



4901 Manitou Road
 Tonka Bay MN 55331
 952-474-7994
 info@cityoftonkabay.net
www.cityoftonkabay.net

LAND USE REVIEW APPLICATION

Property Address _____

Property Owner _____

Full Address _____

Phone _____ Email _____

Applicant (if different from above) _____

Full Address _____

Phone _____ Email _____

Type of Application (check all that apply)		
<input type="checkbox"/> Comprehensive Plan Amend	<input type="checkbox"/> Design Standards	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Sketch Plan Review	<input type="checkbox"/> Admin Subdivision
<input type="checkbox"/> PUD- Concept Plan	<input type="checkbox"/> Conditional Use Permit (NUP)	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> PUD-General Plan	<input type="checkbox"/> Final Plat	<input type="checkbox"/> Admin Appeal
<input type="checkbox"/> PUD- Final Plan	<input type="checkbox"/> Other _____	

Note: Variances have their own specific application.

All applications should include the following:

- A completed application and fees (see payment notes below and note escrows required)
- Electronic copy of all exhibits (includes application)
- 1 copy of a registered land survey (existing AND proposed, see descriptions below)
- 1 copy of a description of proposed work
- A narrative **addressing the following statements:**

1. Specify the section of ordinance from which a variance is sought.
2. Explain how you wish to vary from the applicable provision(s) of the ordinance and what makes the request reasonable.
3. Explain how the project is in harmony and consistent with the general purposes and intent of the Comprehensive Plan and the zoning ordinance?
4. Explain how the proposed project will not adversely affect the health, safety, or general welfare of the neighborhood and the City.

APPLICANT'S STATEMENT

This application should be processed in my name. I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct. *I agree to reimburse the City of Tonka Bay for the costs of professional Engineers and other Consultants that will be hired by the City to review and inspect this proposal.*

Signature: _____ Date: _____

OWNER'S STATEMENT

I am the owner of the above-described property and I agree to this application. *I agree to reimburse the City of Tonka Bay for the costs of professional Engineers and other Consultants that will be hired by the City to review and inspect this proposal in the event that my contractor does not.*

Signature: _____ Date: _____

City Planner initials

LAND USE FEES

<u>Land Use Applications</u>		
Variance, plus Escrow	\$500.00	1004.03, 1004.05, 1030.11 subd. B
CUP, plus Escrow	\$500.00	1003.01
Pre-Planning Application	\$2,000.00	
Preliminary Plat, plus Escrow	\$150.00	1030.4 subd. B
Rezoning, plus Escrow	\$150.00	
Simple Subdivision, plus Escrow	\$150.00	1030.1 subd. F
Street Vacation, plus Escrow	\$150.00	930
Subdivision, plus Escrow	\$150.00	1030
Planned Unit Development, plus Escrow	\$650.00	1006.03.1, 1006.05.4
Final Plat, plus Escrow	\$150.00	1030.09 subd. A
Engineering Fee	\$350.00	
Administrative Appeal	\$250.00 + \$1,500 deposit	
Park Dedication	Refer to Ordinance	1006.02 subd. 5-8, 1030.8
Escrow	\$3,000.00	263

Additional Fee Notes:

1. Park Dedication Fee shall be due to the City per current fee schedule if applicable.
2. Additional water and sewer assessments may be due pending a check of city records or SAC guidelines.

SURVEY REQUIREMENTS

Unless waived by the City Administrator, you must provide all of the following items with the Variance application. An incomplete application will not be processed or placed on the City Council agenda.

- 1 copy (11"x17") of a certified survey of the property. The survey shall include all information necessary to enforce applicable zoning regulations. Such information may include but is not limited to (see next page):

Scale and north arrow

Lot address

Legal description of parcel

Benchmark description, location, and elevation

Property iron locations and elevations

Lot lines and dimensions

Easements and rights-of-way

Parcel size in acres and square feet

Floor area ratio – *existing and proposed*

Hardcover calculations – *existing and proposed*

Location of all hardcover – *including decks, sidewalks, porches, pavers, retaining walls, landscape rock*

All applicable setbacks

Existing structure elevations – *garage floor, lowest floor, and lowest opening*

Proposed structure elevations – *foundation block, garage floor, lowest floor, lowest opening*

Existing & proposed grade elevations at the following locations:

Lot corners

Side lot lines extended from front and rear building lines

Street elevations (centerline, top of curb/edge of roadway) at lot lines and driveway

Building corners

15' outside of principle structure

Grade changes

Retaining walls (top & bottom)

Existing and proposed contours generated by field survey – *LiDAR contours are not allowed*

Arrows indicating the direction of proposed surface drainage

Driveway grade expressed as a percentage

Sanitary service location

Water service location

Nearby well and septic locations

Spot elevations at corners of adjacent structures

Location of existing utilities

Tree location and diameter

Designate trees to be removed

Proposed landscaping and/or stabilization of disturbed areas

Ordinary High-Water contour (Lake Minnetonka: 929.4)

Floodplain boundary contour (Lake Minnetonka: 931.5)

Wetland boundary and wetland buffers

FOUNDATION SURVEY

As-built foundation survey required prior to completing a foundation inspection (unless waived in accordance with the City's survey exemption policy) and shall include:

- Shall certify final setbacks of the structure being built.
- Shall certify elevations at which the new structure exists.
- Failure to provide the foundation survey is in direct violation of this ordinance.
- Expenditures incurred beyond the construction of the foundation will not be considered in determining the actions required to bring the building back into conformance if not built to approved plans.

AS-BUILT SURVEY

Required upon completion of new construction work (unless waived in accordance with the City's survey exemption policy) and shall include:

- Shall certify the final topography of the site.
- Shall verify the drainage patterns existing upon completion of work.
- Shall include the distance from average ground level to the highest roof peak.
- Shall include any additional information needed by the city to ensure compliance with code.

WHAT HAPPENS NEXT?

1. Once an application is received, the City has 15 business days to review for completeness.
2. Once an application is complete, the City Administrator will schedule a public hearing (if required) with the City Council and the planning consultants will prepare a report and recommendation. Allow at least 30-60 days from the COMPLETED application date to the City Council hearing. City staff will mail a notice to property owners within 350 feet of the property and to the local newspaper.
3. *As the applicant, your presence is expected at the City Council meeting.* The City Council meets on the second and fourth Tuesdays of each month. The staff report with staff recommendations will be released the Thursday before the Council meeting and can be found at cityoftonkabay.net.
4. Following staff review the proposal will be presented to the City Council. Approval of the variance request requires 4/5 vote of the City Council.
5. *The variance expires one year after approval so timely building permit submittal is important.*
6. The applicant should also reach out to the Minnehaha Creek Watershed District to see if a permit is needed.



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Section 263 Escrow Deposits

263.01. INTENT

Certain licensed and permitted activities carried on in the city require the assistance of the city engineer, city attorney, city administrator, or other city personnel. As these activities primarily benefit private persons rather than the city as a whole, the cost of these services should be borne by those benefiting therefrom.

263.02. ESCROW DEPOSIT REQUIRED

Where applications for subdivision approval, rezoning, conditional use permits, planned unit developments, zoning variances, sewer connection permits, liquor license, building permits, or any other municipal permits, licenses, or considerations require a cash deposit, said cash deposit shall be placed in an escrow account in an amount sufficient to pay all engineering, legal, planning, or other fees incurred by the city, and such other costs as may be the applicant's responsibility in connection with the application and supervision, inspection, and investigation of the permitted activity. The deposit shall be held in the account and shall be credited to the applicant making the deposit. All engineering, legal, and planning fees, and such other costs as may be made the applicant's responsibility, incurred in connection with an application, shall be charged to the applicant's escrow account and credited to the city.

263.03. DETERMINATION OF ESCROW AMOUNT

Based on the fee schedule as set out in Section 402.01 of this code, the City Administrator shall determine the amount of the escrow deposit required after consultation with the city attorney, city engineer, or other appropriate city personnel whose services may be required. All time, services, and materials to be billed to an escrow account shall be itemized.

263.04. ENFORCEMENT

Applications requiring escrow deposits shall not be accepted or processed by the city unless accompanied by an escrow deposit as required by Section 263. of this code.

263.05. DEFICITS

If at any time it appears that a deficit will occur in any escrow, the City Administrator may require an additional deposit in said escrow account sufficient to cover the additional expenses. Failure to make such additional deposits, or to pay to the city money owed for services for which the applicant is responsible in connection with his or her application shall be grounds for denial or revocation of the permit or license, or cessation of work on a particular project. Such permit or license shall be revoked only after a hearing complying with the requirements of Section 150 of this code.

263.06. REFUNDS

Any money remaining in an applicant's escrow account after payment of all required engineering, legal and other costs and fees shall be returned to the applicant.