

**City of East Bethel**  
**Planning Commission Agenda**  
**Planning Commission Regular Meeting**  
**Date: May 27, 2025**



Two or more Council Members and/or the Mayor may be in attendance at this meeting.  
If two or more Council Members and the Mayor attend the event, there will be a quorum of Council Members.

This meeting may be monitored live via the following means:  
Cable Channel 10, MidcoTV Channel 77, or the City of East Bethel YouTube channel  
([www.youtube.com/channel/UC8\\_7ShcME-XG14pN5JrmBGg/live](http://www.youtube.com/channel/UC8_7ShcME-XG14pN5JrmBGg/live))

1. Call To Order
2. Adopt Agenda
3. Council Liaison Update
4. Approval of Minutes: March 25, 2025
5. Interview of Planning Commission Candidates
  - a. Eldon Holmes
  - b. Kristina Pagnac
6. **Public Hearing.** Consider a Zoning Ordinance amendment to regulate “barndominiums” in East Bethel (File 25-006) (p.6-29)
7. **Public Hearing.** Consider the request by applicant, D&D Construction LLC, for Site Plan, Conditional use Permit (CUP), and Variances at 21476 Johnson St. NE (File 25-009) (p. 30-65)
8. **Public Hearing.** Consider the request by applicant, Tom Carlisle of Sherco Construction, for a Concept Plan Review of a subdivision north of 217<sup>th</sup> Avenue NE, PIN 12-33-23-14-0002 (File 25-011) (p. 66-82)
9. **Public Hearing.** Consider the request by applicant, Greg Underdahl, for garage size, metal siding, and impervious surface Variances at 138 Laurel Road NE (File 25-012) (p. 83-96)
10. **Public Hearing.** Consider the request by applicant, Mark Fors, for rear setback and impervious surface Variances at 144 Laurel Road NE (File 25-015) (p.97-110)
11. Adjourn

1 **DRAFT MINUTES: NOT YET APPROVED**

2  
3 EAST BETHEL PLANNING COMMISSION MEETING  
4 March 25, 2025

5  
6 MEMBERS PRESENT: Chair Sharon Johnson, Glenn Terry, Tanner Balfany, and Kory Jorgensen.

7  
8 MEMBERS ABSENT: Brian Downie

9  
10 ALSO PRESENT: Kendra Lindahl, Interim Community Development Director  
11 Grace Gerard, City Planner  
12 Brian Mundle, City Council Liaison  
13 Curt Strandlund, Classic Construction President/Owner  
14 Bill Wright, Pan-O-Gold Baking Co. Fleet and Facilities Manager

15  
16 **1.0 Call to Order**

17 Chair Johnson called the Planning Commission regular meeting to order at 7:00 pm.

18  
19 **2.0 Adopt Agenda**

20 **Commissioner Balfany moved and Commissioner Terry seconded to adopt the agenda as**  
21 **presented.** Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson  
22 asked any opposed? That motion passes. **Motion passes unanimously.**

23  
24 **3.0 Council Liaison Update**

25 Council Liaison Mundle updated the Commission on recent Council actions.

26 The next Planning and Zoning Commission meeting is scheduled for April 22, 2025.

27  
28 **4.0 Approve February 25, 2025, meeting minutes**

29 Terry requested an addition on page 2, line 51 following “with setting a precedent” to add to the  
30 sentence “as it is a unique location, at the end of a cul-de-sac.”

31 Terry requested a change on page 2, line 56, to change “Terry noted” to “Jorgensen noted.”

32 Terry requested a clarification on page 2, line 76 and line 79, that he was corrected and did not need to  
33 abstain from that vote. He did vote in favor on that item.

34 Balfany noted he would abstain from the vote on this item since he was not present at the meeting.

35 **Commissioner Terry moved and Commissioner Jorgensen seconded to approve the February 25,**  
36 **2025 regular meeting minutes as corrected.** Johnson asked any discussion? To the motion, all in  
37 favor say aye. **Johnson, Terry, Jorgensen -Aye; Balfany- Abstain.** Johnson asked any opposed?  
38 That motion passes. **Motion passes.**

39  
40 **5.0 Public Hearing – Consider the request by applicant, Classic Construction, for Site Plan and**  
41 **Conditional use Permit (CUP) at 18750 Ulysses Street NE**

42 Lindahl introduced the new City Planner, Grace Gerard.

43 Gerard introduced herself to the Commission and noted that she is excited to begin working with them.

44 Lindahl reviewed the staff report stating that this is a public hearing for a Site Plan and Conditional Use  
45 Permit to allow a second building at 18750 Ulysses Street NE. The applicant is Classic Construction.  
46 The parcel is guided Light Industrial and zoned I- Light Industrial. The original approval of the lot  
showed that conceptually, in the future that a second building would be added. The applicant is

47 proposing landscaping by relocating some landscaping. She noted that they simply need to ensure that  
48 landscaping between the two buildings is met. The Ordinance includes 10 general standards for  
49 Conditional Use Permits and additional standards for Cite Plan approval. Staff has found that the  
50 applicant has met the standards. The engineer's comments have not yet been received. The loading areas  
51 will need to be screened from the public right-of-way. A draft Resolution has been provided in the  
52 packet with conditions for approval listed.

53 Johnson opened the public hearing at 7:17 p.m.

54 Strandlund noted concerns he has for the screen walls along the dock. He added that the screen walls on  
55 the existing building is a one-purpose building, so there is a front entry to the building. The new building  
56 is a multi-tenant building, he noted that screening the building would not give adequate access to both  
57 tenants.

58 Balfany noted that it appears as if the loading dock area on the building is a bit recessed, he asked if that  
59 is the same on the first building.

60 Strandlund noted that the whole building is built up, so both sides are recessed roughly 44 inches, so the  
61 wheels of trucks would not be seen.

62 Johnson asked about the schedule for this project.

63 Strandlund noted that they are getting through the process and would like to get going this season.

64 Johnson asked if he was aware of the screening before the meeting.

65 Strandlund mentioned that they were made aware when they received the packet. He added that he built  
66 other buildings in the community with docks that are not screened.

67 Johnson added that she was surprised that screening was required.

68 Lindahl read the Code, which stated that screening must be provided. She also noted that they can work  
69 with them to discover other options for screening.

70 Wright noted that he oversaw the project on building number one and has worked closely with building  
71 number two. He discussed the difficulties with building screening walls on building number two. He  
72 added that he would like to investigate buildings in the area that were not required to have screening  
73 walls and possibly apply for a variance request.

74 Johnson asked about the timeline if they applied for a variance.

75 Lindahl explained that the burden of proof is on the applicant for reasoning to need a variance. The  
76 variance request would go to the Planning Commission and then to City Council for approval.  
77 Depending on application turnaround, the variance could come back next month at the earliest.

78 Jorgensen asked what the actual definition of screening is.

79 Lindahl noted that if the Code does not define it, they use the Webster dictionary definition.

80 Johnson suggested working with staff over the next month to work on a variance request.

81 Balfany suggested recommending approval with the screening conditions to keep the project moving  
82 forward, then they can later discover if changes need to be made to meet the Code.

83 Terry added that he recalls from past projects that the screening must be six feet in height.

84 Jorgensen asked if they could approve it in the way that Balfany suggested.

85 Lindahl added that the resolution provided in the packet does not state how they screen it, just that  
86 screening is required. She added that they could approve it with that condition.

87 Strandlund noted that he would work with staff to find a screening solution.

88 Johnson closed the public hearing at 7:45 p.m.

89 Terry asked if the site met the parking requirements.

90 Lindahl stated that the site has more parking than Code requires.

91 **Commissioner Balfany moved and Commissioner Terry seconded to recommend approval to City**  
92 **Council with the conditions set forth in the provided Resolution.** Johnson asked any discussion? To  
93 the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes.  
94 **Motion passes unanimously.**

95 This item goes before City Council on April 21, 2025.

96  
97 **8.0 Adjournment**

98 **Commissioner Balfany moved and Commissioner Jorgensen seconded to adjourn at 7:48 pm.**  
99 Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any  
100 opposed? That motion passes. **Motion passes unanimously.**

101 Submitted by:  
102 Sylvia Rokosz  
103 *TimeSaver Off Site Secretarial, Inc.*  
104



**City of East Bethel  
Planning Commission Meeting  
Agenda Item Information**



**Meeting Date:** May 27, 2025

**Agenda Item Number:** 6

**Request:** Consider a Draft Ordinance Amendment to address “barndominiums” in East Bethel

**Review Deadline:** N/A

**Background Information**

Staff was directed by the City Council to explore possible ordinance amendments to address “barndominiums” (or shouses) in East Bethel.

Over the last few months, staff has presented different options to the City Council who have now directed staff present the draft ordinance to the Planning Commission for a public hearing.

This Zoning Ordinance amendment has been identified as a priority for the City Council to address the comments and concerns expressed by the Council and other members of the community. The proposed ordinance amendment is discussed in detail below and attached to this report. Many of the changes are for clarification of the intent of the Zoning Ordinance. Other notable changes include new rules or regulation to expand barndominiums in East Bethel, and opportunities to clean up existing code sections that apply.

**Analysis**

Staff has worked to identify the specific sections of the code that will need to change to address the main issues (Size, Architecture, Home Occupations) with the current ordinance when discussing barndominiums. Staff recommends the following changes with underlined text for the proposed additions to the City Code and ~~struck through~~ text for the deletions. The specific code sections from Appendix A (The Zoning Ordinance) are as follows:

**1. Section 1 subd. 9 (Definitions)**

Two major changes needed for the rest of the changes are a definition for “barndominium” and updating the definition of “Accessory structure” to make it clearer it is both for “detached” and “attached” structures. Additionally, other specific definitions that should be called out include:

*Barndominium: A single-family detached principal residential structure dwelling with attached shops or storage areas and usually built using a post frame method of construction.*

*Garage: A detached or attached accessory building designed or used for the parking and storage of vehicles owned and operated by residents of the principal structure on the same lot.*

*Home occupation: An occupation carried on in a dwelling unit or detached accessory building by the resident, which is clearly secondary to the principal use.*

*Principal building or use: The main use of buildings or land in which the principal use of the property is conducted.*

Finally, throughout the Zoning Ordinance, building and structure are used interchangeably. This causes unnecessary confusion and should be updated as part of a Zoning Ordinance update as they do have the following definitions in the zoning ordinance:

*Building: Any structure having a roof supported by columns or walls for the shelter or enclosure of persons, animals, or property.*

*Structure: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.*

Using the definitions in the ordinance, all buildings are structures but not all structures are buildings. The scope of this effort is limited, but as part of a future update, the City should review the terms to ensure that they are used consistently and accurately throughout the ordinance.

## **2. Section 10 (General Development Regulations) subd. 19 (Home Occupations)**

The Home Occupation subdivision is a section that was identified from previous discussions with the Council. A need was identified to ensure home occupations could continue to be monitored and enforced even if barndominiums were to increase in frequency. For all types of home occupation permits, there is a provision found below:

*i. The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure.*

With any type of housing this would restrict the amount of a principal structure that may be used for the home occupation purpose. For example, a 2,000 sq. ft. house with a 1,000 sq ft attached garage could only use 500 sq. ft. of the attached garage for the home occupation. This would generally prohibit home occupation from occurring on the lot in a detached accessory structure. The following addition has been made to this section to clarify that it is possible through the Home Occupation application process:

*a. The structure shall not be used for commercial or industrial activities, unless the City Council approves a home occupation permit for an accessory building.*

## **3. Section 13 (General Building standards)**

This section contains the standard architecture and design requirements for residential structures in East Bethel. Currently, for single-family homes, the code allows the following for materials:

*The exterior walls of all single-family residences shall be similar in appearance to normal wood, vinyl siding, or masonry residential construction*

Metal siding is not mentioned and would not be considered a “similar in appearance material” when compared to the approved list.

Examples from Menards barndominium designs and a cut sheet of the metal siding used in their designs are attached to this report. While they offer three metal siding panel options, the proposed

ordinance changes would only allow two of the choices due to the desire to require hidden fasteners for a more residential appearance.

After discussion with the City Council, the following changes are proposed to allow metal siding for any residential structure, but add additional rules for barndominiums given their size and appearance:

4) Metal siding may be used if it complies with the following standards

a. The panels have been treated with a factory applied color coating system to prevent against any fading or degradation.

b. Have concealed fasteners

c. Standing seams are not allowed.

d. For Barndominiums using metal siding they must:

i. Comply with the metal siding standards above and

ii. Combine the metal siding with complementary materials, such as brick, wood, or stone, covering at least 20% of the building's front façade. Metal siding of a different style (such as using lap siding and shake panels) may be used to meet this requirement.

Additionally, the City Council discussed foundation types as many barndominiums would not meet City Code currently due to violation of the foundation requirements, which are stricter than the MN State Building Code. After discussion with the Building Official and City Council, review of the State Building Code would allow the following modification:

1) *All structures shall have permanent or concrete or treated wood foundations which will anchor the structure, which comply with the state building code as adopted in the State of Minnesota, ~~and which are solid for the complete perimeter of the house.~~*

2) All structures must have a foundation that is solid for the complete perimeter of the house, except Barndominiums, which may use alternative foundations types as long as they comply with the state building code adopted in the State of Minnesota and are verified by a licensed structural engineer.

~~2)3)~~ *All single-family structures must be built in conformance with Minn. Stats. § 327.31—327.35 of the state building code as adopted in the State of Minnesota.*

This change would allow more flexible foundation types for barndominiums. Many people cite cost as a reason for choosing the post frame method of construction, but the addition of higher load requirements necessitates a structural engineer design the foundation, which may make either method comparable in total cost.

#### **4. Section 14 (Detached Accessory Structures)**

This section implies throughout that it applies to both “detached” and “attached” accessory structures. Because of this, the section title should be renamed, and the subdivisions reordered to clearly label which items apply to each type of accessory structure or to both. The goal of these changes is to

understand the original intent of the ordinance and make it clear for both staff and the public when reading the code.

Staff found that the size and number of detached accessory structures is generally consistent with similar and nearby communities, as well as the design requirements. Additionally, staff finds that the size restrictions provided in the code are intended for detached buildings only, not attached.

Currently, East Bethel requires a minimum of a 24 ft x 24 ft (576 sq. ft.) garage for each dwelling unit for single-family, two-family, and townhome residential uses. The code also regulates the minimum floor area for uses in all districts. The provision added shown below would help regulate attached building size when you begin to get to larger lots:

A. *Size of attached accessory structure ~~building~~:*

1) Attached accessory buildings, including garages, with a footprint of less than 1,000 square feet shall not be considered as part of the maximum footprint for purposes of the detached accessory structure calculations. However, attached accessory building space in excess of the initial 1,000 square feet shall be counted towards the maximum allowable detached accessory building footprint.

This addition would help regulate extra large garages for any residential use type, including barndominiums. Staff feels that any additional restrictions would be unnecessary as lot size, setback requirements and minimum living space floor area standards for each district would self-regulate and prevent absurdly large garage spaces attached to homes. The existing restrictions would also make it difficult to build a barndominium type home outside of the A and RR districts due to setbacks and size restrictions on urban lots.

When looking at the Menards examples of barndominiums, the range of total square footage ranges from 2,900 sq. ft. to 6,000 sq. ft. including garage and living area. Additionally, the garages range from 570 sq. ft. to over 3,500 sq. ft. total. Comparing the garage size to the living space size however shows a wide variation.

The smallest variation was 1,358 sq. ft. home attached to a 570 sq. ft. garage, or a home with 29% dedicated to garage space. This is typical of many standard single-family homes, and not exclusive of barndominiums. This design would not meet the standards for construction in East Bethel due to the garage size being too small.

The largest variation was 2,776 sq. ft. home attached to a 3,481 sq. ft. garage, or a home with 55.6% garage. This is closer to what the definition used for a barndominium. There are other examples ranging from 50.1% to 55% of the total space dedicated to garage, with some lofted or vaulted ceilings.

Additionally, with the above example ordinance section, the largest barndominium size home example would require a lot size of at least 3.5 acres to build. This would be the 1,000 sq. ft. allowed outright, and an additional 2,481 sq. ft. of detached accessory structures allowed. These types of homes would be restricted to A and RR zones but would limit the size allowed for the attached garage space in the RR district. The RR district allows 2-acre lots.

## **5. Section 41 (Agricultural District (A)) and Section 42 (Rural Residential District (RR))**

Both of these sections will need to include a barndominium as a permitted use to stay cohesive throughout the code.

These changes can be found in the attached draft ordinance amending the Zoning Ordinance.

**Summary:** The changes allow an opportunity to clean up and organize sections of the code and clarify intent for many ordinances not only around barndominiums, but for all buildings in East Bethel. Staff is supported of this amendment and has worked closely with other departments and the City Council to address concerns related to barndominiums and housing in East Bethel.

**Attachments:**

1. Draft Ordinance Amending the Zoning Ordinance
2. MN Building Code Handout
3. Menards Cutsheet Examples
4. Metal Siding Cutsheet Example
5. Foundation Types Example

**Requested Planning Commission Action:** The Planning Commission should hold a public hearing and evaluate the amendment and changes. They should ultimately make a recommendation to the City Council on what to adopt.

**CITY OF EAST BETHEL  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**ORDINANCE NO. 2025-XX**

**AN ORDINANCE AMENDING THE TEXT OF APPENDIX A (ZONING) OF THE EAST  
BETHEL CITY CODE (CITY FILE 25-006)**

**THE CITY OF EAST BETHEL ORDAINS:**

**SECTION 1. Amendment of the City Code.** The text of Appendix A (Zoning) of the East Bethel City Code is hereby amended by deleting the stricken material and adding the underlined material as follows:

SECTION 1 SUBD. 9 (Definitions):

*Accessory structure ~~or facility~~:* Any building or improvement clearly subordinate to a principal use such as garages, sheds, or storage buildings located on the same parcel as the principal structure, including detached and attached buildings.

and

*Barndominium:* A single-family detached principal residential structure dwelling with attached shops or storage areas and usually built using a post frame method of construction.

and

*Home occupation:* An occupation carried on in a dwelling unit or detached accessory building by the resident, which is clearly secondary to the principal use.

**SECTION 2. Amendment of the City Code.** The text of Appendix A (Zoning), SECTION 10 SUBD. 32 (Residential accessory buildings greater than 1,000 square feet) of the East Bethel City Code is hereby amended by deleting the stricken material and adding the underlined material as follows:

A. The structure shall not be used for commercial or industrial activities, unless the City Council approves a home occupation permit for an accessory building.

**SECTION 3. Amendment of the City Code.** The text of Appendix A (Zoning), SECTION 13 SUBD. 1 (B) (General Building Standards, Single-family dwellings) of the East Bethel City Code is hereby amended by deleting the stricken material and adding the underlined material as follows:

A. All single-family dwellings and accessory structures in the A, RR, R-1, R-2, CL and MXU districts shall meet the following design requirements:

1) All structures shall have permanent or concrete or treated wood foundations which will anchor the structure, which comply with the state building code as adopted in the State of Minnesota, ~~and which are solid for the complete perimeter of the house.~~

2) All structures must have a foundation that is solid for the complete perimeter of the house, except Barndominiums, which may use alternative foundations types as long as they comply with the state building code adopted in the State of Minnesota and are verified by a license structural engineer.

~~2)3)~~ All single-family structures must be built in conformance with Minn. Stats. § 327.31—327.35 of the state building code as adopted in the State of Minnesota.

~~3)4)~~ Single-family dwellings shall have an address according to the numbering system of East Bethel. Numbers shall be at a minimum of three inches in height and displayed in such a way as to clearly identify the building from the roadway. An address plate shall be installed at the right-of-way. A mailbox clearly identifying the address on both sides and an address plate must be installed at the right-of-way.

~~4)5)~~ Each dwelling unit shall include, at a minimum, a 24-foot by 24-foot garage. Driveways must meet a minimum setback of five feet from abutting lots.

~~5)6)~~ Garages shall not be constructed prior to the principal structure and shall be constructed no later than six months after the construction of the dwelling.

B. Single-family dwellings.

1) Sixty percent of a residential structure shall have a minimum width or depth of 20 feet. Width measurement shall not take into account overhangs or other projections. Such width requirements shall be in addition to the minimum area per dwelling requirements established within this ordinance.

2) Single-family dwellings shall have at least a four/twelve (4/12) roof pitch and shall be covered with shingles or tiles or a standing seam metal roof.

3) The exterior walls of all single-family residences shall be similar in appearance to normal wood, vinyl siding, or masonry residential construction.

4) Metal siding may be used if it complies with the following standards

a. The panels have been treated with a factory applied color coating system to prevent against any fading or degradation.

b. Have concealed fasteners

c. Standing seams are not allowed.

d. For Barndominiums using metal siding they must:

i. Comply with the metal siding standards above and

ii. Combine the metal siding with complementary materials,

such as brick, wood, or stone, covering at least 20% of the building's front façade. Metal siding of a different style (such as using lap siding and shake panels) may be used to meet this requirement.

~~5)4)~~ Heating, air conditioning, and ventilation equipment must be located within four feet of the foundation wall.

**SECTION 4. Amendment of the City Code.** The text of Appendix A (Zoning), SECTION 14 (Detached Accessory Structures) of the East Bethel City Code is hereby amended by deleting the stricken material and adding the underlined material as follows:

SECTION 14 (~~Detached~~ Accessory Structures):

These standards have been established to preserve the character of the principal structure, promote building compatibility, and provide for minimal adverse impacts to surrounding property through the implementation of height, size, location, and architectural regulations.

### 1. Permit regulations.

All accessory buildings ~~and/or structures~~ over 200 square feet in size require a building permit prior to construction, unless specifically exempt under this ordinance. Accessory structures 200 square feet or less shall not require a building permit unless otherwise required by any other ordinance or state requirement. Accessory structures 200 square feet or less shall comply with all provisions of this section and zoning district regulations.

### 2. General regulations.

A. No accessory building or structure shall be constructed on any lot prior to construction of the principal structure without prior approval of the city council.

B. Accessory structures located on lots that are subsequently subdivided shall be considered legal non-conforming structures.

C. Every exterior wall, foundation, and roof of accessory ~~structure~~ building(s) shall be reasonably watertight, weather tight, and rodent proof, and shall be kept in a good state of maintenance and repair. Exterior walls shall be maintained free from extensive dilapidation due to cracks, tears, or breaks of deteriorated plaster, stucco, brick, wood, or other material.

D. All exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and from decay by painting or other protective covering or treatment. A protective surface of an accessory ~~structure~~ building(s) shall be deemed to be out of compliance if more than 25 percent of the exterior surface area is unpainted or paint is blistered or flaking. If 25 percent or more of the exterior surface of the pointing of any brick, block, or stone wall is loose or has fallen out, the surface shall be repaired.

E. [Reserved.]

F. No accessory building ~~or detached private garage~~ shall be located nearer the front lot line than the principal building except when the lot is three acres or greater and the existing principal building is located a minimum of 200 feet from the front lot line. Then the accessory building ~~or detached private garage~~ may be located closer to the front lot line than the principal dwelling, but not closer than 50 percent of the principal dwelling's setback. In the case of a corner lot, the front lot line shall be located on the side on which the principal building is addressed. The remaining lot side with street frontage shall meet the minimum front yard setback.

G. The area of a lean-to shall be included in the allowable square footage of detached accessory ~~structures~~ buildings and will be subject to the square footage restrictions for a lot.

H. Accessory structures on lakeshore lots may be placed between the principal building and the lakeshore or the right-of-way, and are subject to all setbacks and lot coverage.

I. Barndominiums are permitted in the A and RR zones only. ~~[Reserved.]~~

J. The accessory structure building must not be designed or used for human habitation.

K. No cellar, garage, tent, or accessory building shall be at any time be used as a residentially occupied space, independent residence or dwelling unit, either temporarily or permanently.

- L. For purposes of accessing storage, accessory ~~structures~~ buildings may have exterior stairs to a second story in a side or rear yard.
- M. Engineered drawings are required for the permitting of all pole building over 2,000 square feet.
- N. Storage containers shall be placed on a foundation (minimum of a one inch in depth gravel base) to allow for surface drainage and prevent rust or deterioration of container floor.

**3. Detached accessory building ~~Architectural and design requirements.~~**

Detached accessory structures over 200 square feet shall comply with the following:

- A. Shall incorporate a finished design and color scheme that is coordinated and compatible with the color and design of the principal structure;
- B. Shall include a minimum 12 inch overhang and corner trim elements;
- C. Shall include two architectural features on sides directly adjacent to and visible from a public right-of-way; such as windows, doors, material/color variations, soffits, gables, dormers, and decorative lighting.
- D. Storage containers shall be exempt from architectural feature requirements.

**4. Size and number of accessory ~~structures~~ buildings.**

A. Size of attached accessory ~~structure~~ building:

- 1) Attached accessory buildings, including garages, with a footprint of less than 1,000 square feet shall not be considered as part of the maximum footprint for purposes of the detached accessory structure calculations. However, attached accessory building space in excess of the initial 1,000 square feet shall be counted towards the maximum allowable detached accessory building footprint.

B. Size of detached accessory building:

- 1) All accessory ~~structures~~ buildings greater than 200 square feet must comply with the following regulations (one shed of 200 sq. ft. or less is allowed on all properties and is not included in the calculation for accessory ~~structures~~ buildings).

Parcel Size	Maximum Square Feet (square footage is inclusive for all allowable <del>structures</del> <u>buildings</u> )	Maximum No. of Detached Accessory <del>Structures</del> <u>Buildings</u>	Maximum Sidewall Height Maximum Sidewall Height A, RR, R-1, R-2 & CL Districts*
Less than ½ acres	580 square feet	1	14 feet
½ acres	960 square feet	1	14 feet
¾ acres	1,100 square feet	1	14 feet
1 acres	1,240 square feet	1	14 feet
1¼ acres	1,380 square feet	1	14 feet
1½ acre	1,520 square feet	1	14 feet
1¾ acres	1,660 square feet	1	14 feet
2 acres	1,800 square feet	2	14 feet
2¼ acres	1,950 square feet	2	14 feet
2½ acres	2,100 square feet	2	14 feet

2¾ acres	2,250 square feet	2	14 feet
3 acres	2,400 square feet	2	14 feet
3¼ acres	2,475 square feet	2	14 feet
3½ acres	2,550 square feet	2	14 feet
3¾ acres	2,625 square feet	2	14 feet
4 acres	2,700 square feet	2	14 feet
4¼ acres	2,775 square feet	2	14 feet
4½ acres	2,850 square feet	2	14 feet
4¾ acres	2,925 square feet	2	14 feet
5.0 or more acres	3,000 sq. ft., plus an additional 240 sq. ft., or increment thereof, for each additional acre	4	14 feet
Viking Preserve	200	1	8 feet

\* If utilizing the 14 foot sidewall height, refer to Chapter 6: Wall bracing of the International Building Code, as your project may require engineered drawings for building permits to be issued.

a) Roof pitch shall be no less than the minimum required by the International Building Code and shall not be the focal point of the property.

b) Accessory ~~structures~~buildings shall be of similar design and building materials as the principal building. Pole buildings shall match the design of the principal structure as practical as possible.

c) Accessory ~~structures~~buildings less than 200 square feet in all districts shall be limited to a sidewall height no greater than eight feet.

2) Storage containers shall not be calculated as allowable accessory ~~structure~~building square footage or number.

3) One storage container, up to 320 square feet, is allowed on properties of one acre to four acres. An additional 80 square feet is allowed for each acre thereafter.

CB. Fire escapes, landing places, open terraces, outside stairways, cornices, canopies, eaves, window protrusions, and other similar architectural features that extend no more than two feet into the required front, side, and rear yard setback are exempt from the detached accessory ~~structure~~building square footage calculation.

**SECTION 5. Amendment of the City Code.** The text of Appendix A (Zoning), SECTION 41 SUBD. 2 (Agricultural District (A) of the East Bethel City Code is hereby amended by deleting the stricken material and adding the underlined material as follows:

**2. Permitted uses.**

I. Barndominium.

**SECTION 6. Amendment of the City Code.** The text of Appendix A (Zoning), SECTION 42 SUBD. 2 (Rural Residential (RR) District) of the East Bethel City Code is hereby amended by deleting the stricken material and adding the underlined material as follows:

**2. Permitted uses.**

        F.        Barndominium.

**SECTION 7. Effective Date.** This Ordinance shall be in full force and effect upon its adoption.

Adopted this XX<sup>th</sup> day of XXXX, 2025 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

ATTEST

\_\_\_\_\_  
Ardie Anderson, Mayor

\_\_\_\_\_  
Matt Look, City Administrator

# BARNDOMINIUMS/SHOUSES and the 2020 MINNESOTA RESIDENTIAL CODE

Minnesota Department of Labor and Industry

## What are barndominiums and shouses?

“Barndominium” and “shouse” are terms used to describe dwellings with attached shops or storage areas and usually built using a post frame method of construction.

These structures often have metal panel roofing and siding that is associated with barns and storage buildings. Unlike conventional “stick-built” homes that require a foundation and footing around the entire perimeter of the home, post frame structures often require a post and footing placed every six to eight feet.



*Example of a barndominium/shouse.*

## Are barndominiums and shouses required to comply with the 2020 Minnesota Residential Code?

Yes. Barndominiums and shouses are considered single-family dwellings and classified as an IRC-1 occupancy group. These structures must be designed and constructed in accordance with the 2020 Minnesota Residential Code (2020 MNRC) provisions. [R300.1, R301.1]

## Do barndominium and shouse requirements apply for all of Minnesota?

Yes. The Minnesota State Building Code is the standard of construction for the entire state of Minnesota, whether local code enforcement exists or not. The 2020 MNRC adopts the 2018 International Residential Code (IRC) with amendments. [Minnesota Statutes, section 326B.121, Minnesota Rules 1309]

For the purposes of this fact sheet, "code" means the Minnesota State Building Code adopted under Minnesota Statutes, section 326B.106, subdivision 1, and includes the chapters identified in Minnesota Rules, chapter part 1300.0020. The 2020 MNRC can be viewed at <https://codes.iccsafe.org/content/MNRC2020P1>.

## Are building permits required for all barndominiums and shouses?

Yes. Although barndominiums and shouses are constructed with the appearance of an agricultural building, their intended use is a dwelling and building permits are required for inspections and to verify code compliance.

## Is a Minnesota residential building contractor license required to build a barndominium or shouse?

Yes. A Minnesota residential building contractor license is required for the construction of a barndominium or shouse because they are residential dwellings. Licensed contractors and homeowners should confirm with the local jurisdiction requirements for permits, inspections, zoning, and other relevant regulations before construction. [Minn. Stat. 326B.805 and 326B.802 subd. 13]

## Are barndominium and shouse setbacks from property lines regulated by the code?

No. The 2020 MNRC does not address minimum property line setback requirements for a barndominium or shouse. Local zoning ordinances may regulate property line setbacks and land use for all dwellings, including barndominiums and shouses. Local zoning ordinances may also limit the use of metal exterior finishes and should be verified.

## Does the code have requirements for exterior walls and eave projections near property lines?

Yes. Barndominiums and shouses must comply with code requirements for exterior walls. Barndominium or shouse exterior walls that are less than five feet from the property line are required to be one-hour fire-resistive rated. Roof eave

projections that are two feet or more and less than five feet from the property line must also be one-hour fire-resistive rated. (See illustration at right.) [R302.1, Table R302.1(1), Minn. R. 1300.0120 Subp. 4]

**Does the 2020 MNRC provide design requirements for post/frame construction?**

No. The 2020 MNRC provides the minimum prescriptive requirements for conventional light frame construction. A post frame structure could be accepted as an alternate method of construction if approved by the building official. Documentation must be submitted to the building official to demonstrate that the alternate method complies with the intent of the code. [R301.1.2, R301.1.3, Minn. R. 1300.0110 subp. 13]

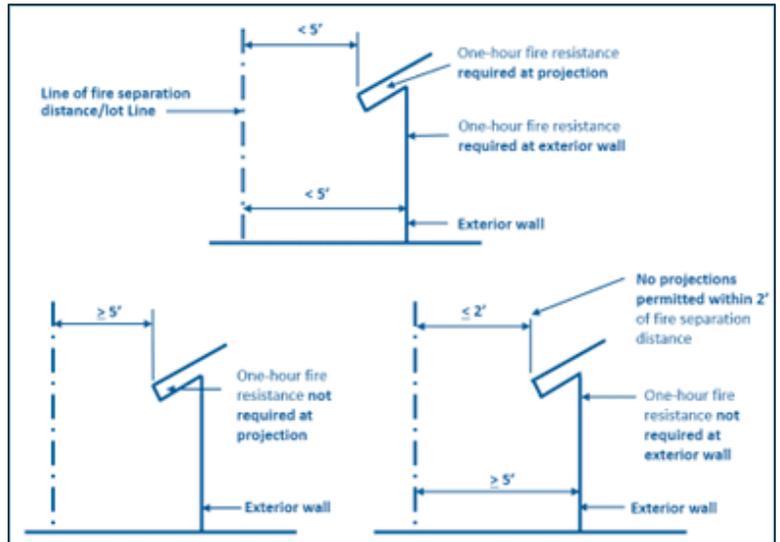


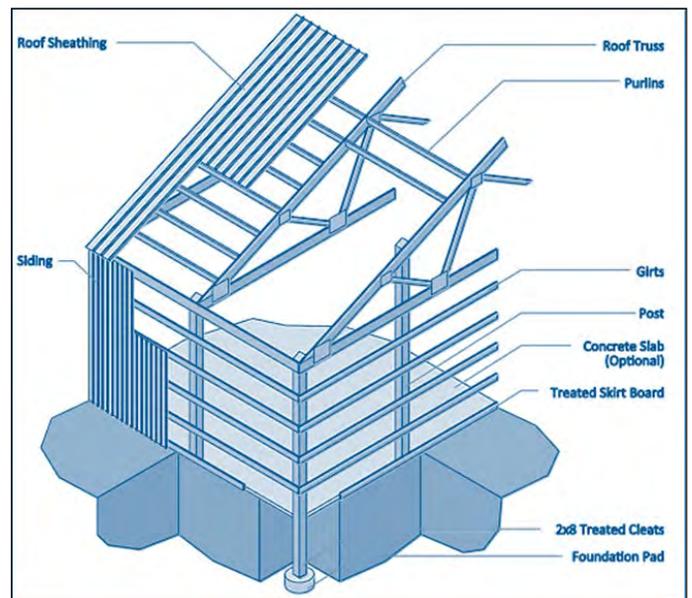
Table R302.1(1) – Exterior walls (without fire sprinklers)

**Is a structural engineer required to design a barndominiums and shouses?**

Yes. Design by a structural engineer is required for any structural elements (design, foundation system, method of anchorage) of a dwelling that do not comply with the 2020 MNRC requirements for conventional light frame construction. Barndominiums and shouses are generally post frame construction which is not considered light frame construction or addressed by the code so a structural engineer must certify the design as compliant with the code. [R301.1.3]

**Are barndominiums and shouses required to have footings and foundations complying with the code?**

Yes. A foundation system of post and footings, slab-on-grade, or another foundation type must be capable of supporting all imposed loads regulated by the code. This is necessary because all structures must be constructed to support the loads (i.e., dead loads, live loads, roof loads, snow loads, wind loads ...) as prescribed by the code, which results in a system providing a complete load path to transfer loads from their point of origin through the foundation to the supporting soils. [R301.1, R401.2]



Typical post/frame components.

**Do barndominiums and shouses require frost depth footings?**

The footings of all dwellings must be frost protected in accordance with the code. Barndominiums and shouse often include posts with footings, slab-on-grade, or conventional foundation methods of construction The 2020 MNRC permits five options for frost footings, including compliance with Minn. R. 1303.1600. Minn. R. 1303.1600 provides the minimum footing depths for frost protection in Minnesota counties and requirements for slab on grade structures. The minimum frost protection depths are 42 inches in southern counties or 60 inches in northern ones. [R403.1.4.1, Minn. R. 1303.1600]

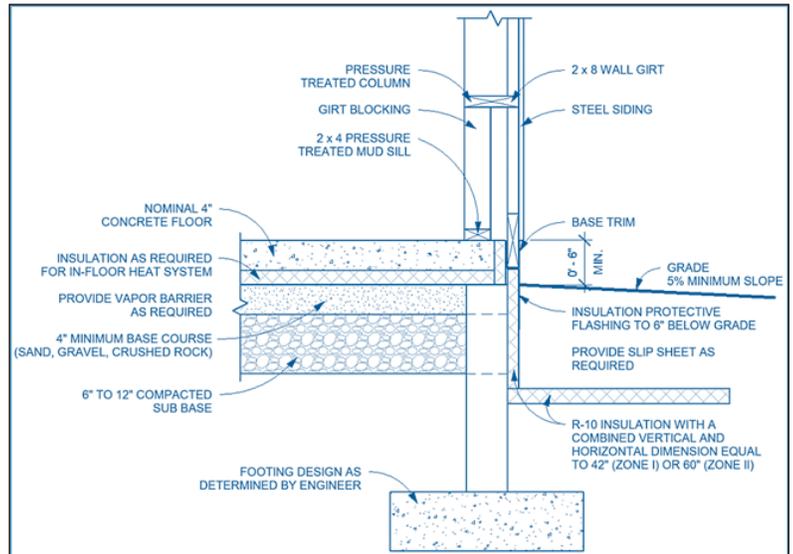
**Are barndominiums and shouses required to comply with energy code requirements like other dwellings?**

Yes. Barndominiums and shouses must comply with the minimum requirements of the Minnesota Residential Energy Code (MNREC) because they are considered single-family dwellings. Construction plans and documents for

a barndominium or house must include the information required by the MNREC and other information as requested by the building official to verify compliance with the MNREC. [Minn. R. 1322, 1322.0103, 1300.0130]

### Are there requirements for the slab-on-grade portion of a barndominium or house?

Yes. Slab-on-grade construction must comply with the MNRC and MNREC. Slab-on-grade insulation must meet the MNREC requirements for minimum R-values and requirements for the climate zone (6A or 7) where the structure will be located. The slab-on-grade required insulation depth can be a total of the combined vertical and horizontal insulation dimensions. (See illustration) [MNRC R403, Minn. R. 1322, MNREC R402.2.9 and MNREC Table R402.1.1]



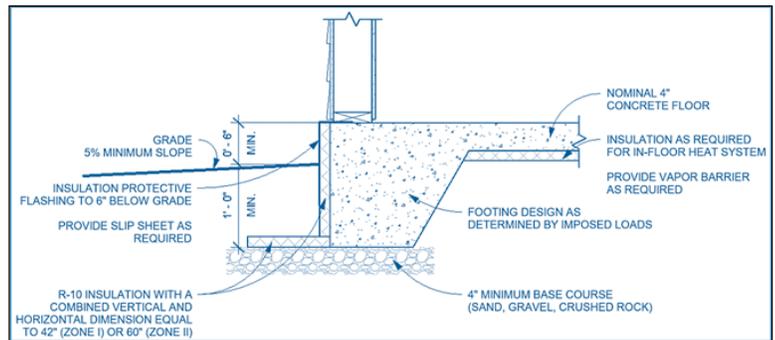
Example of slab-on-grade insulation for post frame.

### Do post frame barndominiums and shouses require radon control systems?

Yes. A radon control system that complies with Minn. R. 1303.2400 is required for residential dwellings with floor systems in contact with the earth such as slab-on-grade floors. The radon control system is only required for the dwelling area and not the attached garage, shop or storage area.

### Is a fire separation required barndominium or house between the dwelling and garage, shop or storage areas?

Yes. The code requires ½-inch gypsum board at the common wall between the house and garage of conventional dwelling construction. The same requirement applies to barndominiums and shouses with attached garages or attached storage and shop areas with overhead garage doors for vehicle access that could be used as a garage. Code requirements for openings in the common wall for fire separation also apply. [R302.5, R302.6]



Example of slab-on-grade insulation.

### Can metal siding panels be used as the required fire separation between the dwelling and garage or shop?

Unlikely. The code requires ½-inch gypsum board at the common wall between the house and garage of conventional dwelling construction. The metal siding could be used if installed over the 1/2-inch gypsum board that provides fire protection. The metal siding could be approved as an alternate method of construction if it is proven to meet the intent of the code and provides fire protection equivalent to ½-inch gypsum board. Metal panel siding may be noncombustible but does not function the same as gypsum board in a fire event. [R302.5, R302.6]

### Are there requirements for doors, openings and penetrations between the dwelling portion and garage, shop?

Yes. There are several requirements. Openings between the garage or shop directly into a room used for sleeping purposes is prohibited. Other openings between the garage or shop and dwelling shall be equipped with solid wood doors not less than 13/8 inches in thickness, solid or honeycomb core steel doors not less than 13/8 inches thick, or 20-minute fire-rated doors. Other penetrations or openings shall be protected as required by the code. [R302.5, R302.5.1]

### **Can a second floor or loft in the dwelling have doors or windows overlooking the garage or shop area?**

Window openings between the garage or shop and dwelling are prohibited. Other penetrations or openings, such as doors, between the garage or shop and dwelling must be protected as discussed above. [R302.5, R302.5.1]

### **Is the exterior siding or other cladding required to have 6 inches of clearance above the ground?**

Exterior siding or other cladding must comply with the MNRC. Wood siding, wood sheathing and wall framing on the exterior of the structure must have a minimum of 6 inches of clearance to grade or decay protected by use of naturally durable or preservative treated wood. Metal panel siding must comply with the manufacturer's installation instructions and may require 6-inch to 8-inch clearance to grade to protect it from rusting. [R317.1, R317.1.2]



*Example of a barndominium/shouse.*

### **Does a post frame structure with metal panel siding require diagonal wall bracing for lateral building support?**

Metal panel siding products may provide a structure with sufficient lateral support to meet wind load design requirements. The structure engineer is responsible for the designing the entire structure and certifying that the design is compliant with the code. [R301.1.3, R601.2]

### **Are barndominiums and shouses required to have a water-resistive barrier (WRB) at exterior wall assemblies?**

Yes. The code requires all heated and unheated structures with exterior wall sheathing to have WRB. The WRB is placed over the exterior wall sheathing prior to installation of the exterior cladding (siding) to prevent water accumulation within the wall assembly. Post frame construction is required to have a WRB or be provided with a secondary drainage plane to drain any moisture to the structure's exterior. Alternative methods for a secondary drainage plane that demonstrate compliance with the intent of the code are permitted with the approval of the building official of the jurisdiction. [R703.2, R703.1.1, Minn. R. 1300.0110 subp. 13]

### **Are barndominiums and shouses required to have an ice barrier installed for roof covering materials?**

Barndominiums and shouses are single-family dwellings and must comply with code requirements for those structures. Ice barriers are required as specified in the code for each type of roof covering material and the manufacturer's installation instructions. [R905.1, R905.1.2]

### **Instead of buying wood trusses for a barndominiums and shouses, can an individual fabricate their own?**

Wood trusses are engineered components of the roof and ceiling assembly and must be designed by a Minnesota-licensed engineer to accepted engineering standards. The 2020 MNRC permits the use of wood trusses or the hand framing of a structurally compliant roof and ceiling assembly in accordance with prescriptive requirements for ridge boards, rafters and ceiling joists. The engineer is responsible for the entire structural design including the foundation system, roof system, and wall framing for all imposed load requirements. [R802.10 R802.3, R802.4, R802.5]



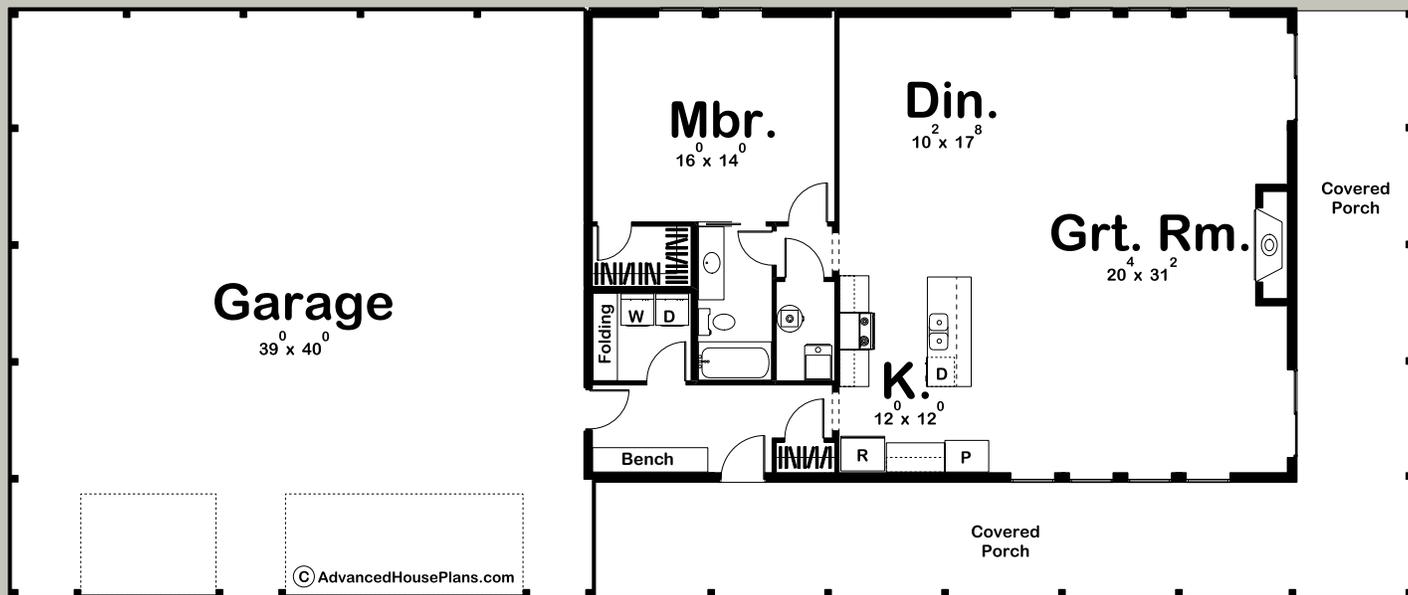
29668

# Northwood

1 BED | 1 BATH | POST FRAME

MAIN LEVEL: 1570 SQ FT  
 GARAGE: 1595 SQ FT  
 TOTAL FINISHED: 1570 SQ FT

DIMENSIONS  
 96' 0" WIDE  
 40' 4" DEEP





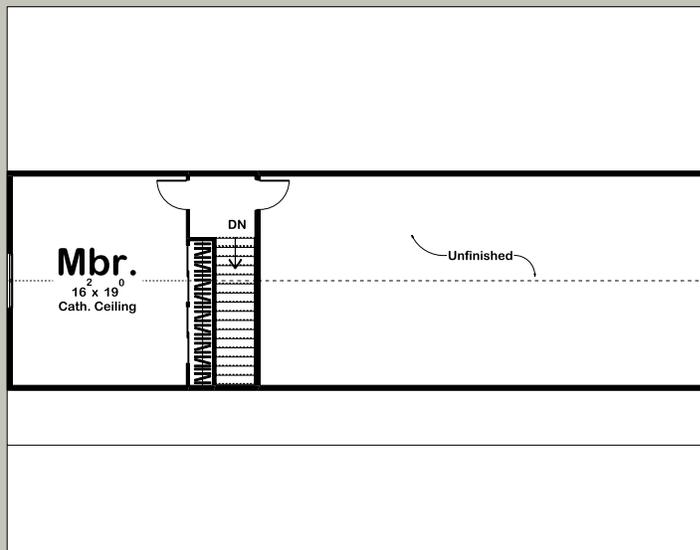
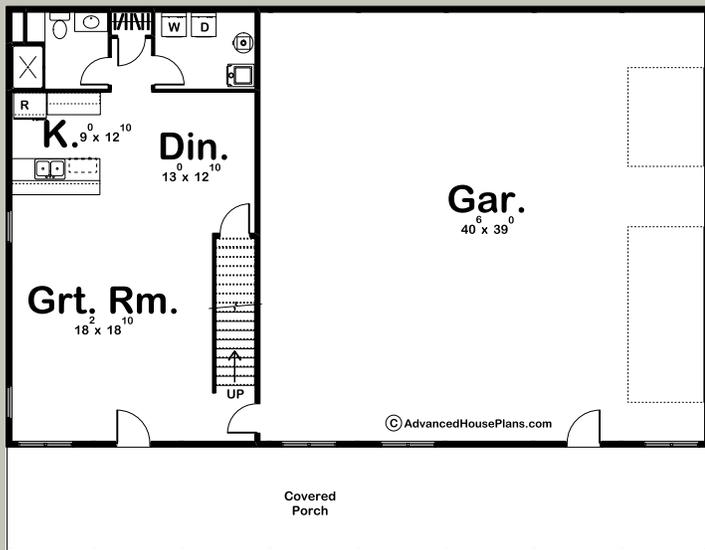
29674

# Westminster

1 BED | 1 BATH | POST FRAME

MAIN LEVEL: 938 SQ FT  
 LOFT: 404 SQ FT  
 GARAGE: 1653 SQ FT  
 TOTAL FINISHED: 1342 SQ FT

**DIMENSIONS**  
 64' 0" WIDE  
 50' 0" DEEP



29768



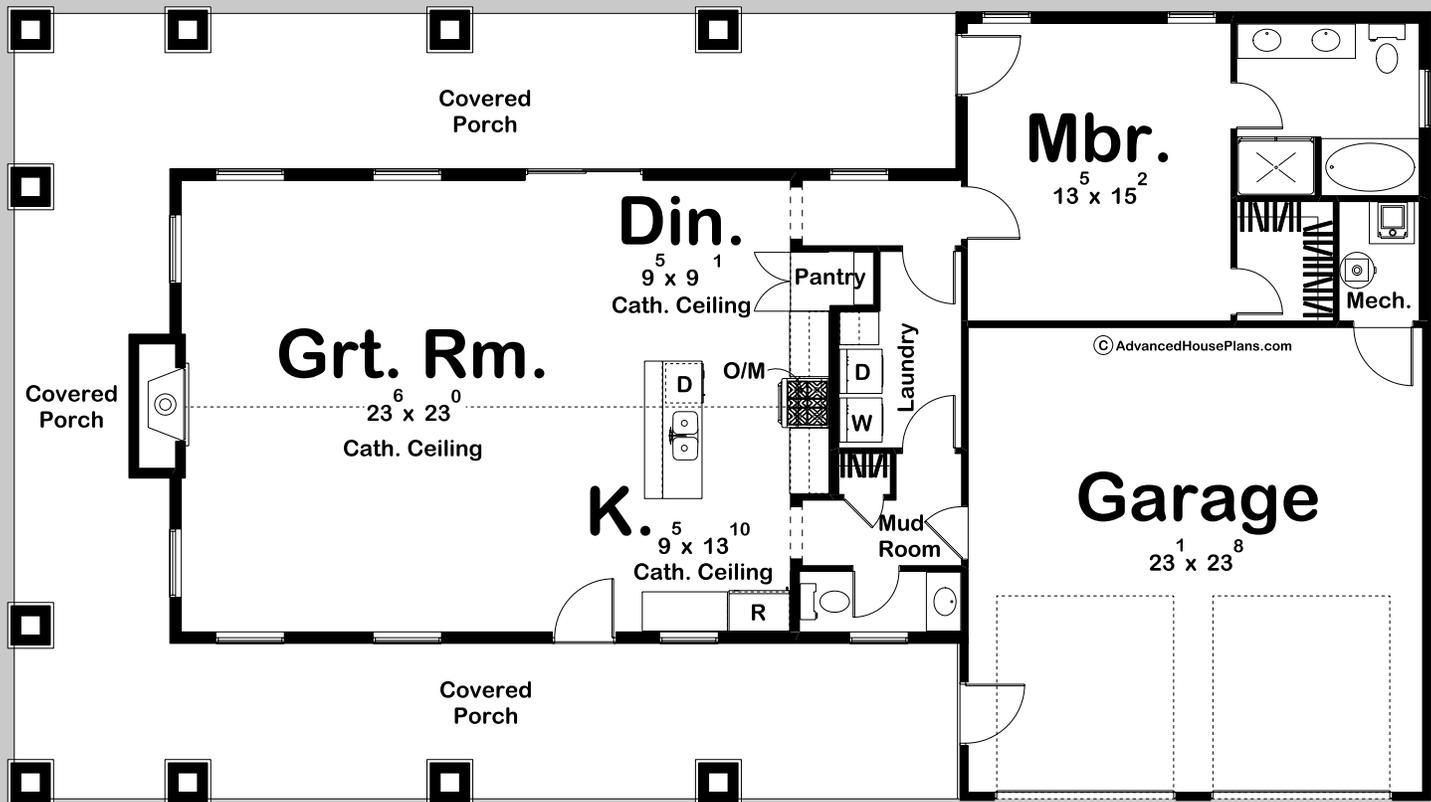
TRADITIONAL STYLE POSTFRAME HOUSE

# BOZEMAN

1 BEDROOM, 2 BATHROOM, 2 CAR GARAGE

MAIN FLOOR: 1358 SQ FT  
GARAGE: 570 SQ FT

EXTERIOR DIMENSIONS  
72' - 4" WIDE  
40' - 8" DEEP



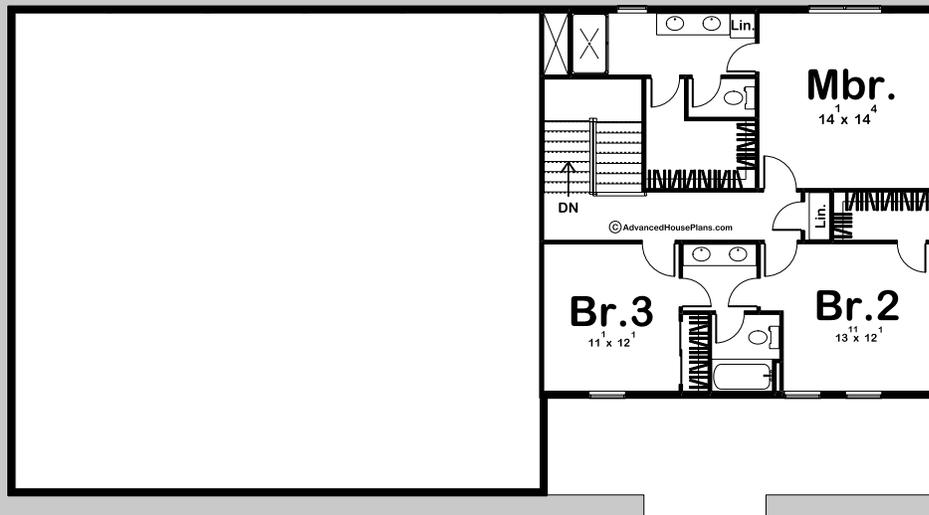
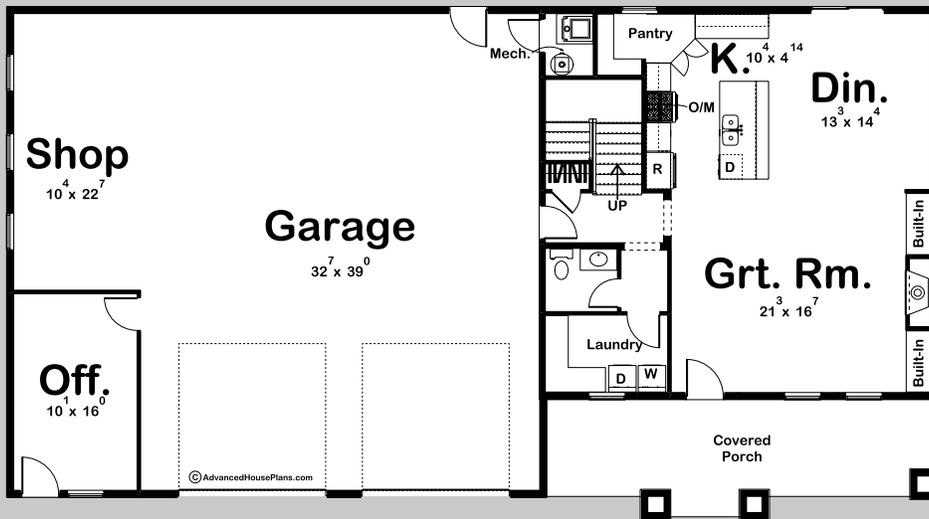
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TRADITIONAL STYLE  
**HELENA**  
3 BEDROOM, 3 BATHROOM, 2 CAR GARAGE

MAIN FLOOR: 1037 SQ FT  
SECOND LEVEL: 957 SQ FT  
TOTAL FINISHED: 1994 SQ FT

EXTERIOR DIMENSIONS  
76' - 0" WIDE  
41' - 0" DEEP



29774



TRADITIONAL POSTFRAME HOUSE  
**GREAT FALLS**  
3 BEDROOM, 2 BATHROOM, 3 CAR GARAGE

MAIN FLOOR: 575 SQ FT  
SECOND FLOOR: 1800 SQ FT  
GARAGE: 1269 SQ FT

EXTERIOR DIMENSIONS  
66' - 0" WIDE  
32' - 0" DEEP



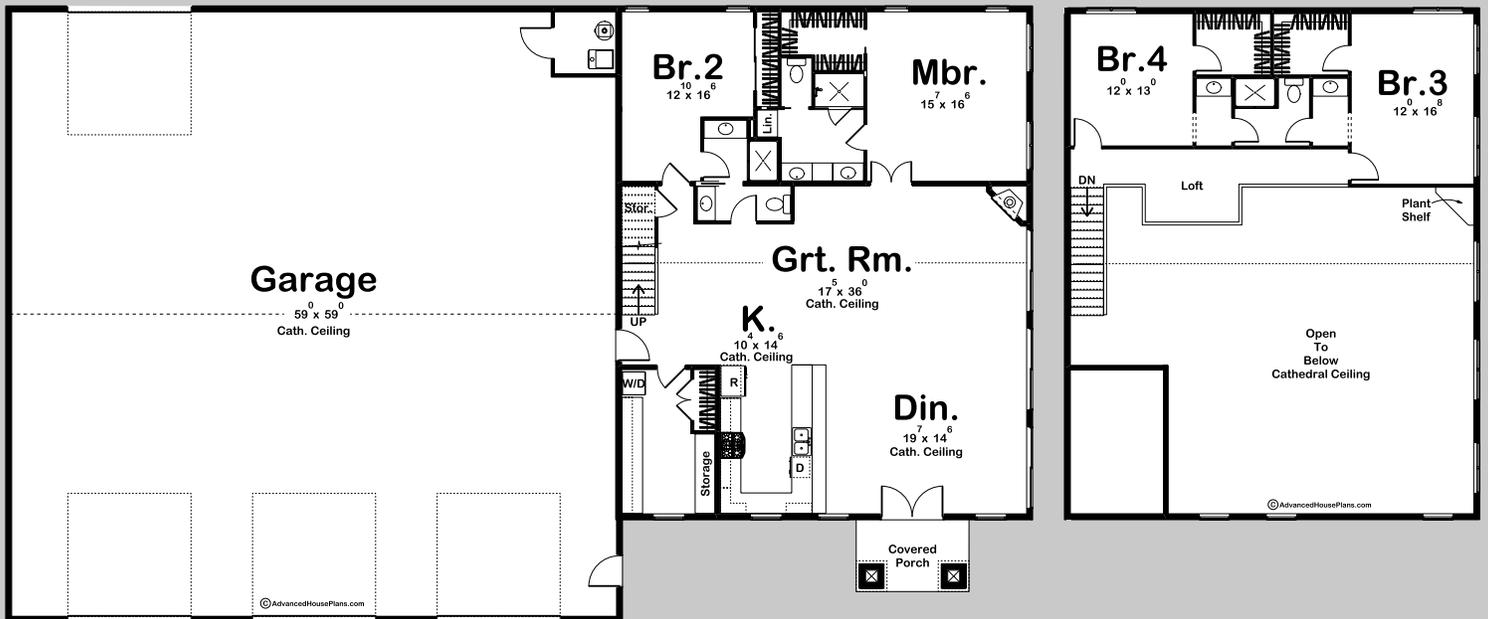
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**TABLE ROCK**  
4 BED, 3 BATH, 4 CAR GARAGE

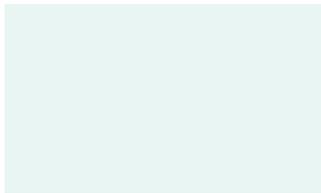
MAIN LEVEL: 2025 SQ FT  
SECOND LEVEL: 751 SQ FT  
TOTAL FINISHED: 2776 SQ FT

EXTERIOR DIMENSIONS  
100' - 0" WIDE  
60' - 0" DEEP

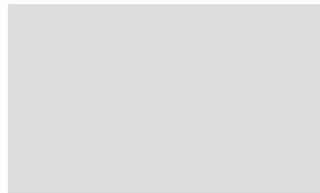


TO ORDER THIS PLAN VISIT [WWW.MENARDS.COM](http://WWW.MENARDS.COM)  
PC Packet Page 26

*Residential*  
**STEEL SIDING**  
*Limited Lifetime Warranty*



**BRITE WHITE**



**WHITE**



**LIGHT STONE**



**PINEWOOD**



**BEIGE**



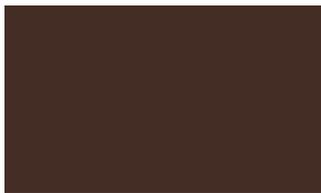
**TAN**



**BRONZE**



**BURNISHED SLATE**



**BROWN**



**CHARCOAL BLACK**



**MIDNIGHT BLACK**



**EMERALD GREEN**



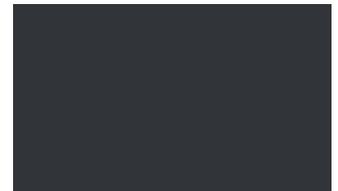
**ASH GRAY**



**LIGHT GRAY**



**CHARCOAL GRAY**



**MIDNIGHT GRAY**



**BRITE RED**



**RED**



**COLONIAL RED**



**BURGUNDY**



**OCEAN BLUE**



**MIDNIGHT BLUE**

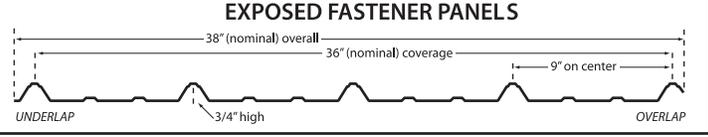
**MENARDS**® offers the BEST CHOICE of Residential Steel Siding Panels. Complete the look with our other Quality Steel Products. Steel Roofing, Soffit, Fascia, Gutter, Vents, Trim, Trim Coil, & Custom Bent Trim.

**Note:** Color Chips show approximate tone. Color of actual product may vary. Final color approval should be made with actual product.

**PRO-RIB**



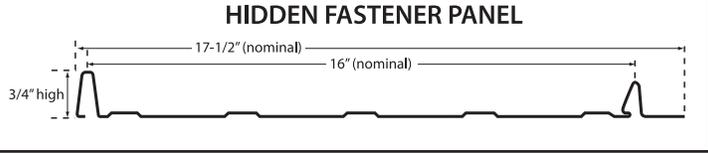
Pro-Rib and Premium Pro-Rib are the most versatile panels on the market. These panels are 36" wide coverage and can be cut to your length to the inch, for fast and easy installation. These panels can take on a rustic or industrial look on your home or building. Available in all 22 Traditional, and 4 Designer Series, steel colors that feature a matte finish.



**PREMIUM PRO-SNAP**



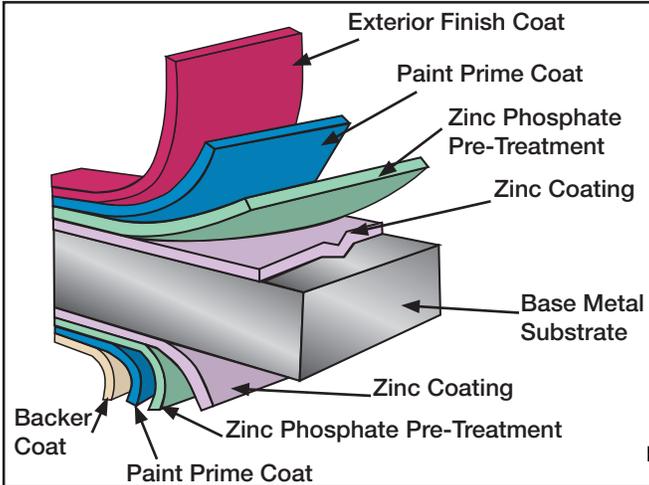
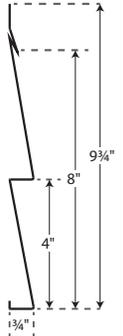
Premium Pro-Snap can be installed vertically to create a 16" mini-batten pattern that works with any home's style. Want a bigger board and batten look? Simply snap on our batten trim to create a 2-3/8" wide batten look that will never fade and will never need painting.



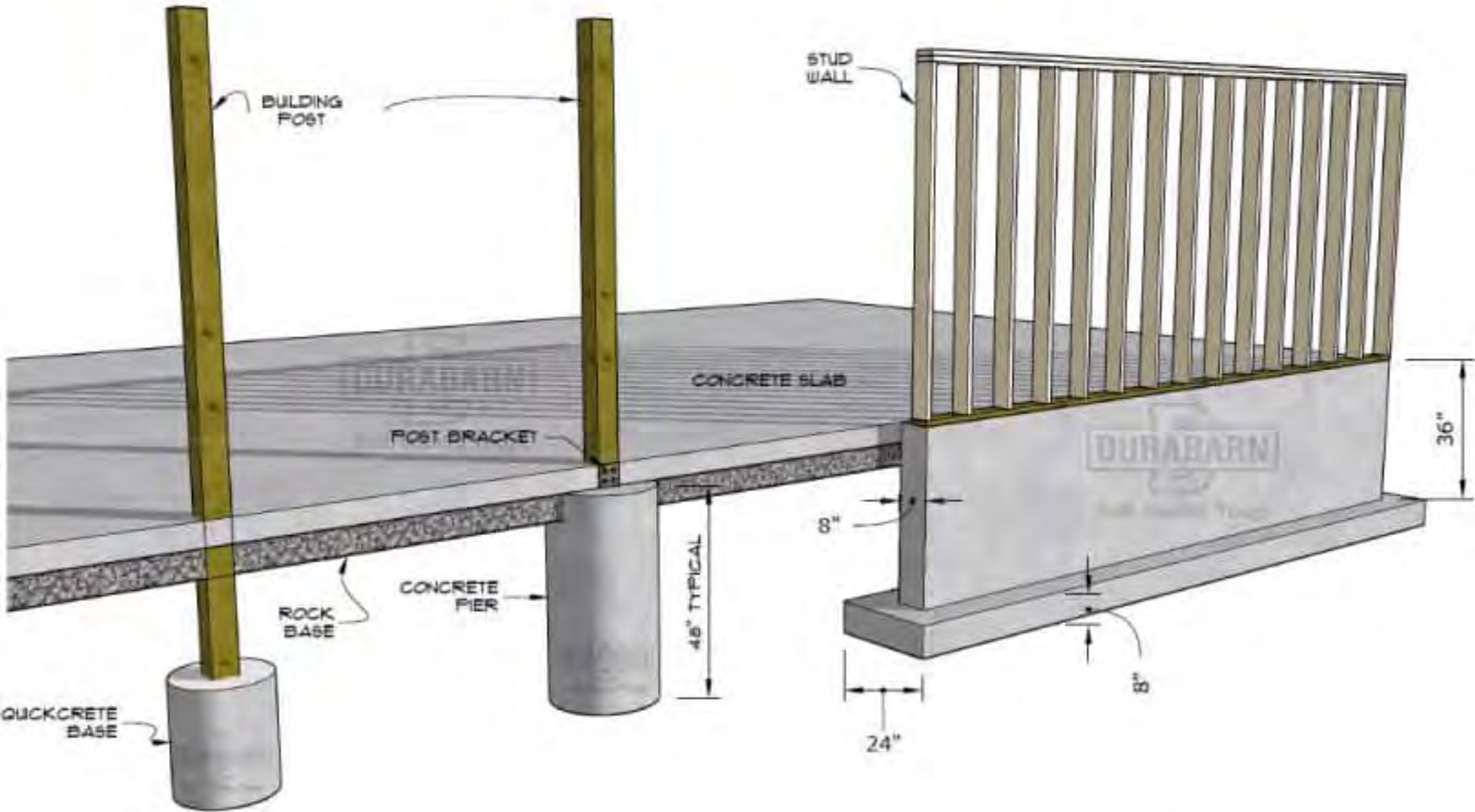
**PREMIUM PRO-LAP**



The Premium Pro-Lap siding gives your home the horizontal siding look with a realistic wood grain pattern. Premium Pro-Lap siding has 8" coverage and is available in 12'6", 16'8" and 20' lengths to reduce seams on any wall. With the best color retention, protection from hail, wind and fire, and limited expansion, Premium Pro-Lap is a great option for any home.



- Available in 23 colors
  - Trim available in all colors
  - Zinc Phosphate pre-treatment
  - Grade 80 (full hard steel)
  - 100,000 p.s.i. nom. tensile strength
  - UL 2218 Class 4 Hail Resistance
  - UL 790 Class A Fire Resistance
  - UL 580 Class 90 Wind Uplift
  - Structural strength ASTM-A653
  - Coil coating "paint" process ASTM-A755
  - Meets IBC 1507.4 Metal Roof Panels
  - Florida State Approval FL42461 on 5/8" Plywood, FL42564 on 2x Material
- For UL details & certifications see [www.ul.com](http://www.ul.com)



POST FRAME  
W/ POST IN GROUND

POST FRAME WITH  
CONCRETE PIER

SHORT WALL FOUNDATION

**City of East Bethel  
Planning Commission Meeting  
Agenda Item Information**



**Meeting Date:** May 27, 2025

**Agenda Item Number:** 7

**Request:** **PUBLIC HEARING.** A Site Plan, Conditional Use Permit (CUP), and four Variances for exterior storage on a property located at 21476 Johnson Street (city file 25-009).

**Review Deadline:** June 22, 2025

**Background/Context**

The City received an application from Dan McConnell for a Site Plan, CUP and four Variances to allow exterior storage for equipment on the property located at 21476 Johnson Street NE. A CUP is required for exterior storage in the B-3 zone in East Bethel. The applicant purchased an existing building and intends to use a large section of the property for exterior storage of equipment and other items related to their business.

The property is guided Commercial and zoned B-3- Highway Commercial. The properties to the north, south, and east are all guided and zoned the same. The property to the west is guided Mixed Use and zoned B-3 Highway Commercial.

**Level of Discretion**

When reviewing a Site Plan and a Conditional Use Permit (CUP), the City’s discretion is limited to whether the proposed site plan and CUP meet the standards outlined in the City’s subdivision and zoning ordinance. If they do, the City must approve the site plan and the CUP. However, both items should be reviewed independently.

The City has a relatively high level of discretion in approving or denying a variance. The burden of proof is on the applicant to show the variance standards are satisfied. Each variance should be reviewed independently.

**Analysis**

The applicant intends to build a large exterior storage area on the northern portion of their lot for equipment and other items related to their contracting business which will operate from the existing building on the south portion of the lot. They will also construct an infiltration basin along the new storage area on the northwestern corner of the property.

Conditional Use Permit

The B-3 district allows “Exterior storage associated with permitted and conditional uses.” The applicant is operating an office out of the existing building, which is a permitted use in the B-3 district.

The Planning Commission should evaluate the request for compliance with the general CUP ordinance standards in Section 4, Subd. 9. (D) of the Zoning Ordinance as noted below:

*1) The planning commission shall consider if the proposed use is consistent with the general purpose and intent of this chapter and the comprehensive plan. Its judgment shall be based upon, but not limited to, the following:*

*a) The impact of the proposed use on the health, safety, and general welfare of the occupants of the surrounding lands;*

The CUP will not impact the health, safety, and welfare of the occupants on surrounding land. The exterior storage use expected for this property will have minimal day-to-day impacts on the existing intensity and use of surrounding properties and the neighborhood. The storage area will be screened as required by Section 24 of the City Code. Staff has included a condition to address the screening requirements.

*b) Existing and anticipated traffic conditions, including parking facilities on adjacent streets and lands;*

This use is not expected to increase traffic in the area, and will not impact existing parking facilities on site, or on adjacent streets.

*c) The effect of the proposed use on public utilities;*

No new utilities have been proposed and no municipal services are located on or near the site. This area is in the planned 2040 MUSA but has no municipal services today. Nothing in this proposal would preclude extension of municipal utilities in the future.

*d) The effect of the proposed use on property values;*

Exterior storage, when screened and maintained effectively, would not have an expected impact on property values.

*e) The effect of the proposed use on the comprehensive plan;*

None, as this property is guided Commercial and zoned B-3- Highway Commercial. The use is compatible with the land use anticipated in this district.

*f) The ability of the proposed use to meet the standards of this chapter;*

The applicant is requesting approval of four variances related to the exterior storage use. The proposal does not meet the standards in the Zoning Ordinance without the variances as noted below.

*g) The results of a market feasibility study, if requested by the city, when the purpose for which the conditional use is being requested relies on a business market for its success;*

N/A

*h) The effects of the proposed use on groundwater, surface water, and air quality;*

The plans show a new infiltration basin to account for the increased impervious surface on site. This stormwater plan would need to be approved by the City Engineer. The draft resolution includes compliance with the City Engineer's memo as a condition of approval.

*i) The proposed use is allowed with a CUP or IUP in the zoning district in which it is proposed; and*

This is a use (exterior storage) allowed by a CUP in the B-3 district.

*j) The effect of the proposed use on natural resources.*

The applicant is proposing to remove a number of existing trees on site to accommodate the exterior storage and stormwater pond. The City does not have a tree preservation ordinance. The use is not expected to have an impact on natural resources other than the tree removal.

### Site Plan

The Planning Commission should evaluate the request for compliance with the Site Plan ordinance standards in Section 4, Subd. 12. (E.6) of the Zoning Ordinance as noted below:

6) In evaluating its recommendation and approval, the planning and commission and city council shall take into consideration the following:

*a) Consistency with the city comprehensive plan;*

This property is guided Commercial and zoned B-3- Highway Commercial. The use is compatible with the land use anticipated in this district and consistent with the future land uses planned for this area in the Comprehensive Plan.

*b) Compliance with this ordinance;*

This site is located in the B-3- Highway Commercial. The following requirements must be met:

Setbacks and Coverage

The exterior storage must meet the required setbacks, and the plans as shown do not do this. The applicant has requested variances for the fence and the exterior storage of materials and equipment to be located in the required setbacks and yards. The applicant is also requesting a variance to exceed the allowed amount of exterior storage area.

<b>Setback</b>	<b>Required</b>	<b>Proposed</b>
Front from City right-of-way	40 feet	0 feet
Side Interior	10 feet	>10 feet
Side from City right-of-way	40 feet	>40 feet
Rear	25 feet	>25 feet

The site plan shows 55% building and existing parking facilities coverage, where 80% is allowed.

The plans must be updated to correctly dimension the minimum setbacks. The plans currently show the side setback on the north incorrectly on a wider portion of the setback, and the front yard setback is dimensioned to the drainage and utility easement rather than the front lot line and the road easement on the temporary cul-de-sac as required. The plans must also show the existing building setbacks. This has been added as a condition of approval.

Driveway

The applicant is adding a second driveway onto Johnson Street which is allowed in the B-3 zone. The new driveway is shown at 30.2 feet wide at the improved street, and about 40 feet wide at the roadway easement. However, the City Code Section 10 subd. 15.B(2) limits driveways from 12 to 24 feet in width. In the past, the City has interpreted this to only apply to residential driveways, and not commercial driveways. The East Bethel Details show a 30-foot commercial driveway as standard, but past projects have been approved for larger driveways and curb cuts in commercial and industrial areas on a case-by-case basis. The City Engineer does not see any problems with a curb cut of this size given the use. Staff recommends that the Council consider updating this section of the Code to reflect current City practice.

## Landscaping

The applicant has submitted a landscape plan for the site and shows seven new trees, three deciduous and four coniferous, along Johnson Street. However, the City Code requires landscaping on all property lines (in addition to the fence) for screening. The plans do not show the existing trees on site and do not show which trees will be removed or maintained. 4. The landscape plan must be revised to provide landscaping as required by Section 24, Subd. 4(B)(1) of the Zoning Ordinance. Revised plans must be submitted for review and approval by staff prior to beginning any site work. Plans shall be revised to show retention of existing landscape or the addition of new landscaping on the north and west side of the exterior storage area to meet the code requirements.

## Stormwater Management

The applicant has provided a Stormwater Management Plan that is certified by a licensed Minnesota professional engineer. This plan will need to be reviewed and approved by the City Engineer.

*c) The preservation of the site in its natural state, to the extent practicable, by minimizing tree loss, soil removal, and grading;*

The new storage lot will remove many existing trees but the exact number is unknown. A new impervious surface for the storage will also reduce the size of the green space. The applicant is mitigating this by installing a new infiltration basin on the lot and planting new trees along Johnson Street. It appears that some of the existing trees on the north and west could be preserved to help screen the exterior storage area.

*d) The harmonious relationships between buildings, open spaces, natural site features, architectural details, and vehicular and pedestrian circulation;*

The new exterior storage areas will have an access from the existing parking lot and will have a second driveway access to Johnson Street. The location of the storage maintains the existing features on site, like the building, parking, and septic. The site removes a large open space on the lot and many of the trees that exist today.

*e) The protection of adjacent and neighboring properties.*

The development is in the middle of a business park and will fit into the neighborhood's existing development. The exterior storage use will need to be screened to protect neighboring properties, and this is discussed in many of the variances below.

## Variances

The application as submitted will require four different variances, all of which must be evaluated and acted on independently of one another. Section 4, subd. 10 of the Zoning Ordinance establishes standard for review of a variance request. Consideration of a variance requires the following three-factor test for practical difficulties. Economic considerations alone do not constitute a practical difficulty. All three must be met in order to grant the variance. If the Planning Commission finds that a variance does not meet all three standards, it must recommend denial of that variance.

**Variance #1:** Variance from Section 24 subd. 4.A(1) of the Zoning Ordinance which limits exterior storage to the rear yard and does not allow exterior storage in the required setback. The exterior storage is proposed to be in the front and side yards and does not comply with the front yard setback requirements.

1. *Reasonableness. The property owner proposes to use the property in a reasonable manner not permitted by an official control.*

The landowner would like to construct a 31,450 square-foot fenced exterior storage area for storing equipment and other items related to their business. The landowner is allowed to exterior storage on this lot if it meets the standards in the City Code through a conditional use permit. However, the storage is shown in the side and front yard of the building, which is prohibited. They are seeking a variance to allow it in those areas due to the lot shape and existing building and septic locations.

The existing building is located on the south half of the lot and is set back on the front further than current code requires. Additionally, the rear yard area behind the existing building is taken up by a large septic field. Much of the lot that is vacant is in the northern portion, and most of that area would be considered the front and side yards. Other businesses in the area appear to have exterior storage, meaning it is a use found in this area. However, the variance is for the location of the use, not if they can have the use or not.

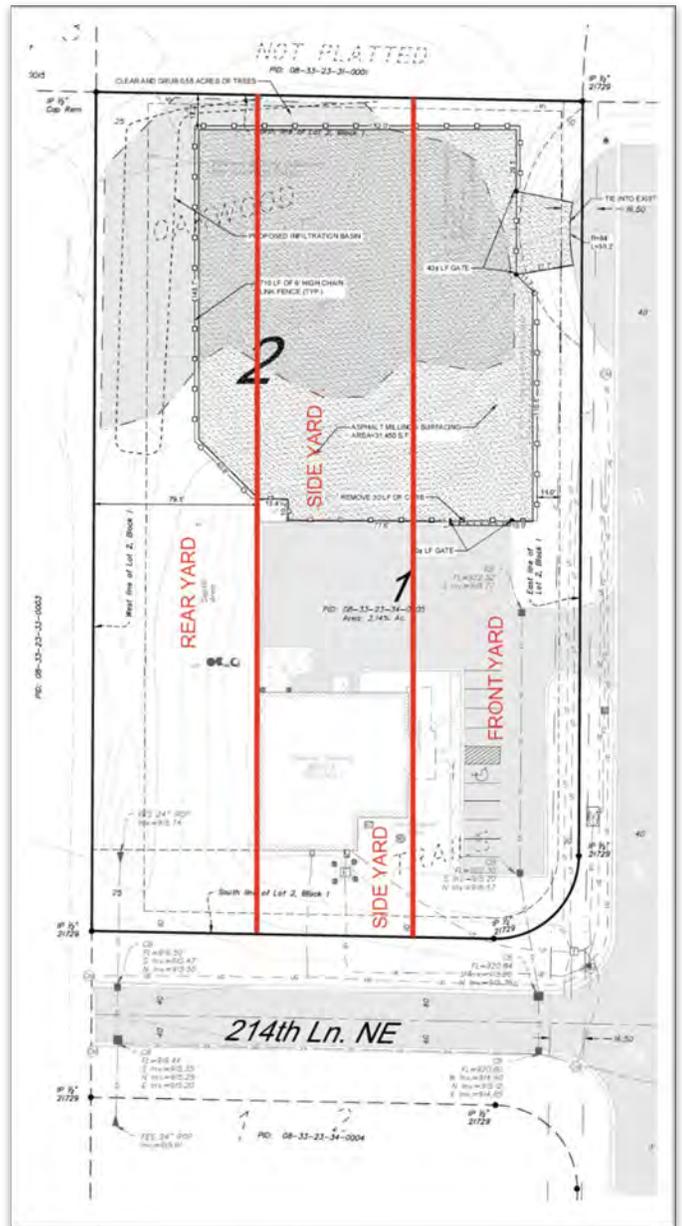


Figure 1 - Yards Exhibit

The Planning Commission could find that an exterior storage in the side and front yard on this lot is reasonable given the size of the lot and location of the existing building and septic.

The Planning Commission could find that exterior storage is unreasonable on this commercial lot.

2. *Uniqueness. The plight of the landowner is due to circumstances unique to the property not created by the landowner. The uniqueness generally relates to the physical characteristics of the particular property.*

The rear yard area on this lot is smaller than normal as the building is setback more than 78 feet where only 40 feet is required. This increases the front yard of the lot. The rear behind the

building is taken up by a large septic field. While the location of the existing building and septic may be limiting placement of the exterior storage, there is a small area of the lot that would be allowed on the north section of the site but would be an awkward shape and size.

The Planning Commission could find that an exterior storage in the side yard on this lot is due to unique circumstances of the property and the existing features on site.

The Planning Commission could find that an exterior storage is not due to unique circumstances as the building and septic locations were placed on the lot intentionally by the previous landowner and created the limitation rather than unique physical features of the lot.

3. *A variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure or improvement will be out of scale, out of place, or otherwise inconsistent with the surrounding area.*

This property is at the end of a temporary cul-du-sac that is platted to the north. The lots in the same area are all small-scale office buildings with parking and some exterior storage areas. The applicant indicated that multiple properties on the street have similar practices. Even so, a variance must be reviewed based on the unique circumstances on a property, and other businesses having exterior storage in areas other than the rear yard would not set precedent for others. Additionally, staff finds that the closest residential uses are separated by large lots and a good amount of greenery and landscape screening on the north and west.

The Planning Commission may find that the addition of an exterior storage use does not alter the essential character of the neighborhood.

Alternatively, the Planning Commission may find that the exterior storage use not in the rear yard does alter the essential character of the neighborhood.

**Variance #2:** Variance from Section 24 subd. 4.A(2) of the Zoning Ordinance which limits exterior storage maximum square footage to two times square footage of the principal building. The 31,450 sq. ft. exterior storage is proposed to be roughly 5.6 times bigger than the existing 5,613 sq. ft. building on the lot.

1. *Reasonableness. The property owner proposes to use the property in a reasonable manner not permitted by an official control.*

The landowner would like to construct a 31,450 square-foot fenced exterior storage area for storing equipment and other items related to their business. The landowner is allowed to have exterior storage on this lot if it meets the standards in the City Code through a conditional use permit. However, the storage is shown to be more than two times bigger than that of the existing building on site. The plans show an exterior storage area that is roughly 5.6 times bigger (31,460 sq. ft. / 5,613 sq. ft. = 5.6). This exterior storage area would take up roughly 33.7% of the entire lot.

The Planning Commission could find that an exterior storage use of this size on this lot is reasonable.

The Planning Commission could find that an exterior storage use of this size is unreasonable given the size on this lot. A smaller exterior storage area could meet the needs of the landowner and comply with the code requirements.

- 2. Uniqueness. The plight of the landowner is due to circumstances unique to the property not created by the landowner. The uniqueness generally relates to the physical characteristics of the particular property.*

The lot is limited to two times the size of the building through a conditional use permit for exterior storage. This would be 11,226 sq. ft. for the lot, which is approximately 1/3 the size of what is proposed. The size of exterior storage allowed is based on principal building size, not on lot size. While principal building size is limited by lot size, the building on the lot is not the maximum size allowed in this district.

The Planning Commission could find that an exterior storage use of this size on this lot is due to unique circumstances of the property and the existing features on site.

The Planning Commission could find that an exterior storage use of this size is not due to unique circumstances as the building on the lot could be expanded and that the building was placed intentionally and created the limitation rather than unique physical features of the lot.

- 3. A variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure or improvement will be out of scale, out of place, or otherwise inconsistent with the surrounding area.*

This property is at the end of a temporary cul-du-sac that is platted to the north. The lots in the same area are all small-scale office buildings with parking and some exterior storage areas. The applicant indicated that multiple properties on the street have similar practices. Even so, a variance must be reviewed based on the unique circumstances on a property, and other businesses having exterior storage larger than allowed would not set precedent for others. Additionally, staff finds that the closest residential uses are separated by large lots and a good amount of greenery and landscape screening on the north and west. Exterior storage use of this size when compared to the principal building on the lot is not found elsewhere in the neighborhood.

The Planning Commission may find that the addition of an exterior storage use of this size does not alter the essential character of the neighborhood.

Alternatively, the Planning Commission may find that an exterior storage use of this size does alter the essential character of the neighborhood. The area of the exterior storage would be out of scale with the building and would alter the character of this commercial district.

**Variance #3:** Variance from Section 25 subd. 2.C of the Zoning Ordinance which prohibits fences of six feet in height or less in the required front yard. The fence for the proposed exterior storage is located 0 feet away from the front lot line or right-of-way easement where 78 feet is required. The Zoning Ordinance defines the Front Yard as “An open space extending the full width of the front lot line, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the main building.”

1. *Reasonableness. The property owner proposes to use the property in a reasonable manner not permitted by an official control.*

The landowner would like to construct a 31,450 square-foot fenced exterior storage area for storing equipment and other items related to their business. The landowner is allowed to exterior storage on this lot if it meets the standards in the City Code through a conditional use permit. However, the storage is shown requires screening with the combination of a fence, wall, landscaping, or a berm. The applicant has chosen to use a fence and landscaping. However, the fence must be located out of the front yard if it is six feet in height or less.

While most of the fences is setback at least 21 feet from the ROW, the gate jogs back on the north and is on the ROW easement for the temporary cul-de-sac. This means the variance would be for 0 feet setback as the setback is measured from the front lot line or any road easements.

Staff recommends that the applicant bring the fence and gate back to match the existing curb line of the parking lot to the south. This would increase the setback from 0 feet to approximately three feet at the closest point where the new driveway is proposed. This would reduce the request from 0 feet to 3 feet where 78 feet is required. The existing parking curb is set back around 34 feet on the lot if you exclude the roadway easement. This would reduce the overall size of the exterior storage as well and would leave more room for the required landscaping on Johnson Street. The Commission could recommend approval of the variance to allow a 6-foot fence in the front yard and add a condition requiring that it be moved to the 34-foot setback to mitigate the effect of the variances.

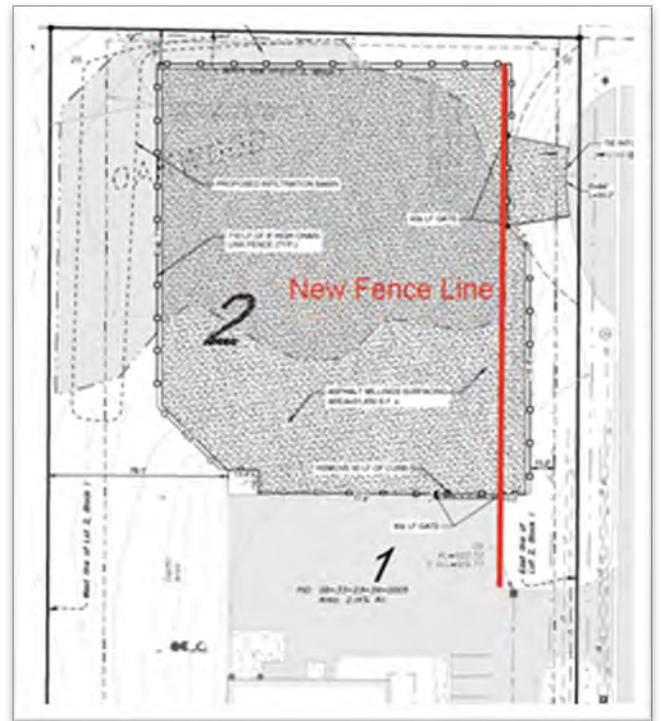


Figure 2 – Alternative Variance Exhibit

The fence is required for the exterior storage use and is used for screening purposes. A fence to screen would not pose safety risk for any traffic as it is not located near a corner or in traffic visibility triangles.

The Planning Commission could find that a fence in the required front yard on this lot is reasonable given the temporary roadway easement.

Alternatively, the Planning Commission could find that a fence in the required front yard is reasonable but not the minimum action necessary and exterior storage at the existing parking lot line would be reasonable as it would create a consistent street edge.

The Planning Commission could find that a fence in the required front yard is unreasonable given the size of the lot.

2. *Uniqueness. The plight of the landowner is due to circumstances unique to the property not created by the landowner. The uniqueness generally relates to the physical characteristics of the particular property.*

The lot is limited to where the rear yard is as the building is setback more than 78 feet where only 40 feet is required. This increases the front yard of the lot. The fence placement then is limited to the existing building setbacks.

The location of the front yard would be at the front of the existing building, which is 78 feet, instead of the minimum setback of 40 feet. The fence as shown on plans is 0 feet away from the front lot line at the roadway easement. The fence is required for the exterior storage and must be at least 6 feet tall. The applicant could build a fence higher than six feet, but this would require it to conform to the required setbacks of the building, also requiring a variance. However, the applicant may apply for an additional CUP to have a fence between 6-8 feet in height located closer to the front lot line than the building, and this would also require a separate building permit. The code allows this exemption in commercial and industrial districts through a CUP.

The Planning Commission could find that a fence in the required front yard on this lot is due to unique circumstances of the property and the existing features on site. Additionally, because the code would allow a fence that is taller than 6 feet in height in the front yard on this lot with a CUP and additional building permit, it means the location is possible through other means.

The Planning Commission could find that a fence in the required front yard is not due to unique circumstances as the building location was placed on the lot intentionally and created the limitation rather than unique physical features of the lot. Also, the applicant could apply for a building permit and conditional use for a slightly taller fence and build the fence in this location.

3. *A variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure or improvement will be out of scale, out of place, or otherwise inconsistent with the surrounding area.*

This property is at the end of a temporary cul-du-sac that is platted to the north. The lots in the same area are all small-scale office buildings with parking and some exterior storage areas. The applicant could build the fence in this location if it were taller with a CUP and building permit.

The Planning Commission may find that the placement of a fence in the required front yard does not alter the essential character of the neighborhood as it would be allowed through other means in the code.

Alternatively, the Planning Commission may find that the placement of a fence in the required front yard does alter the essential character of the neighborhood.

**Variance #4:** Variance from Section 23, subd. 1.D of the Zoning Ordinance which states that “A required screening fence shall be constructed of masonry, brick, or wood. Such fence shall provide a solid screening effect and not exceed eight feet in height or be less than six feet in height.” The fence for the proposed exterior storage is shown as chain link. Previous conversations with the applicant have discussed adding slats to block views. Chain-link is not an approved material for a screening fence and would require a variance as shown.

1. *Reasonableness. The property owner proposes to use the property in a reasonable manner not permitted by an official control.*

The landowner would like to construct a 31,450 square-foot fenced exterior storage area for storing equipment and other items related to their business. The landowner is allowed to exterior storage on this lot if it meets the standards in the City Code through a conditional use permit. They have shown a chain-link fence along the exterior storage, which is neither an approved material nor does it provide the required screening without slats. City Code Section 23 subd. 1.D states:

*A required screening fence shall be constructed of masonry, brick, or wood. Such fence shall provide a solid screening effect and not exceed eight feet in height or be less than six feet in height.*

The Planning Commission could find that the use of chain-link with slats is reasonable, as it is a common fencing material and expected in commercial and industrial districts. The applicant must provide detail for the proposed fence with slats for screening

The Planning Commission could find that chain-link with or without slats is unreasonable as it is not allowed elsewhere in East Bethel and may not be expected in this district.

2. *Uniqueness. The plight of the landowner is due to circumstances unique to the property not created by the landowner. The uniqueness generally relates to the physical characteristics of the particular property.*

The shape of the lot, and location of the fence does not limit materials chosen. The applicant has indicated the chain-link would have slats but have not submitted plans to show this. A variance would still be required for the chain-link material.

The Planning Commission could find that the use of chain-link with slats is due to unique circumstances of the property and the proposed use for exterior storage of equipment make other materials less likely to hold up over time or provide adequate screening long term.

The Planning Commission could find that a chain-link fence with or without slats is not due to unique circumstances as the materials has little to do with the lot and physical standards found on it. The applicant could construct a wood fence to meet the Zoning Ordinance requirements.

3. *A variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure or improvement will be out of scale, out of place, or otherwise inconsistent with the surrounding area.*

Chain-link with slats is a common type of fencing found in industrial and business districts for screening and security. While no other business in the area currently have a fence of this type, it would not matter to the granting of the variance. The area is expected to grow as a commercial and industrial area in the future, and this is an expected type of use.

The Planning Commission may find that a chain-link fence with slats does not alter the essential character of the neighborhood as it is an expected fencing type in a commercial and industrial district.

Alternatively, the Planning Commission may find that chain-link fence with or without slats does alter the essential character of the neighborhood as it is not found elsewhere and is not an approved material.

## Summary

The application for a Site Plan, CUP, and four Variances to allow exterior storage for equipment on the property located at 21476 Johnson Street NE requires multiple items that need individual review. Staff has provided findings of fact for each decision and list them in the report. The different applications for this report are as follows:

1. Site Plan for exterior storage and a new driveway and infiltration pond. Staff finds that the site plan only meets the ordinance standards if the CUP and variances are approved.
2. CUP for Exterior Storage as an accessory use to the principal use on the lot. Staff finds the CUP only meets the ordinance standards if the variances are approved.
3. Four Variances from the following:
  - a. Variance from Section 24 subd. 4.A(1) of the Zoning Ordinance which limits exterior storage to the rear yard and does not allow exterior storage in the required setback. The exterior storage is proposed to be in the front and side yards and does not comply with the front yard setback requirements.
  - b. Variance from Section 24 subd. 4.A(2) of the Zoning Ordinance which limits exterior storage maximum square footage to two times square footage of the principal building. The 31,450 sq. ft. exterior storage is proposed to be roughly 5.6 times bigger than the existing 5,613 sq. ft. building on the lot.
  - c. Variance from Section 25 subd. 2.C of the Zoning Ordinance prohibits fences of six feet in height or less in the required front yard. The fence for the proposed exterior storage is located 0 feet away from the front lot line or right-of-way easement where 78 feet is required
  - d. Variance from Section 23 subd. 1.D of the Zoning Ordinance which states that "A required screening fence shall be constructed of masonry, brick, or wood. Such fence shall provide a solid screening effect and not exceed eight feet in height or be less than six feet in height." The fence for the proposed exterior storage is shown as chain link. A condition to add the slats will be required.

The CUP and Site Plan as shown are dependent on approval of the first three the variances, but conditions of approval can be added to bring the plans into compliance if not all variances are recommended for approval. Variances a-b are required for the either the CUP or Site Plan, while denial of the fourth variance would require fence material changes but no change to the site plan.

This is a complicated application with a number of options. For example, the Commission could recommend approval of the site plan, CUP and variances a-c, but denial of variance d and make a condition of approval that the fence be located at a front setback that aligns with the eastern curb on the northeast corner of the existing parking area, which is 34 feet from the front lot line and 3 feet from the road easement on the north. That would require the applicant to adjust the plans for the east fence line. However, there are a number of options as noted below.

## **Requested Action**

In consideration of the request, the Planning Commission has the following options:

### **A) Recommend approval**

Based on the applicant's submission, the contents of this report, public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend approval of the request for a Site Plan, CUP, and four Variances to allow exterior storage for equipment on the property located at 21476 Johnson Street NE Staff has provided findings of fact that the practical difficulties for the variances has been demonstrated and a draft resolution with these findings of fact has been included in the packet.

### **B) Recommend denial**

Based on the applicant's submission, the contents of City Staff report, received public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend denial of the request if they find that the CUP and Site Plan standards have not been met, and no variance meets all three standards for practical difficulties. The Commission should clearly identify findings of fact for denial, which have been provided in the report as well.

### **C) Recommend Combination**

Based on the applicant's submission, the contents of City Staff report, received public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend a combination of which applications should be approved and which should be denied. The Commission should clearly identify which requests are being recommended for approval and which for denial and clearly identify findings of fact for each. Findings of fact for either approval or denial on all applications have been provided within the Staff Report.

## **Attachments:**

1. Draft Resolution approving the Site Plan, CUP, and four Variances
2. Location Map
3. Aerial of Property
4. Yards Exhibit
5. Civil Plans
6. Applicant Findings of Fact
7. City Engineer's Memo

**CITY OF EAST BETHEL  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION NO. 2025-XX**

A RESOLUTION **APPROVING** A SITE PLAN AND **GRANTING** A CONDONAL USE PERMIT AND **GRANTING** FOUR VARIANCES FROM THE ZONING ORDINANCE FOR EXTERIOR STORAGE ON A PROPERTY LOCATED AT 21476 JOHNSON STREET NE (PIN: 08-33-23-34-0005) LEGALLY DESCRIBED AS:

LOT 1, BLOCK 2, OAKWOOD TRAILS

**WHEREAS**, the property owner of 21476 Johnson Street NE, Dan McConnell, a site plan and conditional use permit for exterior storage and four variances, and;

**WHEREAS**, the Planning Commission held a public meeting on May 27, 2025; and,

**WHEREAS**, the Planning Commission finds:

1. This property is zoned (B-3) Highway Commercial and exterior storage is an allowed as a Conditional Use within this district.
2. The application submitted on April 23, 2025 complies with the general Conditional Use Permit (CUP) standards in Section 4, Subd. 9. (D) of the Zoning Ordinance, as outlined in the May 27, 2025 Planning Commission report, except as amended below.
3. The application submitted on April 23, 2025, complies with the Site Plan standards in Zoning Ordinance, as outlined in the May 27, 2025 Planning Commission report, except as amended below.

**WHEREAS**, the applicant has requested a variance from Section 24 Subdivision 4.A(1) of the Zoning Ordinance which limits exterior storage to the rear yard and does not allow exterior storage in the required setback. The exterior storage is proposed to be in the front and side yards and does not comply with the front yard setback requirements, and;

**WHEREAS**, the City finds the request:

1. Is a reasonable request:
  - The exterior storage use in the front and side yards is reasonable for the property to be utilized.
2. Is due to circumstances unique to the property, not caused by the landowner;
  - The property has a majority of the vacant land within the front and side yards due to placement of the building and septic field.
  - The issuance of a variance is necessary for exterior storage as the septic field is in the majority of the rear yard.
3. Will not have a negative effect on the characteristic of the neighborhood;

- The property is at the end of a temporary cul-de-sac and the surrounding properties have additional screening on top of that provided by the applicant.

**WHEREAS**, the applicant has requested a variance from Section 24 Subdivision 4.A(2) of the Zoning Ordinance which limits exterior storage maximum square footage to two times square footage of the principal building. The 31,450 sq. ft. exterior storage is proposed to be roughly 5.6 times bigger than the existing 5,613 sq. ft. building on the lot, and;

**WHEREAS**, the City finds the request:

1. Is a reasonable request:
  - The exterior storage use that is larger than what is allowed is reasonable for the property to be utilized.
2. Is due to circumstances unique to the property, not caused by the landowner;
  - The 2.14-acre property has a building and parking area already, with the planned exterior storage to be less than one acre of the lot.
  - The issuance of a variance is necessary for the exterior storage to be large enough to be used for the equipment planned to be stored there.
3. Will not have a negative effect on the characteristic of the neighborhood;
  - The property is at the end of a temporary cul-de-sac and the surrounding properties have additional screening on top of that provided by the applicant.

**WHEREAS**, the applicant has requested a variance from Section 25 Subdivision 2.C of the Zoning Ordinance which prohibits fences of six feet in height or less in the required front yard. The fence for the proposed exterior storage is located 0 feet away from the front lot line or right-of-way easement where 78 feet is required, and;

**WHEREAS**, the City finds the request:

1. Is a reasonable request:
  - The fence in the front yard is reasonable for the property to be utilized.
2. Is due to circumstances unique to the property, not caused by the landowner;
  - The 2.14-acre property has a building that is set back over 78 feet where only 4 feet is required.
  - There is a temporary roadway easement for the cul-de-sac that will be removed once Johnson Street is improved further north.
  - The issuance of a variance is the minimum action required to allow a fence in the front yard in a commercial district.
3. Will not have a negative effect on the characteristic of the neighborhood;
  - The property is at the end of a temporary cul-de-sac and the surrounding properties have additional screening on top of that provided by the applicant.
  - The applicant could apply for a CUP and building permit for a fence that is taller than six feet and have it in the same location.

**WHEREAS**, the applicant has requested a variance from Section 23 Subdivision 1.D of the Zoning Ordinance which states that “A required screening fence shall be constructed of masonry, brick, or wood. Such fence shall provide a solid screening effect and not exceed eight feet in height or be less than six feet in height.” The fence for the proposed exterior storage is shown as a chain-link fence with slats, and;

**WHEREAS**, the City finds the request:

1. Is a reasonable request:
  - The use of a chain-link fence in a commercial or industrial district is reasonable and expected.
2. Is due to circumstances unique to the property, not caused by the landowner;
  - The use of chain-link with slats is due to unique circumstances of the property and the existing features on site that make other materials less likely to hold up over time or provide adequate screening long term.
3. Will not have a negative effect on the characteristic of the neighborhood;
  - The property is located in a commercial district, and chain-link is an expected fencing type in this district.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of East Bethel hereby approves the site plan, conditional use permit and four variances from the Zoning Ordinance for the property located at 21476 Johnson Street NE, subject to the following conditions:

1. Prior to any grading or construction activities, the City Engineer and City Planner must authorize the commencement of the work.
2. The plans must be updated to correctly dimension the required building setbacks, existing building and parking setbacks and proposed exterior storage fence at the closed point to the property lines or road easement and submitted to the City for review and approval.
3. The fence must include slats in the chain-link to block out any view from the surrounding properties. The color and materials must be submitted to the City for review and approval.
4. The landscape plan must be revised to provide landscaping on all sides of exterior storage area as required by Section 24, Subd. 4(B)(1) of the Zoning Ordinance. Revised plans must be submitted for review and approval by staff prior to beginning any site work.
5. The applicant must comply with the conditions of the City Engineer’s memo dated May 14, 2025 and any and all other comments. The City Engineer will determine when all items have been addressed.
6. No clearing and grubbing of oak trees should take place between April 1<sup>st</sup> and July 15<sup>th</sup> to prevent oak wilt infection from occurring and spreading to other properties.

Adopted this XX<sup>th</sup> day of June, 2025 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

ATTEST

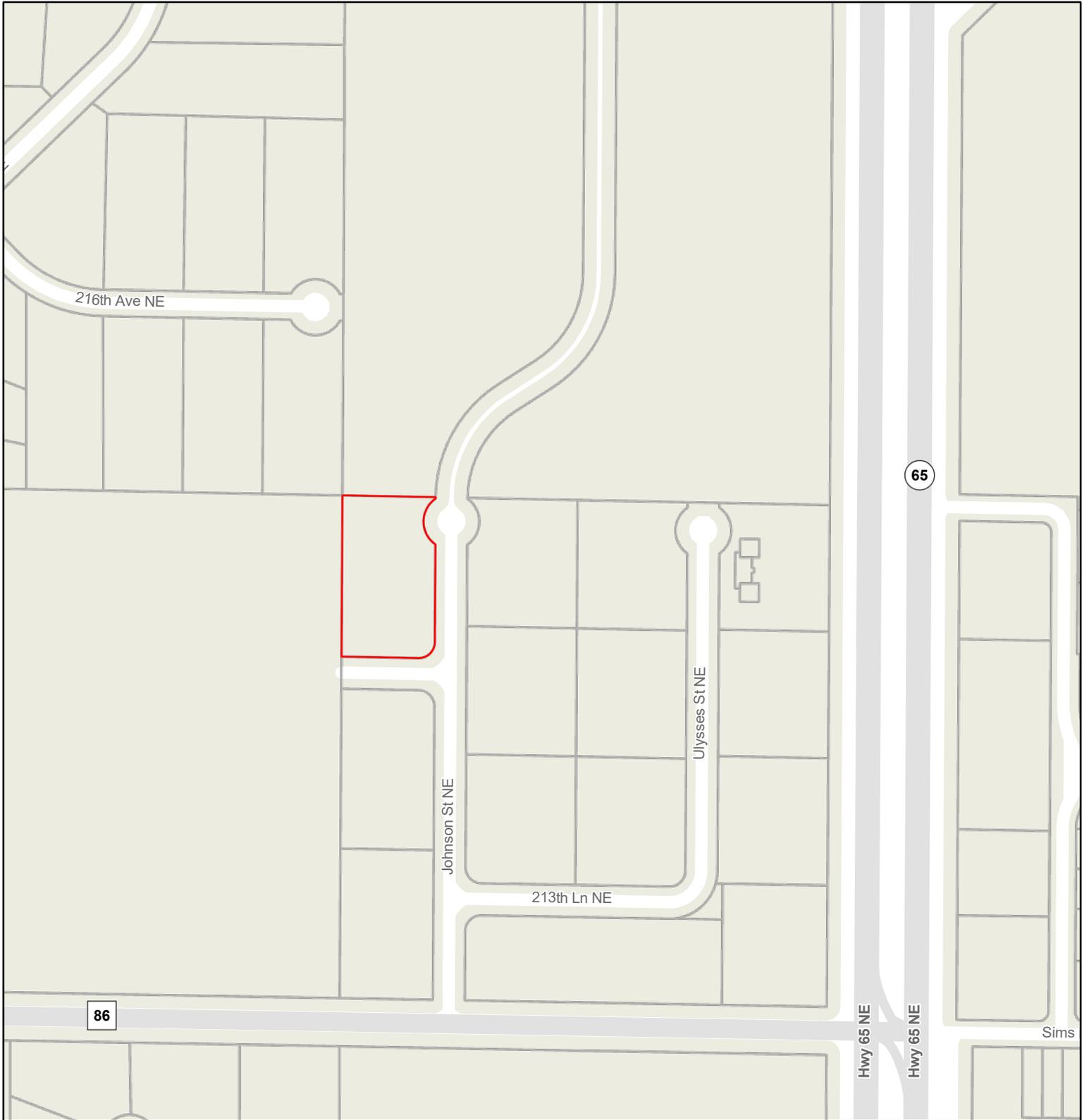
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Ardie Anderson, Mayor

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Matt Look, City Administrator

# Location Map- 21476 Johnson Street



-  Parcels
-  City Mask

1 inch equals 479 feet



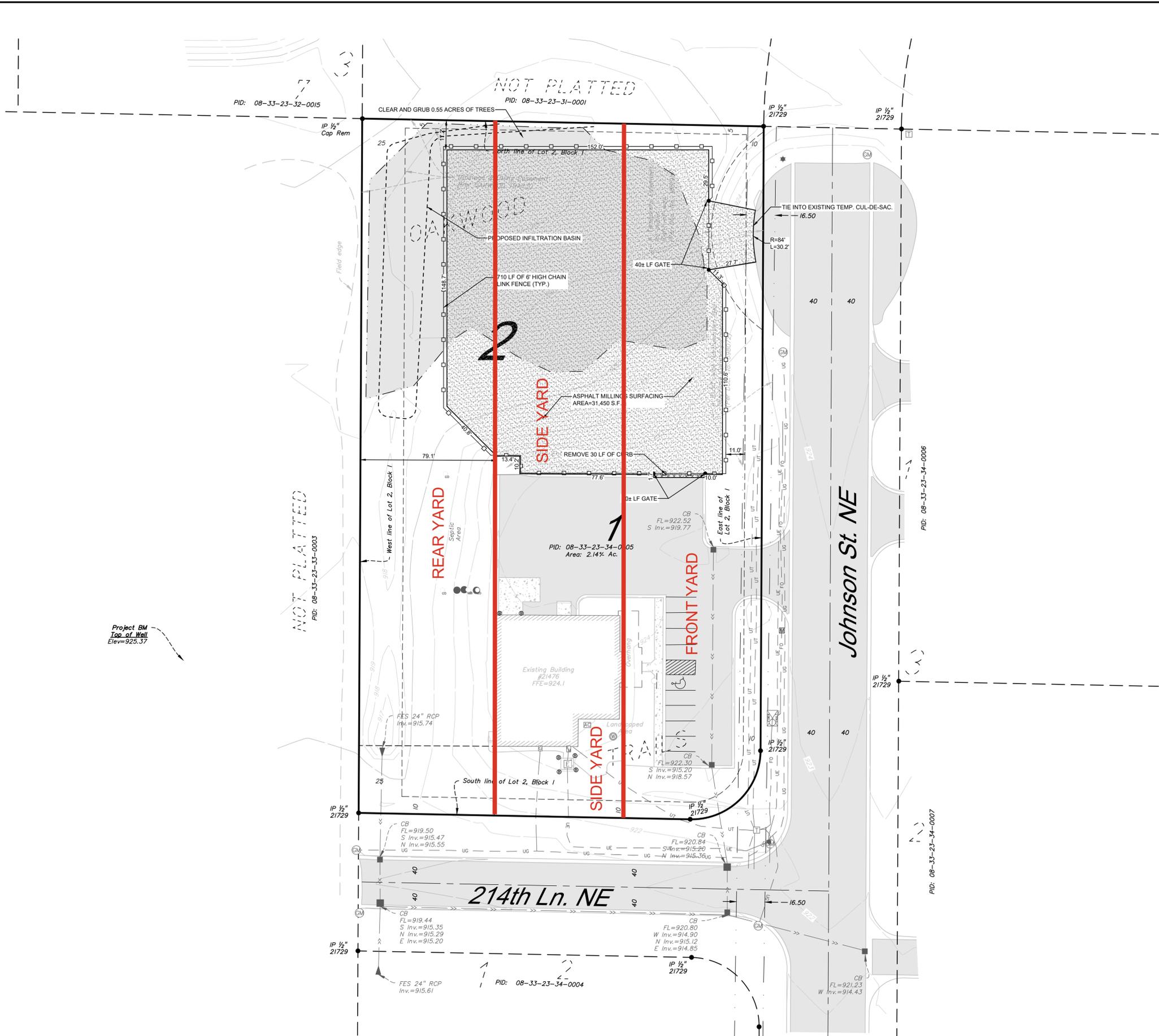
# Location Map- 21476 Johnson Street



-  Parcels
-  City Mask

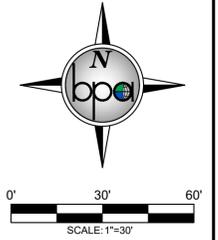
1 inch equals 181 feet





**LEGEND:**

- CLEARING AND GRUBBING
- PROPOSED ASPHALT MILLING SURFACING
- PROPOSED CONCRETE PAVEMENT
- CONCRETE CURB AND GUTTER - B612
- PROPOSED SIGN



**SITE PLAN NOTES:**

1. ALL CONCRETE RAMPS, SIDEWALKS AND ACCESSIBLE HANDICAPPED PARKING STALLS TO CONFORM TO CURRENT A.D.A. REQUIREMENTS.
2. CONTRACTOR SHALL FIELD VERIFY HORIZONTAL AND VERTICAL LOCATION OF EXISTING UTILITIES PRIOR TO START OF CONSTRUCTION.
3. CONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES PRIOR TO THE START OF CONSTRUCTION.
4. CONSTRUCTION SHALL BE IN ACCORDANCE WITH APPLICABLE CITY, COUNTY AND STATE REGULATIONS.
5. SITE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PLANS APPROVED BY THE CITY.
6. LANDSCAPING AND TURF ESTABLISHMENT PER LANDSCAPE PLANS & SPECIFICATIONS.
7. ALL DISTURBED AREAS OUTSIDE THE BUILDING PAD WHICH ARE NOT DESIGNATED TO BE PAVED OR RECEIVE AGLIME, SHALL RECEIVE AT LEAST 6" OF TOPSOIL AND SHALL BE SEEDED OR SODDED. REFER TO THE EROSION CONTROL PLAN FOR SOD AND SEED LOCATIONS. ALL OTHER AREAS DISTURBED BY CONSTRUCTION NOT SPECIFICALLY IDENTIFIED TO RECEIVE A CERTAIN SEED MIX SHALL BE MIXED WITH SEED MIX 25-131.
8. WHERE NEW SOD MEETS EXISTING SOD, EXISTING SOD EDGE SHALL BE CUT TO ALLOW FOR A CONSISTENT, UNIFORM STRAIGHT EDGE. JAGGED OR UNEVEN EDGES WILL NOT BE ACCEPTABLE. REMOVE TOPSOIL AT JOINT BETWEEN EXISTING AND NEW AS REQUIRED TO ALLOW NEW SOD SURFACE TO BE FLUSH WITH EXISTING.
9. NO ADDITIONAL EXTERIOR LIGHTNING IS PROPOSED.

**SITE PLAN INFORMATION:**

PARCEL AREA:  
+ 2.15 ACRES ±

SITE DATA	EXISTING	PROPOSED
PAVEMENT AREA	15,270 SF	46,720 SF
BUILDING AREA	5,613 SF	5,613 SF
PERVIOUS AREA	72,599 SF	41,149 SF
TOTAL AREA	93,482 SF	93,482 SF

REV NO.	DATE	DESCRIPTION
1	04/22/2025	ADDITIONAL INFORMATION INCLUDED

NOT FOR CONSTRUCTION

**BOGART, PEDERSON & ASSOCIATES, INC.**  
LAND SURVEYING  
ENVIRONMENTAL SERVICES  
13076 FIRST STREET, BECKER, MN 55508-9322  
TEL: 763-262-8822 FAX: 763-262-8844

**D&D CONTRACTING, LLC**  
PARKING STORAGE EXPANSION  
21476 JOHNSON ST. NE  
EAST BETHEL, MN 55011  
SITE & REMOVALS PLAN

SHEET NO.

**C1**

CALL 48 HOURS BEFORE DIGGING:  
**GOPHER STATE ONE CALL**  
TWIN CITY AREA 651-454-0002  
MINNESOTA TOLL FREE 1-800-252-1166

# D&D CONTRACTING, LLC

## PARKING STORAGE EXPANSION

### L1, B2, OAKWOOD TRAILS

#### 21476 JOHNSON ST. NE, EAST BETHEL, MN 55011

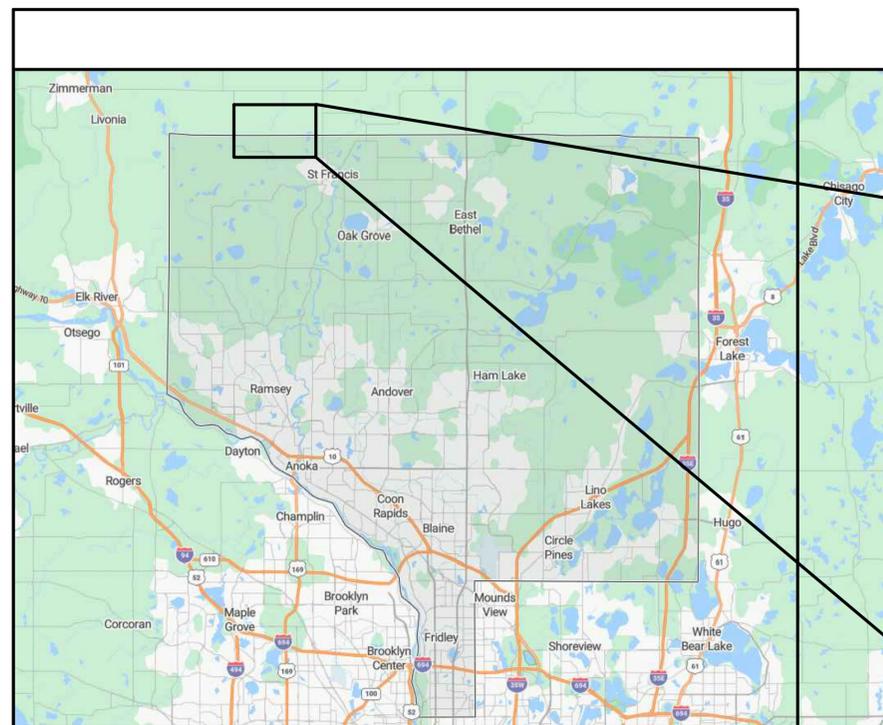
#### APRIL 2025

#### PRELIMINARY PLANS

**CIVIL & SURVEY PLANS PREPARED BY:**



Sheet List Table	
Sheet Number	Sheet Title
-	Cover
C1	Site & Removals Plan
C2	Grading & Erosion Control Plan
C3	SWPPP Narrative
C4	Details
C5	Landscaping Plan



**ANOKA COUNTY, MINNESOTA**

**PROJECT LOCATION**

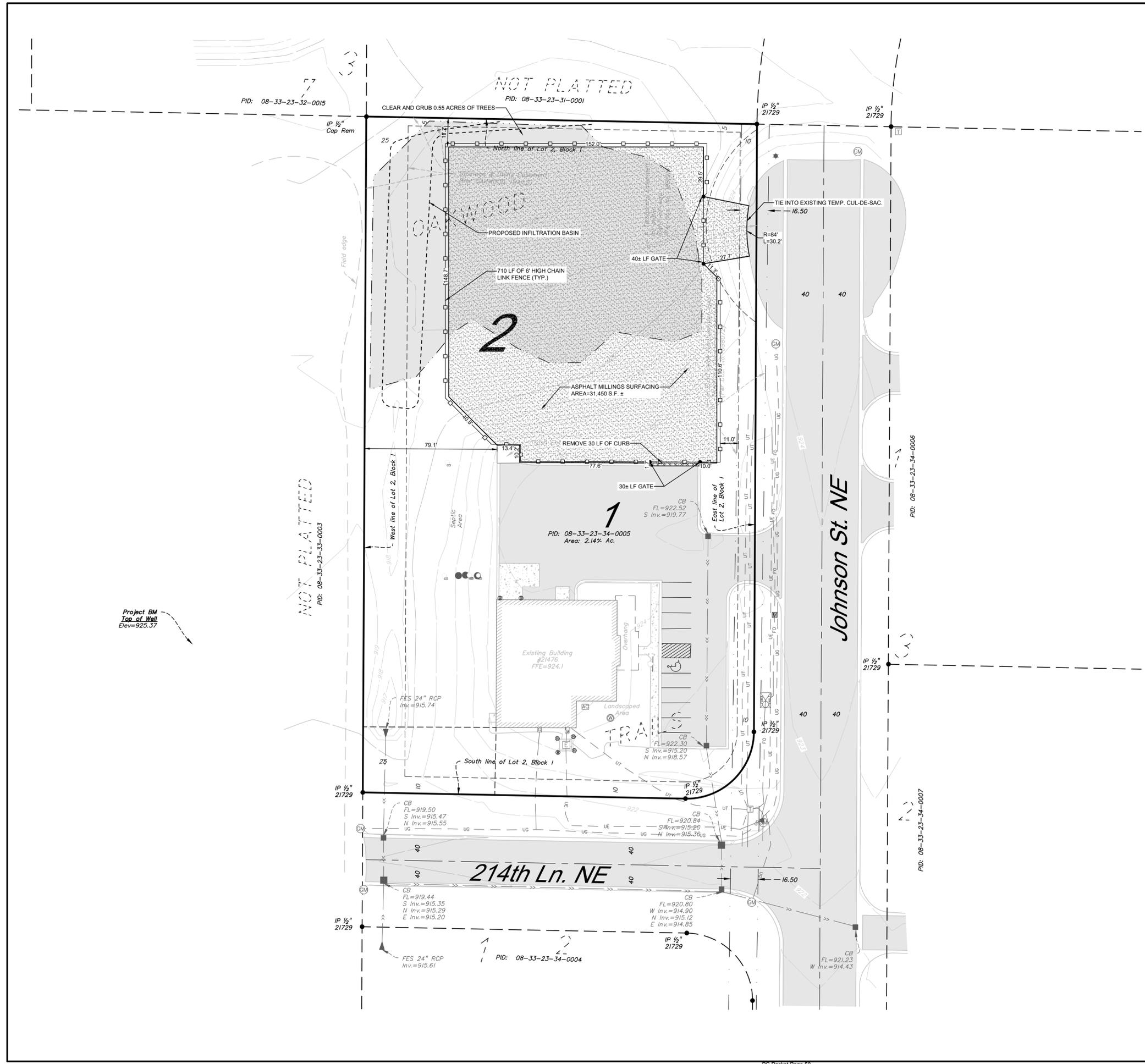


**VICINITY MAP**

REV NO.	DATE	DESCRIPTION
1	04/22/2025	ADDITIONAL INFORMATION INCLUDED

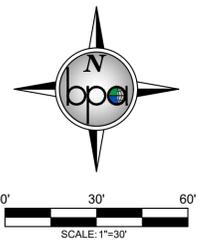
PRIVATE UTILITIES SHOWN ARE QUALITY LEVEL D. QUALITY LEVEL D PROVIDES THE MOST BASIC LEVEL OF INFORMATION. IT INVOLVES COLLECTING DATA FROM EXISTING UTILITY RECORDS. RECORDS MAY INCLUDE AS-BUILT DRAWINGS, DISTRIBUTION AND SERVICES MAPS, EXISTING GEOGRAPHIC INFORMATION SYSTEM DATABASES, CONSTRUCTION PLANS, ETC.

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**LEGEND:**

- CLEARING AND GRUBBING
- PROPOSED ASPHALT MILLING SURFACING
- PROPOSED CONCRETE PAVEMENT
- CONCRETE CURB AND GUTTER - B612
- PROPOSED SIGN



**SITE PLAN NOTES:**

1. ALL CONCRETE RAMPS, SIDEWALKS AND ACCESSIBLE HANDICAPPED PARKING STALLS TO CONFORM TO CURRENT A.D.A. REQUIREMENTS.
2. CONTRACTOR SHALL FIELD VERIFY HORIZONTAL AND VERTICAL LOCATION OF EXISTING UTILITIES PRIOR TO START OF CONSTRUCTION.
3. CONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES PRIOR TO THE START OF CONSTRUCTION.
4. CONSTRUCTION SHALL BE IN ACCORDANCE WITH APPLICABLE CITY, COUNTY AND STATE REGULATIONS.
5. SITE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PLANS APPROVED BY THE CITY.
6. LANDSCAPING AND TURF ESTABLISHMENT PER LANDSCAPE PLANS & SPECIFICATIONS.
7. ALL DISTURBED AREAS OUTSIDE THE BUILDING PAD WHICH ARE NOT DESIGNATED TO BE PAVED OR RECEIVE AGLIME, SHALL RECEIVE AT LEAST 6" OF TOPSOIL AND SHALL BE SEEDED OR SODDED. REFER TO THE EROSION CONTROL PLAN FOR SOD AND SEED LOCATIONS. ALL OTHER AREAS DISTURBED BY CONSTRUCTION NOT SPECIFICALLY IDENTIFIED TO RECEIVE A CERTAIN SEED MIX SHALL BE MIXED WITH SEED MIX 25-131.
8. WHERE NEW SOD MEETS EXISTING SOD, EXISTING SOD EDGE SHALL BE CUT TO ALLOW FOR A CONSISTENT, UNIFORM STRAIGHT EDGE. JAGGED OR UNEVEN EDGES WILL NOT BE ACCEPTABLE. REMOVE TOPSOIL AT JOINT BETWEEN EXISTING AND NEW AS REQUIRED TO ALLOW NEW SOD SURFACE TO BE FLUSH WITH EXISTING.
9. NO ADDITIONAL EXTERIOR LIGHTNING IS PROPOSED.

**SITE PLAN INFORMATION:**

**PARCEL AREA:**  
+ 2.15 ACRES ±

SITE DATA	EXISTING	PROPOSED
PAVEMENT AREA	15,270 SF	46,720 SF
BUILDING AREA	5,613 SF	5,613 SF
PERVIOUS AREA	72,599 SF	41,149 SF
TOTAL AREA	93,482 SF	93,482 SF

REV NO.	DATE	DESCRIPTION
1	04/22/2025	ADDITIONAL INFORMATION INCLUDED

**NOT FOR CONSTRUCTION**

**BOGART, PEDERSON & ASSOCIATES, INC.**  
 LAND SURVEYING  
 ENVIRONMENTAL SERVICES  
 13076 FIRST STREET, BECKER, MN 55508-9322  
 TEL: 763-262-8822 FAX: 763-262-8844

**D&D CONTRACTING, LLC**  
**PARKING STORAGE EXPANSION**  
 21476 JOHNSON ST. NE  
 EAST BETHEL, MN 55011  
**SITE & REMOVALS PLAN**

SHEET NO.  
C1

CALL 48 HOURS BEFORE DIGGING:  
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 TWIN CITY AREA 651-454-0002  
 MINNESOTA TOLL FREE 1-800-252-1166



**STORM WATER POLLUTION PREVENTION PLAN NARRATIVE:**

**GENERAL INFORMATION**

THIS STORMWATER POLLUTION PREVENTION PLAN IS PREPARED IN ACCORDANCE TO THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. MN R1000001 FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY.  
 PROJECT NAME: D&D CONTRACTING, LLC PARKING STORAGE EXPANSION  
 LOCATION: 21476 JOHNSON ST. NE, EAST BETHEL, MN 55011  
 ANOKA COUNTY  
 LAT/LONG: 45.359031, -93.244138

**DESCRIPTION OF CONSTRUCTION ACTIVITY:**

DEVELOPMENT CONSISTS OF PAVING, GRADING, AND TURF ESTABLISHMENT.

**PROJECT CONTACTS**

DAN MCCONNELL AND THE CONTRACTOR ARE RESPONSIBLE FOR IMPLEMENTATION OF THE SWPPP AND THE INSTALLATION, INSPECTION, AND MAINTENANCE OF THE EROSION PREVENTION AND SEDIMENT CONTROL BMP'S BEFORE AND DURING CONSTRUCTION.

**SWPPP PREPARATION:**

SWPPP PREPARER: CHRISTOPHER DAHN  
 -BOGART, PEDERSON & ASSOCIATES  
 ENGINEER AND SWPPP DESIGNER (EXP 2025)  
 ADDRESS: 13076 FIRST STREET N  
 BECKER, MN 53308  
 TELEPHONE: 763-262-8822  
 EMAIL: CDAHNB@BOGART-PEDERSON.COM

**OWNER:**

OWNER CONTACT: DAN MCCONNELL  
 ADDRESS: 7370 6TH STREET N  
 TELEPHONE: (612)-770-2063  
 EMAIL: DDCONTRACTINGMN@GMAIL.COM

**CONTRACTOR (TO BE FILLED OUT BY THE CONTRACTOR):**

BUSINESS NAME \_\_\_\_\_  
 OWNER NAME \_\_\_\_\_  
 MAILING ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_  
 EMAIL \_\_\_\_\_  
 CONTACT NAME \_\_\_\_\_  
 MAILING ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_  
 EMAIL \_\_\_\_\_

**ESTIMATED DATES OF CONSTRUCTION:**

START DATE   /  /   (TO BE FILLED IN BY CONTRACTOR)  
 COMPLETION DATE   /  /   (TO BE FILLED IN BY CONTRACTOR)

**PERMANENT STORMWATER DESIGN CALCULATIONS:**

SEE THE STORM WATER MANAGEMENT REPORT FOR MORE INFORMATION. CONTACT BOGART, PEDERSON & ASSOCIATES FOR REPORT. PROPOSED FLOW RATE IS LIMITED THROUGH A PROPOSED INFILTRATION BASIN THAT WILL CAPTURE ALL WATER FROM THE ADDED IMPERVIOUS SURFACE.  
 SOIL GROUP: A

**DESCRIPTION OF EROSION CONTROL ACTIVITY:**

EROSION CONTROL CONSISTS OF SILT FENCE PERIMETER CONTROL, TURF ESTABLISHMENT THROUGH SEEDING AND EROSION CONTROL BLANKET, AND ROCK CONSTRUCTION ENTRANCE PLACEMENT.

**CUMULATIVE IMPERVIOUS SURFACES:**

AREA OF DISTURBANCE: 1.08 ACRES  
 PRE-CONSTRUCTION IMPERVIOUS AREA: 0.47 ACRES  
 POST CONSTRUCTION IMPERVIOUS AREA: 1.20 ACRES  
 NEW IMPERVIOUS AREA: 0.73 ACRES

**RECEIVING WATERS:**

STORM WATER FROM THIS SITE WILL BE DISCHARGED TO THE EXISTING SOUTH STORM SEWER SYSTEM.

**PLANS AND SPECIFICATIONS**

THE PLAN SHEETS OF THIS PLAN SET INDICATE THE FOLLOWING ITEMS:  
 • THE PROJECT LOCATION AND CONSTRUCTION LIMITS.  
 • LOCATIONS OF IMPERVIOUS SURFACES.  
 • LOCATIONS OF AREAS NOT TO BE DISTURBED (E.G., BUFFER ZONES, WETLANDS, ETC.).  
 • STEEP SLOPE LOCATIONS.  
 • LOCATIONS OF ALL TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL BMP'S TO BE INSTALLED ON THE PROJECT.  
 • THE DETAIL SHEETS INDICATE EROSION AND SEDIMENT CONTROL BMP'S TO BE INSTALLED ON THE PROJECT.  
 • IF DEWATERING IS REQUIRED FOR THIS PROJECT, THE PUMP DISCHARGE SHALL BE TREATED PRIOR TO BEING DISCHARGED OFF-SITE OR INTO A SURFACE WATER. THE DISCHARGE SHALL BE VISUALLY CHECKED TO ENSURE THAT IT IS VISIBLY CLEAN WATER.

**TEMPORARY SEDIMENT CONTROL PRACTICES**

DOWN GRADIENT SILT FENCE AND SEDIMENT LOG INSTALLATIONS ARE TO BE IN PLACE PRIOR TO THE COMMENCEMENT OF ANY EARTHWORK OPERATIONS.

TOPSOIL IS TO BE WINDROWED ALONG THE CONSTRUCTION LIMITS AND PLACED AS SLOPE DRESSING IMMEDIATELY FOLLOWING COMPLETION OF THE GRADING OPERATIONS, AS THE GRADING OPERATIONS PROCEED.

TOPSOIL PLACEMENT ALONG THE EMBANKMENT SLOPES THROUGH THE WETLANDS AREA IS TO BE SPREAD BY A LOW IMPACT CRAWLER TRACTOR OPERATING UP AND DOWN THE SLOPES SO AS TO PROVIDE TRACK PRINTS PARALLEL WITH THE CONTOURS.

INSTALLATION OF MINDOT CATEGORY 3 EROSION CONTROL BLANKET ALONG THE EMBANKMENT SLOPES ADJACENT THE WETLANDS AREA.

ALL TEMPORARY SOILS STOCKPILES WILL REQUIRE AN EFFECTIVE MEANS OF SEDIMENT CONTROL SUCH AS AN EROSION CONTROL BLANKET COVERING OR SILT FENCE INSTALLATION ALONG THE TOE OF SLOPE.

ALL COMPLETED SWALES SLOPES AND BOTTOMS NOT DRAINING TOWARDS WETLAND AREAS ARE TO BE STABILIZED WITHIN 7 DAYS.

TEMPORARY STABILIZATION WILL BE REQUIRED IN AREAS WHERE GRADING OPERATIONS ARE SUSPENDED OR CEASED FOR A PERIOD OF 7 DAYS OR GREATER.

A ROCK CONSTRUCTION ENTRANCE FOR SEDIMENT CONTROL IS TO BE PROVIDED AT THE PROJECT ENTRANCE ON THE NORTH PARKING LOT.

STREET SWEEPING OF THE PAVED SURFACES SHALL BE REQUIRED AS DIRECTED BY THE ENGINEER.

**TIMING OF EROSION CONTROL:**

SILT FENCE AND SEDIMENT LOGS SHALL BE INSTALLED PRIOR TO CONSTRUCTION.

RIPRAP AND FILTER BLANKET SHALL BE PLACED AT THE OUTLETS WITHIN 24 HOURS OF THE OUTLET PLACEMENT.

THE CONTRACTOR MUST STABILIZE ALL EXPOSED SOIL AREAS IMMEDIATELY FOLLOWING CONSTRUCTION WHEREVER CONSTRUCTION SHALL NOT OCCUR FOR A PERIOD GREATER THAN OR EQUAL TO 7 DAYS.

STABILIZATION WORK MUST BE COMPLETE WITHIN 7 CALENDAR DAYS AFTER THE CONSTRUCTION WORK IN THAT AREA HAS TEMPORARILY OR PERMANENTLY CEASED.

AREAS THAT ARE WITHIN 200 FT OF A PUBLIC WATER MUST BE STABILIZED WITHIN 24 HOURS OF COMPLETING CONSTRUCTION DURING PERIODS OF "WORK IN WATER RESTRICTIONS" FOR TIME PERIODS DECLARED BY THE DNR.

THE CONTRACTOR IS RESPONSIBLE TO MAINTAIN THE DISTURBED AREA UNTIL VEGETATION IS ESTABLISHED.

ONCE VEGETATION IS ESTABLISHED AND CONSTRUCTION IS COMPLETE, THE SILT FENCE AND ANY OTHER TEMPORARY EROSION CONTROL THAT IS NOT BIODEGRADABLE SHALL BE REMOVED.

STREET SWEEPING TO BE PROVIDED AS DIRECTED BY THE ENGINEER OR OWNER. THE CITY REQUIRES STREET SWEEPING TO OCCUR WITHIN 8 HOURS OF NOTICE FROM THE CITY.

APPLYING MULCH, HYDROMULCH, TACKIFIER, POLYACRYLAMIDE OR SIMILAR EROSION PREVENTION PRACTICES IS NOT ACCEPTABLE STABILIZATION IN ANY PART OF A TEMPORARY OR PERMANENT DRAINAGE DITCH OR SWALE. BLANKETS OR OTHER APPROVED, BY THE ENGINEER, METHOD SHALL BE USED.

**INSPECTION AND MAINTENANCE ACTIVITIES**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING AND SCHEDULING THE WORK OF ALL OPERATIONS, INCLUDING SUBCONTRACTORS AND UTILITY COMPANIES, SUCH THAT EROSION AND SEDIMENT CONTROL MEASURES ARE FULLY EXECUTED FOR EACH OPERATION AND IN A TIMELY MANNER OVER THE DURATION OF THE PROJECT. OPERATORS HAVE DAILY ACCESS TO THE PROJECT SITE. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE SWPPP IMPLEMENTATION UNTIL THE ENTIRE SITE HAS UNDERGONE FINAL STABILIZATION AND N.O.T HAS BEEN SUBMITTED TO THE MPCA.

THE CONTRACTOR IS TO PROVIDE A TRAINED INDIVIDUAL RESPONSIBLE FOR THE IMPLEMENTATION, INSPECTION AND MAINTENANCE OF THE EROSION AND SEDIMENT CONTROL BMP'S ON THE PROJECT. THAT INDIVIDUAL IS TO BE IDENTIFIED AT THE PRE-CONSTRUCTION CONFERENCE AND LISTED IN THE MINUTES THEREOF.

THE APPOINTED INDIVIDUAL IS TO PERFORM A ROUTINE INSPECTION OF THE ENTIRE SITE AT LEAST ONCE EVERY SEVEN DAYS DURING CONSTRUCTION OPERATIONS AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS.

A INSPECTION FORM SHALL BE PROVIDED BY THE CONTRACTOR. ANY DEFICIENCIES IN THE EROSION AND SEDIMENT CONTROL BMP'S ARE TO BE NOTED ON THE INSPECTION FORM AND CORRECTED BY THE END OF THE NEXT BUSINESS DAY.

PERIMETER CONTROL DEVICES ARE TO BE REPAIRED OR REPLACED WHEN THEY ARE NO LONGER EFFECTIVE OR WHEN THE SEDIMENT REACHES ONE-HALF THE HEIGHT OF THE DEVICE.

**TRAINING DOCUMENTATION:**

SWPPP IMPLEMENTATION, REVISING, AMENDING, AND INSPECTING (TO BE FILLED IN BY THE CONTRACTOR)  
 NAME OF INDIVIDUAL \_\_\_\_\_  
 OVERSEEING & INSPECTING \_\_\_\_\_  
 DATE OF TRAINING \_\_\_\_\_  
 NAME OF INSTRUCTOR \_\_\_\_\_  
 ENTITY PROVIDING TRAINING \_\_\_\_\_  
 CONTENT OF TRAINING \_\_\_\_\_  
 TOTAL HOURS OF TRAINING \_\_\_\_\_

**BMP INSTALLATION, MAINTENANCE, AND REPAIR (TO BE FILLED IN BY THE CONTRACTOR)**

NAME OF INDIVIDUAL \_\_\_\_\_  
 OVERSEEING & INSPECTING \_\_\_\_\_  
 DATE OF TRAINING \_\_\_\_\_  
 NAME OF INSTRUCTOR \_\_\_\_\_  
 ENTITY PROVIDING TRAINING \_\_\_\_\_  
 CONTENT OF TRAINING \_\_\_\_\_  
 TOTAL HOURS OF TRAINING \_\_\_\_\_

**POLLUTION PREVENTION**

FERTILIZERS ARE TO BE APPLIED ONLY IN THE AMOUNTS AS SPECIFIED AND WORKED INTO THE SOIL TO MINIMIZE EXPOSURE TO STORMWATER RUNOFF.

ONSITE REFUELING OPERATIONS ARE TO BE CONDUCTED WITH CARE. ANY INADVERTENT SPILLAGE OF FUEL OR CHEMICALS IS TO BE IMMEDIATELY CLEANED UP, REMOVED FROM THE SITE AND DISPOSED OF IN ACCORDANCE TO STATE AND LOCAL REGULATIONS. MAJOR SPILLS ARE TO BE REPORTED TO THE MPCA 24 HOUR NOTIFICATION NETWORK AT 800-422-0798. ALL VEHICLES ON-SITE ARE TO BE MONITORED FOR LEAKS AND SUBJECT TO ROUTINE PREVENTIVE MAINTENANCE EFFORTS TO REDUCE THE LIKELIHOOD OF LEAKAGE AND OR SPILLS.

PORTABLE SANITARY WASTE FACILITIES ARE TO BE PROVIDED ONSITE AND EMPTIED ON A BI-WEEKLY BASIS.

CONCRETE BATCH TRUCKS SHALL NOT BE ALLOWED TO DISCHARGE DRUM AND CHUTE WASHOUT DIRECTLY ON THE GROUND. A PORTABLE WASHOUT RECEPTACLE IS TO BE PROVIDED BY THE CONTRACTOR AT THE LOCATION AS PROVIDED BY THE OWNER.

**FINAL STABILIZATION**

FINAL STABILIZATION OCCURS WHEN 70 PERCENT OF THE PERVIOUS AREA IS COVERED WITH UNIFORM, PERMANENT VEGETATION.

ALL TEMPORARY EROSION AND SEDIMENT CONTROL FEATURES ARE TO BE REMOVED AND THE NPDES NOTICE OF TERMINATION IS TO BE PREPARED AND SUBMITTED TO THE MPCA.

**LOCATION OF SWPPP REQUIREMENTS IN PROJECT PLAN**

DESCRIPTION	TITLE	LOCATION
EROSION CONTROL DETAILS	CONSTRUCTION DETAILS	C4
EROSION CONTROL LOCATIONS	EROSION CONTROL LOCATIONS	C2

24 HOUR MPCA EMERGENCY NOTIFICATION:  
 TELEPHONE NUMBERS: 651-649-5451  
 800-422-0798

**ESTIMATED QUANTITIES:**

THE FOLLOWING QUANTITIES IS AN ESTIMATED PRELIMINARY AMOUNT REQUIRED FOR SEDIMENT CONTROL BMP'S AT THE START OF THE PROJECT. THIS ESTIMATE IS PROVIDED AS REQUIRED BY THE MINNESOTA POLLUTION CONTROL AGENCY GENERAL STORMWATER PERMIT FOR CONSTRUCTION ACTIVITY. ANY ADDITIONAL AND/OR REPLACEMENT BMP'S QUANTITIES SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.

ITEM	UNIT	ESTIMATED INITIAL QUANTITY
TEMPORARY CONSTRUCTION ENTRANCE	EA	1
TEMPORARY SEDIMENT FILTER	EA	AS NEEDED
TEMPORARY CONCRETE WASHOUT	EA	NA
TEMPORARY PUMP SEDIMENT CONTROL DEVICE	EA	NA
TEMPORARY SEDIMENT LOGS	LF	206
TEMPORARY SILT FENCE	LF	1210
EROSION CONTROL BLANKET (CAT. 20)	SY	1420

**TEMPORARY EROSION AND SEDIMENT CONTROL SPECIFICATIONS**

**PART 1 GENERAL**

**1.01 SECTION INCLUDES**

- A. PREVENTION OF SEDIMENTATION OF WATERWAYS, OPEN DRAINAGE WAYS, AND STORM AND SANITARY SEWERS DUE TO CONSTRUCTION ACTIVITIES.
- 1.02 REFERENCE STANDARDS
  - A. GENERAL PERMIT AUTHORIZATION TO DISCHARGE STORM WATER ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM, MINNESOTA PERMIT NO. MN R100001.
- 1.03 PERFORMANCE REQUIREMENTS
  - A. COMPLY WITH ALL REQUIREMENTS OF THE MINNESOTA POLLUTION CONTROL AGENCY FOR EROSION AND SEDIMENT CONTROL.
  - B. DO NOT BEGIN CLEARING, GRADING, OR OTHER WORK INVOLVING DISTURBANCE OF GROUND SURFACE COVER UNTIL APPLICABLE PERMITS HAVE BEEN OBTAINED, FURNISH ALL DOCUMENTATION REQUIRED TO OBTAIN APPLICABLE PERMITS.
    - 1. OBTAIN AND PAY FOR PERMITS REQUIRED BY AUTHORITY HAVING JURISDICTION.
  - C. TIMING: PUT PREVENTIVE MEASURES IN PLACE PRIOR TO DISTURBANCE OF SURFACE COVER AND BEFORE PRECIPITATION OCCURS.
  - D. EROSION OFF SITE: PREVENT EROSION OF SOIL AND DEPOSITION OF SEDIMENT ON OTHER PROPERTIES CAUSED BY WATER LEAVING THE PROJECT SITE DUE TO CONSTRUCTION ACTIVITIES FOR THIS PROJECT.
    - 1. PREVENT TRACKING OF MUD INTO PUBLIC ROADS OUTSIDE SITE.
    - 2. PREVENT MUD AND SEDIMENT FROM FLOWING ONTO PAVEMENTS.
  - E. SEDIMENTATION OF WATERWAYS OFF SITE: PREVENT SEDIMENTATION OF WATERWAYS OFF THE PROJECT SITE, INCLUDING RIVERS, STREAMS, LAKES, PONDS, OPEN DRAINAGE WAYS, STORM SEWERS, AND SANITARY SEWERS.
    - 1. IF SEDIMENTATION OCCURS, INSTALL OR CORRECT PREVENTIVE MEASURES IMMEDIATELY AT NO COST TO OWNER. REMOVE DEPOSITED SEDIMENTS, COMPLY WITH REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
  - F. MAINTENANCE: MAINTAIN TEMPORARY PREVENTIVE MEASURES UNTIL PERMANENT MEASURES HAVE BEEN ESTABLISHED.

**PART 2 PRODUCTS**

**2.01 MATERIALS**

- A. TEMPORARY SILT FENCE: WOVEN POLYPROPYLENE GEOTEXTILE RESISTANT TO COMMON SOIL CHEMICALS, MILDEW, AND INSECTS; NON-BIODEGRADABLE; IN LONGEST LENGTHS POSSIBLE; FABRIC INCLUDING SEAMS WITH THE FOLLOWING MINIMUM AVERAGE ROLL LENGTHS:
  - 1. AVERAGE OPENING SIZE: 20 U.S. STD. SIEVE, MAXIMUM, WHEN TESTED IN ACCORDANCE WITH ASTM D4751.
  - 2. PERMITTIVITY: 0.05 SEC-1, MINIMUM, WHEN TESTED IN ACCORDANCE WITH ASTM D4491.
  - 3. ULTRAVIOLET RESISTANCE: RETAINING AT LEAST 70 PERCENT OF TENSILE STRENGTH, WHEN TESTED IN ACCORDANCE WITH ASTM D4355/D4355M AFTER 500 HOURS EXPOSURE.
  - 4. TENSILE STRENGTH: 100 LB-F, MINIMUM, IN CROSS-MACHINE DIRECTION; 124 LB-F, MINIMUM, IN MACHINE DIRECTION; WHEN TESTED IN ACCORDANCE WITH ASTM D4632.
  - 5. ELONGATION: 15 TO 20 PERCENT, WHEN TESTED IN ACCORDANCE WITH ASTM D4632.
  - 6. TEAR STRENGTH: 55 LB-F, MINIMUM, WHEN TESTED IN ACCORDANCE WITH ASTM D4533.
  - 7. COLOR: MANUFACTURER'S STANDARD, WITH EMBEDMENT AND FASTENER LINES PREPRINTED.
  - 8. SILT FENCE POSTS: ONE OF THE FOLLOWING, MINIMUM 5 FEET LONG:
    - a. STEEL U- OR T-SECTION, WITH MINIMUM MASS OF 1.33 LB PER LINEAR FOOT.
    - b. SOFTWOOD, 4 BY 4 INCHES IN CROSS SECTION.
    - c. HARDWOOD, 2 BY 2 INCHES IN CROSS SECTION.
- B. TEMPORARY SEDIMENT LOGS: FILTER LOGS SHALL CONSIST OF TYPE WOOD FIBER BIROLLS AND THE REQUIREMENTS OF MNDOT SPEC. 3897.
  - 1. SHALL BE ONE OF THE FOLLOWING.
    - a. SHALL BE SILT-SOXX PERIMETER CONTROL BY FILTREXX, INC., OR EQUAL.
- C. TEMPORARY SEDIMENT FILTER.
  - 1. SHALL BE ONE OF THE FOLLOWING.
    - a. DROP-IN SEDIMENT FILTER UNIT THAT INSERTS INTO THE INLET.
      - 1) SHALL BE FLEXSTORM PURE; PERMANENT INLET FILTER BY ADS, INC., OR EQUAL.
      - (b) PROVIDE CURB OPENING PROTECTION FOR EXISTING INLETS WITH CURB OPENINGS.
- D. TEMPORARY ROCK CONSTRUCTION ENTRANCE.
  - 1. ROCK SHALL BE CLEAN 1 TO 2 INCH WASHED ROCK.
- E. TEMPORARY SLOPE EROSION PROTECTION.
  - 1. SHALL BE ONE OF THE FOLLOWING.
    - a. EROSION CONTROL BLANKET.
      - 1) SHALL CONSIST OF A UNIFORM WEB OF INTERLOCKING STRAW OR WOOD FIBERS SANDWICHED BETWEEN AN ATTACHED TOP AND BOTTOM LAYER OF NET BACKING.
      - 2) THE NETTING SHALL BE BIODEGRADABLE CONTAINING SUFFICIENT UV STABILIZATION FOR BREAKDOWN TO OCCUR WITHIN A NORMAL GROWING SEASON.
      - 3) STAPLES USED TO ANCHOR THE BLANKETS SHALL BE U-SHAPED, 11 GAUGE OR HEAVIER STEEL WIRE HAVING A SPAN WIDTH OF 1 INCH AND A LENGTH OF 8 INCHES OR MORE FROM TOP TO BOTTOM AFTER BENDING.
    - 4) THE EROSION CONTROL BLANKETS ACCEPTABLE FOR USE ON THIS PROJECT INCLUDE:
      - (a) GEO-SYNTHETICS, INC. - LANDLOK 52.
      - (b) NORTH AMERICAN GREEN - S150.
      - (c) OR EQUAL.
    - b. BONDED FIBER MATRIX.
      - 1) THE FIBERS SHALL BE COMPOSED OF 100% WOOD OR WOOD BY-PRODUCTS. A MINIMUM OF 25% OF THE FIBERS SHALL AVERAGE 10.16 MM (0.4 INCHES) IN LENGTH AND 50% OR MORE SHALL BE RETAINED ON A CLARK FIBER CLASSIFIER 24 MESH SCREEN. FIBERS SHALL BE COLORED WITH A WATER SOLUBLE, NON-TOXIC DYE, TO AID IN UNIFORM APPLICATION OVER THE SITE.
      - 2) THE BINDER SHALL BE A HYDRO COLLOID BASED (GUM GUM) WITH ADDED SLOW-RELEASE AND AGRICULTURAL BASED FERTILIZERS. THE BINDER SHALL NOT DISSOLVE OR DISPERSE UPON RETWETTING.
      - 3) THE BFM SLURRY SHALL DRY TO FORM A CRUST APPROXIMATELY 3-6 MM (1/8 TO 1/4 INCHES) THICK ADHERING TO THE SOIL SURFACE.
      - 4) THE MOISTURE CONTENT OF THE MATRIX SHALL BE 12% +/- 3% BY WEIGHT.
      - 5) THE MATRIX SHALL CONSIST OF MATERIALS THAT ARE 100% BIODEGRADABLE AND 100% BENEFICIAL TO PLANT LIFE.
      - 6) THE MATRIX SHALL PROVIDE 100% CONTINUOUS COVERAGE AND SHALL HAVE NO HOLES GREATER THAN 1MM IN SIZE.
      - 7) THE HYDRATED MIXTURE DENSITY SHALL BE APPROXIMATED BY A SLUMP TEST PRIOR TO APPLICATION.
      - 8) THE BFM MULCH: WATER RATIO SHALL BE AS MANUFACTURER RECOMMENDATIONS. THE MINIMUM BFM MULCH TO WATER RATIO IS 50LBS BFM MULCH AND 100 GALLONS WATER. THE WATER RATE SHALL VARY BETWEEN 100 GALLONS AND 125 GALLONS PER 50LBS, DEPENDING ON WHICH OF THE PRODUCTS IS USED.
      - 9) THE BONDED FIBER MATRIX MULCH PRODUCTS ACCEPTABLE FOR USE ON THIS PROJECT INCLUDE:
        - (a) ECOAEGIS - MANUFACTURED BY CANFOR.
        - (b) ISOL GUARD - MANUFACTURED BY MAT, INC.
        - (c) CONWED 3000 - MANUFACTURED BY CONWED FIBERS, INC.
  - F. TEMPORARY PUMPED SEDIMENT CONTROL DEVICE.
    - 1. NON-WOVEN GEOTEXTILE FABRIC SEWN INTO A BAG USING A DOUBLE NEEDLE MACHINE AND HIGH STRENGTH THREAD.
      - a. SEAMS SHALL HAVE AN AVERAGE WIDTH STRENGTH OF 60LB/INCH AS PER ASTM D4883 AND MEET OR EXCEED THE FOLLOWING:
        - 1) GRAB TENSILE OF 205 LBS AS PER ASTM D 4632.
        - 2) PUNCTURE OF 110 LBS AS PER ASTM D 4833.
        - 3) FLOW RATE OF 95 GAL/MIN/SF AS PER ASTM D 4491.
        - 4) PERMITTIVITY OF 1.5 SEC-1 AS PER ASTM D 4491.
        - 5) MULLEN BURST STRENGTH OF 350 PSI AS PER ASTM D 3786.
        - 6) AOS% OF 80% US SIEVE AS PER ASTM D 4751.
    - 2. SPOUT LARGE ENOUGH TO ACCOMMODATE A 4 INCH DISCHARGE HOSE WITH STRAP TO TIE UNIT CLOSED.
    - 3. SHALL BE ONE OF THE FOLLOWING.
      - a. DIRTBAG.
      - 1) ACF ENVIRONMENTAL, INC., 2831 CARDWELL ROAD, RICHMOND, VIRGINIA 23234, 800-448-3636.
      - b. DANDY DEWATERING BAG.
      - 1) DANDY PRODUCTS, INC., P.O. BOX 1980, WESTERVILLE, OHIO 43086, 800-591-2284.
      - c. OR EQUAL.

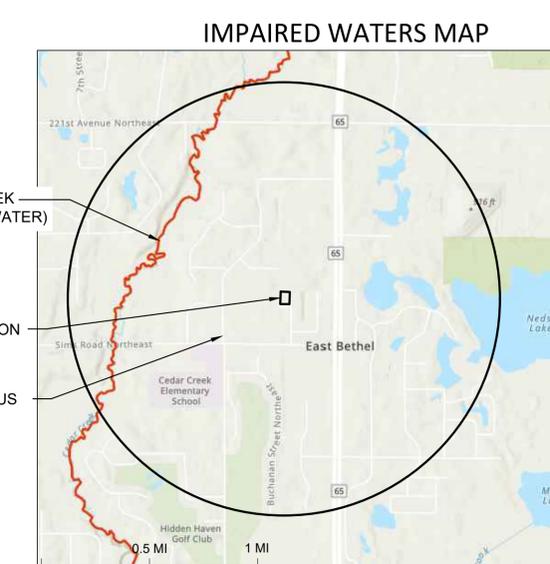
**PART 3 EXECUTION**

**3.01 PREPARATION**

- A. SCHEDULE WORK SO THAT SOIL SURFACES ARE LEFT EXPOSED FOR THE MINIMUM AMOUNT OF TIME.
- B. THE CONSTRUCTION SITE OPERATOR SHALL FOLLOW ALL REQUIREMENTS OF THE MINNESOTA STORMWATER PERMIT NO. MN R100001.
- C. THE CONTRACTOR SHALL COMPLETE AND SIGN THE NOTICE OF INTENT, OBTAIN THE OWNER'S SIGNATURE, AND SUBMIT TO THE MPCA.
  - 1. PROVIDE A SIGNED COPY TO THE OWNER.

**3.03 INSTALLATION**

- A. TEMPORARY ROCK CONSTRUCTION ENTRANCE.
  - 1. THE ROCK AREA SHALL BE A MINIMUM OF 6 INCHES DEEP, EXTEND THE FULL WIDTH OF THE EGRESS AREA AND SHALL BE AT LEAST 50FT LONG, HOWEVER, LONGER ENTRANCES MAY BE REQUIRED TO ADEQUATELY CLEAN THE TIRES.
  - 2. GEOTEXTILE FABRIC MAY BE USED TO PREVENT MIGRATION OF MUD FROM THE UNDERLYING SOIL INTO THE ROCK.
- B. TEMPORARY SILT FENCES:
  - 1. STORE AND HANDLE FABRIC IN ACCORDANCE WITH ASTM D4873.
  - 2. USE NOMINAL 30 INCH HIGH BARRIERS, MINIMUM 60 INCH LONG SPACES AT 6 FEET MAXIMUM SPACING.
  - 3. EMBED BOTTOM OF FABRIC IN A TRENCH ON THE UPSLOPE SIDE OF FENCE, WITH 6 INCHES OF FABRIC LAID FLAT ON BOTTOM OF TRENCH FACING UPSLOPE; BACKFILL TRENCH AND COMPACT.
  - 4. MINIMUM POST EMBEDMENT.
    - a. STEEL POST = 24 INCHES, MINIMUM.
    - b. WOOD POST = 18 INCHES, MINIMUM.
  - 5. DO NOT SPLICE FABRIC WIDTH; MINIMIZE SPLICES IN FABRIC LENGTH; SPLICE AT POST ONLY, OVERLAPPING AT LEAST 18 INCHES, WITH EXTRA POST.
  - 6. FASTEN FABRIC TO WOOD POSTS USING ONE OF THE FOLLOWING:
    - a. FOUR NAILS PER POST WITH 3/4 INCH DIAMETER FLAT OR BUTTON HEAD, 1 INCH LONG, AND 14 GAGE, 0.083 INCH SHANK DIAMETER.
    - b. FIVE STAPLES PER POST WITH AT LEAST 17 GAGE, 0.0453 INCH WIRE, 3/4 INCH CROWN WIDTH AND 1/2 INCH LONG LEGS.
  - 7. FASTEN FABRIC TO STEEL POSTS USING WIRE, NYLON CORD, OR INTEGRAL POCKETS.
- C. TEMPORARY SEDIMENT LOGS:
  - 1. PERIMETER CONTROL SHOULD BE INSTALLED PARALLEL TO THE BASE OF THE SLOPE OR OTHER DISTURBED AREA.
  - 2. STAKES SHOULD BE INSTALLED THROUGH THE MIDDLE OF THE PERIMETER CONTROL ON 10 FT CENTERS, USING 2 IN BY 2 IN BY 3 FT WOODEN STAKES. IN THE EVENT STAKING IS NOT POSSIBLE, I.E. WHEN PERIMETER CONTROL IS USED ON PAVEMENT, HEAVY CONCRETE BLOCKS SHALL BE USED BEHIND THE PERIMETER CONTROL TO HELP STABILIZE DURING RAIN EVENTS.
- D. TEMPORARY SEDIMENT FILTERS.
  - 1. DROP-IN SEDIMENT TRAP.
    - a. PLACE AS RECOMMENDED BY THE MANUFACTURER.
- E. TEMPORARY PUMPED SEDIMENT CONTROL DEVICE.
  - 1. INSTALL AS PER MANUFACTURER'S RECOMMENDATIONS.
- F. TEMPORARY SLOPE EROSION PROTECTION.
  - 1. PLACE AT ANY AND ALL FINISH SLOPES THAT ARE STEEPER THAN 10H:1V.
  - 2. SEED AND FERTILIZE PER SPECIFICATION 32 9219 PRIOR TO INSTALLING TEMPORARY SLOPE EROSION PROTECTION.
  - 3. BONDED FIBER MATRIX.
    - a. INSTALL THE BFM AS PER THE MANUFACTURER'S INSTRUCTIONS WITH THE FOLLOWING MINIMUM GUIDELINES.
      - 1) THE BFM SHALL BE APPLIED WITH HYDRAULIC SPRAY EQUIPMENT BY A MANUFACTURER'S CERTIFIED APPLICATION.
      - 2) APPLICATION SHALL BE DONE AT LEAST 24 HOURS IN ADVANCE OF PROJECTED RAINFALL TO ALLOW THE BFM MULCH ADEQUATE TIME TO DRY.
      - 3) THE BFM MULCH SHALL BE APPLIED IN TWO STAGES (ONE-HALF RATE) WITH AMPLE TIME TO DEWATER THE FIRST APPLICATION.
      - 4) THE BFM MULCH SHALL BE APPLIED FROM AT LEAST TWO ALTERNATE DIRECTIONS, PREFERABLY 90 DEGREES APART, IF POSSIBLE, TO ENSURE ALL SOIL FACES ARE COVERED.
      - 5) THE INSTALLATION RATE OF THE BFM MULCH SHALL BE 3500 LBS PER ACRE, MINIMUM AND 100% COVERAGE.
    - b. EROSION CONTROL BLANKET.
      - a. INSTALL AS PER MANUFACTURER'S RECOMMENDATIONS.
- G. MAINTENANCE.
  - A. INSPECT PREVENTIVE MEASURES WEEKLY, WITHIN 24 HOURS AFTER THE END OF ANY STORM THAT PRODUCES 0.5 INCHES OR MORE RAINFALL AT THE PROJECT SITE, AND DAILY DURING PROLONGED RAINFALL.
  - B. REPAIR DEFICIENCIES IMMEDIATELY.
  - C. TEMPORARY SILT FENCES:
    - 1. PROMPTLY REPLACE FABRIC THAT DETERIORATES UNLESS NEED FOR FENCE HAS PASSED.
    - 2. REMOVE SILT DEPOSITS THAT EXCEED ONE-THIRD OF THE HEIGHT OF THE FENCE.
    - 3. REPAIR FENCES THAT ARE UNDERCUT BY RUNOFF OR OTHERWISE DAMAGED, WHETHER BY RUNOFF OR OTHER CAUSES.
  - D. TEMPORARY CONSTRUCTION EXIT.
    - 1. PERIODIC ADDITION OF ROCK OR REMOVAL AND REPLACEMENT OF PAD SHALL BE PROVIDED AS VOIDS BECOME FILLED WITH SOIL.
  - E. TEMPORARY PUMPED SEDIMENT CONTROL DEVICE.
    - 1. REPLACE THE UNIT WHEN 1/2 FULL OF SEDIMENT OR WHEN SEDIMENT HAS REDUCED THE FLOW RATE OF THE PUMP DISCHARGE TO AN IMPRACTICAL RATE.
  - F. PLACE SEDIMENT IN APPROPRIATE LOCATIONS ON SITE; DO NOT REMOVE FROM SITE.
- 3.05 CLEAN UP
  - A. REMOVE TEMPORARY MEASURE AFTER PERMANENT VEGETATION HAS BEEN ESTABLISHED.
  - B. WHERE REMOVAL OF TEMPORARY MEASURES WOULD LEAVE EXPOSED SOIL, SHAPE SURFACE TO AN ACCEPTABLE GRADE AND FINISH TO MATCH ADJACENT GROUND SURFACES.



REV. NO.	DATE	DESCRIPTION
1	04/22/2025	ADDITIONAL INFORMATION INCLUDED

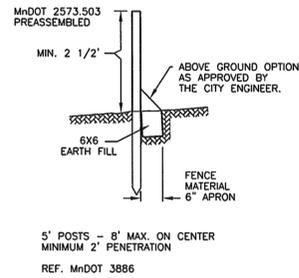
DATE: 04/22/2025  
 DESIGN BY: MJM  
 DRAWN BY: MJM  
 CHECKED BY: MJM  
 DWG FILE: SWPPP  
 FILE NO.: 25-0067.00

**NOT FOR CONSTRUCTION**

**BOGART, PEDERSON & ASSOCIATES, INC.**  
 LAND SURVEYING  
 ENVIRONMENTAL SERVICES  
 13076 FIRST STREET NE, BECKER, MN 55008-9822  
 TEL: 763-262-8822 FAX: 763-262-8844

**D&D CONTRACTING, LLC**  
**PARKING STORAGE EXPANSION**  
 21476 JOHNSON ST. NE  
 EAST BETHEL, MN 55011  
 SWPPP NARRATIVE

SHEET NO. **C3**



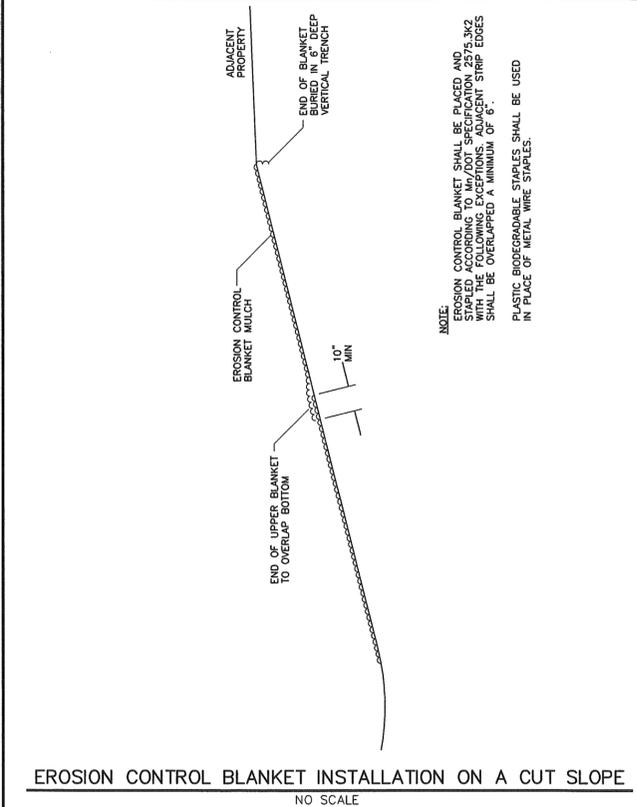
**SILT FENCE INSTALLATION**  
NO SCALE

APPROVED 3-02-05  
REVISIONS

**CITY OF EAST BETHEL**

**STANDARD PLATE No. 501**

\\CAD\_ENG\DETAILS\EASTBETH\CURB\Er-501.DWG



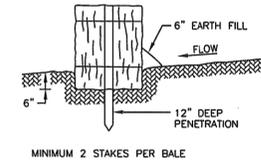
**EROSION CONTROL BLANKET INSTALLATION ON A CUT SLOPE**  
NO SCALE

APPROVED 3-02-05  
REVISIONS

**CITY OF EAST BETHEL**

**STANDARD PLATE No. 502**

\\CAD\_ENG\DETAILS\EASTBETH\CURB\Er-502.DWG



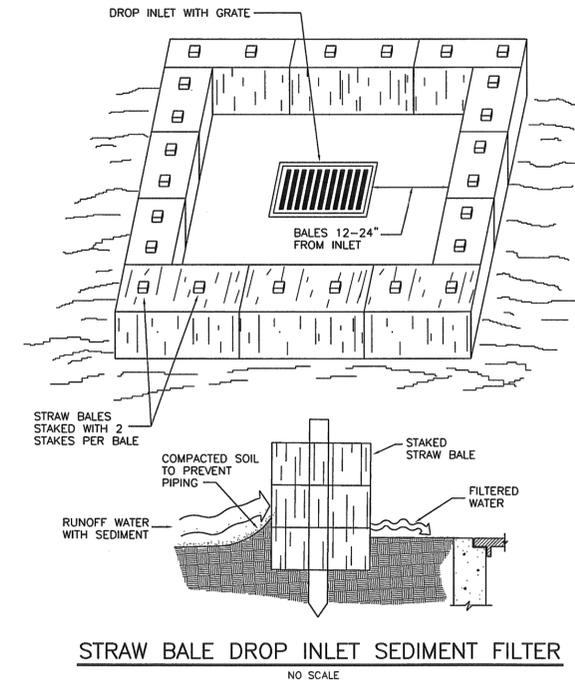
**STRAW/HAY BALE BARRIER PLACEMENT**  
NO SCALE

APPROVED 3-02-05  
REVISIONS

**CITY OF EAST BETHEL**

**STANDARD PLATE No. 503**

\\CAD\_ENG\DETAILS\EASTBETH\CURB\Er-503.DWG



**STRAW BALE DROP INLET SEDIMENT FILTER**  
NO SCALE

APPROVED 3-02-05  
REVISIONS

**CITY OF EAST BETHEL**

**STANDARD PLATE No. 504**

\\CAD\_ENG\DETAILS\EASTBETH\CURB\Er-504.DWG

REV. NO.	DATE	DESCRIPTION
1	04/22/2025	ADDITIONAL INFORMATION INCLUDED

DATE: 04/22/2025  
DESIGN BY: MJM  
DRAWN BY: MJM  
CHECKED BY: MJM  
DWG FILE: DETAILS  
FILE NO.: 25-0067.00

**NOT FOR CONSTRUCTION**

**BOGART, PEDERSON & ASSOCIATES, INC.**  
LAND SURVEYING  
ENVIRONMENTAL SERVICES  
13076 FIRST STREET, BECKER, MN 55508-9322  
TEL: 763-262-8822 FAX: 763-262-8844

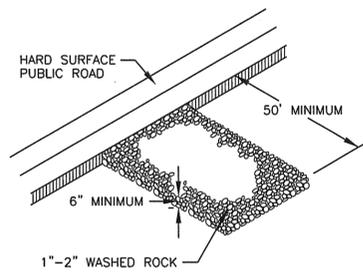


**D&D CONTRACTING, LLC**  
PARKING STORAGE EXPANSION  
21476 JOHNSON ST. NE  
EAST BETHEL, MN 55011

SHEET NO.

**C4**

DETAILS



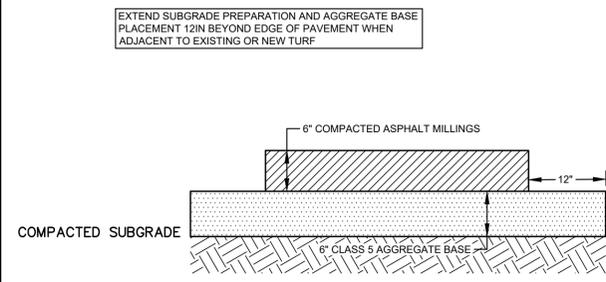
**ROCK CONSTRUCTION ENTRANCE**  
NO SCALE

APPROVED 3-02-05  
REVISIONS

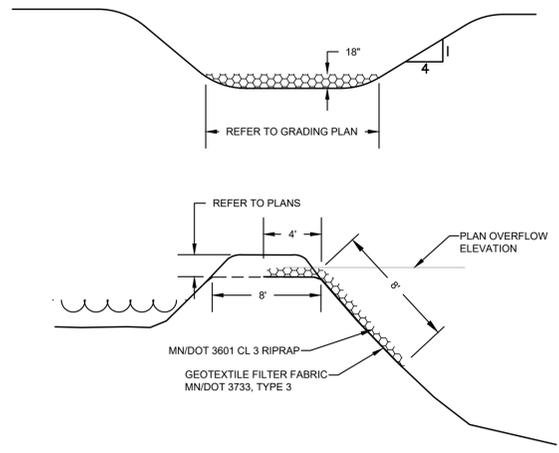
**CITY OF EAST BETHEL**

**STANDARD PLATE No. 505**

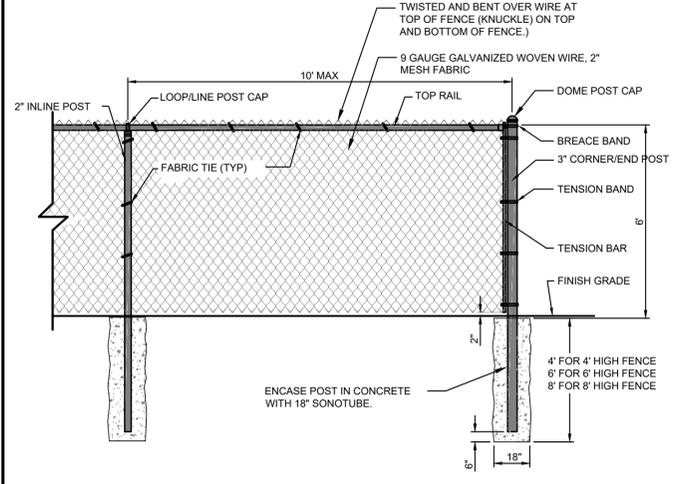
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**ASPHALT MILLINGS PAVEMENT SECTION**  
N.T.S.



**EMERGENCY OVERFLOW WEIR DETAIL**  
N.T.S.



**CHAIN LINK FENCE DETAIL N.T.S.**

PID: 08-33-23-32-0015

PID: 08-33-23-31-0001

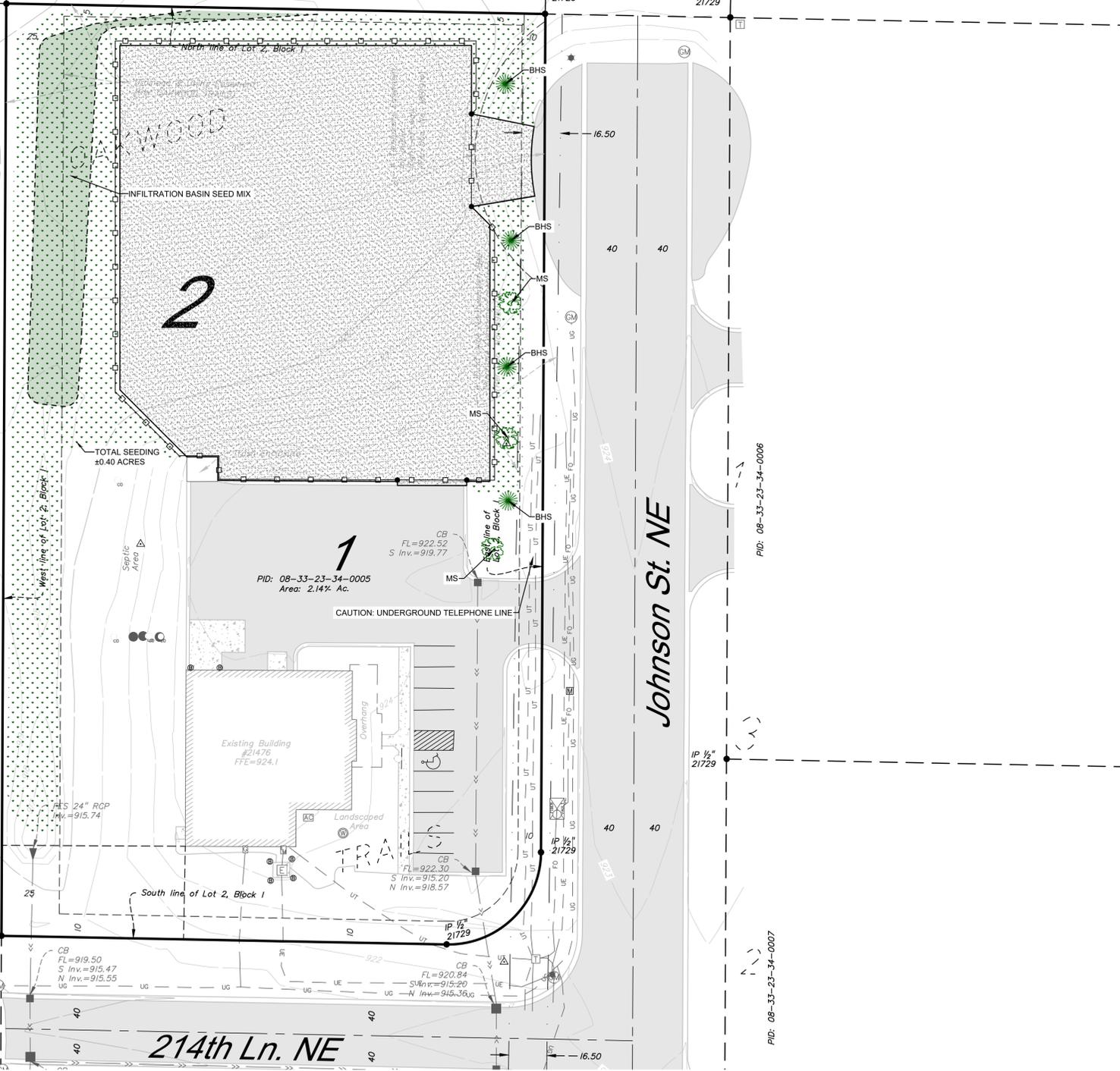
IP 1/2" 21729

IP 1/2" 21729

IP 1/2" Cap Rem

NOT PLATTED  
PID: 08-33-23-33-0003

Project BM  
Top of Well  
Elev=925.37



**LEGEND:**

- PROPOSED BITUMINOUS PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED TURF ESTABLISHMENT
- PROPOSED DOUBLE SHREDDED BROWN MULCH
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED SHRUB



**LANDSCAPE REQUIREMENTS:**

PER CITY OF EAST BETHEL ZONING ORDINANCE:  
ALL LANDSCAPING INCORPORATED IN SAID PLAN SHALL CONFORM TO THE FOLLOWING STANDARDS AND CRITERIA:

- A. ALL PLANTS MUST AT LEAST EQUAL THE FOLLOWING MINIMUM SIZE:
 

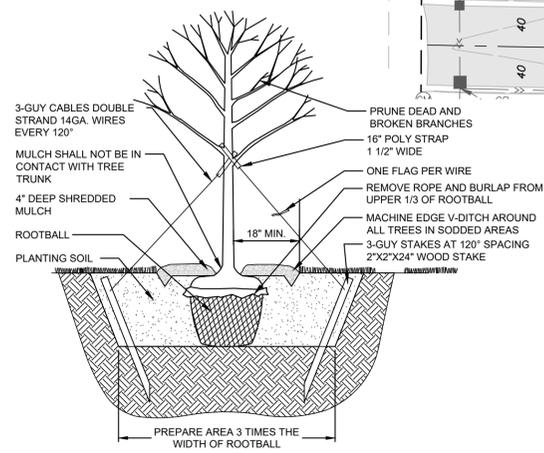
	POTTED/BARE ROOT OR BALLED & BURLAPPED
SHADE TREES	2-INCH DIAMETER
HALF TREES	1-1/2 INCH DIAMETER
EVERGREEN	6 FEET HIGH
TALL SHRUBS & HEDGE MAT.	6 FEET HIGH
LOW SHRUBS - DECIDUOUS	24 - 30 INCHES
-EVERGREEN	24 - 30 INCHES
-SPREADING EVERGREENS	18 - 24 INCHES

B. LANDSCAPE GUARANTEE: ALL NEW PLANTS SHALL BE GUARANTEED FOR TWO (1) FULL YEAR FROM THE TIME PLANTING HAS BEEN COMPLETED. ALL PLANTS SHALL BE ALIVE AND IN SATISFACTORY GROWTH AT THE END OF THE GUARANTEE PERIOD OR BE REPLACED.

(SEE CITY ORDINANCE FOR FULL REQUIREMENTS)

**LANDSCAPE NOTES:**

1. ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE RESTORED AND VEGETATED AS SOON AS POSSIBLE. ANY FINISHED AREAS SHALL BE SEEDED AND MULCHED WITHIN 7 DAYS AFTER FINISHED GRADING IS COMPLETED IN ACCORDANCE TO MN/DOT 2575.
2. PLANTING SOIL SHALL CONSIST 1:1:1 CONSISTING OF 33% SELECT LOAMY TOPSOIL, 33% PEAT MOSS, 33% PIT RUN SAND.
3. ALL DISTURBED AREAS SHALL BE REVEGETATED WITH MN/DOT SEED MIX, MULCHED, & DISK ANCHORED, PER THE FOLLOWING SCHEDULE:  
SEED MIX 25-131: 220 LB/AC.  
MULCH TYPE 3: 2 TONS/AC.



TREE PLANTING DETAIL  
N.T.S.

QUANTITY	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	AVG. HEIGHT (UMN)	NOTES
<b>DECIDUOUS TREES</b>						
3	MS	MAPLE, SUGAR	ACER SACCHARUM	2" DIAMETER	40'+	STRAIGHT TRUNK, NO V-CROTCH
3	TOTAL					
<b>CONIFEROUS TREES</b>						
4	BHS	BLACK HILLS SPRUCE	PICEA GLAUCA VAR. DENSATA	6' HIGH	40'+	
4	TOTAL					

CALL 48 HOURS BEFORE DIGGING:  
**GOPHER STATE ONE CALL**  
 TWIN CITY AREA 651-454-0002  
 MINNESOTA TOLL FREE 1-800-252-1166

REV NO.	DATE	DESCRIPTION
1	04/22/2025	ADDITIONAL INFORMATION INCLUDED

**NOT FOR CONSTRUCTION**

**BOGART, PEDERSON & ASSOCIATES, INC.**  
 LAND SURVEYING  
 ENVIRONMENTAL SERVICES  
 13076 FIRST STREET, BECKER, MN 55508-9322  
 TEL: 763-262-8822 FAX: 763-262-8844

**D&D CONTRACTING, LLC**  
**PARKING STORAGE EXPANSION**  
 21476 JOHNSON ST. NE  
 EAST BETHEL, MN 55011  
 LANDSCAPING PLAN

SHEET NO.  
**C5**

# Variance Findings of Fact

"Practical difficulties" is a legal standard set forth in law that cities must apply when considering applications for variances. It is a three-factor test and applies to all requests for variances. To constitute practical difficulties, all three factors of the test must be satisfied.

## 1. Reasonableness

The first factor is that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.

1. Out door storage needed for equipment & maneuverability, (size)

2. Side storage is the only way to utilize our Property,  
-Septic

## 2. Uniqueness

The second factor is that the landowner's problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees.

1 Low boy turning equipment to be loaded/unloaded

2. Septic is Behind Building; garage door is on the side

## 3. Essential character

The third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area

All other neighbors are utilizing same or similar Practices, we are at the end of the Cul-de-Sac,

May 14, 2025

Grace Gerard, City Planner  
City of East Bethel  
2241 221<sup>st</sup> Ave NE  
East Bethel, MN 55011

RE: Site Plan Review No. 1 – D&D Contracting, LLC

Dear Grace:

As requested, we have reviewed the Site Plan submitted for D&D Contracting, LLC. The property is located at 21476 Johnson Street NE. We offer the following comments:

1. This site will require a NPDES construction permit. Acquire the permit before the start of construction. Provide double perimeter controls where needed for grading adjacent to the wetland areas.
2. Model O-2 as a pond and include the existing outlet in the model. On the grading plan add the HWL for O-2.
3. Use the setting for “Weighted Q”. Also, use ATLAS 14 for the rainfall depths.
4. The existing drainage map shows a O-3 but there is no O-3 in the model.
5. The existing conditions model for P-3 shows a weir over flow at elevation 917.7? The overflow appears to be above elevation 919.
6. The plans need to be signed.
7. East Bethel is a permitted MS4 City and is responsible to inspect and enforce maintenance practices on all stormwater facilities within its corporate boundary. A maintenance agreement needs to be executed and recorded for the proposed infiltration basin. A sample is attached.
8. An escrow or letter of credit will need to be established for the disturbance in the City right of way and for security of the landscaping. The Owner needs to provide an estimate from the contractor for these items for review and approval.
9. The benchmark is shown off the property and is labeled as a top of well. Is that correct?

If you have any questions, please call me at 763-852-0485.

Sincerely,  
Hakanson Anderson



Craig J. Jochum, City Engineer

**OPERATIONS AND MAINTENANCE AGREEMENT  
FOR STORMWATER FACILITIES**

**THIS AGREEMENT** is made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2021 by and between Lakeland Investors, Inc. (“Owner”) and the City of East Bethel, a Minnesota municipal corporation (“City”).

**WITNESSETH:**

**WHEREAS**, the Owner owns certain real Property located in the City of East Bethel, County of Anoka, State of Minnesota, legally described as:

**Lot 1, Block 1, Classic Commercial Park 4<sup>th</sup> Addition, Anoka County, Minnesota**

**WHEREAS**, the City has required the Owner to provide on the Property on-site detention ponding to accommodate stormwater infiltration.

**WHEREAS**, the Owner agrees to construct and maintain the pretreatment structure, infiltration basin, and outlet structure on the Property in the approximate location depicted on the attached Exhibit A (System).

**WHEREAS**, The System shall also include all pipes, channels, and structures built to convey stormwater to the system, as well as structures, improvements, and vegetation provided to control the quantity and quality of the storm water.

**WHEREAS**, the Property is suitable with the City, and permanent provisions for handling of storm runoff, including provisions for operation and maintenance of the System is required, and such provisions are to be set forth in an agreement to be recorded in the real estate records; and

**NOW, THEREFORE**, in consideration of mutual covenants of the parties set forth herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

**1. Maintenance Plans for the System.** The Owner agrees to maintain in perpetuity the System in accordance with the approved maintenance plans hereby attached (Appendix A) and in a manner that will permit the System to perform the purposes for which it was designed and constructed, all as shown and described on the approved plans and approved storm water management plan for this project. This includes all pipes, channels, and structures built to convey stormwater to the system, as well as structures, improvements, and vegetation provided to control the quantity and quality of the storm water.

The Owner shall provide a maintenance plan for each storm water component in the System. The maintenance plans shall include a schedule for monthly and annual maintenance. The Owner shall maintain, update, and store maintenance records for the System. The specific maintenance plans for each storm water component are included in the attached appendix (see Appendix A).

The Owner shall perform all maintenance in accordance with the maintenance plan and shall complete all repairs identified through regular inspections, and any additional repairs requested in writing by the City.

**2. Final Inspection Reports and As-Built Certifications.** The Owner shall certify to the City within 30 days of completion of the System that the System is constructed in accordance with the approved plans and specifications. The Owner shall provide as-built certifications of the elevations and locations of the System and all access and maintenance roads and berms, including those within 50 feet of water resources, and the drainage areas served by each storm water management practice.

**3. Inspection and Repairs of the System.** For the first year of operation the Owner shall inspect the System every three (3) months and after all storm events greater than 2 inches.

The Owner shall inspect the System at least once every year thereafter.

The Owner shall submit Inspection Reports in writing to the City within 30 days after each inspection. At a minimum the reports shall include the information presented in Appendix B.

The Owner grants permission to the City to enter the Property and to inspect all aspects of the System and related drainage whenever the City deems necessary. The City shall provide the Owner copies of the inspection findings and a directive to commence with the repairs if necessary.

**4. City's Maintenance Rights.** The City may maintain the System if the City reasonably believes that the Owner or its successors or assigns have failed to maintain the System in accordance with applicable reports, plans, and Drainage Laws, and such failure has continue for thirty (30) days after, the City has given the Owner written notice of such failure. The City's notice shall specifically state which maintenance tasks are to be performed. If Owner shall not complete the maintenance tasks within thirty (30) days after such notice is given by the City, the City shall have the right to enter upon the Property to perform such maintenance tasks. In such case, the City shall send an invoice of its reasonable maintenance costs to the Owner or its successors or assigns, who shall pay said costs within thirty (30) days of receipt of said invoice. Notwithstanding the foregoing, in the event to an emergency, as determined by the City Engineer, the thirty (30) day notice requirement to the Owner for failure to perform maintenance tasks shall be and hereby is waived in its entirety by the Owner, and the Owner shall reimburse the City for any expense so incurred by the City in the same manner as if written notice as described above has been given.

**5. Hold Harmless.** The Owner agrees to indemnify and hold harmless the City and its agents and employees against any and all claims, demands, losses, damages, and expenses (including reasonable attorneys' fees) arising out of or resulting from the Owner's or the Owner's agents or employee's negligent or intentional acts, or any violation of any safety law, regulation or code in the



**Fleet & Facilities Manager,  
Lakeland Investors, Inc.**

By: \_\_\_\_\_  
Bill Wright  
Its: Fleet & Facilities Manager

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF Anoka        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021,  
by \_\_\_\_\_, authorized agent of \_\_\_\_\_, on behalf of said limited liability company.

\_\_\_\_\_  
Notary Public

(Notary Public Seal)

**City of East Bethel, a Minnesota  
Municipal Corporation**

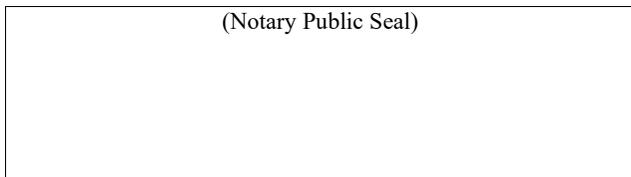
By: \_\_\_\_\_  
Steven Voss  
Its: Mayor

By: \_\_\_\_\_  
Jack Davis  
Its: City Administrator

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF Anoka        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021, by Steven Voss and Jack Davis, the Mayor and City Administrator of the City of East Bethel, a Minnesota municipal corporation, on behalf of said municipal corporation.

\_\_\_\_\_  
Notary Public



This instrument was drafted by:  
*Plowe Engineering, Inc.*  
*6776 Lake Drive, Suite 110*  
*Lino Lakes, MN 55014*

**APPENDIX A:  
STORMWATER MAINTENANCE PLANS AND PRACTICES  
INFILTRATION BASIN & STRUCTURE MAINTENANCE**

**Goal:**

To capture and temporarily store stormwater before allowing it to infiltrate into the soil.

**Benchmarks for Maintenance:**

- **Accumulation of Sediment, Debris, & Floatables:** Excessive build-up of sediment, debris, and floatables within the basin can affect plant health as well as obstruct the in-flow on the facility.
- **Accumulation: Trash & Debris:** Trash and debris accumulation can affect the aesthetics of the facility as well as the plant health and the ability of the plant filter to continue to function properly.
- **Erosion:** Erosion of soils can affect plant growth and decrease infiltration elsewhere in the facility.
- **Plant Stress:** Plant stress can be the result of too much or too little water and can also reflect a build-up of road salts within the soil profile.
- **Plants: Weeds, Unwanted Vegetation, Invasive Plants, Woody Vegetation in Bottom of Device:** Woody vegetation in bottom of device.
- **Ponding / Standing Water Longer than 48 Hours:** Surface clogging caused by organic matter, fine sands or silts, hydrocarbons, or algal matter.
- **Problems with Embankment.**
- **Scouring at Inlet.**
- **Sedimentation from Contribution Area.**

**Monthly Activities:**

1. Remove floatables, debris, and/or sediment from pretreatment and outlet structures.
2. Minimize heavy equipment, including mowers, in the vegetated areas to reduce compaction.

**Annual Activities:**

1. Remove sediment from infiltration basin.
2. Check and remove tree cover in basin below elevation 898.0.
3. Repair any areas that have eroded.
4. Ensure basin is dewatering within 2 days (48 hours) as required by the Minnesota Stormwater Manual and not bypassing the facility. Repair as necessary to ensure functionality.
5. Remove and replace and diseased or dead plant material.
6. Check all structures and pipes for damage.
7. Maintain the structural integrity of any pretreatment and outlet structures to ensure their proper operation.

**APPENDIX B:  
STORMWATER SYSTEM INSPECTION FORM**

Date of Inspection: \_\_\_\_\_

Name of Inspector: \_\_\_\_\_

**A. Pretreatment Structure**

- 1. No. 1 Maintenance Required

Comments:

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**B. Infiltration Basin**

- 1. No. 1 Maintenance Required

Comments:

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**C. Outlet Structure**

- 1. No. 1 Maintenance Required

Comments:

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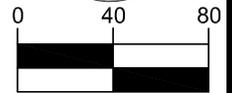
**EXHIBIT A:  
SYSTEM**

# EXHIBIT 'A'

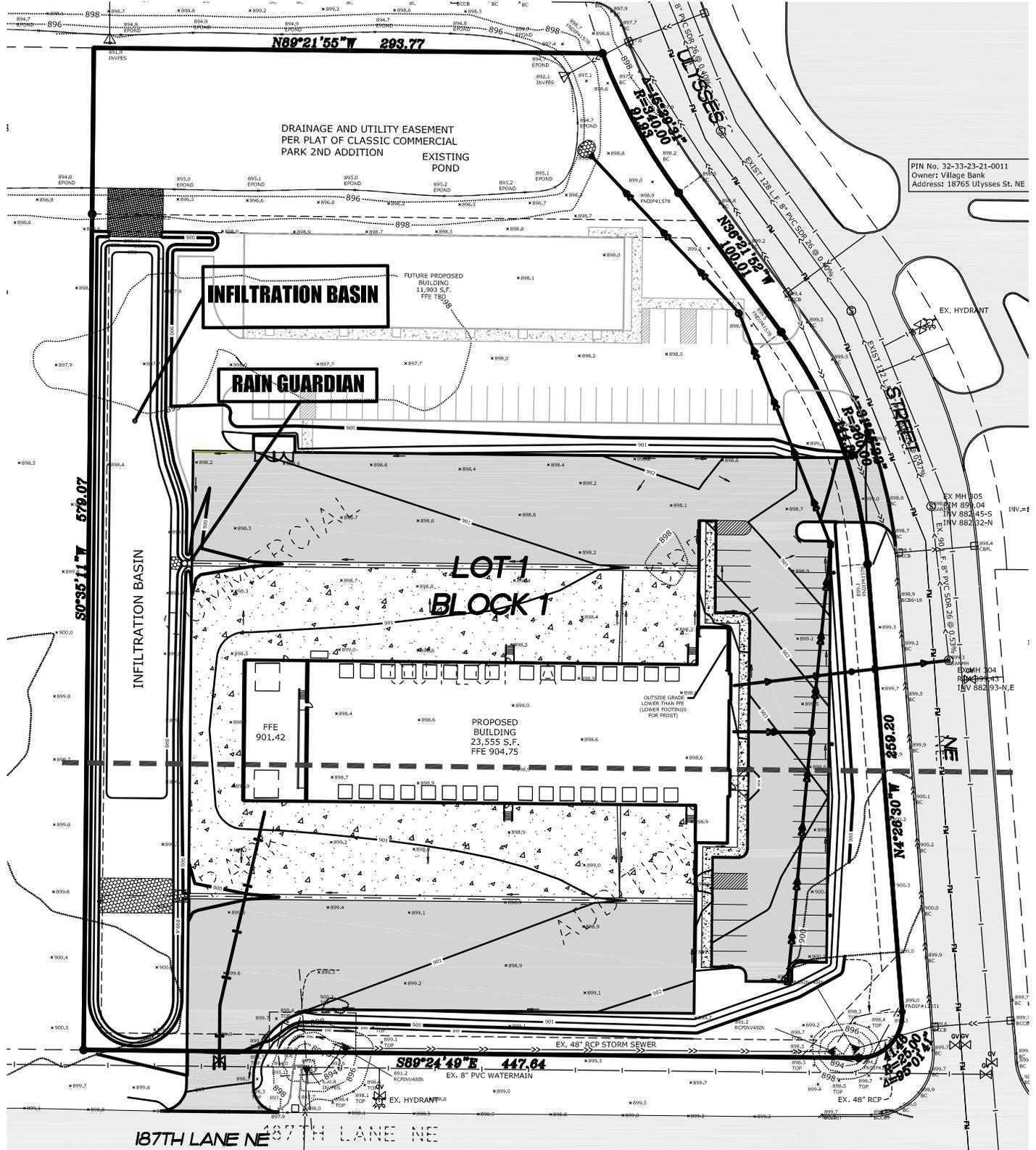
## OPERATION AND MAINTENANCE AGREEMENT

### PAN O GOLD - 187TH LN NE & ULYSSES ST NE CITY OF EAST BETHEL

NORTH



1 INCH = 80 FEET



PIN No. 32-33-23-21-0011  
Owner: Village Bank  
Address: 18765 Ulysses St. NE

EX MH 805  
EX MH 804  
EX 30\"/>

EX MH 304  
EX 30\"/>

EX 48\"/>

EX 48\"/>

**City of East Bethel  
Planning Commission Meeting  
Agenda Item Information**



**Meeting Date:** May 27, 2025

**Agenda Item Number:** 8

**Agenda Item:** PUBLIC HEARING – A Concept Plan Review for “Cliffs Anderson Acres”, a 3-lot Subdivision located north of 217<sup>th</sup> Avenue NE (PID 12-33-23-14-0002) (City File 25-011)

**Request:** Informally advise the developer on any adjustments to the plan prior to the submission of a Preliminary and Final Plat application.

**Review Deadline:** August 6, 2025

**Background/Context**

The City received an application from Tom Carlisle of Sherco Construction for a Concept Plan Review of a 3-lot subdivision located north of 217<sup>th</sup> Avenue (PID 12-33-23-14-0002). The subdivision application is for 3 lots for single-family homes. A Concept Plan Review allows the public, the Planning Commission, and the City Council to provide feedback on proposed subdivisions in East Bethel.

The property is guided Rural Residential and zoned RR-Rural Residential in the Special Natural Environmental Area (SNEA) Overlay. The properties to the south and west are guided and zoned the same. The property to the north is guided and zoned as Natural Area. To the east, this property borders “Dellwood Country Estates”, a subdivision in Linwood Township.

**Analysis**

The City’s discretion in approving or denying a concept plan is based on whether or not the proposed plan meets the development standards outlined in the City Code and Comprehensive Plan. If it meets these standards, the Planning Commission may recommend approval of the Concept Plan with conditions necessary to satisfy City regulation.

The Planning Commission should evaluate the request for compliance against the premature subdivision criteria of Section 66-16 of the City Code noted below:

*a. Consistency with comprehensive plan. Consistency with the comprehensive plan, including any of the following:*

- 1. City's comprehensive plan.*
- 2. Comprehensive sanitary sewer plan.*
- 3. Master water study.*
- 4. Water management plan.*
- 5. Comprehensive parks, trails, and open space plan.*
- 6. Capital improvement plan.*

This property is a vacant 19.44-acre parcel. According to the sketch plan, all lots within the proposed subdivision meet the 2-acre minimum lot size and required 200 ft. minimum width at the right-of-way setback line.

In addition to the standards established within the Zoning Code, the Comprehensive Plan permits development at an average density of 1 unit per 10 acres of land for areas designated Rural Residential. The proposed subdivision has a density of 1 unit per 6.48 acres. This is a higher density than permitted by the Comprehensive Plan, therefore this subdivision proposal is inconsistent with the Comprehensive Plan.

While the Zoning Ordinance sets a minimum lot size of 2 acres at a density of 1 unit for 2.5 acres, State law requires the City comply with the density standard established within the Comprehensive Plan of 1 unit per 10 acres. Staff has found that the City has erroneously approved subdivisions with densities higher than those established by the Comprehensive Plan. Staff is prioritizing updating the Code to reflect the requirements outlined in the Comprehensive Plan and avoid further confusion on these standards.

The Metropolitan Council does allow cities to adopt ordinances to allow for flexible development tools to preserve land for future extension of utility services but allow a density of more than one unit per 10 acres. The City of East Bethel has not adopted an ordinance like that but through the SNEA planned unit development could consider this type of development.

This concept plan was presented at the May 13<sup>th</sup> Park Commission date for a Park Dedication recommendation of cash-in-lieu of land.

*b. Consistency with growth policies. A proposed urban subdivision shall meet the city's infill policies.*

N/A – This development is not an urban subdivision, as it is located outside of the Metropolitan Council's Urban Service Area.

*c. Roads or highway to serve the subdivision. A proposed subdivision shall have adequate roads or highways when:*

- 1. Roads or highways providing access to a subdivision are functioning at a level of service (LOS) D or better, as defined by the 2000 Highway Capacity Manual, as amended from time to time.*
- 2. Traffic generated by a proposed subdivision will maintain the LOS of any street providing access to the subdivision to a LOS D or better, as defined by the 2000 Highway Capacity Manual, as amended from time to time.*
- 3. Existing roads providing access to the subdivision have the structural capacity to accommodate projected traffic from the proposed subdivision or the developer will pay to correct any structural deficiencies. Such costs may include, but are not limited to, future operation, planning, design, city staff time, enforcement, inspection, maintenance, and any other reasonable costs incurred by the city.*
- 4. The traffic generated from a proposed subdivision shall not require city street improvements that are inconsistent with the city's capital improvement plan or the developer shall pay to correct any street deficiencies as outlined previously.*
- 5. The developer will solely finance any street improvements or upgrades required by the city's comprehensive plan, county highway department, Mn/DOT, city ordinance, or other regulatory agency to insure proper traffic flow and traffic safety.*

No new internal streets are proposed to service this subdivision, and no notable increase in traffic is to be expected with the proposed development of single-family homes.

The Anoka County Highway Department (ACHD) has reviewed the application. The ACHD has noted that they would like 60' ROW along the full width of the parcel with right of access along the entire width of County Road 74 with the exception of the proposed driveways. The ACHD has given preferred

driveway locations for each of the parcels, and each lot will need to obtain an individual Access Permit from the ACHD.

*d. Water supply. A proposed urban subdivision shall be deemed to have an adequate water supply when:*

N/A – This development is not an urban subdivision, as it is located outside of the Metropolitan Council’s Urban Service Area.

*e. Waste disposal systems. A proposed urban subdivision shall be served with adequate waste disposal systems when:*

N/A – This development is not an urban subdivision, as it is located outside of the Metropolitan Council’s Urban Service Area.

*f. Lack of adequate drainage. A condition of inadequate drainage shall be deemed to exist if:*

- 1. Surface or subsurface water retention and runoff are such that it constitutes a danger to the structural security of existing or proposed structures, or cause unwanted changes to significant natural communities as identified in the zoning code.*
- 2. The proposed subdivision will cause pollution of water sources or damage from erosion and siltation on downhill or downstream on land outside the parcel's boundaries.*
- 3. The proposed site grading and development will cause harmful and irreparable damage from erosion and siltation on downhill or downstream on land outside the parcel's boundaries.*
- 4. Factors to be considered in making these determinations may include: average rainfall for the area; the relation of the land to floodplains; the proximity to identified significant natural communities, the nature of soils and subsoils and their ability to adequately support surface water runoff and waste disposal systems; the slope of the land and its effect on effluents; and the presence of streams as related to effluent disposal.*

There are no wetlands or floodplains on this site. The sketch plan was shared with the City Engineer and no comments were made regarding drainage. The ACHD has not completed a drainage review.

### **Development Standards**

The proposed lots comply with the development standards established in Section 42 of the Zoning Ordinance for lots in the RR Zoning District:

#### Minimum Lot Regulations

Lot Area	2 acres, with a density not to exceed 1 unit per 2.5 acres
Lot Width	200 feet at public right-of-way, 200 ft. at front building setback
Minimum Building Area	23,000 sq. ft.

#### Setbacks

Front Yard, County Right-of-Way	100 ft.
Side Yard	25 ft.
Rear Yard	25 ft.

The property is in the SNEA overlay district. Section 59 of the Zoning Ordinance says that the primary purpose of the district is to “to protect resources and functional values that have been identified by Anoka Conservation District (ACD), Minnesota Department of Natural Resources (MNDNR), and the metropolitan council as providing benefits to the sustainability of the natural resource communities.”

The primary function of the SNEA overlay district is to encourage development that preserves and enhances the natural characteristics and valuable natural resources of a site. The City encourages flexible site planning in these areas and requires that any development in the SNEA be processed as a planned unit development (PUD). The PUD standards in Section 56 of the City Code state that the following standards should be used:

*The development standards for a PUD shall be guided by the underlying zoning district and established with PUD approval with the exception of the following standards:*

*A. Minimum area for a PUD. The minimum total area required for a PUD shall be three acres of contiguous upland (excluding wetlands). Tracts of land less than three acres may qualify only if the applicant can show that the minimum lot area requirement should be waived because a PUD is in the public interest and that one or both of the following conditions exist:*

*1) Unusual physical features of the property itself or of the surrounding neighborhood are such that development under the standard provisions of the normal district would not be appropriate in order to conserve a physical or terrain feature of importance to the neighborhood or community.*

*2) The property is adjacent to or across the street from property that has been developed under the provisions of this section and will contribute to the amenities of the neighborhood.*

*B. Commercial and industrial sites. All commercial and/or industrial sites shall at a minimum have two principal buildings or two principal uses on site to qualify as a PUD. All commercial and/or industrial sites that have two or more principal buildings must be processed as a PUD.*

*C. Open space. A primary function for a PUD is to encourage development that preserves and enhances the natural characteristics and valuable natural resources of a site and not force intense developments that use all portions of a given site to arrive at the maximum intensity or density allowed. In evaluating each individual proposal, the recognition of this objective will be a basic consideration in granting approval or denial. All open space shall be labeled as such and as to its intent or designed functions.*

*D. Relationship to adjacent areas. The design of a PUD shall take into account the relationship of the site to the surrounding areas. The perimeter of the PUD shall be so designed to minimize any undesirable impact of the development on adjacent properties and, conversely, to minimize any undesirable impact of adjacent land use and development characteristics on the PUD.*

## **Next Steps**

The concept plan for a SNEA/PUD must be submitted for Planning Commission and City Council review. The SNEA/PUD requires a rezoning to PUD. This is a three-step process:

1. SNEA/PUD concept plan review
2. Rezoning to PUD, PUD Preliminary Plan and Preliminary Plat
3. PUD Final Plan and Final Plat.

## **Summary**

Staff has identified that the application for a concept plan review of a 3-lot subdivision at property PID 12-33-23-14-0002 does not meet the density standards established within the Comprehensive Plan and must be denied. Staff recommends this as a 2-lot subdivision, as that would comply with the density standards in the Comprehensive Plan.

Based on feedback, the developer can modify plans for 2-lot subdivision prior to the submission of an application for a Rezoning, PUD Preliminary Plan, and Preliminary Plat. Alternatively, the applicant could submit a new concept plan for a 3-lot subdivision in the SNEA showing compliance with the Flexible Residential Development standards.

## **Requested Action**

In consideration of the request, the Planning Commission has the following options:

### **A) Recommend Approval**

Based on the applicant's submission, the contents of this report, public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend approval of the request for a concept plan approval for a subdivision on the property located along 217<sup>th</sup> Avenue NE (PID 12-33-23-14-0002). The Planning Commission may apply conditions to the concept plan approval. Staff finds that the ordinance standards have been met for a 2-lot subdivision and a draft resolution has been included in the packet.

### **B) Recommend Denial**

Based on the applicant's submission, the contents of staff report, received public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend denial of the request if they find that the development standards have not been met. The Commission should clearly identify findings of fact for denial.

## **Attachments:**

1. Draft Resolution approving Concept Plan
2. Draft Resolution denying Concept Plan
3. Concept Plan dated April 8, 2025
4. Figure 3-7 Planned Land Use Map
5. Zoning Map
6. Rural Residential standards from 2040 Comprehensive Plan
7. Flexible Residential Development – Metropolitan Council

**CITY OF EAST BETHEL  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION NO. 2025-XX**

**A RESOLUTION APPROVING THE CONCEPT PLAN OF “CLIFFS ANDERSON ACRES” FOR PROPERTY LEGALLY DESCRIBED AS:**

E1/2 OF SE1/4 OF NE1/4 OF SEC 12 TWP 33 RGE 23, EX RD, SUBJ TO EASE OF REC

**WHEREAS**, Tom Carlisle applied for a Concept Plan Review of a concept plan for “Cliffs Anderson Acres”; and

**WHEREAS**, the East Bethel Planning Commission has reviewed the concept plan and have provided comments; and

**WHEREAS**, the proposed subdivision does not meet the density standards established within the East Bethel Comprehensive Plan, which allows a maximum density of one unit per 10 acres; and

**WHEREAS**, the concept plan shows more than one unit per 10 acres; and

**WHEREAS**, pursuant to published and mailed notice thereof, the Planning Commission has conducted a public hearing on said plat at the May 27, 2025 meeting; and

**WHEREAS**, as a result of such public hearing and review, the Planning Commission recommends denial of the concept plan to the City Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of East Bethel hereby approves the concept plan of “Cliffs Anderson Acres” with the following conditions:

1. The applicant revises the concept plan prior to the submission of a preliminary plat application to reflect a 2-lot subdivision.

Adopted this 9<sup>th</sup> day of June, 2025 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

ATTEST

\_\_\_\_\_  
Ardie Anderson, Mayor

\_\_\_\_\_  
Matt Look, City Administrator

**CITY OF EAST BETHEL  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION NO. 2025-XX**

**A RESOLUTION DENYING THE CONCEPT PLAN OF “CLIFFS ANDERSON ACRES” FOR PROPERTY LEGALLY DESCRIBED AS:**

E1/2 OF SE1/4 OF NE1/4 OF SEC 12 TWP 33 RGE 23, EX RD, SUBJ TO EASE OF REC

**WHEREAS**, Tom Carlisle applied for a Concept Plan Review of a 3-lot concept plan for “Cliffs Anderson Acres”; and

**WHEREAS**, the East Bethel Planning Commission has reviewed the concept plan and have provided comments; and

**WHEREAS**, the proposed subdivision does not meet the density standards established within the East Bethel Comprehensive Plan, which allows a maximum density of one unit per 10 acres, and

**WHEREAS**, the concept plan shows more than one unit per 10 acres; and

**WHEREAS**, pursuant to published and mailed notice thereof, the Planning Commission has conducted a public hearing on said plat at the May 27, 2025 meeting; and

**WHEREAS**, as a result of such public hearing and review, the Planning Commission recommends denial of the concept plan to the City Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of East Bethel hereby denies the concept plan of “Cliffs Anderson Acres”. The applicant may modify the plans to reflect a 2-lot subdivision or a 3-lot subdivision showing compliance with the Flexible Residential Development standards.

Adopted this 9<sup>th</sup> day of June, 2025 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

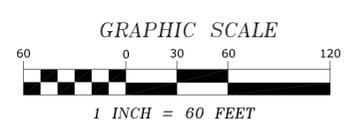
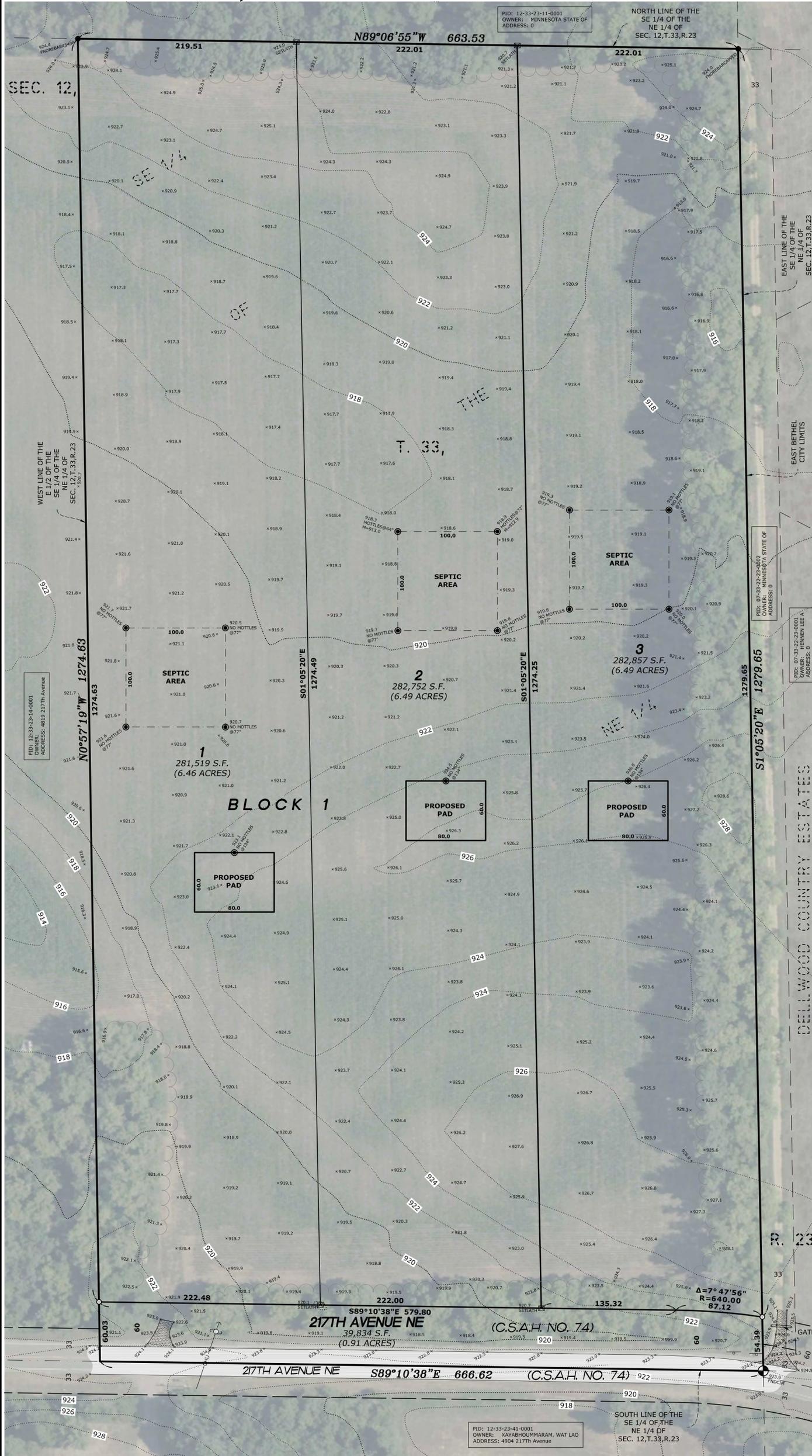
ATTEST

\_\_\_\_\_  
Ardie Anderson, Mayor

\_\_\_\_\_  
Matt Look, City Administrator

# SKETCH PLAN

~for~ SHERCO CONSTRUCTION  
 ~of~ CLIFFS ANDERSON ACRES  
 EAST BETHEL, MN



### LEGAL DESCRIPTION

The East Half of the Southeast Quarter of the Northeast Quarter, Section 12, Township 33 North, Range 23 West, Anoka County, Minnesota.

### LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET
- DENOTES ANOKA COUNTY CAST IRON MONUMENT
- DENOTES EXISTING ELEVATION
- DENOTES FIBER OPTIC BOX
- DENOTES GUY WIRE
- DENOTES POWER POLE
- DENOTES SIGN
- DENOTES SOIL BORING. (BY MARK TRADEWELL)
- DENOTES EXISTING CONTOURS
- DENOTES TREE LINE
- DENOTES OVERHEAD UTILITY
- DENOTES FENCE
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES ADJACENT PARCEL OWNER INFORMATION (PER ANOKA COUNTY TAX INFORMATION)

### SURVEY NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 03/10/25.
- Bearings shown are on Anoka County datum.
- Parcel ID Number: 12-33-23-14-0002.
- 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.

### BENCHMARK

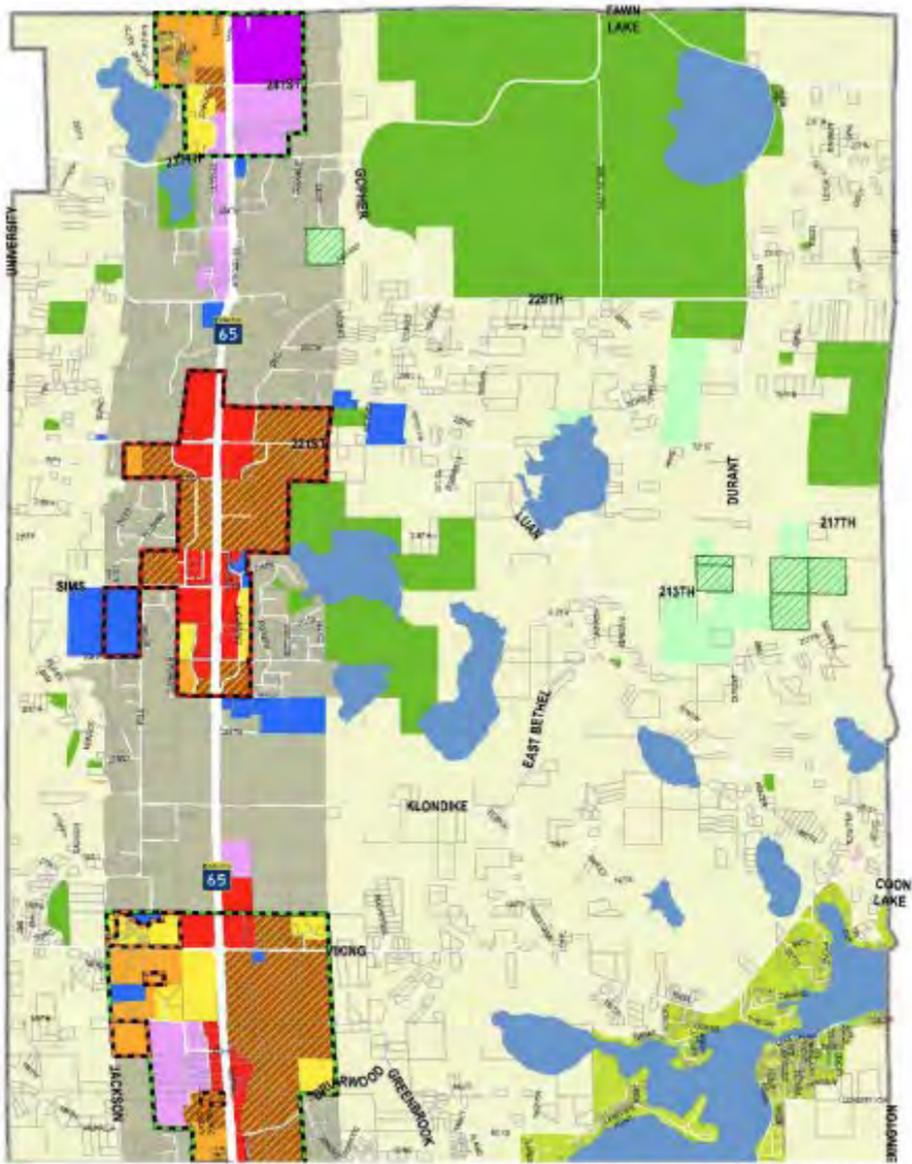
BENCHMARK: ANOKA COUNTY BENCHMARK 4012  
 ELEVATION: 911.51 (NAVD88)

**E.G. RUD & SONS, INC.**  
 EST. 1977  
 Professional Land Surveyors  
 6776 Lake Drive NE, Suite 110  
 Lino Lakes, MN 55014  
 Tel. (651) 361-8200 Fax (651) 361-8701

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 E. RUD  
 Date: 4/8/2025 License No. 41578

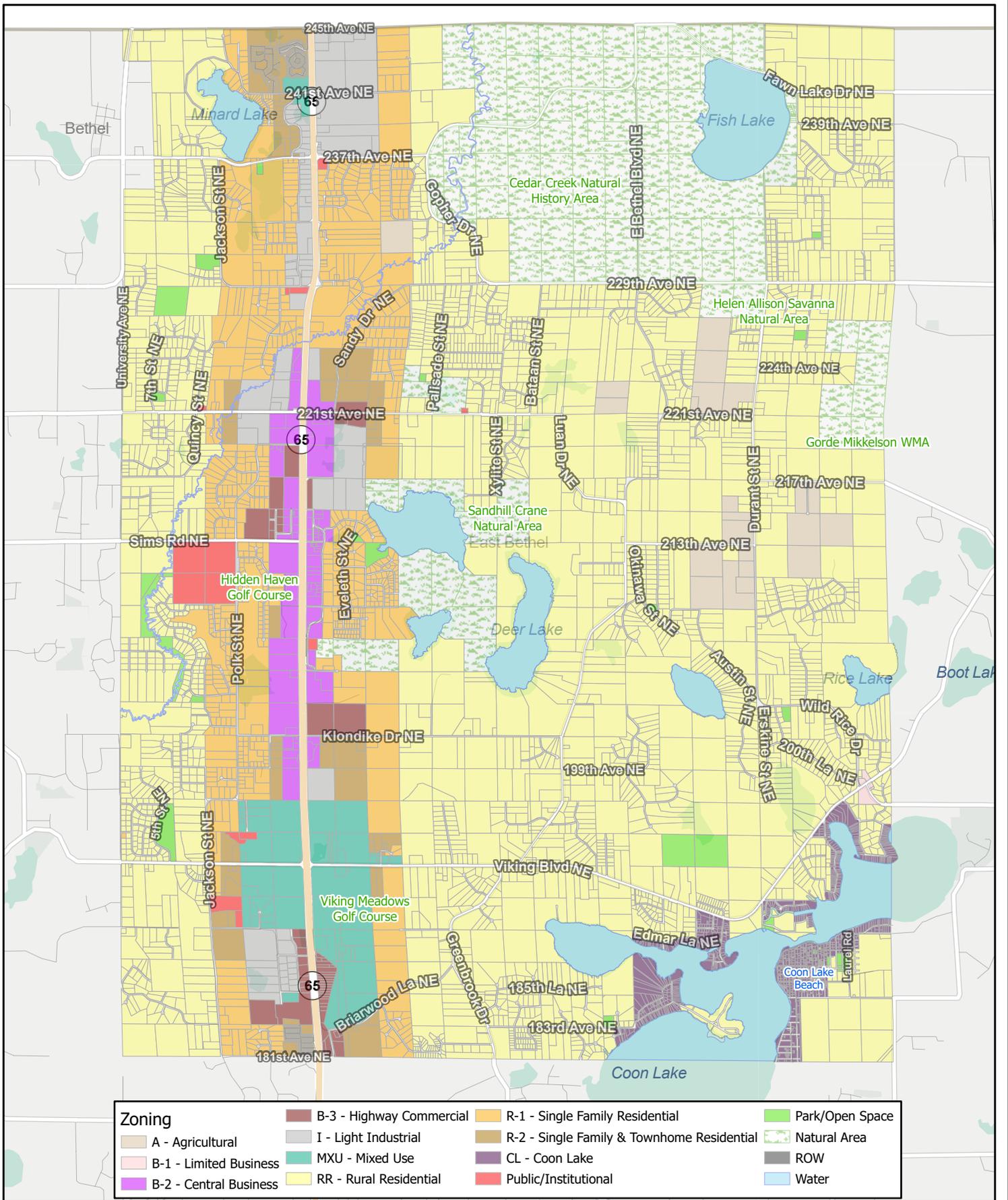
DRAWN BY: RAF	JOB NO: 250071PP	DATE: 03-28-25
CHECK BY: JER	FIELD CREW: BH/BJ	
1	04-04-25	ADDED FILED INFO. RAF
2	04-08-25	ADDED SOIL BORING INFO. RAF
3		
NO.	DATE	DESCRIPTION



- |  |   |  |  |
|--|---|--|--|
|  Agricultural Preserves | <b>Future Land Use</b>  |  MEDIUM DENSITY RES |  LIMITED BUSINESS |
|  2020 MUSA              |  AGRICULTURAL      |  MIXED USE          |  COMMERCIAL       |
|  2030 MUSA              |  RURAL RESIDENTIAL |  FUTURE GROWTH AREA |  PARK/NAT. AREA   |
|  2040 MUSA              |  COON LAKE         |  LIGHT INDUSTRIAL   |  PUBLIC           |
|  |  LOW DENSITY RES   |  MED INDUSTRIAL     |  ROW              |
|  |  HIGH DENSITY RES  |  |  |

**Figure 3-7: 2040 Land Use Map**  
**2040 Comprehensive Plan**  
**East Bethel, MN (draft January 16, 2019)**



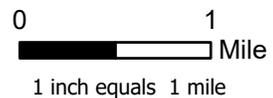


# Official Zoning Map

Adopted September 13, 2024

City of East Bethel, MN

PC Packet Page 75



Light Industrial	
<b>Typical Uses</b>	Manufacture or wholesale facility; laboratory or research facility; general repair services; contractor offices; construction sales and service; industrial park; public or institutional uses
<b>Density</b>	Floor area ratio (FAR) of 10% or greater when the net acreage is fully developed.
<b>Appropriate Zoning</b>	LI Light Industrial
<b>Limited Secondary Zoning</b>	B-3 Highway Commercial, <i>MI Medium Industrial, MXU</i>

Medium Industrial	
<b>Purpose</b>	Medium industrial businesses normally generate noises, smells, vibrations, and/or truck traffic that can be disturbing to non-industrial land uses, and may include outdoor storage. Medium industrial land is discouraged next to residential developments. Topography, landscaping, less intense land uses, or other forms of buffering shall be used to transition between medium industrial property and residential, recreational, or institutional land uses.
<b>Location Criteria</b>	Inside the MUSA or an appropriately sized area with stable soils to support septic system if outside the MUSA.
<b>Minimum Requirements for Development</b>	Sufficient access from roadway; meets intersection spacing requirements; provision of turn lanes, if required; provision of cross-access agreements with neighboring commercial properties.
<b>Utilities</b>	Municipal water and sanitary sewer is required when inside the MUSA. Development outside the MUSA may be permitted when a Building Code compliant water supply and septic system can be installed.
<b>Typical Uses</b>	Manufacturing; assembly; industrial uses with outdoor storage; trucking centers
<b>Density</b>	A floor area ratio (FAR) of 5% is encouraged but can be waived when circumstances justify.
<b>Appropriate Zoning</b>	<i>MI Medium Industrial</i>
<b>Limited Secondary Zoning</b>	LI

## Rural Residential

<b>Purpose</b>	These areas will retain a traditional rural atmosphere by retaining large lot sizes. This land will preserve valuable environmental resources and will not be developed at urban densities.
<b>Location Criteria</b>	Outside of the MUSA.
<b>Minimum Requirements for Development</b>	Public Right of Way to serve each developable parcel. Sufficient soils to support septic.
<b>Utilities</b>	Private well and septic system
<b>Typical Uses</b>	Recreation; public or private open space; environmental preserve; wetlands, woodlands, lakes, or steep slopes; large lot residential; places of worship; schools.
<b>Density</b>	The Rural Residential designation allows an overall average of 1 unit per 10 gross acres; however higher densities may be achieved by utilizing Met Councils Flexible Development Guidelines.
<b>Appropriate Zoning</b>	RR Rural Residential, R1
<b>Limited Secondary Zoning</b>	A Agricultural

Coon Lake	
<b>Purpose</b>	This neighborhood of East Bethel contains lots that are traditionally smaller in size than typical rural lots and are supported by private septic systems. A separate designation for this area is intended to address the unique challenges associated with many non-conforming lots in this neighborhood and to stabilize development in this area. Parcel assembly is encouraged in this district to facilitate a reduction in non-conformities.
<b>Location Criteria</b>	Outside of the MUSA. Only applies to homes within proximate distance of Coon Lake.
<b>Minimum Requirements for Development</b>	Sufficient land and soils to support septic system.
<b>Utilities</b>	Private well and septic system
<b>Typical Uses</b>	Single family residential; duplex or multiplex residential; limited business or retail; recreation; lake access
<b>Density</b>	The Coon Lake land use designation is anticipated for a range of densities between 1 unit per 10 gross acres and 7.5 units per acre. Encourage assembly of non-conforming lots for redevelopment when available and appropriate.
<b>Appropriate Zoning</b>	R1, <i>CL Coon Lake</i>

## FLEXIBLE RESIDENTIAL DEVELOPMENT EXAMPLES FOR THE DIVERSIFIED RURAL AREA

### Background

*Thrive MSP 2040* indicates that land use patterns in **Diversified Rural** communities are home to a variety of farm and non-farm land uses including very large-lot residential, clustered housing, hobby farms, and agricultural uses. Some Diversified Rural communities are also located in the Long-term Wastewater Service Area (LTSA). These areas are designated to ensure land availability to accommodate growth post-2040 at the edge of the urbanizing area.

### Purpose

The purpose of flexible residential development ordinances and tools in these areas should be to preserve land for post-2040 growth and to accommodate the future extension of regional urban services. In August 2008, the Council adopted **Flexible Residential Development Ordinance Guidelines for the Diversified Rural Area** that describes the factors communities should take into account if they are considering allowing residential development at densities greater than 4 units per 40 acres in their communities. The Council has since incorporated these guidelines into *Thrive MSP 2040*.

### Function

For those communities on the edge of the urbanizing area, designated as part of the LTSA, residential development ordinances should provide for interim land uses without precluding the opportunity for future development at densities of at least 3 units per net developable acre to ensure future, cost-effective and efficient regional wastewater treatment services. For areas outside of the LTSA, the Council also encourages the clustering of homes, particularly when communities are considering densities greater than 4 units per 40 acres.

Communities should study and assess their landscapes to refine their development priorities. There may be areas within the community that contain an abundance of sensitive natural resources or that the community has identified as a greenway or conservation corridor. These areas may not be most suitable for future urbanization as the capability of the land to support development is low and constrained. In these cases, open space development or cluster development may be adapted to protect those resources to meet the community's goals.



The Fields of St. Croix, Lake Elmo

### Flexible Residential Development Guidelines

In considering ordinances and development that exceeds the 4 units per 40 acres density, communities should apply the following guidelines:

1. Include the need to reserve land resources for efficient future urban development as part of the ordinance purpose.
2. Identify the land characteristics required to support future urbanization.
3. Allow no more than 25% of the developable land in a project to be developed, reserving larger future urbanization parcels.
4. Protect future urbanization parcels with temporary development agreements, easements, or deed restrictions.
5. Provide for the rezoning of the future urbanization parcels to a residential zoning classification at densities consistent with Council policy at such time that urban services are available.
6. Encourage the use of community wastewater treatment systems to serve the temporary cluster.

Please refer to the full document, **Flexible Residential Development Ordinance Guidelines for the Diversified Rural Area**, for more information on these six guidelines.

### Flexible Residential Ordinance Tools

If a community wishes to allow for increased densities within the Diversified Rural area beyond 4 units per 40 acres, the community should use mechanisms to allow for the future development of the land at urban development densities of at least 3 units per net developable acre. There are a number of tools that communities have utilized to meet these goals, including but not limited to the following:

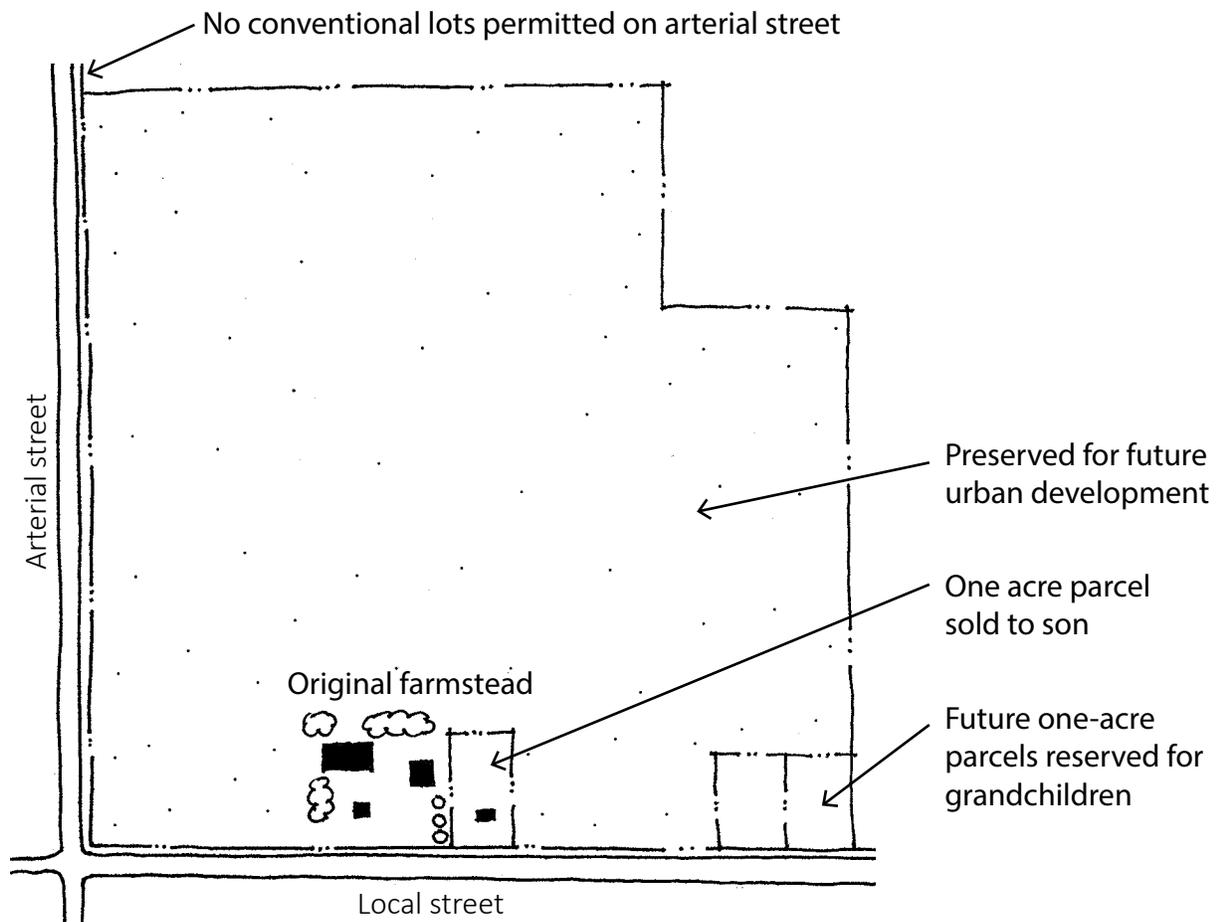
1. Adopt Cluster Ordinances to preserve open space and allow future urbanization.
2. Permit density bonuses for meeting certain specified ordinance requirements.
3. Use of Planned Unit Development (PUD) regulations to manage development and preserve open space.
4. Require Build-Out Plans (Ghost Platting) to demonstrate future subdivision for the delivery of urban services.
5. Employ platting techniques along with deed restrictions, easements, and covenants to protect open space for future development.
6. Use of overlay districts in specified areas to ensure mandatory clustering; for example, on land adjacent to urban service areas.

If a community adopts regulations to allow densities in the Diversified Rural area which exceed 4 units per 40 acres, the Metropolitan Council will need to review any revised ordinance details to ensure compliance with the community's Comprehensive Plan and future expansion of urban services.

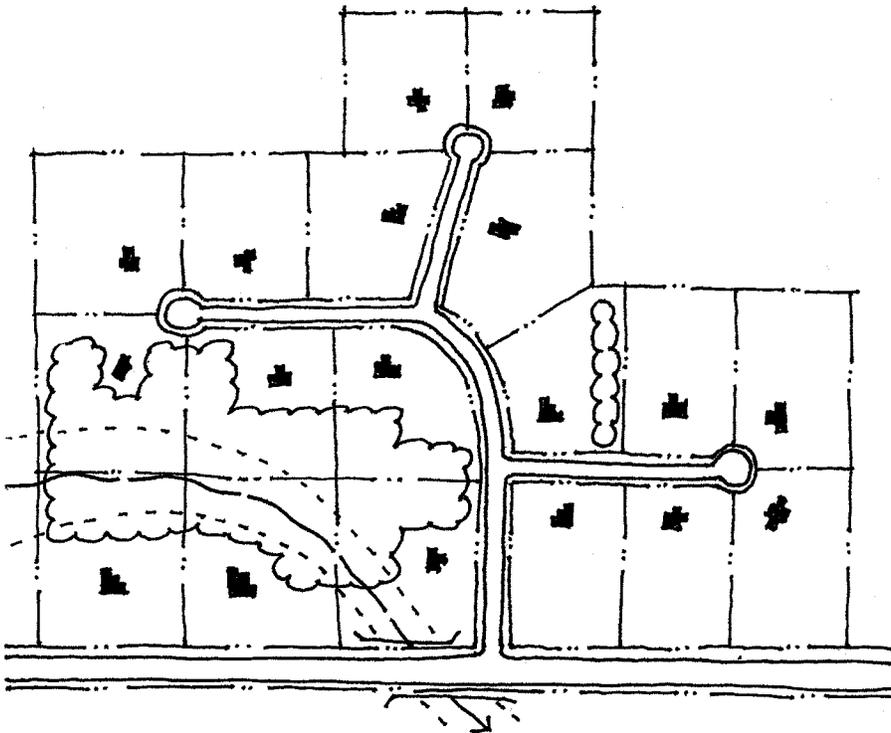
### FLEXIBLE RESIDENTIAL DEVELOPMENT EXAMPLES

There are many different development styles a community might use to allow for current development while reserving land for future urban development. This section describes some of the development patterns available to communities.

#### Traditional Rural Cluster



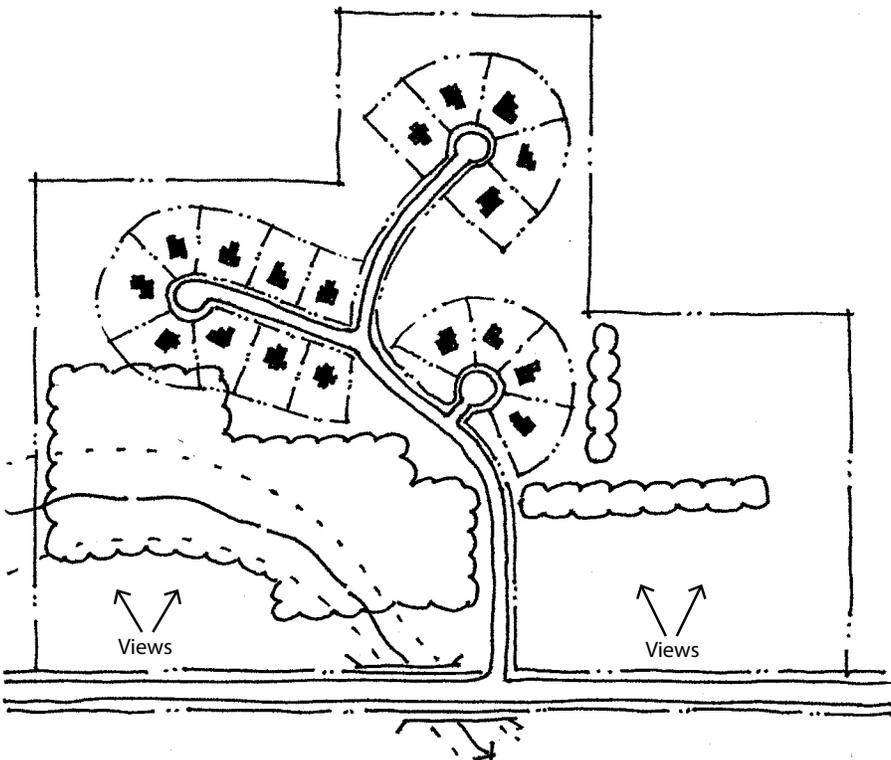
The traditional rural cluster above shows that a mandatory cluster district may allow for a defined, limited number of lot splits within a contiguous rural acreage if certain parameters are met, such as specified lot sizes and frontage on a local street. The above example allows for future subdivision of the residual parcel to allow for urban services. This method of subdivision would need to be tracked by the municipality over time to ensure that sufficient land is preserved to allow for a subdivision layout at acceptable densities and access to allow for future urban services.



### Conventional Development

Acres: 80  
Lots: 18  
Density: 1 unit per 3.3 acres  
Minimum lot size: 3 acres  
Common open space: 0%

Note: No conventional lots are typically permitted on an arterial street.



### Rural Cluster

Acres: 80  
Lots: 18  
Density: 1 unit per 3.3 acres  
Minimum lot size: 1/2 acre  
Common open space: 75%

Credit: Adapted from Rural Cluster Development Guide, Southeastern Wisconsin Regional Planning Commission

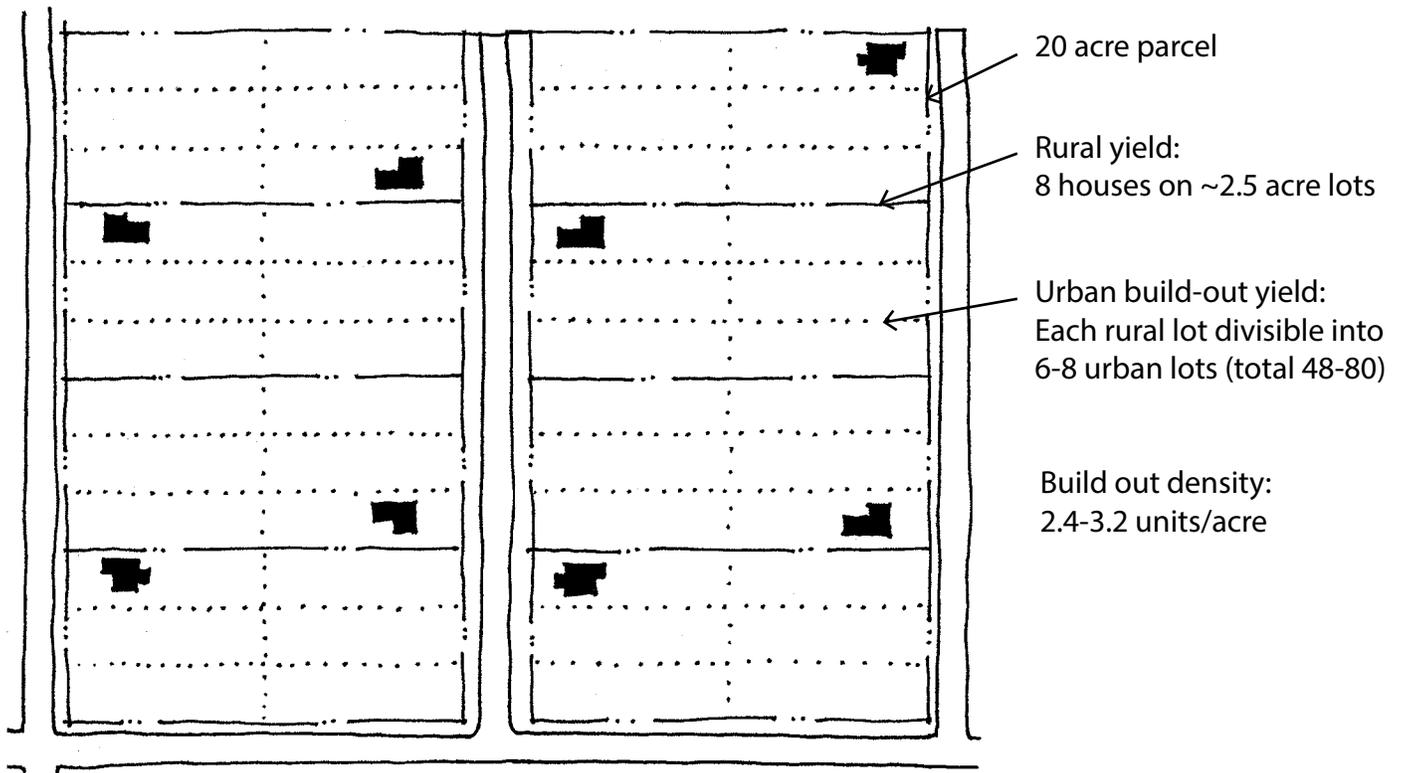
The Rural Cluster Development shows a more proactive approach to the preservation of land for future urban service balanced with the preservation of natural resources.

The first image shows a conventional large-lot rural development which precludes the provision of urban services due to the ineffective lot layout and inefficiency of multiple or long-distance connection points to urban services. The Council has found that this style of large-lot rural development does not advance the mission of ensuring orderly and economical development in the region.

The second example, of a rural cluster development, preserves high amenity open space for resource protection and recreation, while ensuring a compact lot layout which allows for effective delivery of urban services. Additional urbanized development may be accommodated in the eastern portion of that site as well. The Rural Cluster Development may utilize a communal septic system until such time that urban services become available.

### Build-Out Plan (Ghost Platting)

The Build-Out Plan, or ghost platting, is a method of master planning for future urban densities in rural large-lot subdivisions. The subdivision is organized in a way that will facilitate a transition to higher density at some future date, perhaps through the use of development or service infrastructure triggers. This is often achieved by restricting the location of buildings to avoid obstructions to future utility and roadway easements. Platting for future urban densities is achieved by establishing lines for future splits of large lots into smaller lots and dedication of rights-of-way and easements for future streets, utilities, storm water facilities, etc. This method of subdivision is another front-loading process which preserves land for future urbanization. Oftentimes, the Build-Out Plan may limit the location and size of the residential footprint to more effectively allow for future subdivision of lots.



Note: In this scenario no conventional lots are permitted on arterial street, but rather all front on local streets.

### Build Through Acreages

Build Through Acreages can allow for development at lower densities while preserving open space for future development through the platting process. A large outlot can be established to allow for future development at densities that can allow for urban service expansion. The outlot may also be encumbered with deed restrictions, covenants, or easements to provide the interim protection of open space and maintain subsequent triggers for development and service delivery.

This method can also be useful in areas in a Rural Residential community designation that may benefit from clustering, but are still undeveloped in the conventional large-lot pattern. In these cases, it may be advisable to preserve land for future residential development if the outlot abuts land within the Council's Long Term Service Area.



Original parcel boundary  
(approximately 80 acres)

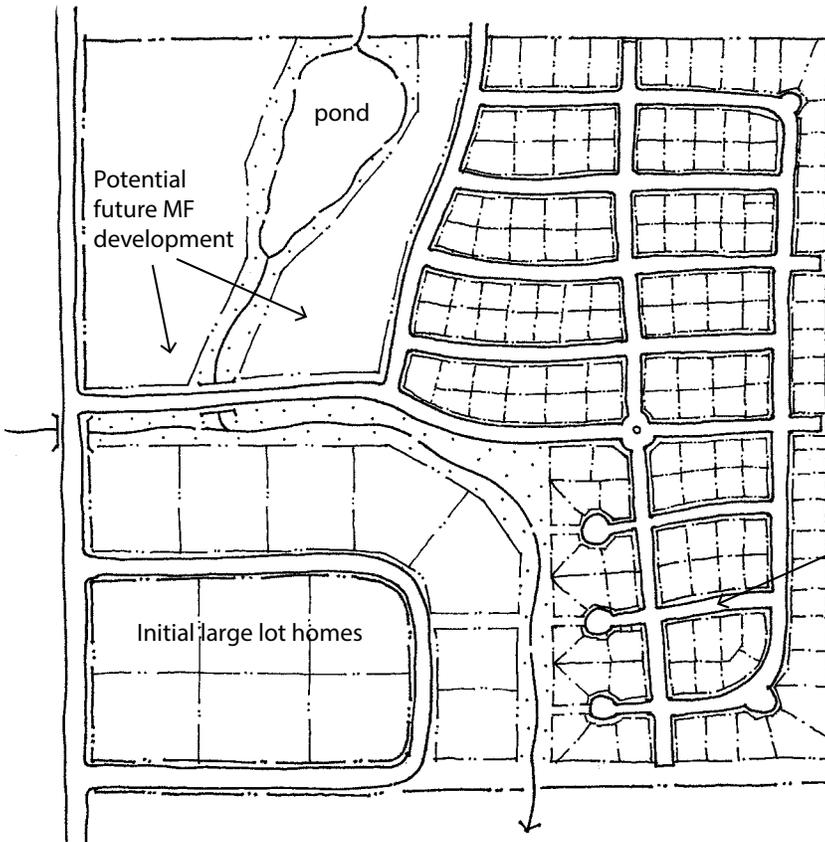
An additional portion of the parcel may be used for interim rural residential development if a significant environmental or open space resource is preserved.

A portion of the parcel may be used for rural residential development.

The rest of the parcel is platted as an outlet, reserved for future urban development when municipal services are extended.

(Adapted from RDG Planning & Design)

The example below, adapted from Bismarck, North Dakota, shows an historic outlet which was subdivided into smaller lots once urban services became available to the east.



Rural yield: 13 houses on large lots  
Urban yield: 157 houses on the outlet; 3.97 du/ac  
Build out density could include sewer extension to initial large lot houses and accommodate future multi-family development.

Original outlet developed at urban densities once municipal services are available.

March 2017

**City of East Bethel  
Planning Commission Meeting  
Agenda Item Information**



**Meeting Date:** May 27, 2025

**Agenda Item Number:** 9

**Request:** Hold a public hearing and consider variances requests to allow a single car garage, metal siding, and impervious surface exceeding 25% of the lot coverage in the Shoreland Overlay District for property located at 138 Laurel Road NE (City File 25-012).

**Review Deadline:** June 29, 2025

**Background/Context**

The City's discretion in approving or denying a variance is limited to whether or not the proposed project meets the standards set in the Zoning Ordinance for a variance. The City has a high level of discretion with a variance because the burden of proof is on the applicant to show that the variance standards have been met.

On April 30, 2025, the City received an application from Greg Underdahl, the owner of property at 138 Laurel Road NE, to allow for the construction of a new single-family home with 3 variances. These variances are:

1. A variance from the minimum garage size of 24' x 24' (576 sq. ft.) established in Section 22.7, Subdivision B of the Zoning Ordinance to allow for a 12' x 34' (408 sq. ft.) single-car garage.
2. A variance from the 25% impervious surface lot coverage standard as established in Section 57.10, Subdivision B of the Zoning Ordinance to allow coverage of 27.6% of the lot area.
3. A variance from the siding material standards established in Section 13.1, Subdivision A of the Zoning Ordinance to allow metal siding on the proposed residential structure.

The 0.27-acre property is a through lot with 60.05 ft. of frontage along Laurel Road and 60.05 ft. of frontage along Maple Road. It is guided and zoned Coon Lake Residential (CL) and is entirely within the Shoreland Overlay District. The intent of the Coon Lake land use designation is to address the unique zoning and land use challenges associated with the many small, non-conforming lots in the neighborhood. The intent of the Shoreland Overlay District is to regulate development and maintain a high standard of environmental quality near bodies of water. The properties surrounding this parcel are all guided and zoned the same.

**Analysis**

Section 22.7, Subdivision B of the Zoning Ordinance establishes garage size standards. The minimum garage size for a single-family home is 24' x 24' (576 sq. ft.). A 24' x 24' garage is a standard two-car garage. Locating a 24' x 24' garage along with a home on a lot with 60.05' of frontage leaves little room to meet the setback requirements within the Zoning District. While many homebuyers prefer two-car garages 2-car garages reduce the number of cars parked along the streets and in driveways, the narrowness of the lot limits the feasibility of locating a garage of this size on the lot. Despite its intent to address the challenges associated with building on the small lots around Coon Lake, single-car garages are not permitted within the CL District.

Section 57.10, Subdivision B of the Zoning Ordinance establishes the maximum amount of impervious surface coverage allowed on lots within the Shoreland Overlay District. The maximum surface coverage for lots in this district is 25%. This limit is intended to limit the rate and amount of runoff and pollutants entering public waters. This applicant is proposing an impervious surface coverage of 27.6%.

Section 13.1, Subdivision A of the Zoning Ordinance establishes standards for siding material for single-family dwellings. This ordinance states, "The exterior walls of all single-family residences shall be similar in appearance to normal wood, vinyl siding, or masonry residential construction." This standard regulates the design of single-family dwellings and promotes the use of conventional building materials. The applicant is proposing the use of a metal siding with a wood-like design.

The applicant provided a survey to show the proposed size and location of the dwelling and amount of impervious surface. The applicant has informed staff of the type of siding under consideration.

Section 4.10 of the Zoning Ordinance establishes standards for review of a variance request. Consideration of a variance requires the following three-factor test for practical difficulties. Economic considerations alone do not constitute a practical difficulty. All three standards must be met in order to grant the variance:

1. *Reasonableness. The property owner proposes to use the property in a reasonable manner not permitted by an official control.*
  - a. The landowner would like to construct a 12' x 34' (408 sq. ft.) garage attached to the proposed dwelling. This garage would accommodate parking for 1 car in addition to allowing space for storage deep in the garage. The survey shows that the proposed single-car garage and attached home would meet the setback requirements established within the CL District without any additional variances— the applicant's garage would be located 9' from the side yard property line to the south and 7' from the side yard property line to the north. Given the lot width and shape, there is little to no room to reorient the planned structure to allow for a wider attached garage.

The Planning Commission could find that a 12' x 34' (408 sq. ft.) garage is reasonable on a lot with a width of 60.5 ft because it allows for the structure to be built without encroaching on setbacks required by ordinance. The additional depth of the garage results in a total square footage (408 sq. ft.) that meets the intent of the ordinance.

The Planning Commission could find that a single-car garage is unreasonable, as it does not allow for the parking of two vehicles.

- b. The landowner proposes to build a 1,571 sq. ft. home with attached garage and porches along with a 12' x 34' driveway. There is an existing 1,024 sq. ft. shed and canopy area on the eastern side of the property. This proposal results in an impervious surface coverage of 27.6%. The proposed 12' driveway width is the minimum allowed width for a driveway in East Bethel. Outside of the existing shed and canopy, the landowner has limited any landscaping (walkways, patios, etc.) that would add additional impervious surface to the lot. This lot has little elevation change and is located approximately 200 ft. from the shore of Coon Lake.

The Planning Commission could find that an impervious surface coverage of 27.6% is reasonable for a lot of this size and is unlikely to negatively impact surface water.

The Planning Commission could find that an impervious surface coverage of 27.6% is unreasonable and could negatively impact surface water.

- c. The landowner proposes to use TruLog Steel Siding. According to their company website, TruLog manufactures metal siding that “offers the look of a rustic log home while providing maximum durability and easy upkeep.” This siding can be in the style of split-log wood, board and batten, or 4.5” lap siding. This siding could be seen as “similar in appearance to normal wood,” as required by Section 13.1 of the Zoning Ordinance. Metal siding is currently under review within East Bethel for use in all zoning districts and adoption of the draft ordinance would eliminate the need for this variance.

The Planning Commission could find the use of metal siding with a wood-like appearance to be reasonable, as the siding is similar in appearance to wood siding which is permitted by ordinance.

The Planning Commission could find the use of metal siding is not reasonable and that the applicant could use any number of other materials permitted by ordinance.

2. *Uniqueness. The plight of the landowner is due to circumstances unique to the property not created by the landowner. The uniqueness generally relates to the physical characteristics of the particular property.*

- a. The width of the property is approximately 60 feet along both road frontages. The narrowness of this lot restricts the width of all structures on the property. Widening the garage would require a variance for a side yard setback reduction or a reduction in the width of the proposed dwelling. This parcel is uniquely shaped. It is comprised of 2 lots that have been combined to create an “S” shape. The proposed home is on the eastern side of the lot, and an existing canopy and shed, built by the previous owner 143 Maple Road, occupies the western side of the lot. A 24’ x 24’ detached garage could be constructed on western side of the lot, but it would require the removal of the existing structure. Additionally, to access the garage from Laurel Road, a longer driveway could be required. This would increase the amount of impervious surface on the lot which is in the Shoreland Overlay District.

The Planning Commission could find that the width and shape of the property is unique and justifies a 12’ wide garage.

The Planning Commission could find that the width and shape of the property does not justify a 12’ garage.

- b. The total area of this lot is 11,972 sq. ft. On a lot of this size, a landowner is allowed 2,993 sq. ft. of impervious surface. The landowner proposes 3,310 sq. ft. of impervious surface, an overage of 317 sq. ft. The existing structure inherited by the landowner makes up 34% of the allowed impervious surface coverage on the parcel. This existing structure limits the amount of impervious surface which can be added to the parcel. The landowner has opted for the narrowest allowable driveway width and limited the amount of impervious surface elsewhere on the lot outside of the home.

The Planning Commission could find that the size of the property and existing canopy structure are unique factors which justify an impervious surface coverage of 27.6%

The Planning Commission may find that the landowner could alter physical characteristics of the site to reduce the amount of impervious surface on the parcel.

- c. Staff has not identified any circumstances unique to the property which would necessitate the use of metal siding on this structure.

The Planning Commission could find a unique circumstance of the property which requires the use of metal siding.

The Planning Commission could find that there are no unique circumstances of the property which require the use of metal siding.

- 3. *Character. A variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure or improvement will be out of scale, out of place, or otherwise inconsistent with the surrounding area.*

- a. Staff has found several lots within the neighborhood with single-car garages. Many of these garages are on similarly narrow lots. Many of the larger garages within this neighborhood also have variances to be placed in front of the home or closer to the side property line. The small, narrow lots within this neighborhood frequently present challenges to property owners looking to build or renovate structures.

The Planning Commission may find that a 12' x 34' garage conforms with the character of the neighborhood, as other parcels in the neighborhood have single-car garages or variances for garage placement.

Alternatively, the Commission may find that a 12' x 34' garage does not conform to the character of the neighborhood, as this is not a standard garage size expected within a residential district.

- b. Many lots within the Coon Lake Beach neighborhood are small and do not conform to the current Zoning Code. Many of these lots have homes which were constructed prior to the adoption of Shoreland Overlay District Ordinance and, if surveyed, would likely exceed the 25% impervious surface lot coverage standard. The landowner proposes to exceed this standard by 2.6% through the construction of his proposed home.

The Planning Commission could find that the proposed impervious surface lot coverage of 27.6% is consistent with the character of the neighborhood.

The Planning Commission could find that the proposed impervious surface lot coverage of 27.6% is not consistent with the character of the neighborhood.

- c. Staff is unaware of any homes in this neighborhood with metal siding. There are several homes in this neighborhood with wood siding, including the home directly across the street. Staff has not physically seen a sample of the proposed siding, but it appears to be comparable to split log wood siding.

The Planning Commission may find that this wood-like metal siding would not be out of place in this neighborhood, as other homes in the neighborhood have wood siding.

The Planning Commission may find that this metal siding would be out of place within this neighborhood, as no other homes in the neighborhood have metal siding.

### **Summary**

In order to grant a variance, the applicant must demonstrate that the request meets all three of the tests for “practical difficulties” including reasonable use of the land, uniqueness of the land that is out of the control of the owner, and that the request would not alter the existing character of the neighborhood. If Planning Commission finds that one or more of the tests are not met, they must recommend denial of the variance to the City Council who ultimately makes the final decision.

This hearing is for 3 separate variances: garage size, impervious surface coverage, and metal siding. The Planning Commission may find that one, two, all, or none of these variances meet the ordinance standards – recommending approval of one variance does not require recommending approval of another. Staff has provided findings of fact for both approval and denial in the staff report so that the Commission can address each variance separately. Draft resolutions for approval and denial have been provided.

### **Requested Action**

In consideration of the request, the Planning Commission has the following options:

#### **A. Recommend Approval**

If the Planning Commission finds that all three parts of the practical difficulties test has been met by the applicant, the Planning Commission may recommend approval of the 3 variance requests for the property located at 138 Laurel Road. A draft resolution with findings of fact and conditions of approval has been included in the packet for the 3 variances.

#### **B. Recommend Denial**

Based on the applicant's submission, the contents of City Staff report, received public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend denial of any of the 3 requests based on the finding that the applicant has not met the three-part practical difficulties test for any of the variances. A draft resolution with findings of fact has been included in the packet for the variances.

#### **C. Recommend Approval and Denial**

Based on the applicant's submission, the contents of City Staff report, received public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend approval of some variances and denial of others. The finding in the draft resolutions could be modified to reflect the Planning Commission recommendation.

### **Attachments:**

1. Draft resolution for approval
2. Draft resolution for denial
3. Location map
4. Applicant Narrative dated 4/11/2025
5. City Engineer's comments dated 5/23/2025
6. Applicant Site plan dated 5/12/2025
7. TruLog Siding example

**CITY OF EAST BETHEL  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION NO. 2025-XX**

A RESOLUTION **GRANTING** VARIANCES FROM SECTION 22.7, SUBDIVISION B. OF THE ZONING ORDINANCE FOR A 12 x 34 FT. GARAGE, FROM SECTION 57.10, SUBDIVISION B FOR AN IMPERVIOUS SURFACE COVERAGE OF 27.6%, AND FROM SECTION 13.1, SUBDIVISION A FOR METAL SIDING ON PROPERTY LOCATED AT 138 LAUREL RD NE (PIN: 36-33-23-12-0142) LEGALLY DESCRIBED AS:

LOTS 34 THRU 36 TOG W/ LOTS 63 THRU 65 ALL IN BLK 33 COON LAKE BEACH 2ND MAP, SUBJ TO EASE OF REC

**WHEREAS**, the property owner, Gregory Underdahl, requested variances for a 12' x 34' single-car garage where a 24' x 24' garage is required, an impervious surface coverage allowance of 27.6% within the Shoreland Overlay District where a maximum coverage of 25% is permitted, and metal siding on a single-family residential structure and;

**WHEREAS**, the Planning Commission held a public meeting on May 27, 2025; and,

**WHEREAS**, the City finds the request:

1. Is a reasonable request:
  - A 12' x 34' (408 sq. ft.) garage allows for the structure to be built on a lot with a width of 60.5 ft. without encroaching on the setbacks required by the Code.
  - The additional depth of the garage is consistent with the intent of the Ordinance.
  - The impervious surface coverage is reasonable for a 0.27-acre lot with a home, paved driveway, and existing accessory structure.
  - The metal siding has a wood-like appearance.
2. Is due to circumstances unique to the property, not caused by the landowner;
  - The narrow width and abnormal shape of the lot creates difficulty in locating a 24' wide garage on the property.
  - The 0.27 acre-size of the property and existing accessory structure limit the ability of the landowner to stay within the 25% limit of impervious surface.
  - There is a unique circumstance of the property which requires the use of metal siding.
3. Will not have a negative effect on the characteristic of the neighborhood;
  - The small, narrow lots within the neighborhood have led other landowners to maintain their single-car garages or be granted variances for garage placement.

- Many lots within the neighborhood are nearly exceeding, or exceeding as a legal non-conformity, the impervious surface coverage limit of 25%.
- Several homes within the neighborhood have wooden siding. The proposed siding, though metal, is wood-like in appearance.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of East Bethel hereby approves variances from Section 22.7, Subdivision B, Section 57.10, Subdivision B, and Section 13.1, Subdivision A of the Zoning Ordinance for a property located at 138 Laurel Road NE, subject to the following conditions:

1. The applicant obtains a building permit from the City prior to construction of the planned structure.

Adopted this 9th day of June, 2025 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

ATTEST

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Ardie Anderson, Mayor

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Matt Look, City Administrator

**CITY OF EAST BETHEL  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION NO. 2025-XX**

A RESOLUTION **DENYING** VARIANCES FROM SECTION 22.7, SUBDIVISION B OF THE ZONING ORDINANCE FOR A 12 x 34 FT. GARAGE, FROM SECTION 57.10, SUBDIVISION B FOR AN IMPERVIOUS SURFACE COVERAGE OF 27.6%, AND SECTION 13.1, SUBDIVISION A FOR METAL SIDING ON A PROPERTY LOCATED AT 138 LAUREL RD NE (PIN: 36-33-23-12-0142) LEGALLY DESCRIBED AS:

LOTS 34 THRU 36 TOG W/ LOTS 63 THRU 65 ALL IN BLK 33 COON LAKE BEACH 2ND MAP, SUBJ TO EASE OF REC

**WHEREAS**, the property owner, Gregory Underdahl, requested variances for a 12' x 34' single-car garage where a 24' x 24' garage is required, an impervious surface coverage allowance of 27.6% within the Shoreland Overlay District where a maximum coverage of 25% is permitted, and metal siding on a single-family residential structure and;

**WHEREAS**, the Planning Commission held a public meeting on May 27, 2025; and,

**WHEREAS**, the City finds the request:

1. Is not reasonable request:
  - Though the lot is narrow, a 24 ft. x 24. garage could be located elsewhere on the property.
  - The construction a 12 x 34 ft. garage is not consistent with the intent of the Ordinance.
  - Changes could be made to the building plan to reduce the amount of impervious surface on the lot.
  - Metal siding is not necessary for the construction on this structure. Other materials could be used that are permitted by Ordinance.
2. Is not due to circumstances unique to the property, not caused by the landowner;
  - Though the property is narrow and has an abnormal shape, a 24 x 24 ft. wide garage could be located elsewhere on the lot.
  - While the property is small and there is an existing accessory structure on the lot, the landowner could alter physical characteristics of the site to reduce the amount of impervious surface on the parcel.
  - There are no unique circumstances which necessitate the use of metal siding on this structure.
3. Will have a negative effect on the characteristic of the neighborhood;
  - Though this garage has a larger depth than required by Ordinance, it does not have the standards dimensions of a 2-car garage expected within a residential district.

- Many property owners have encountered difficulties staying below the 25% limit of impervious surface, but many have altered their building plans to address this issue without seeking variances.
- Metal siding has not been permitted on other homes within this neighborhood. Though the siding has a wood-like appearance, it is not wood.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of East Bethel hereby denies the variances from Section 22.7, Subdivision B, Section 57.10, Subdivision B and 13.1, Subdivision A of the Zoning Ordinance for a property located at 138 Laurel Road NE based on the findings in this resolution.

Adopted this 9<sup>th</sup> day of June, 2025 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

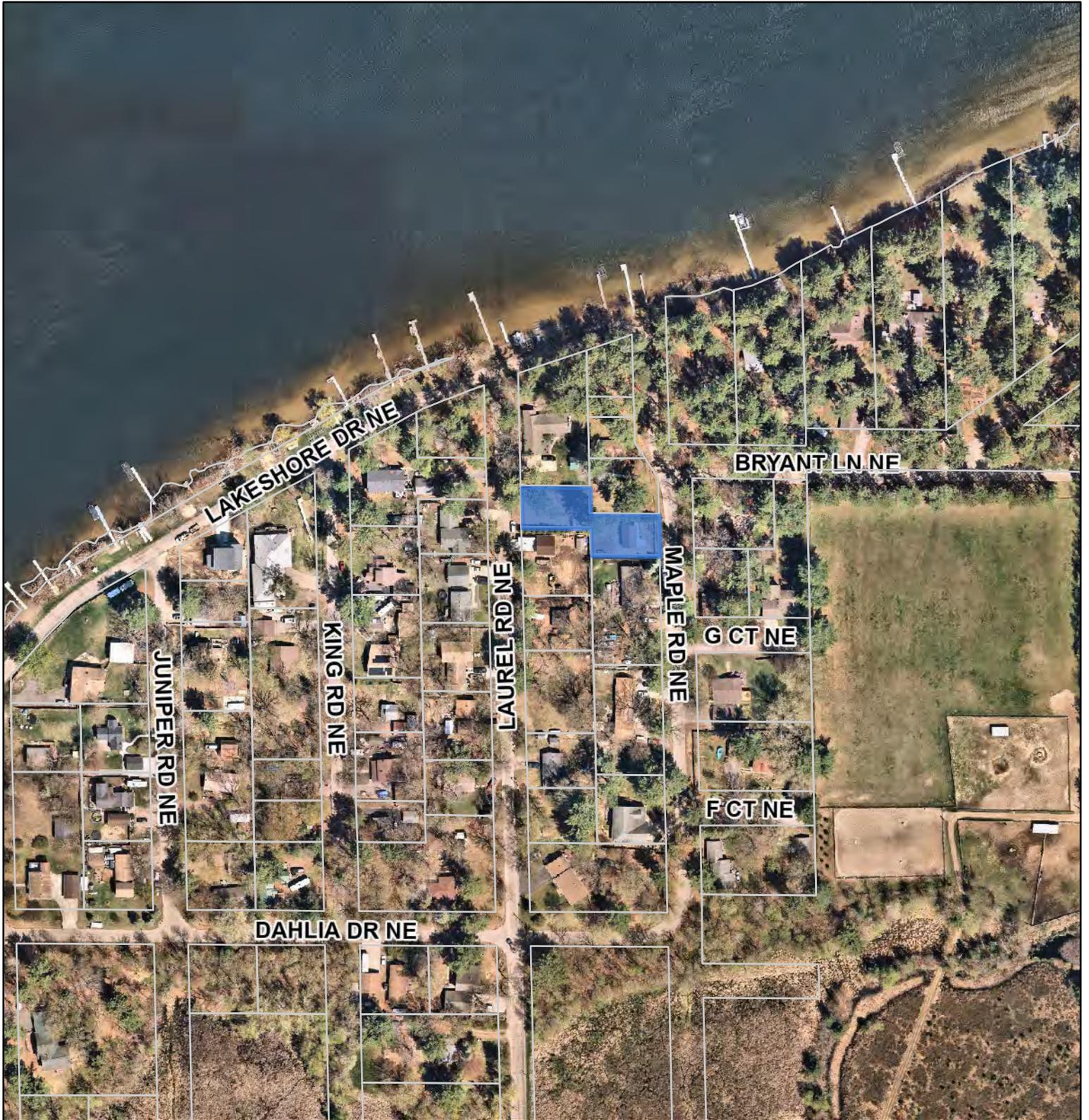
ATTEST

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Ardie Anderson, Mayor

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Matt Look, City Administrator



1 inch equals 279 feet

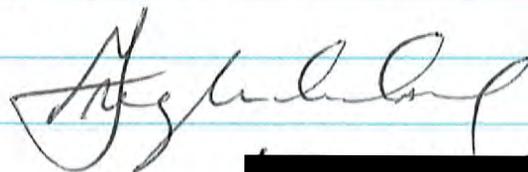


To whom it concerns:

Reason for a single car garage is the Coon Lake beach AREA has fairly small lots. The proposed plan will show that this will meet the setback requirements needed and will not look out of place due to other homes having single car as well

metal siding has come a long way and the siding I would like to use is a decorative style paint. I can give a sample when required

Thanks

 [REDACTED]

## Review of Variances 138 Laurel Road



Craig Jochum

To: Grace Gerard



Reply



Reply All



Forward



Fri 5/23/2025 10:29 AM

**Caution:** This email originated outside our organization; please use caution.

Grace,

We have reviewed the submittal for the above referenced lot. We have the following comments:

1. From the aerial it does not appear the existing metal building is drawn correctly?
2. The lot is 311 square feet over the allowable impervious surface requirement. If the variance is not approved. The applicant could construct a rain garden/infiltration area or other volume reducing practice.
3. It is not clear from the information submitted how the lot drains. The applicant should provide information and a narrative regarding how the lot drainage works now and how it will work after the construction and should provide information to ensure this construction will not impacting adjacent properties.



Craig Jochum, P.E.

City Engineer

Hakanson Anderson

Item 9.0; Attachment 5

FOR GREG UNDERDAHL

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.

Randy L. Kurth, L.L.S. No. 20270  
Russell J. Kurth, L.L.S. No. 16113

# CERTIFICATE OF SURVEY

(MEASUREMENTS SHOWN IN FEET AND DECIMALS OF A FOOT)

KURTH SURVEYING, INC.

4002 JEFFERSON ST. N.E.  
COLUMBIA HEIGHTS, MN 55421

PHONE (763) 788-9769  
E-MAIL: ksi@kurthsurveyinginc.com.

DATE: 4-21-2025

TOTAL LOT AREA = 11,972± SQ.FT.

EX. CONC & BLDG = 1024 SQ.FT.  
PROP. HOUSE-GAR = 1571 SQ.FT.  
PROPOSED PORCHS = 309 SQ.FT.  
PROPOSED DRIVE = 406 SQ.FT.

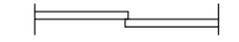
TOTAL IMPERV. = 3310 SQ.FT.

IMPERVIOUS COVERAGE = 27.6%

## PROPOSED GRADES

GARAGE SLAB = 915.4  
TOP OF FFE = 915.9  
BASEMENT FLOOR = N/A

0 20

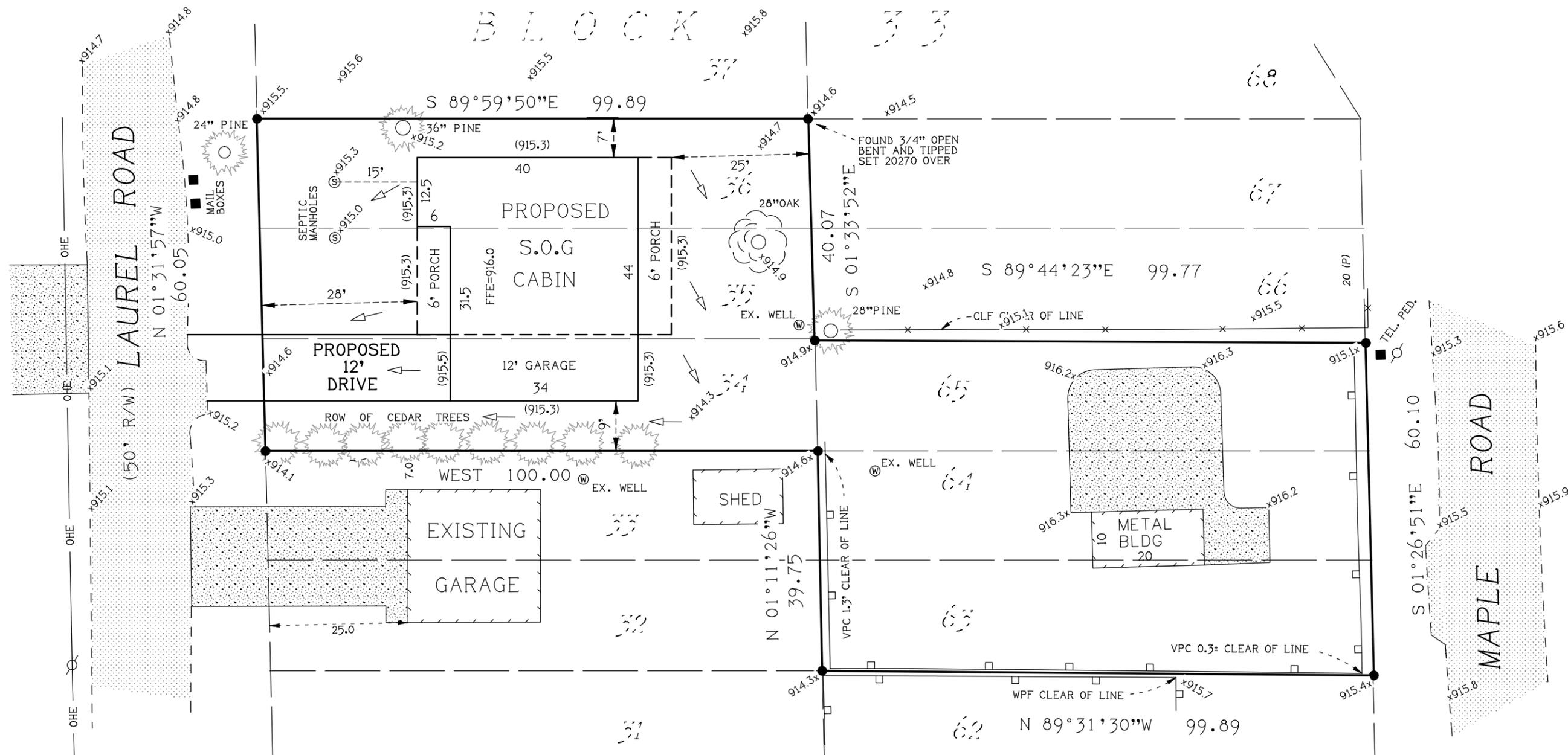


SCALE IN FEET

REV. 5-12-25  
(prop drive)

- = IRON PIPE MONUMENT SET
- = IRON PIPE MONUMENT FOUND
- ⊗ = SPIKE SET
- = WOOD/VINYL FENCE - wpf\vpf
- ✕ = CHAIN LINK FENCE - clf
- = DRAINAGE
- x912.0 = EXISTING SPOT ELEVATION
- (900.0) = PROPOSED ELEVATION

- ▨ = CONCRETE SURFACE
- ▩ = BITUMINOUS SURFACE



PROPERTY DESCRIPTION PER COUNTY AUDITOR'S OFFICE

Lots 34, 35 and 36 together with Lots 63, 64, and 65,  
Block 33, COON LAKE BEACH SECOND MAP, Anoka County, Minnesota.

## Our Products

Our family-owned business in La Salle, Colorado proudly makes our patented steel boxed siding panels in America and can ship nationwide, directly to your doorstep.



### Steel Log Siding

Starts at \$5.50/Sq ft

Steel log siding provides the authentic, genuine log home look. Panels come in 12 foot lengths and cover 9 inches high on the wall

[View Details & Colors](#)



### Steel Board & Batten Siding

Starts at \$4.25/Sq ft

Steel board & batten siding provides an authentic, genuine wood look. Panels come in 8, 9, 10, or 12 foot lengths and cover 9.25 inches wide on the wall. Inquire for custom panel lengths

[View Details & Colors](#)



### Steel Lap Siding Starts

Starts at \$4.25/Sq ft

Steel lap siding provides an authentic, genuine wood look. Panels come in 12 foot lengths and cover 9.25 inches high on the wall

[View Details & Colors](#)

## Steel Log Siding



Our steel log siding product offers the look of a rustic log home while providing maximum durability and easy upkeep.

For a log home without the maintenance, steel log siding by TruLog has a genuine wood appearance. However, siding metal requires no care other than an occasional rinse with the garden hose.

## Metal Board & Batten Siding



Whether you are building a new house or remodeling an old house, consider metal siding panels from TruLog. Our white, steel board and batten siding metal is a classic exterior option.

Our metal house siding has the perfect blend of form and function. The modern farmhouse look pairs naturally with the durability and maintenance freedom of steel. White board and batten has been around for decades. TruLog metal panel siding will continue to be a timeless exterior style for years to come.

## Steel Double 4.5" Lap Siding



Our double 4.5 steel lap siding offers the rustic look of wood while providing maximum durability and easy upkeep.

You won't have to worry about staining, sealing, or painting this cedar siding. Just wash the siding metal down with a garden hose to keep it looking new. All while enjoying a 30 year warranty on your reliable home siding product.

**City of East Bethel  
Planning Commission Meeting  
Agenda Item Information**



**Meeting Date:** May 27, 2025

**Agenda Item Number:** 10

**Request:** Hold a public hearing and consider variance requests for a reduction of the rear yard setback for a principal structure and an increase in the amount of impervious surface allowed for the property located at 144 Laurel Road NE (City File 25-015).

**Review Deadline:** July 6, 2025

**Background/Context**

The City's discretion in approving or denying a variance is limited to whether or not the proposed project meets the standards in the Zoning Ordinance for a variance. The City has a higher level of discretion with a variance because the burden of proof is on the applicant to show that the variance standards have been met.

On April 14, 2025, the City became aware that a structure on the property at 144 Laurel Road was in violation of the City's 25' rear setback standard within the Coon Lake District. Upon review, staff confirmed that the home is encroaching on the rear property line. Staff also discovered that the property exceeds the allowed amount of impervious surface in the Shoreland Overlay District.

This building permit for this structure was issued in April 2024 and a Certificate of Occupancy was issued in November 2024. A building permit should not have been issued for this structure because the Ordinance standards for setbacks and impervious area were not met. To rectify this issue, staff is recommending an after-the-fact variance for a rear setback reduction and impervious surface coverage. Currently, this structure has no protections in the case of damage and its nonconformity would likely complicate its future sale, as it is not a legal non-conforming use. A variance would bring this structure into conformity, allowing it the same protections as other structures constructed with variances.

On April 25, 2025, staff mailed a letter to Mark Fors, the owner of property at 144 Laurel Road, alerting him of this issue. The property owner responded with a variance application and updated land survey.

The property owner is requesting two variances:

1. A variance from Section 51.7, Subd. B of the Zoning Ordinance to allow a setback reduction from 25 ft. to 9.3 ft.
2. A variance from Section 57.10, Subd. B of the Zoning Ordinance to allow for impervious surface coverage of 25.09%, exceeding the 25% limit within the Shoreland Overlay District.

The property is zoned and guided Coon Lake Residential within the Shoreland Overlay District. The intent of the Coon Lake zoning and land use designation is to manage development of the many small, non-conforming lots surrounding Coon Lake. The intent of the Shoreland Overlay District is to regulate the use, subdivision, and development of shorelands to preserve and enhance the quality of public waters and environmental features. The surrounding properties are guided and zoned the same.

## Analysis

Section 51.7, Subdivision B of the Zoning Ordinance establishes the setback standards within the Coon Lake Residential District. Principal structures must be setback 25 ft. from the rear property line. The as-built survey of this property shows the applicant's home is setback 9.3 ft. from the rear property line. Section 57.10, Subdivision B of the Zoning Ordinance establishes a limit of 25% impervious coverage for properties in the Shoreland Overlay District. This property has an impervious surface coverage of 25.09%.

Section 4.10 of the Zoning Ordinance establishes standard for review of a variance request. Consideration of a variance requires the following three-factor test for practical difficulties. Economic considerations alone do not constitute a practical difficulty. All three must be met in order to grant the variance:

1. *Reasonableness. The property owner proposes to use the property in a reasonable manner not permitted by an official control.*
  - A. The landowner's home is located 9.3 ft. from the rear property line. The home is 55.2 ft. from the front property line, and 18.1 ft. from the septic drain field in front of the home. Had this encroachment and overage of impervious surface been noticed during plan review, it appears that there is space nearer the front of the lot line that the home could've been located, reducing the setback encroachment.

As this home has been issued as Certificate of Occupancy, there are limited options for addressing this issue and bringing the structure into conformance. One option is moving the home. This option would be costly and contentious process for the property owner and the City. The other option is for the City to grant an after-the-fact variance. This would bring the structure into conformance under the Code. While this is not a common or preferred practice, it is less costly and contentious than ordering the home to be removed.

The Planning Commission could find that granting a setback reduction from 25' to 9.3' is reasonable due to the cost and difficulty associated with moving the structure.

The Planning Commission could find that granting a setback reduction from 25' to 9.3' is not reasonable given the fact that this variance is being sought after-the-fact.

- B. The landowner's property has an impervious surface coverage of 25.09% (2,501 sq. ft.), a .09% (9 sq. ft.) overage of the allotted 25% (2,492 sq. ft.) within the Shoreland Overlay District. While this is a small amount of impervious surface, if noticed during plan review, it is likely plan changes could have been made to bring the site into compliance. The landowner could remove a small portion of the driveway or garage stoop to bring the site into compliance.

The Planning Commission could find that allowing an impervious surface coverage of 25.09% is reasonable as the structure and surface is already in place.

The Planning Commission could find that allowing an impervious surface coverage of 25.09% is not reasonable, because a small amount of this surface could be removed to bring the lot into compliance.

2. *Uniqueness. The plight of the landowner is due to circumstances unique to the property not created by the landowner. The uniqueness generally relates to the physical characteristics of the particular property.*

- A. This lot is 0.22 acres. The septic tank and drain field are located in front of the house and were existing at the time of construction. The small size of the lot and existing septic system limit the location of the home, though it is possible the structure could have been reoriented to increase the distance from the home to the rear property line. Additionally, this home is already constructed. Though this is not a unique physical feature of the property, it does limit the property owner's ability to make the structure conform.

The Planning Commission may find that the size of the lot, location of the septic system, and fact that the home is already constructed are unique and restrict the ability of the structure to comply with the standards established in the Zoning Ordinance.

The Planning Commission may find that these circumstances are not unique and could have been addressed prior to the construction of the home.

- B. The size of the lot limits the total square footage of impervious surface on the lot. When fitting a home, garage, and paved driveway on a lot, many landowners encounter challenges staying below the 25% maximum impervious limitation. However, it is possible that some impervious surface could have been eliminated during the planning phase and 9 sq. ft. of driveway could be removed to bring the site into compliance with the impervious surface limits.

The Planning Commission may find that the size of the lot is unique and present difficulty keeping the impervious surface allotment below 25%.

The Planning Commission may find that these circumstances are not unique and could have been addressed prior to the construction of the home and impervious surface area can be removed to bring the site into compliance.

3. *Character. A variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure or improvement will be out of scale, out of place, or otherwise inconsistent with the surrounding area.*

- A. Many structures within the Coon Lake neighborhood have been issued variances for front, side, or rear yard setback reductions and variances for impervious surface. These structures are on lots which are similarly small, and many have septic systems located in unique locations that limit the possible siting for a home. However, it is important to note that no variance sets a precedent and each variance must be reviewed based on the unique circumstances on a property.

The Planning Commission may find the rear yard setback reduction does not alter the essential character of the neighborhood.

The Planning Commission may find that the rear yard setback reduction would alter the existing character of the neighborhood.

- B. Many lots within the Coon Lake neighborhood are nearly exceeding, exceeding with a variance, or exceeding as a legal non-conformity the impervious surface lot coverage allotment of 25%. The small size of the lots within this neighborhood can make it challenging to comply with the impervious surface coverage limit. Each variance must be reviewed based on the unique circumstances on a property, and other homes having a variance for impervious surface coverage would not set precedent for others.

The Planning Commission may find that granting an impervious surface allotment of 25.09% would not be out of place within the neighborhood, as it is a small overage.

The Planning Commission may find that granting an impervious surface allotment of 25.09% would be out of place within the neighborhood because the applicant could remove 9 sq. ft. of impervious area from the driveway to bring the site into compliance

## Summary

In order to grant a variance, the applicant must demonstrate that the request meets all three of the tests for “practical difficulties” including reasonable use of the land, uniqueness of the land that is out of the control of the owner, and that the request would not alter the existing character of the neighborhood. If Planning Commission finds that one or more of the tests are not met, they must recommend denial of the variance to the City Council who ultimately makes the final decision.

The Commission could find that both of the variances meet the ordinance standards, neither of the variances meet ordinance standards or one of the variances meets the ordinance standards and the other ordinance does not. Staff has provided findings of fact for both approval and denial in the staff report so that the Commission can address each variance separately. Draft resolutions for approval and denial have been provided.

## Requested Action

In consideration of the request, the Planning Commission has the following options:

### A. Recommend Approval of Both Variances

If the Planning Commission finds that all three parts of the practical difficulties test has been met by the applicant, the Planning Commission should recommend approval of:

- i. the variance request to allow a 9.3’ rear yard setback where 25’ is required and
- ii. the variance request to 25.09% impervious surface coverage where 25% is allowed.

### B. Recommend Denial of Both Variances

Based on the applicant's submission, the contents of City Staff report, received public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend denial of the requests based on the finding that the applicant has not met the three-part practical difficulties test. A draft resolution with findings of fact has been included in the packet.

OR

**C. Recommend Approval of One Variance and Denial of One Variance.**

The Planning Commission may modify the draft resolutions to reflect their findings.

**Attachments:**

1. Draft resolution for approval
2. Draft resolution for denial
3. Location map
4. Applicant narrative dated May 8, 2025
5. City Engineer's comments dated May 23, 2025
6. Applicant plans dated May 7, 2025

**CITY OF EAST BETHEL  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION NO. 2025-XX**

A RESOLUTION **GRANTING** VARIANCES FROM SECTION 51.7, SUBDIVISION B OF THE ZONING ORDINANCE FOR A REAR YARD SETBACK OF 9.3 FT. AND FROM SECTION 57.10, SUBDIVISION B FOR AN IMPERVIOUS SURFACE COVERAGE OF 25.09% ON A PROPERTY LOCATED AT 144 LAUREL RD NE (PIN: 36-33-23-12-0064) LEGALLY DESCRIBED AS:

LOTS 29 THRU 33, BLOCK 33 COON LAKE BEACH 2ND MAP

**WHEREAS**, the property owner, Mark Fors, requested a variance for a rear setback reduction from 25 ft. to 9.3 ft. within the Coon Lake Residential District, and a variance for an impervious surface coverage allowance of 25.09% within the Shoreland Overlay District where 25% is the maximum allowed impervious surface area, and;

**WHEREAS**, the Planning Commission held a public meeting on May 27, 2025; and,

**WHEREAS**, the City finds the request:

1. Is a reasonable request:
  - The rear setback reduction is reasonable due to the size of the lot and cost and difficulty associated with removing/moving the structure.
  - The impervious surface coverage is reasonable as the structure and surface is already in place.
2. Is due to circumstances unique to the property, not caused by the landowner;
  - The 0.22-acre size of the property, location of the septic system, and fact that the home is already constructed limits the placement of the home and options for addressing the non-conformity.
  - The 0.22-acre size of the property presents difficulty in keeping the impervious surface square footage below 25%.
3. Will not have a negative effect on the characteristic of the neighborhood;
  - Many homes within the neighborhood have variances for setback reductions because the Coon Lake Beach neighborhood has many small, narrow lots.
  - Many lots within the neighborhood are nearly exceeding, or exceeding as a legal non-conformity, the impervious surface coverage limit of 25%.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of East Bethel hereby approves variances from Section 51.7, Subdivision B and Section 57.10, Subdivision B of the Zoning Code for the property located at 144 Laurel Road NE.

Adopted this 9th day of June, 2025 by the City Council of the City of East Bethel

CITY OF EAST BETHEL

ATTEST

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Ardie Anderson, Mayor

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Matt Look, City Administrator

**CITY OF EAST BETHEL  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION NO. 2025-XX**

A RESOLUTION **DENYING** VARIANCES FROM SECTION 51.7, SUBDIVISION B OF THE ZONING ORDINANCE FOR A REAR YARD SETBACK OF 9.3 FT. AND FROM SECTION 57.10 SUBDIVISION B FOR AN IMPERVIOUS SURFACE COVERAGE OF 25.09% ON A PROPERTY LOCATED AT 144 LAUREL RD NE (PIN: 36-33-23-12-0064) LEGALLY DESCRIBED AS:

LOTS 29 THRU 33, BLOCK 33 COON LAKE BEACH 2ND MAP

**WHEREAS**, the property owner, Mark Fors, requested a variance for a rear setback reduction from 25 ft. to 9.3 ft. within the Coon Lake Residential District and a variance for an impervious surface coverage allowance of 25.09% within the Shoreland Overlay District where 25% is the maximum allowed impervious surface area, and;

**WHEREAS**, the Planning Commission held a public hearing on May 27, 2025; and,

**WHEREAS**, the City finds the request:

1. Is not reasonable request:
  - The rear setback reduction is not reasonable because the variance is being sought after-the-fact.
  - The property owner could remove a small amount of impervious surface to bring the property into compliance.
2. Is not due to circumstances unique to the property, not caused by the landowner;
  - There are no physical site constraints nor issues related to the location of the well or septic that are unique and require a rear setback reduction or increased allotment of impervious surface.
  - The property owner could remove a small amount of impervious surface to bring the property into compliance. No features on the lot require the impervious surface to exceed the amount allowed by the Code.
3. Will have a negative effect on the characteristic of the neighborhood;
  - Many homes within the neighborhood have variances to reduce their setbacks, but this is a substantial reduction from the 25' setback required by the Code.
  - Many property owners have encountered difficulties staying below the 25% limit of impervious surface, but many have altered their building plans to address this issue without seeking variances.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of East Bethel hereby denies the variances from Section 51.7, Subdivision B and Section 57.10, Subdivision B of the Zoning Code based on the findings in this resolution.

Adopted this 9<sup>th</sup> day of June, 2025 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

ATTEST

\_\_\_\_\_  
Ardie Anderson, Mayor

\_\_\_\_\_  
Matt Look, City Administrator



## **144 Laurel Rd Variance Practical Difficulties**

**The property owner proposes to use the property in a reasonable manner not permitted by an official control.**

This home is our permanent residence, which we just completed construction on in November of 2024. We submitted all required documentation and received all required approvals and inspections from the city during the process. Surveys were submitted and reviewed including all setbacks. Again, all were reviewed and approved by the city. We received our final Certificate of Occupancy from Steve Lutmer, City of East Bethel Building Inspector on November 19, 2024. We look forward to living out our retirement years in the Coon Lake Beach neighborhood.

**The plight of the landowner is due to circumstances unique to the property not created by the landowner**

The fact that our home is not in compliance came as a surprise to us since we had been filing required paperwork all along. We are not in compliance due to error on the part of the City of East Bethel. Had we been told during the initial design phase we would have either changed the home location to be compliant or chosen to not proceed with the project.

To come into compliance would require us to tear down the home, pull up the slab foundation, and remove and backfill the existing septic. Depending where the septic need to be placed we may have to move the well. The build process (including above) with a new property layout would have total costs would be somewhere on the \$600,000-\$700,000 range. Also to do this we would need to find a new place to live at an additional \$3000 per month. Assuming an eighteen-month project timeline that would be and \$50,000-\$55,000. Total build cost we would incur would likely be around \$750,000. Additionally, we already invested \$500,000 in the build of the current home and still need to pay off our current mortgage on the property. This would place the final figure around \$1,000,000.

It is not likely the we could find a bank willing to extend to us a construction loan since we will not have any external collateral. We used equity in our previous home for that purpose for this construction. And we have the debt of the current mortgage. All together this is a financial burden we cannot take on.

Regarding the permeable percentage, we were basing our calculations off of the 100x100 lot size as found in the Anoka County data. We were surprised to find out our lot was only 9968 square feet. Again, while we made our decisions in good faith, if this is an issue I can remove our 4x4 garage stoop and replace it with garden pavers. Also ,would point out that out sidewalk footage is 34 square feet (2 3x3 and 1 4x4 stoop). Removing the 16 square feet, if required, will bring us to 24.9%. As to our eventual walkway, we will be using pavers with drainage space

between them. Also of note is that our property elevation is significantly below the road crown and our neighbors to the lake direction. Any rain falling on our property will drain into our property.

**The variance if granted will not alter the essential character of the locality**

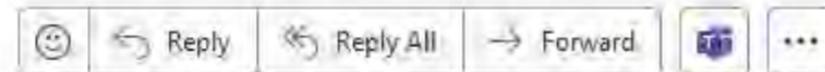
There are many homes in the neighborhood who definitely seem to be closer to their back property lines than 25 feet. Some of them are new builds. While we have not entered these properties to actually measure, our contention is that a smaller setback situation is not unique to the neighborhood .

## Review of Variances 144 Laurel Road



Craig Jochum

To: Grace Gerard



Fri 5/23/2025 10:15 AM

You replied to this message on 5/23/2025 10:28 AM.

**Caution:** This email originated outside our organization; please use caution.

Grace,

We have reviewed the submittal for the above referenced lot. We have the following comments:

1. The lot is 9 square feet over the allowable impervious surface requirement. The concrete apron on the south side of the garage is 16 square feet. This could be removed and replaced with a pervious surface if the variance is not approved. Alternately the applicant could construct a rain garden/infiltration area or other volume reducing practice.
2. It is not clear from the information submitted how the lot drains. There may be a low area between the drain field and the existing garage and another low area along the north side of the lot? The applicant should provide information and a narrative regarding how the lot drainage worked before and after the construction and should provide information to ensure this construction is not impacting adjacent properties.



Craig Jochum, P.E.

City Engineer

Hakanson Anderson

Item 10.0; Attachment 5

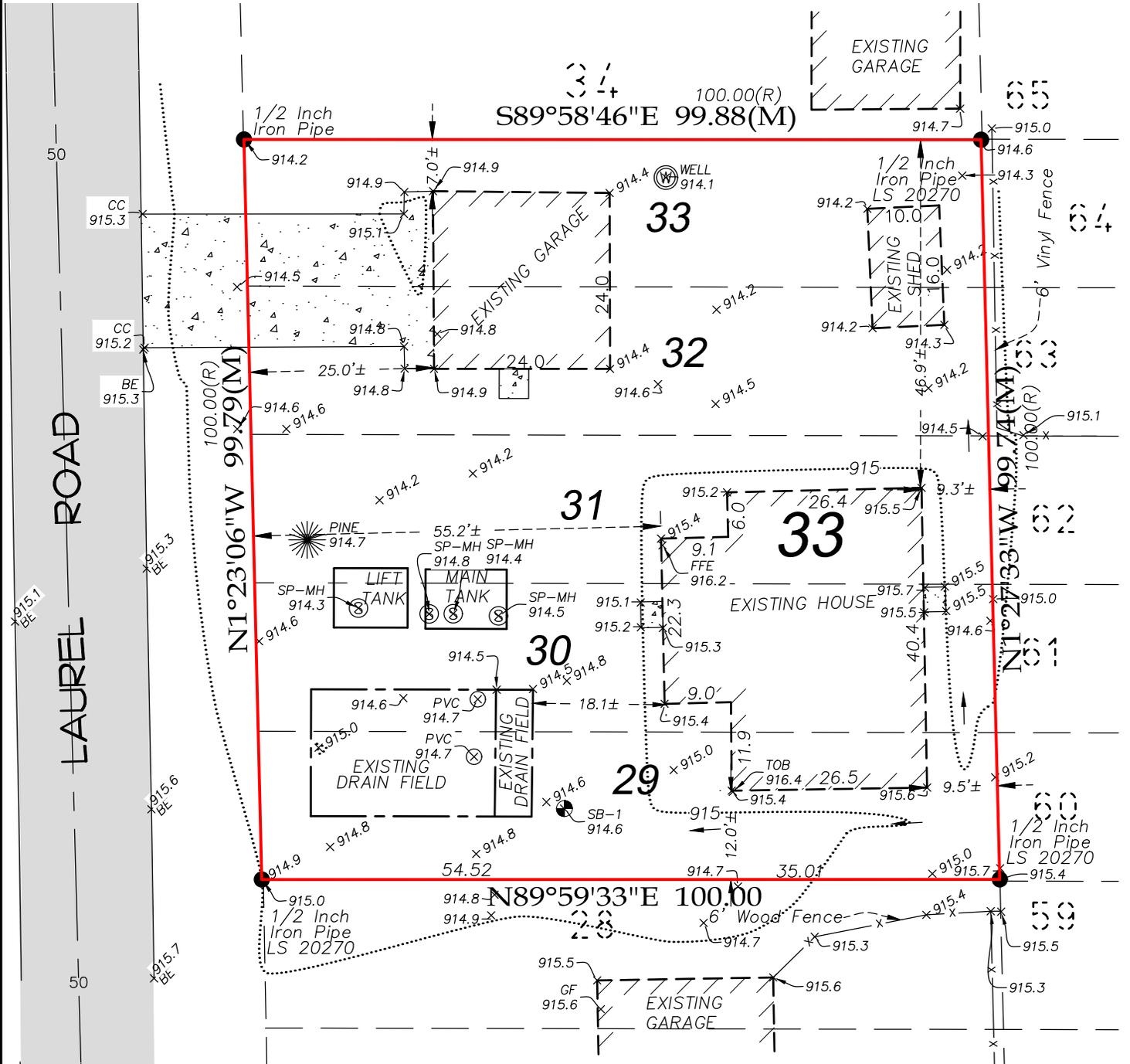
# GRADING AS-BUILT SURVEY

FOR: Mark Fors

PROPERTY ADDRESS:  
144 Laurel Road NE.  
East Bethel, MN 55092

## PROPERTY DESCRIPTION

Lots 29, 30, 31, 32, and 33, Block 33, COON LAKE BEACH SECOND MAP, Anoka County, Minnesota.



### AREA CALCULATIONS

Total Lot = ±9,968 Sq. Ft.  
Existing Shed = ±157 Sq. Ft.  
Existing House = ±1,264 Sq. Ft.  
Existing Garage = ±569 Sq. Ft.  
Existing Driveway = ±475 Sq. Ft.  
Existing Sidewalk = ±36 Sq. Ft.  
Total Impervious = ±2,501 Sq. Ft.  
Impervious = ±25.09%

### NOTES

- AS-BUILT SURVEY PERFORMED ON 11-07-24.
- VERTICAL DATUM BASED ON PREVIOUS SURVEY BY KURTH SURVEYING, INC.
- BEARINGS SHOWN ARE BASED ON ANOKA COUNTY NAD83/1996 ADJUSTMENT.
- FINISHED GRADE ELEVATIONS ARE TO FINISHED SURFACE WITH TURF ESTABLISHMENT.
- HOUSE IS A SLAB ON GRADE.
- SURVEY MAY NOT REFLECT ACCURATE LOCATION OF EXISTING SHED.
- SIZE AND LOCATION OF GARAGE SIDEWALK IS BASED ON MEASUREMENTS PROVIDED BY CLIENT.

### LEGEND

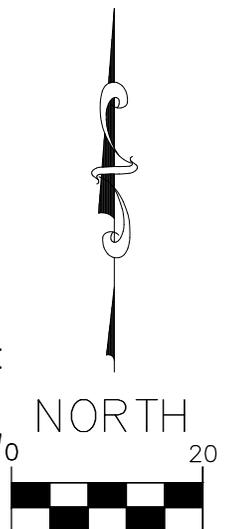
- 910.3 DENOTES PROPOSED ELEVATION
- x905.00 DENOTES EXISTING ELEVATION
- ⊠ DENOTES METAL SPIKE SET
- DENOTES IRON PIPE FOUND
- DENOTES IRON PIPE SET
- DENOTES BITUMINOUS
- ▨ DENOTES CONCRETE
- ⊙ DENOTES EXISTING WELL
- M=DENOTES MEASURED DISTANCE
- P=DENOTES RECORDED DISTANCE
- ⋯ DENOTES PROPOSED CONTOUR PER APPROVED GRADING PLAN
- SB-1 DENOTES SOIL BORING

### PROPOSED ELEVATIONS

TOP OF BLOCK = 916.0  
LOWEST FLOOR = 916.0

### EXISTING ELEVATIONS

TOP OF BLOCK = 916.4  
LOWEST FLOOR = 916.2



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.

*Lyle C. Reynolds*  
LYLE C. REYNOLDS

**JOB #24807GAB**

Date: 5/02/2025 PC Pa Reg No. 110072

**ACRE LAND SURVEYING**  
26450 Rum River Drive NW.  
Isanti, MN 55040  
763-439-2702 lr.acrelandsurvey@gmail.com