



City of Spring Lake Park
 1301 81st Avenue NE
 Spring Lake Park, MN 55432
 763-784-6491 (p) 763-792-7257 (f)
info@slpmn.org

For Office Use Only

Case Number:
 Fee Paid: 450.00
 Received by: RP
 Date Filed: 1/24/23
 Date Complete: 1/24/23
 Base Fee: 150 Escrow: 300

148022

CK# 1029

DEVELOPMENT APPLICATION

TYPE OF APPLICATION (Check All That Apply)		
<input type="checkbox"/> Appeal	<input type="checkbox"/> Site Plan/Building Plan Review	<input type="checkbox"/> Minor Subdivision
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Conceptual Plan Review	<input type="checkbox"/> Lot Combination
<input type="checkbox"/> Ordinance Amendment (Text)	<input checked="" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Variance	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Street or Easement Vacation	<input type="checkbox"/> Other _____
PROPERTY INFORMATION		
Street Address: 1409 Osborne Rd NE		
Property Identification Number (PIN#): 01-30-24-43-0200 Current Zoning: R1		
Legal Description (Attach if necessary): N/A		
APPLICANT INFORMATION		
Name: Greg & Colleen Petterson		Business Name: N/A
Address: 1409 Osborne Rd NE		
City: Spring Lake Park	State: MN	Zip Code: 55432
Telephone: 612-616-4817	Fax: N/A	E-mail: RDAmidwest@gmail.com
Contact: Greg Petterson	Title: owner	
OWNER INFORMATION (if different from applicant)		
Name: Greg & Colleen Petterson		Business Name:
Address: Same as above		
City:	State:	Zip Code:
Telephone:	Fax:	E-mail:
Contact:	Title:	
DESCRIPTION OF REQUEST (attach additional information if needed)		
Existing Use of Property: Residential dwellings		
Nature of Proposed Use: Residential - rent auxillary dwelling unit		
Reason(s) to Approve Request: Ordinance designates zone R1 for 1 or 2 family dwellings, though two family dwellings require a conditional use permit. A fully separate 2 bedroom apartment was added in 2007.		
PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE		
Project Name: N/A		Date of Application: 1-24-23
Nature of Request: Conditional use permit for compliance with ordinance		
NOTE: Applications only accepted with ALL required support documents. See City Code		

APPLICATION FEES AND EXPENSES:

The City of Spring Lake Park requires all applicants to reimburse the City for any and all costs incurred by the City to review and act upon applications.

The application fee includes administrative costs which are necessary to process the application. The escrow fee will include all charges for staff time by the City Planner, City Engineer, City Attorney, and/or any other consultants as needed to process the application.

Minnesota Statute § 471.462 requires all cities to provide, upon request, a nonbinding estimate of consulting fees in connection with applications for permits, licenses, or other approvals relating to real estate development or construction. If the applicant requests the estimate, the application shall not be deemed complete until the City has (1) provided an estimate to the applicant; (2) received the required application fees, as specified by the City; (3) received a signed acceptance of the fee estimate from the applicant; and (4) received a signed statement that the applicant has not relied on the estimate of fees in its decision to proceed with the final application from the applicant.

The City will track all consultant costs associated with the application. If these costs are projected to exceed the money initially deposited to your escrow account, you will be notified in the manner that you have identified below that additional monies are required in order for your application process to continue. If you choose to terminate the application (notice must be in writing), you will be responsible for all costs incurred to that point. If you choose to continue the process you will be billed for the additional monies and an explanation of expenses will be furnished. Remittance of these additional fees will be due within thirty (30) days from the date the invoice is mailed. If payment is not received as required by this agreement, the City may approve a special assessment for which the property owner specifically agrees to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes Section 429.081 as amended. **All fees and expenses are due whether the application is approved or denied.**

With my signature below, I hereby acknowledge that I have read this agreement in its entirety and understand the terms herein. **I agree to pay to the City all costs incurred during the review process as set forth in this Agreement.** This includes any and all expenses that exceed the initial Escrow Deposit to be paid within 30 days of billing notification. I further understand that the application process will be terminated if payment is not made and application may be denied for failure to reimburse City for costs. I further understand that the City may approve a special assessment against my property for any unpaid escrows and that I specifically waive any and all appeals under Minnesota Statutes 429.081, as amended.

I wish to be notified of additional costs in the following manner (select one):

E-mail RDAmidwest@gmail.com Fax _____ USPS – Certified Mail

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge.

I acknowledge that I have read the statement entitled "Application Fees and Expenses" as listed above.

I understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes Section 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes Section 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application, including all four requirements of Minnesota Statute § 471.462, should I request a written estimate of consultant fees. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

Applicant: Greg & Colleen Petterson Date: 1-24-23

Owner: same Date: _____

NOTE: Applications only accepted with ALL required support documents.
See City Code

**City of Spring Lake Park
Conditional Use Permit Worksheet**

A conditional use permit cannot be approved unless the Planning and Zoning Commission and the City Council make certain findings and recommendations. Please provide a response on how/why your project meets the below stated criteria. Use additional sheets if necessary. If some items are not applicable for your project, write N/A. Contact the Zoning Administrator with any questions.

1. That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community. *The 2 bedroom apartment addition above the garage (2007) provides a rare and desirable alternative to conventional apartment building residences, including a fenced backyard, heated garage stall, in unit laundry, and a quiet and peaceful setting.*
2. That the use will not be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity of the use or injurious to property values/improvements within the vicinity of the use. *The apartment is used solely for the purpose of a residence and is located within a single family home and between single family homes (R1) on the east and a townhouse development (R3) on the west.*
3. That the proposed use will comply with the regulations specified in Chapter 153 of the Zoning Code. *We still reside in the home and rent only the apartment. Should we cease to homestead, we understand there are more stringent rules in section 16 regarding defined "Rental Properties" where the property owner does not reside in the building and it is therefore*
4. That the proposed use shall not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity. *non-homesteaded. The use is exactly the same as all other residences in the community at large and the local neighborhood, primarily residential. The west end of our block includes 3 commercial buildings a couple duplexes.*

5. That the use will not lower property values or impact scenic views in the surrounding area. _____

The apartment is fully contained within the homesteaded residence. It has been physically in place since early 2007.

6. That existing utilities, streets, highways and proposed access roads will be adequate to accommodate anticipated traffic. _____

The property is located on Anoka County Road 108, Osboene Road. The roads and utilities are more than adequate.

7. That the use includes adequate protection for the natural drainage system and natural topography. _____

The topography is unchanged since original construction of the home in 1992.

8. That the proposed use includes adequate measures to prevent or control offensive odor, fumes, dust, noise or vibration so that none of these will constitute a nuisance. _____

The use is strictly residential.

9. That the proposed use will not stimulate growth incompatible with prevailing density standards. _____

This is simply a two bedroom apartment above the garage that is auxillary to the original house via a stairway and connecting vestibule, with dead bolt locking doors from each side.

**City of Spring Lake Park
Variance Supplemental Application**

A variance cannot be approved unless the Planning Commission and City Council find that the "practical difficulties" standard has been met. Please provide a response as to how/why your project will meet the following criteria. Use additional sheets if necessary and consult with the Zoning Administrator if you need clarification on the intent of any of the standards set below.

1. Applicant Information:

Name: Greg + Colleen Pettersen

Telephone: N/A

Address: 1409 Osborne Rd NE

Cell Phone: 612-616-4817

City/State/Zip: SLP, Mn 55432

E-mail: RDAmidwest@gmail.com

2. Property Owner Information (if different from above):

Name: Same as above

Telephone: _____

Address: _____

Cell Phone: _____

City/State/Zip: _____

E-mail: _____

3. Project Location (Address and Legal Description): 1409 Osborne Rd NE 01-30-24-43-0200

4. Present Use of Property: Residential, Single Family with Accessory Dwelling Unit.

5. Description of Project: Variance request of minimum lot size for two families.

6. Specify Section of the Ordinance from which variance is sought: _____

SLPC 16.64.050 (A)(1)

7. Explain how you wish to vary from the applicable provisions of this Ordinance: Wish to rent a Bedroom Apt. Accessory Dwelling Unit that is built above 3+ car garage. Total "lot" is 738' short of Code, but ADU uses zero additional lot space.

8. Please attach a site plan or accurate survey as may be required by Ordinance.

9. Practical Difficulties Test: Please answer the following questions as they relate to your specific variance request.

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

Yes No Why or why not?

The variance does not result in using more space than the original single family dwelling.

b. In your opinion, is the variance consistent with the Comprehensive Plan?

Yes No Why or why not?

It expands the range of housing types within the city and provides a case study or example Accessory Dwelling Unit consistent with the Comprehensive Plan goal regarding ADUs in residential neighborhoods.

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

Yes No Why or why not?

It provides a Accessory Dwelling Unit without increasing the footprint of non-pervious structure, preserving all previous green space.

d. In your opinion, are there circumstances unique to the property? (physical characteristics of the property – i.e. sloping topography or other natural features like wetlands or trees)?

Yes No Why or why not?

When originally platted, Osborne Road had wide, shallow ditches and the lot was only accessible by means of a driveway right of way along the North Border. The South border was along the north side of the shallow ditch. Osborne Road has been redesigned with gutters, curbs & storm drains - no ditches. There is now about 15' of space between the boundary & pedestrian path.

e. In your opinion, will the variance maintain the essential character of the locality?

Yes No Why or why not?

The Variance has no negative impact on the neighborhood. The addition of the ADU has enhanced the curb appeal of the dwelling, the appearance of the neighborhood, and increased the property value (and tax generation).

(1500 sq. ft more)

The Planning Commission must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs and also with the procedural requirements of the City Code and other applicable ordinances.

Applicant Signature:

Greg & Colleen Petterson

Date:

7 Feb 2023

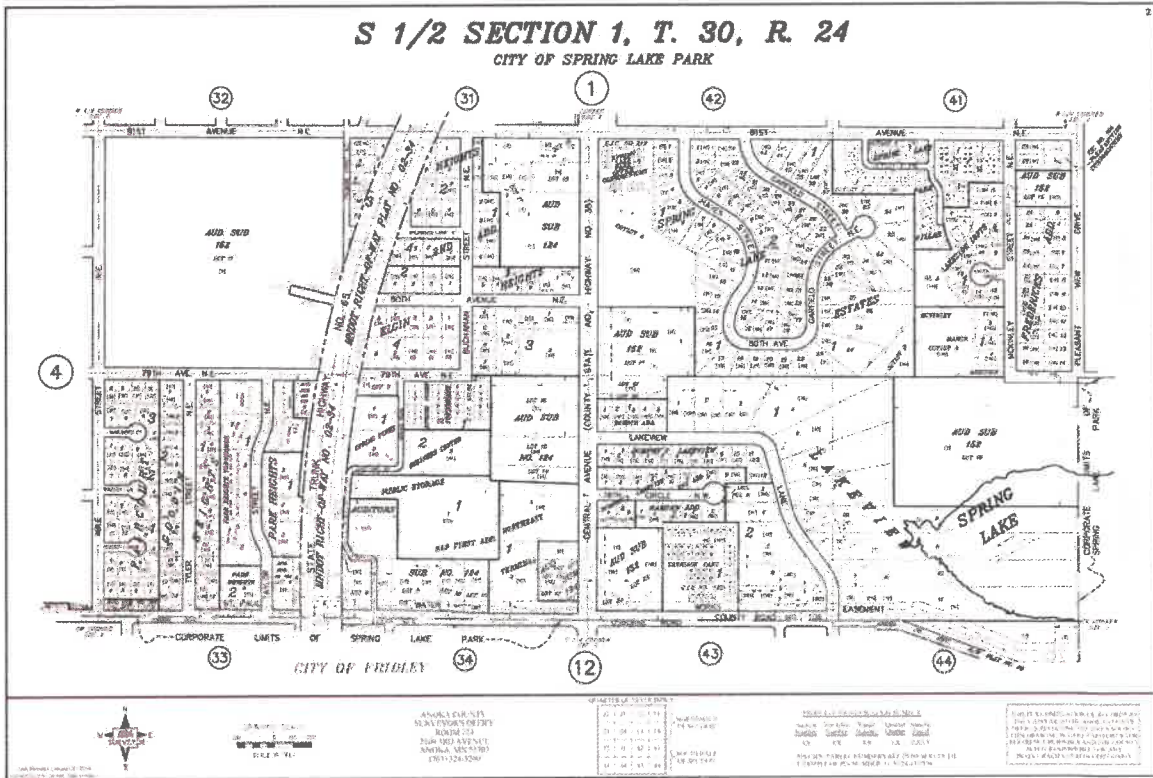
Fee Owner's (Property Owner) Signature:

Colleen Petterson

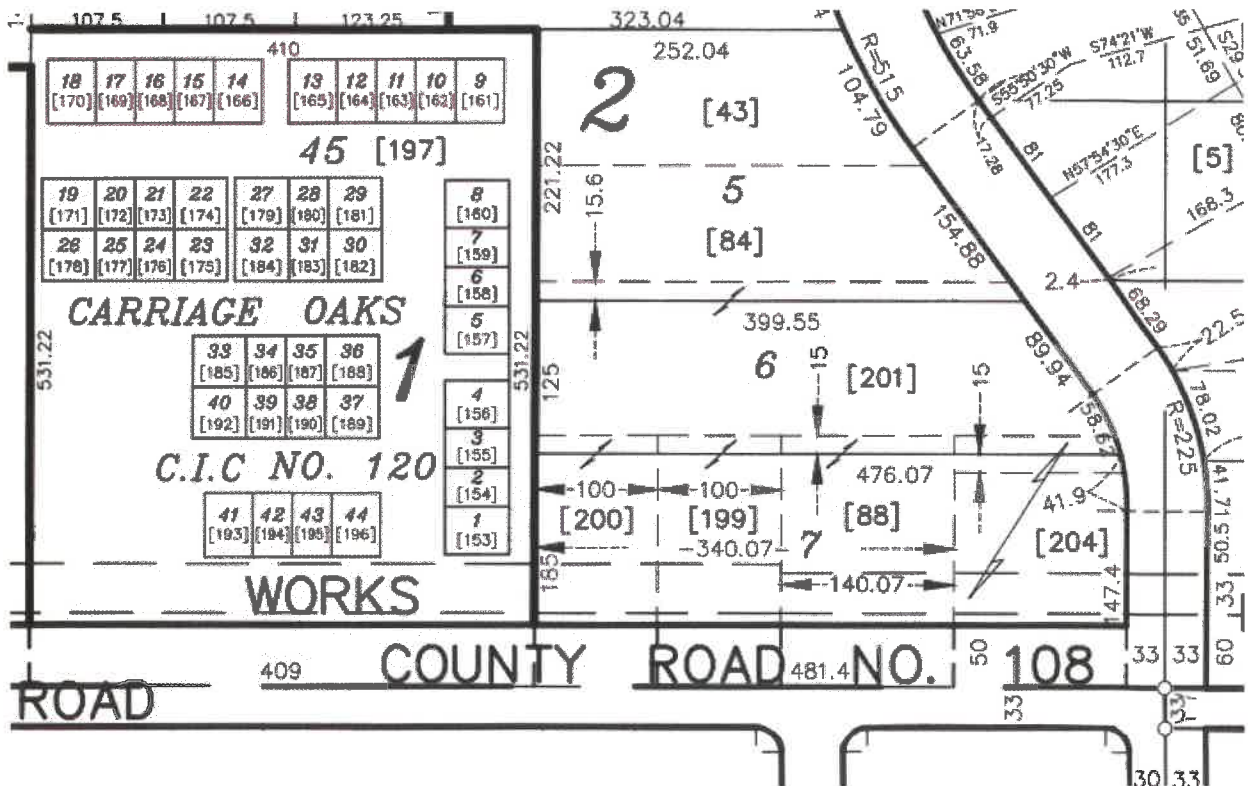
Date:

7 Feb 2023

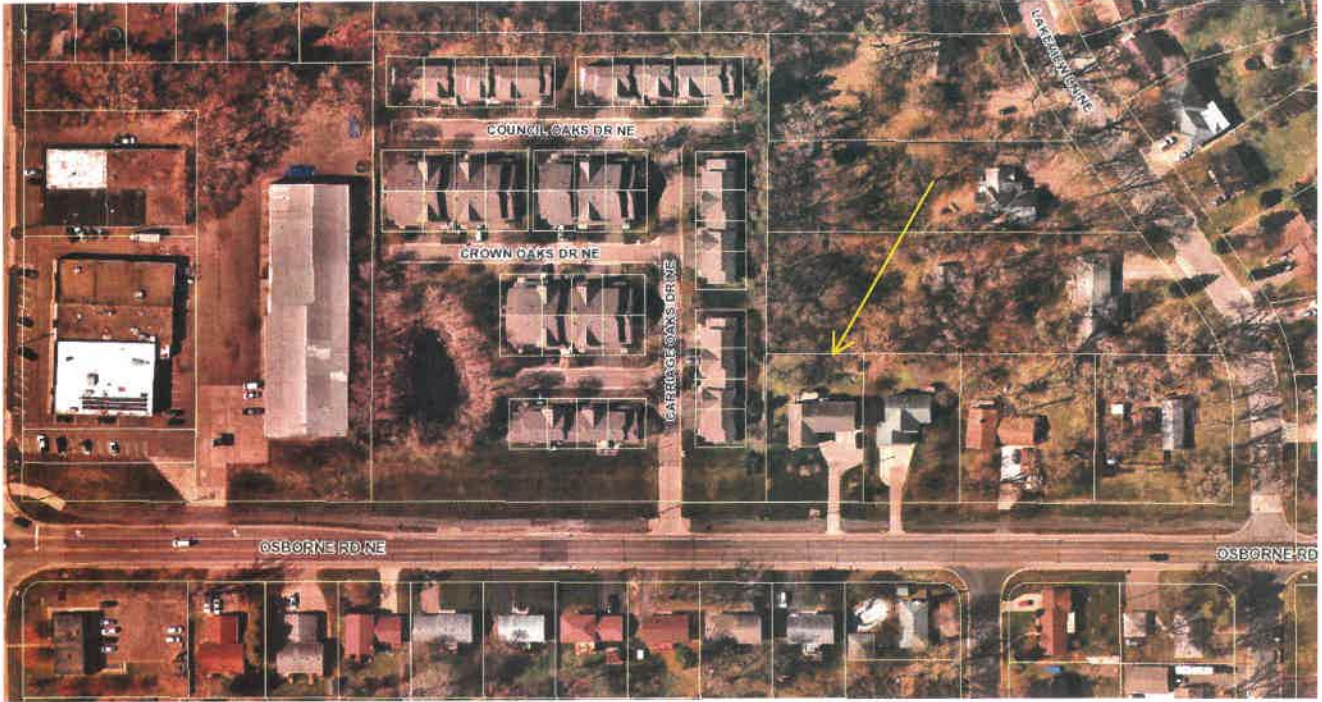
Supplementary Information for Variance Application
 1409 Osborne Road NE
 Greg & Colleen Pettersen



Spring Lake Park



Zoomed Half Section Plat of Spring Lake Park



Anoka County GIS Plat

Measurement

Acres

Measurement Result

0.35 Acres

Clear

Press CTRL to enable snapping

Parcel Layer: 1409 OSBORNE RD NE

Tax Link
 Property ID: 01-30-24-43-0200
 Address: 1409 OSBORNE RD NE
 City: SPRING LAKE PARK
 State: MN
 Zip Code: 55432
 Plat Name: LAKEVIEW
 Estimated Acres: 0.35
 Commissioner: JULIE JEPPSON
 Watershed District: RICE CREEK WSD
 School District: 16
 Elementary Attendance Area: PARK TERRACE ELEMENTARY
 Middle School Attendance Area: WESTWOOD MIDDLE SCHOOL
 High School Attendance Area: SPRING LAKE PARK HIGH SCHOOL
 Owner: PETERSEN COLLEEN R
 Owner Address: 1409 OSBORNE RD NE
 Owner City: SPRING LAKE PARK
 Zoom to

GIS Measuring tool and County records indicate .35 Acre Lot Size.
 1 acre = 43,560 square feet. 43,560 X .35 = 15,246 sq ft.

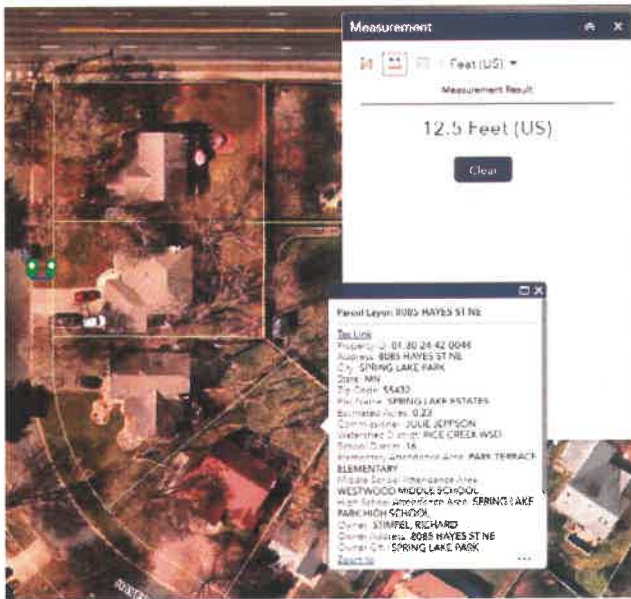
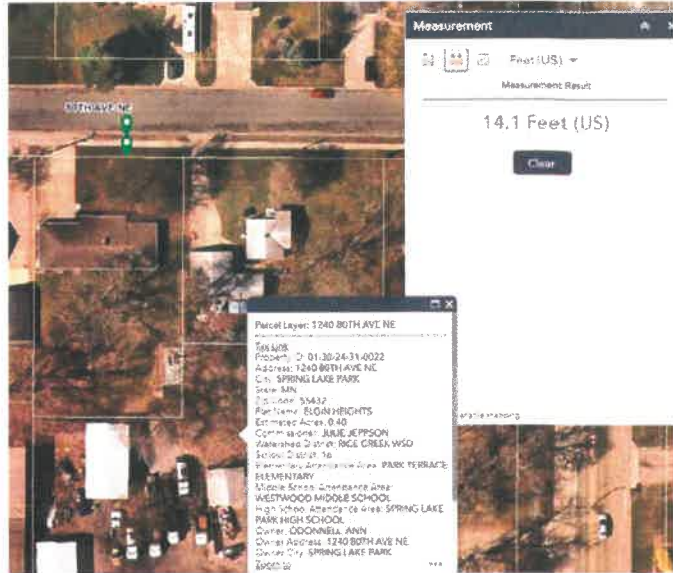
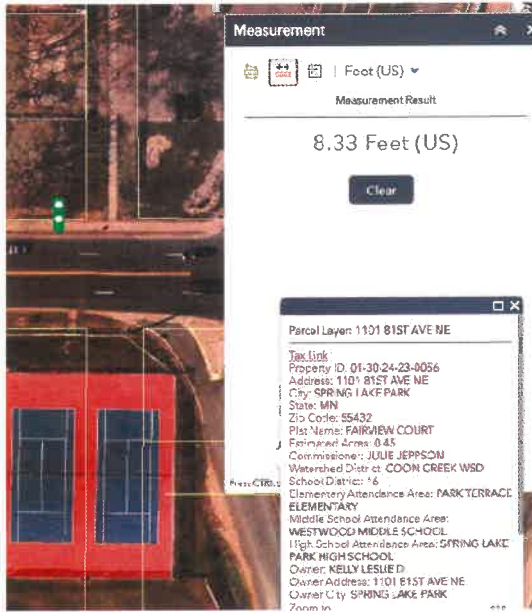


County Data including size.



South lot boundary line is 17' from pedestrian path, 30' from curb. This distance was platted at the time Osborne Road had shallow ditches & no curbs. The greater distance was required to facilitate ditches that were capable of holding sufficient runoff while avoiding dangerous ditch depths. The ditches no longer exist subsequent to redesign and reconstruction of the county road with storm drains, curbs & gutters.

Other lots in Spring Lake Park have setbacks
Much closer to sidewalks and the curb line:



127822

Original

LAKEVIEW

ANOKA COUNTY

MATTHEW J. BERSCHIED - SURVEYOR

OFFICE OF REGISTER OF DEEDS,
STATE OF MINNESOTA, COUNTY OF ANOKA
I hereby certify that the within instrument was duly recorded in the office of the Register of Deeds of Anoka County, Minnesota, on this 19th day of July, A.D. 1948, at a regular meeting held this 13th day of July, A.D. 1948.

Matthew J. Berschied
Register of Deeds

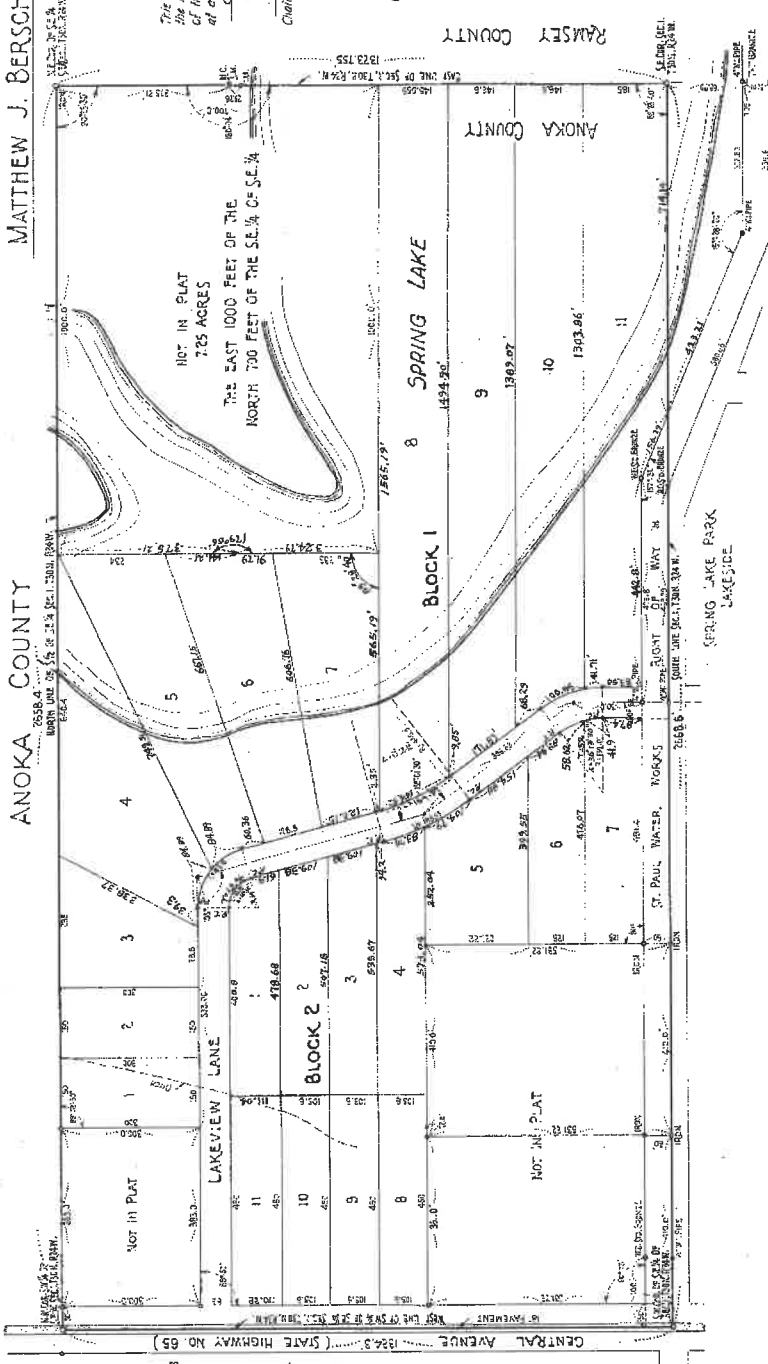
This plat was approved and accepted by the Honorable Board of County Commissioners of the County of Anoka, State of Minnesota, at a regular meeting held this 13th day of July, A.D. 1948.

H. H. Stank
Chairman, Board of County Commissioners
Anoka County, Minnesota

E. C. Osborn
County Auditor, Anoka County, Minnesota
By *J. K. Korman* Deputy

I hereby certify that this plat was filed for record on this 19th day of July, A.D. 1948.

Matthew J. Berschied
Surveyor



JUNE, 1948
SCALE 1" = 150'

This plat was approved as to form and execution on this 19th day of July, A.D. 1948.

Matthew J. Berschied
County Attorney, Anoka County, Minnesota

Filed for record this _____ day of _____, A.D. 1948 at _____ o'clock _____ M.

Register of Deeds, Anoka County, Minnesota

Know all men by these presents, that CENTRAL DISCOUNT CORPORATION, a Minnesota corporation, owners and proprietors of the following described property in the State of Minnesota and County of Anoka to wit: All of South Half of Section One (1) Township Thirty (30) North, Range Twenty-four (24) West, Anoka County, Minnesota, except West four hundred and thirty three (433) feet of North three hundred (300) feet of Southwest Quarter of the Southeast Quarter, and except the West eighty feet and thirty feet of the South three hundred thirty one and twenty five (331.25) feet of the East half of the South half of Section One (1) Township Thirty (30) North, Range Twenty-four (24) West, Anoka County, Minnesota, have by their duly authorized officers and agents, the undersigned, caused to be made and executed by the said CENTRAL DISCOUNT CORPORATION, its duly authorized officers and agents, the within and foregoing plat, in witness whereof said CENTRAL DISCOUNT CORPORATION, here caused these presents to be signed by its proper officers, and its corporate seal affixed this 12th day of July, A.D. 1948.

in presence of:
John E. W. ...
Lawrence ...
CENTRAL DISCOUNT CORPORATION
a corporation by *John E. W. ...* its President
by *L. M. ...* its Secretary

State of Minnesota } S.S. On this 12th day of July, A.D. 1948, before me a Notary Public within and for said County, personally appeared John E. W. ... and Lawrence ... to me personally known to me each duly sworn that they are respectively the President and Secretary of CENTRAL DISCOUNT CORPORATION, the corporation named in the foregoing instrument, that the seal affixed to said instrument is the corporate seal of said corporation and that the said instrument was signed in behalf of said corporation by authority of its Board of Directors, and said John E. W. ... and Lawrence ... are duly authorized officers and agents of said corporation.

State of Minnesota } S.S. I do hereby certify that I have surveyed and platted the property described on this plat as "LAKEVIEW"; that this plat is a correct representation of said survey; that all distances are correctly shown on the plat in feet and decimals of a foot; that the monuments for the boundaries of future surveys have been correctly placed in the ground as shown on the plat; that the outside boundary lines are correctly designated on the plat; that the topography of the land is correctly shown on the plat and that there are no wet lands or public highways to be shown on said plat other than as shown thereon.

Above certificate subscribed and sworn to before me this 12th day of July, A.D. 1948.

Matthew J. Berschied
Notary Public, Hennepin County, Minnesota
My Commission Expires _____

RESEEN & WATSON
Notary Public, Anoka County, Minnesota
My Commission Expires _____

CERTIFICATE OF SURVEY

FOR: PREFERRED BUILDERS

PROPOSED ELEVATIONS:

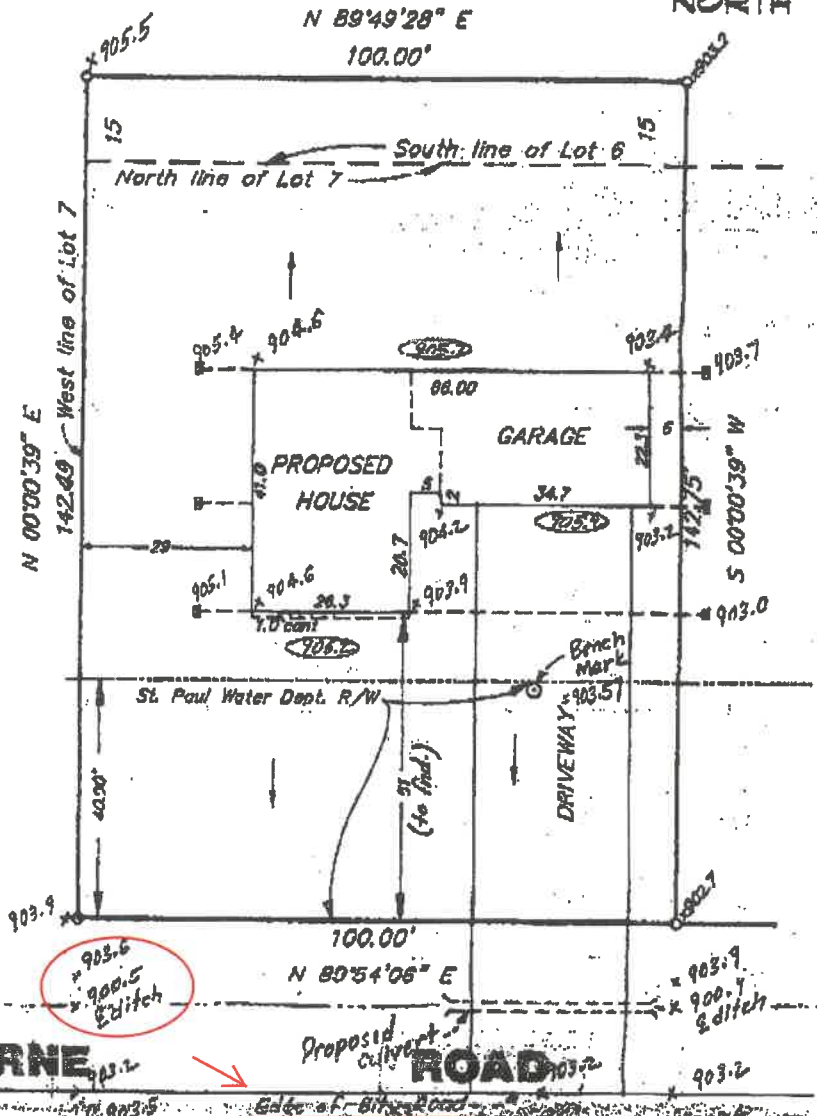
- GARAGE FLOOR = 905.5
- TOP OF BLOCK = 905.9
- LOWEST FLOOR = 902.7 (5cs)

- ⊕ DENOTES WOOD HUB AT 11 FOOT OFFSET.
- 023 DENOTES PROPOSED ELEVATION.
- DENOTES DIRECTION OF DRAINAGE.
- BEARINGS ARE ASSUMED
- 023 DENOTES EXISTING ELEVATION.

Bench Mark: Top of Sanitary Sewer Manhole 25'± west of east property line & 98'± north of Centerline of Osborne Road.
Rim Elev. = 903.57

1409 Osborne Rd
Spring Lake Park

City
File Copy



The west 100 feet of the south 15.0 feet of Lot 6, together with the west 100 feet of Lot 7, all in Block 2, LAKEVIEW, Anoka County, Minnesota.
Subject to the rights of the Saint Paul Water Department in the south 40 feet of said Lot 7.

Diag.: 82x41 = 37.08 ✓

Scale 1" = 30'	○ Denotes Iron	Bearings shown are on an assumed datum.	Job No. 2222	Book	Page
I hereby certify that this is a true and correct representation of survey of the boundaries of, the above described land and of the location of all buildings, if any, thereon, and all visible encroachments, any, from or on said land.			E. G. RUD & SONS, INC.		
E. G. RUD & SONS, INC.			LAND SURVEYORS		
By: [Signature]			3120 LEXINGTON AVE. NO.		
dated this 3 rd day of Sept. 1992			CIRCLE PINES, MINNESOTA		
Minnesota Reg. No. 8218			55014-3625 TEL 766-5556		

7384

CERTIFICATE OF SURVEY

FOR: PREFERRED BUILDERS

PROPOSED ELEVATIONS:

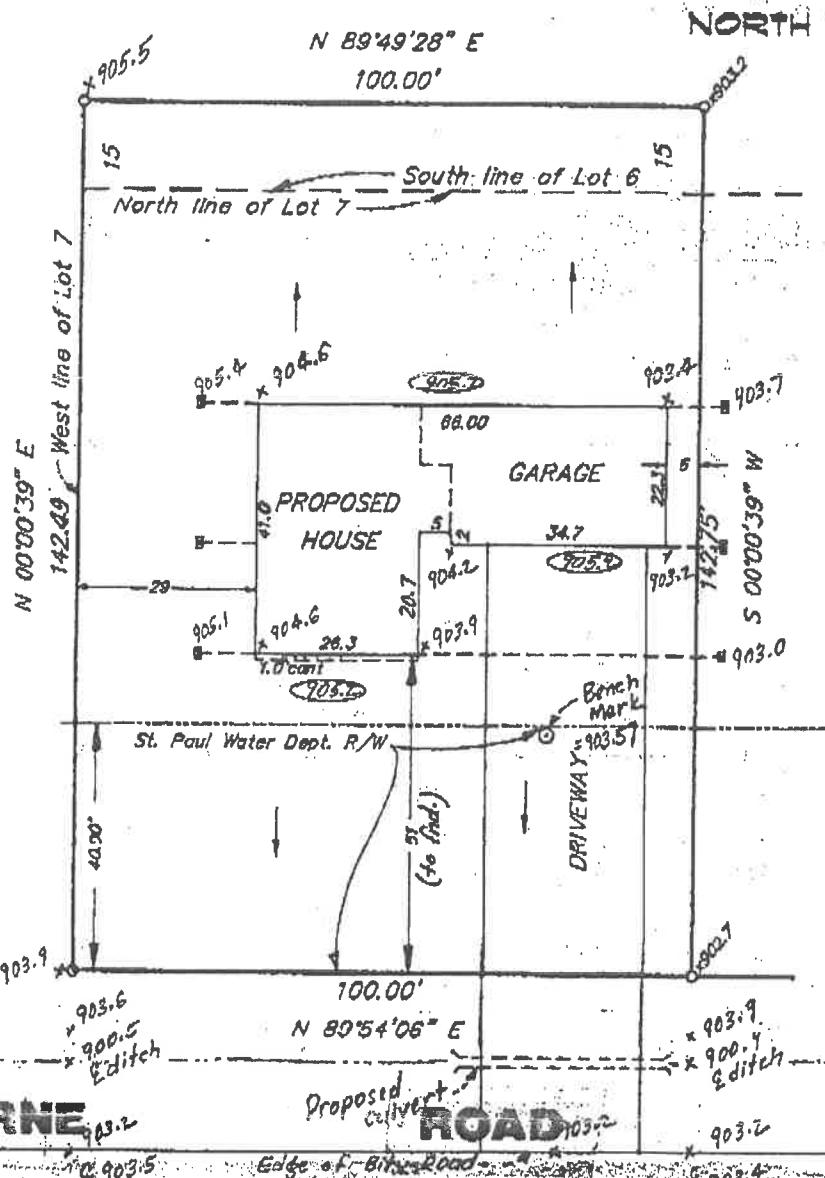
- GARAGE FLOOR = 905.5
- TOP OF BLOCK = 905.9
- LOWEST FLOOR = 902.7 (5cs)

- DENOTES WOOD HUB AT 11 FOOT OFFSET.
- 23 DENOTES PROPOSED ELEVATION.
- ↗ DENOTES DIRECTION OF DRAINAGE.
- BEARINGS ARE ASSUMED
- 23 DENOTES EXISTING ELEVATION.

Bench Mark: Top of Sanitary Sewer Manhole 25'± west of east property line & 98'± north of Centerline of Osborne Road.
Rim Elev. = 903.57

1409 Osborne Rd
Spring Lake Park

City
File Copy



OSBORNE ROAD

The west 100 feet of the south 15.0 feet of Lot 6, together with the west 100 feet of Lot 7, all in Block 2, LAKEVIEW, Anoka County, Minnesota.

Subject to the rights of the Saint Paul Water Department in the south 40 feet of said Lot 7.

Diag.: 88x41 = 97.08 ✓

Scale 1" = 30' ○ Denotes Iron Bearings shown are on an assumed datum. Job No. 99200 Book Pg.

I hereby certify that this is a true and correct representation of survey of the boundaries of the above described land and of the location of all buildings, if any, thereon, and all visible encroachments, any, from or on said land.

E. G. RUD & SONS, INC.

By: *E. G. Rud & Sons*
Minnesota Reg. No. 99200

E. G. RUD & SONS, INC.
LAND SURVEYORS
9120 LEXINGTON AVE. NO.
CIRCLE PINES, MINNESOTA
55014-3625 TEL. 786-5556

dated this 3rd day of Sept. 1992