



AGENDA OF THE PLANNING
COMMISSION
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
July 25th, 2024
7:00 P.M.

CALL TO ORDER

PUBLIC FORUM

APPROVE AGENDA

REGULAR AGENDA

- A. Approve June 27, 2024, PC Meeting Minutes* (pp. 2-4)
- B. Discuss ORD 2024-08-01 (REPLACING 304.020) Variance Application Requirements* (pp. 5-6)
 - 1. Recommendation to the City Council

ADJOURN

MEETING MINUTES (Draft)

Birchwood Planning Commission Regular Meeting

City Hall - 7:00 PM Regular Meeting 6/27/2024

Submitted by Michael Kraemer – secretary

COMMISSIONERS PRESENT: — Andy Sorenson - Chairman, Michael Kraemer, Casey Muhm, Michelle Maiers-Atakpu

COMMISSIONERS ABSENT: Michael McKenzie

OTHERS PRESENT: Council Member Ryan Hankins, Ben Wikstrom – City Planner, Carson Schifsky

TO ORDER: Meeting called to order by Chairman Andy Sorenson at 7:00 PM.

1. PUBLIC FORUM
 - a. none
2. APPROVE AGENDA
 - a. Motion by Maiers-Atakpu, 2nd by Muhm to approve agenda as presented. Vote: Yes -4, No – 0. Motion passed.
3. REGULAR AGENDA
 - a. Item A – Review/Approve May 23, 2024 Planning Commission Meeting Minutes.
 - i. Motion by Muhm, 2nd by Maiers-Atakpu to approve the minutes. Vote: Yes – 4, No – 0, Motion passed.
 - b. Item B – 24-01-VB (425 Lake) Variance
 1. Review and Discuss Variance Application –
 - a. Carson Schifsky – Schifsky Companies was present representing the property owners at 425 Lake Ave and presented the details of the additional information supplied in the meeting packet for variance 24-01-VB.
 - i. Variance 24-01-VB requested variance from Village Code 302.020 STRUCTURE LOCATION REQUIREMENTS prohibiting retaining walls within 50’ of the OHW of White Bear Lake.
 1. Variance requested variation to allow construction of boulder retaining wall to be built 15 feet back (7 feet tall) and 10 feet stepped wall (4 feet tall) from OHW to stabilize the existing bank and slope and prevent

ORDINANCE NO. 2024-08-01

AN ORDINANCE REPLACING SUBSECTION 304.020 OF THE CITY CODE TITLED “VARIANCE APPLICATION REQUIREMENTS” IN SECTION 304 OF THE CITY CODE TITLED “ZONING CODE: VARIANCES”

The City Council of The City of Birchwood Village, Minnesota ordains:

Section 1. Enactment. The following section replaces section 304.020 of the City Code.

304.020 Variance Application Requirements. Before consideration of a variance, an application for variance shall be made on forms provided by the City Administrator. The application must be accompanied by the required information described below and by all required fees. City zoning staff shall mark an application complete only if it includes the following items or shall include an explanation of why each omitted item is unnecessary. Incomplete applications shall be returned to the applicant within fourteen days of application.

- a). The legal description and address of parcel.
- b). Name, address, and phone number of applicant (and of owner if owner is not the applicant).
- c). Plot plan draw to scale (Including a bar scale on the plan). Lot elevations and contour lines (existing and proposed). Cross sections of disturbed areas and proposed structures.
- d). Plan showing existing and proposed new and changed structures on the lot. (I.e. critical spot elevations at structures and changes in existing site contours. Proposed structures material specifications. Proposed foundations, volumes of material disturbance, landscaping layout, slope stabilization and erosion control plans and materials.) The plan shall include sufficient detail and dimensions to determine which variances are necessary, and in what dimensions, and to evaluate the project against requirements.
- e). Existing structures and site elevations/contours on adjacent lots.
- f). A certificate by a registered professional land surveyor verifying the location of all buildings, setbacks, and building and impervious surface area coverage.
- g). A certificate by a registered professional land surveyor or engineer certifying other facts that, in the opinion of the city, are necessary for evaluation of the application. (I.e. stormwater maintenance plan, drainage plan, etc.)

h). A separate enumeration of each section, including a clear reference to the section of the code to which a variance is requested along with a demonstration that each criterion set forth in section 304.040 is met for each enumerated section.

h). Evidence demonstrating compliance with regulations of other governmental units when required by provisions of this code, State Law, or regulations of other governmental units. Non-limiting examples of government units which may have applicable regulations including the State of Minnesota, Rice Creek Watershed District, Minnesota Department of Natural Resources, White Bear Lake Conservation District, and Minnesota Pollution Control Agency.

Section 2. Effective Date.

This ordinance becomes effective from and after its passage and publication.

Passed by the City Council of _____, Minnesota this _____ day of Month, Year.

Mayor

Attested:

City Clerk