

WACONIA PLANNING COMMISSION MEETING AGENDA



Thursday, November 6, 2025
6:30 PM

VISION STATEMENT

A thriving, connected community with deep roots: a great place to live for a lifetime.

MISSION STATEMENT

A city that leads, serves, and governs to enhance the quality of life for all community members.

CHAIR: CHAD GENZ
MEMBER: JOE POLUNC
MEMBER: BRUCE PAULSEN
MEMBER: DARYL PETERSON
MEMBER: JACOB WECKMAN
ALTERNATE: SIMON MALINSKI

**NOTE: TO ENSURE THAT YOU ARE PRESENT FOR ITEMS OF INTEREST,
PLEASE BE PRESENT AT 6:30 P.M.**

Those with items on the agenda should reach out to their staff contact. Others who wish to participate in the meeting, please contact the Community Development Director at 952-442-3106 or lbraaten@waconia.mn.gov to make certain that you are called upon during the meeting.

1. **CALL MEETING TO ORDER AND ROLL CALL**
2. **ADOPT AGENDA**
3. **APPROVAL OF MINUTES**
 - 1) September 4th, 2025 Planning Commission Meeting Minutes
 - 2) **October 14th, 2025 Special Planning Commission Meeting Minutes**
Motion to approve the October 14th, 2025 Planning Commission Meeting Minutes
4. **NEW BUSINESS**
 - 1) **PUBLIC HEARING - Zoning Map Amendment - 9550 Airport Road**
Open Public Hearing
Motion to Close the Public Hearing
Motion recommending either approval or denial of the proposed Zoning Map Amendment to rezone the subject parcel from R-3, Medium Density Residential District to P, Public District.

2) PUBLIC HEARING — Variance - 748 Old Beach Lane

Open the Public Hearing

Motion to Close the Public Hearing

Motion to recommend approval/denial of the Variance application submitted by Libby Montreuil with Boulder Images, Inc. for expansion of retaining walls within the bluff impact zone and additional hardcover in excess of the 25% maximum allowed for the property located at 748 Old Beach Lane.

3) PUBLIC HEARING — After the Fact Variance — 301 Oak Street South

Open the Public Hearing

Motion to Close Public Hearing

Motion recommending approval/denial of the three variances requested by the applicant to allow the existing garage to be located 9.8 feet from the rear lot line versus the 10 ft. minimum setback required; to be located 14.1 feet from 3rd Street where a 15-foot minimum setback is required; and to allow 41% hardcover on the property where a maximum of 35% is allowed within the R-2 Single-Family Residential Zoning District.

5. OLD BUSINESS

6. OTHER

1) Staff Update

7. ADJOURN



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date:	November 6, 2025		
Item Name:	3.1. September 4th, 2025 Planning Commission Meeting Minutes		
Originating Dept:	Community Development		
Presented By:	Lane Braaten		
Previous Council Action:			
Item Type:			
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED: Motion to approve the September 4th, 2025 Planning Commission Meeting Minutes			
EXPLANATION OF AGENDA ITEM:			
ATTACHMENTS:			
1. September 4 2025 Planning Commission Meeting Minutes			
FINANCIAL IMPLICATIONS:		ADVISORY BOARD RECOMMENDATIONS:	
Funding Sources & Uses:		Planning Commission:	
Budget Information:		Park Board:	
_____ Budgeted		Personnel Committee:	
_____ Non-Budgeted		Other: More sample text.	
_____ Amendment Required			

**CITY OF WACONIA
SEPTEMBER 4, 2025**

1. CALL MEETING TO ORDER AND ROLL CALL

Commissioner Chair Genz called the Planning Commission meeting call to order at 6:00 PM.

2. ADOPT AGENDA

Motion to made by Commissioner Weckman, seconded by Planning Commission Member Paulsen.

MOTION CARRIED.

3. APPROVAL OF MINUTES

Motion made by Commissioner Paulsen seconded by Commissioner Weckman.

MOTION CARRIED

1) August 7, 2025 Planning Commission Meeting Minutes

Motion made by Planning Commission Member Paulsen, seconded by Planning Commission Member Weckman.

MOTION CARRIED.

4. NEW BUSINESS

1) PUBLIC HEARING - Comprehensive Plan Amendment - PID#755750440

Braaten introduced the Public Hearing for the Comp Plan Amendment submitted by Preston Fox for approx 11 acres. He gave some background on the application. The entire parcel is currently guided wetland/open space. Braaten brought up the GIS map showing the different land use categories. He went on to speak about how the review process has changed at the Metropolitan Council and that now the generalized land use areas are being required to more accurately reflect the proposed use. He explained that process. This isn't a sketch or development plan, the applicant is proposing to re-guide a portion of the property to low density residential. Braaten said that tonight the Commission should review the information, hold a Public Hearing, and make a recommendation for the City Council keeping the comp plan amendment criteria in mind. He went on to show where the utilities and future road layouts would be conceptually.

Paulsen asked about the permissible use at the end of the cul-de-sac. He also asked if

this is in the shoreland overlay district and wanted to know how the woodlands stay protected. Braaten went on to explain Shoreland overlay regulations and the required buffers, etc.. Discussion followed.

Genz opened up the public hearing

Lindsey Lauby 851 Goldfinch Drive, commented about what the commission brought up about the preservation of wetlands. She went on to make comparisons between the comp plan to the criteria you considered for comp plan amendments. She talked about the wide variety of wildlife in the pond and surrounding area, passing out pictures explaining the pond's status today. She talked about when the city does a plan review. She spoke about the flooding problems from runoff related to the pond in her neighborhood. That it is needed for drainage. She talked about future problems with development.

She went through all of the criteria that the Planning Commission should consider when considering a comp plan amendment. There was more discussion on the need for a pond and a place for runoff.

She went on to talk about the comp plan chapter 3 regarding wetlands and keeping older neighborhoods viable. She also talked about water protection and, again, future development and the possible precedent it would have. She asked if approved, the trees and wood that would be taken down, how they would be replanted/forested.

Braaten replied that none of the wetlands were proposed to be filled in. More discussion followed.

Paulsen asked about the criteria, saying that it's not like a variance where all points need to be met. Braaten explained that he was correct, a comp plan amendment does not need to meet all of the criteria. The items are just for consideration in helping you make your decision.

Jesse Lauby 851 Goldfinch Drive. He spoke about the pond and how it pertains to the ecosystem in the area. He also stated that it doesn't meet the criteria.

Preston Fox, 6 Alfred Blvd He reiterated that there are only 4 1/2 acres that are buildable. 6 1/2 would remain natural and the wetlands we remain as is. He reviewed what he wanted to do.

More discussion and questions followed.

Paulsen asked to be sure that there were only 4 1/2 acres, not the 11 total acres. Staff indicated that was correct.

Ms. Lauby came back up to clarify the DNR wetlands with pictures. She just wanted to verify that the wetlands wouldn't be touched.

Malta Beckett 865 Goldfinch Drive she reiterated the impact of development.

Elmer Baldwin 9955 Oak Ave, went through the history of the past. And if it is developed, he doesn't want the run-off to go onto his property. He reiterated how he doesn't want the additional water, stating that the city should put in more holding ponds to keep the runoff away from his property.

Ms. Lauby came up again to talk about the flooding in her yard and neighbor's yard.

Mr. Lauby wanted to clarify what the wetland is, with Braaten clarifying.
Discussion continued.

Paulsen made a motion to close the public hearing, seconded by Polunc
MOTION CARRIED

Genz asked the commissioners if they had other questions, and Paulsen asked what would happen if this was not approved. Would this stop the development, and have problems with the Met Council on this? Braaten stated it would be entirely up to the Planning Commission on their thoughts regarding the re-guidance of the property.
More discussion continued.

Polunc spoke about the different layers of government looking at this. A lot of checks and balances happening.

Genz talked about where he stood, and he felt that at that time it didn't make sense.

Motion Carried. 4-1 to deny the Comp Plan Amendment

5. OLD BUSINESS

6. OTHER

1) Ground Mounted Solar Structure Discussion

Braaten brought up ground-mounted solar system installations. He explained some examples. He was asking the commission for feedback on to regulate these structures.

Genz stated the typical lot size in Waconia would prevent most residents from having one. Suggesting that language in the accessory structure ordinance could be an option. Braaten brought up having this in the accessory structure category. Genz saying in that accessory category, can we have a solar panel included? Discussion followed. Some HOA's have rules to prevent having ground solar panels.

More discussion followed, with the majority stating that they are opposed to having ground solar panels regulated as accessory structures.

2) Staff Update

70 new home permits have been issued so far in 2025. Holbrook has 4 spec homes

going in, consistent with their development agreement.

The roundabout at County Road 10 and Waconia Parkway North won't open till after Nickel/Dickel day.

He also gave a quick update on the 100 Scott Lane variance, indicating it was approved by City Council and the property owner was going to install a rain garden to meet the conditions of approval since the installed draintile mentioned during the Planning Commission meeting did not meet stormwater requirements.

7. **ADJOURN**

Motion by Commissioner Paulsen to adjourn, seconded by Commissioner Weckman

MOTION CARRIED



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date: November 6, 2025	
Item Name: 3.2. October 14th, 2025 Special Planning Commission Meeting Minutes	
Originating Dept: Community Development	
Presented By: Lane Braaten	
Previous Council Action:	
Item Type:	Regular Session
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED: Motion to approve the October 14th, 2025 Planning Commission Meeting Minutes	
EXPLANATION OF AGENDA ITEM:	
ATTACHMENTS:	
1. October 14 2025 Planning Commission Meeting Minutes	
FINANCIAL IMPLICATIONS:	ADVISORY BOARD RECOMMENDATIONS:
Funding Sources & Uses:	Planning Commission:
Budget Information:	Park Board:
_____ Budgeted	Personnel Committee:
_____ Non-Budgeted	Other: More sample text.
_____ Amendment Required	

**CITY OF WACONIA
OCTOBER 14, 2025**

1. CALL MEETING TO ORDER AND ROLL CALL

Pursuant to due call and notice thereof, the meeting of the Planning Commission of the City of Waconia was called to order by Commissioner Chair Polunc at 5:00 PM.

The following Commissioners were present: Planning Commission Member Polunc, Planning Commission Member Paulsen, Planning Commission Member Weckman

The following Commissioners were absent: Planning Commission Member Genz, Planning Commission Member Peterson, Planning Commission Member Malinski

The following Commissioners were present but not voting:

Meeting was called to order by Commissioner Polunc at 5:00 PM.

2. ADOPT AGENDA

Commissioner Paulsen to approve the agenda, seconded by Commissioner Weckman.

MOTION CARRIED

3. NEW BUSINESS

1) Steep Slope Permit — 748 Old Beach Lane

Braaten explained the Steep Slope Permit. He explained the location, the survey details, and some of the history with the property. Further, he explained that due to the erosion issue this process has been expedited and the City Engineer has reviewed the initial information and it was also sent to the DNR and the SWCD for comment. The intent is to bring the item for approval to the next council meeting on Oct 20.

Paulsen asked if this was/is nonconforming before this.

Paulsen asked about the construction and plant material. Discussion followed.

Polunc invited the applicant up.

Libby Montreuil with Boulder Images came up to explain the situation and the timeline. She went on to explain the options. She stated the wall is what needs immediate attention. She also went on to explain how they would take care of fixing it. Along with a new wall, they were considering replacing the wooden steps. They were aware of the hardcover issue on site and that this may require a variance application in the future. Plants will be planted next spring to get established. The slope is now 1 to 1 ratio. The existing boulders would not be used. They would need new ones.

Braaten explained that Soil and water and the City Engineer have done an initial review and, therefore, this plan is in front of you that would allow the existing non-conforming walls to be replaced. If the applicant decides that expansion of the

retaining walls and the inclusion of a stone stair is necessary, this plan may be back as a variance request at the November 6th meeting.

Paulsen asked Braaten about the variance request. Braaten said that at that point we would have to wait to see what the Variance consisted of. Paulsen stated his concern about the plant material surviving, and we should provide some follow-up to check that. He requested this be included as a possible condition of approval for the City Council to consider.

Monica LaRose 748 Old Beach Road came up and gave a little history /background of the wall and stated her sense of urgency to get this done. Commissioners had no other questions.

Commissioner Paulsen made a motion to approve the Steep Slope application with the addition of condition #11. 2nd by Commissioner Weckman.
MOTION CARRIED

4. ADJOURN

Commissioner Paulsen made a motion to adjourn. Seconded by Commissioner Weckman.
MOTION CARRIED



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date:	November 6, 2025
Item Name:	4.1. PUBLIC HEARING - Zoning Map Amendment - 9550 Airport Road
Originating Dept:	Community Development
Presented By:	Lane Braaten
Previous Council Action:	
Item Type:	Regular Session

RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED: Open Public Hearing
 Motion to Close the Public Hearing
 Motion recommending either approval or denial of the proposed Zoning Map Amendment to rezone the subject parcel from R-3, Medium Density Residential District to P, Public District.

EXPLANATION OF AGENDA ITEM:

BACKGROUND:

Applicants: Brian Gersich, Superintendent Waconia Public Schools
 Dave Philp, Paradise Partners
Owner: PARADISE P I LLC ETAL
Address: 9550 Airport Road
PID: 750191350
Current Zoning: R-3, Medium Density Residential District
Proposed Zoning: P, Public District

REQUEST:

The City has received a Zoning Map Amendment application from the Property Owner, Paradise Partners and Waconia Public Schools (the “Applicants”) for the property located at 9550 Airport Road (the “Subject Property”). The applicants are requesting approval to rezone the subject property from the current zoning of R-3, Medium Density Residential District to P, Public District to facilitate a land donation to Waconia Public Schools.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05.4 – R-3, Medium Density Residential District.
2. Section 900.05.13 – P, Public District.
3. Section 900.12.6 – Amendments.

EXISTING CONDITIONS:

The subject parcel is undeveloped, and a significant portion of the property is wetland.

ZONING MAP AMENDMENT ANALYSIS AND PLANNING CONSIDERATIONS:

1. If the rezoning is approved by the City Council all future development, redevelopment, or uses shall conform to the requirements stated in the P, Public District regulations and the applicable sections of the City Zoning Code.

PUBLIC NOTICE/COMMENT:

The notice was published in the WACONIA PATRIOT on October 23rd, 2025, and posted at Waconia City Hall. Individual notices were mailed to all property owners within 350 feet of the subject parcel. As of the date and time of this report the city has not received any public comments regarding the proposed Zoning Map Amendment.

RECOMMENDATION:

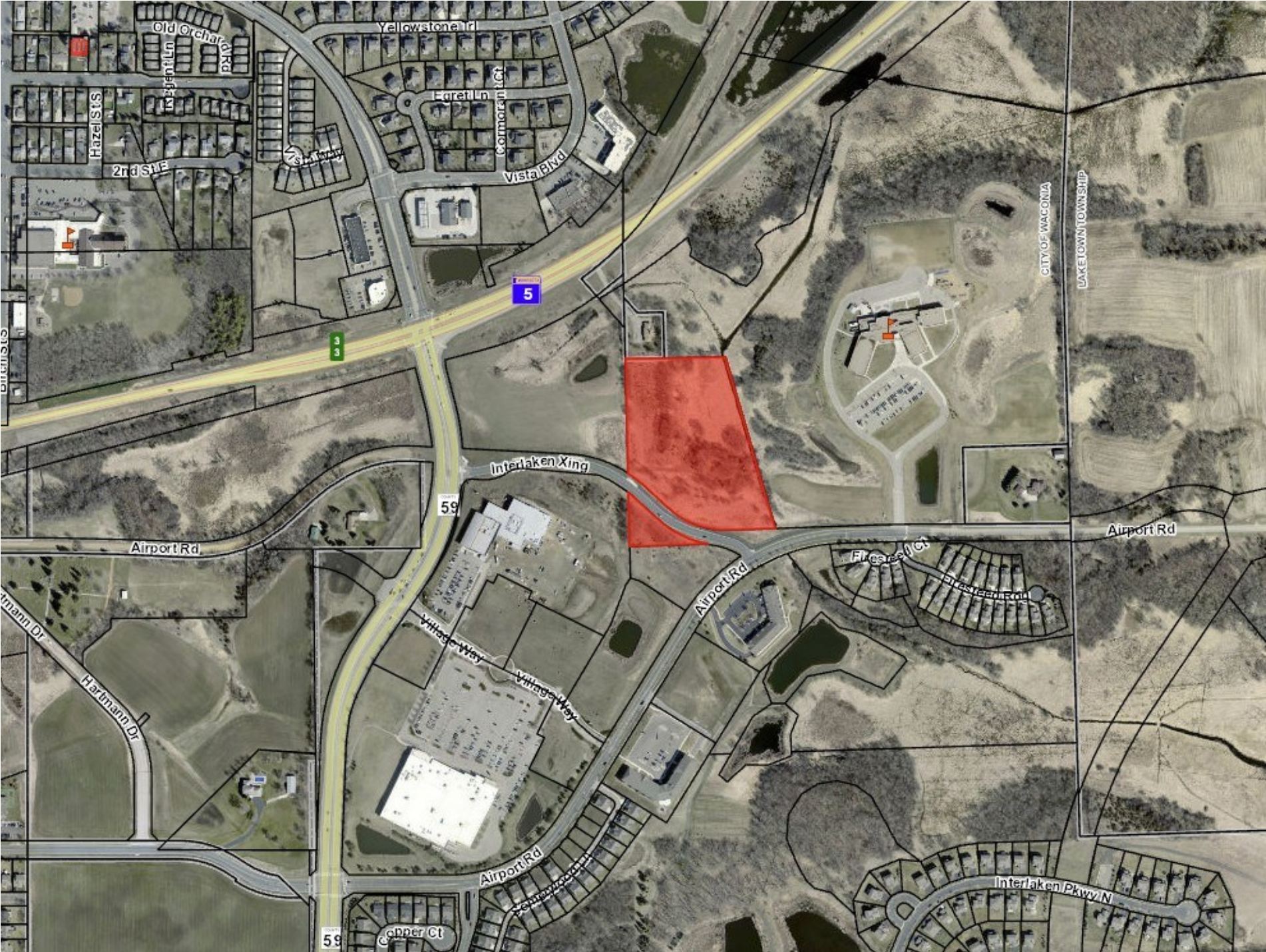
The Planning Commission should hold the required public hearing, receive all public comment regarding the rezoning application, and make a recommendation to the City Council. Upon a formal recommendation by the Planning Commission, this application will be forwarded to the City Council for review at their upcoming meeting on November 18th, 2025.

ATTACHMENTS:

- 1. Location Map 9550 Airport Road
- 2. Rezoning Application ISD110

FINANCIAL IMPLICATIONS:	ADVISORY BOARD RECOMMENDATIONS:
Funding Sources & Uses:	Planning Commission:
Budget Information:	Park Board:
_____ Budgeted	Personnel Committee:
_____ Non-Budgeted	Other: More sample text.
_____ Amendment Required	

LOCATION MAP—9550 AIRPORT ROAD





CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135
www.waconia.org

APPLICANT INFORMATION

1. Owner's Name: Paradise Partners / Waconia Public Schools
2. Address of Property: 9550 Airport Road, Waconia MN
3. Legal Description: Parccel ID 750191350
4. Applicant's Name: Brian Gersich, Superintendent Waconia Public Schools, Dave Philp, Paradise Partners
5. Mailing Address: 512 Industrial Blvd, Waconia, MN 55387
6. Daytime Phone(s): (952)442-0601
7. Email Address: bgersich@isd110.org

The City will distribute copies & appropriate information to applicant via email

OFFICE USE ONLY

Date Received: _____

Fee: \$ _____

Receipt #: _____



CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135

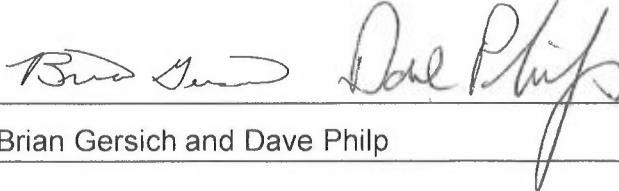
REZONING APPLICATION

1. Size of Property to be Rezoned (square feet): 9.11 Acres (396,800 Square Feet)
2. Present Zoning Classification: Res V Land
3. New Zoning Classification Desired: P: Public District
4. Reason for Request: Pending land donation to Waconia Public Schools from Paradise Partners

5. Description of Request – explain how the proposed zoning change would affect surrounding properties and traffic patterns on abutting roadways:
There is no expected impact to surrounding properties and traffic patterns.

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO CONSIDER THE APPLICATION COMPLETE

1. Payment of application fee (\$375) and escrow payment of \$500.00. Additional consulting review fees may apply, such as civil engineering and legal counsel.
2. Survey of property to be rezoned along with general location map.
3. Proposed uses anticipated on rezoned property.
4. Indicate existing uses on adjacent properties.
5. Any studies or reports that support a justification to rezone the property.

Applicant's Signature: 
Printed Name: Brian Gersich and Dave Philp

Date: 9/24/2025



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date:	November 6, 2025
Item Name:	4.2. PUBLIC HEARING — Variance - 748 Old Beach Lane
Originating Dept:	Community Development
Presented By:	Lane Braaten
Previous Council Action: None	
Item Type:	Regular Session

RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED: Open the Public Hearing

Motion to Close the Public Hearing
 Motion to recommend approval/denial of the Variance application submitted by Libby Montreuil with Boulder Images, Inc. for expansion of retaining walls within the bluff impact zone and additional hardcover in excess of the 25% maximum allowed for the property located at 748 Old Beach Lane.

EXPLANATION OF AGENDA ITEM:

BACKGROUND

Applicant: Libby Montreuil, Boulder Images, Inc.
Property Owner: Monica Norwick & Mark LaRose
Address: 748 Old Beach Lane
PID# 754030011
Zoning: R-1, Single-Family Residential District
Special District: Shoreland Overlay District

REQUEST:

The City has received a Variance application from Libby Montreuil, Boulder Images, Inc. (the “applicant”) to allow the replacement and expansion of retaining walls within the bluff/bluff impact zone and to exceed the 25% hardcover maximum allowed within the Shoreland Overlay District.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05 – District Regulations, Subd. 2.B – R-1, Single-Family Residential District
2. Section 900.06 – Supplementary Regulations, Subd. 7 – Shoreland Overlay District
3. Section 900.06 – Supplementary Regulations, Subd. 8 – Environmental Protection Regulations
4. Section 900.12 – Administration, Enforcement and Procedures, Subd. 4 – Variances

DEFINITIONS:

Bluff means a topographic feature such as a hill, cliff, or embankment having all of the following characteristics:
 a. Part or all of the feature is located in a shoreland area.
 b. The slope rises at least twenty-five (25) feet above the ordinary high water level of the waterbody.
 c. The grade of the slope from the toe of the bluff to a point twenty-five (25) feet or more above the ordinary high water level

averages thirty (30) percent or greater. The slope must drain toward the waterbody. An area with an average slope of less than eighteen (18) percent over a distance of fifty (50) feet or more shall not be considered part of the bluff.

Bluff impact zone means a bluff and land located within twenty (20) feet from the top of the bluff.

Sensitive Resource Management – The preservation and management of areas unsuitable for development in their natural stage due to constraints such as shallow soils over groundwater to bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding or occurrence of flora or fauna in the need of special protection.

Intensive Vegetation Clearing: - The complete removal of trees or shrubs in a contiguous patch, strip, row or block.

Shore Impact Zone – Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50% of the structure setback.

Shoreland – Land located within the following distances from public water; 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and, 300 feet from a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner.

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statute 462.357, Subd. 6 establishes criteria to be considered when contemplating the issuance of a Variance in terms of “practical difficulty” as follows: “Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the Variance are consistent with the Comprehensive Plan.” So a City evaluating a Variance application should make findings as to:

1. Is the Variance in harmony with the purposes and intent of the ordinance?
2. Is the Variance consistent with the Comprehensive Plan?
3. Does the proposal put the property to use in a reasonable manner?
4. Are there unique circumstances to the property not created by the landowner?
5. Will the Variance, if granted, alter the essential character of the locality?

State Statute specifically notes that economic considerations alone cannot create a practical difficulty. Whereas, practical difficulties exist only when the three statutory factors are met (1. Reasonableness, 2. Uniqueness, and 3. Essential character).

VARIANCE ANALYSIS & PLANNING CONSIDERATIONS:

The applicant is proposing to replace and expand retaining walls within the bluff/bluff impact zone due to the failures occurring with the existing walls and to help solve an erosion issue related to the slope. Additionally, the applicant would like to replace the existing wooden stairs down to the lake with stone steps which would cause their property to further exceed the 25% hardcover maximum allowed in the Shoreland Overlay District.

Table 1.1 below indicates the existing, required and proposed lot requirements for the property associated with this project. The items in red below detail the variances requested by the applicant.

Table 1.1	Lot Requirements R-1 & Shoreland Overlay District	Existing Conditions	Proposed Conditions
Lot Area	10,500 sq. ft. min.	28,000 sq. ft.	28,000 sq. ft.
Maximum Impervious Surface	25%	33.5%*	34.5%**
Top of Bluff structure setback	30 ft. min.	Retaining walls within the bluff setback/bluff impact zone	Expanded retaining walls within the bluff setback/bluff impact zone

* Hardcover based on the 2020 variance approval for the porch addition to the home.

** Proposed hardcover based on the revised Certificate of Survey/Site Plan showing the proposed stone steps would add another 1% of hardcover on site.

PLANNING CONSIDERATIONS:

1. The applicant has submitted a variance to replace and expand the retaining walls located within the bluff/bluff impact zone, which appear to have been put in place around the same time the home was built in 1991. The variance application also requests expansion of hardcover on the subject parcel, which is already in excess of the 25% hardcover maximum allowed in the Shoreland Overlay District.
2. The applicant received approval for direct replacement of the existing non-conforming retaining walls via a Steep Slope permit, which was reviewed by the Planning Commission at a special meeting on October 14th and approved by the City Council at their regular meeting on October 20th, 2025. The variance submittal is necessary as they are proposing an expansion of the retaining walls rather than just direct replacement.
3. The City Council adopted Resolution 2020-233 on October 19th, 2020, approving a variance for the property owners to construct a porch addition to the existing principal structure within the bluff impact zone and to allow a hardcover maximum of 33.5% versus the 25% hardcover maximum allowed in the Shoreland Overlay District. The approval required removal of some impervious areas on the property while also directing the majority of the stormwater into a rain garden located on the southern portion of the property.
4. The existing retaining walls are starting to fail and require immediate attention to ensure the bluff/bluff impact zone integrity is not compromised.
5. The Shoreland Alteration section of the City Code states that no intensive clearing of vegetation on a steep slope is allowed. Due to the sensitive nature of the bluff and bluff impact zone, some stabilization and temporary removals will be necessary to replace the existing walls and place new retaining walls. The cleared/affected areas will be re-graded and stabilized per the erosion control plan submitted and reviewed by the City

Engineer.

6. Approval of the variance request shall also serve as approval for the grading to be done in conjunction with the proposed improvements. The grading shall be completed per the requirements stated in the City Code and as summarized below:
 - a. All operations shall be conducted within the property lines. Grading that extends over the property lines shall require easements from adjacent property owners.
 - b. Upon completion of grading operations, the disturbed areas shall be restored with topsoil or other approved cover material and shall be reseeded to establish approved vegetation.
 - c. Finished grades shall not adversely affect adjacent properties.
 - d. Drainage facilities shall be provided to effectively divert or convey storm water run-off.
 - e. Provisions of effectively controlling fire, rodents, and dispersal of material by wind or by hauling to and from the site, and for general maintenance of the site shall be made.
7. City staff contacted representatives from the DNR, the Carver County Water Management Organization (CCWMO), and Carver Soil & Water (SWCD). To date, no comments have been received, but they are aware of the erosion issue and have verbally expressed an understanding that something needs to be done and have requested further information as the plans are reviewed and finalized.

PUBLIC NOTICE/COMMENT

The notice was published in the WACONIA PATRIOT on October 23rd, posted at Waconia City Hall and emailed to the DNR. Individual notices were mailed to all property owners within 350 feet of the subject parcel. As of the date and time of this report, the City has not received public comment regarding the proposed variance.

RECOMMENDATION

The Planning Commission shall hold the required public hearing, review all pertinent information related to the variance application and make a recommendation to the City Council based on the variance criteria stated above. Upon a recommendation, this application will be placed on the November 18th City Council meeting for review and consideration.

If the Planning Commission chooses to recommend approval of the Variance Application for 748 Old Beach Lane, staff would recommend consideration of the following conditions:

1. The proposed improvements shall be completed as approved and as conditionally revised by the Planning Commission and City Council.
2. All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
3. All indirect costs associated with the building permit review, and final plans associated with engineering and administrative costs shall be paid by the applicant.
4. The applicant shall submit a certified wall plan signed by an engineer licensed in MN. This type of wall would require fabric, tile and granular backfill. Specifically, a building permit application is required for retaining walls at 4 ft. or greater in height.

5. The final erosion control plan shall be reviewed and approved by the City Engineer. Any further revisions requested by the City Engineer shall be incorporated into the final erosion control plan and shall be installed accordingly.
6. The landscaping plan for restoration shall be reviewed and approved by City staff and the SWCD prior to installation.
7. The applicant shall enter into a maintenance agreement related to the approved landscaping plan to ensure the plantings are successful, and the slope integrity remains intact.
8. The property owner shall restore a 200 square foot section of the shore impact zone area at the base of the slope, along the shoreline, to offset the proposed 1% hardcover increase. The restoration area shall be included in the final landscape plan and be reviewed and approved by City staff and the SWCD prior to installation. The improvement of this area shall also be included in the maintenance agreement for all final landscape improvements.
9. All operations shall be conducted within the property lines. Grading that extends over the property lines shall require easements from adjacent property owners.
10. Finished grades shall not adversely affect adjacent properties.
11. The applicant shall submit an As-Built survey upon completion of the project to ensure the project built is consistent with the city approvals.
12. The applicant shall contact the Community Development Department for a final site inspection when all conditions of approval regarding this application have been completed.

ATTACHMENTS:

1. Location Map
2. Variance Application Homeowner Letter
3. Updated Survey with Stone Steps Included
4. LaRose-Norwick Revised Plan
5. Erosion Control Plan
6. Project Details
7. Plant Key Details
8. Images 09.26.25
9. Existing Stairs Photo

FINANCIAL IMPLICATIONS:	ADVISORY BOARD RECOMMENDATIONS:
Funding Sources & Uses:	Planning Commission:
Budget Information:	Park Board:
_____ Budgeted	Personnel Committee:
_____ Non-Budgeted	Other: More sample text.
_____ Amendment Required	



Dear City Council and Planning Commission,

The house we purchased in 1999 was built in 1991. Based on its location in the bluff impact zone, it is considered non-conforming to the current shoreland bluff rules. There was a 7-8 ft high boulder wall placed to support the upper bluff during the build in 1991. The wall does not meet today's construction standards due to inappropriately small stones and incorrect backing material. In addition there was a smaller 3 ft wall placed 1/3rd of the way down on the east side of the bluff. Despite not meeting current standards, these walls had held up surprisingly well for 20+ years.

Fast forward to 2020 when the property immediately East of us illegally removed 12-15 feet of bluff leaving an extreme drop off right next to us. The City granted an after the fact variance after the owners/builders along with their lawyers showed how it was indeed on their final plans, even though at the application meeting for a steep slope permit the builder stated they were not touching the bluff. The owner was required to build a 12 ft boulder wall to support this excavation next to our property, with an outside engineer changing the plan and requiring 60 inch boulders due to the extreme height. In addition to the wall, the previous owners placed 3 white pines and 5 black spruce trees in a four foot wide space between the top of the wall and the fence separating the properties. It doesn't take an engineer to see how these alterations have changed the force and put more pressure directly towards the lake. And now the 1991 retaining wall on the bluff, less than 5 feet from our home, is failing. We first noted a couple boulders on the shore, but now an entire section has fallen. As additional evidence of the movement of the ground, our original stairs have now started to separate and shift, our fence has now moved and leans lakeward and in the basement of our house there has been separation of the northeast windows from their frames with free flowing air entering the house through the cracks last winter.

In order to prevent an impending disaster of a collapsing retaining wall that could cause injury or death to someone and potentially destroy our home, we need to rebuild our retaining wall. However, rebuilding the retaining wall does not address the erosion that is taking place along the bottom half of the hill where the slope is as steep as 2:1. Given there was a bluff landslide 3 houses west of our property approximately 15 years ago, we are extremely concerned that only fixing the retaining wall without addressing the erosion on the hill will be a temporary solution at best. We have contacted a highly respected company, Boulder Images, to address these issues. They recommended building shorter

walls with outcroppings to stabilize the erosion and bring the hill closer to a 3:1 slope. The spirit behind the shoreland bluff rules is to preserve the lake from erosion. That is precisely what our plan is intended to do. We will need to replace the stairs that have shifted since the work next door. To be less visible from the lake and to further stabilize the slope, Boulder Images recommended 3 ft wide stone steps, which in this county would be counted as impervious whereas the elevated wood stairs were not. However, in addition to the additional support, moving to stone steps would be a more natural look and be less obtrusive than the current steps we have now, which would again be in the spirit of the shoreland rules.

The hill is currently filled with invasive buckthorn and poison ivy. As part of the necessary restoration after completing the work, we would propose planting only native plants that are ideal for maintaining a slope.

Given the hardship placed upon our property by the bluff removal next door, we are asking for a variance to stabilize the bluff, secure our property and prevent future erosion.

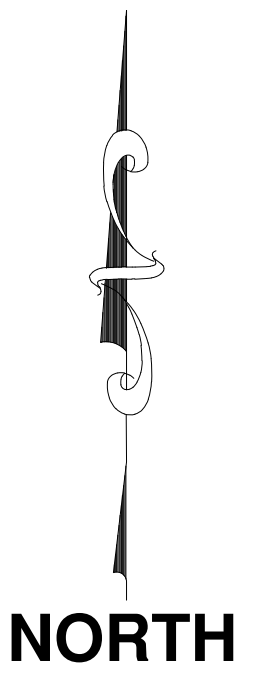
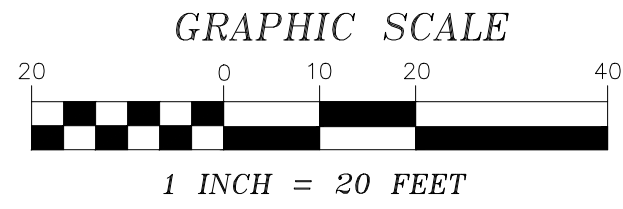
Thank you for your consideration.

Respectfully,

Monica Norwick and Mark LaRose

PROPOSED SITE PLAN

~for~ MARK & MONICA La ROSE
 ~of~ 748 OLD BEACH LANE, WACONIA, MN



LAKE WACONIA

ACCORDING TO THE MINNESOTA D.N.R.
 HIGHEST KNOWN WATER ELEV.= 963.9 NGVD 29
 ORDINARY HIGH WATER ELEV.= 963.1 NGVD 29
 MEASURED WATER ELEV. (01JUN20) = 962.70 NGVD 29

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES MONUMENT SET
- x—x— DENOTES EXISTING FENCE
- BL— DENOTES BLUFF LINE
- DENOTES EXISTING CONTOURS
- AC DENOTES AIR CONDITIONING UNIT
- x 952.36 DENOTES EXISTING SPOT ELEVATION
- ☆ DENOTES LIGHT POLE
- ⊕ DENOTES POWER POLE
- DENOTES PROPOSED RAIN BARREL
- DENOTES METAL FENCE
- DENOTES RETAINING WALL
- DENOTES EXISTING CONTOURS
- OHW— DENOTES OVERHEAD WIRE
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES PAVER SURFACE

LEGAL DESCRIPTION OF RECORD

Tract A, REGISTERED LAND SURVEY NO. 108, files of Registrar of Titles. (Torrens)

AND

That part of Government Lot 3, Section 13, Township 116, Range 25, described as follows:

Commencing at the southeasterly corner of said Tract A; Registered Land Survey No. 108; thence on an assumed bearing of North 9 degrees 17 minutes 46 seconds West, along the Northwesterly line of said Tract A, 130.18 feet to the point of beginning; thence North 0 degrees 05 minutes 42 seconds West 62.54 feet, to an intersection with a line drawn parallel with and 10.0 feet northeasterly of the northeasterly line of said Tract A; thence North 9 degrees 17 minutes 46 seconds West, along said parallel line, 73 feet, more or less, to the shore line of Lake Waconia, thence southwesterly, along said shore line, 10 feet, more or less, to its intersection with the northeasterly line of said Tract A; thence South 9 degrees 17 minutes 46 seconds East, along said northeasterly line, 135 feet, more or less, to the point of beginning. (Abstract)

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 06/01/20.
- Bearings shown are on an assumed datum.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.
- No field work has been done and this site has not been visited by E.G. Rud since 6/1/2020 prior to the screen deck addition (if that was constructed). All information other than the proposed retaining walls and proposed stone staircase are based on a previous survey dated Oct. 9th, 2020.

BENCHMARK

BENCHMARK: MNDOT GSID STATION #79759
 MNDOT NAME: 1002 BE
 ELEVATION = 963.03 (NGVD29)

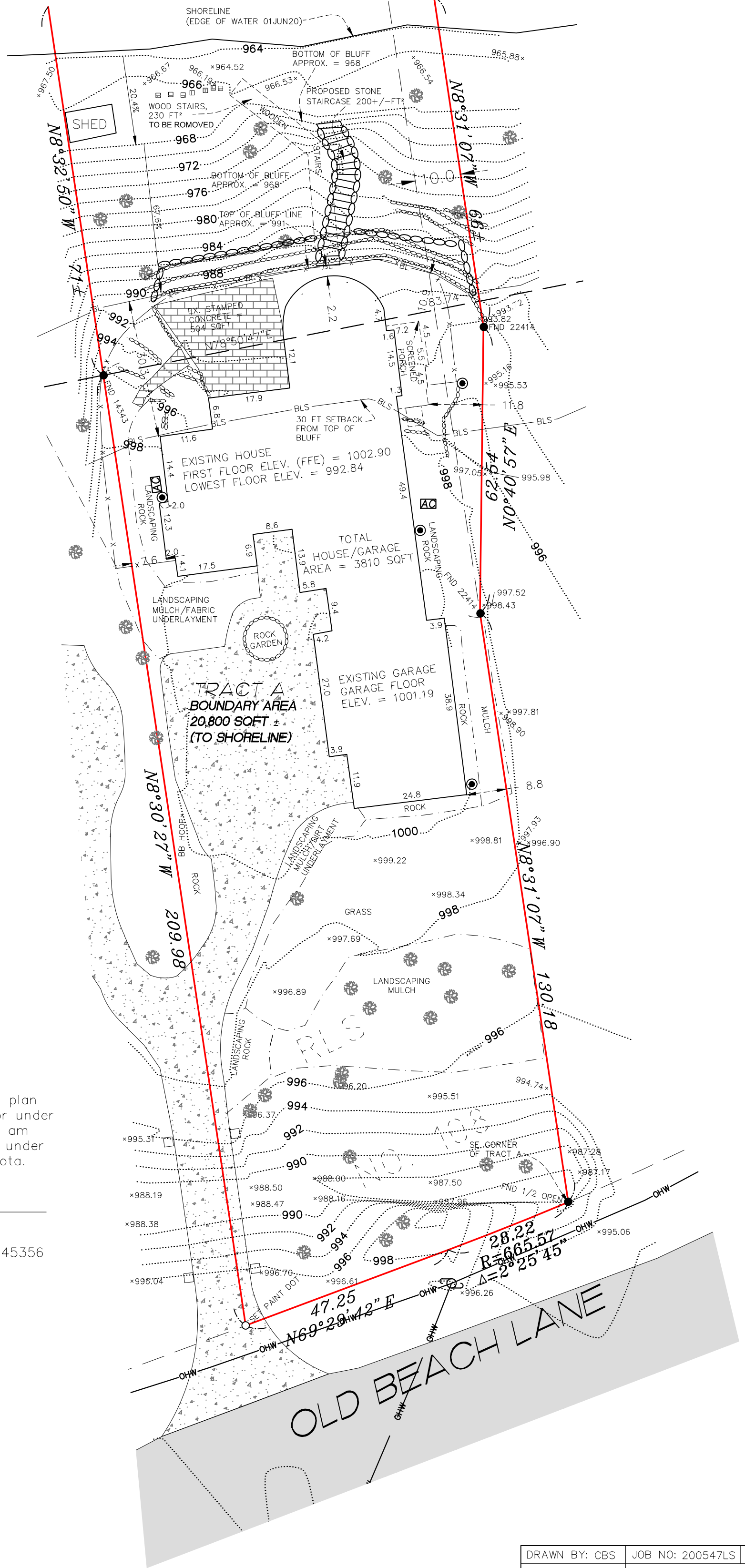
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

KURT D. NELSON
 Date: 10/21/2025 License No. 45356

PROPOSED IMPERVIOUS SURFACE CALCULATIONS

TOTAL LOT AREA (MEASURED TO OHW)..... 20,800± SQFT
 EXISTING HOUSE AND GARAGE 3,810 SQFT
 EXISTING SHED..... 67 SQFT
 EXISTING PAVERS 50 SQFT
 EXISTING RETAINING WALLS
 (ADJ. TO IMPERV. SURFACE)..... 46 SQFT
 EXISTING CONCRETE 2,913 SQFT
 COVERED SCREEN DECK..... 92 SQFT
 PROPOSED STONESTAIRCASE..... 200 SQFT
 TOTAL IMPERVIOUS SURFACE 7,178 SQFT
 PERCENT IMPERVIOUS 34.5% +/-

SEE NOTE ABOVE



E. G. RUD & SONS, INC.
 EST. 1977
 Professional Land Surveyors
 990 5th Avenue SE, Suite 2
 Hutchinson, MN 55350
 Tel. (320) 587-2025 Fax (320) 587-2595

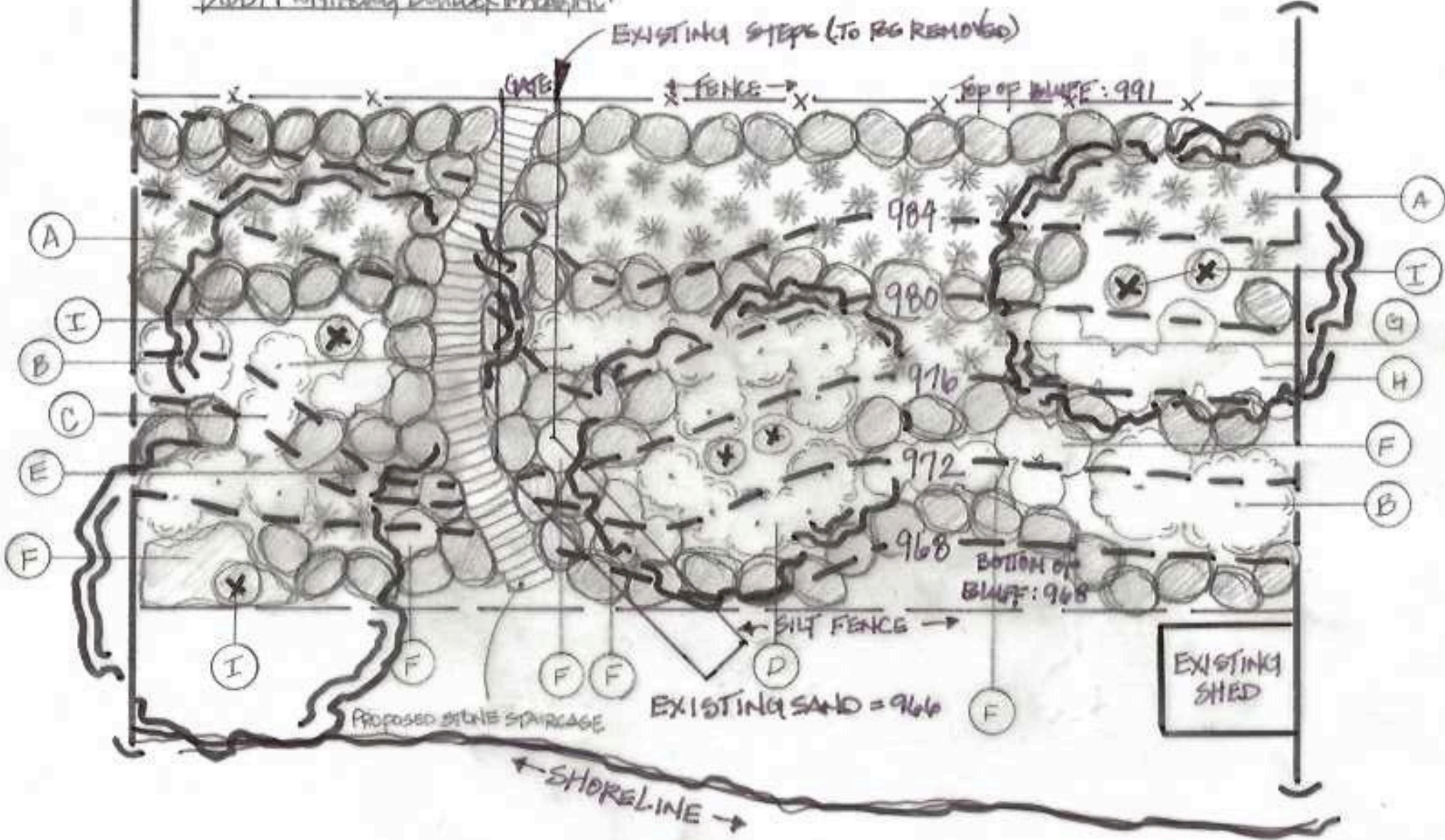
DRAWN BY: CBS	JOB NO: 200547LS	DATE: 10/21/2025
CHECK BY: KDN	FILED CREW: CBS & BCK	
1	02JUL20	REVISION TO HOUSE CBS
2	10SEP20	REVISION TO HOUSE/IMPERVIOUS CBS
3	21OCT25	PROP. STONE STAIRCASE KDN
NO.	DATE	DESCRIPTION BY

LA'ROSE RESIDENCE

748 OLD BEACH LN, WALTONA

SCALE: 1"=10'

LIBBY MONTGOMERY BOULDER IMAGES, INC.



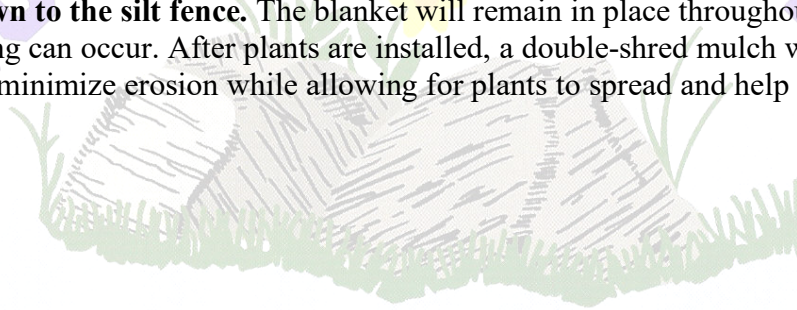
DATE: October 16, 2025

TO: City of Waconia

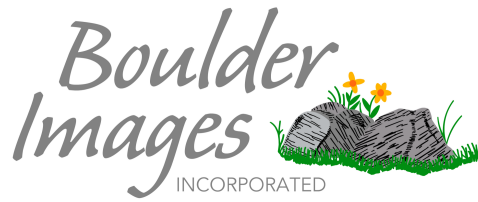
RE: Erosion Control Plan, Variance Application

ADDRESS: LaRose Residence, 748 Old Beach Lane, Waconia

To mitigate erosion at the base of the bluff/slope, we will install a **double layer of silt fence**. This barrier will remain in place until vegetation has been successfully established in the spring. In addition, an **erosion control blanket** will be installed on the face of the bluff—**extending from the base of the proposed wall down to the silt fence**. The blanket will remain in place throughout the winter and early spring, until planting can occur. After plants are installed, a double-shred mulch will be applied to the bluff/slope to help minimize erosion while allowing for plants to spread and help stabilize the slope, as planned.



INCORPORATED



12545 Driftwood Lane
Apple Valley, MN 55124

Phone 651-322-7499
boulderimages.com

boulderimages.com

October 15, 2025

TO: City of Waconia
PROPERTY: 748 Old Beach Lane
RE: Variance for Extending Proposed Retaining Wall Fix in Bluff

REQUESTED INFORMATION:

Please find below the requested information in support of our application for extending for the above-referenced property:

1) Time Period Over Which Construction Will Take Place - Construction is expected to take approximately two weeks. We anticipate the project will begin in late November or early December, depending on weather and scheduling.

2) Description of Soil Types - Preliminary shovel work indicates that the majority of the soil is sandy loam, consistent with other lakeshore properties in the area. However, subsoil conditions will not be fully known until excavation begins.

3) Topographic Map Showing Existing Contours - Please refer to the attached plan, which includes property lines, existing topographic contours, and proposed elevations with new retaining walls.

4) Description of Vegetation and Amount of Disturbance Proposed - The hillside is currently overgrown with invasive species, primarily buckthorn and poison ivy. The proposed project will disturb approximately 2,975 square feet of slope.

5) Erosion Control Plans & Steep Slope Development Strategy - Please refer to the attached plan and typical cross-section of the boulder walls we construct. Our design will maintain a 3:1 slope using a combination of boulder retaining walls (each under 4 feet in height), natural boulder outcroppings, appropriate plant material, and mulch.

EROSION CONTROL TIMELINE:

Pre-Construction:

- Install silt fence along the shoreline.
- Erosion control socks will be kept on-site and used as needed at the end of each workday to reduce runoff.

During Construction (approx. two weeks):

- Maintain shoreline silt fence.
- Utilize erosion control socks on the slope as needed during overnights and weekends to minimize erosion.

Post-Construction:

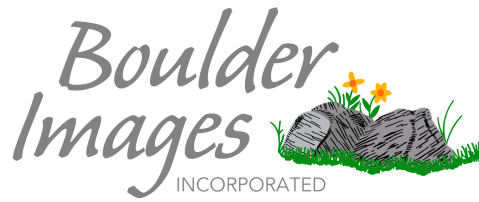
- The hillside will be covered with erosion control fabric until plantings are installed.
- After planting, the slope will be covered with double-shredded mulch to further stabilize the soil.
- Long-term erosion control will be achieved through the establishment and spread of plant roots, complemented by the structural support of boulder walls.

Please feel free to contact me directly at (651) 775-5401 or libby@boulderimages.com should you have any questions or need additional information.

Thank you for your time and consideration,
Libby Montreuil, Boulder Images, Inc.
www.boulderimages.com

SPECIALIZING IN BOULDER LANDSCAPING

Naturalistic Rock Outcroppings * Boulder Retaining Walls * Waterfalls * Rock Gardens * Stepping Stone Stairways * Firepits



12545 Driftwood Lane
Apple Valley, MN 55124

Phone 651-322-7499
boulderimages.com

boulderimages.com

October 16, 2025

TO: City of Waconia
PROPERTY: 748 Old Beach Lane
RE: Variance Application

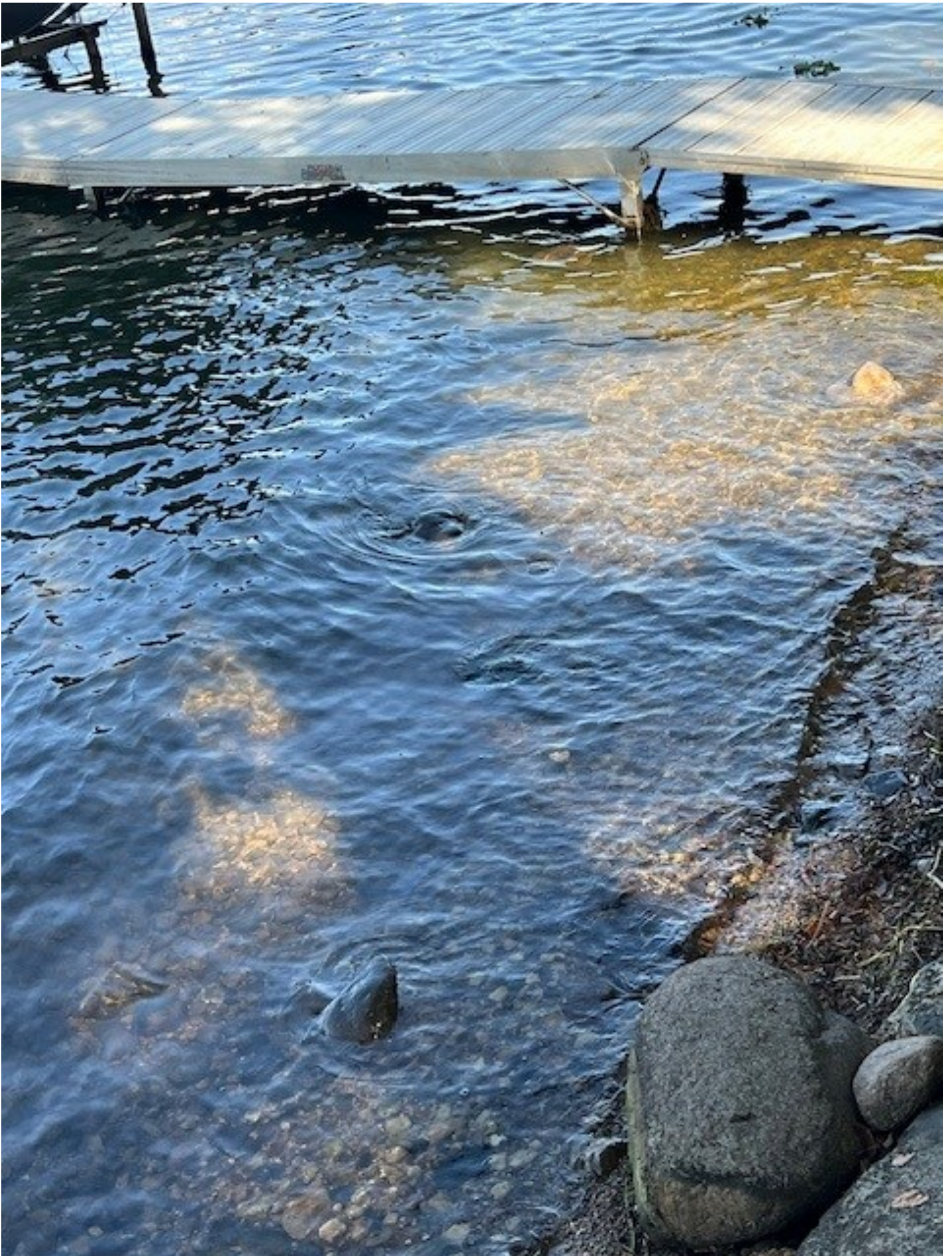
PLANT KEY:

- A - Blue Grama, #1 container, 45 total
- B - Highbush Cranberry, #2 container size, 4 total
- C - Snowberry, #2 container size, 12 total
- D - Bush Honeysuckle, #3 container size, 5 total
- E - Prairie Dropseed, #3 container size, 4 total
- F - Perennial Mix including Blazing Star, Butterfly Weed, Cardinal Flower, and Wild Geranium
- G - Little Bluestem, #3 container size, 5 total
- H - Joe Pye Weed
- I - Existing Trees

SPECIALIZING IN BOULDER LANDSCAPING

Naturalistic Rock Outcroppings * Boulder Retaining Walls * Waterfalls * Rock Gardens * Stepping Stone Stairways * Firepits















REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date:	November 6, 2025
Item Name:	4.3. PUBLIC HEARING — After the Fact Variance — 301 Oak Street South
Originating Dept:	Community Development
Presented By:	Lane Braaten
Previous Council Action:	
Item Type:	Regular Session

RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED: Open the Public Hearing
 Motion to Close Public Hearing
 Motion recommending approval/denial of the three variances requested by the applicant to allow the existing garage to be located 9.8 feet from the rear lot line versus the 10 ft. minimum setback required; to be located 14.1 feet from 3rd Street where a 15-foot minimum setback is required; and to allow 41% hardcover on the property where a maximum of 35% is allowed within the R-2 Single-Family Residential Zoning District.

EXPLANATION OF AGENDA ITEM:

BACKGROUND

Applicants/Owners: Elizabeth Smieja
Address: 301 Oak St S
PID# 755020100
Zoning: R-2 Single-Family Residential District

REQUEST:

The applicant is requesting three variances for the property. The first variance proposed is to allow the existing garage to be located 9.8 feet from the rear lot line versus the 10 ft. minimum setback required. The second variance proposed is to allow the garage to be located 14.1 feet from 3rd Street versus the 15-foot minimum setback required. The third variance proposed is to allow 41% hardcover on the subject property versus the 35% maximum allowed in R-2 Single-Family Residential Zoning District.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05.3 – R-2 Single-Family Residential District, Subd. 7.e – Minimum yards
2. Section 900.12- Administration, Enforcement and Procedures, Subd. 4 – Variances
3. Sec. 900.12. - Administration, enforcement and procedures, Subd. 12. Legal nonconforming uses.

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12 Subd. 4 and Minnesota State Statue 462.357, Subd. 6 establishes criteria to be considered when contemplating the issuance of a Variance in terms of “practical difficulty” as follows: “Variance shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the intent of the variances are

consistent with the Comprehensive Plan.” So a City evaluating a Variance application should make findings as to:

1. Is the Variance in harmony with the purpose and intent of the ordinance
2. Is the Variance consistent with the Comprehensive Plan?
3. Does the proposal put the property to use in a reasonable manner?
4. Are there unique circumstances to the property not created by the landowner?
5. Will the Variance, if granted, alter the essential character of the locality?

State Statute specifically notes that economic considerations alone cannot create a practical difficulty. Whereas, practical difficulties exist only when the three statutory factors are met (1. Reasonableness, 2. Uniqueness, and 3. Essential character)

VARIANCE ANALYSIS:

The subject property, located at 301 Oak Street South, is zoned R-2 Single-Family Residential and contains a garage that encroaches on the required setbacks. After the original garage was destroyed by fire, the homeowners rebuilt the garage without obtaining the necessary building permit, which led to a stop work order being issued by the City Building Official. Due to personal health issues faced by the homeowners, responsibility for addressing these matters has fallen to their daughter, who has made an application after doing considerable work to determine if the constructed building was up to code, and submitting an updated survey and stormwater mitigation plan.

The current variance request addresses three issues related to the rebuilt garage and overall lot coverage. First, the garage was reconstructed 9.8 feet from the rear lot line, slightly encroaching upon the required 10-foot rear yard setback by 0.2 feet. Second, the garage is located 14.1 feet from 3rd Street, where a minimum 15-foot street side setback is required. Lastly, the property currently has 41% hardcover, exceeding the maximum allowed 35% in the R-2 zoning district. It is important to note that the majority of the hardcover existed prior to the homeowners’ purchase of the property, except for a temporary shed added after the garage fire, which is planned to be removed upon completion of the garage.

To address the increase in hardcover, which totals 519 sf, the applicant is proposing a rain garden as part of their stormwater management plan. The rain garden is designed to capture and infiltrate runoff from the excess impervious surfaces, thereby reducing the volume and rate of stormwater leaving the site. In addition, the system includes a PVC underdrain connected to the City’s storm drainage system to ensure adequate drainage capacity and prevent any nuisance water flow onto neighboring properties.

PLANNING CONSIDERATIONS:

1. Minnesota State Statute Sec. 394.27 Subd. 7. states: " The board of adjustment may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance."
2. The rebuilt garage encroaches slightly on the required setbacks, being located 9.8 feet from the rear lot line where 10 feet is required and 14.1 feet from 3rd Street, where 15 feet is required.
3. The Building Official inspected the structure and indicated that the structure appeared to

meet building code requirements and, upon submittal of a formal building permit application, with all accompanying information, a building permit could be issued for the structure assuming the variance is ultimately approved by the City Council.

4. The total impervious area on the site is 3,539 square feet, which exceeds the 3,020 square feet allowed. To mitigate the additional hardcover, the applicants are proposing installation of a rain garden designed to capture and infiltrate runoff generated by the excess impervious surface. The rain garden will include a PVC underdrain connected to the City's storm drainage system to ensure proper conveyance of stormwater and to prevent nuisance flow or runoff onto neighboring properties.
5. Any approval of the variance request should include conditions of approval requiring the stormwater management plan be submitted to the City Engineer for review and approval prior to issuance of a building permit.
6. All stormwater mitigation and restoration tools generally require a maintenance agreement and that agreement upon execution shall be recorded against the property. Staff has included this as a condition to be considered.
7. The former property was granted a variance in 1995 for the detached garage to be located as close as three feet to the interior side lot line. The variance stated that this was to allow a large maple tree in the rear yard to be preserved. The variance was approved without any conditions. The variance site plan did show that the garage would meet the 10 ft. setback from the alley and the 15 ft. setback from the 3rd Street East road right-of-way.

PUBLIC NOTICE/COMMENT:

The notice was published in the WACONIA PATRIOT on October 23rd, 2025, and posted at Waconia City Hall. Individual notices were mailed to all property owners within 350 feet of the subject parcel. As of the date and time of this report, the city has received only one public comment regarding the proposed variance, which has been attached to this report.

RECOMMENDATION:

The Planning Commission should hold the required public hearing, review the Variance application submitted by Elizabeth Smeija based upon the Variance Criteria stated above, and the information provided and make a recommendation to the City Council. Upon a formal recommendation by the Planning Commission, this application will be forwarded to the City Council for review at their November 18th meeting.

If the Planning Commission chooses to recommend approval of the setbacks and hardcover surface variance submitted, staff would recommend the consideration of the following conditions:

1. The final stormwater plan shall be reviewed and approved by the City Engineer prior to the issuance of a building permit.
2. The final stormwater plan shall require a maintenance agreement and be approved to the City Engineer's satisfaction. The maintenance agreement shall be recorded against the property upon execution by the property owner.

ATTACHMENTS:

1. Location Map
2. Applicant Narrative
3. Certificate of Survey_Existing Conditions 11x17
4. Grading and Stormwater Plan 11x17
5. 2014 Aerial Image
6. Property Images_Stop Work Order
7. Public Hearing Comment_JDeleeuw

FINANCIAL IMPLICATIONS:	ADVISORY BOARD RECOMMENDATIONS:
Funding Sources & Uses: Budget Information: _____ Budgeted _____ Non-Budgeted _____ Amendment Required	Planning Commission: _____ Park Board: _____ Personnel Committee: _____ Other: More sample text. _____



Carver County GIS, City of Waconia

0 25 50 100 150 200 ft

Coordinate System:
WGS 1984 Web Mercator Auxiliary Sphere

N

October 2025



City of Waconia
201 Vine Street South, Waconia, MN 55387

Landscape_11x17

To Whom it may concern,

I am writing on behalf of my family regarding our home. We are asking for consideration on 3 variances for property 301 Oak St. S. Since the fire destroyed our garage, life has become increasingly difficult for us. My father has since been diagnosed with Lewy body dementia, and my mother is also struggling with memory issues. Granting these variances would not only restore what we lost but would also provide a sense of stability and comfort for our family as we navigate these difficult circumstances. We deeply appreciate your time and consideration as we ask for these variances.

The property is zoned R-2 single-family residential. The first variance being the garage that needed to be rebuilt after the fire, and it was constructed 9.8 feet from the rear lot line rather than the required 10-foot setback. Second, the garage is located 14.1 feet from 3rd Street rather than the required 15 feet. Third, the overall hardcover on the property which is currently 41% hardcover, and we are allowed 35% hardcover. The garage variance is a difference of .2ft overhanging into the rear yard setback. The new garage meets the 5 ft. side yard setback. The hardcover was all preexisting prior to the purchase of the home except for a temporary shed that was put up after the garage fire. The shed will be removed from the property once the garage is completed.

Based on our conversation with City staff it is our understanding that State Statute establishes criteria to be considered when reviewing variances. I have included the criteria below and responses to each based on our project.

1. Is the Variance in *harmony* with the purposes and intent of the ordinance? See below
2. Is the Variance *consistent* with the Comprehensive Plan? See below
3. Does the proposal put the property to use in a *reasonable* manner? See below
4. Are there *unique circumstances* to the property not created by the landowner? See below
5. Will the Variance, if granted, alter the *essential character* of the locality? See below

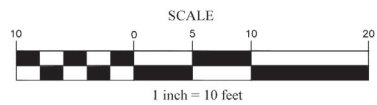
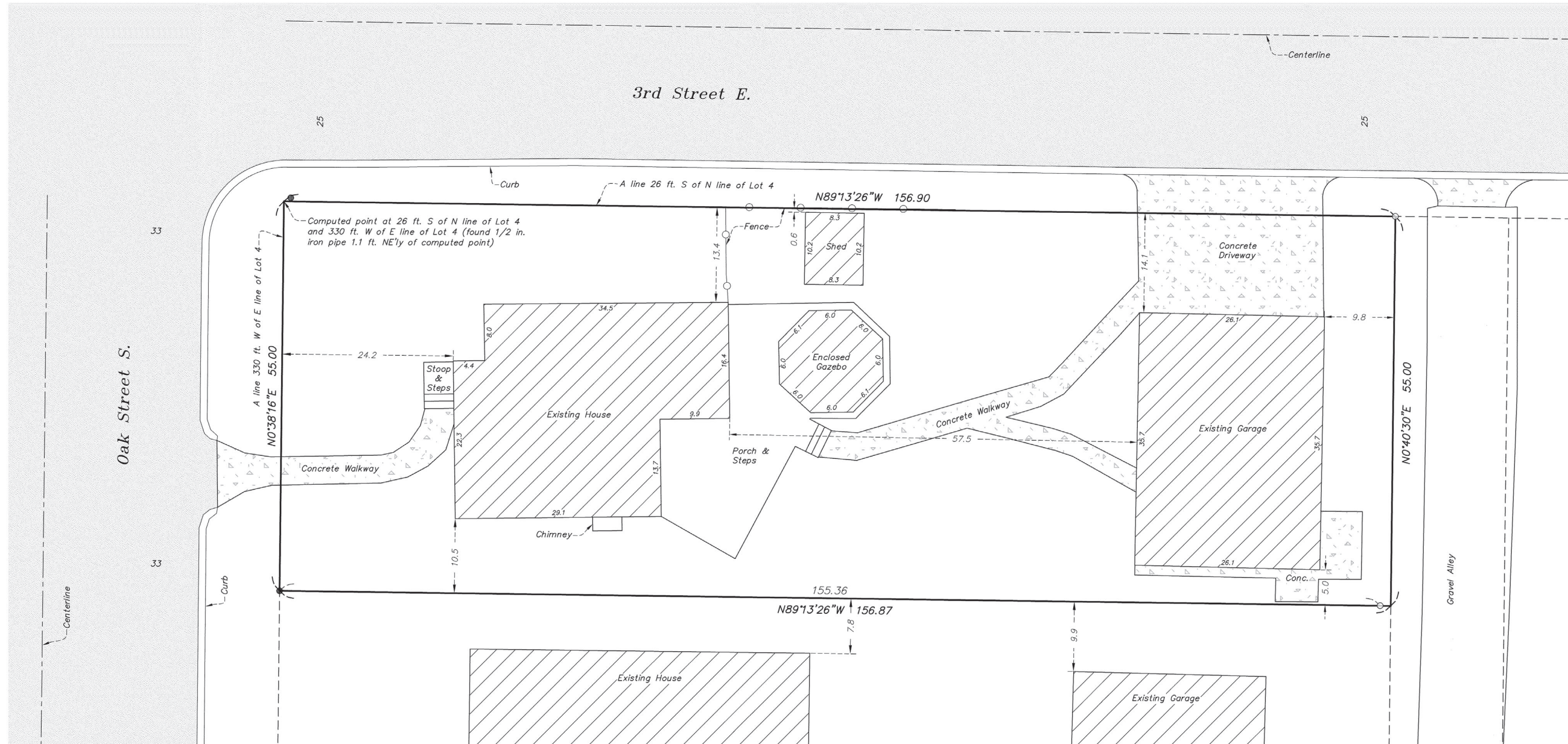
State Statute specifically notes that economic considerations alone cannot create a practical difficulty. Whereas practical difficulties exist only when the three statutory factors are met (1. Reasonableness, 2. Uniqueness, and 3. Essential character).

We think this variance request is reasonable as this is a residential property, which we are putting to a residential use. Additionally, there are other garages in the area in similar locations and of similar sizes. Finally, most of the hardcover on site was existing prior to our purchase of the property, but we plan to mitigate it based on our stormwater plan to comply with City Code requirements. Without the approval of this variance request we will have to remove the garage, which would be detrimental to the use of the property, especially in the winter months.

Thank you,
The Smieja Family

Certificate of Survey

Prepared for:
Elizabeth Kunze



Boundary Description (supplied by client)
Beginning at a point 26 feet South of the North line of Lot 4, VOLKENANT'S SECOND ADDITION TO THE VILLAGE OF WACONIA, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Carver County, Minnesota and 330 feet West of the East line of said Lot 4; thence South parallel to the East line of said Lot 4 and Lot 5 of said Addition, a distance of 55 feet; thence East, parallel to the North line of said Lot 5, 157 feet; thence North 55 feet to a point 26 feet South of the North line of said Lot 4; thence West to the place of beginning, Carver County, Minnesota.

Existing Hardcover (sq. ft.)	
House	1,005
Porch & Steps	467
Sloop & Steps	27
Enclosed Gazebo	175
Chimney	8
Shed	84
Garage	933
Conc. Walkways	359
Conc.	111
Conc. Driveway	370
Total	3,539

Parcel Area = 8,629
Total Hardcover = 41.0%

- Legend**
- Found Iron Monument
 - Set Iron Monument (LS 48328)

Site Address:
301 Oak Street S.
Waconia, MN 55387

Bearings based on Carver County Coordinate System.

SCHOBORG
LAND SERVICES
INC.

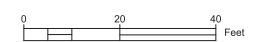
763-972-3221 8997 Co. Rd. 13 SE
www.SchoborgLand.com Delano, MN 55328

I hereby certify that this certificate of survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

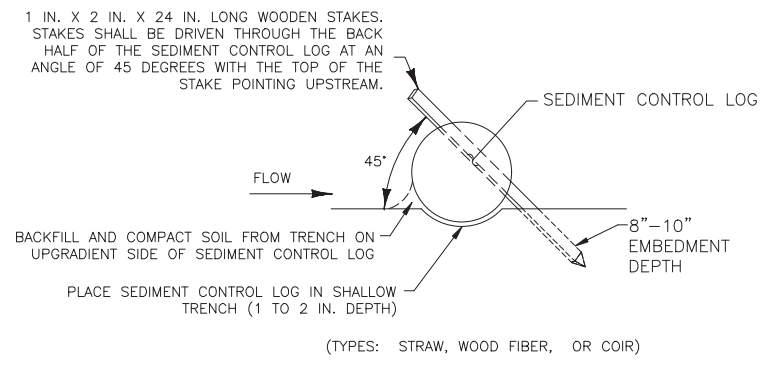
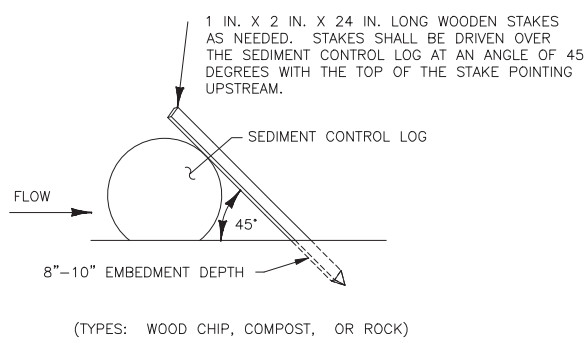
Kelly L. Brouwer
Kelly L. Brouwer

Date: November 7, 2024 Registration No. 48328

Job Number: 8946
Survey Date: 9/4/19, 11/5/24
Drawing Name: Smieja-11-05-24.dwg
Drawn by: KLB
Revisions: 11/7/24 (Hardcover)

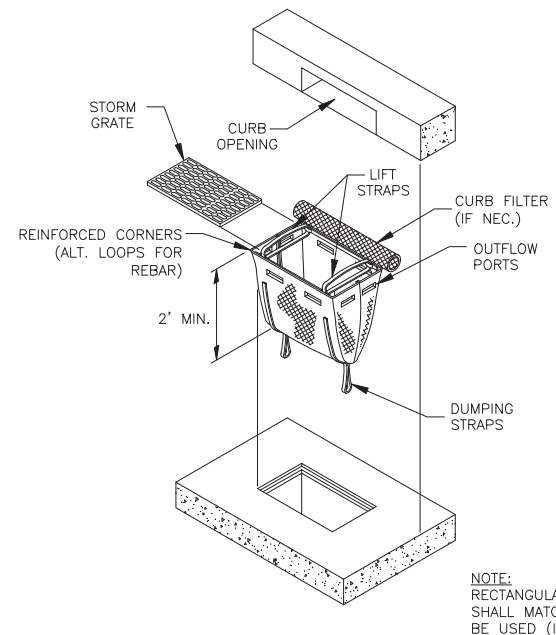


- LEGEND:**
- PROPERTY LINE
 - - - CONTOUR
 - DRAINAGE DIRECTION
 - - - - SEDIMENT CONTROL LOG
 - ▨ BIORETENTION/INFILTRATION BASIN
 - INLET PROTECTION

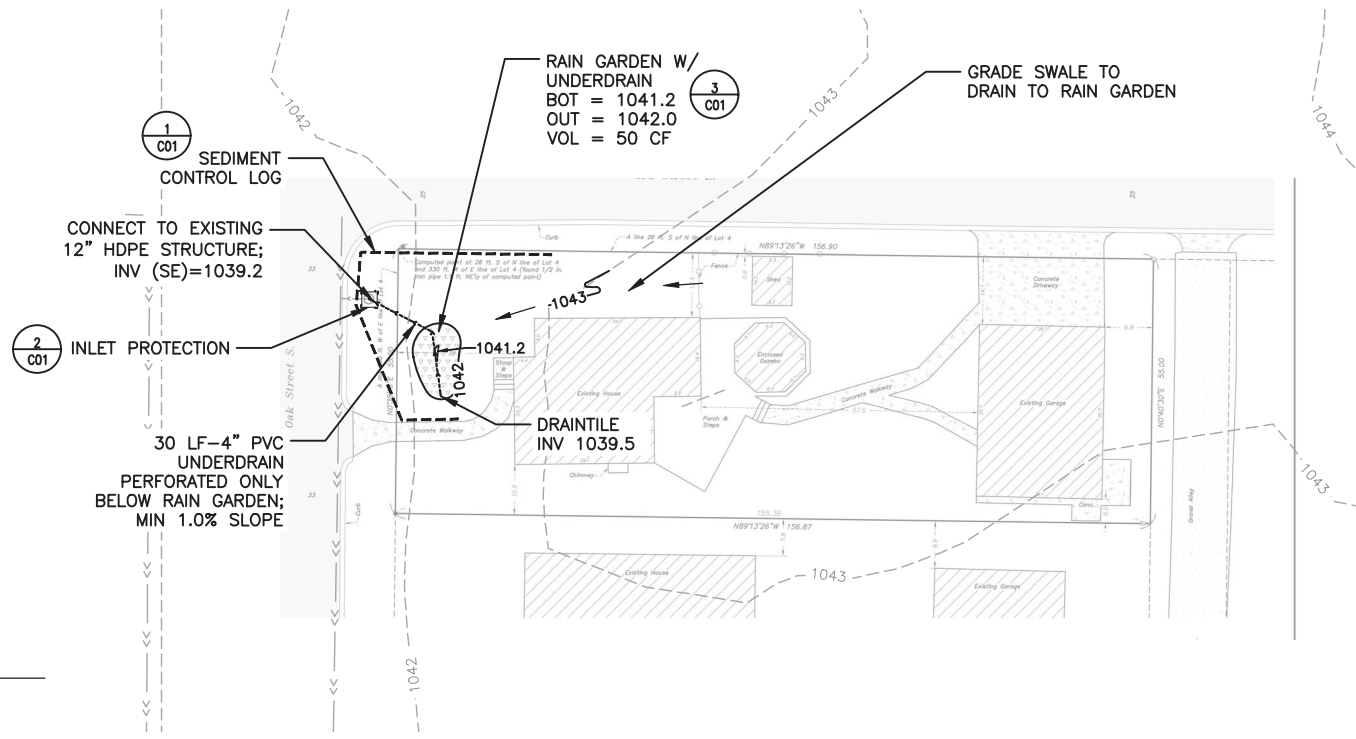


1 SEDIMENT CONTROL LOGS

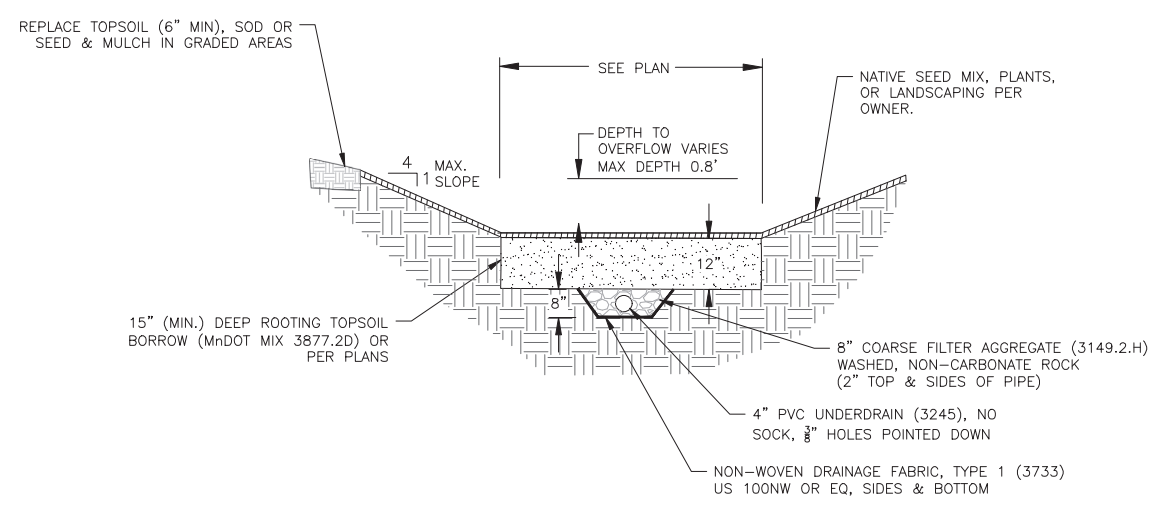
Mechanical Properties	Test Method	Units	MARV
Grab Tensile Strength	ASTM D 4632	kN (lbs)	1.78 (400) ± 1.40 (315)
Grab Tensile Elongation	ASTM D 4632	%	15 ± 15
Puncture Strength	ASTM D 4833	kN (lbs)	0.67 (150)
Mullen Burst Strength	ASTM D 3746	kPa (psi)	5556 (800)
Trapezoid Tear Strength	ASTM D 4533	kN (lbs)	0.67 (150) x 0.75 (165)
UV Resistance	ASTM D 4355	%	95
Apparent Opening Size	ASTM D 4751	Mm (US Std Sieve)	0.425 (40)
Flow Rate	ASTM D 4481	l/min/m ² (gal/min/ft ²)	2852 (70)
Permeability	ASTM D 4481	Sec ⁻¹	0.90



2 INLET PROTECTION - SEDIMENT SACK



3 RAIN GARDEN



GENERAL AND GRADING NOTES:

1. Site survey with existing utilities provided by others; Contractor is responsible for identifying location of all utilities in field (which may not be shown), including contacting Gopher State One Call and ensuring utilities are located prior to digging.
2. See Certificate of Survey and Site Plan for additional existing utility and lot dimension information.
3. Topsoil from grading areas shall be stripped, salvaged and stockpiled; subcut below final grade and replace salvaged topsoil to a minimum depth of 4".
4. Loosen compacted soils through raking, tilling or other methods to a depth of 6" (min.).
5. Unless noted otherwise, all proposed contours indicate finished grades.
6. Contractor is responsible for maintaining flow paths indicated, with roof runoff directed to the rain garden as indicated.
7. Provide consistent grade on yard swale as indicated to ensure positive drainage.
8. All grading and erosion control shall adhere to City requirements.

SEDIMENT CONTROL & TURF RESTORATION NOTES:

1. Perimeter sediment controls shall be installed as indicated prior to site disturbance, and shall be installed to allow for high-flow bypass or overflow to prevent failure during significant rainfall. Devices shall not back water up on adjacent properties.
2. Inlet protection shall be installed at City catch basins within 1 block of project site.
3. Contractor is responsible for keeping sediment from leaving the property, including vehicle tracking. Should sediment be tracked offsite onto adjacent street, Contractor shall sweep at the end of work day.
4. Install sediment control log around any soil stockpiles that will be present for more than 7 days.
5. Devices shall be inspected weekly and after all rainfall events exceeding 1", and maintained as necessary to keep the intended functional condition.
6. Accumulated sediment shall be removed from sediment control devices when 1/3 of device height has been reached.
7. After grading is completed, and topsoil spread, areas shall be sodded as soon as practical or within 7 days.
8. Perimeter sediment controls shall remain in place until vegetation is growing / established in all disturbed areas.

POLLUTION PREVENTION NOTES:

1. Concrete washout shall not be permitted onsite, unless done per MPCA standard.
2. Vehicle or equipment washing will not be performed on site.
3. All solid waste must be disposed of in accordance with all applicable federal and state regulations.
4. All hazardous materials must be properly stored to prevent spills or leaks; dispose per all applicable regulations, including MN Rule Ch. 7045.
5. Pesticides, herbicides, fertilizers, cleaners, paints, treatment chemicals, etc., must be stored under cover to prevent pollutant discharge (or similarly protected to prevent contact with stormwater).
6. DEWATERING, if necessary, shall be done in a manner so as to not discharge sediment-laden water or cause downstream nuisance conditions of standing water or erosion.

STORMWATER COMPLIANCE NARRATIVE

The site is regulated under the City of Waconia rules concerning allowable impervious area. Construction was previously completed on the site, causing the total impervious area to exceed the regulatory maximum. As a result, mitigation measures are required. The proposed rain garden is designed to offset the impact of the impervious area exceeding the allowable maximum.

The total impervious area on the site is 3539 SF. See the certificate of survey for the detailed breakdown of impervious area. The total parcel area is 8629 SF. This indicates 41% impervious area. The maximum allowable impervious percentage is 35%, or 3020 SF. Therefore, there is an excess of [3539 - 3020 =] 519 SF of impervious area. To offset the associated impact, retention storage must be provided in an amount equal to 1.1" of depth over the excess impervious area, or 48 CF. The proposed rain garden would provide 50 CF of retention storage prior to overflow, meeting the requirement.

A 4" PVC underdrain connected to the city storm drain system is also provided within the rain garden footprint, to ensure adequate drainage and prevent nuisance flow onto neighboring properties.



Print Date: 7/28/2025 4:53 PM File Loc: C:\CIVIL\Methods, Inc\CDM - Documents\17 - Projects\2502_301 Oak St Waconia\18 DRAWINGS AND SPECIFICATIONS\CDX\BIB\2502_301.dwg

CIVIL METHODS, INC.
P.O. Box 28038
St. Paul, MN 55128
o:763.210.5713 | www.civilmethods.com

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

DESIGNED: KEB
DRAWN: KEB
CHECKED: DMP

DATE: 07-28-2025
KENT E. BRANDER
LIC. NO.: 44578

DATE / REVISION:
07-28-2025 Permit Submittal Set, NOT FOR CONSTRUCTION

301 OAK ST S
ELIZABETH KUNZE
WACONIA, MN

GRADING & SWPPP

SHEET NO:
C01



City of Waconia

201 Vine Street South, Waconia, MN 55387

2014

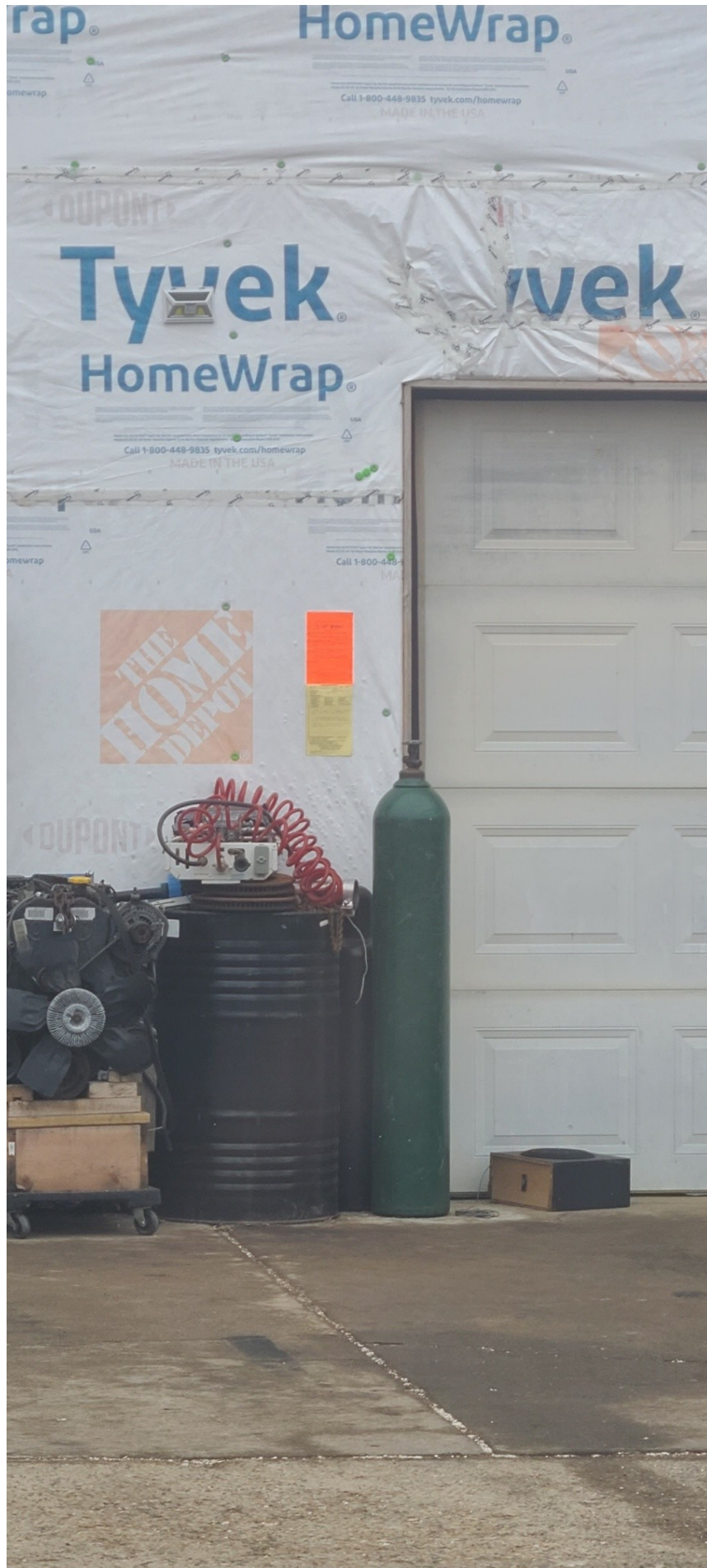
Landscape_8x11

October 2025

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From: [John Deleeuw](#)
To: [Abdihafid Sahal](#)
Cc: jsmieja25@gmail.com
Subject: Elizabeth Smieja Variance
Date: Monday, October 27, 2025 11:29:57 AM

To whom it may concern, The garage in question was already an existing garage, Unfortunately the garage burned down. I don't understand why you are hassling them since they are just replacing the structure and jumping through your hoops? maybe you can answer that question for me? they are good neighbors.

John Deleeuw
417 south Oak street
Waconia, MN
55387



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date: November 6, 2025	
Item Name: 6.1. Staff Update	
Originating Dept: Community Development	
Presented By: Lane Braaten	
Previous Council Action:	
Item Type:	Regular Session
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED:	
EXPLANATION OF AGENDA ITEM:	
ATTACHMENTS: None	
FINANCIAL IMPLICATIONS:	ADVISORY BOARD RECOMMENDATIONS:
Funding Sources & Uses:	Planning Commission:
Budget Information:	Park Board:
_____ Budgeted	Personnel Committee:
_____ Non-Budgeted	Other: More sample text.
_____ Amendment Required	