



City of Lake St. Croix Beach
City Hall
16455 20th Street South
Lake St Croix Beach, MN 55043

Planning Commission **December 3, 2025 - 6:00 PM**

Will be held *in person* at City Hall - and electronically/telephonically by Zoom

Topic: Planning Commission

Time: November 5, 2025 6:00 PM Central Time (US and Canada)

Join Zoom Meeting

Meeting ID: 992 441 7375

Passcode: 5vh1rw

Joining by phone?

+1 312 626 6799 US

Meeting ID: 992 441 7375

Passcode: 502054

AGENDA

1. **CALL TO ORDER**
 - a. Roll Call
2. **APPROVE AGENDA**
3. **APPROVE MINUTES** – November 5th, 2025
4. **PUBLIC COMMENTS** – Items not on the Agenda
5. **PUBLIC HEARINGS:**
2170 Quarry Ave S – Porch over front door § 157.041(C)(i) MINIMUM REQUIREMENTS
1877 Quasar Ave S – CANCELLED
6. **GENERAL DISCUSSION ON CURRENT TOPICS OF INTEREST IN ORDINANCES:**
 - setbacks: front, rear and side yard - § 157.041 MINIMUM REQUIREMENTS
 - accessory buildings - § 157.067 ACCESSORY BUILDINGS AND STRUCTURES
7. **COMMISSIONER REPORTS AND REQUESTS**
Samantha Fink
Linda O'Donnell
John Sievert
Chair Greg Ewig
7. **ADJOURN**



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<https://us02web.zoom.us/j/9924417375?pwd=dmJGMXgzMmFMSzZGNWptaUNUclg4Zz09>

Minutes

1. **CALL TO ORDER:** 6:00pm
 - a. **Roll Call:** Commissioners Ewig, Fink and O'Donnell present. Commissioner Sievert absent.
2. **APPROVE AGENDA:** Motion to approve agenda made by Commissioner Fink, 2nd by Commissioner O'Donnell. Motion passed 3:0:1 absent.
3. **APPROVE MINUTES** – October 1st, 2025 Meeting: Commissioner O'Donnell asked that votes for motion under item 5 – Public Hearing – Code Chapter 153 be added to the minutes. Motion to approve minutes as amended made by Commissioner O'Donnell, 2nd by Commissioner Fink. Motion passed 3:0:1 absent.
4. **PUBLIC COMMENTS** – Councilmember Warren Burger (liaison for City Council) mentioned there is a homeless person hanging around the bench on the Bike Path on St. Croix Trail close to 13th St., who was yelling at his wife while out walking the dogs. City staff will call sheriff's office to investigate.
5. **CONDITIONAL USE PERMIT – REVIEW.** City Clerk Ashby gave updates on CUPs. Only item of change is that Dog Grooming business at Z's Auto is no longer in business. CUP remains with the building in the event a new business goes in, the new business would need to provide information to Planning Commission for final approval. Chair Ewig made a motion to recommend to City Council that CUPs were reviewed and no concerns were noted, 2nd by Commissioner Fink. Motion passed 3:0:1 absent.

6. COMMISSIONER REPORTS AND REQUESTS

Samantha Fink – nothing to report

Linda O'Donnell – Asked that city staff put together a list of residential properties in the city for review. City Clerk Ashby mentioned that she is working with Rob Corey, Fire Dept. on pulling together a comprehensive list of rental properties in the city. This list will be provided to Planning Commission members at the January or February Meeting.

John Sievert - absent

Chair Greg Ewig – nothing to report

City Clerk Ashby – let Commission members know that there will likely be a Public Hearing at the December meeting to review the variances at 1877 Quasar Ave S.

7. ADJOURN 6.17pm.

City of Lake St. Croix Beach

Variance Application

Applicant Information

Name	Zachary and Sarah Fuller
Street Address	2170 Quarry Ave S
City ST ZIP Code	Lake St Croix Beach
Home Phone	414-376-3063
Work Phone	
E-Mail Address	Sarah-E-Fuller@outlook.com

Property Location

(Legal Description)

Parcel ID: 1402820210041

Tax Description: LOTS 4231 THRU 4234 LAKE ST CROIX BEACH SEC NO.5 Lot 4231 SubdivisionCd 2686 SubdivisionName LAKE ST CROIX BEACH SEC NO.5 Lot 4232 SubdivisionCd 2686 SubdivisionName LAKE ST CROIX BEACH SEC NO.5 Tax PIN: 14.028.20.21.0041

Description and/or reason for request

Summarize your request and cite the portion(s) of city code from which you are requesting a variance (attach additional pages if needed)

We purchased the house at 2170 Quarry Ave S and are remodeling the interior of the home. Currently it does not have a front door. To improve the appearance of the home, we are installing a front door in the center of the dwelling. The house, like all the houses in that block, sits right at the 25 foot setback from the property line, leaving no space for a front stoop outside the front door.

We are requesting a variance to the 25 foot setback in order to construct an 6' x 6' covered stoop which will greatly increase the overall appearance of the dwelling. The property line is approximately 10 feet from the edge of the street, so the stoop would be approximately 29 feet from the edge of the pavement.

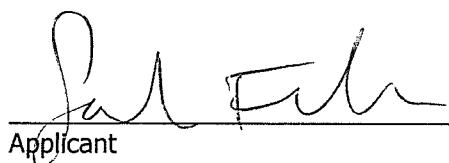
There does appear to be several other homes in the vicinity that have similar front stoops within the 25 foot setback requirement including 1849 Quarry Ave S and 1866 Quartz Ave S.

Please include the following items with this signed application:

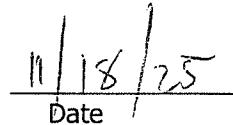
- Proof of ownership of the property (either abstract of title or registered property certificate. Property certificates must be certified by a licensed abstractor, together with any unrecorded documents that show legal or equitable ownership).
- Accurate list showing names and mailing addresses of record owners of all properties within a minimum of 500 feet of your property. This can be obtained by calling the Washington County Property Records Department.
- Certificate of survey showing the property location, boundaries, dimensions, elevations, utility and road corridors. Water line and septic system locations must be visible along with their setbacks from all structures and property lines.
- Recent aerial photo of property with property lines drawn in
- Detailed site plan drawn to scale showing location of existing and proposed structures including height and setback dimensions and total square footage of all existing and proposed structures. This can be included on the certificate of survey.
- Impervious surface calculation for property. This can be included on certificate of survey.
- Location of existing and proposed alterations of vegetation and topography. This can be included on certificate of survey. Have survey drawn to include 2 foot elevation contours (both existing and proposed).
- Septic System – Type and size of system will need to be verified in order to confirm compliance with most recent city septic regulations.

Agreement and Signature

By signing and submitting this application, I hereby acknowledge that I have read and understand the applicable provisions of the ordinances of the City of Lake St. Croix Beach. In addition to submitting this application form, I understand that I must pay a \$200.00 application fee and a \$500.00 deposit when submitting this form to the city. I understand that I am responsible for paying all statements received from the city pertaining to expenses incurred during this project review even if total costs are over and above my deposit amount. Upon completion of the city action on this request, the City shall forward a statement of fees incurred and remit any excess from the deposit held if any excess amount exists.



Applicant

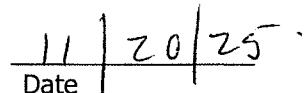


Date

The application form and required documents submitted are sufficient in order to begin an official review, and the \$200.00 application fee and \$500.00 deposit have been paid.

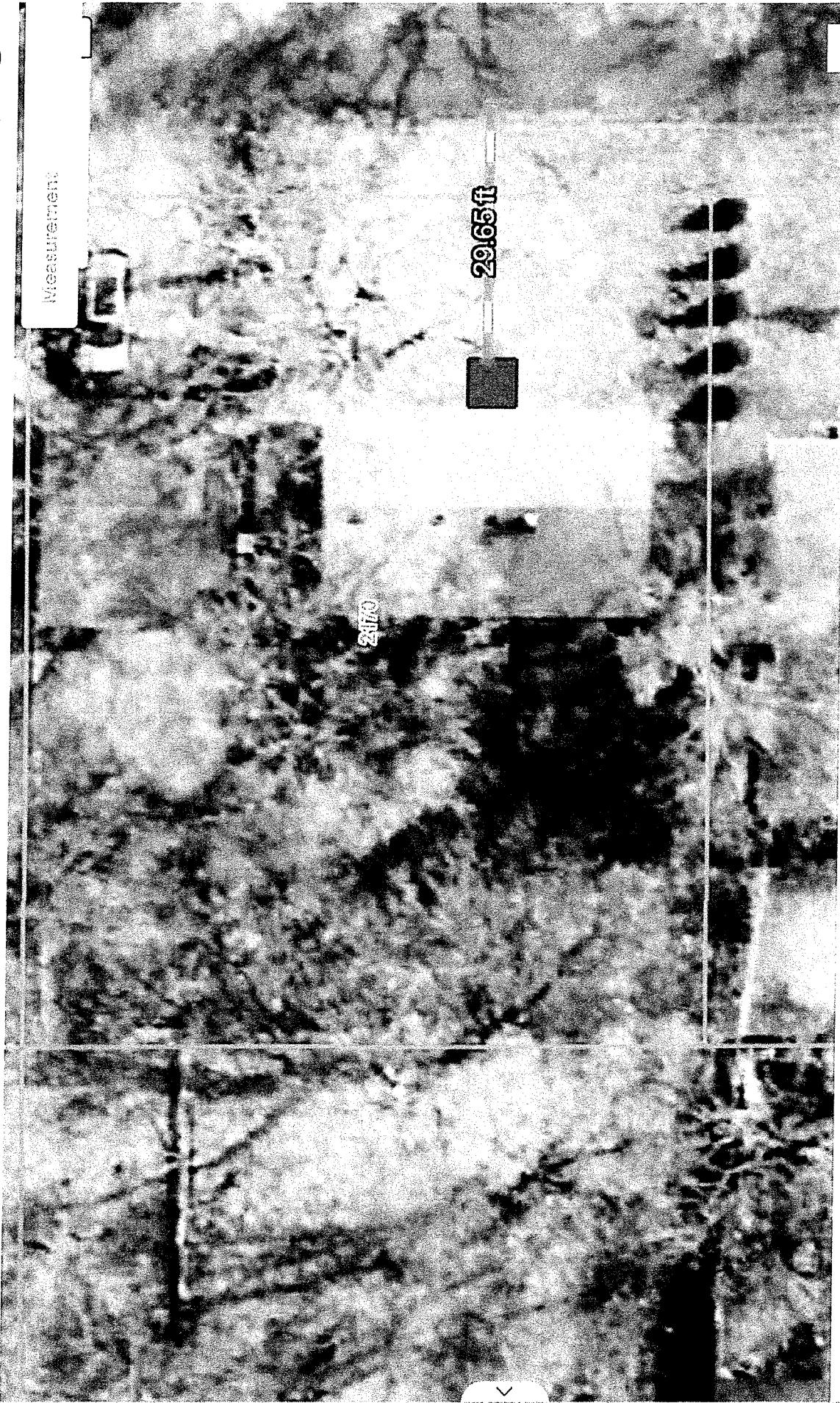


City Administrator/Clerk



Date

PROPERTY



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Property Tax Search

\$0.00 CHECK OUT

Search Instructions

1. Search by Parcel ID Number (PIN) or Property Address. Enter the Parcel ID Number (PIN) or Property Address:
 - Parcel ID Number: Find this on your property tax statement or other notices. (Example: 11.022.33.44.0001)
 - Property Address: Enter your house number (e.g., 1234) and street name only (e.g., 4th, not 4th Street or 4th Ave).
2. Select Search.
3. From the results, choose the PIN to view and pay taxes.

Parcel ID Number (PIN)

Enter Parcel ID Number (PIN)

Property Address

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Order by Parcel Nu...

1 to 1 of 1

Page 1 of 1

Paid Status:



Owner:

FULLER SARAH E & ZACHARY G

Mailing Address:

2170 QUARRY AVE S

LAKELAND, MN 55043

Property Address:

2170 QUARRY AVE S

Property Type:

Real Property

14.028.20.21.0041

Account Status:

ACTIVE

K	<	>	I
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Order by Parcel Number

1 to 1 of 1

Page 1 of 1

CONTACT INFORMATION

Washington County
Property Records & Taxpayer Services
14949 62nd Street N

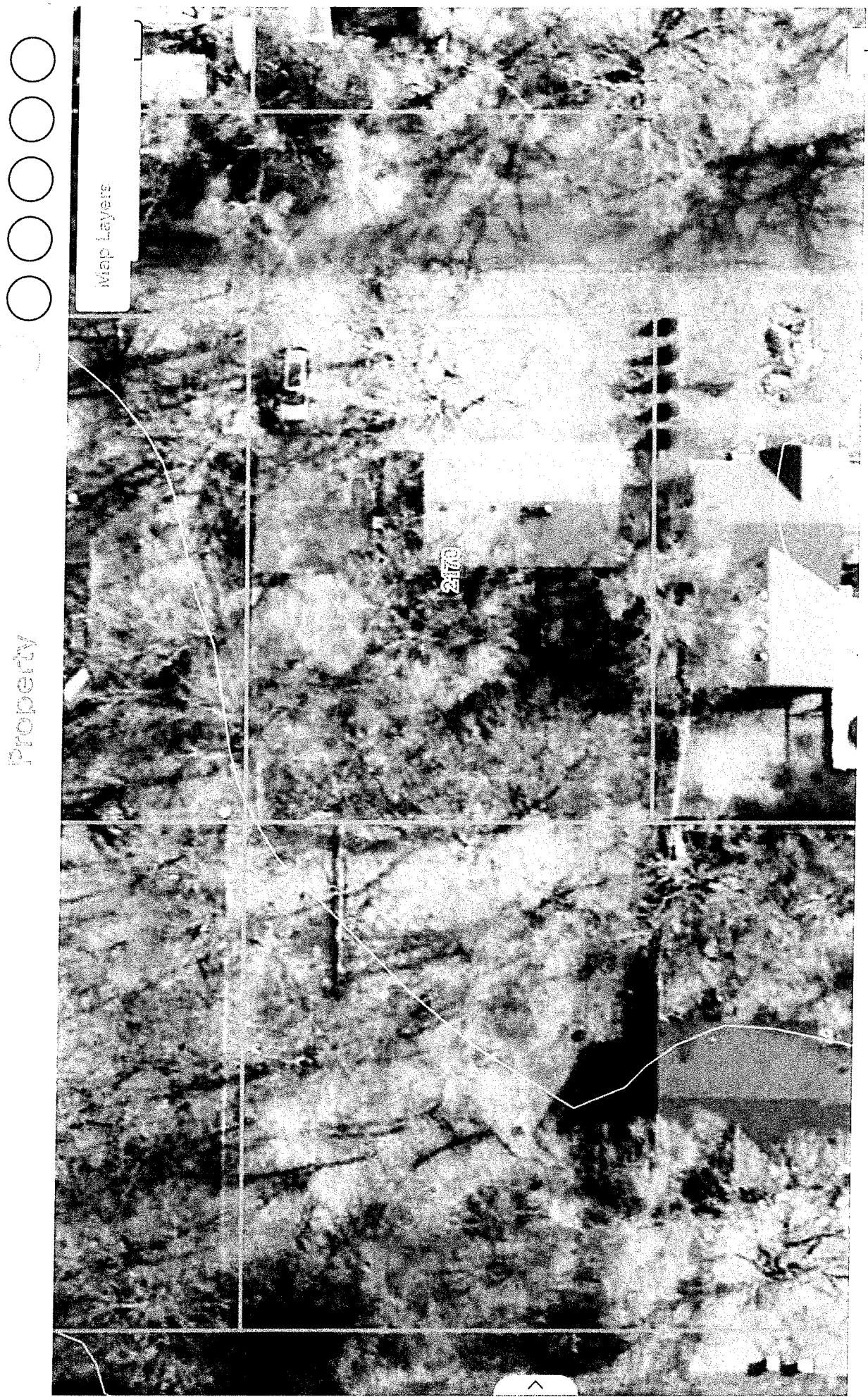
Names and Address of home owners within 500 feet

Address	Name	Parcel ID
2080 Quarry Ave S	Jon & Wanda Flattum	1402820210016
2110 Quarry Ave S	Devin Kirby	1402820210033
2130 Quarry Ave S	Andrew Tange & Keshia Gray	1402820210039
2127 Quarry Ave S	William & Amy Jo Sitz	1402820210047
2150 Quarry Ave S	Sarah Roach	1402820210040
2180 Quarry Ave S	Craig & Becky Nordgren	1402820210042
2150 St Croix Tr S	Duane Sanderson	1402820210054
2170 St Croix Tr S	Neil & Sally Fischer	1402820210049
2115 Quant Ave S	Jill Ferguson	1402820210032
2175 Quant Ave S	Reid Bowersox	1402820210140
16275 Upper 22nd St	Kathryn Anderson	1402820210061

Property

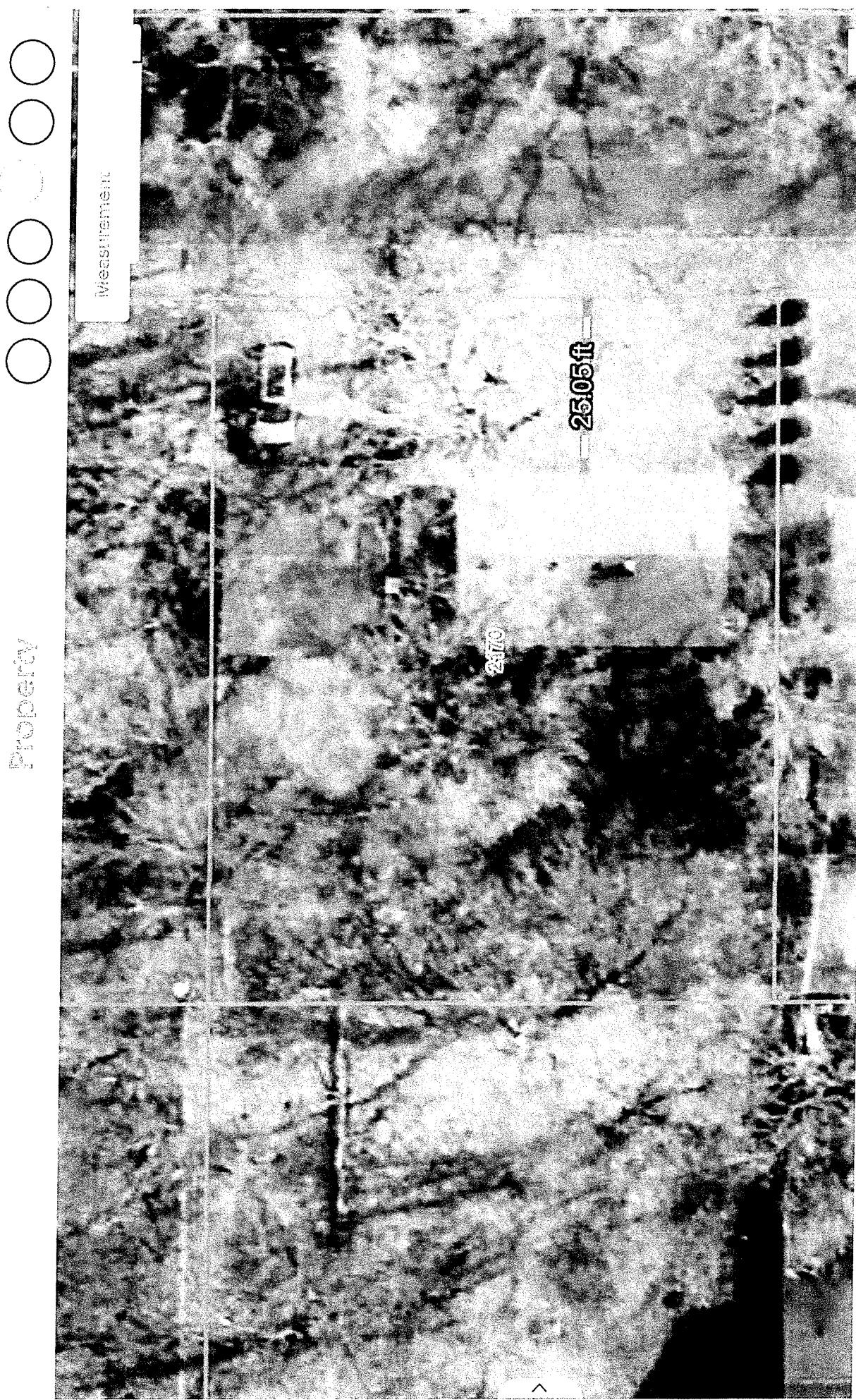


200 ft



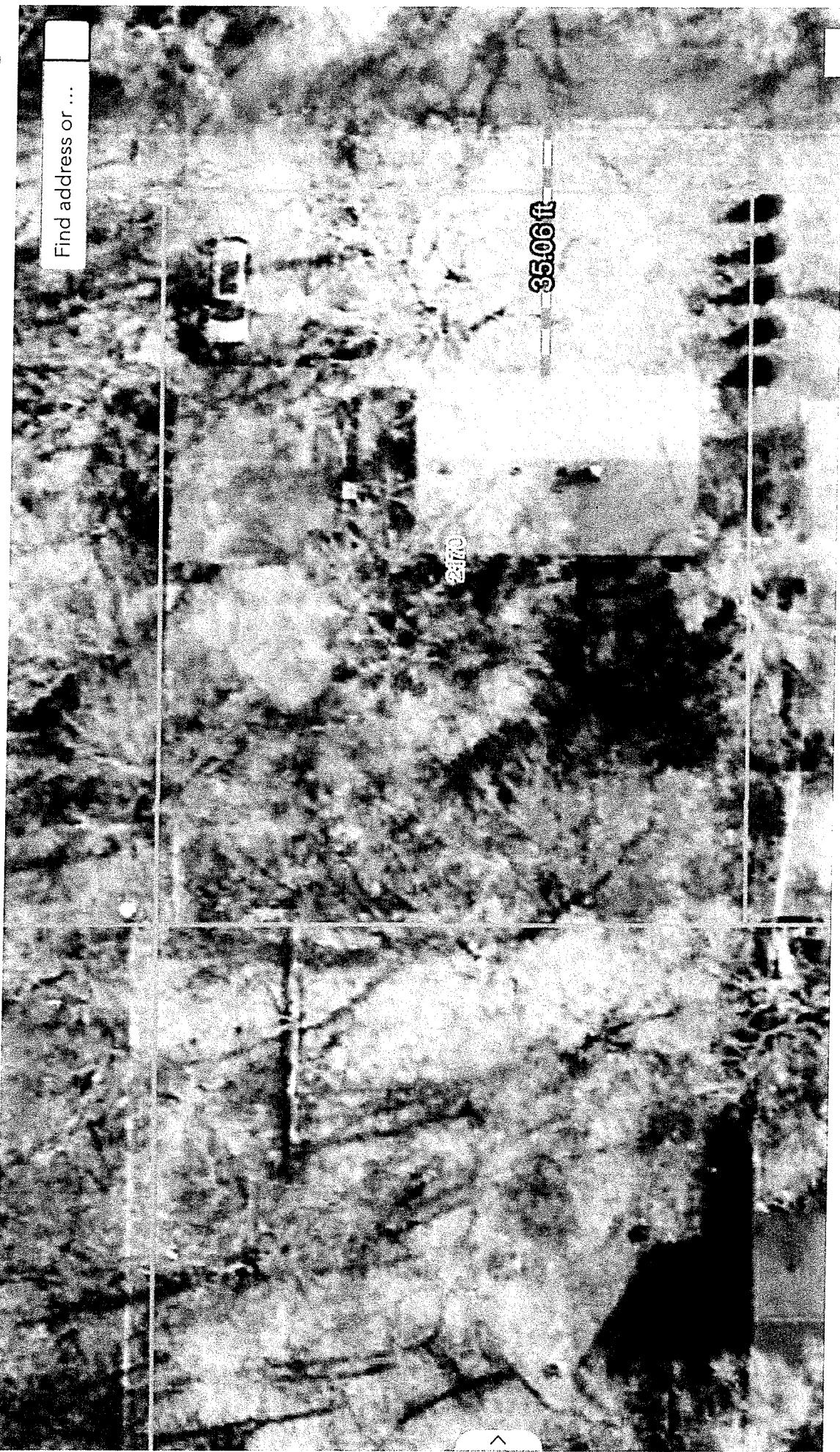
20 ft





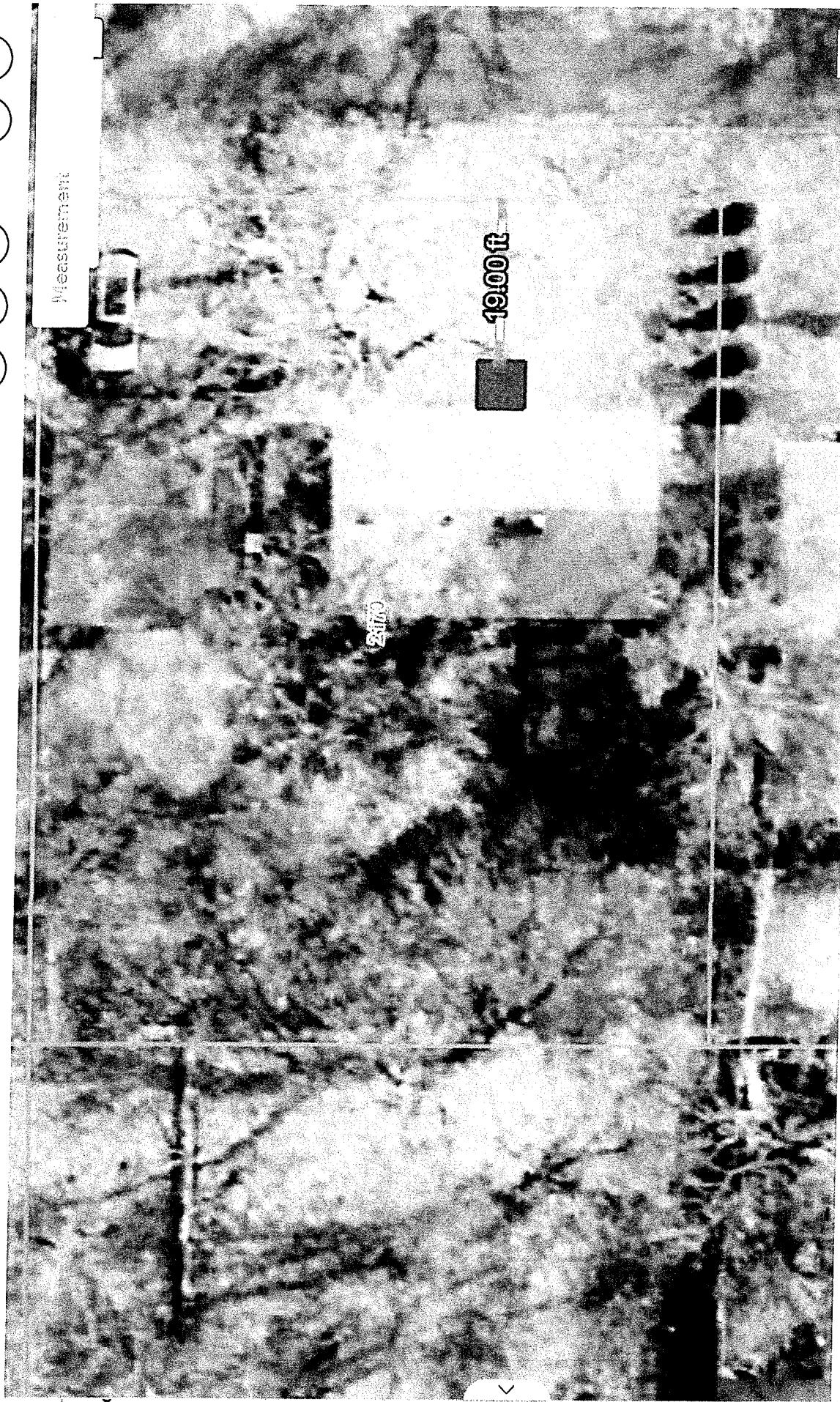
20 ft





20 ft

Property



Measurement

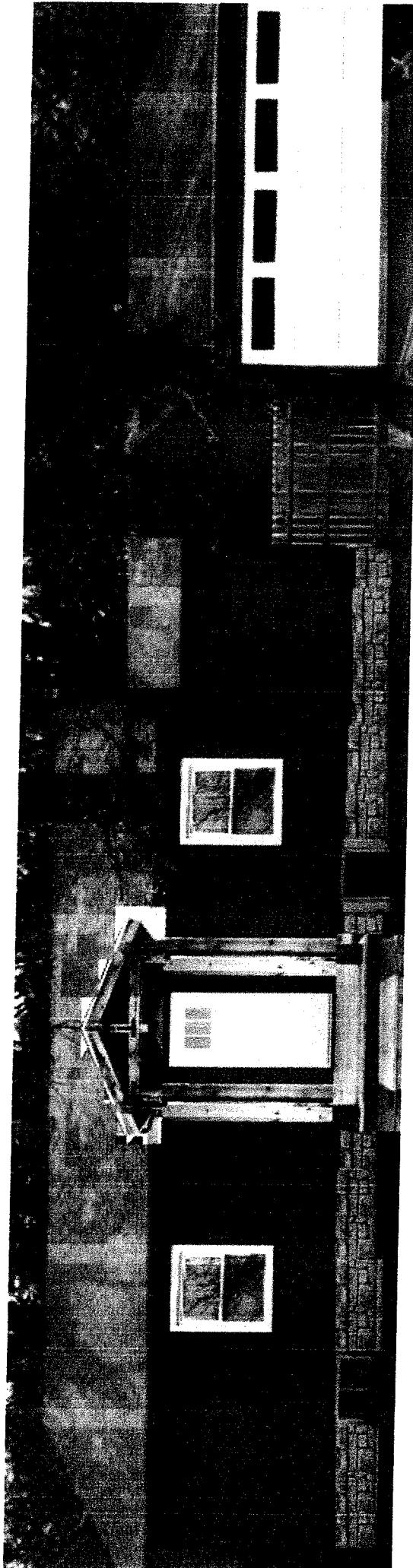
19.00 ft

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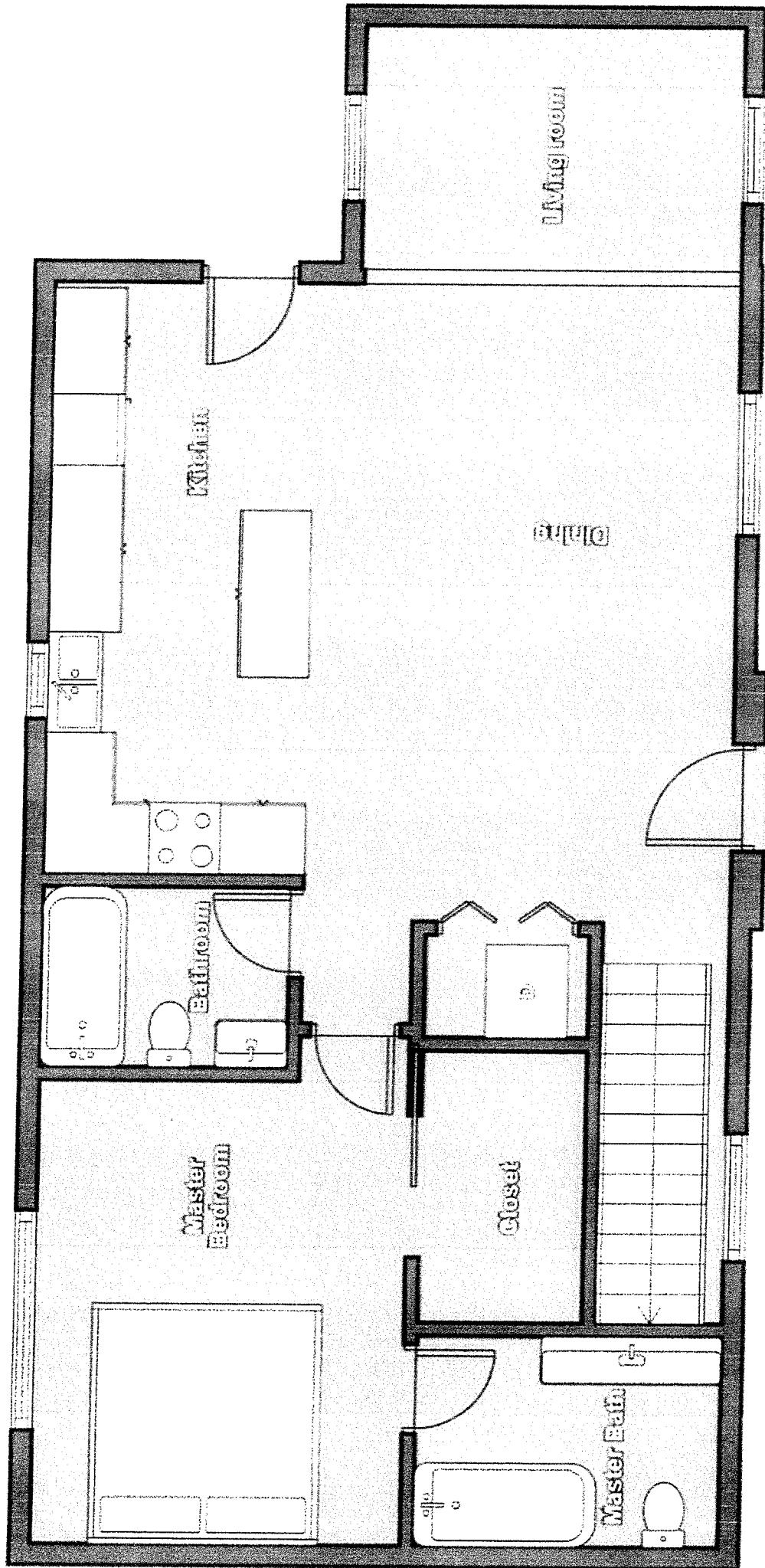
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proposed front stand



Proposed front stoop

§ 157.040 DISTRICTS.

(A) Basic Zoning Districts. For the purpose of this chapter, the City is hereby divided into the following basic zoning Use districts:

District Symbol	Intent and Primary Use
District Symbol	Intent and Primary Use
A-1	Preserve land to be utilized for interim agriculture and Commercial food production on Lots smaller than those required in CFP Districts. A-1 Districts provide areas of rural Lot density housing with Lots large enough for significant agricultural activity to occur.
A-2	Provide rural low density housing in agricultural districts on lands not capable of supporting long term, permanent Commercial food production. A-2 District Lot sizes will provide for marginal agriculture and hobby farming.
C	Preserve, protect and manage environmentally sensitive areas having wet soils, steep slopes, exposed bedrock or unique natural and biological characteristics in accordance with compatible Uses.
GB	Provide districts for a general mix of Commercial Businesses. General Business Districts will be located in areas where there is a demand for diversified Business districts and in areas capable of supplying the utilities for such development.
I	Provide areas adjacent to major thoroughfares and in areas where public utilities are available for the express Use of industrial developments. Designation of Industrial Districts will help attract industry; and therefore, stabilize the tax base and increase the employment of the City.
RBT	Residential-Business Transitional. The purpose of a residential Business transitional district and intent is to provide a limited area within the City of Lake St. Croix Beach to allow for the transition of land Use from existing or abandoned public utilities and facilities and Essential Services and adjacent vacant land thereto to low-intensity Business activities that are compatible with and complementary to neighboring residential properties.
MF	Provide areas capable of supporting Multiple-Family Dwellings in terms of public utilities and services, and thereby allowing a variety of housing types in greater densities.
R-1	Provide low density residential areas in rapidly developing rural settings. R-1 Districts will provide Lots large enough to maintain a semi-rural setting, but Lots not large enough to support Commercial agriculture. R-1 Districts will provide a buffer between agricultural districts and urban, or rapidly developing districts.
R-2	Provide larger residential Lots for the construction of single Family homes of a minimum of 1,200 square feet of finished and habitable space. R-2 districts will require Lots large enough to support on-site sewer systems until such time as public sewer and other utilities are available. Homes in R-2 District shall be constructed with a minimum of a two-car attached Garage.
R-3	Provide residential suburban Lots for those people who desire larger Lots than provided for in an urban area.
R-4	Provide residential urban Lots in areas where the full range of public utilities and services are available.
RB	Provide land for Retail Business, primarily shopping, in areas where there is, or will be, the greatest demand for such services and in areas capable of supporting the intensive Use of the land demanded by Retail Businesses.

(B) Overlay zoning Use districts. At the time of adoption of this chapter or at some future date, the City Council may adopt overlay districts to promote specific orderly development or to protect some specific sensitive natural resource.

(1) The following overlay regulations are in addition to regulations imposed by the existing basic zoning Use districts:

District Symbol	Intent and Primary Use
AZ	Protect life from potential aircraft catastrophe and noise by restricting development in Airport Zones.
CFP	Preserve Commercial agriculture as a viable permanent land Use and a significant economic activity within the City. Areas designated CFP would provide land area for permanent economically viable Commercial food production.
FP	Protect the natural environment, homes and other Structures from flood waters by preserving the natural overflow areas of lakes, streams and rivers.
PUD	Allow innovative and flexible design for developments that are more sympathetic to both humans and nature, and which are not possible under current regulations.

(2) The following overlay regulations are in lieu of regulations imposed by the existing basic zoning Use districts:

District Symbol	Intent and Primary Use
LS-1	Protect the ecological and scenic values of natural, undeveloped water bodies from the harmful effects of development.
LS-2	Protect the recreational value of a water body while allowing residential development along the shoreline.
LS-3	Encourage development on those water bodies currently being developed for residential and recreational Uses.
MR	Protect the environmentally sensitive qualities of the Mississippi River Corridor Critical Area yet maintain the economic importance of the corridor by guiding industrial, Commercial, residential and recreational developments as well as transportation throughout the Mississippi River Corridor.
SCR	Conserve and protect the natural scenic values and resources of the St. Croix River Valley in order to maintain the high standard of environmental quality indicative of one of the few remaining wild rivers in the nation.

Penalty, see § 157.999

§ 157.041 MINIMUM REQUIREMENTS.

(A) Minimum dimensional requirements by Zoning District.

District	R-1	R-2	R-3	R-B	RBT
District	R-1	R-2	R-3	R-B	RBT
Lot Area	2.5 AC	20,000	16,000	--	
Maximum height	35	35	35	35	
*Minimum Floor Area per Dwelling Unit (single- Family)	960	1,200	960	--	
Minimum Front Yard Setback	--	30	25	--	

Minimum Frontage on Street	--	50			
Minimum Lot Depth	--	100	100	--	
Minimum non-residential Lot Area	2.5 AC	--	--	24,000	28,000
Minimum Rear Yard Setback	--	20	7	--	
Minimum Side Yard Setback	--	--	--	--	
Front Interior Lot line	7	10	7		
Front Street in case of Corner Lot	--	30	25	--	
Minimum Width per Dwelling	21* with continuous roof	21* with continuous roof	21*	21*	

* Floor Area refers to finished and habitable space for which a Certificate of Occupancy can be issued.

(B) Additions and exceptions to minimum area, height and other requirements.

(1) Exemption. Any such Lot or parcel created in accordance with Chapter 156 and is at least two and one-half acres in size, shall be exempt from the requirements of divisions (B)(3) and (B)(4) below and shall be considered Buildable if the Lot or parcel can comply with the remaining requirements of this division (B).

(2) Undersize Lots. Any such Lot or parcel of land less than two and one-half acres which is in a residential or agricultural district may be Used for Single-Family Detached Dwelling purposes provided the area and Width thereof are within 60% of the minimum requirements of this section; provided all Setback requirements of this chapter can be maintained; and provided it can be demonstrated that a safe and adequate sewage treatment system can be installed to serve such permanent Dwelling.

(3) Group Lots. If in a group of two or more contiguous Lots or parcels of land owned or controlled by the same Person, any individual Lot or parcel does not meet the full Width or area requirements of this chapter, such individual Lot or parcel cannot be considered as a separate parcel of land for purposes of sale or development, but must be combined with adjacent Lots or parcels under the same ownership so that the combination of Lots or parcels will equal one or more parcels of land each meeting the full Lot Width and area requirements of this chapter.

(4) Subdivision of Lots. Any Lot or parcel of land subdivided by any means after the effective date of this chapter for purposes of erecting a Structure, must be approved as required by Chapter 156.

(5) Lake and stream Frontage Lots. All Lots having Frontage on a lake or stream shall be subject to the provisions of Chapter 153 as well as the regulations provided by this chapter. All Lots on unclassified bodies of water in Chapter 153 shall meet the minimum Setback requirements for a general development lake, except as provided in Chapter 153.

(6) Lots in the floodplain. All Lots in a designated floodplain shall be subject to Chapter 152 as well as the regulations provided by this chapter.

(7) Reduction of required Yard of Lot size prohibited. No Yard shall be reduced in area or dimension so as to make it less than the minimum required by this chapter, and if the existing Yard is less than the minimum required, it shall not be further reduced. No required Yard currently used for a Building or Dwelling group shall be used to satisfy minimum Lot Area requirements for any other Building.

(8) Sloping or erodible Building sites. On sites with slopes of greater than 25% or on easily erodible soils as defined on the City soils maps and compiled by the County Soils Conservation District, no Structure shall be constructed. (Also see § 157.106.)

(9) Heavily wooded sites. On any Lot, clear cutting shall require a Conditional Use permit. A Certificate of Compliance shall be required for all cutting on all slopes in excess of 18%. On such slopes, a revegetation plan shall also be required prior to issuance of a Building permit. (See §§ 157.106 and 157.112.)

(10) Minimum area requirements for Lots without public sanitary sewer. A Building permit shall not be issued for a Lot which either does not meet the minimum acres of acceptable soils for onsite sewage treatment; or does not have enough acceptable soils within the Lot or under legal contract to construct at least two complete septic/drainfield treatment systems.

(11) High-rise Multiple Dwelling Structures.

(a) The density standards applicable to Multiple Dwellings in Structures exceeding three and one-half stories in height shall be as follows:

Number of Stories	Lot Area Required Per Dwelling Unit
3-1/2 - 6	2,000 square feet
6 - 12	1,500 square feet
12+	1,000 square feet

(b) Said requirements shall apply regardless of the number of bedrooms per Dwelling Unit.

(C) Permitted encroachments on required Yards. The following shall be permitted encroachments into Setback and height requirements, except as restricted by other sections of this chapter:

(1) In any Yards: posts, off-Street parking, flues, leaders, sills, pilasters, lintels, cornices, eaves (up to three feet), gutters, awnings, open terraces, steps, chimneys, flag poles, open fire escapes, sidewalks, Fences, Essential Services, exposed ramps (wheelchair), uncovered porches, stoops or similar features provided they do not extend above the height of the ground floor level of the Principal Structure or to a distance less than three feet from any Lot line nor less than one foot from any existing or proposed driveway; Yard lights and nameplate Signs; trees, shrubs, plants; floodlights or other sources of light illuminating authorized illuminated Signs, or light standards for illuminating parking areas, loading areas or Yards for safety and security reasons, provided the direct source of light is not visible from the public right-of-way or adjacent residential property.

(2) In Side and Rear Yards: Fences 25% open; walls and hedges six feet in height or less; bays not to exceed a depth of three feet or containing an area of more than 30 square feet; fire escapes not to exceed a width of three feet.

(3) On a Corner Lot: nothing shall be placed or allowed to grow in such a manner as materially to impede vision between a height of two and one-half and ten feet above the centerline grades of the intersecting Streets within 100 feet of such intersection.

(4) In no event shall off-Street parking, Structures of any type, Buildings or other improvements cover more than 75% of the Lot Areas. In no event shall the landscaped portion of the Lot be less than 25% of the entire Lot as a result of permitted encroachments.

(D) Setbacks.

(1) Front Setbacks. Where a vacant Buildable Lot is adjacent to Structures existing at the time of adoption of this chapter having a substandard Setback from that required by this section, the Zoning Administrator shall determine a reasonable, average, calculated Front Yard Setback to implement the requirements

of this section, and to fulfill its purpose and intent. However, in no case shall a Building be required to be Setback more than 180 feet from the Street centerline, except where an industrial district is adjacent to a Residential District. In a Residential District, the Front Yard Setback shall conform to the established Setback Line, unless the Zoning Administrator determines that another Setback is more appropriate as provided herein.

(2) Side and rear Setbacks. Subject to regulations contained in the Building Code and other applicable regulations, side and rear Setback requirements may be waived provided party walls are used and the adjacent Buildings are constructed as an integral unit and are part of an approved Shopping Center, Townhouse development or other similar development. Such waiver shall only be by issuance of a Conditional Use permit.

(3) Setbacks adjacent to residential areas. Where a Commercial district is adjacent to a Residential District, the minimum Commercial Building Setback from the Lot line shall be 35 feet. In the case of industrial districts, such a minimum Setback shall be 75 feet.

(4) Setbacks along arterials. Along roads and Streets designated as "Arterials" in the Comprehensive Plan, the minimum front Setback for principal Buildings shall be 150 feet from the nearest planned Street centerline.

(5) Setbacks from private roads. All Setback requirements of this section shall also be applicable to private roads and easement access rights-of-way.

(E) Height.

(1) No Structure shall exceed 45 feet in height, including Church spires, bellfries, cupolas and domes, monuments, chimneys and smokestacks, flag poles, public facilities, transmission towers of private radio broadcasting stations, television antennae, except barns, silos and other farm Structures, utility transmission services and transmission towers of Commercial broadcasting stations.

(2) Parapet walls shall not extend more than four feet above the height permitted of the Buildings.

(F) Cluster Development standards. The purpose of this section is to provide a method by which parcels of land in the Residential, A-1 and A-2 Districts having unusual Building characteristics due to sub-soil conditions, elevation of water table, water area, relative location or shape of the parcel, may be more efficiently used.

(1) Cluster Development may also provide a means to preserve good agricultural land, open green space, scenic views and other desirable features of the natural environment.

(2) The Owner of any tract of land in any Residential, A- 1 and A-2 District may submit a plan on the Use and development of such tract of land as a Cluster Development to the City Council for a Conditional Use permit authorizing completion of the project according to the plan.

(3) The plan for the proposed project shall conform to the requirements of the Use district within which the plan is located, except as hereinafter provided:

(a) The entire tract of land for which a Cluster Development is proposed shall not be less than three acres in size;

(b) The applicant shall state precisely the unusual characteristics of the land or other reason justifying the granting of a Conditional Use permit for a Cluster Development;

(c) A preliminary plat shall be submitted that complies with Chapter 156;

(d) The number of Dwelling Units proposed for the entire site shall not exceed the total number of permitted for the R-1, A-1 or A-2 Districts within which the land is located, in all other Residential Districts, including R-2, R-3, R-4 and Multiple-Family Districts with public sewer and water, the number of Dwelling Units shall not exceed 50% more than the total number of Dwelling Units permitted if the development was based on the minimum Lot size requirements for single-Family residential Subdivision.

(e) That land which is to be set aside as common land shall be clearly identified and dedicated as such on the plan. Provisions shall be required for continual maintenance of any common land not dedicated as public property and accepted by the City.

§ 157.042 ZONING DISTRICT MAP.

(A) The boundaries of the districts as established by this chapter are as shown on the map published herewith and made part of this chapter, said map is designated as the official zoning map of the City and shall be maintained as provided herein by the City Zoning Administrator. The district boundary lines on said map are intended to follow Street right-of-way lines, Street centerlines or Lot lines unless such boundary line is otherwise indicated on the map. In the case of unsubdivided property or in any case where Street or Lot lines are not used as boundaries, the district boundary lines shall be determined by use of dimensions or the scale appearing on the map. All of the notations, references and other information shown thereon shall have the same force and effect as if fully set forth herein and are hereby made a part of this chapter by reference and incorporated herein as fully as if set forth herein at length, whenever any Street or other public way is vacated, any Zoning District line following the centerline of said vacated Street or way shall not be affected by such vacation.

(B) When any permit is issued for a Planned Unit Development or any other permit which affects any Zoning District in a substantial way, said permit shall be coded and noted on the Zoning District map by the Zoning Administrator so as to clearly indicate the Use so permitted which may not otherwise be clearly evident from the map or text of this chapter.

(C) When Uses in a district are listed as both permitted and as Conditional Uses, or when any other conflict appears in this chapter with respect to permitted Uses within a district, the more restrictive portion shall be applied.

Where any proposed Use for any district is not listed in Section 157.043, the City Council may require the proponent of that Use to proceed under provision of this ordinance applicable to that similar Use. Where any proposed Use for any district is not listed in Section 157.043 and is determined by the City Council not to be similar in character to any Use listed therein, that proposed Use shall not be allowed in that district. Such a determination by the City Council shall not preclude the proponent of the Use from making immediate application to the City for Amendment of the Ordinance pursuant to Section 157.025 of this Ordinance.

§ 157.067 ACCESSORY BUILDINGS AND STRUCTURES.

(A) Types of Accessory Buildings. Accessory Buildings and other non-Dwelling Structures include the following: Storage or tool sheds; Detached residential Garages; detached rural Storage Buildings; detached domesticated farm animal Buildings; agricultural farm Buildings; non-accessory, non-Dwelling Structures. Said Buildings are defined as follows:

(1) Storage or Tool Sheds. A one-Story Accessory Building of less than 160 square feet gross area with a maximum roof height of 12 feet.

(2) Detached residential Garage. A one-Story Accessory Building Used or intended for the Storage of motor driven passenger Vehicles with a maximum gross area of 1,000 square feet.

(3) Detached rural Storage Building. .

(a) A one-Story Accessory Building Used or intended for the Storage of hobby tools, garden equipment, workshop equipment and the like.

(b) The gross area of said Building shall not exceed 1,500 square feet in gross area on a parcel of between ten and 20 acres and not more than 1,000 square feet in gross area on a parcel of less than ten acres.

(4) Detached domesticated farm animal Building. A one- Story Accessory Building Used or intended for the shelter of domestic farm animals and/or related feed or other farm animal supportive materials. Said Building shall require a State Pollution Control Agency Feedlot Permit and a Conditional Use permit, and shall not exceed 1,500 square feet in gross area on a parcel of between ten and 20 acres and not more than 1,000 square feet in gross area on a parcel of less than ten acres.

(5) Agricultural farm Building. An Accessory Building Used or intended for Use on an active Commercial food producing farm operation of more than 20 acres. A State Pollution Control Agency permit may be required.

(6) Residential-Business Transitional District (RBT). No accessory Structures or Buildings shall be allowed.

(7) Any dish antenna having a diameter in excess of 30 inches shall require a Building permit and shall be located where practical in the Rear Yard of the property and shall conform to the Setback provisions of Section 157.043 and Section 157.047 of this ordinance. All dish antennas shall be securely anchored to the ground and shall be reasonably screened by Landscaping or fencing. No antenna shall be placed so as to exceed a height greater than the heights of the Principal Structure located upon the property as measured from the highest point of the Principal Structure.

(1) Greenhouses, private. A structural Building with different types of covering materials, such as a glass or plastic in which temperature and humidity can be controlled for the cultivation or protection of plants. Such Buildings may be temporary or permanent, with a maximum gross area noted below.

(B) Permitted Uses of Accessory Buildings.

	Agricultural District	R-1 District	R-2 District	R-3 District	R-4 District	Permit Required	For Further Details, See These Sections	
		Agricultural District	R-1 District	R-2 District	R-3 District	R-4 District	Permit Required	For Further Details, See These Sections
	Agricultural District	R-1 District	R-2 District	R-3 District	R-4 District	Permit Required	For Further Details, See These Sections	
(1) Agricultural farm Building on active Commercial Food Producing Farm Operations of more than 20 acres							PCA feedLot, Agricultural Buildings Use permit	§ 157.067 (A)(5)
Use	P	C	C	N	N			
(2) Detached domesticated farm animal Building on parcels between 5 and 20 acres							PCA feedLot, Conditional Use, building permit	§ 157.067(A)(4)
Use	C	C	N	N	N			
Maximum area size	1,500/1,000 s.f.	1,500/1,000 s.f.						
Maximum number of stories	one Story	one Story						
(3) Detached residential Garage							Building permit	§ 157.067(A)(2)
Use	P	P	P	P	P			
Maximum area size	1,000 s.f.	1,000 s.f.	1,000 s.f.	1,000 s.f.	1,000 s.f.			
Maximum number of stories	one Story	one Story	one Story	one Story				
(4) Detached rural Storage Building						one Story	Building permit	§ 157.067(A)(3)
Use	P	P	N	N	N			
Maximum area size	1,500/1,000 s.f.	1,500/1,000 s.f.						
Maximum number of stories	one Story	one Story						
(5) Storage, boat or tool shed							Building permit	§ 157.067(A)(1)
Use	P	P	P	P	P			
Maximum area size	160 s.f.	160 s.f.	160 s.f.	160 s.f.	160 s.f.			
Maximum door opening area	28 s.f.	28 s.f.	28 s.f.	28 s.f.	28 s.f.			

Maximum number of stories	one Story	one Story	one Story	one Story	one Story		
Maximum roof height	12 feet	12 feet	12 feet	12 feet	12 feet		
Greenhouses, private							
(6) Total number of Accessory Buildings possible	2 on parcels of between 10 and 20 acres not to exceed 2500 s.f. in area total - 2 on parcels of less than 10 acres not to exceed 2,000 s.f. in total area	Same as A District	1 Accessory Building not to exceed 1,000 s.f. in area total	1 Accessory Building not to exceed 720 s.f. in area total	Same as R-3 District		

P =Permitted CC =Certificate of Compliance
N =Not permitted C =Conditional Use permit

- (C) A tool shed as defined in this section may be placed on any Lot in addition to the permitted number of Accessory Buildings.
- (D) No Accessory Building shall be constructed nor Accessory Use located on a Lot until a Building permit has been issued for the principal Building to which it is accessory.
- (E) No Accessory Building use or intended for the Storage of passenger automobiles shall exceed 1,000 square feet of gross area nor shall any Structure exceed one store in height except when said Garages are located in Business, industrial or Planned Unit Developments. The exterior design, color, and siding shall be reasonably similar to that of the design, siding, and color of the existing Principal Structure located on the property.
- Notwithstanding any provision of this Ordinance to the contrary, under no circumstance shall the height of any accessory Structure exceed the height of the Principal Structure.
- On parcels of 20, 000 square feet in area or less, detached Garages shall not exceed 720 square feet in Gross Floor Area except that where a property Owner has waived the right to a tool shed under 157.067 (C) and all rights to Exterior Storage under Section 157.070, an Accessory Building or detached Garage not exceeding 1,000 square feet in area may be constructed on the parcel.
- (F) An Accessory Building shall be considered an integral part of the principal Building if it is located six feet or less from the principal Building and is located in an R-1, R-2, R-3, or R-4 Residential District. The exterior design and color shall be the same as that of the principal Building or be of an earthen tone; the height shall not exceed the height of the Principal Structure unless more restrictive portions of this chapter prevail.
- (G) No Accessory Building in a Commercial or industrial district shall exceed the height of the principal Building, except by Conditional Use permit.
- (H) No Accessory Buildings in Apartment developments shall exceed the height of the principal Building, except by Conditional Use permit.
- (I) Accessory Buildings in the Commercial and industrial districts may be located to the rear of the principal Building, subject to the Building Code and fire zone regulations.
- (J) No detached Garage or other Accessory Building shall be located nearer the front Lot line than the principal Building on that Lot, except C, CFP, A-1, A-2, R-1 Districts and planned unit or Cluster Developments, where detached Garages or other Accessory Buildings may be permitted nearer the front Lot line than the principal Building by Certificate of Compliance and written approval of adjacent property Owners submitted to the Zoning Administrator.
- (K) Houseboats and Buildings Used as shelters during open water months from which to fish are to be considered accessory Structures for purposes of this chapter. All houseboats used within the City limits for a period of 30 consecutive days or more shall require a Certificate of Compliance. Said permit shall show the Owner; Owner's address; boat license number; whether the boat is to be Used as a seasonal residence, and if so, for what period of time during the year; type of sanitary sewage facility; water supply; and site plan showing method of access to public road. Each houseboat shall have one off-Street Parking Space within 400 feet of the docking of such houseboat. No houseboat shall be Used as a permanent residence.
- (L) Ice fishing houses stored on parcels of land during summer months shall be considered an accessory Storage Building equivalent to a Storage shed (division (A)(1) above). Ice fishing houses shall meet the size limitations of division (B)(1) above and all other provisions of this chapter, except division (L) below.
- (M) All Accessory Buildings over 35 square feet in area shall have a foundation or concrete slab. Accessory Buildings larger than 100 square feet shall require a Building permit regardless of improvement value. Roof and wind loads shall conform to requirements as contained in the Building Code.
- (N) All Accessory Buildings shall be located in areas other than required Yards, except as provided in division (N) below.
- (O) The required Rear Yard Setbacks for detached residential Garages, and Storage, boat, and tool sheds, shall be a distance equal to the required Side Yard Setback for each Zoning District, except on Through Lots when the required Rear Yard Setback in each Zoning District shall apply.
- (P) Conditional Use permit requirements necessary for approval and construction of a detached domesticated farm animal Building on parcels between five and 20 acres. An application for a Conditional Use permit and public hearing to construct a detached domesticated farm animal Building shall include the following:
- (1) An aerial photo illustrating within 500 feet of the proposed Structure, all adjacent property Owners Lot lines, houses, septic systems, Fences, wells, animal Buildings and other Structures and feed Storage areas; all wet marshy areas, drainageways and shorelines; all proposed grazing areas on the site; all new utility extensions and driveway accesses to the proposed Building; all Manure Storage and Disposal Areas;
 - (2) A written soil inventory and evaluation from the County Soil Conservation District, if requested by the Zoning Administrator;
 - (3) Details of the Building Floor Plan, elevations, materials, and color of Structure;
 - (4) The application form shall be accompanied by an accurate list showing the names and mailing addresses of the record Owners of all property within a minimum of 500 feet of the property for which the Conditional Use permit is sought, verified as to accuracy by the applicant; and
 - (5) Notice of the purpose, time and place of such public hearing shall be published in the official newspaper of the City and mailed to each of the Owners of all property located within a minimum of 500 feet of the property described in the application and such other Person as the Planning Commission may direct, at least ten days prior to the date of the hearing. A copy of the notice and a list of the Owners and addresses to which the notice was sent shall be attested to by the

responsible Person and shall be made a part of the records of the proceedings. The failure to give mailed notice to individual property Owners, or defects in the notice shall not invalidate the proceedings provided a bona fide attempt to comply with the provisions of this section has been made.

(6) Performance Standards for detached Agricultural Buildings and domesticated farm animal Buildings on parcels of less than 20 acres shall include the following:

(7) Setbacks. All domestic farm animal Buildings, feedlots and Manure Storage sites shall be Setback as follows:

Natural or Human-Made Features	Minimum Horizontal Setbacks
Any body of seasonal or year-round surface water	200 feet
Any existing well or residential Structure on adjacent or nearby parcel	200 feet
Any existing well or residential Structure on the same parcel	50 feet
Any property line	100 feet

(8) Slopes. Said Building, feedlot or Manure Storage shall not be placed on slopes which exceed 13%.

(9) Ground water level or mottled soil. Evidence of the seasonally high ground water level or mottled soil (as established by six- foot borings) shall not be closer than four feet to the natural surface ground grade in any area within 100 feet of the proposed Building and/or feedlot.

(10) Marshes or wetlands. No marsh or wetland (as established by the predominant wetland vegetation and/or soils) shall be utilized for placement of the proposed Structure, feedlot, or grazing area.

(Q) Accessory Apartments. The following Performance Standards and Conditional Use permit requirements shall apply and are necessary for approval, construction, maintenance, and Use of an Accessory Apartment.

(1) Accessory Apartments shall be allowed for the following purposes:

- (a) More efficient utilization of the existing single Family housing stock in the City;
- (b) Enjoyment of the benefits of rental income, decreased housekeeping responsibilities or the companionship of tenants by Persons residing in houses which are too large for their present needs;
- (c) Provision of housing which allows privacy and independence for older or disabled Family members;
- (d) Preservation of property values and maintenance of the character of existing single Family neighborhoods, and
- (e) Provision of housing for live-in employees, such as caregivers and nannies.

(2) For purposes of an Accessory Apartment Use, the following definitions shall apply:

- (a) "housekeeping unit" – all Persons residing within a single Family house whose relationship includes a substantial amount of social interaction including the sharing of housekeeping responsibilities or expenses or the taking of meals together;
- (b) "living space" – the area within a house which is suitable for human habitation including suitable finished Basement areas but excluding Garages, service areas and unfinished portions of the Building;
- (c) "Owner" - the Person who holds the fee title or is a bona fide purchaser under a contract for deed of the property; and
- (d) "unit of housing" – one or more rooms designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities separate from those of another unit of housing and intended for the exclusive Use of a single housekeeping unit.

(3) No Accessory Apartment shall be created, maintained, or Used except in conformity with the following:

- (a) To be created only on property zoned Single Family Detached Dwellings and no more than one Accessory Apartment to be created in any principal Single Family Dwelling;
- (b) Adequate off-Street parking shall be provided for the Vehicles of all residents of an Accessory Apartment and the single Family residence, with such parking to be in a Garage, carport or on paved or gravel areas intended for that purpose. No long-term parking on Street right-of-way by any occupants shall be allowed. The property shall be further subject to all additional parking rules and regulations set forth elsewhere in the zoning code.

(c) An Accessory Apartment shall be 45 percent or less of the gross living area of the Structure. The gross living area includes the Accessory Apartment;

- (d) An Accessory Apartment shall be constructed and maintained as an appropriate and suitable living space and unit of housing as defined above. Combined occupancy of the single Family residence and the Accessory Apartment shall be limited to two times the number of bedrooms in the Structure. The septic system shall also be inspected and shall be compliant with county requirements and sufficient for the number of bedrooms at the property.

(e) Exterior appearance and any exterior modifications or changes to the principal Single Family Dwelling must not substantially alter the single Family appearance and character of the Structure;

(f) No Accessory Apartment shall be created except in compliance with all applicable Building, housing, plumbing, heating, electrical, fire, and related codes of the City and State of Minnesota. Construction of an Accessory Apartment shall require a Building permit and inspection and oversight by the City Building Official;

(g) All other provisions of this ordinance relating to Single Family Dwelling Units and Structures and their related accessory Structures shall be met, unless specifically amended by this Subdivision;

(h) No Accessory Apartment shall be occupied prior to the issuance of a Certificate of Occupancy by the City Building Official.

(i) Either the principal Single Family Dwelling or the Accessory Apartment shall be Owner-occupied. Any portion of the Single Family Dwelling or Accessory Apartment rented to and occupied by someone other than the Family members of the Owner of the Principal Structure shall be required to obtain a license for a Residential Rental Property as set forth in the Code Section 1104.

(4) Accessory Apartments shall be allowed only with a Conditional Use Permit (applied for and approved in conformance with all provisions of Code Section 505, with this subsection 703.19, and with all other Code provisions relating to residential Uses). The City may impose any other reasonable condition or restriction in relation to the approval of a particular Conditional Use permit for an Accessory Apartment as deemed suitable or necessary for a particular property. Accessory Apartments shall be reviewed for compliance with the Conditional Use permit each year as follows:

(a) Annual inspection by the Fire Chief or their designee;

(b) Annual review of Conditional Use Permit by Zoning Administrator, Planning Commission, and/or Building Official verifying continued compliance;

(c) Payment of annual review fee as determined by the City Council;

(5) Conditional Use permits for Accessory Apartments within the Lower St. Croix Bluffland and Shoreland overlay district shall be subject to any additional rules and regulations for a Conditional Use permit in the overlay district as set forth in the Lower St. Croix Bluffland and Shoreland Management Ordinance. Because Accessory Apartments are permissible with a Conditional Use Permit within the Lower St. Croix Bluffland and Shoreland overlay district, any amendments, or modifications to the provisions of this Section 703.19 shall be subject to the DNR notification and certification procedures in the Lower St. Croix River Bluffland and Shoreland Management Ordinance.