



AGENDA OF THE JOINT MEETING OF CITY
COUNCIL & PLANNING COMMISSION
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
May 3, 2016
7:00 P.M.

CALL TO ORDER

APPROVE AGENDA

REGULAR AGENDA

- a. Discuss options for 3rd party plan reviewer:
 - This person would verify the compliance of new building plans to city code regulations
- b. Applicant/Staff checklist for building permit/variance/CUP applications: *
 - review and revise current applications to better fit the needs of the City.

AJOURN

* Denotes items that have supporting documentation provided

City of Birchwood Village BUILDING PERMIT APPLICATION

Jack Kramer – Building Official
1009 Oakgreen Avenue North
Stillwater, MN 55082
Office Ph. # 651-351-5051
Pager # 651-847-9157

Two Sets of Plans Received: _____
Date Issued: _____
Permit No: _____

Project Address: _____

Permit Applicant: _____ **Phone No:** _____

▪ **Contractor License No:** _____ **Expiration Date:** _____

Homeowner: _____ **Phone No:** _____

Permit For: _____ **Valuation \$:** _____

Sq. Feet: _____ **Length:** _____ **Width:** _____ **Height:** _____

Legal of Site Location: _____

PID#: _____

Road Escrow: _____

Proximity to Wetlands or Lakeshore: _____

Setbacks: Front Yard _____ Rear Yard _____ Side/s Yard _____

Septic Inspector Approval: _____ **Fee \$:** _____

Description of Work (attach a site plan) _____

Special Approvals	Required	Received	Not Required
Washington County			
Rice Creek Watershed			
City Council			
Building Commissioner			

Plan Check Fee	\$
City Fee	\$
State Surcharge Fee	\$
Building Permit Fee	\$

***The City will hold applicant responsible for any damage to public streets & roadways in the course of construction, landscape, excavating, filing and grading operations.**

*** Any changes to this application will make the permit voidable unless amendments are approved by the City with prior consent. The applicant will provide (separate documents, surveys, and calculations) to the City with the building height, roof plane, grade plane, change in elevation, and impervious surface.**

Notice:

The applicant shall comply with all provisions of the State Building, Plumbing, Mechanical, Electrical, and Fire Codes, as well as all City Ordinances governing zoning and buildings. The State of Minnesota regulates all electrical work. The continued validity of this permit is contingent upon the applicant's compliance of all work done and materials used, with the plans and specifications herewith submitted, and with the applicable ordinances of the City.

***Under penalty of perjury all documents represented are true and correct representations of the actual building which will be built in conformance with such representation.**

Signature of Applicant: _____ Date: _____

Birchwood Village

Residential Permit Application Checklist

New Residential Construction and Additions:

- Building Permit Application
- 2 sets: Floor Plans, Elevations (include wall section detail)
- Certificate of survey
- Energy Calculations (if needed)
- Copy of State License
- Submit 10 working days prior to commencement of construction. You will be notified once the permit is approved
- Separate permits required for Plumbing, HVAC, Electric, Water & Sewer

Residential Remodeling (not involving additions):

- Building Permit Application
- 2 sets of Floor Plans (include wall section detail)
- Copy of State License
- Submit 10 working days prior to commencement of construction. You will be notified once the permit is approved
- Separate permits required for Plumbing, HVAC, Electric, Water & Sewer

Pools, Porches, and Decks:

- Building Permit Application
- 2 sets of Plans
- Site Plan (scaled) including all structures and additions, their sizes and dimensions, with distances from the property lines. The site plan should indicate drainage patterns with arrows.
- Submit at least 10 working days prior to commencement of construction. You will be notified once the permit is approved

City of Birchwood Village

Variance Staff Checklist

All applications for variances may be referred to the Planning Commission which may conduct public hearings as directed by the City Council or city policy, and forwarded with or without recommendations directly to the City Council, which shall have the powers of a Board of Appeals and Adjustments as provided for in M.S. § 462.357, Subd. 6, as it may be amended from time to time for its decision.

Application for Variance. A variance application shall be submitted by the property owner to the City Administrator on forms provided by Birchwood Village. Applicants shall provide all information as required for the administration of City Code 304.

The legal description of the real property on which the system will be located.

The names and addresses of the owners of all properties situated wholly or partially within 200 feet of the property as such appears on the records of the Washington County Recorder and any person having a legal interest therein.

A site plan showing all pertinent dimensions, buildings, structures and significant natural features having an influence on the variance.

Copies of any required municipal, city, state, federal or watershed permits or approvals.

A statement identifying the specific provision(s) in the ordinance from which the variance is requested.

The reasons why compliance with the provision(s) is difficult or inappropriate.

The alternative measures that will be taken to ensure a comparable degree of compliance with the intention of the applicable provision(s).

Drainage and stormwater plan (if applicable).

Cost considerations (construction, materials, landscaping, labor ect.).

Other relevant information requested by the City of Birchwood as necessary to properly evaluate the variance request.

Application fee.

Site Investigation. Upon receipt of the variance application, the City of Birchwood Village shall decide if a site investigation conducted by the City is necessary. After the necessary information has been gathered, the City shall make a written recommendation to approve or deny the variance to the city council.

___ Notification. Written notice of the variance application shall be sent to property owners of record within 200 feet of the affected property wherein the variance is proposed, and submit a copy to the DNR. The written notice shall be given not less than 10 days prior to the date of the meeting at which the variance application will be considered by the city council. The failure of any person to receive such notification shall not invalidate the proceedings.

___ Notification. Publication will be sent to the White Bear Press 14 days prior to the meeting date to meet the public notice requirement.

Variance Factors required for approval. The variance may be granted provided that:

___ The conditions causing the practical difficulties are unique to the property and were not caused by the action of the applicant.

___ The granting of the variance will not be contrary to the public interest or damaging to the rights of another person or to property values in the vicinity.

___ The property owner would have no reasonable use of the land without the variance.

___ The granting of the variance would not allow a prohibited use.

___ The granting of the variance would be in accordance with Minn. R. chs. 7080, 7081, 7082.

CONDITIONS. The city council may impose conditions in granting the variance to ensure compliance and to protect the public health, safety, or welfare. Each violation of any condition set forth in the variance shall be a separate violation of this ordinance subject to enforcement and shall be sufficient grounds for terminating the variance.

DENIAL OF VARIANCE. No application for a variance which has been denied wholly or in part shall be resubmitted for a period of six months from the date of said denial, except on the grounds of relevant new evidence or proof of a significant change of conditions.

APPEAL. Any person aggrieved by the decision of the city council may appeal the decision to the City Administrator within 30 days after the date of such order, requirement, decision or determination. The appeal shall fully state the order to be appealed and the relevant facts of the matter.

IF DENIED the City Administrator shall send a notice of denial to the applicant within 7 days stating the reasons for such action.

Birchwood Village

Variance Applicant Checklist

All applications for variances shall be referred to the Planning Commission which shall conduct public hearings as directed by the City Council, and forwarded with or without recommendations directly to the City Council, which shall have the powers of a Board of Appeals and Adjustments as provided for in M.S. § 462.357, Subd. 6, as it may be amended from time to time for its decision.

Application for Variance. A variance application shall be submitted by the property owner to the City Administrator on forms provided by Birchwood Village. Applicants shall provide all information as required for the administration of City Code 304.

The legal description of the real property on which the system will be located.

The names and addresses of the owners of all properties situated wholly or partially within 200 feet of the property as such appears on the records of the Washington County Recorder and any person having a legal interest therein.

A site survey showing all pertinent dimensions, buildings, structures and significant natural features having an influence on the variance.

Copies of required municipal, city, county, state, federal or watershed permits or approvals.

A statement identifying the existing zoning and land use provision(s) in the ordinance from which the variance is requested.

The reasons why compliance with the provision(s) is difficult or inappropriate.

The alternative measures that will be taken to ensure a comparable degree of compliance with the intention of the applicable provision(s).

Drainage and stormwater plan (if applicable)

Cost considerations. (construction, materials, landscaping, labor etc.)

Other relevant information, including that requested by the City, as necessary to properly evaluate the variance request.

Application fee (\$300)

Site Investigation. Upon receipt of the variance application, the City shall decide if a site investigation conducted by the Planning Commission/City is necessary. After the necessary

information has been gathered, the Planning Commission shall make a written recommendation to approve or deny the variance to the City Council.

Variance Factors required for approval. The variance may be granted provided that:

___ The conditions causing the practical difficulties are unique to the property and were not caused by the action of the applicant.

___ The granting of the variance will not be contrary to the public interest or damaging to the rights of another person or to property values in the vicinity.

___ The property owner would have no reasonable use of the land without the variance.

___ The granting of the variance would not allow a prohibited use.

___ The granting of the variance would be in accordance with Minn. R. chs. 7080, 7081, 7082.

CONDITIONS. The city council may impose conditions in granting the variance to ensure compliance and to protect the public health, safety, or welfare. Each violation of any condition set forth in the variance shall be a separate violation of this ordinance subject to enforcement and shall be sufficient grounds for terminating the variance.

DENIAL OF VARIANCE. No application for a variance which has been denied wholly or in part shall be resubmitted for a period of six months from the date of said denial, except on the grounds of relevant new evidence or proof of a significant change of conditions.

APPEAL (City Code 304.030). Any person aggrieved by the decision of the City Council may appeal the decision to the City Administrator within 30 days after the date of such order, requirement, decision or determination. The appeal shall fully state the order to be appealed and the relevant facts of the matter.

Birchwood Village

Conditional Use Permit Applicant Checklist

This checklist provides a summary of the required material for complete review of the application; please refer to Section 306 of the City Code for additional standards.

Submit 2 sets of plans on 11in. x 17in. copies to the City Administrator accompanied by the following:

- _____ Completed CUP Application with Required Fee (\$400)
- _____ The legal description of the property.
- _____ A list of the names and addresses of the owners of all properties situated wholly or partially within 200 feet of the property as such appears on the records of the Washington County Recorder and any person having legal interest therein.
- _____ Evidence of ownership or an interest in the property
- _____ A survey or map of the property which shows, at a minimum, all lot lines, existing and proposed structures, driveways, and parking spaces

Such other information may be required by the City. Examples of such information may include the following:

- _____ Landscaping plan
- _____ Screening Plan
- _____ Lighting Plan
- _____ Floor Plan
- _____ Environmental Information
- _____ Project Narrative explaining the how the possible impacts to surrounding properties are proposed to be mitigated.

Birchwood Village

Conditional Use Permit Staff Checklist

Refer to Section 306 of the City Code for additional standards.

Application for a conditional use permit shall be made by the applicant on forms provided by the City and shall be accompanied by the following:

- Completed CUP Application with Required Fee (\$400)
- The legal description of the property.
- A list of the names and addresses of the owners of all properties situated wholly or partially within 200 feet of the property as such appears on the records of the Washington County Recorder or City Records. (or any person having legal interest therein)
- Evidence of ownership or an interest in the property
- Fee from processing a CUP
- A survey or map of the property which shows, at a minimum, all lot lines, existing and proposed structures, driveways, and parking spaces

Such other information may be required of the applicant. Examples of such information may include the following:

- Landscaping Plan
- Screening Plan
- Lighting Plan
- Drainage Plan
- Floor Plan
- Environmental Information
- Project Narrative
- All applications must include 2 sets of all plans and 11x17 copies if original are larger than 11x17. Please check with a City Planner for details.