

CITY OF GLENWOOD
AGENDA
PLANNING COMMISSION

June 5, 2017

4:30 PM

1. Call to Order
2. Roll Call
3. Additions or Deletions to the Agenda
4. Approve Previous Meeting Minutes
 - a. May 9, 2017
5. New Business
 - a. Variance request to construct a house with attached garage 19 feet from the south property line (min. 30 feet required) and 21 feet from the east property line (min. 30 feet required). Construction will increase lot coverage from approx. 34 to 40% (max. 30% allowed).
 - i. Applicant: Keith and Jill Volkmann
 - ii. Property address: 227 1st Ave NE
 - iii. Partial Legal Description: Lot 5, Block 11, Glenwood City Original Plat
 - iv. Parcel number(s): 21-0076-000
 - v. Current Zoning: R-2 (Urban Residential)
 - b. Variance request to construct a 1,440 sq. ft. addition to the east side of the existing dwelling 20 feet from the north property line (min. 50 feet required - county road ROW). Lot coverage will be well below the maximum.
 - i. Applicant: Daniel and Doris Higgins
 - ii. Property address: 393 North Lakeshore Drive
 - iii. Partial Legal Description: Part of Lot 10 and Part of Lot 12 South of CSAH 54 as recorded on Document #243793
 - iv. Parcel number(s): 21-0880-000
 - v. Current Zoning: R-1 (Suburban Residential)
6. Old Business
7. Adjournment

This agenda is not exclusive. Other business may be discussed as deemed necessary.

STAFF REPORT

Application: Variance request to allow an increase in sidewall height and a decrease in setback.

Applicant: Keith and Jill Volkmann

Property Owner: Keith and Jill Volkmann

Agenda Item: 5a

Background Information:

-) **Proposal:** Keith and Jill Volkmann have requested two variances:
 - o To construct a house with attached garage 19 feet from the south property line (min. 30 feet required) and 21 feet from the east property line (min. 30 feet required). Both yards are designated as front yards on corner lots.
 - o Increase lot coverage from approx. 34 to 40% (max. 30% allowed).
 -) **Location:**
 - o Property address: 227 1st Ave NE
 - o Partial Legal Description: Lot 5, Block 11, Glenwood City Original Plat
 - o Parcel number(s): 21-0076-000
 -) **Zoning:** R-2 (Urban Residential)
-

Applicable Statutes/Ordinances:

Minnesota Statutes

462.357 OFFICIAL CONTROLS: ZONING ORDINANCE.

Subd. 6. Appeals and adjustments.

Appeals to the board of appeals and adjustments may be taken by any affected person upon compliance with any reasonable conditions imposed by the zoning ordinance. The board of appeals and adjustments has the following powers with respect to the zoning ordinance:

(1) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the zoning ordinance.

(2) To hear requests for variances from the requirements of the zoning ordinance including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical

difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section 216C.06, subdivision 14, when in harmony with the ordinance. The board of appeals and adjustments or the governing body as the case may be, may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The board or governing body as the case may be, may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The board or governing body as the case may be may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

City of Glenwood Regulations

153.008 ADMINISTRATION AND ENFORCEMENT.

(F) Board of Adjustment.

(2) The Board of Adjustment, upon appeal, shall have the power to authorize variances from the requirements of this chapter, and to attach such conditions to the variance as it deems necessary to assure compliance with the purpose of this chapter. A variance may be permitted if all the following requirements are met.

- (a) Literal enforcement of this chapter would result in undue hardship because of particular physical surroundings, shape or topographic conditions of the specific parcel as distinguished from a mere inconvenience, if the regulations were to be carried out.
- (b) The unnecessary hardship results from circumstances unique to the parcel of land for which the variance is sought and applicable, generally, to other property with the same zoning classification.
- (c) The hardship is caused by provisions of this chapter and is not the result of actions of persons presently or formerly having an interest in the parcel of land.
- (d) The proposed variance observes the spirit and intent of this chapter, produces substantial justice and will not be detrimental to the public welfare or injurious to other land or improvements in the vicinity of the specific parcel of land.
- (e) The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion of the public streets, or increase the danger of or from fire, or otherwise

endanger the public health, safety or welfare, and is consistent with the City Land Use Program.

153.051 LOT, YARD AND DENSITY REQUIREMENTS.

	Minimum Lot Sizes		Minimum Yard Setbacks (ft)			Minimum Site Area Per Unit (sq ft)
	Area (sq ft)	Width (ft)	Front	Rear	Side	
R-2 Urban Residential						
*Single-family dwellings	8,000	75	30	20	6	8,000
*Two-family dwellings	12,000	80	30	25	10	6,000
*Townhouses	5,000/unit	25/unit	30	30	15	5,000
*Multi-family dwellings	15,000	100	30	30	15	3,500
*Other uses	10,000	100	30	30	15	-

Staff Comments:

-) In order to grant a variance, the City needs to find that a property owner has met the criteria established in the City Code and/or State Law. In making its decision, the City should state its “findings of fact” indicating why those criteria have been met or not met and as such, why the variance request should be approved or denied.
-) The primary criteria, in Staff’s opinion, that needs to be addressed in this case, are 1) whether a denial of the variance would cause the property owner to lose reasonable use of their property; and 2) whether the applicant created the situation that leads to the variance being requested. In other words, 1) if the proposed addition was not permitted because it does not meet the setback and lot coverage requirements, would the applicant lose reasonable use of their property and 2) did the applicant create the situation that makes it not possible to meet the requirements.

Findings of Fact: Staff would recommend the following findings of fact be considered when determining whether to recommend denial, approval, or approval with conditions:

1. Will the granting of the variance be in harmony with the general purposes and intent of the Zoning and/or Subdivision Ordinance?

The City’s subdivision ordinance does not apply to this application.

The general purposes and intent of the front yard setback is to allow for adequate space between buildings and the traveled road surface and right-of-way to protect property during installation or maintenance of utilities in the right of way and to prevent damage to property or persons from vehicles running off the road. The proposed structure would be located closer than is allowed by ordinance, but

consistent with other buildings that have been allowed in the neighborhood. The Applicant has indicated that the new structure would be aligned with houses to the north and east. The roadway receives medium traffic and vehicle speeds are not such that damage would be likely to occur if a vehicle went off the road.

2. Is the proposed use of the property reasonable?

The requested variance is reasonable in that it is not unusual for a residential property to have a house with an attached garage; many of the other properties in the area have homes with attached garages.

3. Is the plight of the landowner due to circumstances unique to the property not created by the landowner?

The need for the variance would appear to primarily be related to the size of the lots in the Glenwood City Original Plat, and the need for more horizontal space to make the home handicap accessible.

4. Will the variance, if granted, alter the essential character of the locality?

The use of the property would remain residential and very similar in character to adjacent properties. The proposed structure will not have a second story or basement.

5. Are economic considerations the only reason the applicant cannot meet the strict requirements of the ordinance?

Economic considerations do not appear to play a significant factor in the requested variance. The request is due primarily to the size of the lot.

Date Received 5/12/17

Application for Planning Request
City of Glenwood

Street address of property: 227 1st AVE NE Zoning Dist. R-2

Legal Description: Sect-07 TWP-125 Range-37 Lot-005
BLK-001 Glenwood City, original, PID# 21-0076-000
Plat Lot 5 BLOCK 11

Property Owner

Name: Keith A + Jill O Volkmann Phone: 320-634-3920

Address: 18961 S. Lakeshore Dr. City: Glenwood State: MN Zip: 56334

Type of Request:

☒ Variance () Rezoning () Conditional Use Permit () Plan Review () Preliminary Plat () Final Plat () Other

Description of request to Demolish existing home - Construct new home
at 19' to South property line where 30' is required and 21' to
East property line where 30' is required - more on back ->

If this request is for the construction of a structure, a building permit and drawing must also be submitted.

Existing use 1 bedroom - 1 Bath Home w/ 3 car garage

Is this a permitted use under the current zoning ordinance __ Yes ☒ No

If No, attach a copy of the conditional use permit, variance, or other document permitting use, or attach an explanation of why the use is permitted.

Has a variance, conditional use permit, or rezoning been applied for previously __ Yes ☒ No When _____

If and/or when the City is subject to get outside review such as legal, engineering, etc., or there are direct costs for processing the application such as publishing required notices, the costs are billed to the applicant and the applicant, by signing this request agrees to pay such fees.

Keith A. Volkmann
Applicant Signature

05.12.17
Date

FOR OFFICE USE ONLY.

Permit Fee Schedule:

Permit Fee: \$ _____
Variance Fee: \$ 150.00
Penalty \$ _____
Other \$ _____

Total Permit Fee: \$ 150.00

Date Paid: 5-12-17 #4110

Request:
____ Approved Date: _____
____ Denied

Authorized By: _____

Planning Commission
Action _____

City Commission
Action _____

Signature _____ Date _____

Signature _____ Date _____

Existing garage at 27' to East property line will remain, would also like to keep foot print of 17x18 Deck, wood deck to be removed + concrete patio to replace,

ADDENDUM TO VARIANCE APPLICATION

1. What facts and conditions demonstrate that the property cannot be put to a reasonable use without the variance?

I would like to construct a 3-bedroom - 2-Bath Handicap accessible home with a 2-Car garage - Slab on Grade no basement or 2nd floor. The square footage would be needed to accomplish this.

2. State your reasons for believing your situation is due to circumstances unique to the property and not caused by the landowner:

The property is narrow, eliminating a basement which is wet 90% of the time, and has a hatch in the floor to get to the basement for utilities will not work for a handicap home.

The utility room will now be on the main floor, there is no laundry room, which will now be added to main floor, and adding 2 Bathrooms, which there is one under the staircase now - adding 3 Bedrooms which there is only 1 now - one bedroom and 1 Bathroom will be handicap accessible.

3-Car Garage Existing, when complete it will be a 2-Car Garage

3. State your reasons for believing that the variance, if granted, will not alter the essential character of the locality:

- The House will stick way up in the air No Second Story
- The house would align with houses to the west on South Side
- The house would align with houses to the North on East Side
- The property would be extremely cleaned up to what is there now bringing better value to adjoining properties.

1st Avenue NE

.....
Sui oia

1

Existing	£
3-4	£
average	£

19.

21-01

9-0°

C

Existing Plan

3rd Street NE

27-0

IN EXPLANATION OF THIS PLAN, EVERY ATTEMPT HAS BEEN MADE TO AVOID "MISTAKE. DESIGNER CANNOT GUARANTEE AGAINST" A PLAN ERROR. CONTRACTOR TO VERIFY ALL CONDITIONS AND DIMENSIONS OF PROJECT. THESE DESIGN AND DETAILS ARE A SERVICE AND OBTAIN THE PROPERTY OF BOCA VILLAS VALLEY LUTHER INC. AND ARE NOT TO BE COPIED OR DISTRIBUTED WITHOUT CONSENT OF BVL, INC.



19 Feet

Proposed Building line

Looking West to neighboring House

Looking North, West side





Proposed 36 feet

South side of House



Looking North, East side



East side of house

Propose to demo deck and pour patio

← Proposed 21 feet from property line to building

FOR SALE
320-634-3920
320-808-9236



STAFF REPORT

Application: Variance request to construct a 1,440 sq. ft. addition to the east side of the existing dwelling 20 feet from the north property line (min. 50 feet required - county road ROW).

Applicant: Daniel and Doris Higgins

Property Owner: Daniel and Doris Higgins

Agenda Item: 5b

Background Information:

) **Proposal:** Daniel and Doris Higgins have requested a variance to construct a 1,440 sq. ft. addition to the east side of the existing dwelling 20 feet from the north property line (min. 50 feet required - county road ROW).

) **Location:**

- o 393 North Lakeshore Drive
- o Part of Lot 10 and Part of Lot 12 South of CSAH 54 as recorded on Document #243793
- o Parcel number(s): 21-0880-000

) **Zoning:** R-1 (Suburban Residential)

) **Impervious Surface:** Well below the maximum limit.

Applicable Statutes/Ordinances:

Minnesota Statutes

462.357 (2011) OFFICIAL CONTROLS: ZONING ORDINANCE.

Subd. 6. Appeals and adjustments.

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(1) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the zoning ordinance.

(2) To hear requests for variances from the requirements of the zoning ordinance including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that

there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section 216C.06, subdivision 14, when in harmony with the ordinance. The board of appeals and adjustments or the governing body as the case may be, may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The board or governing body as the case may be, may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The board or governing body as the case may be may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

City of Glenwood Regulations

153.008 ADMINISTRATION AND ENFORCEMENT.

(F) Board of Adjustment.

- (2) The Board of Adjustment, upon appeal, shall have the power to authorize variances from the requirements of this chapter, and to attach such conditions to the variance as it deems necessary to assure compliance with the purpose of this chapter. A variance may be permitted if all the following requirements are met.
 - (a) Literal enforcement of this chapter would result in undue hardship because of particular physical surroundings, shape or topographic conditions of the specific parcel as distinguished from a mere inconvenience, if the regulations were to be carried out.
 - (b) The unnecessary hardship results from circumstances unique to the parcel of land for which the variance is sought and applicable, generally, to other property with the same zoning classification.
 - (c) The hardship is caused by provisions of this chapter and is not the result of actions of persons presently or formerly having an interest in the parcel of land.
 - (d) The proposed variance observes the spirit and intent of this chapter, produces substantial justice and will not be detrimental to the public welfare or injurious to other land or improvements in the vicinity of the specific parcel of land.

(e) The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion of the public streets, or increase the danger of or from fire, or otherwise endanger the public health, safety or welfare, and is consistent with the City Land Use Program.

153.051 LOT, YARD AND DENSITY REQUIREMENTS.

	Minimum Lot Sizes		Minimum Yard Setbacks (ft)			Minimum Site Area Per Unit (sq ft)
	Area (sq ft)	Width (ft)	Front	Rear	Side	
R-1 Suburban Residential						
*Single-family dwellings	10,000	7	30	20	6	10,000
*Two-family dwellings	15,000	8	30	25	1	7,500
*Other uses	15,000	8	30	30	1	7,500

151.36 PLACEMENT, DESIGN AND HEIGHT OF STRUCTURES.

(A) *Placement of structures on lots.*

(1) When more than one setback applies to a site, structures and facilities must be located to meet all setbacks.

(3) Structures shall be located as follows.

(b) *Additional structure setbacks.* The following additional structure setbacks apply, regardless of the classification of the water body:

<i>Setback From:</i>	<i>Setback (in feet)</i>
Top of bluff	30
Unplatted cemetery	50
Right-of-way line of federal, state or county highway	50
Right-of-way line of town road, public street or other roads and streets not classified	20

Staff Comments:

- J In order to grant a variance, the City needs to find that a property owner has met the criteria established in the City Code and/or State Law. In making its decision, the City should state its “findings of fact” indicating why those criteria have been met or not met and as such, why the variance request should be approved or denied.
- J The primary criteria, in Staff’s opinion, that needs to be addressed in this case, are 1) whether a denial of the variance would cause the property owner to lose reasonable use of their property; and 2) whether the applicant created the situation that leads to the variance being requested. In other words, 1) if the proposed addition was not permitted because it did not meet the road and/or side yard setback requirements, would the applicant lose reasonable use of their property and 2) did the applicant create the situation that makes it not possible to meet the requirements.

Findings of Fact: Staff would recommend the following findings of fact be considered when determining whether to recommend denial, approval, or approval with conditions:

1. Will the granting of the variance be in harmony with the general purposes and intent of the Zoning and/or Subdivision Ordinance?

The City’s subdivision ordinance does not apply to this application.

The general purposes and intent of the front yard setback is to allow for adequate space between buildings and the traveled road surface and right-of-way to protect property during installation or maintenance of utilities in the right of way and to prevent damage to property or persons from vehicles running off the road. The proposed structure would be located closer than is allowed by ordinance, but consistent with other buildings that have been allowed in the neighborhood. The roadway receives a moderate amount of traffic and vehicle speeds are not such that damage would be likely to occur if a vehicle went off the road.

2. Is the proposed use of the property reasonable?

The requested variance is reasonable in that it is not unusual for a residential property to have house with an attached garage, and many of the other properties in the area have one. Also, the size of the structure with the proposed additions is in character with other dwellings in the vicinity.

3. Is the plight of the landowner due to circumstances unique to the property not created by the landowner?

The need for the variance would appear to primarily be related to the location of the legal non-conforming existing house that is being added onto. The house is approximately 26 ft. from the edge of the right-of-way, within the 50 ft. setback.

4. Will the variance, if granted, alter the essential character of the locality?

The use of the property would remain residential and very similar in character to adjacent properties.

5. Are economic considerations the only reason the applicant cannot meet the strict requirements of the ordinance?

Economic considerations do not appear to play a significant factor in the requested variance. The request is due primarily to the location of the original house and the desire to maximize the amount of house that has a view of the lake.

Date Received 5-11-17

Application for Planning Request
City of Glenwood

Street address of property: 393 North Lakeshore Dr. Zoning Dist. R-1

Legal Description: See attached 2 page legal description labeled Attachment #1.
PID# 21-0880-000

Property Owner

Name: Daniel J. & Doris W. Higgins Phone: 651-260-1732 ^{Daniel's cell:} 651-492-2538 ^{Doris's cell:} 320-334-3159 ^{Land line:}

Address: 393 North Lakeshore Drive City: Glenwood State: MN Zip: 56334

Type of Request:

☒ Variance () Rezoning () Conditional Use Permit () Plan Review () Preliminary Plat () Final Plat () Other

Description of request Enlarge our legal non-conforming use home, which is constructed at ^{48 to 26} ~~110~~ feet from front property line where 50 feet is required. Addition to be constructed at a minimum of 20.5 feet from front property line.

If this request is for the construction of a structure, a building permit and drawing must also be submitted.

Existing use This is our primary/only residence. It is homesteaded.

Is this a permitted use under the current zoning ordinance ☒ Yes ☐ No

If No, attach a copy of the conditional use permit, variance, or other document permitting use, or attach an explanation of why the use is permitted.

Has a variance, conditional use permit, or rezoning been applied for previously ☐ Yes ☒ No When _____

If and/or when the City is subject to get outside review such as legal, engineering, etc., or there are direct costs for processing the application such as publishing required notices, the costs are billed to the applicant and the applicant, by signing this request agrees to pay such fees.

Daniel J. Higgins
Applicant Signature

05/11/2017
Date

FOR OFFICE USE ONLY.

Permit Fee Schedule:

Permit Fee: \$ _____
Variance Fee: \$ 150.00
Penalty: \$ _____
Other: \$ _____

Total Permit Fee: \$ 150.00

Date Paid: 5-11-17

Request:
☐ Approved Date: _____
☐ Denied

Authorized By: _____

Planning Commission
Action _____

City Commission
Action _____

Signature _____ Date _____

Signature _____ Date _____

ADDENDUM TO VARIANCE APPLICATION

1. What facts and conditions demonstrate that the property cannot be put to a reasonable use without the variance?
 - A. The needed addition to our home could be built straight toward the rear of the home only, instead of also expanding to the sides, but that would severely limit our ability to have a functional floor plan while maintaining a reasonable lake view. The resulting floor plan would closely resemble a 24' by 80' trailer home lay-out with the narrow end towards the lake. Our property taxes are based on lakeshore frontage so it seems reasonable to not want to minimize that aspect of our home.
 - B. Since moving into our home full-time as our only residence last July, we've been forced to keep most of our furniture, clothes and other belongings in 2 rented local storage units. This is due to our reduction in living space from ~1440 sf to ~700 sf.
 - C. We have 5 children that we want to be able to accommodate visits from and our first grandchild was born at the end of 2017. We need to expand our home or move somewhere with much more living space.
2. State your reasons for believing your situation is due to circumstances unique to the property and not caused by the landowner:
 - A. Last year, our "Plan A" regarding our home/lot was to tear down the existing structure and build a new house in the middle of our ~300' deep lot. That plan would have alleviated the need for a variance since the house would have been set back ~80' from the front property line. We had blue prints drawn up, verbal approval of the building permit, all the utilities physically disconnected and had emptied the house completely. Then the post-build appraisal value came in > \$100k less than the cost of building it so we were forced to cancel Plan A. The much lower than expected post-build appraisal value was due to issues specific to the property, namely that since there had not been any recent similar new construction projects on Lake Minnewaska, the appraiser was forced to use only comps from much less desirable smaller lakes more than 5 miles away.
 - B. This home pre-dates the county road that it is now on, which results in the minimum setback from the front property line being 50' instead of 30'. A variance would still be needed but would not be as dramatic (i.e. 30 to 21 instead of 50 to 21).
3. State your reasons for believing that the variance, if granted, will not alter the essential character of the locality:
 - A. Our home is very old and dilapidated. It is honestly an eyesore to the neighborhood. Our remodeling and expansion of our home will have a significant net positive effect on our direct neighborhood by bringing our home's appearance and value up to that of the neighbors.
 - B. On the lot of our adjacent neighbor to the East, there is already a ~30' x 30' fairly recently built garage that is ~21' from the front property line at it's closest point, just as my expansion would be.

Attachment #1

That part of Lot 10, WUEST'S SUBDIVISION OF SOUTH 13.92 ACRES OF GOVERNMENT LOT NUMBER ONE (1) SEC. 12. TOWNSHIP NUMBER 125. RANGE 38., according to the recorded plat thereof, described as follows:

Commencing at the northwest corner of Section 12, Township 125 North, Range 38 West, Pope County, Minnesota;

thence South 00 degrees 11 minutes 52 seconds East, assumed bearing along the west line of said Section, 1543.22 feet to the northwest corner of Lot 11, said WUEST'S SUBDIVISION OF SOUTH 13.92 ACRES OF GOVERNMENT LOT NUMBER ONE (1) SEC. 12. TOWNSHIP NUMBER 125. RANGE 38.;

thence North 90 degrees 00 minutes 00 seconds East, along the north line of said Lot 11, a distance of 76.56 feet to the northwest corner of said Lot 10;

thence North 75 degrees 00 minutes 00 seconds East, along the north line of said Lot 10, a distance of 7.94 feet to the point of beginning of the land to be described;

thence continuing North 75 degrees 00 minutes 00 seconds East, along said north line of Lot 10, a distance of 92.45 feet;

thence South 23 degrees 16 minutes 58 seconds East 227 feet more or less to the shoreline of Lake Minnewaska;

thence southwesterly, along said shoreline, 99 feet more or less to a line bearing South 23 degrees 44 minutes 22 seconds East from the point of beginning;

thence North 23 degrees 44 minutes 22 seconds West 284 feet more or less to the point of beginning.

The tract contains 0.53 acres more or less.

AND (access tract)

That part of Lot 12, WUEST'S SUBDIVISION OF SOUTH 13.92 ACRES OF GOVERNMENT LOT NUMBER ONE (1) SEC. 12. TOWNSHIP NUMBER 125. RANGE 38., according to the recorded plat thereof, described as follows:

Commencing at the northwest corner of Section 12, Township 125 North, Range 38 West, Pope County, Minnesota;

thence South 00 degrees 11 minutes 52 seconds East, assumed bearing along the west line of said Section, 1543.22 feet to the northwest corner of Lot 11, said

WUEST'S SUBDIVISION OF SOUTH 13.92 ACRES OF GOVERNMENT LOT
NUMBER ONE (1) SEC. 12. TOWNSHIP NUMBER 125. RANGE 38.;

thence North 90 degrees 00 minutes 00 seconds East, along the north line of
said Lot 11, a distance of 76.56 feet to the northwest corner of said Lot 10;

thence North 75 degrees 00 minutes 00 seconds East, along the north line of
said Lot 10, a distance of 7.94 feet to the point of beginning of the land to be
described;

thence continuing North 75 degrees 00 minutes 00 seconds East, along
said north line of Lot 10, a distance of 92.45 feet;

thence North 23 degrees 16 minutes 58 seconds West 3.84 feet to the
southerly right-of-way line of County State Aid Highway No. 54;

thence North 89 degrees 37 minutes 52 seconds West, along said
southerly right-of-way line, 87.88 feet to a line bearing North 00 degrees
11 minutes 52 seconds West from the point of beginning;

thence South 00 degrees 11 minutes 52 seconds East 28.02 feet to the
point of beginning.

The tract contains 0.03 acres more or less.

CERTIFICATE OF SURVEY

LOT 12

WUEST'S SUBDIVISION OF SOUTH 13.92 ACRES OF GOVERNMENT
LOT NUMBER ONE (I) SEC 12, TOWNSHIP NUMBER 125, RANGE 38.

C.S.A.H. NO. 54

S 89°37'52" E

LOT 11

 $0.53 A_{C,\pm}$

LOT 10

LAKE MINNEWASKA

SEC. 12 T 125 N R 38 W

DAN HIGGINS

NYBERG SURVEYING, INC.

509 22ND AVE. EAST, SUITE 101
ALEXANDRIA, MINNESOTA 56308
PH. (320) 762-4111 * FAX (320) 762-4112
www.ny-surv.com

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.

Brad M. Nyberg

Date July 16, 2008 License No. 42620

DATE: 7-15-08

DRAWN BY: BMN

CHECKED: MHN

JOB NO.

6639

REQUESTED BY:

DATE: 7-15-08	REQUESTED BY: DAN HIGGINS
DRAWN BY: BMN	NYBERG SURVEYING, INC. 509 22ND AVE. EAST, SUITE 101 ALEXANDRIA, MINNESOTA 56308 PH. (320) 762-4111 * FAX (320) 762-4112 www.ny-surv.com
CHECKED: MHN	
JOB NO. 6639	

Attachment #3 SKETCH/AREA TABLE ADDENDUM

Parcel No 21-0880-000

Property Address

City

State

Zip

Owner

Client

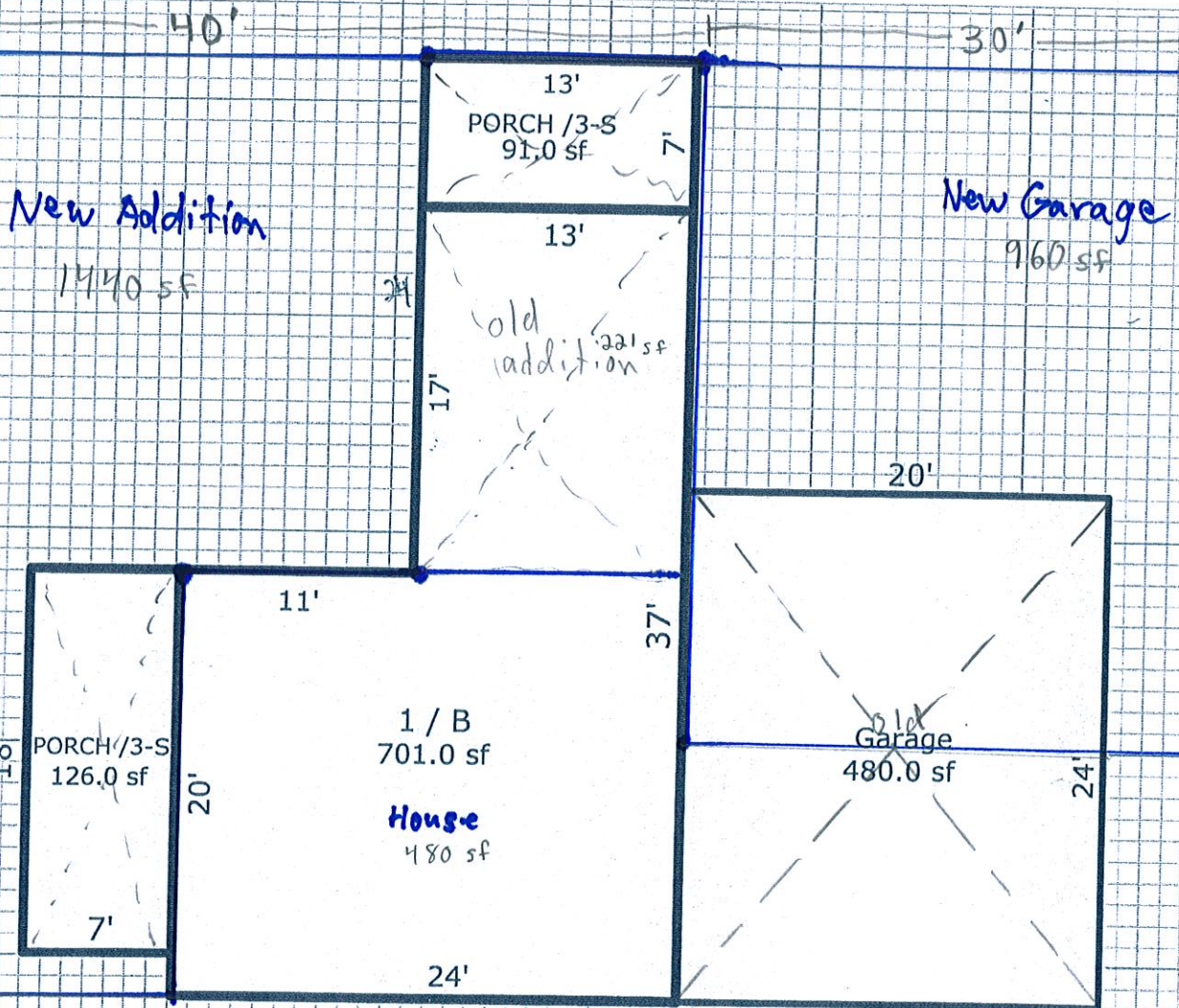
Appraiser Name

SUBJECT

IMPROVEMENT SKETCH

48'

AREA CALCULATIONS



Scale: 1" = 20'

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
1/B	1 / B	1.00	701.00	122.0	701.00
GARAGE	Garage	1.00	480.00	88.0	480.00
PORCH /3-S	PORCH /3-S	1.00	126.00	50.0	
	PORCH /3-S	1.00	91.00	40.0	217.00

Net BUILDING Area

(rounded w/ factors)

701

Comment Table 1

Comment Table 2

Comment Table 3