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AGENDA
Maplewood City Council
7:00 P.M., Thursday, April 1, 1982
Municipal Administration Building
Meeting 82-8

(A) CALL TO ORDER

(B) ROLL CALL

(C) APPROVAL OF MINUTES

(D) APPROVAL OF AGENDA

(E) CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion in the form listed below. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. Accounts Payable
2. Disposal of Old Financial Records
3. Removing County State Aid Highway Designation

(F) PUBLIC HEARINGS

1. Rezoning - 2010 Clarence Street (7:00) _____
2. Board of Adjustments and Appeals:
 - a. Minutes
 - b. Variance: 2010 Clarence Street (7:00) _____
3. Code Amendment: Accessory Apts. (1st reading) (7:15) _____
4. Code Amendment: RE district - sideyard setbacks (1st reading) (7:30) _____
5. Code Amendment: Definition of Family (1st reading) (7:45) _____

(G) AWARD OF BIDS - None

(H) UNFINISHED BUSINESS - None

(I) VISITOR PRESENTATION

(J) NEW BUSINESS

1. Final Plat: Maple Park Shores _____
2. Sarrack: Off-sale - Memorial Day _____
3. T.H. 61 - Frontage Road - Feasibility Study _____
4. Liquor License: Given - Keller Clubhouse _____

(K) COUNCIL PRESENTATIONS

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

(L) ADMINISTRATIVE PRESENTATIONS

(M) ADJOURNMENT

A C C O U N T S P A Y A B L E
 O U N T C L A I M A N T

DATE 04-01-82 PAGE
 P U R P O S E

O U N T	C L A I M A N T	P U R P O S E
3,939.40	MINN STATE TREASURER	DEPOSITS-DEPUTY REGIST
207.00	MINN STATE TREASURER	STATE D/L FEES PAYABLE
211 2,344.50	MINN STATE TREASURER	DEPOSITS-DEPUTY REGIST
000212 1,650.50	MINN STATE TREASURER	DEPOSITS-DEPUTY REGIST
000213 169.00	MINN STATE TREASURER	STATE D/L FEES PAYABLE
000214 2,500.00	HOWARD BARKDOLL	JUDGEMENTS + LOSSES
000215 100.00	BARRY EVANS	VEHICLE ALLOWANCE
000216 150.00	GOVT TRAINING SERVICE	TRAVEL + TRAINING
000217 697.25	POSTMASTER	POSTAGE
000218 55.00	UNIVERSITY OF MINNESOTA	TRAVEL + TRAINING
000219 333.00	MINN STATE TREASURER	STATE D/L FEES PAYABLE
000220 2,510.25	MINN STATE TREASURER	DEPOSITS-DEPUTY REGIST.
000221 1,117.55	MN STATE TREASURER-PERA	CONTRIBUTIONS, PERA
000222 * 2,228.47	MN STATE TREASURER-PERA	P.E.R.A. DED PAYABLE AND-CONTRIBUTIONS, PERA
000223 8,972.79	MN STATE TREASURER-PERA	P.E.R.A. DED PAYABLE AND-CONTRIBUTIONS, PERA
000224 74.50	RAMSEY CO CLERK OF DIST	CNTY D/L FEES PAYABLE
000226 142.00	MINN STATE TREASURER	CNTY D/L FEES PAYABLE
000227 6,203.25	MINN STATE TREASURER	DEPOSITS-DEPUTY REGIST.
000228 1,859.00	MINN STATE TREASURER	DEPOSITS-DEPUTY REGIST.
000229 433.00	MINN STATE TREASURER	STATE D/L FEES PAYABLE
000230 87.00	MINN STATE TREASURER	DNR LICENSE FEES PBL
000231 116.00	MINN STATE TREASURER	DNR LICENSE FEES PBL
000232 420.75	METRO WASTE CONTROL COMM	S.A.C. PAYABLE
000233 350.00	GEORGES BODY SHOP	A/R - INSURANCE

CHECK*	A M O U N T	C L A I M A N T	P U R P O S E
000234	1,652.47	GREAT WEST LIFE ASSURANCE	CONTRIBUTIONS, INSURANCE
000235	2,768.96	GREAT WEST LIFE ASSURANCE	A/R - INS CONTINUANCE AND-HEALTH INS PAYABLE AND-LIFE INS DED PAYABLE AND-CONTRIBUTIONS, INSURANCE
000236	147.11	MINN STATE TREAS-SURTAX	SURCHARGE TAX PAYABLE
000237	14.07	JUDY CHLEBECK	SUPPLIES, OFFICE AND-TRAVEL + TRAINING
000238	198.00	MINN STATE TREASURER	STATE D/L FEES PAYABLE
000239	1,495.50	MINN STATE TREASURER	DEPOSITS-DEPUTY REGIST.
000240	319.41	ICMA RETIREMENT CORP	DEFERRED COMP PAYABLE AND-DEFERRED COMPENSATION
000241	23,089.43	MAPLEWOOD STATE BANK	FED INCOME TAX PAYABLE
000242	8,800.38	STATE OF MN	MINN INCOME TAX PAYABLE
000243	11,346.00	CITY + CTY CREDIT UNION	CREDIT UNION DED PAYABLE
000244	200.00	MN STATE RETIREMENT SYST	DEFERRED COMP PAYABLE
000245	24.00	METRO SUPERVISORY ASSOC	UNION DUES PAYABLE
000246	297.43	AFSCME LOCAL 2725	UNION DUES PAYABLE AND-FAIR SHARE FEES PAYABLE
000247	574.68	MN TEAMSTERS LOCAL 320	UNION DUES PAYABLE AND-FAIR SHARE FEES PAYABLE
000248	145.00	ROSEMARY KANE	WAGE DEDUCTIONS PAYABLE
000249	187.50	MAPLEWOOD STATE BANK	WAGE DEDUCTIONS PAYABLE
000250	227.00	MN MUTUAL LIFE INS CO	DEFERRED COMP PAYABLE
000251	730.86	CONN GENERAL LIFE INS CO	CONTRIBUTIONS, INSURANCE
000252 *	461.93	CONN GENERAL LIFE INS CO	CONTRIBUTIONS, INSURANCE
000253	40.00	PAULINE HALVERSON	A/R - PARAMEDIC
000254	1,352.25	MINN STATE TREASURER	DEPOSITS-DEPUTY REGIST.

OF MAPLEWOOD

A C C O U N T S P A Y A B L E
C L A I M A N T

DATE 04-01-82 PAGE
P U R P O S E

CHECK*	A M O U N T	C L A I M A N T	P U R P O S E
000255	410.00	MINN STATE TREASURER	STATE D/L FEES PAYABLE
000256 *	150.00	CHURCH OF THE SACRED	RENTAL, EQUIPMENT
000257	219.00	MINN STATE TREASURER	STATE D/L FEES PAYABLE
000258	1,361.00	MINN STATE TREASURER	DEPOSITS-DEPUTY REGIST
000259	94.50	RAMSEY CO CLERK OF DIST	CNTY D/L FEES PAYABLE
000260	80.00	TWIN CITIES ARMA CHAPTER	TRAVEL + TRAINING
000261	221.00	MINN STATE TREASURER	STATE D/L FEES PAYABLE
000262	2,486.00	MINN STATE TREASURER	DEPOSITS-DEPUTY REGIST.
000263	6.00	SUBURBAN CHAMBER/COMMECE	TRAVEL + TRAINING
000264 *	1,350.00	CONSOLIDATED TOURS	FEES, SERVICE
000265	227.00	MINN STATE TREASURER	Gals Get-A-Way
000266	1,840.00	MINN STATE TREASURER	STATE D/L FEES PAYABLE
57	99,176.69	NECESSARY EXPENDITURES SINCE LAST COUNCIL MEETING	DEPOSITS-DEPUTY REGIST.

CHECK*	A M C U N T	C L A I M A N T	P U R P O S E
012810	59.93	ACRO-MINNESOTA INC	SUPPLIES, OFFICE
012811	87.06	A-JAX POWER BRAKE INC	SUPPLIES, VEHICLE
012812	223.00	AMERICAN PUBLIC	SUBSCRIPTIONS+MEMBERSHI
012813	707.81	APNALS AUTO SERVICE	REP. + MAINT., VEHICLES
012814 *	122.49	BADGE A MINT	SUPPLIES, PROGRAM
012815	1,111.00	JAMES BAHT	FEES, SERVICE Heating Inspector
012816	11,773.61	BOARD OF WATER COMM	OTHER CONSTRUCTION COST Service Connection
012817	317.30	BOARD OF WATER COMM	OUTSIDE ENGINEERING FEE
012818	654.62	BRISSMAN-KENNEDY INC	BUILDING IMPROVEMENT
012819	30.50	CALCULATORS INC	SUPPLIES, EQUIPMENT
012820	86.45	CALLAHAN STEEL SUPPLY	MAINTENANCE MATERIALS
012821	28.78	WILLIAM CASS	TRAVEL + TRAINING
012822	9.20	CHIPPEWA SPRINGS CO	FEES, SERVICE Water Cooler
012823	12.50	DENNIS S CUSICK	CONTRIBUTIONS, INSURANCE
012824	551.47	DATA DOCUMENTS	SUPPLIES, OFFICE
012825	12.50	DENNIS J DELMONT	CONTRIBUTIONS, INSURANCE
012826	1,473.40	EASTMAN KODAK CO	DUPLICATING COSTS
012827	34.75	V W EIMICKE ASSOC INC	SUPPLIES, OFFICE
012828	12.50	JAMES EMBERTSON	CONTRIBUTIONS, INSURANCE
012829	212.50	BARRY EVANS	CONTRIBUTIONS, INSURANCE AND-VEHICLE ALLOWANCE
012830	25.00	DANIEL F FAUST	CONTRIBUTIONS, INSURANCE AND-TRAVEL + TRAINING
012831	53.59	GENERAL MOTORS CORP	SUPPLIES, VEHICLE
012832	99.03	GENERAL REPAIR SERVICE	REP. + MAINT., EQUIPMEI
012833	86.97	GENERAL TRADING	SMALL TOOLS

CHECK*	A M O U N T	C L A I M A N T	P U R P O S E
012834	23.04	GLADSTONE LUMBER MART	REP. + MAINT., BLDG+GRI
012835	153.76	GOODYEAR SERVICE STORE	SUPPLIES, VEHICLE AND-REP. + MAINT., VEH:
012836	12.50	MELVIN J GUSINDA	CONTRIBUTIONS, INSURANCE
012837	12.50	ARLINE J HAGEN	CONTRIBUTIONS, INSURANCE
012838	12.50	THOMAS L HAGEN	CONTRIBUTIONS, INSURANCE
012839	177.13	HARMON GLASS	REP. + MAINT., VEHICLES
012840	225.00	HI-FI SOUND ELECTRONICS	EQUIPMENT, OTHER
012841	7.03	HOMELITE DIV OF TEXTRON	SUPPLIES, VEHICLE
012842	15.00	HOWIES LOCK + KEY SERVIC	FEES, SERVICE Locks Replaced
012843	20.70	INTL BUS MACHINES CORP	SUPPLIES, OFFICE
012844 *	51.75	J + J TROPHYS + SPORTS	SUPPLIES, PROGRAM
012845	45.00	JOHNSON - DODDS MENSWEAR	UNIFORMS + CLOTHING
012846	7,526.08	KUNZ OIL CO	Gas & Oil
012847	32.50	RICHARD J LANG	SUPPLIES, PROGRAM
012848	460.00	LESLIE PAPER	DUPLICATING COSTS
012849	12.50	VIVIAN LEWIS	CONTRIBUTIONS, INSURANCE
012850	120.00	STEVEN J LUKIN	FEES, SERVICE EMI Instructor
012851	4.39	MANDO PHOTO	FEES, SERVICE Film Processing
012852 *	117.75	MAPLEWOOD BOWL	FEES, SERVICE After School Events
012853	60.00	MAPLEWOOD OAKDALE PRINT	PUBLISHING
012854	2,796.20	METRO INSPECTION SERVICE	FEES, SERVICE Electrical Inspector
012855	87,939.93	METRO WASTE CONTROL COMM	SEWAGE TREATMENT
012856	32.50	DANIEL HETTLER	SUPPLIES, PROGRAM
012857	144.00	MILTON CLOTHING CO	UNIFORMS + CLOTHING
012858	125.00	MN DEPARTMENT PUBLIC	RENTAL, EQUIPMENT

CHECK*	A M O U N T	C L A I M A N T	P U R P O S E
012859	174.76	MN MINING + MFG CO	SUPPLIES, OFFICE
012860	422.69	STATE OF MN	REP. + MAINT., UTILITY
012861	3,280.00	WINFIELD A MITCHELL	LEGAL + FISCAL
012862	2,055.00	MOLINE PRINTING	PUBLISHING
012863	46.00	MONROE CALCULATOR CO	REP. + MAINT., EQUIPME
012864	31.12	MORTON PUBLISHING CO	BOOKS
012865	893.10	MOTOROLA INC	REP. + MAINT., RADIO
012866	444.75	MUNIC + PRIVATE SERVICE	AND-FEES, SERVICE -Feb. Animal Control
012867	18.20	NATIONAL BUSINESS SYSTEM	FEES, SERVICE
012868	8.50	NATIONAL WILDLIFE FED	Microfiche Processing SUBSCRIPTIONS+MEMBERSHI
012869	1,340.87	NORTHERN STATES POWER CO	UTILITIES
012870	1,232.65	NORTHERN STATES POWER CO	UTILITIES
012871	984.74	NORTHWESTERN BELL TEL CO	TELEPHONE
012872	680.79	NORTHWESTERN BELL TEL CO	TELEPHONE
012873	288.41	NORTHWESTERN BELL TEL CO	TELEPHONE
012874	520.90	NORTHWESTERN BELL TEL CO	TELEPHONE
012875	12.50	ROBERT OEGARD	CONTRIBUTIONS, INSURANCE
012876	4.96	DENNIS PECK	TRAVEL + TRAINING
012877	12.50	DAVID J PILLATZKE	CONTRIBUTIONS, INSURANCE
012878	1,350.00	POSTMASTER	POSTAGE
012879	22.45	JOSEPH PRETTNER	CONTRIBUTIONS, INSURANCE AND-TRAVEL + TRAINING
012880	7,920.00	RAMSEY COUNTY TREASURER	MAINTENANCE MATERIALS
012881	46.93	RAMSEY CCUNTY TREASURER	MISC CONTRACTUAL SERVI
012882	357.73	RAMSEY COUNTY TREASURER	FEES, SERVICE AND-LEGAL + FISCAL Data Processing

CITY OF MAPLEWOOD

A C C O U N T S P A Y A B L E

DATE 04-01-82 PAGE

CHECK*	A M O U N T	C L A I M A N T	P U R P O S E
012883	1,000.00	RAMSEY COUNTY TREASURER	MAINTENANCE MATERIALS
012884	314.37	ROAD RESCUE INC	SUPPLIES, EQUIPMENT AND-REP. + MAINT., VEH
012885	28.50	ROSEVILLE AREA SCHOOLS	MISC CONTRACTUAL SERVICE
012886	235.55	S + T OFFICE PRODUCTS	SUPPLIES, OFFICE
012887	23.49	A C SCHAET	CONTRIBUTIONS, INSURANCE AND-REP. + MAINT., VEH
012888	12.50	RICHARD W SCHALLER	CONTRIBUTIONS, INSURANCE
012889	807.75	CITY OF ST PAUL	REP. + MAINT., RADIO
012890	21.60	ST PAUL DISPATCH	SUBSCRIPTIONS+MEMBERSHI
012891	402.90	STAT-MEDICAL INC	EQUIPMENT, OTHER
012892	175.30	STD SPRING + ALIGNMENT	REP. + MAINT., VEHICLES
012893 *	28.58	DOUG TAUBMAN	CONTRIBUTIONS, INSURANCE AND-TRAVEL + TRAINING
012894	210.00	TELE - TERMINALS	REP. + MAINT., EQUIPME
012895	28.30	TRUCK UTILITIES + MFG CO	SUPPLIES, VEHICLE AND-MAINTENANCE MATERIA
012896	37.50	TWIN CITY FILTER SERV IN	FEE'S, SERVICE Filter Cleaning'
012897	106.35	TWIN CITY HARDWARE CO	MAINTENANCE MATERIALS AND-SMALL TOOLS
012898	873.35	VALS BODY SHOP	REP. + MAINT., VEHICLES
012899	34.66	WARNERS TRUEVALUE HDWRE	SUPPLIES, JANITORIAL AND-MAINTENANCE MATERIA
012900	5.00	WASHINGTON CNTY TREASURE	TRAVEL + TRAINING
012901	236.46	XEROX CORPORATION	DUPLICATING COSTS
012902*	54.00	RAEANN CHERYL ANDERSEN	WAGES, P/T + TEMP.
012903*	30.00	DENNIS BARTHOLOMEW	WAGES, P/T + TEMP.
012904*	14.00	GREGORY BOTHWELL	WAGES, P/T + TEMP.

CHECK*	A M O U N T	C L A I M A N T	P U R P O S E
012905 *	19.00	LARRY BOTHWELL	WAGES, P/T + TEMP.
012906 *	20.00	THOMAS J BRENNAN	WAGES, P/T + TEMP.
012907 *	92.00	NANCY ANN JOHSON	WAGES, P/T + TEMP.
012908 *	16.00	MICHAEL KUEHN	WAGES, P/T + TEMP.
012909 *	53.50	KRISTINE KULZER	WAGES, P/T + TEMP.
012910 *	13.00	THEODORE M LEDMAN	WAGES, P/T + TEMP.
012911 *	20.00	JAMES MAGILL	WAGES, P/T + TEMP.
012912 *	23.10	JULIE MCCOLLUM	WAGES, P/T + TEMP.
012913 *	19.00	RODGER NELSON	WAGES, P/T + TEMP.
012914 *	31.00	DEAN R NYBAKKE	WAGES, P/T + TEMP.
012915 *	452.69	DEBRA O'NEIL	SUPPLIES, PROGRAM AND-WAGES, P/T + TEMP.
012916 *	5.00	MICHAEL JOSEPH PELTIER	WAGES, P/T + TEMP.
012917 *	132.50	DENISE RYDEN	WAGES, P/T + TEMP.
012918 *	53.43	JULIE SULLIVAN	WAGES, P/T + TEMP.
012919 *	36.00	TAMMY SVENSEN	WAGES, P/T + TEMP.
012920 *	103.95	MICHAEL J IOENSING	WAGES, P/T + TEMP.
012921 *	10.00	JAMES TUCCITTO	WAGES, P/T + TEMP.
012922 *	23.10	RICHARD ALLEN WARZEKA	WAGES, P/T + TEMP.
012923 *	38.00	MATTHEW ZERBY	WAGES, P/T + TEMP.
012924 *	45.00	JOYCE JUTZ	R E F U N D
012925 *	50.00	RICHARD UGAI	R E F U N D
012926	143.20	MRS ELEANOR KLAENHAMMER	R E F U N D
117	146,141.90	CHECKS WRITTEN	
TOTAL OF	174 CHECKS TOTAL	245,318.59	

* INDICATED ITEMS FINANCED BY RECREATIONAL FEES.

CERTIFICATION REGISTER

CHECK DATE 03-26-82

CHECK	NAME			GROSS PAY	NET PAY
03371	ANDERSON	NORMAN	G	275.00	181.83
03372	BASTIAN	GARY	W	275.00	256.57
03373	GREAVU	JOHN	C	350.00	251.83
03374	JUKER	FRANCES	L	275.00	227.82
03375	MAIDA	MARYLEE	T	275.00	237.29
03376	EVANS	BARRY	R	1,817.54	1,066.60
03377	LEWIS	VIVAN	R	733.39	465.81
03378	PELOQUIN	ALFRED	J	747.23	173.83
03379	SCHLEICHER	JOHN	F	157.25	157.25
03380	CUDE	LARRY	J	191.54	144.78
03381	DOHERTY	KATHLEEN	M	305.00	214.08
03382	ZUERCHER	JOHN	L	115.39	115.21
03383	FAUST	DANIEL	F	1,446.46	932.51
03384	FRANK	PATRICIA	L	58.50	58.50
03385	HAGEN	ARLINE	J	888.92	398.13
03386	MATHEYS	ALANA	K	640.87	467.97
03387	VIGOREN	DELORES	A	586.62	371.97
03388	AURELIUS	LUCILLE	E	1,334.31	680.50
03389	SELVOG	BETTY	D	711.23	444.71
03390	GREEN	PHYLLIS	C	738.92	504.28
03391	SCHADT	JEANNE	L	215.36	176.04
03392	VIETOR	LORRAINE	S	561.69	378.21
03393	HENSLEY	PATRICIA	A	240.98	181.02
03394	BASTYR	DEBORAH	A	532.16	253.77
03395	HAGEN	THOMAS	L	1,397.54	291.05

CERTIFICATION REGISTER

CHECK DATE 03-26-82

CHECK	NAME			GROSS PAY	NET PAY
03396	OMATH	JOY	E	549.93	363.32
03397	RICHIE	CAROL	L	488.31	295.56
03398	SCHALLER	RICHARD	H	1,513.39	909.76
03399	SVENDSEN	JOANNE	M	677.54	428.42
03400	ARNOLD	DAVID	L	1,171.39	404.73
03401	ATCHISON	JOHN	H	1,036.15	689.39
03402	CAHANES	ANTHONY	G	1,204.16	113.94
03403	CLAUSON	DALE	K	1,036.15	155.75
03404	COLLINS	KENNETH	V	1,190.23	233.49
03405	DELMONT	DENNIS	J	1,332.00	113.05
03406	DREGER	RICHARD	C	1,200.46	669.10
03407	FERNOW	RAYMOND	E	498.77	57.15
03408	GREEN	NORMAN	L	1,263.12	665.54
03409	HALWEG	KEVIN	R	1,016.77	522.11
03410	HEINZ	STEPHEN	J	774.46	494.51
03411	HERBERT	MICHAEL	J	1,016.77	625.76
03412	JAQUITH	DANIEL	R	915.84	564.25
03413	KORTUS	DONALD	V	305.04	236.29
03414	LANG	RICHARD	J	1,056.00	543.73
03415	MGNULTY	JOHN	J	1,195.39	155.75
03416	MEEHAN, JR	JAMES	E	997.38	589.03
03417	HETTLER	DANIEL	B	1,036.61	672.27
03418	MOESCHTER	RICHARD	M	1,054.90	158.73
03419	MORELLI	RAYMOND	J	1,016.77	669.79
03420	PELTIER	WILLIAM	F	1,151.54	631.63

CERTIFICATION REGISTER

CHECK DATE 03-26-82

CHECK	NAME			GROSS PAY	NET PAY
03421	SKALMAN	DONALD	W	1,016.77	162.43
03422	STAFNE	GREGORY	L	1,016.77	633.83
03423	STILL	VERNON	T	997.38	587.92
03424	STOCKTON	DARRELL	T	997.38	647.97
03425	ZAPPA	JOSEPH	A	1,197.23	735.06
03426	BECKER	RONALD	D	1,108.12	261.99
03427	CUSICK	DENNIS	S	1,429.50	874.23
03428	GRAF	DAVID	M	1,084.29	510.39
03429	LEE	ROGER	W	1,123.79	637.87
03430	MELANDER	JON	A	1,065.23	17.30
03431	NELSON	CAROL	M	1,129.27	726.95
03432	RAZSKAZOFF	DALE	E	1,084.61	172.88
03433	RYAN	MICHAEL	P	1,108.12	500.87
03434	VORWERK	ROBERT	E	1,164.76	230.20
03435	YOUNGREN	JAMES	G	1,064.54	628.34
03436	EMBERTSON	JAMES	M	898.16	580.63
03437	SCHADT	ALFRED	C	1,122.46	667.90
03438	FLAUGHER	JAYME	L	677.54	432.72
03439	FULLER	JAMES	D	586.62	426.62
03440	LINDNER	KATHRYN	E	549.69	381.29
03441	NELSON	KAREN	A	617.08	382.78
03442	NELSON	ROBERT	D	1,175.54	613.68
03443	TUCHNER	MICHELE	A	617.08	298.78
03444	WILLIAMS	DUANE	J	1,055.54	470.77
03445	BARTA	MAFIE	L	453.69	324.90

CERTIFICATION REGISTER

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CHECK	NAME			GROSS PAY	NET PAY
03446	HAIDER	KENNETH	G	1,347.69	288.95
03447	WEGWERTH	JUDITH	A	490.62	349.30
03448	CASS	WILLIAM	C	1,157.08	552.82
03449	FREBERG	RONALD	L	824.00	518.63
03450	HELEY	RONALD	J	827.78	520.71
03451	HOCHBAN	JOSEPH	H	756.80	501.07
03452	KANE	MICHAEL	R	824.00	350.35
03453	KLAUSING	HENRY	F	829.04	432.87
03454	MEYER	GERALD	W	824.00	389.92
03455	REINERT	EDWARD	A	824.00	518.63
03456	TEVLIN, JR	HARRY	J	860.54	540.74
03457	ELIAS	JAMES	G	981.69	550.31
03458	GEISSLER	WALTER	M	935.08	543.47
03459	GESSELE	JAMES	T	893.54	583.28
03460	PECK	DENNIS	L	1,092.13	598.37
03461	PILLATZKE	DAVID	J	1,157.08	732.75
03462	WYMAN	JAMES	N	797.54	536.43
03463	LUTZ	DAVID	P	562.62	380.87
03464	BREHEIM	ROGER	W	769.60	470.30
03465	EDSON	DAVID	B	840.00	549.97
03466	MULWEE	GEORGE	W	769.61	473.27
03467	NADEAU	EDWARD	A	853.60	559.34
03468	NUTESON	LAVERNE	S	1,160.72	491.67
03469	OWEN	GEFALD	C	840.00	481.96
03470	MACDONALD	JOHN	E	908.80	484.08

CERTIFICATION REGISTER

CHECK DATE 03-26-82

CHECK	NAME			GROSS PAY	NET PAY
03471	MULVANEY	DENNIS	M	878.40	517.37
03472	BRENNER	LOIS	J	716.83	276.35
03473	KRUMMEL	BARBARA	A	268.71	149.00
03474	ODEGARD	ROBERT	D	1,334.31	807.71
03475	STAPLES	PAULINE	M	1,056.92	671.54
03476	BURKE	MYLES	R	824.00	433.57
03477	GERMAIN	DAVID	A	824.00	511.17
03478	GUSINDA	MELVIN	J	1,160.72	626.27
03479	HELEY	ROLAND	B	824.00	528.38
03480	LEMON	JEFFREY	S	93.60	93.60
03481	MARUSKA	MARK	A	824.00	509.68
03482	SANTA	REED	E	834.88	468.86
03483	TAUBMAN	DOUGLAS	J	1,083.06	638.56
03484	WARD	ROY	G	320.31	246.32
03485	GREW	JANET	M	684.00	435.23
03486	SOUTTER	CHRISTINE		684.92	463.39
03487	CHLEBECK	JUDY	M	711.23	286.34
03488	OLSON	GEOFFREY	W	1,324.16	733.71
03489	EKSTRAND	THOMAS	G	815.00	461.85
03490	JOHNSON	RANDALL	L	873.91	557.27
03491	OSTROM	MARJORIE		1,133.54	690.48
03492	WENGER	ROBERT	J	857.54	482.74
CHECK REGISTER TOTALS				104,168.73	54,492.36
03370	Prettner	Joseph	B	1,160.72	710.10
CHECK REGISTER TOTAL:				105,329.45	55,202.46

MEMORANDUM

TO : City Manager
FROM : Finance Director *A. Faust*
RE : Disposal of Old Financial Records
DATE : March 25, 1982

Authorization is requested to make application to the State for disposal of old financial records.

BACKGROUND

For the past several years, the City has been microfilming its financial records. The main reason for microfilming has been to conserve valuable space in the City Hall--microfilming results in a 96% reduction in the number of file cabinets and space required for records storage. Once records are microfilmed, the original copies are packed and sent to the Public Works Building for storage. (The State Auditor requires that the original copies be kept for six years.) The microfilm copies are kept in the City Hall vault.

Annually the City disposes of records that are over six years old. However, before the records can be destroyed the City is required by law to submit the attached resolution and application for approval to the State. It should be noted that the application requests approval to destroy only the original copies. The microfilm copies will be kept as a permanent record.

RECOMMENDATION

The attached resolution is recommended for adoption.

RESOLUTION

WHEREAS, M.S.A. 138.17 governs the destruction of city records; and

WHEREAS, a list of records has been presented to the council with a request in writing that destruction be approved by the council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

1. That the Finance Director is hereby directed to apply to the Minnesota State Historical Society for an order authorizing destruction of the records as described in the attached list.
2. That upon approval by the State of the attached application, the Finance Director is hereby authorized and directed to destroy the records listed.

Series No.	b. Name of record, form numbers, content, usage, arrangement, original, duplicate, or microfilmed.	c. Inclusive Dates
1.	<u>(CON'T.) FINANCIAL RECORDS</u>	
	End of Year Vendor Cards Original	1975
	Expenditure Vouchers & Documents (#560 - 1220; #13643 - 17193) Original	1975
	Receipt Books (#21501 - 24800) Original	1975
	Journal Entries Original	1975
2.	<u>PAYROLL RECORDS</u>	
	Cancelled Payroll Checks (#7529 - 10162) Original	1975
	Bi-weekly Payroll Registers Original	1975
	Quarter to Date Payroll Registers Original	1975
	Payroll Deduction Listings Original	1975
	Payroll Deductions Sub-ledger Original	1975
3.	<u>SEWER BILLING RECORDS</u>	
	Listing of Amounts Billed by Account, First Quarter thru Fourth Quarter Original	1975
	Listing of Payments of Account, First Quarter thru Fourth Quarter Original	1975

MEMORANDUM

TO: City Manager
FROM: Director of Public Works *KSH*
SUBJECT: Removing County State Aid Highway Designation
DATE: March 25, 1982

On December 17, 1981 the City Council adopted a resolution approving the removal of County State Aid Designation on the following roads:

- Prosperity Road (CSAH64) from County Road B to White Bear Avenue (0.23 miles)
- McKnight Road (CSAH68) from Minnehaha Avenue to Stillwater Avenue (0.57 miles)

Ramsey County now requests Maplewood to adopt a final resolution, in their format, to comply with MnDOT requirements.

It is recommended that the City Council adopt the attached resolution.

DRAFT RESOLUTION

Maplewood

Whereas, the Board of Ramsey County Commissioners adopted a resolution on _____, 1982, revoking the County State Aid Highway designations on the roads hereinafter described within the City of Maplewood under the provisions of Minnesota Laws,

Now, Therefore, Be It Resolved by the City Council of Maplewood that the roads described as follows:

Prosperity Road (CSAH 64) from County Road B to White Bear Avenue (0.23 miles)

McKnight Road (CSAH 68) from Minnehaha Avenue to Stillwater Avenue (0.57 miles)

be, and hereby are, revoked as County State Aid Highways of Ramsey County subject to the approval of the Commissioner of Transportation of the State of Minnesota.

Be It Further Resolved, that the City Clerk is hereby authorized to forward two certified copies of this resolution to the Public Works Director of Ramsey County who will submit them to the Commissioner of Transportation of the State of Minnesota for his consideration.

Date

Mayor's signature

Two certified copies required

MEMORANDUM

F-1 +
F2b

TO: City Manager
FROM: Director of Community Development
SUBJECT: Zone Change and Lot Area Variance
LOCATION: 2010 Clarence (See enclosed maps.)
APPLICANTS: Anthony Caron and Wendy DuFresne
OWNERS: Arnold and Gladys Pfarr
DATE: February 18, 1982

Applied by _____
Date _____
Reviewed by _____
Date _____
Approved by _____
Date _____

SUMMARY OF THE PROPOSAL

Approval of a lot area variance and zone change from M-1, Light Manufacturing to R-2, Residence District (Double Dwelling), to construct a double-dwelling.

CONCLUSIONS

Analysis

The proposed rezoning would be compatible with the Land Use Plan and surrounding development. It should be noted that the density of block 10 would be 33 people per net acre with the double-dwelling. The allowable density is 34 people per net acre. This may limit any further development of the applicant's property.

Recommendation

I. Approval of the lot area variance for 355 square feet, on the basis that:

1. The lot is irregular in shape.
2. The variance is relatively small.
3. The double-dwelling would not exceed the maximum allowed density in the Land Use Plan.

The variance is approved with the condition that the metal storage shed be relocated so that it is at least five feet from lot 11, before a building permit is issued for lot 11.

II. Approval of the enclosed resolution rezoning lot 11, block 10 of the Gladstone Addition from M-1 to R-2, on the basis that:

1. The rezoning would be compatible with the Land Use Plan and the use of adjacent property.
2. The existing M-1 zone is not compatible with the area.

BACKGROUND

Site Description

Size: an irregular sized lot, with 98.8 feet of frontage and 11,645 square feet of area.

Existing land use: undeveloped

Easements: a drainage easement across the south thirty feet of the entire property.

Surrounding Land Uses

North: The applicant's single-dwelling, garage, and metal shed. The shed appears to be partially located on the lot to be rezoned.

East: The easterly half of an undeveloped alley right-of-way and vacated Claire Street right-of-way. Across the alley is an apartment building.

South: Railroad right-of-way, proposed to be abandoned.

West: Clarence Street. Across Clarence Street, undeveloped land, planned for Medium Density Residential use and zoned for Light Manufacturing.

Past Actions

January 20, 1966: Lots 1 - 6 and 12 - 22, block 10, Gladstone Addition were rezoned from R-1, Residence District (single-dwelling) to M-1, Light Manufacturing. Lots 7-11, block 10 were specifically excluded from the zone change.

November 10, 1969: A zoning map update was adopted which rezoned the applicant's property for M-1, Light Manufacturing use.

May 1, 1980: Council vacated Claire Street abutting the applicant's property to the south and the west half of the alley abutting lot 11, subject to retention of a thirty foot wide drainage easement over the Claire Street right-of-way.

DEPARTMENTAL CONSIDERATIONS

Planning

1. Land Use Plan designation: Rh, High Density Residential.
2. Zoning: M-1, Light Manufacturing.
3. Density permitted: 34 persons per net acre.
4. Existing density: (Block 10) 30 persons/net acre
5. Proposed density: (Block 10) 33 persons/net acre
6. Policy Criteria from the Land Use Plan: Page 18-30 (Plan Update)

High Density Residential (RH). This classification is designated for such housing types as apartments, two-family homes, townhomes, nursing homes, dormitories, or elderly housing.

7. Compliance with the Land Use laws:

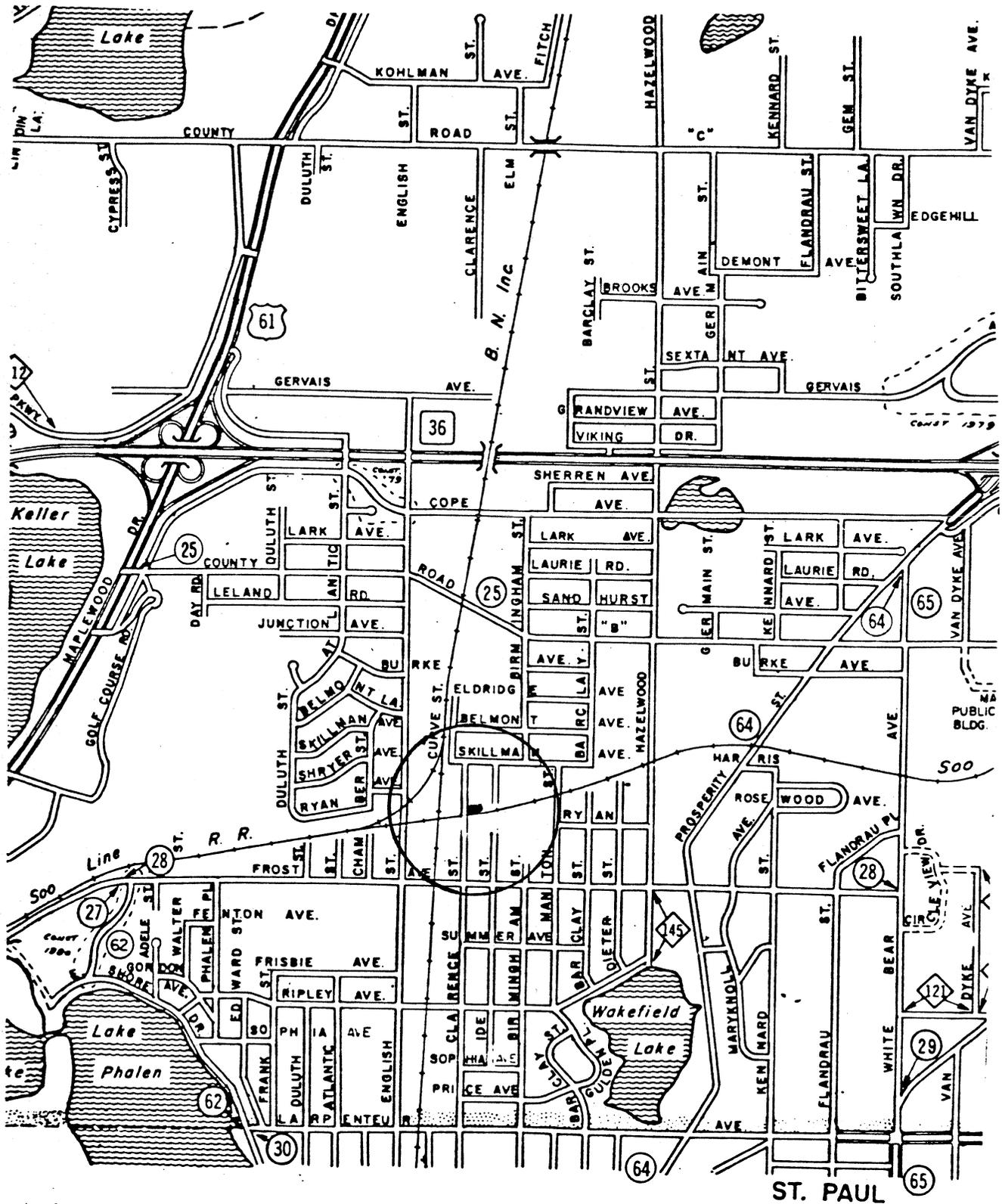
- A. Section 915.030 of the Zoning Code states that: "In any instance where the governing body is required to consider an exception or change in the zoning ordinance or map in accordance with the provisions of this ordinance, it shall, among other things:
1. Assure itself that the proposed change is consistent with the spirit, purpose, and intent of the zoning ordinance.
 2. Determine that the proposed change will not substantially change, injure or detract from the use of neighboring property or from the character of the neighborhood and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
 3. Determine that the proposed change will serve the best interest of the Village, the convenience of the community (where applicable), and the public welfare."
- B. Section 905.030 requires a double-dwelling lot to be at least 12,000 square feet in area. The applicant's lot is 11,645 square feet requiring a variance of 355 square feet.

Public Works

Sewer and water are available in Clarence Street.

Enclosures:

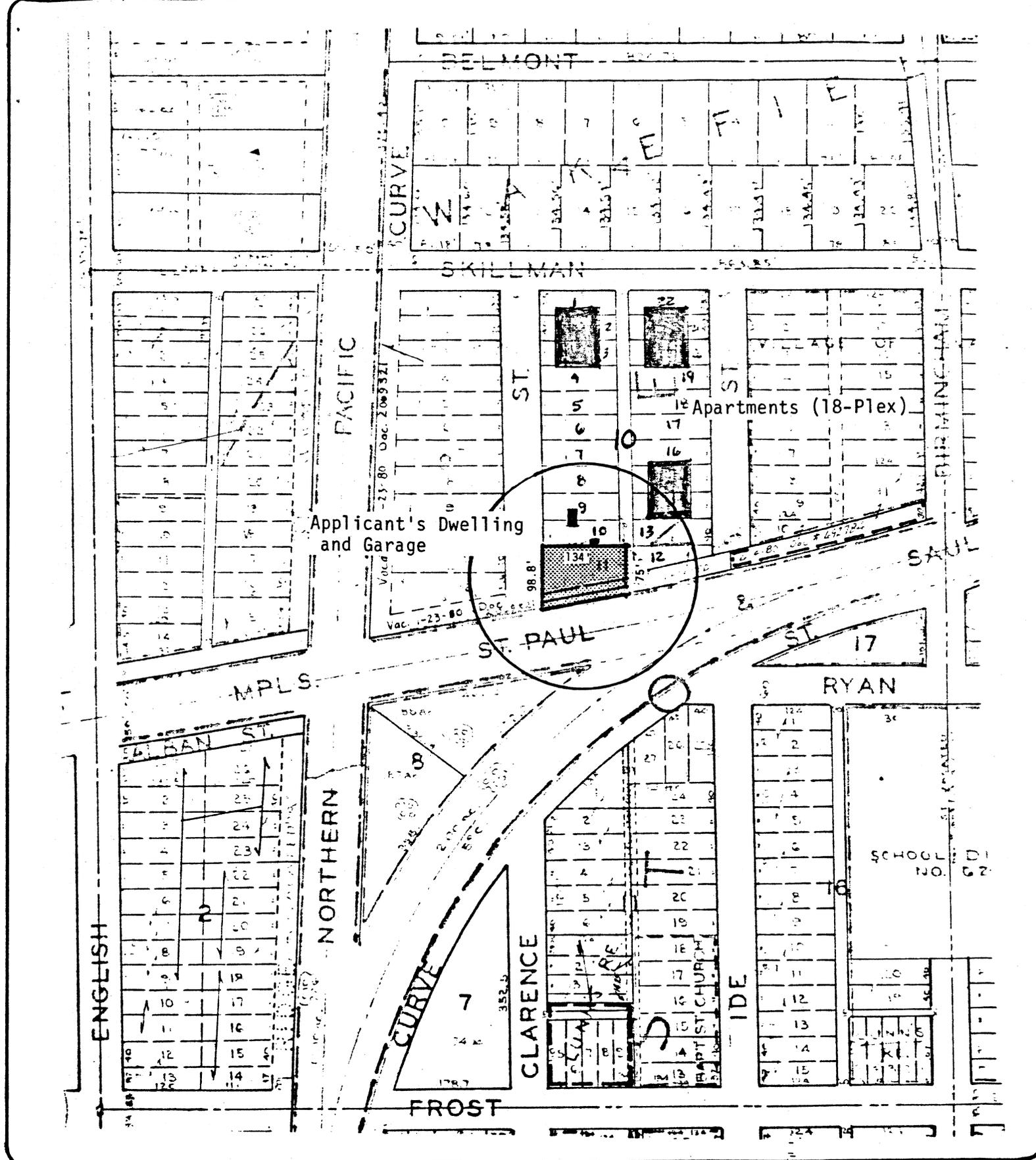
1. Location Map
2. Property Line Map
3. Applicant's Letters of Justification
4. Rezone Petition
5. Resolution



Map 1

LOCATION MAP



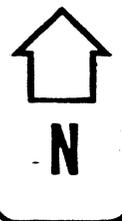


MAP 2

PROPERTY LINE MAP



Drainage Easement



Letter of Justification
1-5-82

There is an existing garage which would prevent me from taking enough footage from the next lot to meet square footage requirements.

Also to the south there is 50 FT of R.R. right of way then the tracks then another 50 ft of right of way.

The lot in question is in a residential area with a mixture - Crown of apartment buildings, single family homes & duplexes.

I have also been told through Maplewood Zoning Dept. (Bandy Johnson) that the long term land use plan for this area calls for multiple dwelling buildings.

Therefore I feel that an R-2 zoning rather than a light industrial zoning would better fit Maplewoods plan for this area.

It would also better fit my plans, which are to either sell the lot for construction of a duplex, or possibly to build a duplex myself sometime in the future.

Thank You
Anthony Crown

ADJOINING PROPERTY OWNER
REZONE PETITION

(
(PETITION
(



We, the undersigned property owners collectively represent 50% or more of the adjoining property owners within 200 feet of the requested rezone property described on the attached application in accordance with Section 915.010 of the Maplewood Municipal Code.

We petition the Maplewood City Council for a change in official zoning classification on the attached described property from Light Industrial zoning to R-2 zoning.

Our names can be verified, as legal constituted land owners, on the certified abstract (listing owners of land within 350 feet of the requested rezone area) which is required to be filed in conjunction with the rezone application and this petition.

The written signature of any person's name on this petition is indication of that person's understanding of the proposed zone, the proposed location and an endorsement for approval of such change.

SIGNATURE	PRINT NAME	ABSTRACT CERT. LIST NO.
<u>Bertram Getsug</u>	<u>BERTRAM GETSUG</u>	<u>2</u>
<u>Pauline Getsug</u>	<u>PAULINE GETSUG</u>	<u>2</u>
<u>Saul S. Garellick Trust</u>	<u>SAUL S. GARELICK TRUST</u>	<u>2</u>
<u>U/A dated May 30, 1979</u>	<u>U/A dated May 30 1979</u>	<u>2</u>
<u>Saul S. Garellick, Trustee</u>	<u>Saul S. Garellick Trustee</u>	<u>2</u>
<u>Robert J. Garellick</u>	<u>Robert J. Garellick Trust</u>	<u>2</u>
<u>Trust U/A dated Apr 10, 1979</u>	<u>U/A dated Apr 10 1979</u>	<u>2</u>
<u>Robert J. Garellick Trustee</u>	<u>Robert J. Garellick Trustee</u>	<u>2</u>
<u>Joseph Lombardo</u>	<u>JOSEPH-P. LOMBARDO</u>	<u>3</u>
<u>Patsy Monno</u>	<u>PATSY MONNO</u>	<u>3</u>
<u>Arnold Pfarr</u>	<u>ARNOLD PFARR</u>	<u>4</u>
<u>Gladys A. Pfarr</u>	<u>GLADYS A. PFARR</u>	<u>4</u>
<u>Victor J. Tedesco</u>	<u>VICTOR J. TEDESCO</u>	<u>3</u>

RESOLUTION NO. _____

COUNTY OF RAMSEY
CITY OF MAPLEWOOD

RESOLUTION MAKING FINDINGS AND FACTS AND APPROVAL OF A
ZONE CHANGE

WHEREAS, a rezoning procedure has been initiated by Anthony Caron and Wendy DeFresne for a zone change from M-1, Light Manufacturing to R-2, Double Dwelling for the following described property:

Lot 11, Block 10 and accruing vacated street and alley, Gladstone Addition, Section 15, Township 29, Range 22

WHEREAS, the procedural history of this rezoning procedure is as follows:

1. That a rezoning procedure has been initiated by Anthony Caron and Wendy DuFresne, pursuant to Chapter 915 of the Maplewood Code;
2. That said rezoning procedure was referred to and reviewed by the Maplewood City Planning Commission on the 22nd day of February, 1982, at which time said Planning Commission recommended to the City Council that said rezoning procedure be _____;
3. That the Maplewood City Council held a public hearing to consider the rezoning procedure, notice thereof having been published and mailed pursuant to law; and
4. That all persons present at said hearing were given an opportunity to be heard and/or present written statements, and the Council considered reports and recommendations of the City Staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY BY THE COUNCIL OF THE CITY OF MAPLEWOOD, RAMSEY COUNTY, MINNESOTA that the above-described rezoning be granted on the basis of the following findings of fact:

1. The rezoning is compatible with the Land Use Plan and the use of adjacent property.
2. The existing M-1 zone is not compatible with the area.

Adopted this _____ day of _____, 19__.

Mayor

Attest:

City Clerk

8. NEW BUSINESS

A. Rezoning and Variance - 2010 Clarence (Caron and DuFresne)

Secretary Olson said the applicant is requesting approval of a lot area variance and a zone change to R-2, Double dwelling. Staff is recommending approval of the request.

The Commission discussed with Secretary Olson rezoning the complete area to be consistent with the Land Use Plan.

Anthony Caron, 2010 Clarence Street, said the duplex would fit the area.

Commissioner Kishel moved the Planning Commission recommend approval of the lot area variance for 355 square feet, on the basis that:

1. The lot is irregular in shape.
2. The variance is relatively small.
3. The double-dwelling would not exceed the maximum allowed density in the Land Use Plan.

The variance be approved with the condition that the metal storage shed be relocated so that it is at least five feet from Lot 11, before a building permit is issued for lot 11.

Commissioner Fischer seconded Ayes - Commissioners Axdahl, Prew, Pellish, Sletten, Whitcomb, Fischer, Hejny, Kishel, Howard

Commissioner Kishel moved the Planning Commission recommend the City approve the resolution to rezone lot 11, block 10, Gladstone Addition on the basis that:

1. The rezoning would be compatible with the Land Use Plan and the use of adjacent property.
2. The existing M-1 zone is not compatible with the area.

Commissioner Fischer seconded Ayes - Commissioners Axdahl, Prew, Pellish, Sletten, Whitcomb, Fischer, Hejny, Kishel, Howard

MEMORANDUM

F-3

TO: City Manager
FROM: Director of Community Development
SUBJECT: Zoning Code Amendment - Accessory Apartments
APPLICANT: Department of Community Development
DATE: December 2, 1981

Action by Council

By Council

Request

Amend the Zoning Code to allow accessory apartments within single dwellings, by special exception permit.

Problem

1. Several requests of this type have been received by Staff. Recently, a proposal was received to legalize an existing 300 square foot rental unit within a single dwelling which prompted this amendment proposal.
2. With the increasing costs of housing, there is an increasing trend toward converting or adding a small apartment to single dwellings. So far, the number that Staff is aware of is small. This will probably increase. Staff feels that Council should address this issue before it becomes a problem.
3. Eighty-five percent of U. S. families cannot afford the \$904 monthly interest payment required for a typical mortgage of \$60,000 at 18% interest, according to a study by the National Association of Home Builders.
4. The multi-family rental vacancy rate is only 5.4% in the metropolitan area and 4.5% in Maplewood.

Objectives of the Amendment

1. To make it possible for homeowners with financial problems to stay in their homes despite rising property taxes, heating bills, and maintenance costs.
2. To allow people to help house other members of their extended family, or in some cases domestic employees or friends.
3. To increase the diversity of the community's housing stock in terms of price and availability of rental units, helping the City to meet local housing needs, and to provide its share of lower income housing to meet regional needs, without significant effects on the character of the community.
4. To provide security, especially when the owner is often away.
5. To provide regulations that are enforceable and, therefore, bring illegal conversions under better control and make it possible to know the number of accessory apartment conversions that are taking place.

Issues

Status/Property Values/Neighborhood Character

In single-family zones, people may have bought their homes because they wanted to live in a single family neighborhood. They may be concerned that intrusion of accessory apartments will decrease the status or value of their own home, for them or for potential purchasers. However, if accessory apartments are provided in a way that does not seriously interfere with neighborhood character, accessory apartments could actually increase the property value of structures that include them by providing a source of income to the owner. Some residents may also be afraid that accessory apartments will introduce a "different type of person" who will not "fit into the neighborhood." But this may be more likely to occur if a house ends up being rented to a group of unrelated individuals, because the owner could not afford to stay in it without the income from an accessory apartment.

Parking and Traffic Congestion

The enclosed ordinance would not cause a parking problem or traffic congestion. The ordinance limits the number of occupants of both accessory apartment and principal dwelling to the definition of family.

Visual Impact

In most cases, it would be impossible to know from the outside that a house contained an accessory apartment. The accessory apartment ordinance would also limit the area and location of doors. In some cases, the addition of a rental unit may make it financially possible for the owner to fix up the outside of his house, resulting in an indirect positive visual impact of the accessory apartment.

Too Many Accessory Apartments

There may be a concern that legalizing accessory apartments may result in too many conversions. However, several communities in the Boston area that legalized accessory apartments were surprised at the small number of owners who have taken advantage of the provision. The City of Lincoln, in the Boston area, legalized accessory apartments a number of years ago and included a provision in its zoning bylaw restricting apartments to a maximum of 10 percent of the houses in the Town. This restriction was removed in 1978 because nothing even approaching that many apartments was created. There is simply not the demand.

Permit to Property Owner Rather than Location

Members of the Council and Housing Authority have expressed a preference to issue permits to the property owner, if accessory apartments are to be permitted.

The City Attorney's opinion (attached), is that permits should be issued to a location not an individual, to avoid possible legal challenges and damage liability regarding denial of equal opportunity. Issuance of a permit, subject to conditions, will insure compatibility with the adjacent neighborhood, no matter who owns the property.

Recommendation (At least four votes required for approval)

Adoption of the attached ordinance, amending Section 904.010 of the Zoning Code to permit accessory apartments within single dwellings, by special exception permit.

Enclosures

1. Resolution for Code Amendment
2. July 1981 Planning Magazine Article
3. Minneapolis Tribune Editorial
4. Letter from City Attorney, dated 1-21-82

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTERS 904 AND 916 OF THE MAPLEWOOD MUNICIPAL CODE RELATING TO ACCESSORY APARTMENTS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MAPLEWOOD AS FOLLOWS:

Section 1. Section 904.010 is hereby amended to include the following new subsection:

8. An accessory apartment, by special exception permit, subject to, but not limited to, the following requirements:
- a. The dwelling shall remain owner-occupied.
 - b. An accessory apartment shall not exceed 600 square feet of floor area. The habitable area of the dwelling, less the accessory apartment, shall not be less than 600 square feet.
 - c. The total area of the structure shall comply with Section 904.010 (6) of City Code.
 - d. There must be an off-street parking space for each resident's vehicle.
 - e. No more than one entrance on the front of the dwelling shall be allowed, except by approval of the City Council.
 - f. A deed restriction shall be recorded to run with the property stating that, "Accessory apartments within a single dwelling, are subject to the requirements in the Maplewood Zoning Code."
 - g. The occupants of an accessory apartment and attached single dwelling shall be considered as one family for purposes of determining the allowable number of residents.

Section 2. Section 916.010 is hereby amended to include the following subsection:

23. Accessory apartment: An apartment with less than 600 square feet, which is attached to and physically separated from a single dwelling.

Section 3. This ordinance shall take effect upon its passage and publication.

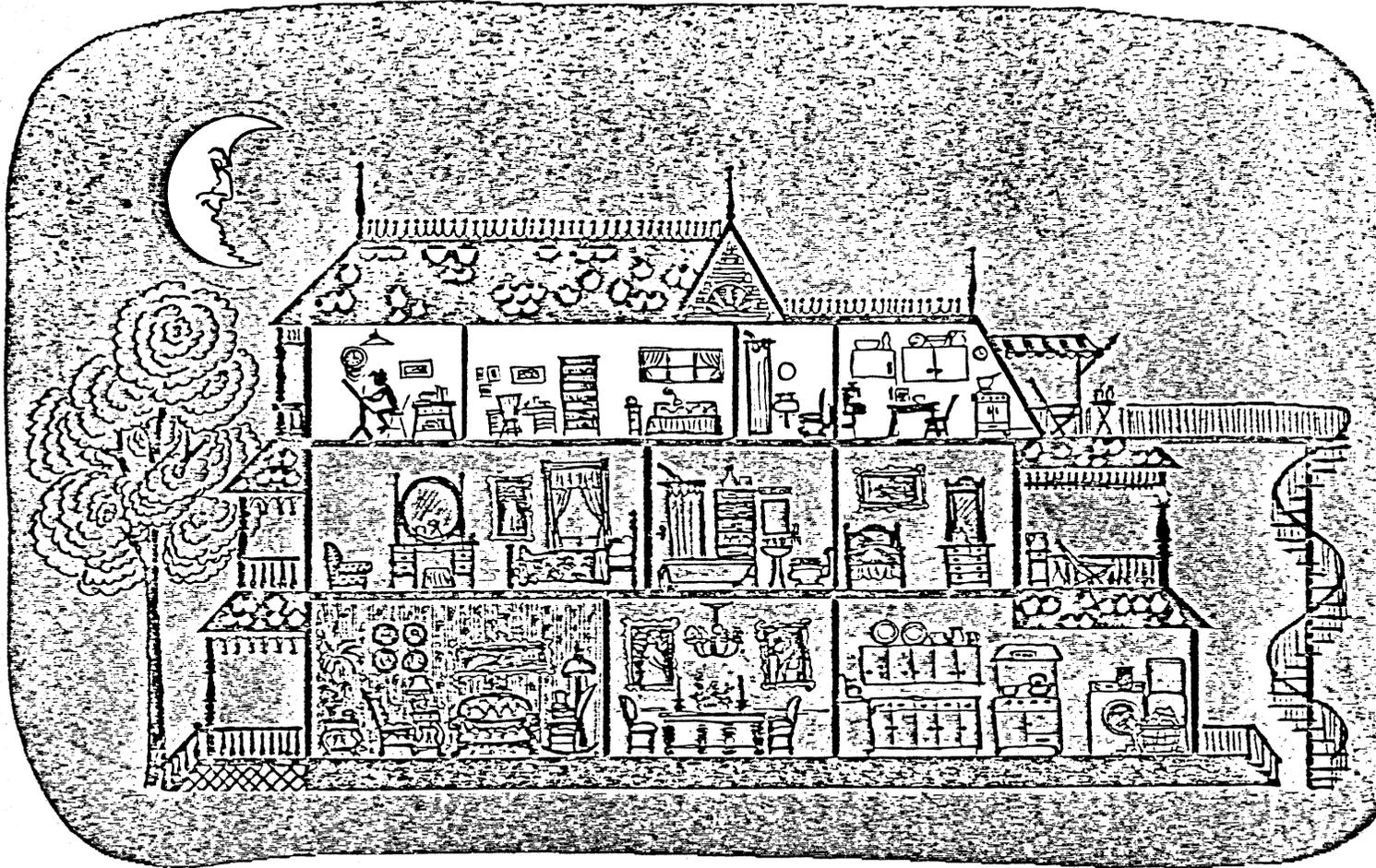
Passed by the Maplewood City Council
this _____ day of _____, 1982.

Attest:

Clerk

Mayor

Ayes -
Nays -



Carving up the American Dream

By Patrick H. Hare

Suppose a planner had a magic method of developing invisible rental units in single-family neighborhoods. Suppose the planner knew that a public proposal to permit development of the units would probably be opposed by neighboring homeowners. Suppose the planner also knew that if nothing were said, the units would be developed anyway—in violation of the town's zoning and building ordinances.

Roughly speaking, this is the only course of action open to a planner who feels there are benefits to "single-family conversions"—sub-

dividing large, single-family houses to create small "accessory apartments," or "mother-in-law apartments." There is a catch, however. If nothing is done, illegal apartments may spread until they become so common they have to be made legal. But, if planners propose legalization, they may trigger strict enforcement, which could delay or even stop development of the units.

It's clear, though, that interest is growing. Led by the articles of Andree Brooks in the *New York Times*, newspapers in Long Island, Connecticut, and New Jersey have

begun to follow the spread of accessory apartments. Phyllis Santry of the Tri-State Regional Planning Commission in New York City surveyed the communities her commission serves and estimated that over 70 percent of them have noted the existence of legal or illegal conversions. Many communities estimate that 10 to 20 percent of their single-family housing stock contains conversions.

George Sternlieb of Rutgers University says that accessory apartments are the wave of the future. In newspaper interviews, he has talked

about turning "onesies into twosies." "Whoever invented the split-level ranch must have been clairvoyant," he says. "It converts overnight."

Tit for tat

In today's housing market, single-family conversions offer practical advantages to both owners and tenants. The owner trades unused space and a small investment for rental income. The tenant gets an apartment in a single-family neighborhood at below-market rent, because the apartment can be created at lower cost than a new unit. According to Frank Thompson, the building inspector of Babylon, Long Island, which has about 4,000 conversions, the cost of conversion varies from \$1,000 to add a kitchen to the lower level of a ranch house to over \$30,000 to add a double dormer and make other modifications to a Cape Cod.

Obviously, the less expensive a house is to convert, the more likely it is to be converted. Plainfield, New Jersey, which has a model program designed to help older homeowners convert, estimates the costs at about \$10,000 per unit. The monthly income from the rental units varies widely but can easily be two or three times the monthly cost of the additional investment, even if that investment reflects today's interest rates.

In addition, older homeowners can bargain with tenants about reductions in rent in return for such services as helping with home maintenance and occasional transportation. Tenants may be able to provide these services fairly easily, and both landlords and tenants benefit. Finally, tenants add security just by being there. They alleviate two common fears of older homeowners: the fear of break-ins and the fear of being alone in an emergency.

There goes the neighborhood

However, according to Santry's survey, many homeowners view single-family conversions as the beginning of a movement to change the single-family character of the neighborhood. Some express fear that speculators will buy up houses for conversion to rental duplexes. They

worry about absentee landlords, increased traffic, and code violations.

How does the planner deal with such a politically controversial housing trend? Proposals to legalize single-family conversions have met with strong resistance. On Long Island, for example, where it's generally accepted that illegal conversions are widespread, only one town,

Accessory apartments may be the wave of the future, but right now there's resistance to legalization.

Babylon, has taken steps to legalize them. Town planner Richard Spirio has an inch-high stack of news clippings devoted to the public outcry over Babylon's ordinance. Mel Barr, the town planner of Westport, Connecticut, is caught between 4,650 accessory apartments that zoning officials can't shut down without controversial evictions and the opposition of homeowners who fight any proposal to legalize the illegal apartments.

Keep them on the QT

Ironically, it appears to be in almost everybody's interest to "keep them on the QT," according to Santry. For homeowners who have installed illegal apartments, making them legal means higher assessments and the risk of being caught if rental income is not reported on tax returns. Even neighbors concerned about deterioration of their area have a stake in keeping quiet about the apartments, because the fact that they are illegal makes landlords take special care to keep their tenants in line.

A few years ago, Hartford's West End Civic Association considered trying to legalize the apartments in its large single-family houses and then decided against it. Members reasoned that, if the apartments were illegal, an anonymous call to the building department could shut down an undesirable landlord. A proposal to make them legal in an adjoining West Hartford neighborhood was roundly defeated.

Going legit

There are ways to deal with many of the objections to conversions. One is to permit conversions only by owner-occupants, who presumably will not want to see the neighborhood they live in deteriorate. This provision also keeps speculators from entering the single-family market and creating investment properties. Another approach is to pass regulations that minimize such exterior changes as additional front doors that could change the visual character of the neighborhood. A third approach is to grant permits on a case-by-case basis so each conversion can be checked out.

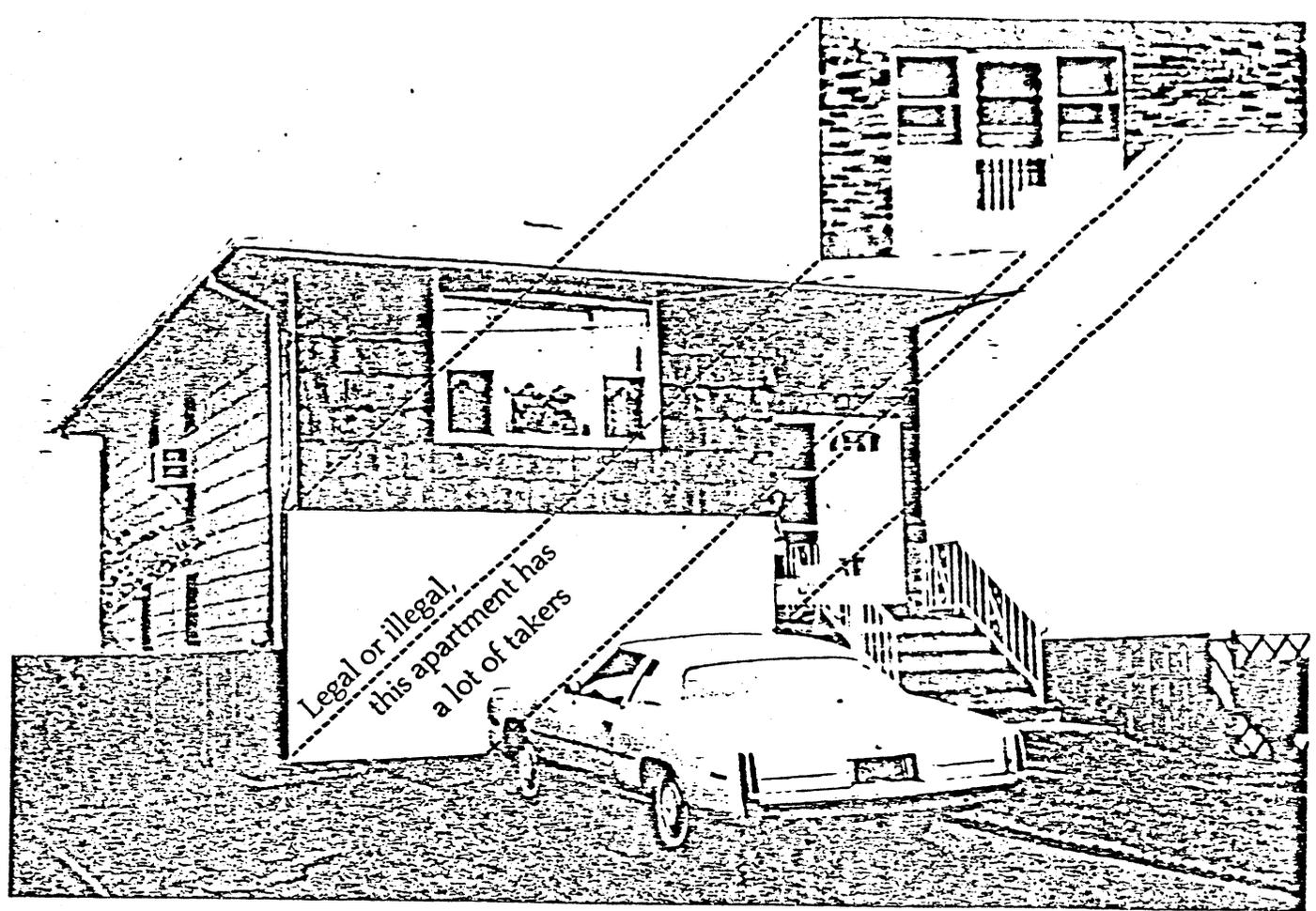
Yet another means of dealing with opposition is to point to a nearby town where accessory apartments are already legal. Babylon surrounds the incorporated village of Lindenhurst, where accessory apartments have been legal for years; and Babylon could easily use the stability of Lindenhurst's housing stock as an example. Even so, there was still substantial opposition in Babylon, as noted earlier.

Some towns make the occupants' age a criterion for granting conversions. Westport permits conversions if either the owner or renter is 62 or over. Another common approach is to permit apartments only for relatives of homeowners; these apartments often are referred to as in-law apartments.

Policing problems

The problem with these two approaches is enforcement. What happens when the relatives move out? What happens when the old people die? What happens when the property is sold? The extra units tend to be rented to someone who is neither elderly nor related.

In other words, legalizing apartments for specific groups tends to seed a crop of illegal apartments available for use by anyone. Fairfax County, Virginia, has responded to this threat by making homeowners who install apartments for relatives sign an agreement making them liable to pay a \$1,000-a-day fine for every day the apartment is used by someone other than relatives.



Short of such a regulation, there isn't much that can be done to stop a legal apartment from becoming illegal. The homeowner has very little to lose by trying to rent an apartment that is already installed. Assuming the neighbors don't complain, the building inspector's only recourse is what one planner calls a "search and destroy mission." The resulting evictions are less than ideal from everyone's point of view. Also, as a study by the Metropolitan Area Planning Council in Boston points out, provisions restricting use to relatives or older people may inhibit homeowners from creating apartments. They fear that their investment will become worthless if their relative no longer lives in the apartment.

Going slow

Nonetheless, regulations that subtly sow the seed of conversions may be the planner's only politically feasible choice. When zoning to legalize accessory apartments was proposed to a midwestern planning director, his reaction was, "It's happening anyway, so let's just let it happen." Letting it happen, either by nonenforcement of existing regu-

lations or partial legalization, may build a constituency for eventual legalization, if only to permit inspection and correction of code violations.

It also may build in a problem that has to be solved later. Now that conversions are legal in Babylon, the town is considering offering low-interest loans to owners who are willing to legalize their two-family arrangements; the loans would help pay for the upgrading now required before a two-family permit can be issued.

Tax trouble

One of the carrots often held out to taxpayers is the tax revenue that accessory apartments would provide. But this benefit may be illusory. In Babylon, the average assessment increase has been only \$115, and a report on mother-in-law apartments by the Portland, Oregon, Growth Management Task Force suggests that new revenue would, at best, be offset by administrative and enforcement costs.

Clearly, advocates of legalization can't promise too much. Large tax increases will substantially reduce the incentive to create accessory apartments or even to bring existing

illegal apartments under the auspices of the law.

Closely related to the question of assessments is the possibility that families in accessory apartments will add to the school population, thus leading to an increase in property taxes to meet school costs. Barbara Dietz, a real estate agent and active member of the North End Civic Association of Floral Park, Long Island, estimates there are about 500 accessory apartments in her town, 60 of them with children. She feels that it is particularly unjust that owners of houses occupied by school-age children don't pay increased assessments for their illegal apartments.

On the other hand, the lack of children might make some older suburbs feel a sense of loss of community. These towns might bend over backwards to be lenient toward families with children.

How big?

Children also raise the question of the size of accessory apartments—an area in which regulations vary greatly. Boston's Metropolitan Area Planning Council surveyed 23 communities with accessory apartments. It found that only 10 towns regulated

Minneapolis Tribune



Established 1867

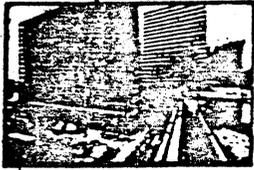
Charles W. Bailey Editor
Wallace Allen Associate Editor
Frank Wright Managing Editor
Leonard Inskip Editorial Editor

Donald R. Dwight Publisher

14A .

Thursday, October 15, 1981

Tapping a source of rental housing



Minneapolis: Decisions ahead

Minneapolis needs more rental housing. Much of it will have to be provided by new construction. But city officials are becoming increasingly aware that a ready-built potential supply of rental housing lines the streets of the city's neighborhoods: Part of the city's stock of single-family housing could be converted to two-family use. Aldermen are seeking ways to make that possible without overcrowding or neighborhood deterioration. Those efforts deserve support.

The problem at which those efforts are aimed was outlined graphically at a Metropolitan Council housing conference earlier this year. James Solum of the Minnesota Housing Finance Agency told the conference that the metropolitan area, in the 1980s, will need as many new housing units as it added in the fast-growing 1970s. But today's prices and interest rates dictate that fewer people will be able to buy housing, so a far greater proportion of those additional units must be for renters. Moreover, those same economic factors have pushed up building costs. That makes it unlikely that new construction will provide all the needed additional units. A lot of people — mostly renters — will have to be housed somewhere else.

Making room for that "somewhere else" in a city's existing housing stock would require relaxation of zoning codes, at least in selected areas. That would have to be done carefully, to maintain neighborhood quality and assure safe, sanitary housing. But the advantages could be twofold. If owners could divide their houses and share them with renters, they would have added income for house payments. For many, the added income could be what

makes home-ownership possible. And for renters, such changes could add significantly to the number — and kind — of housing units available to them.

Some specific zoning changes are already being considered for Minneapolis. Alderman Parker Trostel of the Seventh Ward, for instance, is interested in an ordinance that would permit multi-family use of large houses — a so-called "mansion ordinance" — in some areas now restricted to single-family or two-family housing. Such a change would have to be carefully drafted, she notes, to minimize impact on surrounding houses. Each converted property, for example, would have to provide ample off-street parking for its residents. But such an ordinance could put an underutilized resource to work to house more people.

Another example: Both Trostel and Eighth Ward Alderman Mark Kaplan have looked into the possibilities of "cluster zoning," which would permit flexible ways to meet minimum lot-size standards in designated areas. Under that plan, housing could be clustered on smaller lots, and the rest of the required open space be clustered in another part of the area — where soil conditions make construction difficult, for instance, or where a buffer is needed alongside a railroad track or commercial zone.

The aldermen say that other options will be explored in the months to come, both to provide more rental housing and to enable more people to buy or retain their homes. Kaplan notes, for instance, that many senior citizens would like to convert their houses into duplexes, not only for the added income, but also for greater security and help in maintenance. Zoning changes to make such uses possible must be made wisely. If they are, they could clear the way for more efficient use of available resources to help meet the housing needs of the 1980s.

apartment size and five specified a maximum, usually 600 square feet.

This inconsistency persists in ordinances in other regions. It reflects local residents' competing concerns about the quality of the apartments to be created as opposed to the desire to maintain the single-family character of the neighborhood. The Weston ordinance avoids the issue by using subjective language. It permits one accessory apartment in a "single family owner occupied dwelling. . . . provided it is . . . clearly a subordinate part thereof."

However logical it may seem to some, to others planning for the creation of accessory apartments seems to be planning for the subdivision of the American dream. This may be the real cause of the contro-

versy surrounding the legalization of accessory apartments, not practical matters like apartment size.

Such feelings may also explain the lack of enthusiasm in towns where accessory apartments have been made legal. Two months after Portland, Oregon, began its Add-a-Rental program, no applications to create legal accessory apartments had been received. When Lincoln, Massachusetts, legalized accessory apartments several years ago, it included a provision in its zoning bylaws restricting the apartments to a maximum of 10 percent of the houses in the town. This restriction was removed in 1978 because nowhere near that number of apartments was created.

And in Babylon, which legalized

accessory apartments in February 1980, almost every one of the 900 applications received within the first 10 months were to legalize existing apartments. "Only five or six applications for new apartments have come in since the program started," says Ed Thompson of Babylon's building division.

It's clear that simply legalizing accessory apartments will not necessarily result in the creation of large numbers of them. On the other hand, prohibiting them may not do much to keep them from spreading. Apparently, they involve a planning issue on which the curtain is only beginning to rise.

Patrick Hare is a planning consultant in Washington, D.C. He is preparing a PAS report on accessory apartments for APA.

LAIS, BANNIGAN & CIRESI, P. A.

ATTORNEYS AT LAW
409 MIDWEST FEDERAL BUILDING
5TH AND CEDAR
SAINT PAUL, MINNESOTA 55101

DONALD L. LAIS
JOHN F. BANNIGAN, JR.
JEROME D. CIRESI
PATRICK J. KELLY

AREA CODE 612
224-3781

January 21, 1982

City of Maplewood
1380 Frost Avenue
Maplewood, Minnesota 55109

Attention: Mr. Randall Johnson
Associate Planner

Dear Randy:

In reply to your letter of January 7, 1982 concerning the issuing of special exception permits to the property owner rather than the property for home occupations and accessory apartments, I wish to advise as follows:

After carefully reviewing the matter, it is apparent that granting of these permits to an individual for a specific purpose necessarily includes granting the permit to the location. To subsequently deny someone a continuance of the same home occupation or use of an accessory apartment would result in an arbitrary and capricious action on the part of the future Council and could render the City liable for damages for denial of equal treatment under the U.S. Constitution.

It is, therefore, my opinion that the permits, regardless of how they are granted, have to run with the property and it would be better to so state right in the policy and in the granting of such special exception so as not to mislead parties into believing that such a special exception could be denied in the future.

Very truly yours,

LAIS, BANNIGAN & CIRESI, P.A.


Donald L. Lais

DLL/me

From: Dir. of Com. Develop.
Referred to:
Village Mgr. <input checked="" type="checkbox"/>
Village Clerk _____
Finance Director _____
Dir. of Parks & Rec. _____
Dir. of Pub. Safety _____
Dir. of Pub. Works _____
Fire Marshall _____
Other <u>Council / Planning Commission</u>
Transmittal Date <u>1/22/82</u>

C. Code Amendment - Accessory Apartments

Secretary Olson said the proposal is to amend the Code to allow accessory apartments within single dwellings by special exception permit.

The Commission reviewed the requirements proposed to permit an accessory apartment as outlined in the ordinance. They also discussed the added density which could result in each neighborhood from this type of use.

Grant Hatley, 1569 E. County Road C, said he was in favor of the proposed ordinance change. He thought it would be more desirable than having a duplex, as this would be owner occupied.

Roger Cobb, 1559 E. County Road C, said he does favor the amendment. He said the financial arrangement with the accessory apartment is favorable to both the landlord and the renter.

Commissioner Prew moved the Planning Commission recommend the City Council adopt the proposed ordinance, amending Section 904.010 of the Zoning Code to permit accessory apartments within single dwellings, by special exception permit.

Commissioner Fischer seconded
Pellish, Sletten, Whitcomb, Fischer, Hejny, Kishel, Howard

Ayes - Commissioners Prew,
Nays - Commissioner Axdahl

MEMORANDUM

F-4

TO: City Manager
FROM: Director of Community Development
SUBJECT: Sideyard Setbacks in Residence Estate Districts
DATE: March 10, 1982

INTRODUCTION

Request

Councilman Bastian has requested that staff consider increasing the required side yard setbacks in areas zoned R-E, Residence Estate District.

Reasons for the Change

On February 18, 1982, Mr. Richard M. Hagstrom presented the City Council with a Certificate of Survey indicating that the house he recently purchased was abutting his southerly lot line. This was contrary to his belief upon purchasing the property (see enclosed map). The problem developed when a new home was built on the adjacent lot to the south only 14.5 feet from his own home. Mr. Hagstrom felt that his privacy was in jeopardy because of the small separation between the dwellings.

Under the proposed ordinance, there would be a minimum of thirty feet between these homes.

Objectives of the Amendment

1. To establish side yard setbacks for R-E lots, which are more in proportion to their lot size.
2. To provide additional space between adjacent dwellings for privacy and for a more balanced appearance of the house on a large lot.

CONCLUSION

Issues

The main issues are aesthetics and privacy.

From an appearance standpoint, a dwelling on a large R-E lot, built five feet from a side lot line would appear to be crowding the adjacent parcel. Increasing the side yard setbacks proportionately for each R-E lot size category would help to provide more of a balanced appearance. The increased setback would also provide added privacy for neighbor.

Staff proposes increase the minimum side yard setback requirements as follows:

Zoning Category	Minimum Lot Frontage Required	Side Yard Setback Proposed
R-E (20)	100 feet	10 feet
R-E (30)	120 feet	15 feet
R-E (40)	140 feet	20 feet

Issues - continued

By increasing the side yard setback requirements as listed, there would still be at least 80 feet, 90 feet and 100 feet respectively, of buildable lot width available. Staff feels that if the setbacks were increased any further, it may restrict a home builder too much and force him to construct the home in the middle of the parcel. Depending upon the topography of the land and proximity to adjacent development, such a requirement may be too limiting.

Recommendation

Approval of the enclosed ordinance.

REFERENCE INFORMATION

Existing Code

1. Section 919.050 of the Zoning Code provides the following R-E District Standards:
 - a. Minimum Lot Area. The minimum lot area shall be determined by the City Council at the time of rezoning, but shall be limited to 20,000, 30,000, or 40,000 square feet. The Council shall base their decision on the character of developed lots within an existing neighborhood or on the desired character of lots in an undeveloped area. Minimum lot area requirements shall be designated on the Zoning map in each R-E District's title, e.g. R-E (30), standing for a minimum lot area of 30,000 square feet. Once established, any request to change a district's minimum lot area requirement shall be processed as a request for rezoning.
 - b. Minimum Lot Width at the Building Setback Line.
 - R-E (20) - 100 feet
 - R-E (30) - 120 feet
 - R-E (40) - 140 feet
 - c. Minimum Setbacks. As required for R-1, Residence District (single dwelling).
 - d. Maximum Building Height. As required for R-1, Residence District (single dwelling).
 - e. Legally buildable lots before the rezoning to an R-E zone shall be considered buildable after rezoning to an R-E zone.
2. The side yard setback in an R-1 zone is five feet.

Procedure

1. Planning Commission recommendation
2. Council hearing and first reading
3. Council adoption on second reading

Enclosures:

1. Proposed Ordinance
2. Certificate of Survey

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MUNICIPAL CODE CONCERNING
SETBACKS IN R-E DISTRICTS

THE COUNCIL OF THE CITY OF MAPLEWOOD DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 919.050 (3) is hereby amended as follows:

919.050 (3) Minimum setbacks.

- a. Within R-E Districts, the following minimum building setbacks for dwellings, accessory buildings and drive-ways shall apply:

Side Yard Setback

R-E (20)	10 feet
R-E (30)	15 feet
R-E (40)	20 feet

- b. All other setbacks shall be as required for R-1, Residence District (Single Dwelling).

Section 2. This ordinance shall take effect upon its passage and publication.

Passed by the City Council
of the City of Maplewood,
Minnesota, this day
of , 19 .

Mayor

Attest:

Clerk

Ayes -

Nays -

F 5

MEMORANDUM

TO: City Manager
FROM: Director of Community Development
SUBJECT: Code Amendment: Definition of Family
APPLICANT: Department of Community Development
DATE: January 21, 1982

Action by

Request

1. To amend the definition of "family" to limit the number of nonrelated members.
2. To establish definitions for rooming and boarding houses.

Reasons for Change

A Councilman and at least one Planning Commissioner have noted a concern by residents with an increase in nonrelated residents in single-dwellings. Time Magazine reports a national trend involving unrelated buyers who double up to beat the high costs of homeownership. This sharing may be done by singles, couples, or senior citizens. Houses in some part of the country are being specifically built for these situations, with identically sized master bedrooms at opposite ends of the house.

Objectives of the Amendment

1. To preserve the quiet, family-oriented character of neighborhoods.
2. To limit the problems of parking, traffic, congestion, and overcrowding in neighborhoods.
3. To allow a reasonable number of nonrelated individuals to live as a single housekeeping unit.
4. To allow a reasonable number of nonrelated individuals to reside as roomers with a family of related persons.

CONCLUSION

Analysis

To limit the number of nonrelated persons permitted to reside together in a single dwelling zoning district, two issues should be addressed:

- a. The number of nonrelated persons that should be permitted to reside together as sole occupants of a single housekeeping unit.
- b. The number of nonrelated individuals that should be permitted to reside as roomers with a family of related individuals.

A related issue - the number of unrelated individuals necessary for status as a rooming or boarding house, should also be addressed.

Nonrelated Persons as Sole Occupants of a Dwelling Unit

When nonrelated individuals are the sole occupants of a dwelling unit, a limit of five persons should be established. This policy would be consistent with nine of twenty-one metropolitan communities surveyed (attached), the uniform building code definition of family (Reference Information - Other Agencies), and the average size of a Maplewood family plus two nonrelated roomers, as discussed below.

Related Households and Nonrelated Roomers

All households of related persons, no matter how large, should be permitted to "take in" a reasonable number of nonrelated roomers. Limiting the number to two would be consistent with the requirements of nine of twenty-one surveyed metropolitan area communities (attachment), and Maplewood's definition of rooming house, as defined in the Rental Housing Maintenance Code.

Household of Two Related Persons and Nonrelated Roomers

Limiting two related persons to two roomers would be unfair if five unrelated individuals were to be permitted as a single housekeeping unit. For consistency, a household of two related persons should be permitted to "take in" up to three nonrelated roomers.

Definition of Rooming and Boarding House

The Rental Housing Maintenance Code classifies a residence as a rooming house if a room or rooms are rented to three or more persons unrelated to the owner/operator. The zoning code presently does not define rooming or boarding house, but does restrict them to Multiple Residence and Business-Commercial zoning districts.

To avoid any possible code interpretation problems, particularly for the single person or two related person household wishing to "take in" roomers, zoning code definitions of rooming and boarding house should be established consistent with the proposed definition of family. Second, the Rental Housing Maintenance Code definition of rooming house should be replaced by a reference to the zoning code definition.

Recommendation

- I. Approval of the enclosed Zoning Ordinance Amendment redefining family and adding definitions for rooming and boarding houses. (Requires at least four votes for approval.)
- II. Approval of the enclosed Rental Housing Maintenance Code Amendment revising the definition of rooming house to correspond to the zoning code definition. (Requires at least a simple majority.)

REFERENCE INFORMATION

Existing Ordinance

1. Section 916.010 (7) of City Code defines "family" as, "Any number of persons living and cooking together as a single housekeeping unit."
2. Section 214.040 (4) (x) of the Rental Housing Maintenance Code defines "Rooming House" to mean any residence building, or any part thereof, containing one or more rooming units, in which space is rented by the owner or operator to three or more persons who are not husband or wife, son or daughter, mother or father, sister or brother of the owner or operator.

Other Agencies

1. State of Minnesota - Uniform Building Code Section 407, defines "Family" as:

"an individual or two or more persons related by blood or marriage or a group of not more than five persons (excluding servants) who need not be related by blood or marriage living together in a dwelling unit."

2. National Fire Protection Association (NFPA) Section 22-1.1 of the 1981 Life Safety Code stipulates that:

"one- and two-family dwellings include buildings containing not more than two dwelling units in which each living unit is occupied by members of a single family with no more than three outsiders, if any, accommodated in rented rooms."

The code does not define "family" or "outsider."

Survey of Other Communities

Nine of twenty-one communities surveyed, or 43%, limit the number of nonrelated persons who can live in a single dwelling to five. Blaine and Golden Valley, aside from Maplewood, have no limit. (See enclosed survey.)

Among the surveyed communities, 43% also limit a family to two roomers. In two communities, Burnsville and Cottage Grove, a family with roomers can not exceed the number of permitted nonrelated individuals.

Group Homes

State law exempts a state licensed group home or foster home servicing six or fewer mentally retarded or physically handicapped persons from local regulation in single-dwelling zones.

Legal

The following evaluation of past court decisions in Zoning and Planning Law Report recommends that at least two unrelated persons be allowed to reside together (Vol. 1, No. 1., pp. 4-5):

"The case for requiring a minimum of two unrelated persons to be allowed to reside in a single family zone seems a strong one, in that: (1) two unrelated persons, as opposed to a group of unrelated persons, do not pose so much of a threat or disturbance to the prevailing "family" characteristics of a neighborhood; (2) the claims of a need of companionship or housekeeping assistance are greater for a single individual, particularly if elderly; and (3) greater rights of domestic privacy are implicated in the relationship of two individuals than in that of a group, cf. Eisenstadt v. Baird, 405 J.S. 432 (1972).

"Pending decisional law on the question of whether even two unrelated persons may be barred from residing together in a single family zone, the guidelines for restrictive single family zoning, for purposes of federal constitutional law, appear to be as follows: groups of three or more unrelated individuals, may be barred from residing in single family districts, but groups of individuals related by "blood, adoption, or marriage" must be allowed to reside together without qualification as to their degree of kinship. To be emphasized, however, is that the above guidelines serve for purposes of passing federal constitutional muster; state courts, interpreting state constitutions, may still review restrictive single family zoning with a more critical eye."

Procedure

1. HRA: Recommendation
2. Planning Commission: Recommendation
3. City Council:
 - a. First reading and public hearing
 - b. Second reading and adoption

Enclosures

1. Proposed Ordinance
2. Survey

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 214 OF THE MAPLEWOOD
CITY CODE RELATING TO THE DEFINITION OF ROOMING HOUSE

THE COUNCIL OF THE CITY OF MAPLEWOOD DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 916.040 (4) (X) is hereby amended as follows (language to be deleted is crossed out and proposed language is underlined):

~~x. -- Rooming House shall mean any residence building, or any part thereof, containing one or more rooming units, in which space is rented by the owner or operator to three or more persons who are not husband or wife, son or daughter, mother or father, sister or brother of the owner or operator.~~

x. Rooming House: As defined in Section 196.010 (26) of the City Zoning Code. For purposes of this ordinance, there shall be no distinction made between rooming and boarding house.

Section 2. This ordinance shall take effect and be in force from and after passage and publication.

Passed by the Maplewood City Council
this _____ day of _____, 1982.

AN ORDINANCE AMENDING SECTION 916 OF THE MAPLEWOOD CITY CODE RELATING TO THE DEFINITION OF FAMILY, ROOMING HOUSE AND BOARDING HOUSE

THE COUNCIL OF THE CITY OF MAPLEWOOD DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 916.010 is hereby amended to revise the following language (language to be deleted is crossed out, language to be added is underlined):

~~916.010--(7)-Family:--Any-number-of-per-sens-living-and-cooking-together-as-a-single--housekeeping-unit.~~

916.010 (7). Family: A family is one of the following, living together as a single housekeeping unit:

- a. An individual or a group of persons not to exceed five, who are not related by blood, marriage, foster children, or adoption, or
- b. Two persons related by blood, marriage, foster children, or adoption and not more than three unrelated persons, or
- c. Three or more persons related by blood, marriage, foster children, or adoption and not more than two unrelated persons.

Section 2. Section 916.010 is hereby amended to add the following language:

916.010 (24) Boarding House: A rooming house in which meals are provided.

916.010 (25) Rooming House: Any single housekeeping unit in which space is rented, less meals, to persons unrelated to the resident manager or property owner, in excess of the definition of family, as defined in Section 916.010 (7).

Section 3. This ordinance shall take effect and be in force from and after passage and publication.

Passed by the Maplewood City Council
this _____ day of _____, 1982.

ATTACHMENT ONE

SURVEY OF CITIES CLOSEST TO MAPLEWOOD IN POPULATION

All cities surveyed allowed any number of related family members.

<u>CITY</u>	<u>MAXIMUM NUMBER OF NONRELATED RESIDENTS</u>	<u>MAXIMUM NUMBER OF ROOMERS (a)</u>
Maplewood	No limit	-
Coon Rapids	6	2
Roseville	4	2
Burnsville	4	(b)
Plymouth	5	2
Brooklyn Center	5	(2 rooms may be rented)
Fridley	5	-
Blaine	No limit	-
South St. Paul	5	5
Eagen	5	-
Maple Grove	4	1 or 2 depending on the zoning district
Columbia Heights	3 or unlimited if same sex	2
Cottage Grove	4	(b)
West St. Paul	4	2
Shoreview	5	(one room may be rented)
Crystal	3	1
New Brighton	3	2
New Hope	5	1
Golden Valley	No limit	2
White Bear Lake	5	2
<u>Apple Valley</u>	<u>5</u>	<u>2</u>
MEDIAN NUMBER	5	

(a) Owner Occupied Dwelling

(b) A family with roomers cannot exceed the allowable number of nonrelated residents.

MEMORANDUM

TO: City Manager
 FROM: Director of Community Development
 SUBJECT: Definition of Family
 DATE: March 17, 1982

Councilmember Maida asked staff to survey the cities adjacent to Maplewood.

<u>CITY</u>	<u>MAXIMUM NUMBER OF NON-RELATED RESIDENTS</u>	<u>MAXIMUM NUMBER OF ROOMERS</u>
North St. Paul	2	1
Oakdale	5	2
Woodbury	5	8 - requires special permit
Newport	5	8 - requires special permit
St. Paul	4	(a)
Roseville	4	2
White Bear Lake	5	2
Vadnais Heights	No limit	No limit
Little Canada	Information not available	

(a) A family with roomers cannot exceed the allowable number of non-related residents.

B. Code Amendment - Definition of Family

Secretary Olson said this proposal is to amend the definition of "family" as outlined in the Maplewood Code and also establish definitions for rooming and boarding houses.

The HRA review was summarized for the Commission.

Commissioner Kishel moved the Planning Commission recommend approval of the Zoning Ordinance amendment redefining family and adding definitions for rooming and boarding houses.

Commissioner Prew seconded
Ayes - Commissioners Axdahl, Prew,
Pellish, Sletten, Whitcomb, Fischer, Hejny, Kishel, Howard

Commissioner Pellish moved the Planning Commission recommend approval of the Rental Housing Maintenance Code amendment revising the definition of rooming house to correpond to the Zoning Code definition (Section 214).

Commissioner Prew seconded
Ayes - Commissioners Axdahl, Prew,
Pellish, Sletten, Whitcomb, Fischer, Hejny, Kishel, Howard

MEMORANDUM

J-1

TO: City Manager
FROM: Tom Ekstrand, Associate Planner
SUBJECT: Final Plat
LOCATION: Cope Avenue and Kennard Street
APPLICANT: Wayne J. Herr
OWNER: JLK Imperial Builders
PROJECT: Maple Park Shores
DATE: March 25, 1982

Request

Approval of a final plat for a twenty unit townhouse development (four buildings).

Past Action

3-15-81: Council approved the preliminary plat for Maple Park Shores, subject to the condition that the final plat not be approved until:

1. The City Attorney has approved the bylaws and rules of the proposed homeowner's association to assure that all common areas will be maintained.
2. A signed developers agreement for the construction of utilities through the site and enlargement of the existing ponding facility is submitted and approved by the Director of Public Works.
3. An easement over Outlot A shall be dedicated to the City for drainage and utility purposes on the final plat.

Analysis

The following is in response to the conditions of final platting:

1. The City Attorney has approved the bylaws and rules of the homeowners association.
2. The developers agreement has been signed by the applicant and will be signed by the Director of Public Works upon approval of the final plat.
3. The blanket easement over Outlot A for drainage and utilities has been provided, however, the City of St. Paul also requires that a specific utility easement over all water lines be dedicated.

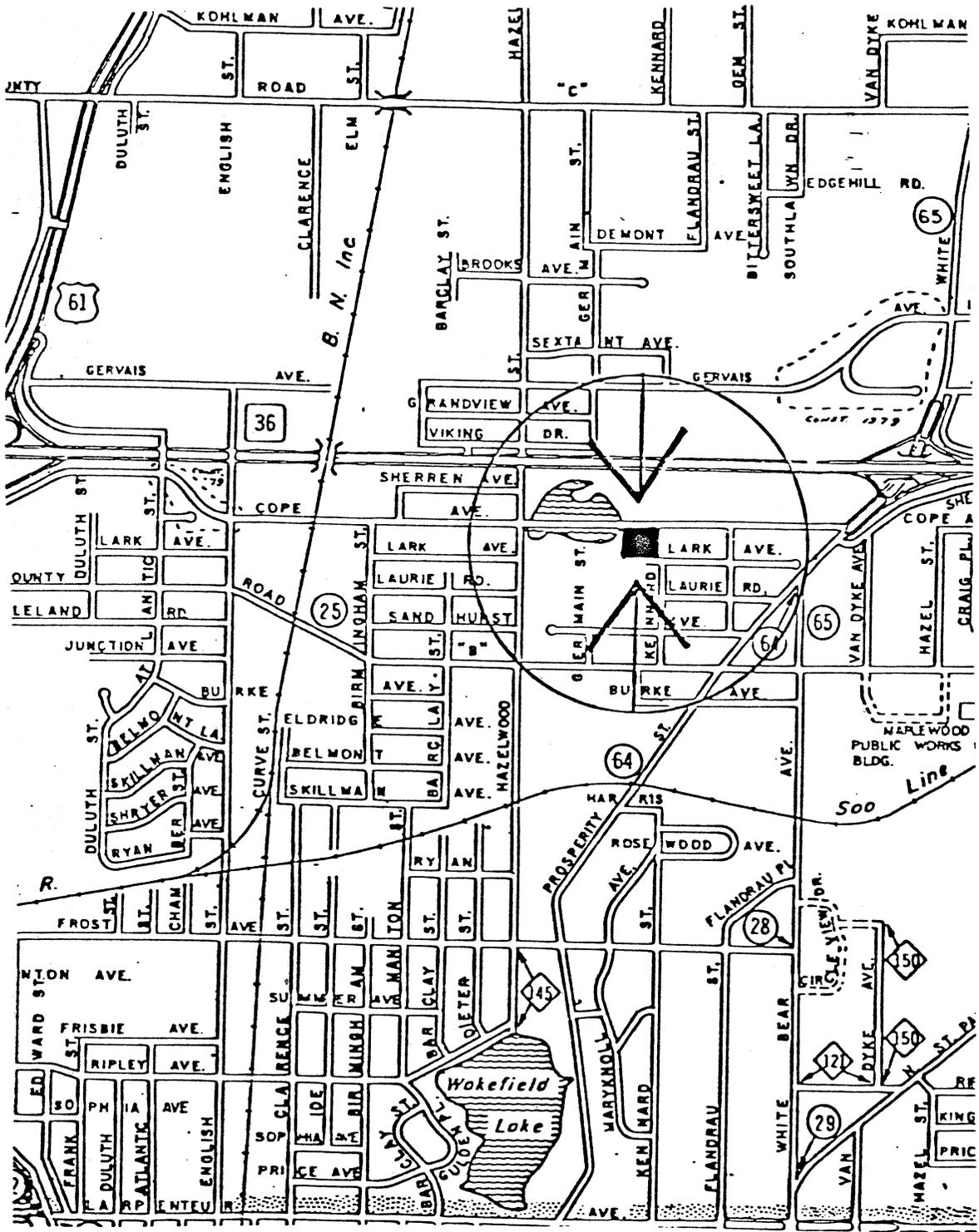
Recommendation

Approval of the final plat for Maple Park Shores, subject to the following condition:

The developer shall dedicate a thirty foot wide utility easement over all water lines. This easement shall be subject to approval by the Director of Public Works.

Enclosed:

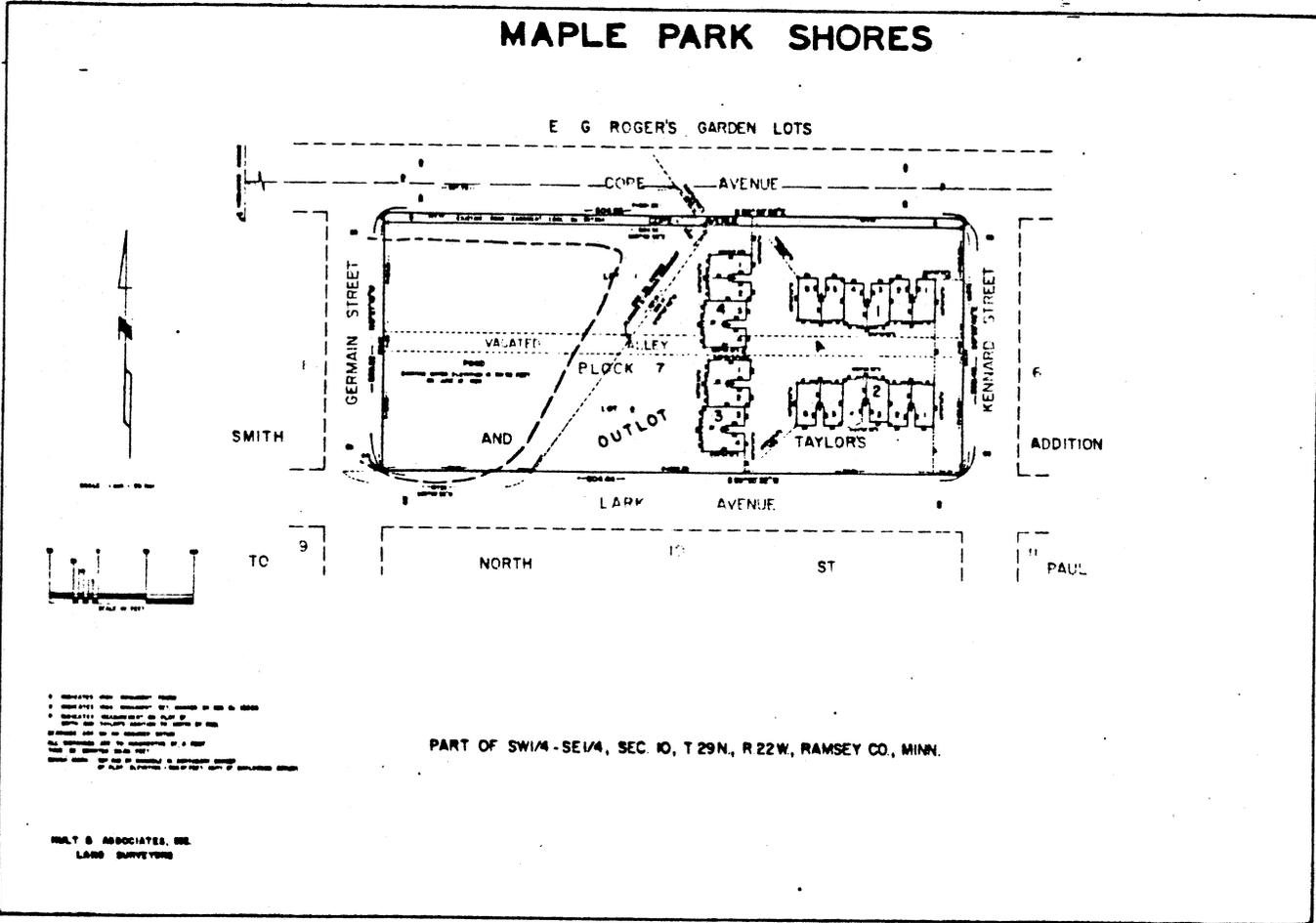
1. Location Map
2. Plat Map



LOCATION MAP



MAPLE PARK SHORES



PART OF SW1/4 - SE1/4, SEC. 10, T 29N, R 22W, RAMSEY CO., MINN.

- 1. EXISTING LOT BOUNDARIES
- 2. EXISTING LOT BOUNDARIES NOT SHOWN ON THIS PLAN
- 3. EXISTING LOT BOUNDARIES NOT SHOWN ON THIS PLAN
- 4. EXISTING LOT BOUNDARIES NOT SHOWN ON THIS PLAN
- 5. EXISTING LOT BOUNDARIES NOT SHOWN ON THIS PLAN
- 6. EXISTING LOT BOUNDARIES NOT SHOWN ON THIS PLAN
- 7. EXISTING LOT BOUNDARIES NOT SHOWN ON THIS PLAN
- 8. EXISTING LOT BOUNDARIES NOT SHOWN ON THIS PLAN
- 9. EXISTING LOT BOUNDARIES NOT SHOWN ON THIS PLAN

MULTI & ASSOCIATES, INC.
LAND SURVEYORS

SITE PLAN



J-2

March 23, 1982

Maplewood Council Members
1380 Frost Avenue
Maplewood, Minnesota

Members of the Board:

I am requesting that the law governing the closing of off-sale liquor stores on Memorial Day be placed on the agenda for the attention of the board members discussion. I find it very difficult to compete with liquor stores within a one-mile radius whose laws governing hours and days open are different than mine. Any time someone goes to another store because you are not open, that is a sale you have lost and cannot be made up. The same can be said of a day's receipts. For whatever reason, when a store is closed for a day, those sales for that day are gone; particularly if there are other stores in the area who are open.

I don't think there is anyone unaware of the difficult economic position most retailers are in. It is a double burden to be unable to at least have the same opportunity as others around you to compete for business.

I can think of no positive reason why off-sale liquor stores are, by law, closed in Maplewood on Memorial Day. I am requesting that serious consideration be given to changing this law.

Thank you for your kind attention.

Sincerely,



Gust R. Sarrack, President
Sarrack's International Wines & Spirits

J-3

MEMORANDUM

TO: City Manager
FROM: Assistant City Engineer
DATE: March 25, 1982
SUBJECT: Maplewood Drive
T. H. 61--Frontage Road
PROJECT NO. 80-10

Enclosed herewith is the Engineering Feasibility Report for the above referenced project for your consideration. We request that the Maplewood City Council establish a date for public hearing on May 6, 1982 during their regular meeting.

RESOLUTION ACCEPTING REPORT AND CALLING FOR PUBLIC HEARING

WHEREAS, the City Engineer for the City of Maplewood has been authorized and directed to prepare a report with reference to the improvement of the frontage road east of T.H. 61 by construction of street, storm sewer, sanitary sewer, watermain and appurtenances, and

WHEREAS, the said City Engineer has prepared the aforesaid report for the improvements hwherein described:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, as follows:

1. The report of the City Engineer advising this Council that the proposed improvement on Maplewood Drive (T.H. 61 East Frontage Road) by construction of street, storm sewer, sanitary sewer, watermain and appurtenances is feasible and should best be made as proposed, is hereby received.
2. The Council will consider the aforesaid improvement in accordance with the reports and assessment of benefited property for all or a portion of the cost of the improvement according to M.S.A. Chapter 429 at an estimated total cost of the improvement of \$674,800.00.
3. A public hearing will be held in the Council Chambers of the City Hall at 1380 Frost Avenue on Thursday, the 6th day of May, 1982, at 7:00 p.m. to consider said improvement. The City Clerk shall give mailed and published notice of such hearing and improvement as required by law.

J-4

March 23, 1982

STAFF REPORT

To: City Manager Barry Evans
From: Chief of Police R. W. Schaller
Subject: Liquor License Application of Thomas Given dba Prom Catering
at Keller Clubhouse for Golf Season 1982

In the past, it has been usual practice for them to apply during the year in that the licensee has not operated the last couple of winters at that location. This practice was acceptable as long as we had available on-sale liquor licenses; however, as you are aware, this situation no longer exists so they have been sent the attached notice.

There appears to be nothing on the file at this time to prevent the City Council from authorizing the issuance of this license for 1982.



RWS:js

cc Liquor File
City Clerk
City Manager
Deputy Chief Hagen



CITY OF MAPLEWOOD

1380 FROST AVENUE MAPLEWOOD, MINNESOTA 55109

612-770-4530

DEPARTMENT OF PUBLIC SAFETY — OFFICE OF CHIEF OF POLICE

March 23, 1982

Mr. Thomas W. Given
c/o Keller Clubhouse
2161 Maplewood Drive
Maplewood, MN 55109

Dear Mr. Given:

After an inquiry several weeks ago, we received your application for a renewal of the on-sale liquor license at your leased premises. In the past, this practice of "late" submission of your application has been acceptable; however, at the present time, all on-sale licenses authorized by law in Maplewood are committed, and if the license for Keller Clubhouse is not submitted by November 15th, it will become an eligible license for public application by anybody for any location.

I trust you readily see the need to promptly submit your application in the future. Should you have any questions, please feel free to call upon me.

Very truly yours,

R. W. Schaller, Chief of Police
Maplewood Police Department

RWS:js

cc Liquor File
 City Clerk
 City Manager
 Deputy Chief Hagen
 Director of Arenas Anthony Crea

CITY OF MAPLEWOOD

APPLICATION FOR INTOXICATING LIQUOR LICENSE

THIS APPLICATION SHALL BE SUBMITTED IN DUPLICATE.

Whoever shall knowingly and wilfully falsify the answers to the following questionnaire shall be deemed guilty of perjury and shall be punished accordingly.

In answering the following questions "APPLICANTS" shall be governed as follows: For a Corporation one officer shall execute this application for all officers, directors and stockholders. For a partnership one of the "APPLICANTS" shall execute this application for all members of the partnership.

EVERY QUESTION MUST BE ANSWERED

1. I, Thomas W. Given as Manager (Individual owner, officer or partner)

for and in behalf of Keller Golf Course Clubhouse

hereby apply for an On Sale Intoxicating Liquor License to be located at Keller Clubhouse 2166 Maplewood Drive, Maplewood, Minnesota 55109

(Give address and legal description), in the City of

Maplewood, County of Ramsey, State of Minnesota, in accordance with the provisions of Ordinance No. 95 of Maplewood.

2. Give applicants' date of birth:

Thomas W. Given 23rd May 1953 (Day) (Month) (Year)

3. The residence for each of the applicants named herein for the past five years is as follows:

1975 215 Woodlawn Avenue St. Paul Minnesota
1976 1641 Juno Street " "
1977-Spring 1978 598 S. Warwick Street Spring 78-Aug '79 215 Woodlawn
March 80 to present 6549 Buckingham Road, Woodbury Minnesota

4. Is the applicant a citizen of the United States? Yes

If naturalized state date and place of naturalization

If a corporation or partnership, state citizenship including naturalization of each officer or partner.

5. The person who executes this application shall give wife's or husband's full name and address.

Mrs. Mary Ann Given 6549 Buckingham Road, Woodbury Minn

6. What occupations have applicant and associates in this application followed for the past five years?

Applicant has worked as Catering Manager, Prom Catering Co St. Paul Minn

7. If partnership, state name and address of each partner.

If a corporation, date of incorporation _____, state in which incorporated _____, amount of authorized capitalization _____ amount of paid in capital _____

if a subsidiary of any other corporation, so state _____

give purpose of corporation _____

name and address of all officers, directors and stockholders and the number of shares held by each:

(Name)

(Address)

(City)

If incorporated under the laws of another state, is corporation authorized to do business in this State? _____. Number of certificate of authority _____.

If this application is for a new Corporation, include a certified copy of Articles of Incorporation and By-Laws.

8. On what floor is the establishment located, or to be located? Ground Floor

9. If operating under a zoning ordinance, how is the location of the building classified? _____
_____. Is the building located within the prescribed area for such license?

10. Is the establishment located near an academy, college, university, church, grade or high school?
No. State the approximate distance of the establishment from such school or church _____

11. State name and address of owner of building County of Ramsey City Hall St. Paul Mn
_____; has owner of building any connection, directly or indirectly, with applicant? Yes, owner is leasing operations of the Club House to the successful bidder.

12. Are the taxes on the above property delinquent? No

13. State whether applicant, or any of his associates in this application, have ever had an application for a Liquor License rejected by any municipality or State authority; if so, give date and details
Never

14. Has the applicant, or any of his associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give date and details No

15. State whether applicant, or any of his associates in this application, during that past five years were ever convicted of any Liquor Law violations or any crime in this state, or any other state, or under Federal Laws, and if so, give date and details. Never

16. Is applicant, or any of his associates in this application, a member of the governing body of the municipality in which this license is to be issued? No. If so, in what capacity? _____

17. State whether any person other than applicants has any right, title or interest in the furniture, fixtures, or equipment in the premises for which license is applied, and if so, give names and details. All above fixtures and equipment are owned by the County and leased to applicant for duration of the contract.

18. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the State of Minnesota? No. Give name and address of such establishment _____

19. Furnish the names and addresses of at least three business references, including one bank reference. Mr. Amos Martin Ex V Pres St. Paul Area Chamber of Commerce Town Square Bldg
Roger Foussard Hospital Linen Supply Services Inc 740 E Seventh St. Paul 55106
Mr. William D. Clapp Clapp Thomssen Co Commerce Bldg St. Paul Mn

20. Do you possess a retail dealer's identification card issued by the Liquor Control Commissioner which will expire December 31st of this year? Give number of same Yes applied for

21. Does applicant intend to sell intoxicating liquor to other than the consumer? No

22. State whether applicant intends to possess, operate or permit the possession or operation of, on the licensed premises or in any room adjoining the licensed premises, any slot machine, dice, gambling device and apparatus, or permit any gambling therein. No

23. Are the premises now occupied, or to be occupied, by the applicant entirely separate and exclusive from any other business establishment? Yes

24. State trade name to be used Keller Clubhouse Concessions

25. State name of person that will operate store Thomas W. Given

26. Give Federal Retail Liquor Dealer's Tax Stamp Number 12028244

27. If off sale license is being applied for, do you intend to deliver liquor by vehicle? _____. If so, state number of motor vehicle permits issued by Liquor Control Commissioner for current year _____

28. If you are building a new building for the purposes for which this application is being made, please submit plans and specifications with this application.

29. Financing of the construction of this building will be as follows: _____

30. Furnish a personal financial statement with this application. If a partnership, furnish financial statement of each partner.

31. Give description of type of operation if this is an on-sale license application (i.e. whether cocktail lounge, nite club, restaurant, etc., specifying capacity by number of customers and any other pertinent data). License will be used to accomodate food & beverage diesties of the Golfing public using Keller facilities during legal operating hours. Golf Awards Dinners, private dinner functions similar to those handled in past years will also be welcomed. Public availability of the facilities during legal operating house will also be welcomed.

32. What previous experience have you had in the operation of the type of business described in the answer to No. 31 above I have worked for my Father since age 14 years as busboy, concessionaire at Keller 10 years, Cook, Night Manager, and currently catering manager. I am involved with food buying and supervision for my Father at his place of business and at Keller. I am paid a salary for my food work and do not have Any compensation or remuneration from bwverages served at the same location.

33. Applicant, and his associates in this application, will strictly comply with all the laws of the State of Minnesota governing the taxation and the sale of intoxicating liquor; rules and regulations promulgated by the Liquor Control Commissioner; and all ordinances of the municipality; and I hereby certify that I have read the foregoing questions and that the answers to said questions are true of my own knowledge.

Thomas W. Given

(Signature of Applicant)

Subscribed and sworn to before me this

_____ day of _____, 19____

THIS APPLICATION MUST BE ACCOMPANIED WITH YOUR CHECK FOR THE FIRST LICENSE PERIOD.