February 4, 2016

VIA EMAIL ONLY

City of Tonka Bay
4901 Manitou Road
Tonka Bay, MN 55331
Attn: Lindy Crawford, City Administrator
Email: lcrawford@cityoftonkabay.net

To: City Council
Lindy Crawford
Erin Perdu

Re: 160 Sunrise Avenue

As requested by Ms. Crawford, I am submitting this letter stating my position with respect to Ms. Crawford's statements made via email on January 28, 2016. Please note that the approved plans for the project clearly show the two walls that will remain on the basement level only, in addition to the basement level walls that will not remain. Also, per standard practice, any walls that would have remained on the main level or second story would have also been noted as "existing walls to remain" on the submitted plans.

On Wednesday, January 27th (not Tuesday), my understanding is that Ms. Crawford made a site visit to 160 Sunrise Avenue. Ms. Crawford stated she saw a completely demolished house, when in fact the full foundation and 1st-level floor system was still there and is still there.

The numbering below reflects the numbering set forth in Ms. Crawford's email from January 28, 2016.

1. Demo Permit. The demo permit, as approved, states that "demo prior to remodel not new construction." As our approved plans and applications state, we are proposing our work as a remodel and addition. Our foundation plan calls out the remodel of the existing foundation and footings of the structure. The foundation/basement is part of the home. New construction would include new footings and new foundation walls and new code compliance of these sections of the home. We are not doing this as part of our work.

2. Building Permit. The building permit application and submitted (and later approved) plans clearly depict two or more walls on the basement level to remain during the addition and remodeling as noted. As Ms. Crawford highlighted, the walls called out as "existing walls to remain" are on the foundation plan only. The approved main level and second story plans show new walls to be constructed according to current code requirements.

3. CUP and Variances. The CUP and variances for this project were all obtained based upon the plans and applications submitted to the City and previously presented to the City Council. Nothing has changed. All of our work to date has been strictly in accordance with the approved

plans for the project. We have followed the direction of City Staff at all times, and our submittals, approvals, and permits were all submitted and obtained per the direction of past and present City Staff and City consultants. I do not understand how any additional variances, or a new CUP, or any new approvals are required when there have been no changes to the submitted and approved plans for the project.

4. Implications on Alternative Flood Proofing Measures/Drainage. Again, as stated in #3 above, there have been no changes to the submitted and approved plans. Therefore, I do not understand how there could be any impact on the alternative flood proofing measures/drainage for the project. The City Engineer has already stated that because there are no changes to the plans, there is no impact on the alternative flood proofing measures/drainage for the project.

The project has been on hold since January 28th, causing substantial hardship in terms of time, cost and safety. I attended an in–person meeting with Ms. Crawford, Ms. Perdu and Mr. Matiak on February 2nd to discuss the concerns raised by Ms. Crawford on January 28th . At that meeting, both Ms. Perdu and Mr. Matiak noted that the concerns raised by Ms. Crawford do not change anything in terms of required inspections, approvals, variances or a revised CUP. As a result, there is no reason why this project should not move forward.

I cannot stress enough the fact that I am following the approved plans in all respects, and am committed to doing that through the duration and completion of the project. I respectfully request that you allow the project to proceed as approved and per the current plans and allow the building permit to be released. Mr. Matiak has already signed off on the building permit, which is currently being held my Ms. Crawford.

Respectfully submitted,

Preston Fox
4-Square Builders, Inc.