

Permit Application No.: **18-162**

Rules: **Erosion Control & Wetland Protection**

Applicant: **Zehnder Homes**

Received: **03/27/2018**

Project: **Single Family Home Construction**

Complete: **03/30/2018**

Location: **19700 Manor Road, Deephaven, MN**

Noticed: **04/13/2018**

**Recommendation:**

Approval of MCWD permit application with the following conditions:

- Submission of a draft declaration with a 20 foot wetland buffer & maintenance of the wetland buffer for MCWD approval, then recordation;
- Reimbursement of mailing fees.

**Background**

Zehnder Homes has applied for a Minnehaha Creek Watershed District (MCWD) permit for Erosion Control and Wetland Protection for the construction of a single-family home within a two-lot subdivision at 19700 Manor Road in the City of Deephaven.

This project involves building a new structure that results in a 6,253-square foot increase of impervious cover over the 1.83-acre (79,719 square foot) site. One wetland was identified on-site, triggering the Buffer provision of the Wetland Protection rule. The Stormwater Management rule regulates subdivisions of three lots or more and does not apply to this Project. The site drains to Lake Minnetonka.

The applicants have submitted all exhibits, plans, and materials necessary to analyze compliance with MCWD rules. No variances from MCWD rule provisions are needed for approval of the permit. This permit is before the Board of Managers for determination at the request of a member of the public.

**District Rule Summary**

Erosion Control

The District exercises regulatory authority for erosion control in the City of Deephaven. The Erosion Control rule is applicable for any project exceeding 5,000 square feet of land disturbance or 50 cubic yards of excavation. The proposed project involves approximately 7,000 square feet of disturbance and 650 cubic yards of fill over the entire site, therefore the Erosion Control rule is triggered.

The applicant has submitted an Erosion Control plan which utilizes erosion control best management practices including a rock construction entrance, a silt fence perimeter control, and on-site concrete washout with an impermeable liner. Final site stabilization will include adding six inches of topsoil to disturbed areas and revegetating with sod.

The proposed erosion control practices meet the District requirements.

Wetland Protection:

The District exercises regulatory authority for wetland protection in the City of Deephaven and also acts as the Local Government Unit charged with administering the Wetland Conservation Act (WCA). A Type 2/3 Fresh (Wet) Meadow/Shallow Marsh wetland was delineated on this property in October 2014. The District issued a Notice of Decision approving the delineated wetland Boundary and Type on December 30, 2014. The District's Wetland Protection Rule is applicable to New Principal Residential Structure construction projects that increase the imperviousness of the subject parcel. This project involves building a new structure that increases the impervious surface on the parcel by 6,253-square feet, therefore the buffer requirements of the rule are applied to this project.

According to this provision, a buffer must be provided adjacent to each wetland as it is downgradient of the site disturbance. The wetland is identified as Manage 3 on the District's Functional Assessment of Wetlands which requires a Base Buffer of 20 feet, therefore, a 20-foot buffer has been applied to the wetland in accordance with Section 6(f) of the rule.

The applicant has indicated the buffer and buffer monument locations on the site plan and has met the requirements of the District's wetland protection rule.

Summary:

Zehnder Homes is proposing a single family home reconstruction project that will trigger the District's Erosion Control and Wetland Protection rules. The project as proposed meets the applicable requirements under each of these District rules. Staff recommends approval of the MCWD permit application with the conditions provided above.

Attachments:

1. Permit Application
2. Site Location
3. Proposed Site Plan

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Katherine Sylvia

Date: 05-10-2018



18-162

By \_\_\_\_\_ **WATER RESOURCE PERMIT APPLICATION FORM**

Use this form to notify/apply to the Minnehaha Creek Watershed District (MCWD) of a proposed project or work which may fall within their jurisdiction. Fill out this form completely and submit with your site plan, maps, etc. to the MCWD at: 15320 Minnetonka Blvd. Minnetonka, MN 55345.

Keep a copy for your records.

**YOU MUST OBTAIN ALL REQUIRED AUTHORIZATIONS BEFORE BEGINNING WORK.**

1. Name of each property owner: Zehnder Homes, Inc.  
Mailing Address: 14240 23rd Ave N City: Plymouth State: MN Zip: 55447  
Email Address: eric.zehnder@zehnderhomes.com Phone: 651-303-5747 Fax: \_\_\_\_\_

2. Property Owner Representative Information (not required) (licensed contractor, architect, engineer, etc...)  
Business Name: Zehnder Homes Inc. Representative Name: Eric Zehnder  
Business Address: 14240 23rd Ave N. City: Plymouth State: MN Zip: 55447  
Email Address: eric.zehnder@zehnderhomes.com Phone: 651-303-5747 Fax: \_\_\_\_\_

3. Project Address: 19700 Manor Road City: Deephaven  
State: MN Zip: 55331 Qtr Section(s): \_\_\_\_\_ Section(s): \_\_\_\_\_ Township(s): \_\_\_\_\_ Range(s): \_\_\_\_\_  
Lot: 2 Block: 1 Subdivision: Cottagewood Manor PID: 2511723120045

4. Size of project parcel (square feet or acres): 1.83 acres  
Area of disturbance (square feet): 7000 sf Volume of excavation/fill (cubic yards): 650 yd<sup>3</sup>  
Area of existing impervious surface: 0 Area of proposed impervious surface: 6253 sf  
Length of shoreline affected (feet): \_\_\_\_\_ Waterbody (& bay if applicable): \_\_\_\_\_

5. Type of permit being applied for (Check all that apply):
- EROSION CONTROL
  - FLOODPLAIN ALTERATION
  - WETLAND PROTECTION
  - DREDGING
  - SHORELINE/STREAMBANK STABILIZATION
  - WATERBODY CROSSINGS/STRUCTURES
  - STORMWATER MANAGEMENT
  - APPROPRIATIONS
  - ILLICIT DISCHARGE

6. Project purpose (Check all that apply):
- SINGLE FAMILY HOME
  - ROAD CONSTRUCTION
  - UTILITIES
  - DREDGING
  - SHORELINE/STREAMBANK STABILIZATION
  - MULTI FAMILY RESIDENTIAL (apartments)
  - COMMERCIAL or INSTITUTIONAL
  - SUBDIVISIONS (include number of lots)
  - LANDSCAPING (pools, berms, etc.)
  - OTHER (DESCRIBE): \_\_\_\_\_

7. NPDES/SDS General Stormwater Permit Number (if applicable): \_\_\_\_\_

8. Waterbody receiving runoff from site: \_\_\_\_\_

9. Project Timeline: Start Date: 4/15/2018 Completion Date: 11/1/2018

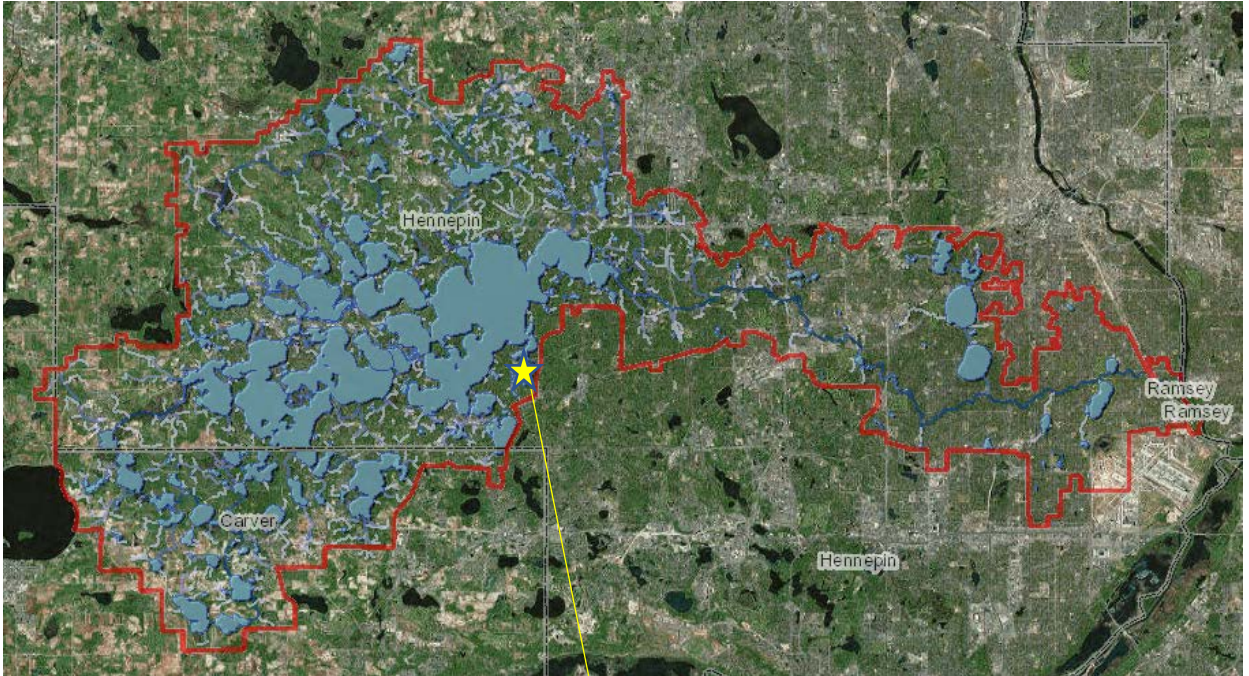
Permits have been applied for: City  County  MN Pollution Control Agency  DNR  COE   
Permits have been received: City  County  MN Pollution Control Agency  DNR  COE

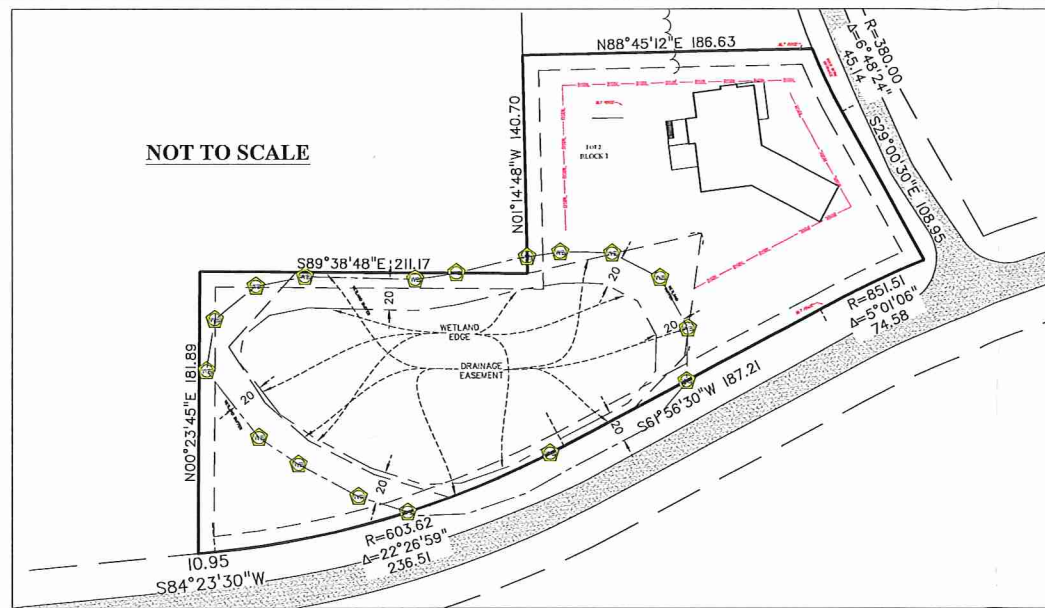
By signing below, I hereby request a permit to authorize the activities described herein. I certify that I am familiar with MCWD Rules and that the proposed activity will be conducted in compliance with these Rules. I am familiar with the information contained in this application and, to the best of my knowledge and belief, all information is true, complete and accurate. I understand that proceeding with work before all required authorizations are obtained may be subject to federal, state and/or local administrative, civil and/or criminal penalties.

[Signature]  
Signature of Each Property Owner

3/27/18  
Date

Attachment 2. Site Location





**DESCRIPTION OF PROPERTY SURVEYED**

Lot 2, Block 1, COTTAGEWOOD MANOR, according to the recorded plat thereof, Hennepin County, Minnesota

**GENERAL SURVEY NOTES**

- 1) Site Address: 19700 Manor Road, Deephaven, Minnesota 55331
- 2) Flood Zone Information: This property is contained in Zone X (areas determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0317F, effective date of November 4th, 2016.
- 3) Parcel Area Information: The Gross land area is 79,911 +/- square feet or 1.83 +/- acres.
- 4) Benchmark: Elevations are based on MnDOT Geodetic Benchmark "2706 AE" = 987.92 Feet (NAVD88)
- 5) Zoning Information: The current Zoning for the subject property is R-2 (Residential) per the City of Deephaven's planning department on March 7th, 1973 as follows:

**Principal Structure Setbacks -**  
 Street Front: 50 feet (Manor Road)  
 Street Side: 25 feet (Dyer Lane)  
 Side: 20 feet  
 Rear: 25 feet  
 Maximum Hardcover: 25%

Please note that the general restrictions for the subject property may have been amended through a city process. We could be unaware of such amendments if they are not in a recorded document provided to us. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site.

- 6) Utilities: We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware.
- 7.) Verify sanitary service invert prior to any concrete work.
- 8.) Wetland information shown hereon was provided by the Minnehaha Creek Watershed District.

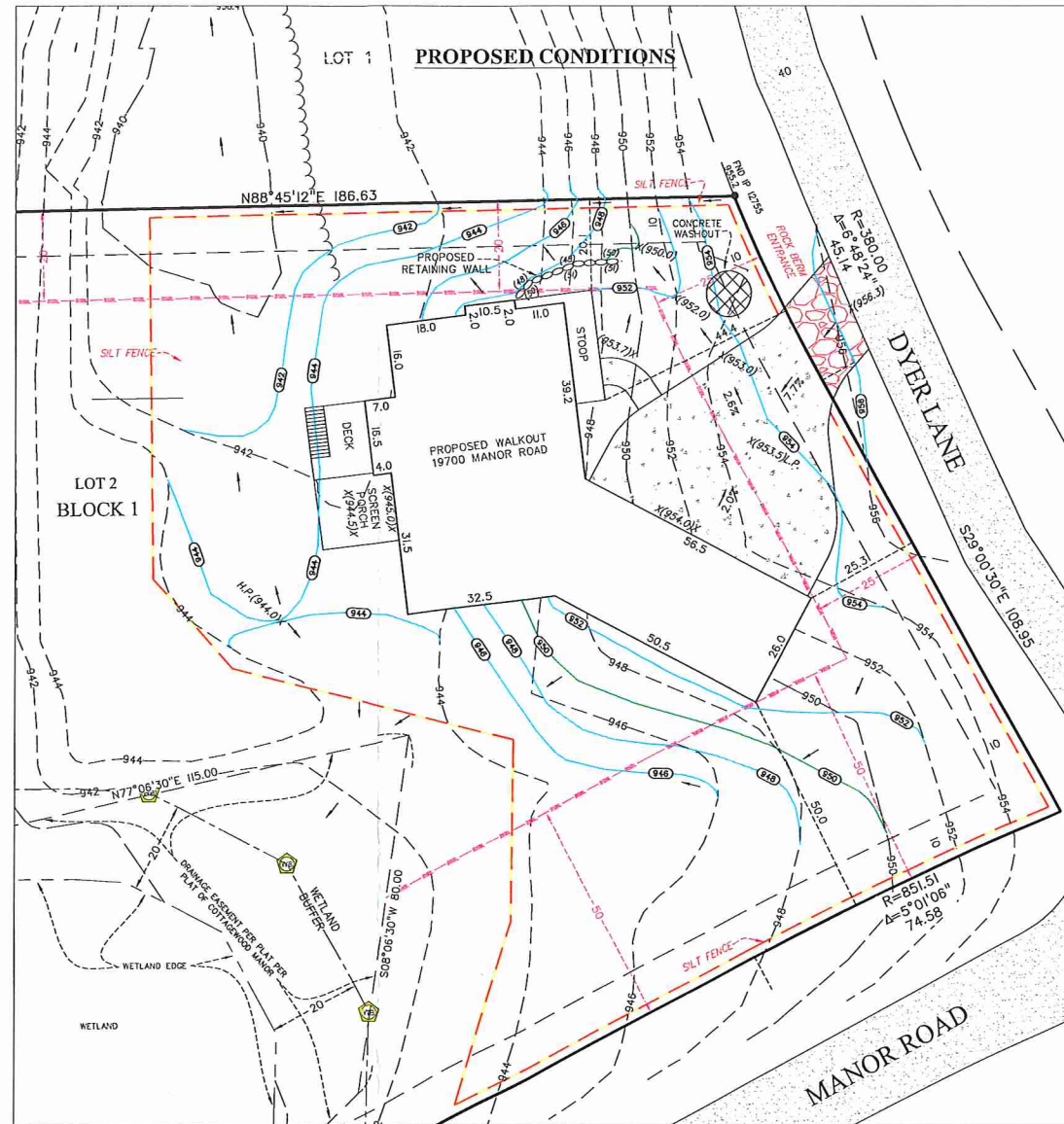
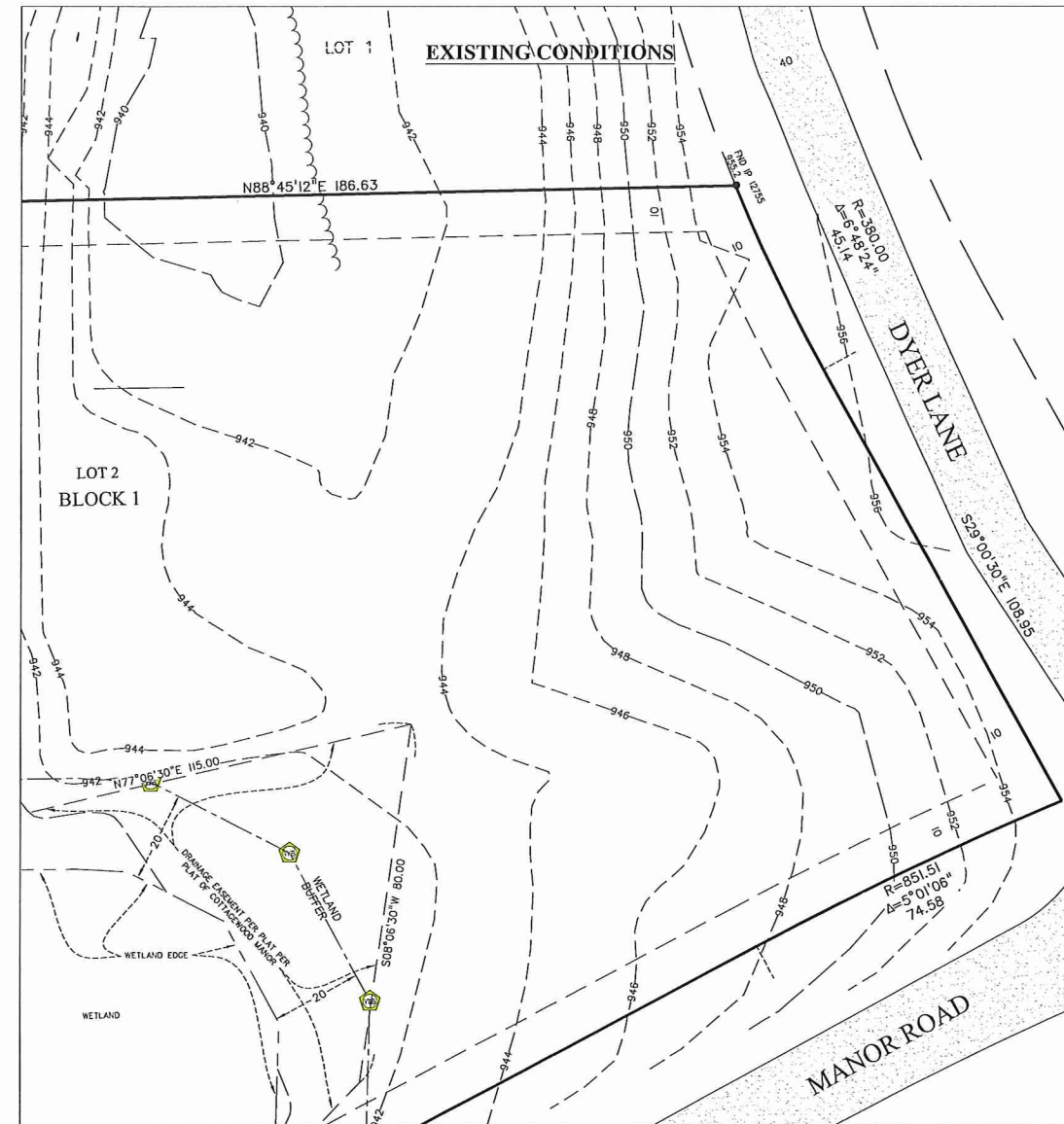
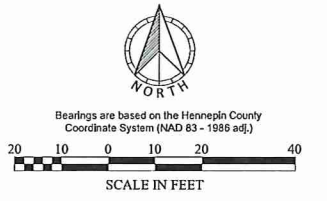
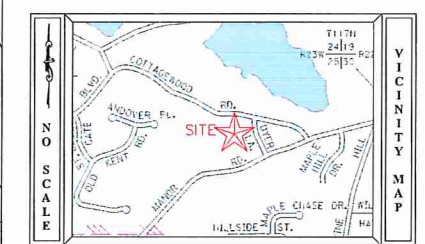
**Development Plan Data - WO**

Garage Floor Elevation	= 954.0
Top of Foundation Elevation	= 954.3
Basement Floor Elevation	= 945.6

**Proposed Elevations - WO**

Proposed Garage Floor Elevation	= 954.0
Proposed Top of Foundation Elevation	= 954.3
Proposed Basement Floor Elevation	= 945.6

Existing Hardcover	Proposed Hardcover
Lot Area = 79,911 S.F.	Lot Area = 79,911 S.F.
House Area = 0 S.F.	House Area = 4,026 S.F.
Driveway Area = 0 S.F.	Driveway Area = 1,964 S.F.
Sloop Area = 0 S.F.	Sloop Area = 181 S.F.
Sidewalk Area = 0 S.F.	Sidewalk Area = 82 S.F.
Total Area = 0 S.F.	Total Area = 6,253 S.F.
Coverage = 0.0%	Coverage = 7.8%



**SURVEY LEGEND**

<ul style="list-style-type: none"> <li>CAST IRON MONUMENT</li> <li>CATCH BASIN</li> <li>FLARED END SECTION</li> <li>GATE VALVE</li> <li>GUY WIRE</li> <li>HYDRANT</li> <li>SURVEY MONUMENT SET</li> <li>SURVEY MONUMENT FOUND</li> <li>SURVEY CONTROL POINT</li> <li>LIGHT POLE</li> <li>POWER POLE</li> <li>SANITARY MANHOLE</li> <li>SANITARY CLEANOUT</li> <li>SIGN</li> <li>GROUND ELEVATION</li> <li>STORM DRAIN</li> <li>STORM MANHOLE</li> <li>YARD LIGHT</li> <li>A/C UNIT</li> <li>WELL</li> <li>WETLAND BUFFER POST</li> </ul>	<ul style="list-style-type: none"> <li>W/OE WALKOUT ELEVATION</li> <li>FFE FIRST FLOOR ELEVATION</li> <li>GFE GARAGE FLOOR ELEVATION</li> <li>TOF TOP OF FOUNDATION ELEV.</li> <li>LOE LOWEST OPENING ELEV.</li> <li>CABLE TV PEDESTAL</li> <li>ELECTRIC TRANSFORMER</li> <li>ELECTRIC MANHOLE</li> <li>ELECTRIC METER</li> <li>GAS METER</li> <li>GAS VALVE</li> <li>HAND HOLE</li> <li>SOIL BORING</li> <li>TREE CONIFEROUS</li> <li>TREE DECIDUOUS</li> <li>TELEPHONE MANHOLE</li> <li>TELEPHONE PEDESTAL</li> <li>TRAFFIC SIGNAL</li> <li>UTILITY MANHOLE</li> <li>UTILITY PEDESTAL</li> </ul>	<ul style="list-style-type: none"> <li>BITUMINOUS</li> <li>BUILDING SETBACK LINE</li> <li>CIV. CABLE TV</li> <li>CONCRETE CURB</li> <li>CONCRETE</li> <li>CONTOUR EXISTING</li> <li>CONTOUR PROPOSED</li> <li>GUARD RAIL</li> <li>DRAIN TILE</li> <li>ELECTRIC UNDERGROUND</li> <li>FENCE</li> <li>FIBER OPTIC UNDERGROUND</li> <li>GAS UNDERGROUND</li> <li>OVERHEAD UTILITY</li> <li>RAILROAD TRACKS</li> <li>SANITARY SEWER</li> <li>STORM SEWER</li> <li>TELEPHONE UNDERGROUND</li> <li>UTILITY UNDERGROUND</li> <li>WATERMAIN</li> </ul>
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FIELD CREW	NO.	BY	DATE	REVISION
	1	DZB	3/20/2018	ADD EROSION CONTROL & WETLAND BUFFER POSTS
	2	DZB	3/30/2018	REVISE WETLAND & WETLAND BUFFER
DRAWN				
CHECKED				
DATE				
1/18/2018				

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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 Land Surveyor under the laws of the State of Minnesota.  
 Dated this 21st day of February, 2018.  
 David B. Pemberton, PLS  
 pemberton@sathre.com  
 Minnesota License No. 40344

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TWP:23-RGE.117-SEC.24  
 Hennepin County  
**DEEPAHVEN, MINNESOTA**

**CERTIFICATE OF SURVEY**  
 PREPARED FOR:  
**ZEHNDER HOMES**

FILE NO.  
 99595-097  
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