



Norwood Young America Planning Commission
Tuesday, August 1, 2017
Norwood Young America City Council Chambers, 310 Elm St. W.
6:00 p.m.

AGENDA

1. Call to Order
Pledge of Allegiance
2. Adoption of Agenda
3. Approve Minutes of July 5, 2017 meeting
4. Public Hearings
 - A. CUP Outdoor Storage in B-I District – 170 Industrial Boulevard
 - B. Variances – Minimum Lot Size, Minimum Lot Width, and Maximum Lot Coverage in C-2 General Commercial District – 125 Railroad Street E.
 - C. Rental Code Update
5. Old Business
 - A. Rental Code Update
 - B. Revised Site Plan – 600 Railroad Street W.
6. New Business
 - A. CUP Outdoor Storage in B-I District – 170 Industrial Boulevard
 - B. Variances – Minimum Lot Size, Minimum Lot Width, and Maximum Lot Coverage in C-2 General Commercial District – 125 Railroad Street E.
 - C. Special Joint Meeting – 6:30 p.m., Wednesday, September 13th with City Council, EDC, & Chamber of Commerce Board
7. Commissioner's Reports
8. Adjourn

UPCOMING MEETINGS

August 14th – City Council Meeting 6:00 p.m.
August 15th – Parks & Recreation Commission Meeting 5:30 p.m.
August 16th – EDC Meeting 6:30 p.m.
August 28th – City Council Meeting 6:00 p.m.

**Bill
Grundahl**

**JR
Hoernemann**

**Mark
Lagergren**

**Craig
Heher**
Council
Liaison

***Norwood Young America
Planning Commission Minutes
July 5, 2017***

Present: Commissioners Bill Grundahl, Mark Lagergren, and JR Hoernemann.

Absent: Cassandra Kemp and Craig Heher.

Staff: City Attorney Jay Squires, City Administrator Steve Helget, and Planning Consultant Cynthia Smith Strack.

Others: Theresa Peterman, Kevin Wollum, Elroy Latzig, Mike & Kim Eggers, Julie Schmidt, Carol Lagergren, Tim Fahey, Brenda Schmitz, Doris Mielke, Nick & Gina Rogosinski, Nate Parpart, Jean Schmitz, Eric & Kim Hawkinson, Sarah Alsleben, Matt & Chrissy Druley, Jesse Kroells, and Scott Loomis.

1. Call to Order.

The meeting was called to order by Vice Chair Grundahl at 6:00 pm. All present stood for the Pledge of Allegiance.

2. Adoption of Agenda.

Vice Chairperson Grundahl introduced the agenda.

Motion – Lagergren, second Hoernemann to approve the agenda as presented. The agenda was approved 3-0.

3. Approval of Minutes from the Regular Meeting June 6, 2017.

Grundahl introduced the minutes from the June 6, 2017 regular meeting.

Motion – Lagergren to approve June 6, 2017 regular meeting minutes. Second by Hoernemann. With all in favor the minutes were approved 3-0.

4. Public Hearings.

None.

5. Old Business.

A. Preserve 5th Addition: Rezoning and Final Plat Consideration.

Grundahl introduced the agenda item. Strack summarized rezoning and final plat approval requests. A portion of proposed Preserve 5th Addition is proposed for rezoning from P-1 Parks and Open Space to R-1 Low Density Single Family Residential. Rezoning is requested following an apparent inadvertent rezoning of private property for a public purpose. Final plat for the 37 lot development is also requested.

Strack noted the Planning Commission postponed action on a rezoning request and request for final plat approval at the June 6th meeting. Information included in this packet is similar to that included in the June packet with the following updates: Updated concept plans addressing adjustments recommended by the City Engineer; updated proposed final plat; excerpt of meeting minutes (draft) June 6th PC meeting; lot summary; revised comment letter from City Engineer dated June 20, 2017; comment letter from Carver County Water Management Organization; and, historical summary estimated market values for property abutting Preserve 5th.

Strack noted a letter notifying the Applicant of extension of the statutory 60-day review period has been mailed. She noted City Attorney Jay Squires was present at the meeting and had reviewed the development and proposes the rezoning be acted on and plat process defined. She further noted City Administrator Helget attended a meeting with the Scott Loomis and neighborhood residents and would be available to report on the meeting.

Squires summarized issues he examined as part of the request for rezoning and final plat approval. Squires examined meeting records and materials relating to rezoning of the subject property to P-1 Park and Open Space in 2007. He also examined potential options for rezoning requests and what could occur should the rezoning request be denied. Finally he examined the City's ability to control values of proposed housing.

Squires noted the record from 2007 does not demonstrate an intentional action to rezone the subject property from residential to park and open space. The minutes state that the P-1 Park and Open Space District was placed into effect as well at the same time the official map was updated. The minutes state the P-1 District was created to zone all public park and open spaces as such. The subject property at that time was not a public parcel.

Squires reported the P-1 District use standards are quite strict and limited to park uses. As such, allowed uses for the subject property which is privately owned are severely curtailed if the rezoning request is not approved. He stated curtailed uses are a concern from a regulatory perspective.

Squires stated conditions for approval of rezoning and platting must be reasonable. Squires stated assigning minimum values for new homes is questionable as the zoning standards regulate types of uses through standards such as minimum lot size, minimum setbacks, fence standards, landscaping standards and surface coverage.

Squires explained a development agreement was recorded against subject property when the preliminary plat and planned unit development plan was approved for the entire development in the early 2000's. The original development agreement required creation of covenants. As the development was finalized in separate actions covenants were recorded with each final plat again properties contained in the plat. The covenants filed with The Preserve and Preserve 2nd, 3rd, and 4th Additions are similar. The covenants promote consistency throughout the entire development.

Squires recommended the City require covenants be submitted for the proposed Preserve 5th which are substantially consistent with those approved for the previous four additions. The covenants should include minimum foundation sizes and architectural review requirements.

Lagergren asked Squires whether or not the subject property was zoned for residential purposes prior to the assignment of a P-1 classification in 2007. Squires confirmed that subject property and the entire Preserve development was zoned residential prior to 2007.

Grundahl inquired as to whether or not lot sizes were approved in 2002 with the approval of The Preserve planned unit development. Squires confirmed the entire development was approved under PUD standards in 2002. That action fixed what the developer had a right to build.

Grundahl inquired as to whether or not all lots in previous additions needed to be sold prior to finaling another addition. Squires stated there was not a requirement for all lots to be sold prior to proceeding with another addition in the Preserve.

Grundahl requested Helget provide a summary of a meeting which occurred between Scott Loomis, the Developer, and adjacent property owners.

Helget stated one item of discussion at the meeting was whether or not Loomis would consider sale of lots to persons not interested in building a dwelling on the lot. Loomis indicated he would not consider sale of lots to persons intending to retain them as vacant lots long term. Helget noted he indicated at the neighborhood meeting that vacant lots perhaps negatively impact City finances in that previous infrastructure investment is to be re-cooped as availability and trunk fees are paid in conjunction with building permit issuance. Residents inquired as to whether or not availability and trunk fees could be assessed to properties without the presence of structures. Helget stated he requested input from Squires who noted such assessments could be problematic.

Helget stated adjacent residents and Loomis also discussed park dedication at the neighborhood meeting. Park land is dedicated as each phase of The Preserve is final platted.

Also at the neighborhood meeting, residents inquired as to whether or not larger lot sizes could now be required. Helget asked Squires for input. Squires noted lot sizes were established when the planned unit development was approved in 2002 so the City could not require larger lot sizes. However, if the Developer requested larger lot sizes they could be approved.

Helget characterized the neighborhood meeting as a productive, cordial meeting.

Lagergren inquired as to the status of covenants for Preserve 5th. Helget stated that at the neighborhood meeting Loomis noted he would be open to amending proposed covenants for Preserve 5th.

Lagergren inquired about status of trail. Strack noted concrete sidewalk was proposed adjacent to Fox Crossing with a bituminous trail connecting the sidewalk to an existing improved trail segment near Prairie Dawn Park.

Grundahl provided Loomis an opportunity to address the Commission. Loomis noted the neighborhood meeting was productive.

Lagergren inquired as to status of an eagle's nest. Strack reviewed the development process: Planning Commission recommends action on rezoning and final plat, if that occurs then a development agreement is prepared. Any required permits are addressed in the Development Agreement, including those related to securing a permit from the US Fish and Wildlife Service, as needed, related to eagles nests.

Grundahl invited a spokesperson for adjacent property owners to address the Commission.

Julie Schmidt opined the neighborhood meeting was productive. She then opined 160 school aged children reside in the Preserve and existing facilities at Prairie Dawn Park don't support their needs. She opined Prairie Dawn Park Master Plan envisions more robust facilities. Schmidt referenced a fee residents paid at building permit issuance to further development Prairie Dawn Park.

Schmidt then referenced several statements included in the 2008 Comprehensive Plan. She opined such statements supported denial of the requested rezoning and final plat approval. She referenced a statement in the Comprehensive Plan favoring retaining greenspace and open space. Schmidt also referenced statements in the Comprehensive Plan supporting resource protection and infill development. She opined a statement supporting a variety of life-cycle housing supported high end houses as well as other values. She opined more move-up homes were needed in the City. Schmidt stated the

Comprehensive Plan recommends review and updating every one to five years. She questioned why the rezoning issue was not discovered at an earlier date. Schmidt opined the City has been helpful to Loomis's in the past. She suggested compliance with an existing conditional use permit on a separate Loomis property was potentially lacking. Finally, Schmidt suggested the City consider long term impact of higher valued properties as they will generate additional tax revenue.

Lagergren asked Strack to comment on the Prairie Dawn Park Master Plan. Strack noted the Master Plan includes more property than that within The Preserve development, including some property that is currently external to the corporate limits. She stated she was not able to comment on whether or not development of additional facilities at the park were included in the City's five year capital improvement plan.

Grundahl inquired as to whether or not the proposed rezoning and final plat were consistent with the Comprehensive Plan. Strack noted the Comprehensive Plan is an 'umbrella' document which guides the overall growth and redevelopment of the City. Items used to implement the Comprehensive Plan included the zoning code, subdivision code, and capital improvement plan. The Comprehensive Plan was a high level planning document. Strack opined the proposed rezoning and final plat were indeed broadly consistent with the Comprehensive Plan, including planning elements related to: park and open space preservation; natural amenity preservation; support for a variety of housing styles, types, values, and sizes; and support for infill development.

Motion – Lagergren to recommend the City Council rezone a portion of Outlot A of the Preserve 4th Addition from P-1 Park and Open Space to R-1 Low Density Single Family Residential. Second by Hoernemann. Motion carried 3:0.

Grundahl introduced the action item related to the final plat. Strack reviewed proposed conditions for approval included in her staff memo dated June 1, 2017. Strack emphasized a need for development of a developer's agreement. The following conditions are proposed:

1. Submittal of revised plans to the City for review as needed.
2. Incorporation of recommendations contained in a staff memo from the City Engineer dated June 1, 2017 and a second review memo from the City Engineer dated June 20, 2017. Incorporation of recommendations included in a memo from the Consulting Planner dated June 6, 2017.
3. Securing of necessary permits as may be required by entities external to the City of Norwood Young America.
4. Title examination by the City Attorney.
5. Execution of a Developer's Agreement and filing of necessary items as required therein.
6. Preparation of covenants by the Developer which are substantially similar to those approved with previous additions of the Preserve for review and comment by the City.

Motion – Lagergren to recommend the City Council approve a final plat for The Preserve 5th Addition subject to aforementioned conditions. Second by Hoernemann. Motion carried 3:0.

B. Rental Code Update.

Grundahl introduced the agenda item.

Strack noted the Planning Commission has been reviewing rental code standards for several months. At the May meeting the Commission requested the City Attorney review Subdivision 14 of the proposed ordinance relating to a disorderly conduct provision. The Commission specifically requested the section be simplified and a management plan be required in the event to disorderly conduct violations occurred within a one year period.

The Commission reviewed the proposed text noting statutory references remained but were simplified.

Grundahl inquired as to whether or not tenant registration was required. Strack noted a current tenant list had to be on file with the landlord and available for examination by the City at any time. Tenants did not need to register with the City.

Motion – Lagergren to call for a public hearing on the draft rental code at the August 1, 2017 meeting. Second by Hoernemann. Motion carried 3:0.

6. New Business.

A. Consideration of Single Family Residences in the C-2 General Commercial District.

Grundahl introduced the agenda item. Strack noted Tim Fahey requests the Commission consider whether or not an ordinance amendment to allow single family dwellings in the C-2 General Commercial District could be entertained.

Strack noted this was to be a conceptual discussion and not a discussion related to a specific property. Strack noted there are currently six homesteaded dwellings within the C-2 District. They are legal nonconforming uses. A seventh property was owned by the School District and, although it looks like a dwelling, it was used for educational purposes as opposed to a residence.

Fahey spoke specifically about the property at 515 Morse Street. He distributed a marketing flyer indicating the property was for sale and zoned for commercial use. He opined several other commercial properties are available for sale. He stated the property has been marketed for one year and only interested parties are potential home owners as opposed to commercial property owners.

Strack reminded Commissioners the discussion is intended to be conceptual and not related to a specific property.

Nick Rogosienksi addressed the Commission acknowledging the discussion was to be about the potential to allow single family homestead residential uses in the general commercial district. He opined he was interested in purchasing property within the C-2 District for homestead residential purposes. If that was not allowable he noted he could live elsewhere. He requested the Commission consider an exception to existing standards for the property at 515 Morse Street or re-assign legal nonconforming status.

Lagergren requested input from Attorney Squires. Squires stated legal nonconforming use rights are lost when the property use is changed or vacant for a specified period of time. Restoration of legal

nonconforming use status is not lawful. Squires stated a variance to allow for a use of property, in this case allow a residential use where it is not permitted under code, is not lawful. Squires stated rezoning would be problematic as it would result in an instance of spot-zoning a small parcel to an alternate residential use when it is completely surrounded by a commercial use. Squires opined that sometimes the law doesn't allow the Commission to do something, even if good people are involved. He noted the only option would be to update the Code to allow single family homestead residential throughout the C-2 District. He noted Fahey previously stated several commercial properties were for sale and that if the Code was amended to allow residences in C-2 all of those properties could be converted to dwellings.

Lagergren asked Squires to clarify spot zoning. Squires compared spot zoning to a donut hole and noted it was inconsistent with the basic premise of zoning which is to separate uses by type and intensity.

Grundahl inquired as to whether or not residential uses above street level were allowed in the C-2 District. Strack confirmed and noted to Rogosienski that the EDC could possibly have assistance programs available to help convert the property to a two level facility.

Fahey opined the zoning code is too rigid and the property at 515 Morse is a house and not a business. Grundahl stated the structure was a house. Fahey opined further about onerous zoning regulations.

6. Commissioner Reports.

Hoernemann reported senior housing is working well.

Lagergren inquired as to whether or not a site plan for Steve Curfman at 600 Railroad Street would be back before the Commission. Strack confirmed.

Grundahl reported work on restrooms as authorized by the City Council was quickly advancing.

7. Adjourn

Motion – Hoernemann, Second Lagergren, with all in favor the meeting adjourned at 7:30 p.m.

Respectfully submitted,

Steven Helget
Zoning Administrator



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Strack Consulting LLC

Date: August 1, 2017

Re: Public Hearing: CUP Outdoor Storage in B-I District – 170 Industrial Boulevard

Applicants: Citizens State Bank (Property Owner)
Paul Jeurissen (Prospective Property Owner)

Subject Property Address: 170 Industrial Boulevard

Legal Description: S 220' of Lot 3, Block 003 As Meas At RT Angles To S Line of Lot 3, Young America Industrial Park

Property ID: 588500110

Zoning Class: B-I Business Industrial District

Request: A conditional use permit to allow outdoor storage as an accessory use

Background

A conditional use permit application and sketch have submitted for review by the City of Norwood Young America in conjunction with proposed outdoor storage of boat lifts and canopies as an accessory use at 170 Industrial Boulevard. The application materials and a map of the site are attached for consideration/information.

A conditional use permit is required under §1230.11, Subd. 4 of the City Code which provides for the proposed accessory outdoor storage use in the B-I Business Industrial District.

The Applicants (i.e. Property Owner and Prospective Property Owner) propose accessory storage in conjunction with a contractor yard which is a permitted use under §1230.11, Subd. 2(B) of the Code. In addition to the outdoor storage the Applicant notes he plans at some point in the future removal of the greenhouse structure and replacement with a permanent structure. It is noted that such activity will require a building permit with zoning review.

The Applicants represent:

- The principal use of the property is a contractor yard with accessory retail, permitted uses in the B-1 District.
- Approximately ten (10) percent totaling of the area of the principal structure, approximately 400 square feet, will be used for retail purposes. The remaining will be used for contractor operations and warehousing.

- There will be one to three employees at the site with two likely being seasonal employees.
- The proposed accessory use is outdoor storage of boat lifts and canopies. A display of docks and a maximum of five (5) boat lifts will be stored on the improved surface west of the principal structure.
- A maximum of twenty (20) lifts and a maximum of six (6) canopy frames and a dock display will be stored on the east side of the principal structure, external to (east of) an existing screening fence. The canopy frames will be frame material only and void of fabric, vinyl, or similar material.
- No structural changes to the principal structure are proposed.
- Used vehicles for sale are to occupy a portion of the parking lot in the front of the building. Additional overflow parking for used vehicle display sales may be stored in the rear (gravel) parking area.

Hearing Requirements

A public hearing notice has been drafted, published, and distributed to property owners within 350 feet of the subject parcel.

Comments Received

As of the drafting of this memo no comments were received.

Examination of Code Requirements

NYA City Code requirements applicable to this Conditional Use Permit Request are itemized below; consulting staff comments are illustrated in **red bold, italic type face**.

1210.06 (B) Specific Standards for Outdoor Storage

Conditions for outdoor storage yards are prescribed under Section 1210.06(B) of the Code. Specifically the standards require:

1. All outdoor storage yards shall be completely screened from roads or developed areas with a solid fence or wall 6 feet or more in height, maintained in good condition, and screened with suitable planting. ***It is noted a large wetland exists to the east and north of the subject parcel. The wetland is zoned for residential use, however, the natural area is subject to protection under the Wetland Conservation Act and, therefore, unlikely to be used for residential purposes. Lot perimeter screening exists at this time. The Commission should discuss the need for required screening of storage areas from the north and east property line (trail users).***
2. No un-screened outdoor storage yards established after the effective date of this Chapter shall be located closer than 500 feet to existing State and Federal roads, nor closer than 100 feet to any other City streets. ***The subject property is greater than 500 feet from a state or federal roadway. A 20-foot landscaped screening area exists adjacent to Industrial Boulevard. The Commission should discuss whether or not the existing landscaping is sufficient for screening of proposed outdoor storage adjacent to Industrial Boulevard.***

1210.07 Interim Use Permits Conditions for Approval.

IUP's must meet Requirements of 1210.06, Subd. 3(B)(16): General Criteria for Approval of Conditional Use Permits.

1. The use is consistent with goals, policies and objectives of the Comprehensive Plan. ***DISCUSSION: The existing and future use are consistent with the Comprehensive Plan.***
2. The use is consistent with the intent of this Ordinance. ***DISCUSSION: The proposed use is an allowed as a conditional use in the B-I District.***

3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements. **DISCUSSION: The proposed outdoor storage will not impact government facilities, utilities, services, or existing improvements. No changes to the existing lot, structure, or parking facility are proposed.**
4. The use does not have an undue adverse impact on the public health, safety or welfare. **DISCUSSION: No changes to the existing property, structure, or parking facility are proposed.**
5. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. **DISCUSSION: No changes to the existing property, structure, or parking facility are proposed.**
6. The use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. **DISCUSSION: The proposed outdoor storage will not impede orderly development and improvement of surrounding properties.**
7. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided. **DISCUSSION: No changes to the existing property, structure, or parking facility are proposed.**
8. Adequate measures have been or will be taken to provide for vehicular and pedestrian safety and convenience to, from and within the site. **DISCUSSION: No changes to the existing property, structure, or parking facility are proposed.**
9. The use meets all of the performance criteria requirements as established in Section 1245.01 of this chapter. **DISCUSSION: No new construction is contemplated at this time.**
10. The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. **DISCUSSION: No new construction is contemplated.**

Conditions of Approval

If approval of the conditional use permit is recommended to the City Council, staff recommends the following conditions be included with the approval, these conditions may be subject to modification depending upon the outcome at the Planning Commission meeting:

1. The approved accessory use for outdoor storage of boat lifts and canopies is applicable to the property at 170 Industrial Boulevard.
2. Items stored outdoors at the site shall be limited to boat lifts and boat canopy frames.
3. A maximum of four (4) boat lifts may be displayed for sale at one time west of the existing principal structure on an improved parking surface.
4. A maximum of eight (8) boat lifts and a maximum of ten (10) canopy frames may be stored on the east side of the principal structure, external to (east of) an existing screening fence. The canopy frames will be frame material only and void of fabric, vinyl, or similar material
5. At least three (3) parking spaces in the parking lot in front of the building shall be reserved for customer and employee parking.
6. **The Commission may wish to discuss the need to require screening of storage from the north and east property line (trail users).**

7. Any signage shall require issuance of a sign permit.
8. Any changes to outdoor lighting shall require approval from the City.
9. This approval shall expire one year after date of approval unless the Applicants have commenced operation of the use on-site.
10. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
11. The permit shall be subject to annual inspection and audit by the City.
12. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance.
13. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than 12 consecutive months.

Action

The Planning Commission is to hold a public hearing on the request. Following the hearing and Commissioner review and discussion, a MOTION to the Council to approve/deny the conditional use permit is in order.

Planning and Zoning Application

City of Norwood Young America
310 Elm St. W, PO Box 59
Norwood Young America, MN 55368
Phone: (952) 467-1800 Fax: (952) 467-1818

Applicant's Name <u>Paul Jeunissen</u>		Telephone <u>612-718-5251</u> Home Work/Cell				
Address (Street, City, State, ZIP) <u>170 170 Industrial Blvd Norwood Young America, MN 55368</u>						
Property Owner's Name (If different from above) <u>Citizens State Bank NYA</u>		Telephone Home <u>952-467-3000</u> Work/Cell				
Location of Project <u>170 Industrial Blvd NYA</u>						
Legal Description <u>S 220' of Lot 3 BLK 3 AS meas At RT Angles TO S line of Lot 3</u>						
Description of Request (Attach separate sheet, if necessary) <u>Display of Shoreside But L Fr & Comp</u>						
<p style="text-align: center;">Proposed Action(s): Check all that apply</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;"> <input type="checkbox"/> Annexation \$300.00 <input type="checkbox"/> Application for Appeal \$150.00 <input type="checkbox"/> City Code Amendment \$250.00 <input type="checkbox"/> Parking Reduction \$100.00 <input type="checkbox"/> CUP/IUP \$200.00 (Residential) <input checked="" type="checkbox"/> CUP/IUP \$300.00 (Non Residential) <input type="checkbox"/> Variance \$200.00 (Residential) <input type="checkbox"/> Variance \$300.00 (Non Residential) <input type="checkbox"/> Lot Split \$200.00 <input checked="" type="checkbox"/> Public Hearing Notice \$75.00 </td> <td style="width: 33%; vertical-align: top;"> <input type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow <input type="checkbox"/> Sketch Plat \$200.00 + Escrow <input type="checkbox"/> Site Plan \$300.00 + Escrow <input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow <input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow <input type="checkbox"/> PUD Final Plan \$300.00 + Escrow <input type="checkbox"/> PUD Gen. Concept Plan \$400.00 + Escrow <input type="checkbox"/> Prelim Plat \$350.00 + \$10.00/Lot + Escrow <input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow <input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow </td> <td style="width: 33%; vertical-align: top;"> <input type="checkbox"/> Storm Water Plan \$250.00 <input type="checkbox"/> Rezoning \$350.00 <input type="checkbox"/> Street/Alley Vacation \$150.00 <input type="checkbox"/> Zoning Text Amendment \$300.00 <input checked="" type="checkbox"/> Recording Fee \$46.00 <input type="checkbox"/> Boundary Line Adjustment \$100.00 <input type="checkbox"/> Other _____ </td> </tr> </table>				<input type="checkbox"/> Annexation \$300.00 <input type="checkbox"/> Application for Appeal \$150.00 <input type="checkbox"/> City Code Amendment \$250.00 <input type="checkbox"/> Parking Reduction \$100.00 <input type="checkbox"/> CUP/IUP \$200.00 (Residential) <input checked="" type="checkbox"/> CUP/IUP \$300.00 (Non Residential) <input type="checkbox"/> Variance \$200.00 (Residential) <input type="checkbox"/> Variance \$300.00 (Non Residential) <input type="checkbox"/> Lot Split \$200.00 <input checked="" type="checkbox"/> Public Hearing Notice \$75.00	<input type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow <input type="checkbox"/> Sketch Plat \$200.00 + Escrow <input type="checkbox"/> Site Plan \$300.00 + Escrow <input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow <input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow <input type="checkbox"/> PUD Final Plan \$300.00 + Escrow <input type="checkbox"/> PUD Gen. Concept Plan \$400.00 + Escrow <input type="checkbox"/> Prelim Plat \$350.00 + \$10.00/Lot + Escrow <input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow <input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow	<input type="checkbox"/> Storm Water Plan \$250.00 <input type="checkbox"/> Rezoning \$350.00 <input type="checkbox"/> Street/Alley Vacation \$150.00 <input type="checkbox"/> Zoning Text Amendment \$300.00 <input checked="" type="checkbox"/> Recording Fee \$46.00 <input type="checkbox"/> Boundary Line Adjustment \$100.00 <input type="checkbox"/> Other _____
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<p>ALL ESCROW MUST BE PAID BY CERTIFIED CHECK</p> <p>Escrow Deposit \$2,000.00</p> <p>Escrow Deposit - Site Plan Review: \$15,000 (Tacoma West Industrial Park), \$5,000.00 (All other site plan reviews)</p> <p>Escrow Deposit - Development Review (paid at Sketch Plan): \$10,000.00</p> <p style="text-align: right; margin-right: 50px;"><u>9421</u></p> <p>ALL PLANNING & ZONING APPLICATION FEES ARE IN ADDITION TO LEGAL, ENGINEERING AND ASSOCIATED COSTS.</p> <p style="text-align: center;">*APPLICATIONS WILL BE PROCESSED ONLY IF ALL REQUIRED ITEMS ARE SUBMITTED*</p>						
The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of Chapter 11 and Chapter 12 of the City Code and other applicable ordinances.						
Applicant's Signature: <u>Paul Jeunissen</u>		Date <u>7-11-17</u>				
Fee Owner's Signature: <u>Citizens State Bank NYA</u> <u>By: Perry Foster Pres./CEO</u>		Date <u>7-11-17</u>				
For Office Use Only						
Accepted By:	Amount	Date				

Property Card**Parcel ID Number**

8500110

Taxpayer InformationTaxpayer Name
CITIZENS STATE BANKMailing Address
PO BOX 789
NYA, MN 55368-0789**Property Address**Address
170 INDUSTRIAL BLVD
City
NORWOOD YOUNG AMERIC, MN**Parcel Information**

Uses	Commercial	GIS Acres	1.76	Net Acres
		Deeded Acres	1.77	
		Plat	YOUNG AMERICA INDUSTRIAL PARK	
		Lot	003	
		Block	003	

Tax Description S 220' OF LOT 3 BLK 3 AS MEAS AT RT ANGLES TO S LINE OF LOT 3 OLD # 95.5500080

Building Information

Building Style	Above Grade Finished Sq Ft	Bedrooms
Year Built	Garage	

Miscellaneous Information

School District 0108	Watershed District WS 067 CARVER CO WMO	Homestead N	Green Acres N	Ag Preserve N
-------------------------	--	----------------	------------------	------------------

Assessor Information

Estimated Market Value	2016 Values (Payable 2017)	2017 Values (Payable 2018)	Last Sale	
Land	\$118,800.00	\$124,700.00	Date of Sale	12/21/2004
Building	\$233,700.00	\$282,500.00	Sale Value	\$48,574.00
Total	\$352,500.00	\$407,200.00		

The data provided herewith is for reference purposes only. This data is not suitable for legal, engineering, surveying or other similar purposes. Carver County does not guarantee the accuracy of the information contained herein. This data is furnished on an 'as is' basis and Carver County makes no representations or warranties, either expressed or implied, for the merchantability or fitness of the information provided for any purpose. This disclaimer is provided pursuant to Minnesota Statutes §466.03 and the user of the data provided herein acknowledges that Carver County shall not be liable for any damages, and by using this data in any way expressly waives all claims, and agrees to defend, indemnify, and hold harmless Carver County, its officials, officers, agents, employees, etc. from any and all claims brought by anyone who uses the information provided for herein, its employees or agents, or third parties which arise out of user's access. By acceptance of this data, the user agrees not to transmit this data or provide access to it or any part of it to another party unless the user includes with the data a copy of this disclaimer.



Property Map



*Lot Dimensions are Estimated

Building 1 of 2

Characteristics

Lot Acres:	1.77	Total Building Sq Ft:	17,220
Lot Sq Ft:	77,101	First Floor Sq Ft:	8,960
Land Use - County:	Commercial	Above Grade Sq Ft:	4,200
Land Use - CoreLogic:	Store Building	Exterior:	Shingle Siding
Building Type:	Store	Cooling Type:	Wall/Window Unit
Year Built:	2005	Heat Type:	Forced Air
Finished Sq Ft:	8,960		

Features

Building Description	Building Size
Building Size	4,900

Building 2 of 2

Characteristics

Lot Acres:	1.77	Finished Sq Ft:	8,260
Lot Sq Ft:	77,101	Total Building Sq Ft:	17,220
Land Use - County:	Commercial	First Floor Sq Ft:	8,260
Land Use - CoreLogic:	Store Building	Above Grade Sq Ft:	3,360
Building Type:	Other	Exterior:	Shingle Siding
Year Built:	2005	Quality:	Poor

Courtesy of Brenda Schmitz, NorthstarMLS

The data within this report is compiled by CoreLogic from public and private sources. The data is deemed reliable, but is not guaranteed. The accuracy of the data contained herein can be independently verified by the recipient of this report with the applicable county or municipality.

Property Detail

Generated on 07/10/2017

Page 3 of 3



Carver County GIS, 2014 Pictometry International

This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 7/13/2017



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: August 1, 2017

Re: Public Hearing: Variances Minimum Lot Size, Minimum Lot Width, and Maximum Site Coverage in the C-2 General Commercial District– 125 Railroad Street East (Steve Curfman)

Applicant: Steve Curfman, d.b.a. Curfman Trucking & Repair Inc.

Subject Address: 119 & 125 Railroad Street East

Legal Description: See Attached

Property ID: 580140750

Zoning Class: C-2 General Commercial

Request: Variances to Section 1230.09, Subd. 6 pertaining to minimum lot size, minimum lot width, and maximum site coverage in the C-2 General Commercial District. If approved will enable split of two non-contiguous lots currently subject to one legal description and one parcel number.



Representative: Steve Curfman

Attachments: Application
Survey
Site Map
Description of Common Wall

BACKGROUND

The Applicant proposes the split of existing, developed, non-contiguous lots currently combined under one legal description and one parcel number. A certificate of survey illustrating a proposed lot split is attached.

Proposed resulting Parcel 1 (119 Railroad Street East) is existing legal non-conforming relative to lot coverage and setbacks. Proposed resulting Parcel 2 (125 Railroad Street East) is legal non-conforming relative to setbacks.

Section 1100.11, Subd.1 of the Code provides for simple lot divisions, providing:

Subd. 1 Simple Lot Division. *A lot may be divided without having to comply with the requirements of this Ordinance, following a public hearing in accordance with established procedures, provided the resultant lots are easily described (e.g. N ½ and S ½) comply with the dimensional requirements of Chapter 12, Zoning and are generally consistent in size with other lots in the immediate vicinity.*

Lots resulting from the simple division will not achieve several performance standards under Chapter 1230.09, Subd. 6 of the Code as follows:

Proposed resulting Parcel 1 (western non-contiguous lot – 119 Railroad Street East):

Standard	Required	Existing
Minimum Lot Width	200'	84'
Minimum Lot Area	20,000 sf	4,962 sf
Maximum Site Coverage	80%	85%
Setbacks (Front, Rear, Side, Side)	25', 20', 5', 5'	5', 0', 4', 0'

It is noted resulting Parcel 1 shares a building wall with an adjacent structure under separate ownership, legal description, and parcel number. The Applicant has submitted a written description of the shared wall to the City. The description is attached.

Proposed resulting Parcel 2 (eastern non-contiguous lot – 125 Railroad Street East):

Standard	Required	Existing
Minimum Lot Area	20,000 sf	18,295 sf
Maximum Site Coverage	80%	85%
Setbacks (Front, Rear, Side, Side)	25', 20', 5', 25'	0', 0', 140', 290'

The City Attorney has indicated variances to required performance standards are required prior to consideration of simple lot split approval.

Hearing Requirements

A public hearing notice has been drafted, published, and distributed to property owners within 350 feet of the subject parcel.

Comments Received

As of the drafting of this memo no comments were received.

EXAMINATION OF CODE REQUIREMENTS: REAR YARD SETBACK VARIANCE

Section 1210.04 of the City Code pertains to issuance of variances.

A variance from the literal provisions of the Code may be approved where strict enforcement would cause practical difficulties. Practical difficulties when used in connection with the granting of a variance means:

1. The property owner proposes to use the property in a reasonable manner not permitted by the Code.
2. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.
3. The variance, if granted will not alter the essential character of the locality.

Variances to allowable uses of property are not allowed, variances to performance standards such as setbacks may be considered. Economic considerations alone do not constitute a practical difficulty.

Potential Findings Supporting Variance Issuance

- The property exists as two non-contiguous improved and developed lots.
- The variance is not for the use of the property.
- The existing lots are of slight depth due to location between a public right of way (Railroad Street) and the TC&W Railway.
- The properties while subject to one legal description and one property number function as completely different parcels.

Potential Findings Opposing Variance Issuance

- The parcels were combined at some point in the past and the intervening parcel sold off resulting in the creation of two non-contiguous properties by the subject property owner.
- The fact the parcels are non-contiguous does not constitute a circumstance unique to the physical dimensions of the property, existing environmental conditions, or topographic limitations.
- The desire of the property owner to sell the parcels individually relates to an economic condition; economic conditions cannot be sole reason for granting a variance.

Recommendation:

Staff is withholding a recommendation. Should the Planning Commission contemplate recommending approval, staff recommends said approval be contingent on the following:

1. The variance is applicable to Parcel Number 580140750.
2. No further intensification of existing non-conformities related to required setbacks, minimum lot size, minimum lot width, or maximum site coverage is allowed for either resultant parcel.
3. Uses for both resultant parcels shall be contained within and confined completely to private property.
4. Variance approval will expire one (1) year from the date of approval if the property split is not recorded at the Carver County Recorder's Office.

ACTION

The PC shall hold one public hearing regarding the proposed variances and lot split.

During the business portion of the meeting the PC shall consider variance and simple lot split request. A separate and independent MOTION to recommend the Council to approve/deny each item is in order.

CERTIFICATE OF SURVEY

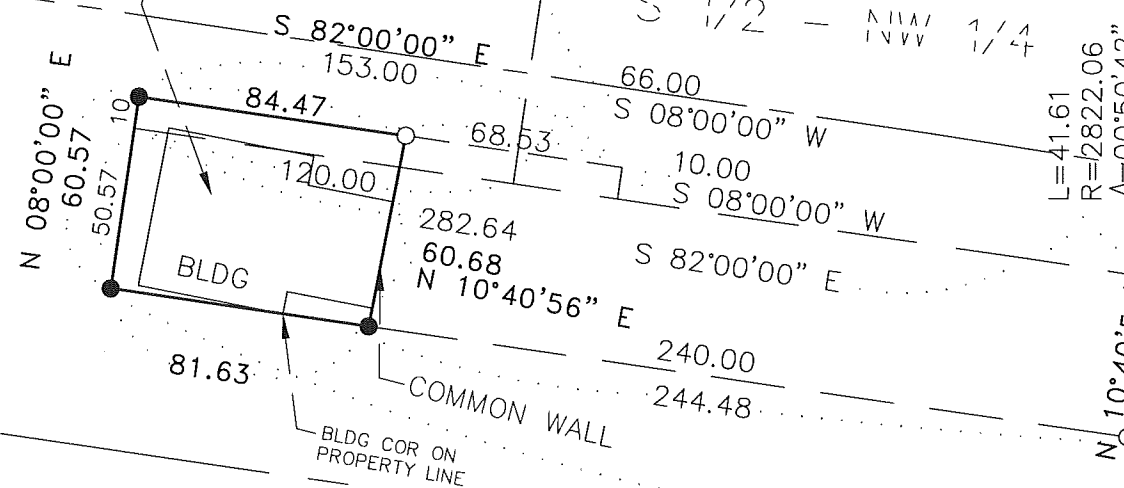
TRACT 2 DESCRIPTION OF RECORD

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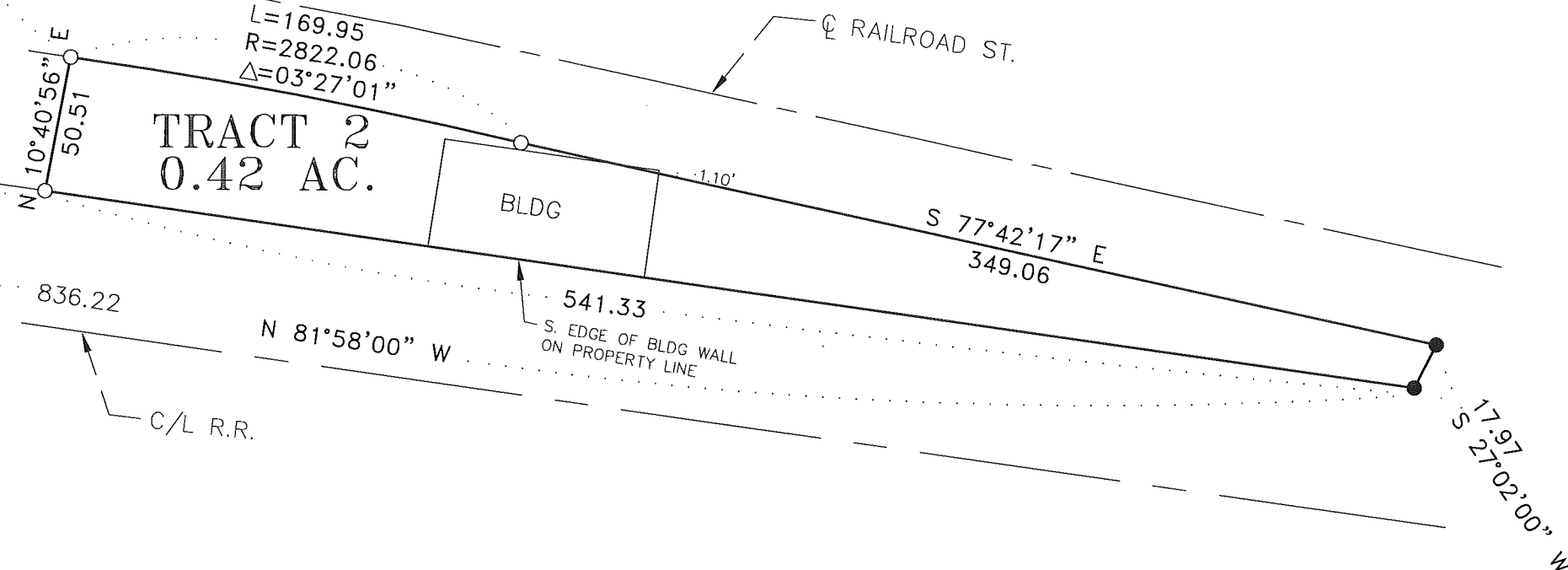
TRACT 1 0.11 AC.

W. LINE OF BLOCK 18
VILLAGE OF NORWOOD

S 1/2 - NW 1/4



TRACT 2 0.42 AC.



TRACT 1 DESCRIPTION OF RECORD

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That part of the Southerly 10.00 feet of Railroad Street, now vacated, lying between extensions across it of lines 33.00 feet Easterly of and 120.00 feet Westerly of, measured at a right angle to and parallel with the Easterly line of Block 18, Village of Norwood and its Addition, according to the recorded plat thereof.

Which lies Westerly of the following described line and its extensions: Beginning at a point on the Southerly line of the above described property distant 81.63 feet Easterly from the Southwest corner of said above described property; thence North 10 degrees 41 minutes 54 seconds East a distance of 60.68 feet to the Northerly line of the Southerly 10.00 feet of said Railroad Street; and said line there terminating.

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.

AVERY GROCHOW, LS

DATE 6/7/17

REVISED: 7/13/17

REGISTRATION NO. 15475

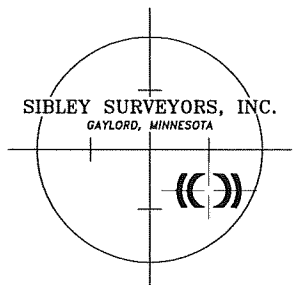
LAND SURVEY FOR
STEVE CURFMAN
PART OF S 1/2 - NW 1/4
SEC. 14, T115, R26 YOUNG AMERICA TOWNSHIP
CARVER COUNTY, MINNESOTA

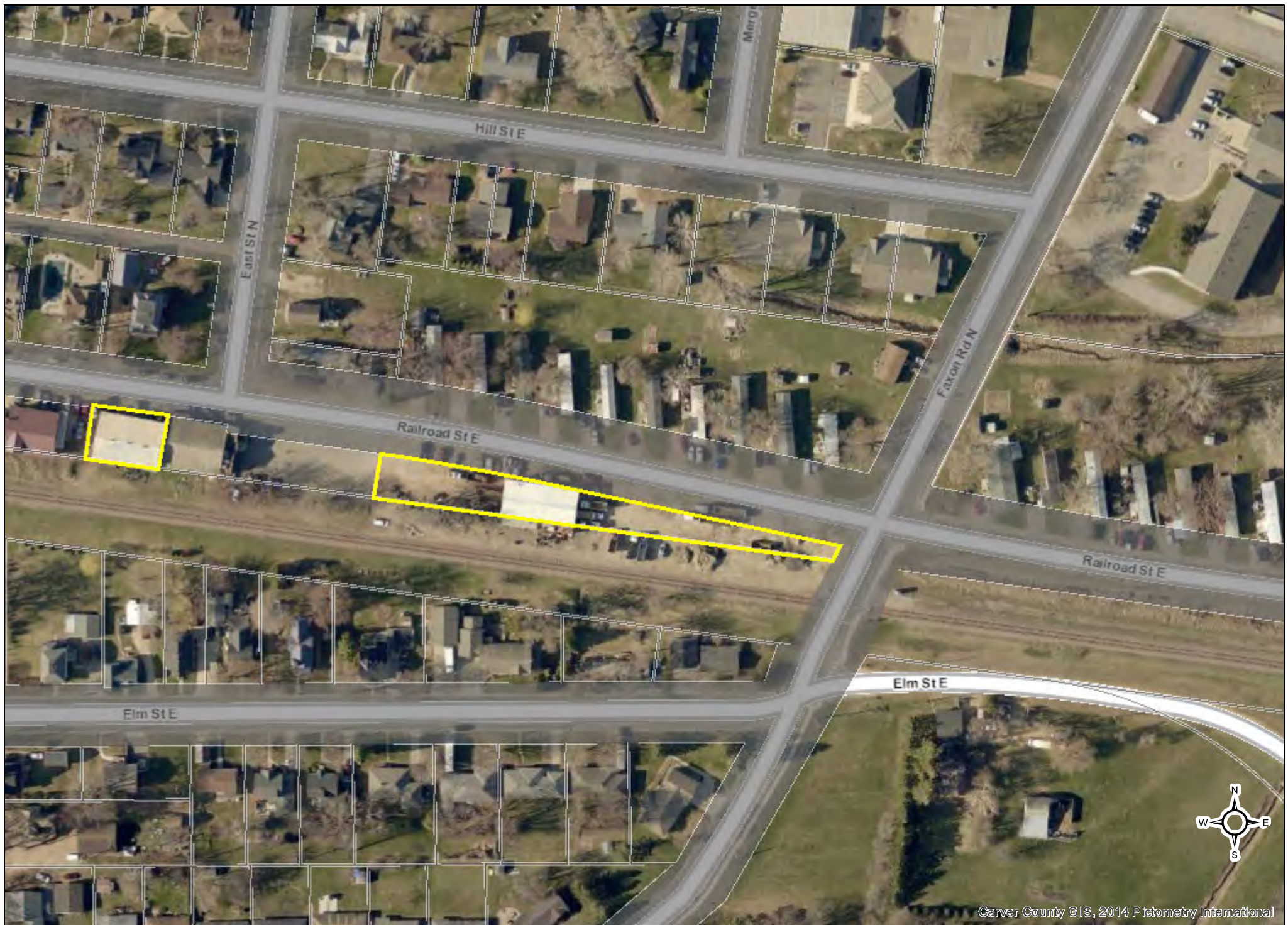
- ⊙ DENOTES CARVER CO. MONUMENT
- DENOTES IRON PIPE FOUND
- DENOTES IRON PIPE SET BY RLS NO. 15475

SCALE: 1 INCH = 60 FEET

Jun., 2017

FILE NO. 2560





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Map Date: 7/22/2017

Planning and Zoning Application

City of Norwood Young America
310 Elm St. W, PO Box 59
Norwood Young America, MN 55368
Phone: (952) 467-1800 Fax: (952) 467-1818

Applicant's Name Steve Curfman		Telephone Home Work/Cell 952-292-5609																														
Address (Street, City, State, ZIP) 124 W Railroad St P.O. Box 179 NYA MN 55368																																
Property Owner's Name (If different from above)		Telephone Home Work/Cell																														
Location of Project NYA Railroad St 125 & 119 E Railroad St																																
Legal Description Attach																																
Description of Request (Attach separate sheet, if necessary) Variance's: Requesting will be minimum lot size minimum lot with/structural set back/and maximum site coverage in the C-2 general commercial district. Also: lot split 119 E Railroad From 125 E Railroad St																																
<p>Proposed Action(s): Check all that apply</p> <table border="0"> <tr> <td><input type="checkbox"/> Annexation \$300.00</td> <td><input type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow</td> <td><input type="checkbox"/> Storm Water Plan \$250.00</td> </tr> <tr> <td><input type="checkbox"/> Application for Appeal \$150.00</td> <td><input type="checkbox"/> Sketch Plat \$200.00 + Escrow</td> <td><input type="checkbox"/> Rezoning \$350.00</td> </tr> <tr> <td><input type="checkbox"/> City Code Amendment \$250.00</td> <td><input type="checkbox"/> Site Plan \$300.00 + Escrow</td> <td><input type="checkbox"/> Street/Alley Vacation \$150.00</td> </tr> <tr> <td><input type="checkbox"/> Parking Reduction \$100.00</td> <td><input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow</td> <td><input type="checkbox"/> Zoning Text Amendment \$300.00</td> </tr> <tr> <td><input type="checkbox"/> CUP/IUP \$200.00 (Residential)</td> <td><input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow</td> <td><input checked="" type="checkbox"/> Recording Fee \$46.00</td> </tr> <tr> <td><input type="checkbox"/> CUP/IUP \$300.00 (Non Residential)</td> <td><input type="checkbox"/> PUD Final Plan \$300.00 + Escrow</td> <td><input type="checkbox"/> Boundary Line Adjustment \$100.00</td> </tr> <tr> <td><input type="checkbox"/> Variance \$200.00 (Residential)</td> <td><input type="checkbox"/> PUD Gen. Concept Plan \$400.00 + Escrow</td> <td><input type="checkbox"/> Other _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Variance \$300.00 (Non Residential)</td> <td><input type="checkbox"/> Prelim Plat \$350.00 + \$10.00/Lot + Escrow</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Lot Split \$200.00</td> <td><input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Public Hearing Notice \$75.00</td> <td><input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow</td> <td></td> </tr> </table>			<input type="checkbox"/> Annexation \$300.00	<input type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow	<input type="checkbox"/> Storm Water Plan \$250.00	<input type="checkbox"/> Application for Appeal \$150.00	<input type="checkbox"/> Sketch Plat \$200.00 + Escrow	<input type="checkbox"/> Rezoning \$350.00	<input type="checkbox"/> City Code Amendment \$250.00	<input type="checkbox"/> Site Plan \$300.00 + Escrow	<input type="checkbox"/> Street/Alley Vacation \$150.00	<input type="checkbox"/> Parking Reduction \$100.00	<input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow	<input type="checkbox"/> Zoning Text Amendment \$300.00	<input type="checkbox"/> CUP/IUP \$200.00 (Residential)	<input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow	<input checked="" type="checkbox"/> Recording Fee \$46.00	<input type="checkbox"/> CUP/IUP \$300.00 (Non Residential)	<input type="checkbox"/> PUD Final Plan \$300.00 + Escrow	<input type="checkbox"/> Boundary Line Adjustment \$100.00	<input type="checkbox"/> Variance \$200.00 (Residential)	<input type="checkbox"/> PUD Gen. Concept Plan \$400.00 + Escrow	<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Variance \$300.00 (Non Residential)	<input type="checkbox"/> Prelim Plat \$350.00 + \$10.00/Lot + Escrow		<input checked="" type="checkbox"/> Lot Split \$200.00	<input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow		<input checked="" type="checkbox"/> Public Hearing Notice \$75.00	<input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow	
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<p>ALL ESCROW MUST BE PAID BY CERTIFIED CHECK</p> <p>Escrow Deposit \$2,000.00</p> <p>Escrow Deposit - Site Plan Review: \$15,000 (Tacoma West Industrial Park), \$5,000.00 (All other site plan reviews)</p> <p>Escrow Deposit - Development Review (paid at Sketch Plan): \$10,000.00</p>																																
<p>ALL PLANNING & ZONING APPLICATION FEES ARE IN ADDITION TO LEGAL, ENGINEERING AND ASSOCIATED COSTS.</p>																																
<p>*APPLICATIONS WILL BE PROCESSED ONLY IF ALL REQUIRED ITEMS ARE SUBMITTED*</p>																																
<p>The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of Chapter 11 and Chapter 12 of the City Code and other applicable ordinances.</p>																																
Applicant's Signature: Diversified Plumbing Heating <i>[Signature]</i>		Date 6/13/17																														
Fee Owner's Signature: <i>[Signature]</i>		Date 6/13/17																														
For Office Use Only																																
Accepted By:	Amount \$621.00	Date																														

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7/11/17

Cynthia Smith-Strack

City of Norwood-Young America

Regards of common fire wall between Central Auto Inc and Midtown Family Restaurant

Central Auto Inc

119 E Railroad St

Nya, MN 55368

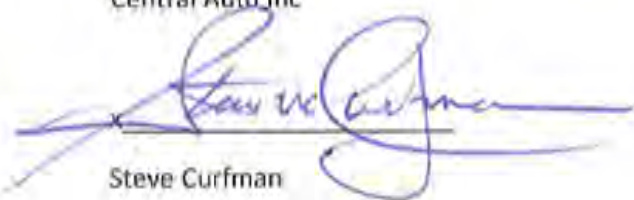
Midtown Family Restaurant

123 E Railroad St

Nya, MN 55368

The wall build code/concrete block through basement and main floor continues up to the roof above the roof line 3 feet. There are no doors on firewall.

Central Auto Inc



Steve Curfman

Midtown Family Restaurant



x Jim Richter



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: August 1, 2017

Re: Public Hearing: Rental Housing Code Update

BACKGROUND

The Commission has been reviewing the rental code since September 2016. At the July meeting the PC called for a public hearing on an ordinance to repeal and replace the rental code.

The proposed text is attached. Please note proposed changes include:

1. Language included in the 'scope' related to "direct family members" has been removed.
2. A reference to 'overcrowding' as a 'nuisance' has been removed.
3. A definition of 'occupant' has been removed.
4. Miscellaneous references to various codes have been updated.
5. Rental licenses are proposed to be in effect for three rather than two years
6. References to "Building Official" changed to "Code Official".
7. The definition of 'rent' was updated by removing the last sentence.
8. Subd. 10, Section 350.03 relating to tenant registry is proposed new language.
9. Subd. 14, Section 350.04 relating to disorderly conduct is proposed new language.

ACTION

The Commission is to hold the public hearing and make a recommendation to the City Council regarding the draft Ordinance.

ATTACHMENTS

- Draft rental code
- Draft management plan

**CITY OF NORWOOD YOUNG AMERICA
ORDINANCE NO. _____**

**AN ORDINANCE REPEALING AND REPLACING SECTION 350 OF THE
CITY CODE RELATING TO RENTAL LICENSES**

- I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA HEREBY ORDAINS:**
- II. SECTION 350 OF THE NORWOOD YOUNG AMERICA CITY CODE IS HEREBY REPEALED AND REPLACED.**
- III. THE REPLACEMENT TEXT SHALL BE AS ILLUSTRATED IN EXHIBIT A, ATTACHED HERETO.**
- IV. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.**

Adopted by the City of Norwood Young America on the ____ day of _____, 2017.

Attest:

Carol Lagergren, Mayor

Kelly Hayes, City Clerk

Adopted:

Published:

EXHIBIT A
ORDINANCE NO. __



EXHIBIT A: ORDINANCE __

Section 350 – Rental Housing Licensing

350.01 Purpose and Scope.

Subd. 1 Purpose. The purpose of this ordinance is to provide minimum standards to safeguard life or limb, health, and public welfare by regulating and controlling the use and occupancy, maintenance and repair of all buildings and structures within the City used for the purpose of rental housing. The purpose of this ordinance is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this ordinance. *(Amended by Ord.161, 9/27/04)*

Subd. 2 Scope. The provisions of this ordinance shall apply to all buildings or portions thereof used, or designed or intended to be rented, leased, or let for human habitation. All provisions of this ordinance shall apply to dwellings in existence at the time of adoption of this ordinance. Rest homes, convalescent homes, nursing homes, hotels, and motels, ~~and units rented, let or leased to direct family members of the property owner~~ are exempt from the provisions of this ordinance. *(Amended by Ord.184, 7/10/2006)*

Subd. 3 Application to Existing Buildings. Additions, alterations or repairs, shall be done in compliance with the Building, Fire, Plumbing and Mechanical Codes. Applicable permits shall apply as required by these Codes. All properties, whether pre-existing as Rental Property at the time of adoption of this ordinance or afterward becoming Rental Property shall comply with all terms of this ordinance. *(Amended by Ord. 222, 8/16/10)*

350.02 Definitions.

Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's New International Dictionary of the English Language, Unabridged, as may be amended, shall be considered as providing ordinary accepted meanings. Words in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine. *(Amended by Ord.161, 9/27/04)*

Apartment Building. A building or portion of a building that contains three or more dwelling units.

Board of Appeals. The Board of Appeals shall be a three-member board consisting of a City Council representative, the Fire Chief, and a Planning Commission representative. *(Amended by Ord. 222, 8/16/10)*

Building Code. "Building Code" is the Minnesota State Building Code.

Code Official. "Code Official" is the official who is charged with the administration and enforcement of this ordinance, or any duly authorized representative.

Condemn. "Condemn" shall mean to adjudge unfit for occupancy.

Direct Family Member. "Direct Family Member" is a parent, child, sibling, grandparent, grandchild, step-parent, step-child, step-grandparent, or step-grandchild of the property owner. *(Amended by Ord. 222, 8/16/10)*

Dwelling. "Dwelling" is a building wholly or partly used or intended to be used for living, sleeping,

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cooking or eating purposes by human occupants; but not including hotels and motels.

Dwelling Unit. “Dwelling Unit” is a room or a group of rooms located within a dwelling forming a single habitable unit with facilities, which are used or intended to be used for living, sleeping, cooking and eating purposes.

Egress. “Egress” is an arrangement of exit facilities to assure a safe means of exit from a building.

Electrical Code. “Electrical Code” is the ~~Minnesota State~~ National Electrical Code.

Extermination. “Extermination” is the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping; or by any other recognized and legal pest elimination method approved by the code official; and to remove all signs of extermination thereafter.

Fire Code. “Fire Code” is the Minnesota State Fire Code.

Health Officer. “Health Officer” is the legally designated health officer or official of the State, County and/or City.

Infestation. “Infestation” is the presence of insects, rodents, or other pests within or around the dwelling on the premises.

Kitchen. “Kitchen” is a room or an area equipped for preparing and cooking food.

Lease, Leased, or Let. “Lease, Leased, or Let” is to give the use of a dwelling, dwelling unit or rooming unit by an owner or manager to a tenant in return for rent.

License Period, Year One. The first year of the three-year rental license period, starting in 2013 and occurring every three years thereafter. *(Amended by Ord. 222, 8/16/10)*

License Period, Year Three. The third year of the three-year rental license period. *(Amended by Ord. 222, 8/16/10)*

Manager. “Manager” is a person or firm who has charge, care or control of a building or part thereof, in which dwelling units or rooming units are let.

Mechanical Code. “Mechanical Code” is the ~~Minnesota State~~ International Mechanical Code.

Nuisance. The following shall be defined as nuisances:

- A. Any public nuisance as defined in Chapter 6 of the City Code.
- B. Any attractive nuisance that may prove detrimental to children whether in a building, on the premises of a building or on an unoccupied lot. This includes any abandoned wells, shafts, basements or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation that may prove a hazard for inquisitive minors.
- C. Whatever is dangerous to human life or is detrimental to health, as determined by the code official or health officer.

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~~D. Overcrowding a room with occupants.~~

E. Insufficient ventilation or illumination.

F. Inadequate or unsanitary sewage or plumbing facilities.

G. Un-cleanliness, as determined by the health officer.

H. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the Health Officer.

Occupancy. “Occupancy” is the purpose for which a building or portion thereof is utilized or occupied.

~~**Occupant.** “Occupant” is a person living alone, or two or more persons all related by blood, marriage or adoption, including foster children, occupying and maintaining a common household in a single dwelling unit, or a group of not more than 5 persons, any 2 of whom are not related by blood, marriage or adoption, including foster children, occupying and maintaining a common household in a single dwelling unit.~~

Owner. “Owner” is a person, firm or corporation who, alone, jointly or severally with others, owns or has an ownership interest in a dwelling, dwelling unit or rooming unit within the city.

Plumbing Code. “Plumbing Code” is the Minnesota State International Plumbing Code.

Premises. “Premises” are the dwelling and its land and all buildings thereon and areas thereof.

Refuse. “Refuse” is all putrescible and non-putrescible waste solids including garbage and rubbish. Refuse is liable to undergo bacterial decomposition when in contact with air and moisture at normal temperatures.

Rent. “Rent” is a stated return or payment for the temporary possession of a dwelling, dwelling unit or rooming unit. ~~The return or payment may be money or service or property.~~

Safety. “Safety” is the condition of being reasonably free from danger and hazards, which may cause injury or illness.

Substandard Building. “Substandard Building” means any rental dwelling or portion thereof that is not safe due to inadequate maintenance, dilapidation, physical damage, unsanitary condition, abandonment or any other reason.

Substandard Property Condition Citation. “Substandard Property Condition Citation” shall be issued in the event of a ‘Substandard Building’ and shall, upon posting of the citation, prohibit the occupancy of the building or unit until such time as corrections are made and verified by inspection. *(Amended by Ord.184, 7/10/2006)*

Tenant. “Tenant” can be a person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

Variance. “Variance” is a difference between that which is required or specified and that, which is permitted. *(Amended by Ord.161, 9/27/04)*

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350.03 Rental Housing License.

Subd. 1 License Required. No person may operate, let, or cause to be let, a rental dwelling unit without first having obtained a rental housing license from the City as hereinafter provided. Further, no owner or manager shall allow the occupancy of a rental dwelling unit by a tenant after the expiration of the rental housing license for the rental dwelling in which the rental dwelling unit is located unless the license has been properly renewed.

(Amended by Ord. 222, 8/16/10)

- A. **Temporary License.** The code official may issue a temporary rental housing license not exceeding 3 months in duration in order to bring the unit into compliance with this ordinance.

(Amended by Ord.161, 9/27/04)

- B. **Licensing Period.** The licensing period shall encompass ~~two~~ **three** calendar years. *(Amended by Ord. 222, 8/16/10)*

Subd. 2 Application contents. Owners of one or more rental dwelling units who have not yet received a license are responsible for applying to the City for a license. With the application the owner must supply the following information:

- A. Name, address, and telephone number of dwelling owner, owning partners if a partnership, or corporate officers if a corporation;
- B. Name, address, and telephone number of designated resident agent, if applicable;
- C. Legal address of the dwelling;
- D. Number of dwelling units with the dwelling;
- E. At least one emergency telephone number;
- F. The names, telephone numbers and addresses of principal tenants. *(Amended by Ord. 222, 8/16/10)*

Subd. 3 Fees.

- A. **Inspection Fee.** A Rental Housing License-inspection fee shall be established by the City Council. *(Amended by Ord.161, 9/27/04)*

- B. **Additional Fees.** The City shall have the right, and just cause, to bill or to assess owner for additional costs associated with:

- 1. Required additional follow up Rental Inspections, beyond the prescribed number allowed, for a single Rental Inspection cycle.
- 2. Failure of the responsible party to appear for a scheduled inspection without prior notification of the inspector.
- 3. After hours, weekend or holiday inspections. *(Amended by Ord.184, 7/10/2006)*
- 4. Complaint Inspections *(Amended by Ord. 222, 8/16/10)*

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Subd. 4 Rental Dwelling Inspections No license may be issued or renewed unless the City determines, following an inspection conducted pursuant to this section, that rental dwelling unit(s) conform to the provisions of this Section 350. As more specifically provided below, the code official and his or her agents may cause inspections, follow-up inspections, and reinspections on rental dwelling units within the city on a scheduled basis, and on rental dwelling units when reason exists to believe that a violation of an applicable subdivision of this Section 350 exists, has been, or is being committed. *(Amended by Ord. 222, 8/16/10)*

- A. **Consent.** The code official and his or her agents are authorized to contact owners, tenants and/or managers of rental dwellings to schedule inspections of rental dwellings at reasonable times. If the City is unsuccessful in securing consent for an inspection pursuant to this Section 350, the City shall seek permission, from a judicial officer through an administrative warrant, for its enforcement officer or his or her agents to conduct an inspection. Nothing in this Section shall limit or constrain the authority of the judicial officer to condition or limit the scope of the administrative warrant. *(Amended by Ord. 222, 8/16/10)*
- B. **Inspections not Required.** Inspection for the issuance or renewal of a license may be waived by the City if the owner of a dwelling unit:
 - 1. Proves that within the previous 12 months the dwelling unit(s) passed an inspection required by the County, State, or Federal regulations that is at least as stringent as the inspection required under this Section 350.
 - 2. Has, within the 12 months preceding the licensing period deadline as defined in Subd. 6 below, applied for and received a rental dwelling license from the city. *(Amended by Ord. 222, 8/16/10)*

Subd. 5 Issuance. The code official shall issue a rental housing license for each dwelling, dwelling unit or rooming unit, when upon inspection finds such unit meets or exceeds the minimum requirements set forth by this ordinance; also a rental housing license shall be issued for each dwelling, dwelling unit or rooming unit, when a variance has been granted by the Board of Appeals, pursuant to Section 350.06 of this Chapter; provided, however, it is found that no condition exists, in a shared or public area of the building or in any other part of the unit, which could endanger the health or safety of the occupants of such unit or of the public. Such license shall show the number of occupants for which the dwelling, dwelling unit or rooming unit is approved for and once issued shall remain valid until it expires or such time as the code official or housing inspector determines that the dwelling, dwelling unit or rooming unit does not meet the minimum requirements set by this ordinance. *(Amended by Ord. 161, 9/27/04)*

Subd. 6 Licensing period Deadline. The licensing period deadline shall be January 1 of the Year-One License Period. All properties required to be licensed by this Ordinance shall have applied for licensing with the City Office, shall have paid the required fee or fees, and shall have satisfactorily completed the required Rental Housing Inspection by the deadline date. Failure to comply with this section may result in fines and/or denial of a Rental Housing License for the property in violation. *(Amended by Ord. 184, 7/10/2006)*

Subd. 7 Renewals. A rental housing license shall expire December 31 of the Year-~~Two~~ **Three** License Period. Re-inspection of all dwellings, dwelling units or rooming units shall be required prior to issuance of a new certificate, pursuant to Subd. 4 above. In order to allow sufficient time to complete the renewal process, applications for licenses shall be made in writing on forms provided by the City and accompanied by the required fee at least sixty (60) days prior to the licensing period deadline. *(Amended by Ord. 222, 8/16/10)*

Subd. 8 License and Inspection Report Posting. Every registrant of a rental dwelling shall post the license

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issued by the City. The license shall be conspicuously posted (in a frame with a glass covering) by the registrant, in a public corridor, hallway, or lobby of the rental dwelling for which they are issued. In addition to posting the license, the owner shall post the inspection report completed for the license renewal or any complaint inspection next to the posting of the rental license for a period of 30-days after receipt of the license.

Subd. 9 Transfer of Rental Property. A license is not transferable to another person or to another rental dwelling. Every person holding a license must give notice in writing to the city within 72 hours after having legally transferred or otherwise disposed of the legal control of any rental dwelling. The notice must include the name and address of the person(s) succeeding to the ownership or control of such rental dwelling(s). The person succeeding to the ownership or control of the rental dwelling(s) must obtain a temporary permit or operating license in order to continue operating the rental dwelling(s). An inspection is not required to obtain this temporary permit or license unless the rental dwelling(s) have not been inspected within two years of the transfer of ownership or control. *(Amended by Ord. 222, 8/16/10)*

Subd. 10 Tenant Register. A licensee must, as a continuing obligation of its license, maintain a current register of tenants and other persons who have a lawful right to occupancy of dwelling units within an apartment building or dwelling. In its application, the licensee must designate the person or persons who will have possession of the register; and must promptly notify the Code Official of any change of the identity, address, or telephone numbers of such persons. The register must be available for the inspection by the Code Official at all times.

Subd. ~~10~~ 11 Revocation. A Rental Housing License may be suspended or revoked as prescribed in this ordinance.

- A. A rental housing license may be suspended or revoked by the City Council if the City Council finds that the provisions of this ordinance have been violated in regard to the rental dwelling for which the license was issued. Before any suspension or revocation occurs, the City shall send written notice to the license holder specifying the ordinance violations alleged. This notice shall also specify the date for a hearing before the Board of Appeals, which shall not be less than ten (10) days from the date of the notice.
- B. At such hearing before the Board of Appeals, the license holder or their attorneys may submit and present witnesses on their behalf.
- C. After a hearing, the City Council shall act upon the Board of Appeals recommendation at the next available meeting and may suspend or revoke the license if the Council deems it necessary to protect public health, safety or general welfare. *(Amended by Ord.222, 8/16/10)*

350.04 Requirements.

Subd. 1. Substandard Buildings. No substandard buildings are allowed.

Subd. 2. Condition. No owner or manager shall allow infestation if extermination is not the tenant's responsibility by law.

Subd. 3. Improper Occupancy. No rental dwelling shall be used in manner inconsistent with its design or construction.

Subd. 4. Smoke Detectors. No smoke detector installed in a rental dwelling shall be allowed to remain disabled

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or nonfunctional. The tenant of a rental dwelling shall notify the owner or manager within 24 hours of discovering that a detector is disabled or not functioning. The owner or manager shall take immediate action to render the smoke detector operational or replace it.

Subd. 5. Carbon Monoxide Alarms. Each rental dwelling shall have an approved and operational carbon monoxide alarm installed with ten feet of each room used for sleeping purposes as required by Minnesota Statutes §§ 299F.50 and 51, as amended, unless an exception listed in Section 299F.51, Subd. 5, applies.

Subd. 6. Refuse. Each rental dwelling shall have an adequate number of refuse containers to hold the amount of refuse produced by the occupants of the rental dwelling or as required elsewhere by the Norwood Young America City Code. Containers shall be rodent and animal proof plastic, fiberglass or rust resistant metal with a tight fitting cover. Tenants shall properly dispose of their recyclables, rubbish, garbage and other organic waste.

Subd. 7. Nuisance. No rental dwelling premise shall be kept in any state which creates a nuisance.

Subd. 8. Storage of Items. Large amounts of combustible items and materials shall not be stored in attics, basements, common areas, or any other underutilized areas of a rental dwelling. Storage shall be maintained two (2) feet or more below ceilings and floor joists. Combustible materials and items shall not be stored within one (1) foot of any fuel burning appliances. Storage of items shall be orderly and shall not block or obstruct exits. A minimum three (3) foot wide aisle shall be maintained to all exits, furnaces, water heaters, water meters, gas meters or other equipment serving the rental dwelling.

Subd. 9. Fuel Storage. LP tanks shall only be stored outdoors.

Subd. 10. Fueled Equipment. Fueled equipment including, but not limited to, motorcycles, mopeds, lawn-care equipment and portable cooking equipment shall only be stored outdoors or in the garage of a rental dwelling.

Subd. 11. Barbecues and Open Flames. No person shall kindle, maintain, or cause any fire or open flame on any balcony above ground level, on any roof, or on any ground floor patio within 15 feet of any structure. Further, no person shall store or use any fuel, barbecue, torch, or similar heating or lighting chemicals or device in such locations.

Subd. 12. Sidewalks and Driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas on a premises shall be kept in a proper state of repair and maintained free from hazardous conditions.

Subd. 13. Defacement of Property. If a rental dwelling is defaced by graffiti, it shall promptly be removed.

Subd. 14. Disorderly Conduct Prohibited. Disorderly conduct is prohibited on all licensed premises. It shall be the responsibility of the licensee to take appropriate action to prevent disorderly conduct by tenants and their guests on the licensed premises.

A. For purposes of this subchapter, a violation of the following statutes or ordinances shall be deemed disorderly conduct:

- 1. Minn. Stat. §§ 609.75–609.76 (gambling);**
- 2. Minn. Stat. §§ 609.321–609.324 (prostitution);**
- 3. Minn. Stat. §§ 152.01-152.025, and 152.027, subds. 1 and 2 (unlawful sale or possession of controlled substances);**
- 4. Minn. Stat. § 340A.401 (unlawful sale of alcohol beverages);**
- 5. Minn. Stat. § 340A.503 (underage use of alcoholic beverages);**

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6. Chapter 600 of this Code (nuisances);
 7. Minn. Stat. §§ 97B.021, 97B.045, 609.66–609.67, and 624.712–624.716 (unlawful possession, transportation, sale, or use of a weapon);
 8. Minn. Stat. § 609.72 (disorderly conduct);
 9. Minn. Stat. §§ 609.185, 609.19, 609.195, 609.20, and 609.205 (murder and manslaughter);
 10. Minn. Stat. §§ 609.221, 609.222, 609.223, and 609.2231 (assault);
 11. Minn. Stat. §§ 609.342, 609.343, 609.344, 609.345, and 609.3451 (criminal sexual conduct);
 12. Minn. Stat. § 609.52 (theft);
 13. Minn. Stat. §§ 609.561, 609.562, 609.563, 609.5631, and 609.5632 (arson);
 14. Minn. Stat. § 609.582 (burglary);
 15. Minn. Stat. § 609.595 (damage to property);
 16. Failure to comply with the dangerous dog requirements in violation of Minn. Stat. Ch. 347;
 17. Minn. Stat. § 152.07, subd. 4 (sale or possession of small amounts of marijuana);
 18. Minn. Stat. § 152.092 (unlawful possession or use of drug paraphernalia).
- B. Upon determination by the Code Official that a licensed premises or unit within a licensed premises was used for disorderly conduct activities as set forth in this Subdivision, the Code Official shall cause notice to be made to the owner and manager of the violation and direct the owner and property manager to take steps to prevent further disorderly conduct violations.
- C. If a second disorderly conduct violation as determined by the Code Official occurs within a continuous twelve month period involving the same tenancy, the Code Official shall cause notice to be made to the owner and manager of the second violation. The owner or manager shall be required to immediately remedy the violations and submit a Management Plan to the Code Official within ten (10) business days of receipt of the second disorderly conduct notice. Management Plan forms are available with the Code Official. The City Official shall review the Management Plan and determine whether it is sufficient to prevent future violations of this Section. Upon receiving notice that the City has approved an Owner's Management Plan, the Owner must adhere to the terms and conditions in the Management Plan. Failure to do so may result in the suspension or revocation of the Owner's Rental Housing License.
- D. If a third disorderly conduct violation as determined by the Code Official occurs within a continuous twelve month period involving the same tenancy, the Code Official shall cause notice to be made to the owner and property manager of the third violation. The owner or manager shall notify the tenant or tenants within ten days of the Notice of Disorderly Conduct violation of the Crime Free/Drug Free lease language within the lease and proceed with termination of the tenancy of all tenants occupying the unit. The owner shall not enter into a new lease for a unit located in the licensed property with an evicted tenant for a period of one year after the eviction.

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- E. If, pursuant to Subdivision, a third disorderly conduct violation of the licensed premises occurs at the same dwelling within a twelve month period, the rental dwelling license for the premises may be denied, revoked, suspended, placed on probation, or not renewed. An action to deny, revoke, suspend, place on probation, or not renew a license under this section shall be initiated by the City in the manner described in Section 350, Subdivision 11, and proceed according to the procedures established therein.
- F. No adverse license action shall be imposed where the instance of disorderly conduct occurring on the licensed premises occurred during the pendency of evictions proceedings or within 30 days after notice is given by the licensee to a tenant to vacate the premises. Evictions proceedings shall not be a bar to a license action, however, unless the licensee diligently pursues them. A notice to vacate shall not be a bar to adverse license action unless a copy of the notice is submitted to the City within ten days of receipt of the violation notice. Further, an action to deny, revoke, suspend, place on probation, or not renew a license based upon violations of this section may be postponed or discontinued by the Code Official at any time if it appears that the licensee has taken appropriate action to prevent further instances of disorderly conduct.

350.05 Enforcement.

Subd. 1 Authority. The ~~code building~~ official is hereby authorized and directed to enforce or cause the enforcement of all of the provisions of this ordinance. For such purposes, the ~~code building~~ or his/her designated representative shall have the powers of a code official. The code official shall have the power to render interpretations of this ordinance. Such interpretations shall be in conformity with the intent and purpose of this ordinance. *(Amended by Ord.161, 9/27/04)*

Subd. 2 Responsibilities Defined. Property owners remain liable for violations of duties imposed by this ordinance even if the owner has, by agreement, imposed on the occupant the duty of furnishing required equipment or of complying with this ordinance. *(Amended by Ord. 222, 8/16/10)*

- A. Buildings and structures and parts thereof shall be maintained in a safe and sanitary condition. The owner or the owner's designated agent shall be responsible for such maintenance. To determine compliance with this subsection, the building may be re-inspected.
- B. Owners, in addition to being responsible for maintaining buildings in a sound structural condition, shall be responsible for keeping that part of the building or premises which the owner occupies or controls in a clean, sanitary and safe condition, including the shared or public areas in a building containing two or more dwelling units.
- C. Owners shall, when required by this ordinance, health laws or the health officer, furnish and maintain such approved sanitary facilities as required, and shall furnish and maintain approved devices, equipment or facilities for the prevention of insect and rodent infestation, and when infestation has taken place, shall be responsible for any insects, rodents or other pests when such extermination is not specifically made the responsibility of the occupant by law or ruling.
(Amended by Ord 161, 9/27/04)

Subd. 3 Right of Entry. When it is necessary to make an inspection to enforce the provisions of this ordinance,

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or when the code official has reasonable cause to believe that there exists in a building or upon a premises a condition that is contrary to or in violation of this ordinance, the code official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this ordinance, provided that if such building or premises are occupied that credentials be presented to the occupant and entry requested. If such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry, pursuant to Section 350.04, Subd. 4.A. of this Chapter. *(Amended by Ord.161, 9/27/04)*

Subd. 4 Complaint Inspections. When the code official or a health officer has reasonable cause to believe that a condition exists in regards to a rental dwelling or premises that violates this ordinance including, but not limited to, a written tenant complaint made in good faith, the code official or health officer may enter the rental dwelling to inspect, re-inspect, or otherwise perform the duties imposed by this ordinance. No such entry shall be made, however, until: i) the owner, manager or tenant permits entry; ii) the code official or health officer secures an administrative warrant from a court with jurisdiction; or iii) an emergency exists.

Subd. 5 Compliance Order. Upon completion of a complaint inspection and finding of a violation(s), the code official shall prepare a compliance order, listing all violations and the date or dates when such violations shall be corrected. The property owner shall have the responsibility to correct such alleged violations and have them re-inspected and verified by the Code Official for compliance with this Ordinance within the time period as set forth:

- A. Smoke Detector Violations. Corrections must be completed immediately and re-inspected within three (3) working days.
- B. All Other Violations. Preparations for the actual work for correcting the alleged violations shall be commenced immediately and work re-inspected within twenty-five (25) working days OR within the time period as specified by the Code Official.
- C. Follow-Up Inspection. Upon completion of the second follow up inspection:
 - 1. If the infraction(s) have been satisfactorily addressed or corrected the City will, at its discretion, levy a reinspection fee to cover the cost of the second follow up inspection. The fee will be set by the City Council.
 - 2. If the infractions remain, the following penalties shall be imposed upon the property owner(s) if the alleged violations are not corrected and verified by the Code Official within the time period allowed by this Ordinance:
 - a. A \$50.00 fine.
 - b. The assessment of \$5.00 per day, each and every day thereafter until a satisfactory follow up inspection is conducted.
 - 3. The \$50.00 fine and subsequent \$5.00 per day assessment must be paid in full to the city within 14 days of the satisfactory follow up inspection or, pursuant to Section 350.04 Subd 10, the City of Norwood Young America shall have the right and just cause to revoke or deny licensing the property as Rental Housing Property.
 - 4. The property owner or agent shall be notified in writing of Section 350.06, indicating his or her right of appeal. *(Amended by Ord.184, 7/10/2006)*
- D. Extensions. Extensions may be granted by the Code Official. The request shall be made in writing

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and justifiable cause must be demonstrated for the requested extension. All requests shall be made and delivered to the Code Official prior to the expiration date of the violation or violations.

Subd. 6 Substandard Property Condition.

- A. When, during the course of a Rental Housing Inspection or complaint investigation, the code official encounters or observes a condition or conditions that are considered dangerous to life, safety, health, or the welfare of the occupants, the inspector shall, if the situation warrants, issue a Substandard Property Condition Citation.
- B. Prior to, or immediately after, the issuance of the Substandard Property Condition Citation, the code official will be required to notify the City of the posting and the reason for the posting.
- C. The code official shall have the authority to require immediate evacuation of the premises in the event of immediate danger to life or safety.
- D. The removal or defacing of, or tampering with, a Substandard Property Condition Citation posting shall be punishable as a criminal offense and subject to the provisions of State Statutes regulating misdemeanors and as outlined in this ordinance.
- E. The Property shall remain unoccupied until such time as the condition is, or conditions are, corrected and satisfactorily reinspected. *(Amended by Ord. 184, 7/10/2006)*

Subd. 7 Substandard Buildings. Buildings or portions thereof that are determined to be substandard as defined in this ordinance are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal, pursuant to Chapter 6, Nuisances, of the Norwood Young America City Code.

Subd. 8 Notice to Vacate. The code official shall have the authority to issue a NOTICE TO VACATE order on any building that is, in the opinion of the code official and as defined in this ordinance, deemed substandard. *(Amended by Ord.161, 9/27/04)*

350.06 Appeals.

Subd. 1 Appeal. Any person may appeal from any notice and order or any action of the code official under this ordinance by filing an appeal to the City Administrator. A written appeal to the City a brief statement in ordinary and concise language of that specific order or action protested, together with any material facts claimed to support the contentions of the appellant. *(Amended by Ord.161, 9/27/04)*

Subd. 2 Time Allotted for Appeal. The appeal shall be filed within 10 days or within the time of correction as allowed by the code official, whichever is shorter, from the date of the service of such order or action of the code official. *(Amended by Ord.161, 9/27/04)*

Subd. 3 Scheduling and Noticing Appeal for Hearing. In the event that an appeal is filed with the City Administrator, the Board of Appeals shall fix a date for a hearing, which shall be held within ten (10) business days from the date the appeal is filed. *(Amended by Ord. 222, 8/16/10)*

Subd. 4 Notice. The City Administrator shall mail a notice of the date, time, place and subject of the hearing to the owner, occupant(s) and any other known responsible parties. *(Amended by Ord. 222, 8/16/10)*

Subd. 5 Orders after an Appeal. Following a hearing, any order of the Board of Appeals made pursuant to this

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ordinance shall be forwarded to the City Council who shall act upon the Board of Appeals recommendation at its next available meeting. The City Council shall issue a decision in writing to the appealing party within 10 days of the hearing. Any fines or penalties imposed must be paid no later than 30 days of the date of the order. The decision of the City Council is final and may only be appealed to the Minnesota Court of Appeals by petitioning for a writ of certiorari pursuant to Minnesota Statute Section 606.01.

350.07 Violation and Penalties.

Subd. 1 Administrative Charge. Failure to obtain a license pursuant to this Section 350 will subject the owner of a dwelling unit to an administrative service charge up to \$250 per unit, plus \$10 per unit per day each and every day thereafter until a license is obtained. *(Amended by Ord. 222, 8/16/10)*

Subd. 2 Violation. Any person that maintains a rental dwelling unit without having either a valid temporary permit or a valid license, or permits new occupancy in violation of this Section 350, is guilty of a misdemeanor, and upon conviction is subject to a fine and imprisonment as prescribed by state law. In addition to, or in lieu of, charging a misdemeanor, the City may impose an administrative fee in an amount set in the City Fee Schedule. An administrative fee may be appealed pursuant to Subsection 350.06 of this Section. Upon the failure to appeal an administrative fee within the period established in Subsection 350.06 of this Section, the City may post the dwelling unit as illegal for habitation. Thereafter, all persons must vacate the premise and the dwelling unit may not be occupied by anyone other than the primary homestead owner and that person's immediate family until (a) the administrative fee has been paid and (b) a rental license is obtained or the City is satisfied that the dwelling unit will not be used as a rental dwelling unit. Each day of each violation constitutes a separate offense. *(Amended by Ord. 222, 8/16/10)*

Subd. 3 Assessment of Unpaid Fees. Any fees imposed under the authorization of Section 350 shall be paid in full. In the event of non-payment, the City Clerk may certify the entire unpaid amount and any penalty to the County Auditor to levy the charges in the same manner as special assessments against the real estate involved, or the real estate of the person or entity responsible for the fee. *(Amended by Ord. 222, 8/16/10)*

NORWOOD YOUNG AMERICA MANAGEMENT PLAN BASIC REQUIREMENTS

Rental Property Address: _____

Owner Name (person required): _____

Company Name: _____

Owner Full Street Address (not the rental property address): _____

Owner Phone: _____ **Owner Email:** _____

Licensee Name/Company (required if different from manager and owner): _____

Full Street Address (not the rental property address): _____

Phone: _____ **Email:** _____

Property Manager Name (required if different from Licensee and Owner): _____

Full Street Address (not the rental property address): _____

Phone: _____ **Email:** _____

**** This plan applies to ALL of my rental properties in Norwood Young America****

The City requires that this form be filled out and returned by email. You may also mail it to
NAME.

TENANT APPLICATION AND SCREENING

1. Applicants will be required to give their consent for a criminal history check and rental history profile. Rental license holder will employ the following applicant screening service to perform the background check:

Company: _____

Mailing Address: _____

Phone: _____

Web address: _____

Email: _____

2. The following background information on applicants is provided by this company: _____

3. I use the following criteria when accepting tenants with a criminal history (specify types of crimes, time-frame where convictions or patterns of arrests are unacceptable): _____

4. I use the following other criteria when processing applicants (minimum rent-to-income ratio, rental history etc.): _____

5. I will use the Rental Application Denial Form (following this questionnaire), or a form with selected criteria from the form when receiving applications, and provide it to rejected applicants (circle AGREED to indicate acceptance).

AGREED

LEASE PROVISIONS

6. I use the lease available from:

___ Minnesota Association of Realtors (mnrealtor.com)

___ Minnesota Bar Association (mnbar.org)

___ Minnesota Multi Housing Association (mmha.com)

___ If none of the above, I have attached/provided a copy of my lease.

7. The term of my rental agreement/lease is

___ month-to-month

___ six months

___ annual

___ other: _____

8. I issue written warnings for the all lease violations by residents and/or their guests.

AGREED

9. I will file for and pursue an eviction of residents in violation of the lease who are given notice and do not move.

AGREED

10. If you discover that someone has moved in with a tenant without your permission, how do you deal with it? Detail all actions you take in this situation:

11. I will use the Crime Free Lease Addendum (following this questionnaire), or have equivalent language in my lease, that the tenant must read and sign before moving in or renewing their lease.

AGREED

12. I will create Resident Conduct Rules and Building Rules largely patterned off the examples following this questionnaire, which must be submitted to the Code Official for approval. All residents must read, sign, and agree to follow the Conduct and Building Rules before moving in or renewing their lease.

AGREED

MONITORING AND INSPECTIONS

In order to ensure that properties remain a safe and healthy environment for tenants and neighbors, adequate monitoring and inspection of properties are essential. Monitoring needs to address both the physical condition of the property and the conduct of tenants.

13. I will visit my properties, or have my employees visit them, at least biweekly to monitor the activity of residents and their guests, and to ensure there are no issues with the physical condition of the properties.

AGREED

14. I will run the background check required under Minnesota Statute section 299C.68 (Kari Koskinen Background Check Law) for any building manager, employee, or contractor who works for me and who has access to keys to occupied units.

AGREED

15. I participate in the following local or regional rental property owner/manager group:

16. I will take the following steps to prevent further conduct violations and criminal activity by my residents and/or their guests:

PLAN IMPLEMENTATION

17. I will maintain all written and electronic records necessary to document the above management plan provisions. I will respond to any request from the City to confirm the implementation of my plan after 20 days from the date of my plan being filed as Satisfactory with the City. I will respond to any such request within 30 days.

AGREED

18. Additional comments or questions you might have: _____

I agree to abide by the provisions set forth above in this management plan.

Owner: _____ Date: _____

Authorized Property Manager: _____ Date: _____

Management plan accepted on: (Date)

RENTAL APPLICATION DENIAL FORM

Name of Property Owner or Manager: _____

Address: _____

Phone Number: _____

Applicants Name: _____

Applicants Address: _____

Applicant's Phone Number: _____

Unit Applied For: _____

Rental Disqualifications

APPLICATION

_____ Application incomplete

_____ Application falsified

_____ Rent equals more than- ____ % of monthly income

_____ Insufficient funds for deposit check

_____ Insufficient fund check for application fee or credit check

RENTAL HISTORY

_____ Negative landlord reference-current or past rental

_____ Unable to verify current or past home ownership

_____ Unable to verify current or past rental

_____ Late or non-payment of rent-current or past rental

_____ NSF check(s) used for payment of rent

_____ Eviction-current or past rental

_____ Unlawful Detainer-current or past rental

_____ Property damage-current or past rental

_____Lack of proper notice-current or past rental

_____Lack of adequate rental history

EMPLOYMENT HISTORY

_____Unacceptable employment history

_____Unable to verify employment

_____Unable to verify income

CREDIT HISTORY

_____Unacceptable credit history

_____Lack of credit history

_____Unable to verify credit references

_____Unacceptable credit references

CRIMINAL HISTORY

_____Unacceptable criminal history

OTHER

_____Unable to rent under terms or conditions requested

_____Specify: _____

This application was denied due to information from the following Credit Reporting Agency:

Name: _____ Phone: _____

Address: _____ Fax: _____

RESIDENT CONDUCT RULES

The following rules are made in the interest of the health and safety of all residents. Everyone is expected to comply. Violations of these rules are grounds for immediate eviction.

1. Sale, possession, or possession with intent to distribute controlled substances (illegal drugs) on the premises will not be permitted.
2. Repeated incidents which disturb the peace of other residents are prohibited.
3. Intentional or repeated damage to the building or property belonging to the owner or another resident's property is prohibited.
4. Theft from the owner or his/her agent or another resident is prohibited.
5. Keeping anything that may be considered a hazard to the health and safety of residents (such as gasoline or other highly flammable or explosive chemicals storage in a unit or on the property) without permission is prohibited.
6. Possession of illegal weapons is prohibited.
7. Any violent act or verbal threat to an employee of the building on or off the property or to another resident or guests of a resident on the property is prohibited.
8. Do not prop open security doors at any time. Do not admit strangers through security doors.
9. Excessive police calls complaining about the conduct of you, your family, or your guests is grounds for eviction.

A signed copy of these rules will be kept in each Resident's file.

I have read the "Resident Conduct Rules" and fully understand and agree to abide by the contents.

Date: _____

Applicant or Resident

Applicant or Resident

BUILDING RULES

1. Residents are responsible for their guests. Parents are responsible for their children.
2. Your monthly rent is due and payable on or before the first of the month. Please make your checks or money orders payable to: _____

3. Only the persons specified in the Apartment Lease can reside in your apartment. Additional occupants cannot reside in the unit without applying for residency and, upon acceptance, signing a written lease that is approved by Owner.
4. You need written permission from Owner for guests to stay in your dwelling unit for more than 10 consecutive days.
5. No names other than those of a leased tenant are permitted on mailboxes.
6. No children under the age of twelve (12) years are to be left unattended in the apartment or on the grounds.
7. If there is any damage done to the property by your guests or children, you will be held responsible and must pay for all damages.
8. Bikes, tricycles, wagons, and all toys must be kept in your apartment or garage. If these items are left unattended outside the building or in the hallways, Owner will discard them.
9. Congregating, loitering, or playing in the hallways, entry steps, entrance area, back entrance steps, or parking lots is not permitted.
10. Screens shall not be removed from any window for any reason other than an emergency. Packages or other items cannot be delivered or passed through any windows.
11. Unnecessary horn honking at any time of the day or night by tenants or their guests is not permitted.
12. No motorcycle, moped, or bicycle riding will be allowed on the lawn or sidewalk. No parking of the above vehicles will be allowed on the lawn or sidewalks.
13. No loud music or loud parties will be tolerated in your apartment or on the property after 10 p.m.
14. No loud or profane language will be allowed on the premises.
15. All draperies or other window coverings must be compatible with the rest of the building. No sheets, blankets, or newspapers will be allowed to be used as drapes or window coverings.
16. Residents are responsible for placing all trash in the proper receptacles. Trash may not be left in the hallways or placed on sidewalks or in the grass.
17. To ensure the safety of all residents, Owner urges residents to call 911 on any crimes in progress, disturbances, disorderly behavior, or suspicious activity on or around the premises.
18. Each adult resident will be provided with one entry door, apartment door, and mailbox key. Residents are not to change, alter, or add additional locks or other security measures anywhere in the apartment or on the property without prior permission. If you desire

different or additional security for your apartment door, patio door, storage locker, or windows please contact Owner. Depending on your request, you may have to pay for additional security measures. All additional security devices will remain Owner's property.

Please have respect for all residents in your building.

I have read the "Building Rules" and fully understand and agree to abide by the contents.

Date: _____

Applicant or Resident

Applicant or Resident

CRIME FREE/DRUG FREE LEASE ADDENDUM

In consideration of the execution or renewal of the lease of the dwelling unit identified in the attached lease, Owner and Resident agree as follows:

1. Resident, any members of the resident's household, a guest or other person under the resident's control, shall not engage in criminal activity, including drug-related criminal activity, on or near the said premises. "Drug-related criminal activity" means the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use of a controlled substance (as defined in Section 102 of the Controlled Substance Act [21 U.S.C. 802]).
2. Resident(s), any member of the resident's household, a guest or other person under the resident's control, shall not engage in any act intended to facilitate criminal activity, including drug-related criminal activity, on or near the said premises.
3. Resident or members of the household will not permit the dwelling unit to be used for, or to facilitate criminal activity, including drug-related criminal activity regardless of whether the individual engaging in such activity is a member of the household, or a guest.
4. Resident, any member of the resident's household, a guest, or another person under the resident's control, shall not engage in the unlawful manufacturing, selling, using, storing, keeping, or giving of a controlled substance at any location, whether on or near the dwelling unit or otherwise.
5. Resident, any member of the resident's household, a guest or another person under the resident's control, shall not engage in any criminal activity, including prostitution, criminal street gang activity, threatening, intimidating, or assaultive behavior including but not limited to the unlawful discharge of firearms, on or near the dwelling unit premises, or any breach of the lease agreement that otherwise jeopardizes the health, safety, and welfare of the landlord, his agent or other residents and/or involving imminent or actual serious property damage.
6. VIOLATION OF THE ABOVE PROVISIONS SHALL BE A MATERIAL AND IRREPARABLE VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF TENANCY.
7. In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of this addendum shall govern.
8. This LEASE ADDENDUM is incorporated into the lease executed or renewed this day between Owner and Resident(s).

It is understood and agreed that a single violation shall be good cause for termination of the lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be by the preponderance of the evidence.

Management Signature

Date

Resident Signature

Date

Resident Signature

Date



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: August 1, 2017

Re: Approval of Revised Site Plan – 600 Railroad St W

Applicant: Steve Curfman, d.b.a. Curfman Trucking & Repair Inc.

Subject Address: 600 Railroad Street West

Legal Description: THAT P/O N1/2 SECT 15-115-26 BOUNDED AS FOLLOWS: BOUNDED ON N BY S R-O-W OF HWY 212 BOUNDED ON S BY N R-O-W OF OLD HWY 212 NOW RAILROAD ST BOUNDED ON E BY LINE DESC AS: COMM AT SE CORN BLK 14 VILLAGE OF NORWOOD TH W ON N LINE OF RAILROAD ST TO SW CORN VAC TH S 75' +OR- TO A PT ON S R-O-W LINE OF HWY 212-SAID PT BEING PT OF BEG OF LINE TO BE DESC TH CONT ON A BEARING OF S 468.68' TO N R-O-W LINE OF OLD HWY 212 (NOW RAILROAD ST) & SAID LINE THERE TERMINATING EXC: W 6 ACRES THEREOF & EXC E 6 ACRES THEREOF

Property ID: 580150700

Zoning Class: I-1 Light Industrial District

Request: Consideration of revised site plan

Representative: Steve Curfman

Attachments: Site Plans: Current (dated 07.17.17), Revised 06.26.17, and Original Survey
Site Map
Accessory Structure Standards
Off-Street Parking Standards
Building Plans

BACKGROUND

AT the June 6, 2017 meeting the Planning Commission scrutinized requests for a variance, conditional use permit, and site plan approval as requested by the Applicant for property at 600 Railroad Street West. The Applicant proposes a contractor operation with ancillary outdoor storage at the subject property.

After the PC meeting but prior to the City Council meeting the Applicant submitted a revised site plan. The revised site plan was required by the Planning Commission to respond to changes to the site plan proposed at the June 6, 2017 regular meeting.

In particular, the revised site plan required by the PC, was to illustrate (as proposed by the Applicant on June 6th) eight (8) bunkers each sized no greater than 12' by 20' and of no greater height than five (5) feet if constructed of wood or eight (8) feet if the bunker was constructed of concrete. The eight bunkers were to be used for outdoor storage of tires, mulch, boulders, pallets, stones, and rocks.

Rather than illustrating eight bunkers, the revised site plan illustrated ten (10) bunkers and the additional storage on the northwest property line near the proposed building. The Applicant explained at the June 26, 2017 the additional storage space was to be bounded by storage containers relocated from 125 Railroad Street East. Staff noted storage pods/containers are not allowed within the City of NYA. The Applicant questioned whether or not storage containers could be allowed if placed within accessory structures. Staff indicated in the affirmative provided accessory structures were consistent with Code requirements.

Following discussion the City Council voted to table action on the requested variance, CUP, and site plan approval in favor of review of the latest site plan iteration by the Planning Commission.

The latest site plan iteration is dated July 17, 2107. Staff notes the latest iteration contains the following changes from that presented at the June 26, 2017 Council meeting:

1. The bunker sizes used for storage of tires, mulch, boulders, pallets, stones, and rocks have been **increased** from 12' by 20' to 20'byX 20'. Please recall the Planning Commission's recommendations capped the number of bunkers at eight and the size of the bunkers at 12' X 20'; meaning both the number of bunkers (eight approved ten now proposed) and the size of the bunkers (12' X 20' approved; 20' X 20' now proposed) have expanded.
2. A proposed **36' by 80' (2,880 sf) "open front business storage area"** is illustrated on the site plan. Staff has requested a written narrative description or illustration of the 'open front business storage area'.
3. The width of an illustrated driveway apron has been **reduced** from beginning at the street, progressing through the boulevard, and terminating twenty (20) feet (as measured north starting from the gate entry to the property i.e. 20 feet north of the gate) onto the private property. The latest site plan iteration illustrates a three (3') foot concrete strip in the public boulevard.
4. A containment wall on the west side of the northernmost aggregate material stockpile has been **removed** resulting in proposed containment on two rather than three sides.

Following are provided for consideration:

1. Staff recommends the PC take deliberate action as to whether or not it approves of ten (10) storage bunkers for mulch, tires, boulders, rocks, pallets, and stones rather than the eight (8) authorized June 6th.
2. Staff recommends the PC take deliberate action as to whether or not it approves of increased bunker size authorized as a maximum of 12' by 20' (240 sf each) at the June 6th meeting to the 20' by 20' size now proposed (i.e. 400 sf each).
3. Staff recommends the PC take deliberate action relating to the proposed 'open front business storage area'. The Applicant indicated to the City Council on June 26, the 'open front business storage area' would be an accessory building. Staff noted at the June 26 Council meeting that accessory structure standards would apply. Please find attached standards for accessory structures with pertinent sections highlighted. Please note:
 - a. Maximum accessory structure size as relative to percentage of principal structure (30% of 9,600 proposed principal structure = 2,880 sf as proposed).
 - b. Maximum height: 18 feet.

- c. Architectural detail requirements: Detached accessory structures shall be constructed of material similar to the principal structure, and in character with the surrounding built environment. Design characteristics shall include, but not be limited to, the following:
 1. Roof type (e.g. gabled, hipped, mansard), roof orientation, and roof pitch
 2. Eave, overhang depth, and fascia/soffit type and appearance.
 3. Exterior building material, and,
 4. Exterior color.
 - d. Minimum roof pitch: 4:12
 - e. Staff is unable to determine compliance with accessory structure height, architectural detail, and roof pitch at this time; however, the 'open front' description would appear problematic. Please find attached elevations of the proposed principal structure for comparison.
4. The Applicant and staff had discussed requirements for parking areas and driveways at a pre-submittal concept meeting. A representative from the City Engineer's Office attended the meeting. Staff recollects discussion regarding impact of required standards on the proposed contractor operation. Please find attached off-street parking standards with specific sections highlighted. Staff notes:
- a. Section 1250.07(E). Residential, commercial, and industrial driveways shall be hard-surfaced with materials such as concrete, asphalt, or brick/paver, except that driveways accessed from non-hard-surfaced alleys may be non-hard-surfaced.
 - b. Section 1250.09 Construction and Maintenance. In all districts, parking areas, access drives and curb and gutter shall be hard-surfaced with materials such as concrete, asphalt, or brick/paver, except that in industrial districts parking areas in side or rear yards may be surfaced with compacted gravel or red rock. Plans for surfacing and drainage of driveways and stalls for five (5) or more vehicles shall be submitted to the City Engineer for review and the final plans shall be subject to the Engineer's written approval.
 - c. The City Engineer's Office accepted the apron design contained in the original site plan following discussion at the pre-submittal meeting. Please find a copy of the original site plan attached.
 - d. Staff recommends the apron as proposed and represented in both prior site plan illustrations be required.
5. Staff recommends the PC take deliberate action to require a third containment wall is constructed on the west side of the northernmost aggregate stockpile area.

RECOMMENDATION

After review and discussion, the Planning Commission may consider a MOTION to recommend approval or denial of the site plan to the City Council.

If the Planning Commission recommends denial of the site plan appropriate findings of fact shall be issued.

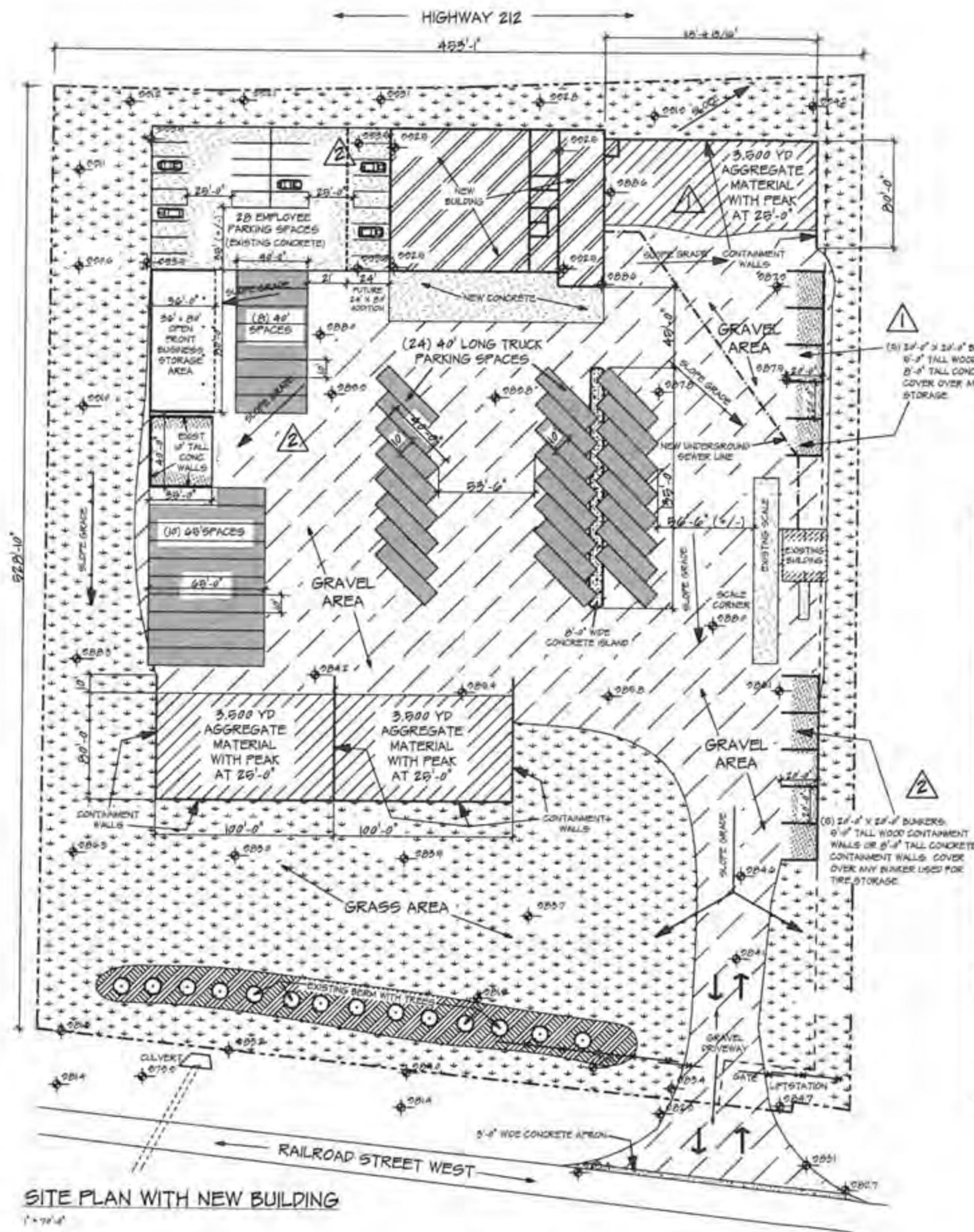
If the Planning Commission recommends approval of the site plan the following conditions are recommended:

1. The "Use" is a contractor operation with ancillary outdoor storage at 600 Railroad Street West, the "Property".
2. Retail and wholesale repair and service of commercial trucks and automobiles is not allowed, unless additional steps are taken to amend the I-1 Light Industrial District allowable uses.
3. The "Site Plan" is a site plan completed by RAM Building dated May 5, 2017 attached hereto.

4. Approval of a variance for rear yard setback.
5. Approval of a conditional use permit applicable to ancillary outdoor storage and compliance with conditions as specified within the CUP.
6. Compliance with recommendations as set forth within the memos from Consulting Planner, Cynthia Smith Strack, dated June 4, 2017 and August 1, 2017.
7. Compliance with all recommendations as set forth within the memo from John Swanson, Bolton-Menk (City Engineer) dated May 18, 2017.
8. Evidence of review and issuance of a permit, if required by the Carver County Water Management Organization.
9. All signage shall require submittal of a sign permit application and approval by the Zoning Administrator and/or Building Official.
10. Building permits shall be required prior to any building construction or improvements on the property.
11. This approval is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
12. This approval shall expire one year after date of approval unless the Applicants have commenced construction of the Use on the Property.
13. Approval of this site plan does not approve any future expansion or associated improvements on-site, including but not limited to a 24' by 80' future addition to the proposed structure.
- 14. INSERT ADDITIONAL STANDARDS PURSUANT TO PC DISCUSSION: bunker number & size; open front business storage area; paved approach design; and third containment wall at northernmost containment area.**
15. Any modifications not defined as "minor" pursuant to Section 1210.08, Subd. 4, shall require separate site plan approval.

ACTION


Recommendation to City Council regarding revised site plan.









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SOILS LEGEND



2000 GRADE ELEVATIONS



IMPERVIOUS SOIL AREAS

	NEW BUILDING	0.704 SF
	AGGREGATE STORAGE AREA	15.304 SF
	GRAVEL AT GATE	1.930 SF
	EXISTING BUILDING	724 SF
	EXISTING CONCRETE	16,420 SF
	GRAVEL AREAS	102,670 SF
	TOTAL AREA	145,542 SF

PERVIOUS SOIL AREAS

	GRASS AREAS	98,870 SF
	BERM AREA	7,073 SF
	TOTAL AREA	105,943 SF

OVERALL SOIL AREA TOTALS

IMPERVIOUS SOIL AREAS	145,542 SF
PERVIOUS SOIL AREAS	105,943 SF
TOTAL LOT AREA	251,500 SF

PLAN REVISIONS:		
1	ADDED CONTAINMENT WALL AND 8 BUNKERS	6-16-17
2	CHG'D PARK'G SPACES, MOVED BUNKERS.	6-22-17


NORTH

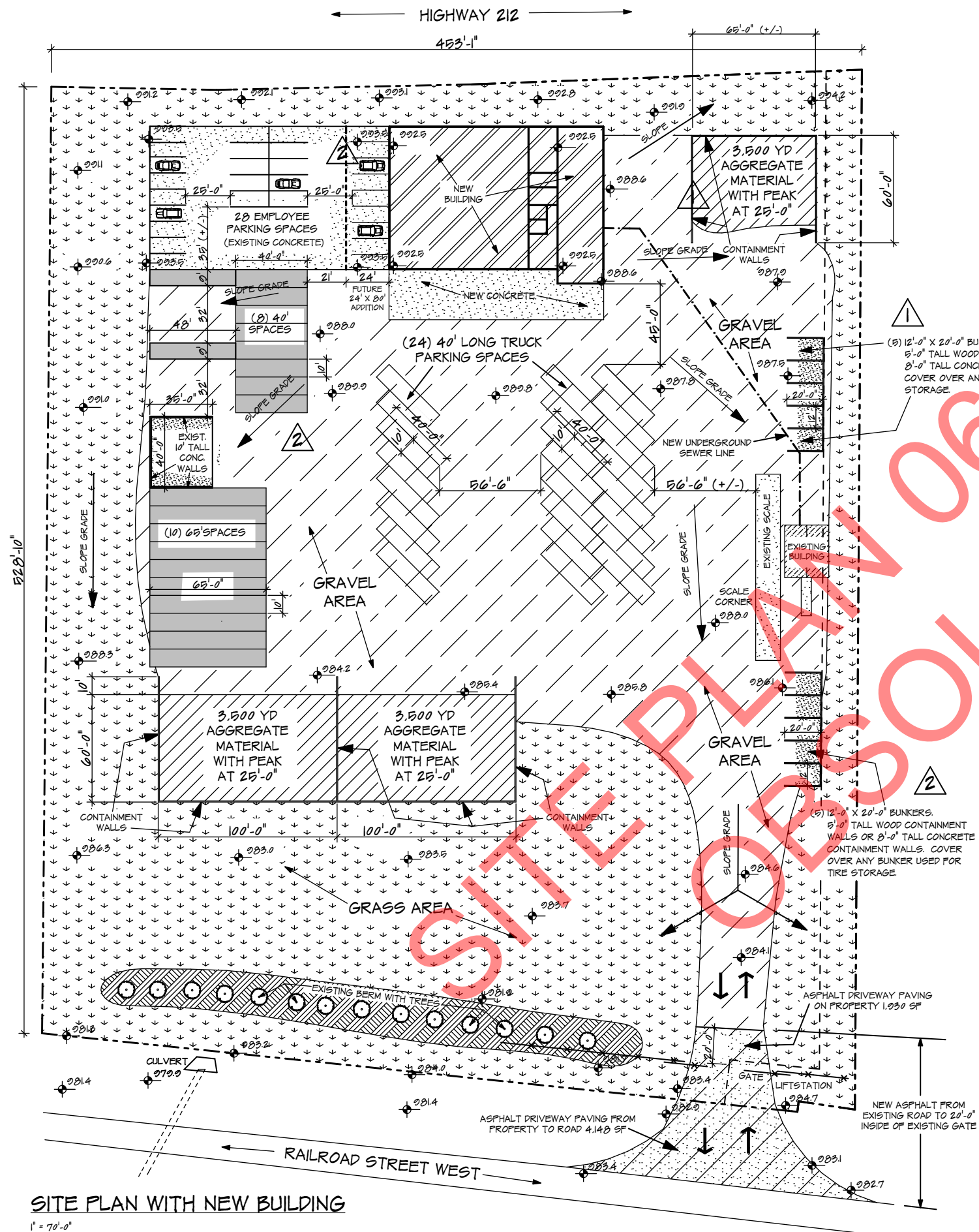
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DRAWN BY: RS
DATE: 7/17/2017
SHEET 2 OF 3



PROJECT NAME:	CURFMAN TRUCKING
PROJECT NUMBER:	NORWOOD YOUNG AMERICA, MN
BUILDING DESCRIPTION:	80' X 94' X 22'
DESIGN NUMBER:	88' X 26' X 22'

592 Industrial Drive
P.O. Box 660
Winnetka, Minnesota 55395
320-485-2844 800-710-4728
Fax 320-485-3625
www.rembuldinga.com
Contractor License Number 20171976





<h2><u>SOILS LEGEND</u></h2>		
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>2800</p> </div> <div>GRADE ELEVATIONS</div> </div>		
<h3>IMPERVIOUS SOIL AREAS</h3>		
	NEW BUILDING	0.704 SF
	AGGREGATE STORAGE AREA	15.304 SF
	ASPHALT DRIVEWAY PAVING	1.030 SF
	EXISTING BUILDING	724 SF
	EXISTING CONCRETE	15.428 SF
	GRAVEL AREAS	102.670 SF
TOTAL AREA		145.040 SF
<h3>PERVIOUS SOIL AREAS</h3>		
	GRASS AREAS	28.878 SF
	BERM AREA	7.073 SF
TOTAL AREA		105.051 SF
<h3>OVERALL SOIL AREA TOTALS</h3>		
IMPERVIOUS SOIL AREAS		145.040 SF
PERVIOUS SOIL AREAS		105.051 SF
TOTAL LOT AREA		250.090 SF

PLAN REVISIONS:		
	ADDED CONTAINMENT WALL AND 8 BUNKERS	6-16-17
	CHG'D PARK'G SPACES, MOVED BUNKERS.	6-22-17

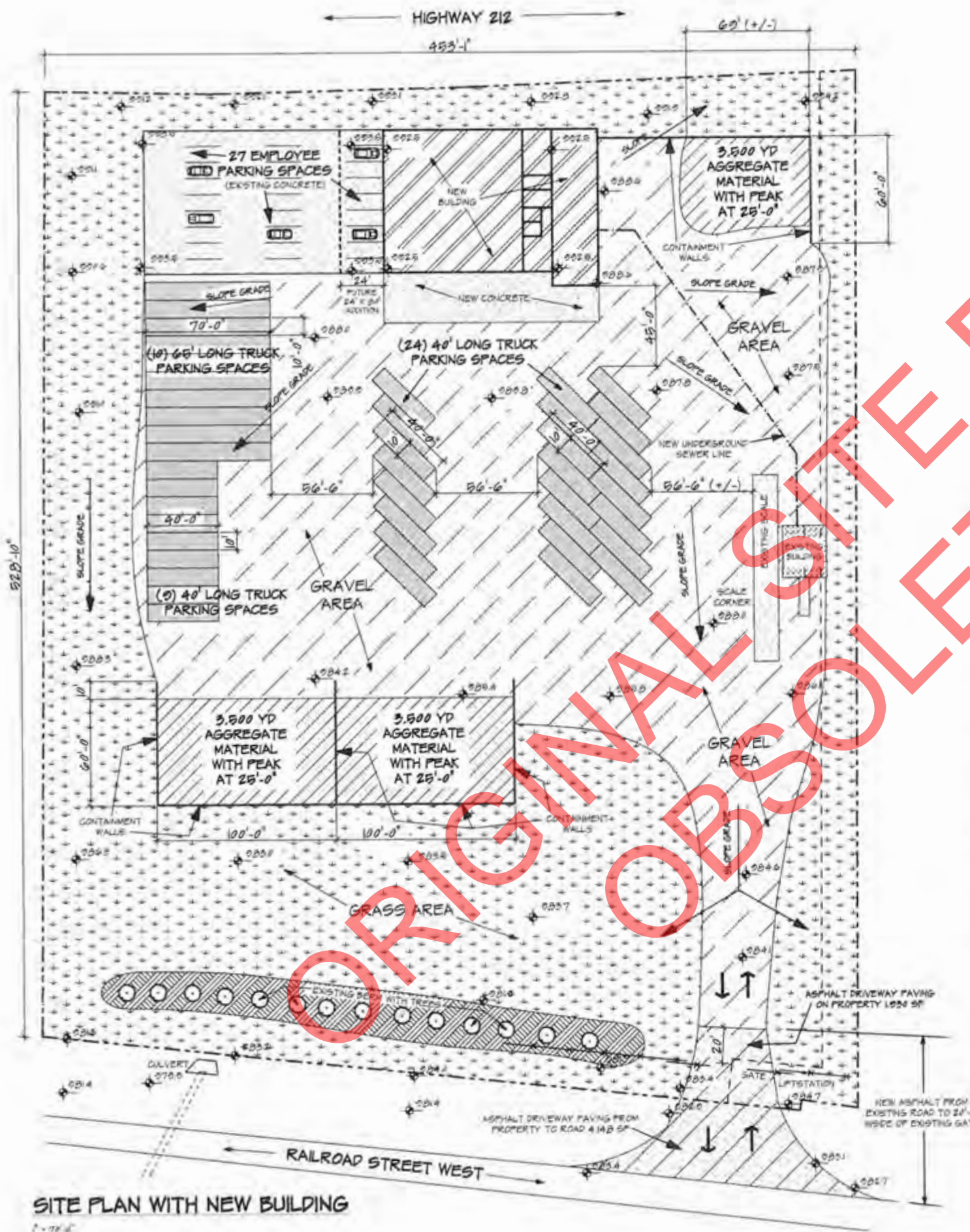
DRAWN BY: R.S.
DATE: 6/22/2017
SHEET 2 OF 3

PROJECT NAME:	CURFMAN TRUCKING
PROJECT NUMBER:	NORWOOD YOUNG AMERICA, MN
BUILDING DESCRIPTION:	80' X 94' X 22'
DESIGN NUMBER:	88' X 26' X 22'

592 Industrial Drive
P.O. Box 660
Winsted, Minnesota 55395

320-485-2844 800-710-4726
Fax 320-485-3625
www.rambuildings.com
Contractor License Number 20171976





SITE PLAN WITH NEW BUILDING

1-17-16

SOILS LEGEND	
GRADE ELEVATIONS	
205.8	
IMPERVIOUS SOIL AREAS	
NEW BUILDING	0.704 SF
AGGREGATE STORAGE AREA	15,304 SF
ASPHALT DRIVEWAY PAVING	1,930 SF
EXISTING BUILDING	724 SF
EXISTING CONCRETE	15,428 SF
GRAVEL AREAS	102,670 SF
TOTAL AREA	145,940 SF
PERVIOUS SOIL AREAS	
GRASS AREAS	28,878 SF
BERM AREA	7,073 SF
TOTAL AREA	105,951 SF
OVERALL SOIL AREA TOTALS	
IMPERVIOUS SOIL AREAS	145,940 SF
PERVIOUS SOIL AREAS	105,951 SF
TOTAL LOT AREA	251,891 SF

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PROJECT NAME: CURFMAN TRUCKING
PROJECT NUMBER: NORWOOD YOUNG AMERICA, MN
BUILDING DESCRIPTION: 80' X 94' X 22'
DESIGN NUMBER: P17035

552 Industrial Drive
P.O. Box 660
Winnet, Minnesota 55395
320-485-2844 800-710-4726
Fax 320-485-3125
www.rambuildings.com
Contractor License Number 20171976



DRAWN BY: R.S.
DATE: 8/8/2017
SHEET 2 OF 3

1245.04 Accessory Structures

Subd. 1 Purpose. The intent of this section is to establish the minimum regulations for accessory structures in order to protect the public health, safety and welfare; to protect use areas; to promote orderly development; to provide adequate light, air, and convenience of access to property; to provide for compatibility of different uses; to prevent overcrowding of land and undue concentration of structures.

Subd. 2 General Provisions.

- A. *Setbacks.* Detached accessory structures shall be located in the side or rear buildable lot area subject to meeting the setback requirements. Unenclosed Decks, Porches, and Patios are permissible in the front yard subject to meeting the setback requirements.
- B. *Aggregate Coverage Limitation.* In the R-1, R-2, R-3, R-4 and RC-1 Districts, the sum of the building area of all garages, utility buildings and other detached accessory structures shall not exceed a total of:

Lot Area (in square feet)	Maximum Total Floor Area of all Accessory Structures*	Maximum Number of Detached Accessory Structures
10500 and smaller	1,000 square feet	Two
10,501 to 21,780	1,200 square feet	Two
21,781 to 43,560	1,400 square feet	Two
43,561 and larger	1,600 square feet	Two, unless variance granted

(1) Subject to maximum lot coverage limit contained in the underlying zoning district.

(2) Commercial, industrial, or business buildings and structures for a use accessory to the principal use shall not exceed thirty (30) percent of the gross floor area of the principal use.

(3) At no time shall the ground floor area of a detached residential accessory structure within an R-1, R-2, R-3, R-4, or RC-1 District exceed forty (40) percent of the combined ground floor area of the principal and accessory structure.

(4) Notwithstanding the provisions of Section 1245.04, Subd. 2(B)(2) or Section 1245.04, Subd 2 (B)(3) of the City Code, Single-family residential properties located in the C-3 (Downtown) and C-2 (General Business) Districts shall be allowed one (1) accessory structure up to 1,000 square feet in gross floor area.

C. *Design characteristics.* Detached accessory structures shall be constructed of material similar to the principal structure, and in character with the surrounding built environment. Design characteristics shall include, but not be limited to, the following:

1. Roof type (e.g. gabled, hipped, mansard), roof orientation, and roof pitch
2. Eave, overhang depth, and fascia/soffit type and appearance.
3. Exterior building material, and,
4. Exterior color.

D. *Minimum Roof Pitch.* The minimum accessory structure roof pitch shall be 4:12ths

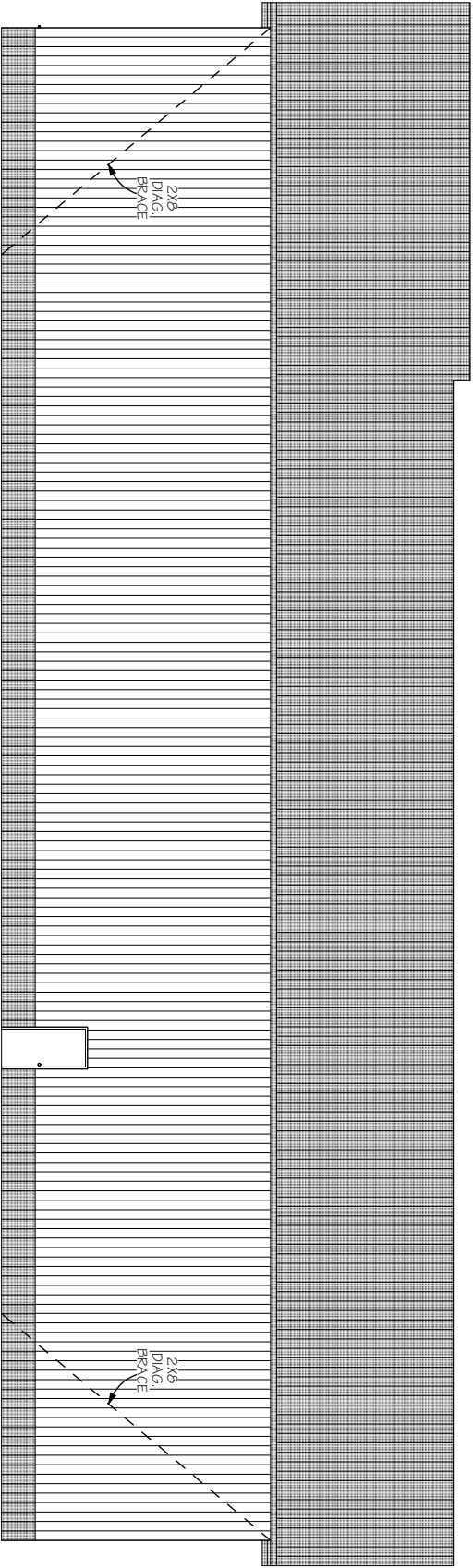
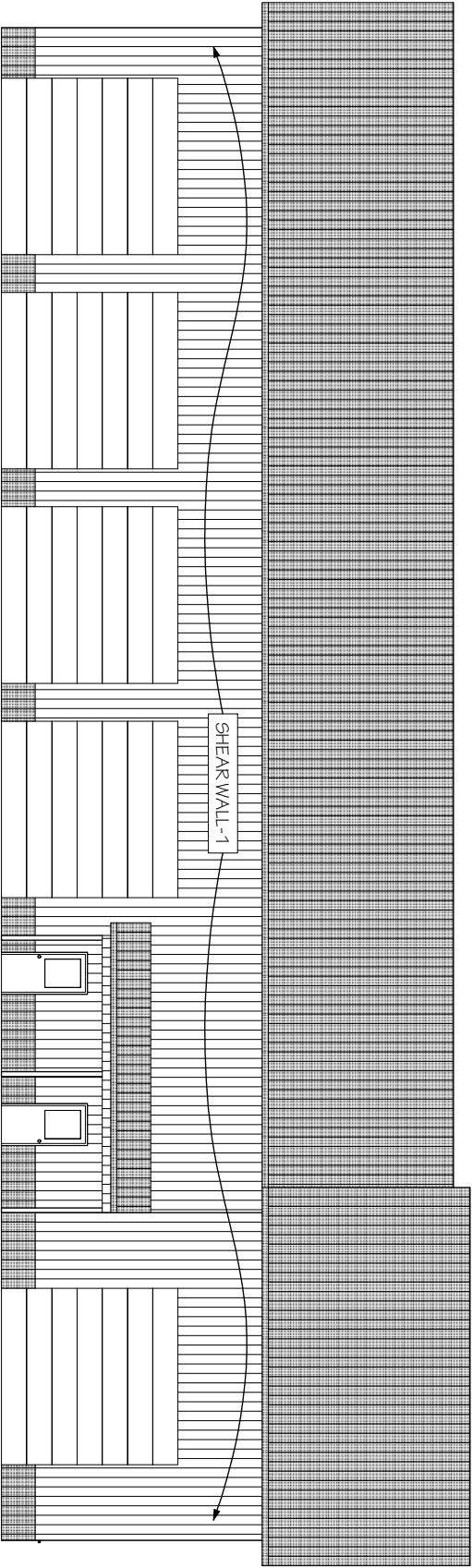
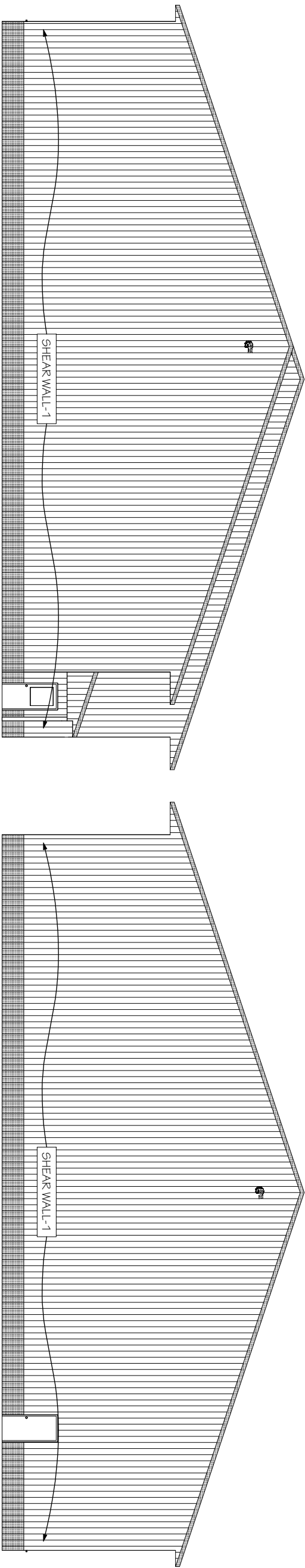
E. *Prohibited Roof Types.* Rolled roofs and mono-sloped roofs are prohibited

F. *Prohibited Exterior Materials.* Galvanized and unpainted metal are prohibited as exterior building materials.

G. *Exceptions.* Agricultural buildings on agricultural lots shall be exempt from this Section.

- H. *Attachment Required.* In cases where an accessory building is attached to the principal structure, it shall be made structurally part of the principal structure and shall comply in all respects with the requirements for principal structures.
- I. *Principal Structure Required.* No accessory structure or building shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.
- J. *Front Yard Placement Prohibited.* No accessory structure shall be place in the front yard.
- K. *Structures 120 Square Feet or Less.* Structures sized 120 square feet or less are exempt from this Section, except those standards relating to required setbacks and number of total detached structures allowed.
- L. *Accessory Structures Must Be Subordinate Structures.* Detached accessory structures shall be clearly and reasonable subordinate to the principal structure in terms of height, footprint, and total square footage.
- M. *Maximum Height.* Sidewall height for detached accessory structures may not exceed ten (10) feet. Total detached accessory structure height may not exceed eighteen (18) feet as measured from the ground level to the highest point of the roof. Where these standards conflict with other standards, the strictest rule shall apply.
- N. *Setbacks.* Setbacks established in the underlying zoning district classification shall apply as indicated for accessory structures.

(Amended by Ord. 258; 2-23-2015)



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Date: 6/2/17 Jared K. Larson
Reg. No. 15847

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Date: 6/2/17 Jared K. Larson
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PROJECT NAME:
PROJECT NUMBER: (17-057)
BUILDING DESCRIPTION:
DESIGN NUMBER: P17039

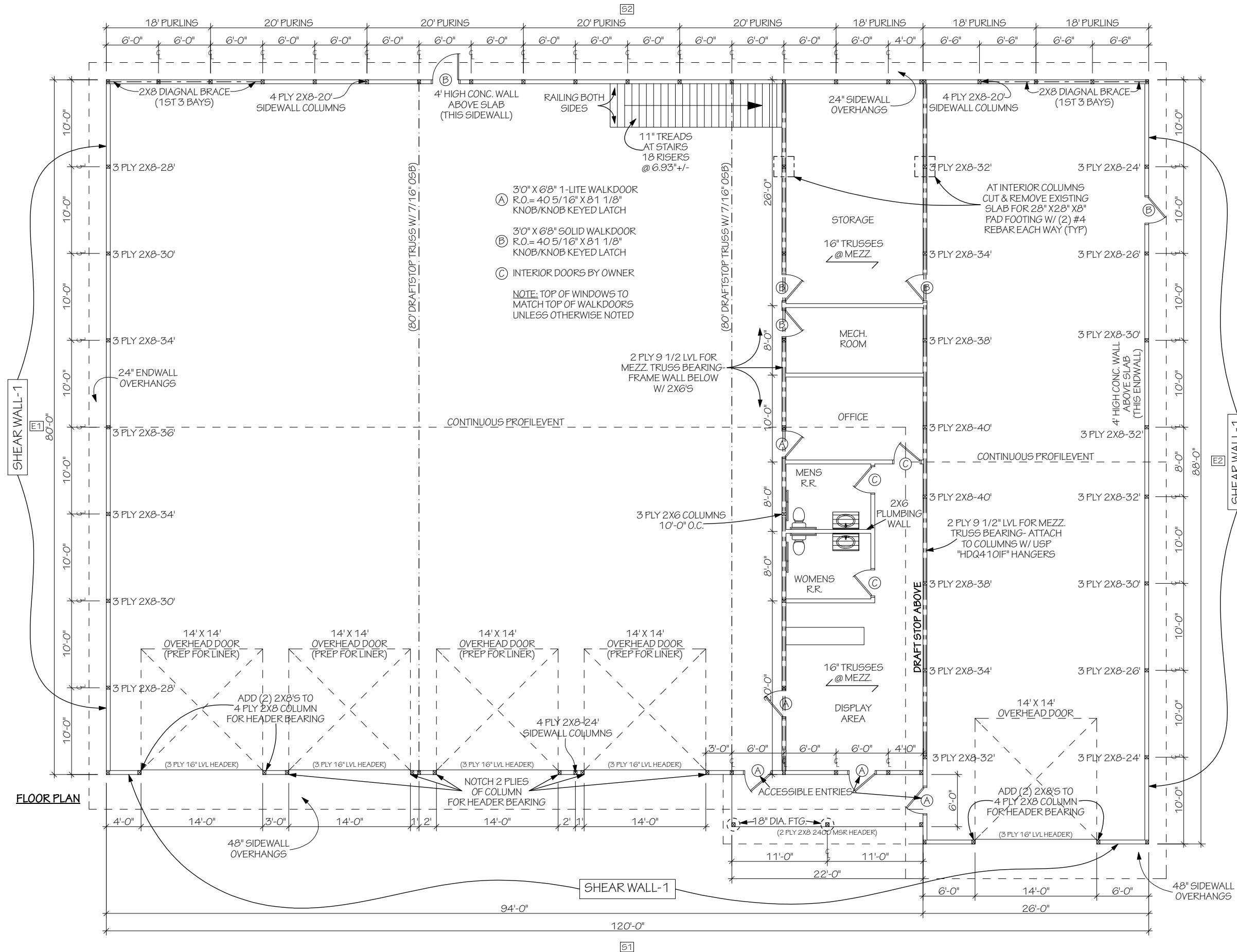
CURFMAN TRUCKING

80'-0" X 94'-0" X 22'-0" &
88'-0" X 26'-0" X 22'-0"

DRAWN BY: JEREMY B.

DATE: 6/2/2017

SHEET 1 OF 8



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Jared K. Larson
Jared K. Larson
Date: 6/12/17
Reg. No. 15847

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Jared K. Larson
Date: 6/12/17
Reg. No. 15847

DRAWN BY: JEREMY B.

DATE: 6/2/2017

SHEET 2 OF 8

PROJECT NAME: CURFMAN TRUCKING

PROJECT NUMBER: (17-057)

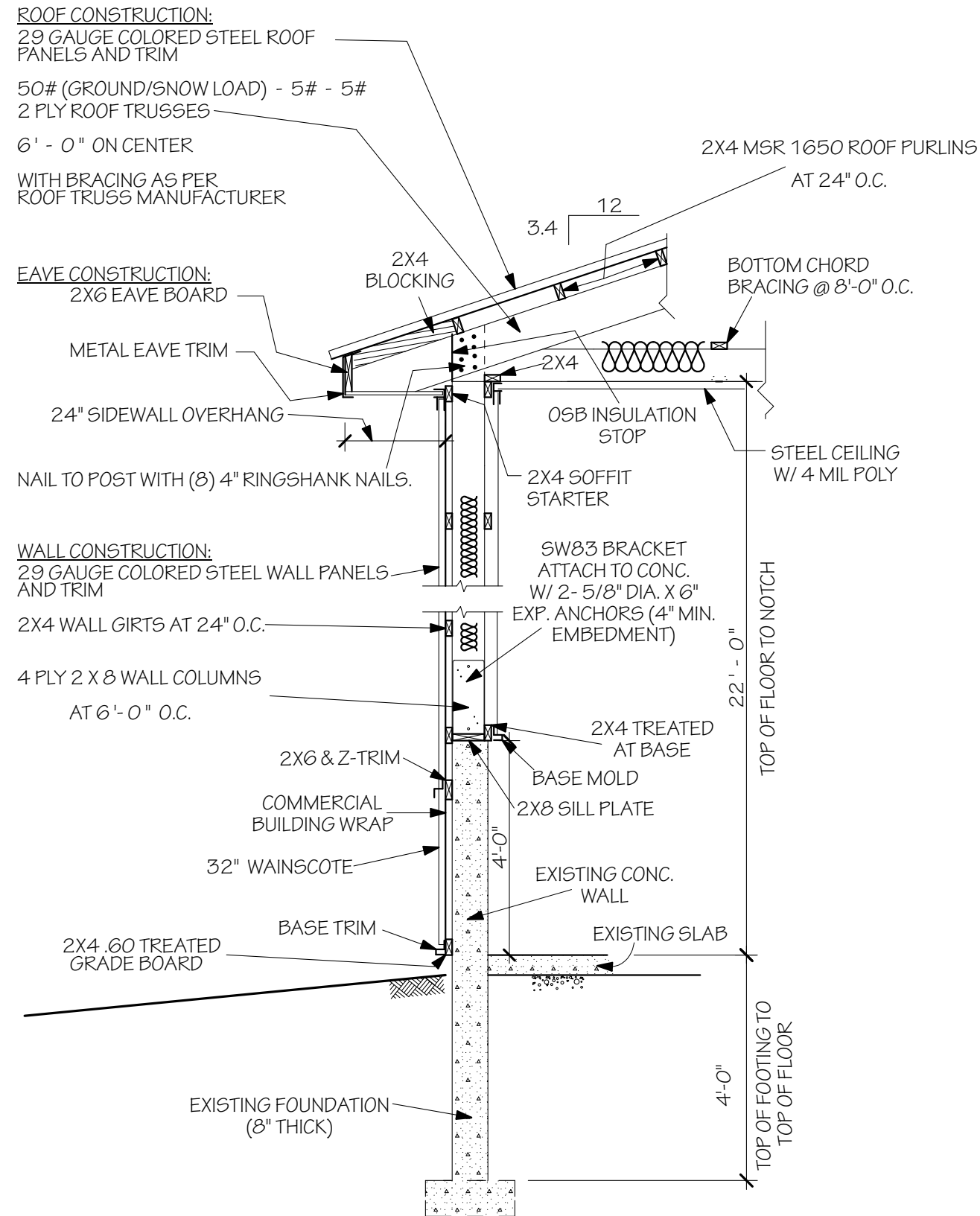
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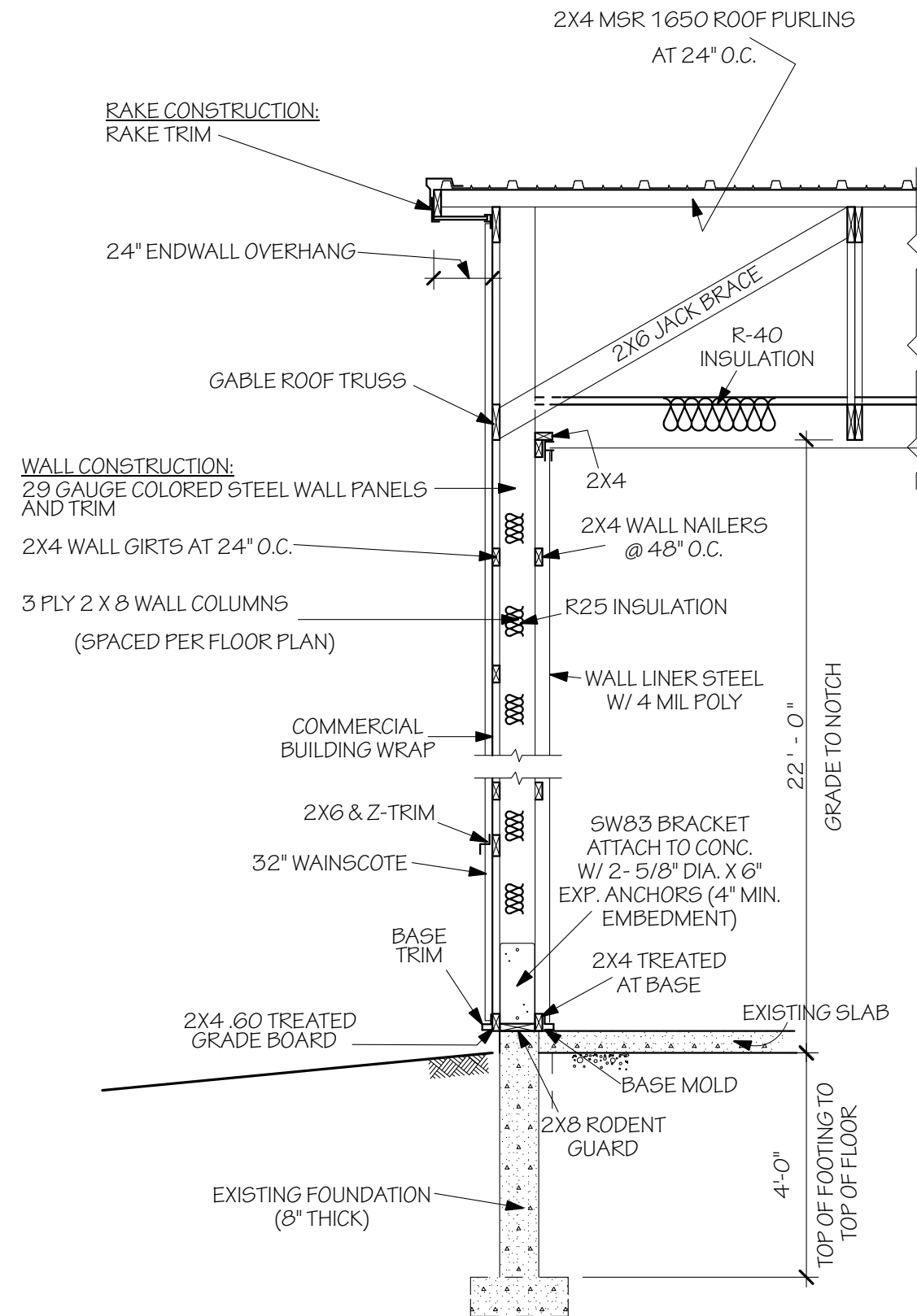
SIDEWALL 2 SECTION (80' WIDE)

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ENDWALL SECTION (80' WIDE)

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CURFMAN TRUCKING

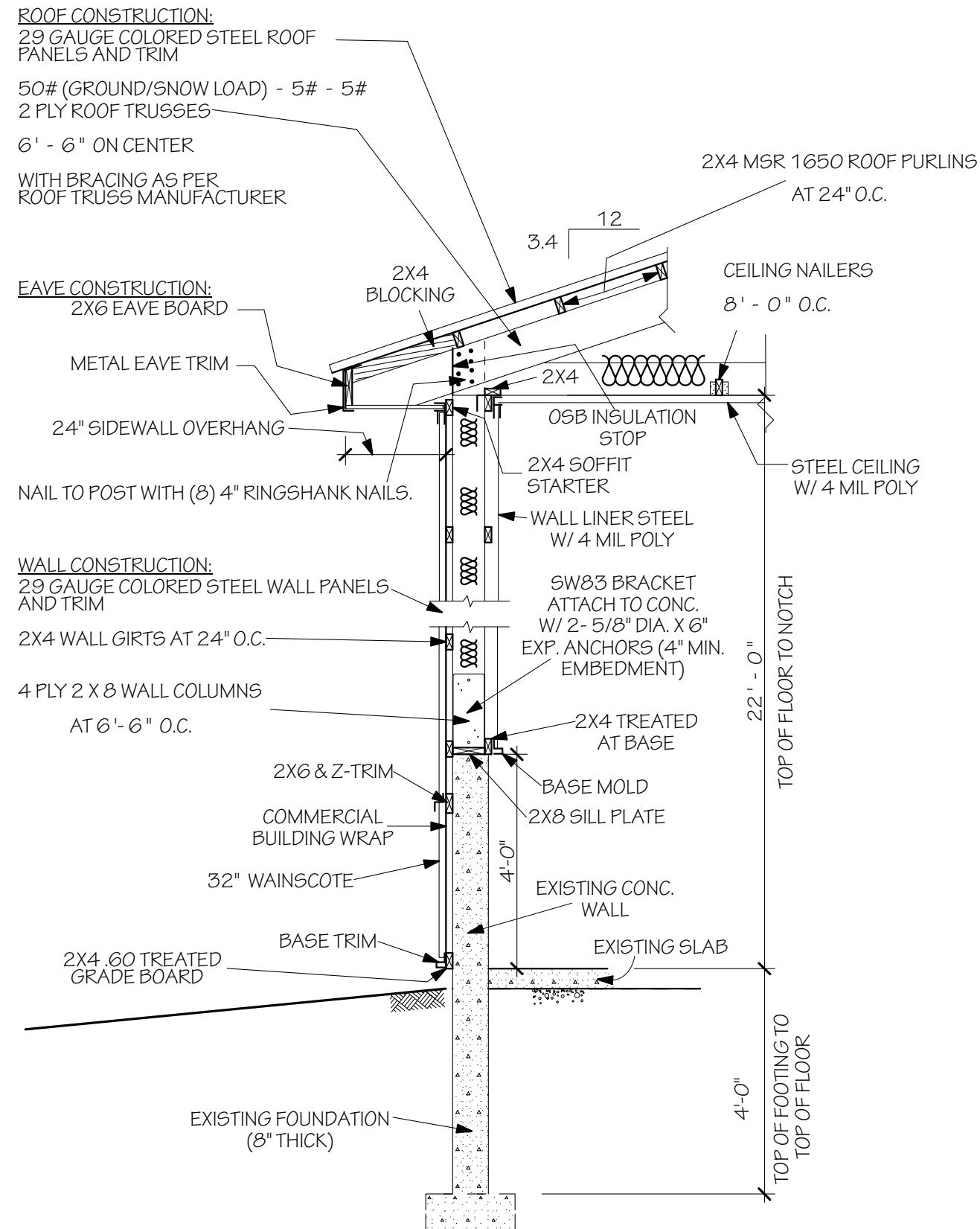
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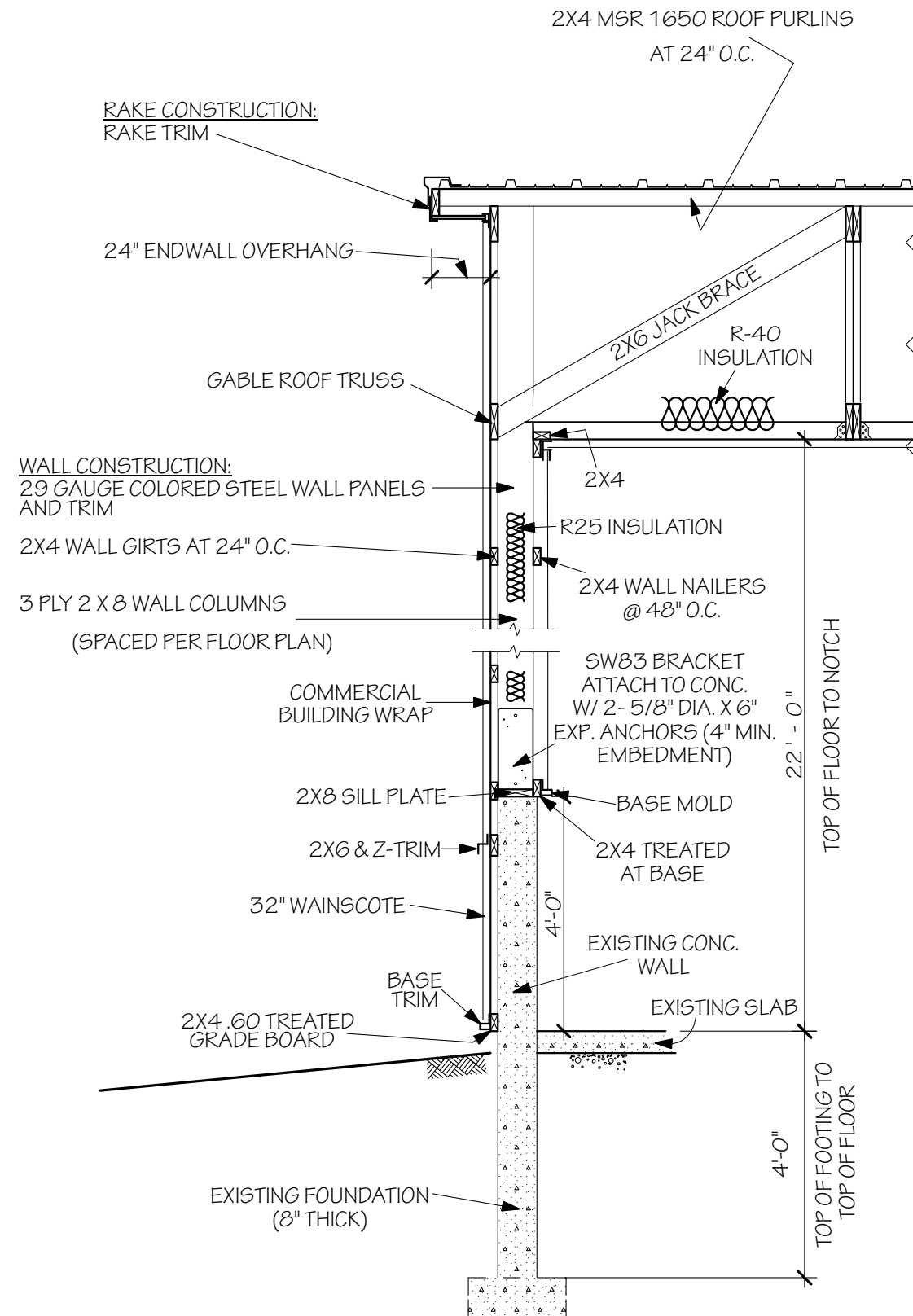
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CURFMAN TRUCKING

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ROOF CONSTRUCTION:
29 GAUGE COLORED STEEL ROOF
PANELS AND TRIM

50# (GROUND/SNOW LOAD) - 5# - 5#
2 PLY ROOF TRUSSES

6' - 0" ON CENTER

WITH BRACING AS PER
ROOF TRUSS MANUFACTURER

EAVE CONSTRUCTION:
2X6 EAVE BOARD

METAL EAVE TRIM

48" SIDEWALL OVERHANG

NAIL TO POST WITH (8) 4" RINGSHANK NAILS.

WALL CONSTRUCTION:
29 GAUGE COLORED STEEL WALL PANELS
AND TRIM

2X4 WALL GIRTS AT 24" O.C.

4 PLY 2 X 8 WALL COLUMNS
(SPACED PER FLOOR PLAN)

2X6 & Z-TRIM

COMMERCIAL
BUILDING WRAP

32" WAINSCOTE

BASE TRIM

2X4 .60 TREATED
GRADE BOARD

EXISTING FOUNDATION
(8" THICK)

2X4 MSR 1650 ROOF PURLINS

AT 24" O.C.

BOTTOM CHORD
BRACING @ 8'-0" O.C.

2X4

OSB INSULATION
STOP

2X4 SOFFIT
STARTER

WALL LINER STEEL
W/ 4 MIL POLY

R25 INSULATION

2X4 WALL NAILERS
@ 48" O.C.

22' - 0"

TOP OF FOOTING TO
TOP OF FLOOR

SIDEWALL 1 SECTION (80' WIDE)

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AT 24" O.C.

CEILING NAILERS
8' - 0" O.C.

2X4

OSB INSULATION
STOP

2X4 SOFFIT
STARTER

WALL LINER STEEL
W/ 4 MIL POLY

R25 INSULATION

2X4 WALL NAILERS
@ 48" O.C.

22' - 0"

TOP OF FOOTING TO
TOP OF FLOOR

SIDEWALL 1 SECTION (88' WIDE)

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SHEET 5 OF 8

CURFMAN TRUCKING

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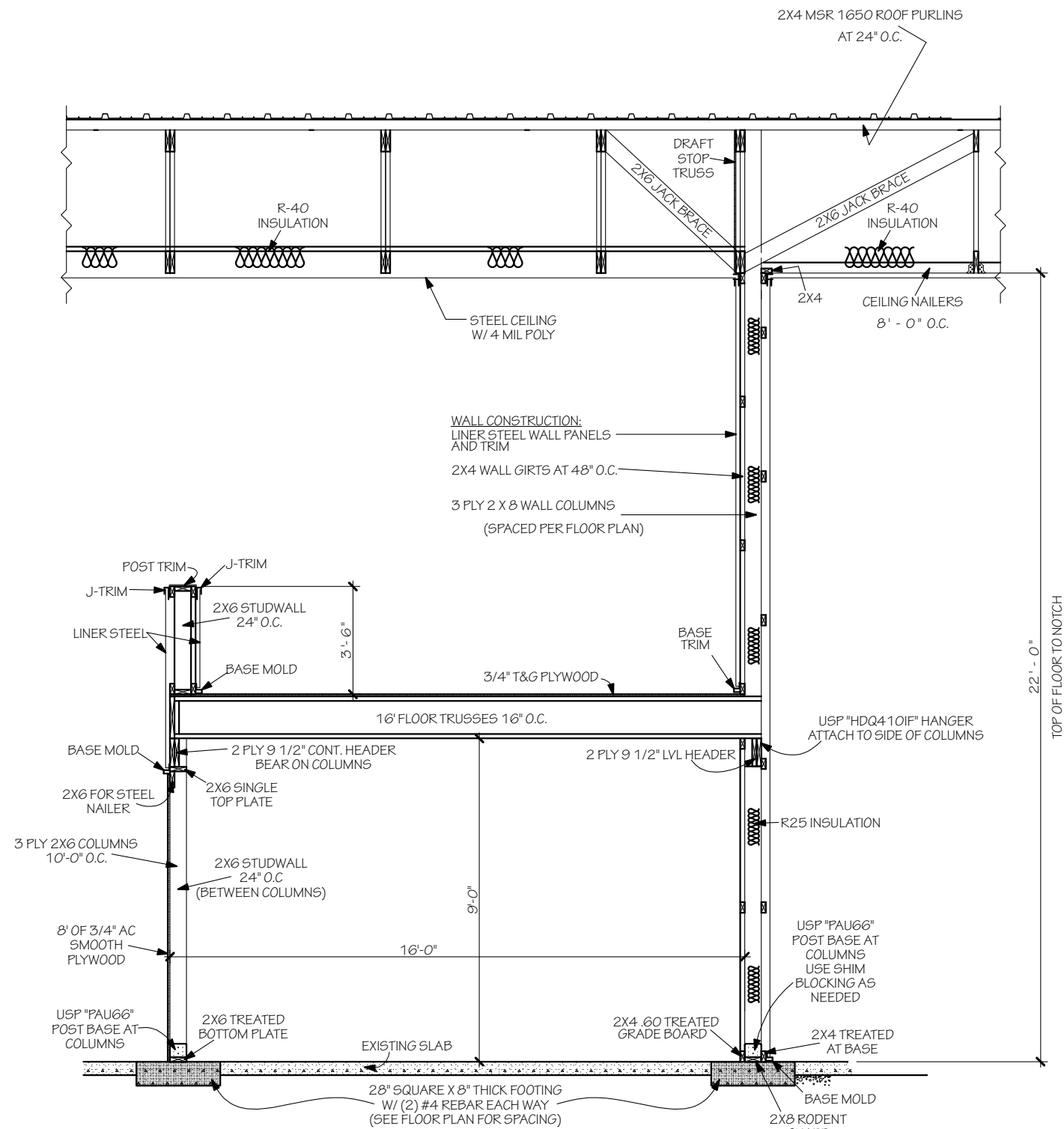
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ENDWALL SECTION

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DRAWN BY: JEREMY B.
 DATE: 6/2/2017
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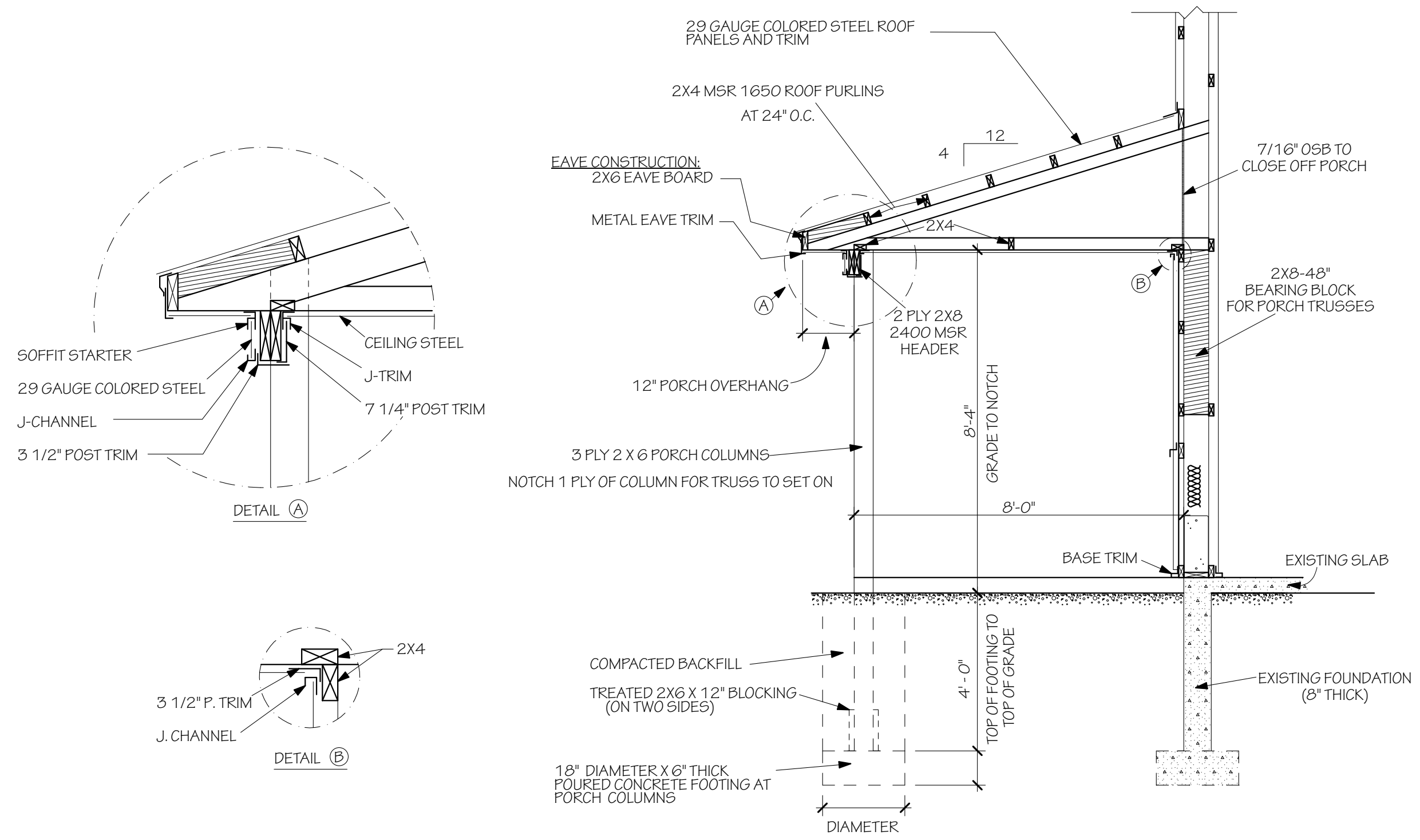
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BUILDING CODE DATA

Building Occupancy & Occupant Load

Based on the 2015 Minnesota State Building Code

Curfman Trucking Building

Repair Shop (S-1)	6,240 s.f. / 300 s.f. per occ.(average)	21 people
Wash Bay (S-1)	2,288 s.f. / 300 s.f. per occ. (average)	8 people
Mech./Storage	544 s.f. / 300 s.f. per occ.	2 people
Office (B occupancy)	736 s.f. / 100 s.f. per occ.	7 people
Total Building	9,808 s.f.	38 people
Mezzanine - Storage	1,280 s.f. / 300 s.f. per occ.	4 people
Total Building		42 people

Allowable Building Floor Area and Occupancy Separations

Construction Type - 5-B Building - Non Rated, Combustible, Non-sprinklered building.

B Occupancy - Allowable Basic Floor Area = 9,000 s.f. per floor
S-1 Occupancy - Allowable Basic Floor Area = 9,000 s.f. per floor

No occupancy separations are required per Minnesota Code Table 508.4

With sideyard separations around the building the allowable area can be increased to more than 9,808 s.f.
Therefore no fire wall separations are required based on allowable area.

Attic Ventilation and Draftstopping

Provide ventilation in the eaves and at the ridge of the roof equal to 1/300 of the area of the attic space.

Provide access into each attic space with access panels in ceiling to be located as directed by the owner.
Minimum opening size is to be 22" x 42" clear.

The main attic space will be separated by draftstops attached to the side of a roof trusses as shown on the floor plan to limit the maximum area between draftstops to 3,000 sq. ft.

Sanitation Facilities

Based on Chapter 29 of the International Building Code

42 people requires two toilet rooms each with 1 water closet and 1 lavatory.

Structural Notes

1.

The building will be placed on existing foundation walls and footings. It is assumed that the existing footings bear on natural soils or engineered fill capable of safely supporting a uniform load of at least 2000 pounds per square foot, without harmful settlement.
2.

Notify the Architect/ Engineer immediately if any questionable conditions are encountered during construction. Foundations are subject to change depending on the conditions encountered on site
3.

Provide a minimum of 6" of compacted granular material below the exterior concrete slabs.
4.

Roof truss, purlin and wall girt framing is shown as a general layout only. Consider the spacing shown on the plans to be the maximum.
5.

All prefabricated wood trusses shall be manufactured in accordance with designs prepared by a Registered Professional Engineer. Submit shop drawings for each type of truss showing bearing locations, truss lengths, member sizes and grade of lumber, member stresses, connecting plate sizes and material, and bridging locations. The shop drawings shall be certified by an Engineer registered in the State of Minnesota.
6.

Concrete work shall comply with the current "Building Code Requirements for Reinforced Concrete" (ACI 318) as published by the American Concrete Institute.

Shear Wall Construction Schedule

As noted on the plans install shear walls as follows:

Shear Wall - 1

Exterior Shear wall to have 2 x 4 horizontal wall girts at 24" on center installed to the outside of the columns with 7/16" OSB sheathing installed at the exterior of the wall, attached with 8d nails spaced at 6" o.c. along all panel edges and 12" o.c. at the intermediate wall girts. Panels to be installed wiith long direction horizontal. Install vertical 2x4 blocking between the girts to the outside of the columns. Block all panel edges.

Design Live Loads

The Structural design is based on the following superimposed Live Loads:

Roof (Snow) - 35 PSF
Floors - 250 PSF existing slab
Upper mezzanine - 125 psf - storage
Wind - 90 MPH

The Structural design is based on the building in the completed state. Contractors shall take the necessary precautions to insure that the building is braced during construction to resist all vertical and horizontal loads encountered.

Material Strengths

Concrete: 3000 psi for new footings.
4000 psi for exterior slabs
Lumber: Dimension lumber: No. 2 S.P.F. or as noted on the plans
Laminated poles: Fb = 1,700 psi
Soil Bearing Value: 2,000 psf (assumed)

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DRAWN BY: JEREMY B.
DATE: 6/2/2017
SHEET 8 OF 8

CURFMAN TRUCKING

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Section 1250 – Off-street Parking and Loading

1250.01 Scope. Off-street parking and loading regulations shall apply to all buildings and uses of land established after the effective date of this chapter.

1250.02 Required Site Plan. Any application for a building permit shall include a site plan or plot plan drawn to scale and dimensioned showing off-street parking and loading space to be provided in compliance with this chapter.

1250.03 Reduction and Use of Space. Off-street parking facilities existing at the effective date of this chapter shall not subsequently be reduced to an amount less than that required under this chapter for a similar new building or use. Off-street parking facilities provided to comply with the provisions of this chapter shall not subsequently be reduced below the requirements of this chapter. Such required parking or loading space shall not be used for storage of goods or for storage vehicles that are inoperable or for sale or rent.

1250.04 Computing Requirements. In computing the number of parking spaces required, the following rules shall apply:

- A. Floor space shall mean the gross floor area of the specific use.
- B. Where fractional spaces result, the parking spaces required shall be construed to be the nearest whole number.

1250.05 Yards. Off-street parking and loading facilities shall be subject to the front yard, side yard and rear yard regulations for the use district in which the parking is located, except that:

- A. In any of the residence districts, parking or loading space may not be located within fifteen (15) feet of any property line.
- B. In the R-4, Multiple Family Residential District, C-2, General Commercial District, B-1, Business Industrial District or I-1, Light Industrial District, no parking or loading space shall be located within ten (10) feet of any property line nor shall any parking space be located within twenty-five (25) feet of any residence district.
- C. In the C-3, Downtown District or RC-1, Residential Neighborhood Commercial District, no parking and loading space shall be located within five (5) feet of any property line nor shall any parking space be located within ten (10) feet of any residence district.

1250.06 Buffer Fences and Planting Screens. Off-street parking and loading areas in, near or adjoining residence districts, except areas serving single-family dwellings, shall be screened by a buffer fence of adequate design or a planting buffer screen. Plans of such screen or fence shall be submitted for approval as a part of the required site or plot plan and such fence or landscaping shall be installed as part of the initial construction.

1250.07 Access.

- A. Parking and loading space shall have adequate access from a public right-of-way.
- B. Access drives shall be so located as to minimize traffic and congestion and abnormal traffic hazards. No driveway shall be closer than fifty (50) feet to any right-of-way line of a street intersection.

- C. Access drives shall be located a minimum of five (5) feet from a side property line.
- D. Access drive widths shall not exceed forty (40) feet for multiple family, commercial, or industrial uses. The established width for multiple family, commercial, or industrial uses may be exceeded if the City Engineer finds traffic circulation purposes warrant increased width.
- E. Residential, commercial, and industrial driveways shall be hard-surfaced with materials such as concrete, asphalt, or brick/paver, except that driveways accessed from non-hard-surfaced alleys may be non-hard-surfaced.
- F. Residential parking pads shall be setback a minimum of five (5) feet from side property lines.
(Amended by Ord. 267; 11-9-2015)

1250.08 Combined Facilities. Combined or joint parking facilities may be provided for one (1) or more buildings or uses provided that the total number of spaces shall be determined as provided in Section 1250.12.

1250.09 Construction and Maintenance. In all districts, parking areas, access drives and curb and gutter shall be hard-surfaced with materials such as concrete, asphalt, or brick/paver, except that in industrial districts parking areas in side or rear yards may be surfaced with compacted gravel or red rock. Plans for surfacing and drainage of driveways and stalls for five (5) or more vehicles shall be submitted to the City Engineer for review and the final plans shall be subject to the Engineer's written approval. (Amended by Ord. 267; 11-9-2015)

1250.10 Lighting. Light of parking and loading spaces shall be indirect or diffused and shall not be directed upon the public right-of-way or adjacent properties.

1250.11 Parking Lot Dimensions.

Table 1

Angle of Parking	Stall Width	Stall Length	Aisle Width
45°	12.5' 15.5' handicapped	18'	16'
60°	10.5' 13.5' handicapped	18'	18'
90°	9.0' 12.0' handicapped	18'	24'

Note: All angle parking requires one-way aisles

1250.12 Required Number of Off-street Parking Spaces. Off-street parking areas of sufficient size to provide parking for patrons, customers, suppliers, visitors, residents and employees shall be provided on the premises of each use. The following standards are minimum criteria. The city may increase the requirements beyond the minimum based upon findings that, due to proposed use and/or design, that additional parking demand is anticipated. The City may decrease the number of spaces required for uses in the C, Civic District and CBD, Central Business District. The number of required parking spaces shall comply with the following:

- A. Calculating the number of spaces shall be in accordance with the following:
 1. If the number of off-street parking spaces results in a fraction, each fraction of one-half or more shall constitute another space.

2. In churches and other places of public assembly in which patrons or spectators occupy benches, pews or other similar seating facilities, each twenty-four (24) inches of such seating shall be counted as one (1) seat for the purpose of this division.
 3. Except in shopping centers or where joint parking arrangements have been approved, if a structure contains two (2) or more uses, each use shall be calculated separately in determining the total off-street parking spaces required.
 4. For mixed use buildings, parking requirements shall be determined by the City based on the existing and potential uses of the building. In cases where future potential uses of a building will generate additional parking demand, the City may require a proof of parking plan for the difference between minimum parking requirements and anticipated future demand.
 5. If warranted by unique characteristics and/or documented parking demand for similar developments, the City may allow reductions in the number of parking spaces actually constructed as long as the applicant provides a proof of future parking plan. The plan must show the location for all minimum required parking spaces in conformance with applicable setback requirements. The city may require installation of the additional parking spaces wherever a need arises.
 6. One (1) handicapped parking stall shall be provided for each fifty (50) stalls. Handicapped parking spaces shall be in compliance with the Uniform Building Code and State Law.
 7. The parking requirements for uses not listed in this division may be established by the City based on the characteristics of the use and available information on parking demand for such use.
- B. Table 2 designates the minimum number of parking spaces that are required to be provided and maintained at the time any new use or structure is occupied, or any existing use or structure is enlarged or increased in capacity.
- C. For uses not specifically listed in this chapter or for joint parking facilities serving two or more different uses, the planning commission shall determine the number of spaces to be required by utilizing the requirements of the most similar use listed below.

Table 2

Type	Required Parking Spaces
Assembly or exhibition hall, auditorium, theater or sports arena	One parking space for each four (4) seats, based upon design capacity.
Auto sales, trailer sales, marine and boat sales, implement sales, garden supply store, building materials sale, auto repair	One parking space for each five hundred (500) square feet of floor area
Automobile service station	Four (4) parking spaces, plus two (2) parking spaces for each service stall; such parking spaces shall be in addition to parking space required for gas pump areas
Boarding and Lodging Houses	Two (2) parking spaces for each four beds
Bowling alley	Five (5) parking spaces for each bowling lane
Car Washes (in addition to stacking space) Automatic Drive-Through Service Self-Service	Two (2) spaces per attendant Ten (10) spaces per attendant
Churches	One (1) parking space for each three (3) seats, based on the design capacity of the main seating area, plus one (1) space per classroom
Cinemas and Movie Theaters	One (1) space for every three seats

Convenience Stores	One (1) parking space per 200 square feet of floor space
Day Care Centers	One (1) stall for each six (6) children of design capacity
Dwellings: Single-Family and Two-Family Townhouses/Multi-Family Senior Housing	Two (2) parking spaces Two (2) parking spaces per dwelling unit Dependent upon parking study
Financial institutions	One (1) space for each two hundred fifty (250) square feet of floor space
Furniture or appliance store	One (1) space for each four hundred (400) feet of floor space
Hospitals and nursing homes	One (1) space for every two (2) beds, plus one (1) space for every two (2) employees on the largest single shift
Manufacturing or processing plant	One (1) parking space for each employee on the major shift and one (1) parking space for each motor vehicle when customarily kept on the premises
Medical and Dental clinics and animal hospitals	One (1) parking space for each one hundred fifty (150) square feet of floor area
Mortuaries	One (1) parking space for every three (3) seats
Motel or hotel	One (1) parking space for each rental room or suite, plus one (1) space for every two (2) employees
Office buildings (administrative, business or professional)	4.5 stalls per 1,000 square feet gross floor area
Public Service buildings – including municipal administrative buildings, community center, public library, post office, etc.	One (1) parking space for each five hundred (500) square feet of floor area in the principle structure, plus one (1) parking space for each four (4) seats within public assembly or meeting rooms
Recreational facilities, including country club, swimming club, racquet club, public swimming pool	20 (twenty) spaces, plus one (1) space for each five hundred (500) square feet of floor area in the principal structure or two (2) spaces per court
Research, experimental or testing stations	One (1) parking space for each four hundred (400) square feet of gross floor area within the building, whichever is greater
Restaurant, café, nightclub, tavern or bar Without full liquor license With full liquor license	One space per sixty (60) square feet of gross floor area or one (1) space per two and one-half (2 ½) seats whichever is greater One space per fifty (50) square feet of gross floor area or one (1) space per two (2) seats, whichever is greater

Retail stores and service establishments	One (1) space for each two hundred (200) square feet of gross floor area
Schools: Elementary (public, private or parochial)	One parking space for each classroom plus one space for every 50 students
Junior, Senior High School and Colleges	One parking space for every classroom plus one space for every 4 students
Shopping Center: Up to 50,000 square feet	Five (5) parking spaces for every 1,000 square feet of floor space
More than 50,000 square feet	Four (4) parking spaces for every 1,000 square feet of floor space
Storage, wholesale, or warehouse establishments For each 2,000 square feet	One (1) space, or one space for every employee on the shift utilizing the most employees, whichever is greater. One (1) space for each company vehicle operating from the premises



Carver County GIS, 2014 Pictometry International

This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 5/21/2017

N 1/4 COR
SEC. 15-115-26

TRUNK HWY. 212

L=449.87
R=5804.58
 $\Delta=04^{\circ}26'26''$
CL=449.76
CB=N $88^{\circ}49'39''$ E

ALTA/NSPS

LAND TITLE SURVEY

ORIENTATION OF THIS BEARING SYSTEM
IS BASED ON THE CARVER COUNTY
COORDINATE SYSTEM (NAD 83).

E 1/4 COR
SEC. 15-115-26

PROPOSED DESCRIPTION

Part of the North Half of the Southwest Quarter of the Northeast Quarter and part of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter, all being part of Section 15, Township 115, Range 26, Carver County, Minnesota, described as follows: Commencing at the southeast corner of said Northeast Quarter of Section 15; thence on an assumed bearing of North 89 degrees 35 minutes 52 seconds West along the South line of said Northeast Quarter 1298.84 feet to the East line of the Southwest Quarter of the Northeast Quarter of said Section 15; thence North 00 degrees 24 minutes 32 seconds East along said East line 741.51 feet to a point on the northerly right-of-way line of Old State Highway No. 212, now Railroad Street, said point being the point of beginning of the tract to be described; thence North 83 degrees 58 minutes 29 seconds West along said northerly right-of-way line 427.77 feet to the East line of the East 6.00 acres of the West 12.00 acres as described in Document No. 440294 and recorded at the Carver County Recorder's Office; thence North 00 degrees 38 minutes 55 seconds East along said East line 532.35 feet to the southerly right-of-way line of Trunk Highway No. 212; thence South 88 degrees 50 minutes 50 seconds East along said southerly right-of-way line 6.90 feet; thence easterly along said southerly right-of-way line along a tangential curve that is concave to the North, said curve having a central angle of 04 degrees 26 minutes 26 seconds, a radius length of 5804.58 feet, an arc length of 449.87 feet, a chord bearing of North 88 degrees 49 minutes 39 seconds East and a chord length of 449.76 feet to the West line of vacated Blocks 12 and 25 and its northerly extension in the City of Norwood, Minnesota; thence South 00 degrees 24 minutes 32 seconds West, not tangent to last described curve, along said West line 585.13 feet to the North line of Railroad Street as platted; thence North 82 degrees 10 minutes 32 seconds West along said North line 33.28 feet to the East line of said Southwest Quarter of the Northeast Quarter; thence South 00 degrees 24 minutes 32 seconds West along said East line 5.69 feet to the point of beginning. This tract contains 5.86 acres of land and is subject to any and all easements of record.

CENTER OF SEC.
SEC. 15-115-26

To Stephen Wayne Curfman and Chicago Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 4, 7, & 8 of Table A thereof. The fieldwork was completed on July 7, 2017.

Date: 7/13/17

Avery Grochow, Lic. No. 15475

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.

AVERY GROCHOW, LS

DATE 7/13/17

REGISTRATION NO. 15475

LAND SURVEY FOR
STEVE CURFMAN

PART OF N 1/2-SW 1/4-NE 1/4 & NW 1/4-SE 1/4-NE 1/4, SEC. 15, T115, R26 YOUNG AMERICA TWP. CARVER COUNTY, MINNESOTA

- DENOTES CARVER CO. MONUMENT
 - DENOTES IRON PIPE FOUND
 - DENOTES IRON PIPE SET BY RLS NO. 15475
- SCALE: 1 INCH = 200 FEET

Jul., 2017

FILE NO. 2560

SIBLEY SURVEYORS, INC.
GAYLORD, MINNESOTA

