

NOTE: Due to Open Meeting Law restrictions, the City Council may be discussing agenda items for the first time. Your patience and understanding is appreciated during this process.



MEETING OF THE CITY COUNCIL

CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA

January 13th, 2026
6:45 PM

MISSION STATEMENT

The Birchwood Village City Council is dedicated to enhancing the quality of life for all residents by fostering a safe, inclusive, and thriving community. We are committed to responsible governance and transparent decision-making. Through collaboration with residents, businesses, and local organizations, we strive to improve public services and infrastructure while preserving the unique character of our city. Our goal is to make Birchwood Village a better place to live and grow for generations to come.

MEMBERS:

Jennifer Arsenault, Mayor (on leave/planned time away)
Bridget Sperl, City Council
Kathy Weier, City Council (acting Mayor)
Ryan Eisele, City Council
Ryan Hankins, City Council

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA

CITY BUSINESS

1. Presentation/Q&A with Paul Burr, DNR Big Game Specialist
2. Halls Marsh MOA discussion and suggested edits.

Motion: City Clerk to present the following to Rice Creek as a framework acceptable to the Birchwood City Council for revision and acceptance of the MOA, and for further discussion at a Council workshop, with edits to include:

1. Under "General Provisions,"
 - a. P. Strike "Any decision of the dispute resolution committee shall binding on the Parties."
2. Under "Birchwood Village Agrees To," the following are struck:
 - a. E. Accept responsibility for vegetative and/or habitat management activities within Halls Marsh related to the City's desired property use and management and engaging RCWD when PLOP management may enhance City efforts.

* Denotes item that supporting documentation will be provided

- b. F. Prepare and make available to the public an annual report on the ecological health of Halls Marsh.
- 3. Under "RCWD Agrees To,"
 - a. Update Item B to strike "at the Halls Marsh Outfall" in two places and replace it with "within Hall's Marsh"
- 3. Consent Agenda:
 - a. Approve January 6, 2026 Special City Council Meeting Minutes*(pgs. 3-4)
 - b. Approval of revised Road Plan/ CIP for 2026*(pgs. 5-7)
 - c. Approval of Engagement Agreement for City Clerk-Administrator*(pgs. 8-11)
 - d. Approval of December 2025 Treasurer's Report*(pgs. 12-28)
 - e. Approval/ratification of variances as recommended by the Planning Commission for the build at 131 Wildwood*(pgs. 29-80)(amended from previously-approved variances for same project).

ANNOUNCEMENTS

- 1. Washington County Sheriff's Newsletter*(pgs. 81-84)
- 2. Xcel Energy Rate Adjustment Proposal*(pgs. 85-86)
- 3. Washington County Historical Society Event Notice*(pgs. 87-90)

ADJOURN

* Denotes items that have supporting documentation provided

NOTE: Due to Open Meeting Law restrictions, the City Council may be discussing agenda items for the first time. Your patience and understanding is appreciated during this process.



SPECIAL MEETING OF THE CITY
COUNCIL MEETING MINUTES

CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
January 6th, 2026
5:45 PM

MISSION STATEMENT

The Birchwood Village City Council is dedicated to enhancing the quality of life for all residents by fostering a safe, inclusive, and thriving community. We are committed to responsible governance and transparent decision-making. Through collaboration with residents, businesses, and local organizations, we strive to improve public services and infrastructure while preserving the unique character of our city. Our goal is to make Birchwood Village a better place to live and grow for generations to come.

MEMBERS:

Jennifer Arsenault, Mayor

Bridget Sperl, City Council

(appeared by alternative electronic format (zoom) in compliance with Minn. Stat. 13D.015 Subdivision 2)

Kathy Weier, City Council

Ryan Eisele, City Council

Ryan Hankins, City Council

CALL TO ORDER (5:47PM)

ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA Motion to approve as amended by Hankins, Eisele 2, AA

1. Presentation/Preview of 2026 Roads Plan (City Engineer Marcus Johnson)*
2. Discussion and possible approval of Resolution creating a City Engagement and Events Committee. (Arsenault)
Motion to Approve Resolution by Hankins Eisele 2, AA
3. Designation of Acting Mayor for 2026 (Arsenault)
Kathy Weier designated Acting Mayor by Eisele Hankins 2, AA
4. Discussion and approval of Council Liaison Designations: (Arsenault)
 - a. Planning Commission Hankins
 - b. Parks Sperl and Weier
 - c. Personnel Eisele
 - d. Lake Links Sperl
 - e. Engagement and Events Arsenault
 - f. Docks Arsenault
 - g. Halls Marsh Weier
5. Parks Committee Member-Renewals. (Weier to recommend slate to Council)
6. Discussion of Halls Marsh and the PLOP (Hankins)

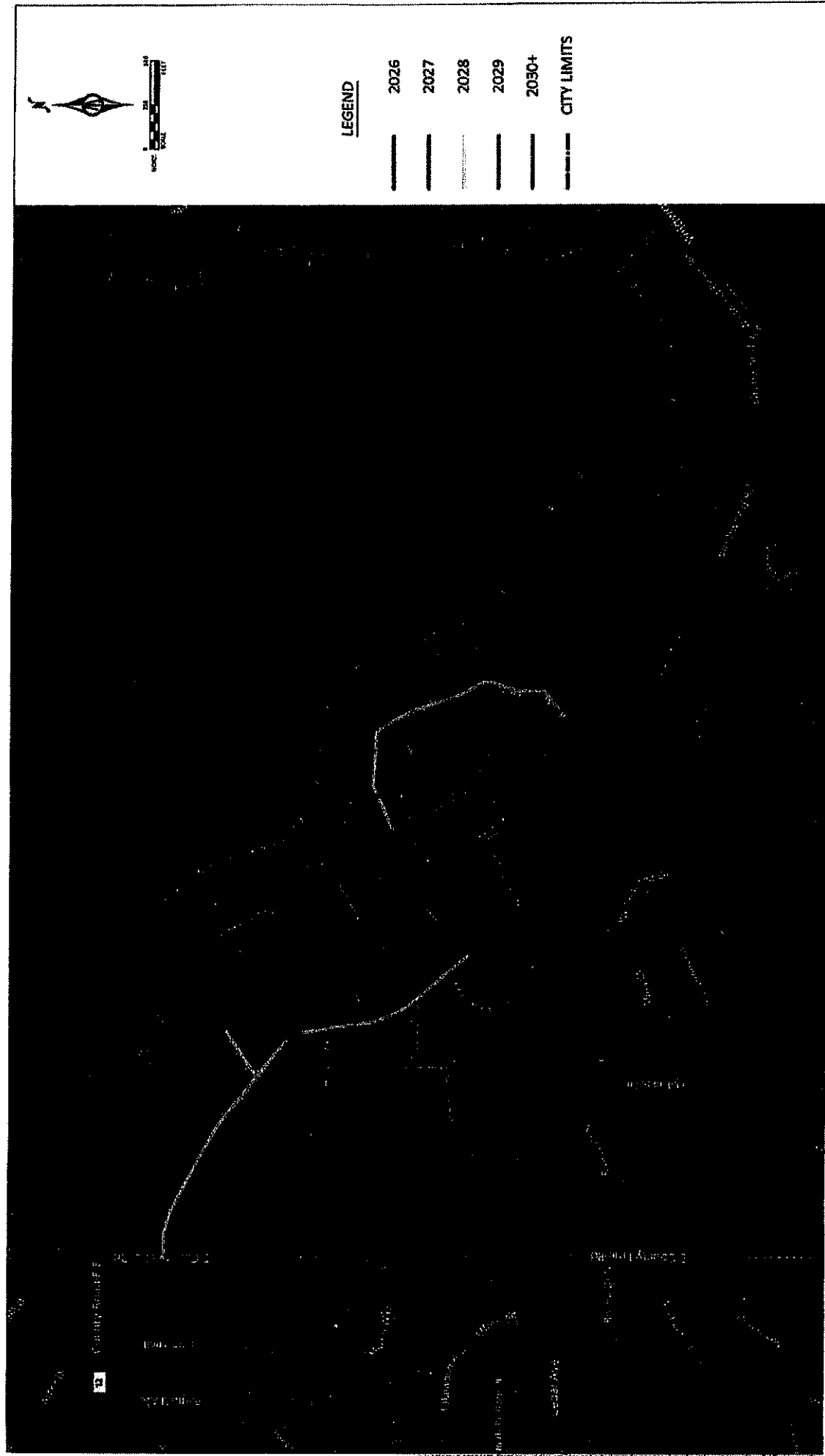
* Denotes item that supporting documentation will be provided

Repair Method

Reclaim, Reshape, Repave = RRR
Check Box = CF

STREET SEGMENT	FROM	TO	Reconstruction Year				
			2026	2027	2028	2029	2030
Birch St.	Birchwood Ave.	End of St.			CF		
Birchwood Ave.	East County Line Rd.	Cedar St./Hall Ave.					
Birchwood Ave.	Cedar St./Hall Ave.	150' past Birchwood Ct.					
Birchwood Ct.	End of St.	City Limits/End of St.			RRR		
Birchwood Lane	Birchwood Ave.	Center of cul-de-sac					
Birchwood Lane	East County Line Rd.	Wildwood Ave.					
Cedar St./Hall Ave.	East County Line Rd.	City Limits	CF				
Cedar St.	Hall Ave.	Wildwood Ave.		CF			
Five Oaks Lane	Oakridge Dr.	Birchwood Lane				CF	
Hall Ct.	Hall Ave.	Center of cul-de-sac	CF				
Iris St.	Wildwood Ave.	Lake Ave.			CF		
Jay St.	Hall Ave.	Center of cul-de-sac	CF				
Lake Ave.	Wildwood Ave.	Iris St.			CF		
Lakewood Lane	Iris St.	End of St.		CF			
Lakewood Lane	Lake Ave.	End of St.		CF			
Oakridge Dr.	Cedar St./Hall Ave.	Oakview Ct.				CF	
Oakridge Dr.	Oakview Ct.	Center of cul-de-sac				CF	
Oakview Court	Oakridge Dr.	Center of cul-de-sac				CF	
Oakhill Court	Oakridge Dr.	Center of cul-de-sac				CF	
Owl St.	Wildwood Ave.	End of St.		CF			
Rice/Rosa Lane	Birchwood Ave.	End of St.					
White Pine Lane	Hall Ave.	Center of cul-de-sac	CF				
Wildwood Ave.	East County Line Rd.	Owl St.					RRR
Wildwood Ave. (One Way South)	Owl St.	625' South of Owl St.					RRR
Wildwood Ave. (One Way North)	Owl St.	625' South of Owl St.					RRR
Wildwood Ave.	Lake Ave.	Iris St.					
Wildwood Ave.	625' South of Owl St.-Lake Ave.	Iris St.-Hall Ave.				CF	
Estimated Yearly Construction Cost			\$ 131,950	\$ 63,780	\$ 176,404	\$ 12,300	\$ 400,000
Annual Revenue			\$135,000	\$100,000	\$100,000	\$100,000	\$100,000
Cash Flow			\$3,050	\$39,270	-\$37,144	\$50,556	-\$149,444

Figure 2: Repair Year
January 2026



Section 2. Holidays. Employee is expected to be available in the case of emergencies on holidays.

Section 3. Vacation. Employee does not earn vacation-time.

Section 4. Sick Leave. Employee does not earn sick-leave with this position.

Section 5. Retirement Plan. Employee may participate in the Public Employees Retirement Association (PERA) and if so City shall contribute an amount equal to the Employee's gross wages multiplied by the current PERA Employer Rate. The Employee will contribute an amount equal to the Employee's gross wages multiplied by the current Successor Employee Rate.

Section 6. Expenses Incurred in Performing Duties. It is anticipated that there may be expenses reasonably incurred by the Employee that are directly related to the performance of the Employee's duties. Thus, the City shall reimburse or directly pay for actual expenses reasonably incurred by the Employee that are directly related to the performance of the Employee's duties and as consistent with City policy and this Agreement. Such expenses above basic mileage require pre-approval by the Council.

Section 7. Indemnification. The City shall defend and indemnify the Employee pursuant to Minnesota Statutes 466.07 and 465.76. The City shall also defend and hold harmless and indemnify the Employee from all torts, civil damages, penalties and fines, provided Employee was acting in the performance of Employee's duties. Nothing in this paragraph shall be deemed to be a waiver by the City of any limitation on liability set forth in Minnesota Statutes, Chapter 466.

III. ENTIRE AGREEMENT

This Agreement contains the entire Agreement and understanding of the terms of Employee's employment. The City and Employee agree that there were no inducements or representations leading to the execution of this Agreement except as herein contained.

IV. MODIFICATIONS TO AGREEMENT

The salary and any benefits referred to in this Agreement or provided by the City may be modified or eliminated by a written Agreement, Council action, provisions in the City's ordinances, City policies or regulations or provisions in state or federal laws or regulations. This Agreement does not alter benefits granted by the City of Birchwood Code of Ordinances, or by federal or state law.

V. SEVERABILITY

In case any one or more of the provisions of this Agreement shall be invalid, illegal, or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained in this Agreement will not in any way be affected or impaired.

VI. CHOICE OF LAW AND VENUE

This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota. Any disputes, controversies, or claims arising out of this Agreement shall be heard in the state or federal

CITY OF BIRCHWOOD VILLAGE EMPLOYEE BENEFITS

“All Employees”

Dental and Vision Plan-100% ER Paid

(Eligible after 60-day probationary period)

PERA-Public Employees Retirement Association of Minnesota

(Immediate Enrollment)

6.5% EE contribution

7.5% ER contribution

3 years before vested

Note: EE's may elect to waive participation

ESST-Employee Safe and Sick Time

(Immediate Enrollment)

Part-time employees are eligible for ESST time after 80 hours of work within a calendar year. Once this requirement is met, then one hour of pay is earned for every 30 hours worked up to a maximum of 48 hours per year. Total accruals, including carryover amounts, are capped at 80 hours.

Note: Full-time employees will need City Council approval for this benefit

MN PAID FAMILY AND MEDICAL LEAVE

In one year, EE's can take up to 12 weeks of medical leave for their own health care, or 12 weeks of family leave for the following reasons:

To welcome a child, care for a family member, support a family member's military service, or respond to certain safety concerns.

Should an EE qualify for both types of leave, they can take up to 20 weeks total in a year.

Note: Birchwood Village will pay the required payroll deduction for employees.

TWO RACKS OF CHOOSING FOR STORAGE OF PERSONAL KAYAKS OR CANOES

EE's may select two storage racks at one of our beach easements for their kayaks or canoes. Eligible period is from March 1st through October 31st.

City of Birchwood Village
Statement of Receipts Disbursements
As of December 31, 2025

	December 2025	YTD 2025	Budget 2025	Percent of Budget
100: GENERAL FUND RECEIPTS				
General Property Taxes	\$ 274,338	\$ 618,107	\$ 618,134	100.0%
Licenses & Permits	\$ -	\$ 1,412	\$ 500	282.4%
Building Permits	\$ 2,239	\$ 33,031	\$ 90,000	36.7%
Kayak/Canoe Permits	\$ -	\$ 2,095	\$ 1,700	123.2%
Zoning Permits	\$ 60	\$ 989	\$ 300	329.5%
Animal Licenses	\$ 150	\$ 1,905	\$ 100	1905.0%
Federal Grants & Aid	\$ -	\$ -	\$ 3,192	0.0%
State Grants & Aid	\$ -	\$ -	\$ 603,000	0.0%
Small City Aid	\$ 5,790	\$ 11,579	\$ -	0.0%
Charges for Services	\$ -	\$ 850	\$ -	0.0%
City/Town Hall Rent	\$ 50	\$ 670	\$ 400	167.5%
Park Fees	\$ -	\$ -	\$ -	0.0%
Court Fines	\$ -	\$ 2,066	\$ 950	217.5%
Miscellaneous	\$ -	\$ 5,431	\$ -	0.0%
Interest Earning	\$ 3,865	\$ 44,293	\$ 48,000	92.3%
Contributions of Donations from Private Sources	\$ 500	\$ 720	\$ 250	288.0%
Refund-Reimbursement-Dividend	\$ 28	\$ 7,091	\$ 9,500	74.6%
Escrows Deposits	\$ -	\$ 12,000	\$ 35,000	34.3%
Transfers from Other Funds		\$ -	\$ -	0.0%
TOTAL GENERAL FUND RECEIPTS	\$ 287,019	\$ 742,239	\$ 1,411,026	52.6%
100: GENERAL FUND DISBURSEMENTS				
Ordinances & Proceedings	\$ 132	\$ 984	\$ 2,000	49.2%
Mayor	\$ 3,693	\$ 4,073	\$ 9,180	44.4%
Clerk - Treasurer	\$ 7,517	\$ 109,279	\$ 165,300	66.1%
Elections	\$ -	\$ -	\$ 1,500	0.0%
Assessing	\$ -	\$ 7,579	\$ 6,700	113.1%
Legal Services	\$ 2,500	\$ 34,500	\$ 34,000	101.5%
Grants	\$ -	\$ 2,126	\$ 2,100	101.2%
Planning & Zoning	\$ -	\$ -	\$ 22,500	0.0%
Office Operations Supplies	\$ 236	\$ 7,342	\$ -	0.0%
City Training & Development	\$ 1,330	\$ 1,330	\$ -	0.0%
Insurance - Employee	\$ -	\$ 19,165	\$ 3,250	589.7%
Animal Control	\$ 145	\$ 2,078	\$ 1,200	173.2%
Software Expense	\$ 2,536	\$ 3,197	\$ 2,100	152.3%
General Fund Engineering Expense	\$ 4,733	\$ 46,891	\$ 14,500	323.4%
General Government Buildings & Plant	\$ 550	\$ 6,611	\$ 14,800	44.7%
City Insurance	\$ -	\$ 13,511	\$ 17,300	78.1%
Cable Equipment & Service	\$ -	\$ 3,335	\$ 1,750	190.6%
Phone/IT	\$ 544	\$ 6,546	\$ -	0.0%
Police	\$ -	\$ 48,675	\$ 97,645	49.8%
Fire	\$ -	\$ 59,983	\$ 65,087	92.2%
Building Inspections Administration	\$ -	\$ 21,548	\$ 62,200	34.6%
Other Protection	\$ 48,412	\$ 48,481	\$ -	0.0%
Streets & Road Maintenance	\$ -	\$ 10,670	\$ 100,000	10.7%
Street Sweeping	\$ -	\$ -	\$ 4,000	0.0%
Tree Care	\$ -	\$ 1,020	\$ 5,000	20.4%
Ice & Snow Removal	\$ 22,501	\$ 69,914	\$ 34,000	205.6%
Tree Removal	\$ -	\$ -	\$ 15,000	0.0%
Street Lighting	\$ 1,410	\$ 16,375	\$ 17,000	96.3%
Recycle	\$ 3,312	\$ 19,872	\$ 20,400	97.4%
Parks	\$ 3,049	\$ 42,677	\$ 40,250	106.0%
Lawn Care - Maintenance	\$ -	\$ -	\$ 8,000	0.0%
Water Resources	\$ -	\$ 1,148	\$ 1,150	99.9%
Miscellaneous	\$ 78	\$ 1,652	\$ -	0.0%
Unallocated Expenditures	\$ 49	\$ 98	\$ 500	19.6%
Escrow Refunds	\$ -	\$ 33,142	\$ 30,000	110.5%
Transfer to Enterprise Fund	\$ -	\$ -	\$ 12,614	0.0%
Utility Reimbursement	\$ -	\$ -	\$ 600,000	0.0%
Newsletter	\$ -	\$ 883	\$ -	0.0%
TOTAL GENERAL FUND DISBURSEMENTS	\$ 102,727	\$ 644,683	\$ 1,411,026	45.7%

City of Birchwood Village

Fund Name: All Funds

Date Range: 12/01/2025 To 12/31/2025

<u>Date</u>	<u>Remitter</u>	<u>Receipt #</u>	<u>Description</u>	<u>Deposit ID</u>	<u>Void Account Name</u>	<u>F-A-P</u>	<u>Total</u>
12/01/2025	Xcel Energy	171736489*	Rightaway Permit- 3 Oakhill Ct, 25-0101 ACH	(12/01/2025) - ACH	N Building Permits	100-32211-	\$ 274.50
							<u>\$ 274.50</u>
12/01/2025	McCabe Roofing	171736493*	BP for 426 Birchwood Crt, 25-0103 ACH	(12/01/2025) - ACH	N Building Permits	100-32211-	\$ 562.75
							<u>\$ 562.75</u>
12/03/2025	Washington County	171736508	Property Taxes-First Half 2025. Amounts coded to Sewer and Water were collected by WACO.	(12/03/2025) -	N General Property Taxes (31001 through 31299)	100-31001-	\$ 274,337.61
					Water Consumption	601-37111-	\$ 2,185.35
					Sewer Consumption	605-37211-	\$ 2,117.79
							<u>\$ 278,640.75</u>
12/08/2025	ASAP	171736490	Lift Station Repair EPA Grant	(12/08/2025) -	N Federal Grants and Aids	406-33101-	\$ 102,264.51
							<u>\$ 102,264.51</u>
12/11/2025	Metro Heating and Cooling	171736494*	Mech Permit-508 Wildwood, 25-0107 ACH	(12/11/2025) - ACH	N Building Permits	100-32211-	\$ 151.00
							<u>\$ 151.00</u>
12/11/2025	Logan Companies	171736495*	BP, 131 Wildwood Ave, 25-0106 ACH	(12/11/2025) - ACH	N Building Permits	100-32211-	\$ 151.00
							<u>\$ 151.00</u>
12/11/2025	Mahtomedi Fast Pitch	171736498*	Hall Rental	(12/11/2025) - CK	N City/Town Hall Rent	100-34101-	\$ 25.00
							<u>\$ 25.00</u>
12/11/2025	White Bear Rental	171736499*	Rental Refund for Equipment	(12/11/2025) - CK	N Refund-Reimbursement-Dividend	100-36240-	\$ 27.75
							<u>\$ 27.75</u>

Fund Name: All Funds

Date Range: 12/01/2025 To 12/31/2025

Date: 12/31/2025
Remitter: Residents - via St Anthony Village
Receipt #: 171736505
Description: Utility Billing Receipts for December 2025

Deposit ID	Void	Account Name	F-A-P	Total
(12/31/2025) -	N	Water Consumption	601-37111-	\$ 8,220.89
		Water Utility User Fee	601-37112-	\$ 5,030.20
		State Surcharge	601-37116-	\$ 246.45
		Administrative Fee Move/Out	601-37118-	\$ 99.49
		Lift Station Replacement	601-37119-	\$ 2,482.39
		Penalties and Forfeited Discounts	601-37160-	\$ 140.83
		Sewer Consumption	605-37211-	\$ 4,462.45
		Sewer Minimum Charge	605-37212-	\$ 3,945.49
		Penalties and Forfeited Discounts	605-37260-	\$ 81.35
Total for Selected Receipts				\$ 24,709.54
				\$ 441,229.45

Fund Name: All Funds

Date Range: 12/01/2025 To 12/31/2025

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
12/11/2025	BrightView Landscapes, LLC.	33778*	Monthly Payment Per Contract for Nov and Dec	N	Ice and Snow Removal	100-43125-314-	\$ 7,167.00
		33778*				100-43125-314-	\$ 7,167.00
	Total For Check	33778					\$ 14,334.00
12/11/2025	LRS PORTABLES, LLC	33779*	Nov Portable Potty	N	Parks	100-45207-314-	\$ 224.00
		33779					\$ 224.00
12/11/2025	USS MINNESOTA ONE MT LLC	33780*	Solar Energy - Oct Charges-	N	General Government Buildings and Plant	100-41940-380-	\$ 79.11
		33780*			Sewer Utility	605-49465-380-	\$ 210.96
		33780*				605-49465-380-	\$ 382.37
	Total For Check	33780					\$ 672.44
12/19/2025	PERA	12192025-1*	Retirement Funds 11/30-12/13 tb, jr	N	Clerk - Treasurer	100-41401-121-	\$ 366.31
		12192025-1*			Parks	100-45207-121-	\$ 59.63
	Total For Check	12192025-1					\$ 425.94
12/19/2025	Payroll Period Ending 12/19/2025	33781	Office Payroll for 11/30 - 12/13	N	Clerk - Treasurer	100-41401-100-	\$ 1,529.16
		33781					\$ 1,529.16
12/19/2025	Payroll Period Ending 12/19/2025	33782	Office Payroll for 11/30 - 12/13	N	Parks	100-45207-100-	\$ 785.33
		33782					\$ 785.33
12/31/2025	Bituminous Roadways	33783*	2025 Street Maintenance	N	Capital Project Engineering Expense	406-41935-300-	\$ 89,071.50
		33783					\$ 89,071.50
12/31/2025	Payroll Period Ending 12/31/2025	33787	Council Pay 2025	N	Mayor	100-41310-100-	\$ 1,384.74
		33787					\$ 1,384.74
12/31/2025	Payroll Period Ending 12/31/2025	33788	Mayor Pay 2025	N	Mayor	100-41310-100-	\$ 2,307.91
		33788					\$ 2,307.91
12/31/2025	Arsenault, Jennifer	33789*	Quantum Fiber Nov and Dec	N	Phone/IT	100-41955-321-	\$ 104.52
		33789					\$ 104.52
12/31/2025	BELLINGER, THERESE	33790*	Reimburse for Postage and Office Supply, Set Up Direct Buy to Office Max	N	Office Operations Supplies	100-41911-200-	\$ 176.47
		33790*					\$ 49.00
		33790*			Postage/Postal Permits	100-49495-200-	\$ 78.00
							19

Fund Name: All Funds		Date Range: 12/01/2025 To 12/31/2025																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
----------------------	--	--------------------------------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Fund Name: All Funds

Date Range: 12/01/2025 To 12/31/2025

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
		Total For Check	EFT123125A				\$ 44.63
12/31/2025	Xcel 2335-4	EFT123125B*	Electricity 10/16-11/16	N	Water Utility	601-49415-380-	\$ 10.92
		Total For Check	EFT123125B				\$ 10.92
12/31/2025	Xcel 2307-8	EFT123125C*	Street Lighting Charges	N	Street Lighting	100-43160-380-	\$ 1,410.09
		Total For Check	EFT123125C				\$ 1,410.09
12/31/2025	Xcel 4094-1	EFT123125D*	Gas Service 10/17-11/17/2025	N	Water Utility	605-49415-380-	\$ 25.41
		Total For Check	EFT123125D				\$ 25.41
12/31/2025	Xcel 9369-0	EFT123125E*	407 Lake Lift Station 10/17-11/17/2025	N	Sewer Utility	605-49465-380-	\$ 25.41
		Total For Check	EFT123125E				\$ 25.41
12/31/2025	Techie Dudes	EFT123125F*	Monthly Service Charges-Cloud Storage, Backup, MS Email	N	Phone/IT	100-41955-314-	\$ 439.90
		Total For Check	EFT123125F				\$ 439.90
12/31/2025	A T & T Mobility	EFT123125G*	Wireless for water tower- 12/02-01/01	N	Water Utility	601-49415-382-	\$ 35.42
		Total For Check	EFT123125G				\$ 35.42
12/31/2025	Evolv	EFT123125H*	Fee charged in Dec	N	Unallocated Expenditures	100-49201-437-	\$ 49.00
		Total For Check	EFT123125H				\$ 49.00
	Total For Selected Checks						\$ 227,832.75

City of Birchwood Village

Claims History

1/9/2026

Date Range : 12/1/2025 To 12/31/2025

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Check #</u>	<u>Approved</u>	<u>Total</u>	<u>Account #</u>	<u>Detail</u>
12/01/2025	Techie Dudes	Monthly Service Charges-Cloud Storage, Backup, MS Email	7854*	EFT123125F	Yes	\$439.90	100-41955-314	\$439.90
12/05/2025	IRS - US TREASURY	Federal Taxes - Q4 2025 -November Payment	7803	EFT120525B	Yes	\$1,622.74	100-41401-100	\$229.90
							100-41401-100	\$983.06
12/05/2025	MN DEPARTMENT OF REVENUE	MN State Tax eFiling - 2025 Q4-Nov 2025 pymt	7802	EFT120525A	Yes	\$312.70	100-41401-115	\$409.78
12/05/2025	PERA	Retirement Funds 11/16-11/29 tb, jr,mo,	7804*	EFT12052025-1	Yes	\$616.74	100-41401-121	\$258.49
							100-41401-115	\$54.21
12/05/2025	PERA	Retirement Funds 10/19-11/1 tb, jr	7805*	eft12052025-2	Yes	\$421.31	100-41401-121	\$473.62
							100-45207-121	\$143.12
12/05/2025	PERA	Retirement Funds 11/2-11/15 tb, jr	7806*	eft12052025-3	Yes	\$350.82	100-41401-121	\$314.99
							100-45207-121	\$106.32
12/11/2025	BrightView Landscapes, LLC.	Monthly Payment Per Contract for Nov and Dec	7807*	33778	Yes	\$14,334.00	100-43125-314	\$293.58
							100-45207-121	\$57.24
12/11/2025	LRS PORTABLES, LLC	Nov Portable Potty	7808*	33779	Yes	\$224.00	100-43125-314	\$7,167.00
12/11/2025	USS MINNESOTA ONE MT LLC	Solar Energy - Oct Charges-	7809*	33780	Yes	\$672.44	605-49465-380	\$224.00
							100-41940-380	\$382.37
12/16/2025	Xcel 2335-4	Electricity 10/16-11/16	7850*	EFT1231258	Yes	\$10.92	605-49465-380	\$79.11
12/18/2025	XCEL 6612-4	Electricity 10/16-11/19/2025	7849*	EFT123125A	Yes	\$44.63	605-49465-380	\$210.96
12/19/2025	PERA	Retirement Funds 11/30-12/13 tb, jr	7810*	12192025-1	Yes	\$425.94	100-41401-121	\$10.92
							100-45207-121	\$44.63
12/22/2025	A T & T Mobility	Wireless for water tower- 12/02-01/01	7855*	EFT123125G	Yes	\$35.42	601-49415-382	\$366.31
12/22/2025	Evolv	Fee charged in Dec	7856*	EFT123125H	Yes	\$49.00	100-49201-437	\$59.63
								\$35.42
								\$49.00

Report Last Updated: 08/29/2014

Page 1 of 4

25

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Check #</u>	<u>Approved</u>	<u>Total</u>	<u>Account #</u>	<u>Detail</u>
12/31/2025	LRS PORTABLES, LLC	Dec Portable Potty	7833*	33806	Yes	\$274.00	100-45207-314	\$274.00
12/31/2025	MANSHIP PLUMBING & HEATING INC	Dec retainer, water main repairs 199 Wildwood, water meter replacement	7838*	33811	Yes	\$1,910.00	601-49415-314	\$800.00
12/31/2025	Menard's - MAPLEWOOD	Lights for Hall	58446*	33823	Yes	\$194.97	100-41940-400	\$194.97
12/31/2025	MENARD'S - OAKDALE	Sidewalk Salt	7835*	33808	Yes	\$39.33	100-45207-220	\$39.33
12/31/2025	Merrick Inc.	Winter Newsletter	7837*	33810	Yes	\$185.71	601-49435-350	\$185.71
12/31/2025	METROPOLITAN COUNCIL - ENV. SERVICE	Jan Waste Water Services	7836*	33809	Yes	\$5,169.16	605-49465-217	\$5,169.16
12/31/2025	Press Publications	Ref 848657, Ord 2025-02 legal	7839*	33812	Yes	\$66.00	100-41130-351	\$66.00
12/31/2025	Press Publications	Ref 848656, Ord 2025-03, legal	7840*	33813	Yes	\$66.00	100-41130-351	\$66.00
12/31/2025	Tennis Sanitation, LLC	Recycling for Serv: Nov thru Dec 2025	7843*	33816	Yes	\$3,312.00	100-43300-314	\$3,312.00
12/31/2025	TOSHIBA AMERICA BUSINESS SOLUTIONS	Dec Monthly Usage Allowance	7841*	33814	Yes	\$10.62	100-41911-314	\$10.62
12/31/2025	TSE, INC. WORK ACCOUNT	Hall Cleaning - 12/4 & 12/18	7842*	33815	Yes	\$60.08	100-41940-314	\$60.08
12/31/2025	USS MINNESOTA ONE MT LLC	Solar Energy - Sept and Nov	7844*	33817	Yes	\$1,835.62	605-49465-380	\$287.94
							100-41940-380	\$107.98
							605-49465-380	\$521.89
							605-49465-380	\$287.94
							100-41940-380	\$107.98
							605-49465-380	\$521.89
12/31/2025	Washington County Sheriff	2026 Police Service	7847*	33820	Yes	\$48,412.39	100-42801-314	\$48,412.39
12/31/2025	Water Conservation Service Inc.	Water Main Leak Detection 199 Wildwood	7846*	33819	Yes	\$554.25	601-49425-300	\$554.25
12/31/2025	WHITE BEAR TOWNSHIP	Maintenance, 11/25, 12/1, 12/5	7845*	33818	Yes	\$1,098.83	605-49465-314	\$1,098.83
12/31/2025	WIKSTROM, JOHN	Planning Services Dec	7831*	33804	Yes	\$1,600.00	100-41925-300	\$1,600.00

memo

To: Birchwood Village Mayor and City Council
From: Ben Wikstrom, Planning Consultant
CC:
Date: January 13, 2026 Meeting
Re: 131 Wildwood Avenue Variances – Planning Commission Meeting Summary with Recommendations

The Planning Commission met on December 18, 2025 to hold the public hearings for and make recommendations on the variances at 131 Wildwood Avenue. Detailed information about the variances and applications can be found in the attached staff report.

Between the time the report was written and the meeting, a comment letter from the owners of 127 Wildwood Avenue was received at City Hall. A family representative was present at the meeting, and was satisfied with the summary of items outlined in the letter as described in the oral presentation by staff. The letter can be found in the packet.

Three items were stated as objections or concerns in the letter. A summary of each, along with the response provided by staff and the discussion by the commission:

- **“Vegetative Alterations.”** The complaint stated that the applicant should be required to mitigate significant trees that were removed for construction. Staff recited the ordinance that states that tree removal is allowed within 10’ of the building foundation and driveways or sidewalks. It was noted on the survey of (previously) existing conditions that there were 12 significant trees on the property, and 2 were preserved. The City does not employ an arborist, and the applicant (Joe Galatowitsch) stated that many of the trees that were removed were dead, dying, or diseased, and that the immediate neighbors were thankful for the removal of silver maples that were in dangerous condition. Staff also listed the species that are allowed to be removed without mitigation (silver maples among them), and noted that the survey only listed the genus of each tree, but not the species (it is assumed that a variety of ash that was present was allowed to be removed without mitigation). Finally, staff and the applicant noted that the applicant proposes to plant roughly 40 trees on the site, and while many will not meet the requirements of mitigation, some species have not been chosen. Overall, the commission was satisfied with the proposed landscaping on the site and believed that the intent of the ordinance will be met with the preserved trees and proposed landscaping.

The recommendations for each variance were made, with findings and conditions, as follows:

Principal Structure Side Yard Setback Variance (reduced from 10' to 5')

Findings

- The proposed use is reasonable
- The location is a reasonable request meeting the general intent of the zoning ordinance, considering the unique circumstances of the lot
- The lot is small for a riparian property and was not created by the applicant; the "bluff" line and setback from the lake, along with the narrow lot width, lead to long and narrow principal structures and garage locations nearer the street than on a conforming lot
- The proposed location of the garage will move parking away from and off the street and right-of-way
- Runoff will be contained and filtered on site
- The proposed location does not impair safety of the neighborhood or diminish property values
- The same considerations that led to the approval of the location of a detached garage remain

Conditions

1. Construction activity shall be confined to the subject property
2. The peak height of the attached garage shall not exceed 20'6"
3. The gabled roof of the garage shall have no less (shallower) than a 3:12 pitch
4. This setback variance shall only apply to the attached garage location; any future house addition would require approval by the City Council, as well as a variance to allow increased impervious surface

Principal Structure Front Yard Setback Variance (reduced from 30' to 16')

Findings

- The proposed use is reasonable
- The location is a reasonable request meeting the general intent of the zoning ordinance, considering the unique circumstances of the lot
- The lot is small for a riparian property and was not created by the applicant; the "bluff" line and setback from the lake, along with the narrow lot width, lead to long and narrow principal structures and garage locations nearer the street than on a conforming lot
- The proposed location of the garage will move parking away from and off the street and right-of-way
- Runoff will be contained and filtered on site
- The proposed location does not impair safety of the neighborhood or diminish property values
- The same considerations that led to the approval of the location of a detached garage remain

Conditions

1. Construction activity shall be confined to the subject property
2. The peak height of the attached garage shall not exceed 20'6"
3. The gabled roof of the garage shall have no less (shallower) than a 3:12 pitch
4. This setback variance shall only apply to the attached garage location; any future house addition would require approval by the City Council, as well as a variance to allow increased impervious surface

MEETING MINUTES (Draft)
Birchwood Planning Commission Regular Meeting 12/18/2025
Submitted by Michael Kraemer – Secretary

COMMISSIONERS PRESENT – Acting Chairman – Michelle Maiers-Atakpu, Michael Kraemer, Casey Muhm

COMMISSIONERS ABSENT – Andy Sorenson, Michael McKenzie

OTHERS PRESENT: Ben Wikstrom – City Planner, Marcus Johnson – City Engineer, Jennifer Arsenault – Mayor, Joe and Therese Galatowitsch, Ben Reiss – representing Sue and Al Reiss 127 Wildwood Ave

CALL TO ORDER: Acting Chairman – Michelle Maiers-Atakpu called the meeting to order at 7:00.

APPROVAL OF AGENDA: Motion by Muhm, 2nd by Maiers-Atakpu to approve the agenda. Vote: Yes – 3, No – 0. Motion passed.

OPEN PUBLIC FORUM - None

REGULAR AGENDA

1. Variance Review 131 Wildwood Ave – Principal Structure (attached garage) east side-yard setback from 10' to 5'.
 - a. Review Staff Report (Supporting information was provided.)
 - i. City Planner Ben Wikstrom reviewed his staff report and the project history including the decisions forwarded from the March 8, 2025 Planning Commission meeting where the variance(s) for side yard (5') and street frontage (16') setbacks for a free-standing garage had been approved.
 - ii. City Planner Ben Wikstrom introduced a December 15, 2025 memo from Sue and Al Reiss, 125 Wildwood Ave raising concerns related to the proposed variances. (This memo had not been made available to the Planning Commission prior to the meeting. A single copy of the memo was made available from City Engineer and circulated among the Planning Commission at the meeting.)
 1. Concerns in the memo included the following:
 - a. Protection of the city's tree canopy and replacement of significant trees per city code 302.55 (2.d.3 & 3a) (Replacement one for one.) Site plans indicate that 10 of

- a. The 49.5' lot width is a common limiting configuration of the platting in Birchwood. This coupled with the bluff line impacts on the lot leaves limited options for building site.
 - b. The attempt to maximize with the roadway setback for principal structure and the attempt to maximize onsite stormwater treatment and off-street parking indicated the proposed 5' setback was a reasonable attempt to comply with the intent of the code.
- 3. *Were the special conditions or conditions or circumstances created by the applicant's action or design solution? Why or why not?*
 - a. Yes, the special conditions were created by the applicant's attempt to maximize with the roadway setback for principal structure and the attempt to maximize onsite stormwater treatment and off-street parking.
- 4. *Will granting the variance result in any increase in the amount of water draining from the property? Why or why not?*
 - a. The proposed surface water management plan minimizes the amount of water draining from the property and provides improved onsite stormwater runoff containment and treatment compared to existing conditions.
- 5. *Will granting a variance impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the city? Why or why not?*
 - a. The proposed variance applies only to the placement of the proposed attached garage. The garage placement improves separation of the structure from the city street, increases open space between the structure and the street right-of-way line. The garage location minimizes the impacts of garage activity away from the street which improves street safety and creates locations for stormwater collection and treatment. Landscaping and grading plans resulting from the variance are anticipated to improve stormwater management and to create a positive "green" buffer between the street and adjacent properties.
 - b. The lowering of the roof height below the roofline of the principal structure, the proposed use of increased roof pitch and dormers on the garage's second floor maximizes structure useable space while minimizing the footprint and the "mass" of the structure that might have been allowed by code per a 18' tall. This improves the aesthetics and view-sheds of adjacent properties, and maintains light and air circulation.

provides open space separation behind the street ROW and adds off-street parking. The installation of an internal site driveway and increased garage set back from the street right-of-way improves sight distances and reduces the blind traffic movements of vehicle backing on to the an already congested roadway.

2. *Are the special conditions or circumstances that are peculiar to the land, structure, or building involve? Why or why not?*
 - a. The lot size and bluff line location minimize the amount of practical buildable lot depth. Achieving the 30' setback would not be practical.
3. *Were the special conditions or conditions or circumstances created by the applicant's action or design solution? Why or why not?*
 - a. The lot size and bluff line restrictions were pre-existing and not the result of the applicant. The ability to respond to the site limitations and code limited the options available to the applicant. The applicant's design incorporated minimal practical garage footprint and resulted in the proposed 16' foot street setback.
4. *Will granting the variance result in any increase in the amount of water draining from the property? Why or why not?*
 - a. No increase. The proposed surface water management plan utilizing pervious pavers and rain gardens minimizes the amount of water draining from the property and provides improved onsite stormwater runoff containment and treatment compared to existing conditions.
5. *Will granting a variance impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the city? Why or why not?*
 - a. The proposed variance applies only to the placement of the proposed attached garage. The garage placement improves separation of the structure from the city street, increases open space between the structure and the street right-of-way line. The garage location minimizes the impacts of garage activity away from the street which improves street safety and creates locations for stormwater collection and treatment. Landscaping and grading plans resulting from the variance are anticipated to improve stormwater management and to create a positive "green" buffer between the street and adjacent properties.
 - b. The lowering of the roof height below the roofline of the principal structure, the proposed use of increased roof

- a. The information provided in the application indicated the applicant will comply with all the code requirements to accommodate a site impervious surface percentage in excess of 30%. Appears the applicant request is reasonable and complies with the general purpose and intent of City Ordinance 302.050. (6).
2. *Are the special conditions or circumstances that are peculiar to the land, structure, or building involve? Why or why not?*
 - a. The site is an under-sized riparian lot. The size of the lot coupled with the sizing of structures and impervious site treatment is creating impervious surfaces in excess of 30%.
3. *Were the special conditions or conditions or circumstances created by the applicant's action or design solution? Why or why not?*
 - a. Yes, the special conditions were created by the applicant's creation of impervious surfaces on the lot and the properties proximately to the shoreline of White Bear Lake. City code requires impervious surfaces in excess of 30% require establishment of a Riparian Buffer planting area equivalent to 8% of the shoreland impact zone for every 1% the impervious surface percentage exceeds 25%.
4. *Will granting the variance result in any increase in the amount of water draining from the property? Why or why not?*
 - a. The proposed surface water management plan minimizes the amount of water draining from the property and provides improved onsite stormwater runoff containment and treatment compared to existing conditions.
 - b. The City Engineer has reviewed the stormwater Management Plan and is supports its completeness.
5. *Will granting a variance impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the city? Why or why not?*
 - a. The implementing the surface water management plan proposed for the site will have little impact on surrounding properties other than to improve surface water treatment and control.
6. *A variance must not be granted simply because there are no objections or because those who do not object outnumber those who do.*
 - a. Concerns as presented in the Reiss December 15, 2025 memo were considered in the deliberation on this variance.

STAFF REPORT

Meeting Date(s): December 18, 2025 Planning Commission
January 13, 2026 City Council (Anticipated)

Scope: Variances - Principal Structure Side- and Front (ROW) Yard Setbacks; Impervious Surface >30%

Applicant: Joe and Therese Galatowitsch, owners

Representative: Joe Galatowitsch

Property Location: 131 Wildwood Avenue

Report prepared by Ben Wikstrom, Planning Consultant

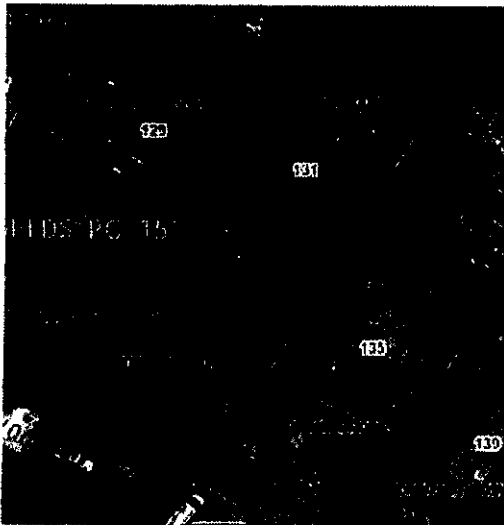
ATTACHMENTS

1. Application with narrative
2. Elevations
3. Exhibit depicting proposed improvements
4. Survey depicting proposed setbacks and impervious surface
5. Engineer's review letter (re: impervious surface)

BACKGROUND

Joe and Therese Galatowitsch were previously approved, through multiple variances, for construction of a new, single-family home and detached garage on the property at 131 Wildwood Avenue.

The aerials shown below, from 2023, are the latest available from Washington County. The updated survey, attached to this report, shows both existing conditions (improvements in process) and proposed construction.



SURROUNDING USES

North: White Bear Lake
East: Single-family home
South: Wildwood Avenue and single-family homes
West: Single-family home

calculations and design; however, any total over 30% impervious requires a variance with a few additional submittal items. And third, if the garage becomes attached, the 18-foot height limit for detached garages no longer applies, and the attached garage could be built up to the height of the tallest point of the principal structure (assuming the revised calculations would not bring the average height of the overall structure over 30', which would be rare and in this case they would not result in an increase).

The proposed construction would require approval of the following variances:

- **Principal structure setback from the right of way (front property) line of 16', a variance of 14' from the ordinance requirement of 30'**
- **Principal structure setback from the eastern (side) property line of 5', a variance of 5' from the ordinance requirement of 10'**
- **Impervious surface exceeding 30%**

VARIANCES

As you will remember from prior applications, recommendations and decisions on variances are to be considered based on these criteria, as excerpted from the zoning ordinance:

SUBD. 1.

A. Variances shall only be permitted

- i. when they are in harmony with the general purposes and intent of the ordinance and*
- ii. when the variances are consistent with the comprehensive plan.*

B. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.

SUBD. 2. "Practical difficulties," as used in connection with the granting of a variance, means that:

- i. Special conditions or circumstances exist which are peculiar to the land, structure, or building involved.*
- ii. The condition which result in the need for the variance were not created by the applicant's action or design solution. The applicant shall have the burden of proof for showing that no other reasonable design solution exists.*
- iii. The granting of a variance will result in no increase in the amount of water draining from the property.*
- iv. Granting the variance will not impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.*
- v. No variance shall be granted simply because there are no objections or because those who do not object outnumber those who do.*
- vi. Financial gain or loss by the applicant shall not be considered if reasonable use for the property exists under terms of the Zoning Code.*

Perhaps a clearer understanding of how "practical difficulties" are determined is found by a League of Minnesota Cities summary of their relation to State Statute:

A. Practical difficulties

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

A. Principal Structure (attached garage) east side yard setback of 5 ft.

Ordinance

See table above. 10-foot setback applies.

Applicants' comments

See the applicants' narrative, which details how the proposed construction meets the intent of the ordinance, the criteria for variances, the practical difficulty test, etc.

Staff comment

From the previous application, most of which still stands: The applicants' comments are correct, in that this is an improvement to a non-conforming situation versus a rebuild in the same location, as is allowed. While the garage footprint will take a slightly different shape, the overall size is slightly smaller, and the movement further from the property line, while not coming fully into conformance, is seen as an improvement that obviously does not increase the non-conformity. Many garages in the neighborhood meet neither the side yard nor the street side setback(s), so the character of the neighborhood is not an issue. This is a reasonable request, and the lot width and size are not a result of actions by the applicants. Should this variance be denied, the applicants would likely construct a garage in the previously existing location, which would be allowed but be a worse situation, aesthetically and practically, than what it proposed. (This last sentence has changed, in that the applicants would build a detached structure with the previously-approved setbacks, and may alter the roof pitch to gain mass and interior space.)

B. Principal Structure (attached garage) right of way setback of 16 ft.

Ordinance

See table above. 30-foot setback applies.

Applicants' comments

See the applicants' narrative, which details how the proposed construction meets the intent of the ordinance, the criteria for variances, the practical difficulty test, etc.

Staff comment

See staff comment on the previous variance; the same points and logic apply to this request.

C. Impervious Surface

Ordinance

Projects that result in impervious surface coverage that exceeds thirty (30) percent, or those projects that result in impervious surface coverage that exceeds twentyfive (25) percent but does not meet the requirements of 302.050(6) may be permitted if the property owner obtains a variance. To apply for a variance, the property owner shall comply with, and demonstrate compliance with, the requirements of subsection 302.050(6), or shall explain how and why the property owner is unable or unwilling to comply with subsection 302.050(6). In addition to the requirements of subsection 302.050(6), the property owner must follow the procedures and meet the standards defined in Section 304 for obtaining a variance, including demonstrating to the satisfaction of the City Council that a practical difficulty exists.

is attached to this report. The Engineer is comfortable with the materials that have been submitted, and the calculations show compliance with the requirements of the ordinance. There are a few suggested construction improvements related to drainage and stormwater management, and a condition of approval of this variance will be compliance with the Engineer's review letter. The applicants, in their narrative, have made some valid points on the improvements to overall drainage over previously existing conditions, the reduction in unfiltered water reaching the lake, the intent and performance of the raingardens, the percentage of natural (filtering) vegetation to be planted which will greatly exceed the minimum requirements of the ordinance, etc.

As with the past variances for this property, staff would encourage the commissioners and council members to read the applicants' narrative in the attached application in its entirety; it is a thorough outline of their plans, and explains the reasoning for certain decisions in the design process. Additionally, there are insightful comments (as referenced above) answering the questions asked of any applicant regarding the variance process and how their proposal meets the criteria necessary for approval. It is a very well-written and logical narrative that will be helpful in fully understanding the proposed variances prior to making a recommendation or decision.

RECOMMENDATION

The setback variances are a purely subjective decision, based on what the commission/council view as a "reasonable" request and as the existing character of the neighborhood. Considering the location of a detached garage is determined, allowing to be attached in the same location seems to be a reasonable decision. Potential conditions and outcomes, as outlined in the previous section, should be discussed at the Planning Commission meeting.

The impervious surface variance is reasonable, if an applicant can prove that they can meet stormwater control requirements within the ordinance and provide the necessary mitigation measures for drainage and filtering. In this case, they have, and the City Engineer has recommended approval of the variance.

Should the Planning Commission recommend approval or denial at this meeting, staff will prepare a memo for the January City Council meeting outlining the findings for the recommendation.

Upon recommendation of the Planning Commission, the City Council will consider and decide the variance application.

A. Applicant's Name: Joe Galatowitsch

Telephone:

Home: 651-983-4470

Work/Cell: Same

B. Address (Street, City, State, ZIP):

131 Wildwood Avenue

C. Property Owner's Name (If different from above):

Telephone

Home: _

Work/Cell:

D. Location of Project: 131 Wildwood ave

E. Legal Description: See attached background document

F. Description of Proposed Project: Build an attached garage to a newly constructed home

G. Specify each section of the City Code for which a variance is sought. (Variances are not to be granted for the provisions of 301.050 but instead may be granted for other sections of chapters 200 or 300 that cause the existing or proposed structure or use to be non-conforming). See attached background document

H. Explain how you wish to vary from the applicable provisions of the ordinance: See attached background document

I. Please attach a site plan or accurate survey as may be required by ordinance, a Plot plan drawn to scale showing existing and proposed new and changed structures on the lot, and existing structures on adjacent lots.

J. Please answer the following questions as they relate to your specific variance request:

1. In your opinion, is the variance in harmony with the purposes and intent of the ordinance?

☒ Yes ☐ No

Why or why not? See attached background document

2. In your opinion, is the variance consistent with the comprehensive plan?

☒ Yes ☐ No

Why or why not? See attached background document

3. In your opinion, does the proposal put property to use in a reasonable manner?

The applicant declares that they are familiar with application fees and other associated costs and with the procedural requirements of the City Code and other applicable ordinances, and that, with the exception of the City Code listed in question G, the proposed project conforms to the City Code, that the information provided in and enclosed herewith is complete and that all documents represented are true and correct representations of the actual project/building that will be built in conformance with such representation if approved.

Applicant's Signature: Joseph Galatowitach

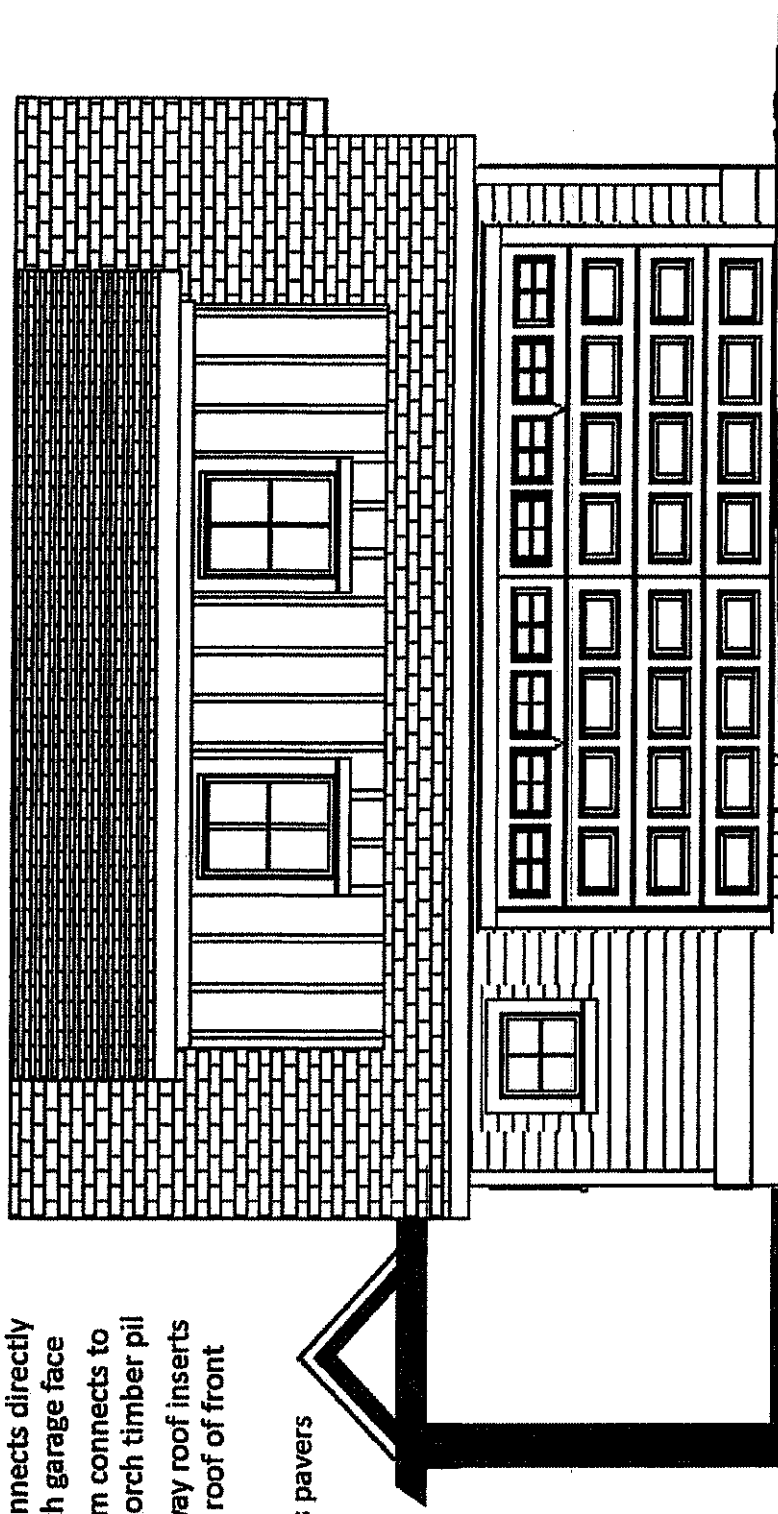
Date: November 15, 2025

Fee Owner's Signature: _____

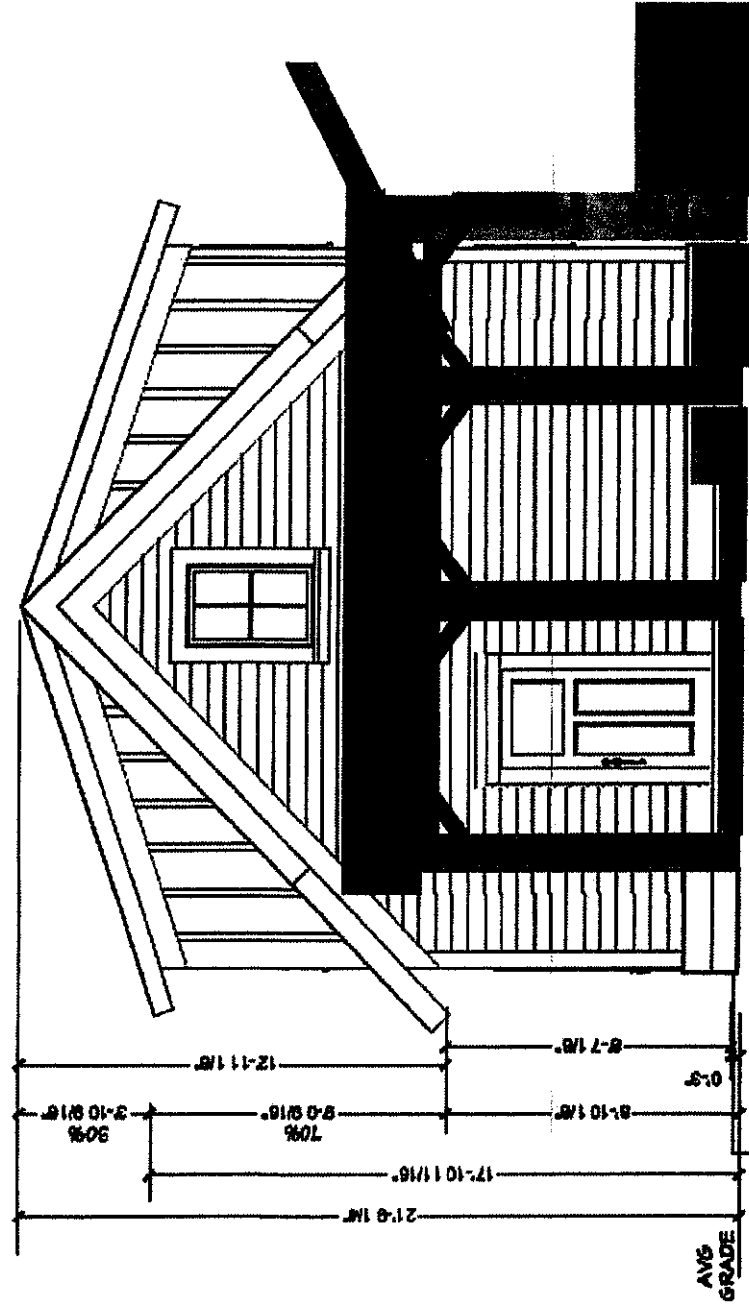
Date: _____

Garage West Face

- Garage: 21 x 28
- Garage door: 8 x 18
- Covered walkway connects directly front porch and north garage face
 - Horizontal beam connects to eastern front porch timber pil
 - Covered walkway roof inserts into east gable roof of front porch
- Walkway of pervious pavers

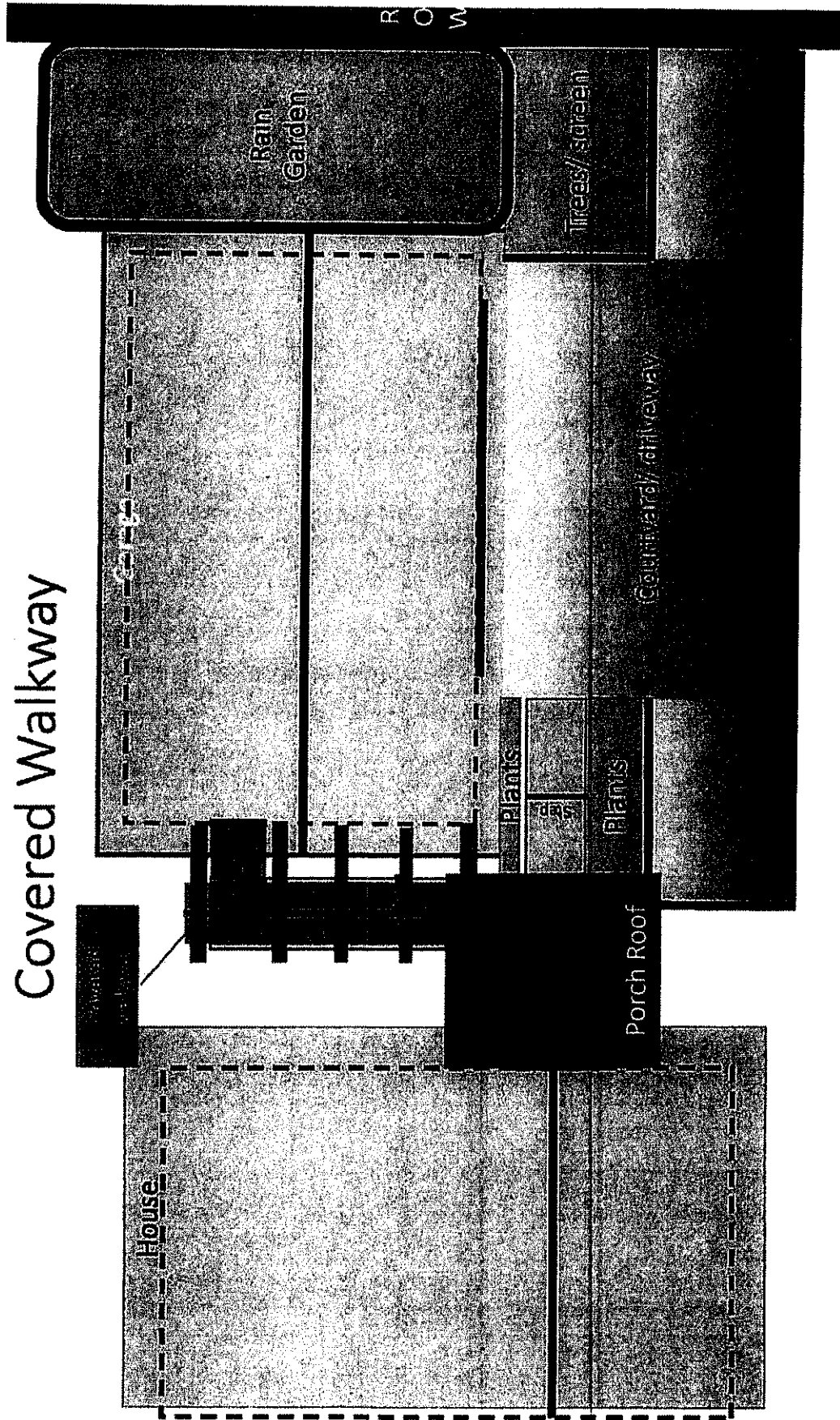


North face



- Covered breezeway connects the garage access door to the front porch gable
- Architectural elements to match house
- Garage materials and color to match house

Covered Walkway



City of Birchwood Village Attached Garage Variance Application – Supporting documentation

Section E:

All that part of Lot 1 of Birchwood and of Wildwood Avenue, vacated and of Lot "A" Block 3 of Lakewood Park, First Division bounded as follows:

On the North by White Bear Lake; on the west by a line parallel with the westerly line of Lot 1 of Birchwood and 105 feet easterly therefrom and extended to the north line of Wildwood Avenue as laid out on the plat of Lakewood Park First Division; on the south by said Wildwood Avenue; on the east by the easterly line of said Lot "A" extended to White Bear Lake. Being a parcel of land fifty feet front on White Bear Lake and running back fifty feet in width to the said Wildwood Avenue. Washington County, Minnesota.

Section F:

- 1. Build an attached garage to a newly constructed home**

Section G:

- 1. New home and garage to be built under section 301.050**
 - a. 2. Non-Conforming Pre-Existing Structure: A structure existing at the time of the adoption of a zoning control that was lawful prior to the time of the adoption of the zoning control but does not comply with that control. APPLIES**
 - b. 2. Non-Conforming Pre-Existing Use: A use or occupation of land existing at the time of the adoption of a zoning control that was lawful prior to the time of the adoption of the zoning control but does not comply with that control. B. A non-conforming pre-existing structure or use existing at the time of the adoption of an additional zoning control may be continued, including through repair, replacement, restoration, maintenance, or improvement, APPLIES unless: 1. the non-conforming pre-existing structure or non-conforming pre-existing use is discontinued for a period of more than one year;; or 2. the non-conforming structure is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in**

Lot, Structures, Setbacks, Impervious	Previous	Proposed	Improvement	Code	Deviation	Details	Variance
Lot size (sq. ft.)	7990	7990	0	9000	-1010	Lakeside lot minimum = 60% x 13,000	Yes
House west side setback (ft.)	8.5	8.5	0	10.0	-1.50	Proposed house is 0.5 ft. narrower	Yes
House East Side Setback (ft.)	7.4	11.3	3.9	10.0	1.30	All of east side is well back from ordinance	No
House height (ft.)	25	35	-10	Previous	10.00	Consistent with new construction height ordinance	Yes
Deck west side setback (ft.)	4.5	8.5	4	10.0	-1.50	Proposed deck aligns with side of house	No
Deck east side setback (ft.)	3.0	15	13	10.0	5.00	Eliminate side yard deck, add front porch	No
House OHW setback (ft.)	45.3	45.3	0	50.0	-4.70	Maintain setback, align house with side lot line	No
Lakeside deck OHW setback (ft.)	23.3	35.3	3	50.0	-13.70	Proposed deck is 8' deep vs 12' for previous	No
Attached garage street ROW setback (ft.)	0	16	16	30.0	-14.00	Significant improvement from previous	Yes
Attached garage west side setback (ft.)	4.5	5	0.5	10.0	-5.00	Slight improvement from previous	Yes
Uncovered decks and wooded walkways (sq. ft.)	530	285	-245	-	-	Front, back, and sides	No
Off-street parking area (sq. ft.)	0	530	530	-	-	Off street courtyard	No
Off-street parking spaces	0	up to 4	up to 4	-	-	Average vehicle 14.7 x 5.8 ft.	No
Impervious coverage (sq. ft.)	2341	2327	16	2277	50	Regulation = 30% (w permit), Proposed > 30%	Yes
Riparian zone natural plantings (sq. ft.)	900	900	0	566	334	5% of riparian area for each 1% over 25%	Required
Regrading walls within riparian zone	Yes	Yes	Functional	50.0	-	Improve erosion control and safe lake access	Yes

Section H:

- Requested principle structure (attached garage) side yard variance moves the garage 5 ft. closer to the side yard on the EAST side of the lot vs. ordinance and 0.5 ft less non-conforming vs. the non-conforming pre-existing garage
- Requested principle structure (attached garage) road setback variance moves the garage 14 ft. closer to the road right of way vs. ordinance and 16 ft less non-conforming vs. the non-conforming pre-existing garage
- Requested impervious surface coverage slightly exceed the 30% limit. It is believed that the 'as built' structures will be very close to the 30% limit.

Section J:

1. Each variance request is in harmony with the purposes and intent of the ordinance
 - a. The garage side yard variance request is **less non-conforming** compared to the non-conforming pre-existing garage side yard location (5 ft. vs. 4.5 ft.) and thereby facilitates 11% wider access between the garage and the side yard.
 - b. The garage road right of way variance request is **less non-conforming** compared to the non-conforming pre-existing garage road right of way location (by 16 ft.) and therefore is creating less non-conformance vs. the non-conforming pre-existing garage. The garage road right of way variance request is sufficiently removed from the road right of way to create off-street parking spaces on the lot thereby relieving ROW parking and future road improvement complexities.

considerations and limitations for reasonable use, lake access, erosion, runoff control, and safety

- c. The non-conforming pre-existing home, decks, and garage footprint, as well as the old riparian hardscape structures, perpetuates several zoning and set-back related difficulties that these variances are designed to remedy.
 - i. Granting the requested variances has the following impacts:
 - 1. **Reducing non-conforming areas** associated with the non-conforming pre-existing house, garage, and decks by about 575 sq. ft.
 - 2. **Net decrease in total non-conforming area** of more than 450 sq. ft. (~ 6% of total lot area and 36% of non-conforming pre-existing structures)
 - 3. **Creation of several off-street parking spaces**
 - 4. **Meaningful separation of the garage from the road ROW** (16 ft.)
 - 5. **Impervious surface infiltration ~ 100% vs. 0%**
 - 6. **Reduction of annual stormwater runoff into the lake by over 40%**
- d. To achieve these goals, we have squeezed the house and garage sizes, locations, and setbacks to optimize reasonable use of the lot, while preserving the intent of the ordinances, reducing non-conformance, ensuring safe access, managing stormwater, and creating an aesthetically attractive and functional property.
 - i. The side yard variance request for the attached garage is, in part driven by the small size of the lot (7590 sq. ft.) and the relatively narrow lot width (49.8 ft.). If the garage would comply with the side yard setback, it would overlap and cover most of the front of the house situated behind it. This would perpetuate a 'garage dominated' or 'snout house' street view rather than a more balanced and integrated view of the house and garage together.
 - ii. The road right of way variance request is necessitated by the small lot size and the relatively short usable length of the lot. At ~ 150 ft, the lot provides very little room to accommodate road, lake and side yard setback requirements and a reasonably sized and situated house and garage.

Impervious Analysis	Existing	Proposed	Change	Comment
Total lot (sq. ft.)	7590	7590	0	Per survey
Max. Impervious (sq. ft.)	1898	1898	0	25% per ordinance
Structure impervious (sq. ft.)	1856	2088	+232	House, porch, and garage footprint
Sidewalks (sq. ft.)	285	185	-100	Steps only (pervious pavers for walks)
Driveways (sq. ft.)	0	0	0	Pervious pavers
Other Impervious (sq. ft.)	0	54	+54	Front porch extension plus covered walkway
Total Impervious (TI) (sq. ft.)	2141 (28%)	2327 (30.7%)	+186	Requires variance (50 sq. ft. over)
Retention Volume (cu. ft.)	196	213	+17	See MIDS v4 calculator results below
Rain Garden (RG) (sq. ft.)	0	375	+375	8" ponding depth
RG infiltration rate (cu. ft.)	0	250	+250	(RG x 8)/12 (24-hour infiltration rate)
Impervious runoff infiltrated	0%	100%	+100%	Infiltration rate > TI runoff
NET Impervious Surface	28%	0%	-100%	All impervious runoff infiltrated

Impervious Analysis	Previous	Proposed	Difference	% Diff.	Absolute	Details
House footprint (sq. ft.)	1280	1500	220	17%	19.6%	30.6 x 38 => 28.2 (average) x 50
Garage footprint (sq. ft.)	576	588	12	2%	7.7%	24 x 24 => 21 x 28
Steps only	285	185	-100.2	-35%	2.4%	Rethrading walls not considered impervious
Backway + Porch extension	0	54	54	-	0.7%	Extend porch roof ~ 2' to meet backway roof
Total Impervious (sq. ft.)	2141	2327	186	9%	30.7%	Total Impervious (Previous = 28%)
Impervious Retention Volume (cu. ft.)	196	213	17	9%		(Impervious x 1.1)/12 => cubic ft.
Impervious surface infiltrated (cu. ft.)	0	250	250	-		Based on rain garden size and ponding depth
Net Impervious Surface (IS)	28%	0%	-35%	-		100% infiltration capacity in 24 hours (est.)

Stormwater Management Analysis	Previous	Proposed	Difference	% Diff.	Factor	Details
General lawn area (<5% grade)	3449	4568	1119	32%	0.43	Estimated soil infiltration rate: 0.43 in./hour
Rain garden/bioswale areas (sq. ft.)	0	375	375	-	8	Ponding depth of 8 inches (~ 24 hour infiltration) (3)
Total runoff infiltration areas	3449	4943	1494	43%		Excludes impervious and > 50% slope areas
Lot infiltration capacity/event (LHC) (cu. ft.)	289	593	304	105%	692	Lot receives 632 cu. ft. from a 1" rainfall event
Portion of 1" rainfall events infiltrated (%)	41%	94%	53%	129%		Ability to infiltrate a 1" rainfall event
Maximum rainfall event infiltration capacity (in.)	0.4	0.9	0.5	125%		Considering all infiltration areas
Percentage of rainfall EVENTS infiltrated	60%	94%	34%	157%		Per MN stormwater volume-frequency maps (2)
Percentage of rainfall VOLUME infiltrated	25%	50%	25%	100%		Per MN stormwater volume-frequency maps
Average monthly lot runoff volume (cu. ft.)	1,504	765	-739	-49%	2.75	WBL average precipitation = 2.75 inches/month
Average monthly runoff flowing into WBL (cu. ft.)	973	439	-534	-55%		Based on new landscaping and run-off management

(2) stormwater.pca.state.mn.us/index.php/rainfall volume-frequency maps (3) meets requirements of 100 year rainfall event

~for~ JOE GALATOWITSCH
~of~ 131 WILDWOOD AVENUE
BIRCHWOOD, MN

All that part of Lot 1 of EICHENWOOD and of WILLOW AVENUE, located in Block 3, of LAKESIDE PARK FIRST DIVISION bounded as follows:

On the North by Spring Bear Lake on the west by a line parallel with the western line of Lot 1 of KIMBERWOOD and 125 feet easterly thence said line extended to the north line of Wildwood Avenue as layed out on the plan of LAKESIDE PARK PLATS DIVISION, on the south by said Wildwood Avenue on the east by the eastern line of said Lot 24 extended to Spring Bear Lake.

Working a position for more than 10 years entitles an employee to 15 days and 12 hours of paid time off for the year. *Wrightwood Associates*.

TOTAL LOT AREA (TIO OWN) 7,590 S.F.

PROPOSED HOUSE AND ENTRY	1,990 S.F.
PROPOSED COVERED WALKWAY	32 S.F.
PROPOSED FRONT PORCH EXTENSION	22 S.F.
PROPOSED STAIRS	185 S.F.
PROPOSED GARAGE	938 S.F.
TOTAL PROPOSED SQUARE	2,067 S.F.
PERCENT INCREASES	50.7%

- Field survey was completed by E.C. Ford and Exotic, Inc. in January and August of 2023.

- [illegible]

 Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Bellevue, WA 98006
www.agisland.com

LINO LAKES, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

- IDENTIFY IRON MANAGEMENT FOUND AS LISTED
- IDENTIFY IRON MANAGEMENT SET, MAILED FILE 4178
- IDENTIFY IRON MANAGEMENT SET, MAILED FILE 4178

- DEMOTES POWER POLE
DEMOTES FENCE
DEMOTES RAILROAD WALL
DEMOTES SPORTING COURTHOUSE
DEMOTES PROPOSED COURTHOUSE
DEMOTES OVERHEAD UTILITY
DEMOTES BATHROOMS SUICIDE
DEMOTES CONCRETE SURFACE
DEMOTES PREVIOUS POWER SURFACES

DENOTES ELEVATION
 DENOTES TREE QUANTITY
 DENOTES TREE SIZE IN INCHES
 DENOTES TREE TYPE

ELEVATION: 928.74 (M.S. 1912)

- BUILDER TO VERIFY HOUSING REQUIREMENTS, NUMBER, DEPTH AND FOUNDATION DEPTH.
- DRAWINGS ARE SHOWN FOR GUIDING PURPOSES ONLY.
- FINAL, DETAILED DESIGN AND LOCATION TO BE DETERMINED BY CONTRACTOR.
- FENCED GROVE ADJACENT TO HOME SHALL BE 4.5 FEET BELOW TOP OF BLOCK EXCEPT AT DRIVEWAY AND PAVED

1 INCH = 20 FEET

**PROPOSED
ELEVATIONS**

ORDER NO.	DATE	FROM (CITY, ST/CT)	TO (CITY, ST/CT)
1	08-02-85	SPRING HARBOR, NJ	CHS
2	08-02-85	AND HUNTERD HPTD	CHS
3	08-02-85	UPSTATE POWER CORPORATION	CHS
4	08-04-85	UPSTATE POWER CORPORATION	CHS
5	11-01-85	UPSTATE POWER CORPORATION	CHS
6	10-01-85	UPSTATE POWER CORPORATION	CHS

Date: December 15, 2025

To: The City Engineer and Planning Commission Members

From: Sue and Al Reiss, 127 Wildwood Ave. email: sue.reiss@live.com

RE: 131 Wildwood Ave. Variance Application Dated November 15, 2025

We have 3 main concerns regarding the variance application for 131 Wildwood Ave., Birchwood, MN:

- Vegetative Alterations
- Proposed Driveway/Courtyard (Patio)
- Principal Structure (Attached Garage)

Each will be discussed in turn.

Vegetative Alterations

1. Birchwood Zoning Code:

- a. Birchwood Zoning Code 302.55 (2.d.1) "Generally. The purpose of this section is to preserve, protect and reduce the loss of trees and other vegetation..."
- b. Birchwood Zoning Code 302.55 (2.d.3&3a)
 - i. (3) "Removal of Trees – Replacement Required. Whenever significant trees, are to be removed, the following requirements shall apply:"
 - ii. (3a) "Significant trees that are removed shall be replaced at a rate of one (1) tree replaced for each one (1) significant tree lost."
- c. Note: Allowing Clear Cutting per 302.55 (2.d.2) does NOT negate (or excuse) the need to comply with 302.55 (2.d.3) regarding the requirement to replace the trees.

2. Comprehensive Plan:

In the Birchwood Comprehensive Plan, Land Use and Objectives #8 states: "Protect and preserve the city's tree canopy and significant healthy trees by enforcing the Significant Tree Ordinance [listed above] that establishes maintenance, removal and replacement standards"

3. Original Tree Coverage:

- a. The lot survey included in the Variance Application Document "4-Garage detail for variance application..." is enlarged and shown on Exhibit A. The trees on the lot are circled in red. Per the survey there were originally 12 significant trees on the property.
- b. The Winco Landscape and Design Diagram sent to us attached to the Letter of Notice of Public Hearing Regarding Variance Request, shows only 2 of the original 12 tree remaining – for your convenience shown again in Exhibit B. 10 significant trees were removed.

4. Summary of Vegetative Alterations:

- a. If 10 trees are not added back into the property, the property will be out of compliance with Zoning Code 302.55 (2.d.3a).
- b. A variance request for this was not submitted.

Principal Structure (Attached Garage):

1. Birchwood Zoning Code:

- a. Birchwood Zoning Code: The Variance Application Supporting Document is confusing in that it mixes Principal Structure Code requirements with Non-Conforming Pre-Existing Structures' positions on the property making the non-compliance appear less severe. However, when the garage is attached to the house it is part of the Principal Structure and a non-conforming pre-existing structure, the detached garage and grandfathered Codes should no longer apply.

Section H of the Variance Application Supporting Document	
Supporting Document Wording	Supporting Document Faulty Reasoning
Requested principal structure (attached garage) side yard variance moves the garage 5 ft. closer to the side yard on the EAST side of the lot vs. ordinance and 0.5 ft less non-conforming vs. the non-conforming pre-existing garage.	The previous garage location is not material to this argument. This variance would allow the Principal Structure to have a 5' set back from the EAST lot line. It would be 5' more non-conforming.
Requested principal structure (attached garage) road setback variance moves the garage 14 ft. closer to the road right of way vs. ordinance and 16' less non-conforming vs. the non-conforming pre-existing garage	The previous garage location is not material to this argument. This variance would allow the Principal Structure to be set 16' from the road right of way and would be 14' more non-conforming.

- b. As noted in the above table, the principal structure as proposed will not meet the 30' setback requirement - 14 ft. of it is non-conforming. The new area of the principal structure non-compliance is 588 square ft (14'x21'x2 (i.e. Length x Width x 2 Stories)). That is a huge amount of non-compliance space and should not be approved. See Exhibit E for an illustration.

2. Size of Proposed Attached Garage:

- a. In Section J.3.b of the Supporting Document for the variance, it states: "A sufficiently large garage (21x28) is therefore essential to accommodating the unique requirements of lakeside living." 588 square feet, is a "sufficiently large garage", and could be considered reasonable.
- b. However, the variance application requests 1,176 square foot "attached garage" (21x28x 2 stories). 1,176 square feet and 2 stories is more than a garage. Allowing the 2nd story would provide ease in the future to add an ADU (Accessory Dwelling Unit) or another bedroom/bathroom suite or additional living area. One should be cautious of potential non-conforming use of the 2nd story.

3. Summary of Principal Structure (Attached Garage):

- a. Impact of a principal structure's Code compliance should not be calculated using Non-Conforming Pre-Existing encroachments as was done in the Variance Application Supporting Document.
- b. The negative impact of the proposed structure is understated.
- c. Future usage of the 2nd story of the garage would be difficult for the City to control.

Exhibit A

END

IRON MONUMENT FOUND AS LABELED
IRON MONUMENT SET, MARKED RLS# 41578
EXISTING SPOT ELEVATION
BY WIRE
DOWER POLE
ENCE
RETAINING WALL
EXISTING CONTOURS
PROPOSED CONTOURS
OVERHEAD UTILITY
LUMINOUS SURFACE
CONCRETE SURFACE
PREVIOUS PAVEMENT SURFACE

DETAIL

ELEVATION
SEE QUANTITY
SEE SIZE IN INCHES
SEE TYPE

MARK

MARK ON SLAB OF
MATOSKA PARK
18.74 (MSL 1912)

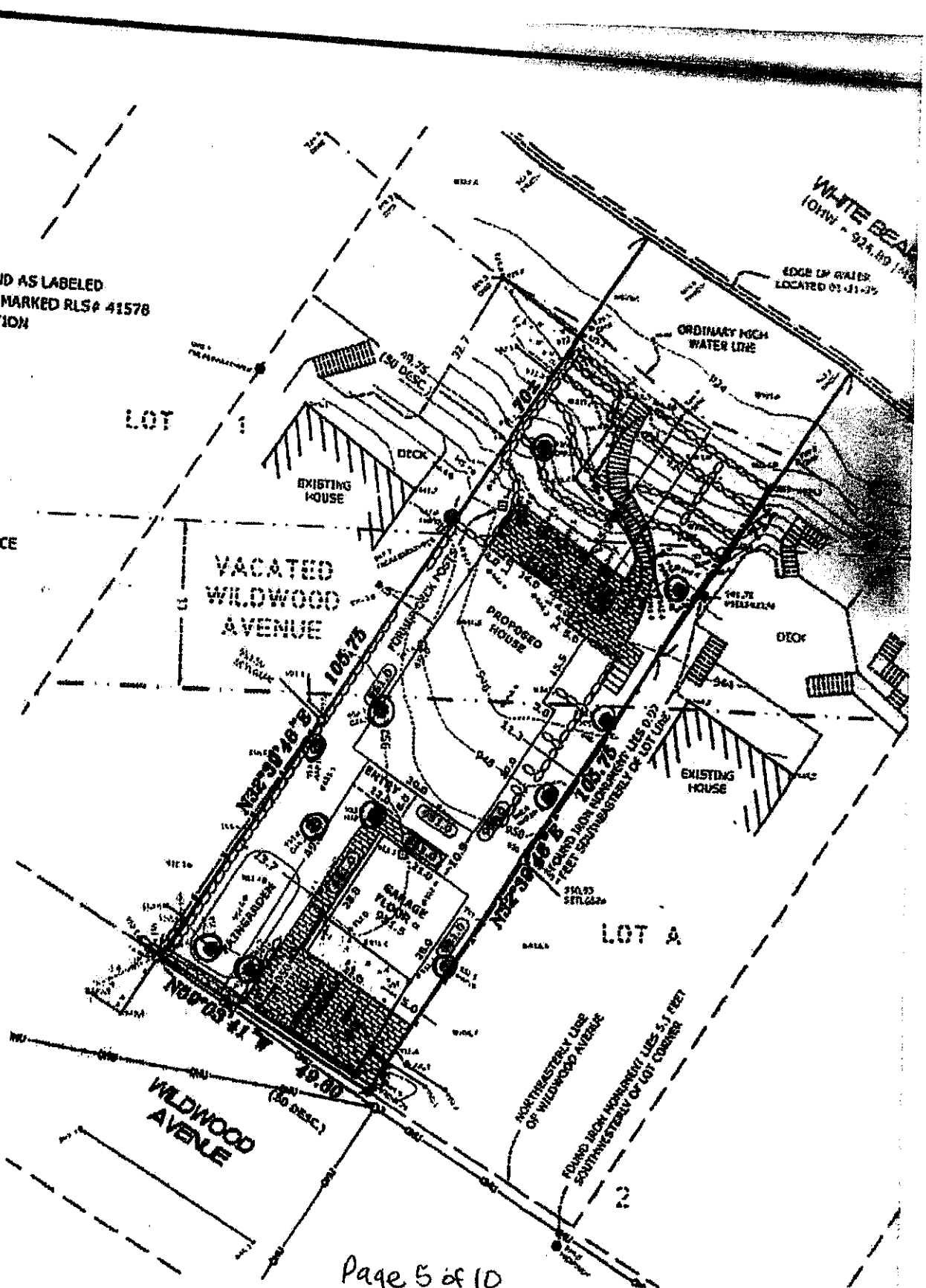


Exhibit C

CERTIFICATE OF SURVEY

for ~ JOE GALATOWITTSCH
~of~ 131 WILDWOOD AVENUE
BIRCHWOOD, MN

EXISTING LEGAL DESCRIPTION

All that part of Lot 1 of Birchwood and of Wildwood Avenue, located at the south end of Lot 1, Block 2, of LACROIX PARK FIRST DIVISION bounded as follows:

On the North by White Bear Lake; on the West by a line parallel with the western line of Lot 1 of BIRCHWOOD and 185 feet easterly therefrom and extended to the north line of Wildwood Avenue; on the East by the line of LACROIX PARK FIRST DIVISION; on the South by said Wildwood Avenue; on the West by the western line of said Lot 1, extended to White Bear Lake.

Being a parcel of land fifty feet front on White Bear Lake and running back in width to the said Wildwood Avenue.

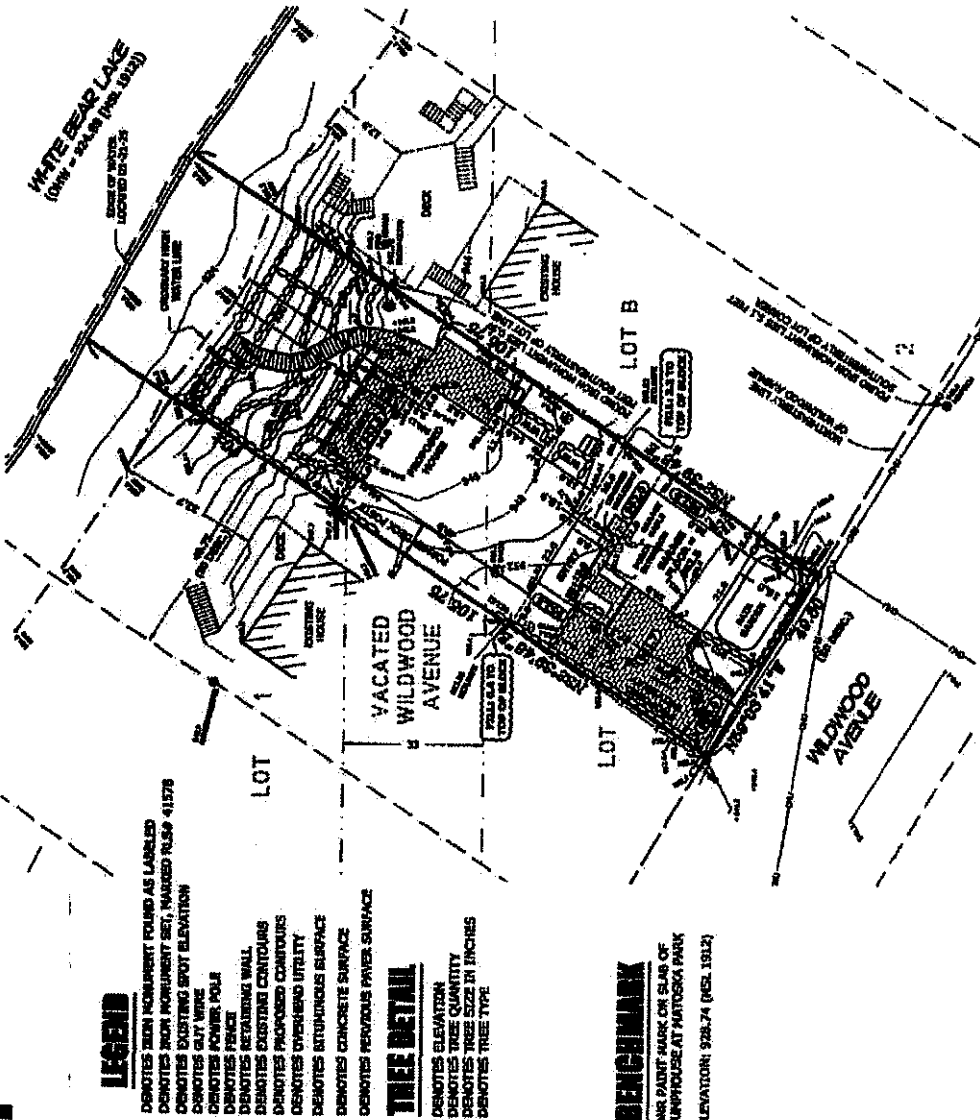
IMPERVIOUS COVERAGE

TOTAL LOT AREA (TO OWN)	7,590 S.F.
PROPOSED HOUSE AND ENTRY	1,500 S.F.
PROPOSED COVERED WALKWAY	32 S.F.
PROPOSED FRONT PORCH EXTENSION	22 S.F.
PROPOSED STAIRS	185 S.F.
PROPOSED GARAGE	508 S.F.
TOTAL IMPERVIOUS SURFACE	2,247 S.F.
PERCENT IMPERVIOUS	30.7%

SURVEY NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. in January and August of 2025.
- Boundaries shown are on Washington County datum.
- Parcel ID Number: 19-030-21-03-0000 and 39-030-21-02-0025.
- This survey was prepared with the benefit of this work, and is based upon information furnished to the surveyor by the owner. The surveyor is not responsible for the accuracy of the information furnished to the surveyor.
- Landscaping design (retaining walls, rain garden, slopes) provided by others.

E.G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 561-8800 Fax (651) 561-8701
www.egrud.com



LEGEND

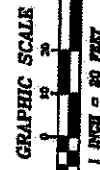
- DEMOTES IRON MONUMENT FOUND AS LABELED
- DEMOTES IRON MONUMENT SET, MARKED NLS# 41578
- DEMOTES EXISTING SPOT ELEVATION
- DEMOTES SAW MARK
- DEMOTES SQUARE PILE
- DEMOTES STAKE
- DEMOTES EXISTING WALL
- DEMOTES EXISTING CONTOUR
- DEMOTES PROPOSED CONTOUR
- DEMOTES OVERLAPPING UTILITY
- DEMOTES SATURNUS SURFACE
- DEMOTES CONCRETE SURFACE
- DEMOTES PERVIOUS PAVED SURFACE

TREE DETAIL

- DEMOTES ELEVATION
- DEMOTES TREE QUANTITY
- DEMOTES TREE SIZE IN INCHES
- DEMOTES TREE TYPE

BENCHMARK

ONE BENCHMARK ON SLAB OF KITCHENHOUSE AT LACROIX PARK ELEVATION: 928.74 (NLS 1912)



(9 FOOT FINISHED WALL WALKOUT)

PROPOSED ELEVATIONS

TOP OF BLOCK	923.0
LOWEST BLOCK	844.3
TOP OF FOOTING	944.0

CONSTRUCTION NOTES

- SUBJECT TO VERIFY HOUSE DIMENSIONS, SETTER DEPTH AND FOUNDATION DEPTH.
- OVERLAYS ARE SHOWN FOR GRAPHIC PURPOSES ONLY. FINAL DRIVEWAY DESIGN AND LOCATION TO BE DETERMINED BY CONTRACTOR.
- FINISHED GRADE ADJACENT TO HOME SHALL BE 0.5 FEET BELOW TOP OF BLOCK EXCEPT AT DRIVEWAY AND PATIO.

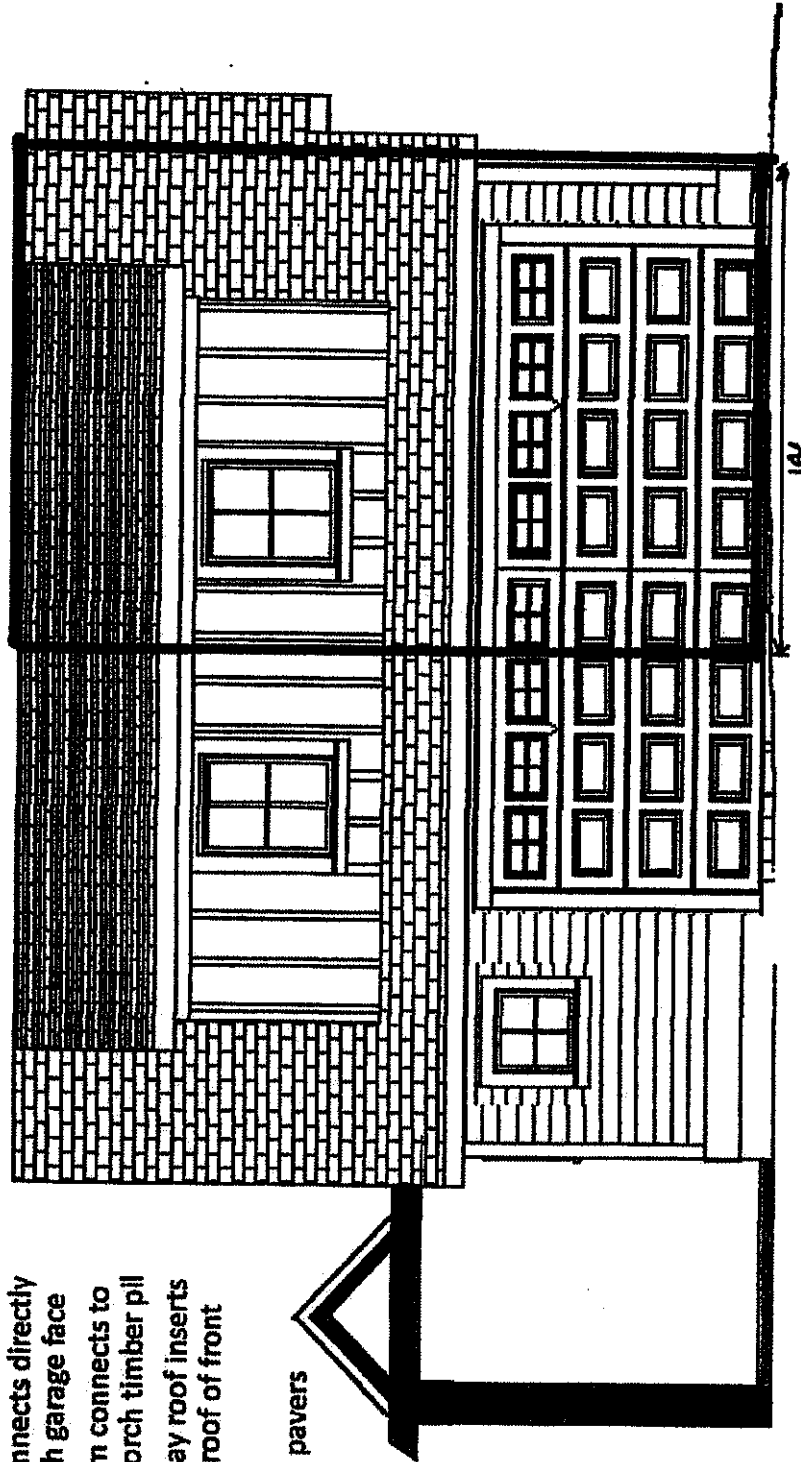
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

JAMES E. RUD
Date: 12/17/2025 License No. 41578

DATE	BY	NO.	DESCRIPTION	DATE
1	10-25-23	1	OFFICE HOUSE PLAN	08/22/23
2	10-25-23	2	ADD STATION INFO	08/22/23
3	10-25-23	3	OFFICE HOUSE ELEVATIONS	08/22/23
4	10-25-23	4	OFFICE HOUSE DIMENSIONS	08/22/23
5	11-28-23	5	OFFICE HOUSE DIMENSIONS	08/22/23
6	12-05-23	6	OFFICE HOUSE DIMENSIONS	08/22/23

Garage West Face

- Garage: 21 x 28
- Garage door: 8 x 18
- Covered walkway connects directly front porch and north garage face
 - Horizontal beam connects to eastern front porch timber pill
 - Covered walkway roof inserts into east gable roof of front porch
- Walkway of pervious pavers



□ Non Compliant Area.

Ground Level	294 sq. ft.
2nd Level	294 sq. ft.
Total:	588 sq. ft.



BIRCHWOOD

MONTHLY NEWSLETTER | DECEMBER 2025-JANUARY 2026



WINTER: THE SEASON OF CO AWARENESS

Winter brings snow, ice, frigid winds — and an uptick in 911 calls for carbon monoxide issues. CO is a colorless, odorless gas created by everyday items like furnaces, space heaters, stoves, dryers, generators and vehicles. Even small amounts built up indoors can cause CO poisoning, with symptoms including headaches or dizziness, nausea or vomiting, shortness of breath, fatigue, and confusion. Each year, more than 200 people in the U.S. die from CO poisoning.

Here's what you need to know to be safe and avoid a call for help in the New Year:

- Place working CO detectors with fresh batteries on every floor of your home, especially near bedrooms. Interconnected CO alarms are best; when one sounds, they all sound. Alarms are the first and most effective defense against CO poisoning.
- Never idle your car or use a portable generator in a garage — even with the doors open, CO fumes can still drift inside the main residence. One portable generator can produce the same amount of CO as hundreds of cars.
- Get your furnace and fireplace/chimney inspected annually and repaired or replaced if needed. Your heating system works hardest in winter, and that's when leaks or blockages are the most dangerous.
- Keep outdoor vents clear of leaves, snow and ice to prevent backdrafts.
- If your CO alarm goes off or if multiple people or pets suddenly feel sick or lethargic in the same area of your home, get outside to fresh air immediately — and *then* call 911.

Stay safe, be proactive, and don't ignore early signs of fatigue or nausea indoors. For more information, visit the [U.S. Consumer Product Safety Commission](https://www.safercar.gov/).

NUMBER OF
INCIDENTS

9

TRAFFIC
STOPS

6

CITATIONS
ISSUED

2

WILLOW CREEK BIRCHWOOD VILLAGE 9

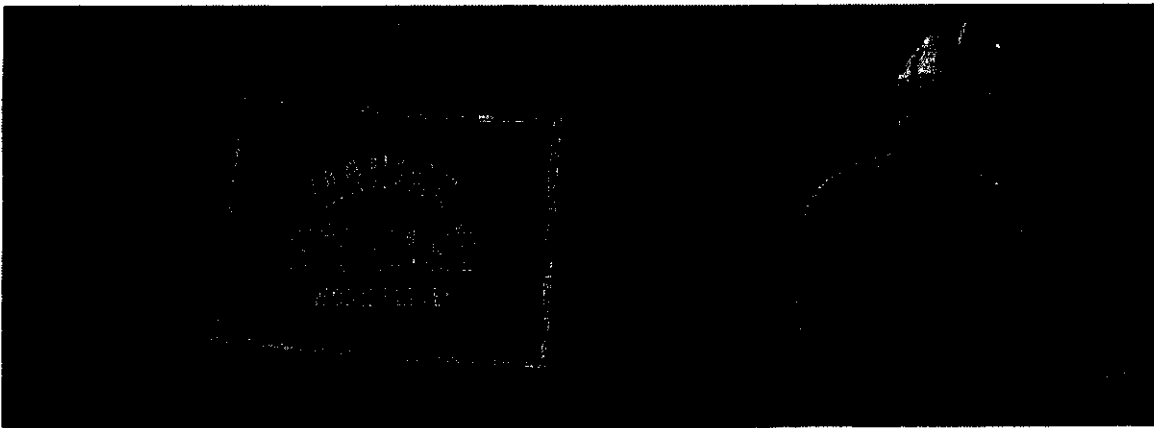
Incident Date	Case#	Address	Event Description
12/1/2025 3:31:00 AM	WC25064163	XXX - 191 WILDWOOD AVE, BIRCHWOOD VILLAGE	PARKING VIOLATION
12/4/2025 5:48:00 PM	WC25064907	CEDAR ST / EAST COUNTY LINE RD, BIRCHWOOD VILLAGE	TRAFFIC STOP
12/6/2025 4:15:43 PM	WC25065255	Oakridge Dr / Five Oaks Ln, BIRCHWOOD VILLAGE	TRAFFIC COMPLAINT
12/7/2025 8:40:52 PM	WC25065436	XXX Wildwood Ave, BIRCHWOOD VILLAGE	MEDICAL
12/9/2025 8:22:49 PM	WC25065747	XXX Wildwood Ave, BIRCHWOOD VILLAGE	MEDICAL
12/10/2025 12:27:06 PM	WC25065839	XXX Wildwood Ave, BIRCHWOOD VILLAGE	MEDICAL
12/15/2025 9:20:38 AM	WC25066601	XXX Wildwood Ave, BIRCHWOOD VILLAGE	FRAUD/SCAM
12/24/2025 9:39:22 PM	WC25068411	XXX Wildwood Ave, BIRCHWOOD VILLAGE	MEDICAL
12/29/2025 5:26:20 PM	WC25069109	XXX Lake Ave, BIRCHWOOD VILLAGE	ATV/OHV VIOLATION

Important Update: Proposed Gas Rate Changes

From Xcel Energy <noreply@account.xcelenergy.com>

Date Wed 12/31/2025 8:03 AM

To City of Birchwood Village <info@cityofbirchwood.com>



NEW NATURAL GAS RATES PROPOSAL

On Oct. 31, 2025, Xcel Energy proposed new natural gas rates for Minnesota customers to begin in 2026. Our rate proposal to the Minnesota Public Utilities Commission (MPUC) supports **improvements to the natural gas delivery system**, including:

- **Fire safety systems** at natural gas peaking plants in Inver Grove Heights, Mendota Heights and Maplewood to ensure continued safety and reliability of these plants and their surrounding communities.
- Natural gas transmission and distribution infrastructure to support **system reliability** for new and existing customers. Currently, we operate nearly 10,000 miles of transmission and distribution infrastructure that continually needs to be **modernized and maintained**. These investments ensure safe and efficient operations of our system
- **Transitioning to more efficient vehicles** and equipment that ultimately save money and lower the overall cost of operations.

WASHINGTON COUNTY HISTORICAL SOCIETY

[Home](#) [About Us](#) [Contact Us](#)

« All Events

Minnesota Streetcar History with Aaron Isaacs

February 11 @ 7:00 pm - 8:00 pm CST

In-person attendees:
1862 Greeley Street South
Stillwater, MN 55082

Virtual attendees:
Link to WCHS YouTube page

 Add to calendar ▾

Details

Date:

February 11

Time:

7:00 pm - 8:00 pm CST

Event Category:

Washington County Heritage Center

Organizer

Washington County Heritage Center

Phone

651-439-2298

Email

emily.krawczewski@wchsmn.org

[View Organizer Website](#)

1862 Greeley St S

[View larger map](#)

