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# CITY OF LITTLE FALLS

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## BOARD OF ADJUSTMENT/ PLANNING COMMISSION

August 10, 2015





**AGENDA**  
**PLANNING COMMISSION**  
 Conference Room, City Hall  
 August 10, 2015, 6:30 p.m.

P	A	Member	P	A	Member
		(Vacant)			Schilling, Kara
		Dahlberg, Doug			Schulte, Ray
		Gosiak, Frank			Silbernick, Keith
		Hanfler, Jeremy			Oleson, Ben (Zoning Official)
					Kimman, Greg (City Engineer)

**CALL TO ORDER:** Planning Commission Chairperson

**ADOPT THE AGENDA:** August 10, 2015

**APPROVAL OF MINUTES:** July 13, 2015

**PUBLIC HEARINGS:**

- 1) Consolidated Preliminary and Final Plat Application of a two lot residential subdivision known as "Karnowski's First Addition". Proposed lots to be 22,939 and 20,460 sq ft.
  - a. Applicant: Mary Ann Karnowski
  - b. Legal Description: Part of the NE4 of the NE4, Section 8, Township 40, Range 32
  - c. Property Address: 726 9<sup>th</sup> Street NE
  - d. Parcel number(s): 48.6011.000

**OLD BUSINESS:**

- 1) Discussion – Storage POD regulations

**NEW BUSINESS:**

**NEXT REGULAR MEETING:** Monday, September 14, 2015

**ADJOURNMENT:**



**AGENDA**  
**PLANNING COMMISSION**  
 Conference Room, City Hall  
 July 13, 2015, 6:30 p.m.

P	A	Member	P	A	Member
		(Vacant)	x		Schilling, Kara
x		Dahlberg, Doug	x		Schulte, Ray
x		Gosiak, Frank		x	Silbernick, Keith
x		Hanfler, Jeremy	x		Oleson, Ben (Zoning Official)
			x		Kimman, Greg (City Engineer)

**CALL TO ORDER:** The Planning Commission Meeting was called to order by Frank Gosiak, Planning Commission Chairperson, at 6:30 p.m.

**ADOPT THE AGENDA:** A motion was made by Schulte, seconded by Dahlberg to adopt the agenda as presented. Motion carried.

**APPROVAL OF MINUTES:** A motion was made by Schulte, seconded by Hanfler to adopt the minutes as presented. Motion carried.

**PUBLIC HEARINGS:**

- 1) **Re-Application for a Conditional use permit to allow for a Planned Unit Development to include the construction of eight single-story four-plex residential buildings for rental purposes on an approximate 8.8 acre parcel.**
  - a. **Applicant: Roach Development LLC**
  - b. **Legal Description: Part of Government Lot 2, Section 27 and NW4 of SW4, Section 26, Township 41, Range 32**
  - c. **Property Address: None (near intersection of Derosier Drive/Riverwood Drive), Little Falls)**
  - d. **Parcel number(s): 48.6960.001**

Oleson summarized the conditional use permit request. Public hearing opened at 6:31 pm. Kimman discussed the history of the application and re-application. Matt Roach, 1414 Paul Larson Drive, explained the request on behalf of Roach Development. Luann Petricka, counsel for Sawmill Land & Trust, presented a letter to Planning Commission and spoke against the request as detailed in her letter. Bruce Smith, 14319 Elm Street spoke against the request. Robin Hensel, 807 1<sup>st</sup> Street SE spoke against the request. Bill Anderson, 14452 Elm Street spoke against the request. Kathy Lange, 16542 Riverwood Drive spoke against the request. Steve Backowski, 14222 Derosier Drive spoke on behalf of some of the Derosier neighborhood saying that they would either support or not support the request based on certain conditions of the request being met. John Lange, 16542 Riverwood Drive spoke against the request. Oleson spoke of a phone call from Shannyn Udy, 16645 Riverwood Drive, voicing support for the request. Paul Vanhove, 16709 Riverwood Drive, spoke in favor of the request. Public hearing closed at 7:07 pm. Discussion among the planning commission centered on the various points brought up during the public hearing. Motion by Hanfler, seconded by Schulte, to approve the Conditional use permit as presented. Motion carries.

- 2) Variance to construct an 8' x 34' open deck with an 8' x 18' portion to be roofed approximately 4 feet from a public road right-of-way (min. required 15 feet).**
- a. Applicant: Gregory Fietek.**
  - b. Legal Description: Lots 1 and 2, Block 13 of Searle's Addition.**
  - c. Property Address: 410 12<sup>th</sup> Street SW.**
  - d. Parcel number(s): 49.0861.000 and 49.0861.001.**

Oleson summarized the variance request. Public hearing opened at 7:49 pm. Greg Fietek, 410 12<sup>th</sup> Street SW explained the request for the variance. Brent Prokott, 6775 60<sup>th</sup> Street, the contractor hired to construct the deck, asked some questions and explained the project. Public hearing closed at 7:56 pm. Motion by Schulte, seconded by Schilling to approve the request as presented. Motion failed. Motion by Schulte to deny the request as presented, seconded by Dahlberg. Motion carries.

**OLD BUSINESS:**

- 1) Discussion – Storage POD regulations – Tabled until August meeting

**NEW BUSINESS:**

**NEXT REGULAR MEETING:** Monday, August 10, 2015

**ADJOURNMENT:** A motion was made by Schulte, seconded by Dahlberg to adjourn. Meeting adjourned at 8:13 p.m. Motion carried.

Minutes submitted by Doug Dahlberg, Secretary.

## STAFF REPORT

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**Application:** Consolidated Preliminary and Final Plat Application of a two lot subdivision known as “Karnowski’s First Addition” in a R-3 Multiple-Family Residential District. Proposed lots to be 22,939 and 20,460 sq ft.

**Applicant:** Mary Ann Karnowski

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### **Background Information:**

**Proposal:** The applicants own three parcels of land that total about one acre in size (one of the parcels is a very small triangle of land that was recently acquired from the State of Minnesota by the landowner). The property is located in the SE corner of 9<sup>th</sup> Street NE and 7<sup>th</sup> Avenue NE.

The applications are proposing to subdivide the three parcels into two buildable lots that could be owned and developed separately from each other. Lot 1 would be a bare lot about 22,939 sq ft in size and about 143 ft in width. Lot 2 would contain the existing home and two garages located on the property and would be about 20,460 sq ft in size and about 127 ft in width. All of the existing structures would meet the required 5 ft setback to the proposed side property line. The existing home does not meet the required 30 ft front yard setback but is considered a legal nonconformity (“grandfathered”) and would be allowed to remain.

The site is served with city sewer and water accessible from 9<sup>th</sup> Street NE.

The area is currently zoned R-3 Multiple-Family Residential District and would not change as a result of this application.

### **Location:**

- Legal Description: Part of the NE4 of the NE4, Section 8, Township 40, Range 32
- Parcel number(s): Parcel number(s): 48.6011.000 and 48.6013.000 and 48.1641.000

**Property Owner:** Mary Ann Karnowski

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### **Applicable Statutes/Ordinances:**

#### **Little Falls City Code – Subdivision Ordinance**

##### **12.02: PROCEDURE:**

##### **B. Preliminary Plat:**

5. The planning commission shall conduct a public hearing and make its report to the city council within sixty (60) days, except in cases where the applicant requests additional time to amend the plat. At the hearing, all parties interested shall be given an opportunity to make presentations.

6. The city council shall act on the preliminary plat within one hundred twenty (120) days of the date on which the preliminary plat was officially filed.

7. The preliminary plat must be approved if it meets the applicable standards addressed in this chapter and applicable zoning standards, unless the city council adopts written findings based on a record from the public proceedings why the application shall not be approved.

8. If the city council fails to preliminarily approve or disapprove an application within the one hundred twenty (120) day review period, the application shall be deemed preliminarily approved and, upon demand, the city shall execute a certificate to that effect.

#### 12.04: QUALIFICATIONS GOVERNING APPROVAL OF PRELIMINARY PLAT:

A. The planning commission may return a conditional report to the city council. The city council may require such changes or revisions as it deems necessary for the health, safety, general welfare and convenience of the city.

B. The approval of the preliminary plat by the planning commission and city council is tentative only, involving merely the general acceptability of the layout as submitted.

C. Subsequent approval will be required on the engineering proposals pertaining to water supply, storm drainage, sewerage and sewage disposal, sidewalks, gas and electric service, grading, gradients and roadway widths and the surfacing of streets, by the public works department and other public officials having jurisdiction, prior to the approval of the final plat by the city.

D. No plan will be approved for a subdivision which covers an area subject to periodic flooding or which contains extremely poor drainage facilities, and which would make adequate drainage of the streets and lots impossible, unless the subdivider agrees to make improvements which will, in the opinion of the public works director, make the area completely safe for occupancy, and provide adequate street and lot drainage.

E. No plat will be accepted that cannot be adequately serviced with sanitary sewer and municipal water, unless a variance is granted. (Ord. 10, 6th Series, eff. 3-2-2009)

#### 12.06: CONSOLIDATED PRELIMINARY AND FINAL PLAT REVIEW:

Preliminary and final plat review and approval or disapproval of the proposed subdivision may be consolidated, contingent upon the approval of city staff and contingent upon compliance with the following criteria:

A. The proposed subdivision meets the definition of a "minor subdivision", pursuant to subsection [12.02C](#) of this chapter.

- B. City utilities (i.e., storm sewer [drainage], sanitary sewer, water mains) are available and adequately sized to service the proposed subdivision.
- C. The intended plat use must match the general neighborhood use.
- D. Access to the intended plat must be in place.
- E. Future streets will not be obstructed and the proposed subdivision will not interfere with the proper development of adjacent properties.
- F. Wetlands must be delineated on the plat and must comply with all soil and water rules and requirements and, additionally, must comply with all state law regarding use, development and preservation of wetlands.
- G. No variances are required or requested. (Ord. 10, 6th Series, eff. 3-2-2009)

12.07: MINIMUM SUBDIVISION DESIGN STANDARDS:

- A. Conformity With Comprehensive Plan: The proposed subdivision shall conform to the comprehensive plan.
- G. Sidewalks:
  - 1. Location: Sidewalks shall be constructed along both sides of all major public ways as designated on a comprehensive plan upon which buildable lots front and may be required by the city council upon recommendation of the planning commission along one or both sides of other rights of way. The sidewalk shall not be located less than one foot (1') from the property line, nor be adjacent to the curb, except as determined in commercial areas.
- K. Drainage: A complete and adequate drainage system for the subdivision shall be designated, and shall include a storm sewer system or a system of open ditches, culverts, pipes and catch basins, or both systems. Such system or systems shall be designed in conformity with all applicable standards of the city so as to meet with their approval.
- L. Easements:
  - 1. Provided For Utilities: Easements at least twenty feet (20') wide, centered on rear and other lot lines, shall be provided for utilities where necessary and shall be dedicated to the public by appropriate language in the owner's certificate. They shall have continuity of alignment from block to block, and at deflection points easements for pole line anchors shall be provided where necessary. Easements shall be provided along property lines from utility easements on rear lot lines to rights of way so as to provide for a streetlight interval not to exceed five hundred feet (500').
- O. Lots:
  - 1. Location: All lots shall abut by their full frontage on a publicly dedicated street, or a street that has received legal status as such.

2. Size: The lot dimensions in subdivisions designed for single-family detached dwellings use shall not be less than the minimum dimensions required to secure the minimum lot area specified in the zoning provisions of this code.

4. Side Lot Lines: Side lines of lots shall be substantially at right angles to the street line.

6. Natural Features: In the subdividing of any land, due regard shall be shown for all natural features such as tree growth, watercourses, historic spots or similar conditions which, if preserved, will add attractiveness and stability to the proposed development.

#### 12.08: PUBLIC SITES AND OPEN SPACES:

B. Park Land Dedication: All plats, including plats associated with planned unit developments, shall be subject to the park dedication requirements of this section. In all new subdivisions, there shall be land dedicated for public recreation and/or open space, or other public recreation purpose, with such land being in addition to property dedicated for streets, alleys, easements or other public ways.

3. The city council, in its discretion upon recommendation of the planning commission, may accept a cash fee in lieu of land dedication, or accept a combination of cash and land contributions. The fee up to ten percent (10%) of the county assessor's market value of the proposed development or subdivision as of the date of final plat approval, excluding the value of the proposed streets, alleys, easements or other public ways. The market value of the land shall be determined by the use of tax assessment records and formulas that apply thereto, with said fee deposited into the city park improvement fund. Except as hereinafter provided, the cash equivalency payment shall be due and payable on or before the release of the final plat by the city.

4. When the development or subdivision is too small for practical dedication of land for public recreation and/or open space purposes, or if no land of the subdivision is necessary to be dedicated or is determined unsuitable for such purposes, the subdivider shall pay a fee of fifty dollars (\$50.00) per lot created or ten percent (10%) of the subdivision land value prior to subdivision.

#### 12.09: REQUIRED IMPROVEMENTS ON SITE:

A. Improvement Listed And Described: Prior to the approval of a preliminary plat by the city council, the subdivider shall have agreed, in the manner set forth in this section, to install or pay for the installation, in conformity with construction plans approved by the public works director and in conformity with all applicable standards and ordinances of the city, the following improvements on the site:

1. Monuments: Monuments of a permanent character shall be placed in locations on the boundary of the subdivision and within it as required.
4. Underground Utilities: All utilities, including, but not limited to, sanitary sewer, water, natural gas and electricity shall be placed underground.
5. Sidewalks And Pedestrianways: Permanent sidewalks and pedestrianways shall be installed when residential density becomes three (3) dwelling units per acre, or more, unless a variance is authorized.
8. Drainage: A system that will adequately take care of the water runoff within the subdivision shall be provided. If the city council, upon the recommendation of the public works director, determines that it is feasible for the subdivider to install storm sewers connected to the existing storm sewer system of the city within or adjacent to the subdivision, or an extension of the city system which will be extended to the boundary of the subdivision within eighteen (18) months of the filing of the final plat, the city shall install a storm sewer system to provide drainage. If a storm sewer system is installed and connections to the city system are not immediately available, the storm sewers shall be capped and temporary provisions made for drainage by other means. The cost of storm sewers shall be assessed against the benefitting properties including those which may lie outside the boundaries of the proposed subdivision.
9. Street Trees: Street trees having a trunk diameter (measured 12 inches above the ground), of not less than one and one-half inches ( $1\frac{1}{2}$ " ) shall be planted along all streets where trees do not exist, and not more than seventy five feet (75') and not less than forty feet (40') apart. There shall be at least one tree per lot. This requirement shall be satisfied and it is preferable if an equivalent number of trees of the same size or larger exist or are planted in a naturalistic manner in the front yards of the adjoining lots. Only green ash, linden, sugar maple and long lived hardwood shade trees, other than elm or box elder, shall be planted. These shall be planted in at least one cubic yard of growing soil.

#### 12.10: MODIFICATIONS, EXCEPTIONS AND VARIANCES:

B. Minor Subdivision: In the case of a subdivision of small size and of minor importance, situated in a locality where conditions are well defined, the planning commission may exempt the subdivider from complying with some of the requirements stipulated in this chapter pertaining to the preparation of the preliminary plat and may allow for the consolidation of the preliminary and final plat review, pursuant to the criteria set forth in section [12.06](#) of this chapter. The subdivider's resulting parcels shall conform to all applicable requirements of this code.

### **Little Falls City Code - Zoning Ordinance**

## 11.05: ZONING DISTRICTS AND MAP:

### G. R-3 Multiple-Family Residential District:

#### 1. Permitted Uses:

- a. Any use permitted in the R-2 district.
- b. Multiple dwellings. (Ord. 801, eff. 6-3-1974; amd. Ord. 80, 5th Series, eff. 8-18-2003)

#### 2. Conditional Uses:

- a. Any use permitted as conditional in the R-2 district.
- b. Commercial, retail and service facilities of an ancillary nature, designed to serve the occupants of a multiple dwelling complex having at least seventy five (75) units.
- c. Motels.
- d. A residential facility serving seven (7) through sixteen (16) persons and licensed by the state department of human services.
- e. A daycare facility serving fifteen (15) through twenty five (25) persons and licensed by the state department of human services. (Ord. 801, eff. 6-3-1974; amd. Ord. 58, 3rd Series, eff. 12-12-1988; Ord. 80, 5th Series, eff. 8-18-2003)

## 11.20: STORMWATER MANAGEMENT:

A. Purpose: The purpose of this section is to promote, preserve and enhance the natural resources within the city and protect them from adverse effects occasioned by poorly sited development or incompatible activities by regulating land disturbing or development activities that would have an adverse and potentially irreversible impact on water quality and unique and fragile environmentally sensitive land; by minimizing conflicts and encouraging compatibility between land disturbing or development activities proposed for such areas, thereby achieving a balance between urban growth and development and protection of water quality and natural areas; by preventing periodic local flooding by designing areas for ponding and retention of stormwater.

B. Applicability: Every applicant for a building permit, not exempted by subsection D of this section, or subdivision approval, or permit to allow land disturbing activities, must submit a stormwater management plan to the city. No building permit, subdivision approval or permit to allow land disturbing or development activities shall be issued until approval of the stormwater management plan or waiver of the approval requirement has been obtained in conformance with the provisions of this section.

C. Plan Approval: All plans shall be subject to approval by the city. The city shall consider issues of land usage, overall drainage for the city and existing stormwater facilities in approving any drainage plan. The city may reject any proposed plans if they do not meet the overall purpose of this section.

D. Exemptions: The provisions of this section do not apply to:

1. Any permit or approval by the city prior to the effective date hereof;
2. Installation of fences, signs, telephone and electric poles and other kinds of posts or poles;
3. Construction of a single-family home or a single duplex;
4. An addition to an existing building that does not require a conditional use permit and is less than ten percent (10%) of the total floor area of the existing building;
5. Construction of a detached accessory building that does not require a conditional use permit;
6. Emergency work to protect life, limb or property;
7. Land disturbing activities conducted by the city affecting less than five (5) acres.

E. Waiver: The city council may waive any requirement of this section upon making a finding that compliance will impose an unnecessary hardship or the project does not have any significant alterations of existing stormwater conditions, and the waiver of such requirements will not adversely affect the standards and requirements of this section. The city council may require as a condition of the waiver such dedication or construction or agreement to dedicate or construct as may be necessary to adequately meet said standards and requirements. The city council may require as a condition of the waiver that the applicant make an in kind or monetary contribution to the development and maintenance of community stormwater management activities as designated by the city council.

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**Findings of Fact:** The following findings of fact are presented by Staff for consideration by the Planning Commission:

**1) Current Zoning:**

- Subject Property: R-3 (Multiple-Family Residential District)
- Surrounding Properties: R-3 (Multiple-Family Residential District) to the east, west and south. R-1 (One- and Two-Family Residential) to the north. There is also B-1 zoned land a short distance to the east.

**2) Current Land Use:**

- Subject Property: Residential
- Surrounding Properties: Residential - mix of single-family and multi-family housing.

**3) Lot size:**

- Lot 1: Approx. 22,939 sq ft (0.53 acres), ~143 ft width, ~160 ft depth
- Lot 2: Approx. 22,862 sq ft (0.52 acres), ~127 ft width, ~160 ft depth

**4) Sewer/Water:** Each of the proposed lots has access to existing sewer and water lines.

**5) Natural Features:**

Floodplain: The property is not within an identified floodplain.

Bluff/Steep Slopes: The property is relatively flat and does not contain any bluffs or steep slopes.

Wetlands: There do not appear to be any wetlands on the property.

- 6) **Easements:** The preliminary plat indicates drainage and utility easements of 5 ft on side lot lines and 10 feet along all rights-of-way.
- 7) **Blocks:** The proposed block meets the requirements of the ordinance.
- 8) **Lots:** The proposed lots meet the requirements of the ordinance for layout, size and other requirements.
- 9) **Park Dedication:** The park, recreation and tree board did not have a quorum to meet last month. Staff is recommending waiving the park dedication fee since the subdivision is going from 3 lots to 2 lots.
- 10) **Required Improvements:**
  - **Monuments:** Monuments of a permanent character shall be placed in locations on the boundary of the subdivision and within it as required.
  - **Street and Alley Improvement:** No new streets or alleys are proposed or necessary.
  - **Curb and Gutter:** No new streets are proposed. The existing streets in this area do not have curb and gutter.
  - **Underground Utilities:** Underground utilities already exist to serve the two proposed lots.
  - **Sidewalks and Pedestrianways:** The existing neighborhood in this area does not have sidewalks and it is not in the City's sidewalk plan to have sidewalks in this area.
  - **Water Supply:** Water service is available to these lots under 9<sup>th</sup> Street NW.
  - **Sewage Disposal:** Sewer service is available to these lots under 9<sup>th</sup> Street NW.
  - **Drainage:** The existing topography would not be changed as a result of this application and no additional housing or structures would be allowed in the area than if the property were left as it is.
  - **Street Trees:** The lots do contain a number of existing trees that appear to meet the requirements of the ordinance.
  - **Boulevard Sodding:** No new boulevard strips are necessary.
  - **Street Signs:** No new streets signs are proposed and as such no new street signs are necessary.

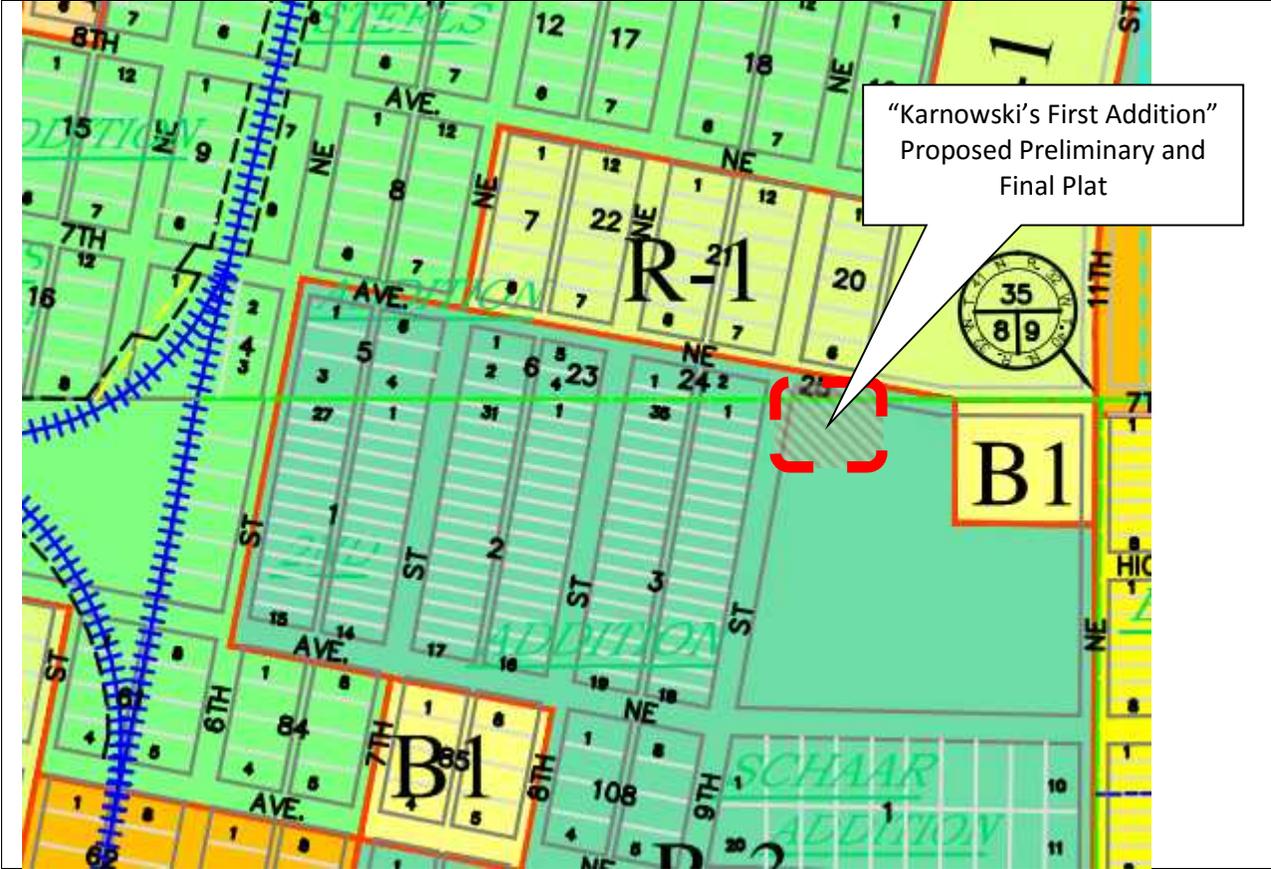
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**Planning Commission Direction:** The Planning Commission may approve the preliminary plat request, deny the request, or table the request if the Commission should need additional information from the applicant. If the Commission should approve or deny the request, it should state the findings which support either of these actions.

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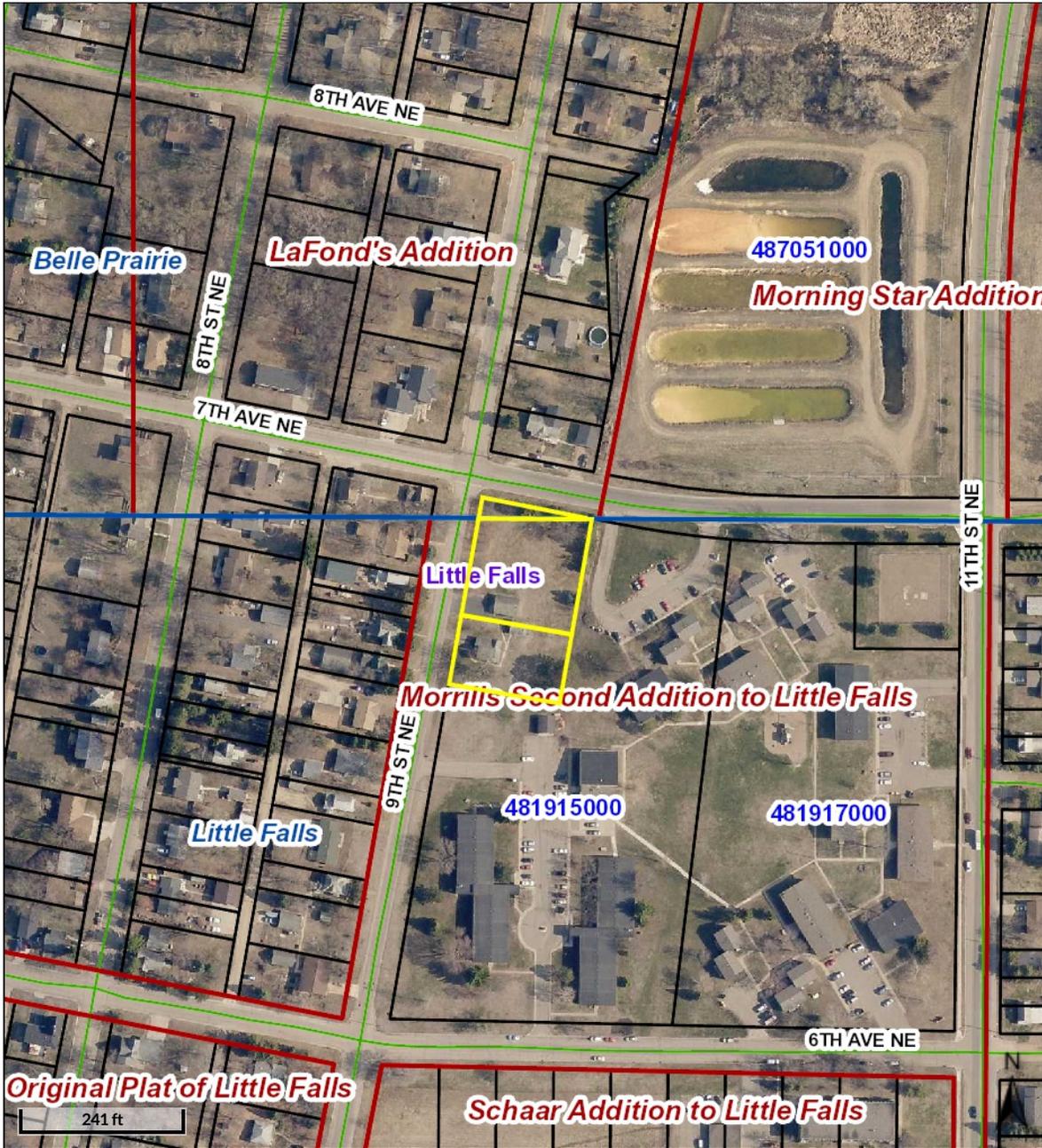
**Staff Comments:** As the Planning Commission/Board of Adjustment considers this application, Staff would make the following comments:

1. The proposed plat appears to meet all of the requirements of the ordinance which are applicable to the application.
2. The park, recreation and tree board did not have a quorum to meet last month. Staff is recommending waiving the park dedication fee since the subdivision is going from 3 lots to 2 lots.

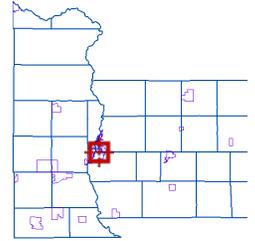


Mary Ann Karnowski  
 Preliminary and Final Plat Request  
 August 10, 2015





**Overview**



**Legend**

-  Corporate Limits
-  Political Township
-  Subdivisions
-  Parcels
- Main Roads**
-  State Highway
-  US Highway
-  Road Centerlines
- PZ\_Zoning**
-  AG
-  C
-  MHB
-  MI
-  R
-  RR
-  SC
-  SP
-  SR
- PZ\_Flood Plain**
-  IN
-  OUT, 500yr
-  PZ\_Army Compatible Use Buffer
-  PZ\_Urban Fringe Zoning
-  PZ\_FeedLots

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Date created: 8/5/2015  
Last Data Upload: 8/5/2015 9:04:43 AM



Phone: 320-616-5500  
Fax: 320-616-5505

**APPLICATION FOR SUBDIVISION**

Fee Paid 700<sup>00</sup>

Date Filed \_\_\_\_\_

Receipt Number 80070

Have you reviewed Chapter 12, Section 12.02, Section 12.06 and Section 12.07 of the City Subdivision Ordinance on procedures and design standards on preliminary plat and final plat approval for the City of Little Falls? (available online: [www.cityoflittlefalls.com](http://www.cityoflittlefalls.com))

Yes: X

No: \_\_\_\_\_

Name of Applicant: MARY ANN KARNOWSKI Phone: 320-632-9032

Address: 916-6<sup>th</sup> St NE

City: LITTLE FALLS State: MN Zip: 56345

Title Holder(s) (if different than applicant)

Name: SAME AS ABOVE Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Name: ROGER M. KARNOWSKI Phone: 320-632-9032

Address: 916-6<sup>th</sup> St NE

City: LITTLE FALLS State: MN Zip: 56345

Street Address of Property: 726-9<sup>th</sup> St NE, LITTLE FALLS, MN 56345

Legal Description of Property: SEE attached

Parcel Identification Number: 486011.000 48,6013,000 Zoning District: \_\_\_\_\_  
48-1641

Existing Use of Property: Residential

Existing Use and Zoning of the Surrounding Area (350 feet): R3 Key Row Apts

Residential - R1

Rezoning Requested? \_\_\_\_\_ If so, to what zoning district? \_\_\_\_\_ (Petition to rezone must be submitted when preliminary plat is filed.)

Variance Requested? \_\_\_\_\_ (If so, application must be submitted when preliminary plat is filed)

Number of Lots: 2 Total acreage or sq. feet of property to be divided: 1 acre

Describe how the land will be developed: (Statement of the proposed use of lots stating type of residential buildings with number of proposed dwelling units; type of business or industry so as to reveal the effect of the development on traffic, fire hazards or congestion of population): \_\_\_\_\_

As per zoning ordinance - No immediate development

Name of Land Surveyor for Project: SURVEY MAPPING SOLUTIONS

Address of Land Surveyor: 208 2nd St NE Suite B  
Little Falls, MN 56345 Phone: 320-631-0069

Applicant Signature: Mary Ann Kinnorski Date: 7/14/2015

I am the legal fee owner(s) of the property described on this application and I consent to this application :

Owner Signature: Roger M. Hansoni Date: 7/14/2015

Owner Signature: Mary Ann Kinnorski Date: 7/14/2015

Date Complete Application was received and approved by Zoning Administrator: \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ by Planning Commission on: \_\_\_\_\_  
Date

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ by the City Council on: \_\_\_\_\_  
Date

**Mailing Address:** City of Little Falls, P.O. Box 244, Little Falls, MN 56345

That part of the NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 8, Township 40, Range 32 described as follows: The point of beginning is at a point where the East line of Ninth Street in Morrill's Second Addition to Little Falls, Minnesota, intersects the correction line between Section 35, Township 41, Range 32 and Section 8, Township 40, Range 32 in Morrison County, Minnesota, and then Southwesterly along the East line of said Ninth Street 140 feet, said point being the point of beginning of the property to be conveyed, thence running Southwesterly along the East line of said Ninth Street 20 feet, thence at a right angle to the last described line in an easterly direction 160.1 feet, thence in a Northeasterly direction and parallel with the East line of said Ninth Street for a distance of 20 feet, ~~thence westerly to the point of beginning.~~

AND

That part of NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 8, Township 40, Range 32 described as follows: The point of beginning is at a point where the East line of Ninth Street in Morrill's Second Addition to Little Falls, Minnesota, intersects the correction line between Section 35, Township 41, Range 32, and Section 8, Township 40, Range 32 in Morrison County, Minnesota, and then Southwesterly along the East line of said Ninth Street 160 feet, said point being the point of beginning of the property to be conveyed; thence running Southwesterly along the East line of said Ninth Street 80 feet; thence at right angles to the last described line in an easterly direction 160 feet; thence in a Northeasterly direction and parallel with the East line of said Ninth Street for a distance of 80 feet; thence Westerly a distance of 160.1 feet to the point of beginning.

AND

That part of Northeast quarter of Northeast quarter (NE $\frac{1}{4}$  of NE $\frac{1}{4}$ ), Section Eight (8), Township Forty (40), Range Thirty-two (32) described as follows: Commencing at point where the East line of 9<sup>th</sup> Street in Morrill's 2<sup>nd</sup> Addition to Little Falls intersects the correction line between Section 35-41-32 and Section 8-40-32, Morrison County, Minnesota, from thence Southwesterly along the East line of said 9<sup>th</sup> Street 140 feet, thence at right angles to last line in an Easterly direction 160 feet, thence in a Northeasterly direction and parallel with the East line of said 9<sup>th</sup> Street to aforesaid Section line, from thence West along Section line to place of beginning, except 20 feet sold to Arnold Seelen, City of Little Falls - Sectional Part,

AND

LA Fond's Addition, Block 25

# PRELIMINARY PLAT KARNOWSKI'S FIRST ADDITION TO THE CITY OF LITTLE FALLS, MORRISON COUNTY, MINNESOTA

## EXISTING LEGAL DESCRIPTIONS

PER DOC. # 443242, Dated June 24th, 2004

That part of the NE 1/4 of NE 1/4, Section 8, Township 40, Range 32 described as follows: The point of beginning is at a point where the East line of Ninth Street in Morrill's Second Addition to Little Falls, Minnesota, intersects the correction line between Section 35, Township 41, Range 32 and Section 8, Township 40, Range 32 in Morrison County, Minnesota, and then Southwesterly along the East line of said Ninth Street 140 feet, said point being the point of beginning of the property to be conveyed, thence running Southwesterly along the East line of said Ninth Street 20 feet, thence at a right angle to the last described line in an easterly direction 160.1 feet, thence in a Northeasterly direction and parallel with the East line of said Ninth Street for a distance of 20 feet, thence westerly to the point of beginning;

AND

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PER DOC. # 280681, Dated December 5th, 1980

That part of the Northeast Quarter of Northeast Quarter (NE 1/4 of NE 1/4), Section Eight (8), Township Forty (40), Range Thirty-two (32), described as follows: Commencing at point where the East line of 9th St. in Morrill's 2nd Addition to Little Falls intersects the correction line between Sec. 35-41-32 and Sec. 8-40-32, Morrison County, Minnesota, from thence SWly along the East line of said 9th St. 140 feet, thence at a right angle to the last line in an Ely. direction 160 feet, thence in a NEly direction and parallel with the East line of said 9th to aforesaid Section line, from thence West along Section line to place of beginning, except 20 feet sold to Arnold Seelen, City of Little Falls - Sectional Part.

PER AUDITORS DOC. # 113640, Dated May 12th, 2015

Block 25 of Lafond's Addition to Little Falls, Minnesota

## NOTES

- EXISTING ZONING CLASSIFICATION - R3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT
- NONE OF THE PROPERTY LIES WITHIN A 100 YEAR FLOOD PLAIN.
- THE PROPOSED USE OF THE LOTS IS FOR RESIDENTIAL HOMES.

## OWNER/DEVELOPER

ROGER M. & MARY ANN KARNOWSKI  
916 6TH STREET NE  
LITTLE FALLS, MN 56345

## SURVEYOR'S CERTIFICATE

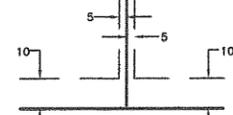
I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. DATED THIS 15TH DAY OF JUNE 2015.

ROSS R. WAMRE  
LICENSED LAND SURVEYOR  
MINNESOTA LICENSE NO. 45334

## AREAS

LOT 1	22,939 SF OR 0.53 +/- ACRES
LOT 2	20,460 SF OR 0.47 +/- ACRES
ROW	0 SF OR 0.0 ACRES
TOTAL	43,399 SF OR 1.00 +/- ACRES

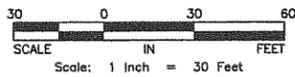
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN AS THUS:



BEING 5 FEET IN WIDTH AND ADJOINING ALL LOT LINES AND 10 FEET IN WIDTH AND ADJOINING ALL RIGHT-OF-WAY LINES UNLESS OTHERWISE SHOWN ON THIS PLAT.



## GRAPHIC SCALE

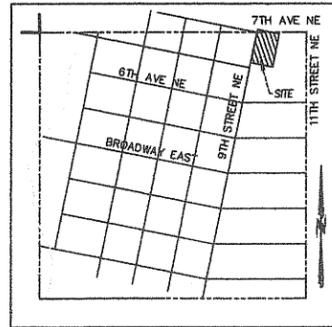


## LEGEND

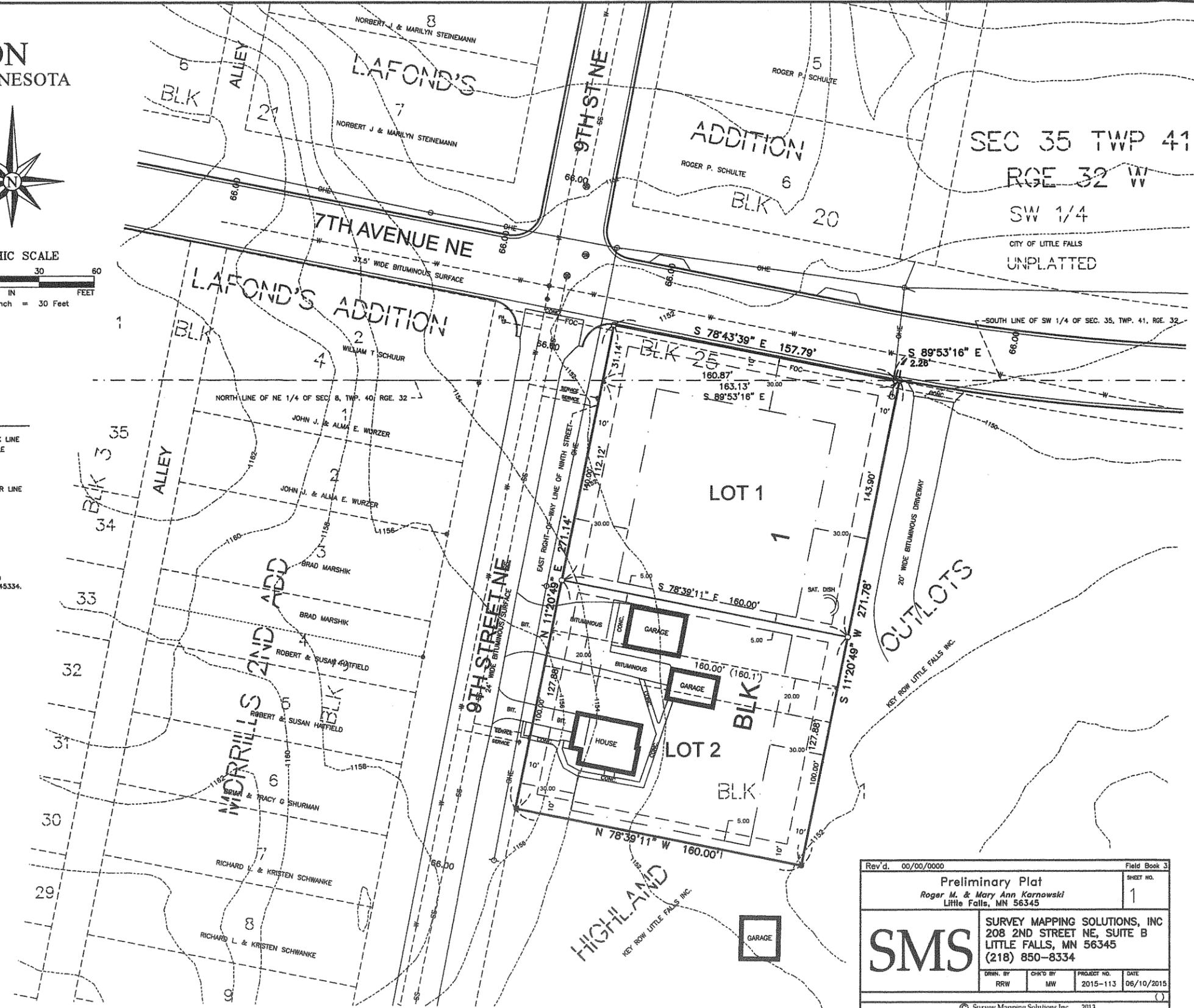
- DENOTES BUILDING SETBACK LINE
- DENOTES FIBER OPTIC CABLE
- DENOTES WATER MAIN
- DENOTES SANITARY SEWER
- DENOTES STORM SEWER
- DENOTES OVER HEAD POWER LINE
- PVC CLEANOUT
- △ FIRE HYDRANT
- WATER (POTABLE)
- UTILITY POLE
- ☆ LIGHT POLE
- ELECTRIC BOX
- FOUND MONUMENT
- IRON ROD SET AND MARKED WITH LAND SURVEYOR NO. 45334.
- WATER VALVE
- SANITARY SEWER MANHOLE
- STORM SEWER MANHOLE

## VICINITY MAP

SEC. 8, T. 40, R. 32



NOT TO SCALE



SURVEY MAPPING SOLUTIONS, INC.  
LITTLE FALLS, MINNESOTA

Rev'd. 00/00/0000	Field Book 3
Preliminary Plat	
Roger M. & Mary Ann Karnowski Little Falls, MN 56345	
SHEET NO.	1
<b>SMS</b>	
SURVEY MAPPING SOLUTIONS, INC 208 2ND STREET NE, SUITE B LITTLE FALLS, MN 56345 (218) 850-8334	
DRWN. BY RRW	CHK'D BY MW
PROJECT NO. 2015-113	DATE 06/10/2015
© Survey Mapping Solutions Inc. 2013	



# KARNOWSKI'S FIRST ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That Roger M. Karnowski & Mary Ann Karnowski, husband and wife, fee owners of the following described property situated in the County of Morrison, State of Minnesota to wit:

LEGAL DESCRIPTION: (Document # 443242)

That part of the NE 1/4 of NE 1/4, Section 8, Township 40, Range 32 described as follows: The point of beginning is at a point where the East line of Ninth Street in Morrill's Second Addition to Little Falls, Minnesota, intersects the correction line between Section 35, Township 41, Range 32 and Section 8, Township 40, Range 32 in Morrison County, Minnesota, and then Southwesterly along the East line of said Ninth Street 140 feet, said point being the point of beginning of the property to be conveyed, thence running Southwesterly along the East line of said Ninth Street 20 feet, thence at a right angle to the last described line in an easterly direction 160.1 feet, thence in a Northeasterly direction and parallel with the East line of said Ninth Street for a distance of 20 feet, thence westerly to the point of beginning;

AND

That part of the NE 1/4 of NE 1/4, Section 8, Township 40, Range 32 described as follows: The point of beginning is at a point where the East line of Ninth Street in Morrill's Second Addition to Little Falls, Minnesota, intersects the correction line between Section 35, Township 41, Range 32 and Section 8, Township 40, Range 32 in Morrison County, Minnesota, and then Southwesterly along the East line of said Ninth Street 160 feet; said point being the point of beginning of the property to be conveyed; thence running Southwesterly along the East line of said Ninth Street 80 feet; thence at a right angle to the last described line in an easterly direction 160 feet; thence in a Northeasterly direction and parallel with the East line of said Ninth Street for a distance of 80 feet, thence Westerly a distance of 160.1 feet to the point of beginning;

AND

(Document # 280681)

That part of the Northeast Quarter of Northeast Quarter (NE 1/4 of NE 1/4), Section Eight (8), Township Forty (40), Range Thirty-two (32), described as follows: Commencing at point where the East line of 9th St. in Morrill's 2nd Addition to Little Falls intersects the correction line between Sec. 35-41-32 and Sec. 8-40-32, Morrison County, Minnesota, from thence SWly along the East line of said 9th St. 140 feet, thence at a right angle to the last line in an Ely. direction 160 feet, thence in a NEly direction and parallel with the East line of said 9th to aforesaid Section line, from thence West along Section line to place of beginning, except 20 feet sold to Arnold Seelen, City of Little Falls - Sectional Part,

AND

(County Auditor's Document # 113640)

Block 25 of Lafond's Addition to Little Falls, Minnesota.

Have caused the same to be surveyed and platted as KARNOWSKI'S FIRST ADDITION and do hereby dedicate to the public for public use forever all roadways and easements as shown on this plat.

Roger M. Karnowski

Mary Ann Karnowski,

In witness whereof said Roger M. Karnowski & Mary Ann Karnowski, husband and wife, have hereunto set their hands this \_\_\_\_ day of \_\_\_\_\_, 2015.

State of \_\_\_\_\_  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2015 by Roger M. Karnowski & Mary Ann Karnowski, husband and wife.

Notary Public,  
My Commission Expires \_\_\_\_\_

I hereby attest to the fact that there are no mortgages outstanding against any of the property in this subdivision.

Roger M. Karnowski & Mary Ann Karnowski,

I hereby certify that I have reviewed this plat and found it to be in compliance with the surveying requirements of the Subdivision Control Ordinance of Otter Tail County and Chapter 505 Minnesota Statutes.

Ross R. Warnre, Minnesota Registration Number 45334

I hereby certify that I have surveyed and platted the property described on this plat as KARNOWSKI'S FIRST ADDITION; that said plat is a true and correct representation of said survey; that all distances are correctly shown in feet and hundredths of a foot; that the monuments for the guidance of future surveys have been correctly placed in the ground as shown on the plat; that the outside boundary lines are correctly designated on the plat; and that there are no wetlands as defined in Minnesota Statutes 505.01 Subdivision 3, or public highways on or across the same except as shown.

Ross R. Warnre, Registered Land Surveyor  
Minnesota Registration Number 45334

STATE OF MINNESOTA  
COUNTY OF MORRISON

The foregoing surveyor's certificate was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by Ross R. Warnre, Minnesota Registration Number 45334.

Notary Signature \_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, MN  
My Commission Expires \_\_\_\_\_

Approved by the City Council of the City of Little Falls, Minnesota, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
President of The City Council      Attested: \_\_\_\_\_  
City Administrator

Be it known that at a meeting held on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Planning Commission of the City of Little Falls, Minnesota, did hereby review this plat of KARNOWSKI'S FIRST ADDITION.  
Planning Commission, City of Little Falls, Minnesota

By \_\_\_\_\_, Chairperson

I do hereby certify that proper evidence of title has been presented to and examined by me and I approve the plat as to form and execution this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
By \_\_\_\_\_, City Attorney

Taxes paid for all years through year (payable in) \_\_\_\_\_ and transfer entered this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Morrison County Auditor

I hereby certify that taxes payable in the year \_\_\_\_\_ on lands herein described are paid this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Morrison County Treasurer

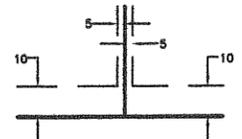
This plat of KARNOWSKI'S FIRST ADDITION was approved as to form and execution this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
City Attorney

I hereby certify that the within instrument was filed in this office for record on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_ o'clock \_\_\_\_M. and was duly recorded as Document No. \_\_\_\_\_

\_\_\_\_\_  
Morrison County Recorder

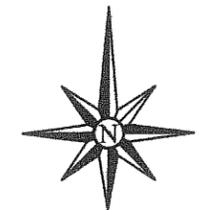
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN AS THUS:



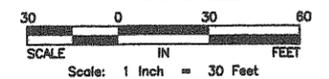
BEING 5 FEET IN WIDTH AND ADJOINING ALL LOT LINES AND 10 FEET IN WIDTH AND ADJOINING ALL RIGHT-OF-WAY LINES UNLESS OTHERWISE SHOWN ON THIS PLAT.

## LEGEND

- ⊗ DENOTES BUILDING SETBACK LINE
- ⊙ FOUND MONUMENT
- IRON ROD SET AND MARKED WITH LAND SURVEYOR NO. 45334.



## GRAPHIC SCALE

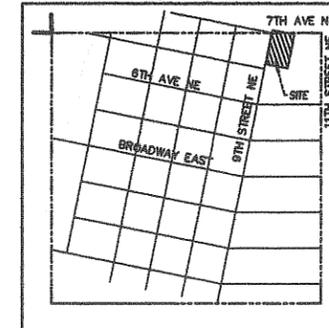


## NOTES

ORIENTATION OF THIS BEARING SYSTEM IS BASE ON NAD 83 MORRISON COUNTY COORDINATE DATABASE HARNIS ADJUSTMENT

## VICINITY MAP

SEC. 8, T. 40, R. 32



NOT TO SCALE

SURVEY MAPPING SOLUTIONS, INC  
208 2ND STREET NE, SUITE B  
LITTLE FALLS, MN 56345  
(218) 850-8334

## STAFF REPORT

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**Discussion:** Storage POD regulations

**Applicant:** City of Little Falls

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### **Background Information:**

- **Proposal:** The city does not currently have clear regulations regarding portable storage units that are sometimes used on properties for temporary storage. These units are usually the rectangular metal structures commonly seen on train cars and are used when people are moving or for other purposes.

The following represents a summary of various regulations across the country in other communities and is intended to give a general sense of what type of regulations are typical.

Based on the following listing and the subsequent discussion, Staff is prepared to draft an ordinance for review by the Planning Commission at a future meeting. A public hearing would eventually need to be held for any zoning ordinance amendment. If adopted as a non-zoning ordinance, it would need to be adopted as per the requirements of the City Code.

### **Example Regulations from Other Communities Storage Containers**

- Allowable location
  - Must have a primary use on the property
  - Not allowed on residential lots
  - Only allowed where open storage is allowed.
  - Must not be visible from street (screened – fence, trees, inside building)
  - Not allowed on street or otherwise in public right of way
  - Not allowed to block view at intersections
  - Must be placed on concrete or asphalt surface
  - No restrictions in Agricultural areas (some require proof the area is used primarily for ag purposes – tax statements, etc...)
  - Must not be placed in required parking spaces, landscaped areas, loading areas
- Setbacks
  - same as accessory structures
  - 0 ft setback to rear or side yard
  - 5 ft to prop line
  - 10 ft to street/right of way
  - 10 ft from edge of curb
  - 10 ft from another container or building

- Construction/ Appearance
  - Constructed of steel or aluminum with min 14 gauge thickness except for wood floor within metal shell.
  - Must adhere to building and fire codes
  - Must be maintained in good condition (no rust, peeling paint) and free of graffiti.
  - Painted certain colors - dark green, white, tan, neutral color to match landscape
  
- Max. number
  - 1 per lot
  - 2 per lot
  - 3 per lot
  
- Max. size
  - 130 sq ft
  - 160 sq ft
  - 320 sq ft
  - 400 sq ft for every 5,000 sq ft of lot area
  - 350 cubic feet
  
- Max. length
  - 16 ft
  - 20 ft
  - 20 ft combined (if multiple units)
  - 40 ft
  - 53 ft
  
- Max. timeline
  - 7 days in 6 mo/1 year (for townhomes/multifamily)
  - 16 day grace period (no regulations if moved within this time - must notify city within 24 hours of placement)
  - 16 days during moving of a commercial business
  - 30 days within 6 mo/1 year
  - 60 days within 6 mo/1 year
  - 90 days within 6 mo/1 year
  - 180 days
  - Licensed and bonded contractors may have during entire construction, when authorized by building permit
  - Allowed everywhere if storing building materials (must be an active building permit)
  - Temporary Special Permit allowed after casualty damage to primary use on property up to 6 months by administrative permit

- Max. height
  - 8.5 ft
  - 10 ft
  - Cannot be stacked
  
- Signage
  - Required indicating contact info for storage manufacturer
  - No advertising signs other than for manufacturer
  - No signage allowed at all
  - Max. 6 sq ft
  
- Use
  - Only for storage, not for human occupancy
  - Cannot be connected to a power source, water, sewer
  - No solid waste, debris, recyclable materials, business inventory, commercial goods, goods for off-site persons, illegal or hazardous materials.
  - Not for shops, studios, hobby rooms, offices, lunch rooms, sales areas, playhouses or similar uses
  - Not for motorized passenger vehicles
  
- Permits
  - Typically require an administrative permit
  - Not common for conditional use permit
  
- Other Restrictions
  - Counts against lot coverage limits
  - Tie downs not required if on firm level ground or paved area