

CITY OF HAM LAKE

15544 Central Avenue NE
Ham Lake, Minnesota 55304
(763) 434-9555
Fax (763) 434-9599

CITY OF HAM LAKE PLANNING COMMISSION AGENDA MONDAY, JULY 11, 2022

CALL TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: June 27, 2022

PUBLIC HEARING: None

NEW BUSINESS:

1. Richard and Diane Sylvester requesting Sketch Plan approval for Toby's Trails (7 single family residential lots) located in Section 15

COMMISSION BUSINESS:

1. City Council Update

CITY OF HAM LAKE
PLANNING COMMISSION MINUTES
MONDAY, JUNE 27, 2022

The Ham Lake Planning Commission met for its regular meeting on Monday, June 27, 2022 in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Chair Brian Pogalz and Commissioners Dave Ringler, Scott Heaton, Jeff Entsminger and Jonathan Fisher

MEMBERS ABSENT: Commissioners Kyle Lejonvarn and Erin Dixson

OTHERS PRESENT: City Engineer, Tom Collins and Building and Zoning Clerk, Jennifer Bohr

CALL TO ORDER: Chair Pogalz called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited by all in attendance.

APPROVAL OF MINUTES:

Motion by Ringler, seconded by Fisher, to approve the minutes of the June 13, 2022 Planning Commission meeting as written. All present in favor, motion carried.

PUBLIC HEARING: None

NEW BUSINESS:

Gary Houle, Lino Lakes Landscaping, requesting Sketch Plan approval for Bluegrass Estates 3rd Addition (16 single family residential lots) located in Section 01.

Mr. Gary Houle was present. Chair Pogalz stated the overall Bluegrass Estates Sketch Plan was approved in 2003 and Preliminary Plat approval was in 2005; due to the length of time that has passed, and some minor revisions, a Sketch Plan for the third phase has been submitted. Engineer Collins stated there are 16 lots proposed in the third addition and 6 lots proposed in a future fourth addition. Engineer Collins stated the temporary cul-de-sac in the southerly portion of the 16-lot development will be extended to the Lexington Avenue NE and Broadway Avenue NE intersection when the future 6 lot development is constructed; the alignment proposed for that street extension is different than what was approved in 2005. Engineer Collins stated 178th Avenue NE is the northern most outlet to Lexington Avenue NE, a County roadway. Engineer Collins stated that the Anoka County Highway Department wanted northbound and southbound

turn lanes constructed at the Lexington Avenue NE and Broadway Avenue NE intersection when they reviewed this development years ago; there may be turn lane and/or bypass lane requirements at 178th Avenue NE outlet. Engineer Collins stated a 20-foot trail easement to be dedicated on the east side of the development, adjacent to Anoka County right-of-way, is impacting livability requirements for Lot 5. Engineer Collins stated Section 10-302.C of the City Code is not clear as to whether or not trail easements can encroach into yard areas; a message will be sent to the City Attorney to clarify this. Engineer Collins stated the variance should be granted as the lot would meet livability requirements if a trail easement was not required. Engineer Collins stated he would recommend a variance to the 300-foot intersection spacing from Lexington Avenue NE to the proposed Stutz Street NE at 178th Avenue NE due to the significant amount of resulting wetland impacts if Stutz Street NE is moved further west to meet the 300-foot intersection spacing from Lexington Avenue NE. Engineer Collins stated in 2004 and 2006 the Park and Tree Commission recommended the dedication of a 20-foot trail easement along Lexington Avenue NE and that the developer should obtain approval for wetland impacts and wetland mitigation associated with the future construction of the trail by the City; the value of the 20-foot trail easement and the cost of the wetland mitigation study should be deducted from the parkland dedication fee. Engineer Collins stated Public Works Superintendent John Witkowski does not recommend acquiring any additional land, beyond what has already been dedicated for the 6.95-acre park. Engineer Collins stated the majority of the proposed development is within a FEMA, Zone A, 100-year flood boundary; Letters of Map Amendment (LOMA) will be required. Engineer Collins stated the plat will require approval from two watersheds-the Coon Creek Watershed District (CCWD) and the Sunrise River Watershed District. **Motion by Pogalz, seconded by Ringler, to recommend approval of the Bluegrass Estates 3rd Addition Sketch Plan presented by Gary Houle, Lino Lakes Landscaping, for a 16-lot single family residential plat located in Section 01 subject to obtaining a variance to the yard area requirement due to the City requiring a 20-foot trail easement along Lexington Avenue NE, obtaining a variance to the 300-foot intersection spacing from Lexington Avenue NE to the proposed Stutz Street NE at 178th Avenue NE due to the amount of wetland to the west of Stutz Street NE, obtaining a 20-foot trail easement west of Lexington Avenue NE, the developer obtaining approval for wetland impacts and wetland mitigation associated with constructing the trail, accepting money in lieu of parkland deducting the value of the trail and the cost of the wetland mitigation study from monies due, meeting the requirements of the City Engineer and meeting all City, State and County requirements. All present in favor, motion carried. This item will be placed on the July 5, 2022 City Council Agenda.**

Larry Schwartz requesting Sketch Plan approval for Schwartz Estates (3 single family residential lots) located in Section 23.

Mr. and Mrs. Larry Schwartz were present. Chair Pogalz asked Engineer Collins to comment on the plat. Engineer Collins stated the plat consists of three lots and it will be reviewed as a minor plat. Engineer Collins stated the current zoning is Rural Single Family Residential (R-A), the proposed zoning is Single Family Residential (R-1). Engineer Collins stated the plans show an existing house and accessory building on Lot 1 which are to be removed. Engineer Collins stated a septic compliance inspection is not

required for Lot 1 with the existing structures as soil borings for the proposed septic system on that lot have already been done. Engineer Collins stated the wetland boundary on the plans in the southeast corner of the plat will need to be modified as the wetland area is larger than what is shown on the sketch plan; the approximate southerly third of the proposed plat is designated as FEMA Flood Zone A, the final plans will need to show the Zone A boundary; CCWD approval is needed for the plat although CCWD has confirmed that the process of platting 3 lots on this property does not trigger their stormwater requirements. Engineer Collins stated Public Works Superintendent John Witkowski recommends accepting money in lieu of parkland for this plat; a \$2500 parkland fee and a \$200 drainage fee will be required for each lot in the plat; the fees will have to be paid before a building permit can be issued; there will not be any road improvements in this development so there will not be a development agreement. Engineer Collins stated the existing fence in the 155th Avenue NE right-of-way will need to be removed and that will need to be shown on the preliminary/final plat submittal. Mr. Schwartz stated the home that was on Lot 1 has already been removed but the pole barn is not proposed to be removed. Engineer Collins stated the preliminary/final plat submittal will need to verify that the accessory building complies with City Code. **Motion by Pogalz, seconded by Heaton, to recommend approval of the Schwartz Estates Sketch Plan presented by Larry Schwartz, for a 3-lot single family residential plat located in Section 23 subject to the removal of the house on Lot 1, removal of the existing fence within the 155th Avenue NE right-of-way, accepting money in lieu of parkland, meeting the requirements of the City Engineer and meeting all City, State and County requirements. All present in favor, motion carried. *This item will be placed on the July 5, 2022 City Council Agenda.***

COMMISSION BUSINESS:

City Council Update

A commissioner was not present at the June 20, 2022 City Council meeting; no update was given. A Planning Commissioner will not be present at the July 5, 2022 City Council meeting.

ADJOURNMENT:

Motion by Heaton, seconded by Fisher, to adjourn the Planning Commission meeting at 6:27 p.m. All present in favor, motion carried.

Jennifer Bohr
Building and Zoning Clerk



CITY OF HAM LAKE

PLANNING REQUEST

15544 Central Avenue NE

Ham Lake, MN 55304

Phone (763) 434-9555 Fax (763) 235-1697

Date of Application 6/27/2022

Date of Receipt 6-27-22
Receipt # 73177

Meeting Appearance Dates:
Planning Commission 7-11-22

City Council _____

Please check request(s):

- Metes & Bounds Conveyance
- Sketch Plan
- Preliminary Plat Approval*
- Final Plat Approval
- Rezoning*
- Multiple Dog License*

- Commercial Building Permit
- Certificate of Occupancy
- Home Occupation Permit
- Conditional Use Permit (New)*
- Conditional Use Permit (Renewal)
- Other _____

**NOTE: Advisory Signage is required for land use alterations and future road connections. This application also requires a Public Hearing. Such fees shall be deducted from deposit.*

Development/Business Name: Toby's Trails

Address/Location of property: 16220 Naples St Ham Lake MN

Legal Description of property: SE 1/4 of NE 1/4 of Sec 15 Township 32 Range 23

PIN # 15-32-23-14-0004 Current Zoning R-A+R-1 Proposed Zoning R-1

Notes: 7 lot development

Applicant's Name: Richard + Diane Sylvester

Business Name: _____

Address 16220 Naples St Ham Lake MN

City Ham Lake State MN Zip Code 55304

Phone _____ Cell Phone 763 229 1247 Fax _____

Email address Diane.Sylvester@Hotmail.com

You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required items have been received by the City of Ham Lake.

SIGNATURE Diane Sylvester DATE 6/27/2022

- FOR STAFF USE ONLY -

ACTION BY: Planning Commission _____
City Council _____

PROPERTY TAXES CURRENT YES NO

Memorandum

Date: July 7, 2022

To: Planning Commissioners

From: Tom Collins, City Engineer **TPC**

Subject: Toby's Trails

Introduction:

The Sketch Plan proposes to subdivide the 25.78-acre 16220 Naples Street / 15-32-23-14-0004 parcel (<https://gis.anokacountymn.gov/propertysearch/?find=15-32-23-14-0004>) into seven lots. The parcel is currently split zoned, with Rural Single Family Residential (R-A) over the southerly portion and Single Family Residential (R-1) over the northerly portion. The entire parcel would be zoned R-1 following final plat approval. A 600-scale zoning map, 400 scale half-section map and a 300 scale aerial photo are attached.

Discussion:

City Code section 10-430I stipulates that all lots within a proposed subdivision must have frontage upon and access to a paved public road. The Lot 1 and Lot 2 driveways are accessing Naples Street, which is not paved. The development will be required to upgrade Naples Street to the southeast corner of Lot 1. Naples Street is designated as a municipal state aid street, and the design must meet MnDOT state aid standards for a 9-ton structural capacity roadway. The existing Lot 1 driveway is identified as a gravel surface. Per 10-430E.2 of City Code, the existing driveway will have to be paved, else it is not eligible for any future building permits.

Per the attached Proposed Municipal Bike Trail System exhibit, Naples Street is identified as proposed bike lane and Constance Boulevard is identified as a proposed bike path. The existing Naples Street right-of-way is adequate to construct bike lanes, which requires 34 feet of bituminous for 11-foot wide drive lanes and 6-foot wide bike lanes in each direction. Because the future bike route is anticipated to be on the north side of Constance Boulevard, where 20-foot wide easements were obtained with the plats of Lake Netta Preserve and Nettas Preserve, easements are not warranted for a future bike path. Per correspondence with Public Works Superintendent John Witkowski, parkland dedication is not recommended and parkland dedication fees will be credited with the cost for construction of the bike lanes.

All lots meet the requirements of 10-430I lot standards of City Code. The existing house and accessory building are to remain on Lot 1. A compliance inspection will be required for the existing septic system per 11-450.4c of City Code. The existing 3,200 square foot (40-foot by 80-foot) accessory building exceeds the 3,000 square foot maximum accessory building size threshold of 9-370.1 (attached) of City Code for a parcel that is greater than 5-acres and up to 10-acres in size. Per discussion with the Building Official, it is recommended that the 3,200 square foot accessory building be approved by City Council.

Per the attached 600 scale Thoroughfare Map, it is anticipated that there will be a future road extension of East Lake Netta Drive to the south of Constance Boulevard. The Sketch Plan includes 33-feet of right-of-way dedication, tapering to the southwest, in the northwest portion of Lot 7.

Constance Boulevard driveway connections are proposed for Lots 3 thru 7. Anoka County Highway Department (ACHD) approval of five new driveways will be required. The ACHD may request that the parcel be developed from the East Lake Netta Drive extension to the south rather than direct driveway accesses.

Coon Creek Watershed District (CCWD) approval is required. The wetlands identified in the September 2021 wetland delineation report, per the attached Figure 5 Delineation Map, have been approved by the CCWD. The Natural Heritage Information System data review by the DNR is required to determine whether any state-protected species may be located within the plat boundary. The parcels are not located within any of the 20 natural resource clusters identified in the Anoka Conservation District's April 2008 Natural Resources Inventory and Assessment (NRIA). The NRIA is Appendix S of the Storm Water Pollution Prevention Plan.

The dedication of 10-foot drainage and utility easements is required adjacent to all proposed lot lines, along with easements that contain the wetland buffers.. The contiguous wetland within Lot 7 is a ditch, that provides an outlet to the private ditches to the north within the Nettas Preserve residential development. Additional easement dedication may be required for future ditch maintenance.

The southerly portion of the parcel is designated as FEMA Zone A, which represents an approximation of the 100-year flood elevation. The preliminary plat submittal will need to show the Zone A boundary to verify that no portion of the Lot 7 building pad is within the Zone A designation.

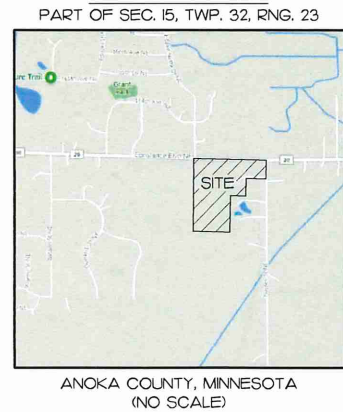
Recommendations:

It is recommended that the Toby's Trail Sketch Plan be recommended for approval.

CONCEPT PLAN

~of~ TOBY'S TRAILS
~for~ RICHARD AND DIANE SYLVESTER

VICINITY MAP



PROPERTY DESCRIPTION

The Southeast Quarter of the Northeast Quarter of Section 15, Township 32, Range 23, Anoka County, Minnesota.

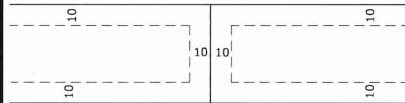
EXCEPT
The East 657.04 feet of the South 663 feet of said Quarter Quarter.

AND EXCEPT
The East 373 feet of the North 320 feet of the South 983 feet of said Quarter Quarter.

AND EXCEPT
Parcel No. 3, Anoka County Highway Right-of-way Plat No. 21, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder, Anoka County, Minnesota.

TYPICAL EASEMENTS

(NOT TO SCALE)



BEING 10 FEET IN WIDTH ADJOINING RIGHT OF WAY LINES AND 10 FEET IN WIDTH ADJOINING LOT LINES UNLESS OTHERWISE SHOWN.

NOTES

- Bearings shown are on Anoka County datum.
- Total lot acres include adjoining 33' feet of street per ordinance.
- 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.
- Wetlands delineated by Jacobson Environmental, PLLC.

Parcel ID: 15-32-23-14-0004

Owner: Sylvester Trustee, Diane K

DEVELOPMENT DATA

TOTAL SITE AREA = 25.78± ACRES
7 PROPOSED SINGLE FAMILY LOTS
AVERAGE LOT SIZE = 3.68± ACRES
MINIMUM STREET FRONTAGE = 200 FEET
MINIMUM LOT SIZE = 1.00 ACRES (including 33 feet of adjoining street)
PROPOSED ZONING = R-1
BUILDING SETBACKS
FRONT = 30 FEET
SIDE = 10 FEET
REAR = 50 FEET
COUNTY ROAD = 50 FEET

LEGEND

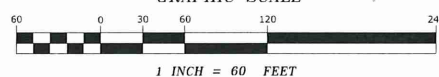
- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- DENOTES SOIL BORING BY TRADEWELL SOIL TESTING
- DENOTES EXISTING CONTOURS
- DENOTES AREA 1' ABOVE MOTTLES
- - - DENOTES APPROXIMATE FEMA FLOOD ZONE A LINE FROM FEMA FLOOD INSURANCE RATE MAP NO. 27003C0215A AND 27003C0220E EFFECTIVE DATE DECEMBER 16TH, 2015.

NORTH

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.

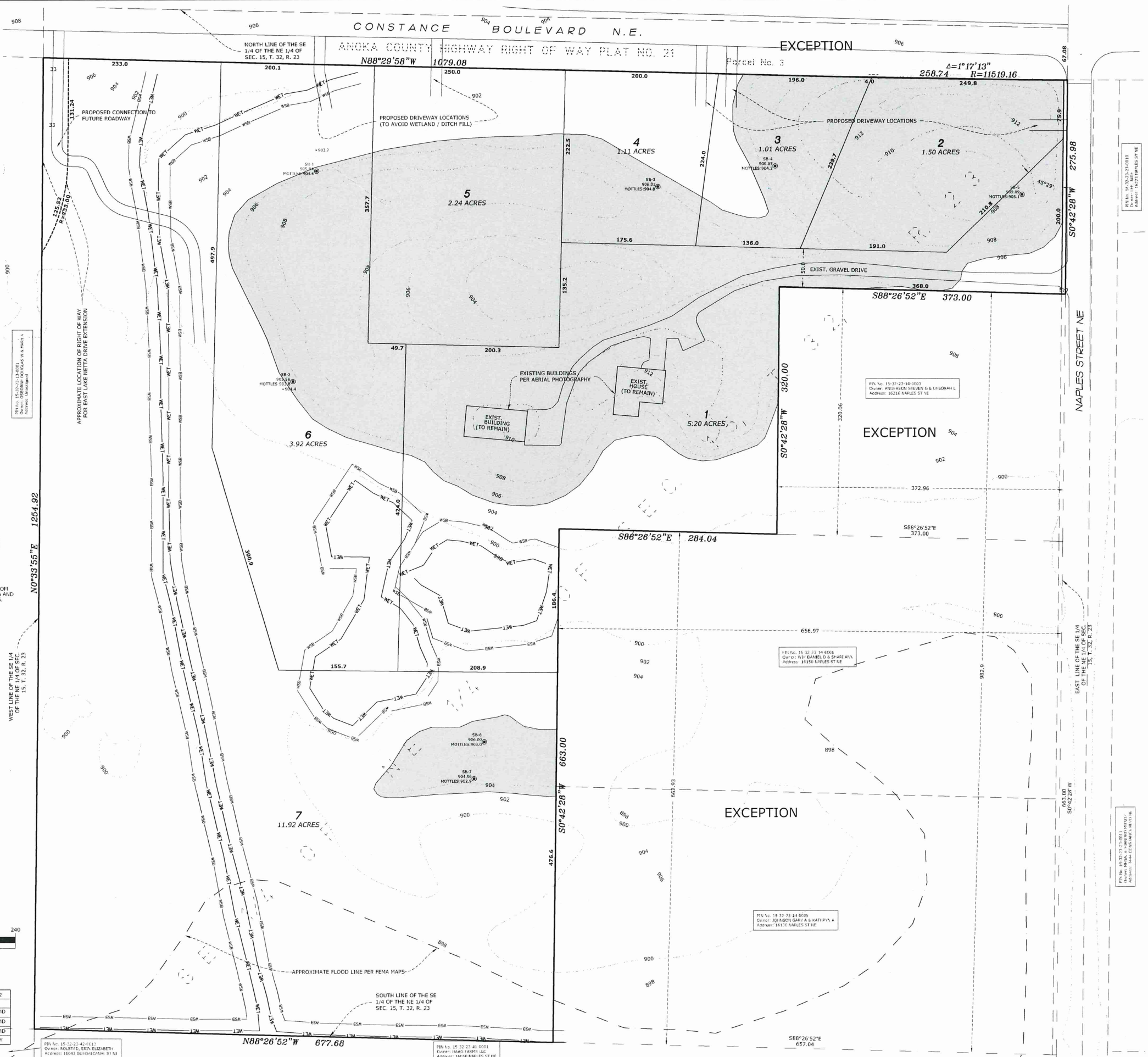
JASON S. RUD
Date: 06/30/2022 License No. 41578

GRAPHIC SCALE



E. G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

NO.	DATE	DESCRIPTION	BY
1	06/08/22	LOT 5 REVISION	MMID
2	06/28/22	CITY COMMENTS	MMID
3	06/30/22	CITY COMMENTS	MMID



PN No. 15-32-23-14-0004
Owner: RICHARD AND DIANE SYLVESTER
Address: 6643 GARDEN CAPITAL ST NE

PN No. 15-32-23-14-0005
Owner: JAMES JAMES LLC
Address: 1630 NAPLES ST NE

PN No. 15-32-23-14-0005
Owner: JAMES JAMES LLC
Address: 1630 NAPLES ST NE

PN No. 15-32-23-14-0006
Owner: WYDANIEL D & SHARON A
Address: 1630 NAPLES ST NE

PN No. 15-32-23-14-0003
Owner: ANDREW STEVEN G. LIPSDORF L
Address: 1630 NAPLES ST NE

PN No. 15-32-23-14-0001
Owner: JAMES JAMES LLC
Address: 1630 NAPLES ST NE

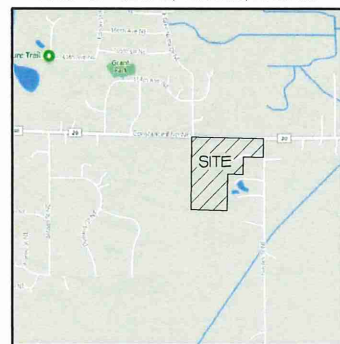
PN No. 15-32-23-14-0010
Owner: JAMES JAMES LLC
Address: 1630 NAPLES ST NE

CONCEPT PLAN

~of~ TOBY'S TRAILS
~for~ RICHARD AND DIANE SYLVESTER

VICINITY MAP

PART OF SEC. 15, TWP. 32, RNG. 23



ANOKA COUNTY, MINNESOTA
(NO SCALE)

PROPERTY DESCRIPTION

The Southeast Quarter of the Northeast Quarter of Section 15, Township 32, Range 23, Anoka County, Minnesota.

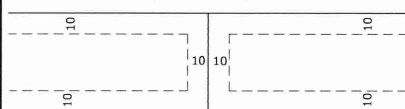
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(NOT TO SCALE)



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Parcel ID: 15-32-23-14-0004

Owner: Sylvester Trustee, Diane K

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LEGEND

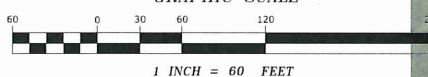
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NORTH

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.

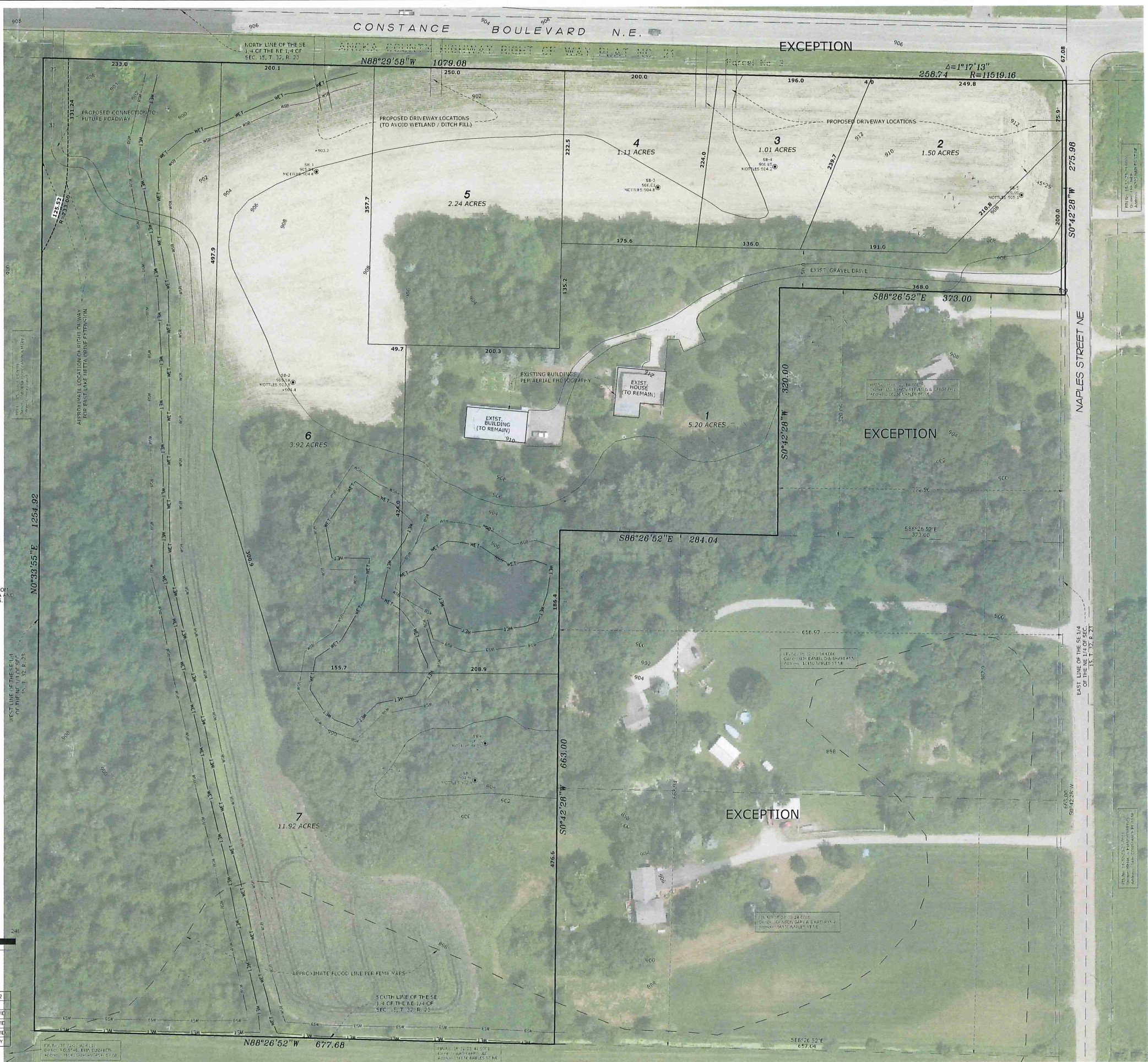
JASON E. RUD
Date: 06/30/2022 License No. 41578

GRAPHIC SCALE



E. G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

NO.	DATE	DESCRIPTION	BY
1	06/08/22	LOT 5 REVISION	MMJ
2	06/28/22	CITY COMMENTS	MMJ
3	06/30/22	CITY COMMENTS	MMJ



SHOKL 16624
2ND ADDN.
RS-2
166TH LN.
165TH LN.
165TH AVE.

METROPOLITAN AIRPORTS COMMISSION
WETLAND MITIGATION SITE

164TH AVE.
163RD LN.
EDISON ST.
GUADALCANAL ST.
E LAKE NETTA DR.
KISKA ST.
NETTAS PRESERVE
RED PINE ESTATES

162ND AVE.
R-A
R-1
CONSTANCE BLVD. (CR 60)
NAPLES ST.

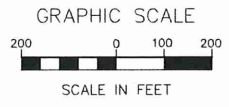
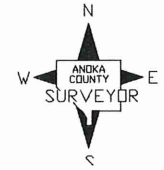
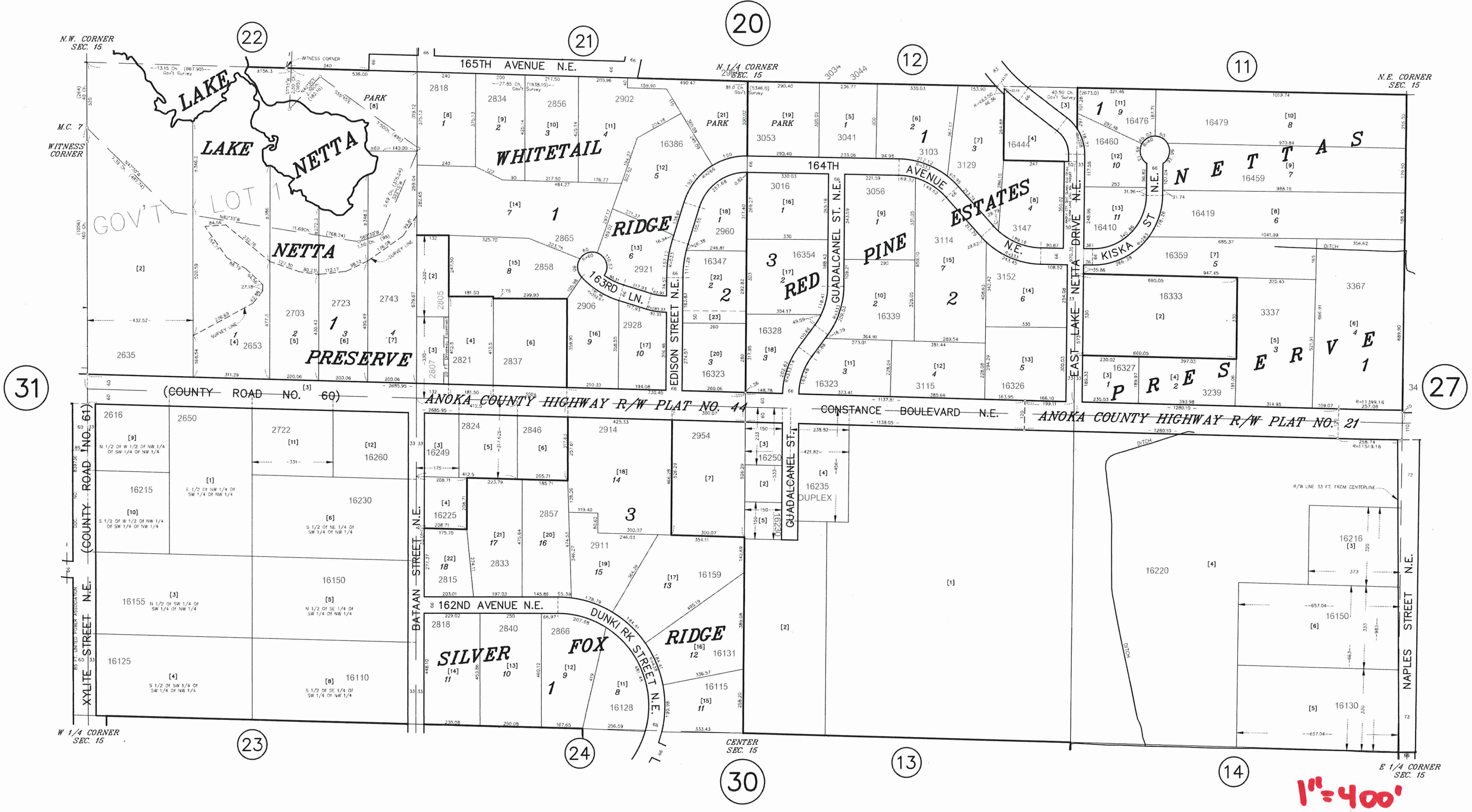
160TH LN.
159TH AVE.
DUNKIRK ST.
SILVER FOX RIDGE
GUADALCANAL ST.

2816
15720

1" = 600'

N 1/2 SECTION 15, T. 32, R. 23

CITY OF HAM LAKE



ANOKA COUNTY
SURVEYOR'S OFFICE
ROOM 224
2100 3RD AVENUE
ANOKA, MN 55303
(763) 324-3200

QUARTER QUARTER INDEX

22	21	12	11
23	24	13	14
32	31	42	41
33	34	43	44

NORTH HALF OF SECTION

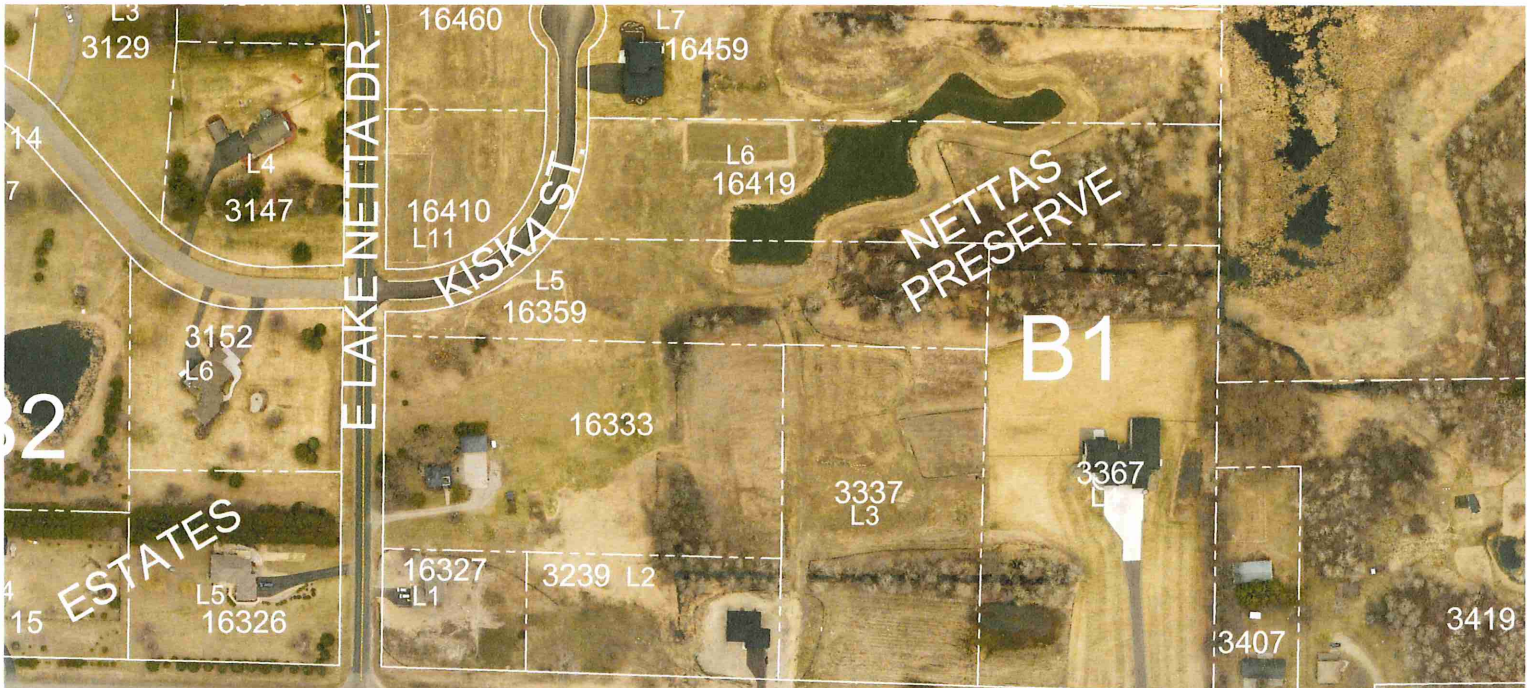
SOUTH HALF OF SECTION

PROPERTY IDENTIFICATION NUMBER

Section Number	Township Number	Range Number	Quarter Number	Specific Parcel
XX	XX	XX	XX	XXXX

SPECIFIC PARCEL NUMBERS ARE IN BRACKETS: [1]
EXAMPLE OF PIN NUMBER: 15-32-23-24-0011

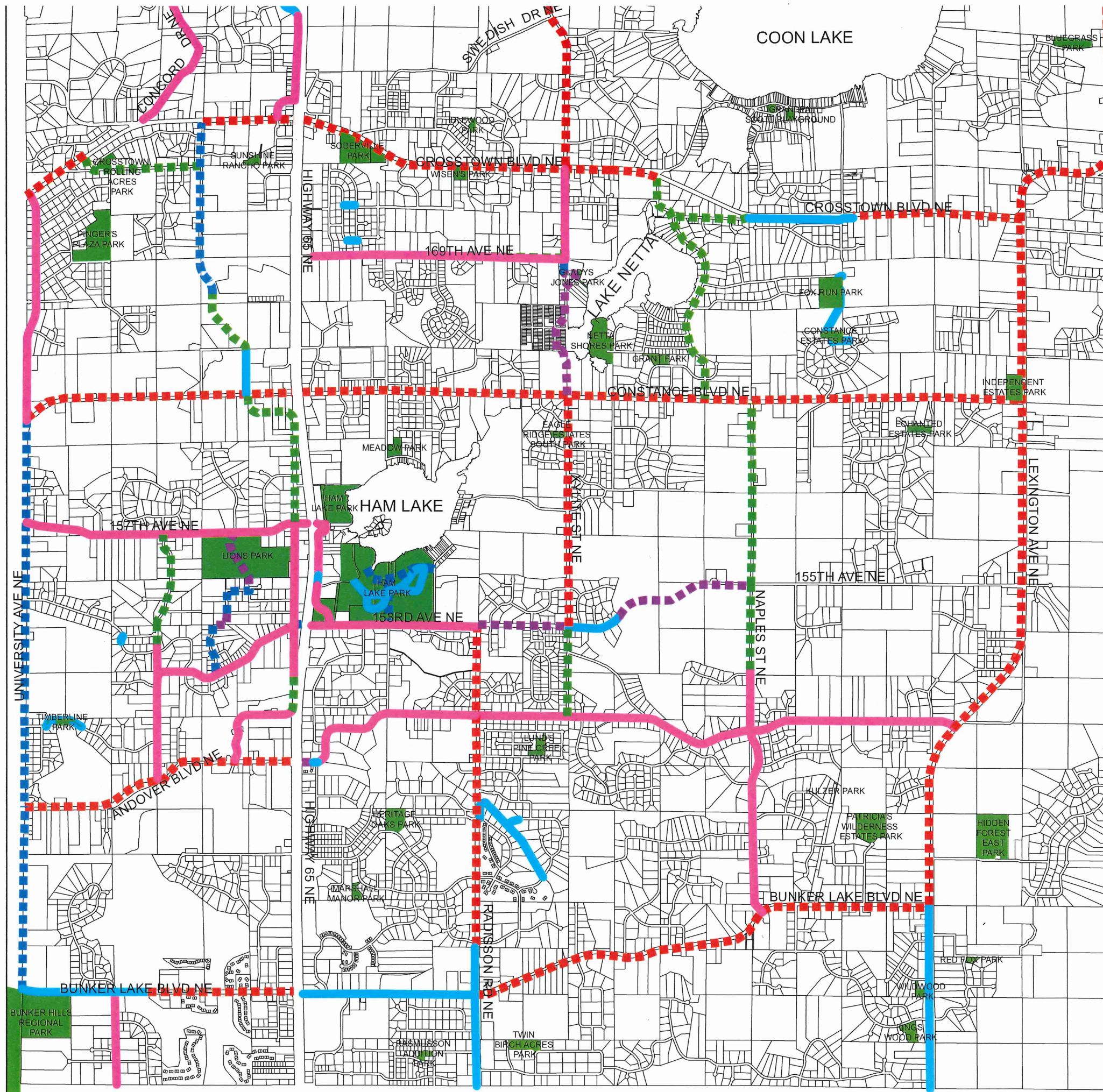
THIS IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE ANOKA COUNTY OFFICES AFFECTING THE AREA SHOWN. THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.





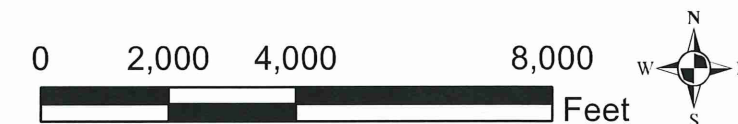
HAM LAKE, MINNESOTA

PROPOSED MUNICIPAL BIKE TRAIL SYSTEM



LEGEND

- Existing Bike Lane
- Existing Bike Path
- Proposed County Bike Path
- Proposed Bike Lane/Path
- Proposed Bike Lane
- Proposed Bike Path
- Existing Park



MAP DATE:

4/17/2022



9-370.1 Size Limitations An *Accessory Building* shall be no more than one story in height, and the following size limitations shall apply to *Accessory Buildings*:

Lot size	Maximum Accessory Building Size*	
	Front Yard Setback**	Side or Rear Yard Setback***
One acre or less	676 sq. ft.	1000 sq. ft.
1+ acre to 2.5 acres****	720 sq. ft.	1500 sq. ft.
2.5+ acres to 5 acres	800 sq. ft.	2400 sq. ft. <u>unless approved by City Council</u>
5+ acres to 10 acres	1200 sq. ft.	3000 sq. ft. <u>unless approved by City Council</u>
10+ acres	5000 sq. ft. unless approved by City Council	

* Sizes shown are the maximum allowable square feet at foundation level.

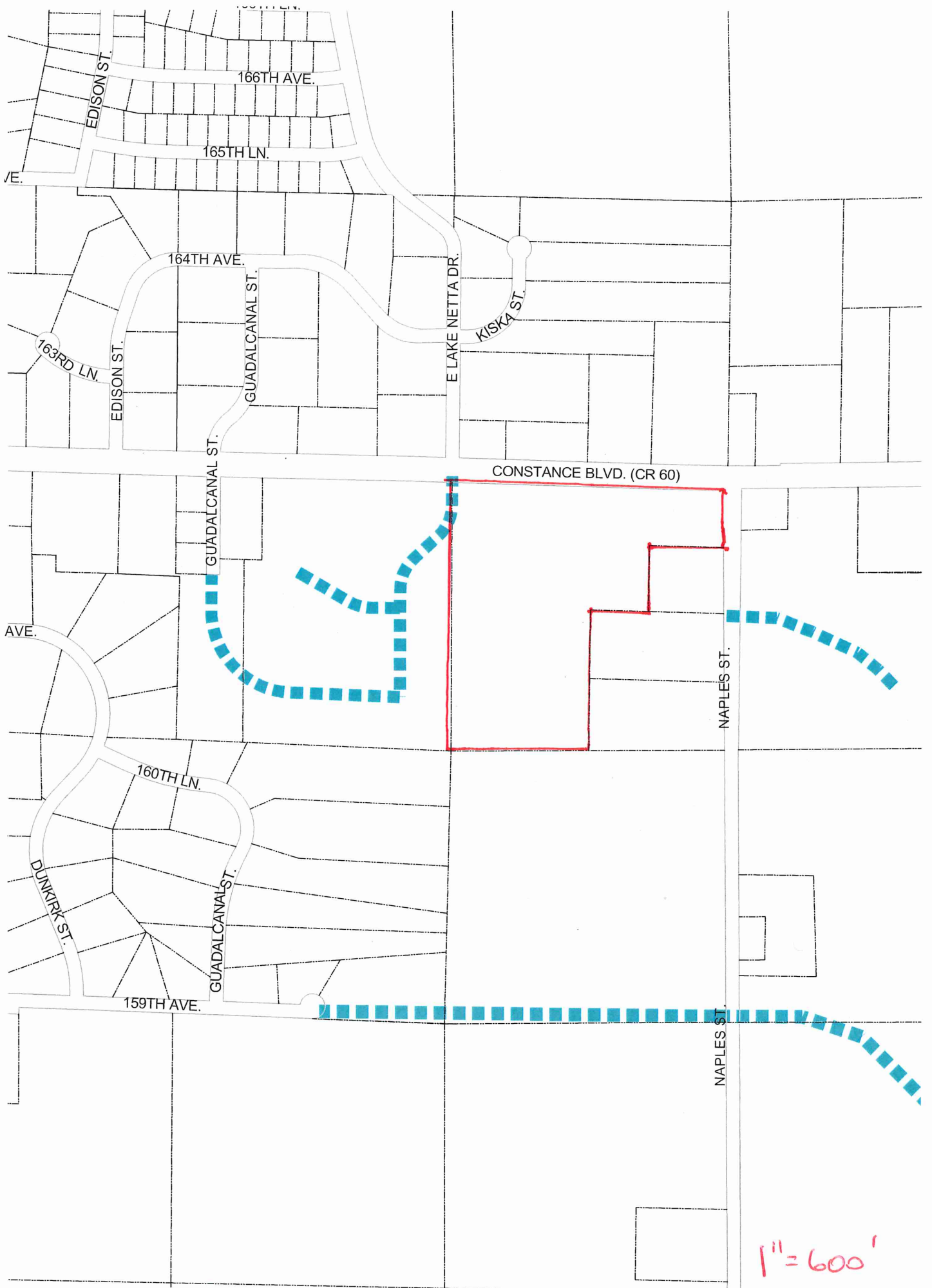
** The “Front Yard Setback” is the area between the front of the dwelling unit (primary residential structure) and the street right of way. For all lot sizes, *Accessory Buildings* constructed in this area must also be constructed with the building materials outlined below and be architecturally compatible with the dwelling unit

*** The “Side or Rear Yard Setback” is the area that lies away from the road right of way and behind the front yard setback.

**** For lots greater than one acre and up to 2.5 acres, the size limits shown may be combined to allow one *Accessory Building* in the Side or Rear Yard Setback up to 2250 square feet, and with no additional *Accessory Building* existing or allowed in the Front Yard Setback.

9-370.2 Building Materials For lots which are 5 acres or less in size, the outside surface materials of all *Accessory Buildings* shall, as closely as practical, match the color, texture and style of the like surfaces on the dwelling unit. For lots which are more than 5 acres in size, all *Accessory Buildings* in the Front Yard Setback shall match the dwelling unit as outlined above. Pole-type construction shall be permitted only on lots exceeding 5 acres and only in the Side or Rear Yard Setback.

9-370.3 Height Restriction For lots which are less than 5 acres in size, the maximum height of an *Accessory Building* shall be equal to the height of the *dwelling unit*, or 25 feet, whichever is less.



1" = 600'

Figure 5 Delineation Map



16220 Naples Street

BFE and Source:



Legend

FIRM Panels		Flood Hazard Zones	
	FIRM Panels		Zone A
	Base Flood Elevation		Zone AE
	Cross Sections		Zone AE Floodway

7/6/2022, 8:55:51 AM

0 0.025 0.05 0.1 mi



DISCLAIMER - The FEMA base flood elevations are used to determine flood insurance rates and whether flood insurance is mandatory. Please note: (1) The city (or township) and watershed district regulations require minimum floor elevations higher than the FEMA base flood elevations (BFEs). Check with your city (or township) on those requirements for any additions or new construction. (2) Areas OUTSIDE of the FEMA mapped zones still have flooding risk. Floods higher than base flood elevations can occur and have occurred all over Minnesota. Those with low floors below or near the base flood elevations are especially encouraged to consider purchasing a Preferred Risk Policy, which is a discounted flood insurance option for those "outside" of the FEMA flood zones. (3) Areas OUTSIDE of the FEMA mapped zones are still subject to city (or township) and watershed district regulation of minimum elevations.

AerialsFlown: Fall 2017

Vertical Datum for Contours: NAVD88

Contours Source: Minnesota Department of Natural Resources

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