
MEMORANDUM



TO: Mayor & City Council
FROM: Mary Lou DeWitt, Comm. Dev. Zoning Specialist
SUBJECT: **Conditional Use Permit for the Oaks Apartment Accessory Building**
DATE: July 21st, 2023

No Action Required – Informational Only

Background:

Chad Winkelman, R.W. Builders, Inc., in behalf of Oaks Apartment submitted an application for a Conditional Use Permit to construct an accessory building of 800 square feet (20' x 40') where the total accessory structures combined exceed the 800 square foot Ordinance requirement. The property is located at 801 3rd Street North in the R-2, Residential Zoning District.

Analysis:

The apartment complex is an elderly living facility that is surrounded on both sides and rear property line by single family residential lots. The site has a current detached garage that is 672 square feet and stores resident's mobility scooters and other personal items. The proposed garage would contain the lawn maintenance and other miscellaneous equipment.

Zoning Requirements:

Side yard minimum setback (garage)	Rear yard minimum setback	Maximum height
5 feet	5 feet	24 feet

Storm Water:

The City Engineer reviewed the site survey and added the following recommendation that should be followed: *"It looks like there is currently a low spot here, I understand that this proposed project isn't going to make this worse, but I think there might be a perspective that it is once it's done since this project suggests putting in a berm now. I think it would be helpful for the applicant to have a conversation with the neighboring property owner to discuss the existing low point, and how the proposed berm will actually redirect the drainage that currently flows there."*

Fire Department:

The Princeton Fire Chief contacted the MN State Fire Marshall for the proposed accessory building. The response from the Fire Marshall *"As for the building addition to the property, the architect needs to submit this to Metro West Inspections for approval. Minnesota Building Code Section 602 and Table 602 has exterior wall rating requirements based on occupancy type and type of construction. Based on the Table and my limited knowledge of the building code, the exterior wall may need to be rated at this distance of 6 feet. I don't see where egress is violated with 6 feet of clearance."*

Princeton Fire Chief spoke with Larry Keenan, Keenan Architectural Group Inc. (Architect on this project for R.W. Builders, Inc). Per the email from the Fire Chief *"After talking with Larry Kee-*

nan, the wall should be a one-hour rated fire wall and the exiting door should be a fire rated door.”

Building Inspector:

Lynn Paulson, City Building Inspector viewed the proposed site plans and said the applicant would have to provide a letter with the building permit from Keenan Architectural stating it meets State Code with the door placement on the east side of the apartment building and 6’ foot clearance from the proposed accessory structure.

CONDITIONAL USE PERMIT

The proposed accessory building is 800 square feet, but there is a current accessory building of 672 square feet where the combined total of the two buildings exceed the 800 square feet Ordinance requirement.

Accessory Structure Zoning Definition:

A structure which is on the same parcel of property as a principal structure and the use of which is related to the use of the principal structure. The permitted square footage for accessory structures will be a total of the combined accessory structures on the parcel in that Zoning District.

General CUP Review Standards:

Subsection 3.B of Chapter IV outlines the standards of review of a conditional use permit:

1. The proposed use does not violate the health, safety, or general welfare of Princeton residents.

Comment: No characteristics of the proposed use appear that they may violate the health, safety, or general welfare of the Princeton residents.

2. The proposed use has been reviewed and approved by the City Engineer in regards to erosion, runoff, water pollution, and sedimentation.

Comment: The City Engineer has reviewed the plans and it does not appear that the proposed use will create any potential erosion, runoff, water pollution and sedimentation issues.

3. Adequate parking and loading is provided in compliance with the Ordinance.

Comment: The accessory building will be for lawn maintenance storage and no additional parking or loading will be needed.

4. Possible traffic generation and access problems have been addressed.

Comment: The proposed garage will be for lawn maintenance storage and other miscellaneous equipment.

5. The proposed use can be accommodated with existing public services and will not overburden the city’s service capacity.

Comment: The detached garage does not create additional capacity to the city services.

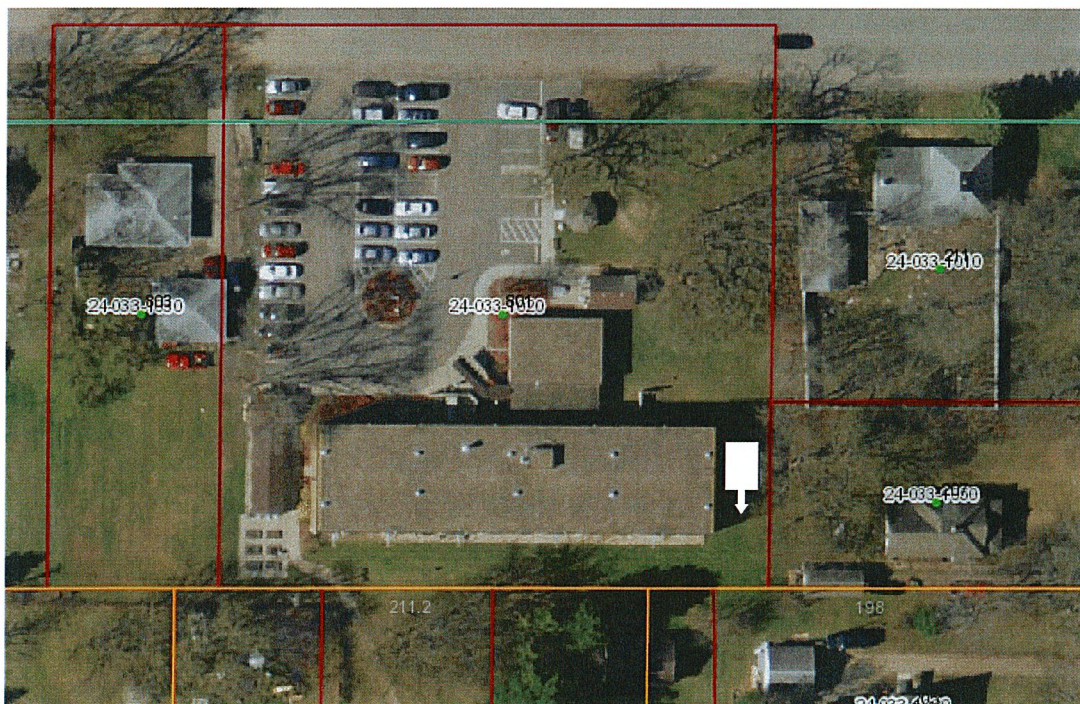
6. The proposed use conforms to the City’s Comprehensive Plan and is compatible with present and future land uses of the area.

Comment: No land use changes are being made to the site other than adding the 800 sq. ft. garage for Oak’s Apartment.

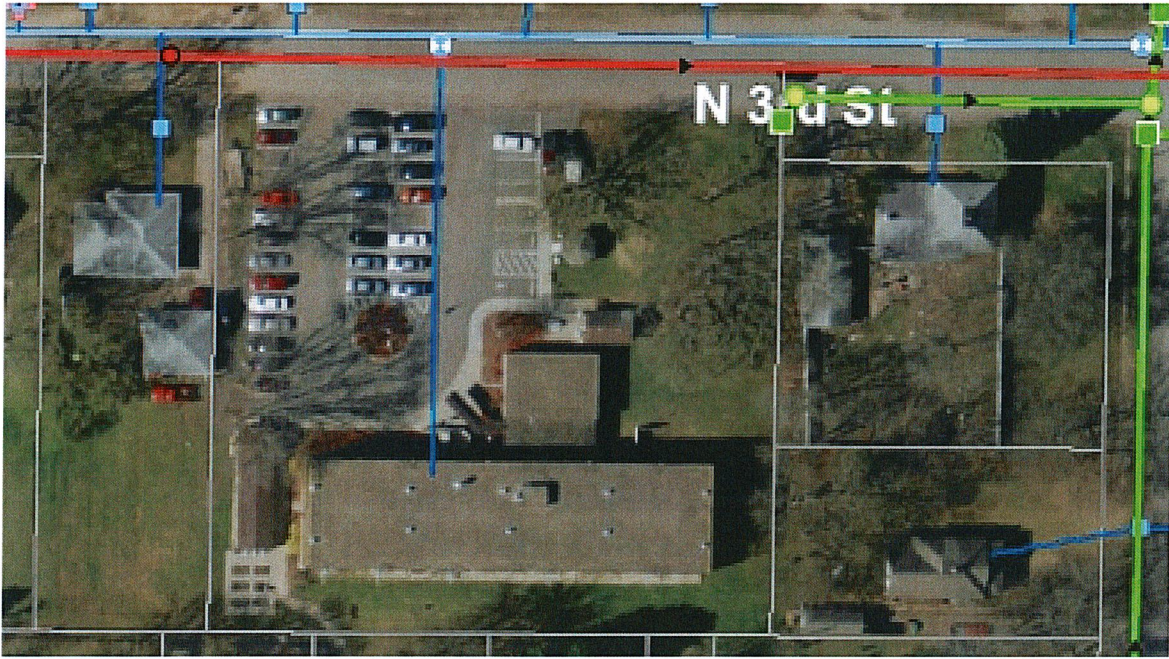
Conclusion / Recommendation:

The Planning Commission reviewed the Conditional Use Permit request on July 17, 2023 and approved Resolution #23-05 for the Conditional Use Permit to construct a 20' x 40' sq. ft. detached garage at 801 3rd Street North, where the total combined square footage of all accessory buildings would be in excess of 800 square feet in the R-2, Residential Zoning District with the following conditions:

1. A building permit shall be obtained and approved by the Building Inspector prior to construction.
2. The applicant will contact Princeton Public Utilities for the connection for electrical services.
3. The CUP shall be subject to the expiration terms of the Ordinance.
4. The siding and roofing materials shall consist of building materials in common use in residential construction and match or balance the exterior of the current buildings on site.
5. The City Engineer recommendation of having a conversation with the adjoining property owner on the proposed berm and how it will redirect the drainage that currently flows there.
6. The State Fire Marshall stated that the Architect needs to submit this to Metro West Inspections for approval. The MN Building Code Section 602 and Table 602 has exterior wall rating requirements based on occupancy type and type construction.
7. The Princeton Fire Chief said the wall should be a one-hour rated fire wall and the exiting door should be a fire rated door.



White box indicates the placement of the garage



■ Catch Basins Water



Electrical

PC RESOLUTION #23-05

**A RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO CONSTRUCT
AN ACCESSORY BUILDING OF 800 SQUARE FEET WHERE THE TOTAL
ACCESSORY STRUCTURES COMBINED ON THE PARCEL WILL EXCEED THE 800
SQUARE FEET ORDINANCE REQUIREMENT AT 801 3RD STREET NORTH IN THE
R-2, RESIDENTIAL ZONING DISTRICT**

Legal Description: That part of the Northeast Quarter of the Northwest Quarter of Section 33, Township 36, Range 26, described as commencing at the North Quarter Corner of said Section 33, as reestablished by the Mille Lacs County Surveyor's Certificate of Location on file in the office of the Register of Deeds of Mille Lacs County; thence South along the North and South Quarter Section line, as reestablished by said Mille Lacs County Surveyor's Certificate of Location, a distance of 313.50 feet; thence West parallel to the North line of the said Northeast Quarter of the Northwest Quarter a distance of 173.48 feet to the point of beginning; thence continuing West parallel to the North line of the said Northeast Quarter of the Northwest Quarter a distance of 240.88 feet; thence South parallel to the said North and South Quarter Section line a distance of 248.49 feet to the North line of Lot 1, Block 1, Dunham's Addition to Princeton; thence East along the said North line of Lot 1 and its extension a distance of 240.88 feet; thence North parallel to the said North and South Quarter Section line a distance of 248.49 feet to the point of beginning. City of Princeton, Mille Lacs County, PID #24-033-1020

WHEREAS, Chad Winkelman, R.W. Builders, Inc. in behalf of Oaks Apartments has submitted an application for a Conditional Use Permit to construct a detached accessory building 20' x 40' sq. ft; and

WHEREAS, the accessory building will be for lawn maintenance and other miscellaneous equipment for the Oaks Apartments; and

WHEREAS, the Zoning Ordinance states for accessory structures will be a total of the combined accessory structures on the parcel. There is a current 672 sq. ft. accessory building on the site and a Conditional Use Permit is required; and

WHEREAS, A public hearing was held by the Planning Commission on July 17th, 2023 after due published and posted notice had been given, and a reasonable attempt was made to give personal notice to all affected property owners, and all persons interested were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission reviewed the findings of fact and found the proposed use meets the general review standards and approves the Conditional Use Permit with the following conditions:

1. A building permit shall be obtained and approved by the Building Inspector prior to construction.
2. The applicant will contact Princeton Public Utilities for the connection for electrical services.
3. The CUP shall be subject to the expiration terms of the Ordinance.
4. The siding and roofing materials shall consist of building materials in common use in residential construction and match or balance the exterior of the current buildings on site.
5. The City Engineer recommendation of having a conversation with the adjoining property owner on the proposed berm and how it will redirect the drainage that currently flows there.
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ADOPTED this 17th day of July, 2023

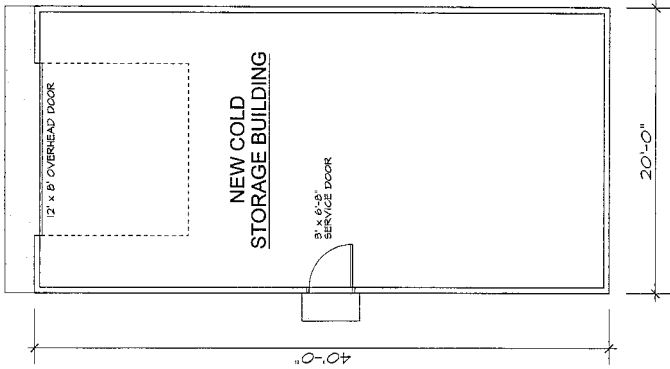
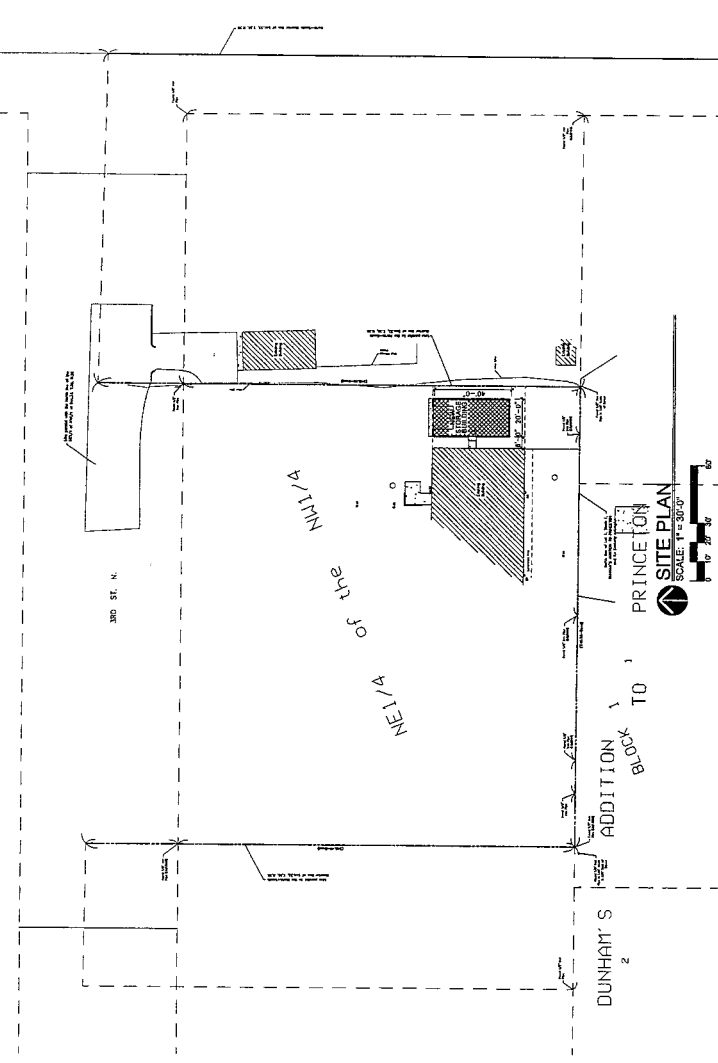
This instrument was drafted by:

City of Princeton
705 2nd Street No.
Princeton, MN 55371

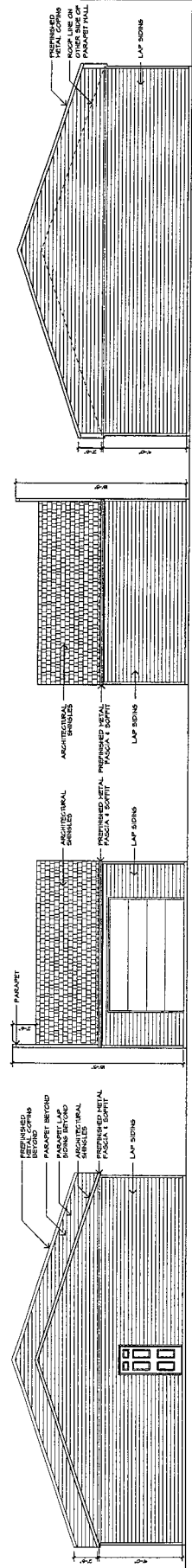
ATTEST:

Dan Erickson, Chair

Mary Lou DeWitt, Comm. Dev. Zoning Specialist



FLOOR PLAN
 SCALE: 1/4" = 1'-0"



EAST ELEVATION
 SCALE: 3/16" = 1'-0"

SOUTH ELEVATION
 SCALE: 3/16" = 1'-0"

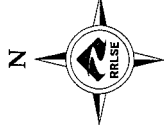
NORTH ELEVATION
 SCALE: 3/16" = 1'-0"

WEST ELEVATION
 SCALE: 3/16" = 1'-0"

EXISTING PROPERTY DESCRIPTION:
(PID NO. 24-035-1000) - PER RLI 03/07/09
That part of the Northwest Quarter of the Northwest Quarter of Section 33, Township 36, Range 26, County Surveyor's Certificate of Location on file in the office of the Register of Deeds of Mica Loo County, Section line, as reestablished by said Mica Loo County Surveyor's Certificate of Location, a distance of 313.50 feet to the North line of the Northwest Quarter, a distance of 240.88 feet to the North line of the North line of the North line and the extension of the North line of Lot 1 and the extension of the North line of Lot 2 and the extension of the North line of Lot 3, a distance of 240.88 feet to the point of beginning.

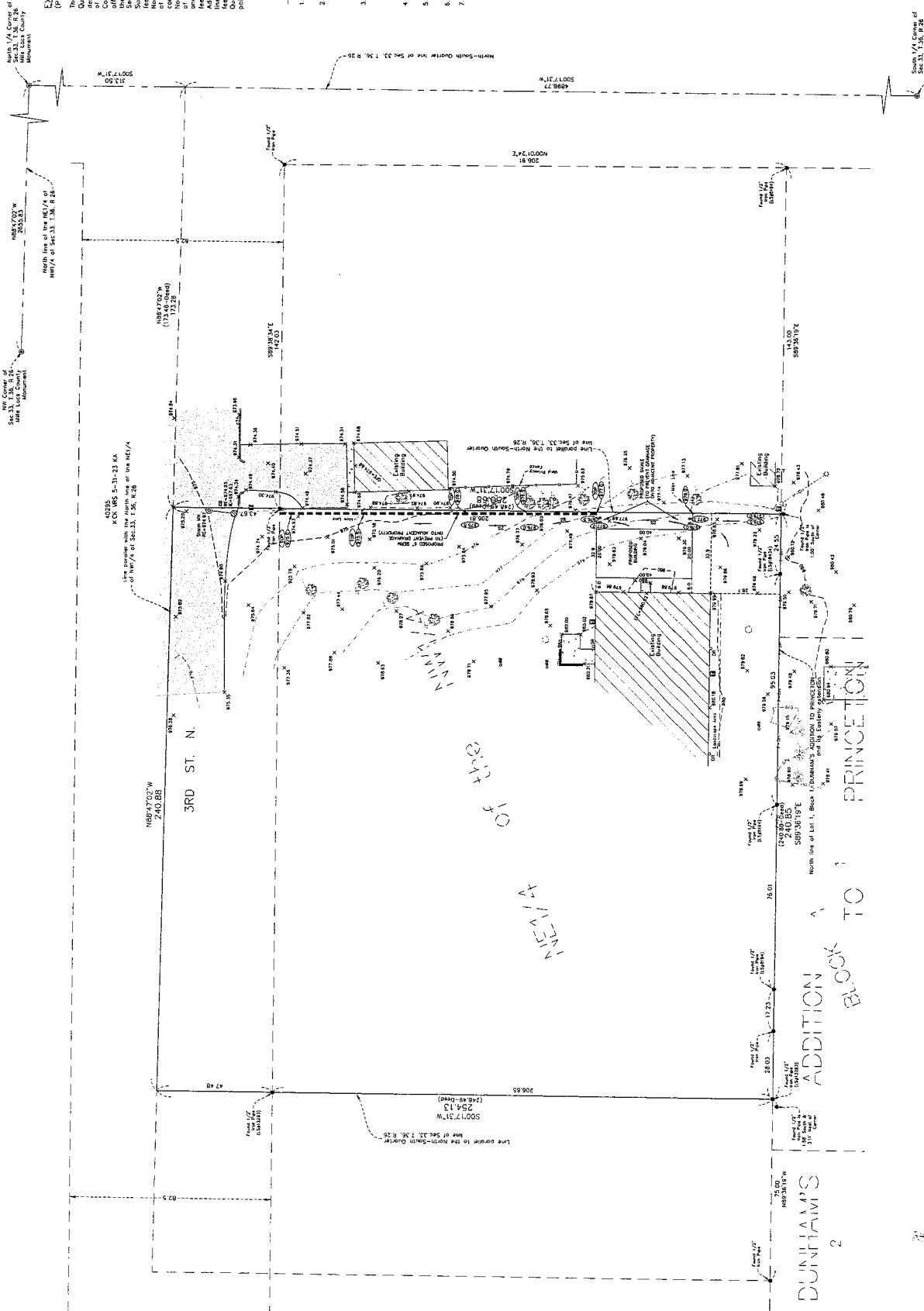
NOTES:

- Contractor to verify on building dimensions and elevations.
- Any property affected by this survey shall be made to obtain or show such confirming evidence, with reference to the date, nature, grade, mortgage or public record.
- The professional surveyor has made no investigation or search of records or other documents, existing, past, future, or otherwise, which might affect or alter the current law and the present location, extent and character of property in areas SH, FL, or S & A Areas.
- Boundaries are based on the Mica Loo County Coroner's System.
- Builder/Owner please retaining walls as needed.
- Lowest floor Elevation is subject to soil/water table conditions and approved by the local building official.



- LEGEND**
- ⊖ = Deposits wire monument found
 - ⊙ = Deposits catchbasin
 - ⊗ = Deposits storm sewer manhole
 - ⊕ = Deposits storm sewer manhole
 - ⊙ = Deposits utility pole
 - ⊕ = Deposits overhead utility line
 - ⊖ = Deposits guy wire
 - ⊙ = Deposits cypress tree
 - ⊗ = Deposits road tree
 - ⊕ = Deposits road tree
 - ⊖ = Deposits irrigation valve
 - ⊕ = Deposits existing structure
 - ⊙ = Deposits existing structure
 - ⊕ = Deposits offset lot, etc.

SITE SURVEY FOR RW BUILDERS INC.
DATE: 06/13/23 **FILE NO. P-2023-04**



RUM RIVER LAND SURVEYORS & ENGINEERS
1450 3RD ST SW
EDMONTON, ALBERTA T6B 0B7

REVISION	DATE	BY	CHK

SCALE: HORIZ. 1" = 20' VERT. 1" = 20'
BOOK: 2003/P PRE: 2023/13

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Minnesota.
PRELIMINARY
Date: 06/13/23
Bijan Payson, M.N. License No. 487139

PROPOSED BUILDING ELEVATIONS:
Top of Sub Elevation: XXX.X

CONTRACTOR'S USE ONLY
DATE: _____
BY: _____