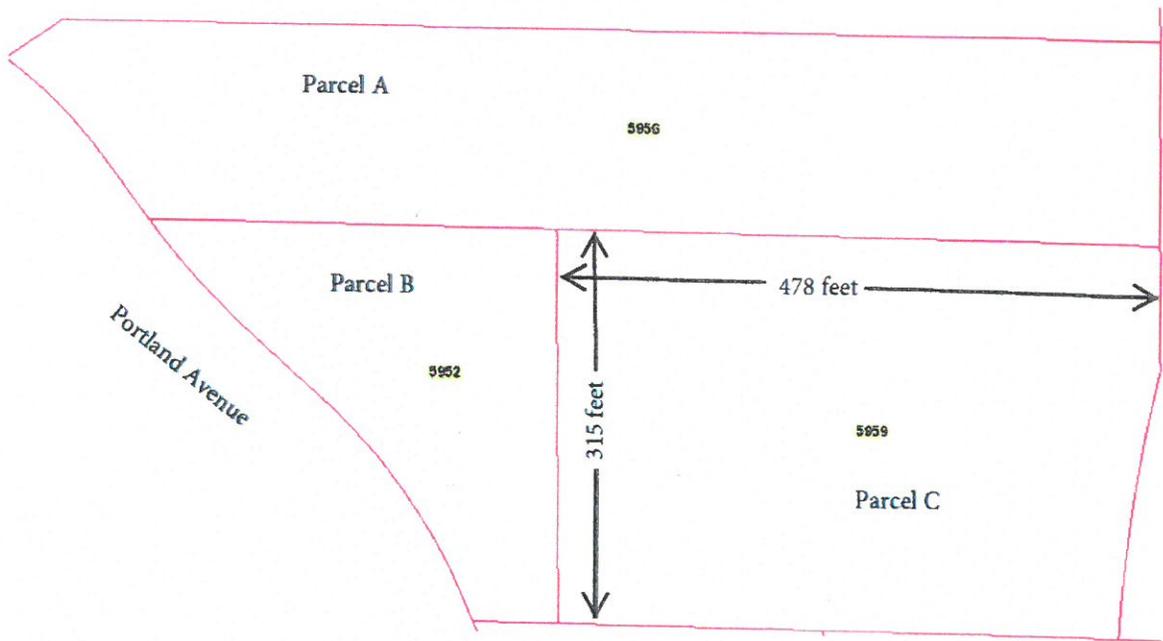


- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

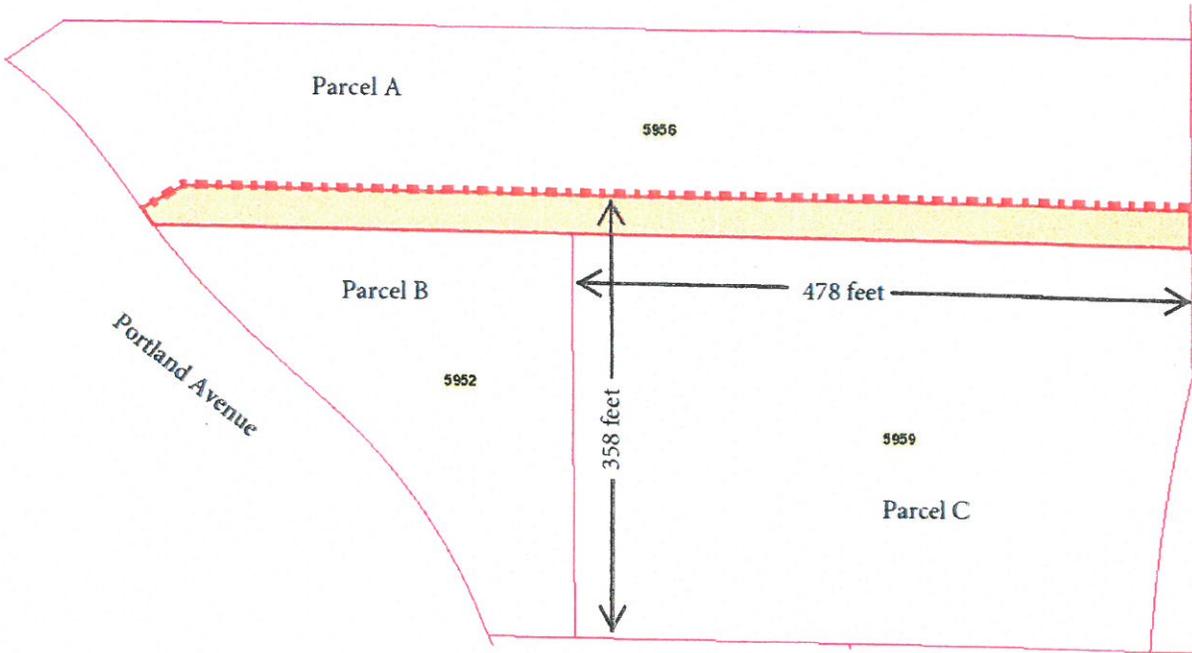
Notes

Enter Map Description

Tab 3 – Depiction of Existing Parcels
(Lot 2 Meyer & Petter's Bald Eagle Garden Lots)



Tab 4 – Depiction of Boundary Adjustment



Tab 5 – Depiction of Proposed Parcels



Tab 2 – Proposed Legal Descriptions

Following the boundary adjustment, the 3 parcels remain intact, but with new legal descriptions as follows:

PARCEL A: Larry and Carol Leibel Parcel

That part of Lot 2 and that part of Portland Avenue, all in Meyer and Petter's Bald Eagle Garden Lots, Ramsey County, Minnesota, described as follows: Commencing at the Northeast corner of the South 315 feet of said Lot 2; thence westerly along the North line of the South 315 feet of said Lot 2 to the center line of Portland Avenue as constructed and used, the point of beginning of the parcel to be described; thence North 54 degrees 37 minutes 30 seconds East to the point of intersection with the North line of the South 358 feet of said Lot 2; thence easterly along the North line of said South 358 feet to the East line of said Lot 2; thence Northerly along the East line of said Lot 2 to the Northeast corner of said Lot 2; thence North 89 degrees 52 minutes 36 seconds West along the North line of said Lot 2, a distance of 870.89 feet; thence South 54 degrees 37 minutes 30 seconds West to the center line of Portland Avenue as constructed and used; thence Southeasterly along said center line to the point of beginning.

Subject to drainage and utility easements ten (10) feet in width along the property boundary as required by municipal ordinance.

PARCEL B: Jerry and Rachael Perron Parcel

That part of the South 358 feet of Lot 2, Meyer and Petter's Bald Eagle Garden Lots, Ramsey County, Minnesota, lying Westerly of the Easterly 478 feet thereof and lying southeasterly of a line described as follows: Commencing at the Northeast corner of the South 315 feet of said Lot 2; thence westerly along the North line of the South 315 feet of said Lot 2 to the center line of Portland Avenue as constructed and used, the point of beginning of the line to be described; thence North 54 degrees 37 minutes 30 seconds East to the point of intersection with the North line of the South 358 feet of said Lot 2.

Subject to drainage and utility easements ten (10) feet in width along the property boundary as required by municipal ordinance.

PARCEL C: Joyce Perron Parcel

The East 478 feet of the South 358 feet of Lot 2, Meyer and Petter's Bald Eagle Garden Lots, according to the recorded plat thereof, Ramsey County, Minnesota.

Subject to drainage and utility easements ten (10) feet in width along the property boundary as required by municipal ordinance.

Received 11/9/2018



**Town Board Meeting
November 19, 2018**

Agenda Number: 10 – 11- 12 - 13

Subject: Added Agenda Items
Open Time

Receipt of Agenda Materials & Supplements
Adjournment

Action / Motion for Consideration:

Added Agenda Items
Open Time

Receive All Agenda Materials & Supplements for Tonight's Meeting
Adjourn Meeting